

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 21, 2022 - 5:00 PM

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

I. Call Public Meeting to Order

II. Executive Session.

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

1. Discussion regarding possible sale/purchase/lease of real property off of North Goliad Street pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney)

III. Adjourn Executive Session

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

V. Invocation and Pledge of Allegiance - Councilmember Macalik

VI. Proclamations / Awards / Recognitions

1. Rockwall Police Department Awards

- Rookie of the Year - Dylan Sparks
- Officer of the Year - Wener Perez
- Supervisor of the Year - Steven Brassil
- Civilian Professional of the Year - Kayla Sorenson

VII. Open Forum

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

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

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

1. Consider approval of the minutes from the March 7, 2022 regular City Council meeting, and take any action necessary.
2. Consider approval of an **ordinance** declaring unopposed candidates for the offices of City Councilmembers Places 2, 4, and 6 and cancelling the May 7, 2022 General Election, and take any action necessary. **(2nd reading)**
3. **P2022-005** - Consider a request by Humberto Johnson of the Skorburg Company on behalf of Glen and Rosie Cox for the approval of a *Replat* of Lots 3 & 4, Block A, Cox Acres Addition being a 17.51-acre parcel of land identified as Lot 1, Block A, Cox Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, addressed as 1800 E. Quail Run Road, and take any action necessary.

4. **P2022-006** - Consider a request by Dnyanada Nevgi of the SRC Land Building and Real Estate, LLC on behalf of Rajesh Malviya of Buffalo Country Properties, LLC for the approval of a *Replat* for Lots 13 & 14 of the Rockwall Business Park East Addition being a 6.280-acre parcel of land identified as Lot 5 of the Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated on the southside of Ralph Hall Parkway west of the intersection of Ralph Hall Parkway and S. Goliad Street [SH-205], and take any action necessary.
5. **P2022-007** - Consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a *Replat* for Lot 3, Block A, Allen Anderson Addition being a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.
6. **P2022-008** - Consider a request by William Johnson of LTL Family Holdings, LLC for the approval of a *Preliminary Plat* for the Marina Village Subdivision being a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) [Ordinance No. 92-39] for Zero Lot Line (ZL-5) District land uses, generally located on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any action necessary.
7. Consider approval of the construction contract for IH-30 Utility Relocation Project from State Highway 205 to Farm to Market 3549 and authorize the City Manager to execute a construction contract with FM Utilities, LLC, in the amount of \$778,043.18, to be paid for out of *Water/Sewer Funds* and refunded by TXDOT after construction, and take any action necessary.

**X. Public Hearing Items**

*If you would like to speak regarding an item listed below, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit your comments to no more than three minutes.*

1. **Z2022-006** - Hold a public hearing to discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation for the approval of an **ordinance** for a *Zoning Change* from Planned Development District 73 (PD-73) to a Light Industrial (LI) District for a 8.008-acre parcel of land identified as Lot 8, Block A, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 73 (PD-73) for Commercial (C) District land uses, situated within the FM-549 Overlay (FM-549 OV) District and the SH-276 Overlay (SH-276 OV) District, located at the northwest corner of the intersection of Corporate Crossing and SH-276, and take any action necessary **(1st Reading)**.
2. **Z2022-007** - Hold a public hearing to discuss and consider a request by Juan Aguilar on behalf of Jose A. Contreras of Black Toro Custom Homes, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.1650-acre parcel of land identified as Lot 1096 of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 514 Yvonne Drive, and take any action necessary **(1st Reading)**.
3. **Z2022-008** - Hold a public hearing to discuss and consider a request by Valerie Valdez of DDS Group on behalf of Blanca Canales of JCK Custom Homes, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.3990-acre parcel of land identified as Lot 7, Block A, Heritage Heights Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 7106 Odell Avenue, and take any action necessary **(1st Reading)**.
4. **Z2022-009** - Hold a public hearing to discuss and consider a request by Jack Kurz of RSDGP, LLC on behalf of Allen Anderson of Adlor Enterprises, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant, Less Than 2,000 SF, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary **(1st Reading)**.

5. **Z2022-010** - Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 93.97-acre tract of land identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1936 SH-66, and take any action necessary **(1st Reading)**.
6. **Z2022-011** - Hold a public hearing to discuss and consider a City initiated request for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary **(1st Reading)**.
7. **Z2022-012** - Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Section 06, *Overlay Districts*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of incorporating Airport Overlay (AP OV) District, and take any action necessary **(1st Reading)**.

**XI. Executive Session.**

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

1. Discussion regarding possible sale/purchase/lease of real property off of North Goliad Street pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney)

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

**XIII. Adjournment**

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

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

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of March, 2022 at 4:00 PM and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

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Date Removed



## MEMORANDUM

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**TO:** Mary Smith, City Manager  
**CC:** Honorable Mayor and City Council  
**FROM:** Max Geron, Chief of Police  
**DATE:** March 21, 2022  
**SUBJECT:** RECENT POLICE-RELATED AWARDS

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### Attachments

#### Summary/Background Information

It is my honor to recognize the following outstanding Rockwall Police Department employees for their exceptional performance that exemplify our core values. These employees were selected for their contributions over the course of the last year. I am proud of their efforts and their commitment to the tenants of servant leadership, and each one of them is truly one of Rockwall's finest. Please note the Rotary award winners will be recognized at the Noon Rotary meeting on Thursday, April 28, 2022. Thanks to all who nominated their outstanding peers. This really is a team effort, and recognition of fellow team members' contributions is an exercise in gratitude and appreciation.

#### **DEPARTMENTAL AWARDS (March 21, City Council)**

**Rookie of the Year** - Dylan Sparks

**Officer of the Year** - Wener Perez

**Supervisor of the Year** - Steven Brassil

**Civilian Professional of the Year** - Kayla Sorenson

#### **ROTARY PUBLIC SAFETY EMPLOYEES OF THE YEAR (April 28, Noon Rotary)**

**Sworn** - Andrew Poindexter

**Civilian Professional** - Michelle May

### Action Needed



## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 07, 2022 - 6:00 PM

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

### I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the meeting to order at 6:00 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem John Hohenshelt, and Councilmembers Clarence Jorif, Bennie Daniels, and Anna Campbell. City Manager Mary Smith was also present. Councilmembers Dana Macalik and Trace Johannesen as well as City Attorney Frank Garza were absent from the meeting.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MACALIK

Councilmember Macalik was absent, so Mayor Fowler delivered the invocation and led the Pledge of Allegiance.

### III. PROCLAMATIONS / AWARDS / RECOGNITIONS

#### 1. "Theatre in Our Schools" Month

Mayor Fowler called forth Paulet Del Castillo, 2022 Texas State Thespian Officer – Elect, briefly introducing her (a student at Rockwall High School). He then read and presented her with this proclamation.

### IV. OPEN FORUM

Mayor Fowler explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Kendrick Bryson  
3400 Craig Dr.  
McKinney, TX

Mr. Bryson came forth on behalf of the 7'ers, a new pro basketball team in Rockwall, indicating that he is the team's head coach. He wanted to introduce himself and encourage the city to support this new team - in person at games, virtually or financially. Each one of the team players present at the meeting then came forth and introduced themselves, one-by-one. Mr. John White, local Rockwall resident, briefly spoke, encouraging everyone to support this new basketball team.

George Rickley  
211 Windy Lane  
Rockwall, TX 75087

Mr. Rickley came forth and spoke briefly about his desire for the city to honor the late, Dr. Robert Sparks, a local physician who served the community for many years and who recently passed away. Mr. Rickley indicated that he would like the city to fund, build, sponsor and place a public,

permanent memorial of some sort (i.e. a statue, a plaque) someplace in Rockwall in honor of the late Dr. Sparks.

Steven Curtis  
2130 FM-1141  
Rockwall, TX

Mr. Curtis shared that a vehicular accident occurred Friday night on FM-1141 right across from his home's driveway. He then played a video clip for city council to see the fire that resulted from the automobile accident, and he shared a photo of the car that crashed. He has since been told by the Rockwall Fire Department that everyone involved in the wreck was okay. He generally raised concerns about a single-family home subdivision that Council recently approved to go in on FM-1141 and how that subdivision is going to impact traffic along said roadway. He pointed out that the curvature to the roadway is concerning.

There being no one else wishing to come forth and speak, Mayor Fowler then closed Open Forum.

#### V. CONSENT AGENDA

1. Consider approval of the minutes from the February 22, 2022 regular City Council meeting, and take any action necessary.
2. Consider approval of a recommendation from the Hotel Occupancy Tax (HOT) Subcommittee regarding funding for the Texas K9 Conference, Rockwall 7ers, and The Texas High School Gymnastic Championship, and take any action necessary.
3. Consider approval of a contract extension with Southlake Landscaping and Maintenance (SLM) for parks maintenance in the amount of \$634,452.52 to be funded by the Parks Operations budget, and take any action necessary.
4. Consider approval of a contract extension with SRH Landscapes LLC for grounds maintenance in the amount of \$94,235.58 to be funded by the Parks Operations budget, and take any action necessary.
5. **Z2022-001** - Consider a request by Asher Hamilton of RIV Properties, LLC on behalf of Michael Gibson of Marion E. Wilson, Michael White, Dimensions Real Estates Services, LLC; Mark R. Carson; Allen Anderson; Gary Shultz of Culpepper/Spatex JV; and Robert Fields of In the Estate of Ernest Fields for the approval of an **ordinance** for a PD Development Plan for a 176-unit condominium building on a 3.59-acre tract of land identified as Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 2, 3, & 4, Block 5; Lots 1 & 2 and a portion of Lots 3 & 4, Block 6; Lots 2, 3, & 4, Block 7; Lots 1 & 2, Block 8; and Lots 1, 2, 3, & 4, Block 9, Moton Addition, City of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* and the *Horizon/Summer Lee Subdistrict* of Planned Development District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road and Summer Lee Drive, and take any action necessary **(2nd Reading)**.
6. **Z2022-002** - Consider a request by Louis Clark of KinoD LLC on behalf of D. W. Bobst of 101 Hubbard Dr. LLC, Gary Shultz of Culpepper/Spatex JV, and Allen Anderson for the approval of an **ordinance** for a PD Development Plan for a 42-unit condominium and retail/office building on a 1.20-acre tract of land identified as Lot 1, Block D, Harbor District Addition and Lots 3 & 4, Block 11 and Lots 1, 2, 3, & 4, Block 12, Moton Addition, City of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* of Planned Development District 32 (PD-32), generally located at the northeast corner of the intersection of Sunset Ridge Drive and Summer Lee Drive, and take any action necessary **(2nd Reading)**.
7. **Z2022-003** - Consider a request by Bowen Hendrix of DuWest Realty, LLC on behalf of John Arnold of the Skorburg Company for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *Restaurant 2,000 SF or More with Drive Through or Drive-In* for the purpose of constructing two (2) restaurants on an 8.684-acre tract of land identified as Tract 3-10 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, being zoned Planned Development District 70 (PD-70) for limited General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, generally

located at the northeast corner of the intersection of E. Quail Run Road and N. Goliad Street [SH-205], and take any action necessary **(2nd Reading)**.

8. **Z2022-004** - Consider a request by Mike and Mary Frasier for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* on a 0.74-acre parcel of land identified as Lot 13, Block E, Wade Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 704 Jackson Street, and take any action necessary **(2nd Reading)**.
9. **Z2022-005** - Consider a request by Perry Bowen of Perry Bowen Homes, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill Adjacent to an Established Subdivision* on a 0.49-acre parcel of land identified as Lot 2, Block A, Haley & Kyle Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 503 S. Clark Street, and take any action necessary **(2nd Reading)**.
10. **A2022-001** - Consider the approval of an **ordinance** reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 313.936-acre tract of land identified as Tracts 2 & 2-1 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, generally located adjacent to Edwards Road south of FM-550, and take any action necessary **(2nd Reading)**.
11. Consider approval of an **ordinance** declaring unopposed candidates for the offices of City Councilmembers Places 2, 4, and 6 and cancelling the May 7, 2022 General Election, and take any action necessary. **(1st reading)**

**Mayor Pro Tem Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11). Councilmember Jorif seconded the motion. The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 22-10**

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

**CITY OF ROCKWALL  
ORDINANCE NO. 22-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 17-22] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A CONDOMINIUM BUILDING ON A 1.20-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK D, HARBOR DISTRICT ADDITION AND LOTS 3 & 4, BLOCK 11 AND LOTS 1, 2, 3, & 4, BLOCK 12, MOTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS;**

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

CITY OF ROCKWALL  
ORDINANCE NO. 22-12  
SPECIFIC USE PERMIT NO. S-271

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 70 (PD-70) [ORDINANCE NO. 19-41] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR TWO (2) RESTAURANTS, 2,000 SF OR MORE, WITH DRIVE-THROUGH OR DRIVE-IN ON A 8.684-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3-10 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DESCRIBED IN EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 22-13  
SPECIFIC USE PERMIT NO. S-272

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 GUEST QUARTERS/SECONDARY LIVING UNIT/ACCESSORY DWELLING UNIT TO ALLOW THE CONSTRUCTION OF A GUEST QUARTERS ON A 0.74-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 13, BLOCK E, WADE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 22-14  
SPECIFIC USE PERMIT NO. S-273

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 ADJACENT TO AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.49-ACRE PARCEL OF LAND, IDENTIFIED



AS LOT 2, BLOCK A, HALEY & KYLE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL  
ORDINANCE NO. 22-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REDUCING ITS EXTRATERRITORIAL JURISDICTION (ETJ) BY RELEASING SUCH TERRITORY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE TO THE COUNTY OF ROCKWALL; ESTABLISHING THE NEW CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL, TEXAS  
ORDINANCE NO. 22-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6, AS ELECTED; PROVIDING THAT THE MAY 7, 2022 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 5 ayes with 2 absences (Johannesen and Macalik).

Mayor Fowler pointed out that one of the ordinances Council just approved was one that will serve to cancel the City of Rockwall's May 7, 2022 municipal election. He generally seemed to express concern and regret that said election did not result in any contested city councilmember races – not even for an outright vacant seat. He feels it is noteworthy that so many residents seem to weigh in on city-related matters on social media; however no one (or not many anyway) wants to actually take notable action like serving on city council. He pointed out that neither Councilmember Johannesen nor Councilmember Campbell drew opponents, and resident Mark Moeller was the only person who filed for elected office in the soon-to-be-vacant seat (Place 2). So, the city will proceed with cancelling its election.

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

1. Building Inspections Monthly Report - January 2022
2. Fire Department Monthly Report - January 2022
3. Parks & Rec Department Monthly Report - January 2022

4. Police Department Monthly Report - January 2022
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

**City Manager, Mrs. Smith indicated that the Parks Department has begun site work for placement of the city's "Discovery" statue at the county courthouse on the square. Staff is still hoping that the bronze molds will be ready and the statue can be erected in time for the city's Founder's Day Festival.**

**No questions were asked and no discussion took place regarding departmental reports.**

**VII. ADJOURNMENT**

**Mayor Fowler adjourned the meeting at 6:22 p.m.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 21<sup>st</sup>  
DAY OF MARCH, 2022.**

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**KEVIN FOWLER, MAYOR**

**ATTEST:**

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**KRISTY TEAGUE, CITY SECRETARY**

**CITY OF ROCKWALL, TEXAS  
ORDINANCE NO. 22-16**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE 2, CITY COUNCILMEMBER PLACE 4, AND CITY COUNCILMEMBER PLACE 6, AS ELECTED; PROVIDING THAT THE MAY 7, 2022 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rockwall, Texas adopted Resolution No. 22-01 on February 7, 2022, ordering a general election to be held on May 7, 2022, for the purpose of electing three city officials - City Councilmember Place 2, City Councilmember Place 4, and City Councilmember Place 6; and

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

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

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

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

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

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

- Mark Moeller - Councilmember, Place 2
- Trace Johannesen - Councilmember, Place 4
- Anna Campbell - Councilmember, Place 6

**Section 3.** Pursuant to Section 2.053(b), Texas Election code, the general municipal election for City Councilmember Place 2, Councilmember Place 4, and Councilmember Place 6 called and ordered by Resolution No. 22-01, for May 7, 2022, shall not be held and is hereby cancelled.

**Section 4.** The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 7, 2022, at all posting places that would have been used in said election.

**Section 5.** Term of office for the unopposed Councilmembers shall commence on May 16, 2022 after the Oath of Office has been administered and executed.

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 21<sup>ST</sup> DAY OF MARCH, 2022.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**1<sup>ST</sup> Reading: 03 / 07 / 2022**

**2<sup>nd</sup> Reading: 03 / 21 / 2022**

**“EXHIBIT A”**

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

To: Presiding Officer of the Rockwall City Council  
*Al: Alcalde del Consejo de la ciudad de Rockwall*


As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held May 7, 2022:

*Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 7 de mayo de 2022:*

Mark Moeller - Councilmember, Place 2  
Trace Johannesen - Councilmember, Place 4  
Anna Campbell - Councilmember, Place 6

---

Mark Moeller – *Miembro del Consejo, Puesto 2*  
Trace Johannesen – *Miembro del Consejo, Puesto 4*  
Anna Campbell – *Miembro del Consejo, Puesto 6*

  
\_\_\_\_\_  
Signature (*Firma*)

Kristy Teague  
\_\_\_\_\_  
Printed name (*Nombre en letra de molde*)

Rockwall City Secretary  
\_\_\_\_\_  
Title (*Puesto*)

March 21, 2022  
\_\_\_\_\_  
Date of signing (*Fecha de firma*)



(Seal) (*sello*)



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** P2022-005; REPLAT FOR LOTS 3 & 4, BLOCK A, COX ACRES ADDITION

---

### Attachments

Case Memo  
Development Application  
Location Map  
Replat

### Summary/Background Information

Consider a request by Humberto Johnson of the Skorburg Company on behalf of Glen and Rosie Cox for the approval of a *Replat* of Lots 3 & 4, Block A, Cox Acres Addition being a 17.51-acre parcel of land identified as Lot 1, Block A, Cox Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, addressed as 1800 E. Quail Run Road, and take any action necessary.

### Action Needed

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



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

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

---

**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Humberto Johnson; *Skorburg Co.*  
**CASE NUMBER:** P2022-005; *Replat for Lots 3 & 4, Block A, Cox Acres Addition*

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**SUMMARY**

Consider a request by Humberto Johnson of the Skorburg Company on behalf of Glen and Rosie Cox for the approval of a Replat of Lots 3 & 4, Block A, Cox Acres Addition being a 17.51-acre parcel of land identified as Lots 1 and 2, Block A, Cox Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, addressed as 1800 E. Quail Run Road, and take any action necessary.

**PLAT INFORMATION**

- The applicant is requesting the approval of a Replat for a 17.51-acre tract of land (*i.e. Lots 1 & 2, Block A, Cox Addition*) for the purpose of abandoning a 20-foot utility easement along the west property line on the subject property.
- The subject property was annexed by the City Council on August 30, 1999 by *Ordinance No. 99-33 [Case No. A1999-001]*. On June 5, 2017, the City Council approved a final plat [*Case No. P2017-016*] to establish the subject property as Lots 1 & 2, Block A, Cox Addition. According to the Rockwall Central Appraisal District (RCAD), Lot 1 has a 4,295 SF single family home that was constructed in 2017, and Lot 2 has a 4,349 SF single family home that was constructed in 2017. At the time of annexation and currently the subject property is zoned Agricultural (AG) District.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Replat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

**CONDITIONS OF APPROVAL**

If City Council chooses to approve of a Replat for *Lots 3 & 4, Block A, Cox Addition*, staff would propose the following conditions of approval:

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

**PLANNING AND ZONING COMMISSION**

On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Replat by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.





# DEVELOPMENT APPLICATION

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

**STAFF USE ONLY**

PLANNING & ZONING CASE NO. **P2022-005**

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

**PLATTING APPLICATION FEES:**

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

**SITE PLAN APPLICATION FEES:**

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

**ZONING APPLICATION FEES:**

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

**OTHER APPLICATION FEES:**

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

**NOTES:**

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup>: A ~~\$1,000.00~~ FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

**PROPERTY INFORMATION [PLEASE PRINT]**

ADDRESS 1800 E. Quail Run Rd. Rockwall, TX 75087

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION

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

CURRENT ZONING AG

CURRENT USE AG

PROPOSED ZONING AG

PROPOSED USE AG

ACREAGE 17.51

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

OWNER Gerald Glen Cox & Rosalba Carrasco Cox

APPLICANT Skorburg Company

CONTACT PERSON Rosalba Carrasco Cox

CONTACT PERSON Humberto Johnson

ADDRESS 815 T.L. Townsend  
Ste. 101

ADDRESS 8214 Westchester Dr  
Suite 900

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Dallas, TX 75225

PHONE 972-672-5888

PHONE 214-888-8868

E-MAIL rcox@sourcesunlimited.net

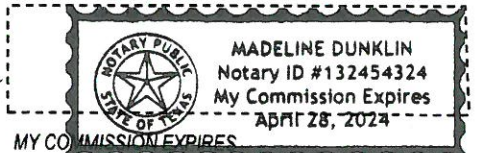
E-MAIL jrjohnson@skorburgcompany.com

**NOTARY VERIFICATION [REQUIRED]**

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Gerald Glen Cox & Rosalba Carrasco [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 \$ 651.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 18th DAY OF February, 2022 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

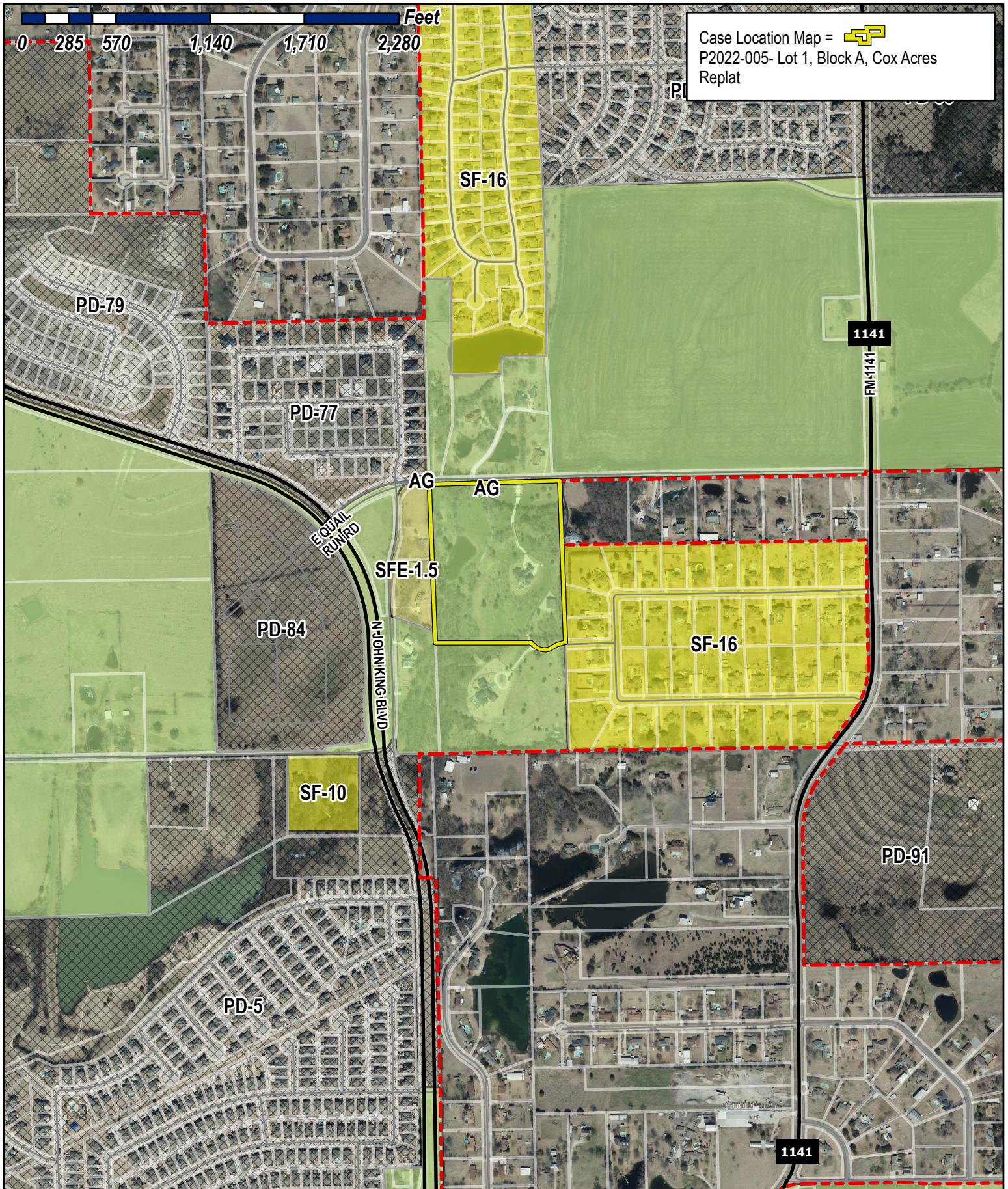
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 18th DAY OF February, 2022  
OWNER'S SIGNATURE Gerald G. Cox Rosalba Carrasco



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Madeline Dunklin

MY COMMISSION EXPIRES

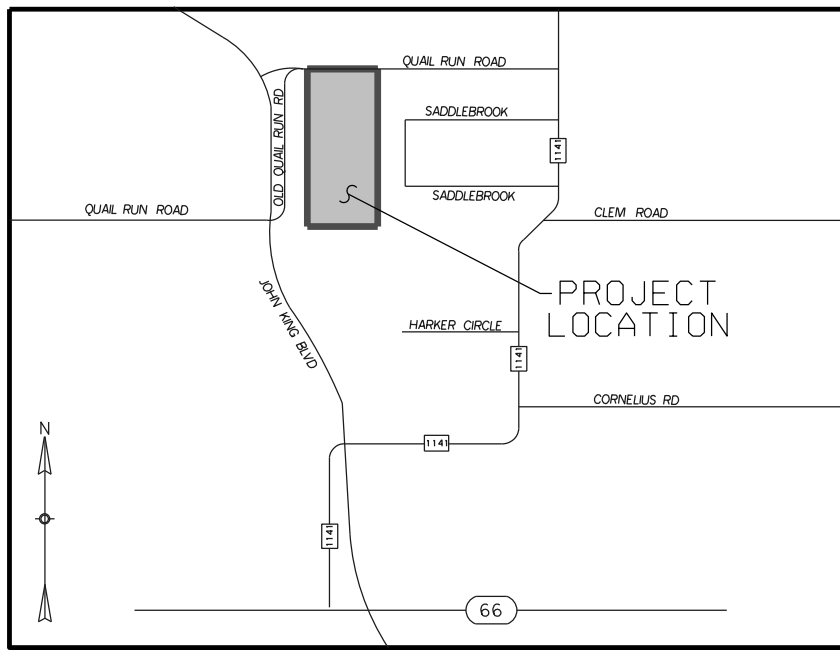


# City of Rockwall

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

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





LOCATION MAP  
N. T. S.

**OWNER'S CERTIFICATION**  
(Public Dedication)

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS GERALD GLEN COX AND ROSALBA CARRASCO COX, HUSBAND AND WIFE, BEING THE OWNERS OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

BEING a tract of land situated in the J. M. Gass Survey, Abstract Number 88, in Rockwall County, Texas, being all of Lots 1 & 2, Block A of Cox Acres, an addition to the City of Rockwall, Rockwall County, Texas, recorded in Instrument No. 20170000010136, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod (controlling monument) found at the southwest corner of said Lot 2 and the southeast corner of D.R. Taylor Addition, an addition to the City of Rockwall, Rockwall County, Texas, recorded in Cabinet E, Slide 317, of the Plat Records of Rockwall County, Texas (P.R.R.C.T.), being in the north line of a tract of land described in deed to Nicholas P. Grant and Sherri D. Grant, as recorded in Volume 4472, Page 181 of the Deed Records of Rockwall County, Texas (D.R.R.C.T.);

THENCE North 01 degree 55 minutes 09 seconds West, with the west line of said Lot 2 and the east line of said D.R. Taylor Addition, at a distance of 671.97 feet passing the northwest corner of said Lot 2 and the southwest corner of said Lot 1, continuing with the west line of said Lot 1, at a distance of 739.08 feet passing the northeast corner of said D.R. Taylor Addition and the southeast corner of Utley Addition, an addition to the City of Rockwall, Rockwall County, Texas, recorded in Cabinet I, Slide 194, P.R.R.C.T., continuing with the west line of said Lot 1 and the east line of said Utley Addition, a total distance of 1,630.87 feet to a 1/2-inch iron rod with cap stamped "Vannoy 1988" (controlling monument) found at the northwest corner of said Lot 1, being in the south line of Quail Run Road (variable width right-of-way);

THENCE North 88 degrees 31 minutes 34 seconds East, with the north line of said Lot 1 and the south line of said Quail Run Road, a distance of 788.82 feet to a 1/2-inch iron rod with cap stamped "PJB SURVEYING" set at the northeast corner of said Lot 1, being in the west line of a tract of land described in deed to Sheila S. Flannery and William J. Flannery III, recorded in Volume 4184, Page 161, D.R.R.C.T.;

THENCE South 01 degree 48 minutes 43 seconds East, with the east line of said Lot 1, at a distance of 979.11 feet passing the southeast corner of said Lot 1 and the northeast corner of said Lot 2, continuing with the east line of said Lot 2, a total distance of 1,635.11 feet to a 5/8-inch iron rod found at the southeast corner of said Lot 2, being in the north line of a tract of land described in deed to Billy B. Hutcheson, recorded in Volume 6802, Page 300, D.R.R.C.T.;

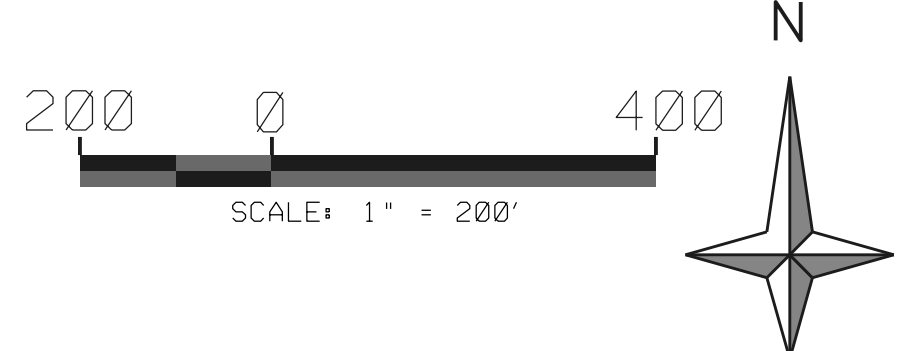
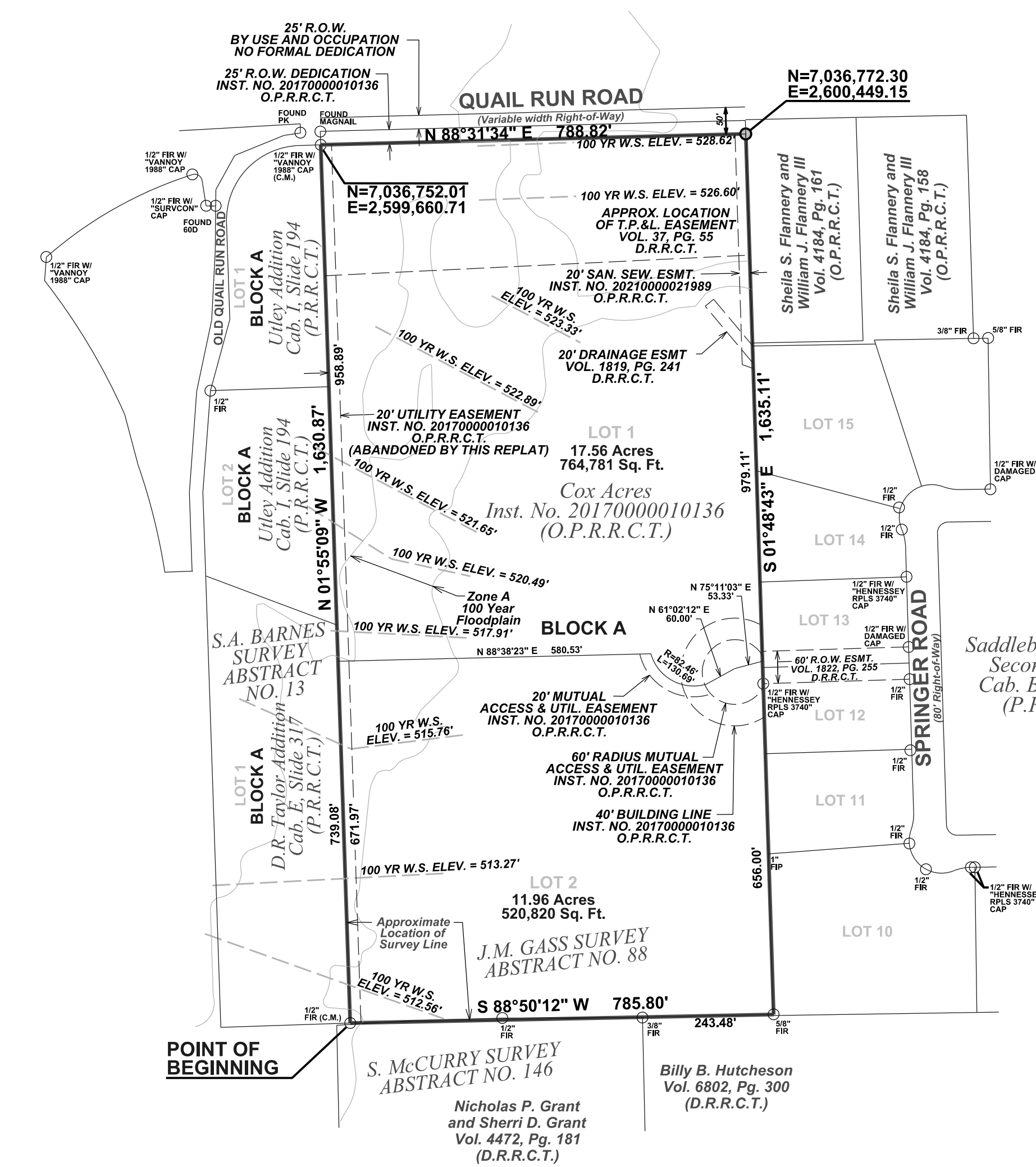
THENCE South 88 degrees 50 minutes 12 seconds West, with the south line of said Lot 2 and the north line of said Hutcheson tract, at a distance of 243.48 feet passing a 3/8-inch iron rod found at the northwest corner of said Hutcheson tract and the northeast corner of said Grant tract, continuing with the south line of said Lot 2, a total distance of 785.80 feet to the POINT OF BEGINNING, containing 29.51 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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



**SURVEYOR'S CERTIFICATE**

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Patrick J. Baldasaro, R.P.L.S. 5504, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

**PRELIMINARY**

Patrick J. Baldasaro  
Texas Registered Professional Land Surveyor No. 5504

**STANDARD CITY SIGNATURE BLOCK**

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

APPROVED: I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_ day of \_\_\_\_\_.

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

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

Mayor, City of Rockwall \_\_\_\_\_ City Secretary of Rockwall \_\_\_\_\_

City Engineer \_\_\_\_\_

**LEGEND**

○	Monument Found	O.P.R.R.C.T.	Official Public Records Of Rockwall County Texas
●	1/2" Set Iron Rod (W/Red PJB SURVEYING Cap) Unless otherwise noted	D.R.R.C.T.	Deed Records Of Rockwall County Texas
SX	Set "X" Cut	P.R.R.C.T.	Plat Records Of Rockwall County Texas
FIR	Found Iron Rod	INST. NO.	Instrument Number
FIRC	Found Iron Rod with Cap	VOL.	Volume
FIP	Found Iron Pipe	PG.	Page
FPK	Found PK Nail	R.O.W.	Right-of-Way
FX	Found "X" Cut	D.E.	Drainage Easement
MON	Concrete Monument	U.E.	Utility Easement
(C.M.)	Controlling Monument	S.S.E.	Sanitary Sewer Easement
FND	Found		

**General Notes:**

- Bearings are referenced to the State Plane Coordinate System, Zone 4202, NAD 83.
- Subject property lies within a Flood Hazard Area as depicted FEMA FIRM Panel Number 48397C0030L, dated September 26, 2008.
- There are no proposed building improvements with this plat.
- 100 year cross sections are depicted as shown on Cox Acres Plat, recorded in Instrument No. 20170000010136, O.P.R.R.C.T.
- PJB Surveying assumes no liability for the removal of the 20' Utility Easement or the abandonment process.
- The property owner is responsible for maintenance, repair, and replacement of all drainage systems

**REPLAT**  
OF  
**COX ACRES**  
LOTS 1 & 2, BLOCK A

2 LOTS, BEING 29.51 ACRES  
SITUATED IN THE  
J.M. GASS SURVEY ABSTRACT NO. 88  
IN THE  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

SURVEYOR  
PJB SURVEYING, LLC  
TBPLS NO. 10194303  
200 W. BELMONT, SUITE D  
ALLEN, TEXAS 75013  
972-649-6669

OWNER/SUBDIVIDER  
Gerald Glen Cox and  
Rosalba Carrasco Cox  
815 T.L. Townsend Ste. 101  
Rockwall, TX 75087

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

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

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

\_\_\_\_\_  
Gerald Glen Cox

\_\_\_\_\_  
Rosalba Carrasco Cox

STATE OF TEXAS  
COUNTY OF ROCKWALL

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

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

\_\_\_\_\_  
Notary Public In and for the State of Texas  
My Commission Expires \_\_\_\_\_



## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** P2022-006; REPLAT FOR LOTS 13 & 14, ROCKWALL BUSINESS PARK EAST ADDITION

---

### Attachments

Case Memo  
Development Application  
Location Map  
Replat

### Summary/Background Information

Consider a request by Dnyanada Nevgi of the SRC Land Building and Real Estate, LLC on behalf of Rajesh Malviya of Buffalo Country Properties, LLC for the approval of a *Replat* for Lots 13 & 14 of the Rockwall Business Park East Addition being a 6.280-acre parcel of land identified as Lot 5 of the Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated on the southside of Ralph Hall Parkway west of the intersection of Ralph Hall Parkway and S. Goliad Street [SH-205], and take any action necessary.

### Action Needed

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



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

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

---

**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Dnyanada Nevgi; *SRC Land Building and Real Estate, LLC*  
**CASE NUMBER:** P2022-006; *Replat for Lots 13 & 14, Rockwall Business Park East Addition*

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**SUMMARY**

Consider a request by Dnyanada Nevgi of the SRC Land Building and Real Estate, LLC on behalf of Rajesh Malviya of Buffalo Country Properties, LLC for the approval of a Replat for Lots 13 & 14 of the Rockwall Business Park East Addition being a 6.280-acre parcel of land identified as Lot 5 of the Rockwall Business Park East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated on the southside of Ralph Hall Parkway west of the intersection of Ralph Hall Parkway and S. Goliad Street [*SH-205*], and take any action necessary.

**PLAT INFORMATION**

- The applicant is requesting the approval of a Replat for a 6.280-acre parcel of land (*i.e. Lots 13 & 14 of the Rockwall Business Park East Addition*) for the purpose of establishing two (2) lots (*i.e. Lots 13 & 14, Rockwall Business Park East Addition*). Prior to the applicant's submittal for this Replat, a site plan for the subject property was approved by the Planning and Zoning Commission for a *Daycare Facility* and a *Strip Retail Center* [*Case No. SP2020-006*].
- The subject property was annexed by the City Council on December 7, 1981 by *Ordinance No. 81-33* [*Case No. A1981-002*]. On January 4, 1982, the subject property was rezoned to Planned Development District 14 (PD-14) [*Ordinance No. 82-02*] for office, retail, light industrial, warehouse, hotel, medical office, and restaurant land uses. The zoning change included 100.00-acres of land. On December 5, 1983, the City Council approved an amendment to Planned Development District 14 (PD-14) [*Ordinance No. 83-60*] changing the concept plan. This ordinance was again amended on October 5, 2009 by *Ordinance No. 09-42* [*Case No. Z2009-016*] changing the designation from Planned Development District 14 (PD-14) to Commercial (C) District. The subject property remains zoned Commercial (C) District and is currently vacant.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

**CONDITIONS OF APPROVAL**

If the City Council chooses to approve the Replat for *Lots 13 & 14, Rockwall Business Park East Addition*, staff would propose the following conditions of approval:

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

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

**PLANNING AND ZONING COMMISSION**

On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Replat by a vote of 4-0, with Commissioners Thomas, Conway, and Chodun absent.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

P2022-006

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

### PLATTING APPLICATION FEES:

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

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)<sup>1</sup>
  - SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)<sup>1 & 2</sup>
  - PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>
- OTHER APPLICATION FEES:**
- TREE REMOVAL (\$75.00)
  - VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)<sup>2</sup>

### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup>: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 950 E and 962 E Ralph Hall Parkwy, Rockwall, TX 75032

SUBDIVISION

LOT 5A & 5B

BLOCK

GENERAL LOCATION Rockwall Business Park East, 6.280 acres situated in J.D. McFarland Survey~ Abstract 145, Rockwall County

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

CURRENT ZONING C

CURRENT USE Commercial

PROPOSED ZONING C

PROPOSED USE Commercial/ Retail

ACREAGE 6.280 Acres

LOTS [CURRENT] 5

LOTS [PROPOSED] 5A & 5B

**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 Buffalo Country Properties LLC

APPLICANT SRC Land Building and Real Estate LLC

CONTACT PERSON Rajesh Malviya

CONTACT PERSON Dnyanada Nevgi

ADDRESS 5909 Beth Dr

ADDRESS 811 S Central Expressway, Suite 306

CITY, STATE & ZIP Plano, TX 75093

CITY, STATE & ZIP Richardson, TX 75080

PHONE (214) 454-6944

PHONE 214-396-3737

E-MAIL

E-MAIL pm@srlandbuilding.com

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RAJESH MALVIYA [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 \$ 425.6 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16 DAY OF February, 2023. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. CITY) IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPIES OF THE INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

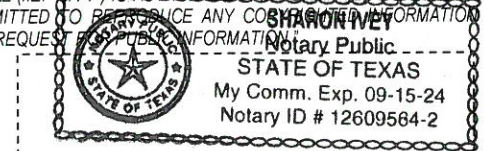
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF February, 2023

OWNER'S SIGNATURE

Rajesh Malviya

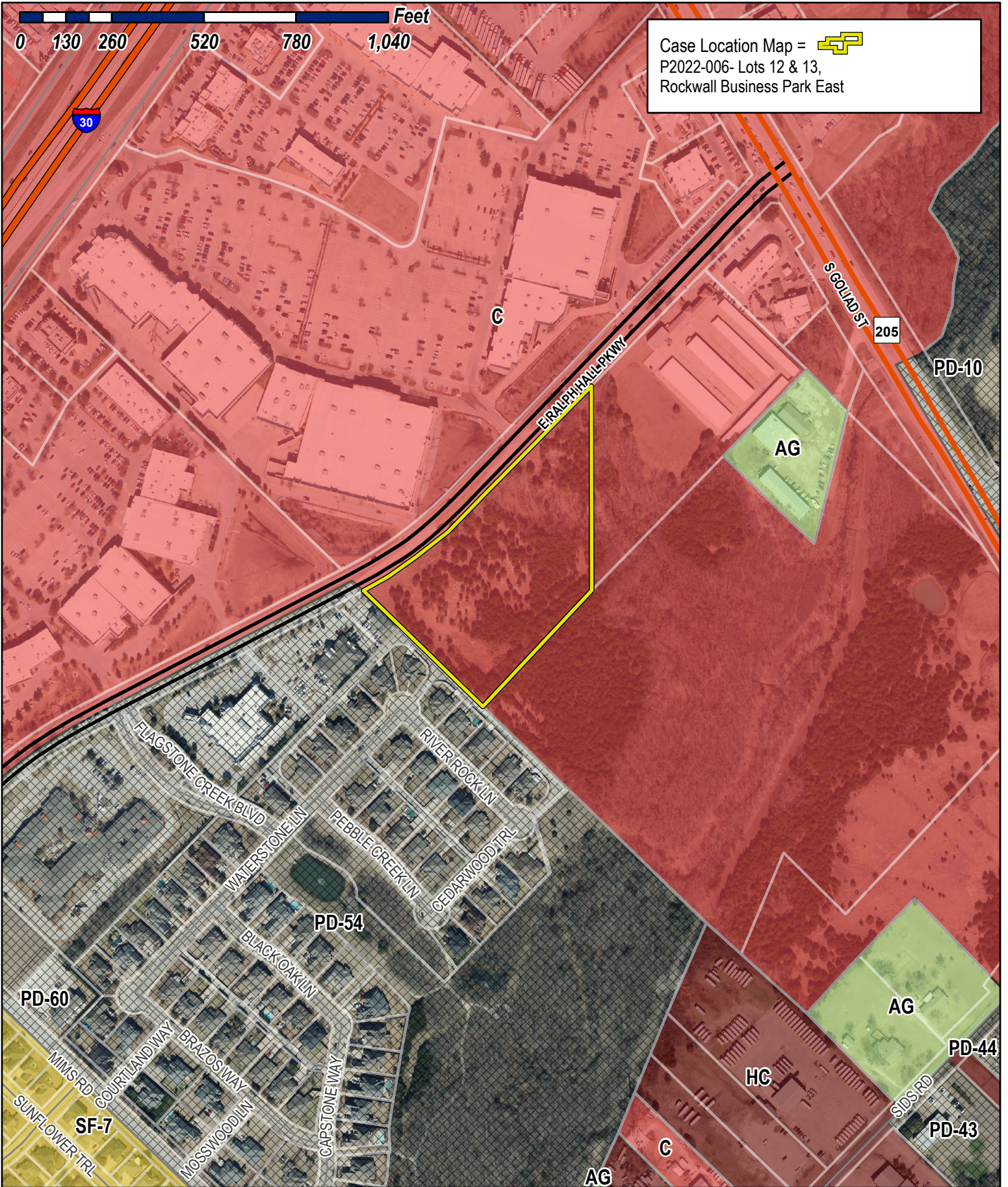
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS


Sharon Mey



MY COMMISSION EXPIRES

9-15-2024



Case Location Map =   
 P2022-006- Lots 12 & 13,  
 Rockwall Business Park East



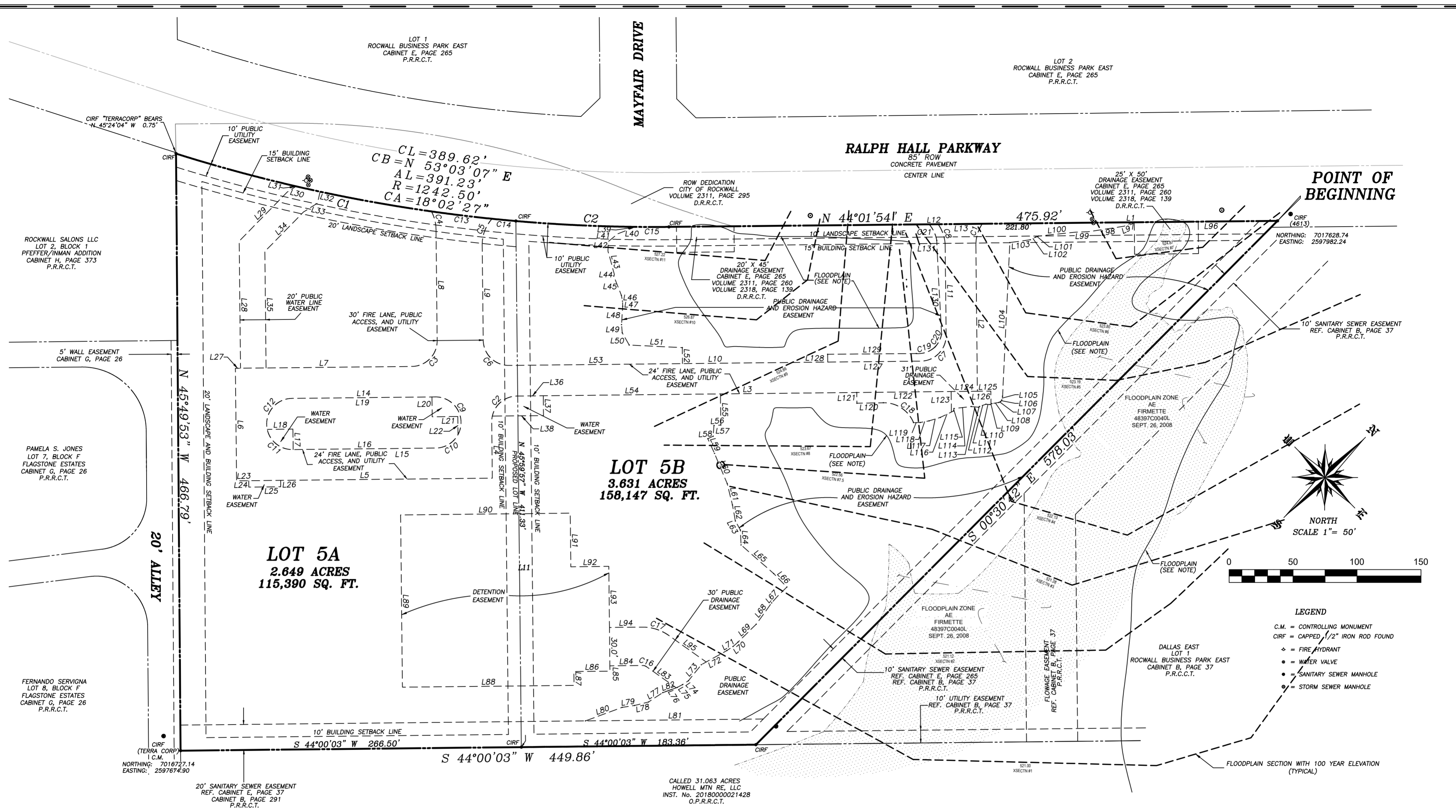
# City of Rockwall

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

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

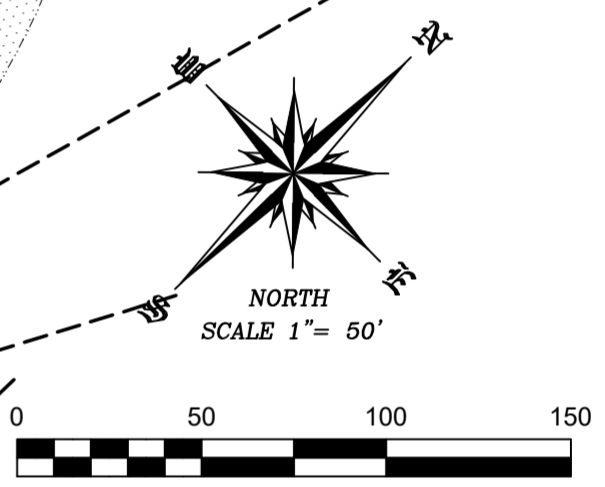






**LOT 5A**  
2.649 ACRES  
115,390 SQ. FT.

**LOT 5B**  
3.631 ACRES  
158,147 SQ. FT.



- LEGEND**
- C.M. = CONTROLLING MONUMENT
  - CIRF = CAPPED 1/2" IRON ROD FOUND
  - ⊕ = FIRE HYDRANT
  - ⊙ = WATER VALVE
  - ⊙ = SANITARY SEWER MANHOLE
  - ⊙ = STORM SEWER MANHOLE

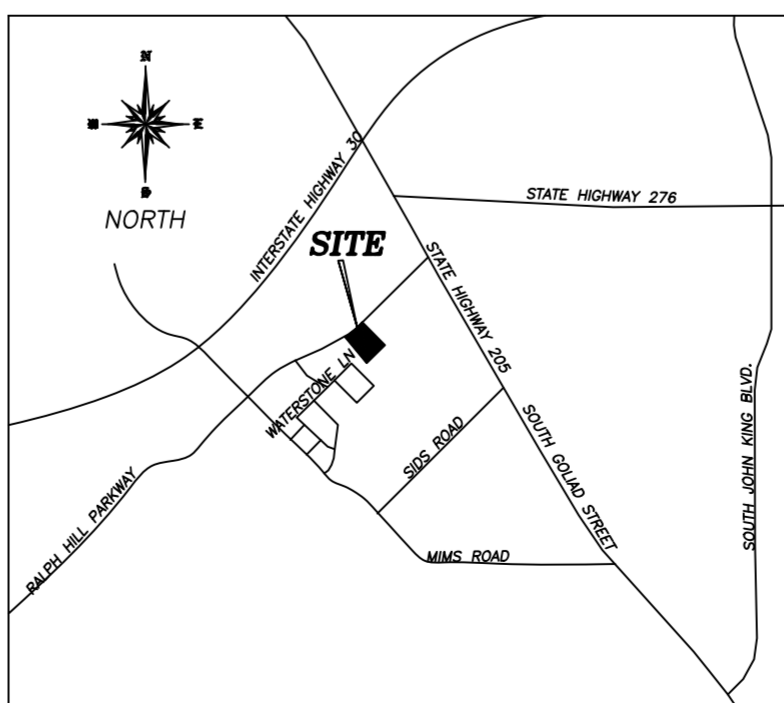
**FLOOD NOTE:**

Floodplain shown is based on the Floodplain Information Study prepared for the Pinnacle Montessori located in Rockwall, Texas and prepared by: JARED HELMBERGER PE  
GRADING PLAN - SHEET C2.00 ISSUE DATE: 12/20/2020

**GENERAL NOTES:**

1. The original copy will have original signatures, stamp seal and an impression seal.
2. Copyright 2020, Surdukan Surveying, Inc.
3. This survey is being provided solely for the use of the current parties.
4. This survey is subject to all easements of record.
5. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
6. The basis of bearings, horizontal and vertical position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, NAD83, North Central Zone, Nad 83 (CORS96) Epoch 2002.0, Vertical position are referenced to NAVD88 using (GEOID03).

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	34°10'40"	30.00	17.90	S 28°54'37" E	17.63
C2	90°00'00"	20.00	31.42	S 00°59'57" E	28.28
C3	90°00'00"	20.00	31.42	N 00°59'57" W	28.28
C4	27°41'10"	30.00	14.50	N 59°50'32" W	14.36
C5	42°34'40"	30.00	22.29	S 24°42'37" E	21.78
C6	90°00'00"	20.00	31.42	N 89°00'03" E	28.28
C7	90°00'00"	20.00	31.42	N 00°59'57" W	28.28
C8	34°41'02"	30.00	18.16	N 63°20'28" W	17.88
C9	118°57'18"	20.00	41.52	S 76°31'18" E	34.46
C10	61°02'42"	20.00	21.31	S 13°28'42" W	20.32
C11	78°27'47"	20.00	27.39	S 83°13'56" W	25.30
C12	101°32'13"	20.00	35.44	N 06°46'04" W	30.98
C13	2°12'08"	1242.50	47.76	N 51°31'12" E	47.75
C14	0°47'38"	1348.94	18.69	N 49°59'16" E	18.69
C15	1°15'07"	1242.50	27.15	S 44°39'27" W	27.15
C16	35°55'37"	5.00	3.14	S 61°57'51" W	3.08
C17	35°55'37"	35.00	21.95	N 61°57'51" E	21.59
C18	68°53'31"	25.00	30.06	S 77°55'46" W	28.28
C19	48°00'03"	19.15	16.04	N 25°09'13" E	15.58
C20	32°02'49"	20.13	11.26	N 18°04'26" W	11.11
C21	30°59'41"	26.14	14.14	N 70°39'48" W	13.97



REPLAT  
**ROCKWALL BUSINESS PARK EAST**  
**LOT 5A & LOT 5B**  
AN ADDITION TO THE CITY OF ROCKWALL, TEXAS  
BEING A REPLAT OF LOT 5  
ROCKWALL BUSINESS PARK EAST  
LOTS 1, 2, 3, 4, & 5  
CABINET E, SLIDE 265  
6.280 Acres Situated In The  
**J.D. McFARLAND SURVEY ~ ABSTRACT 145**  
ROCKWALL COUNTY, TEXAS  
SHEET 1 OF 2

**Owner**  
LAKESIDE KIDS, LLC  
ATTN: MONA AGARWAL  
5909 BETH DRIVE  
PLANO, TEXAS 75093  
TELEPHONE 423 943-1203

**Surveyor**  
SURDUKAN SURVEYING, INC.  
DAVID J. SURDUKAN, R.P.L.S. 4613  
P.O. BOX 126  
ANNA, TEXAS 75409  
TELEPHONE 972 924-8200

REVISED FEBRUARY 14, 2022  
REVISED OCTOBER 18, 2021  
REVISED AUGUST 17, 2021  
JUNE 24, 2020

OWNERS' CERTIFICATE

Table with 3 columns: LINE, BEARING, DISTANCE. Contains survey data for lines L1 through L66.

Table with 3 columns: LINE, BEARING, DISTANCE. Contains survey data for lines L67 through L131.

STATE OF TEXAS)
COUNTY OF ROCKWALL)

WHEREAS, Lakeside Kids, LLC being the owner of a tract of land in the County of Rockwall, State of Texas, said tract being all of Lot 5 of ROCKWALL BUSINESS PARK EAST, LOTS 1, 2, 3, 4, & 5, an Addition to the City of Rockwall, Rockwall County, Texas according to the Map or Plat thereof recorded in Cabinet E, Page 265 of the Plat Records of Rockwall County, Texas and more particularly described in metes and bounds as follows;

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "4613" found for corner at the north corner of said Lot 5, said corner also being the west corner of Lot 1, Rockwall Business Park East, an addition to the City of Rockwall, as recorded in Cabinet B, Page 37 of the Plat Records of Rockwall County, Texas, said iron rod being in the southeast right-of-way of Ralph Hall Parkway, an 85' right-of-way;
THENCE S 00°30'42" E a distance of 578.03' to a 1/2" iron rod with yellow plastic cap stamped "4613" found for corner;
THENCE S 44°00'03" W a distance of 449.86' to a 1/2" iron rod with plastic cap stamped "TERRA CORP" found for corner in the east line of Block F of the Flagstone Estate an addition to the City of Rockwall and recorded in Cabinet G, Page 26 of the Plat Records of Rockwall County, Texas;

THENCE N 45°49'53" W a distance of 466.79' to a 1/2" iron rod with yellow plastic cap stamped "4613" found for the northeast corner of Lot 2, Block 1 of the Pfeffer/Inman Addition an addition to the City of Rockwall and recorded in Cabinet H, Page 373 of the Plat Records of Rockwall County, Texas, and said iron rod being in the southeast right-of-way of Ralph Hall Parkway at the beginning of a non-tangent curve to the left;
THENCE along said curve to the left following the southeast right-of-way of Ralph Hall Parkway through a central angle of 18°02'27", a radius of 1242.50', an arc length of 391.23', with a chord bearing of N 46°47'39" E, and a chord length of 389.62' to a 1/2" iron rod with yellow plastic cap stamped "4613" found for corner;
THENCE N 44°01'54" E continuing with the southeast right-of-way of Ralph Hall Parkway a distance of 475.92' to the POINT OF BEGINNING and containing 273,537 Square Feet or 6.280 Acres of land.

OWNERS' DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as the replat of ROCKWALL BUSINESS PARK EAST, LOT 5A & LOT 5B to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the ROCKWALL BUSINESS PARK EAST, LOT 5A & LOT 5B subdivision have been notified and signed this plat. I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following;

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

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

LAKESIDE KIDS, LLC

Mona Agarwal
Managing Partner

STATE OF TEXAS

Before me, the undersigned Notary Public for the State of Texas, on this day personally appeared Mona Agarwal, a Managing Partner of Lakeside Kids, LLC, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that Mona Agarwal executed the same for the purpose and considerations therein expressed and in the capacity stated.

Given under my hand and seal of the office this the \_\_\_ day of \_\_\_\_\_, 2021,

Notary Public, State of Texas

My Commission Expires

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, David J. Surdukan, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying.

David J. Surdukan
R.P.L.S. 4613

Date

OWNERS' DEDICATION

CITY OF ROCKWALL'S CERTIFICATE

Planning & Zoning Commission, Chairman

Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_ day of \_\_\_\_\_, 2021.

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

WITNESS OUR HANDS, this \_\_\_ day of \_\_\_\_\_, 2021.

Mayor, City of Rockwall

City Secretary

City Engineer

REPLAT
ROCKWALL BUSINESS PARK EAST
LOT 5A & LOT 5B
AN ADDITION TO THE CITY OF ROCKWALL, TEXAS
BEING A REPLAT OF LOT 5
ROCKWALL BUSINESS PARK EAST
LOTS 1, 2, 3, 4, & 5
CABINET E, SLIDE 265
6.280 Acres Situated In The
J.D. McFARLAND SURVEY ~ ABSTRACT 145
ROCKWALL COUNTY, TEXAS
SHEET 2 OF 2

Owner
LAKESIDE KIDS, LLC
ATTN: MONA AGARWAL
5909 BETH DRIVE
PLANO, TEXAS 75093
TELEPHONE 423 943-1203

Surveyor
SURDUKAN SURVEYING, INC.
DAVID J. SURDUKAN, R.P.L.S. 4613
P.O. BOX 126
ANNA, TEXAS 75409
TELEPHONE 972 924-8200



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** P2022-007; REPLAT FOR LOT 3, BLOCK A, ALLEN ANDERSON ADDITION

---

### Attachments

Case Memo  
Development Application  
Location Map  
Replat  
Closure Report

### Summary/Background Information

Consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a *Replat* for Lot 3, Block A, Allen Anderson Addition being a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

### Action Needed

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



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

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

---

**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Priya Acharya; *Wier & Associates, Inc.*  
**CASE NUMBER:** P2022-007; *Replat for Lot 3, Block A, Allen Anderson Addition*

---

**SUMMARY**

Consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a Replat for Lot 3, Block A, Allen Anderson Addition being a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

**PLAT INFORMATION**

- The applicant is requesting the approval of a Replat for a 1.198-acre parcel of land (*i.e. Lot 2, Block A, Allen Anderson Addition*) for the purpose of establishing the easements necessary to facilitate the development of the subject property. Prior to the applicant's submittal for this Replat, a site plan for the subject property was approved by the Planning and Zoning Commission for a ~4,165 SF *Financial Institution with Drive Through* [Case No. SP2021-035].
- The subject property was annexed by the City Council on November 7, 1960 by *Ordinance No. 60-03* [Case No. A1960-003]. On November 12, 1973 the City Council approved *Ordinance No. 73-49* rezoning the subject property from an Agricultural (AG) District to Planned Development District 9 (PD-9) for General Retail (GR) District land uses. On November 16, 2007, the City Council approved a final plat [Case No. P2007-031] establishing the subject property as Lot 2, Block A, Allen Anderson Addition. Since the time of annexation, the subject property has remained vacant. Since the original approval of Planned Development District 9 (PD-9), *Ordinance No. 73-49* has been amended nine (9) times (*Ordinance No.'s 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43*), with the most recent amendment being approved by City Council on November 4, 2013. With this being, said the land uses permitted on the subject property (*i.e. General Retail [GR] District land uses*) have not changed since the original adoption of Planned Development District 9 (PD-9). On January 11, 2022, the Planning and Zoning Commission approved a site plan [Case No. 2021-035] to allow the construction of a *Financial Institution with Drive Through*.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Replat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Replat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

**CONDITIONS OF APPROVAL**

If the City Council chooses to approve the Replat for Lot 3, Block A, Allen Anderson Addition, staff would propose the following conditions of approval:

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

### **PLANNING AND ZONING COMMISSION**

On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the replat by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22032-007

**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 Address not available

SUBDIVISION Allen Anderson Addition

LOT 2 BLOCK 2

GENERAL LOCATION Northwest corner of Rockwall Parkway and FM 3097

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

CURRENT ZONING PD-009

CURRENT USE Vacant

PROPOSED ZONING N/A

PROPOSED USE Financial Institution with Drive-Through

ACREAGE 1.198

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

OWNER Frost Bank

APPLICANT Wier & Associates, Inc.

CONTACT PERSON Ross Wood

CONTACT PERSON Priya Acharya

ADDRESS 3838 Rogers Road

ADDRESS 2201 E. Lamar Blvd. Suite 200E

CITY, STATE & ZIP San Antonio, Texas, 78251

CITY, STATE & ZIP Arlington, Texas, 76006

PHONE (210) 220-5842

PHONE (817) 467-7700

E-MAIL ross.wood@frostbank.com

E-MAIL priyaa@wierassociates.com

## NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

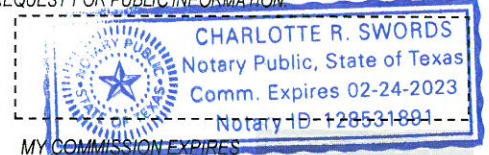
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 19 DAY OF February, 2022

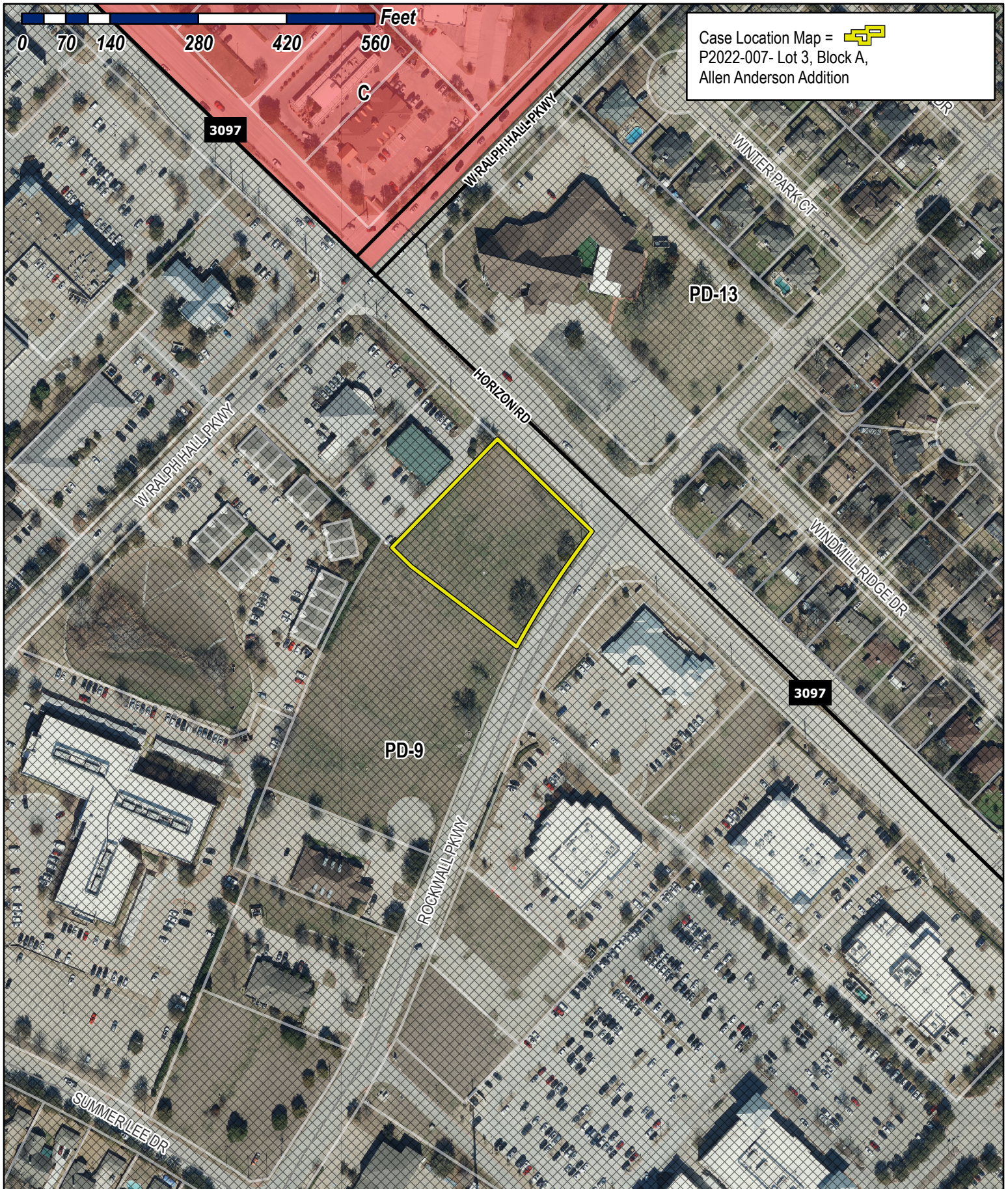
OWNER'S SIGNATURE


Ross Wood

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Charlotte Swords





Case Location Map =   
 P2022-007- Lot 3, Block A,  
 Allen Anderson Addition



# City of Rockwall

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

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

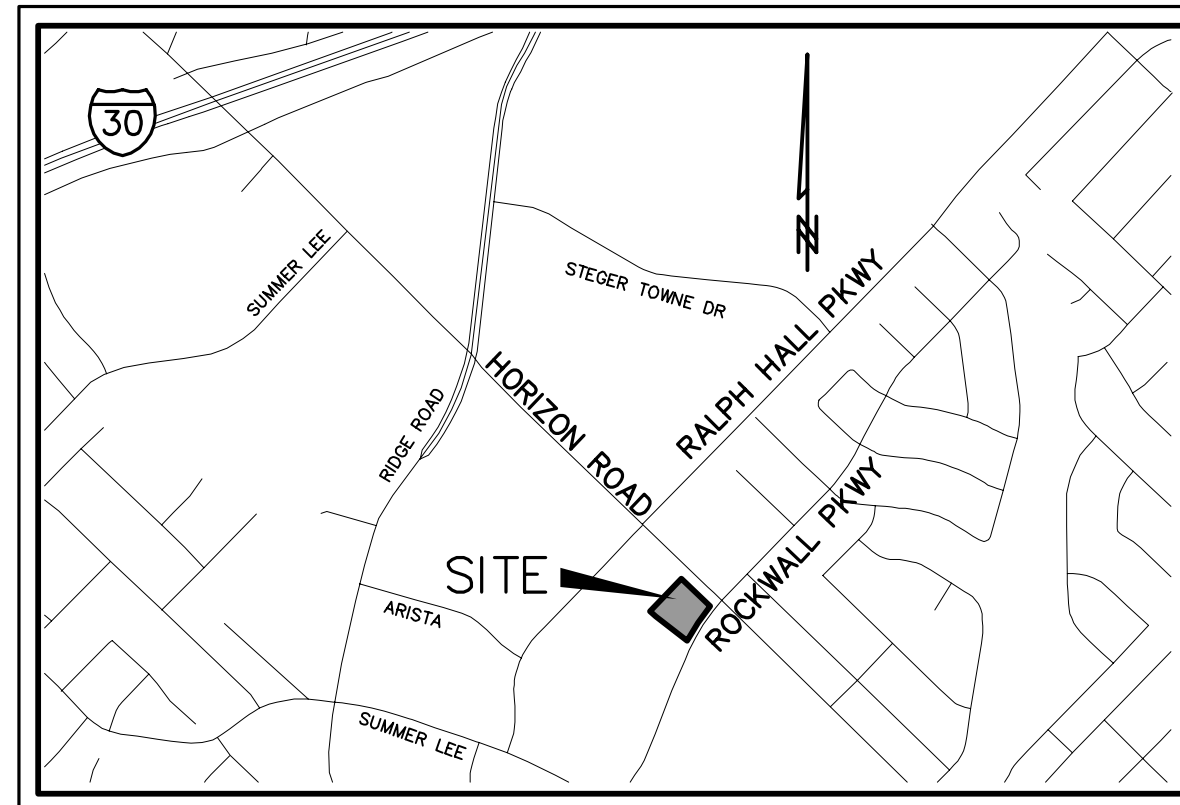
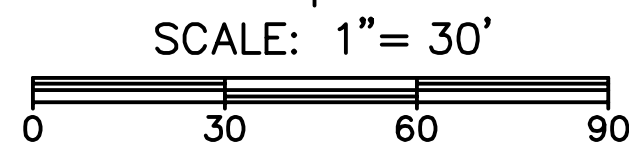


# PRELIMINARY FOR REVIEW PURPOSES ONLY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

**\* LEGEND \***

CM	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
IRS	IRON ROD SET
WIER	YELLOW CAP STAMPED "WIER & ASSOC INC"



VICINITY MAP  
NOT TO SCALE

**\* NOTES \***

- ACCORDING TO SURVEYOR'S INTERPRETATION OF INFORMATION SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) "FLOOD INSURANCE RATE MAP" (FIRM), MAP NO. 483970040L, MAP REVISED SEPTEMBER 26, 2008, ALL OF THE SUBJECT TRACT LIES WITHIN ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ZONE AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, OR THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THE ABOVE REFERENCED "FIRM" MAP IS FOR USE IN ADMINISTERING THE "NFIP"; IT DOES NOT NECESSARILY SHOW ALL AREAS POTENTIALLY SUBJECT TO FLOODING, PARTICULARLY AREAS WHICH COULD BE FLOODED BY SEVERE, CONCENTRATED RAINFALL COUPLED WITH INADEQUATE LOCAL DRAINAGE SYSTEMS. THERE MAY BE OTHER STREAMS, CREEKS, LOW AREAS, DRAINAGE SYSTEMS OR OTHER SURFACE OR SUBSURFACE CONDITIONS EXISTING ON OR NEAR THE SUBJECT PROPERTY WHICH ARE NOT STUDIED OR ADDRESSED AS PART OF THE "NFIP".
- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983, AS DERIVED BY FIELD OBSERVATIONS UTILIZING THE RTK NETWORK ADMINSTRATED BY ALLTERRA CENTRAL, INC.
- IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.
- THE PROPERTY OWNER IS RESPONSIBLE FOR MAINTENANCE, REPAIR, AND REPLACEMENT OF ALL DETENTION AND DRAINAGE SYSTEMS.
- ALL 1/2" IRON RODS SET WITH A CAP STAMPED "WIER & ASSOC INC", UNLESS NOTED OTHERWISE.
- PROPERTY OWNER (NOT THE CITY) IS RESPONSIBLE FOR MAINTAINING, REPAIRING, AND REPLACING ALL NON-STANDARD DECORATIVE SIGNS, POLE/POSTS, HARDWARE, LIGHTING, OR OTHER NON-STANDARD ITEMS. THE CITY OF ROCKWALL HAS NO MAINTENANCE, LIABILITY, OR OTHER RESPONSIBILITY RELATED TO THESE ITEMS.

**GENERAL NOTES:**

- IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 83-54.

## REPLAT LOT 2R, BLOCK A ALLEN ANDERSON ADDITION

AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
BEING 1.198 ACRES OF LAND LOCATED IN THE  
EDWARD TEAL SURVEY, ABSTRACT No. 207, ROCKWALL COUNTY, TEXAS

CASE No. XXXX-XXX

PREPARED BY:

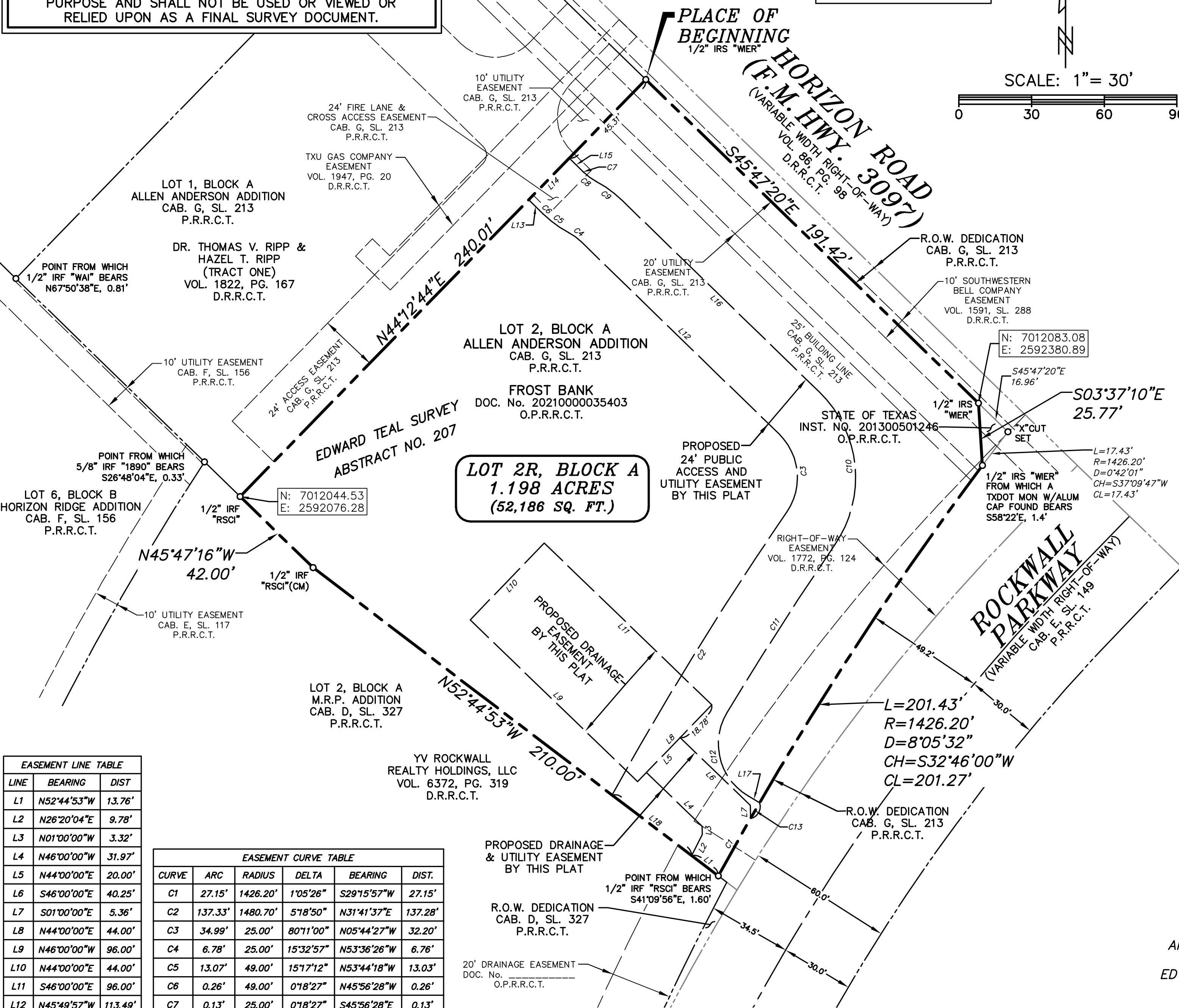
**WIA WIER & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS LAND PLANNERS  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
Texas Board of Professional Land Surveying Registration No. 10033900

SHEET 1 OF 2

DATE: 2/16/2022  
W.A. No. 21089

LINE	BEARING	DIST
L1	N52°44'53"W	13.76'
L2	N26°20'04"E	9.78'
L3	N01°00'00"W	3.32'
L4	N46°00'00"W	31.97'
L5	N44°00'00"E	20.00'
L6	S46°00'00"E	40.25'
L7	S01°00'00"E	5.36'
L8	N44°00'00"E	44.00'
L9	N46°00'00"W	96.00'
L10	N44°00'00"E	44.00'
L11	S46°00'00"E	96.00'
L12	N45°49'57"W	113.49'
L13	N45°47'15"W	8.00'
L14	N44°12'45"E	24.00'
L15	S45°47'15"E	8.00'
L16	S45°49'57"E	113.49'
L17	S59°53'11"E	5.28'
L18	N52°44'53"W	41.32'

CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	27.15'	1426.20'	1°05'26"	S29°15'57"W	27.15'
C2	137.33'	1480.70'	5°18'50"	N31°41'37"E	137.28'
C3	34.99'	25.00'	80°11'00"	N05°44'27"W	32.20'
C4	6.78'	25.00'	15°32'57"	N53°36'26"W	6.76'
C5	13.07'	49.00'	15°17'12"	N53°44'18"W	13.03'
C6	0.26'	49.00'	0°18'27"	N45°56'28"W	0.26'
C7	0.13'	25.00'	0°18'27"	S45°56'28"E	0.13'
C8	6.67'	25.00'	15°17'12"	S53°44'18"E	6.65'
C9	13.30'	49.00'	15°32'57"	S53°36'26"E	13.26'
C10	68.57'	49.00'	80°11'00"	S05°44'27"E	63.11'
C11	82.29'	1456.70'	3°14'12"	S32°43'57"W	82.28'
C12	39.71'	25.00'	91°00'02"	S14°23'10"E	35.66'
C13	7.53'	1426.20'	0°18'09"	S29°57'45"W	7.53'



**LOT 2R, BLOCK A  
1.198 ACRES  
(52,186 SQ. FT.)**

**OWNER / DEVELOPER**

FROST BANK  
3838 ROGERS ROAD  
SAN ANTONIO, TEXAS 78251  
CONTACT: ROSS WOOD  
PH: (210) 220-5842  
EMAIL: ROSS.WOOD@FROSTBANK.COM

**ENGINEER / SURVEYOR**

WIER & ASSOCIATES, INC.  
2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006  
CONTACT: PRIYA ACHARYA, P.E.  
PH: (817) 467-7700  
EMAIL: PriyaA@WierAssociates.com



**\* O W N E R ' S C E R T I F I C A T I O N \***

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS FROST BANK, BEING THE OWNER OF A TRACT OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NUMBER 207, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF LOT 2, BLOCK A, ALLEN ANDERSON ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET G, SLIDE 213, (P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC" IN THE SOUTHWEST RIGHT-OF-WAY LINE OF HORIZON ROAD (F.M. HWY. 3097) (A VARIABLE WIDTH RIGHT-OF-WAY), SAID IRON ROD BEING THE NORTH CORNER OF SAID LOT 2 AND THE EAST CORNER OF LOT 1, BLOCK A OF SAID ALLEN ANDERSON ADDITION;

THENCE S 45°47'20" E, ALONG THE NORTHEAST LINE OF SAID LOT 2 AND THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID HORIZON ROAD, 191.42 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC" AT THE NORTH END OF A RIGHT-OF-WAY CORNER CLIP AT THE INTERSECTION OF THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID HORIZON ROAD WITH THE NORTHWEST RIGHT-OF-WAY LINE OF ROCKWALL PARKWAY (A VARIABLE WIDTH RIGHT-OF-WAY), BEING THE NORTH CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO THE STATE OF TEXAS RECORDED IN INSTRUMENT NUMBER 201300501246, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.);

THENCE S 03°37'10" E, ALONG SAID CORNER CLIP AND THE WEST LINE OF SAID STATE OF TEXAS TRACT, 25.77 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC INC", FROM WHICH A TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT FOUND WITH AN ALUMINUM CAP BEARS S 58°22' E, 1.4 FEET, SAID IRON ROD BEING THE SOUTH END OF SAID CORNER CLIP AND THE SOUTH CORNER OF SAID STATE OF TEXAS TRACT, BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 201.43 FEET ALONG THE SOUTHEAST LINE OF SAID LOT 2, THE NORTHWEST RIGHT-OF-WAY LINE OF SAID ROCKWALL PARKWAY, AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1426.20 FEET, A DELTA ANGLE OF 08°05'32", AND A CHORD BEARING OF S 32°46'00" W, 201.27 FEET TO A POINT, FROM WHICH 1/2" IRON ROD FOUND WITH A CAP STAMPED "RSCI" BEARS S 41°09'56" E, 1.60 FEET, SAID POINT BEING THE SOUTH CORNER OF SAID LOT 2 AND IN THE NORTHEAST LINE OF LOT 2, BLOCK A, M.R.P. ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET D, SLIDE 327, P.R.R.C.T.;

THENCE N 52°44'53" W, DEPARTING THE NORTHWEST RIGHT-OF-WAY LINE OF SAID ROCKWALL PARKWAY, ALONG THE SOUTHWEST LINE OF SAID LOT 2, BLOCK A, ALLEN ANDERSON ADDITION AND THE NORTHEAST LINE OF SAID LOT 2, BLOCK A, M.R.P. ADDITION, 210.00 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RSCI";

THENCE N 45°47'16" W, CONTINUING ALONG THE SOUTHWEST LINE OF SAID LOT 2, BLOCK A, ALLEN ANDERSON ADDITION AND THE NORTHEAST LINE OF SAID LOT 2, BLOCK A, M.R.P. ADDITION, 42.00 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RSCI", SAID IRON ROD BEING THE WEST CORNER OF SAID LOT 2, BLOCK A, ALLEN ANDERSON ADDITION, AND THE SOUTH CORNER OF SAID LOT 1;

THENCE N 44°12'44" E, ALONG THE NORTHWEST LINE OF SAID LOT 2, BLOCK A, ALLEN ANDERSON ADDITION, AND THE SOUTHEAST LINE OF SAID LOT 1, A DISTANCE OF 240.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.198 ACRES (52,186 SQUARE FEET) OF LAND, MORE OR LESS.

**\* S U R V E Y O R ' S S T A T E M E N T \***

THAT I, AARON L. STRINGFELLOW, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION.

SURVEYED ON THE GROUND  
NOVEMBER 29, 2021

"THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF AARON L. STRINGFELLOW, RPLS. NO. 6373 ON February 16, 2022. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED."

AARON L. STRINGFELLOW  
REGISTERED PUBLIC SURVEYOR  
STATE OF TEXAS NO. 6373  
EMAIL: AARONLS@WIERASSOCIATES.COM

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED AARON L. STRINGFELLOW, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED AND AS THE ACT AND DEED THEREIN STATED.

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

NOTARY SIGNATURE \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS  
COUNTY OF ROCKWALL

I THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS LOT 2R, BLOCK A, ALLEN ANDERSON ADDITION TO THE CITY OF ROCKWALL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN ON THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. I FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN LOT 2R, BLOCK A, ALLEN ANDERSON ADDITION HAVE BEEN NOTIFIED AND SIGNED THIS PLAT.

I UNDERSTAND AND DO HEREBY RESERVE THE EASEMENT STRIPS SHOWN ON THIS PLAT FOR THE PURPOSES STATED AND FOR THE MUTUAL USE AND ACCOMMODATION OF ALL UTILITIES DESIRING TO USE OR USING SAME. I ALSO UNDERSTAND THE FOLLOWING:

1. NO BUILDINGS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE UTILITY EASEMENTS AS DESCRIBED HEREIN.

2. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS; AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS OR EGRESS TO, FROM AND UPON THE SAID EASEMENT STRIPS FOR PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING, AND EITHER ADDING TO OR REMOVING ALL OR PART OF THEIR RESPECTIVE SYSTEM WITHOUT THE NECESSITY OF, AT ANY TIME, PROCURING THE PERMISSION OF ANYONE.

3. THE CITY OF ROCKWALL WILL NOT BE RESPONSIBLE FOR ANY CLAIMS OF ANY NATURE RESULTING FROM OR OCCASIONED BY THE ESTABLISHMENT OF GRADE OF STREETS IN THE SUBDIVISION.

4. THE DEVELOPER AND ENGINEER SHALL BEAR TOTAL RESPONSIBILITY FOR STORM DRAIN IMPROVEMENTS.

5. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE NECESSARY FACILITIES TO PROVIDE DRAINAGE PATTERNS AND DRAINAGE CONTROLS SUCH THAT PROPERTIES WITHIN THE DRAINAGE AREA ARE NOT ADVERSELY AFFECTED BY STORM DRAINAGE FROM THE DEVELOPMENT.

6. NO HOUSE DWELLING UNIT, OR OTHER STRUCTURE SHALL BE CONSTRUCTED ON ANY LOT IN THIS ADDITION BY THE OWNER OR ANY OTHER PERSON UNTIL THE DEVELOPER AND/OR OWNER HAS COMPLIED WITH ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF ROCKWALL REGARDING IMPROVEMENTS WITH RESPECT TO THE ENTIRE BLOCK ON THE STREET OR STREETS ON WHICH PROPERTY ABUTS, INCLUDING THE ACTUAL INSTALLATION OF STREETS WITH THE REQUIRED BASE AND PAVING, CURB AND GUTTER, WATER AND SEWER, DRAINAGE STRUCTURES, STORM STRUCTURES, STORM SEWERS, AND ALLEYS, ALL ACCORDING TO THE SPECIFICATIONS OF THE CITY OF ROCKWALL; OR

UNTIL AN ESCROW DEPOSIT, SUFFICIENT TO PAY FOR THE COST OF SUCH IMPROVEMENTS, AS DETERMINED BY THE CITY'S ENGINEER AND/OR CITY ADMINISTRATOR, COMPUTED ON A PRIVATE COMMERCIAL RATE BASIS, HAS BEEN MADE WITH THE CITY SECRETARY, ACCOMPANIED BY AN AGREEMENT SIGNED BY THE DEVELOPER AND/OR OWNER, AUTHORIZING THE CITY TO MAKE SUCH IMPROVEMENTS AT PREVAILING PRIVATE COMMERCIAL RATES, OR HAVE THE SAME MADE BY A CONTRACTOR AND PAY FOR THE SAME OUT OF THE ESCROW DEPOSIT, SHOULD THE DEVELOPER AND/OR OWNER FAIL OR REFUSE TO INSTALL THE REQUIRED IMPROVEMENTS WITHIN THE TIME STATED IN SUCH WRITTEN AGREEMENT, BUT IN NO CASE SHALL THE CITY BE OBLIGATED TO MAKE SUCH IMPROVEMENTS ITSELF. SUCH DEPOSIT MAY BE USED BY THE OWNER AND/OR DEVELOPER AS PROGRESS PAYMENTS AS THE WORK PROGRESSES IN MAKING SUCH IMPROVEMENTS BY MAKING CERTIFIED REQUISITIONS TO THE CITY SECRETARY, SUPPORTED BY EVIDENCE OF WORK DONE; OR

UNTIL THE DEVELOPER AND/OR OWNER FILES A CORPORATE SURETY BOND WITH THE CITY SECRETARY IN A SUM EQUAL TO THE COST OF SUCH IMPROVEMENTS FOR THE DESIGNATED AREA, GUARANTEEING THE INSTALLATION THEREOF WITHIN THE TIME STATED IN THE BOND, WHICH TIME SHALL BE FIXED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL.

I FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTION'S MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; I, MY SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT I MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

WITNESS OUR HANDS THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022:

FOR: FROST BANK

OWNER \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ OF FROST BANK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_

PRINTED NAME \_\_\_\_\_

**OWNER / DEVELOPER**

FROST BANK  
3838 ROGERS ROAD  
SAN ANTONIO, TEXAS 78251  
CONTACT: ROSS WOOD  
PH: (210) 220-5842  
EMAIL: ROSS.WOOD@FROSTBANK.COM

**ENGINEER / SURVEYOR**

WIER & ASSOCIATES, INC.  
2201 E. LAMAR BLVD., SUITE 200E  
ARLINGTON, TEXAS 76006  
CONTACT: PRIYA ACHARYA, P.E.  
PH: (817) 467-7700  
EMAIL: PRIYAA@WIERASSOCIATES.COM

**RECOMMENDED FOR FINAL APPROVAL**

PLANNING AND ZONING COMMISSION, CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

**APPROVED**

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL COUNTY, TEXAS WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM SAID DATE OF FINAL APPROVAL.

WITNESS OUR HANDS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MAYOR, CITY OF ROCKWALL \_\_\_\_\_ CITY SECRETARY \_\_\_\_\_ CITY ENGINEER \_\_\_\_\_

**PRELIMINARY  
FOR REVIEW PURPOSES ONLY**

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

**REPLAT  
LOT 2R, BLOCK A  
ALLEN ANDERSON ADDITION**

AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
BEING 1.198 ACRES OF LAND LOCATED IN THE  
EDWARD TEAL SURVEY, ABSTRACT No. 207, ROCKWALL COUNTY, TEXAS

CASE No. XXXX-XXX

PREPARED BY:  
**WIA WIER & ASSOCIATES, INC.**  
**ENGINEERS SURVEYORS LAND PLANNERS**  
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700  
Texas Firm Registration No. F-2776 www.WierAssociates.com  
Texas Board of Professional Land Surveying Registration No. 10033900

**SHEET 2 OF 2**

DATE: 2/16/2022  
W.A. No. 21089

PRINTED: 2/16/2022 3:04 PM LAST SAVED: 2/16/2022 3:04 PM FILE: REPLAT-21089.DWG BAR IS ONE INCH ON ORIGINAL FULL-SIZE PRINT

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 Map-Check 21089 REPLAT MAP 2/17/22 10:09:27 Factor: 1.0000000  
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Correct End - N: 5000.00000 E: 5000.00000  
 Calc. End - N: 5000.00019 E: 5000.00800  
 Error - N: 0.00 E: 0.01 Total: 0.01 Brg: S 88-37-44 W  
 Distance Traversed: 910.46 Closure: 113742

No Adjustment

Bearing	Distance	North	East	Elevation	Pt.No.
		5000.00000	5000.00000		31
S 45-47-20 E	191.42	4866.52205	5137.20515		31
S 03-37-10 E	25.77	4840.80345	5138.83199		31

RAD: 1426.20 LEN: 201.43 TAN: 100.88 CEN.ANG: 8-05-32  
 CHORD: 201.26 MO: 3.55 EXT: 3.56 DEGREE: 4-01-03  
 SEG: 477 TRI: 143163 SEC: 143640

S 53-11-14 E	1426.20	3986.22160	6280.64471	31	PC->RP
N 61-16-46 W	1426.20	4671.56541	5029.90481	31	RP->PT
S 32-46-00 W	201.26	4671.56541	5029.90481	31	PC->PT
N 52-44-53 W	210.00	4798.68282	4862.74870	31	
N 45-47-16 W	42.00	4827.97017	4832.64471	31	
N 44-12-44 E	240.01	5000.00019	5000.00800	31	

Approx: Sq.Feet: 52186 Acres: 1.198

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 Map-Check 21089 REPLAT MAP 2/17/22 10:09:35 Factor: 1.0000000  
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sc

2:S 45-47-20 E	191.420		
3:S 03-37-10 E	25.770		
4:S 32-46-00 W	CCCCCCCC	-1426.200	201.430
5:N 52-44-53 W	210.000		
6:N 45-47-16 W	42.000		
7:N 44-12-44 E	240.010		

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Correct End - N: 5000.00000 E: 5000.00000  
 Calc. End - N: 5000.00019 E: 5000.00800  
 Error - N: 0.00 E: 0.01 Total: 0.01 Brg: S 88-37-44 W  
 Distance Traversed: 910.46 Closure: 113742

No Adjustment

Bearing	Distance	North	East	Elevation	Pt.No.
		5000.00000	5000.00000		1
S 45-47-20 E	191.42	4866.52205	5137.20515		2
S 03-37-10 E	25.77	4840.80345	5138.83199		3

RAD: 1426.20 LEN: 201.43 TAN: 100.88 CEN.ANG: 8-05-32  
 CHORD: 201.26 MO: 3.55 EXT: 3.56 DEGREE: 4-01-03  
 SEG: 477 TRI: 143163 SEC: 143640

S 53-11-14 E	1426.20	3986.22160	6280.64471		4	PC->RP
N 61-16-46 W	1426.20	4671.56541	5029.90481		5	RP->PT
S 32-46-00 W	201.26	4671.56541	5029.90481		5	PC->PT
N 52-44-53 W	210.00	4798.68282	4862.74870		6	
N 45-47-16 W	42.00	4827.97017	4832.64471		7	
N 44-12-44 E	240.01	5000.00019	5000.00800		8	

Approx: Sq.Feet: 52186 Acres: 1.198

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 Map-Check 21089 REPLAT DESCRIPTION 2/17/22 10:04:31 Factor: 1.000000  
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SC

2:S 45-47-20 E	191.420		
3:S 03-37-10 E	25.770		
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5:N 52-44-53 W	210.000		
6:N 45-47-16 W	42.000		
7:N 44-12-44 E	240.010		



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** P2022-008; PRELIMINARY PLAT FOR MARINA VILLAGE

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### Attachments

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

### Summary/Background Information

Consider a request by William Johnson of LTL Family Holdings, LLC for the approval of a *Preliminary Plat* for the Marina Village Subdivision being a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) [*Ordinance No. 92-39*] for Zero Lot Line (ZL-5) District land uses, generally located on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any action necessary.

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** William Johnson; *LTL Family Holdings*  
**CASE NUMBER:** P2022-008; *Preliminary Plat for Marina Village*

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### SUMMARY

Consider a request by William Johnson of LTL Family Holdings, LLC for the approval of a Preliminary Plat for the Marina Village Subdivision being a 6.88-acre tract of land identified as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) [Ordinance No. 92-39] for Zero Lot Line (ZL-5) District land uses, generally located on the south side of Henry M. Chandler Drive west of Ridge Road [FM-740], and take any action necessary.

### PLAT INFORMATION

- The purpose of the applicant's request is to Preliminary Plat a 6.88-acre parcel of land (*i.e. as Lot 4, Block A, Spyglass Hill #4 Addition and Tract 134-12 of the E. Teal Survey, Abstract No. 207*) into 36 townhome lots and two (2) open space lots (*i.e. Lots 1-29, Block A; Lots 1-9, Block B Marina Village Subdivision*). The proposed Preliminary Plat also lays out the necessary easements (*e.g. fire lane, public access/right-of-way, utilities, and drainage*) for the future development of the subdivision.
- The subject property was annexed into the City of Rockwall and zoned Agricultural (AG) District on October 29, 1973 (*Ordinance No. 73-43*). On November 12, 1973, the subject property was rezoned to Planned Development District 8 (PD-8) and designated for a *Multi-Family* and/or *Condominium* land uses by *Ordinance No. 73-48*. This designation was amended on October 19, 1992 by *Ordinance No. 92-39 (Case No. PZ1992-008-01)*, which re-designated the subject property to allow 36 zero-lot-line, single-family homes. On August 16, 2022, the City Council approved an amendment to Planned Development District 8 (PD-8) through *Ordinance No. 21-38 (Case No. Z2021-026)* allowing 36 townhomes on the subject property.
- On March 1, 2022, the Parks and Recreation Board reviewed the Preliminary Plat and made the following recommendations concerning the proposed subdivision:
  - (1) The property owner shall pay pro-rata equipment fees of \$7,920.00 (*i.e. \$220.00 x 36 Lots*), which will be due prior to the issuance of a building permit.
  - (2) The property owner shall pay cash-in-lieu of land fees of \$8,352.00 (*i.e. \$232.00 x 36 Lots*), which will be due prior to the issuance of a building permit.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the Preliminary Plat for the *Marina Village*, staff would propose the following conditions of approval:

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

## **PLANNING AND ZONING COMMISSION**

On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.



# DEVELOPMENT APPLICATION

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

### STAFF USE ONLY

PLANNING & ZONING CASE NO. P2022-008

**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 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)<sup>1</sup>

#### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup> IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup> A **\$1,000.00** FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS Prop ID 452487 & A0207 E Teal, Tract 134-12

SUBDIVISION Spyglass Hill #4 LOT 4 BLOCK A

GENERAL LOCATION Adjacent to Chandlers Landing Marina

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

CURRENT ZONING PD-08 Attached Townhomes CURRENT USE Vacant

PROPOSED ZONING \_\_\_\_\_ PROPOSED USE Attached Townhomes

ACREAGE 6.88 LOTS [CURRENT] 0 LOTS [PROPOSED] 36

**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 L T L FAMILY HOLDINGS, LLC  APPLICANT

CONTACT PERSON William Johnson CONTACT PERSON \_\_\_\_\_

ADDRESS 14918 MYSTIC TERRACE LN ADDRESS \_\_\_\_\_

CITY, STATE & ZIP Cypress, TX 77429 CITY, STATE & ZIP \_\_\_\_\_

PHONE 713.325.4294 PHONE \_\_\_\_\_

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

### NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED William Johnson [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 \$ 303.20 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15<sup>th</sup> DAY OF February, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."


GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF FEBRUARY, 2022.

OWNER'S SIGNATURE \_\_\_\_\_

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS \_\_\_\_\_





Case Location Map =   
 P2022-008- Preliminary Plat for Marina Villages

0 115 230 460 690 920 Feet

AG

PD-8

HENRY M CHANDLER DR

LAKEWAY DR

MONT BLANC DR

VERSAILLES DR

LAFAYETTE DR

VERSAILLES CT

LAFAYETTE LANDING



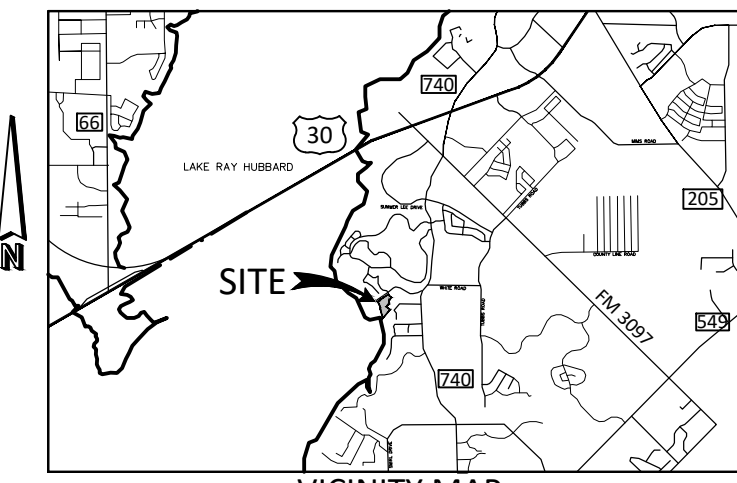
# City of Rockwall

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

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







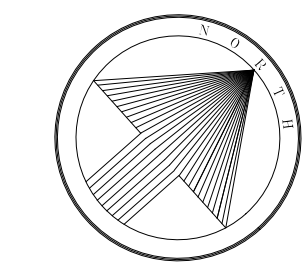
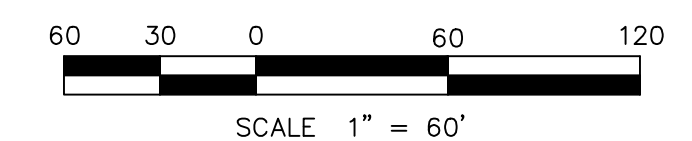
VICINITY MAP  
N.T.S.

**LEGEND**

- Point of Curvature or Tangency on Center Line
- 1/2" Iron rod set with a yellow plastic cap stamped "JVC" (unless otherwise noted)
- ⊙ 1/2" IRF (unless otherwise noted)
- AC Acre
- BL Building Line
- C1 Curve No.
- <CM> Control Monument
- DE Drainage Easement
- DUE Drainage Utility Easement
- Esmt Easement
- L1 Line No.
- SF Square Feet
- UE Utility Easement
- VAM Visibility Easement
- D.R.R.C.T.= Deed Records of Rockwall County, Texas
- P.R.R.C.T.= Plat Records of Rockwall County, Texas
- O.R.R.C.T.= Official Records of Rockwall County, Texas

**GENERAL NOTES:**

1. ALL LOT CORNERS MONUMENTED WITH A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JVC" UNLESS OTHERWISE NOTED.
2. ALL UTILITY EASEMENTS AND DRAINAGE EASEMENTS WITHIN THIS PLATTED PROPERTY ARE CREATED BY THIS PLAT, UNLESS OTHERWISE NOTED.
3. BASIS OF BEARING AND COORDINATES SHOWN HEREON REFER TO "TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES.
4. LOCATION OF 1% ANNUAL FLOOD CHANCE ESTIMATED FROM FEMA FIRM PANEL 48139C0325F DATED JUNE 3, 2013.
5. LOTS ADJACENT TO FLOODPLAIN SHALL HAVE A MINIMUM FINISHED FLOOR ELEVATION 2' ABOVE THE 100-YR WSEL.
6. DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE PROPERTY OWNERS.



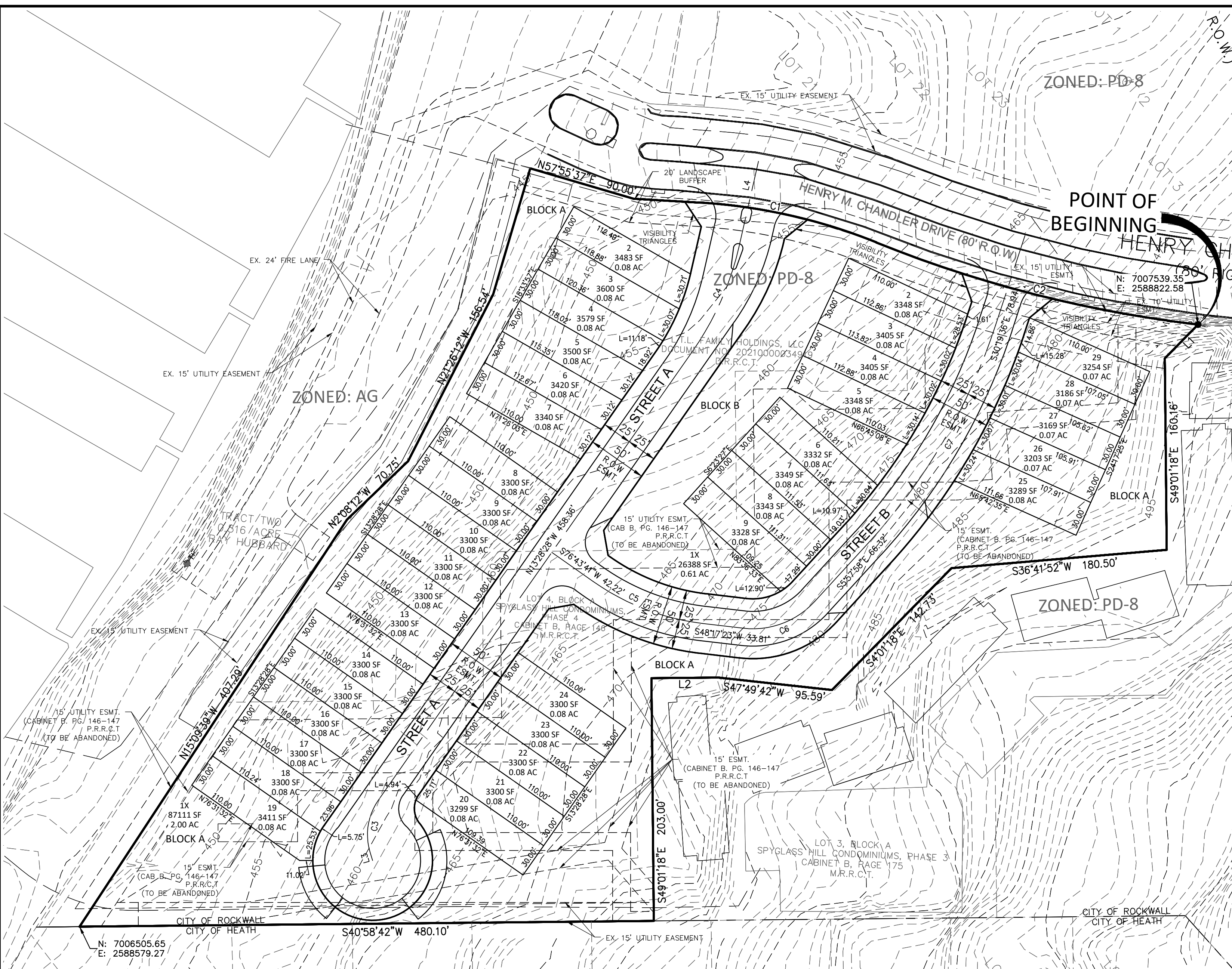
**PRELIMINARY PLAT**  
**MARINA VILLAGES**  
 6.889 ACRES  
 BLOCK A, LOTS 1X, 2-29; BLOCK B, LOTS 1X, 2-9  
 36 TOWNHOME LOTS  
 1.526 AC ROW DEDICATION  
 OUT OF THE  
 EDWARD TEAL SURVEY, ABSTRACT NO. 207  
**CITY OF ROCKWALL**  
**ROCKWALL COUNTY, TEXAS**  
 XXX-XX-2021

February 17, 2022  
 SHEET 1 OF 2

**JOHNSON VOLK**  
**CONSULTING**  
 TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033  
 704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

**Owner/Applicant:**  
 LTL Family Holdings, LLC  
 William Johnson  
 14918 Mystic Terrace Lane  
 Cyprus, Texas 77429  
 Phone: 713-325-4294

**Engineer/Surveyor:**  
 Johnson Volk Consulting, Inc.  
 704 Central Parkway East, Suite. 1200  
 Plano, Texas 75074  
 Phone: 972-201-3102  
 Contact: Joel Richey, PE



**BENCHMARKS:**  
**MONUMENT NO. 1:**  
 CITY OF ROCKWALL MONUMENT NO. COR-5:  
 STANDARD CITY OF ROCKWALL CONTROL MONUMENT LOCATED AT THE  
 NORTHEAST CORNER OF THE INTERSECTION OF HENRY W. CHANDLER DRIVE  
 AND COMMODORE PLAZA APPROXIMATELY 400' WEST OF THE INTERSECTION  
 OF HENRY W. CHANDLER DRIVE AND RIDGE ROAD.  
 ELEVATION = 560.58'  
**MONUMENT NO. 2:**  
 CITY OF ROCKWALL MONUMENT NO. COR-7:  
 STANDARD CITY OF ROCKWALL CONTROL MONUMENT LOCATED ON THE SOUTH  
 SIDE OF SUMMER LEE DRIVE APPROXIMATELY 250' WEST OF THE INTERSECTION  
 OF SUMMER LEE DRIVE AND RIDGE ROAD.  
 ELEVATION = 567.52'

**Line Table**

Line	Length	Direction
L1	39.64	S4° 01' 18"E
L2	56.00	S40° 58' 42"W
L3	7.57	N65° 13' 41"W
L4	72.96	N35° 35' 51"W

**Curve Table**

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	153.06	471.19	018°36'42"	152.39	N54° 13' 19"E
C2	278.35	1040.00	015°20'06"	277.52	N55° 51' 37"E
C3	45.16	50.00	051°45'13"	43.64	S39° 21' 05"E
C4	96.53	250.00	022°07'23"	95.93	N24° 32' 09"W
C5	99.27	200.00	028°26'17"	98.25	N62° 30' 32"E
C6	66.29	70.00	054°15'21"	63.84	N21° 09' 42"E
C7	212.59	500.00	024°21'38"	210.99	N18° 08' 47"W

BEING a tract of land situated in the E. TEAL SURVEY, ABSTRACT NO. 207, City of Rockwall, Rockwall County, Texas and being all of Lot 4, Block A of SPYGLASS HILL CONDOMINIUMS PHASE FOUR, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Page 146, Map Records, Rockwall County, Texas and being all of that tract of land described in Deed to L.T.L. Family Holdings, LLC, as recorded in Document No. 20210000034919, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap stamped "BISON CREEK" found in the southeast line of Henry Chandler Drive, an 80 foot right-of-way, for the common northeast corner of said L.T.L. Family Holdings, LLC tract, northeast corner of said Lot 4 and northwest corner of Lot 3, Block A of SPYGLASS HILL CONDOMINIUMS, PHASE 3, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Page 175, Map Records, Rockwall County, Texas;

THENCE Southerly, with the common east line of said Lot 4, east line of said L.T.L. Family Holdings, LLC tract and west line of said Lot 3, the following seven (7) courses and distances:

South 04 degrees 01 minutes 18 seconds East, leaving said southeast line, a distance of 39.64 feet to a 1/2 inch iron rod found for corner;

South 49 degrees 01 minutes 18 seconds East, a distance of 160.16 feet to a 1/2 inch iron rod found for corner;

South 36 degrees 41 minutes 52 seconds West, a distance of 180.50 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "BISON CREEK" found for corner;

South 04 degrees 01 minutes 18 seconds East, a distance of 142.73 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "BISON CREEK" found for corner;

South 47 degrees 49 minutes 42 seconds West, a distance of 95.59 feet to a 1/2 inch iron rod found for corner;

South 40 degrees 58 minutes 42 seconds West, a distance of 56.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "BISON CREEK" found for corner;

South 49 degrees 01 minutes 18 seconds East, a distance of 203.00 feet to a 1/2 inch iron rod found in the northwest line of WINDWARD SLOPE, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet A, page 368, Map Records, Rockwall County, Texas for the common south corner of said Lot 3 and an exterior ell corner of said Lot 4 and said L.T.L. Family Holdings, LLC tract;

THENCE South 40 degrees 58 minutes 42 seconds West, with the common southeast line of said Lot 4 and said L.T.L. Family Holdings, LLC tract and said northwest line, a distance of 480.10 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common south corner of said Lot 4 and said L.T.L. Family Holdings, LLC tract;

THENCE Northerly, with the west line of said L.T.L. Family Holdings, LLC tract, the following four (4) courses and distances:

North 15 degrees 09 minutes 39 seconds West, a distance of 407.29 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

North 02 degrees 08 minutes 12 seconds West, a distance of 70.75 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "BISON CREEK" found for corner;

North 21 degrees 26 minutes 12 seconds West, a distance of 156.54 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "BISON CREEK" found for corner;

North 32 degrees 04 minutes 21 seconds West, a distance of 109.80 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the southeast line of the above mentioned Henry Chandler Drive for the northwest corner of said L.T.L. Family Holdings, LLC tract;

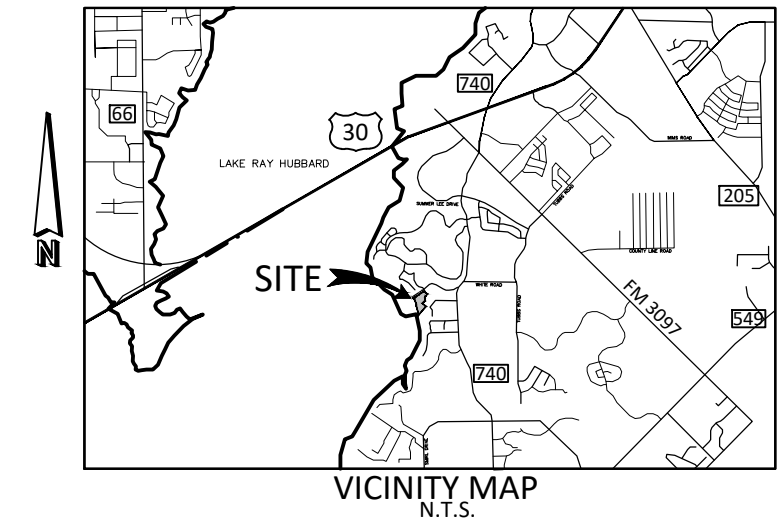
THENCE Northeasterly, with said southeast line, the following four (4) courses and distances:

North 57 degrees 55 minutes 37 seconds East, a distance of 90.00 feet to a 1/2 inch iron rod found for corner;

North 44 degrees 54 minutes 57 seconds East, a distance of 54.37 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the right having a central angle of 18 degrees 36 minutes 42 seconds, a radius of 471.19 feet and a chord bearing and distance of North 54 degrees 13 minutes 19 seconds East, 152.39 feet;

Northeasterly, with said curve to the right, an arc distance of 153.06 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a reverse curve to the left having a central angle of 15 degrees 20 minutes 06 seconds, a radius of 1,040.00 feet and a chord bearing and distance of North 55 degrees 51 minutes 37 seconds East, 277.52 feet;

Northeasterly, with said curve to the left, an arc distance of 278.35 feet to the POINT OF BEGINNING and containing 6.889 acres of land, more or less.



## PRELIMINARY PLAT MARINA VILLAGES

6.889 ACRES

BLOCK A, LOTS 1X, 2-29; BLOCK B, LOTS 1X, 2-9

36 TOWNHOME LOTS

1.526 AC ROW DEDICATION

OUT OF THE

EDWARD TEAL SURVEY, ABSTRACT NO. 207

CITY OF ROCKWALL

ROCKWALL COUNTY, TEXAS

XXX-XX-2021

February 17, 2022

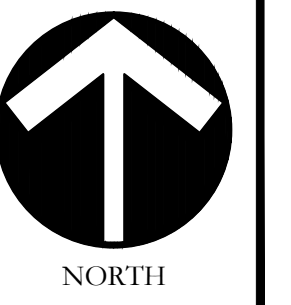
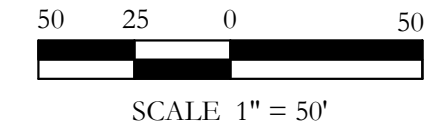
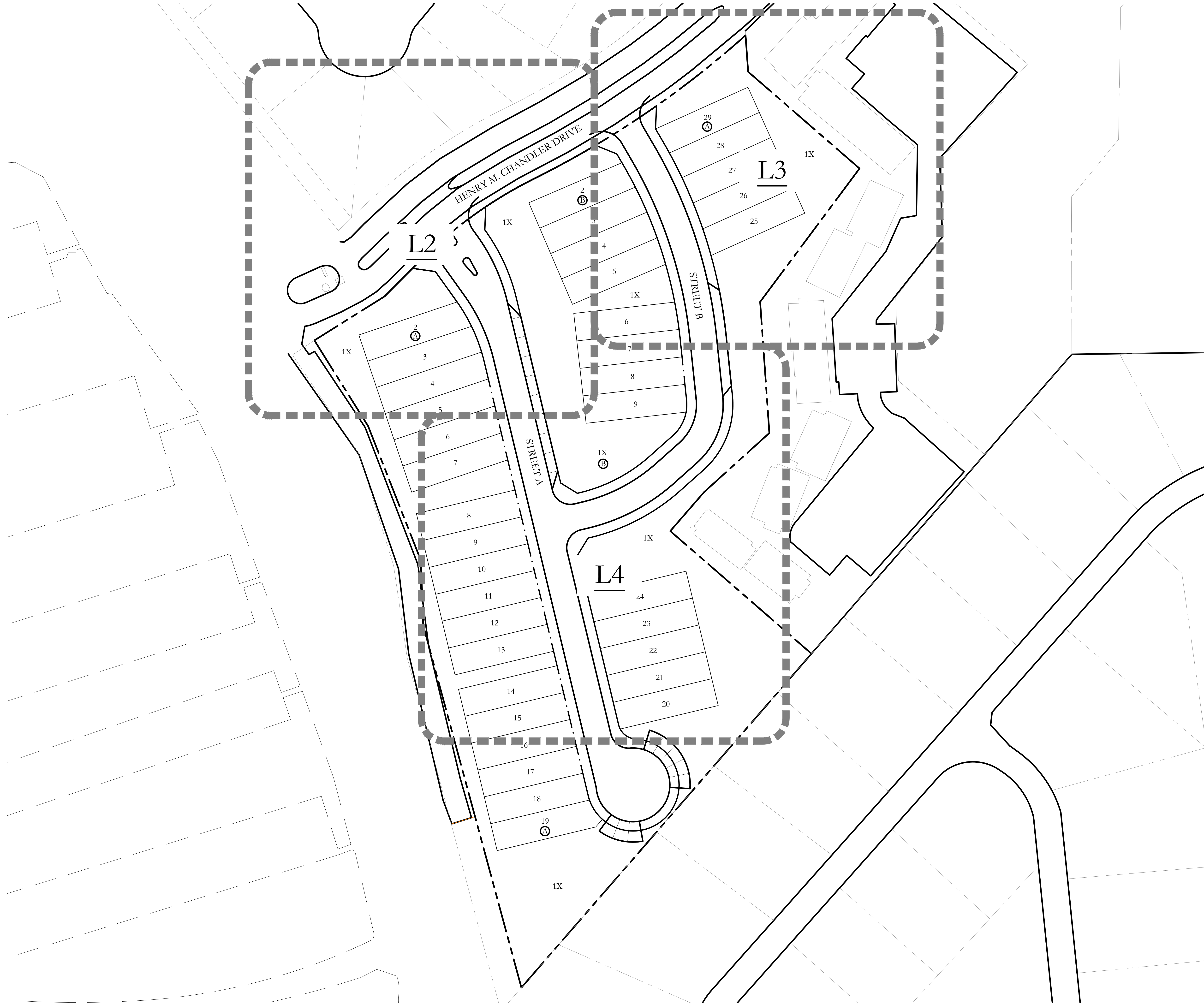
SHEET 2 OF 2

Owner/Applicant:  
LTL Family Holdings, LLC  
William Johnson  
14918 Mystic Terrace Lane  
Cyprus, Texas 77429  
Phone: 713-325-4294

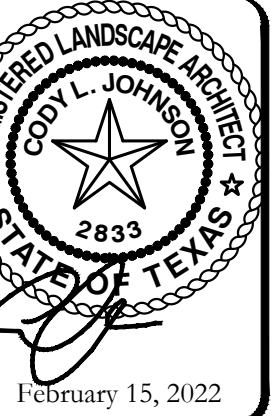
Engineer/Surveyor:  
Johnson Volk Consulting, Inc.  
704 Central Parkway East, Suite. 1200  
Plano, Texas 75074  
Phone: 972-201-3102  
Contact: Joel Richey, PE

 **JOHNSON VOLK**  
CONSULTING  
TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033  
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

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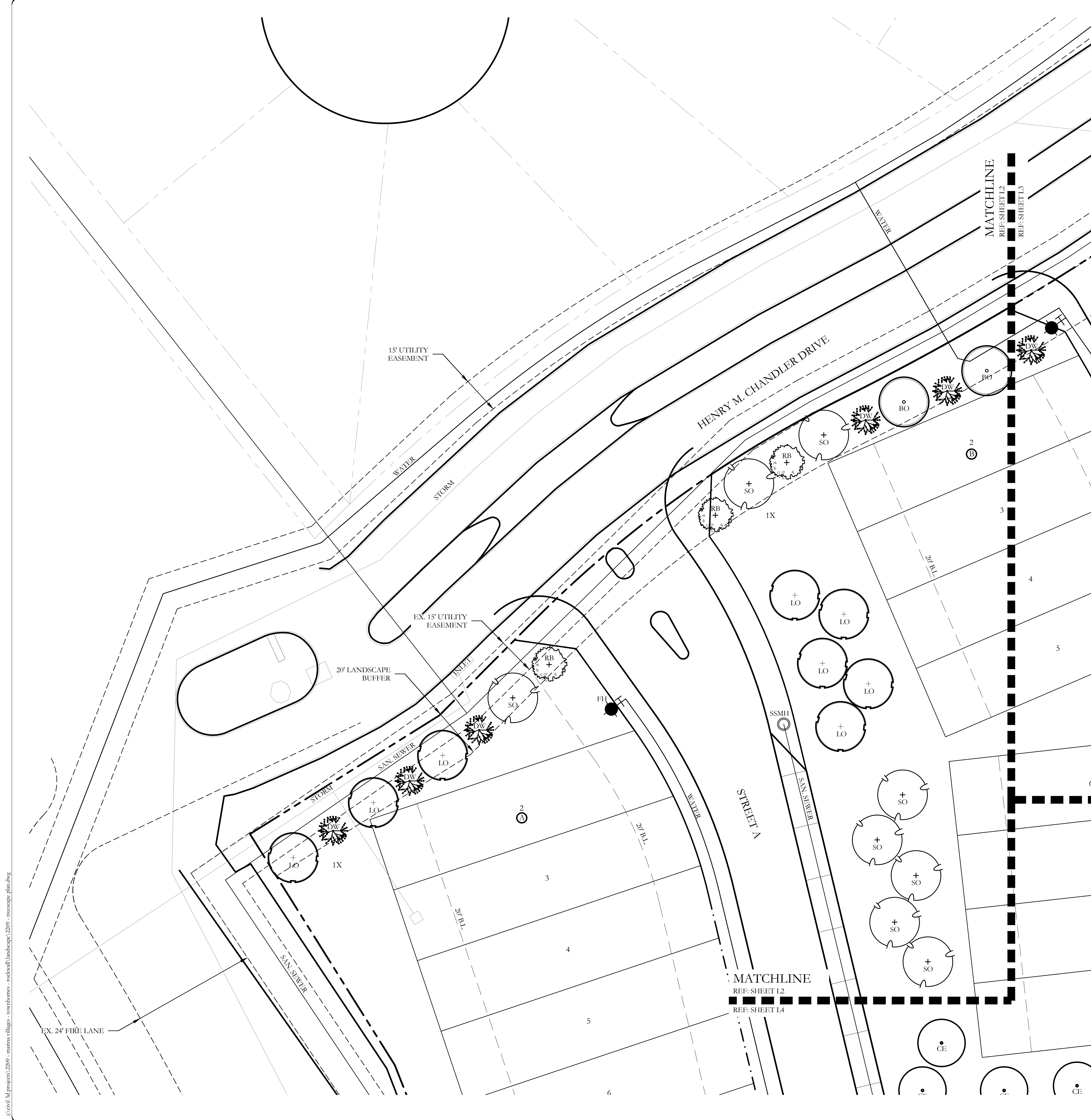
SCALE:  
1" = 50'  
One Inch  
JVC No 2209



TREESCAPE PLAN  
OVERALL LAYOUT PLAN

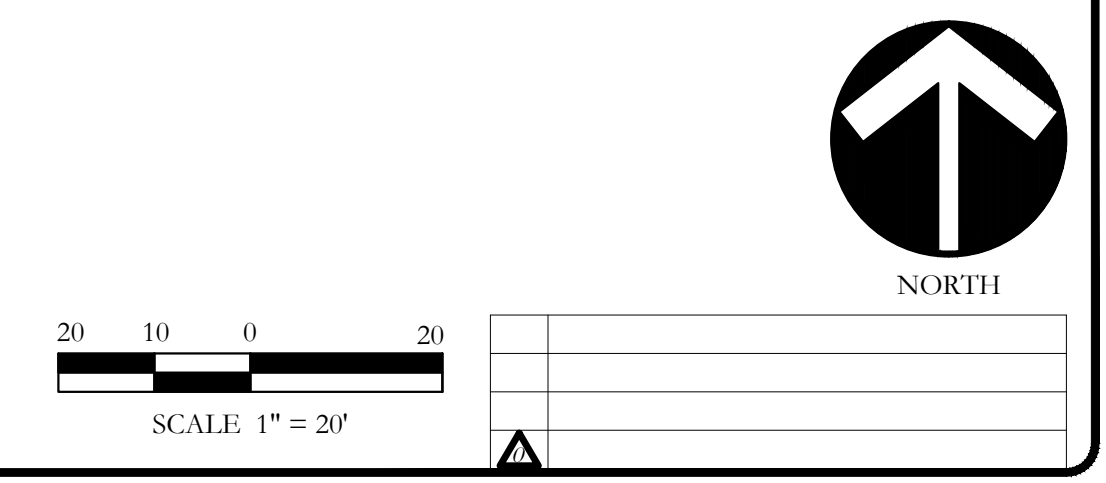
MARINA VILLAGE TOWNHOMES  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

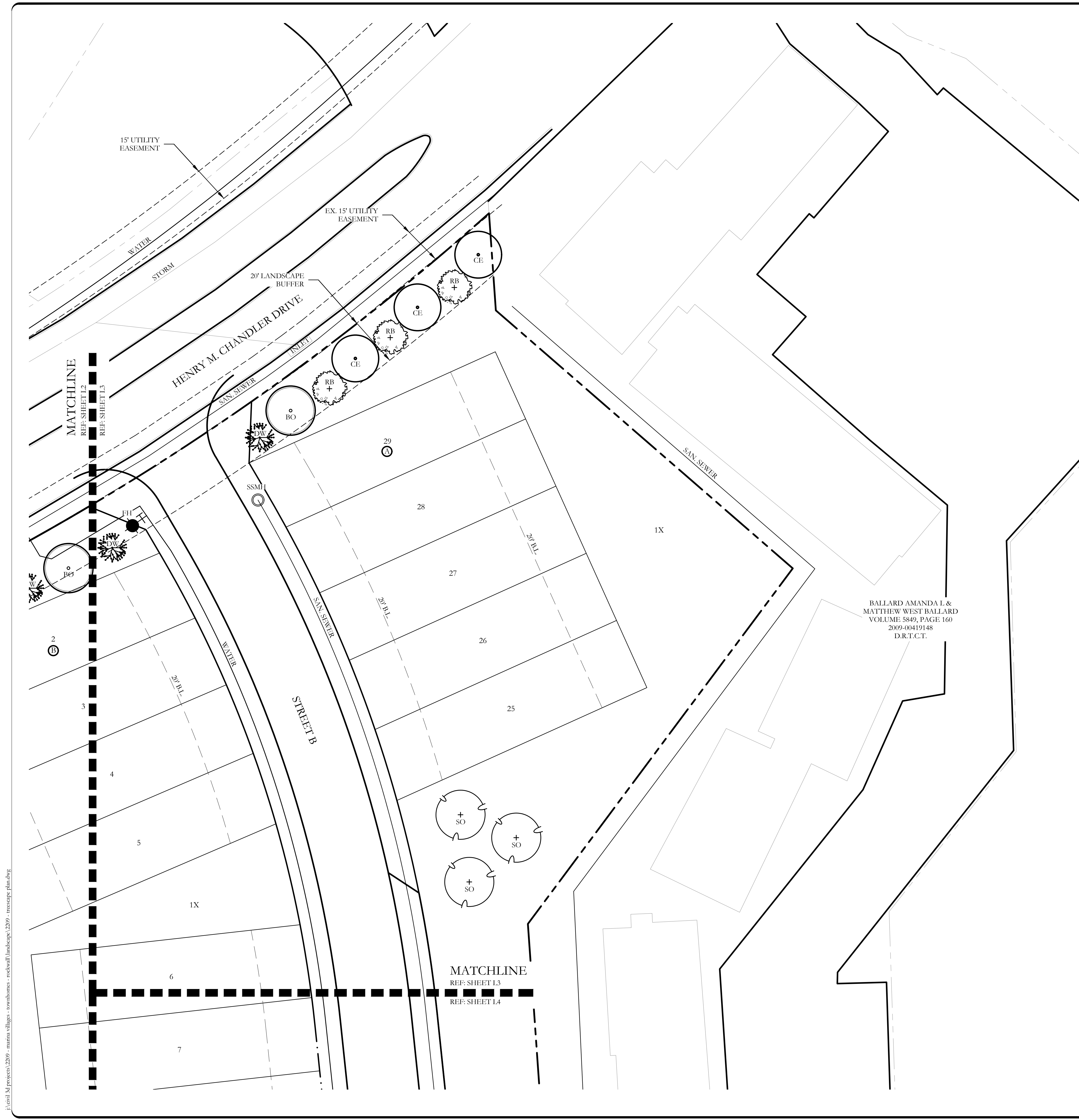
**JOHNSON VOLK  
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TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033  
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100



PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
	BO	BUR OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN
	CE	CEDAR ELM	ULMUS CRASSIFOLIA	4" CALIPER	AS SHOWN
	DW	DESERT WILLOW	CHILOPSIS LINEARIS	2" CALIPER	AS SHOWN
	RB	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXENSIS	2" CALIPER	AS SHOWN

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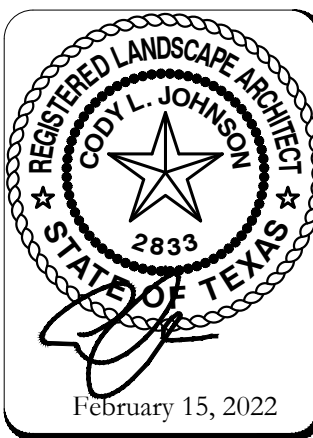




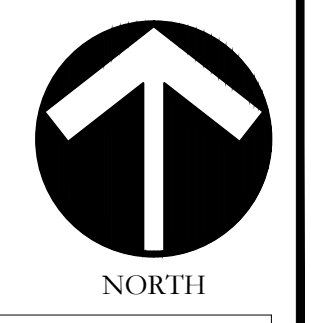
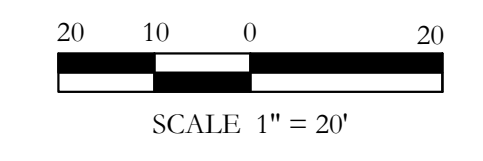
PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
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	CE	CEDAR ELM	ULMUS CRASSIFOLIA	4" CALIPER	AS SHOWN
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	RB	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXIENSIS	2" CALIPER	AS SHOWN

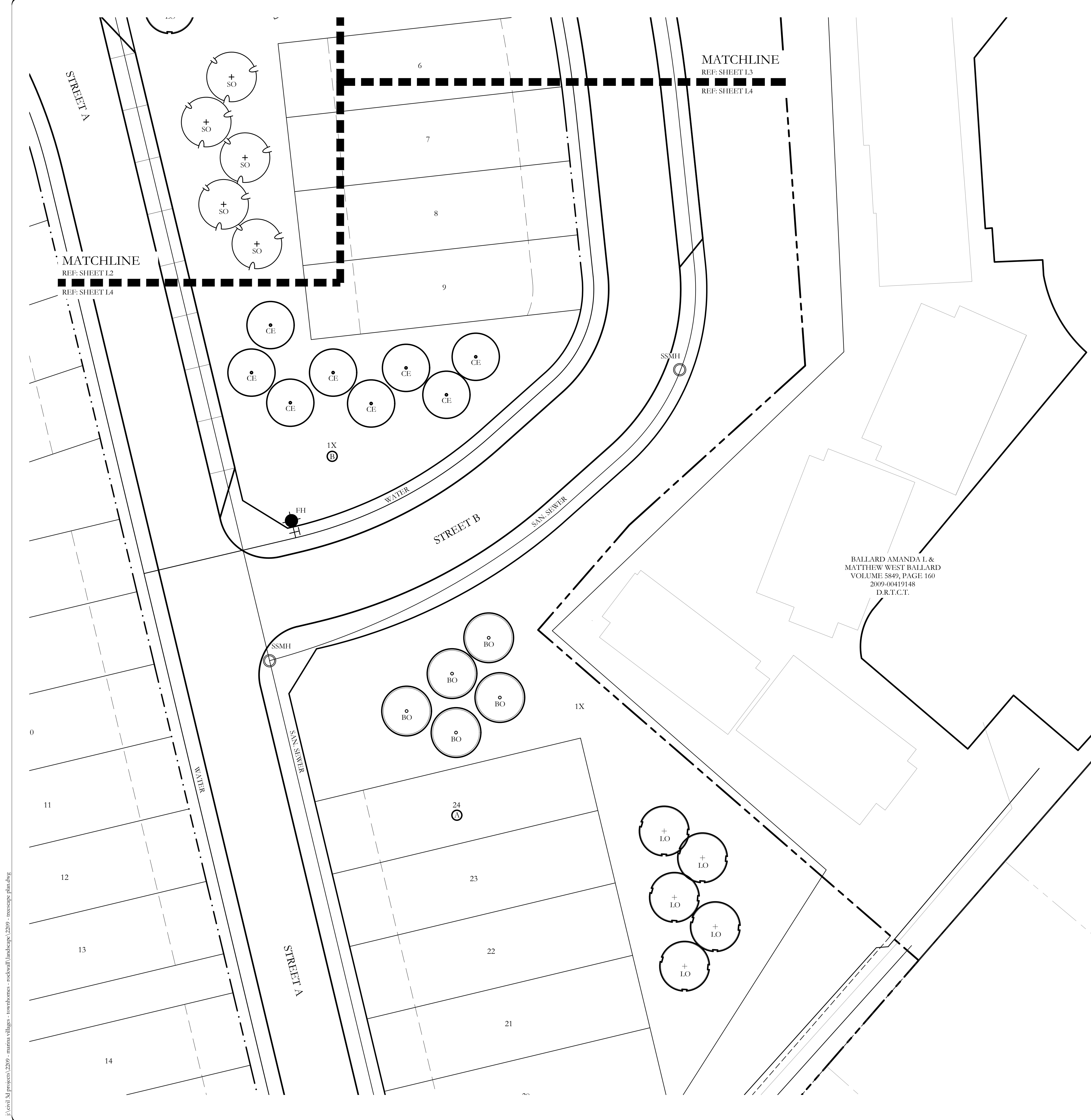
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MATTHEW WEST BALLARD  
VOLUME 5849, PAGE 160  
2009-00419148  
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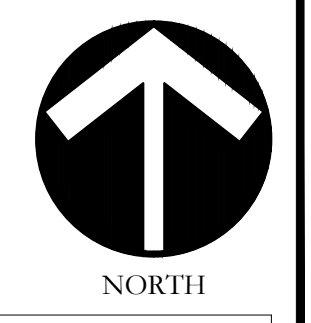
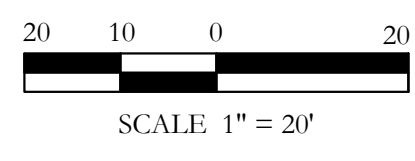


SCALE: 1" = 20'  
 One Inch  
 JVC No 2209





PLANT LEGEND					
SYMBOL	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING
	LO	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN
	SO	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN
	BO	BUR OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN
	CE	CEDAR ELM	ULMUS CRASSIFOLIA	4" CALIPER	AS SHOWN
	DW	DESERT WILLOW	CHILOPSIS LINEARIS	2" CALIPER	AS SHOWN
	RB	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXIENSIS	2" CALIPER	AS SHOWN



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**LANDSCAPE PROVIDED**

HENRY M. CHANDLER DR.

MINIMUM TEN (10) FOOT LANDSCAPE BUFFER PROVIDED

1 - 4" CAL. CANOPY TREE & 1 ACCENT TREE / 50 LF OF LINEAR FRONTAGE  
576 LF OF FRONTAGE / 50 LF = 12 - 4" CAL. TREES & 12 ACCENT TREES REQUIRED.  
PROVIDED: 12 - 4" CALIPER CANOPY TREES & 13 ACCENT TREES PROVIDED

**TREE MITIGATION**

191.5 CAL. INCHES REMOVED

43 - 4" CAL. CANOPY TREES & 13 - 2" CAL. ACCENT TREES = 198 CAL. INCHES REPLACED.

PLANT LIST						
KEY	ESTIMATED QUANTITY	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	REMARKS
LO	13	LIVE OAK	QUERCUS VIRGINIANA	4" CALIPER	AS SHOWN	NURSERY GROWN; FULL HEAD; MINIMUM BRANCHING HEIGHT AT 6'-0"; MINIMUM 10'-0" OVERALL HEIGHT.
SO	11	SHUMARD OAK	QUERCUS SHUMARDII	4" CALIPER	AS SHOWN	NURSERY GROWN; FULL HEAD; MINIMUM BRANCHING HEIGHT AT 6'-0"; MINIMUM 10'-0" OVERALL HEIGHT.
BO	8	BUR OAK	QUERCUS MACROCARPA	4" CALIPER	AS SHOWN	NURSERY GROWN; FULL HEAD; MINIMUM BRANCHING HEIGHT AT 6'-0"; MINIMUM 10'-0" OVERALL HEIGHT.
CE	11	CEDAR ELM	ULMUS CRASSIFOLIA	4" CALIPER	AS SHOWN	NURSERY GROWN; FULL HEAD; MINIMUM BRANCHING HEIGHT AT 6'-0"; MINIMUM 10'-0" OVERALL HEIGHT.
DW	7	DESERT WILLOW	CHILOPSIS LINEARIS	2" CALIPER	AS SHOWN	NURSERY GROWN; FULL HEAD; MINIMUM 8'-0" OVERALL HEIGHT.
RB	6	TEXAS REDBUD	CERCIS CANADENSIS VAR. TEXENSIS	2" CALIPER	AS SHOWN	NURSERY GROWN; FULL HEAD; MINIMUM 8'-0" OVERALL HEIGHT.

**GENERAL LANDSCAPE NOTES**

**INSPECTIONS:**

- NO EXCAVATION SHALL OCCUR IN CITY R.O.W. WITHOUT A R.O.W. PERMIT--CONTACT THE PUBLIC WORKS DEPARTMENT.
- THE CONTRACTOR SHALL MARK ALL WATER LINES, SEWER LINES, AND TREE LOCATIONS PRIOR TO CALLING FOR ROW INSPECTION AND PERMIT.
- THE LANDSCAPE INSTALLATION SHALL COMPLY WITH APPROVED LANDSCAPE DRAWINGS PRIOR TO FINAL ACCEPTANCE BY THE CITY AND ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- WATER METERS, CLEANOUTS AND OTHER APPURTENANCES, SHALL BE ACCESSIBLE, ADJUSTED TO GRADE, CLEARLY MARKED WITH FLAGGING AND COMPLIANT WITH PUBLIC WORKS DEPARTMENT STANDARDS PRIOR TO CALLING FOR FINAL LANDSCAPE AND ROW INSPECTIONS.

**LANDSCAPE STANDARDS:**

- PLANTINGS AND LANDSCAPE ELEMENTS SHALL COMPLY WITH THE CITY'S ENGINEERING DESIGN STANDARDS, PUBLIC ROW VISIBILITY REQUIREMENTS.
- UNLESS OTHERWISE SPECIFIED, TREES SHALL BE PLANTED NO LESS THAN 4' FROM CURBS, SIDEWALKS, UTILITY LINES, SCREENING WALLS AND OTHER STRUCTURES. THE CITY HAS FINAL APPROVAL FOR ALL TREE PLACEMENTS.
- A MINIMUM THREE FEET (3') RADIUS AROUND A FIRE HYDRANT MUST REMAIN CLEAR OF LANDSCAPE PURSUANT TO THE FIRE CODE.
- STREET TREES, WHERE REQUIRED, SHALL BE (10') MINIMUM FROM THE EDGE OF A STORM SEWER CURB INLET BOX AND THE EDGE OF THE ROOT BALL SHALL BE (4') MINIMUM FROM THE WATER METER.
- THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2004) SPECIFICATIONS SHALL GOVERN PLANT QUALIFICATIONS, GRADES, AND STANDARDS.
- TREE PLANTING SHALL COMPLY WITH DETAILS HEREIN AND THE INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA) STANDARDS.
- A 2-3" LAYER OF MULCH SHALL BE PROVIDED AROUND THE BASE OF THE PLANTED TREE. THE MULCH SHALL BE PULLED BACK 4" FROM THE TRUNK OF THE TREE.
- TREE PITS SHALL BE TESTED FOR WATER PERCOLATION. IF WATER DOES NOT DRAIN OUT OF TREE PIT WITHIN 24-HOURS, THE TREE SHALL BE MOVED OR DRAINAGE SHALL BE PROVIDED.
- ALL BEDS TO HAVE 3" OF COMPOSTED SOIL, LIVING EARTH TECHNOLOGY, OR APPROVED EQUAL TILLED AND TURNED TO A DEPTH OF 8" MINIMUM.
- ALL PLANT BEDS SHALL BE TOP-DRESSED WITH A MINIMUM OF 3 INCHES OF HARDWOOD MULCH.
- NATIVE SITE TOPSOIL IS TO BE PROTECTED FROM EROSION OR STOCKPILED. NATIVE SITE TOPSOIL SHALL BE LABORATORY TESTED BY AN ACCREDITED LABORATORY AND AMENDED PER SAID LABORATORY'S RECOMMENDATIONS.

**IRRIGATION STANDARDS:**

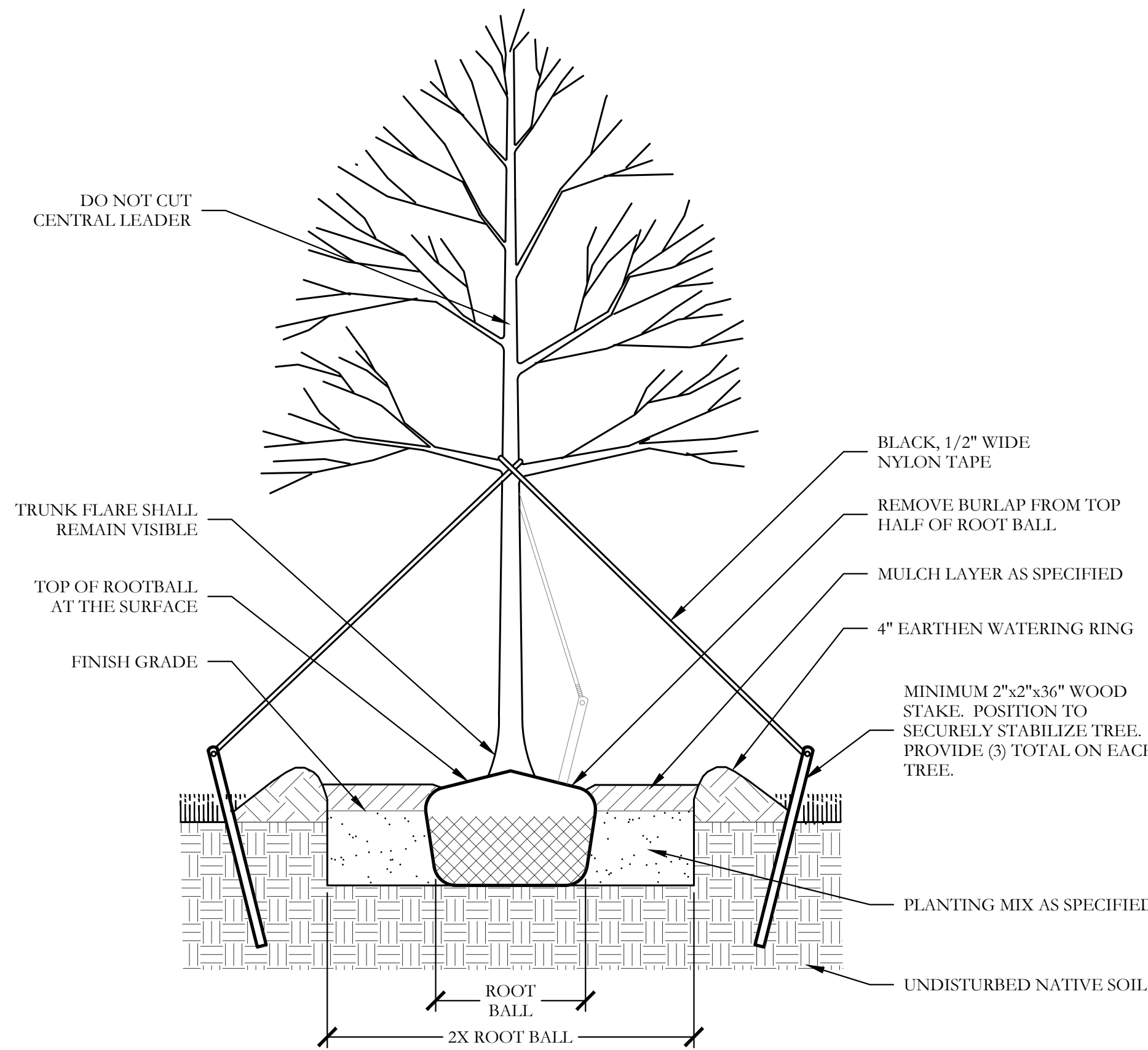
- ANY CHANGES TO THESE APPROVED IRRIGATION DRAWINGS SHALL BE AUTHORIZED BY THE CITY. CONTACT DEVELOPMENT SERVICES FOR AN IRRIGATION PERMIT PRIOR TO INSTALLING THE IRRIGATION SYSTEM.
- IRRIGATION OVER SPRAY ON STREETS AND WALKS IS PROHIBITED.
- MAINLINES, VALVES, OR CONTROL WIRES SHALL NOT BE LOCATED IN THE CITY'S ROW.
- ET IRRIGATION CONTROLLERS SHALL BE PROGRAMMED AND ADJUSTED TO NOT EXCEED THE LANDSCAPE WATER ALLOWANCE (LWA) PRIOR TO APPROVAL OF LANDSCAPE INSTALLATION.
- VALVES SHALL BE LOCATED A MINIMUM OF (3') AWAY FROM STORM SEWERS, AND SANITARY SEWER LINES AND 5 FEET FROM CITY FIRE HYDRANTS AND WATER VALVES.
- THE BORE DEPTH UNDER STREETS, DRIVE AISLES, AND FIRE LANES SHALL PROVIDE (2') OF CLEARANCE (MINIMUM).
- IRRIGATION HEADS THAT RUN PARALLEL AND NEAR PUBLIC WATER AND SANITARY SEWER LINES, SHALL BE FED FROM STUBBED LATERALS OR BULL-HEADS. A MINIMUM FIVE FOOT (5') SEPARATION IS REQUIRED BETWEEN IRRIGATION MAIN LINES AND LATERALS THAT RUN PARALLEL TO PUBLIC WATER AND SANITARY SEWER LINES.
- NO VALVES, BACKFLOW PREVENTION ASSEMBLIES, QUICK COUPLERS ETC. SHALL BE LOCATED CLOSER THAN 10' FROM THE CURB AT STREET OR DRIVE INTERSECTION.

**MAINTENANCE STANDARDS:**

- THE OWNER SHALL BE RESPONSIBLE FOR THE ESTABLISHMENT, MAINTENANCE, AND VIGOR OF PLANT MATERIAL IN ACCORDANCE WITH THE DESIGN INTENT AND AS APPROPRIATE FOR THE SEASON OF THE YEAR.
- LANDSCAPE AND OPEN AREAS SHALL BE FREE OF TRASH, LITTER AND WEEDS.
- NO PLANT MATERIAL SHALL BE ALLOWED TO ENCRUCH ON R.O.W., SIDEWALKS OR EASEMENTS TO THE EXTENT THAT VISION OR ROUTE OF TRAVEL FOR VEHICULAR, PEDESTRIAN, OR BICYCLE TRAFFIC IS IMPEDED.
- TREE MAINTENANCE SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE INTERNATIONAL SOCIETY OF ARBORICULTURE.
- TREE STAKING MATERIALS, IF USED, SHALL BE REMOVED AFTER (1) GROWING SEASON, NO MORE THAN (1) YEAR AFTER INSTALLATION (STEEL TREE STAKES, WIRES, AND HOSES ARE PROHIBITED).

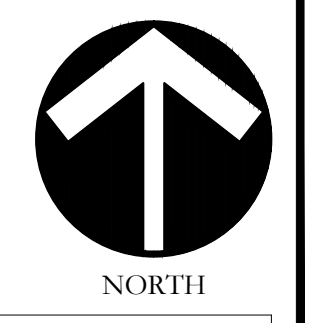
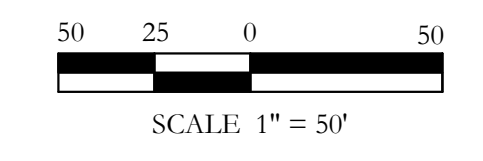
**TREE PROTECTION NOTES:**

- CONTACT DEVELOPMENT SERVICES FOR A TREE REMOVAL PERMIT PRIOR TO REMOVAL OR TRANSPLANTING OF ANY TREES.
- ALL TREES WHICH ARE TO REMAIN ON SITE SHALL BE PROTECTED WITH A (4') TALL, BRIGHTLY COLORED PLASTIC FENCE, OR SILT FENCE, PLACED AT THE DRIP LINE OF THE TREES.
- PRIOR TO THE PRE-CONSTRUCTION MEETING OR OBTAINING A GRADING PERMIT, ALL TREE MARKINGS AND PROTECTIVE FENCING SHALL BE INSTALLED BY THE OWNER AND BE INSPECTED BY DEVELOPMENT SERVICES.
- NO EQUIPMENT SHALL BE CLEANED, OR HARMFUL LIQUIDS DEPOSITED WITHIN THE LIMITS OF THE ROOT ZONE OF TREES WHICH REMAIN ON SITE.
- NO SIGNS, WIRES, OR OTHER ATTACHMENTS SHALL BE ATTACHED TO ANY TREE TO REMAIN ON SITE.
- VEHICULAR AND CONSTRUCTION EQUIPMENT SHALL NOT PARK OR DRIVE WITHIN THE LIMITS OF THE DRIP LINE.
- GRADE CHANGES IN EXCESS OF 3 INCHES (CUT OR FILL) SHALL NOT BE ALLOWED WITHIN A ROOT ZONE, UNLESS ADEQUATE TREE PRESERVATION METHODS ARE APPROVED BY THE CITY.
- NO TRENCHING SHALL BE ALLOWED WITHIN THE DRIP-LINE OF A TREE, UNLESS APPROVED BY THE CITY.
- ALL REMOVED TREES SHALL BE CHIPPED AND USED FOR MULCH ON SITE OR HAULED OFF-SITE.
- ALL TREE MAINTENANCE TECHNIQUES SHALL BE IN CONFORMANCE WITH INDUSTRY IDENTIFIED STANDARDS. IMPROPER OR MALICIOUS PRUNING TECHNIQUES ARE STRICTLY PROHIBITED.

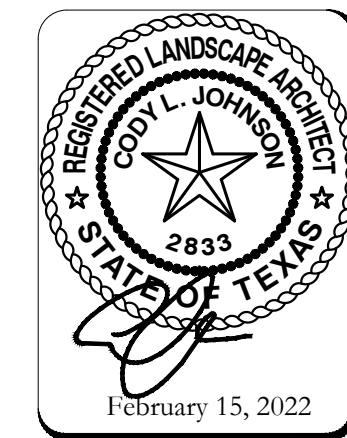


**1 TYPICAL TREE PLANTING SECTION** NOT TO SCALE

Project: Marina Village - townhomes - rockwall/landscapes/2209 - tree survey plan.dwg



SCALE:  
1" = 50'  
One Inch  
JVC No 2209



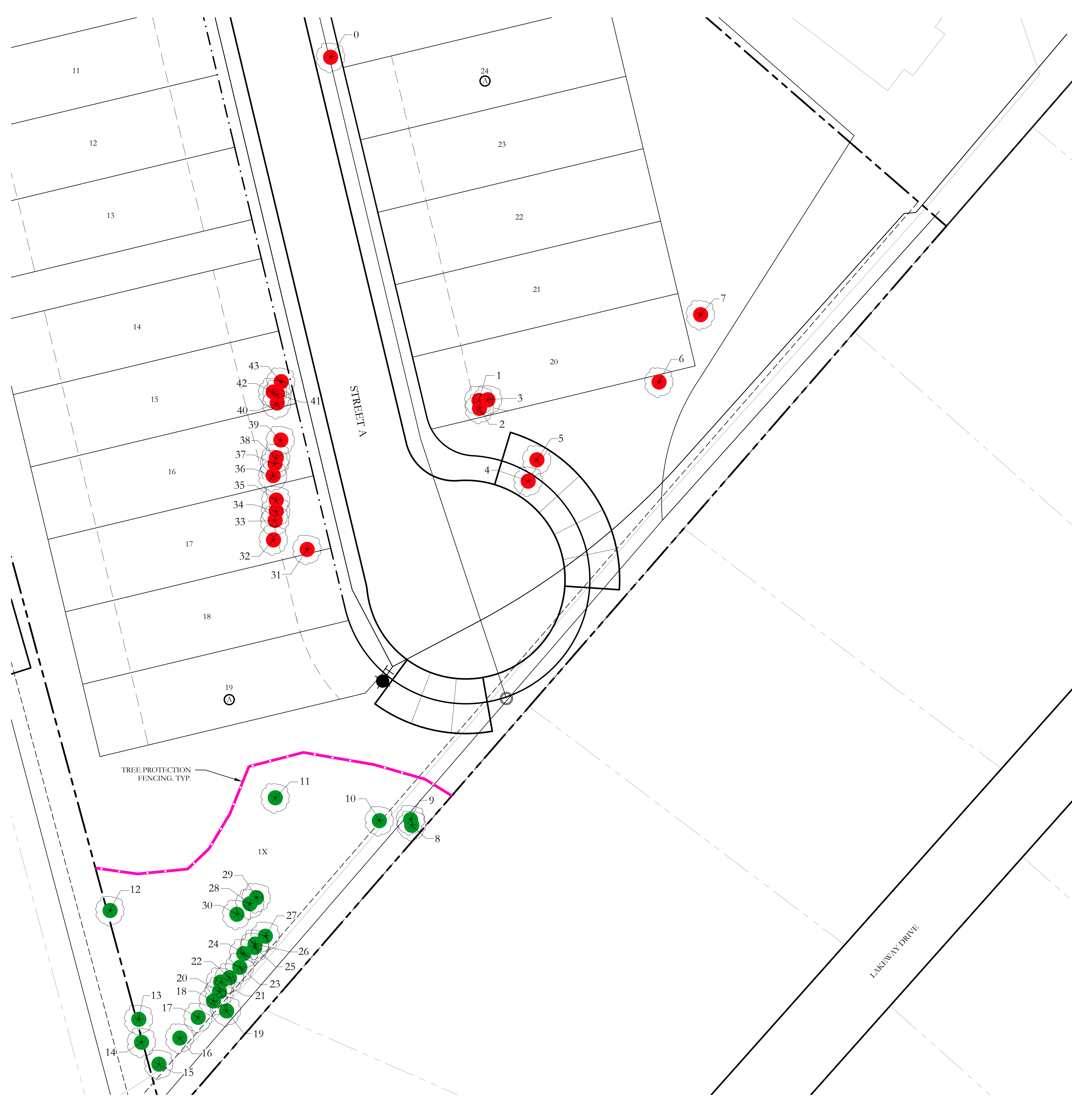
TREE SURVEY PLAN  
TREE SURVEY PLAN

MARINA VILLAGE TOWNHOMES  
CITY OF ROCKWALL  
ROCKWALL COUNTY, TEXAS

**JOHNSON VOLK**  
CONSULTING  
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100  
TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033



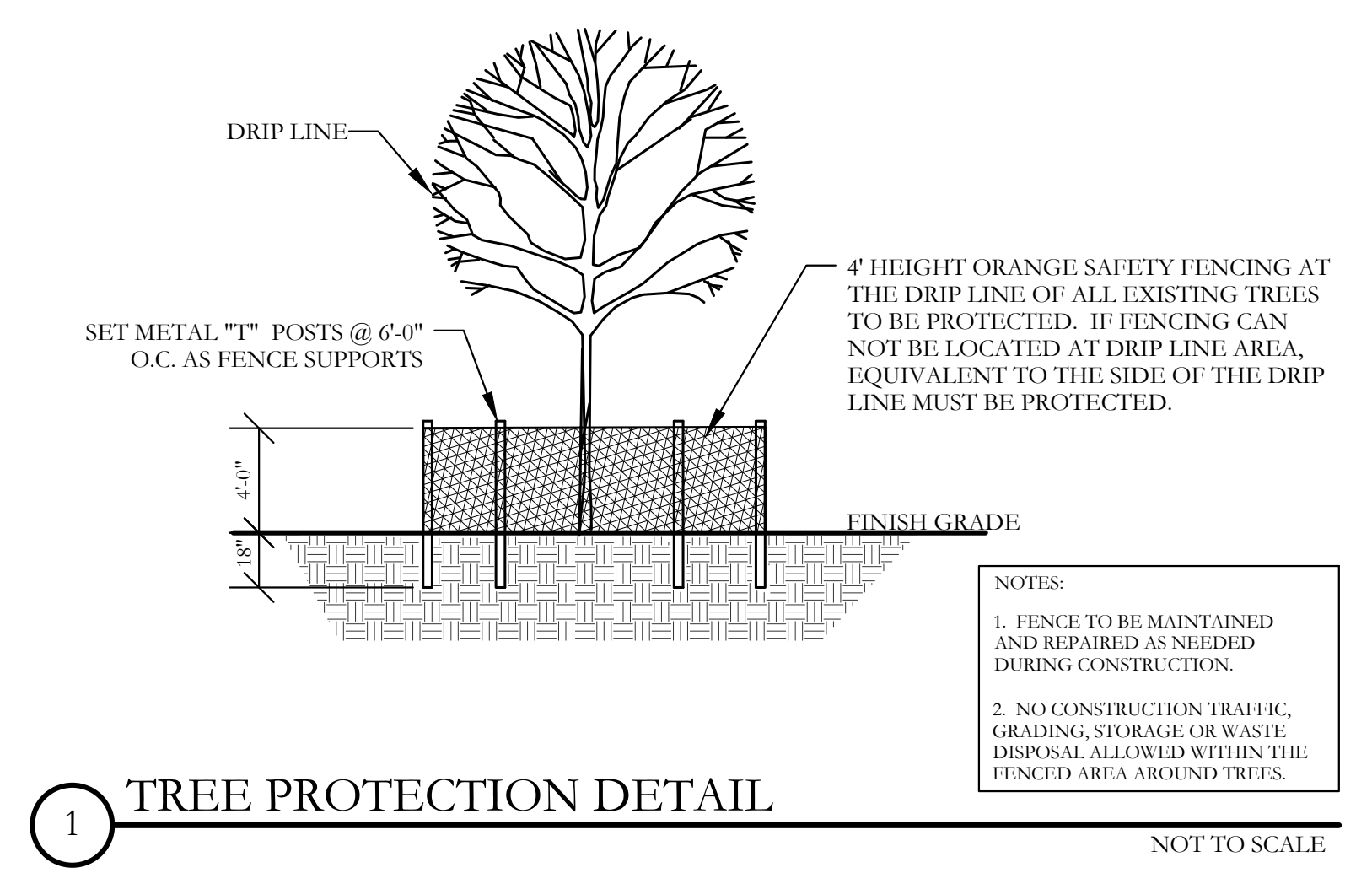
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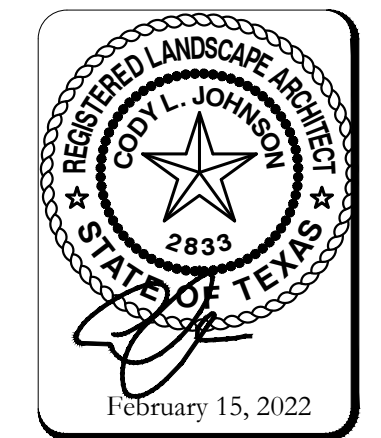
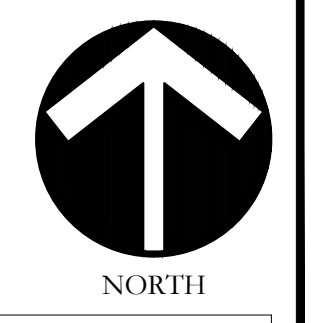
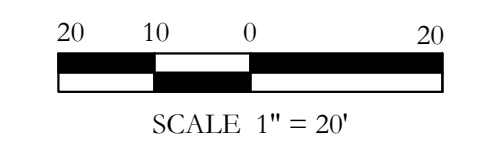
**LEGEND**

	7	EXISTING TREE TO BE REMOVED
	23	EXISTING TREE TO REMAIN
		TREE PROTECTION FENCE, TYP.

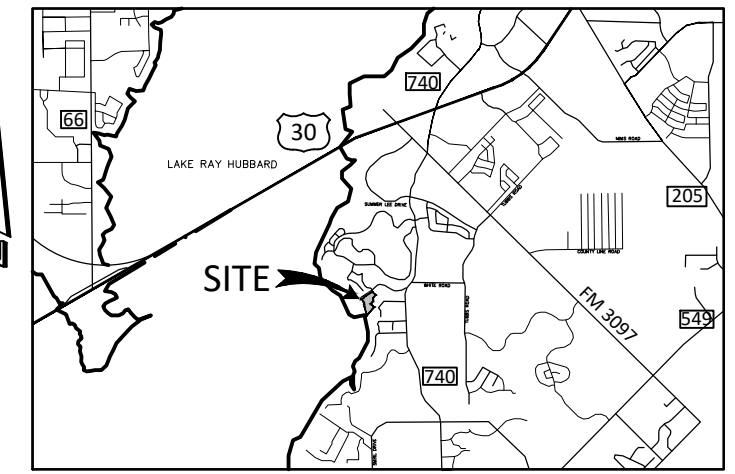
- TREE PROTECTION NOTES**
- EXISTING TREES SHOWN TO REMAIN ARE TO BE PROTECTED DURING CONSTRUCTION. ORANGE COATED CHAINLINK FENCING (MIN. 4'-0" HEIGHT) SHALL BE INSTALLED AT THE DRIP LINE OF ALL TREES OR TREE GROUPS TO REMAIN. PARKING OF VEHICLES OR PERFORMING WORK WITHIN THESE AREAS OTHER THAN SHOWN ON THE PLAN, WILL NOT BE ALLOWED. THE TREE PROTECTION SHALL REMAIN DURING CONSTRUCTION. OTHER TREE PROTECTION MEASURES SHALL BE IN ACCORDANCE WITH THE CITY'S STANDARDS AND ORDINANCES.
  - DISPOSAL OF ANY WASTE MATERIAL SUCH AS, BUT NOT LIMITED TO, PAINT, ASPHALT, OIL SOLVENTS, CONCRETE, MORTAR, ETC. WITHIN THE CANOPY AREA OF THE EXISTING TREES SHALL NOT BE ALLOWED.
  - NO ATTACHMENTS OR WIRES OF ANY KIND, OTHER THAN THOSE OF A PROTECTIVE NATURE, SHALL BE ATTACHED TO ANY TREE.
  - NO FILL OR EXCAVATION OF ANY NATURE SHALL OCCUR WITHIN THE DRIP LINE OF A TREE TO BE PRESERVED, UNLESS THERE IS A SPECIFIED WELL OR RETAINING WALL SHOWN ON THE GRADING PLAN.
  - NO MATERIALS SHALL BE STORED WITHIN THE DRIP LINE AREA OF A TREE TO BE PRESERVED.



- NOTES:**
- FENCE TO BE MAINTAINED AND REPAIRED AS NEEDED DURING CONSTRUCTION.
  - NO CONSTRUCTION TRAFFIC, GRADING, STORAGE OR WASTE DISPOSAL ALLOWED WITHIN THE FENCED AREA AROUND TREES.



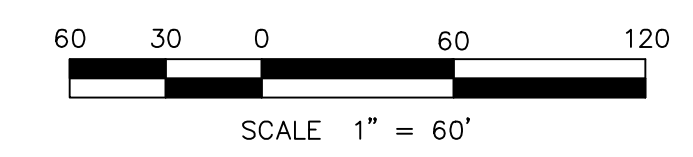
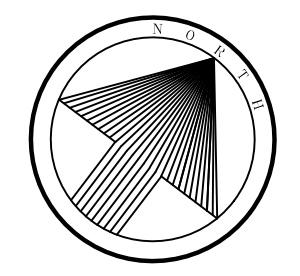
Tree ID Number	Diameter at Breast Height (DBH) (inches)	Common Name	Scientific Name	Protected Tree?	Condition	Comment	Location	Remove or Remain	Mitigation Required, Percentage	Mitigation Required in Caliper Inches
0	28.0	Mesquite	Prosopis spp.	Yes	Healthy	Multi-trunk		Remove	100%	28.0
1	40.0	Bois d'Arc	Machua pomifera	No	Damaged	Leaning/Fall Hazard		Remove	0%	0.0
2	20.0	Bois d'Arc	Machua pomifera	No	Healthy			Remove	0%	0.0
3	8.0	Hackberry	Celtis occidentalis	No	Healthy			Remove	0%	0.0
4	12.0	Grape Myrtle	Lagerstroemia indica	Yes	Healthy			Remove	100%	12.0
5	8.0	Hackberry	Celtis occidentalis	No	Healthy	Multi-trunk		Remove	0%	0.0
6	14.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remove	50%	7.0
7	14.0	Cedar Elm	Ulmus crassifolia	Yes	Healthy			Remove	100%	14.0
8	9.0	Eastern Red Cedar	Juniperus virginiana	No	Healthy			Remain		0.0
9	12.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remain		0.0
10	19.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remain		0.0
11	44.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remain		0.0
12	21.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remain		0.0
13	11.0	Hackberry	Celtis occidentalis	No	Healthy			Remain		0.0
14	24.0	Hackberry	Celtis occidentalis	Yes	Healthy	Multi-trunk		Remain		0.0
15	34.0	Eastern Red Cedar	Juniperus virginiana	Yes	Healthy	Multi-trunk		Remain		0.0
16	35.0	Eastern Red Cedar	Juniperus virginiana	Yes	Healthy	Multi-trunk		Remain		0.0
17	12.0	Eastern Red Cedar	Juniperus virginiana	Yes	Healthy			Remain		0.0
18	9.0	Eastern Red Cedar	Juniperus virginiana	No	Healthy			Remain		0.0
19	29.0	Bois d'Arc	Machua pomifera	No	Healthy	Multi-trunk		Remain		0.0
20	10.0	Eastern Red Cedar	Juniperus virginiana	No	Healthy			Remain		0.0
21	12.0	Green Ash	Fraxinus pennsylvanica	Yes	Healthy			Remain		0.0
22	10.0	Eastern Red Cedar	Juniperus virginiana	No	Healthy			Remain		0.0
23	9.0	Eastern Red Cedar	Juniperus virginiana	No	Healthy			Remain		0.0
24	15.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remain		0.0
25	8.0	Eastern Red Cedar	Juniperus virginiana	No	Healthy			Remain		0.0
26	7.0	Hackberry	Celtis occidentalis	No	Healthy			Remain		0.0
27	29.0	Eastern Red Cedar	Juniperus virginiana	Yes	Healthy	Multi-trunk		Remain		0.0
28	12.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remain		0.0
29	21.0	Green Ash	Fraxinus pennsylvanica	Yes	Healthy	Multi-trunk		Remain		0.0
30	7.0	Green Ash	Fraxinus pennsylvanica	Yes	Healthy	Multi-trunk		Remain		0.0
31	20.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remove	50%	10.0
32	24.0	Eastern Red Cedar	Juniperus virginiana	Yes	Healthy	Multi-trunk		Remove	50%	12.0
33	23.0	Hackberry	Celtis occidentalis	Yes	Healthy	Multi-trunk		Remove	50%	11.5
34	9.0	Hackberry	Celtis occidentalis	No	Healthy			Remove	0%	0.0
35	20.0	Hackberry	Celtis occidentalis	Yes	Healthy	Multi-trunk		Remove	50%	10.0
36	24.0	Green Ash	Fraxinus pennsylvanica	Yes	Healthy	Multi-trunk		Remove	100%	24.0
37	12.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remove	50%	6.0
38	21.0	Hackberry	Celtis occidentalis	Yes	Healthy	Multi-trunk		Remove	50%	10.5
39	19.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remove	50%	9.5
40	21.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remove	50%	10.5
41	24.0	Hackberry	Celtis occidentalis	Yes	Healthy	Multi-trunk		Remove	50%	12.0
42	17.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remove	50%	8.5
43	12.0	Hackberry	Celtis occidentalis	Yes	Healthy			Remove	50%	6.0
	<b>789.0</b>									<b>191.5</b>
	Total Tree Population									Total Tree Replacement, caliper inches

VICINITY MAP  
N.T.S.

**LEGEND**

- DRAINAGE AREA DESIGNATION  
DRAINAGE AREA SIZE (AC.)
- PROPOSED DRAINAGE AREA DIVIDE
- DIRECTION OF FLOW
- STORM DRAIN LINE & INLET
- EXISTING CONTOUR



**PRELIMINARY  
DRAINAGE PLAN**

**MARINA VILLAGES**

6.889 ACRES

BLOCK A, LOTS 1X, 2-29; BLOCK B, LOTS 1X, 2-9

36 TOWNHOME LOTS

1.526 AC ROW DEDICATION

OUT OF THE

EDWARD TEAL SURVEY, ABSTRACT NO. 207

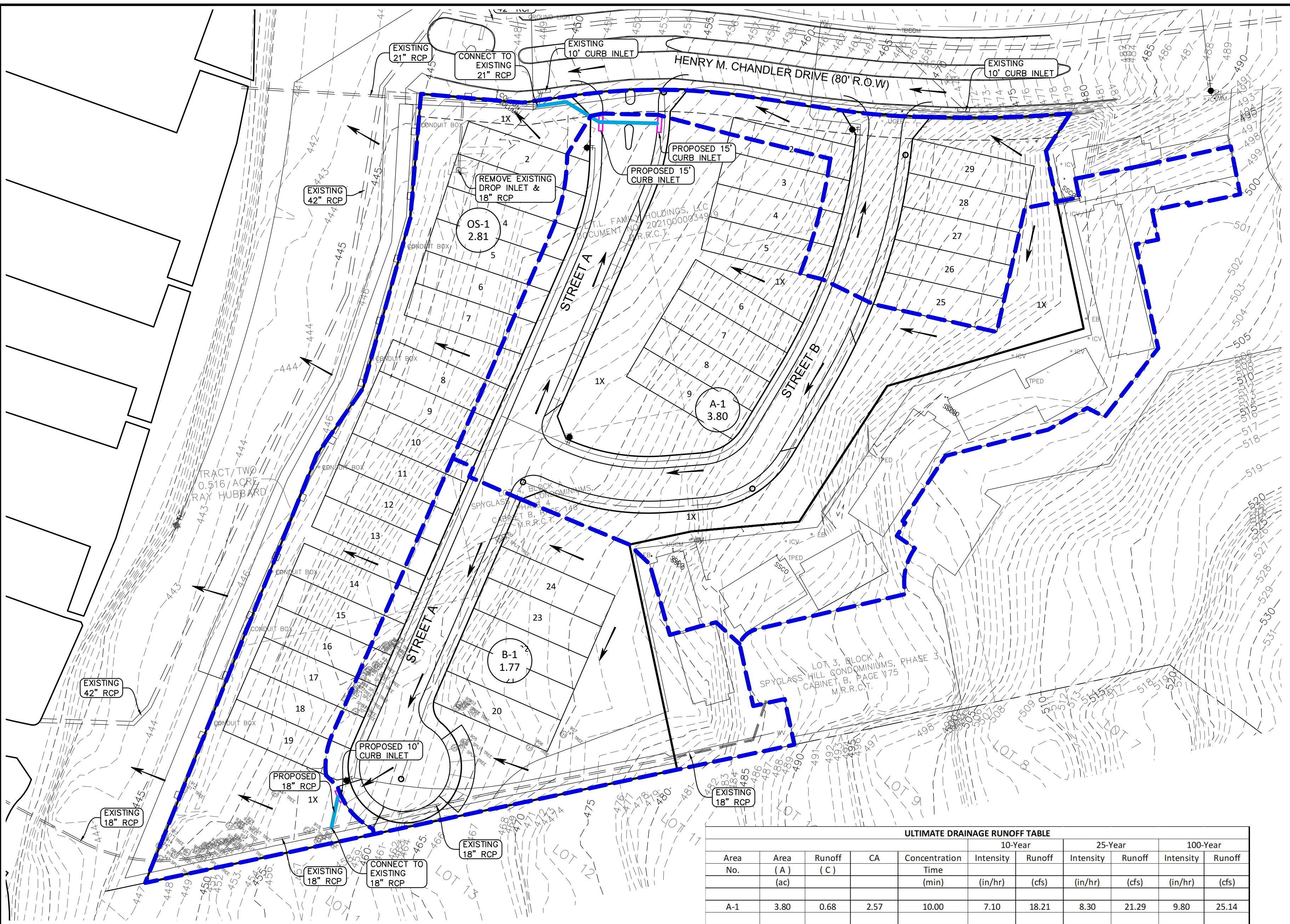
CITY OF ROCKWALL

ROCKWALL COUNTY, TEXAS

XXX-XX-2021

February 18, 2022

SHEET 1 OF 1



ULTIMATE DRAINAGE RUNOFF TABLE										
Area No.	Area (A) (ac)	Runoff (C)	CA	Concentration Time (min)	10-Year		25-Year		100-Year	
					Intensity (in/hr)	Runoff (cfs)	Intensity (in/hr)	Runoff (cfs)	Intensity (in/hr)	Runoff (cfs)
A-1	3.80	0.68	2.57	10.00	7.10	18.21	8.30	21.29	9.80	25.14
B-1	1.77	0.66	1.17	10.00	7.10	8.32	8.30	9.73	9.80	11.49
OS-1	2.81	0.64	1.80	10.00	7.10	12.75	8.30	14.91	9.80	17.60

**BENCHMARKS:**

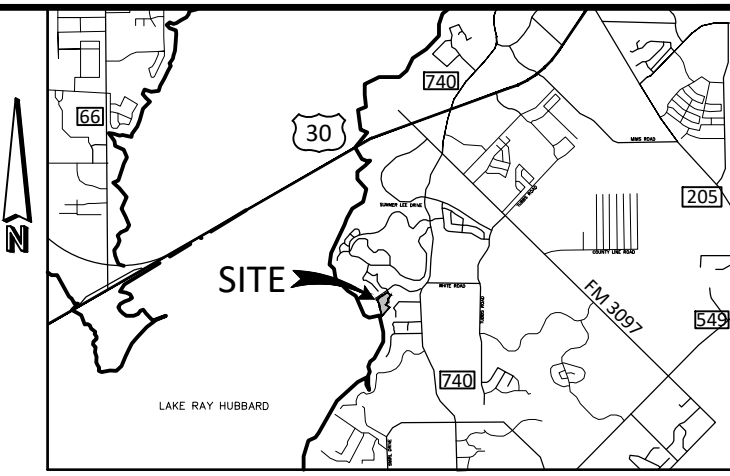
**MONUMENT NO. 1:**  
CITY OF ROCKWALL MONUMENT NO. COR-5:  
STANDARD CITY OF ROCKWALL CONTROL MONUMENT LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF HENRY W. CHANDLER DRIVE AND COMMODORE PLAZA APPROXIMATELY 400' WEST OF THE INTERSECTION OF HENRY W. CHANDLER DRIVE AND RIDGE ROAD.  
ELEVATION = 560.58'

**MONUMENT NO. 2:**  
CITY OF ROCKWALL MONUMENT NO. COR-7:  
STANDARD CITY OF ROCKWALL CONTROL MONUMENT LOCATED ON THE SOUTH SIDE OF SUMMER LEE DRIVE APPROXIMATELY 250' WEST OF THE INTERSECTION OF SUMMER LEE DRIVE AND RIDGE ROAD.  
ELEVATION = 567.52'

**Owner/Applicant:**  
LTL Family Holdings, LLC  
William Johnson  
14918 Mystic Terrace Lane  
Cyprus, Texas 77429  
Phone: 713-325-4294

**Engineer/Surveyor:**  
Johnson Volk Consulting, Inc.  
704 Central Parkway East, Suite. 1200  
Plano, Texas 75074  
Phone: 972-201-3102  
Contact: Joel Richey, PE

**JOHNSON VOLK  
CONSULTING**  
TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033  
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

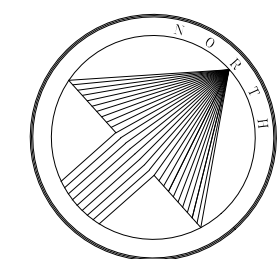
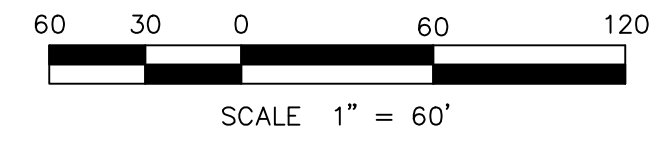


VICINITY MAP  
N.T.S.

LEGEND	
•	Point of Curvature or Tangency on Center Line
●	1/2" Iron rod set with a yellow plastic cap stamped "JVC" (unless otherwise noted)
⊙	1/2" IRF (unless otherwise noted)
AC	Acre
BL	Building Line
C1	Curve No.
<CM>	Control Monument
DE	Drainage Easement
DUE	Drainage Utility Easement
Esmt	Easement
L1	Line No.
SF	Square Feet
UE	Utility Easement
VAM	Visibility Easement
D.R.R.C.T.=	Deed Records of Rockwall County, Texas
P.R.R.C.T.=	Plat Records of Rockwall County, Texas
O.R.R.C.T.=	Official Records of Rockwall County, Texas

**GENERAL NOTES:**

1. ALL LOT CORNERS MONUMENTED WITH A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JVC" UNLESS OTHERWISE NOTED.
2. ALL UTILITY EASEMENTS AND DRAINAGE EASEMENTS WITHIN THIS PLATTED PROPERTY ARE CREATED BY THIS PLAT, UNLESS OTHERWISE NOTED.
3. BASIS OF BEARING AND COORDINATES SHOWN HEREON REFER TO "TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES.
4. LOCATION OF 1% ANNUAL FLOOD CHANCE ESTIMATED FROM FEMA FIRM PANEL 48139C0325F DATED JUNE 3, 2013.
5. LOTS ADJACENT TO FLOODPLAIN SHALL HAVE A MINIMUM FINISHED FLOOR ELEVATION 2' ABOVE THE 100-YR WSEL.
6. DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE PROPERTY OWNERS.



**PRELIMINARY UTILITIES  
MARINA VILLAGES**

6.889 ACRES

BLOCK A, LOTS 1X, 2-29; BLOCK B, LOTS 1X, 2-9

36 TOWNHOME LOTS

1.526 AC ROW DEDICATION

OUT OF THE

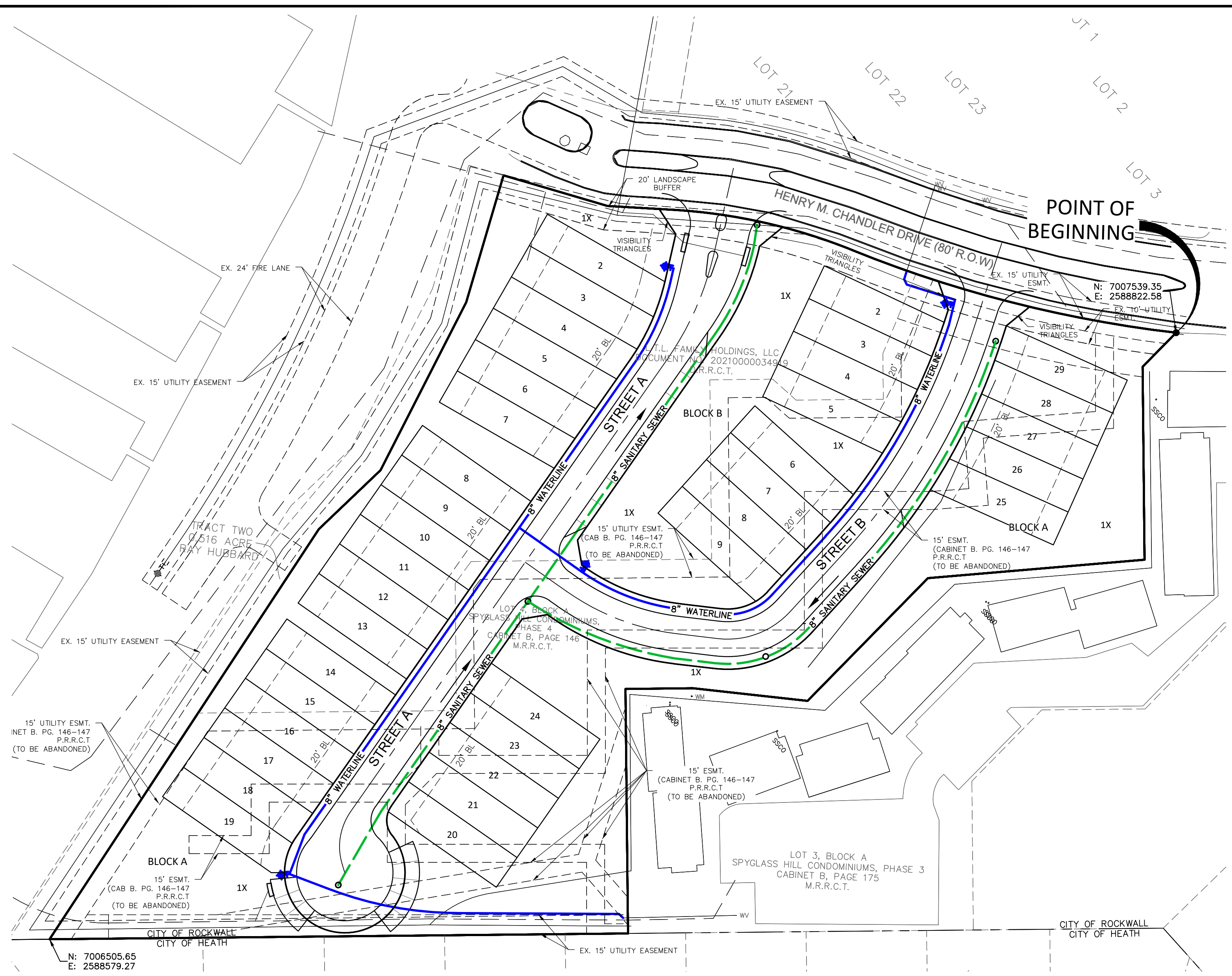
EDWARD TEAL SURVEY, ABSTRACT NO. 207

**CITY OF ROCKWALL**

**ROCKWALL COUNTY, TEXAS**

XXX-XX-2021

February 18, 2022



**BENCHMARKS:**

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**JOHNSON VOLK  
CONSULTING**

TBPELS: Engineering Firm No. 11962 / Land Surveying Firm No. 10194033  
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100



## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** IH-30 UTILITY RELOCATION PROJECT (TXDOT) FROM SH-205 TO FM-3549

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### Attachments

Bid Tabulation & Letter of Recommendation

### Summary/Background Information

The Texas Department of Transportation (TXDOT) has completed its design for the expansion of Interstate 30 (IH-30) from SH-205 to FM-3549. Before construction begins on the IH-30 construction, the City will be required to relocate existing City maintained water and wastewater lines that will be in conflict with the proposed construction.

The City currently has a contract with Volkert, Inc. to provide the engineering design and specifications for the project. Staff received two (2) bids for this construction project through the bidding process which opened up on March 8, 2022. The low bidder was FM Utilities, LLC with a bid of \$778,043.13. The engineering consultants have verified the references for FM Utilities, LLC and provided a letter of recommendation.

Staff requests the City Council consider approving the construction contract for the *IH-30 Utility Relocation Project*, and authorize the City Manager to execute a contract with FM Utilities, LLC, in an amount of \$778,043.13 to be paid for out of the *Water/Sewer Funds* and refunded by TXDOT after construction.

### Action Needed

March 15, 2022  
City of Rockwall  
Mr. Jeremy White  
385 S. Goliad  
Rockwall, TX 75087

**RE: City of Rockwall IH 30 Utility Relocations (From SH 205 to FM 3549)**  
**CIP No.: 2020-002**  
**Engineer’s Recommendation and Certified Bid Tabulation**

Dear Mr. White:

We have reviewed the bids received on March 8, 2022 for the above referenced project. A certified Tabulation of Bids and checklist of Bid Documents Received is attached to this letter.

Two (2) bids were received and are summarized below for your reference.

BIDDERS	BASE BID
FM Utilities, LLC	\$778,043.18
Atkins Bros Equip. Co. Inc.	\$1,034,888.00

Volkert, Inc. (Volkert) did not find any tabulation errors in FM Utilities, LLC’s (FM Utilities) bid proposal. Volkert has contacted several references listed by FM Utilities within the bidding documents, all which were positive.

Therefore, it is the Engineer’s recommendation, pending review and approval by the City and the City’s Attorney, that the Owner accept the low, responsive base bid from FM Utilities in the amount of \$778,043.18.

Original bid packages will be returned for the City’s records and use. The Owner should return the Bid Bonds from the non-winning proposal once the construction contract with the low bidder has been executed.

Should you have any questions, comments, or concerns, regarding the above information, please feel free to contact us.

Sincerely,

Sara D. Hutson, PE

**Volkert, Inc.**

Enclosures:

- Engineers Certified Bid Tabulation
- Bid Document Checklist

**CITY OF ROCKWALL  
IH 30 UTILITY RELOCATIONS  
(SH 205 TO FM 3549)  
BID TABULATION**

**BID TABULATION**

Client Name: City of Rockwall

Project No.: 2020-002

Project Name: IH 30 UTILITY RELOCATIONS PROJECT (From SH 205 to FM 3549)

Location: Various locations from SH 205 to FM 3549

Bid Date: March 8, 2022

BID QUANTITIES				Engineer's Estimate		Atkins Bros Equip. Co. Inc.		FM Utilities, LLC	
				UNIT AMOUNT	BID	UNIT AMOUNT	BID	UNIT AMOUNT	BID
Bid Item #	Item Description	Qty.	UNIT						
1	Moblization	1	LS	67,675.05	\$ 67,675.05	\$15,000.00	\$ 15,000.00	\$37,049.68	\$ 37,049.68
2	Traffic Control Plan, Barricades, Signs & Related Devices, Implementation &	1	LS	39,381.75	\$ 39,381.75	\$8,000.00	\$ 8,000.00	\$3,000.00	\$ 3,000.00
3	Preparing Right of Way	0.2	AC	11,158.38	\$ 2,231.68	\$1,000.00	\$ 200.00	\$30,000.00	\$ 6,000.00
4	Stormwater Pollution Prevention Plan & Erosion Control (Install, Maintain and Remove)	1	LS	9,870.00	\$ 9,870.00	\$3,500.00	\$ 3,500.00	\$2,000.00	\$ 2,000.00
5	Furnish and Install Roll Sod for Disturbed Area	103	SY	15.00	\$ 1,545.00	\$48.00	\$ 4,944.00	\$17.50	\$ 1,802.50
6	Cut and Plug Existing Water Line and Abandon in place (12" and 16")	542	LF	74.25	\$ 40,245.31	\$150.00	\$ 81,300.00	\$49.00	\$ 26,558.00
7	Remove and Salvage Fire Hydrant and Return to City	1	EA	541.60	\$ 541.60	\$1,800.00	\$ 1,800.00	\$800.00	\$ 800.00
8	Install 12" Water Line AWWA C900-DR14 PVC Pipe by Open Cut	7	LF	115.00	\$ 805.00	\$275.00	\$ 1,925.00	\$260.00	\$ 1,820.00
9	Install 12" Water Line AWWA C900-DR-14 PVC Pipe with 18" Steel Casing (1/4" Thick) by	279	LF	502.41	\$ 140,173.00	\$990.00	\$ 276,210.00	\$385.00	\$ 107,415.00
10	Install 16" Water Line AWWA C900-DR18PVC Pipe by Open Cut	168	LF	184.00	\$ 30,912.00	\$350.00	\$ 58,800.00	\$251.00	\$ 42,168.00
11	Install 16" Water Line AWWA C900-DR-18PVC Pipe with 24" Steel Casing (1/4" Thick) by B	319	LF	734.00	\$ 234,146.00	\$491.00	\$ 156,629.00	\$592.00	\$ 188,848.00
12	Install 12" AWWA C509 Resilient-Seated Gate Valve	2	EA	4,148.00	\$ 8,296.00	\$2,600.00	\$ 5,200.00	\$5,000.00	\$ 10,000.00
13	Furnish, Install 16-inch Butterfly Valve	8	EA	14,701.00	\$ 117,608.00	\$28,500.00	\$ 228,000.00	\$17,000.00	\$ 136,000.00
14	Install Standard Fire Hydrant Assembly and 6" Lead with 6-inch Valve	1	EA	6,800.00	\$ 6,800.00	\$6,000.00	\$ 6,000.00	\$6,500.00	\$ 6,500.00
15	Reconnecting Water Meters and Existing Service Lines	2	EA	968.00	\$ 1,936.00	\$500.00	\$ 1,000.00	\$2,700.00	\$ 5,400.00
16	Ductile Iron Fittings	2.52	TON	5,600.00	\$ 14,112.00	\$3,800.00	\$ 9,576.00	\$22,800.00	\$ 57,456.00
17	Water Line Testing and Sterilization	1	LS	2,000.00	\$ 2,000.00	\$10,000.00	\$ 10,000.00	\$1,546.00	\$ 1,546.00
18	Remove and Salvage Valves and Return to City	1	EA	290.00	\$ 290.00	\$500.00	\$ 500.00	\$100.00	\$ 100.00
19	Connecting to Existing 12" Mains	3	EA	3,200.00	\$ 9,600.00	\$7,500.00	\$ 22,500.00	\$6,800.00	\$ 20,400.00
20	Connecting to Existing 16" Mains	4	EA	5,836.95	\$ 23,347.80	\$9,500.00	\$ 38,000.00	\$8,600.00	\$ 34,400.00
21	Remove and Dispose of Existing 12"	32	LF	19.00	\$ 608.00	\$150.00	\$ 4,800.00	\$15.00	\$ 480.00
22	Remove and Dispose of Existing 16" Water Line Pipe Including Trench Backfill	204	LF	22.00	\$ 4,488.00	\$80.00	\$ 16,320.00	\$20.00	\$ 4,080.00
23	Abandon Water Valve in Place (regardless of size)	1	EA	294.35	\$ 294.35	\$1,500.00	\$ 1,500.00	\$300.00	\$ 300.00
24	Trench Safety Design and Implementation for Water Line Construction	184	LF	26.00	\$ 4,784.00	\$1.00	\$ 184.00	\$5.00	\$ 920.00
25	Construction Contingency	1	LS	83,000.00	\$ 83,000.00	\$83,000.00	\$ 83,000.00	\$83,000.00	\$ 83,000.00
<b>BASE BID</b>				\$	844,690.54	\$	1,034,888.00	\$	778,043.18



Certified by: Sara Hutson  
Sara D. Hutson, PE  
Texas PE No. 142339

Date: 3/8/2022

## BID DOCUMENTS RECEIVED

Client Name: City of Rockwall

Project No.: 2020-002

Project Name: IH 30 UTILITY RELOCATIONS PROJECT (From SH 205 to FM 3549)

Locatic Various locations from SH 205 to FM 3549

Bid Dai March 8, 2022

		Atkins Bros Equip. Co. Inc.	FM Utilities, LLC
REQ. FOR ALL BIDDERS	BID FORM (PROPOSAL)	X	X
	DBE INFORMATION	X	X
	NON-COLLUSION STATEMENT	X	X
	CONFLIC T OF INTEREST QUESTIONAIRE	X	X
	BID BOND	X	X
	ADKNOWLEDGEMENT OF ADDENDUMS	X	X
REQUIRED FOR LOW BIDDER*	QUALIFICATION STATEMENT OF BIDDER	X	X
	REFERENCE STATEMENT OF BIDDER'S SURETY	X	X
	BIDDER'S RELEASE OF QUALIFICATION STATEMENT	X	X
	BIDDER'S LIST OF PROPOSED SUB-CONTRACTORS	X	X
	NON-EXCLUSION AFFIDAVIT - (SAM)	X	X
	FINANCIAL STATEMENT		X
	IRS W9 FORM		X
	TEXAS ETHICS COMMISSION - FORM 1295	X	X

\* Received within 48 hours of Bid Opening





## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** Z2022-006; ZONING CHANGE (PD-73 TO LI) FOR ROCKWALL TECHNOLOGY PARK ADDITION

---

### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Applicant's Letter  
Legal Description  
Survey  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation for the approval of an **ordinance** for a *Zoning Change* from Planned Development District 73 (PD-73) to a Light Industrial (LI) District for a 8.008-acre parcel of land identified as Lot 8, Block A, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 73 (PD-73) for Commercial (C) District land uses, situated within the FM-549 Overlay (FM-549 OV) District and the SH-276 Overlay (SH-276 OV) District, located at the northwest corner of the intersection of Corporate Crossing and SH-276, and take any action necessary (**1st Reading**).

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Matt Wavering; *Rockwall Economic Development Corporation*  
**CASE NUMBER:** Z2022-006; *Zoning Change (PD-73 to LI) for Rockwall Technology Park Addition*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation for the approval of a Zoning Change from Planned Development District 73 (PD-73) to a Light Industrial (LI) District for a 8.008-acre parcel of land identified as Lot 8, Block A, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 73 (PD-73) for Commercial (C) District land uses, situated within the FM-549 Overlay (FM-549 OV) District and the SH-276 Overlay (SH-276 OV) District, located at the northwest corner of the intersection of Corporate Crossing and SH-276, and take any action necessary.

### BACKGROUND

The subject property was annexed on December 3, 1985 by *Ordinance No. 85-69 [Case No. A1985-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the City's *Historic Zoning Maps*, at some point between December 3, 1985 and December 7, 1993 the subject property was rezoned from an Agricultural (AG) District to a Light Industrial (LI) District. The subject property remained zoned Light Industrial (LI) District until March 2, 2009, when the City Council adopted *Ordinance No. 09-09 [Case No. Z2008-028]* creating Planned Development District 73 (PD-73). Under this Planned Development District, the property was subject to the development requirements of the Commercial (C) District with limited Commercial (C) District land uses being permitted. The subject property remains zoned Planned Development District 73 (PD-73) and has been vacant since annexation.

### PURPOSE

On February 18, 2022, the applicant -- *Matt Wavering of the Rockwall Economic Development Corporation* -- submitted an application requesting to change the zoning of the subject property from Planned Development District 73 (PD-73) to a Light Industrial (LI) District.

### ADJACENT LAND USES AND ACCESS

The subject property is located at the northwest corner of the intersection of SH-276 and Corporate Crossing (*FM-549*). The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is an 8.035-acre parcel of vacant land (*i.e. Lot 7, Block A, Rockwall Technology Park Addition*). Beyond this is Discovery Boulevard, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 5.131-acre parcel of land (*i.e. Lot 3, Block E, Rockwall Technology Park*), which is currently occupied with an ~49,920 SF office/manufacturing building (*i.e. L3 Communications Integrated Systems*). All of these properties are located within Phase 1 of the Rockwall Economic Development Corporation's Technology Park and are zoned Light Industrial (LI) District.

South: Directly south of the subject property is SH-276, which is identified as a TXDOT6D (*i.e. Texas Department of Transportation, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an 11.076-acre vacant tract of land (*i.e. Tract 5*

of the W. H. Baird Survey, Abstract No. 25). Beyond this is Phase 5B of the Lofland Farms Subdivision, which consists of 75 residential lots on 29.77-acres of land. Both of these properties are zoned Planned Development District 45 (PD-45) for General Retail (GR) District and Single-Family 8.4 (SF-8.4) District land uses.

East: Directly east of the subject property is Corporate Crossing, which is identified as a TXDOT4D (i.e. Texas Department of Transportation, four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the following: [1] a 3.853-acre vacant tract of land (i.e. Tract 2-09 of the J. A. Ramsey Survey, Abstract No. 186), [2] a two (2) acre parcel of land (i.e. Lot 1, Block A, Pannell Subdivision) with a House of Worship (i.e. Church of His Glory) situated on it, and [3] a 1.9811-acre parcel of land (i.e. Lot 2, Block A, Subway-Gateway-Health Food Store) with a General Retail Store with Gasoline Sales and a Restaurant with Drive-Through or Drive-In (i.e. Subway-Gateway Health Food Store) situated on it. These properties are all zoned Planned Development District 46 (PD-46) for limited Commercial (C) District land uses.

West: Directly west of the subject property is a 7.128-acre parcel of vacant land (i.e. Lot 5, Block A, Rockwall Technology Park Addition). Beyond this Innovation Drive, 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 7.696-acre parcel of vacant land (i.e. Lot 4, Block B, Rockwall Technology Park). All of these properties are located within Phase 1 of the Rockwall Economic Development Corporation's Technology Park and are zoned Light Industrial (LI) District.

**CONFORMANCE TO THE CITY'S CODES**

According to Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses ... [and] is intended for industrial parks and larger, cleaner types of industries." In this case, the subject property is owned by the Rockwall Economic Development Corporation (REDC) and is considered to be a part of Phase 1 of the Rockwall Technology Park. Currently, the REDC is planning to use a portion of this property for a regional detention system to serve adjacent properties and to use the other portion of the property to incorporate it with the property directly north of the subject property (i.e. Lot 7, Block A, Rockwall Technology Park) to create a larger parcel of land for a future prospect. If rezoned the property would be subject to the density and dimensional requirements for a property in a Light Industrial (LI) District as specified by Subsection 07.03, *Non-Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), and which are summarized as follows:

TABLE 1: LIGHT INDUSTRIAL (LI) DISTRICT STANDARDS

<i>Minimum Lot Area</i>	12,500 SF
<i>Minimum Lot Width</i>	100'
<i>Minimum Lot Depth</i>	125'
<i>Minimum Front Yard Setback</i> <sup>(1)</sup>	25'
<i>Minimum Side Yard Setback</i> <sup>(2) &amp; (3)</sup>	15' + ½ Height Over 36'
<i>Minimum Rear Yard Setback</i> <sup>(2) &amp; (3)</sup>	10'
<i>Minimum Between Buildings</i> <sup>(2) &amp; (3)</sup>	15' + ½ Height Over 36'
<i>Maximum Building Height</i> <sup>(4)</sup>	60'
<i>Maximum Building Size</i>	N/A
<i>Maximum Lot Coverage</i>	60%
<i>Minimum Landscaping</i>	15%

General Notes:

- <sup>1</sup>: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- <sup>2</sup>: Not to exceed 50-feet.
- <sup>3</sup>: ½ Height Over 36-feet with a fire rated wall.
- <sup>4</sup>: Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

If this zoning change is approved and when the subject property is developed, the development will be required to conform to all the requirements of the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, and any other applicable local, state or federal requirements.

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

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Technology District and is designated for Commercial/Retail land uses on the Future Land Use Plan. According to the Comprehensive Plan, Commercial/Retail land uses are defined as "...single to multi-tenant commercial retail centers along major arterials at key intersections ... (i)n certain cases where commercial land uses are eminent, it may be appropriate to incorporate zoning in conformance with the *Commercial* land use category on all four (4) corners of an intersection; however, this is not necessary in all cases." If this zoning change is approved it would require the Future Land Use Map to be amended to a Technology/Employment Center designation, which is defined as a "...land use category [that] is characterized by employment-oriented businesses, which are generally situated in larger centers (i.e. Rockwall Technology Park) with access to key transportation networks." In addition, according to the Technology District the subject property is located in the City's Technology Park, and according to the *District Strategies* "(t)hese areas should be preserved for larger clean industrial businesses that can help to diversify the City's tax base." Based on this, even though the proposed zoning change does not conform to the Future Land Use Map designation for the subject property, the case appears to warrant approval; however, any changes to the OURHometown Vision 2040 Comprehensive Plan is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff has included a *Condition of Approval* that would change the Future Land Use Map to show the subject property as designated for Technology/Employment Center land uses as opposed to Commercial/Retail land uses should this case be approved.

### **INFRASTRUCTURE**

All infrastructure requirements will be dependent on the future development of the subject property.

### **STAFF ANALYSIS**

The proposed zoning change appears to be consistent with many aspects of the OURHometown Vision 2040 Comprehensive Plan, but is not consistent with the Future Land Use Map. Despite this, the applicant's request does appear to have merit when looking at the location, parcel configuration, and zoning designation of the surrounding areas. This coupled with the idea that this area will be used to provide regional detention for other land uses in the City's Technology Park and provide additional area to increase the size of existing vacant parcels that will be used to attract new prospects, makes the proposed zoning change consistent with the City's Economic Development goals and policies contained in the OURHometown Vision 2040 Comprehensive Plan. With all this being said, all zoning case are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

### **NOTIFICATIONS**

On February 25, 2022, staff mailed 102 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lofland Farms Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any responses concerning the applicant's request.

### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request to rezone the subject property from Planned Development District 73 (PD-73) to a Light Industrial (LI) District, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the draft ordinance; and,

- (2) By approving this Zoning Change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a Commercial/Retail designation to a Technology/Employment Center designation; 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 March 21, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.



# DEVELOPMENT APPLICATION

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

### STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST (SELECT ONLY ONE BOX):

#### PLATTING APPLICATION FEES:

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

#### SITE PLAN APPLICATION FEES:

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

#### ZONING APPLICATION FEES:

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

#### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup> IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup> A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS

SUBDIVISION Rockwall Technology Park Phase I

LOT 8 BLOCK A

GENERAL LOCATION NWC of State Highway 276 & Corporate Crossing

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

CURRENT ZONING PD-73

CURRENT USE Vacant

PROPOSED ZONING Light Industrial

PROPOSED USE Regional Detention Pond

ACREAGE 8.008

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

OWNER Rockwall Economic Development Corporation

APPLICANT same as owner

CONTACT PERSON Matt Wavering

CONTACT PERSON

ADDRESS 2610 Observation Trl  
Suite 104

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75032

CITY, STATE & ZIP

PHONE 972-772-0025

PHONE

E-MAIL mwavering@rockwalledc.com

E-MAIL

### NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$320.12 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16<sup>th</sup> DAY OF February, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

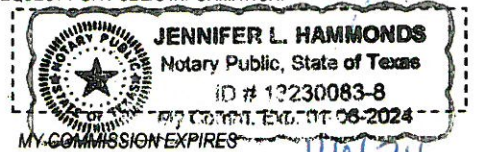
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF February, 2022

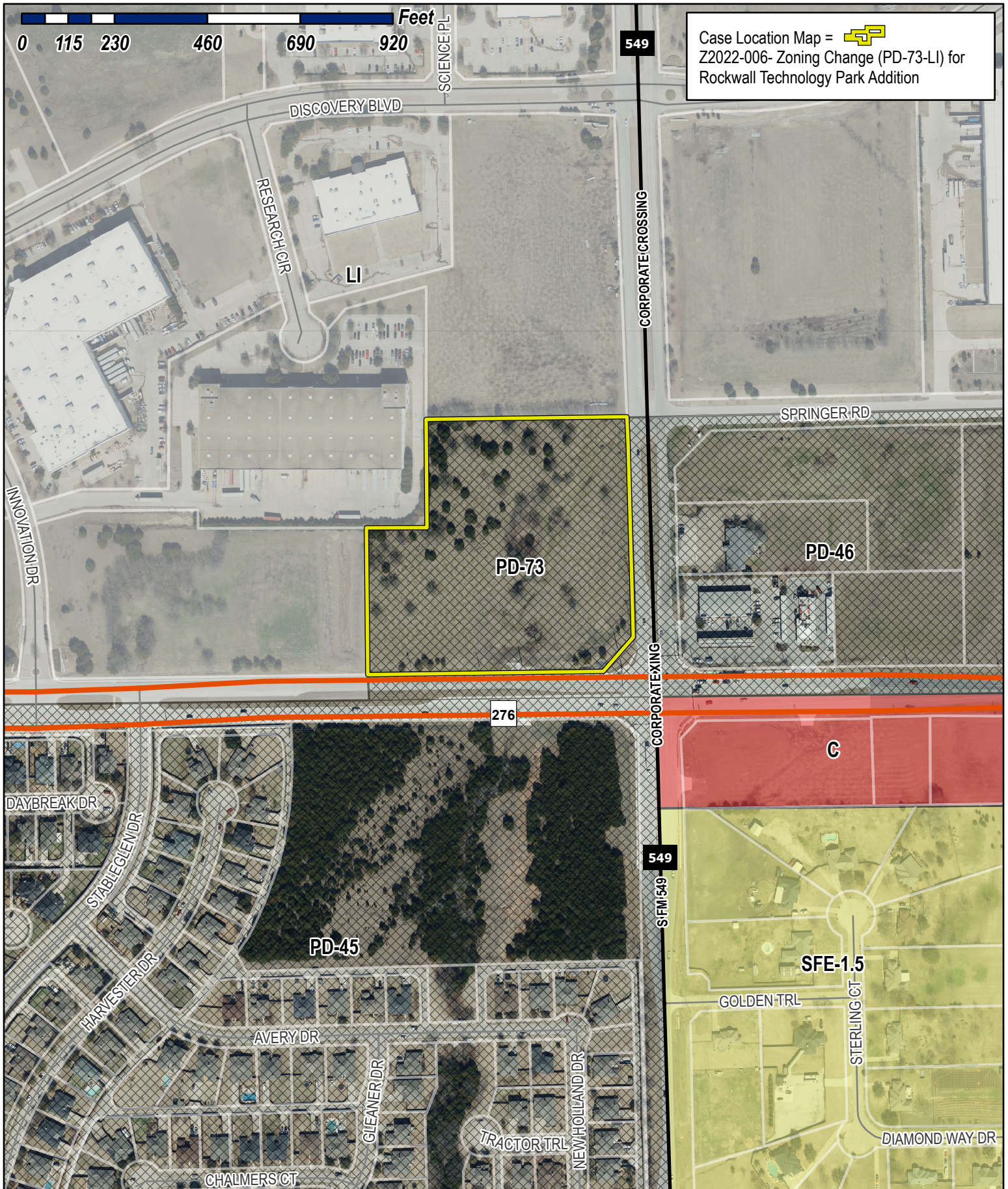
OWNER'S SIGNATURE


*Matt Wavering*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

*Jennifer L. Hammonds*





Case Location Map =   
 Z2022-006- Zoning Change (PD-73-LI) for  
 Rockwall Technology Park Addition



# City of Rockwall

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

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

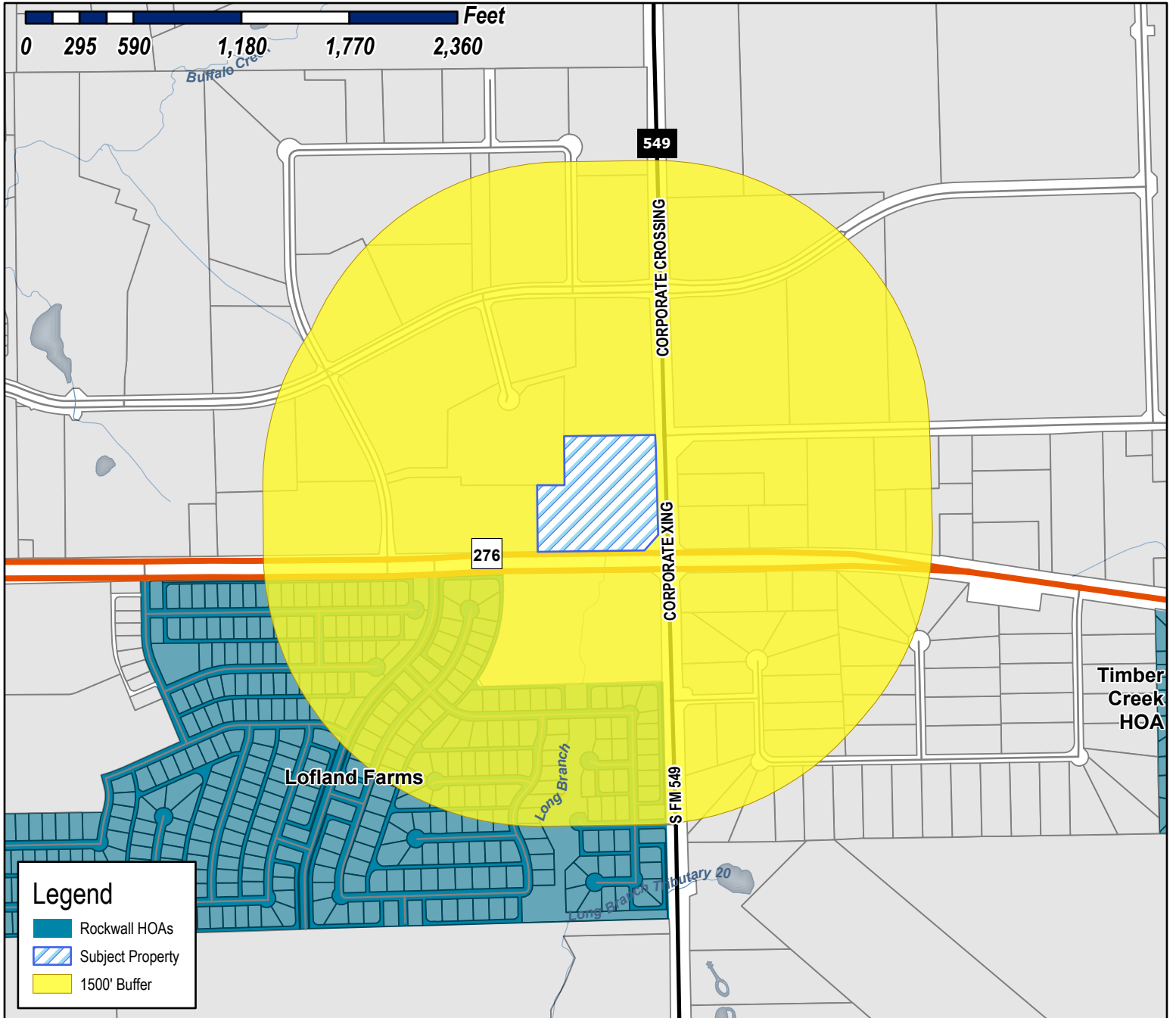




# City of Rockwall

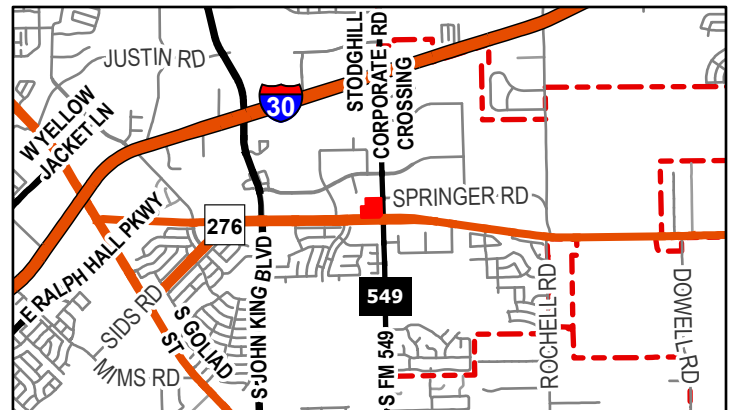
Planning & Zoning Department  
385 S. Goliad Street  
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**Case Number:** Z2022-006  
**Case Name:** Zoning Change from PD-73 to LI  
**Case Type:** Zoning  
**Zoning:** Planned Development District 73 (PD-73)  
**Case Address:** NWC of SH276 & Corporate Crossing

**Date Saved:** 2/17/2022  
 For Questions on this Case Call (972) 771-7745





## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Wednesday, February 23, 2022 2:25 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2022-006]  
**Attachments:** Public Notice (02.23.2022).pdf; HOA Map (02.17.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *February 25, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, March 15, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, March 21, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2022-006 Zoning Change from PD-73 to LI**

Hold a public hearing to discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation for the approval of a *Zoning Change* from Planned Development District 73 (PD-73) to a Light Industrial (LI) District for a 8.008-acre parcel of land identified as Lot 8, Block A, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 73 (PD-73) for Commercial (C) District land uses, situated within the FM-549 Overlay (FM-549 OV) District and the SH-276 Overlay (SH-276 OV) District, located at the northwest corner of the intersection of Corporate Crossing and SH-276, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

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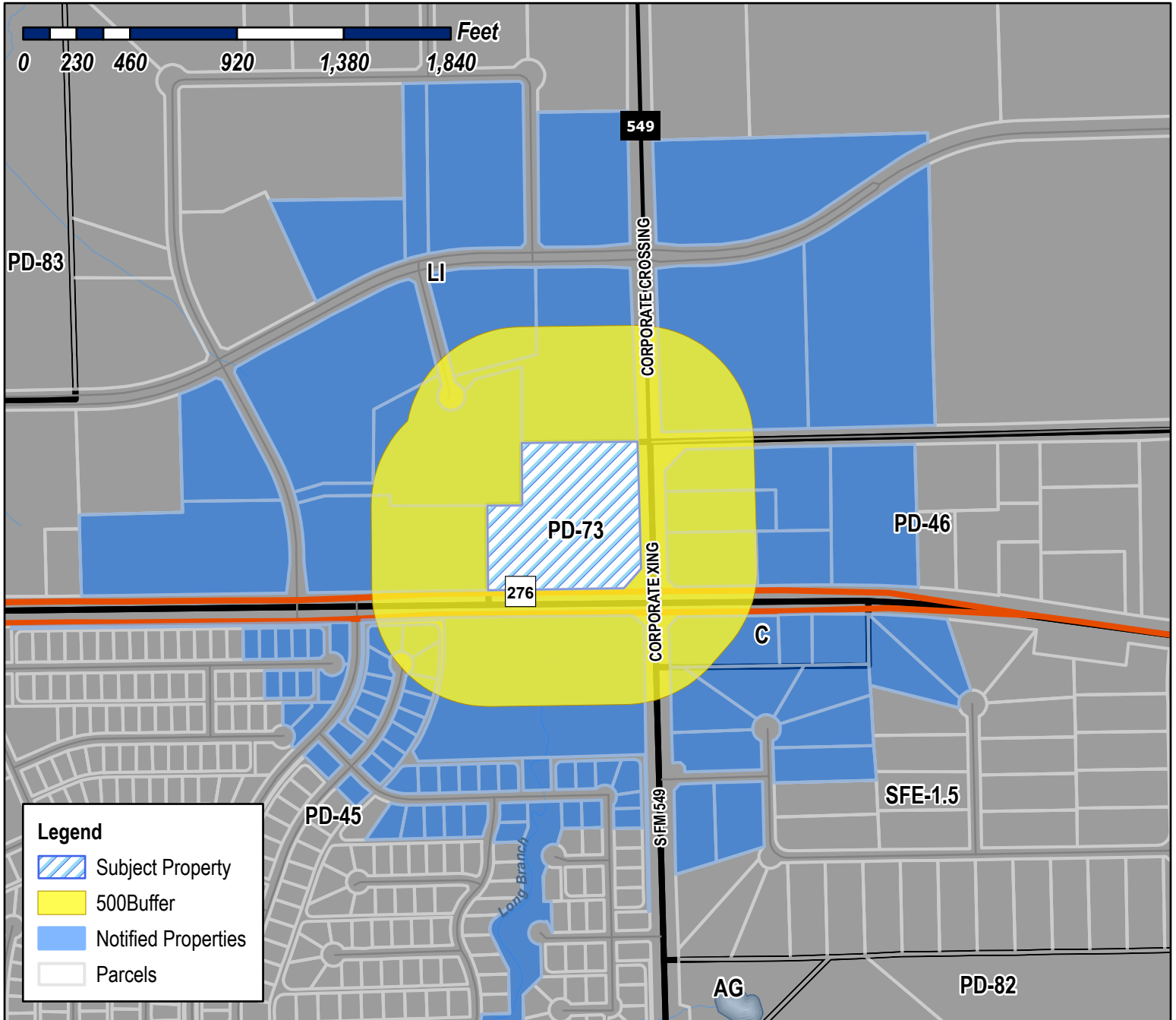
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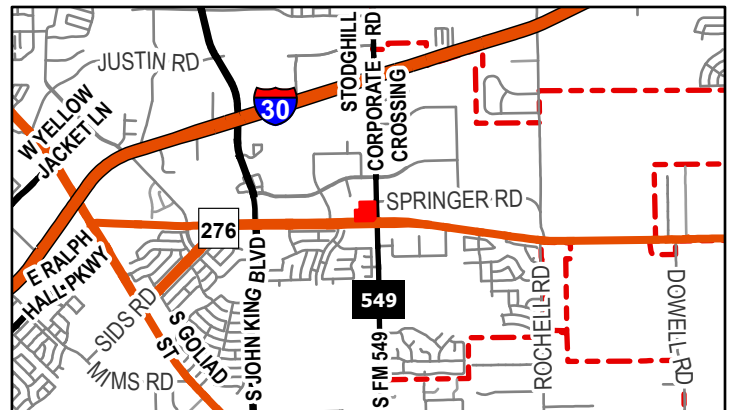
# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
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**Case Number:** Z2022-006  
**Case Name:** Zoning Change from PD-73 to LI  
**Case Type:** Zoning  
**Zoning:** Planned Development District 73 (PD-73)  
**Case Address:** NWC of SH276 & Corporate Crossing



**Date Saved:** 2/17/2022

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

EXETER 2975 DISCOVERY, LP  
101 WEST ELM STREET SUITE 600  
CONSHOHOCKEN, PA 19428

AINO DALLAS LLC  
103 FOULK ROAD, SUITE 900  
WILMINGTON, DE 19803

DFW DISTRIBUTOR PETROLEUM INC  
1111 N BELTLINE RD STE #100  
GARLAND, TX 75040

JOHNSON ARTHUR JR  
1124 CLARENDON CRES  
OAKLAND, CA 94610

COAST VILLAGE CAPITAL LLC  
1225 COAST VILLAGE ROAD SUITE C  
SANTA BARBARA, CA 93108

GOLDBERG MICHAEL  
12405 VENICE BLVD #175  
LOS ANGELES, CA 90066

STATE OF TEXAS  
125 E 11TH STREET  
AUSTIN, TX 78701

KELLER JACQUELYN  
1275 CORPORATE CROSSING  
ROCKWALL, TX 75032

SOON HERALD  
14300 CERVANTES AVE  
GERMANTOWN, MD 20874

HENG JIA  
147 VISTA DR  
CEDAR KNOLLS, NJ 75032

SENG TRUST  
1602 MONTELLANO CT  
SAN JOSE, CA 95120

LAHLOUH FAMILY LIMITED PARTNERSHIP  
1605 RESEARCH CIR  
ROCKWALL, TX 75032

LINDOP DUSTIN & AMANDA  
1672 HOLLOW WAY LN  
QUINLAN, TX 75474

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

BELLE HAVEN REALTY CO  
A CALIFORNIA CORPORATION  
1700 SCIENCE PL  
ROCKWALL, TX 75032

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

2019-1 IH BORROWER LP  
1717 MAIN S ST SUITE 2000  
DALLAS, TX 75201

LOFLAND FARMS OWNERS ASSOC.  
C/O SPECTRUM ASSOCIATION MANAGEMENT  
17319 SAN PEDRO SUITE 318  
SAN ANTONIO, TX 78232

JOHNSON DAVID A AND PHYLLIS D  
1890 COPPER RIDGE CIR  
ROCKWALL, TX 75032

ARCHER RANDY G & YOWAREE  
1900 COPPER RIDGE CIR  
ROCKWALL, TX 75032

MINOR MORRIS & NORA A  
1908 STERLING CT  
ROCKWALL, TX 75032

BAILEY GARY AND JOY L  
1910 HARVESTER DR  
ROCKWALL, TX 75032

GARZA CESAR AND ANA MARIE  
1913 STERLING CT  
ROCKWALL, TX 75032

SANCHEZ JOSE L  
1918 STERLING CT  
ROCKWALL, TX 75032

LINDOP DUSTIN & AMANDA  
1920 HARVESTER DR  
ROCKWALL, TX 75032

MEJIA BLAS & LUISA  
1921 STERLING CT  
ROCKWALL, TX 75032

LARA ANITA  
1921 HARVESTER DR  
ROCKWALL, TX 75032

DOWDEY RACHEL AND  
DAVID DOWDEY  
1930 STERLING COURT  
ROCKWALL, TX 75032

HUANG CHENGUANG AND  
CHEN XIE  
1930 HARVESTER DR  
ROCKWALL, TX 75032

MCMILLIAN SUSAN S  
1931 HARVESTER DR  
ROCKWALL, TX 75032

AMH 2014-1 BORROWER LLC  
1935 STERLING CT  
ROCKWALL, TX 75032

WEAVER GREGORY L & DEBRA RENEE  
1940 HARVESTER DRIVE  
ROCKWALL, TX 75032

ML VENTURES, LLC  
1941 HARVESTER DR  
ROCKWALL, TX 75032

HENG JIA  
1950 HARVESTER DR  
ROCKWALL, TX 75032

YARBROUGH JEFFREY ALLEN & KIMBERLY ANN  
1951 HARVESTER DR  
ROCKWALL, TX 75032

STANLEY GARY ROSS  
1960 HARVESTER DRIVE  
ROCKWALL, TX 75032

MALDANIS CHERYL AND MICHAEL  
1961 HARVESTOR DRIVE  
ROCKWALL, TX 75032

WELK STEPHEN SCOTT  
1970 HARVESTER DRIVE  
ROCKWALL, TX 75032

GOLDBERG MICHAEL  
1980 HARVESTER DR  
ROCKWALL, TX 75032

BLOYS SHANE K & MELISSA D  
1981 HARVESTER DRIVE  
ROCKWALL, TX 75032

JONES DENNIS W AND RANAI L TRUSTEES  
JONES FAMILY LIVING TRUST  
2000 HARVESTER DR  
ROCKWALL, TX 75032

ROCHELLE MICHAEL  
2000 NEW HOLLAND DR  
ROCKWALL, TX 75032

WILLIAMS ROGER D & SALLY M  
2001 HARVESTER DR  
ROCKWALL, TX 75032

SMITH BART A & DONNA R  
2010 GLEANER DR  
ROCKWALL, TX 75032

SPENCE KEATON  
2020 GLEANER DR  
ROCKWALL, TX 75032

PADILLA ELIZABETH  
AND PETE RODRIGUEZ  
2020 NEW HOLLAND DRIVE  
ROCKWALL, TX 75032

ALMO INVESTMENT II LTD  
2205 HWY 276  
ROCKWALL, TX 75032

DFW DISTRIBUTOR,  
PETROLEUM INC.  
2210 STATE HWY 276  
ROCKWALL, TX 75032

PRBS PROPERTIES LLC  
2245 HWY 276  
ROCKWALL, TX 75032

PRISM LEASING LTD  
A TEXAS LIMITED PTNRSHIP  
2301HWY276  
ROCKWALL, TX 75032

HUANG CHENGUANG AND  
CHEN XIE  
235 BOULEVARD  
MOUNTAIN LAKES, NJ 7046

AMH 2014-1 BORROWER LLC  
23975 PARK SORRENTO SUITE 300  
CALABASAS, CA 91302

HATFIELD AND COMPANY INC  
C/O GEORGE HATFIELD  
2475 DISCOVERY BLVD  
ROCKWALL, TX 75032

BAIN STEVEN & JONI  
2550 DAYBREAK DRIVE  
ROCKWALL, TX 75032

2019-1 IH BORROWER LP  
2560 DAYBREAK DR  
ROCKWALL, TX 75032

BUNIN DAVID K & BETHANY A  
2561 DAYBREAK DR  
ROCKWALL, TX 75032

<Null>  
2570 DAYBREAK DR  
ROCKWALL, TX 75032

CARSON BROOKE  
2571 DAYBREAK DRIVE  
ROCKWALL, TX 75032

STACY BRYAN COLIN AND HEATHER  
2580 DAYBREAK DRIVE  
ROCKWALL, TX 75032

JONES HAROLD E III  
2580 WAGONWHEEL DR  
ROCKWALL, TX 75032

WELMAKER SALLY  
2581 DAYBREAK DRIVE  
ROCKWALL, TX 75032

HENSON TAYLOR P & ANGELA M  
2590 DAYBREAK DRIVE  
ROCKWALL, TX 75032

COAST VILLAGE CAPITAL LLC  
2590 WAGON WHEEL DR  
ROCKWALL, TX 75032

SMITH DANIEL J AND ALLISON LANE  
2591 DAYBREAK DR  
ROCKWALL, TX 75032

BARKLEY PATRICK D & SHERRI D  
2600 DAYBREAK DR  
ROCKWALL, TX 75032

ROCKWALL ECONOMIC DEVELOPMENT CORP  
2610 OBSERVATION TRAIL STE 104  
ROCKWALL, TX 75032

SPECIAL PRODUCTS REALTY LTD  
2625 DISCOVERY BLVD  
ROCKWALL, TX 75032

HARDING TERRY W  
2750 AVERY  
ROCKWALL, TX 75032

LAHLOUH FAMILY LIMITED PARTNERSHIP  
2750 E MISSION BLVD  
ONTARIO, CA 91761

PIERCE CHRISTOPHER JOSEPH & JENNIFER L  
2751 AVERY  
ROCKWALL, TX 75032

ARMSTRONG VICKIE  
2761 AVERY DR  
ROCKWALL, TX 75032

COATS JOSEPH JEROME AND ANNETTE  
MICHELLE  
2770 AVERY DR  
ROCKWALL, TX 75032

JOHNSON ARTHUR JR  
2771 AVERY DR  
ROCKWALL, TX 75032

NICHOLSON NGAI Q AND MELVIN M  
2780 AVERY  
ROCKWALL, TX 75032

AINO DALLAS LLC  
2781 AVERY DR  
ROCKWALL, TX 75032

TURCK BETHANY  
2790 AVERY DR  
ROCKWALL, TX 75032

FAVILA CESAR G II  
2791 AVERY  
ROCKWALL, TX 75032

KIELBUS PAWEL & KATARZYNA  
2800 AVERY  
ROCKWALL, TX 75032

TREADWELL FAMILY TRUST AND  
JANIEKS FAMILY TRUST  
2800 DISCOVERY BLVD  
ROCKWALL, TX 75032

LUONG SIMON  
2810 AVERY DR  
ROCKWALL, TX 75032

WILSON TIMOTHY JOHN & STEPHANIN M  
2850 AVERY  
ROCKWALL, TX 75032

SOON HERALD  
2851 AVERY DR  
ROCKWALL, TX 75032

SENG TRUST  
2860 AVERY DR  
ROCKWALL, TX 75032

BAUMANN REBECCA NICOLE AND KAISER LYN  
2861 AVERY DRIVE  
ROCKWALL, TX 75032

BARTLEET MURRAY PAUL  
2870 AVERY DRIVE  
ROCKWALL, TX 75032

ROCKWALL ECONOMIC DEVELOPMENT  
2935 OBSERVATION TRAIL  
ROCKWALL, TX 75032

EXETER 2975 DISCOVERY, LP  
2975 DISCOVERY BLVD  
ROCKWALL, TX 75032

SHANE PATRICK RYAN  
3055 GOLDEN TRL  
ROCKWALL, TX 75032

TARRANT CHRISTOPHER D AND KATHY D  
3075 GOLDEN TRAIL  
ROCKWALL, TX 75032

LARA ANITA  
318 LAKE TEXOMA DRIVE  
WYLIE, TX 75098

PRBS PROPERTIES LLC  
3216 HUNTER LANE  
PLANO, TX 75093

XCELON DEVELOPEMENT LLC  
3225 MCLEOD DR SUITE 100  
LAS VEGAS, NV 89121

LUONG SIMON  
4018 138TH ST SW  
LYNNWOOD, WA 98087

TREADWELL FAMILY TRUST AND  
JANIEKS FAMILY TRUST  
5161 VISTA MIGUEL DR  
LA CANADA, CA 91011

PRISM LEASING LTD  
A TEXAS LIMITED PTNRSHIP  
625 SUNSET HILL DR  
ROCKWALL, TX 75087

ML VENTURES, LLC  
7908 BOULDER RIVER TRAIL  
MCKINNEY, TX 75070

KELLER JACQUELYN  
8522 GARLAND RD  
DALLAS, TX 75218

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

ALMO INVESTMENT II LTD  
PO BOX 2599  
WAXAHACHIE, TX 75168

LOFLAND FARMS LTD  
C/O QHR INC  
PO BOX 360399  
DALLAS, TX 75336

MAK SPOT REAL ESTATE LLC  
PO BOX 496585  
GARLAND, TX 75049

ROCKWALL ECONOMIC DEVELOPMENT  
PO BOX 968  
ROCKWALL, TX 75087

# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2022-006: Zoning Change from PD-73 to LI**

Hold a public hearing to discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation for the approval of a Zoning Change from Planned Development District 73 (PD-73) to a Light Industrial (LI) District for a 8.008-acre parcel of land identified as Lot 8, Block A, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 73 (PD-73) for Commercial (C) District land uses, situated within the FM-549 Overlay (FM-549 OV) District and the SH-276 Overlay (SH-276 OV) District, located at the northwest corner of the intersection of Corporate Crossing and SH-276, 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, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2022-006: Zoning Change from PD-73 to LI**

Please place a check mark on the appropriate line below:

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

[Redacted area]

Name: [Redacted]  
Address: [Redacted]

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

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



February 16, 2022

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

Re: Zoning Change for Lot 8, Block A Rockwall Technology Park Addition

Mr. Miller:

The Rockwall Economic Development Corporation (REDC) requests a zoning change for Lot 8, Block A of the Rockwall Technology Park Addition ("Lot A-8") from PD-073 to Light Industrial (LI). Lot A-8 was originally zoned LI, but was changed to PD-073 in 2009. The lot is mostly encumbered by an existing floodplain which makes development of the property difficult and cost prohibitive. The REDC plans to build a regional stormwater detention pond on the lot in the near future, which will add developable land and serve the adjacent lots.

The lots within all phases of the Rockwall Technology Park are zoned LI, therefore this request is consistent with the zoning and land use in the surrounding area. This change will facilitate more contiguous LI zoned land coupled with the lot immediately adjacent to the north (Lot A-7), where the REDC is currently courting a corporate relocation.

We respectfully ask that the Planning & Zoning Commission and the Rockwall City Council consider approval of our zoning request.

Sincerely,

Matt Wavering  
Director of Project Development

attachments



**EXHIBIT A**  
**METES AND BOUNDS DESCRIPTION**  
**8.008 ACRES**  
**J. M. ALLEN SURVEY, A-2**  
**ROCKWALL COUNTY, TEXAS**

Being 8.008 acres (348,831 square feet) of land, situated in the J. M. Allen Survey, Abstract Number 2, Rockwall County, Texas, being part of that certain Lot 8, Block A, Rockwall Technology Park, according to the plat thereof recorded in Cabinet G, Slide 367, Plat Records, Rockwall County, Texas. Said 8.008 acres of land being more particularly described as follows, to wit:

**BEGINNING** at a 5/8-inch iron rod with a pink TXDOT cap found at the northwest corner of that certain called 0.392 acre tract conveyed to the State of Texas according to the Correction Affidavit recorded under Instrument Number 20160000015279, Official Public Records, Rockwall County, Texas, being in the west line of the above mentioned Lot 8 and the east line of Lot 5, Block A, Rockwall Technology Park according to the plat thereof recorded in Cabinet E, Slide 262, Plat Records, Rockwall County, Texas, from which a 5/8-inch iron rod with a pink TXDOT cap found at the southwest corner of the above mentioned 0.392 acre tract bears South 00 degrees 00 minutes 59 seconds East, a distance of 15.60 feet;

**THENCE** North 00 degrees 00 minutes 59 seconds West, along the most southerly west line of said Lot 8 and the east line of the above mentioned Lot 5, a distance of 348.62 feet to a 5/8-inch iron rod with plastic cap stamped "Pioneer Mapping" set for the most westerly northwest corner of said Lot 8, same being the northeast corner of said Lot 5, and being in the south line of Lot 4, Block A, Rockwall Technology Park according to the plat thereof recorded in Cabinet E, Slide 262, Plat Records, Rockwall County, Texas;

**THENCE** North 89 degrees 59 minutes 01 second East, along the most westerly north line of said Lot 8 and the south line of the above mentioned Lot 4, a distance of 146.56 feet to a 5/8-inch iron rod with plastic cap stamped "Pioneer Mapping" set for an inner ell corner of said Lot 8, same being the southeast corner of said Lot 4, from which a 5/8-inch iron rod found bent bears South 27 degrees 43 minutes 22 seconds East, a distance of 0.52 feet;

**THENCE** North 00 degrees 00 minutes 59 seconds West, along the most northerly west line of said Lot 8 and the east line of said Lot 4, a distance of 266.21 feet to a 1/2-inch iron rod with plastic cap found for the most northerly northwest corner of said Lot 8, same being the most southerly southwest corner of Lot 7, Block A, Rockwall Technology Park according to the plat thereof recorded in Cabinet G, Slide 367, Plat Records, Rockwall County, Texas;

**THENCE** North 89 degrees 11 minutes 28 seconds East, along the most northerly north line of said Lot 8 and the most southerly south line of the above mentioned Lot 7, a distance of 493.50 feet to a 5/8-inch iron rod with plastic cap stamped "Pioneer Mapping" set for the northeast corner of said Lot 8, same being the southeast corner of said Lot 7, and being in the west Right-of-Way line of Farm to Market Road 549, also known as Corporate Crossing (variable-width Right-of-Way);

**THENCE** along the east line of said Lot 8 and the west line of Farm to Market Road 549 the following two (2) courses and distances:

South 02 degrees 07 minutes 17 seconds East, a distance of 114.50 feet to a point;

and South 01 degree 37 minutes 39 seconds East, a distance of 428.59 feet to a point for the most easterly southeast corner of said Lot 8, same being at the intersection of Farm to Market Road 549 and State Highway 276 (variable-width Right-of-Way);

**THENCE** South 42 degrees 15 minutes 45 seconds West, along the southeast line of said Lot 8 and the north line of State Highway 276, a distance of 47.21 feet to a point for the northeast corner of said 0.392 acre State of Texas tract;

**THENCE** South 89 degrees 10 minutes 06 seconds West, along the most easterly north line of said 0.392 acre tract, a distance of 243.79 feet to a 5/8-inch iron rod with a pink TXDOT cap found at the most northerly northwest corner of said 0.392 acre tract;

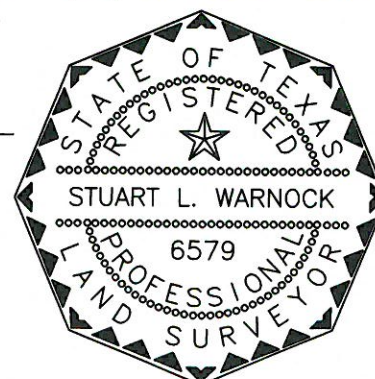
**THENCE** South 01 degree 03 minutes 11 seconds East, along the most northerly west line of said 0.392 acre tract, a distance of 34.99 feet to a 5/8-inch iron rod with a pink TXDOT cap found for an inner ell corner of said 0.392 acre tract;

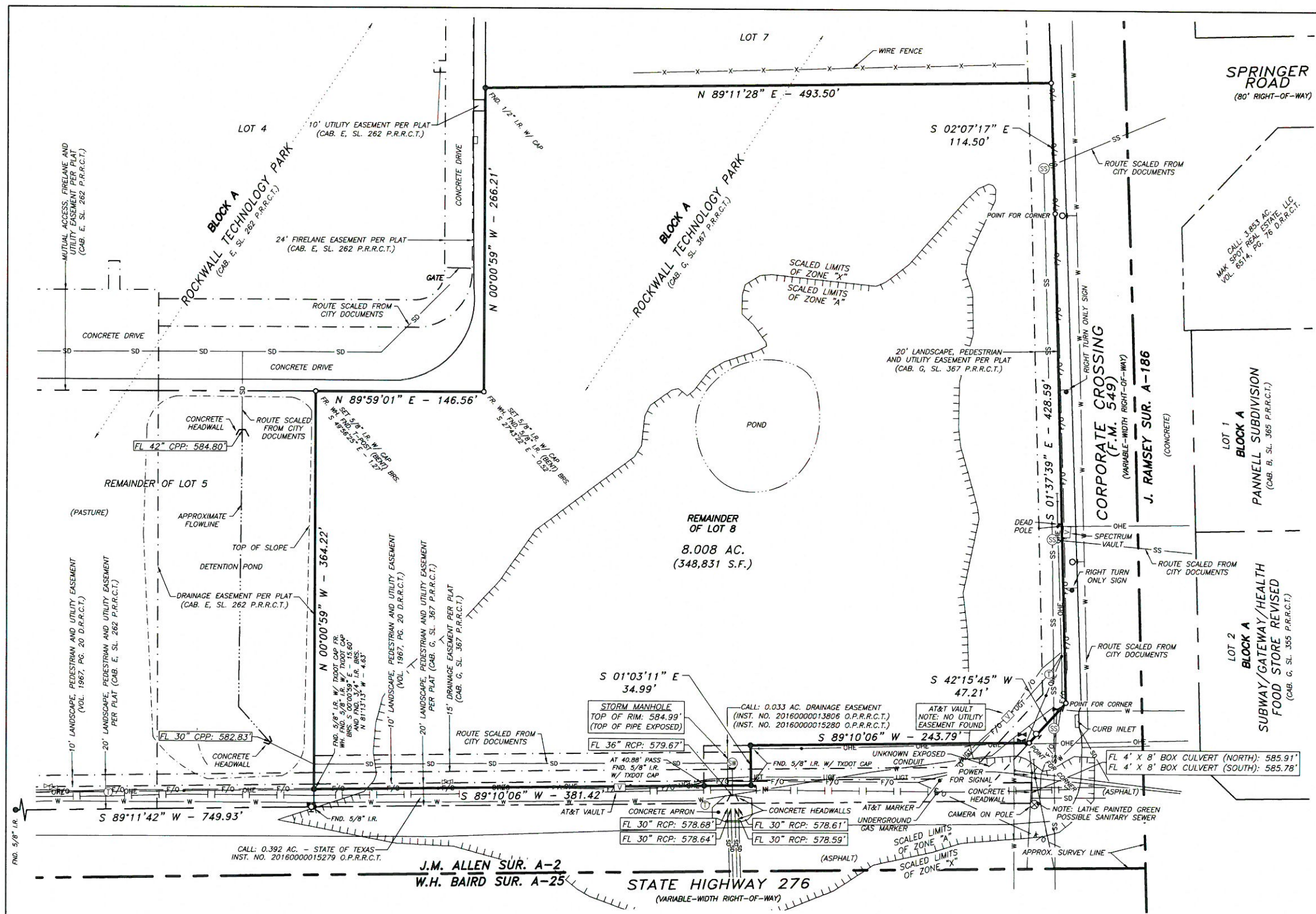
**THENCE** South 89 degrees 10 minutes 06 seconds West, along the most westerly north line of said 0.392 acre tract, a distance of 381.42 feet to the **POINT OF BEGINNING**, containing 8.008 acres of land, more or less.

Bearings based on the Texas State Plane Coordinate System, NAD83 (2011), Epoch 2010, Texas North Central Zone 4202. Distances are in U.S. Survey feet and decimal parts thereof.

  
 Stuart L. Warnock, RPLS, GISP  
 Texas Registration Number 6579

12-3-18  
 Date





- NOTES:**
1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (2011), EPOCH 2010, ZONE 4202 (TX-NC). DIMENSIONS SHOWN ARE GRID AND EXPRESSED IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED.
  2. EASEMENTS AND ENCUMBRANCES WHICH ARE NOT RECORDED IN PUBLIC RECORDS AND CANNOT BE DETERMINED BY THIS SURVEY MAY EXIST AND ENCUMBER TRACT SHOWN.
  3. THE SUBJECT PROPERTY FALLS WITHIN ZONE A (BASE FLOOD ELEVATION NOT DETERMINED) AND ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS INDICATED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MAPS. SEE PANEL 48397 C 0045 L, DATED SEPTEMBER 26, 2008.
  4. NO ZONING REPORT OR LETTER WAS PROVIDED TO THE SURVEYOR.
  5. NO ADDRESS FOR SUBJECT TRACT WAS PROVIDED OR OBSERVED.
  6. NO PARKING SPACES PRESENT AT TIME OF SURVEY.
  7. STATE HIGHWAY 276 UNDER CONSTRUCTION AT TIME OF SURVEY.

**LEGEND**

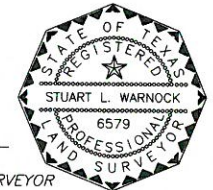
	BOUNDARY LINE
	ADJOINING SUBDIVISION
	ADJOINING PROPERTY
	SURVEY LINE
	EASEMENT
	EDGE OF CONCRETE/ASPHALT
	FIBER-OPTIC LINE
	GAS LINE
	SANITARY SEWER
	STORM SEWER
	WATERLINE
	OVERHEAD ELECTRIC
	BURIED ELECTRIC
	BURIED TELEPHONE
	GUY ANCHOR
	UTILITY POLE
	WATER VALVE
	IRRIGATION CONTROL VALVE
	FIRE HYDRANT
	TELEPHONE PEDESTAL
	SANITARY MANHOLE
	STORM MANHOLE
	VAULT
	SET 5/8" IRON ROD WITH PLASTIC CAP UNLESS OTHERWISE NOTED

THIS SURVEY IS MADE FOR THE BENEFIT OF:  
ROCKWALL ECONOMIC DEVELOPMENT CORPORATION AND RANGER TITLE COMPANY

I, STUART L. WARNOCK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO THE AFORESAID PARTIES, AS OF THE DATE SET FORTH BELOW THAT I OR OTHERS UNDER MY DIRECT SUPERVISION, HAVE MADE A CAREFUL SURVEY OF THE TRACT OF LAND DESCRIBED HEREON. I FURTHER CERTIFY THAT:

1. THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), 8, 9, 13, 16, 17, 19, AND 20 (\$1,000,000) OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON OCTOBER 18TH, 2018.
2. THIS PLAT SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

DATED DECEMBER 3, 2018.



*Stuart L. Warnock*  
STUART L. WARNOCK  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6579

RESEARCH WAS LIMITED TO THE FOLLOWING, PROVIDED BY OTHERS  
(A COMMITMENT FOR TITLE INSURANCE UNDER G.F. NO. R181978R  
DATED SEPTEMBER 19, 2018, FROM RANGER TITLE COMPANY)

ITEM	RECORDING	FINDING
10.a	VOL. 75, PG. 571	TOO VAGUE, MAY AFFECT
10.b	VOL. 75, PG. 572	TOO VAGUE, MAY AFFECT
10.c	VOL. 1967, PG. 20	DOES AFFECT, IS SHOWN
10.d	CAB. G, SL. 367	DOES AFFECT, IS SHOWN
10.f	VOL. 36, PG. 370	MINERAL RESERVATION
10.i	INST. NO. 2016000013806	DOES AFFECT, IS SHOWN
10.l	INST. NO. 2016000015280	DOES AFFECT, IS SHOWN



**ALTA/NSPS TITLE SURVEY**  
SHOWING  
**REMAINDER OF LOT 5, BLOCK A**  
**ROCKWALL TECHNOLOGY PARK**  
J. M. ALLEN SURVEY A-2  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

JOB: 18-060 DRAWN BY: GDF DATE: 12/3/18 REV: 1

**PIONEER MAPPING**  
SURVEYING | CONSULTING | GEOSPATIAL  
PO Box 136878 - Fort Worth, TX 76136 - P: 682.233.2550  
www.pioneermapping.com - info@pioneermapping.com  
TX-FIRM# 10194188

CITY OF ROCKWALL

ORDINANCE NO. ~~22-XX~~

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 73 (PD-73) [ORDINANCE NO. 09-09] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM PLANNED DEVELOPMENT DISTRICT 73 (PD-73) TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR AN 8.008-ACRE PARCEL OF LAND IDENTIFIED AS LOT 8, BLOCK A, ROCKWALL TECHNOLOGY PARK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Matt Wavering of the Rockwall Economic Development Corporation for the approval of a *Zoning Change* from Planned Development District 73 (PD-73) [Ordinance No. 09-09] to a Light Industrial (LI) District for an 8.008-acre parcel of land identified as Lot 8, Block A, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 73 (PD-73) for Commercial (C) District land uses, situated within the FM-549 Overlay (FM-549 OV) District and the SH-276 Overlay (SH-276 OV) District, located at the northwest corner of the intersection of Corporate Crossing and SH-276, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 73 (PD-73) [Ordinance No. 09-09] and the Unified Development Code (UDC) [Ordinance No. 20-02] should be amended as follows:

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

**SECTION 1.** That the adoption of this ordinance shall supersede *Ordinance No. 09-09*;

**SECTION 2.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Planned Development District 73 (PD-73) [Ordinance No. 09-09] to a Light Industrial (LI) District;

**SECTION 3.** That the *Subject Property* shall be used only in the manner and for the purposes

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

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in the zoning described herein;

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

**SECTION 7.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect;

**SECTION 8.** 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 4<sup>TH</sup> DAY OF APRIL, 2022.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

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

**BEING** 8.008 acres (348,831 square feet) of land, situated in the J. M. Allen Survey, Abstract Number 2, Rockwall County, Texas, being part of that certain Lot 8, Block A Rockwall Technology Park, according to the plat thereof recorded in Cabinet G, Slide 367, Plat Records, Rockwall County, Texas. Said 8.008 acres of land being more particularly described as follows, to wit:

**BEGINNING** at a 5/8-inch iron rod with a pink TXDOT cap found at the northwest corner of that certain called 0.392 acre tract conveyed to the State of Texas according to the Correction Affidavit recorded under Instrument Number 20160000015279, Official Public Records, Rockwall County, Texas, being in the west line of the above mentioned Lot 8 and the east line of Lot 5, Block A Rockwall Technology Park according to the plat thereof recorded in Cabinet E, Slide 262, Plat Records, Rockwall County, Texas, from which a 5/8-inch iron rod with a pink TXDOT cap found at the southwest corner of the above mentioned 0.392 acre tract bears South 00 degrees 00 minutes 59 seconds East, a distance of 15.60 feet;

**THENCE** North 00 degrees 00 minutes 59 seconds West, along the most southerly west line of said Lot 8 and the east line of the above mentioned Lot 5, a distance of 348.62 feet to a 5/8-inch iron rod with plastic cap stamped "Pioneer Mapping" set for the most westerly northwest corner of said Lot 8, same being the northeast corner of said Lot 5, and being in the south line of Lot 4, Block A Rockwall Technology Park according to the plat thereof recorded in Cabinet E, Slide 262, Plat Records, Rockwall County, Texas;

**THENCE** North 89 degrees 59 minutes 01 second East, along the most westerly north line of said Lot 8 and the south line of the above mentioned Lot 4, a distance of 146.56 feet to a 5/8-inch iron rod with plastic cap stamped "Pioneer Mapping" set for an inner ell corner of said Lot 8, same being the southeast corner of said Lot 4, from which a 5/8-inch iron rod found bent bears South 27 degrees 43 minutes 22 seconds East, a distance of 0.52 feet;

**THENCE** North 00 degrees 00 minutes 59 seconds West, along the most northerly west line of said Lot 8 and the east line of said Lot 4, a distance of 266.21 feet to a 1/2-inch iron rod with plastic cap found for the most northerly northwest corner of said Lot 8, same being the most southerly southwest corner of Lot 7, Block A Rockwall Technology Park according to the plat thereof recorded in Cabinet G, Slide 367, Plat Records, Rockwall County, Texas;

**THENCE** North 89 degrees 11 minutes 28 seconds East, along the most northerly north line of said Lot 8 and the most southerly south line of the above mentioned Lot 7, a distance of 493.50 feet to a 5/8-inch iron rod with plastic cap stamped "Pioneer Mapping" set for the northeast corner of said Lot 8, same being the southeast corner of said Lot 7, and being in the west Right-of-Way line of Farm to Market Road 549, also known as Corporate Crossing (variable-width Right-of-Way);

**THENCE** along the east line of said Lot 8 and the west line of Farm to Market Road 549 the following two (2) courses and distances:

South 02 degrees 07 minutes 17 seconds East, a distance of 114.50 feet to a point;

and South 01 degree 37 minutes 39 seconds East, a distance of 428.59 feet to a point for the most easterly southeast corner of said Lot 8, same being at the intersection of Farm to Market Road 549 and State Highway 276 (variable-width Right-of-Way);

**THENCE** South 42 degrees 15 minutes 45 seconds West, along the southeast line of said Lot 8 and the north line of State Highway 276, a distance of 47.21 feet to a point for the northeast corner of said 0.392-acre State of Texas tract;

**THENCE** South 89 degrees 10 minutes 06 seconds West, along the most easterly north line of said 0.392-acre tract, a distance of 243.79 feet to a 5/8-inch iron rod with a pink TXDOT cap found at the most northerly northwest corner of said 0.392-acre tract;

**THENCE** South 01 degree 03 minutes 11 seconds East, along the most northerly west line of said 0.392-acre tract, a distance of 34.99 feet to a 5/8-inch iron rod with a pink TXDOT cap found for an inner ell corner

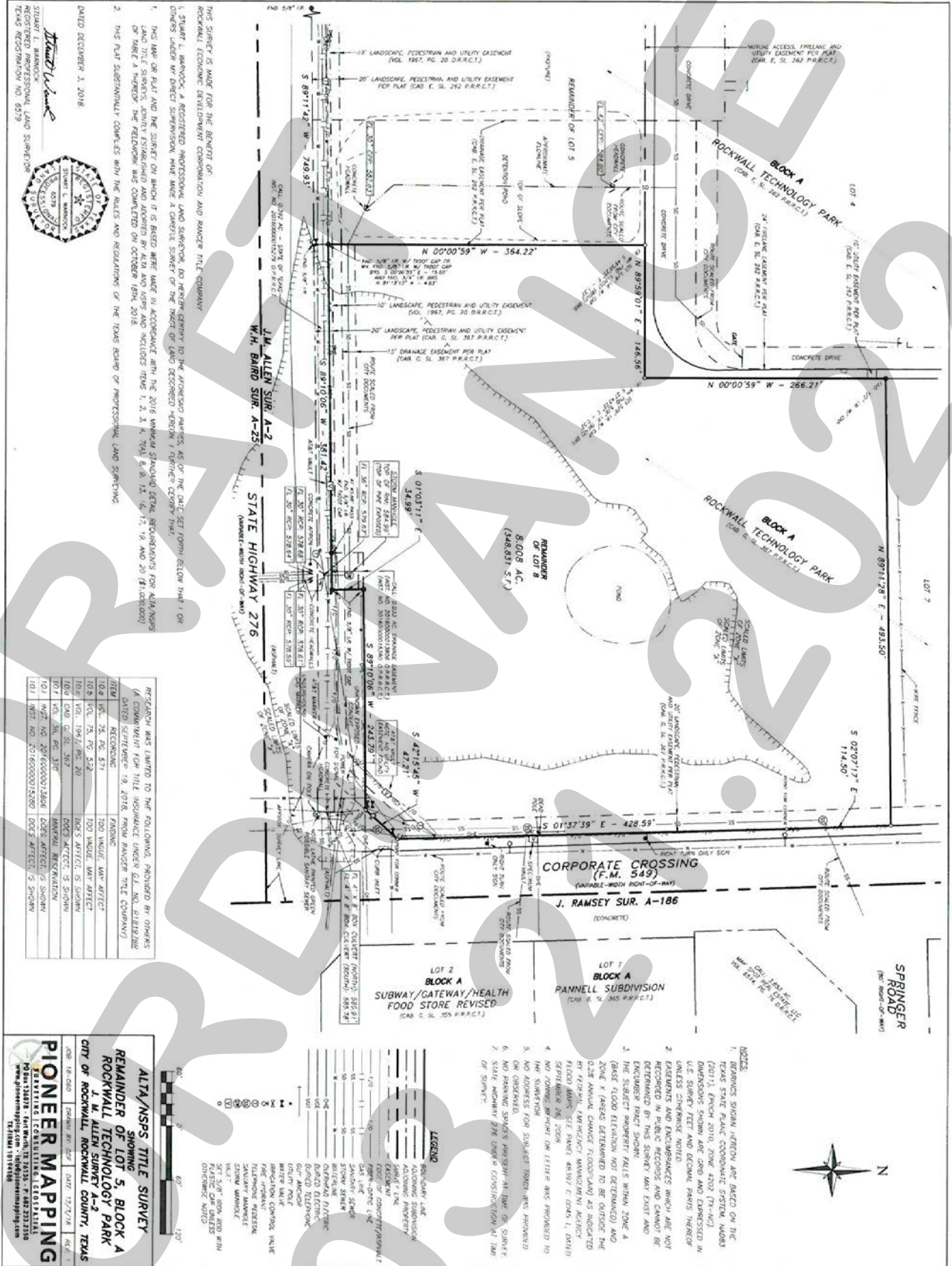
**Exhibit 'A'**  
*Legal Description*

of said 0.392-acre tract;

**THENCE** South 89 degrees 10 minutes 06 seconds West, along the most westerly north line of said 0.392-acre tract, a distance of 381.42 feet to the **POINT OF BEGINNING**, containing 8.008 acres of land, more or less.

DRAFT  
ORDINANCE  
03.21.2022

# Exhibit 'B' Zoning Exhibit



THIS SURVEY IS MADE FOR THE BENEFIT OF ROCKWALL ECONOMIC DEVELOPMENT CORPORATION AND RANGER TITLE COMPANY. STUART L. HANCOCK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO THE ACCURACY HEREIN AS OF THE DATE SET FORTH BELOW THAT I OR OTHERS UNDER MY DIRECT SUPERVISION HAVE MADE A CAREFUL SURVEY OF THE MOUNT OF LAND DESCRIBED HEREIN IN ACCORDANCE WITH THE 2016 TEXAS SURVEYING ACT AND THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

1. THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 TEXAS SURVEYING ACT AND THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

2. THIS PLAN SUBSTANTIALLY COMPLIES WITH THE RULES AND REGULATIONS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

DATED: DECEMBER 1, 2018

Stuart L. Hancock  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6579

THE SEARCH WAS LIMITED TO THE FOLLOWING, PROVIDED BY OTHERS (A COMMITMENT FOR TITLE INSURANCE UNDER S.L. NO. 2182288 DATED SEPTEMBER 19, 2018, FROM RANGER TITLE COMPANY).

ITEM	RECORDING	PACING	100' MAGN. W/ AFFIC	100' MAGN. W/ AFFIC	100' MAGN. W/ AFFIC	100' MAGN. W/ AFFIC	100' MAGN. W/ AFFIC	100' MAGN. W/ AFFIC
10.8	NO. 75, PG. 571	100	100	100	100	100	100	100
10.9	NO. 75, PG. 572	100	100	100	100	100	100	100
11.0	NO. 1947, PG. 20	DOCS. AFFECT. IS SHOWN	DOCS. AFFECT. IS SHOWN	DOCS. AFFECT. IS SHOWN	DOCS. AFFECT. IS SHOWN	DOCS. AFFECT. IS SHOWN	DOCS. AFFECT. IS SHOWN	DOCS. AFFECT. IS SHOWN
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**ALTA/ASPS TITLE SURVEY**  
REMAINDER OF LOT 5, BLOCK A  
ROCKWALL TECHNOLOGY PARK  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

**PIONEER MAPPING**  
1001 TEXAS STREET, SUITE 100, ROCKWALL, TEXAS 75087  
www.pioneermapping.com | telephone: 972-987-1111  
TXRMA 1918488

**LEGEND**

- BOUNDARY LINE
- ADJACENT SUBDIVISION
- ADJACENT SURVEY
- ADJACENT EASEMENT
- ADJACENT RIGHT-OF-WAY
- ADJACENT ROAD
- ADJACENT CANAL
- ADJACENT WATERWAY
- ADJACENT AIRWAY
- ADJACENT POWERLINE
- ADJACENT TELEPHONE
- ADJACENT GASLINE
- ADJACENT OIL PIPELINE
- ADJACENT WATER MAIN
- ADJACENT SEWER MAIN
- ADJACENT FLOOD CONTROL
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## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** Z2022-007; SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION

---

### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Residential Plot Plan  
Drainage Plan  
Floor Plan  
Building Elevations  
Housing Analysis  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Juan Aguilar on behalf of Jose A. Contreras of Black Toro Custom Homes, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* on a 0.1650-acre parcel of land identified as Lot 1096 of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 514 Yvonne Drive, and take any action necessary (**1st Reading**).

### Action Needed

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





# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Jose A. Contreras; *Black Toro Custom Homes, LLC.*  
**CASE NUMBER:** Z2022-007; *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Juan Aguilar on behalf of Jose A. Contreras of Black Toro Custom Homes, LLC for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.1650-acre parcel of land identified as Lot 1096 of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 514 Yvonne Drive, and take any action necessary.

### BACKGROUND

The subject property was originally platted as Lot 1096 of the Rockwall Lake Estates #2 Addition. On February 17, 2009, the subject property -- *along with the rest of the Lake Rockwall Estates Subdivision* -- was annexed into the City of Rockwall by *Ordinance No. 09-07*. Based on aerial images, the subject property was vacant at the time of annexation. On September 21, 2009, the City Council rezoned the Lake Rockwall Estates Subdivision from an Agricultural (AG) District to Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] for Single-Family 7 (SF-7) District land uses. On January 4, 2016, the City Council amended Planned Development District 75 (PD-75) with *Ordinance No. 16-01*, which made minor changes to the *Consideration of a Special Request* section of the ordinance.

### PURPOSE

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

### ADJACENT LAND USES AND ACCESS

The subject property is located at 514 Yvonne Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are several residential lots developed with modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond that is Evans Road, which is identified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are several residential lots developed with traditional single-family homes and modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond this is County Line Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property are several residential lots developed with modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond that is Wayne Drive, which is identified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are several residential lots developed with traditional single-family homes and modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond this is Chris Drive, which is identified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the City’s Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An established subdivision is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” In this case, the subject property is located within the Lake Rockwall Estates East Subdivision. This subdivision has been in existence since prior to 1968, consists of more than five (5) lots, and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in Planned Development District 75 (PD-75) and designated for Single-Family 7 (SF-7) District land uses, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Yvonne Drive in a Close Proximity to the Subject Property	Proposed House
Building Height	One (1) Story	One (1) Story
Building Orientation	All of the homes are oriented towards Yvonne Drive	The front elevation of the home will face onto Yvonne Drive.
Year Built	1970-2020	N/A
Building SF on Property	784 SF – 1,994 SF	2,258 SF
Building Architecture	Single-Family and Modular Homes	Comparable Architecture to the Surrounding Newer Single-Family Homes
Building Setbacks:		
Front	The front yard setbacks are 20 to 35-Feet	20-Feet
Side	The side yard setbacks are 0 to 33-Feet	5-Feet
Rear	The rear yard setbacks are 10 to 38-Feet	10-Feet
Building Materials	Brick, Vinyl Siding, and Modular Panels	Brick
Paint and Color	Brown, Tan, Blue, White, Green & Red	N/A
Roofs	Composite Shingles & Metal	Composite Shingle
Driveways/Garages	Flat-Front Entry, Carports, and Single-Family Homes without Garages	The garage will be set up approximately two (2) feet behind the front façade of the home.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), “(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages ...” In this case, the applicant is proposing to put the garage approximately two (2) feet behind the front façade of the home, and if approved the Planning and Zoning Commission and City Council will be waiving this requirement. Staff should note that this waiver has been approved in the Lake Rockwall Estates Subdivision in previous cases.

With the exception of the garage setback requirements, the proposed single-family home meets all of the density and dimensional requirements for the Single-Family 7 (SF-7) District as stipulated by Planned Development District 75 (PD-75) and the Unified Development Code (UDC). For the purpose of comparing the proposed single-family home to the existing single-family housing located adjacent to or in the vicinity of the subject property, staff has provided photos of the properties along Yvonne Drive. The proposed building elevations have also been provided in the attached packet. The approval of this request

is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## **NOTIFICATIONS**

On February 26, 2022, staff mailed 133 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOAs) within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices with regard to the applicant's request.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision*, then staff would propose the following conditions of approval:

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

## **PLANNING AND ZONING COMMISSION**

On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 4-0, with Commissioners Thomas, Conway, and Chodun absent.



# DEVELOPMENT APPLICATION

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

### STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-007

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

#### PLATTING APPLICATION FEES:

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

#### SITE PLAN APPLICATION FEES:

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

#### ZONING APPLICATION FEES:

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

#### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup>: A **\$1,000.00** FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 514 Yvonne Dr.

SUBDIVISION

LOT 1096 BLOCK

GENERAL LOCATION

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

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER

Black Toro Custom Homes LLC  
Jose A Contreras

APPLICANT

Juan Aguilar

CONTACT PERSON

CONTACT PERSON

ADDRESS 1210 Creek Valley

ADDRESS

1210 Creek Valley Rd.

CITY, STATE & ZIP Mesquite TX 75181

CITY, STATE & ZIP

Mesquite TX 75181

PHONE 214-991-2329

PHONE

214-538-6401

E-MAIL blacktorocustomhomes@gmail.com

E-MAIL

blacktorocustomhomes@gmail.com

### NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Jose A Contreras / Juan Aguilar [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 16th DAY OF February, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16th DAY OF February, 2022

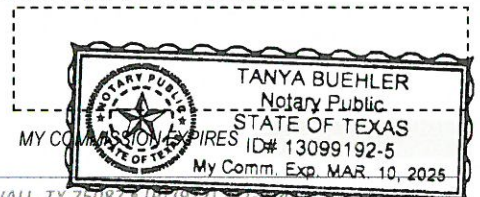
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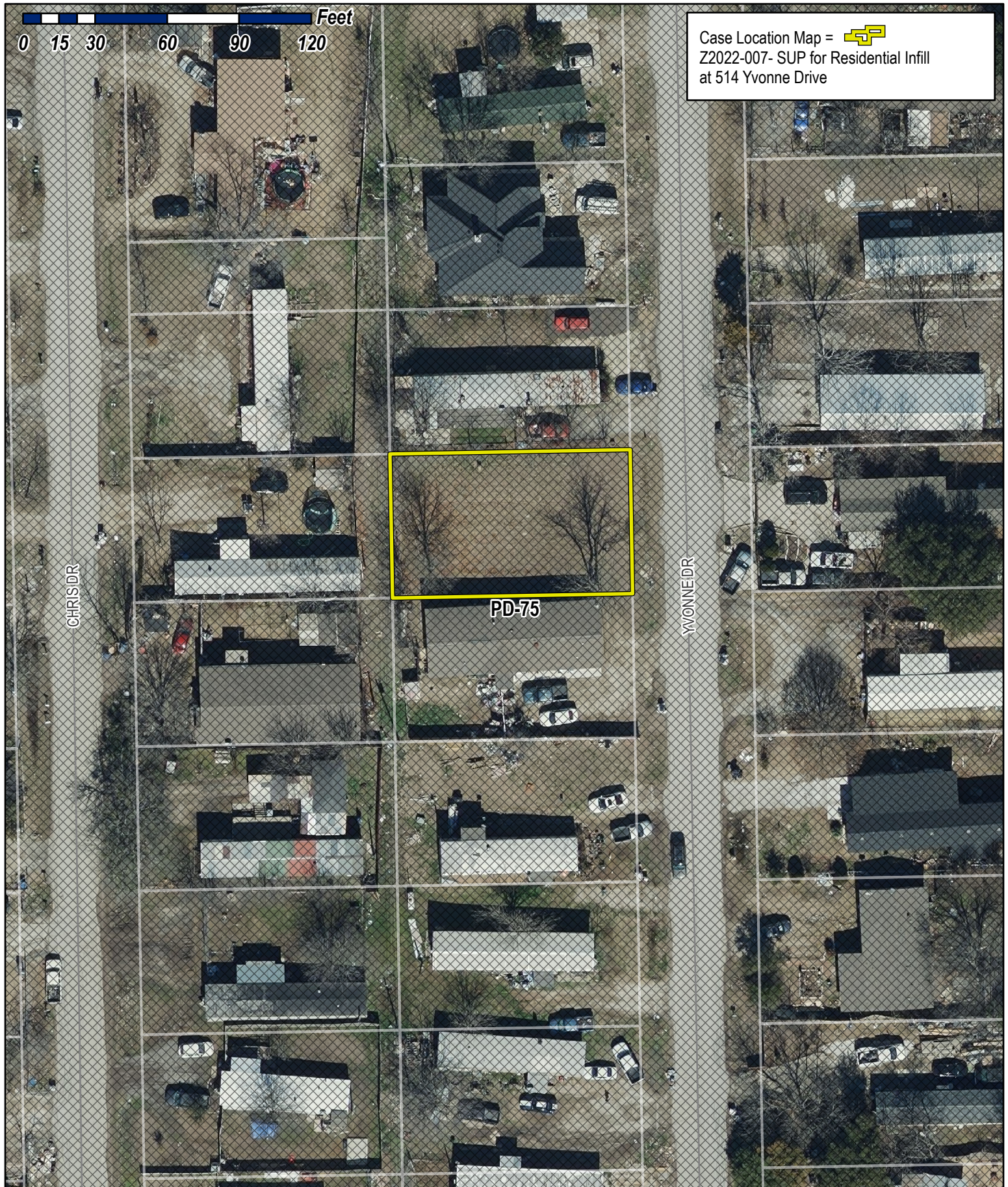
[Signature]


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Jayne Beech

84





Case Location Map =   
 Z2022-007- SUP for Residential Infill  
 at 514 Yvonne Drive



# 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.

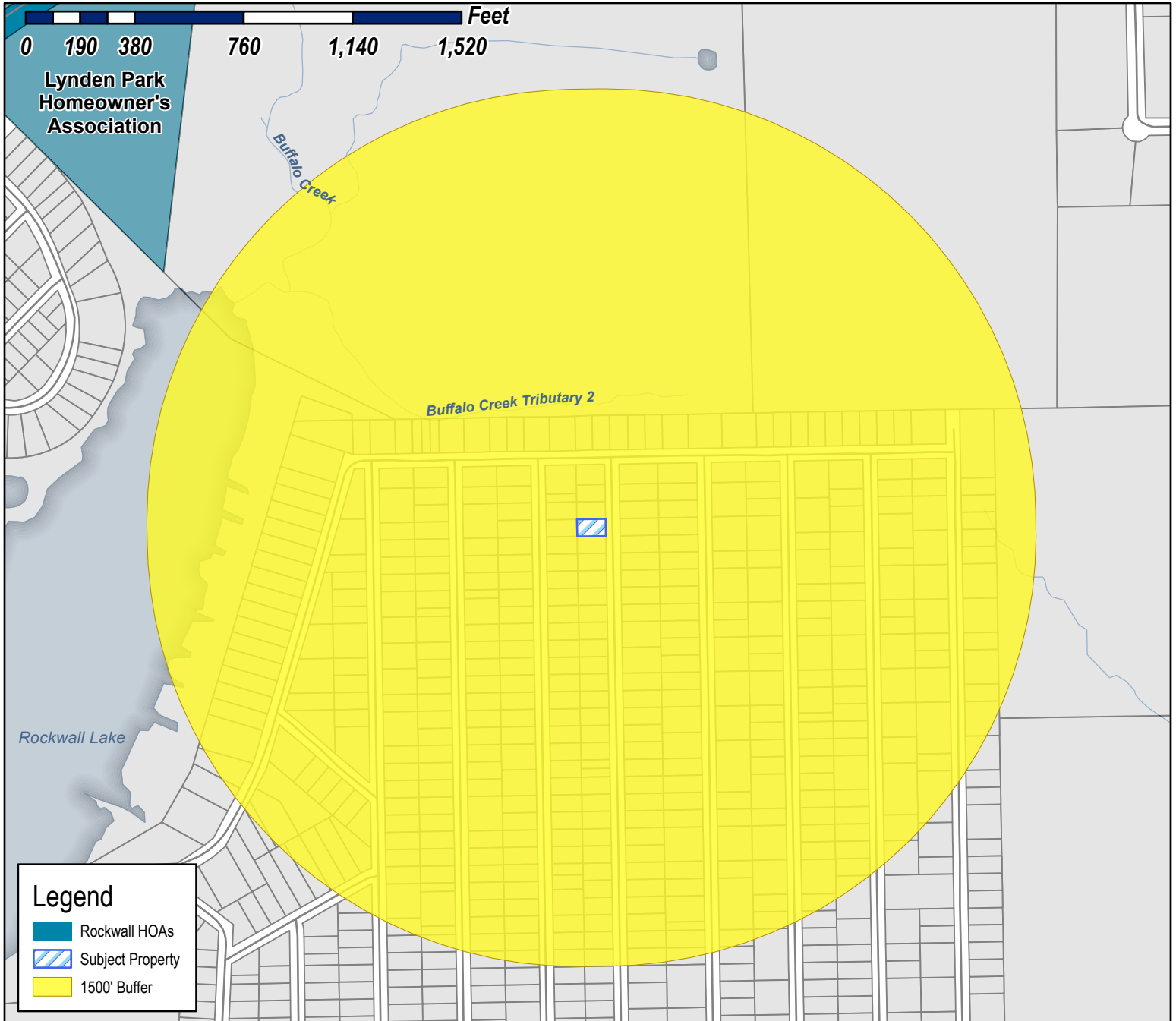







# City of Rockwall

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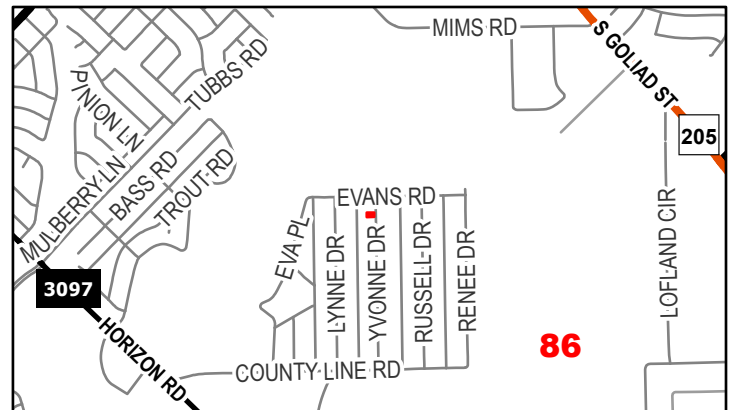


**Legend**

-  Rockwall HOAs
-  Subject Property
-  1500' Buffer

**Case Number:** Z2022-007  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Planned Development District 75 (PD-75)  
**Case Address:** 514 Yvonne Drive

**Date Saved:** 2/17/2022  
 For Questions on this Case Call (972) 771-7745

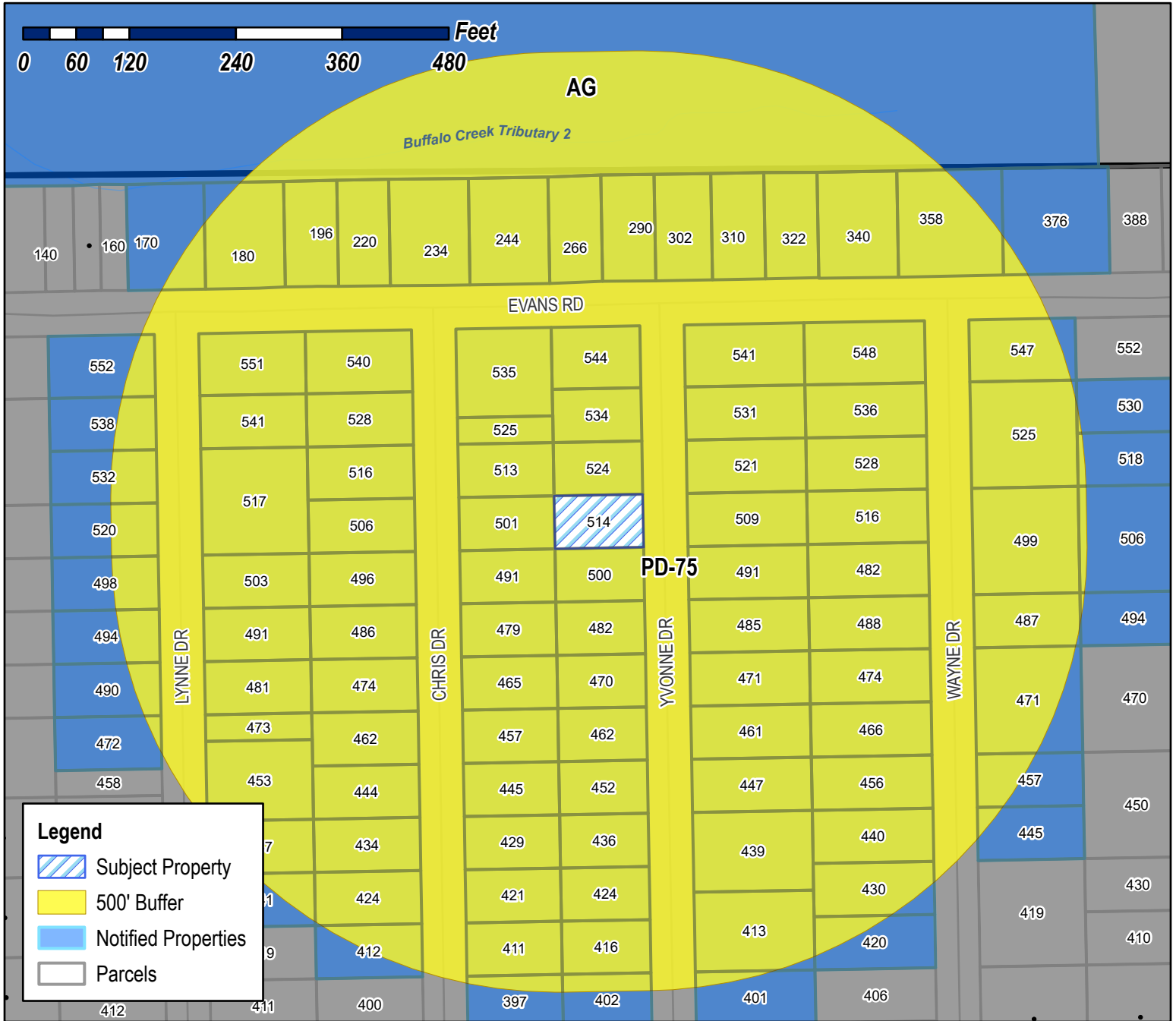




# City of Rockwall

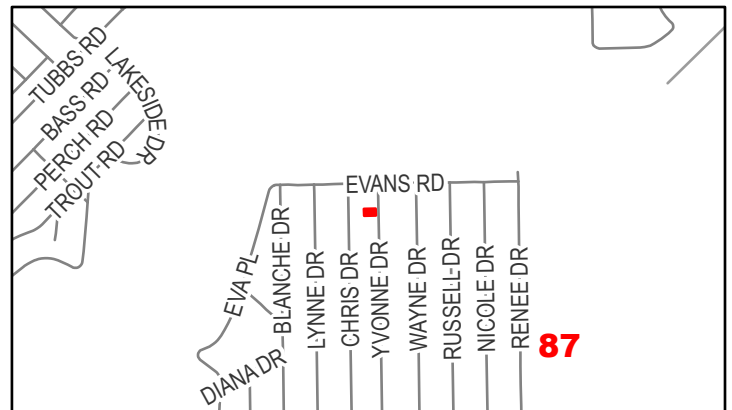
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**Case Number:** Z2022-007  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Planned Development District 75 (PD-75)  
**Case Address:** 514 Yvonne Drive

**Date Saved:** 2/17/2022  
 For Questions on this Case Call (972) 771-7745



THELWELL LINDA  
1013 BLACKBERRY TRL <Null>  
LANCASTER, TX 75134

SILVA BERTHA  
1041 E FM 552 <Null>  
ROCKWALL, TX 75087

VICMAR I LTD &  
E LOFLAND  
105 KAUFMAN ST <Null>  
ROCKWALL, TX 75087

CHAPELA AARON  
1188 YVONNE DR <Null>  
ROCKWALL, TX 75032

SIERRA ZACARIAS RAMIREZ  
1244 COUNTY ROAD 2278 <Null>  
QUINLAN, TX 75087

CASTILLO ARTURO & VICTORIA  
151 PERCH RD <Null>  
ROCKWALL, TX 75032

DIAZ JOSE LUIS &  
MARICELA ARREDONDO  
170EVANSRD ROCKWALL  
TX, 75032

DIAZ JUANA  
1750 E FM 550 <Null>  
ROCKWALL, TX 75032

HERREROS BERTOLDO  
180 EVANS RD <Null>  
ROCKWALL, TX 75032

UC LUIS JOSE &  
GELLY DEL ROSARIO XOOL  
186 NICOLE DR <Null>  
ROCKWALL, TX 75032

UC LUIS JOSE &  
GELLY DEL ROSARIO XOOL  
186 NICOLE DR <Null>  
ROCKWALL, TX 75032

HERREROS BERTOLDO  
196 EVANS RD <Null>  
ROCKWALL, TX 75032

ORELLANA JUAN C & MARICELA  
220 CRAWFORD LN <Null>  
ROYSE CITY, TX 75189

RODRIGUEZ ROMAN  
220 EVANS RD <Null>  
ROCKWALL, TX 75032

YANES MARIA TERESA  
230 CHRIS DR <Null>  
ROCKWALL, TX 75032

ROJAS MARCOS & ROSALINDA  
234 EVANS RD <Null>  
ROCKWALL, TX 75032

MEJIA RAMIRO  
244 EVANS RD <Null>  
ROCKWALL, TX 75032

HUERTA JOSE AND MARIA  
266 EVANS RD ROCKWALL  
TX, 75032

SAULS AND BROS COMPANY LLC  
2716 GREENHILL DRIVE <Null>  
MESQUITE, TX 75150

PEREZ MARCOS AND MARIA ELVA GACHUZO  
VELAZQUEZ  
290 EVANS <Null>  
ROCKWALL, TX 75032

SAULS AND BROS COMPANY LLC  
302 EVANS RD ROCKWALL  
TX, 75032

SILVA JORGE & ELIZABETH  
3078 S FM 551 <Null>  
ROYSE CITY, TX 75189

BALDERAS GREGORY  
310 EVANS RD <Null>  
ROCKWALL, TX 75032

ACOSTA FABIAN AND GLADYS CELENE  
QUINONEZ  
322 EVANS RD <Null>  
ROCKWALL, TX 75032

MAZARIEGOS EDGAR A AND SONIA I  
3248 BLACKLAND RD <Null>  
ROYSE CITY, TX 75189

RAMIRES RAUL  
358 EVANS RD <Null>  
ROCKWALL, TX 75032

BROTZE MARGARET  
373 YVONNE DR <Null>  
ROCKWALL, TX 75032

LUMPKINS JOHN E & STEPHANIE L  
376 EVANS RD <Null>  
ROCKWALL, TX 75032

CARMONA JOSE ROBERTO  
397 CHRIS DR <Null>  
ROCKWALL, TX 75032

LLANAS JOSUE MENDOZA  
400 EVANS RD <Null>  
ROCKWALL, TX 75032



BROTZE MARGARET  
401 YVONNE DR ROCKWALL  
TX, 75032

JARAMILLO JOSE A  
402 YVONNE DR <Null>  
ROCKWALL, TX 75032

CARMONA ROBERTO  
411 CHRIS DR <Null>  
ROCKWALL, TX 75032

OLGUIN CIRILO  
412 CHRIS DR <Null>  
ROCKWALL, TX 75032

GONZALEZ FELIPE GOVEA  
413 YVONNE DR <Null>  
ROCKWALL, TX 75032

CRUZ JOSE AND  
ADRIANA GUERRERO  
416 YVONNE DR <Null>  
ROCKWALL, TX 75032

MERKEL JAMES  
420 WAYNE DR <Null>  
ROCKWALL, TX 75032

SIERRA ZACARIAS RAMIREZ  
421CHRISDR ROCKWALL  
TX, 75032

CARDENAS RODOLFO  
424 CHRIS DR <Null>  
ROCKWALL, TX 75032

RAMIREZ MAXIMINO SIERRA  
424 YVONNE DR ROCKWALL  
TX, 75032

RAMIREZ ZACARIAS  
429 CHRIS DR ROCKWALL  
TX, 75032

DELGADO DONNY  
430 WAYNE DRIVE <Null>  
ROCKWALL, TX 75032

HERNANDEZ GREGORIA HERNANDEZ  
434 CHRIS <Null>  
ROCKWALL, TX 75032

HERRERA JUAN E  
436 YVONNE DR ROCKWALL  
TX, 75032

ANAYA JUAN C & RAUL  
439 PERCH RD <Null>  
ROCKWALL, TX 75032

GONZALEZ FELIPE GOVEA  
439 YVONNE DR ROCKWALL  
TX, 75032

RODRIGUEZ MARICELA  
440 WAYNE DR ROCKWALL  
TX, 75032

TORRES ALONSO  
441 LYNNE DR <Null>  
ROCKWALL, TX 75032

YANEZ SANDRA R TORRES  
441 LYNNE DRIVE <Null>  
ROCKWALL, TX 75402

GOMEZ MIGUEL URBINA AND LILIA GARCIA  
RANGEL  
444 CHRIS DR <Null>  
ROCKWALL, TX 75032

RAMIREZ ZACARIAS  
445 CHRIS DR ROCKWALL  
TX, 75032

GARCIA JOSE NOE  
445 WAYNE DR <Null>  
ROCKWALL, TX 75150

TORRES ALONSO & MARIA DEL ROSARIO YANEZ  
447 LYNNE DR ROCKWALL  
TX, 75032

PRUET JAMES D  
447 YVONNE DR <Null>  
ROCKWALL, TX 75032

LICEA JOSE DELFINO  
448 LYNNE DR <Null>  
ROCKWALL, TX 75032

CHAPELA AARON  
452YVONNEDR ROCKWALL  
TX, 75032

CASTILLO ARTURO & VICTORIA  
453 LYNNE DR ROCKWALL  
TX, 75032

RODRIGUEZ MARICELA  
456 WAYNE DR <Null>  
ROCKWALL, TX 75032

GONZALEZ ANTONIO & ANNA MARIA  
456 WAYNE DR <Null>  
ROCKWALL, TX 75032

ORELLANA JUAN C & MARICELA  
457 CHRIS DR ROCKWALL  
TX, 75032

GARCIA JOSE NOE  
457 WAYNE DR ROCKWALL  
TX, 75032

MARTINEZ MARIO CRUZ  
461 YVONNE DR <Null>  
ROCKWALL, TX 75032

RANGEL LUIS GERARDO AND  
MARIA DEL ROCIO ZARATE  
462 CHRIS DR ROCKWALL  
TX, 75032

UC LUIS JOSE &  
GELLY DEL ROSARIO XOOL  
462 YVONNE DR ROCKWALL  
TX, 75032

YANES MARIA TERESA  
465 CHRIS DR ROCKWALL  
TX, 75032

MORENO LUIS NOE  
466 WAYNE DR ROCKWALL  
TX, 75032

UC LUIS JOSE &  
GELLY DEL ROSARIO XOOL  
470 YVONNE DR ROCKWALL  
TX, 75032

SOTO DOMINGO  
471 WAYNE DR <Null>  
ROCKWALL, TX 75032

LLANAS JOSUE MENDOZA  
471 YVONNE DR ROCKWALL  
TX, 75032

LICEA DELFINO  
472 LYNNE DR ROCKWALL  
TX, 75032

CASTILLO IGNACIO  
473 LYNNE DR ROCKWALL  
TX, 75032

MORENO ORALIA SOLIS  
474 BASS ROAD <Null>  
ROCKWALL, TX 75032

MORENO LUIS NOE  
474 BASS ROAD <Null>  
ROCKWALL, TX 75032

TORRES ALONSO  
474 CHRIS DR ROCKWALL  
TX, 75032

NEVAREZ LUIS E & ALMA  
479 CHRIS DR <Null>  
ROCKWALL, TX 75032

CASTILLO IGNACIO  
481 LYNNE DR <Null>  
ROCKWALL, TX 75032

CASTILLO IGNACIO  
481 LYNNE DR <Null>  
ROCKWALL, TX 75032

ALONSO ELEASAR &  
BENITO GAMEZ  
482 WAYNE DR <Null>  
ROCKWALL, TX 75032

GUEVARA MARIA  
482 YVONNE DRIVE <Null>  
ROCKWALL, TX 75032

VIERA EUSEVIO ZAPATA AND FELICITAS  
MARTINEZ-AGUILAR  
485 YVONNE DR <Null>  
ROCKWALL, TX 75032

SMITH HELEN A  
486 CHRIS DR <Null>  
ROCKWALL, TX 75032

PAYNE MILDRED IRENE  
487 WAYNE DR <Null>  
ROCKWALL, TX 75032

YANEZ SANDRA R TORRES  
488 WAYNE DR ROCKWALL  
TX, 75032

CASTRO MATEO IBARRA & ADELA SIERRA  
IBARRA  
490 LYNNE DRIVE <Null>  
ROCKWALL, TX 75032

CASTILLO SIXTO & MARIA  
491 CHRIS DR <Null>  
ROCKWALL, TX 75032

CARMONA JOSE ROBERTO  
491 YVONNE DR ROCKWALL  
TX, 75032

DIAZ JOSE LUIS  
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GONZALEZ HIPOLITO CANTU AND  
FANIA GARCIA  
494 RUSSELL <Null>  
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH  
496 CHRIS DR ROCKWALL  
TX, 75032

LICEA JOSE DELFINO  
498 LYNNE DR ROCKWALL  
TX, 75032

PARRISH KENNETH LEE JR AND  
JUDITH GAIL WOOD  
499 WAYNE DR <Null>  
ROCKWALL, TX 75032

HERNANDEZ CARMELITA NOEMI  
500 YVONNE DR <Null>  
ROCKWALL, TX 75032

VELASQUEZ LORENA  
501 CHRIS DRIVE <Null>  
ROCKWALL, TX 75033

DIAZ MARIA L FLORES  
503 LYNNE DR <Null>  
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH  
506 CHRIS DR ROCKWALL  
TX, 75032

MARTINEZ PEDRO & MARIA CELIA  
506 RUSSELL DR <Null>  
ROCKWALL, TX 75032

HERNANDEZ BENJAMIN  
509 YVONNE DR <Null>  
ROCKWALL, TX 75032

ALVARADO HERALD DAVID CORDOVA  
5112 WOLVERTON CT <Null>  
GARLAND, TX 75043

SILVA JORGE & ELIZABETH  
513CHRISDR ROCKWALL  
TX, 75032

DIAZ JUANA  
514 YVONNE DR ROCKWALL  
TX, 75032

SANCHEZ GERARDO RAFAEL AND LILIA  
GALLEGOS  
516 CHRIS DR <Null>  
ROCKWALL, TX 75032

MARTINEZ DAVID  
516 WAYNE DR <Null>  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
517 LYNNE DR ROCKWALL  
TX, 75032

GRANADOS CASTULO & NANCY  
518 RUSSELL DR ROCKWALL  
TX, 75032

FLORES JAIME W &  
MARLENE CASTRO  
520 LYNNE DR <Null>  
ROCKWALL, TX 75032

MAZARIEGOS EDGAR A AND SONIA I  
521 YVONNE DR ROCKWALL  
TX, 75032

GANUS HUGH  
524 SESAME DR <Null>  
MESQUITE, TX 75149

VASQUEZ JAVIER AND LILIANA  
524 YVONNE DR <Null>  
ROCKWALL, TX 75032

RAMIREZ MARGARITO VALDEZ  
525 WAYNE DR <Null>  
ROCKWALL, TX 75032

SILVA BERTHA  
528 CHRIS DR ROCKWALL  
TX, 75032

DIAZ MANUEL & ROSARIO  
528 WAYNE DR <Null>  
ROCKWALL, TX 75032

GRANADOS CASTULO & NANCY  
530 RUSSELL DR <Null>  
ROCKWALL, TX 75032

GRANADOS CASTULO & NANCY  
530 RUSSELL DR <Null>  
ROCKWALL, TX 75032

SAFRA PROPERTIES INC  
531 YVONNE DR ROCKWALL  
TX, 75032

ANAYA JUAN C & RAUL  
532 LYNNE DR ROCKWALL  
TX, 75032

MARTINEZ MARIO CRUZ  
534 YVONNE DR ROCKWALL  
TX, 75032

RETANA JUAN &  
YENY RUBIO  
535 CHRIS DR <Null>  
ROCKWALL, TX 75032

STRICKLAND TARA  
536 WAYNE DR <Null>  
ROCKWALL, TX 75032

GONZALEZ LUIS ENRIQUE VALDEZ  
538 LYNNE DR ROCKWALL  
TX, 75032

RODRIGUEZ ROMAN  
540 CHRIS DR <Null>  
ROCKWALL, TX 75032

DELGADO JUAN E & MARIA L  
541 EVANS RD <Null>  
ROCKWALL, TX 75032

DIAZ JOSE LUIS  
541 LYNNE DR ROCKWALL  
TX, 75032

ALVARADO HERALD DAVID CORDOVA  
544 YVONNE DR ROCKWALL  
TX, 75032

ANDREWS TRESIA AND KENNETH  
547 WAYNE DR <Null>  
ROCKWALL, TX 75032

ARRIAGA GREGORIA  
548 WAYNE ST <Null>  
ROCKWALL, TX 75032

THELWELL LINDA  
551 LYNNE DR ROCKWALL  
TX, 75032

GONZALEZ LUIS ENRIQUE VALDEZ  
552 LYNNE DRIVE <Null>  
ROCKWALL, TX 75032

RAMIREZ ZACARIAS  
703 T L TOWNSEND DR <Null>  
ROCKWALL, TX 75087

RAMIREZ MAXIMINO SIERRA  
774 EUGENE RD <Null>  
MEMPHIS, TN 38116

HUERTA JOSE AND MARIA  
848 SMITH ACRES DR <Null>  
ROYSE CITY, TX 75189

RANGEL LUIS GERARDO AND  
MARIA DEL ROCIO ZARATE  
907 WILLOW RIDGE <Null>  
ROCKWALL, TX 75032

HERRERA JUAN E  
926 BLACKLAND RD <Null>  
ROYSE CITY, TX 75189

SAFRA PROPERTIES INC  
PO BOX 69 <Null>  
ROCKWALL, TX 75087

# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2022-007: SUP for a Residential Infill at 514 Yvonne Drive**

*Hold a public hearing to discuss and consider a request by Juan Aguilar on behalf of Jose A. Contreras of Black Toro Custom Homes, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.1650-acre parcel of land identified as Lot 1096 of the Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 514 Yvonne 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, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2022-007: SUP for a Residential Infill at 514 Yvonne Drive**

Please place a check mark on the appropriate line below:

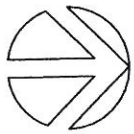
- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

Name:

Address:

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

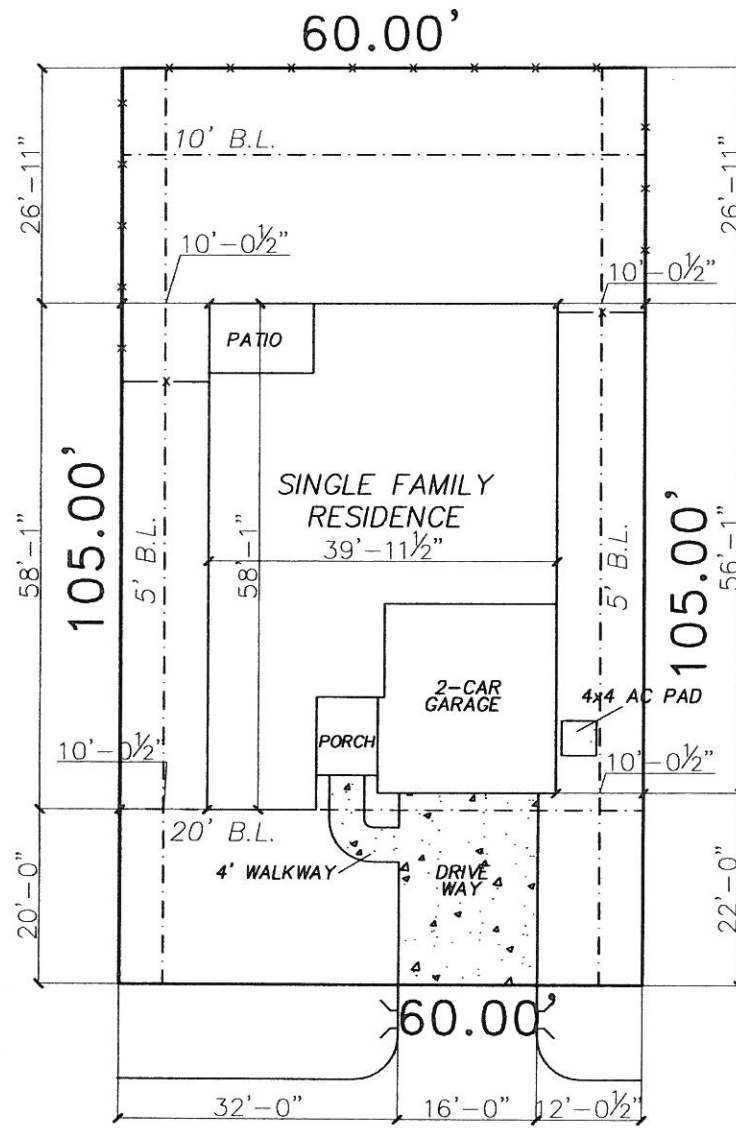
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



NORTH  
SCALE: 1' = 20'-0"

AREA CALCULATIONS	
LOT AREA	6300 SF
SLAB COVERAGE	2252 SF
% BUILDING COVERAGE	35.7 % COVERAGE
TOTAL IMP. COVERAGE	2670 SF
% TOTAL IMP. COVERAGE	42.4 % COVERAGE
DRIVEWAY COVERAGE	351 SF
% DRIVEWAY COVERAGE	5.6 % COVERAGE
WALKWAY COVERAGE	51 SF
% WALKWAY COVERAGE	0.8 % COVERAGE
4'X4' A.C. PAD COVERAGE	16 SF
% 4'X4' A.C. PAD COVERAGE	0.25 % COVERAGE
FLAT WORK	0 SF
SOD GRASS	455 SQ YARD
SIDEWALK COVERAGE	0 SF
APPROACH COVERAGE	183 SF
LOT FRONTAGE	64.7 SF
FENCE	143 LINEAR SF

\*THE PERCENT CALCULATION IS A REFERENCE TO THE COVERAGE AS A PERCENT ESTIMATION OF THE SQ. FT. COVERAGE OF ANY GIVEN STRUCTURE FROM THE TOTAL SQ. FOOT OF THE LOT AREA.



YVONNE DRIVE

CUSTOMER SIGNATURE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
NOTES:

LEGEND	
	- DRAINAGE FLOW
	- PROPOSED FENCE
	- EXISTING FENCE
	- CURLEX
	- RETAINING WALL
	- REQUIRED TREE PLANTING
	- REQUIRED BUSH

B.L. - BUILDING LINE	
D.E. - DRAINAGE EASEMENT	
P.A.E. - PEDESTRIAN ACCESS EASEMENT	
S.S.E. - SANITARY SEWER EASEMENT	
T.E. - TRANSFORMER EASEMENT	
U.E. - UTILITY EASEMENT	
W.M.E. - WALL MAINT. EASEMENT	
M.E. - MAINTENANCE EASEMENT	
V.E. - VISIBILITY EASEMENT	
	- EXPOSED AGGREGATE CONCRETE

BUILDER: H ENTERPRISE	DATE: 10/07/2020	<b>DDS GROUP</b>
ADDITION: ROCKWALL	DRAWN BY: DDSG-AA	
ADDRESS: 514 YVONNE DR.	CITY: ROCKWALL	<b>PLOT PLAN SP1</b>
LOT: 1096 BLOCK: N/A	PLAN: N/A ELEVATION: N/A	
PHASE: N/A	SWING: RIGHT	
OPTION: N/A	NOTE: ARCHITECTURAL PLANS TAKES PRECEDENCE OVER ALL DRAWINGS, ALL FINAL DECISIONS REFER TO PLANS PROVIDE 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 PLAT. BUILDER TO CONFIRM THAT THIS LAYOUT HAS NO CONFLICTS WITH THE INLETS OF UTILITY SERVICES. FINAL SURVEY WILL SHOW PLACEMENT OF HOUSE AND ALL FLATWORK, SUCH AS SIDEWALKS AS PRESCRIBED BY THE BUILDER. FLATWORK IS ONLY A REPRESENTATION.	

**CALL BEFORE YOU DIG**

TEXAS ONE CALL SYSTEM (800-245-4545) MUST BE CONTACTED PRIOR TO ANY EXCAVATION OPERATION BEING PERFORMED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE TEXAS ONE CALL SYSTEM.

**CAUTION - CONTRACTOR'S NOTE**

THE CONTRACTOR SHALL LOCATE THE VERTICAL AND HORIZONTAL LOCATIONS OF ALL EXISTING UTILITIES IN THE AREA OF CONSTRUCTION. THE LOCATION OF EXISTING UTILITIES ARE SHOWN BASED ON BEST AVAILABLE INFORMATION AND SHALL NOT BE TAKEN AS EXACT OF COMPLETE. THE CONTRACTOR SHALL NOTIFY THE APPLICABLE UTILITY COMPANY AT LEAST 48 HOURS PRIOR TO BEGINNING EXCAVATION NEAR THE FACILITY.



10/30/2020  
JSB Engineer  
F-20338

**LEGEND**

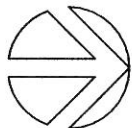
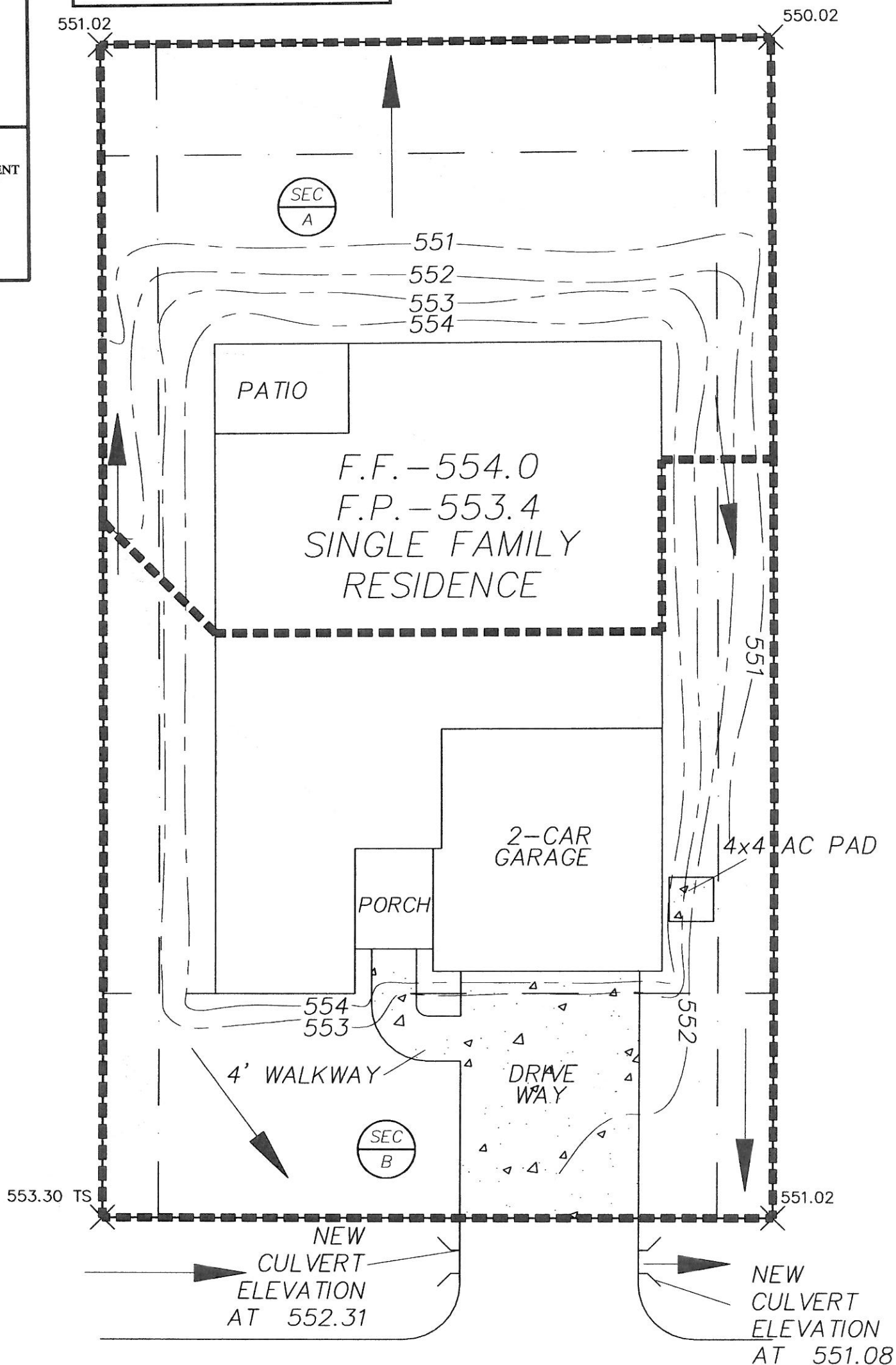
- - PROPOSED DRAINAGE
- - PROPOSED FENCE
- - EXISTING FENCE
- ▨ - CURLEX
- - RETAINING WALL
- - - - - EXISTING GRADING
- 625- - PROPOSED GRADING

- L.E. - LANDSCAPE EASEMENT
- D.E. - DRAINAGE EASEMENT
- P.A.E. - PEDESTRIAN ACCESS EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- T.E. - TRANSFORMER EASEMENT
- U.E. - UTILITY EASEMENT
- W.M.E. - WALL MAINT. EASEMENT
- M.E. - MAINTENANCE EASEMENT
- B.E. - BUFFERING EASEMENT

**SPOT ELEVATION KEY:**

- 102,000.0 X = SPOT ELEVATION
- TP - TOP OF SWALE
- TW - TOP OF WALL
- BW - BOTTOM OF WALL

CULVERT PIPE CALCS				
SECTION	HARD SURFACE	RAINFALL INTENSITY	CONTRIBUTING AREA	CFS
A	0.500	9.800	0.068	0.333200
B	0.500	9.800	0.076	0.372400



NORTH

SCALE: 1" = 10'-0"

YVONNE DRIVE

ADDRESS: 514 YVONNE DR.

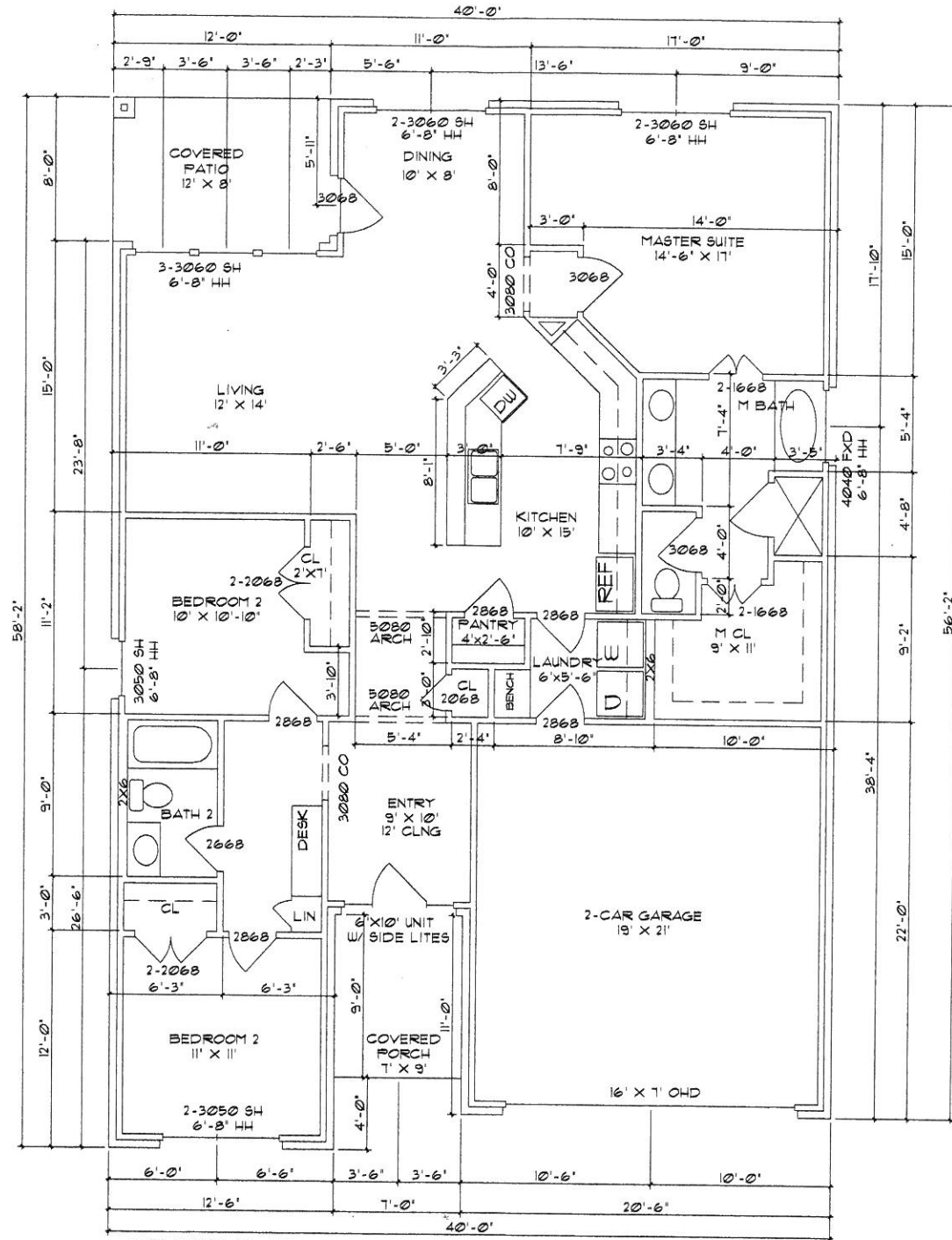
ROCKWALL, TX.

DRAWN BY: DDSG

DATE: 12-17-2020

**DDS GROUP**

GRADING PLAN



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

2030 SH  
AT DORMER

AREAS	
FIRST FLOOR LIVING	1663#
2-CAR GARAGE	436#
COVERED PORCH	63#
COVERED PATIO	96#
TOTAL AREA	2258#



DDS GROUP 214-966-0550  
123 W. MAIN STREET SUITE #121  
GRAND PRAIRIE TX. 75050  
WWW.DDSGLUS 469-999-0800

DESIGNER:  
DDS GROUP

PROJECT #:

514 YVONNE DR.  
ROCKWALL, TX.

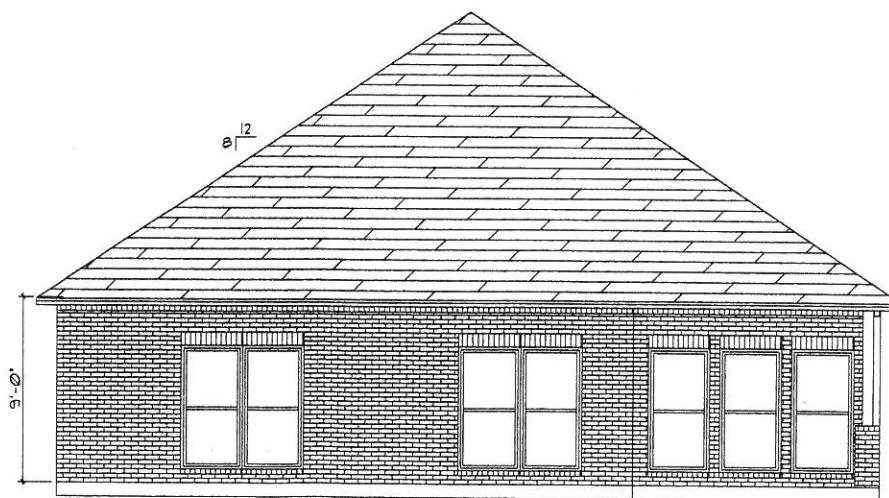
ELEVATION:  
A

SHEET NUMBER:  
A2





③ FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



② REAR ELEVATION  
SCALE: 1/4" = 1'-0"



DDS GROUP 214-966-0550  
123 W. MAIN STREET SUITE #121  
GRAND PRAIRIE TX. 75050  
WWW.DDSG.US 469-999-0800

DESIGNER:  
DDS GROUP

PROJECT #:

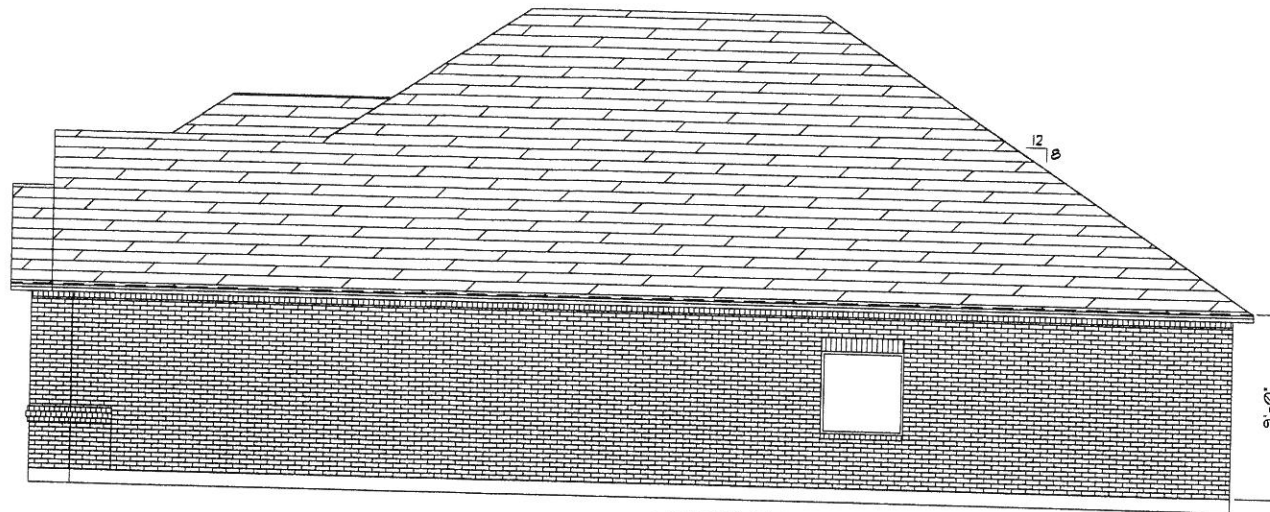
514 YVONNE DR.  
ROCKWALL, TX.

ELEVATION:

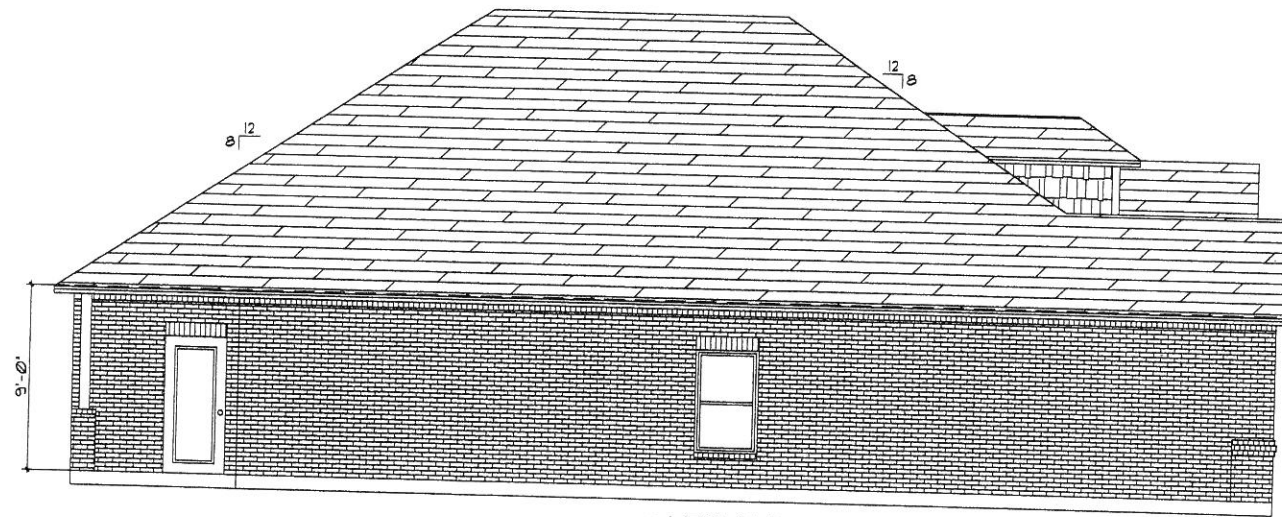
A

SHEET NUMBER:

A3



① RIGHT ELEVATION  
SCALE: 1/4"=1'-0"



③ LEFT ELEVATION  
SCALE: 1/4"=1'-0"



DDS GROUP 214-966-0550  
123 W. MAIN STREET SUITE #121  
GRAND PRAIRIE TX. 75050  
WWW.DDSGROUP.US 469-999-0800

DESIGNER:  
DDS GROUP

PROJECT #:

514 YVONNE DR.  
ROCKWALL, TX.

ELEVATION:

A

SHEET NUMBER:

A4



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-007

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
500 Yvonne Drive	Modular Home	1993	1,944	N/A	Siding
482 Yvonne Drive	Modular Home	1982	784	N/A	Siding
470 Yvonne Drive	Modular Home	1982	924	N/A	Siding
471 Yvonne Drive	Modular Home	1980	1,344	192	Siding
485 Yvonne Drive	Modular Home	1989	980	544	Siding
491 Yvonne Drive	Modular Home	1998	924	352	Siding
509 Yvonne Drive	Modular Home	1983	840	64	Siding
521 Yvonne Drive	Modular Home	1983	840	N/A	Siding
531 Yvonne Drive	Modular Home	1997	1,216	N/A	Siding
541 Yvonne Drive	Modular Home	2003	1,216	168	Siding
544 Yvonne Drive	Modular Home	1970	840	240	Siding
534 Yvonne Drive	Single-Family Home	2020	1,917	N/A	Brick
524 Yvonne Drive	Modular Home	1979	1,064	N/A	Siding
AVERAGES:		1989	1,141	260	



# CITY OF ROCKWALL

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**PLANNING AND ZONING DEPARTMENT**

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500 YVONNE STREET



482 YVONNE DRIVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-007

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



470 YVONNE DRIVE



471 YVONNE DRIVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-007

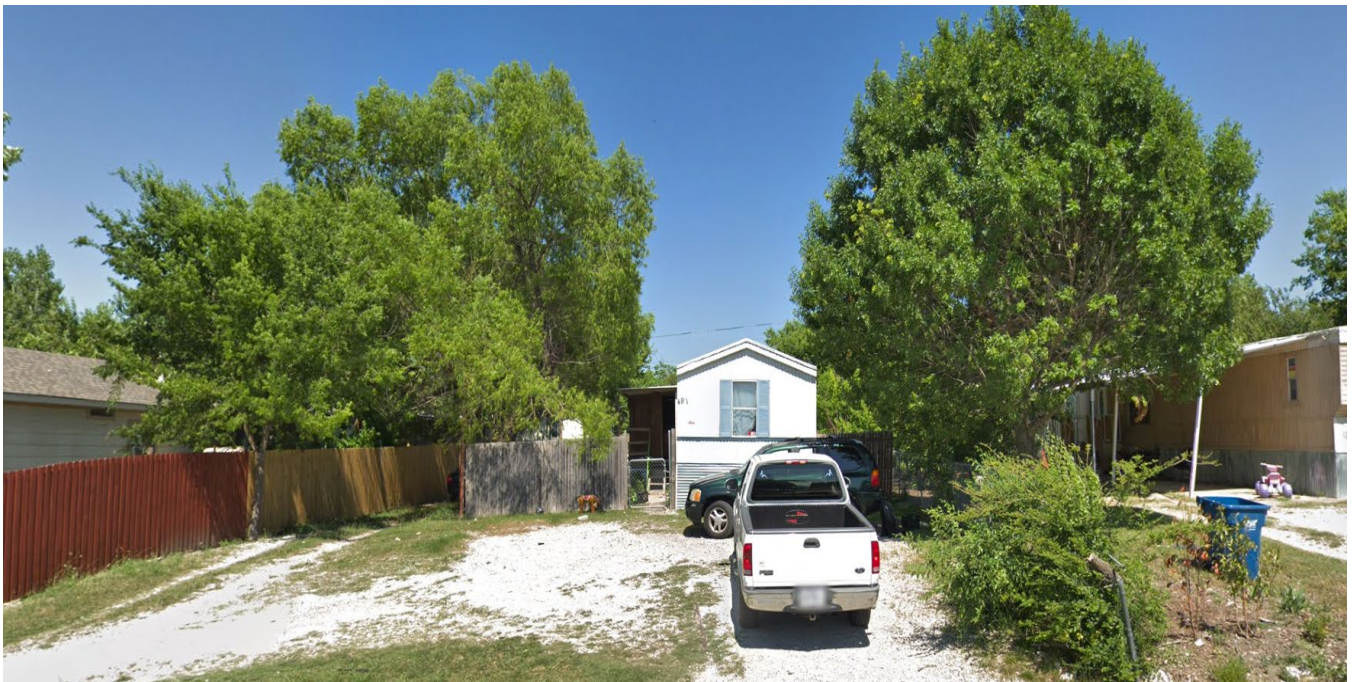
## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



485 YVONNE DRIVE



491 YVONNE DRIVE



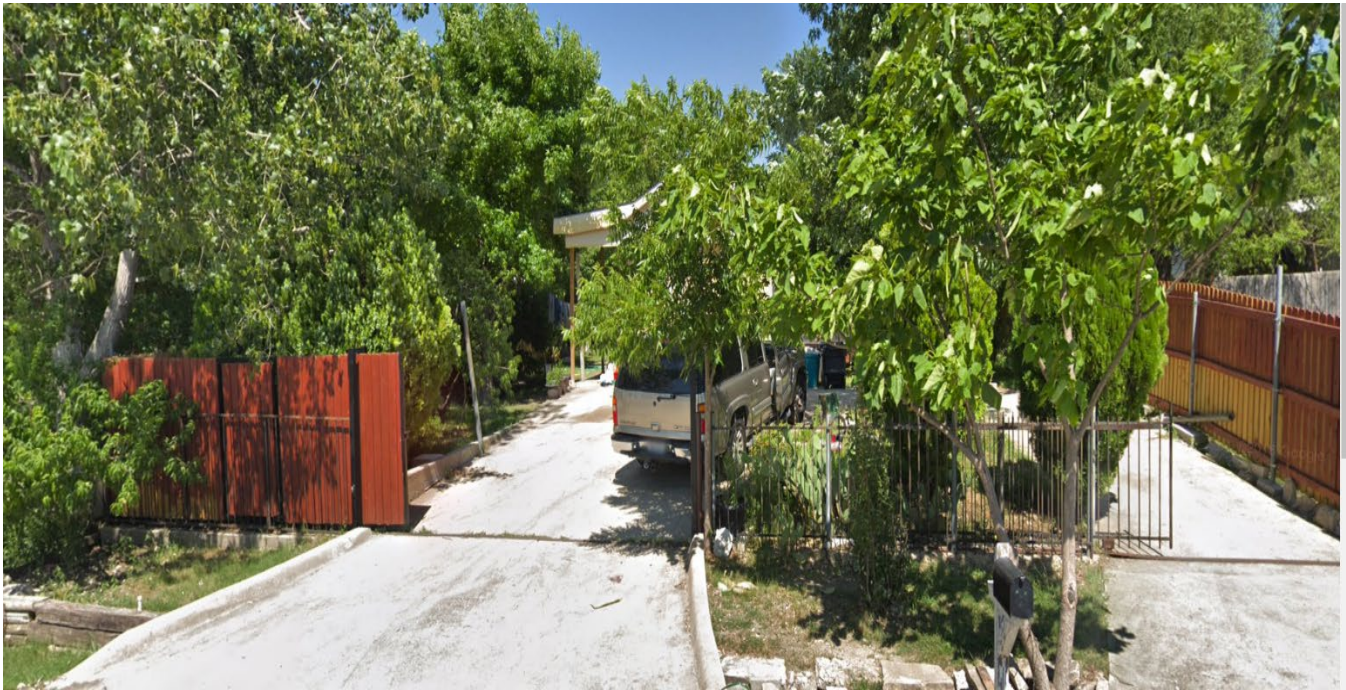
# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-007

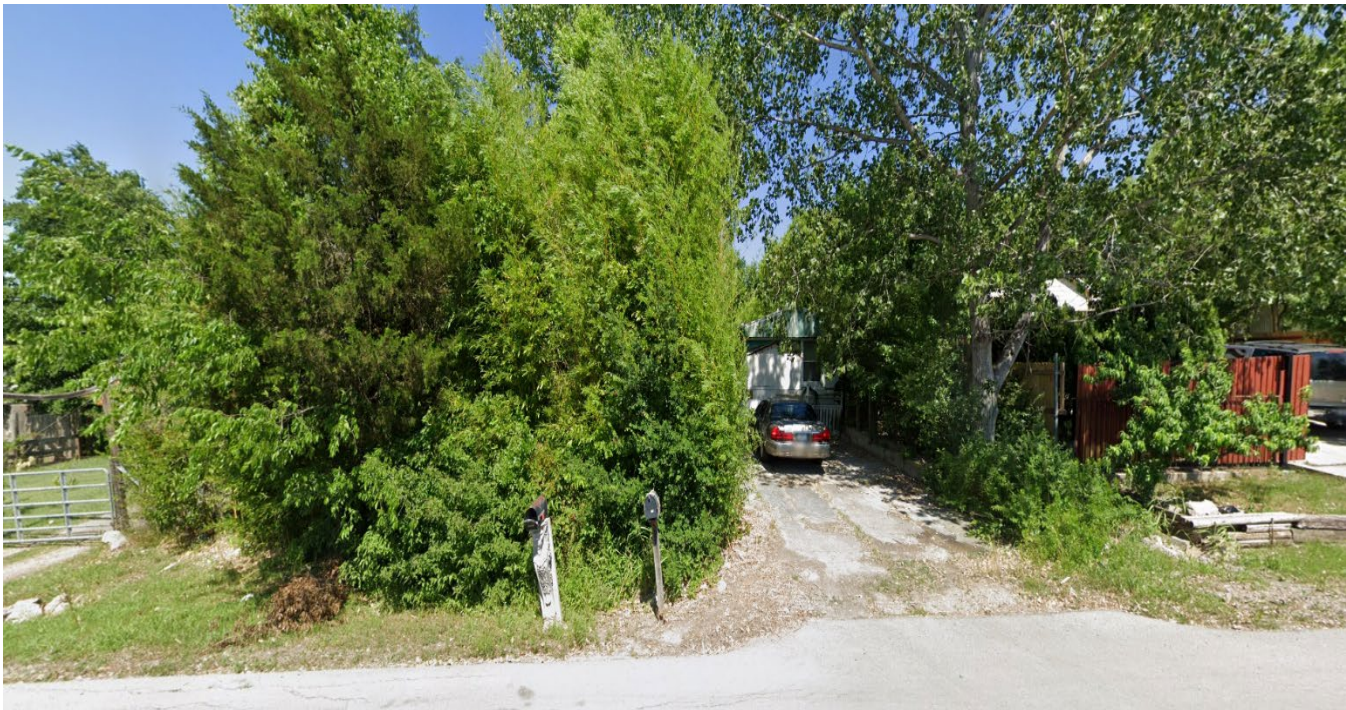
**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



509 YVONNE DRIVE



521 YVONNE DRIVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-007

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



531 YVONNE DRIVE



541 YVONNE DRIVE





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-007

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



544 YVONNE DRIVE



534 YVONNE DRIVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-007

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



524 YVONNE DRIVE

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [*ORDINANCE NO. 16-01*], 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 0.1650-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1096, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Juan Aguilar on behalf of Jose A. Contreras of Black Toro Custom Homes, LLC 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 0.1650-acre parcel of land being described as Lot 1096, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 514 Yvonne Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] 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*] and Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] 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 03.07, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and to the requirements set forth in Planned Development District 75 (PD-75) [Ordinance No. 16-01] -- as heretofore amended and may be amended in the future - and with the following conditions:

### 2.1 OPERATIONAL CONDITIONS

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

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

### 2.2 COMPLIANCE

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

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

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

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

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

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the

ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 4<sup>th</sup> DAY OF APRIL, 2022.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

**Exhibit 'A'**  
*Location Map and Survey*

Address: 514 Yvonne Drive

Legal Description: Lot 1096, Rockwall Lake Estates #2 Addition

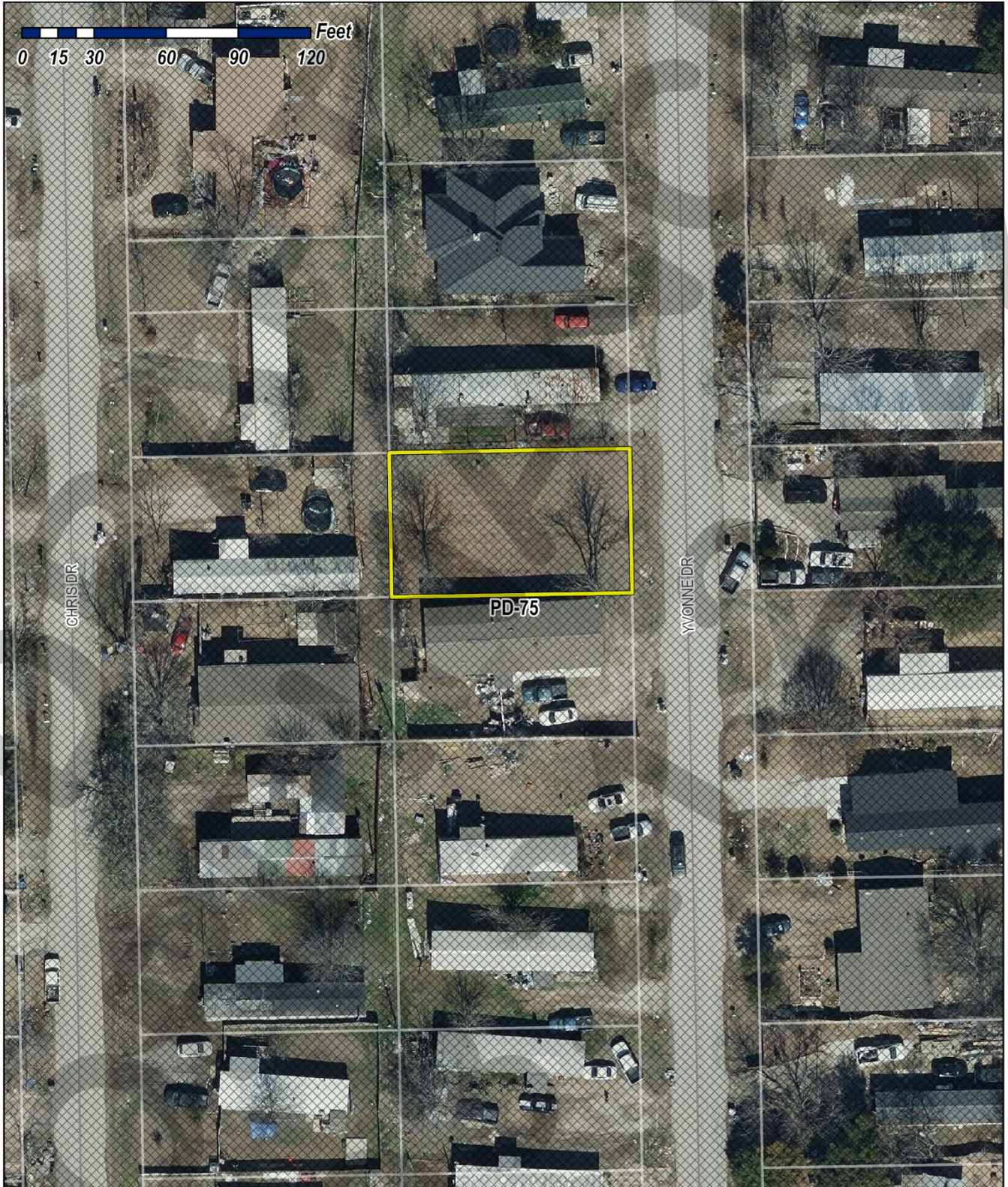
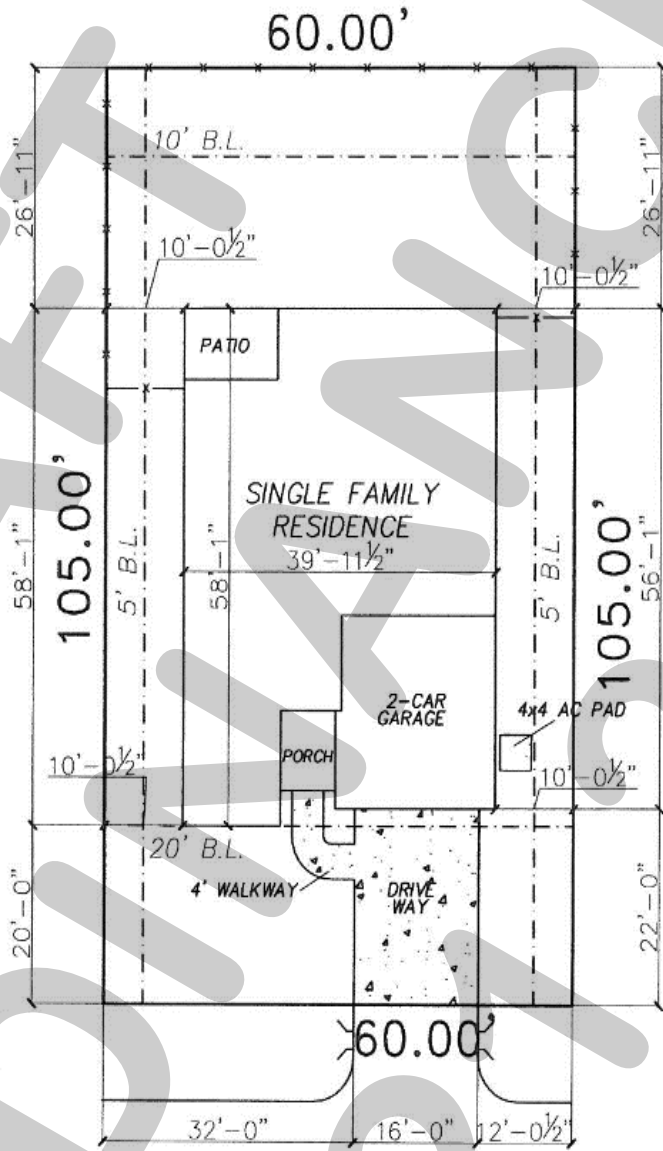
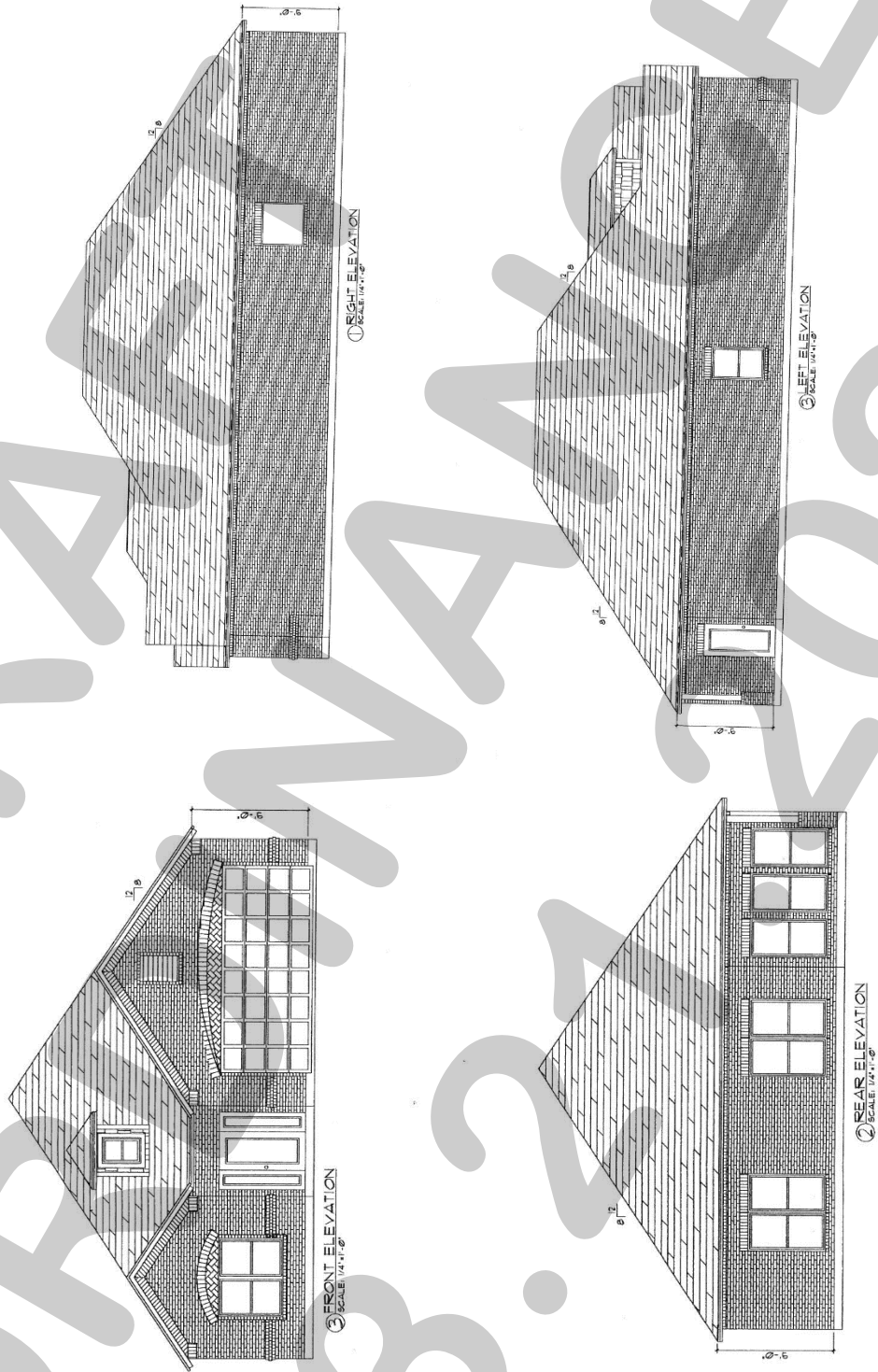


Exhibit 'B':  
Residential Plot Plan



YVONNE DRIVE

Exhibit 'C':  
Building Elevations







## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** Z2022-008; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL WITHIN AN ESTABLISHED SUBDIVISION AT 7106 ODELL AVENUE

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Survey  
Residential Plot Plan  
Floor Plan  
Roof Plan  
Building Elevations  
Housing Analysis  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Valerie Valdez of DDS Group on behalf of Blanca Canales of JCK Custom Homes, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* on a 0.3990-acre parcel of land identified as Lot 7, Block A, Heritage Heights Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 7106 Odell Avenue, and take any action necessary (**1st Reading**).

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Valerie Valdez; *Design and Drafting Services Group*  
**CASE NUMBER:** Z2022-008; *Specific Use Permit (SUP) for a Residential Infill within an Established Subdivision at 7106 Odell Avenue*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Valerie Valdez of DDS Group on behalf of Blanca Canales of JCK Custom Homes, LLC for the approval of a Specific Use Permit (SUP) for *Residential Infill within an Established Subdivision* on a 0.3990-acre parcel of land identified as Lot 7, Block A, Heritage Heights Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 7106 Odell Avenue, and take any action necessary.

### BACKGROUND

The subject property was platted as Lot 7, Block A, Heritage Heights Addition on February 1, 1970. On November 7, 1983 the subject property along with the rest of the Heritage Heights Subdivision was annexed into the City of Rockwall by *Ordinance No. 83-57 [Case No. A1983-002]*. At the time of annexation the Heritage Heights Subdivision was zoned Agricultural (AG) District. On May 7, 1984, the City Council adopted a City initiated zoning case [*Case No. PZ1984-037-01; Ordinance No. 84-23*] changing the zoning of the Heritage Heights Subdivision from Agricultural (AG) District to Single-Family 10 (SF-10) District. Based on aerial imagery, a single-family home was constructed on the subject property in 2005, but was demolished due to a fire that occurred on the property around December of 2009. The subject property remained vacant since this date.

### PURPOSE

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

### ADJACENT LAND USES AND ACCESS

The subject property is located at 7106 Odell Avenue. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are eight (8) parcels of land (*i.e. Lots 8-14 and 31, Block A, Heritage Heights Addition*). These properties are zoned Single-Family 10 (SF-10) District and have single-family homes situated on them. Beyond this is Hunt Lane, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is one (1) parcel of land with a single-family home situated on it (*i.e. Lot 6 Block A, Heritage Heights Addition*). This property is zoned Single-Family 10 (SF-10) District. Beyond this is McKinzie Place which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond McKinzie Place is one (1) parcel of land with a single-family home situated on it (*i.e. Lot 3, Block A, Heritage Heights Addition*). Beyond this is Dalton Road which is classified as a M4U (*i.e. major collector, four (4) lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is one (1) parcel of land (i.e. Lot 6, Block A, Heritage Heights Addition) zoned Single-Family 10 (SF-10) District. Beyond this is Holden Drive which is classified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City’s Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Odell Avenue, which is classified a R2 (i.e. residential, two [2] lane, undivided roadway) on the City’s Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond that is two (2) parcels of land with single-family homes situated on them (i.e. Lots 7 and 11, Block B, Heritage Heights Addition). Beyond this Hunt Lane, which is classified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City’s Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B) (11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” In this case, the subject property is located within the Heritage Heights Addition, which was established on February 1, 1970 and consists of 78 single-family residential lots. The subject property is one (1) of two (2) vacant parcels of land in the Heritage Heights Subdivision. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being within an established subdivision and being zoned Single-Family 10 (SF-10) District, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Odell Ave & Hunt Lane	Proposed Housing
Building Height	One (1) and Two (2) Story	Two (2) Story
Building Orientation	All of the homes are oriented toward the street they are built along.	The front elevation of the home will face Odell Avenue
Year Built	1977 - 2005	N/A
Building SF on Property	44 SF – 3,281 SF	3026 SF
Building Architecture	Single-Family Homes	Comparable Architecture to the Surrounding Single-Family Homes
Building Setbacks:		
Front	Estimated Between 30-Feet and 40-Feet	40-Feet
Side	Estimated between zero (0) and greater than ten (10) feet.	Greater than Ten (10) Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	Greater Than Ten (10) Feet
Building Materials	Brick and Siding	Stucco, Stone, and Siding
Paint and Color	White, Tan, Grey, Brown, and Red	White
Roofs	Composite and Asphalt Shingles	Composite and Asphalt Shingles
Driveways/Garages	Driveways all front the same street the single-family home faces, and are oriented in a side entry or a j-swing (traditional swing) configuration	Attached garage situated behind the primary structure in a side entry configuration.

The proposed single-family home meets all of the density and dimensional requirements for a property situated within a Single-Family 10 (SF-10) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the subject property, staff has provided photos of the properties along Odell Avenue, Hunt Street, and the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## **NOTIFICATIONS**

On February 23, 2022, staff mailed 46 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Harland Park, Rockwall Shores, and The Shores at Lake Ray Hubbard Homeowner's Associations (HOA), which are the only HOAs within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had received two (2) notices in favor of the applicant's request.

## **CONDITIONS OF APPROVAL**

If City Council chooses to approve of the applicant's request for a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision*, then staff would propose the following conditions of approval:

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

## **PLANNING AND ZONING COMMISSION**

On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 27072-008

**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 & 2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup>: A **\$1,000.00** FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 7106 Odell Avenue

SUBDIVISION Heritage Heights Addition

LOT 7

BLOCK A

GENERAL LOCATION \_\_\_\_\_

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

CURRENT ZONING X

CURRENT USE None

PROPOSED ZONING \_\_\_\_\_

PROPOSED USE \_\_\_\_\_

ACREAGE 17,102 SF

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 JCK Concrete Inc.

APPLICANT Design & Drafting Serv Group

CONTACT PERSON Blanca Canales

CONTACT PERSON Valerie Valdez

ADDRESS P.O. Box 311

ADDRESS 123 W. Main St

CITY, STATE & ZIP Fate TX. 75132

CITY, STATE & ZIP Grand Prairie, TX 75052

PHONE 214 803 9043

PHONE 469 999-0800

E-MAIL blanca@jckcorporate.net

E-MAIL Valerie@ddsgrp.us

## NOTARY VERIFICATION [REQUIRED]

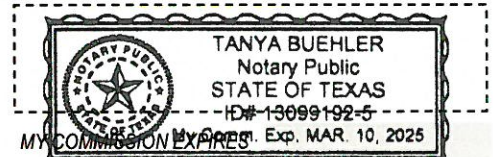
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Blanca Canales [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 17th DAY OF February, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."


GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17th DAY OF February, 2022

OWNER'S SIGNATURE [Signature]

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





Case Location Map =   
 Z2022-008- SUP for Residential Infill  
 at 7106 Odell Avenue



# City of Rockwall

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

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

**118**

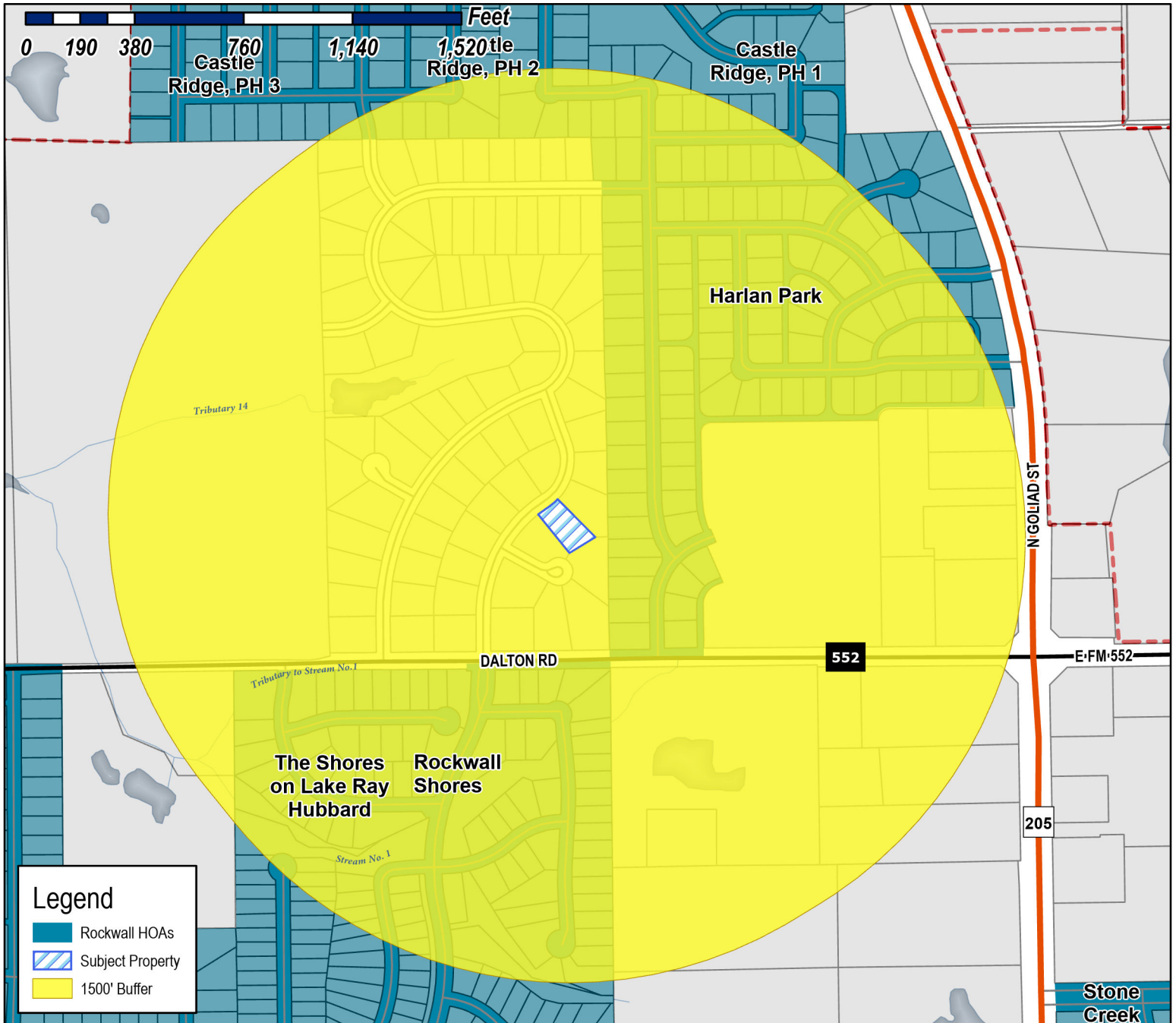




# City of Rockwall

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385 S. Goliad Street  
Rockwall, Texas 75087  
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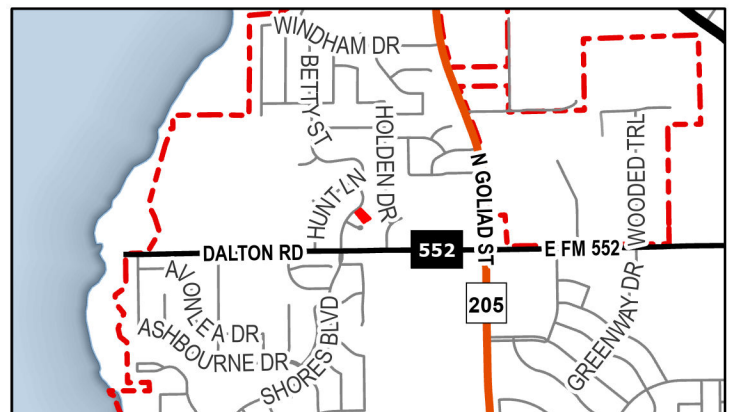
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**Case Number:** Z2022-008  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 10 (SF-10) District  
**Case Address:** 7106 Odell Avenue

**Date Saved:** 2/17/2022  
 For Questions on this Case Call (972) 771-7745

**119**



**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Lee, Henry](#); [Ross, Bethany](#)  
**Subject:** Neighborhood Notification Program [Z2022-008]  
**Date:** Wednesday, February 23, 2022 2:23:55 PM  
**Attachments:** [Public Notice \(02.23.2022\).pdf](#)  
[HOA Map \(02.18.2022\).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 [February 25, 2022](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, March 15, 2022 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, March 21, 2022 at 6:00 PM](#). Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2022-008: SUP for Residential Infill in an Established Subdivision

Hold a public hearing to discuss and consider a request by Valerie Valdez of DDS Group on behalf of Blanca Canales of JCK Custom Homes, LLC for the approval of a [Specific Use Permit \(SUP\)](#) for Residential Infill in an Established Subdivision on a 0.3990-acre parcel of land identified as Lot 7, Block A, Heritage Heights Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 7106 Odell Avenue, 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/>

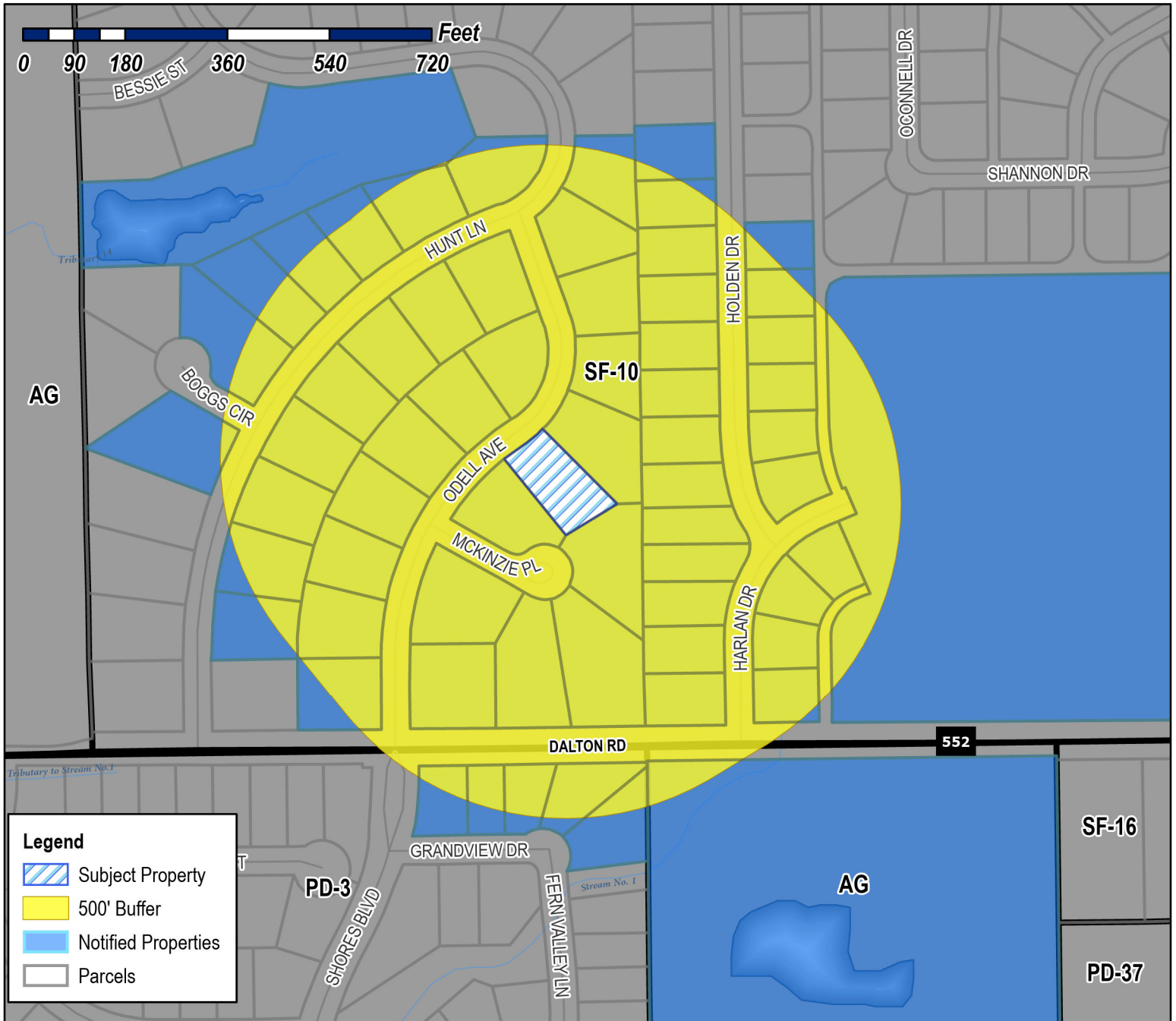




# City of Rockwall

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**Case Number:** Z2022-008  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 10 (SF-10) District  
**Case Address:** 7106 Odell Avenue



**Date Saved:** 2/17/2022  
 For Questions on this Case Call (972) 771-7745

HOLMES NILES W & LINDA F  
122 JAMES DR  
ROCKWALL, TX 75032

YANG BO AND  
YUE HU  
1265 GRANDVIEW DR  
ROCKWALL, TX 75087

ARDEN JOSEPH R AND  
LISA M STEWART ARDEN  
1275 GRANDVIEW DR  
ROCKWALL, TX 75087

GONZALEZ FERNANDO  
1285 GRANDVIEW  
ROCKWALL, TX 75087

ARDEN JOSEPH R AND  
LISA M STEWART ARDEN  
1292 HIGHLAND DR  
ROCKWALL, TX 75087

VENETO HOLDINGS LLC  
1295 GRANDVIEW DR  
ROCKWALL, TX 75087

CAMPOS BENJAMIN & TRACY  
139 WAGON TRAIL  
ROCKWALL, TX 75032

HOLLAND REBECCA E AND PAUL  
2534 CR 3419  
HAWKINS, TX 75765

HODGES BARBARA  
2800 FERN VALLEY LANE  
ROCKWALL, TX 75087

ROCKWALL I S D  
350 DALTON ROAD  
ROCKWALL, TX 75087

CARTER RICHARD W AND JODY  
406 MCKINZIE PL  
ROCKWALL, TX 75087

CAMPOS BENJAMIN & TRACY  
408 MCKINZIE PL  
ROCKWALL, TX 75087

MASON KEITH AND  
ANN MARIE MASON  
410 MCKENZIE PLACE  
ROCKWALL, TX 75087

TELLKAMP JOHN P AND RAQUEL  
505 BOGGS CIR  
ROCKWALL, TX 75087

YANG BO AND  
YUE HU  
707-8633 CAPSTAN WAY  
RICHMOND CANADA, 98029

BULLARD JUSTIN  
JOLIE DAY  
7100 HARLAN DRIVE  
ROCKWALL, TX 75087

7100 ODELL  
ROCKWALL, TX 75087

SCHULZE DAVID J & CYNTHIA K  
7101 HARLAN DR  
ROCKWALL, TX 75087

DOOLEY BRIAN AND MICHELLE  
7101 ODELL AVE  
ROCKWALL, TX 75087

ANDERSON PATRICK STEVEN & ROSEANNE  
7102 HARLAN DR  
ROCKWALL, TX 75087

FRINK JOSEPH B & DIANA G  
7102 HUNT LN  
ROCKWALL, TX 75087

LAWRENCE KIMBERLY DALE LIVING TRUST  
KIMBERLY DALE LAWRENCE TRUSTEE  
7102 ODELL AVENUE  
ROCKWALL, TX 75087

MCKINNEY TERRY L  
7103 ODELL AVE  
ROCKWALL, TX 75087

DOUPHRADE SHARON K  
7103 HARLAN DR  
ROCKWALL, TX 75087

PATLAN MARIO JR AND AMY  
7104 HARLAN DR  
ROCKWALL, TX 75087

KELSO JAMES P & BLYSON R  
7104 HUNT LN  
ROCKWALL, TX 75087

LUNA ERIC AND ANNABELL  
7104 ODELL AVENUE  
ROCKWALL, TX 75087

LOMBARD THOMAS E AND PAULA J  
7105 HARLAN DRIVE  
ROCKWALL, TX 75087

DREXLER PAUL E & TAMRA L  
7105 ODELL AVE  
ROCKWALL, TX 75087

HAMMERS MARIE  
7106 HARLAN DRIVE  
ROCKWALL, TX 75087

MCWHIRTER SATHINA ANJEANNETTE  
7106 HUNT LN  
ROCKWALL, TX 75087

JCK CUSTOM HOMES LLC  
7106 ODELL AVE  
ROCKWALL, TX 75087

SHORES SUSAN RUTH  
7107 HARLAN DRIVE  
ROCKWALL, TX 75087

CEGELSKI ERIC & ASHLEY DICKENS  
7107 ODELL AVENUE  
ROCKWALL, TX 75087

ROMERO JOE JR  
7108 HUNT LN  
ROCKWALL, TX 75087

SCHULTZ FREDERICK JR AND LORI  
7108 ODELL AVE  
ROCKWALL, TX 75087

THOMPSON THOMAS J &  
PAIGE C TILEY  
7109 HOLDEN DR  
ROCKWALL, TX 75087

ROMANS STEPHEN WAYNE & BROOK CONAWAY  
7109 ODELL AVENUE  
ROCKWALL, TX 75087

DEWEES JAMES R & CLOMA J  
7109 HUNT LN  
ROCKWALL, TX 75087

GREENLEY MARY E TRUSTEE  
MARY E GREENLEY REVOC LIVING TRUST  
7110 HOLDEN DR  
ROCKWALL, TX 75087

CRISWELL BARBARA GORE  
7110 HUNT LN  
ROCKWALL, TX 75087

VEAZEY KERMIT L JR AND REBECCA M  
7110 ODELL AVENUE  
ROCKWALL, TX 75087

SMITH DANIEL C AND KASIE I  
7111 HUNT LANE  
ROCKWALL, TX 75087

COURSON MARTHA SUE  
7111 ODELL AVE  
ROCKWALL, TX 75087

CORY CLAYTON M & KATHLEEN A  
7111 HOLDEN DR  
ROCKWALL, TX 75087

EWALD PATRICIA  
7112 HUNT LN  
ROCKWALL, TX 75087

MCKNIGHT BRIAN KEITH AND CHRISTI A  
7112 ODELL AVENUE  
ROCKWALL, TX 75087

HOLMES NILES W & LINDA F  
7112 HOLDEN DR  
ROCKWALL, TX 75087

JONES BRADLEY R  
7113 HOLDEN DR  
ROCKWALL, TX 75087

KOREN FAMILY TRUST  
SHAHAR KOREN AND ORLY KOREN- COTRUSTEES  
7113 HUNT LANE  
ROCKWALL, TX 75087

HILL HAROLD RAYBURN & NANCY J  
7113 ODELL AVE  
ROCKWALL, TX 75087

CIMO CAMILLE AND  
CHARLES CATTO CHASTAIN JR  
7114 HOLDEN DR  
ROCKWALL, TX 75087

COUCH PHILLIP R & PATTI J  
7114 HUNT LN  
ROCKWALL, TX 75087

STEPHENSON RONNIE R & JOHNNA  
7114 ODELL AVE  
ROCKWALL, TX 75087

LLEWELLYN BRIAN & SUE  
7115 HUNT LAND  
ROCKWALL, TX 75087

TAYLOR ROBERT C & LINDA J  
7115 HOLDEN DR  
ROCKWALL, TX 75087

PARISH DANNY JOE & MARI KAY  
7116 HOLDEN DR  
ROCKWALL, TX 75087

KENNEALY JENNIFER L AND DANIEL R  
7116 HUNT LN  
ROCKWALL, TX 75087

WORMSBAKER JOSHUA M AND DAWN M  
7117 HOLDEN DRIVE  
ROCKWALL, TX 75087

COOK JOHN M  
7117 HUNT LN  
ROCKWALL, TX 75087

VAUGHN FLOSSIE L &  
CAROLYN WILLIS COX  
7118 HOLDEN DR  
ROCKWALL, TX 75087

BIGHAM BRIAN GARRETT & COURTNEY ANN  
7118 HUNT LN  
ROCKWALL, TX 75087

ROBERTSON RYAN L & MARCI L  
7119 HOLDEN DR  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
7119 HUNT LN  
ROCKWALL, TX 75087

BLYTHE PAUL M  
7120 HOLDEN DR  
ROCKWALL, TX 75087

HOLLAND REBECCA E AND PAUL  
7121 HOLDEN DR  
ROCKWALL, TX 75087

WALL CHRISTOPHER D AND ROBIN A  
7123 HOLDEN DR  
ROCKWALL, TX 75087

CORY CLAYTON M & KATHLEEN A  
7125 HOLDEN DR  
ROCKWALL, TX 75087

CORY CLAYTON M & KATHLEEN A  
7125 HOLDEN DR  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
7131HUNT LN  
ROCKWALL, TX 75087

PETERSEN SANDRA E  
803 DALTON RD  
ROCKWALL, TX 75087

VENETO HOLDINGS LLC  
P. O. BOX 2379  
CHANDLER, AZ 85244

TAYLOR ROBERT C & LINDA J  
PO BOX 236  
ROCKWALL, TX 75087

DOUPHRADE SHARON K  
PO BOX 2561  
ROCKWALL, TX 75087

JCK CUSTOM HOMES LLC  
PO BOX 311  
FATE, TX 75132

DEWEES JAMES R & CLOMA J  
PO BOX 609  
ROCKWALL, TX 75087

# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2022-008: SUP for a Residential Infill at 7106 Odell Avenue**

*Hold a public hearing to discuss and consider a request by Valerie Valdez of DDS Group on behalf of Blanca Canales of JCK Custom Homes, LLC for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.3990-acre parcel of land identified as Lot 7, Block A, Heritage Heights Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 7106 Odell Avenue, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2022-008: SUP for a Residential Infill at 7106 Odell Avenue**

Please place a check mark on the appropriate line below:

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

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

Name: [Grey box]  
Address: [Grey box]

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

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

Case No. Z2022-008: SUP for a Residential Infill at 7106 Odell Avenue

Please place a check mark on the appropriate line below:

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

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

*Move Forward with completing subdivision  
& five remediation.*

Name:

*John Tellkamp*

Address:

*505 Boggs Cir*

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

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Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

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

**Case No. Z2022-008: SUP for a Residential Infill at 7106 Odell Avenue**

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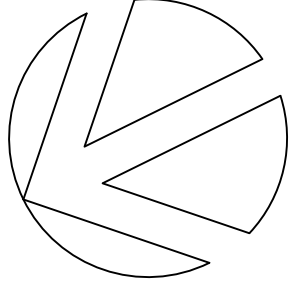
*It is reasonable to build a home on your property.*

Name: *Tracy Campos*

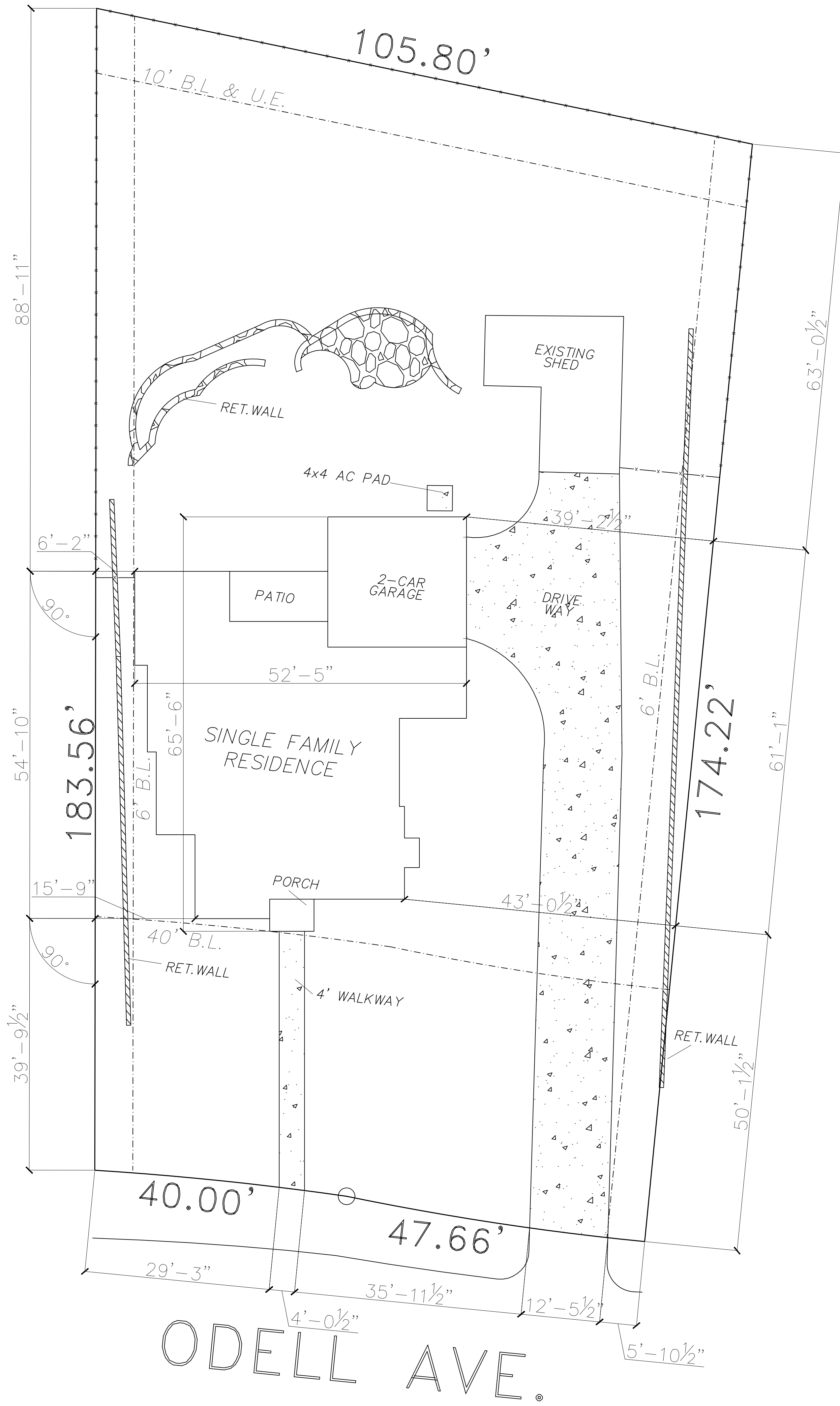
Address: *408 Rackentic Place, Rockwall*

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



**NORTH**  
SCALE: 1' = 10'-0"



LOT SF: 17102 SF  
TOTAL EXISTING IMPERVIOUS COVERAGE: 2,165 SF  
TOTAL EXISTING IMPERVIOUS COVERAGE %: 12.6%

LOT SF: 17102 SF  
PROPOSED SINGLE FAMILY DWELLING SF: 2,526 SF  
TOTAL PROPOSED BUILDING COVERAGE %: 14.7%  
TOTAL PROPOSED IMPERVIOUS COVERAGE: 4,854 SF  
TOTAL PROPOSED IMPERVIOUS COVERAGE %: 28.3%

CASE NUMBER ZZ2022-008

CUSTOMER SIGNATURE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
NOTES:

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

BUILDER: HOME C & C	DATE: 01-12-2021	<b>DDS GROUP</b>
ADDITION: ROCKWALL	DRAWN BY: DDSG-AA	
ADDRESS: 7106 ODELL AVE.	CITY: ROCKWALL	<b>PLOT PLAN   SP1</b>
LOT: 7                      BLOCK: A	PLAN: N/A              ELEVATION: N/A	
PHASE: N/A	SWING: RIGHT	
OPTION: N/A	NOTE: ARCHITECTURAL PLANS TAKES PRECEDENCE OVER ALL DRAWINGS, ALL FINAL DECISIONS REFER TO PLANS PROVIDED BY DDSG 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 PLAT. BUILDER TO CONFIRM THAT THIS LAYOUT HAS NO CONFLICTS WITH THE INLETS OF UTILITY SERVICES. FINAL SURVEY WILL SHOW PLACEMENT OF HOUSE AND ALL FLATWORK, SUCH AS SIDEWALKS AS PRESCRIBED BY THE BUILDER, FLATWORK IS ONLY A REPRESENTATION.	



**GENERAL NOTES:**

1. ALL CONSTRUCTION SHALL BE DONE IN STRICT CONFORMANCE OF THESE PLANS AND ALL APPLICABLE MUNICIPAL CODES AND STANDARDS.
2. ALL SITE PAVING TO BE DONE IN ACCORDANCE WITH THE APPROVED PAVING PLAN BY THE CITY FOR THE PROJECT.
3. ALL SITE GRADING AND SUBGRADE PREPARATION SHALL BE DONE IN ACCORDANCE TO THE RECOMMENDATIONS AS OUTLINED IN THE SOILS REPORT FOR THE SITE.
4. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL MAKE CERTAIN THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF PERMITTING. AT THE REQUEST OF THE CLIENT, GRADING PLAN WAS ASKED TO BE PREPARED BASED ON PUBLIC TOPOGRAPHIC INFORMATION OBTAINED FROM NCTCOG MAP. OKM ENGINEERING, INC. CANNOT BE HELD LIABLE FOR ANY INCONSISTANCIES ASSOCIATED WITH THE USAGE OF SUCH TOPOGRAPHIC MAP. CONTRACTOR SHALL ENGAGE THE SERVICES OF A REGISTERED PROFESSIONAL SURVEYOR TO VERIFY ALL SPOT ELEVATIONS REFLECTED ON THIS DRAWING, INCLUDING THE TOP OF CURB, TOP OF ASPHALT OR PAVEMENT AND EXISTING GRADES. DESIGN ENGINEER SHALL BE CONTACTED IF THERE IS ANY INFORMATION OBTAINED FROM THE ABOVE MENTIONED SURVEY THAT IN THE OPINION OF THE CONTRACTOR WOULD AFFECT THE RECOMMENDED DESIGN ON THIS PLAN FOR CLARIFICATION, PRIOR TO THE BEGINNING OF ANY CONSTRUCTION.
5. THE CONTRACTOR SHALL MEET OSHA STANDARDS FOR TRENCH SAFETY.
6. THE CONTRACTOR SHALL VERIFY THE SUITABILITY OF ALL EXISTING AND PROPOSED CONDITIONS INCLUDING GRADES AND DIMENSIONS BEFORE COMMENCEMENT OF ANY CONSTRUCTION. IN THE EVENT OF ANY CONFLICT, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY. MINOR ADJUSTMENTS OF FINISHED GRADES TO ACCOMPLISH SPOT DRAINAGE ARE ACCEPTABLE IF NECESSARY, UPON PRIOR APPROVAL OF THE ENGINEER.
7. PRIOR TO PLACING FILL, THE SUBGRADE SHALL BE SCARIFIED TO A DEPTH OF SIX INCHES AND RECOMPACTED TO A MINIMUM OF 95% STANDARD PROCTOR AT OR SLIGHTLY ABOVE THE MOISTURE CONTENT AS DETERMINED BY ASTM D-698. FILL MATERIAL SHALL BE PLACED IN SIX TO NINE INCH LIFTS AND COMPACTED IN A SIMILAR MANNER.
8. COLLECT ROOF STORMWATER AND DISCHARGE WITH ROOF PERIMETER DRAIN AND DOWN SPROUT THROUGH THE EAST SIDE OF THE BLDG.
9. MAXIMUM EARTH GRADE = 25%. MINIMUM EARTH GRADE = 1%.
10. NO TREE SHALL BE PLANTED WITHIN 20 FEET OF THE BUILDING FOUNDATION.
11. SERVICES OF STRUCTURAL ENGINEER MUST BE ENGAGED FOR DESIGN OF RETAINING WALL WITH OVER FOUR FEET IN HEIGHT, BASED ON ALL HEIGHT AS MEASURED FROM BOTTOM OF WALL (B.W.) TO TOP OF WALL (T.W.).

**EXISTING UTILITY NOTES:**

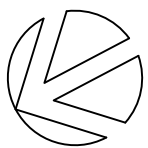
1. THE LOCATION OF ALL UNDERGROUND FACILITIES AS INDICATED ON THE PLANS ARE TAKEN FROM PUBLIC RECORDS. OKM ENGINEERING, INC. (OKM) ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SUCH RECORDS AND DOES NOT GUARANTEE THAT ALL UNDERGROUND UTILITIES ARE SHOWN OR ARE LOCATED PRECISELY AS INDICATED.
2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND FACILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL FACILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT.
3. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND FACILITIES FOUND.
4. NOTIFY IF ANY UNDERGROUND UTILITIES ARE NOT IN THE LOCATIONS INDICATED ON THESE PLANS (HORIZONTALLY AND VERTICALLY) OR CONFLICT WITH ANY PROPOSED IMPROVEMENTS ASSOCIATED WITH THESE PLANS.
5. ANY EXISTING UTILITY APPURTENANCES (MH, VALVES, METER BOXES, ETC.) TO BE ADJUSTED TO MATCH THE PROPOSED FINISHED GRADES AS INDICATED ON THESE PLANS. NOTIFY IF THERE IS A PROBLEM MAKING SAID ADJUSTMENTS.

**SPOT ELEVATION KEY:**

- 102.000.0 - SPOT ELEVATION
- TP - TOP OF SWALE
- TW - TOP OF WALL
- BW - BOTTOM OF WALL



*J.S.B. Engineer  
E-20338*



NORTH

SCALE: 1" = 20'-0"

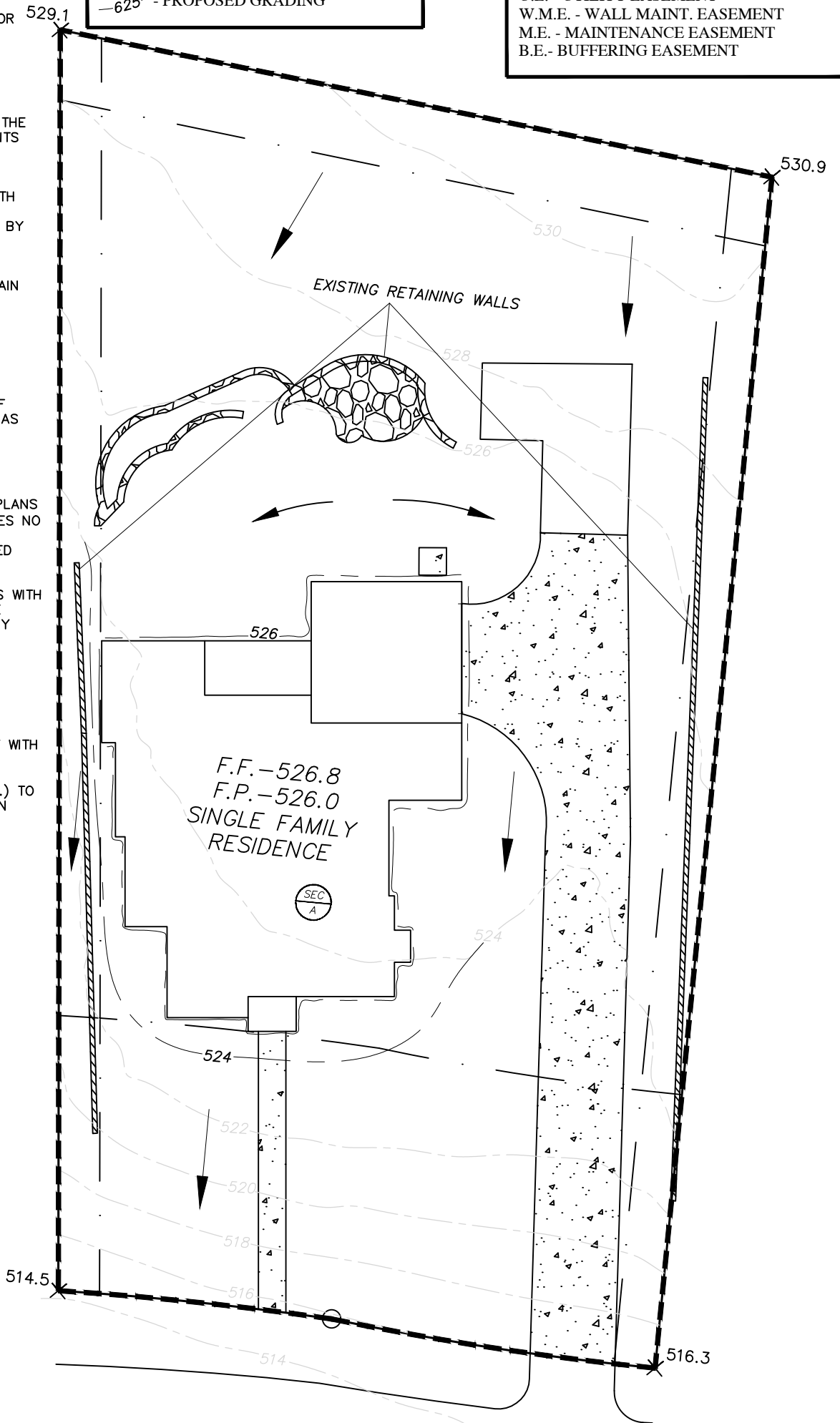
**CALL BEFORE YOU DIG**  
TEXAS ONE CALL SYSTEM (800-245-4545) MUST BE CONTACTED PRIOR TO ANY EXCAVATION OPERATION BEING PERFORMED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE TEXAS ONE CALL SYSTEM.

**LEGEND**

- - PROPOSED DRAINAGE
- - PROPOSED FENCE
- - EXISTING FENCE
- ▨ - CURLEX
- - RETAINING WALL
- 625 - EXISTING GRADING
- 625 - PROPOSED GRADING

**CAUTION - CONTRACTOR'S NOTE**  
THE CONTRACTOR SHALL LOCATE THE VERTICAL AND HORIZONTAL LOCATIONS OF ALL EXISTING UTILITIES IN THE AREA OF CONSTRUCTION. THE LOCATION OF EXISTING UTILITIES ARE SHOWN BASED ON BEST AVAILABLE INFORMATION AND SHALL NOT BE TAKEN AS EXACT OF COMPLETE. THE CONTRACTOR SHALL NOTIFY THE APPLICABLE UTILITY COMPANY AT LEAST 48 HOURS PRIOR TO BEGINNING EXCAVATION NEAR THE FACILITY.

- L.E. - LANDSCAPE EASEMENT
- D.E. - DRAINAGE EASEMENT
- P.A.E. - PEDESTRIAN ACCESS EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- T.E. - TRANSFORMER EASEMENT
- U.E. - UTILITY EASEMENT
- W.M.E. - WALL MAINT. EASEMENT
- M.E. - MAINTENANCE EASEMENT
- B.E. - BUFFERING EASEMENT



**ODELL AVE**  
GRADING TYPE "A"

CASE NUMBER ZZ2022-008

**STORM WATER CALCS**

SECTION	HARD SURFACE	RAINFALL INTENSITY	CONTRIBUTING AREA	CFS
A	0.500	9.800	0.392	1.920800

ADDRESS: 7106 ODELL AVE.

ROCKWALL, TX.

DRAWN BY: DDSG

DATE: 01-13-2022



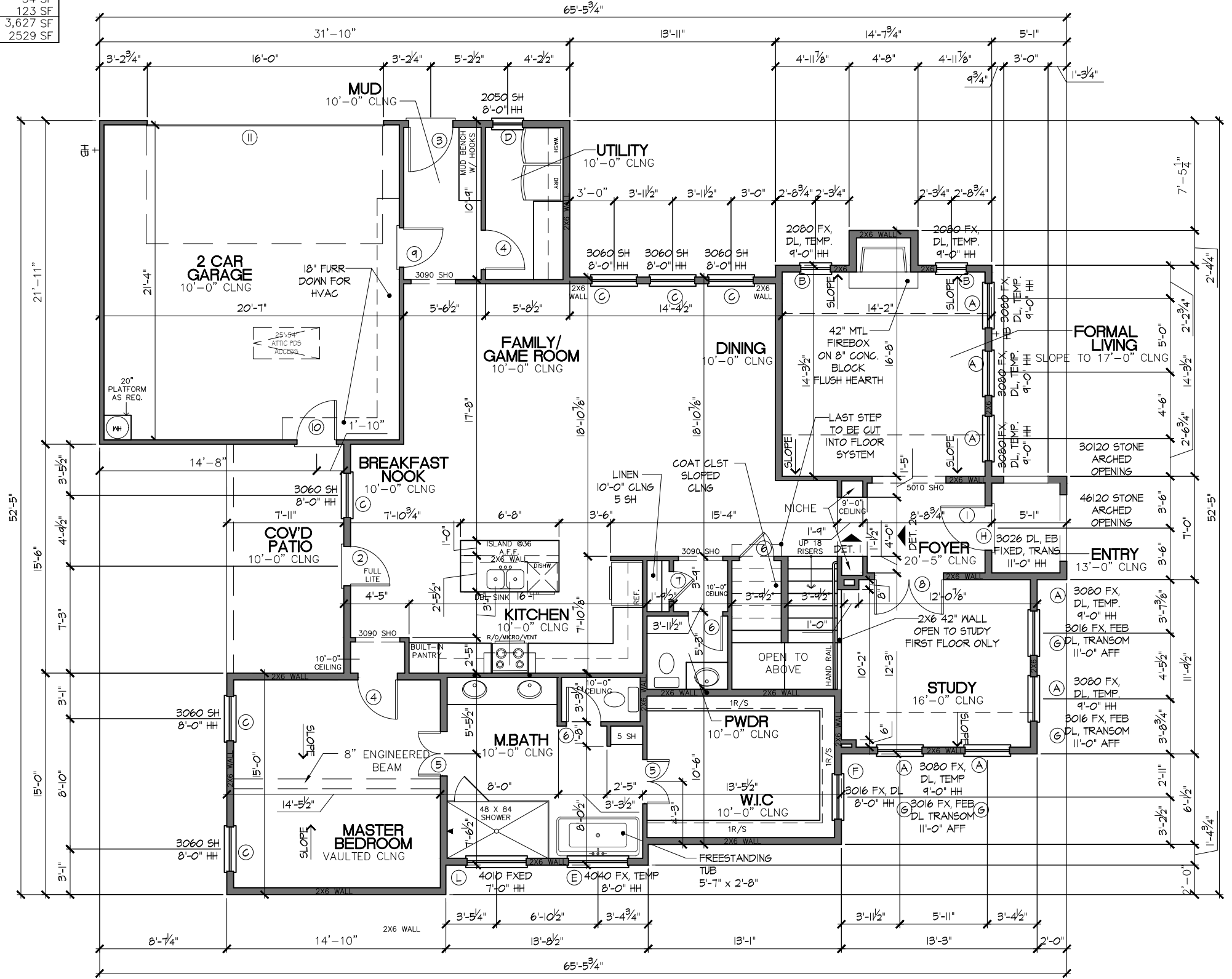
**129**  
GRADING PLAN

**GENERAL NOTES**

- REPORT ANY AND ALL DISCREPANCIES, ERRORS OR OMISSIONS IN THE DOCUMENTS TO THE BUILDER/ARCHITECT PRIOR TO THE ORDERING OF ANY MATERIALS AND/OR THE COMMENCEMENT OF CONSTRUCTION.
- ALL DIMENSIONS TO BE VERIFIED AT JOBSITE.
- SLIGHT ADJUSTMENT IN WALL LOCATIONS, UP TO 1", SHALL BE MADE IN ORDER TO GET PLUMBING IN WALLS SO LONG AS IT DOES NOT EFFECT THE FUNCTION OF FLOOR, OR ROOF TRUSSES. THIS DOES NOT RELIEF THE PLUMBER OF LIABILITY IF NOT DONE.
- UNDER NO CIRCUMSTANCES SHALL ANY DIMENSION BE SCALED FROM THESE DRAWINGS. ANY CRITICAL DIMENSIONS NOT GIVEN SHALL BE BROUGHT TO THE ATTENTION OF THE BUILDER/ARCHITECT PRIOR TO CONSTRUCTION.
- DOOR AND WINDOW ROUGH OPENINGS SHALL BE SUCH THAT OUTSIDE EDGES OF ADJACENT DOOR, WINDOW, AND TRANSOM TRIM IS ALIGNED, UNLESS OTHERWISE NOTED.
- WINDOW SIZES GIVEN ARE APPROXIMATE UNIT SIZES. VERIFY ACTUAL SIZES AND ROUGH OPENING REQUIREMENTS WITH MANUFACTURER.
- U.N.O. ALL DOORS TO BE 6"-8."
- U.N.O. ALL ANGLED WALLS TO BE AT 45' DEGREES.
- FRAME ALL DOORS 3" FROM CORNERS WHERE POSSIBLE U.N.O.
- ALL WALLS AT OPEN SIDES ON STAIRS (NO 1/2 WALL NOTED) TO BE UNDER TREADS (WATERFALL STYLE).
- U.N.O. HEADER HEIGHTS SHALL BE AS FOLLOWS: 8' PLATE: 6'-10", 9' PLATE: 7'-10", 10' PLATE: 8'-10"
- "CORNERS" AND "T'S" SHALL BE TRUE, NOT CALIFORNIA STYLE.
- ALL INTERIOR AND EXTERIOR CORNERS SHALL HAVE MOIST-STOP RAN VERTICALLY UNDER THE SHEATHING.
- PROVIDE ATTIC VENTING AT REAR OR SIDE OF ROOF AS REQUIRED PER PLANS AND CODE.
- ALL BATHROOM MIRRORS TO BE INSERTED 1" FROM EDGE OF COUNTERTOPS.
- PROVIDE FIRE-RATED SHEETROCK AT UTILITY/GARAGE COMMON WALLS AND CEILINGS AS REQUIRED BY CODE.
- SEE BUILDER SPECIFICATIONS FOR ADDITIONAL INFORMATION.
- U.N.O. FIREPLACE BOX TO BE SET ON 8" CONC. BLOCK W/ 20" DEEP FLUSH HEARTH THAT EXTENDS 12" MIN. BEYOND OPENING AS REQUIRED BY CODE.

SQUARE FOOTAGE TABLE		
AREA	MASONRY	
FIRST FLOOR		1,928 SF
SECOND FLOOR		1,098 SF
TOTAL LIVING		3,026 SF
GARAGE		444 SF
FRONT PORCH		34 SF
COVERED PATIO		123 SF
TOTAL COMBINED		3,627 SF
TOTAL SLAB		2529 SF

MASONRY LEGEND	
	STONE
	BRICK



**DOOR SCHEDULE - FIRST FLOOR**

NUMBER	QUANTITY	TYPE	DESCRIP.
1	1	3080	EXTERIOR ENTRY DOOR W/ HALF DIVIDED LIGHT
2	1	2880	EXTERIOR 1' LT DOOR
3	1	2880	EXTERIOR W/ HALF DL
4	2	2880	INTERIOR
5	2	2-1680	INTERIOR
6	3	2480	INTERIOR
7	1	2080	INTERIOR
8	1	2-2480	INTERIOR - FRENCH DOORS
9	1	2880	INTERIOR SOLID CORE DOOR
10	1	2880	EXTERIOR SOLID CORE DOOR
11	1	16080	GARAGE OVERHEAD

**WINDOW SCHEDULE**

LETTER	QUANTITY	TYPE	DESCRIP.
A	7	3080	VINYL 3 STAR ENERGY - FIXED, DL, TEMPERED
B	2	2080	VINYL 3 STAR ENERGY - FIXED, DL, TEMPERED
C	6	3060	VINYL 3 STAR ENERGY - SINGLE HUNG
D	1	2050	VINYL 3 STAR ENERGY - SINGLE HUNG
E	1	4040	VINYL 3 STAR ENERGY - FIXED, TEMPERED
F	1	3016	VINYL 3 STAR ENERGY - FIXED, DL
G	5	3016	VINYL 3 STAR ENERGY - FIXED, DL, EB, TRANS
H	1	3026	VINYL 3 STAR ENERGY - FIXED, DL, EB, TRANS
J	5	3050	VINYL 3 STAR ENERGY - SINGLE HUNG, DL
K	2	2030	VINYL 3 STAR ENERGY - FIXED, DL, EB
L	1	4010	VINYL 3 STAR ENERGY - FIXED
M	2	3050	VINYL 3 STAR ENERGY - SH, DIVIDED LIGHT

**1 FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

CASE NUMBER Z22022-008



DDS GROUP 469-999-0800  
123 W. MAIN ST. 214-966-0550  
GRAND PRAIRIE TX. 75050  
WWW.DDSGROUP.COM

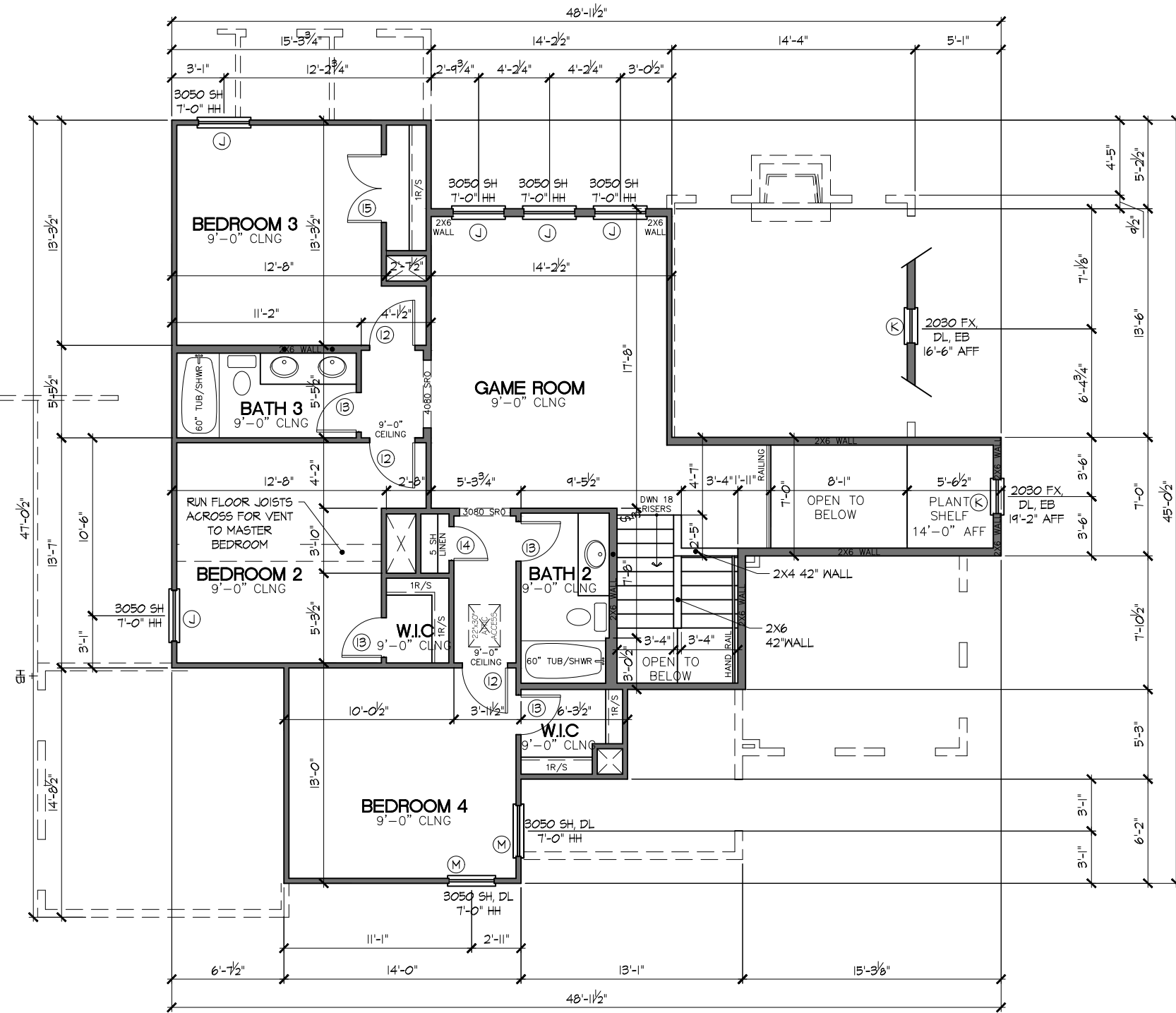
DESIGNER:  
DDS GROUP

PROJECT #:  
Z22022-008

7106 ODELL AVENUE  
ROCKWALL, TX

ELEVATION:  
A

SHEET NUMBER:  
A2



**DOOR SCHEDULE - SECOND FLOOR**

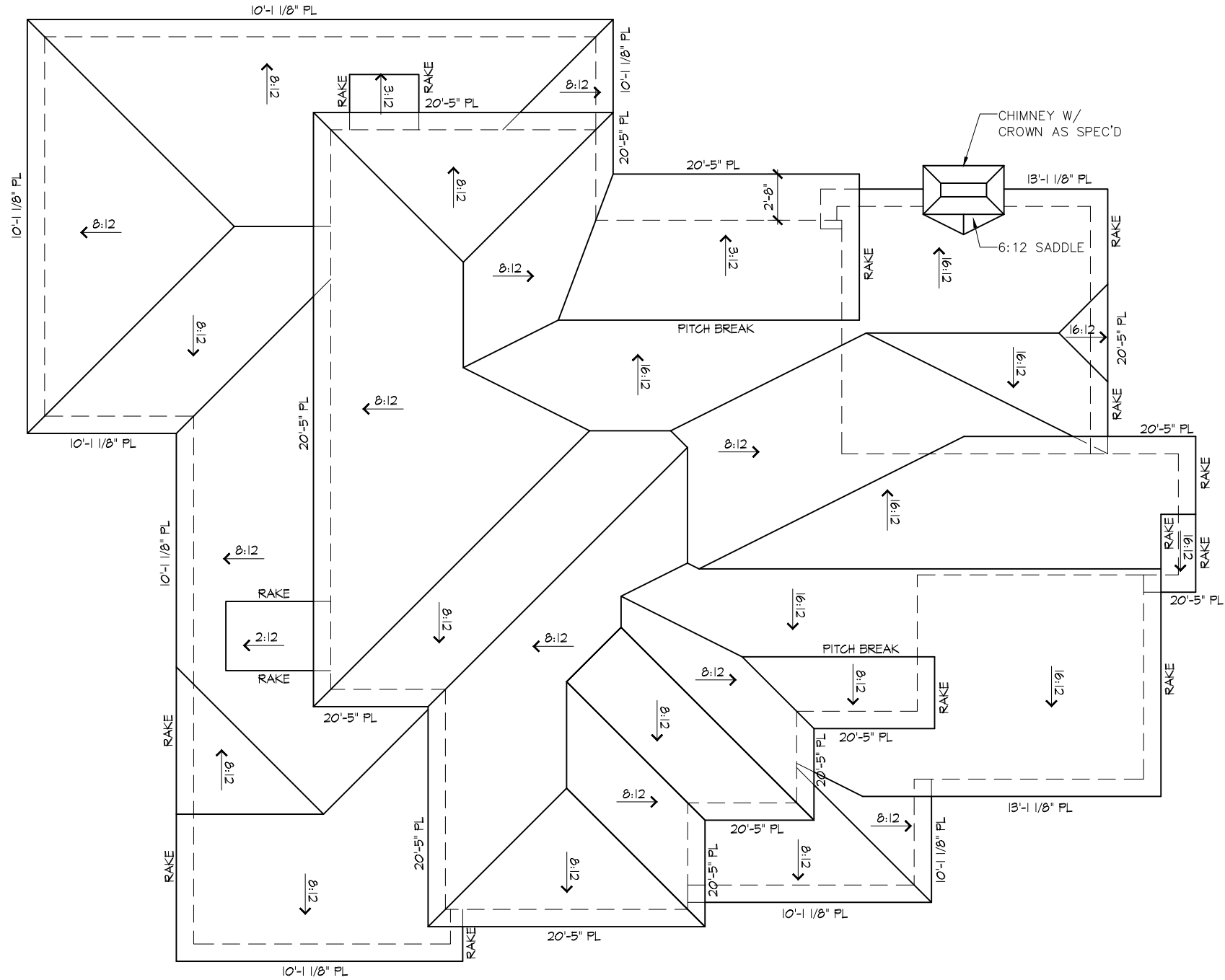
NUMBER	QUANTITY	TYPE	DESCRIP.
12	3	2868	INTERIOR
13	4	2468	INTERIOR
14	1	2068	INTERIOR
15	1	2-2068	INTERIOR

**WINDOW SCHEDULE**

LETTER	QUANTITY	TYPE	DESCRIP.
A	7	3080	VINYL 3 STAR ENERGY - FIXED, DIVIDED LIGHT
B	2	2080	VINYL 3 STAR ENERGY - FIXED, DIVIDED LIGHT
C	6	3060	VINYL 3 STAR ENERGY - SINGLE HUNG
D	1	2050	VINYL 3 STAR ENERGY - SINGLE HUNG
E	1	4050	VINYL 3 STAR ENERGY - FIXED, TEMPERED
F	1	3018	VINYL 3 STAR ENERGY - FIXED, DL
G	5	3216	VINYL 3 STAR ENERGY - FIXED, DL, EB, TRANS
H	1	3023	VINYL 3 STAR ENERGY - FIXED, DL, EB, TRANS
J	6	3050	VINYL 3 STAR ENERGY - SINGLE HUNG
K	2	2030	VINYL 3 STAR ENERGY - FIXED, DL, EB
L	1	4010	VINYL 3 STAR ENERGY - FIXED
M	1	3050	VINYL 3 STAR ENERGY - FIXED, DIVIDED LIGHT

**1 SECOND FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

CASE NUMBER ZZ2022-008

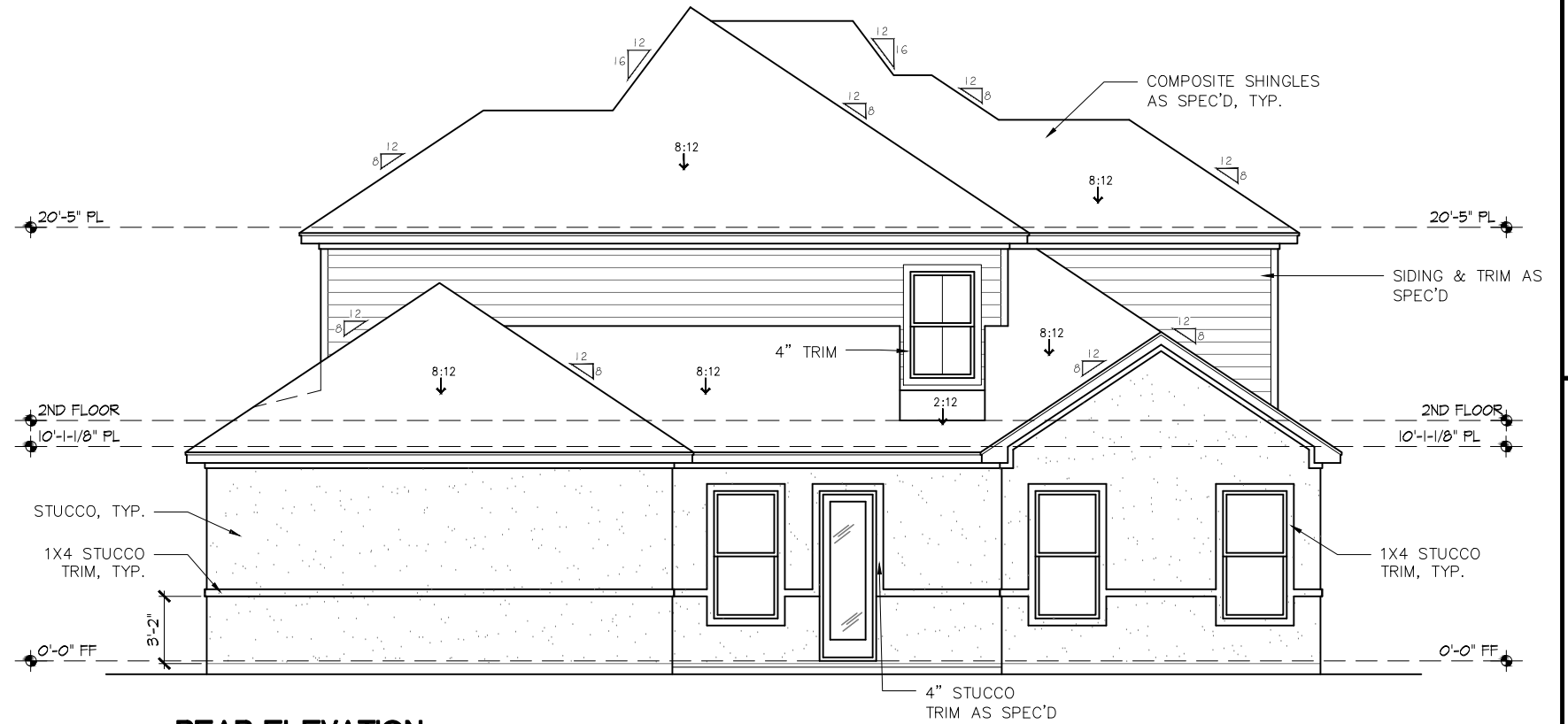


ATTIC VENT CALCULATIONS –(MINIMUM)	
TOTAL ROOF AREA (INCLUDING OVERHANG)	2,784 SF
TOTAL FREE AREA VENT REQD. (ROOF AREA / 300.00)	9 SF
TOTAL # OF ROOF VENTS REQD. (TOTAL FREE AREA / 2 / 1.0 SF)	5 VENTS
TOTAL # OF SOFFIT VENTS REQD. (TOTAL FREE AREA / 2 / .39 SF)	12 VENTS

- ROOF NOTES**
1. ARROWS INDICATE DOWNWARD SLOPE.
  2. VERIFY FREE AREA OF VENTS REQUIRED.
  3. OVERHANGS 12" MIN. FROM OUTSIDE FACE OF FRAME (UNLESS OTHERWISE NOTED ON ROOF PLAN.)

**1 ROOF PLAN**  
 SCALE: 1/8" = 1'-0"

CASE NUMBER ZZ2022-008



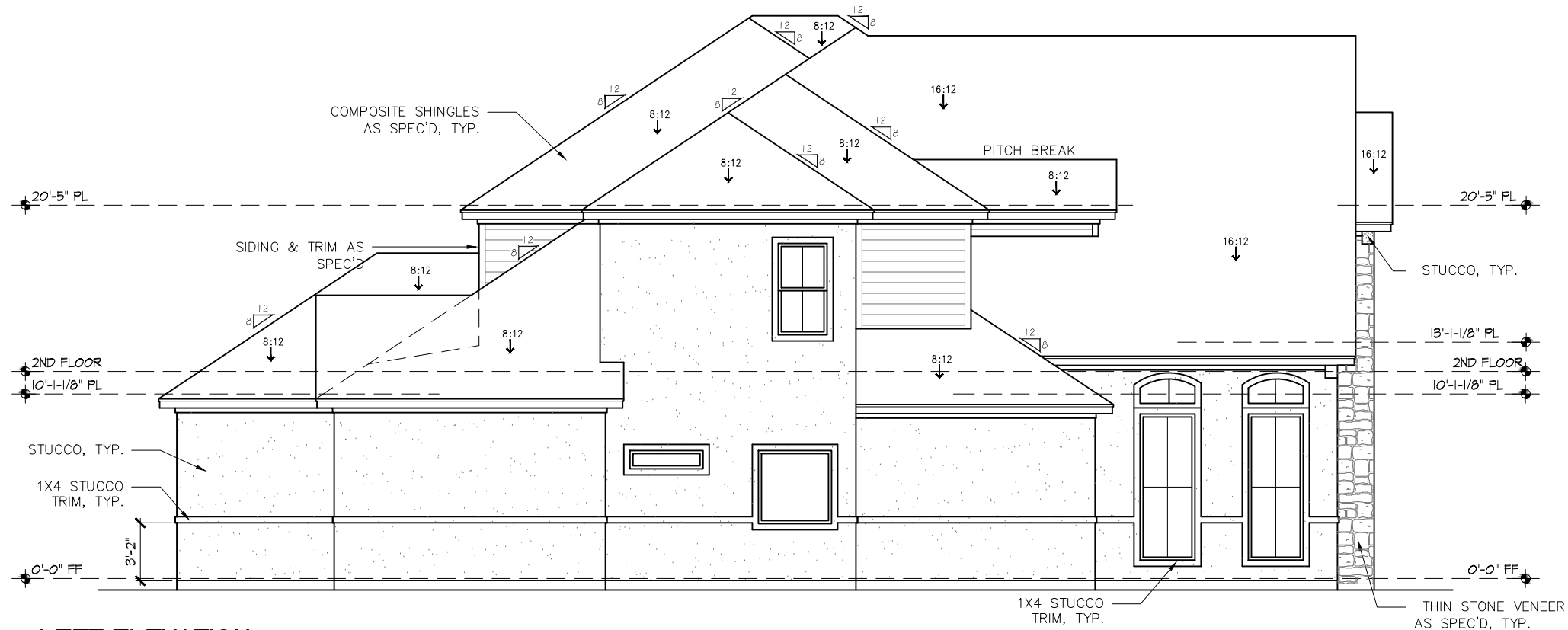
**1 REAR ELEVATION**  
 SCALE: 1/8" = 1'-0"



**2 FRONT ELEVATION**  
 SCALE: 1/8" = 1'-0"

CASE NUMBER ZZ2022-008

MASONRY CALCULATIONS				
AREA	SIDING	%SDNG.	MASON.	%MAS.
REAR	153 SF	25.3%	451 SF	74.7%
FRONT	0 SF	0.0%	780 SF	100.0%
LEFT	51 SF	6.8%	696 SF	93.2%
RIGHT	72 SF	10.3%	630 SF	89.7%
TOTAL	276 SF	9.7%	2,557 SF	90.3%
TOTAL THIN STONE VENEER 180 SF				
TOTAL STONE AREA IS INCLUDED IN MASONRY CALCULATIONS				



**1 LEFT ELEVATION**  
 SCALE: 1/8" = 1'-0"



**2 RIGHT ELEVATION**  
 SCALE: 1/8" = 1'-0"

CASE NUMBER ZZ2022-008



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

### ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
7100 Odell Ave	Single-Family Home		3,137	N/A	Brick
7101 Odell Ave	Single-Family Home	1983	2,654	160	Brick
7102 Odell Ave	Single-Family Home	1977	3,230	320	Brick
7103 Odell Ave	Single-Family Home	1994	2,318	240	Brick
7104 Odell Ave	Single-Family Home	1982	2,613	352	Brick
7105 Odell Ave	Single-Family Home	1978	2,161	100	Brick
7106 Odell Ave	Detached Garage	2005	N/A	N/A	N/A
7107 Odell Ave	Single-Family Home	1994	2,644	44	Brick
7108 Odell Ave	Single-Family Home	1990	1,941	N/A	Brick
7109 Odell Ave	Single-Family Home	1993	2,183	N/A	Brick
7110 Odell Ave	Single-Family Home	2001	2,406	64	Brick
7111 Odell Ave	Single-Family Home	1990	2,130	168	Brick
7112 Odell Ave	Single-Family Home	1998	2,697	256	Brick
7113 Odell Ave	Single-Family Home	1995	2,031	168	Brick
7114 Odell Ave	Single-Family Home	1996	3,052	240	Brick
7116 Hunt Lane	Single-Family Home	1994	3,281	116	Brick
AVERAGES:		1991	2,565	186	



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7100 ODELL AVE



7101 ODELL AVE





## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7102 ODELL AVE



7103 ODELL AVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7104 ODELL AVE



7105 ODELL AVE



## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7106 ODELL AVE



7107 ODELL AVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7108 ODELL AVE



7109 ODELL AVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7110 ODELL AVE



7111 ODELL AVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7112 ODELL AVE



7113 ODELL AVE



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2022-008

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7114 ODELL AVE



7116 HUNT LANE

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.3990-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 7, BLOCK A, HERITAGE HIEGHTS ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Valerie Valdez of DDS Group on behalf of Blanca Canales of JCK Custom Homes, LLC for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent in an Established Subdivision* to allow the construction of a single-family home on a 0.3990-acre parcel of land being described as Lot 7, Block A, Heritage Heights Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 7106 Odell Avenue, 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 Adjacent to an Established Subdivision* to allow for 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 03.07, *Single-Family*



10 (SF-10) District, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

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

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

## 2.2 COMPLIANCE

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

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 4<sup>TH</sup> DAY OF APRIL, 2022.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

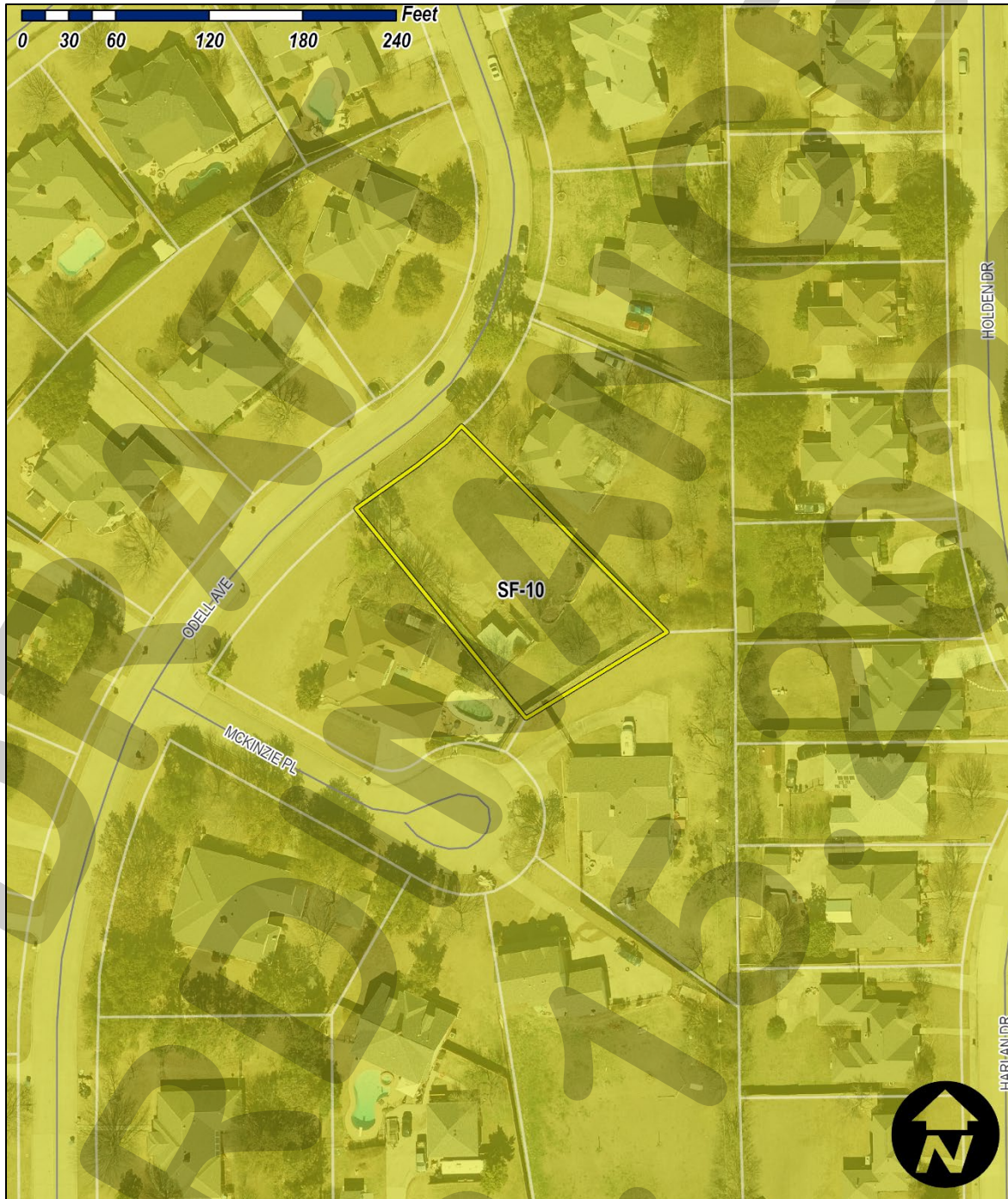
1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

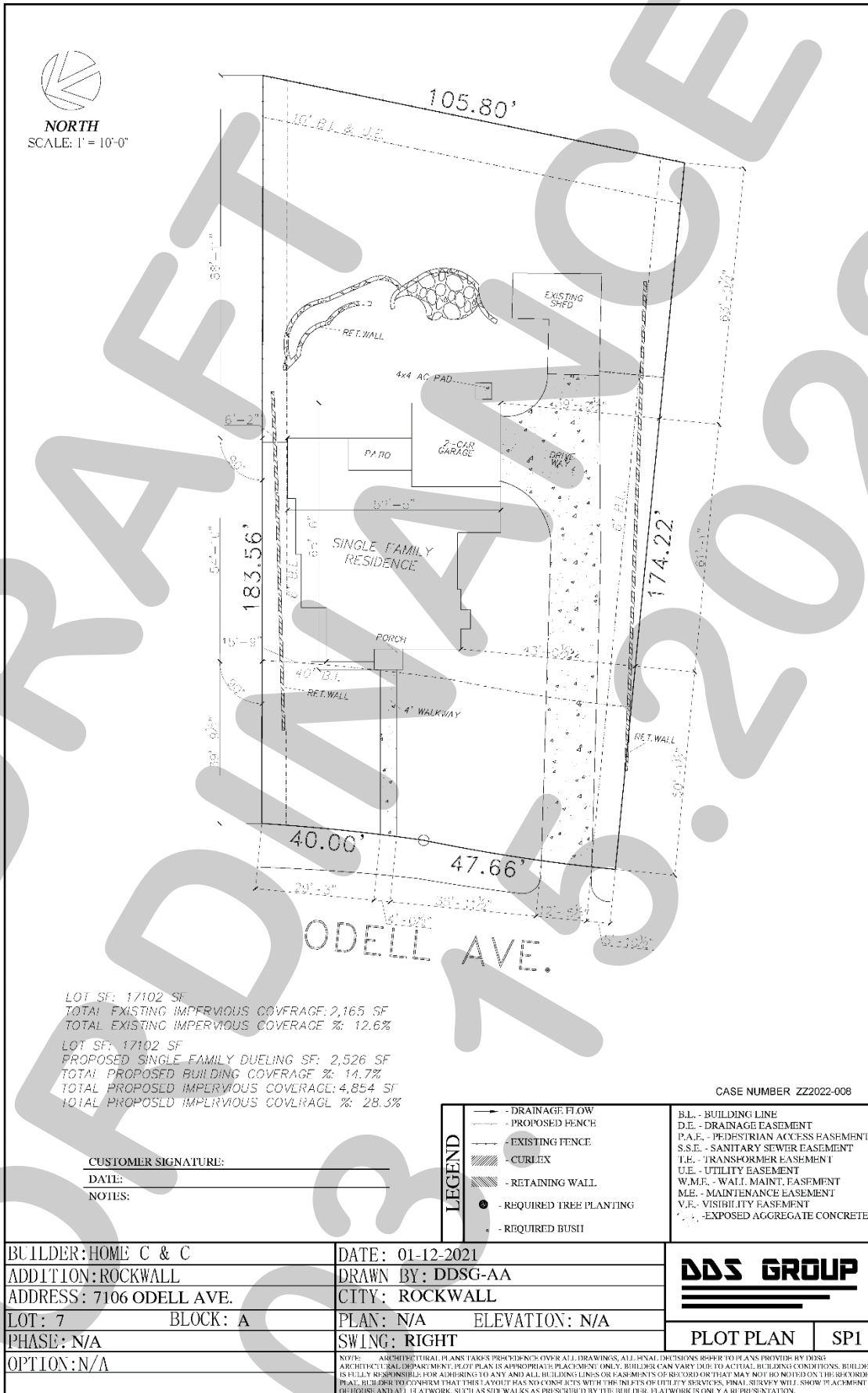
**Exhibit 'A'**  
*Location Map and Legal Description*

Address: 7106 Odell Ave

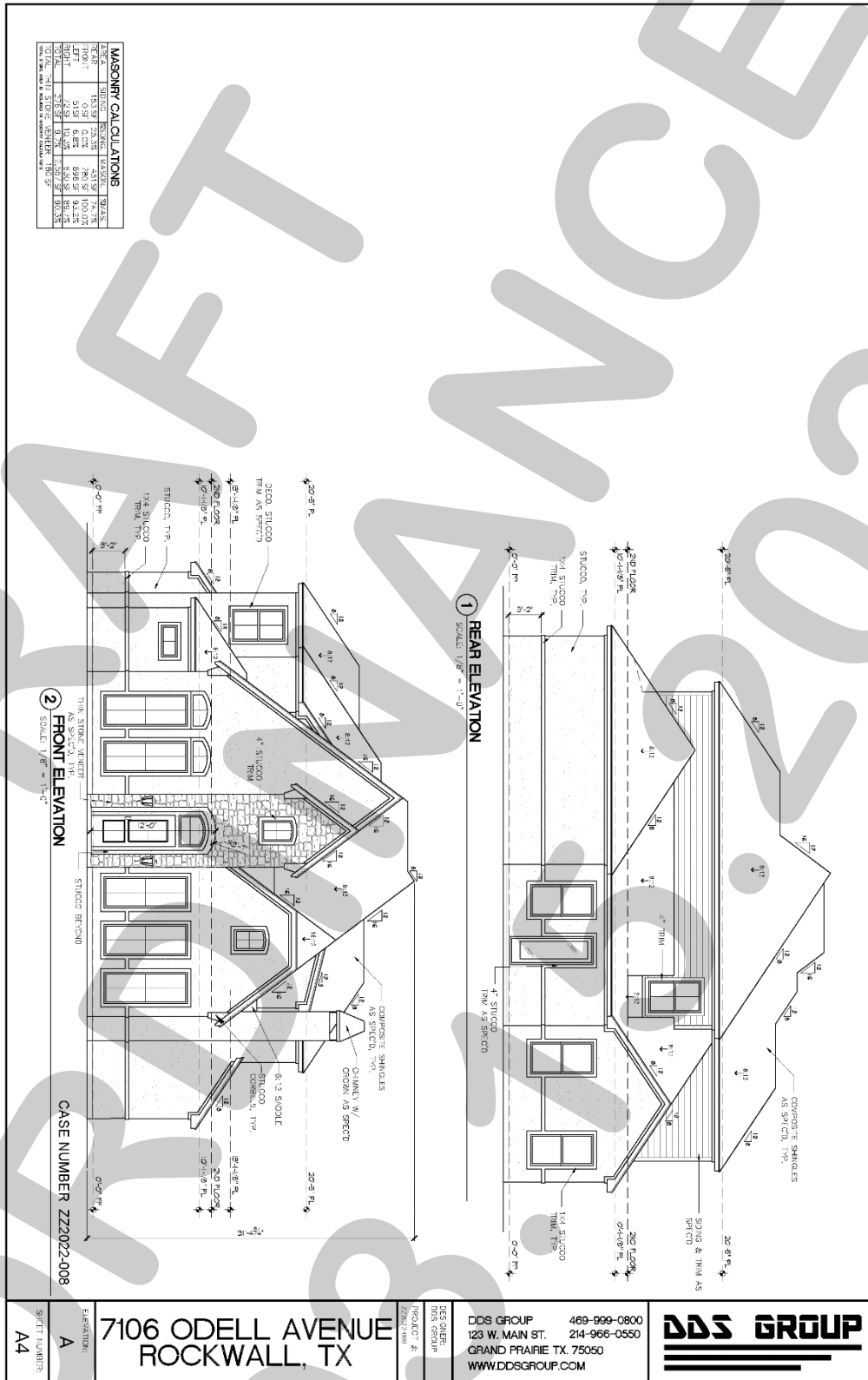
Legal Description: Lot 7, Block A, Heritage Heights Addition



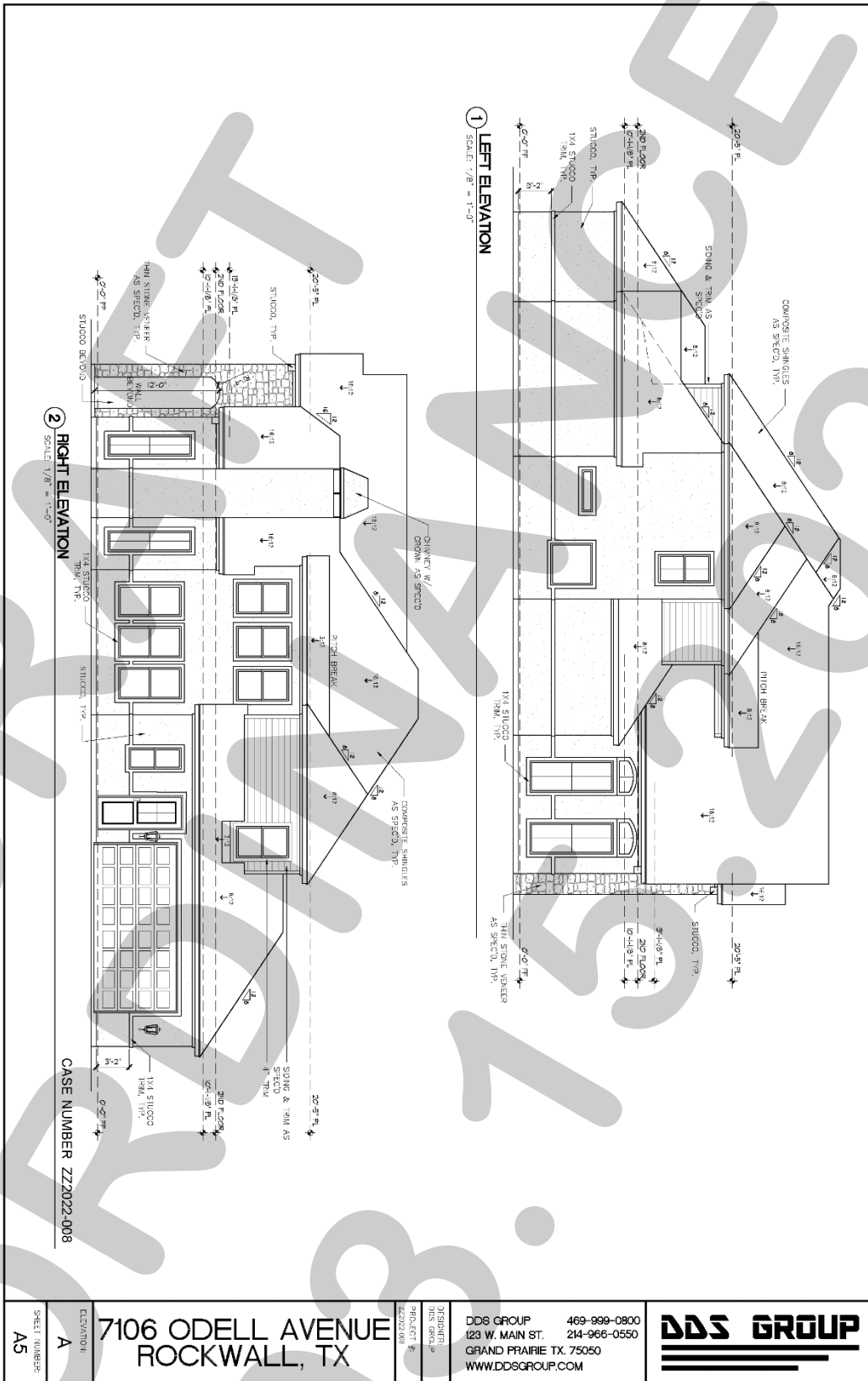
**Exhibit 'B':  
Residential Plot Plan**



**Exhibit 'C':  
Building Elevations**



**Exhibit 'C':  
Building Elevations**



SHEET NUMBER <b>A5</b>	ELEVATOR <b>A</b>	<b>7106 ODELL AVENUE ROCKWALL, TX</b>	DESIGNER: JMS (S&P) DATE: 05/21/22 PROJECT NO.: ZZ2022-008	DDS GROUP 123 W. MAIN ST. GRAND PRAIRIE, TX. 75050 WWW.DDSGROUP.COM 469-999-0800 214-966-0550	<b>DDS GROUP</b> 
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## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** Z2022-009; SPECIFIC USE PERMIT FOR A RESTAURANT WITH LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN AT 902 & 906 S. GOLIAD STREET

---

Attachments  
Memorandum

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Jack Kurz of RSDGP, LLC on behalf of Allen Anderson of Adlor Enterprises, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP) for a Restaurant, Less Than 2,000 SF, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary (**1st Reading**).

### Action Needed

The City Council will need to announce that the public hearing for this case will be held on April 4, 2022; however, no further action will be required.



# CITY OF ROCKWALL

## CITY COUNCIL MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council

**CC:** Mary Smith, *City Manager*  
Joey Boyd, *Assistant City Manager*

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

**DATE:** March 21, 2022

**SUBJECT:** Z2022-009; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In at 902 & 906 S. Goliad Street*

---

On March 15, 2022, the Planning and Zoning Commission approved a motion to table Case No. Z2022-009 to the March 29, 2022 Planning and Zoning Commission meeting by a vote of 3-1, with Commissioner Moeller dissenting and Commissioners Chodun, Thomas, and Conway absent. The purpose of the motion was to allow the applicant additional time to make changes to the proposed concept plan. According to Subsection 02.03(C)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), “(a) public hearing may be continued by the Planning and Zoning Commission or City Council ... (t)he continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing ... [and] (t)he announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.” Since this case was advertised for a public hearing at the March 21, 2022 City Council meeting, the City Council will need to announce the updated public hearing date of April 4, 2022; however, no further action will be required. Should the City Council have any questions staff will be available at the March 21, 2022 City Council meeting





## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** Z2022-010; ZONING CHANGE (AG TO PD) FOR VALLIS GREENE

---

### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Applicant's Letter  
Survey  
Legal Description  
Concept Plan  
Comprehensive Plan Excerpts  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 93.97-acre tract of land identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1936 SH-66, and take any action necessary (**1st Reading**).

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Ryan Joyce; *Michael Joyce Properties*  
**CASE NUMBER:** Z2022-010; *Zoning Change (AG to PD) for Vallis Greene*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 93.97-acre tract of land identified as Tract 4 & 4-01 of the M. B. Jones Survey, Abstract No. 122 and a portion of Tract 25-1 & 26 and all of Tract 13 & 25 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1936 SH-66, and take any action necessary.

### BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is: [1] a 2,500 SF single-family home constructed in 1958, [2] an ~1,856 SF covered porch constructed in 1958, [3] a 400 SF storage building constructed in 1900, and [4] a 96 SF storage building with a 240 SF covered canopy constructed in 2007. Beyond these structures, the subject property has remained largely undeveloped and the zoning designation has not changed since annexation.

### PURPOSE

On February 18, 2021, the applicant -- *Ryan Joyce of Michael Joyce Properties* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses. Specifically, the applicant is proposing to entitle the subject property for a 182-lot single-family, residential subdivision that will consists of five (5) lot sizes (*i.e. [A] 9, 100' x 130' lots; [B] 29, 82' x 120' lots; [C] 45, 72' x 115' lots; [D] 22, 72' x 110' lots; and [E] 77, 62' x 110' lots*).

### ADJACENT LAND USES AND ACCESS

The subject property is generally located between SH-66 and FM-1141 at the southwest corner of the intersection of FM-1141 and Cornelius Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-1141 and Cornelius Road. FM-1141 is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) and Cornelius Road is identified as a M4U (*i.e. major collector, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. On the northside of the right-of-way for FM-1141 and the southside of the right-of-way for Cornelius Road are the corporate limits of the City of Rockwall. Beyond this are multiple residential properties situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ) in Rockwall County.

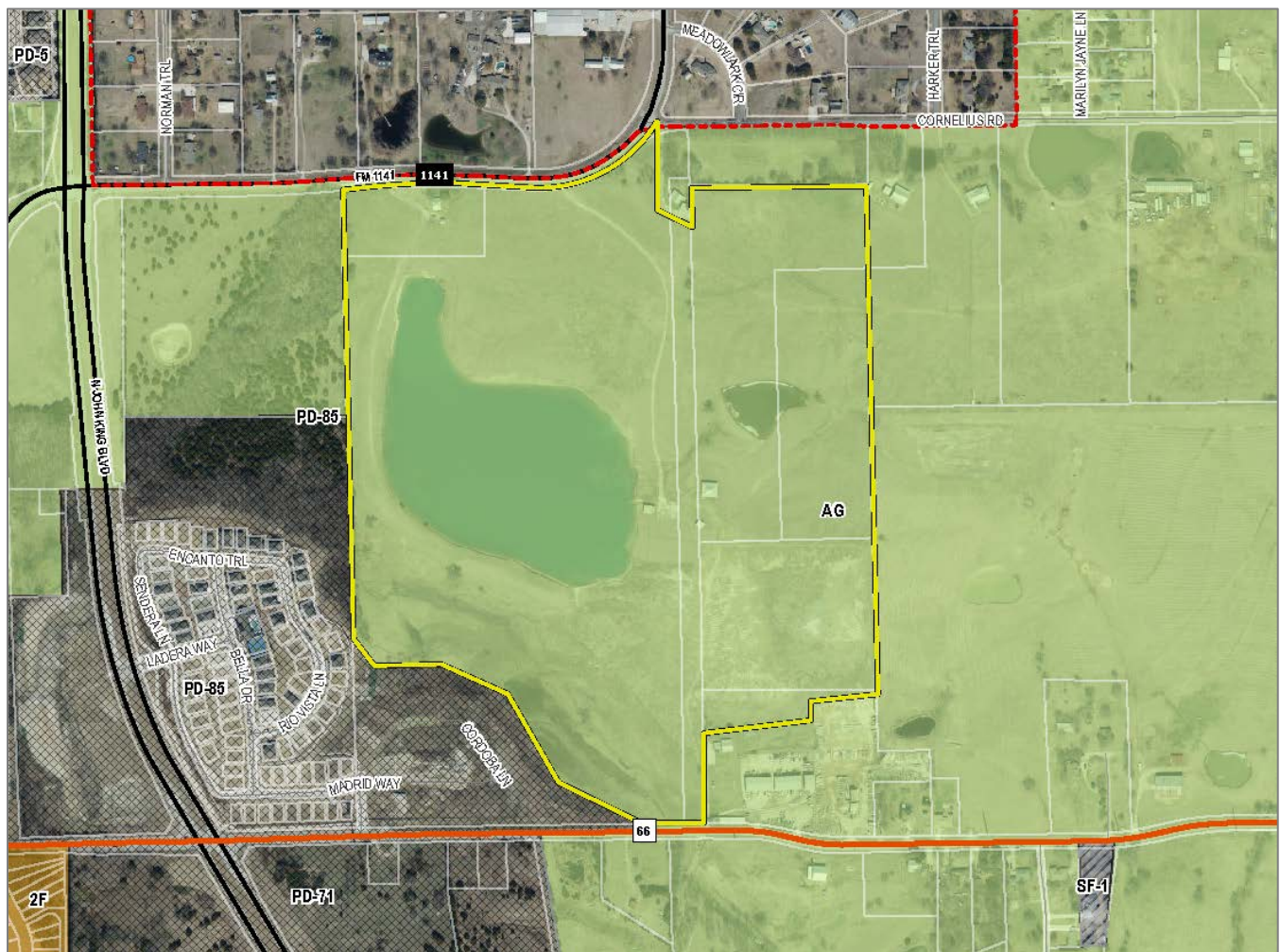
South: Directly south of the subject property is a 9.789-acre tract of land (*i.e. a portion of Lot 1, Block A, Ladera Rockwall Addition*), which will be Phase 2 of the Ladera Subdivision. This phase will consist of 33 residential units that are zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses. Beyond this is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation [TXDOT] roadway, four [4] lane,*

divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this thoroughfare is: [1] a 47.89-acre parcel of land (i.e. Lot 1 of the Rockwall Municipal Airport Addition) which is occupied by the Ralph Hall Municipal Airport, [2] a vacant two (2) acre tract of land (i.e. Tract 2 of the G. W. Redlin Survey, Abstract No. 183), and [3] a 43.66-acre tract of land (i.e. Tract 7 of the D. Harr Survey, Abstract No. 102) occupied with a single-family home. All of these properties are zoned Agricultural (AG) District.

East: Directly east of the subject property are the reminder tracts (i.e. Tracts 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72) being subdivided from the subject property. Also, east of the subject property is a 55.08-acre tract of land (i.e. Tract 11 of the W. M. Dalton Survey, Abstract No. 72), which has a two (2) barns (i.e. a 1,107 SF barn and a 7,448 SF barn both built in 1966). All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property is: [1] a 15.935-acre vacant tract of land (i.e. Tract 5-1 of the M. B. Jones Survey, Abstract No. 122) zoned Agricultural (AG) District, and [2] a 37.80-acre parcel of land (i.e. Lot 1, Block A, Ladera Rockwall Addition) zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses. The 37.80-acre tract of land is the Ladera Subdivision, and will consist of 117 single-family units at buildout. Beyond this is John King Boulevard, which is identified as a P6D (i.e. principal arterial, six [6] lane, divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

**MAP 1: LOCATION MAP**  
**YELLOW: SUBJECT PROPERTY**



### CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that the 93.97-acre subject property will consist of 182 residential lots. These lots will consist of five (5)

lot types: [1] 9 Type 'A' lots that are a minimum of 100' x 130' (or 13,000 SF), [2] 29 Type 'B' lots that are a minimum of 82' x 120' (or 10,000 SF), [3] 45 Type 'C' lots that are a minimum of 72' x 115' (or 9,000 SF), [4] 22 Type 'D' lots that are a minimum of 72' x 110' (or 8,400 SF), and [5] 77 Type 'E' lots that are a minimum of 62' x 110' (or 7,200 SF). This translates to a gross density of 1.94 dwelling units per gross acre (i.e. 182 lots/93.97-acres = 1.93679 dwelling units per gross acre) for the total development. The minimum dwelling unit size (i.e. air-condition space) will range from 2,000 SF to 2,400 SF. With regard to the proposed housing product, staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance. Specifically, the ordinance will require a minimum of 90% masonry (with a minimum of 85% masonry on each façade), and be subject to the City's upgraded anti-monotony standards; however, the Planned Development District ordinance will also incorporate provisions that allow up to 80% cementitious fiberboard utilized in a horizontal lap-siding, board-and-batten siding, or decorative pattern to allow a more *Traditional Neighborhood Design* product (also referred to as *Gingerbread*). The following are some of the examples contained in the Planned Development District ordinance:

IMAGES 1 & 2: EXAMPLES OF BOARD AND BATTEN FROM THE PLANNED DEVELOPMENT DISTRICT ORDINANCE



Looking at the proposed garage orientation proposed for the development, the applicant is requesting to allow a total of 50% of all the garages be orientated toward the street; however, the applicant is proposing to require a five (5) foot setback for the garage from the front façade. The remaining garage doors will be situated within a *J-Swing* (or a *Traditional Swing*) configuration or *Recessed Entry* configuration (i.e. where the garage door is situated a minimum of 20-feet behind the front façade). In addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] coach lighting, [2] decorative wood doors or wood overlays on insulated metal doors, and [3] driveways that are constructed with ornamental stamped concrete brick pavers, stained finish, or salt finished. The following are some of the examples of these upgrades included in the Planned Development District ordinance:

IMAGES 3, 4 & 5: EXAMPLES OF UPGRADED GARAGES



The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 10 (SF-10) District unless otherwise specified in the Planned Development District ordinance. The following is a summary of the lot composition and density and dimensional standards contained in the proposed Planned Development District ordinance:

**TABLE 1: LOT COMPOSITION**

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	100' x 130'	13,000 SF	9	4.95%
B	82' x 120'	10,000 SF	29	15.93%
C	72' x 115'	9,000 SF	45	24.73%
D	72' x 110'	8,400 SF	22	12.09%
E	62' x 110'	7,200 SF	77	42.31%
<i>Maximum Permitted Units:</i>			182	100.00%

**TABLE 2: LOT DIMENSIONAL REQUIREMENTS**

Lot Type (see Concept Plan) ►	A	B	C	D	E
<i>Minimum Lot Width</i> <sup>(1)</sup>	100'	82'	72'	72'	62'
<i>Minimum Lot Depth</i>	130'	120'	115'	110'	110'
<i>Minimum Lot Area (SF)</i>	13,000	10,000	9,000	8,400	7,200
<i>Minimum Front Yard Setback</i> <sup>(2), (6) &amp; (8)</sup>	25'	20'	20'	20'	20'
<i>Minimum Side Yard Setback</i>	15'	6'	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> <sup>(2), (6) &amp; (7)</sup>	15'	15'	15'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'	20'	20'
<i>Maximum Height</i> <sup>(3)</sup>	35'	35'	35'	35'	35'
<i>Minimum Rear Yard Setback</i> <sup>(4)</sup>	25'	20'	20'	20'	20'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,400	2,500	2,400	2,200	2,200
<i>Maximum Lot Coverage</i>	45'	45'	45'	65'	65'

General Notes:

- 1: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- 2: The location of the *Front Yard Building Setback* as measured from the front property line.
- 3: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- 4: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- 5: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.
- 6: *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- 7: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

The proposed concept plan shows that the development will consist of a total of 29.72-acres of floodplain and 13.06-acres of open space maintained by the Homeowner’s Association (HOA). This translates to an open space percentage of 29.71% (*i.e. [29.72-acres of floodplain/2] + 13.06-acres of open space = 27.92-acres/93.97-acres gross = 29.7116%*). In addition, the applicant has agreed to utilize the pro-rata equipment fees and cash-in-lieu of land fees to provide amenity to the four (4) acre tract of City owned land (*i.e. Tract 13-01 of the W. M. Dalton Survey, Abstract No. 72*) to create a public park. All amenities being proposed for this public park will need to be approved by the Parks and Recreation Board and be constructed to the City’s standard as determined by the Director of Parks and Recreation. The applicant will also be providing a trail system consisting of a six (6) foot concrete trail that will connect this public park to the proposed subdivision.

Staff should point out that a portion of the subject property is situated within the Runway Protection Zone (RPZ) of the Ralph Hall Municipal Airport. In addition, staff is currently bringing forward an Airport Overlay (AP OV) District [*Case No. Z2022-012*] that (*if approved*) will establish requirements for land uses in and around the Ralph Hall Municipal Airport. Based on this, staff sent a copy of the proposed plan to TXDOT Aviation for review and comment, and a copy of the proposed plan to Garver USA -- *the City’s Airport Consultant* -- for review. TXDOT Aviation requested that the applicant [7] not have any development within the Runway Protection Zone (RPZ) and [2] establish an aviation easement over the property to ensure that future homeowners are aware they are purchasing a home in close proximity to the flight path of the Ralph Hall Municipal Airport. Garver USA requested that no development or amenity be constructed in the Runway Protection Zone (RPZ). In addition,

staff requested that the applicant adhere to the future Airport Overlay (AP OV) District, and not locate any portion of any lot in the *Airport Influence Zone (which if established is the zone that will prevent residential and assembly uses from being located within 500-feet of the airport)*. The applicant has taken these comments and adjusted the concept plan to ensure compliance with these recommendations. In addition, staff has added a condition of approval that will require the avigation easement be established at the time of final plat.

## **INFRASTRUCTURE**

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

- (1) Roadways. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan, FM-1141 is required to be a M4D (*i.e. major collector, four [4] lane, divided roadway*), which requires an 85-foot right-of-way with a 64-foot *back-to-back* concrete street. In addition, SH-66 is identified as a which is identified as a TXDOT4D (*i.e. Texas Department of Transportation [TXDOT] roadway, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This road will require a minimum of 120-feet of right-of-way or 60-feet from the centerline of the roadway. The applicant will also be required to perform a Traffic Impact Analysis (TIA) for the proposed drive approaches off of FM-1141 and SH-66. Staff is also requiring that as part of the Traffic Impact Analysis (TIA) and/or roadway design, the applicant's consultant study the need for a left turn lane at the proposed drive approach on FM-1141.
- (2) Water. The applicant will be required to construct a 12-inch water line on the subject property along SH-66, extending to the existing stub out at FM-1141. In addition, the development will require an eight (8) inch water line be looped through the subject property.
- (3) Wastewater. The applicant will be required to construct an eight (8) inch wastewater line that will tie into the 12-inch line adjacent to the southwestern property line.
- (4) Drainage. The applicant shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Wetlands and Waters of the United States (WOTUS) study for the existing ponds on the subject property.

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

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

- (1) Alleyways. The Engineering Department's *Standards of Design and Construction Manual* stipulates that "(a)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete..." The code does grant the City Council the ability to "... waive the residential alley requirement, if it is in the best interest of the City." [Page 14; Section 2.11 of the *Standards of Design and Construction Manual*]
- (2) Garage Configuration. Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages unless it is a *J-Swing [or traditional swing]* garage where the garage door is perpendicular to the street."

Applicant's Response to (1) & (2): In lieu of providing the required alleyways, the applicant is proposing to provide 50% *J-Swing (or Traditional Swing)* or *Recessed Front Entry (i.e. where the garage is setback a minimum of 20-feet behind the front façade of the home)* garages and 50% *Flat Front Entry* garages with a five (5) recess for the garage (*i.e. where the garage is setback five [5] feet from the front façade*). As a compensatory measure the applicant is proposing to provide additional architectural elements into all garage configurations: [A] coach lighting, [B] decorative wood doors or wood

overlays on insulated metal doors, [C] driveways constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished. Staff should also point out that by providing a five (5) foot recess in the *Flat Front Entry* garages a minimum of a 25-foot driveway is being provided. The following are examples of some of the upgraded finishes depicted in the Planned Development District ordinance:

IMAGES 6, 7, 8, & 9: EXAMPLES OF UPGRADED FINISHES



DIVIDED BAYS



CARRIAGE HARDWARE



CEDAR CLADDING



ORNAMENTAL PAVING

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northeast Residential District and is designated for Low Density Residential land uses. The plan defines Low Density Residential land uses as "... residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In addition, the Comprehensive Plan defines increased amenity as, "... developments that provide some of the following: (1) open space beyond the required 20%, (2) a golf course and/or other comparable recreation facilities, (3) amenity/recreation facilities, (4) school site integration, (5) dedication or development of park land beyond the required park land dedication, (6) additional development of trails, (7) other amenities deemed appropriate by the City Council." In this case the applicant is proposing a total density of 1.94 dwelling units per acre. In addition, the applicant is proposing to incorporate walking trails and 29.71% open space (*i.e. 9.71% in excess of the required 20.00%*). Based on this the applicant's request appears to be in conformance with the Low Density Residential designation indicated for the subject property.

According to the Northeast Residential District, the district "... is characterized by its established low-density residential subdivisions and rural/estate style lots ... [and] is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development." Looking at the District Strategies for the Northeast Residential District for Suburban Residential, the plan states that "...new Suburban Residential developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing Suburban Residential in this district." In this case, the applicant is proposing lot products that range from 62' x 110' (*or a minimum of 7,200 SF*) to 100' x 130' (*or a minimum of 13,000 SF*). After reviewing the district, staff has identified the following Suburban Residential developments that have similar lot sizes:

- (1) Ladera of Rockwall. This development is platted as one (1) large lot, but calls out *Artificial Lots* (*i.e. setup in a condominium regime*) that consist of the following lot products: 20, 44.5' x 80'; 31, 42' x 77'; 41, 54' x 60'; and 6, 64' x 50'.
- (2) Saddle Star. 143, 70' x 125' (*or a minimum of 8,750 SF*) and 33, 80' x 125' (*or a minimum of 10,000 SF*).
- (3) Dalton Ranch. 75' x 120' and 80' x 125'
- (4) Gideon Grove (Phase 1). 45, 80' x 125' (*or a minimum of 10,000 SF*) and 27, 100' x 150' (*or a minimum of 15,000 SF*)
- (5) Gideon Grove (Phase 2). 53, 60' x 120' (*or a minimum of 7,000 SF*) and 31, 70' x 120' (*or a minimum of 8,400 SF*)
- (6) Nelson Lakes. 134, 60' x 120' (*or a minimum of 7,000 SF*); 68, 70' x 120' (*or a minimum of 8,400 SF*); and 58, 72' x 120' (*or a minimum of 8,600 SF*)
- (7) Winding Creek. 132, 90' x 100' (*or a minimum of 16,000 SF*)

Staff should point out that the majority of the applicant's request is for the smaller *Type 'E'* lots (42.31%), which are the 62' x 110' lots (*or a minimum of 7,200 SF*). The only developments with smaller lot sizes than the *Type 'E'* lots are the Ladera of Rockwall and Nelson Lakes Subdivisions. It should also be pointed out that the subject property is directly adjacent to the Ladera of Rockwall Subdivision, which has the smallest lot sizes in this district.

With regard to the policies and goals for residential development contained in the Comprehensive Plan, the applicant's request incorporates the majority of these policies and goals (e.g. minimum of six [6] side yard setbacks on all lot types, fronting of homes on to a park/open space, designed utilizing the Housing Tree Model, etc.); however, staff has identified the following non-conformities on the concept plan and provided the following recommendations to the applicant:

**RED:** NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

**BLUE:** INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) **CH. 08 | Sec. 02.03 | Goal 03; Policy 3:** In cases where *Flat Front Entry* garages (i.e. even with the front façade of the primary structure) are requested as part of a development no greater than 20% should be incorporated into the development. In addition, *Flat Front Entry* garages should have a minimum of a 25-foot front yard building setback to allow vehicles to be parked in the driveway without overhanging public right-of-way. This type of garage may not be appropriate for all developments and should be generally discouraged.

Staff Response: If a *Flat Front Entry* garage configuration with a recess of five (5) feet is being requested it should be limited to 20%. The applicant has chosen to request 50% Flat Front Entry garages and 50% J-Swing (or Traditional Swing) or Recessed Front Entry (i.e. where the garage is setback a minimum of 20-feet behind the front façade of the home) garages, but has consented to upgraded garage doors and driveway requirements. In addition, the added five (5) foot recess provides a 25-foot driveway on the Flat Front Entry garage product, which has a similar effect as the 25-foot setback requested by the Comprehensive Plan.

Taking into account the applicant's concept plan, proposed density, and development standards, the request does appear to conform with the majority of the OURHometown Vision 2040 Comprehensive Plan; however, as with all zoning cases, this request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On February 25, 2022, staff mailed 78 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Association (HOA), which is the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) Two (2) notices from two (2) property owners situated within the 500-foot notification buffer in opposition to the applicant's request.
- (2) One (1) email from one (1) property owner situated within the 500-foot notification buffer in opposition to the applicant's request.
- (3) One (1) notice from one (1) property owner situated within the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall in opposition to the applicant's request.
- (4) One (1) response from the City's *Zoning & Specific Use Permit Input Form* from a property owner in the City of Fate in favor of the applicant's request.

## **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The applicant will be required to put an avigation easement over the property to ensure that homeowners are provided with information showing that they are within close proximity to the flight path of the Ralph Hall Municipal Airport. This will need to be established with the final plat for the subdivision.



- (3) No development or amenities can take place within the Runway Protection Zone (RPZ) of the Ralph Hall Municipal Airport.
- (4) As part of the Traffic Impact Analysis (TIA) and/or roadway design, the need for a left turn lane on FM-1141 -- *at the proposed drive approach* -- shall be determined.
- (5) Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

### **PLANNING AND ZONING COMMISSION**

On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 23022-010

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST (SELECT ONLY ONE BOX):

### PLATTING APPLICATION FEES:

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

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

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

### OTHER APPLICATION FEES:

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

### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  
<sup>2</sup>: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1649 FM 1141, Rockwall, TX 75087

SUBDIVISION ABS A0122, MB Jones, Tract 4-01 LOT BLOCK

GENERAL LOCATION Approximately 1250 feet east of the intersection John King and FM 1141 South of 1141

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

CURRENT ZONING Agricultural CURRENT USE Agricultural

PROPOSED ZONING Planned Development District PROPOSED USE Single Family

ACREAGE 93.97 LOTS [CURRENT] 1 LOTS [PROPOSED] 182

- 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	Mike Peoples	<input type="checkbox"/> APPLICANT	Michael Joyce Properties
CONTACT PERSON	Mike Peoples	CONTACT PERSON	Ryan Joyce
ADDRESS	1850 FM 1141	ADDRESS	767 Justin Rd
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Rockwall, TX 75087
PHONE		PHONE	512-965-6280
E-MAIL		E-MAIL	ryan@michaeljoyceproperties.com

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Mike Peoples [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 \$ 162 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14 DAY OF Feb, 20 22 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

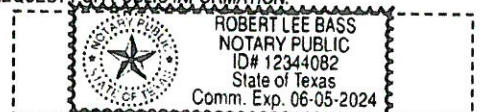
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14 DAY OF Feb, 20 22

OWNER'S SIGNATURE

*[Signature]*

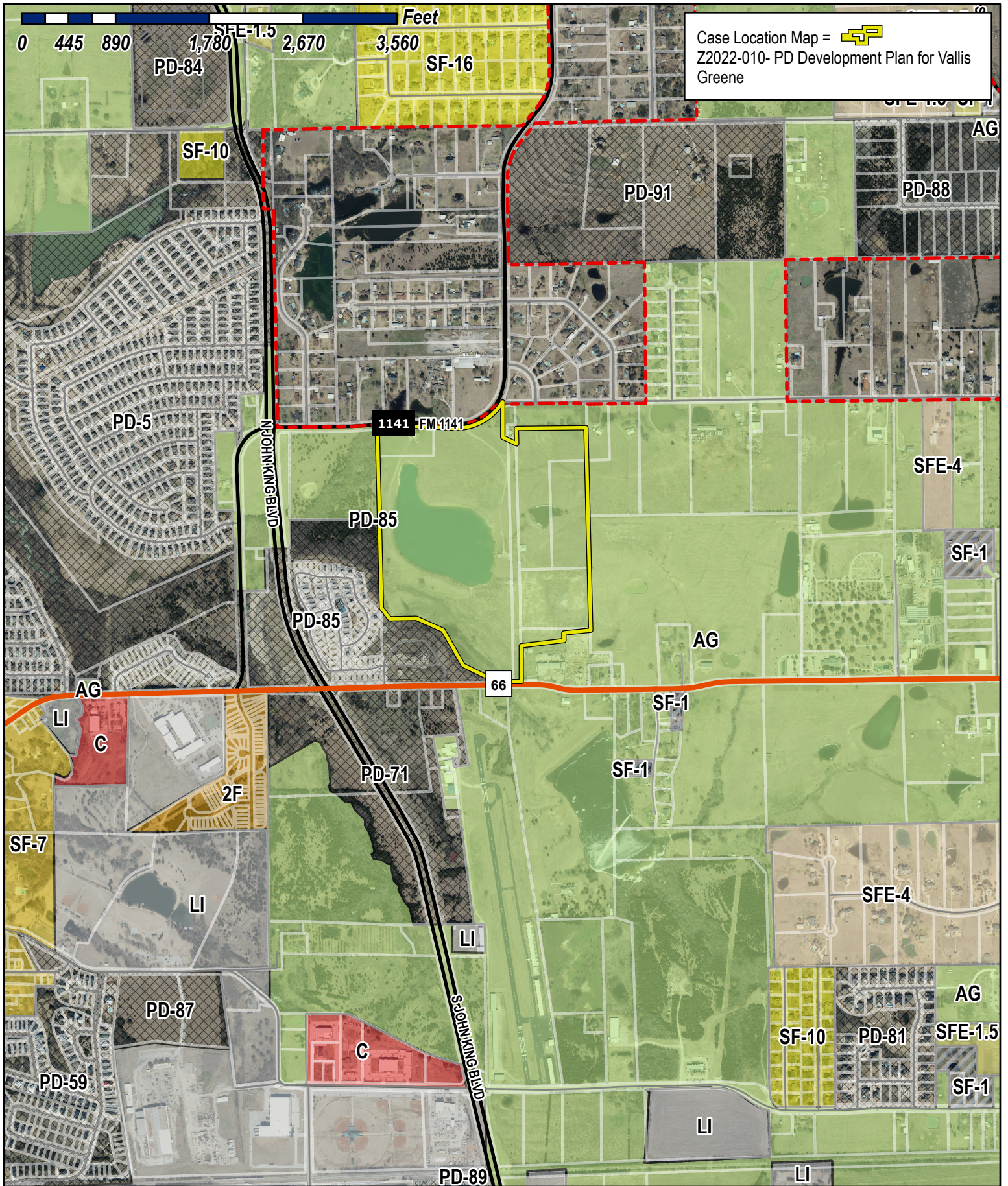
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS


TEXAS



MY COMMISSION EXPIRES 06-05-2024

**162**



Case Location Map =   
 Z2022-010- PD Development Plan for Vallis Greene



# City of Rockwall

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

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

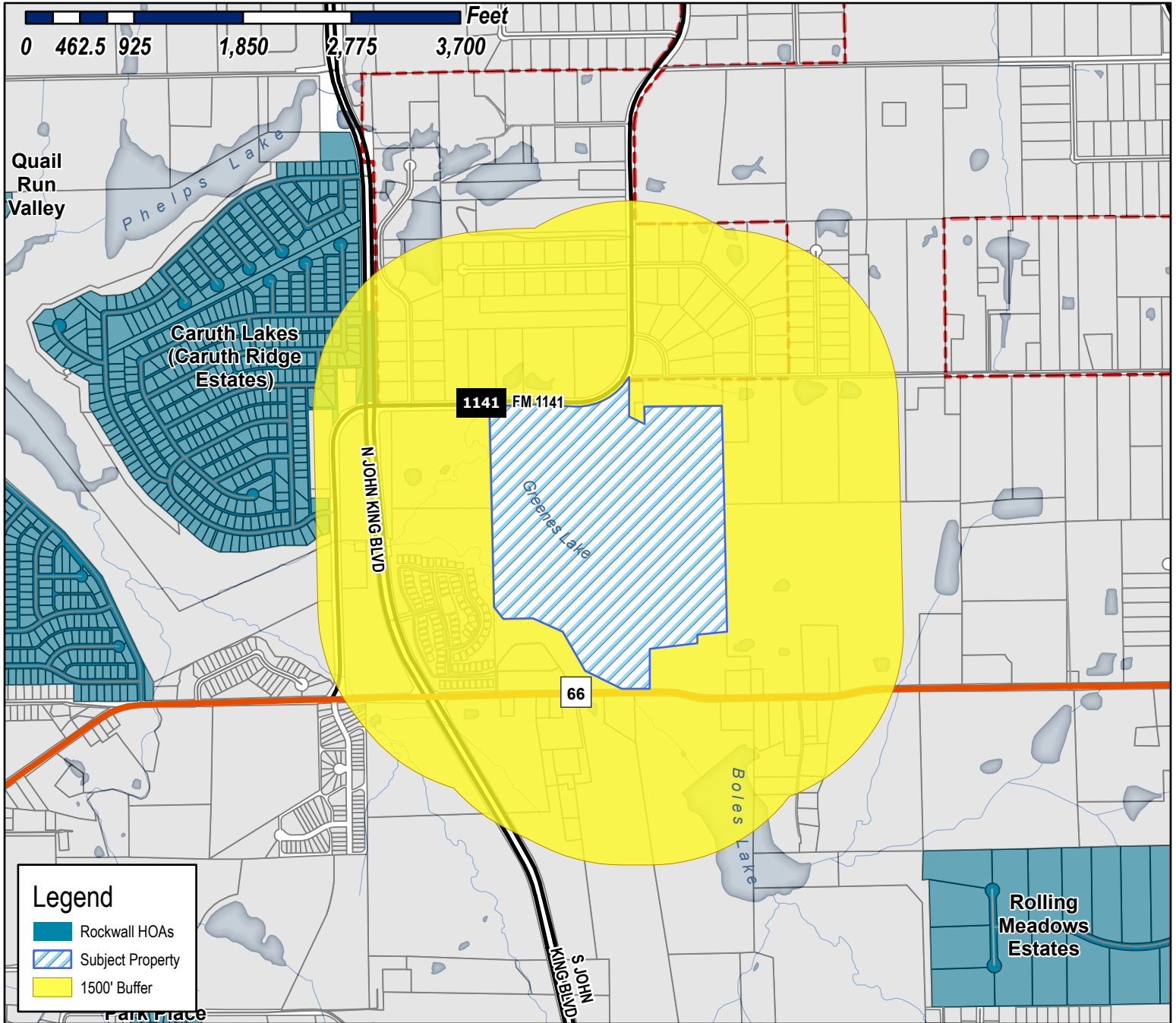




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
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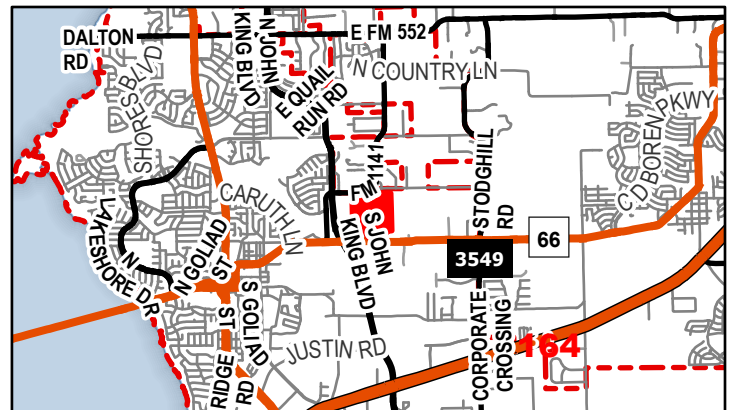


**Legend**

- Rockwall HOAs
- Subject Property
- 1500' Buffer

**Case Number:** Z2022-010  
**Case Name:** PD Development Plan for Vallis Greene  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 1649 FM 1141

**Date Saved:** 2/18/2022  
 For Questions on this Case Call (972) 771-7745



## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Wednesday, February 23, 2022 2:27 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2022-010]  
**Attachments:** Public Notice (02.23.2022).pdf; HOA Map (02.22.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *February 25, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, March 15, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, March 21, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2022-010: Zoning Change from AG to PD**

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 93.97-acre tract of land identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1936 SH-66, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

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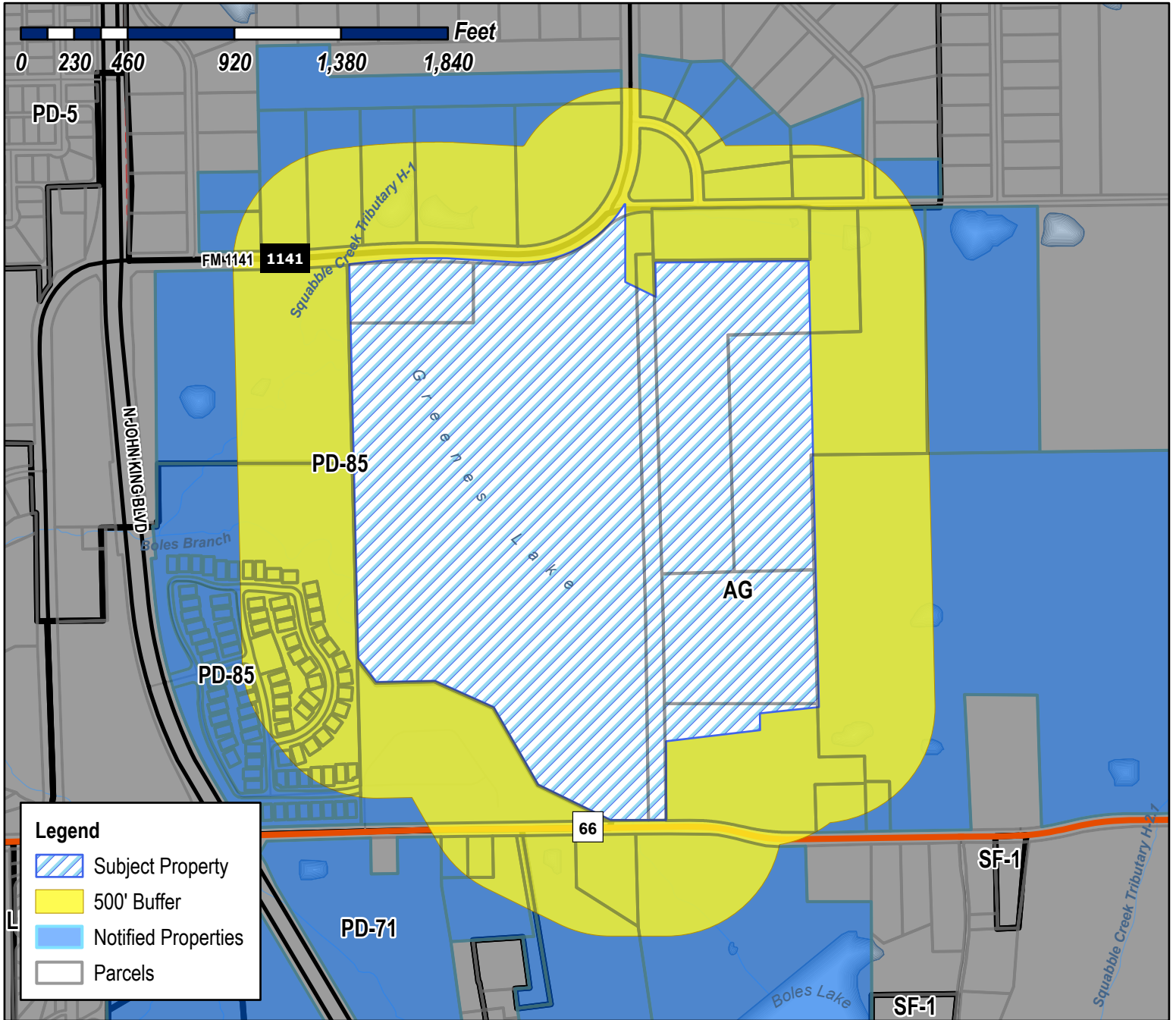
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# City of Rockwall

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

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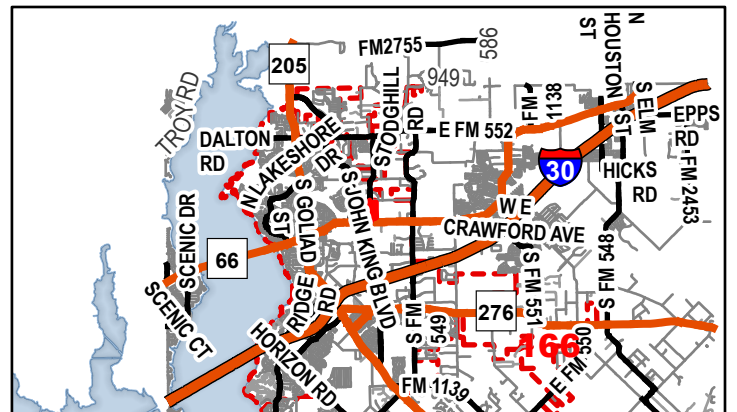


**Legend**

- Subject Property
- 500' Buffer
- Notified Properties
- Parcels

**Case Number:** Z2022-010  
**Case Name:** PD Development Plan for Vallis Greene  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** 1649 FM 1141

**Date Saved:** 2/18/2022  
 For Questions on this Case Call (972) 771-7745



MAUTNER ERNESTO & BEATRICE  
103 N GREENPRINT CIRCLE  
TOMBALL, TX 76262

BROWN LARRY MELVIN & MARSHA LIZBETH  
1042 LAKE SHORE DR  
MESQUITE, TX

SEE BETTY  
110 WESTMINISTER  
ROCKWALL, TX 75032

PEOPLES MIKE L  
111 CORNELIUS RD  
ROCKWALL, TX 75087

RATLIFF JENNIFER L  
123 HARKER TRAIL  
ROCKWALL, TX 75087

ANDRULAT ALEC J AND VERONICA BITZ  
124 HARKER TR  
ROCKWALL, TX 75087

MCKEE MARK D  
131 MEADOWLARK CIR  
ROCKWALL, TX 75087

SQUIER NATALIE  
153 MEADOWLARK CIRCLE  
ROCKWALL, TX 75087

HAMPTON ELDEN L  
1530 FM 1141  
ROCKWALL, TX 75087

GRIFFITH JESSE JOHN AND SARAH KRISTIN  
1578 FM 1141  
ROCKWALL, TX 75087

WHYDE KIMBERLY  
1602 ENCANTO TRAIL  
ROCKWALL, TX

GIAMPAPA SANTO AND SUSAN  
1606 ENCANTO TRL  
ROCKWALL, TX

SANDKNOP LES T AND CLAUDIA J  
1614 ENCANTO TRAIL  
ROCKWALL, TX

SHANNON STANLEY W  
162 HARKER TRL  
ROCKWALL, TX 75087

DENNEY DENNIS W & LINDA L  
162 MEADOWLARK CIR  
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC  
1620 MADRID WAY  
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC  
1624 MADRID WAY  
ROCKWALL, TX 75087

RW LADERA LLC  
1628 MADRID WAY  
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORPORATION  
ATTN BILL BRICKER  
1630 WILLIAMS  
ROCKWALL, TX 75087

RW LADERA LLC  
1632 MADRID WAY  
ROCKWALL, TX 75087

RW LADERA LLC  
1636 MADRID WAY  
ROCKWALL, TX 75087

HUDDIN RYAN S AND JADA  
1666 FM 1141  
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND  
SHERYL NEWMAN PEOPLES  
1700 STATE HIGHWAY 66  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
1701 AIRPORT RD  
ROCKWALL, TX 75087

WAINNER MATTHEW CODY &  
MELANIE RENEE HUMBLE  
173 MEADOWLARK CIRCLE  
ROCKWALL, TX 75087

SCHRAMM EDWIN W III & PATSY ANN  
1895 FM 1141  
ROCKWALL, TX 75087

PEOPLES MICHAEL L  
1936 HWY 66  
ROCKWALL, TX 75087

BELEW THOMAS E SR  
DIANNE S CURREY  
2 NORMAN TRL  
ROCKWALL, TX 75087

PEOPLES MICHAEL L  
2026 HWY 66  
ROCKWALL, TX 75087

SALINAS HILSE S  
2068 STATE HWY 66  
ROCKWALL, TX 75087

GILLILAND TOMMY JOE  
2098 WILLIAMS  
ROCKWALL, TX 75087

RANDLE SUSAN AND DERRICE  
226 CORNELIUS RD  
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD  
2294 ESTATE HIGHWAY 66  
ROCKWALL, TX 75087

PEOPLES MIKE  
291 CORNELIUS RD  
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORPORATION  
ATTN BILL BRICKER  
305 PARK PLACE BLVD  
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD  
305 STONEBRIDGE DR  
ROCKWALL, TX 75087

PEOPLES MIKE  
333 CORNELIUS  
ROCKWALL, TX 75087

RW LADERA LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

DAVIS WILLIAM PAUL JR  
510 TURTLE COVE BLVD STE 200  
ROCKWALL, TX 75087

VACLAVIK JOHN AND MARCILE  
610 W COLCHESTER DR  
EAGLE, ID

RILEY RODNEY H & JANET E  
802 RIO VISTA LN  
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC  
806 RIO VISTA LN  
ROCKWALL, TX 75087

RW LADERA LLC  
810 RIO VISTA LN  
ROCKWALL, TX 75087

RW LADERA LLC  
814 RIO VISTA LN  
ROCKWALL, TX 75087

ALDERMAN CLAUDETTE  
815 RIO VISTA LANE  
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC  
818 RIO VISTA LN  
ROCKWALL, TX 75087

RW LADERA LLC  
819 RIO VISTA LN  
ROCKWALL, TX 75087

LANCASTER JAMES EVERETT JR &  
GEORGIANA MARIE  
820 BELLA DRIVE  
ROCKWALL, TX 76262

RW LADERA LLC  
822 RIO VISTA LN  
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC  
825 BELLA CT  
ROCKWALL, TX 75087

WALLACE MARTHA G  
826 BELLA DRIVE  
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC  
826 RIO VISTA LN  
ROCKWALL, TX 75087

MAUTNER ERNESTO & BEATRICE  
829 BELLA CT  
ROCKWALL, TX 75087

EVANS MARY E  
830 BELLA DRIVE  
ROCKWALL, TX 76262

HUCK WALTER R AND MARY A  
830 RIO VISTA LANE  
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC  
831 RIO VISTA LN  
ROCKWALL, TX 75087

RW LADERA LLC  
833 BELLA CT  
ROCKWALL, TX 75087

HOPKINS TEENA  
834 BELLA DR  
ROCKWALL, TX 76262

PAUL DAVID OLIVIER AND LYN DIANE OLIVIER  
FAMILY REVOCABLE TRUST  
LYN DIANE OLIVIER- SURVIVING TRUSTOR  
834 RIO VISTA LANE  
ROCKWALL, TX 75087



MURPHY DON & SHARON  
837 BELLA DRIVE  
ROCKWALL, TX 76262

RW LADERA LLC  
837 RIO VISTA LN  
ROCKWALL, TX 75087

HENDLEY BEVERLY  
838 BELLA DRIVE  
ROCKWALL, TX 75087

RW LADERA LLC  
841 BELLA DR  
ROCKWALL, TX 75087

RW LADERA LLC  
841RIO VISTALN  
ROCKWALL, TX 75087

HOWARD EDWARD L AND BRENDA S  
902 RIO VISTA LN  
ROCKWALL, TX

DELK JEANNETTE FREY  
903 RIO VISTA LN  
ROCKWALL, TX

HAMBLIN DONALD ELEX AND DEBORAH LUCILLE  
905 RIO VISTA LN  
ROCKWALL, TX

EASLEY PHYLLIS  
909 RIO VISTA LANE  
ROCKWALL, TX

JONES BRENDA K & SAM A  
910 BELLA DR  
ROCKWALL, TX

ROONEY CATHERINE  
912 BELLA DR  
ROCKWALL, TX

JOHN AND LYNNE MCMAHAN REVOCABLE  
TRUST  
JOHN AND LYNNE MCMAHAN- TRUSTEES  
912 RIO VISTA LN  
ROCKWALL, TX

BROCHON DELILIA A AND MARTIAL H  
913 RIO VISTA LANE  
ROCKWALL, TX

G & C DAVIS FAMILY 2013 TRUST  
GREGORY A DAVIS AND CAROL L DAVIS - CO  
TRUSTEES  
916 RIO VISTA LN  
ROCKWALL, TX

DIMISSEW SAMUEL  
956 S WEATHERRED DR  
RICHARDSON, TX 75080

LUKER LEO  
P.O. BOX 1599  
LYTLE, TX 78052

POTTER JOHN D ETUX  
PO BOX 259  
FATE, TX 75132

PEOPLES MICHAEL L  
PO BOX 41  
ROCKWALL, TX 75087

# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2022-010: Zoning Change from AG to PD for Vallis Greene**

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 93.97-acre tract of land identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1936 SH-66, 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, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2022-010: Zoning Change from AG to PD for Vallis Greene**

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.

Airport landing strip is right across the street and property is in path to landing planes on runway. There was a recent plane crash on Hwy 66. ~~Also~~ Also FM 1141 & Hwy 66 are ~~not~~ narrow and not set up well for increased traffic.

Name: Jada Huddin

Address: 1666 FM 1141 Rockwall TX 75087

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

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Case No. Z2022-010: Zoning Change from AG to PD for Vallis Greene

Please place a check mark on the appropriate line below:

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

I just moved to this area in June 2021 to get away from busyness in Mesquite area. I selected a lot with tree/creek views to enjoy semi country living. There is too much development in this area of Rockwall.

Name: Kimberly Whyde

Address: 1602 Encanto Trail Rockwall, TX 75087

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

**From:** Edward Howard <edwardho@pacbell.net>  
**Sent:** Sunday, March 13, 2022 1:21 PM  
**To:** Planning  
**Cc:**  
**Subject:** ATTN: Ryan Miller - Case No. Z2022-010

I am writing in opposition to the proposed Case No. Z2022-010: Zoning Change from AG to PD for Vallis Greene for the following reasons.

1. My wife and I live in Ladera Rockwall (Lot 14) 55+ community just west of the proposed property. We paid a substantial premium for our lot where our patio faces east towards the proposed property. In other words, our view from the patio looks toward the trees along the existing creek. We are concerned the proposed change will possibly end up removing some trees and/or polluting the creek area with trash and debris. In the summer, when trees have leaves our view of the property is blocked. In the winter, the trees without leaves allows us to view the existing pasture property. Both seasons provide a pleasing view. We will not be happy to view a bunch of houses each winter.
2. The proposed property lies just north of the Rockwall airport directly in the flight path of takeoff and landings of numerous private planes and an occasional private jet. There have been two incidents just since we moved here in the past year or so. Building homes on this property is just asking for a bad incident with a plane crash where lives may be a risk. In the past, we lived adjacent to a private airport (Skypark) in Fresno CA where there were numerous incidents involving private planes in the flight path. Fortunately, there were no homes involved.
3. Third and possibly more important, is the question "What are you guys doing to our unique community?" Does every piece of farmland need new homes built on it. Just drive down John King and see what has happened there. Houses, houses, houses everywhere. Be kind to our small county.....

Thank you for considering my objections to your propose rezoning.

Sincerely, Edward and Brenda Howard  
Phone 469-910-1770  
902 Rio Vista Lane, Rockwall, TX 75087

---

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Case No. Z2022-010: Zoning Change from AG to PD for Vallis Greene

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*There are many housing complexes already under construction. Opposed to more at this time due to 1) can that many new houses be sold, 2) changes characteristic of the town, 3) infrastructure does not support increase in population.*

Name: *Ernesto and Beatrice Mautner*

Address: *829 Bella Drive, Rockwall*

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**173**

## Zoning & Specific Use Permit Input Form

### Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-010

---

Please place a check mark on the appropriate line below: \*

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We need more housing inventory in Rockwall County.

---

### Respondent Information

Please provide your information.

First Name \*

Matthew

Last Name \*

LaMunion

Address \*

342 meredith dr

City \*

Fate

State \*

TX

Zip Code \*

75087

Email Address \*

Phone Number

214-601-0983

Please check all that apply: \*

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
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# PUBLIC NOTICE



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PHONE: (972) 771-7745  
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385 S. Goliad Street  
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Sincerely,

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Director of Planning & Zoning



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**From:** Edward Howard <edwardho@pacbell.net>  
**Sent:** Sunday, March 13, 2022 1:21 PM  
**To:** Planning  
**Cc:** lillyhorn55@hoymail.com  
**Subject:** ATTN: Ryan Miller - Case No. Z2022-010

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Phone 469-910-1770  
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**181**

## Zoning & Specific Use Permit Input Form

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We need more housing inventory in Rockwall County.

---

### Respondent Information

Please provide your information.

First Name \*

Matthew

Last Name \*

LaMunion

Address \*

342 meredith dr

City \*

Fate

State \*

TX

Zip Code \*

75087

Email Address \*

Phone Number

Please check all that apply: \*

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
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- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
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- My neighbors told me about the request.
- Other: Facebook

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# JOHNSON VOLK CONSULTING

704 Central Parkway East | Suite 1200 | Plano, Texas 75074 | 972.201.3100

February 18, 2022

City of Rockwall  
Planning Department  
385 South Goliad  
Rockwall, TX 75087

**RE: Vallis Greene – Zoning Application**

Dear Staff,

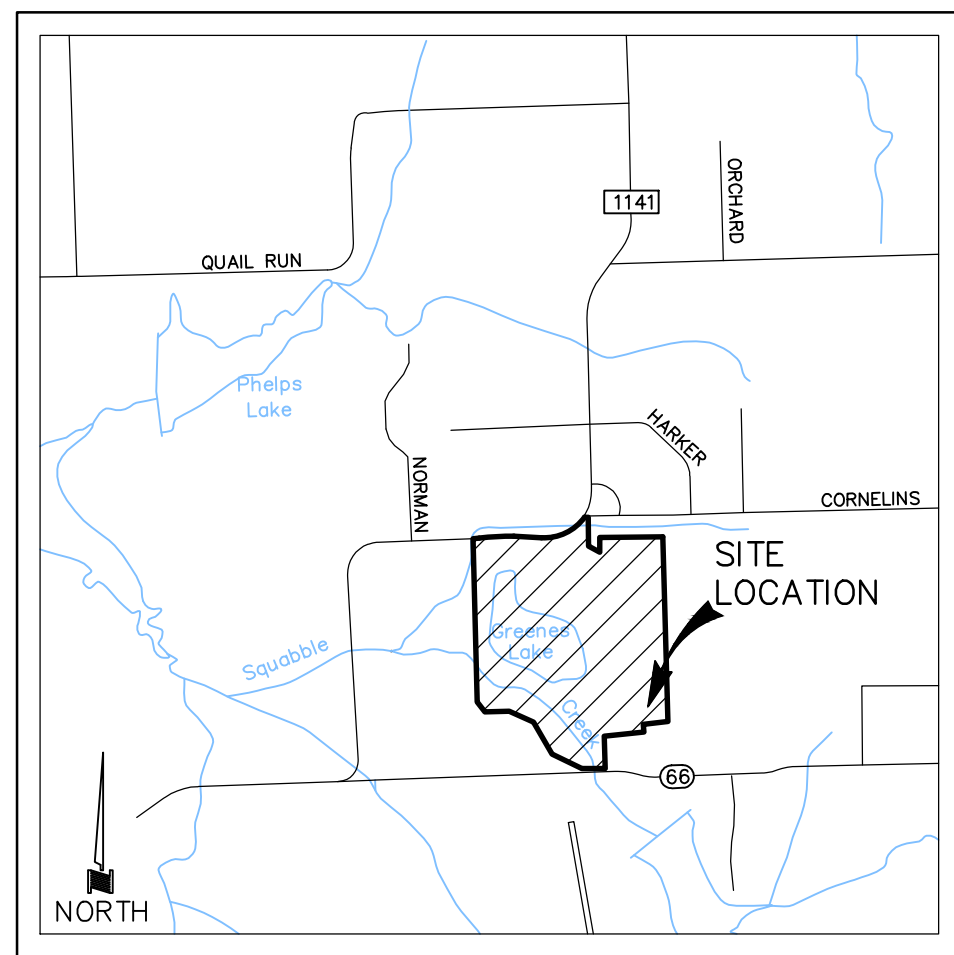
The purpose of this letter is to formally request a zoning change for the referenced property located south of FM 1141 and north of SH 66. The subject development will consist of +/-182 single family lots on a 93.97 acre tract. After meeting with staff at a Development Review Committee Meeting, the Concept Plan included with this submittal is representative of our proposed vision for the property.

Please feel free to contact us if you have any questions regarding this project or application.

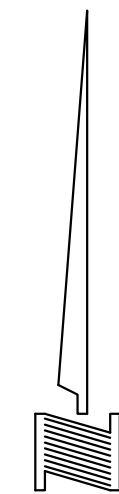
Sincerely,

**Johnson Volk, Inc.**

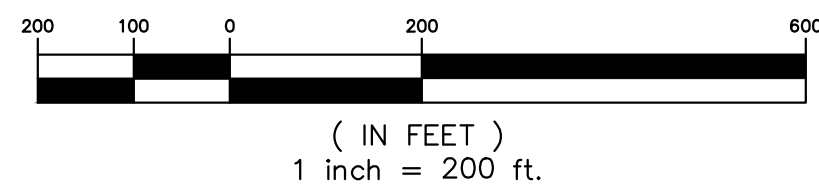
Tom Dayton, PE



LOCATION MAP NOT TO SCALE



GRAPHIC SCALE



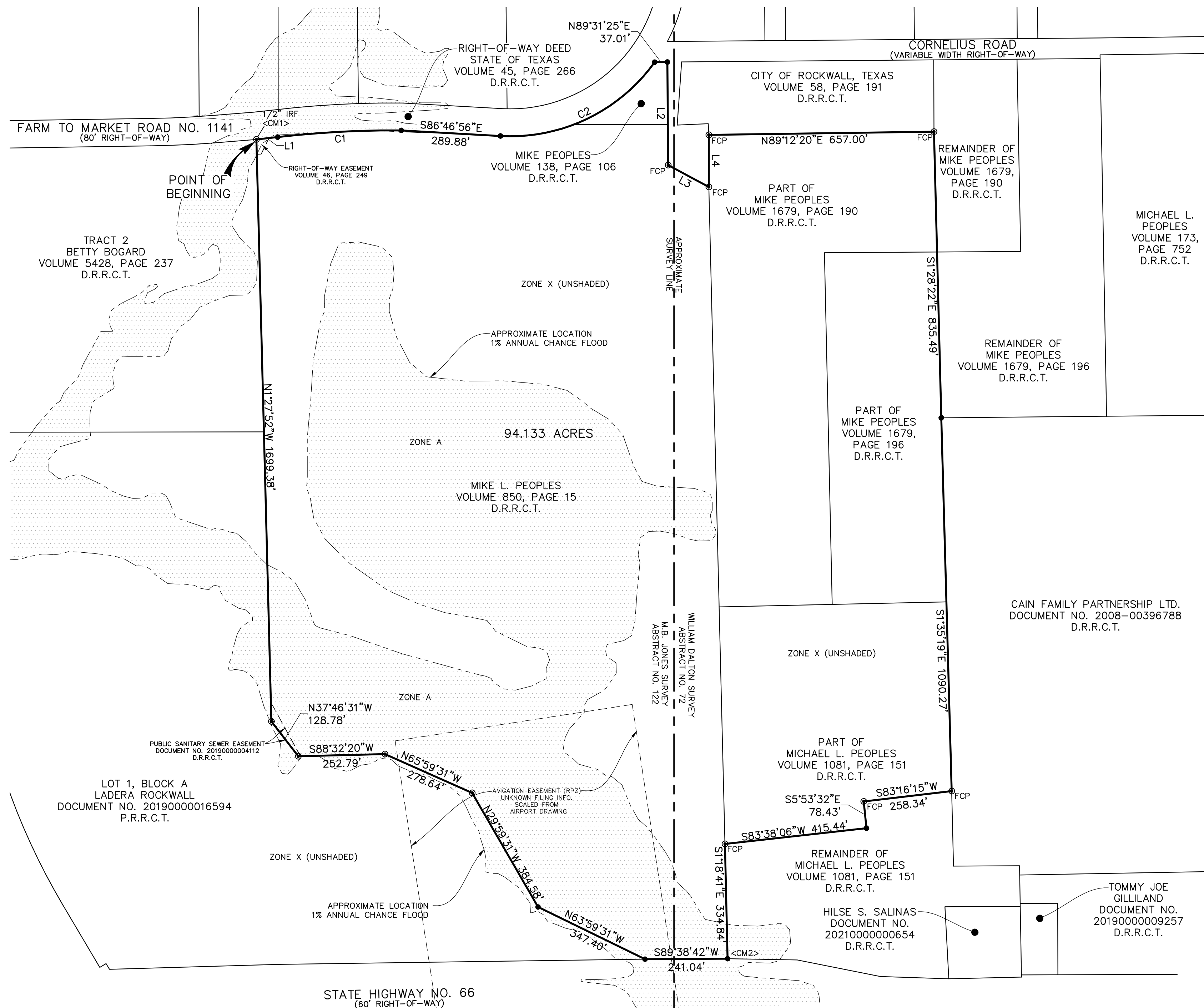
( IN FEET )  
1 inch = 200 ft.

LEGEND

- 1" RED BOUNDARY MARKER STAMPED "G&A MCADAMS CO" FOUND (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "JVC"
- <CM> CONTROL MONUMENT
- FCP FENCE CORNER POST FOUND
- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS

NOTES:

1. BASIS OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, NORTH CENTRAL ZONE. DIRECTION FOR CONTROL ESTABLISHED THROUGH <CM1> AND <CM2> HAVING A BEARING AND DISTANCE OF S29°53'54"E, 2,758.60'.
2. THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND ZONE A, DEFINED AS "SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NOS. 48397C0030L AND 48397C0035L, DATED SEPTEMBER 26, 2008 FOR ROCKWALL COUNTY, TEXAS AND INCORPORATED AREAS.
3. SURVEYOR ADDRESSED ONLY THOSE ITEMS LISTED IN TITLE RESOURCES GUARANTY COMPANY'S COMMITMENT FOR TITLE INSURANCE, G.F. NO. 22135356-10GH, EFFECTIVE DATE FEBRUARY 16, 2022 AND ISSUED FEBRUARY 22, 2022. NO FURTHER RESEARCH WAS PERFORMED BY SURVEYOR.
4. VISIBLE IMPROVEMENTS/UTILITIES WERE NOT LOCATED WITH THIS SURVEY, NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY.
5. FENCES SHOWN HEREON ARE GRAPHIC ONLY AND MAY MEANDER BETWEEN MEASURED LOCATIONS.
6. THE ACREAGE TOTALS AS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THIS SURVEY. THEY DO NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
7. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR THE PARTIES CERTIFIED TO HEREON AND REMAINS THE PROPERTY OF THE SURVEYOR. THE UNAUTHORIZED USE OR REUSE OF THIS SURVEY WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE SURVEYOR IS NOT PERMITTED. THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE CERTIFIED PARTIES OR FOR ANY UNINTENDED USE WILL REMOVE SURVEYOR FROM BURDEN OF ANY DAMAGES INCURRED.
8. THE TERM "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON INDICATES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED; AND IS EXCLUSIVELY TO THE PARTIES INVOLVED IN AND LIMITED TO THE TRANSACTION CLOSING AT THE TITLE COMPANY INDICATED HEREON.



SCHEDULE B NOTES:

- 10a. EASEMENT TO TEXAS POWER & LIGHT RECORDED IN VOLUME 33, PAGE 256, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (DESCRIPTION TOO VAGUE TO LOCATE)
- 10f. EASEMENT TO TEXAS POWER & LIGHT RECORDED IN VOLUME 33, PAGE 267, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (DESCRIPTION TOO VAGUE TO LOCATE)
- 10g. EASEMENT TO TEXAS POWER & LIGHT RECORDED IN VOLUME 33, PAGE 268, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (DESCRIPTION TOO VAGUE TO LOCATE)
- 10h. EASEMENT TO TEXAS POWER & LIGHT RECORDED IN VOLUME 40, PAGE 193, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (DESCRIPTION TOO VAGUE TO LOCATE)
- 10i. EASEMENT TO STATE OF TEXAS RECORDED IN VOLUME 45, PAGE 266, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (AS SHOWN ON SURVEY)
- 10j. EASEMENT TO STATE OF TEXAS RECORDED IN VOLUME 46, PAGE 249, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (AS SHOWN ON SURVEY)
- 10k. EASEMENT TO NORTH TEXAS MUNICIPAL WATER DISTRICT RECORDED IN VOLUME 54, PAGE 199, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (DESCRIPTION TOO VAGUE TO LOCATE)
- 10l. EASEMENT TO NORTH TEXAS MUNICIPAL WATER DISTRICT RECORDED IN VOLUME 54, PAGE 394, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (DESCRIPTION TOO VAGUE TO LOCATE)
- 10m. EASEMENT TO CITY OF ROCKWALL RECORDED IN DOCUMENT NO. 2019-4112, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (AS SHOWN ON SURVEY)

LEGAL DESCRIPTION:

BEING a tract of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72 and the M.B. JONES SURVEY, ABSTRACT NO. 122, City of Rockwall, Rockwall County, Texas and being part of that tract of land described in Deed to Mike L. Peoples, as recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas and being part of that tract of land described as 0.64 Acre Tract in Deed to Mike Peoples, as recorded in Volume 138, Page 106, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 190, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 196, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Michael L. Peoples, as recorded in Volume 1081, Page 151, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the south line of Farm to Market Road No. 1141, an 80 foot right-of-way, for the northwest corner of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE Easterly, with said south line, the following four (4) courses and distances:

North 83 degrees 33 minutes 49 seconds East, a distance of 62.35 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the right having a central angle of 07 degrees 20 minutes, a radius of 2,824.93 feet and a chord bearing and distance of North 86 degrees 53 minutes 49 seconds East, 361.32 feet;

Easterly, with said curve to the right, an arc distance of 361.57 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 86 degrees 46 minutes 56 seconds East, a distance of 289.88 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 57 degrees 36 minutes 49 seconds, a radius of 517.68 feet and a chord bearing and distance of North 64 degrees 24 minutes 40 seconds East, 496.90 feet;

Northeasterly, with said curve to the left, an arc distance of 520.55 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the intersection of said south line with the south line of Cornelius Road, a 60 foot right-of-way;

THENCE North 89 degrees 31 minutes 25 seconds East, leaving said south line of Farm to Market Road No. 1141 and with said south line of Cornelius Road, a distance of 37.01 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 00 degrees 29 minutes 15 seconds East, leaving said south line and generally with an existing fence, a distance of 300.96 feet to a fence corner post found for corner;

THENCE South 61 degrees 44 minutes 36 seconds East, generally with an existing fence, a distance of 134.73 feet to a fence corner post found for corner;

THENCE North 00 degrees 05 minutes 20 seconds West, generally with an existing fence, a distance of 152.26 feet to a fence corner post found for an exterior ell corner of that tract of land described in Deed to City of Rockwall, Texas, as recorded in Volume 58, Page 191, Deed Records, Rockwall County, Texas;

THENCE North 89 degrees 12 minutes 20 seconds East, with the south line of said City of Rockwall, Texas tract and generally with an existing fence, a distance of 657.00 feet to a fence corner post found for the southeast corner of said City of Rockwall, Texas tract;

THENCE South 01 degrees 28 minutes 22 seconds East, a distance of 835.49 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to Cain Family Partnership Ltd., as recorded in Document No. 2008-00396788, Deed Records, Rockwall County, Texas and an interior ell corner of said Mike Peoples tract recorded in Volume 1679, Page 196;

THENCE South 01 degrees 35 minutes 19 seconds East, a distance of 1,090.27 feet to a fence corner post found for corner in the common east line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and west line of said Cain Family Partnership Ltd. tract;

THENCE South 83 degrees 16 minutes 15 seconds West, leaving said common line and generally with an existing fence, a distance of 258.34 feet to a fence corner post found for corner;

THENCE South 05 degrees 53 minutes 32 seconds East, generally with an existing fence, a distance of 78.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 83 degrees 38 minutes 06 seconds West, a distance of 415.44 feet to a fence corner post found for corner in the common west line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and east line of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE South 01 degrees 18 minutes 41 seconds East, with said common line, a distance of 334.84 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the north line of State Highway No. 66, a variable width right-of-way, for the common southeast corner of said Mike L. Peoples tract recorded in Volume 850, Page 15 and southwest corner of said Michael L. Peoples tract recorded in Volume 1081, Page 151;

THENCE South 89 degrees 38 minutes 42 seconds West, with said north line, a distance of 241.04 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the southeast corner of Lot 1, Block A of LADERA ROCKWALL, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Document No. 2019000016594, Plat Records, Rockwall County, Texas;

THENCE Northwesterly, with the north line of said Lot 1, the following five (5) courses and distances:

North 63 degrees 59 minutes 31 seconds West, leaving said north line of State Highway No. 66, a distance of 347.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

North 29 degrees 59 minutes 31 seconds West, a distance of 384.58 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

North 65 degrees 59 minutes 31 seconds West, a distance of 278.64 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

South 88 degrees 32 minutes 20 seconds West, a distance of 252.79 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

North 37 degrees 46 minutes 31 seconds West, a distance of 128.78 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found in the west line of said Mike L. Peoples tract recorded in Volume 850, Page 15 for an interior ell corner of said Lot 1;

THENCE North 01 degrees 27 minutes 52 seconds West, with said west line, a distance of 1,699.38 feet to the POINT OF BEGINNING and containing 94.133 acres of land, more or less.

SURVEYOR'S CERTIFICATE:

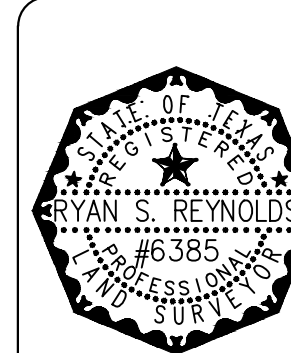
To MRJOYCE, LLC; MIKE L. PEOPLES; ALLEGIANCE TITLE COMPANY; and TITLE RESOURCES GUARANTY COMPANY;

I, Ryan S. Reynolds, a Registered Professional Land Surveyor in the State Of Texas, do hereby certify that this plat is based on an actual on the ground survey made under my direct supervision and all corners are monumented as shown hereon. Except as shown, there are no visible encroachments, conflicts or protrusions apparent on the ground.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

RYAN S. REYNOLDS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6385

SURVEYED ON THE GROUND: FEBRUARY 28, 2022

03/04/2022

SCALE:  
1" = 200'  
One Inch  
JVC No. 2215

**LEGAL DESCRIPTION**  
**94.133 ACRES**

**BEING** a tract of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72 and the M.B. JONES SURVEY, ABSTRACT NO. 122, City of Rockwall, Rockwall County, Texas and being part of that tract of land described in Deed to Mike L. Peoples, as recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas and being part of that tract of land described as 0.64 Acre Tract in Deed to Mike Peoples, as recorded in Volume 138, Page 106, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 190, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 196, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Michael L. Peoples, as recorded in Volume 1081, Page 151, Deed Records, Rockwall County, Texas and being more particularly described as follows:

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**THENCE** Easterly, with said south line, the following four (4) courses and distances:

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Easterly, with said curve to the right, an arc distance of 361.57 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 86 degrees 46 minutes 56 seconds East, a distance of 289.88 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 57 degrees 36 minutes 49 seconds, a radius of 517.68 feet and a chord bearing and distance of North 64 degrees 24 minutes 40 seconds East, 498.90 feet;

Northeasterly, with said curve to the left, an arc distance of 520.55 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the intersection of said south line with the south line of Cornelius Road, a 60 foot right-of-way;

**THENCE** North 89 degrees 31 minutes 25 seconds East, leaving said south line of Farm to Market Road No. 1141 and with said south line of Cornelius Road, a distance of 37.01 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

**THENCE** South 00 degrees 29 minutes 15 seconds East, leaving said south line and generally with an existing fence, a distance of 300.96 feet to a fence corner post found for corner;

**THENCE** South 61 degrees 44 minutes 36 seconds East, generally with an existing fence, a distance of 134.73 feet to a fence corner post found for corner;

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**THENCE** South 01 degrees 28 minutes 22 seconds East, a distance of 835.49 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to Cain Family Partnership Ltd., as recorded in Document No. 2008-00396788, Deed Records, Rockwall County, Texas and an interior ell corner of said Mike Peoples tract recorded in Volume 1679, Page 196;

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**THENCE** Northwesterly, with the north line of said Lot 1, the following five (5) courses and distances:

North 63 degrees 59 minutes 31 seconds West, leaving said north line of State Highway No. 66, a distance of 347.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped “JVC” set for corner;

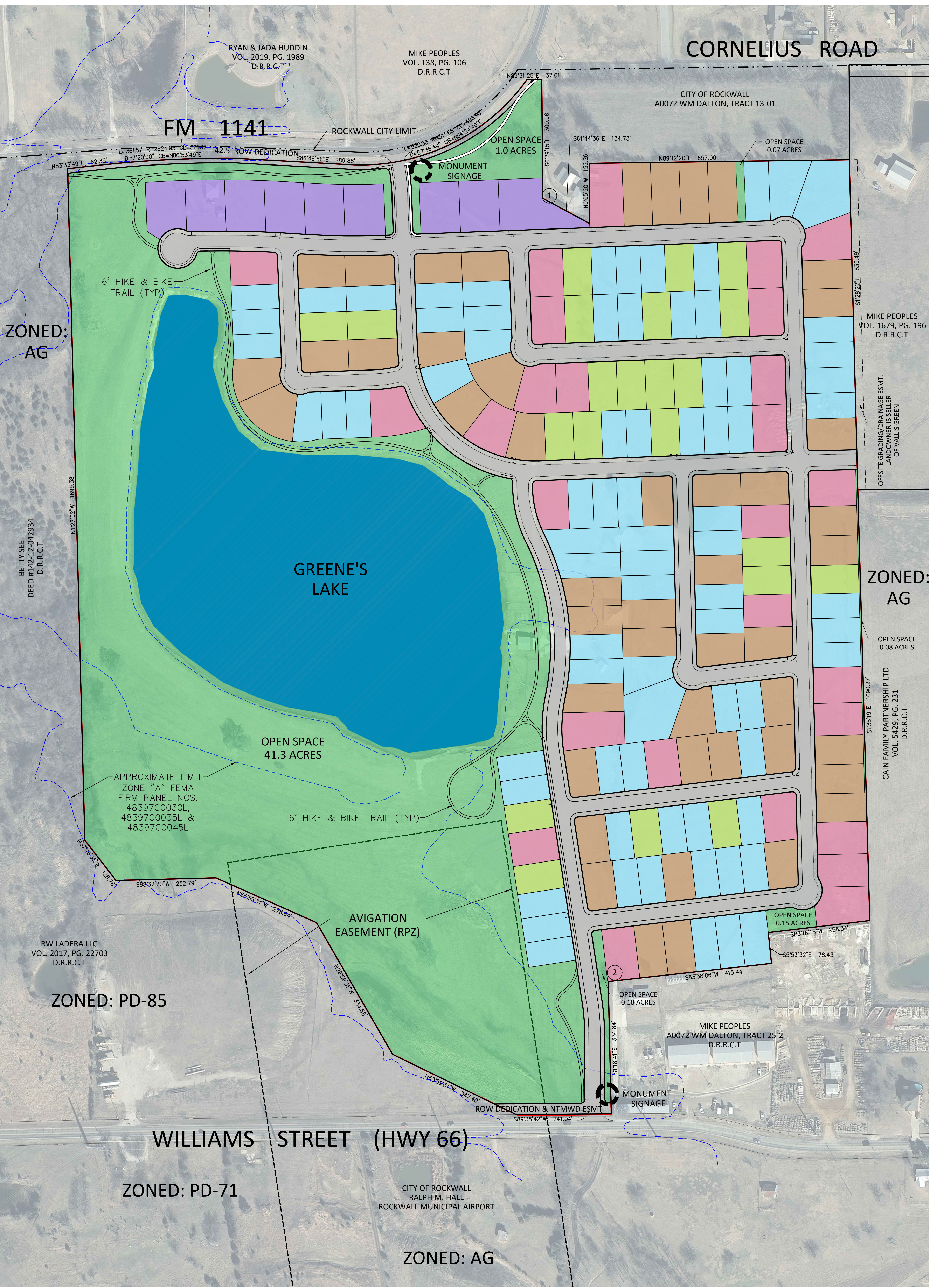
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North 65 degrees 59 minutes 31 seconds West, a distance of 278.64 feet to a 1-inch red boundary marker stamped “G&A MCADAMS CO” found for corner;

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North 37 degrees 46 minutes 31 seconds West, a distance of 128.78 feet to a 1-inch red boundary marker stamped “G&A MCADAMS CO” found in the west line of said Mike L. Peoples tract recorded in Volume 850, Page 15 for an interior ell corner of said Lot 1;

**THENCE** North 01 degrees 27 minutes 52 seconds West, with said west line, a distance of 1,699.38 feet to the **POINT OF BEGINNING** and containing 94.133 acres of land, more or less.



ALL LOTS LESS THAN 12,000 SF ARE LOCATED WITHIN 800 FT OF A PUBLIC OR PRIVATE OPEN SPACE.

OPEN SPACE	ACRES
FLOOD PLAIN	29.72
OTHER	13.06
TOTAL	42.78
OPEN SPACE RATIO*	
$[(29.72/2) + 13.06] / 94.13 =$	29.7%

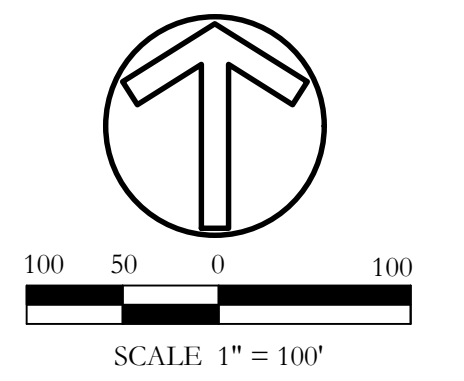
\*ASSUMING HALF OF FLOODPLAIN

**JOHNSON VOLK CONSULTING**  
 TRFELS Engineering Firm No. 11962 / Land Surveying Firm No. 10194033  
 704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100

# CONCEPT PLAN VALLIS GREENE

94.13 ACRES  
 ROCKWALL TEXAS

LOT TYPE	MIN. LOT AREA (SF)
A (100'x130')	13,000
B (82'x120')	10,000
C (72'x120')	9,000
D (72'x120')	8,400
E (62'x120')	7,200



ZONING CASE # 29022-010

# 05 FUTURE LAND USE PLAN

## 01 LAND USE PLAN DESIGNATIONS

### 01.01 RESIDENTIAL ● ● ●

#### ● LOW DENSITY RESIDENTIAL (LDR)

The *Low Density Residential* land use category consists of residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses (see Chapter 8, *Residential Developments, of this Comprehensive Plan*).

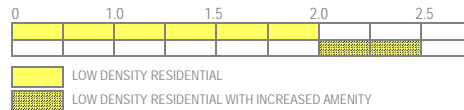
##### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban, Estate and Rural Residential (i.e. *Single-Family Detached Homes*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: All Single-Family Estate (SFE) Districts (i.e. SFE 1.5, 2.0 & 4.0), certain Planned Development (PD) Districts and the Single-Family One (SF-1) District.

##### EXISTING LAND USE EXAMPLES

- 1 Breezy Hill Subdivision
- 2 Stone Creek Subdivision
- 3 Oaks of Buffalo Way Subdivision

##### RESIDENTIAL DENSITY CHART



#### ● ● MEDIUM DENSITY RESIDENTIAL (MDR)

The *Medium Density Residential* land use category consists of residential subdivisions that are greater than two and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses (see Chapter 8, *Residential Developments, of this Comprehensive Plan*).

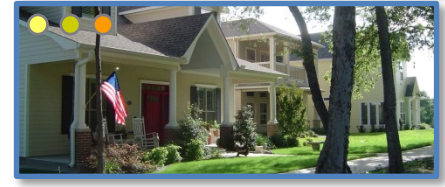
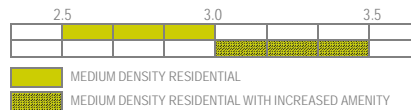
##### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban Residential (i.e. *Single-Family Detached Homes*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Certain Planned Development (PD) Districts and the Single-Family 16 (SF-16) District

##### EXISTING LAND USE EXAMPLES

- 1 Caruth Lakes Subdivision
- 2 Lago Vista Subdivision
- 3 Park Place Subdivision

##### RESIDENTIAL DENSITY CHART



#### ● HIGH DENSITY RESIDENTIAL (HDR)

The *High Density Residential* land use category may consist of single-family residential homes, duplexes, townhomes, apartments, lofts, condominiums or other forms of housing that exceed three and one-half (3½) units per gross acre. These developments should contain increased amenities and open space, and incorporate pedestrian connectivity to adjacent land uses.

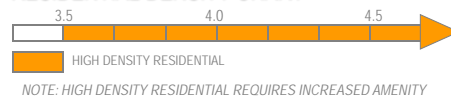
##### DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban and Urban Residential (i.e. *Single-Family Detached, Single-Family Attached, Zero Lot Line Homes, Townhomes, Duplexes, Condominiums and Multi-Family Apartments*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Certain Planned Development (PD) Districts, Single-Family 10 (SF-10) District, Single-Family 8.4 (SF-8.4) District, Single-Family 7 (SF-7) District, Zero Lot Line (ZL-5) District, Two Family (2F) District, and the Multi-Family 14 (MF-14) District.

##### EXISTING LAND USE EXAMPLES

- 1 Turtle Cove Subdivision
- 2 Sixteen50 @ Lake Ray Hubbard Apartments
- 3 Mission Rockwall Apartment Complex

##### RESIDENTIAL DENSITY CHART





# 11 NORTHEAST RESIDENTIAL DISTRICT

↑ NORTHERN ESTATES DISTRICT (PAGE 1-24)

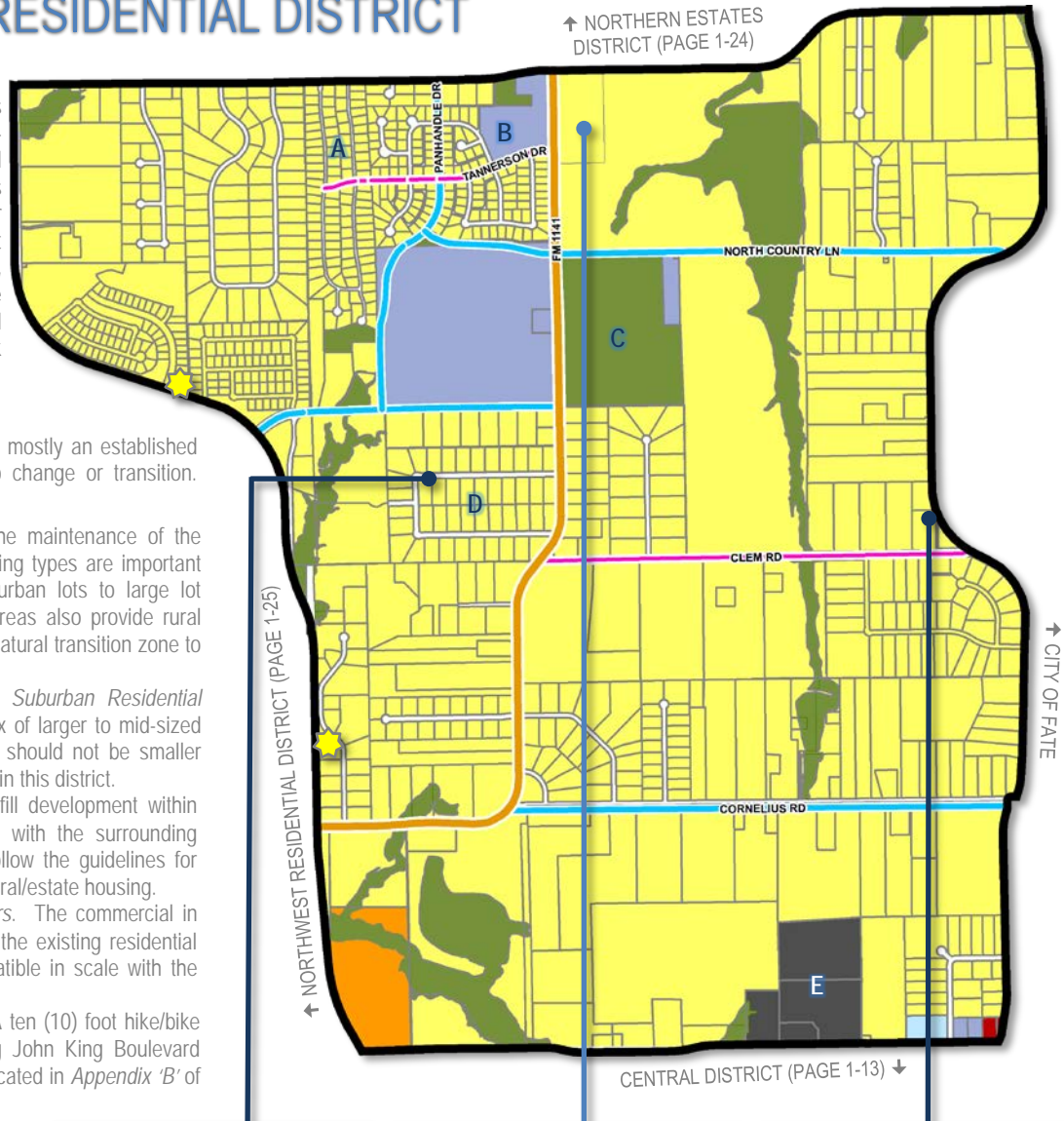
## DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

## DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 **Estate and Rural Residential.** The maintenance of the *Estate and Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 **Suburban Residential.** Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 **Infill Development.** Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 **Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



## POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home

## LAND USE PALETTES

- Current Land Use
- Future Land Use

★ John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

BUILD OUT  
 1,964  
 5,794

% OF ROCKWALL  
 3.13%  
 0.99%  
 3.10%

CURRENT  
 625  
 18  
 1,844



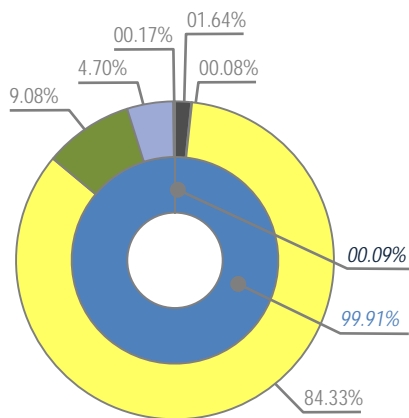
2 Current Suburban Residential



2 Future Suburban Residential



1 Current Rural Residential



■ MINOR COLLECTOR	0.00%
■ M4U	0.00%
■ M4D	0.00%
■ COMMERCIAL	0.09%
■ RESIDENTIAL	99.91%
■ MIXED USE	0.00%
■ CEMETERY (CEM)	32.34-ACRES
■ COMMERCIAL/RETAIL (CR)	1.52-ACRES
■ LOW DENSITY RESIDENTIAL (LDR)	1,658.33-ACRES
■ PARKS AND OPEN SPACE (OS)	178.54-ACRES
■ PUBLIC (P)	92.45-ACRES
■ QUASI-PUBLIC (QP)	3.25-ACRES

CITY OF ROCKWALL

ORDINANCE NO. **22-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT **XX** (PD-**XX**) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 93.97-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4-01 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Ryan Joyce of the Michael Joyce Properties on behalf of Mike Peoples for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 93.97-acre tract of land identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1936 SH-66, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

**SECTION 2.** That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached

hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

**SECTION 5.** That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
  - (1) Master Parks and Open Space Plan
  - (2) Master Plat
  - (3) Preliminary Plat
  - (4) PD Site Plan
  - (5) Final Plat
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat*. A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan*. A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.

(g) Final Plat. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

**SECTION 6.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

**SECTION 7.** That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 8.** The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

**SECTION 9.** That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4<sup>TH</sup> DAY OF JULY, 2021.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

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

BEING a tract of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72 and the M.B. JONES SURVEY, ABSTRACT NO. 122, City of Rockwall, Rockwall County, Texas and being part of that tract of land described in Deed to Mike L. Peoples, as recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas and being part of that tract of land described as 0.64 Acre Tract in Deed to Mike Peoples, as recorded in Volume 138, Page 106, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 190, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 196, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Michael L. Peoples, as recorded in Volume 1081, Page 151, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found in the south line of Farm to Market Road No. 1141, an 80-foot right-of-way, for the northwest corner of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE Easterly, with said south line, the following four (4) courses and distances:

North 83 degrees 33 minutes 49 seconds East, a distance of 62.35 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the right having a central angle of 07 degrees 20 minutes, a radius of 2,824.93 feet and a chord bearing and distance of North 86 degrees 53 minutes 49 seconds East, 361.32 feet;

Easterly, with said curve to the right, an arc distance of 361.57 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 86 degrees 46 minutes 56 seconds East, a distance of 289.88 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 57 degrees 36 minutes 49 seconds, a radius of 517.68 feet and a chord bearing and distance of North 64 degrees 24 minutes 40 seconds East, 498.90 feet;

Northeasterly, with said curve to the left, an arc distance of 520.55 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the intersection of said south line with the south line of Cornelius Road, a 60-foot right-of-way;

THENCE North 89 degrees 31 minutes 25 seconds East, leaving said south line of Farm to Market Road No. 1141 and with said south line of Cornelius Road, a distance of 37.01 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 00 degrees 29 minutes 15 seconds East, leaving said south line and generally with an existing fence, a distance of 300.96 feet to a fence corner post found for corner;

THENCE South 61 degrees 44 minutes 36 seconds East, generally with an existing fence, a distance of 134.73 feet to a fence corner post found for corner;

THENCE North 00 degrees 05 minutes 20 seconds West, generally with an existing fence, a distance of 152.26 feet to a fence corner post found for an exterior ell corner of that tract of land described in Deed to City of Rockwall, Texas, as recorded in Volume 58, Page 191, Deed Records, Rockwall County, Texas;

THENCE North 89 degrees 12 minutes 20 seconds East, with the south line of said City of Rockwall, Texas tract and generally with an existing fence, a distance of 657.00 feet to a fence corner post found for the southeast corner of said City of Rockwall, Texas tract;

THENCE South 01 degrees 28 minutes 22 seconds East, a distance of 835.49 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to Cain Family Partnership Ltd., as recorded in Document No. 2008-00396788, Deed Records, Rockwall County, Texas and an interior ell corner of said Mike Peoples tract recorded in Volume 1679, Page 196;

THENCE South 01 degrees 35 minutes 19 seconds East, a distance of 1,090.27 feet to a fence corner post found for corner in the common east line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and west line of said Cain Family Partnership Ltd. tract;

**Exhibit 'A':  
Legal Description**

*THENCE* South 83 degrees 16 minutes 15 seconds West, leaving said common line and generally with an existing fence, a distance of 258.34 feet to a fence corner post found for corner;

*THENCE* South 05 degrees 53 minutes 32 seconds East, generally with an existing fence, a distance of 78.43 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

*THENCE* South 83 degrees 38 minutes 06 seconds West, a distance of 415.44 feet to a fence corner post found for corner in the common west line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and east line of said Mike L. Peoples tract recorded in Volume 850, Page 15;

*THENCE* South 01 degrees 18 minutes 41 seconds East, with said common line, a distance of 334.84 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set in the north line of State Highway No. 66, a variable width right-of-way, for the common southeast corner of said Mike L. Peoples tract recorded in Volume 850, Page 15 and southwest corner of said Michael L. Peoples tract recorded in Volume 1081, Page 151;

*THENCE* South 89 degrees 38 minutes 42 seconds West, with said north line, a distance of 241.04 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the southeast corner of Lot 1, Block A of LADERA ROCKWALL, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Document No. 20190000016594, Plat Records, Rockwall County, Texas;

*THENCE* Northwesterly, with the north line of said Lot 1, the following five (5) courses and distances:

North 63 degrees 59 minutes 31 seconds West, leaving said north line of State Highway No. 66, a distance of 347.40 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

North 29 degrees 59 minutes 31 seconds West, a distance of 384.58 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

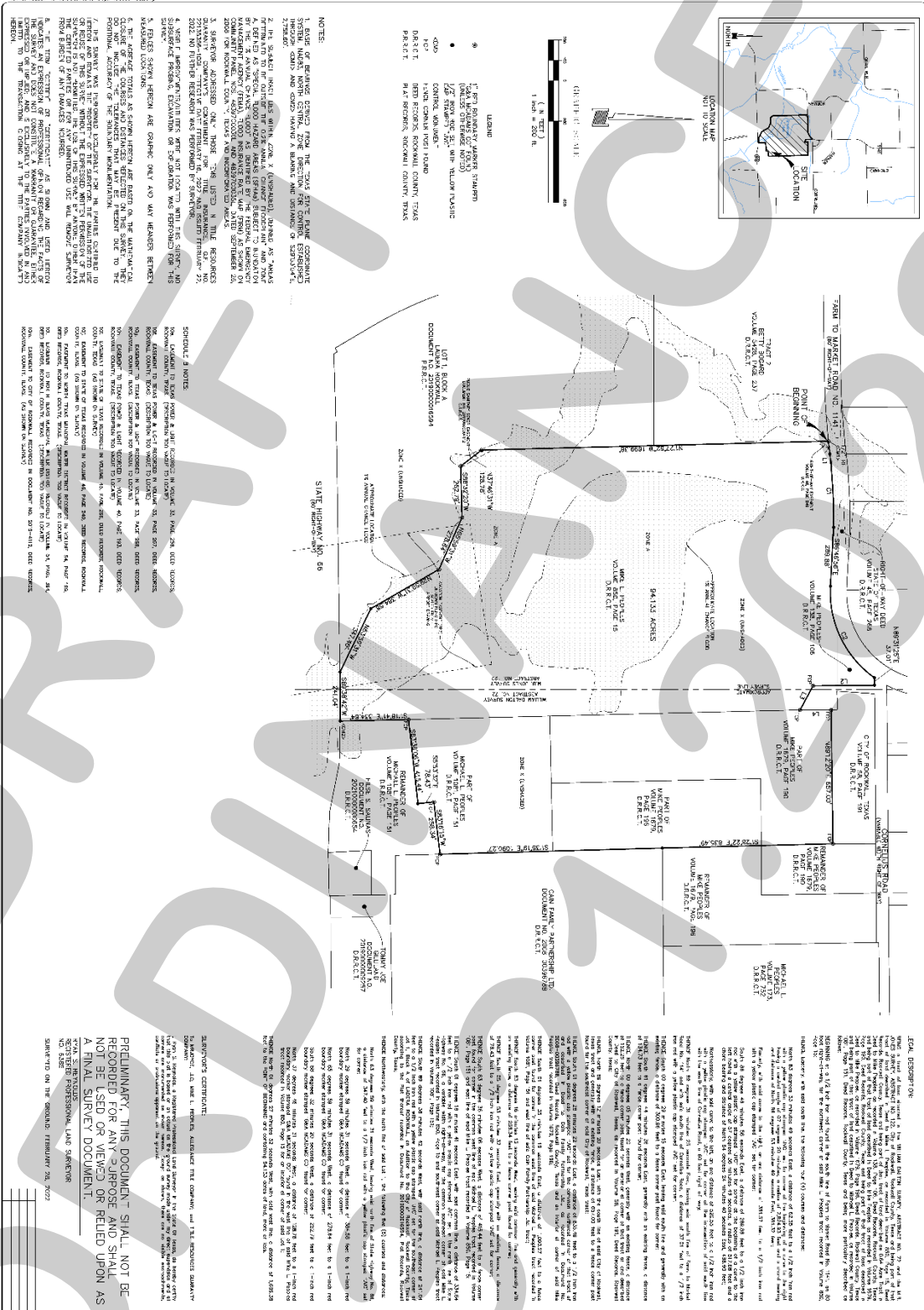
North 65 degrees 59 minutes 31 seconds West, a distance of 278.64 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

South 88 degrees 32 minutes 20 seconds West, a distance of 252.79 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

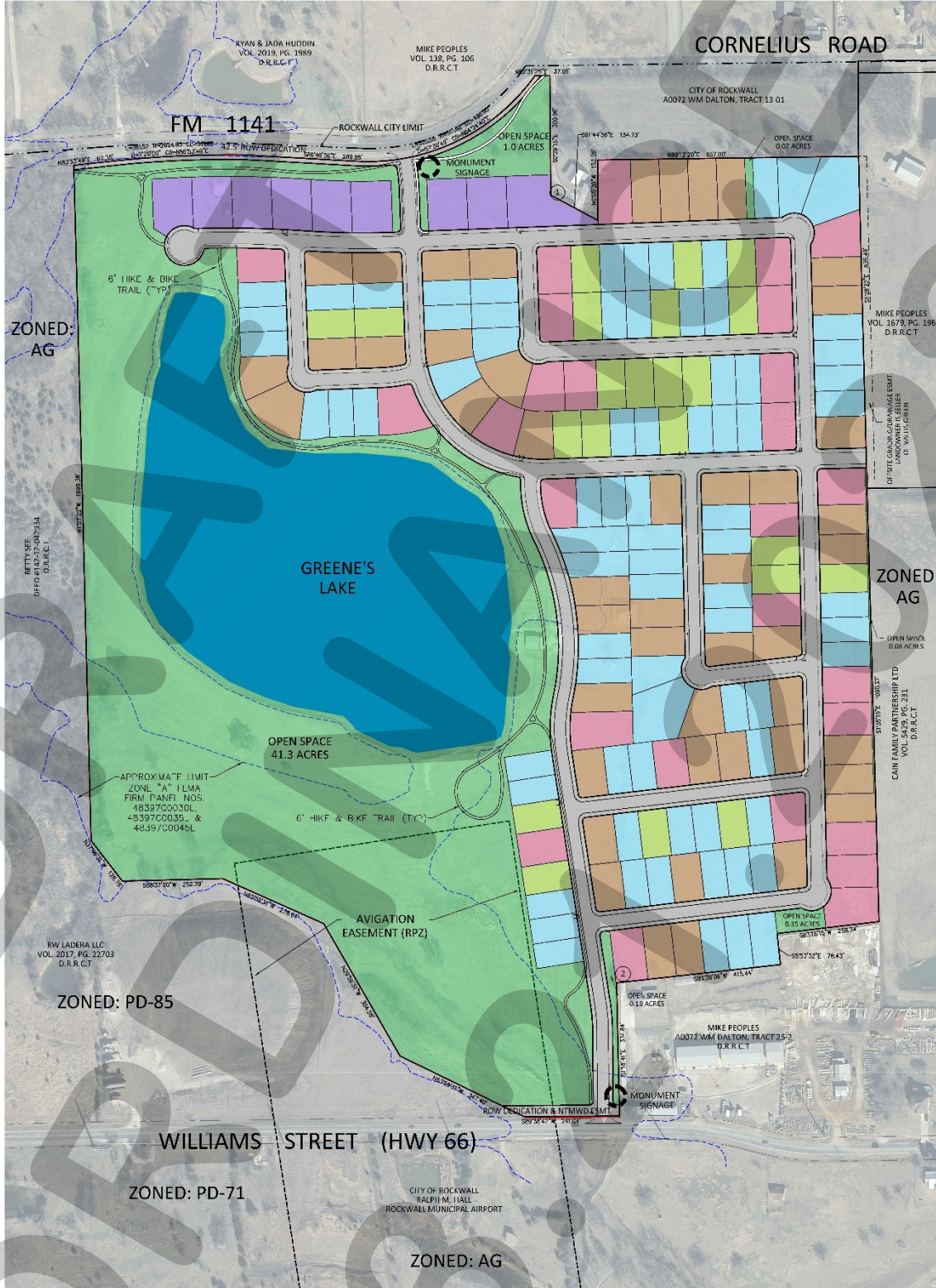
North 37 degrees 46 minutes 31 seconds West, a distance of 128.78 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found in the west line of said Mike L. Peoples tract recorded in Volume 850, Page 15 for an interior ell corner of said Lot 1;

*THENCE* North 01 degrees 27 minutes 52 seconds West, with said west line, a distance of 1,699.38 feet to the *POINT OF BEGINNING* and containing 94.133 acres of land, more or less.

# Exhibit 'B': Survey



**Exhibit 'C':  
Concept Plan**



4.1.27.5. JUNCTION, PROPOSED  
SITUATION WITHIN 800 FT  
OF A PUBLIC OR PRIVATE OPEN  
SPACE

OPEN SPACE	ACRES
BIKES & SKI	38.77
OTHER	13.06
TOTAL	51.83
OPEN SPACE PER ACRE	129.72 / 1.25 = 103.85

**CONCEPT PLAN  
VALLIS GREENE  
94.13 ACRES  
ROCKWALL TEXAS**

LOT	MIN LOT AREA (SQ FT)
A (1,000' x 50')	15,000
B (800' x 120')	10,000
C (700' x 120')	9,000
D (700' x 120')	8,000
E (600' x 120')	7,200





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

**DENSITY AND DEVELOPMENT STANDARDS.**

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single-Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

**TABLE 1: LOT COMPOSITION**

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	100' x 130'	13,000 SF	9	04.95%
B	82' x 120'	10,000 SF	29	15.93%
C	72' x 110'	9,000 SF	45	24.73%
D	72' x 110'	8,400 SF	22	12.09%
E	62' x 110'	7,200 SF	77	42.31%
<i>Maximum Permitted Units:</i>			182	100.00%

- (3) Variation in Residential Lot Composition. The allocation of single-family residential lot types may deviate from the that in Subsection (2), *Residential Lot Composition and Layout*, of this ordinance provided that the maximum allowed total dwelling units does not exceed 182 units provided [1] a minimum of 57.69% of the total lot count be comprised of *Lot Types 'A', 'B', 'C' & 'D'*, [2] a minimum of nine (9) *Lot Type 'A'* and 30 *Lot Type 'B'* lots are provided, and [3] a maximum of 42.30% *Lot Type 'E'* lots can be provided.
- (4) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 10 (SF-10) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 1.93 dwelling units per gross acre of land; however, in no case should the proposed development exceed 182 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

**TABLE 2: LOT DIMENSIONAL REQUIREMENTS**

Lot Type (see Concept Plan) ▶	A	B	C	D	E
<i>Minimum Lot Width</i> <sup>(1)</sup>	100'	82'	72'	72'	62'
<i>Minimum Lot Depth</i>	130'	120'	115'	110'	110'
<i>Minimum Lot Area</i>	13,000 SF	10,000 SF	9,000 SF	8,400 SF	7,200 SF
<i>Minimum Front Yard Setback</i> <sup>(2), (5) &amp; (6)</sup>	25'	20'	20'	20'	20'
<i>Minimum Side Yard Setback</i>	15'	6'	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> <sup>(2), (5) &amp; (7)</sup>	15'	15'	15'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'	20'	20'
<i>Maximum Height</i> <sup>(3)</sup>	35'	35'	35'	35'	35'
<i>Minimum Rear Yard Setback</i> <sup>(4)</sup>	25'	20'	20'	20'	20'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,400 SF	2,200 SF	2,200 SF	2,200 SF	2,000 SF
<i>Maximum Lot Coverage</i>	45'	45'	45'	65'	65'

**General Notes:**

- <sup>1:</sup> Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- <sup>2:</sup> The location of the *Front Yard Building Setback* as measured from the front property line.
- <sup>3:</sup> The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.

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

- 4: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- 5: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.
- 6: *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- 7: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

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

- (a) **Masonry Requirement**. The minimum masonry requirement for the exterior façade of all buildings shall be 90% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (see *examples below*) may be used for up to 80% of the masonry requirement; however, administrative from the Director of Planning and Zoning approval may be requested for housing plans that utilize cementitious fiberboard in excess of 80% of the masonry requirement on a *case-by-case* basis.

**FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD**



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



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

**FIGURE 3: EXAMPLES OF HORIZONTAL LAP**



- (b) Roof Pitch. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) Garage Orientation and Garage Doors. A total of 50% of all garages may be oriented toward the street in a *Front Entry* garage configuration; however, the front façade of the garage must be situated a minimum of five (5) feet behind the front façade of the primary structure. The remaining 50% of all garages shall be oriented in a *J-Swing* (or *Traditional Swing*) configuration or be situated a minimum of 20-feet behind the front façade of the home. In addition, all garage configurations shall have upgraded finishes that consist of the following architectural elements: [1] coach lighting, [2] decorative wood doors or wood overlays on insulated metal doors, and [3] driveways that are constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished [see *Figures 4-6* for examples of upgraded or enhanced finishes].

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



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

**FIGURE 5: EXAMPLES OF UPGRADED FINISHES**



**FIGURE 6: EXAMPLES OF UPGRADED GARAGES**



- (6) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (for spacing requirements see *Figures 7 & 8* below).

**TABLE 3: ANTI-MONOTONY MATRIX**

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	13,000 SF	(1), (2), (3), (4)
B	10,000 SF	(1), (2), (3), (4)
C	9,000 SF	(1), (2), (3), (4)
D	8,400 SF	(1), (2), (3), (4)
E	7,200 SF	(1), (2), (3), (4)

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

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open space, Cornelius Road, FM-1141, or SH-66 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
  - (1) Number of Stories
  - (2) Permitted Encroachment Type and Layout
  - (3) Roof Type and Layout
  - (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

*FIGURE 7: Properties line up on the opposite side of the street. Where RED is the subject property.*



*FIGURE 8: Properties do not line up on opposite side of the street. Where RED is the subject property.*



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

- (7) Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) Front Yard Fences. Front yard fences shall be prohibited.
  - (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.
  - (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. FM-1141, Cornelius Road, and SH-66*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height. The *Lot Type 'A'* lots shall be required to utilize wrought iron/tubular steel fencing.
  - (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
  - (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
  - (f) Fence in Easements. No fencing shall be constructed in or across a North Texas Municipal Water District (NTMWD) easement and/or an easement of the City of Rockwall.
  - (g) Additional Fence Requirements. In addition to the abovementioned fence requirements the following additional requirements will need to be met for *Locations 1 & 2* as depicted on *Exhibit 'C'* of this ordinance.
    - (1) Location 1. In Location 1, where the *Lot Types 'A' & 'B'* lots abut an existing single-family home that has an existing six (6) foot or greater wood fence, the wood fence shall be permitted to remain on the shared property line and serve both lots.
    - (2) Location 2. In Location 2, where the lots abut a non-residential land use along the southern property line, a minimum of an eight (8) foot wood fence meeting the requirements of Subsection (b), *Wood Fences*, and Subsection (e), *Solid Fences (including Woods Fences)*, above shall be constructed. In addition, one (1) row of

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

a minimum of four (4), four (4) inch caliper Eastern Red Cedar or Leland Cypress trees shall be planted along the rear property line of each property.

(8) Landscape and Hardscape Standards.

- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
- (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
- (1) Landscape Buffer and Sidewalks (FM-1141). A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (2) Landscape Buffer and Sidewalks (SH-66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (Adjacent to Open Space). A minimum of a ten (10) foot landscape buffer shall be provided along streets that have frontage on open space. This landscape buffer shall incorporate one (1) canopy tree and one (1) accent tree per 50-feet of linear frontage.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In

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

addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.

- (e) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (f) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (9) Street. All streets (excluding drives, fire lanes and private parking areas) shall be built according to City street standards.
- (10) Lighting. Light poles shall not exceed 20-feet in total height (i.e. base and lighting standard). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (11) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (12) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (13) Open Space/Public Park. The development shall consist of a minimum of 20% open space (or a minimum of 18.794-acres -- as calculated using the formula stipulated in the *Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. In addition, the developer shall be required to use the pro-rata equipment and cash-in-lieu of land fees -- in the amounts stipulated by the *Parkland Dedication Ordinance* -- to establish a public park with amenities on the four (4) acre tract of land (i.e. *Tract 13-01 of the W. M. Dalton Survey, Abstract 72*) owned by the City of Rockwall adjacent to Cornelius Road. Amenities for this public park shall include irrigation, parking, a playground, walking trails, and benches. All equipment and improvements within the public park shall be built to the specifications stipulated by the Director of Parks and Recreation, and shall be provided by the developer in conjunction with the development of the proposed subdivision. Funds provided by the developer shall not be required to exceed the fees required through the *Parkland Dedication Ordinance*. Plans for the proposed public park shall be reviewed and recommended by the Parks and Recreation Board and approved by the City Council with the Preliminary Plat/Master Parks and Open Space Plan. In the event that the design of the public park cannot be agreed up by the *Developer* and the City of Rockwall, the *Developer* shall have the ability to satisfy the fees through the normal payment method dictated by the *Parkland Dedication Ordinance*.



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

- (14) Trails. A minimum of a six (6) foot concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance.
- (15) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*; however, the signage should be equal to or better than the representative signage depicted in *Exhibit 'C'*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (16) Homeowner's Association (HOA). A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.
- (17) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** Z2021-011; ZONING CHANGE AGRICULTURAL (AG) DISTRICT TO GENERAL RETAIL (GR) DISTRICT

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Survey  
Legal Description  
380 Economic Development Agreement  
Comprehensive Plan Excerpts  
Property Owner Letter of Consent  
Land Uses Permitted in the General Retail (GR) District  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a City initiated request for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with condition, or deny the proposed Zoning Change.



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council  
**DATE:** March 21, 2022  
**APPLICANT:** Ryan Miller, AICP; *City of Rockwall*  
**CASE NUMBER:** Z2021-011; *Zoning Change Agricultural (AG) District to General Retail (GR) District*

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### SUMMARY

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

### BACKGROUND

The majority of the subject property was annexed on May 19, 1986 by *Ordinance No. 86-37 [Case No. A1986-005]*. The remainder of the subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation both portions of the subject property were zoned Agricultural (AG) District. In 2007-2008, the City of Rockwall acquired the subject property -- *which was a portion of a larger 6.702-acre tract of land (i.e. Tract 9 of the M. B. Jones Survey, Abstract No. 122)* -- for the future right-of-way of John King Boulevard. When John King Boulevard was constructed, the subject property was established in its current configuration. The subject property has remained vacant since its annexation.

On August 19, 2021, Maxwell Fisher of Masterplan submitted a development application on behalf of Saro Partners, LLC requesting to rezone a 5.07-acre tract of land (*i.e. Tract 2-06 of the D. Harr Survey, Abstract No. 102 [known as the Developers Property]*) from an Agricultural (AG) District to a Light Industrial (LI) District. Provided with the application was a concept plan showing a proposed ~17,000 SF facility for a *Social Service Provider/Day Care (i.e. Boys and Girls Club of America)*. After reviewing the application and concept plan, staff was made aware that the parking areas and a portion of the proposed facility would be situated within the Runway Protection Zone (RPZ) and *Clear Zone Easement [Instrument No. 19690000870386]* of the Ralph Hall Municipal Airport. In response to these findings, staff contacted the applicant to discuss possible options to protect the airport's RPZ while still finding a way to facilitate the proposed development. The option that appeared to be the most beneficial to all parties involved, was an option that involved trading the 5.07-acre tract of land (*i.e. the Developers Property*) for a 4.18-acre portion of the subject property (*i.e. a portion of Tract 9 of the M. B. Jones Survey, Abstract No. 122*). At the February 7, 2022 City Council meeting, the City Council approved a motion directing the City Manager to enter into a 380 Economic Development Agreement with the owner of the *Developer's Property* for the property swap and the development of a Boys and Girls Club of America on the subject. This agreement was signed and executed by the City and Saro Partners, LLC on March 8, 2022.

Under the terms of this agreement, the City of Rockwall is responsible for rezoning the *City's Property* from an Agricultural (AG) District to a Commercial (C) District and replatting the subject property into two (2) lots (*i.e. a 4.18-acre parcel of land that will be subject to the terms of the agreement and a 1.632-acre parcel of land that will be retained by the City of Rockwall*). Once the property is zoned and platted, the 4.18-acre parcel of land can be exchanged for the *Developer's Property* and then deeded to the Boys and Girls Club of America. After the property swap, the Boys and Girls Club of America will have 36-months from the date of the exchange of the property to begin developing the property with a new facility or the properties will revert back to their previous ownership.

In preparing for this case, staff received a number of phone calls and emails from residents of the adjacent neighborhood (*i.e. the Caruth Lakes Subdivision*) expressing a concern with the requested Commercial (C) District zoning. Based on this staff engaged the applicant to see if they were open to a changing the request from a Commercial (C) District to a General Retail (GR) District, and on March 11, 2022 the applicant sent an email accepting the change. Staff should point out that this change does not affect the ability of the Boys and Girls Club of America to meet the 380 Economic Development Agreement or what is being proposed to be developed on the subject property; however, staff is in agreement with the residents that a General Retail (GR) District zoning designation is more consistent with the residential adjacencies.

## **PURPOSE**

In accordance with the requirements of the executed 380 Economic Development Agreement and the changes agreed to by the City and Shawn Valk of Saro Partners, LLC, the City of Rockwall has submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a General Retail (GR) District.

## **ADJACENT LAND USES AND ACCESS**

The subject property is located at the southwest corner of the intersection of FM-1141 and John King Boulevard. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-1141, 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 a 0.5457-acre tract of land (*i.e. Tract 29-1 of the S. S. McCurry Survey, Abstract No. 146*) zoned Agricultural (AG) District. Situated on this tract of land is a 2,176 SF single-family home constructed in 1971. North of this property is Phase 6 of the Caruth Lakes Subdivision, which was established on August 9, 2005 and consists of 158 single-family residential lots. This subdivision is zoned Planned Development District 5 (PD-5) for Single-Family 7 (SF-7) District land uses.

South: Directly south of the subject property is: [1] a 1.837-acre vacant tract of land (*i.e. Tract 6 of the M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District, and [2] a 9.894-acre vacant parcel of land (*i.e. Lot 1, Block B, Ladera Rockwall Addition*). Beyond this is SH-66, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is John King Boulevard, which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is: [1] excess right-of-way for John King Boulevard (*i.e. being a portion of Tract 9 of the M. B. Jones Survey, Abstract No. 122*), [2] a 15.93-acre vacant tract of land (*i.e. Tract 5-1 of M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District, and [3] a 9.789-acre parcel of land (*i.e. Lot 1, Block A, Ladera Rockwall Addition*) zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses. Situated on the 9.789-acre parcel of land is Phase 1 of the Ladera Subdivision, which was established on September 20, 2019 and consists of 87 single-family residential homes.

West: Directly west of the subject property is FM-1141, 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 a 3.20-acre tract of land (*i.e. Tract 1 of the M. B. Jones Survey, Abstract No. 122*) zoned Agricultural (AG) District. Situated on this tract of land is a 1,380 SF single-family home constructed in 1976. West of this property is Phase 6 of the Caruth Lakes Subdivision, which was established on August 9, 2005 and consists of 158 single-family residential lots. This subdivision is zoned Planned Development District 5 (PD-5) for Single-Family 7 (SF-7) District land uses.

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

According to Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he General Retail (GR) District is a zoning district intended to provided limited retail and service uses ... [*that*] include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares." This section goes on to state that "(s)ince the General Retail (GR) District will be located close to residential

areas, the development standards are stringent and require high standards of development ...” These standards are defined in Subsection 07.03, *Non-Residential District Development Standards*, of the Unified Development Code (UDC) and are summarized as follows:

TABLE 1: GENERAL RETAIL (GR) DISTRICT STANDARDS

<i>Minimum Lot Area</i>	6,000 SF
<i>Minimum Lot Width</i>	60'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Front Yard Setback</i> <sup>(1) &amp; (2)</sup>	15'
<i>Minimum Side Yard Setback</i> <sup>(3)</sup>	10'
<i>Minimum Rear Yard Setback</i> <sup>(3)</sup>	10'
<i>Minimum Between Buildings</i> <sup>(3)</sup>	10'
<i>Maximum Building Height</i> <sup>(4)</sup>	36'
<i>Maximum Building Size</i> <sup>(5)</sup>	25,000 SF
<i>Maximum Lot Coverage</i>	40%
<i>Minimum Landscaping</i>	20%

General Notes:

- 1: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- 2: Parking should not be located between the front façade and the property line.
- 3: The setback can be reduced to zero (0) feet with a fire rated wall.
- 4: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
- 5: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

If this zoning change is approved and when the subject property is developed, the development will be required to conform to all the requirements of the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, and any other applicable local, state or federal requirements.

**CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN**

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is situated within Northwest Residential District and is designated for Commercial/Retail land uses. In addition, the *District Map* shows that the subject property is an ideal place for a *Trail Plan Rest Stop/Trailblazer Pylon* for John King Boulevard in accordance with the John King Boulevard Corridor Plan (see *Subsection 02.02 of Appendix 'B', Corridor Plans, of the OURHometown Vision 2040 Comprehensive Plan*). The *Land Use Designations* section of the plan states that, “(t)he Commercial/Retail land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersection ...”; however, listed as an acceptable land use in the *Secondary Land Uses* section of this designation is the *Institutional/Civic Land Uses*, which is what the proposed Boys and Girls Club of America would be categorized as. Additionally, the General Retail (GR) District is one (1) of the permitted zoning designations for the Commercial/Retail designation. Based on this the proposed zoning change meets the intent of the Comprehensive Plan. With regard to the *Trail Plan Rest Stop/Trailblazer Pylon* designated to be situated on the subject property, this element of the plan is probably better situated at the corner of the FM-1141 and John King Boulevard. This would be on the 1.632-acre portion of the subject property that will be retained by the City of Rockwall.

For the Planning and Zoning Commission and City Council's review, staff has included excerpts from the Comprehensive Plan showing the *Land Use Plan* and *District Strategies* for the Northwest Residential District, and the land use designation definition for the Commercial/Retail land use designation.

**INFRASTRUCTURE**

Based on the proposed request, the following infrastructure is required to be constructed to provide adequate public services for any development of the subject property:

- (1) Roadways. At the time of development, the developer shall verify the right-of-way width of FM-1141 to ensure there is 120-feet of right-of-way, and dedicate any of the subject property that is within 30-feet of the centerline of the roadway and put anything up to 60-feet from the centerline in a reserve. A Traffic Impact Analysis (TIA) will be required by the Texas Department of Transportation (TXDOT) at the time the civil engineering is submitted.
- (2) Water. An eight (8) inch water line will need to be extended from the 12-inch water line at the northwest corner of FM-1141 and John King Boulevard, through the subject property to the west side of FM-1141, and tie into the 12-inch water line stubbed out north of Waters Edge Drive.
- (3) Wastewater. A minimum of an eight (8) inch wastewater line will need to extend from the manhole at the southeast corner of the subject property to the northern most property line of the subject property.
- (4) Drainage. If a proposed development is *touching* the floodplain, the developer shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. This has already been submitted by the applicant. In addition, detention will be required and sized per *Manning's C-Value* for the zoning designation.

### **STAFF ANALYSIS**

The proposed zoning change is in conformance with the intent of the General Retail (GR) District as defined by the Unified Development Code (UDC) and the policies and guidelines of the OURHometown Vision 2040 Comprehensive Plan; however, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

### **NOTIFICATIONS**

On February 25, 2022, staff mailed 62 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) Four (4) property owner notifications from four (4) property owners within the 500-foot notification buffer opposed to the applicant's request.
- (2) One (1) email from one (1) property owner inside the 500-foot notification buffer opposed to the applicant's request.
- (3) Two (2) responses from the online *Zoning & Specific Use Permit Input Form* from two (2) property owners inside of the 500-foot notification buffer opposed to the applicant's request.
- (4) One (1) email from one (1) property owner outside the 500-foot notification buffer opposed to the applicant's request.
- (5) Three (3) emails from three (3) property owners outside of the 500-foot notification buffer stating an opposition to Commercial (C) District zoning. These emails indicate that General Retail (GR) District zoning is more appropriate for this request.

### **CONDITIONS OF APPROVAL**

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

- (1) The applicant shall be responsible for maintaining compliance with the draft ordinance; and,
- (2) Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

## PLANNING AND ZONING COMMISSION

On March 21, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 4-0, with Commissioners Chodun, Thomas, and Conway absent.





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-011

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

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

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

### OTHER APPLICATION FEES:

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

#### NOTES:

<sup>1</sup>: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

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

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS AD122 M.B. JONES, TRACT 9

SUBDIVISION \_\_\_\_\_ LOT / BLOCK /

GENERAL LOCATION NWC OF FM 1141 @ N. JOHN KING BLVD

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

CURRENT ZONING	<u>Agricultural</u>	CURRENT USE	<u>VACANT</u>
PROPOSED ZONING	<u>Commercial</u>	PROPOSED USE	<u>VACANT</u>
ACREAGE	<u>5.702</u>	LOTS [CURRENT]	<u>1</u>
		LOTS [PROPOSED]	<u>1</u>

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

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

<input checked="" type="checkbox"/> OWNER	<u>CITY OF ROCKWALL</u>	<input checked="" type="checkbox"/> APPLICANT	<u>RYAN MILLER</u>
CONTACT PERSON	<u>RYAN MILLER</u>	CONTACT PERSON	<u>"</u>
ADDRESS	<u>385 S. GOLIAD</u>	ADDRESS	<u>385 S. GOLIAD</u>
CITY, STATE & ZIP	<u>Rockwall, TX 75087</u>	CITY, STATE & ZIP	<u>Rockwall, TX 75087</u>
PHONE	<u>972-771-7700</u>	PHONE	<u>972-772-6441</u>
E-MAIL	<u>rmiller@rockwall.com</u>	E-MAIL	<u>rmiller@rockwall.com</u>

## NOTARY VERIFICATION [REQUIRED]

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

**\* FEE IS WAIVED \***

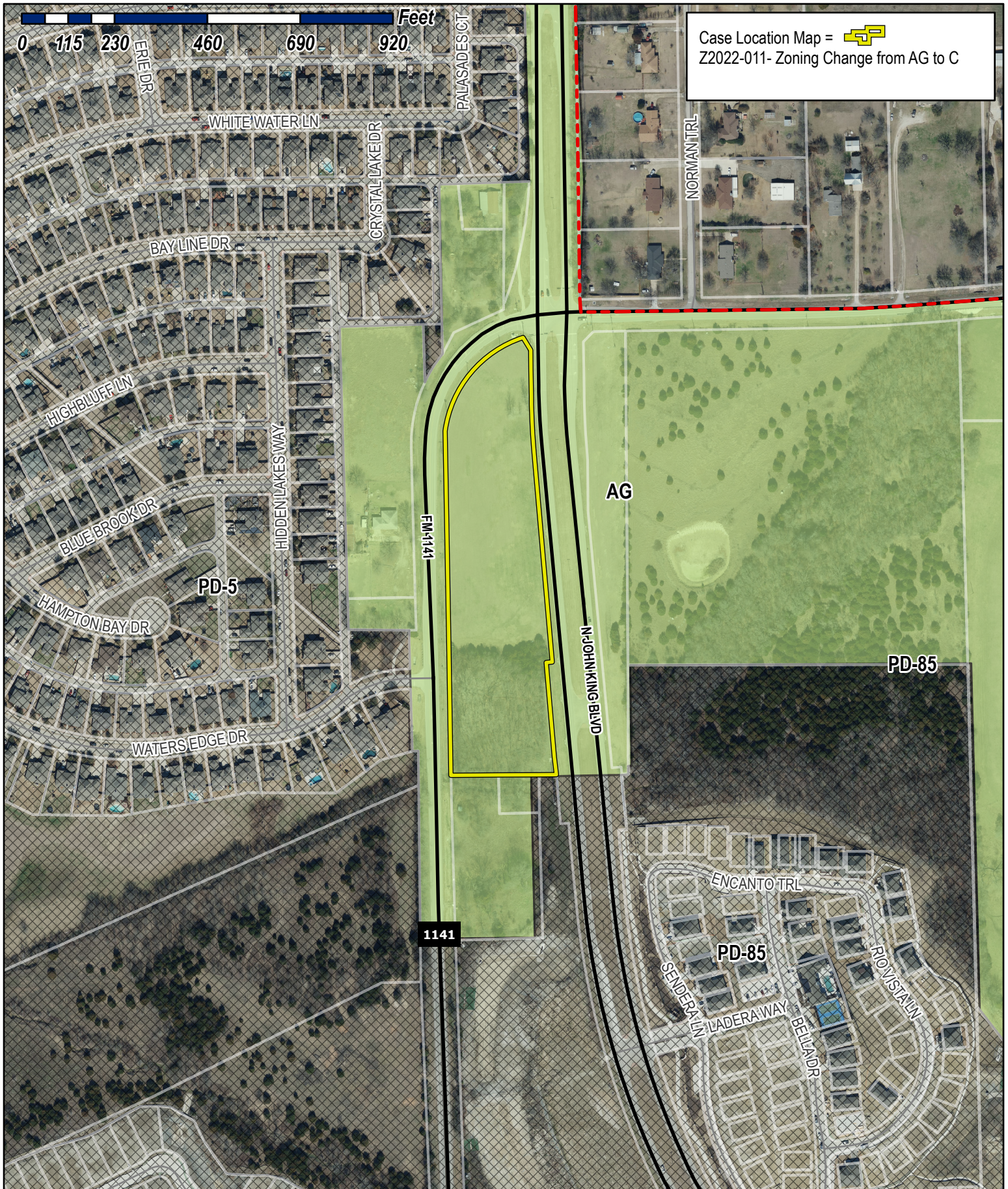
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."


GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES **217**



Case Location Map =   
 Z2022-011- Zoning Change from AG to C



# City of Rockwall

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

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

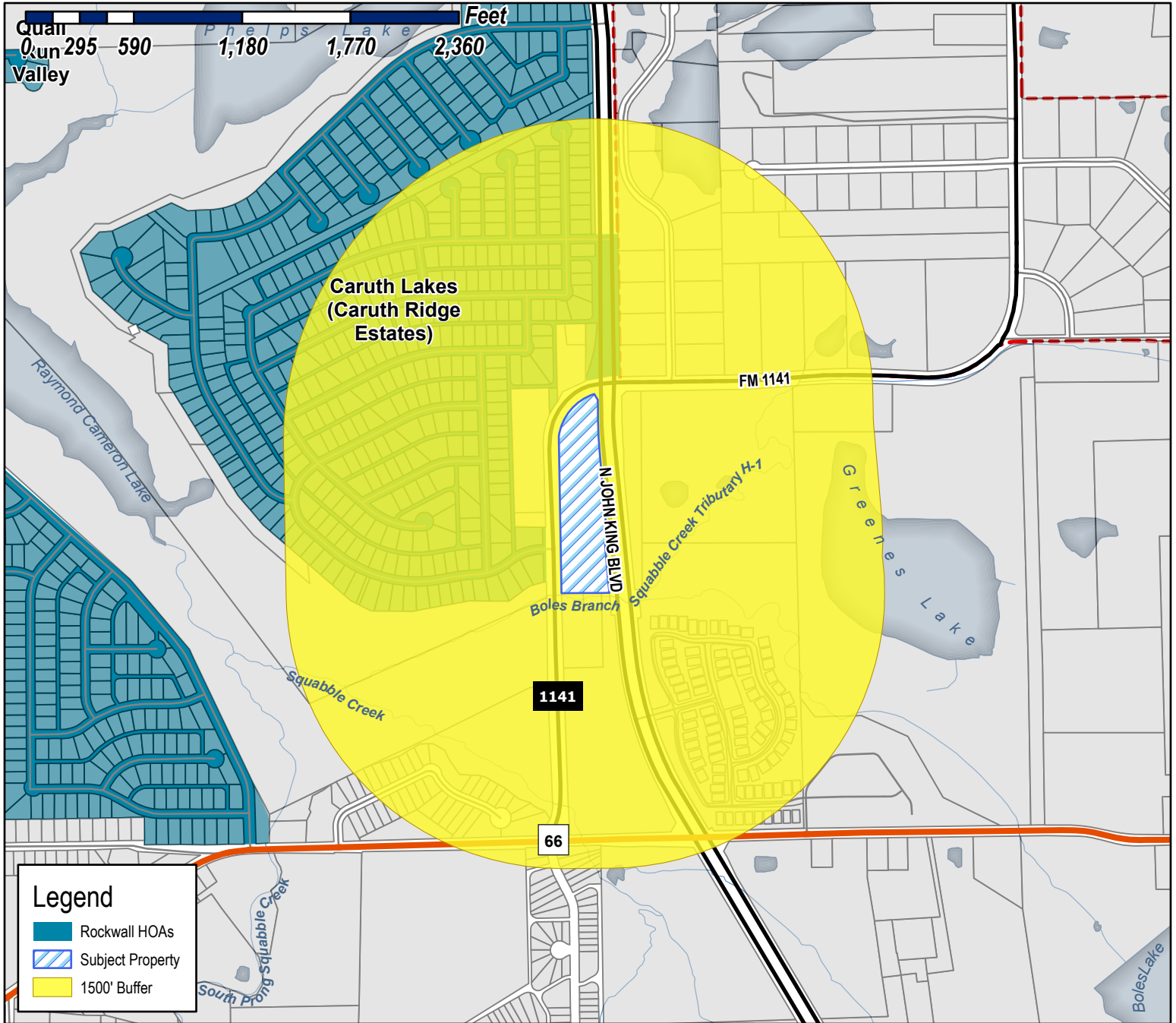




# City of Rockwall

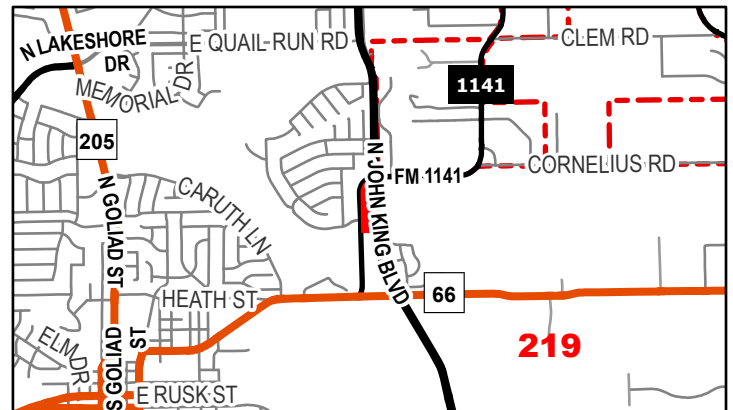
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** NWC of FM 1141  
 & N. John King Blvd.

**Date Saved:** 2/22/2022  
 For Questions on this Case Call (972) 771-7745



## Miller, Ryan

---

**From:** Gamez, Angelica  
**Sent:** Wednesday, February 23, 2022 2:26 PM  
**Cc:** Miller, Ryan; Lee, Henry; Ross, Bethany  
**Subject:** Neighborhood Notification Program [Z2022-011]  
**Attachments:** Public Notice (02.23.2022).pdf; HOA Map (02.22.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *February 25, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, March 15, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, March 21, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2022-011: Zoning Change from AG to C**

Hold a public hearing to discuss and consider a City initiated request for the approval of a *Zoning Change* from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

---

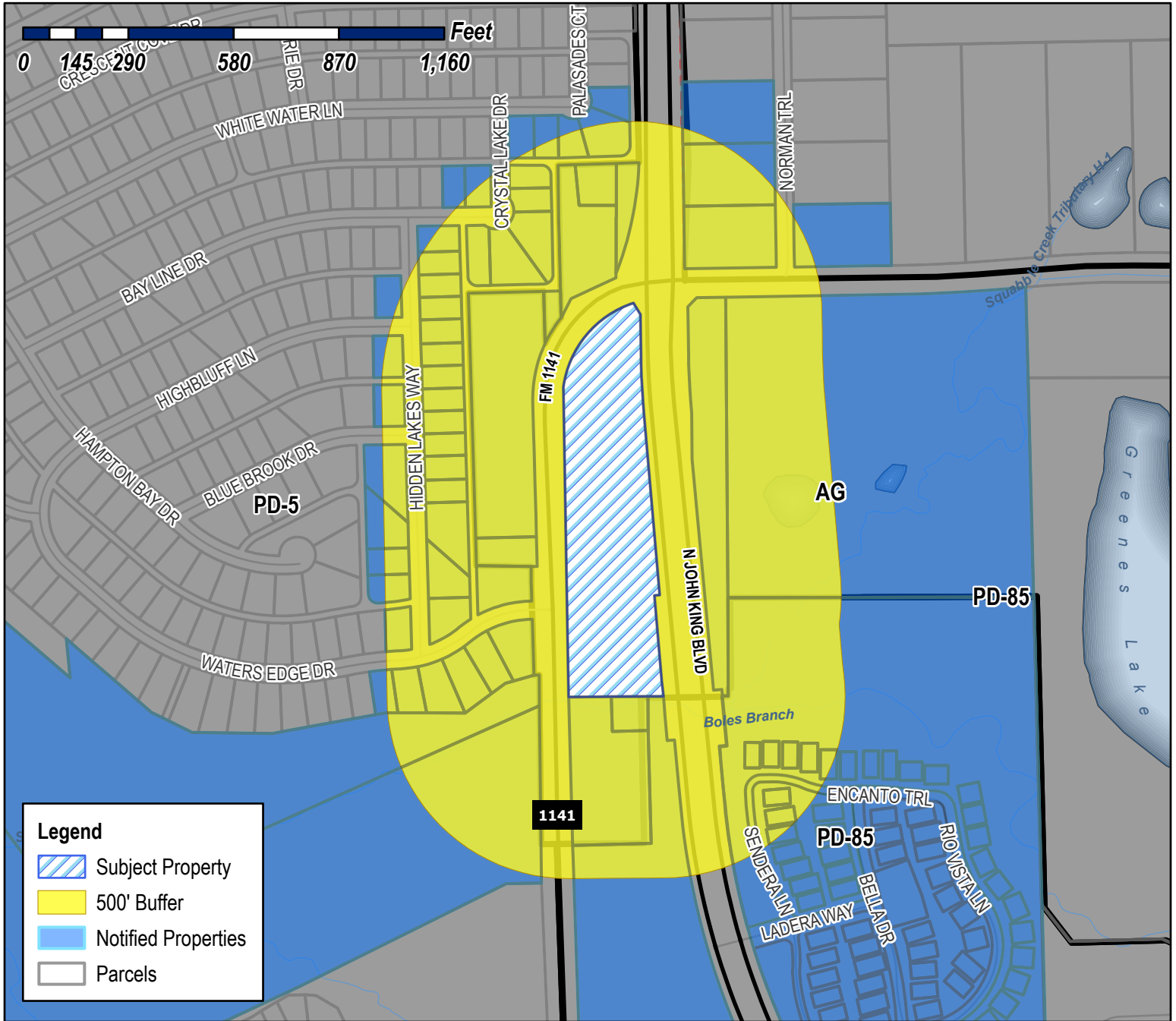
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# City of Rockwall

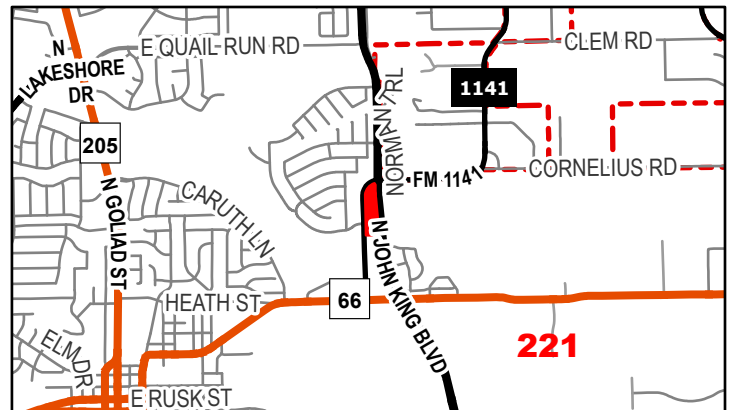
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2022-011  
**Case Name:** Zoning Change from AG to C  
**Case Type:** Zoning  
**Zoning:** Agricultural (AG) District  
**Case Address:** SWC of FM 1141 & N. John King Blvd

**Date Saved:** 2/22/2022  
 For Questions on this Case Call (972) 771-7745



TANNER BACIL H AND NELDA R  
1004 NORTH HARRISON  
WEST, TX 76691

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1013 FM 1564 W  
GREENVILLE, TX 75402

KEHM NATALIE & DONAVON  
1050 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ACKENBACK SPENCER AND HEATHER LYNN  
SCHAMBER  
1055 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA  
1060 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JOHNSON JAMIE L AND RICHARD K  
1061 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

HANKINS MARQUIS L & JACQUELINE K  
1069 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A  
1070 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

FAIRES DEWAIN AND MONICA  
1080 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

VANDIVER JAY L & PAULA J  
1085 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
1086 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SHIPP DARLA JUNE & STANLEY JOE  
1092 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

SEE BETTY  
110 WESTMINISTER  
ROCKWALL, TX 75032

GILPIN THOMAS K & ANGELA J  
1100 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
1106 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

CONFIDENTIAL  
1112 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROWE LORI A  
1118 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BRUNER KURT & OLIVIA  
11206 SANTA CRUZ DR  
AUSTIN, TX 78759

LARSEN RALPH K  
1124 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

WHISENHUNT KENNETH AND JUDY  
1130 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
1136 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

ROJAS CARLOS  
1142 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

MARTINEZ AUGUSTINE  
1150 HIDDEN LAKES WAY  
ROCKWALL, TX 75087

BAUGH MELVA Y  
1168 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

LAHAIR JOHN & NEALY  
1174 CRYSTAL LAKE DR  
ROCKWALL, TX 75087

DEWBRE JUSTIN JOEL AND CHERYL CHRISTINE  
1261 HIGHBLUFF LN  
ROCKWALL, TX 75087

KIERNAN KEVIN & KIMBERLY  
1262 BLUE BROOK DRIVE  
ROCKWALL, TX 75087

HARVEY DERICK AND  
RICK HARVEY AND VICKI HARVEY AND APRIL  
MARIE HARVEY  
1266 HIGHBLUFF LN  
ROCKWALL, TX 75087

HUNTER JAMES DARL & SUSAN BAILEY  
1271 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA  
1277 WATERS EDGE  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
1278 WATERS EDGE DR  
ROCKWALL, TX 75087

WILSON TERRY  
1302 PALASADES COURT  
ROCKWALL, TX 75087

LAMPTEY REBECCA A AND NII LANTE  
1382 BAY LINE DRIVE  
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN  
1383 WATER EDGE DRIVE  
ROCKWALL, TX 75087

WOODUL NETA J  
1389 WATERS EDGE DR  
ROCKWALL, TX 75087

2017 R GAUNA & M CRUZ REVOCABLE TRUST  
1390 BAY LINE DRIVE  
ROCKWALL, TX 75087

GARD JOSHUA AND SAMANTHA  
1395 BAY LINE DR  
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R  
1395 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

JEAN ANN LOTT REVOCABLE LIVING TRUST  
1401 BAY LINE DRIVE  
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
1402 WATERS EDGE DR  
ROCKWALL, TX 75087

FAKE MARK C & KATHRYN K  
1403 WHITE WATER LN  
ROCKWALL, TX 75087

GROGAN DANIEL R  
1405 WATERS EDGE DRIVE  
ROCKWALL, TX 75087

MULLOWNEY PATRICK  
1409 WHITE WATER LN  
ROCKWALL, TX 75087

DENNY READE EDWARD  
1415 WHITE WATER LN  
ROCKWALL, TX 75087

GAUVIN COLLEEN  
1421 WHITE WATER LANE  
ROCKWALL, TX 75087

TANNER WILMA GRACE  
1451 FM 1141  
ROCKWALL, TX 75087

TANNER BACIL H AND NELDA R  
1451 FM 1141  
ROCKWALL, TX 75087

MCGILL MICHAEL KIMBERLY  
27 NORMAN TRL  
ROCKWALL, TX 75087

RICHARDS J MARK  
VIVIAN V  
28 NORMAN TRL  
ROCKWALL, TX 75087

WINKLEY KYLE A AND ANNA K  
29 NORMAN TR  
ROCKWALL, TX 75087

CTDIGLAND LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

RW LADERA LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX

HONZELL DAVID AND PATRICIA  
414 E. COACHLIGHT TRAIL  
ROCKWALL, TX 75087

JONES RACHEL AND DOUGLAS  
417 PARK PLACE BLVD  
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY  
REVOCABLE TRUST  
5035 PINE DR  
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS  
ASSOCIATION INC  
C/O VISION COMMUNITIES MANAGEMENT INC  
5757 ALPHA RD STE 680  
DALLAS, TX 75240

SEE BETTY  
880 FM 1141  
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG  
918 SENDERA LN  
ROCKWALL, TX

RW LADERA LLC  
926 SENDERA  
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN  
323 ELM DR  
927 FM1141  
ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC  
ATTN: PROPERTY TAX DEPARTMENT 23975  
PARK SORRENTO, SUITE 300  
CALABASAS, CA 91302



# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2022-011: Zoning Change from AG to C**

*Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2022-011: Zoning Change from AG to C**

Please place a check mark on the appropriate line below:

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

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

Name:   
Address:

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

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

**From:** Amanda Bethune  
**Sent:** Friday, March 4, 2022 1:25 PM  
**To:** Planning  
**Subject:** Zoning Change Opposition - Case No. Z2022-011: Zoning Change from AG to C

Name: Amanda and Beau Jackson  
Address: 1277 Waters Edge Drive Rockwall 75087

My husband and I are in opposition for the zoning change (Case No. Z2022-011). We live very close to the intersection of Waters Edge and 1141. We have young children (along with several of our neighbors) that are always playing outside. We would not like to have the extra traffic and people that close to where our children play. The new commercial buildings would be within eyes view of our home and would be an eyesore. Having commercial buildings this close to a home can also negatively effect the resale value of a home.

Please take our input into consideration.

Thanks

---

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**From:**  
**Sent:** Monday, March 7, 2022 12:38 PM  
**To:** Fowler, Kevin; Daniels, Bennie; Hohenshelt, John; Jorif, Clarence; Johannesen, Trace; Macalik, Dana; Campbell, Anna; Miller, Ryan; Planning  
**Subject:** Z2022-011  
**Importance:** High

As citizens of the City of Rockwall, we are requesting that the Rockwall Planning and Zoning Department and the City Council deny the request in Z2022-011 to change the zoning for this parcel of land from *Agriculture (AG)* to *Commercial (C)* because the zoning of *Commercial* allows for the building of businesses that are not deemed appropriate for this location.

We believe that a zoning of *General Retail (GR)* is significantly more appropriate for this location. Please deny the request for the designation of *Commercial* zoning and advise the applicant to apply for the more appropriate zoning designation of *General Retail*.

Thank you,

Jim & Shirley Smith  
609 Amherst Drive  
Rockwall, TX 75087r

---

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## Zoning & Specific Use Permit Input Form

### Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-011

Please place a check mark on the appropriate line below: \*

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

To close to homes and children

### Respondent Information

Please provide your information.

### First Name \*

Josh

Last Name \*

Gard

Address \*

1395 Bay Line Dr

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

Phone Number

Please check all that apply: \*

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: \_\_\_\_\_

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other: \_\_\_\_\_

This content is neither created nor endorsed by Google.

Google Forms

# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-011

Please place a check mark on the appropriate line below: \*

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

We do not want a business built behind our home.

## Respondent Information

Please provide your information.

## First Name \*

Kenneth & Judy

Last Name \*

Whisenhunt

Address \*

1130 Hidden Lakes Way

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

Phone Number



Please check all that apply: \*

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other: .....

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*

- I received a property owner notification in the mail.
- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.
- Other: .....

This content is neither created nor endorsed by Google.

Google Forms

Case No. Z2022-011: Zoning Change from AG to C

Please place a check mark on the appropriate line below:

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

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

We did our due diligence when we built our home 10 years ago to ensure property around us was not zoned commercial. We would not have built and put \$100k in home improvements had we known this land could be zoned commercial. We're extremely concerned about the noise, light pollution that will effect our neighborhoods quality of life & property values

Name:

Dnavon & Natalie Kehm

Address:

1050 Hidden Lakes Way, Rockwall, TX 75087

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

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

234

# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

### Case No. Z2022-011: Zoning Change from AG to C

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

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

### Case No. Z2022-011: Zoning Change from AG to C

Please place a check mark on the appropriate line below:

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

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

*Already feel as though we're living on the square of downtown Rockwall. We are surrounded by too many houses & too much traffic as is. Thank you!*

Name: *John Lahair Neely Lahair*  
Address: *1174 Crystal Lake 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.

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

## Miller, Ryan

---

**From:**  
**Sent:** Monday, March 7, 2022 9:12 AM  
**To:** Daniels, Bennie; Fowler, Kevin; Hohenshelt, John; Jorif, Clarence; Johannesen, Trace; Macalik, Dana; Campbell, Anna; Miller, Ryan  
**Subject:** Zoning Case Z2022-011

Dear Honorable Council Members,

Regarding the swap of land near Airport Road and a lot located on the SW corner of FM-1141 and N. John King Boulevard. The city's public relations campaign describes a Chapter 380 Economic Agreement between the City of Rockwall and developer (Saro Partners, LLC,). It indicates it will enhance the safety of people and property on the ground by moving a proposed Boys and Girls Club out of a Runway Protection Zone near the Ralph Hall Municipal Airport to the SW Corner of FM1141 and John King Blvd.

This all sounds well and good since it is reasonable to assume we all support safety, economic development, and non-profits like the Boys and Girls Club who do good for the community.

However, the proposed Boys and Girls club will go directly on SH205 Bypass, otherwise known as John King Blvd. The City of Rockwall is working with TxDOT to move all 18-wheeler traffic to John King from Goliad. The already heavy 18-wheeler traffic will increase substantially. Unfortunately, the City of Rockwall allowed a toddler's playground directly on John King a while back which caused an uproar. It is concerning that child safety seems to take a back seat to economic development.

Additionally, the City of Rockwall has requested a zoning change for the lot from AG to commercial C District presumably to allow the Boys and Girls Club to build there. The issue is "C" commercial zoning is general in nature and permits such development as mini warehouses, bail bond services, pawn shops, rental storage, gas stations with more than 2 dispensers, nightclubs, used car lots, and heavy machine tool rental. The more appropriate zoning change would be to "GR" General Retail commercial. Since General Retail (GR) zoning is usually located close to residential areas, the development standards are stringent and require high standards of development. The "C" commercial zoning does not have the same stringent requirements. The GR zoning is all that is needed for a Boys and Girls Club. Daycare with Seven [7] or More Children/Office) and social service providers are permitted with that zoning and it is consistent with the Rockwall Comprehensive Plan.

There is no 100% guarantee the Boys and Girls Club will be built on the lot. If the "C" zoning is approved it will stay associated with the lot. This request to change the zoning is not following the normal application process. Rockwall citizens are not being provided with a site plan, preliminary plat plan, landscape plan, square footage, height, conceptual drawings of the building, traffic flow, or if the lot will be subdivided.

**Nothing.** We are not being provided the customary information that normally informs a zoning decision. This is akin to asking the residents to write a blank check on any future development there that could include mini warehouses, bail bond services, pawn shops, rental storage, gas stations with more than 2 dispensers, nightclubs, used car lots, and heavy machine tool rental.

I support the Economic Agreement and the swap of land for the Boys and Girls Club but pawn shops, storage buildings, bail bonds services, nightclubs, machine tool rentals, used car lots etc. near a residential area, in this case Caruth Lakes, Gideon Grove, FM 1141 neighborhoods, and Ladera is unacceptable. Please change the proposed zoning to GR General Retail Commercial on case number Z2022-011.

During the site planning process, extra diligence must be focused on child safety so that a dangerous environment is not created like the existing toddler playground on John King. Use every available stringent zoning guidelines to ensure the safety of the children. We all support safety of people and property on the ground. I urge the City of Rockwall to take a harder look at the economic agreement and proposed zoning to ensure children and their parents are in a protection zone from 18-wheelers and residents' home values and property are in a protection zone with the appropriate GR General Retail zoning.

Thank you.

Donna Dorman

---

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## Miller, Ryan

---

**From:** Nell Welborn  
**Sent:** Thursday, March 10, 2022 5:45 PM  
**To:** Miller, Ryan  
**Cc:** Donna Dorman  
**Subject:** Z2202-11

I agree with my neighbors who support the zoning change to GR instead of Commercial. Please add our comments to the case that goes forward to the City Council.

Respectfully,

Nell Welborn

---

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## Miller, Ryan

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**From:** Kendahl Matthews <k.matthews@duvalgc.com>  
**Sent:** Thursday, March 10, 2022 12:40 PM  
**To:** Miller, Ryan  
**Subject:** Proposed Zoning Change on 1141 and John King for Boys and Girls Club Opposition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Miller,

I have a strong objection to any type of commercial zoning change of this parcel. This is a residential area and a business of any kind would increase traffic, create more noise than we already have from John King and 66 and disturb our somewhat peaceful neighborhood even more.

I also strongly feel like turning this into a commercial parcel will not guarantee what type of business will be built there and will lower our property values.

I also feel this will create a safety issue for our children and for the probability of more car accidents in the area.

Most all commercial parcels have bright lighting as well and that would be a real annoyance to the homes directly off 1141.

Privacy is also a concern as well as losing beautification of many trees.

This parcel is surrounded by 3 Subdivisions on both sides along with the addition of more schools to come. Plain and simple this a residential area and the only type of zoning that I would agree with would be more homes since there is such a shortage in Rockwall.

I live in Carruth Lakes very close to this parcel of land and I vehemently object to a zoning change from AG to Commercial.

Sincerely,

Kendahl Matthews  
1217 Bay Line Drive  
Rockwall, 75087  
469-964-5321



**Kendahl Matthews, Project Manager**

Duval General Contractors, LLC  
500 North Central Expy., Ste. 500  
Plano, Texas 75074  
C: **469-964-5321**

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# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2022-011: Zoning Change from AG to C**

Hold a public hearing to discuss and consider a City initiated request for the approval of a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a 5.812-acre tract of land identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and N. John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2022-011: Zoning Change from AG to C**

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.

*See attached*

Name: *Colleen Galvin*  
Address: *1421 White Water Lane, Rockwall TX 75087*

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

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



March 12, 2022.

**I am opposed to Case No. Z2022-011, Zoning Change from AG to C.**

There is already too much commercial traffic on John King Blvd which is hazardous to ALL residential communities and occupants who reside here. This change to commercial property will add to the now overwhelming number of vehicles and encourage more traffic noise as well as diesel and gas fumes pollution. Bulldozing of the land and trees to produce cement structures and parking lots is environmentally unfriendly; trees provide homes for birds, insects and animals as well as shade, oxygen and tree roots provide anti-erosion. This solid soil reacts better to environmental circumstances such as heavy down pour causing flooding and winds eliminating the need for man-made, run off holding tanks which seems to be becoming the normal when new builds evolve. Property values drop in this area.

This proposal change not only affects the immediate adjoining homes but every single resident and ALL homes & occupants with access from John King Blvd. John King Blvd is a main, direct route to schools utilized by school buses to transport our children to and from bordering schools, it is used by parents to transport children to and from school, sporting events, and recreational events. Any hope of walking safely on the sidewalks on John King Blvd. is now deterred by the speeding, commercial vehicles. It is just a matter of time before our avid group of cyclists end up injured or worse, killed. They take their life in their hands daily & weekly, even on Sundays.

There are much better uses for this land other than your proposed Commercial!! What next? Storage units, pawn shops, bail bonds services, nightclubs, machine tool rentals, used car lots, etc.

**Definitely. NO to be rezoned as C.**

Thank you,

Colleen Gauvin

1421 White Water Lane

Rockwall TX 75087

Case No. Z2022-011: Zoning Change from AG to C

Please place a check mark on the appropriate line below:

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

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

I don't want commercial property in my residential property zone. ~~Too much~~ <sup>more</sup> traffic & it will lower my property value in years to come.

Name: Neta Woodul

Address: 1389 Waters Edge 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.

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

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

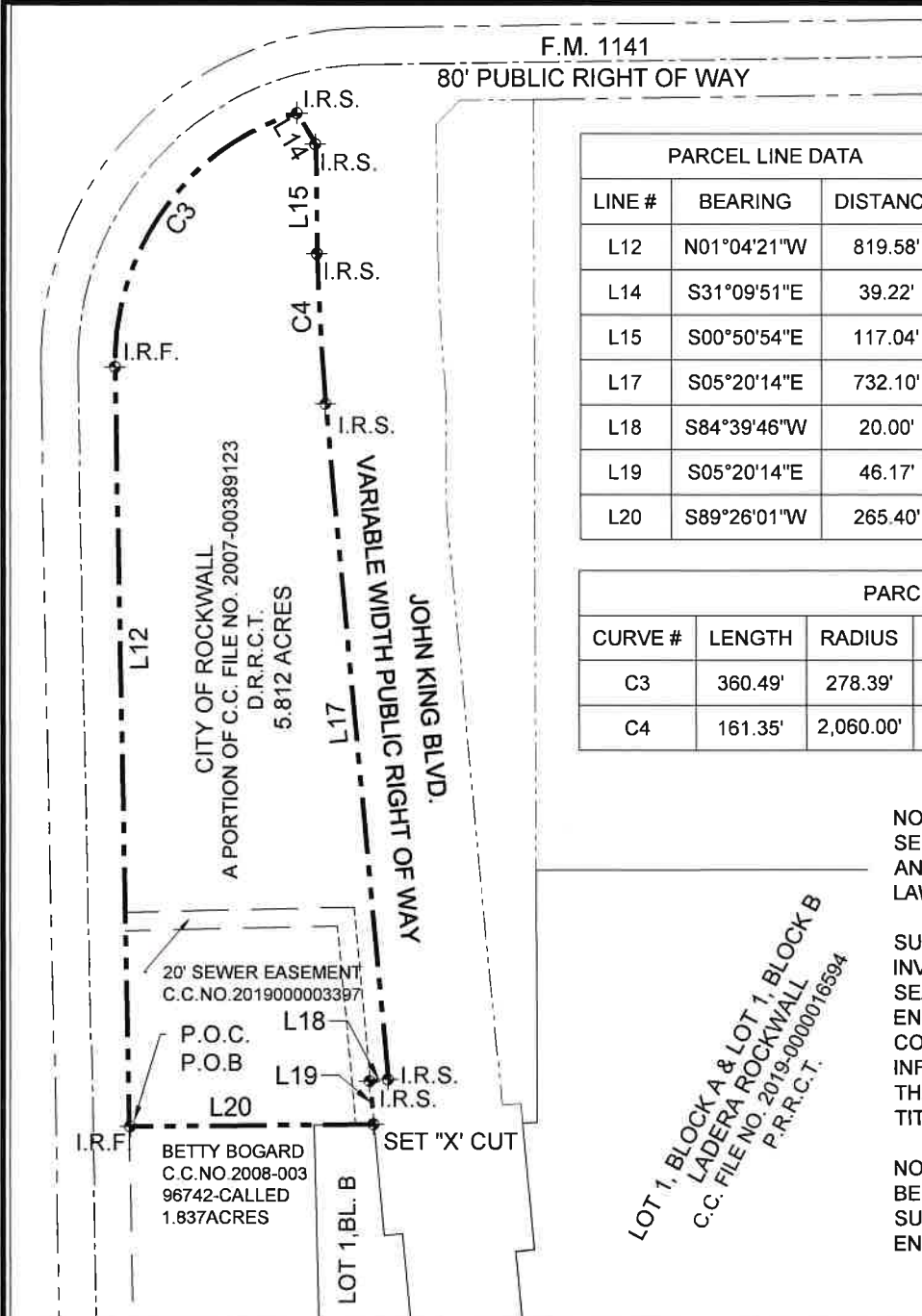
LOCATION: CITY OF ROCKWALL, TX

**PARCEL PLAT- EXHIBIT "A"**

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L12	N01°04'21"W	819.58'
L14	S31°09'51"E	39.22'
L15	S00°50'54"E	117.04'
L17	S05°20'14"E	732.10'
L18	S84°39'46"W	20.00'
L19	S05°20'14"E	46.17'
L20	S89°26'01"W	265.40'

**LEGEND**

I.R.S.: INDICATES SET NO.4 REBAR WITH CAP "BW2"  
N.T.S.: INDICATES NOT TO SCALE.  
P.O.C.- IS A FOUND IRON ROD BEING THE SOUTHWEST CORNER OF THE SUBJECT TRACT.  
I.R.F.:INDICATES FOUND IRON ROD.

PARCEL CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	BEARING
C3	360.49'	278.39'	74°11'35"	335.83'	N36°01'27"E
C4	161.35'	2,060.00'	4°29'16"	161.31'	S03°05'37"E

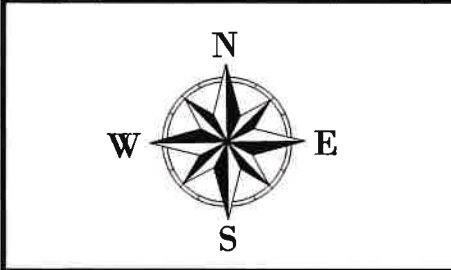
**NOTES:**

SELLING A PORTION OF LAND BY METES AND BOUNDS MAY BE A VIOLATION OF LAW.

SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE INFORMATION, OR ANY OTHER FACTS THAT AN ACCURATE ABSTRACT OF TITLE MAY DISCLOSE.

NO FLOOD ZONE INFORMATION HAS BEEN SHOWN OR PERFORMED ON THE SUBJECT PROPERTY BY BW2 ENGINEERS, INC.

LOT 1, BLOCK A & LOT 1, BLOCK B  
LADERA ROCKWALL  
C.C. FILE NO. 2019-0000016594  
P.R.R.C.T.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954  
DATE: DECEMBER, 2019  
DRAWN BY: CEC  
CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG  
PAGE 2 OF 2

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122

LOCATION: CITY OF ROCKWALL, TX

**PROPERTY SURVEY  
CITY OF ROCKWALL, TEXAS**

BEING A PORTION OF  
C.C. FILE NO. 2007-00389123  
D.R.R.C.T.

**LEGAL DESCRIPTION**

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)

**LEGAL DESCRIPTION**

Being a 5.812 acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942 acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

Commencing at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837 acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, a 80 foot wide public right of way;

THENCE North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

THENCE northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

THENCE South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

THENCE southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2";

THENCE South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

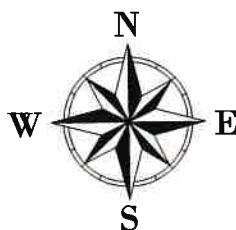
THENCE South 89°26'01" West along said common line for a distance of 265.40 feet to the Point of Beginning;

Said tract contains 5.812 acres more or less.

Subject to all easements of record.

Bearings are based on the Texas Coordinate system, N.A.D. 83 (1993 ADJ.), North Central Zone, 4202 .

Situated in the City of Rockwall, Rockwall County, Texas.



**BW2 ENGINEERS, INC.**

1919 S. Shiloh Road  
Suite 500, L.B. 27  
Garland, Texas 75042  
(972) 864-8200 (T) (972) 864-8220 (F)  
Firm Registration No. F-5290



BW2 JOB NO: 19-1954  
DATE: DECEMBER, 2019

DRAWN BY: CEC  
CHECKED BY: CEC

18-1954/DRAWINGS/1954 SURVEY.DWG

PAGE 1 OF 2

## CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

This **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** (hereinafter referred to as the *Agreement*) is entered into by and between the **CITY OF ROCKWALL, TEXAS**, a Texas home-rule municipality (hereinafter referred to as the *City*) and **SARO PARTNERS, LLC** [a Texas limited liability company], (hereinafter referred to as the *Developer*). The *City* and *Developer* are collectively referred to in this *Agreement* as the *Parties*.

**WHEREAS**, the *City* owns approximately 4.18-acre tract of land (*i.e. Tract 9 of the M. B. Jones Survey, Abstract No. 122*) -- depicted in Exhibit 'A' attached hereto and incorporated herein for all purposes (the *City's Property*), which is part of a larger portion of a 5.702-acre tract of land in the City of Rockwall located at the southwest corner of John King Boulevard and FM-1141; and

**WHEREAS**, the *Developer* owns approximately 5.07-acre tract of land (*i.e. Tract 2-06 of the D. Harr Survey, Abstract No. 102*) -- depicted in Exhibit 'B' attached hereto and incorporated herein for all purposes (the *Developer's Property*), which is in the City of Rockwall at the southeast corner of Airport Road and John King Boulevard; and

**WHEREAS**, the *Developer's Property* is located in the Airport Runway Protection Zone of the Ralph Hall Municipal Airport, which limits the type of development that can be developed on the *Developer's Property*, including the development of an assembly type land use (*i.e. the Boys and Girls Club*); and

**WHEREAS**, the *Developer* has offered to exchange the *Developer's Property* for the *City's Property* in order to allow for the development of a Boys and Girls Club facility (the *Project*) based on the agreed to terms of an executed **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** between the *City* and the *Developer*; and

**WHEREAS**, the *City* has determined that the development of the *Project* will be a benefit to the *City* and will promote economic development in the area; and

**WHEREAS**, in accordance with Section 52-a, *Programs and Loans or Grants of Public Money for Economic Development*, of Article 3, *Legislative Department*, of the Texas Constitution and Section 380.001 of the Texas Local Government Code, the *City* has established a program to provide for the administration of programs to promote state or local economic development and to stimulate business and commercial activity in the *City*; and

**WHEREAS**, to ensure that the benefits the *City* provides under this *Agreement* are utilized in a manner consistent with Section 52-a, *Programs and Loans or Grants of Public Money for Economic Development*, of Article 3, *Legislative Department*, of the Texas Constitution and Chapter 380, *Miscellaneous Provisions Relating to Municipal Planning and Development*, of the Texas Local Government Code, the *Developer* has agreed, to receive such benefits, to cooperate with the *City* in the design and construction of certain public improvements; and

**WHEREAS**, the *City* acknowledges that the provisions of this *Agreement* substantially advance a legitimate interest of the *City* by providing public infrastructure, expanding the tax base of the *City* and promoting economic development.

**NOW, THEREFORE**, for and in consideration of the above recitals and the terms and conditions set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the *City* and the *Developer* hereby agree as follows:

(1) PROJECT.

(A) Jurisdiction. The design, specifications and ordinances for the *Project* applicable in the City of Rockwall shall apply to the *Project*, except where the City of Rockwall City Council concurs in writing the application of differing requirements and specifications.

(B) Property for the Project. The *City Property* for the *Project* consists of a 4.18-acre acre tract of land (*i.e. Tract 9 of the M. B. Jones Survey, Abstract No. 122*) -- depicted in Exhibit A attached hereto and incorporated herein for all purposes,

which is part of a larger portion of a 5.702-acre tract of land in the City of Rockwall located at the southwest corner of John King Boulevard and FM-1141.

- (C) Conditions Precedent. This *Agreement* and the *Developer's* obligation to execute the *Project* are subject to the following conditions:
- (I) The *City* will initiate zoning procedures to rezone the *City's Property* from an Agricultural (AG) District to a Commercial (C) District. This zoning change would be in accordance with the *City's Future Land Use Map* contained in the *OURHometown Vision 2040 Comprehensive Plan*, and would allow the requested land uses (*i.e. a Daycare with Seven [7] or More Children/Office*) needed for the *Project*.
  - (II) Upon the zoning being approved on the *City's Property*, the *City* and *Developer* will legally document the exchange of the *City's Property* for the *Developer's Property*. This exchange of property will secure a portion of the Airport Runway Protection Zone of the Ralph Hall Municipal Airport.
  - (III) Once the *Developer* is in possession and has acquired ownership of the *City's Property*, the Boys and Girls Club will have 36-months from the date of the exchange of property to begin developing the *City's Property* with the *Project*. Once the *Project* has commenced, *Developer* shall have 24-months to complete the *Project*.
- (D) Return of City Property. Should the *Project* fail to commence within 36-months from the date the exchange of the property or if the *Parties* do not extend the term to commence the *Project*, the *Developer* will reconvey the *City's Property* back to the City of Rockwall at no cost to the *City* and the *City* will reconvey the *Developer's Property* back to the *City* at no cost to the *Developer*. If the *City* returns the *Property* to *Developer*, *Developer* must comply with the regulations of the Airport Runway Protection Zone on any future development of the returned *Developer's Property*.
- (E) Plans and Approvals. The *Developer* shall be responsible for pursuing and obtaining the necessary plats, site plan approvals and all other approvals and permits required from the *City* which are necessary for construction of the improvements for the development for the *Project* as well as all occupancy and use permits required to allow the development and occupancy of the *Project*.
- (F) Construction. If sufficient funds are raised to proceed with the *Project*, the *Developer* shall require its construction contractor(s) to construct the *Project* in a good and workmanlike manner and in substantial accordance with the approved plans and specifications and shall diligently pursue the construction of the *Project* until it is completed. The *City* shall have the right to inspect the *Project* to confirm compliance with the approved plans and specifications and applicable *City* codes.

(2) DEFAULT.

- (A) Notice and Opportunity to Cure. Notwithstanding anything herein to the contrary, no party shall be deemed to be in default hereunder until the passage of 30-days after receipt by such party of notice of default from the other party. Upon the passage of 30-days without cure of the default, such party shall be deemed to have defaulted for purposes of this *Agreement*, unless such party has commenced to cure such default and is prosecuting the same with reasonable diligence. Notwithstanding the foregoing, commencement of cure, with reasonable diligence, shall only prevent a party from being in default for 60-days after notice was received and a cure had not been achieved unless the non-defaulting party agrees to allow the defaulting party additional time to cure the default.
- (B) Remedies. In the event of a default not cured within the time period set forth herein, the non-defaulting party may, as its sole and exclusive remedy, terminate this *Agreement* or seek injunctive relief of other equitable relief, including, without limitation, specific performance, to enforce the terms of this *Agreement*. Notwithstanding the foregoing, if injunctive or other equitable relief is barred by governmental immunity, then the *Developer* may pursue all other legal and equitable remedies that are not barred by governmental immunity; however, in no event shall a non-defaulting party be entitled to an award of damages or any other monetary relief. The foregoing remedies shall not be applicable to the facts set forth in Section (1)(D) above and the remedy set forth in such Section shall be the exclusive remedy of the *City* and the *Developer* for the facts set forth in that Section.

- (C) Attorney's Fees. In the event that the *Developer* and the *City* fail to resolve a dispute and become involved in litigation with regard to breach of or dispute arising out of this *Agreement*, the prevailing *Party* shall be entitled to be paid its reasonable attorneys' fees and court costs.

(3) DISPUTE RESOLUTION.

- (A) If a dispute arises out of or relates to this *Agreement* or the breach thereof, the *Parties* shall first in good faith seek to resolve the dispute through negotiation between the upper management of each respective *Party*. If such dispute cannot be settled through negotiation, the *Parties* agree to try in good faith to settle the dispute by mediation under the *Commercial Mediation Rules of the American Arbitration Association*, Dallas, Texas, before resorting to litigation, or some other dispute resolution procedure; provided that a *Party* may not invoke mediation unless it has provided the other *Party* with written notice of the dispute and has attempted in good faith to resolve such dispute through negotiation. Notwithstanding the foregoing, any *Party* may seek immediate equitable relief, without attempting to settle a dispute through mediation, in any case where such *Party* is entitled to equitable relief by law, the terms of the *Agreement*, or otherwise. All costs of negotiation, mediation, and arbitration collectively known as Alternate Dispute Resolution (ADR) shall be assessed equally between the *City* and *Developer* with each party bearing their own costs for attorneys' fees, experts, and other costs of ADR and any ensuing litigation.

(4) GENERAL PROVISIONS.

- (A) INDEMNIFICATION. THE *DEVELOPER* AGREES TO DEFEND, INDEMNIFY AND HOLD THE *CITY* AND ITS ELECTED OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY THE *CITY*) HARMLESS FROM AND AGAINST ANY AND ALL REASONABLE LIABILITIES, DAMAGES, CLAIMS, DEMANDS, LAWSUITS, JUDGMENTS, ATTORNEY FEES, COSTS, EXPENSES AND ANY CAUSE OF ACTION OF ANY KIND AND NATURE, INCLUDING BUT NOT LIMITED TO, PERSONAL OR BODILY INJURY, DEATH AND PROPERTY DAMAGE, MADE UPON THE *CITY* DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM OR RELATED TO *DEVELOPER'S* ACTIVITIES UNDER THIS *AGREEMENT*, INCLUDING ANY ACTS OR OMISSIONS OF *DEVELOPER'S* AGENT, OFFICER, DIRECTOR, REPRESENTATIVE, EMPLOYEE, CONSULTANT OR CONTRACTOR OF THE *DEVELOPER*, AND THEIR RESPECTIVE OFFICERS, AGENTS EMPLOYEES, DIRECTORS AND REPRESENTATIVES WHILE IN THE EXERCISE OF PERFORMANCE OF THE RIGHTS OR DUTIES UNDER THIS *AGREEMENT*. THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH SHALL NOT APPLY TO ANY LIABILITY RESULTING FROM THE NEGLIGENCE OF THE *CITY*, ITS OFFICERS OR EMPLOYEES, IN INSTANCES WHERE SUCH NEGLIGENCE IS THE SOLE CAUSE OF PERSONAL INJURY, DEATH, OR PROPERTY DAMAGE.
- (B) THE PROVISIONS OF THE ABOVE SECTIONS ARE SOLELY FOR THE BENEFIT OF THE *PARTIES* HERETO AND NOT INTENDED TO CREATE OR GRANT ANY RIGHTS, CONTRACTUAL OR OTHERWISE, TO ANY OTHER PERSON OR ENTITY. IT BEING THE INTENTION OF THE *PARTIES* THAT THE *DEVELOPER* SHALL BE RESPONSIBLE FOR THE REPAYMENT OF ANY AMOUNTS PAID TO THE *DEVELOPER* HEREIN THAT INCLUDES *CITY* SALES TAX RECEIPTS THAT THE STATE OF TEXAS HAS DETERMINED WAS ERRONEOUSLY PAID, DISTRIBUTED OR ALLOCATED TO THE *CITY*.
- (C) Mutual Assistance. The *City* and the *Developer* will do all things and execute all documents reasonably necessary or appropriate to carry out the terms and provisions of this *Agreement* and to aid and assist each other in carrying out such terms and provisions.
- (D) Inconsistencies. Where any inconsistency exists between this *Agreement* and other provisions of subsequent collateral contractual agreements that are made a part hereof by reference or otherwise, the provisions of this *Agreement* shall control.
- (E) Rule of Construction. The *Parties* hereto acknowledge that each party and its legal counsel have reviewed and revised this *Agreement*, and the *Parties* hereby agree that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this *Agreement* or any amendments hereto.

(F) Independent Contractors and Immunity.

- (I) It is expressly understood and agreed by all *Parties* hereto that in performing their services hereunder, the *Developer* at no time will be acting as an agent of the *City* and that all consultants or contractors engaged by the *Developer* respectively will be independent contractors of the *Developer*; and nothing contained in this *Agreement* is intended by the *Parties* to create a partnership or joint venture between the *Parties* and any implication to the contrary is hereby expressly disavowed. The *Parties* hereto understand and agree that the *City* will not be liable for any claims that may be asserted by any third party occurring in connection with services performed by the *Developer* respectively under this *Agreement*, unless any such claims are due to the fault of the *City*.
- (II) By entering into this *Agreement*, the *Parties* do not waive, and shall not be deemed to have waived, any rights, immunities, or defenses either may have, including the defense of parties, and nothing contained herein shall ever be construed as a waiver of sovereign or official immunity by the *City* with such rights being expressly reserved to the fullest extent authorized by law and to the same extent which existed prior to the execution hereof.
- (III) No employee of the *City*, or any councilmember or agent of the *City*, shall be personally responsible for any liability arising under or growing out of this *Agreement*.

(G) Invalidity. If any provision of this *Agreement* is held to be invalid, illegal or unenforceable by a court or other tribunal of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired. The *Parties* shall use their best efforts to replace the respective provision or provisions of this *Agreement* with legal terms and conditions approximating the original intent of the *Parties*.

(H) Written Notice. All notices from one party to the other must be in writing and are effective upon receipt when mailed to or hand delivered as follows:

CITY: City of Rockwall  
Attention: Mary Smith, *City Manager*  
385 S Goliad Street  
Rockwall, Texas 75087

---

CITY CC: Davidson Troilo Ream & Garza  
Attention: Frank Garza, *City Attorney*  
601 NW Loop 410 Suite 100  
San Antonio, Texas 78216

---

DEVELOPER: Saro Partners, LLC  
Attention: Shawn Valk  
1450 T. L. Townsend Drive, Suite 100  
Rockwall, Texas 75087

---

DEVELOPER CC: Holmes Firm PC  
Attention: Ronald L. Holmes  
14241 Dallas Parkway, Suite 800  
Dallas, Texas 75254

**NOTE:** Either party may change its business address by providing at least 30 calendar days written notice to the other party of such change.

(I) Entire Agreement. It is understood that this *Agreement* and the *Exhibits* contain the entire agreement between the *Parties* and supersedes any and all prior agreements, arrangements, statements, promises, inducements, or understandings, whether oral or written, between the *Parties* relating to the subject matter. This *Agreement* cannot be



changed or terminated orally. No verbal agreement or conversation with any officer, agent or employee of the City, either before or after the execution of this *Agreement*, shall affect or modify any of the terms or obligations hereunder.

- (J) *Amendment*. No amendment to this *Agreement* shall be effective and binding unless and until it is reduced to writing, approved by the City Council, and signed by duly authorized representatives of both *Parties*.
- (K) *Choice of Law and Forum Selection*. This *Agreement* shall be governed, enforced and construed in accordance with laws of the State of Texas. Any and all contested matters arising out of this *Agreement* in any way shall be brought in the courts of Rockwall County, Texas, United States of America.
- (L) *Authority*. The *Developer* hereby certifies, represents, and warrants that the execution of this *Agreement* is duly authorized and adopted in conformity with its governing documents. The *City* hereby certifies, represents, and warrants that the execution of this *Agreement* is duly authorized and adopted in conformity with the *City* charter and ordinances. The *City's* execution of this *Agreement* is authorized by Chapter 380, *Miscellaneous Provisions Relating to Municipal Planning and Development*, of the Texas Local Government Code and constitutes a valid and binding obligation of the *City*. The *City* acknowledges that the *Developer* is acting in reliance upon the *City's* performance of its obligations under this *Agreement* in making the decision to commit substantial resources and money to the construction of the *Project*.
- (M) *Assignment*. The *Developer's* rights and obligations under this *Agreement* may be assigned by the *Developer* provided such assignment receives prior written approval of the City Council of the City of Rockwall, not to be unreasonably withheld, conditioned, delayed, or denied. Notwithstanding the foregoing, the *Developer* may, without the *City's* approval, assign any credits accruing to the *Developer* under this *Agreement*.
- (N) *Waiver*. Failure of either party, at any time, to enforce a provision of this *Agreement* shall in no way constitute a waiver of that provision nor in any way affect the validity of this *Agreement*, any part hereof, or the right of the *City* or the *Developer* thereafter to enforce each and every provision hereof. No term of this *Agreement* shall be deemed waived unless the waiver is in writing and signed by the party claimed to have waived such term. Furthermore, any consent to or waiver of a breach will not constitute consent to, waiver of, or excuse of any other different or subsequent breach.
- (O) *Force Majeure*. If performance of this *Agreement* or any obligation under this *Agreement* is prevented, restricted, or interfered with by causes beyond either party's reasonable control (*Force Majeure*), then the obligations of the party invoking this provision will be suspended to the extent necessary by such event. Events constituting *Force Majeure* include without limitation: acts of God, fire, explosion, vandalism, storm, casualty, illness, injury, general unavailability of materials or similar occurrence, orders or acts of military or civil authority, national emergencies, insurrections, riots, wars, strikes, lock-outs, or work stoppages. The excused party shall use reasonable efforts under the circumstances to avoid or remove such causes of non-performance and shall proceed to perform with reasonable dispatch whenever such causes are removed or ceased. An act or omission shall be deemed within the reasonable control of a party if committed, omitted, or caused by such party, or its employees, officers, agents or affiliates.
- (P) *Agreement Acknowledged*. The *Parties* acknowledge that they have read, understand and intend to be bound by the terms and conditions of this *Agreement*.
- (Q) *Multiple Originals*. This *Agreement* may be executed in multiple originals.
- (R) *Construction*. This *Agreement* shall be construed without the aid of any canon or rule of law requiring interpretation against the party drafting or causing the drafting of this *Agreement* or the portions of this *Agreement* in question.
- (S) *Incorporation of Recitals*. Any recitals in this *Agreement* are represented by the *Parties* to be accurate and constitute a part of the *Agreement*.
- (T) *Effective Date*. The effective date of this *Agreement* is the last signature date below (the *Effective Date*).

[SIGNATURE PAGES TO FOLLOW]

EXECUTED as of the dates indicated below in multiple originals:

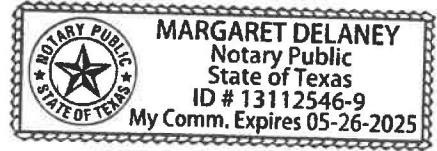
CITY:

CITY OF ROCKWALL, TEXAS,  
a Texas home-rule municipality

By: Mary Smith  
Name: Mary Smith  
Title: City Manager  
Date: 3/8/2022

ATTEST:

By: Kristy Cole  
Name: Kristy Cole  
Title: City Secretary  
Date: 03/08/2022



STATE OF TEXAS  
COUNTY OF ROCKWALL

This instrument was acknowledged before me on the 8<sup>th</sup> day of March, 2022, by Mary Smith, the City Manager of the City of Rockwall, a Texas municipal Corporation on behalf of such municipality.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8<sup>th</sup> DAY OF March, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS: Margaret Delaney

MY COMMISSION EXPIRES: 05-26-2025

DEVELOPER:

SARO PARTNERS, LLC,  
a Texas limited liability company  
By: Shawn Valk  
Name: Shawn Valk, Manager  
Date: 2-2-2022

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEFORE ME, above signed authority, on this day personally appeared, *Shawn Valk*, the owner of the *Developer's Property*, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the foregoing *Agreement* for the purposes and consideration therein expressed, in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 2 DAY OF March, 2022.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS: Annalyse Olson

MY COMMISSION EXPIRES: May 7, 2023

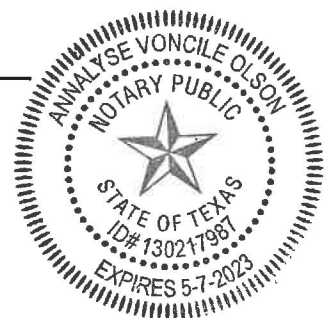
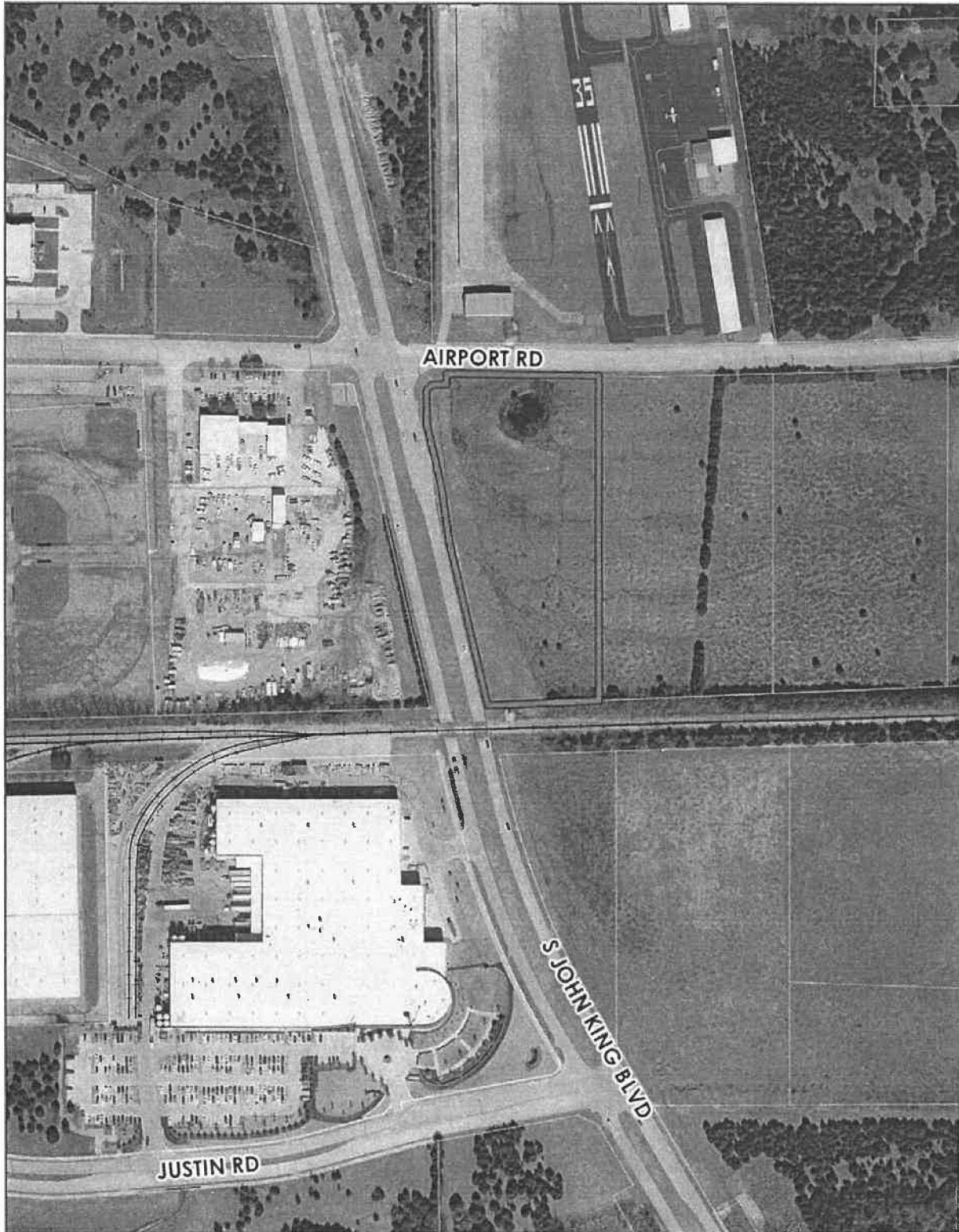


EXHIBIT 'A':  
MAP OF THE CITY'S PROPERTY



EXHIBIT 'B':  
MAP OF THE DEVELOPER'S PROPERTY



Filed and Recorded  
Official Public Records  
Jennifer Fogg, County Clerk  
Rockwall County, Texas  
03/08/2022 11:59:38 AM  
\$58.00  
20220000005160



*Jennifer Fogg*

● **COMMERCIAL/RETAIL (CR)**

The *Commercial/Retail* land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and service adjacent residential subdivisions. Zoning in conformance with the Commercial/Retail land uses category can be incorporated into a Planned Development (PD) District as part of a larger mix-use master planned community, and may vary in size depending on the adjacent service area. In certain cases where commercial land uses are eminent, it may be appropriate to incorporate zoning in conformance to the Commercial land use category on all four (4) corners of an intersection; however, this is not necessary in all cases. These areas should be designed with the pedestrian in mind, and provide connections between the commercial land use and the adjacent residential subdivision.

**DESIGNATION CHARACTERISTICS**

- 1 *Primary Land Uses:* Commercial Retail Buildings, Restaurants/Brew Pubs, Multi-Tenant Commercial Centers, Neighborhood Centers and Convenience Centers
- 2 *Secondary Land Uses:* Office/Financial Institutions, Parks, Open Space, and Institutional/Civic Land Uses
- 3 *Zoning Districts:* Neighborhood Services (NS) District, General Retail (GR) District, Commercial (C) District and certain mixed-use Planned Development (PD) Districts

**EXISTING LAND USE EXAMPLES**

- 1 Shops at Stone Creek
- 2 Corner of the Intersection of N. Lakeshore Drive and N. Goliad Street [SH-205]
- 3 Walmart Neighborhood Market Shopping Center



● **COMMERCIAL/INDUSTRIAL (CI)**

The *Commercial/Industrial* land use category typically is characterized by smaller business and industrial land uses that are focused around assembly, manufacturing and fabrication. This designation may also accommodate land uses that require outside storage. These areas are also appropriate for small business and business incubator arrangements. Land uses under this designation should be heavily screened by landscaping and should be separated from other land uses using large buffers and roadways. These areas are not appropriate adjacent to residential land use designations and should be separated from these areas using transitional land uses.

**DESIGNATION CHARACTERISTICS**

- 1 *Primary Land Uses:* Small Scale Manufacturing, Assembly, and Fabrication Businesses, Business Incubators, Contractors Shops, and Heavy Equipment/Truck Rental Businesses
- 2 *Secondary Land Uses:* Warehouse and Outside Storage
- 3 *Zoning Districts:* Heavy Commercial (HC) District and Heavy Industrial (HI) District

**EXISTING LAND USE EXAMPLES**

- 1 Areas Adjacent to National Drive
- 2 Areas Adjacent to Sids Road



● **BUSINESS CENTERS (BC)**

The Business Center land use designation is intended to provide areas with a variety of employment options. While focusing on employment land uses, these areas may also incorporate limited supporting land uses (e.g. *restaurants and commercial-retail*) that complement the primary land uses. These areas should be designed with public amenities and greenspaces, increased landscaping, and unique design features that will help create a sense of place.

**DESIGNATION CHARACTERISTICS**

- 1 *Primary Land Uses:* Professional Offices, Corporate Offices, General Offices, Institutional Land Uses, Research and Design/Development Businesses, and Technology/Data Centers.
- 2 *Secondary Land Uses:* Supporting Restaurants and Commercial-Retail Land Uses, Hotels, Parks, Open Space and Civic Uses
- 3 *Zoning Districts:* Commercial (C) District, Light Industrial (LI) District, and Planned Development (PD) Districts

**EXISTING LAND USE EXAMPLES**

- 1 Trend Tower



# 13 NORTHWEST RESIDENTIAL DISTRICT

## DISTRICT DESCRIPTION

The Northwest Residential District is characterized by the two (2) large master planned communities that make up the majority of the acreage in this district. These developments are the Caruth Lakes and Stone Creek Subdivisions. The remainder of this district is expected to develop with similar medium density residential housing product.

## DISTRICT STRATEGIES

The Northwest Residential District is expected to continue to provide master planned suburban neighborhoods in the future and has no areas that are thought to be transitioning. Based on these assumptions the strategies for this district are as follows:

- 1 Suburban Residential.** Many of the remaining tracts of land in this area have been entitled with planned development districts that are targeted at bringing similar Suburban Residential products as those that currently exist in the Caruth Lakes and Stone Creek Subdivisions. Any new residential development in these areas should be highly amenitized and include a mixture of lots similar to the lot mixture in the Stone Creek Subdivision.
- 2 Neighborhood/Convenience Centers.** The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures. These areas should provide pedestrian access between the Neighborhood/Convenience Centers and the Suburban Residential developments.
- 3 John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in Appendix 'B' of this Comprehensive Plan.

## POINTS OF REFERENCE

- A. J. W. Williams Middle School
- B. The Park at Stone Creek
- C. Stone Creek Subdivision
- D. Fire Station #3
- E. The Parks at Squabble Creek
- F. Caruth Lakes Subdivision

## LAND USE PALETTES

- Current Land Use
- Future Land Use
- John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

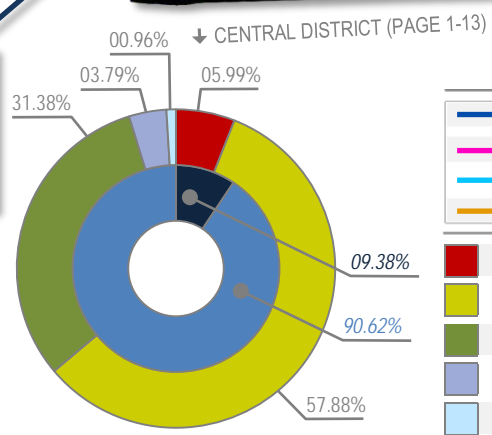


**BUILD OUT**  
 2,347  
 7,018

**% OF ROCKWALL**  
 8.91%  
 1.38%  
 8.95%



**CURRENT**  
 1,782  
 25  
 5,328



Land Use Category	Percentage
COMMERCIAL	9.38%
RESIDENTIAL	90.62%
MIXED USE	0.00%
COMMERCIAL/RETAIL (CR)	60.20-ACRES
MEDIUM DENSITY RESIDENTIAL (MDR)	581.3-ACRES
PARKS AND OPEN SPACE (OS)	315.22-ACRES
PUBLIC (P)	38.11-ACRES
QUASI-PUBLIC (QP)	9.66-ACRES

## Miller, Ryan

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**From:** Shawn Valk <shawnvalk@gmail.com>  
**Sent:** Friday, March 11, 2022 1:10 PM  
**To:** Miller, Ryan  
**Cc:** Annalyse Valk  
**Subject:** Re: 380 Agreement and Zoning

Thanks Ryan. I'm in Florida for spring break. General Retail works for us. I will get the 380 signed and delivered to guy Monday.

Have a great weekend.

Thanks  
Shawn

Shawn Valk  
Shawnvalk@gmail.com

1450 TL Townsend, STE 100  
Rockwall, TX 75032

469-222-1597. Cell  
469-718-0451. Fax

On Mar 7, 2022, at 11:48 AM, Miller, Ryan <rmiller@rockwall.com> wrote:

Shawn ... Thank you again for taking the time to speak with me today and being open to making this change. Per our conversation, I conferred with the City Attorney and he feels that a simple email stating that you are fine with a change in the zoning designation to a General Retail (GR) District from a Commercial (C) District will suffice in lieu of amending the 380 Agreement. As stated this will not affect the ability of the Boys and Girls Club from developing the property and meeting the terms of the agreement, but should alleviate the concerns of the adjacent neighborhood. If you have any questions or need any additional clarifications, please let me know. Thanks.



**Ryan C. Miller, AICP**

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

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[helpful links](#) | [City of Rockwall Website](#) | [Planning & Zoning Division Website](#) | [Municipal Code Website](#)  
[GIS Division Website](#) | [City of Rockwall Interactive Maps](#) | [UNIFIED DEVELOPMENT CODE](#)

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NOTES



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

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This email was scanned by Bitdefender

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

**LEGEND:**

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
A	Land Use Permitted as an Accessory Use

# PERMITTED LAND USES IN AN GENERAL RETAIL (GR) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a> ]	GENERAL RETAIL (GR) DISTRICT
<b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<a href="#">(1)</a>		P
Animal Boarding/Kennel without Outside Pens	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Animal Clinic for Small Animals without Outdoor Pens	<a href="#">(3)</a>	<a href="#">(3)</a>	P
Animal Hospital or Clinic	<a href="#">(4)</a>		S
Community Garden	<a href="#">(11)</a>	<a href="#">(7)</a>	S
Urban Farm	<a href="#">(12)</a>	<a href="#">(8)</a>	S
<b>RESIDENTIAL AND LODGING LAND USES</b>	2.02(B)	2.03(B)	
Caretakers Quarters/Domestic or Security Unit	<a href="#">(3)</a>		P
Convent, Monastery, or Temple	<a href="#">(4)</a>		P
Commercial Parking Garage	<a href="#">(6)</a>		A
Limited-Service Hotel	<a href="#">(10)</a>		S
Full-Service Hotel	<a href="#">(11)</a>	<a href="#">(8)</a>	S
Residence Hotel	<a href="#">(12)</a>		S
Motel	<a href="#">(13)</a>		S
<b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>	2.02(C)	2.03(C)	
Assisted Living Facility	<a href="#">(1)</a>	<a href="#">(1)</a>	S
Blood Plasma Donor Center	<a href="#">(2)</a>		P
Cemetery/Mausoleum	<a href="#">(3)</a>		P
Church/House of Worship	<a href="#">(4)</a>	<a href="#">(2)</a>	S
Convalescent Care Facility/Nursing Home	<a href="#">(6)</a>		P
Congregate Care Facility/Elderly Housing	<a href="#">(7)</a>	<a href="#">(3)</a>	S
<b>Daycare with Seven (7) or More Children</b>	<a href="#">(9)</a>	<a href="#">(4)</a>	P
Emergency Ground Ambulance Services	<a href="#">(10)</a>		P
Group or Community Home	<a href="#">(11)</a>	<a href="#">(5)</a>	P
Government Facility	<a href="#">(12)</a>		P
Hospice	<a href="#">(14)</a>		P
Hospital	<a href="#">(15)</a>		P
Public Library, Art Gallery or Museum	<a href="#">(16)</a>		P
Mortuary or Funeral Chapel	<a href="#">(17)</a>		P
Local Post Office	<a href="#">(18)</a>		P
Public or Private Primary School	<a href="#">(21)</a>	<a href="#">(7)</a>	P
Public or Private Secondary School	<a href="#">(22)</a>	<a href="#">(8)</a>	P
Temporary Education Building for a Public or Private School	<a href="#">(23)</a>	<a href="#">(9)</a>	S
Social Service Provider (Except Rescue Mission or Homeless Shelter)	<a href="#">(25)</a>		S
<b>OFFICE AND PROFESSIONAL LAND USES</b>	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Financial Institution without Drive-Through	<a href="#">(1)</a>		P
Office Building less than 5,000 SF	<a href="#">(2)</a>		P
Office Building 5,000 SF or Greater	<a href="#">(2)</a>		P

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LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <a href="#">Article 13, Definitions</a> ]	CONDITIONAL USE REFERENCE Reference <a href="#">Article 04, Permissible Uses</a> ]	GENERAL RETAIL (GR) DISTRICT
<b>RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES</b>	<b>2.02(E)</b>	<b>2.03(E)</b>	
Temporary Carnival, Circus, or Amusement Ride	<a href="#">(1)</a>	<a href="#">(1)</a>	P
Indoor Commercial Amusement/Recreation	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Outdoor Commercial Amusement/Recreation	<a href="#">(3)</a>	<a href="#">(3)</a>	S
Public or Private Community or Recreation Club as an Accessory Use	<a href="#">(4)</a>		P
Private Country Club	<a href="#">(5)</a>		S
Golf Driving Range	<a href="#">(6)</a>		S
Temporary Fundraising Events by Non-Profit	<a href="#">(7)</a>	<a href="#">(4)</a>	P
Indoor Gun Club with Skeet or Target Range	<a href="#">(8)</a>	<a href="#">(5)</a>	S
Health Club or Gym	<a href="#">(9)</a>		P
Private Club, Lodge or Fraternal Organization	<a href="#">(10)</a>	<a href="#">(6)</a>	S
Public Park or Playground	<a href="#">(12)</a>		P
Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> )	<a href="#">(14)</a>		S
Theater	<a href="#">(15)</a>		S
<b>RETAIL AND PERSONAL SERVICES LAND USES</b>	<b>2.02(F)</b>	<b>2.03(F)</b>	
Antique/Collectible Store	<a href="#">(1)</a>		P
Astrologer, Hypnotist, or Psychic	<a href="#">(2)</a>		P
Banquet Facility/Event Hall	<a href="#">(3)</a>		P
Portable Beverage Service Facility	<a href="#">(4)</a>	<a href="#">(1)</a>	S
Brew Pub	<a href="#">(5)</a>		P
Business School	<a href="#">(6)</a>		P
Catering Service	<a href="#">(7)</a>		P
Temporary Christmas Tree Sales Lot and/or Similar Uses	<a href="#">(8)</a>	<a href="#">(2)</a>	P
Copy Center	<a href="#">(9)</a>		P
Craft/Micro Brewery, Distillery and/or Winery	<a href="#">(10)</a>	<a href="#">(3)</a>	S
Incidental Display	<a href="#">(11)</a>	<a href="#">(4)</a>	P
Food Trucks/Trailers	<a href="#">(12)</a>	<a href="#">(5)</a>	P
Garden Supply/Plant Nursery	<a href="#">(13)</a>		P
General Personal Service	<a href="#">(14)</a>	<a href="#">(6)</a>	P
General Retail Store	<a href="#">(15)</a>		P
Hair Salon and/or Manicurist	<a href="#">(16)</a>		P
Laundromat with Dropoff/Pickup Services	<a href="#">(17)</a>		P
Self Service Laundromat	<a href="#">(18)</a>		P
Massage Therapist	<a href="#">(19)</a>		P
Private Museum or Art Gallery	<a href="#">(20)</a>		P
Night Club, Discotheque, or Dance Hall	<a href="#">(21)</a>		S
Permanent Cosmetics	<a href="#">(23)</a>	<a href="#">(7)</a>	A
Pet Shop	<a href="#">(24)</a>		P
Temporary Real Estate Sales Office	<a href="#">(25)</a>		P
Rental Store without Outside Storage and/or Display	<a href="#">(26)</a>	<a href="#">(8)</a>	S <b>259</b>

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Restaurant with less than 2,000 SF with Drive-Through or Drive-In	<a href="#">(27)</a>	<a href="#">(9)</a>	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	<a href="#">(28)</a>		P
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	<a href="#">(27)</a>	<a href="#">(10)</a>	S
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	<a href="#">(28)</a>		P
Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four [4] Vehicles</i> )	<a href="#">(29)</a>		P
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	<a href="#">(29)</a>		S
Secondhand Dealer	<a href="#">(30)</a>		P
Art, Photography, or Music Studio	<a href="#">(31)</a>		P
Tailor, Clothing, and/or Apparel Shop	<a href="#">(32)</a>		P
<b>COMMERCIAL AND BUSINESS SERVICES LAND USES</b>	<b>2.02(G)</b>	<b>2.03(G)</b>	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	<a href="#">(6)</a>		P
Locksmith	<a href="#">(11)</a>		P
Shoe and Boot Repair and Sales	<a href="#">(16)</a>		P
Trade School	<a href="#">(17)</a>		S
Temporary On-Site Construction Office	<a href="#">(18)</a>	<a href="#">(6)</a>	P
<b>AUTO AND MARINE RELATED LAND USES</b>	<b>2.02(H)</b>	<b>2.03(H)</b>	
Minor Auto repair garage	<a href="#">(2)</a>	<a href="#">(2)</a>	S
Full Service Car Wash and Auto Detail	<a href="#">(5)</a>	<a href="#">(4)</a>	S
Self Service Car Wash	<a href="#">(5)</a>	<a href="#">(4)</a>	S
Non-Commercial Parking Lot	<a href="#">(9)</a>		P
Service Station	<a href="#">(11)</a>	<a href="#">(8)</a>	P
<b>INDUSTRIAL AND MANUFACTURING LAND USES</b>	<b>2.02(I)</b>	<b>2.03(I)</b>	
Temporary Asphalt or Concrete Batch Plant	<a href="#">(2)</a>	<a href="#">(2)</a>	P
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	<a href="#">(12)</a>	<a href="#">(5)</a>	S
<b>UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES</b>	<b>2.02(K)</b>	<b>2.03(K)</b>	
Antenna, as an Accessory	<a href="#">(2)</a>	<a href="#">(1)</a>	P
Commercial Antenna	<a href="#">(3)</a>	<a href="#">(2)</a>	S
Antenna, for an Amateur Radio	<a href="#">(4)</a>	<a href="#">(3)</a>	A
Antenna Dish	<a href="#">(5)</a>	<a href="#">(4)</a>	A
Commercial Freestanding Antenna	<a href="#">(6)</a>	<a href="#">(5)</a>	S
Mounted Commercial Antenna	<a href="#">(7)</a>	<a href="#">(6)</a>	S
Helipad	<a href="#">(9)</a>		S
Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<a href="#">(10)</a>		S
Municipally Owned or Controlled Facilities, Utilities and Uses	<a href="#">(11)</a>		P
Private Streets	<a href="#">(12)</a>		S
Radio Broadcasting	<a href="#">(13)</a>		P
Railroad Yard or Shop	<a href="#">(14)</a>		S
Recording Studio	<a href="#">(15)</a>		S
Satellite Dish	<a href="#">(16)</a>		A

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Solar Energy Collector Panels and Systems	<a href="#">(17)</a>	<a href="#">(7)</a>	A
Transit Passenger Facility	<a href="#">(18)</a>		S
TV Broadcasting and Other Communication Service	<a href="#">(20)</a>		S
Utilities Holding a Franchise from the City of Rockwall	<a href="#">(21)</a>		S
Utility Installation Other than Listed	<a href="#">(22)</a>		S
Utility/Transmission Lines	<a href="#">(23)</a>		S
Wireless Communication Tower	<a href="#">(24)</a>		S

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 5.812-ACRE TRACT OF LAND IDENTIFIED AS TRACT 9 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has initiated a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 5.812-acre tract of land owned by the City of Rockwall and identified as Tract 9 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (205 BY-OV) District, located at the southwest corner of the intersection of FM-1141 and John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Commercial (C) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 04.01, *General Commercial District Standards*; and Section 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4<sup>TH</sup> DAY OF APRIL, 2022.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: March 21, 2022

2<sup>nd</sup> Reading: April 4, 2022

**Exhibit 'B'**  
*Zoning Exhibit*

**BEING** a 5.812-acre tract of land in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, being a portion of a called 10.942-acre tract, described in deed to the City of Rockwall, recorded in County Clerk Number 2007-00389123, Deed Records of Rockwall County, Texas, being that portion of said deed lying west of John King Boulevard, a variable width public right of way, more particularly described as follows;

**COMMENCING** at a found iron pipe being the southwest corner of said City of Rockwall tract, being the northwest corner of a called 1.837-acre tract, deeded to Betty Bogard, recorded in County Clerk Number 2008-00396742, Deed Records of Rockwall County, Texas, being on the east right of way line of FM 1141, an 80-foot-wide public right of way;

**THENCE** North 01°04'21" West along said right of way line for a distance of 819.58 feet to a found iron rod, being the beginning of a tangent curve to the right;

**THENCE** northeasterly along said curve to the right with a radius of 278.39 feet, a central angle of 74°11'35", a chord bearing of North 36°01'27" East, a chord distance of 335.83 feet for an arc length of 360.49 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 31°09'51" East for a distance of 39.22 feet to a Set No. 4 rebar with cap "BW2", being on the west right of way line of John King Boulevard, a variable width public right of way;

**THENCE** South 00°50'54" East along said right of way line for a distance of 117.04 feet to a Set No. 4 rebar with cap "BW2", being on the beginning of a curve to the left;

**THENCE** southeasterly along said curve to the left, with a radius of 2,060.00 feet, a central angle of 4°29'16", a chord bearing of South 03°05'37" East, a chord distance of 161.31 feet, for an arc length of 161.35 feet to a Set No. 4 rebar with cap "BW2";

**THENCE** South 05°20'14" East along said right of way line for a distance of 732.10 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 84°39'46" West along said right of way line for a distance of 20.00 feet to a Set No. 4 rebar with cap "BW2"; **THENCE** South 05°20'14" East along said right of way line for a distance of 46.17 feet to a Set "X" Cut, being the southeast corner of said City of Rockwall tract, being the northeast corner of Lot 1, Block B of the Final Plat of Ladera Rockwall, recorded in County Clerk File No. 2019-0000016594, Plat Records of Rockwall County, Texas;

**THENCE** South 89°26'01" West along said common line for a distance of 265.40 feet to the **POINT OF BEGINNING**;

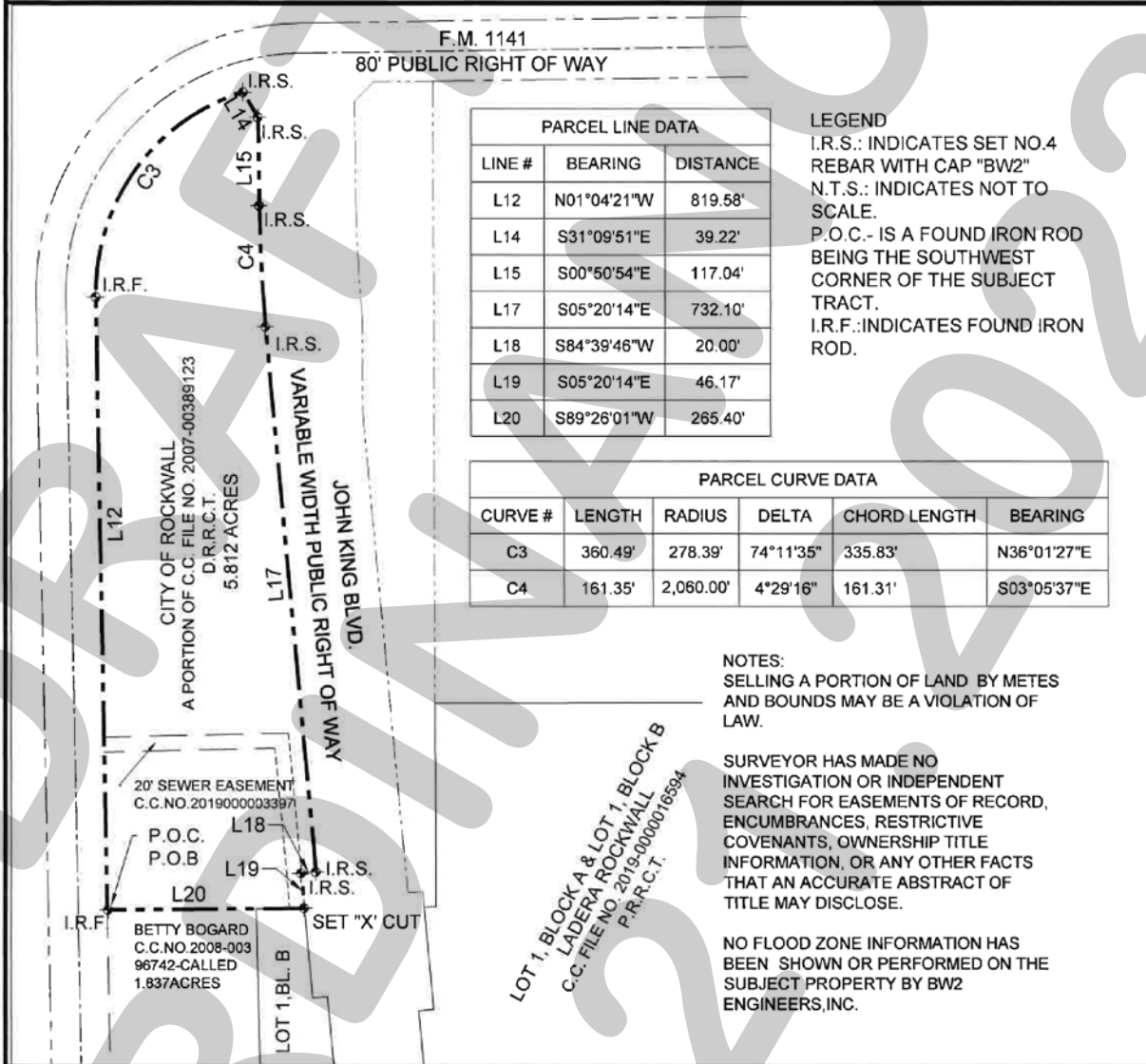
Said tract contains 5.812 acres more or less.



**Exhibit 'B'**  
**Zoning Exhibit**

SURVEY: M. JONES SURVEY, ABSTRACT NO. 122	<b>PROPERTY SURVEY</b> <b>CITY OF ROCKWALL, TEXAS</b> BEING A PORTION OF C.C. FILE NO. 2007-00389123 D.R.R.C.T.
LOCATION: CITY OF ROCKWALL, TX	
<b>PARCEL PLAT- EXHIBIT "A"</b>	

NOTE: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS STATE PLANE NAD83 NORTH CENTRAL ZONE (4202)



		<p><b>BW2 ENGINEERS, INC.</b>  1919 S. Shiloh Road  Suite 500, L.B. 27  Garland, Texas 75042  (972) 864-8200 (T) (972) 864-8220 (F)  Firm Registration No. F-5290</p>
BW2 JOB NO: 19-1954      DRAWN BY: CEC DATE: DECEMBER, 2019      CHECKED BY: CEC	18-1954/DRAWINGS/1954 SURVEY.DWG	



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** March 21, 2022

**SUBJECT:** Z2022-012; AMENDMENT TO ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, OF THE UNIFIED DEVELOPMENT CODE (UDC) FOR AN AIRPORT OVERLAY (AP OV) DISTRICT

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### Attachments

Memorandum  
Location Map  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
City Council Minutes from October 6, 2014  
Letter to Meals on Wheels  
Proposed Changes to Article 05  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Section 06, *Overlay Districts*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of incorporating Airport Overlay (AP OV) District, and take any action necessary (**1st Reading**).

### Action Needed

The City Council is being asked to approve, approve with revisions, or deny the proposed text amendment.



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

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

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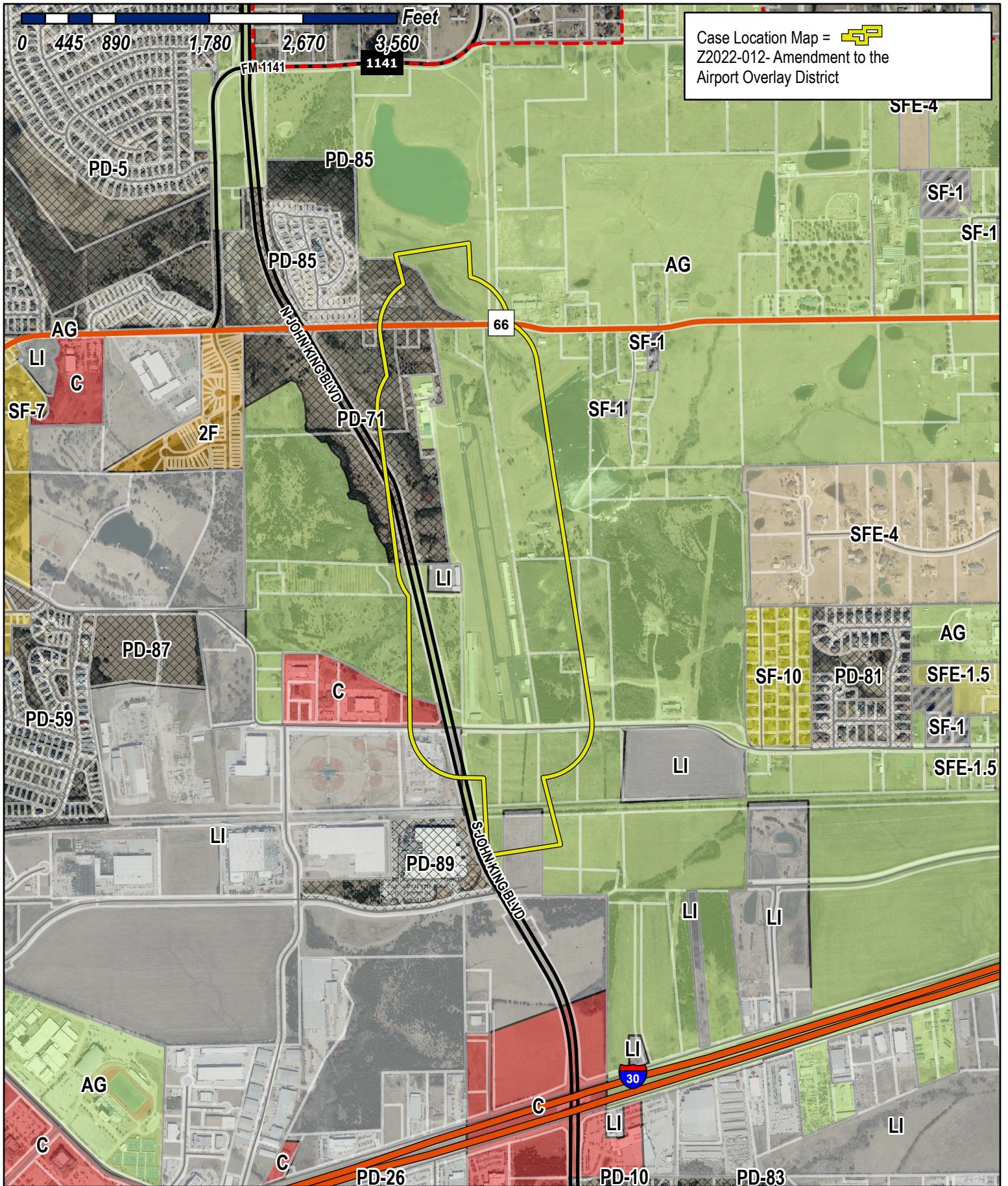
**TO:** Mayor and City Council  
**CC:** Mary Smith, *City Manager*  
Joey Boyd, *Assistant City Manager*  
**FROM:** Ryan Miller, *Director of Planning and Zoning*  
**DATE:** March 21, 2022  
**SUBJECT:** Z2022-012; *Amendment to Article 05, District Development Standards, of the Unified Development Code (UDC) for an Airport Overlay (AP OV) District*


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In response to a recommendation by the Airport Subcommittee of the City Council, staff created the framework for an Airport Overlay (AP OV) District in 2014. This document was prepared in accordance with Chapter 241, *Municipal and County Zoning Authority Around Airports*, of the Texas Local Government Code, which enables municipalities to draft land use restrictions for properties adjacent to airports -- *which are used in the interest of the general public* -- to prevent the creation of an airport hazard (§214.012). The City Council reviewed this text amendment on September 15, 2014 after being unanimously recommended for approval by the Airport Zoning Commission (*i.e. the Planning and Zoning Commission*) on September 9, 2014. Ultimately, the City Council chose not to act on the text amendment (*Case No. Z2014-022*) citing that "... after further discussion with the Airport Subcommittee, they [*the Airport Subcommittee*] are comfortable with recommending that the City Council leave the zoning 'as is' at this time ..." (*see the excerpt from the minutes from the September 15, 2014 City Council meeting in the attached packet*).

More recently, the City has seen an increase in air traffic at the Ralph Hall Municipal Airport and the development of vacant land in and around the airport. In working with TXDOT Aviation and the City's Airport Consultants -- *Garver USA and the Solco, Group* -- to address concerns with development in the area, the idea of an Airport Overlay (AP OV) District was revisited as a way to: [1] protect the City's grant assurances and [2] to prevent inconsistent development from being approved around the airport. Based on this, staff has revised the 2014 Airport Overlay (AP OV) District document to ensure that it meets all the current standards of TXDOT Aviation and the Texas Local Government Code. Garver USA has also reviewed and helped staff revise the document to ensure compliance. Staff has sent the revised document to TXDOT Aviation for review and has received a response stating they have no major changes to the document. In accordance, with Section 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) and *Ordinance No. 14-28*, staff brought the proposed amendment forward to the Planning and Zoning Commission (*i.e. the Airport Zoning Commission*) for a recommendation to the City Council. On March 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the text amendment by a vote of 4-0, with Commissioners Chodun, Thomas and Conway absent.

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). In addition, on February 25, 2022 staff sent out property owner notifications to the 28 properties that could be affected by the proposed Airport Overlay (AP OV) District. This was done in accordance with the procedures and requirements of the Texas Local Government Code. Should the City Council have any questions staff will be available at the meeting on March 21, 2022.



Case Location Map =   
 Z2022-012- Amendment to the  
 Airport Overlay District



# City of Rockwall

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

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

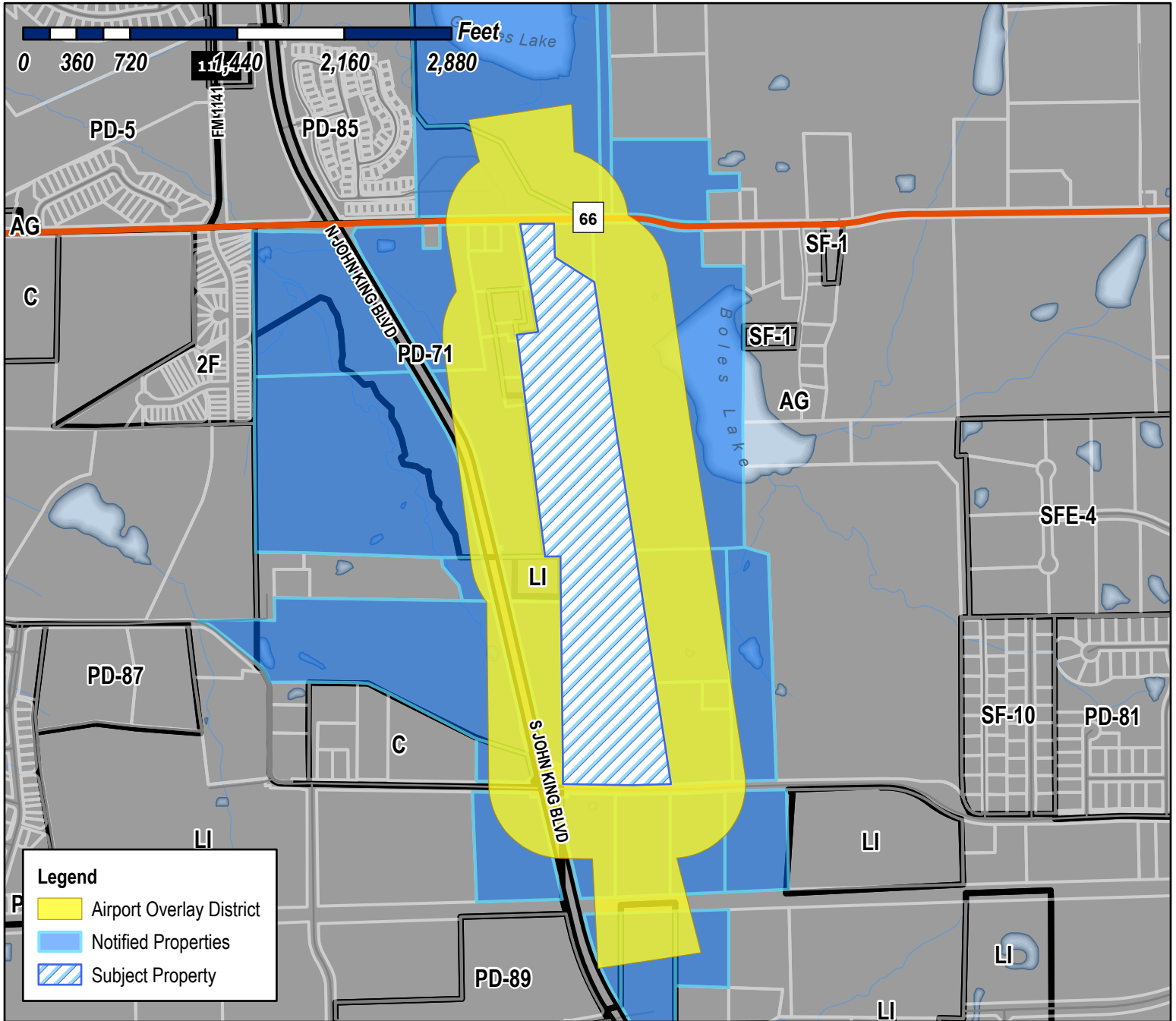




# City of Rockwall

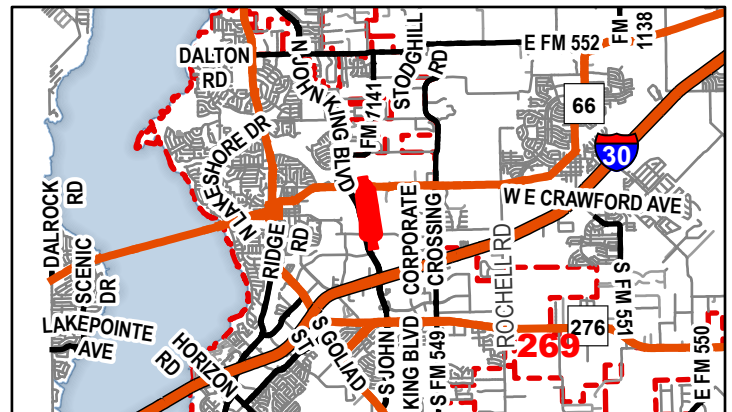
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2022-012  
**Case Name:** Airport Overlay District  
**Case Type:** Zoning  
**Zoning:** APOV  
**Case Address:** Rockwall Municipal Airport

**Date Saved:** 2/22/2022  
 For Questions on this Case Call (972) 771-7745



PEOPLES MIKE L  
111 CORNELIUS RD  
ROCKWALL, TX 75087

FUNK JOSEPH  
11226 INDIAN TRAIL  
DALLAS, TX 75229

SARO PARTNERS LLC  
1450 T L TOWNSEND  
ROCKWALL, TX 75032

ROCKWALL PROPERTY CORPORATION  
ATTN BILL BRICKER  
1630 WILLIAMS  
ROCKWALL, TX 75087

TEXAS SPECIALTY UNDERWRITERS INC  
1636 WILLIAMS  
ROCKWALL, TX 75087

D V B FAMILY LIMITED PARTNERSHIP  
1649 AIRPORT RD  
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR  
1650 AIRPORT RD  
ROCKWALL, TX 75087

DILLENDER ROBERT O & SHERY  
1651 AIRPORT RD  
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND  
SHERYL NEWMAN PEOPLES  
1700 AIRPORT RD  
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND  
SHERYL NEWMAN PEOPLES  
1700 STATE HIGHWAY 66  
ROCKWALL, TX 75087

ADD REAL ESTATE LTD  
1775 AIRPORT RD  
ROCKWALL, TX 75087

MEALS ON WHEELS SENIOR SERVICES OF  
ROCKWALL COUNTY  
1780 AIRPORT RD  
ROCKWALL, TX 75087

JCP JUSTIN LLC  
1820 JUSTIN RD  
ROCKWALL, TX 75087

PEOPLES MIKE L  
1936 HWY 66  
ROCKWALL, TX 75087

PEOPLES MICHAEL L  
2026 HWY 66  
ROCKWALL, TX 75087

D V B FAMILY LIMITED PARTNERSHIP  
2421 KATHRYN DR  
HEATH, TX 75032

ROCKWALL PROPERTY CORPORATION  
ATTN BILL BRICKER  
305 PARK PLACE BLVD  
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH  
306 EAST RUSK ST  
ROCKWALL, TX 75087

BACKWARDS L LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

JCP JUSTIN LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

RW LADERA LLC  
361 W BYRON NELSON BLVD SUITE 104  
ROANOKE, TX 76262

TEXAS SPECIALTY UNDERWRITERS INC  
510 TURTLE COVE BLVD STE 200  
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR  
510 TURTLE COVE BLVD STE 200  
ROCKWALL, TX 75087

DIMISSEW SAMUEL  
956 S WEATHERRED DR  
RICHARDSON, TX 75080

DILLENDER ROBERT O & SHERY  
PO BOX 2016  
ROCKWALL, TX 75087

PEOPLES MICHAEL L  
PO BOX 41  
ROCKWALL, TX 75087

ADD REAL ESTATE LTD  
PO BOX 679  
KELLER, TX 75166

MEALS ON WHEELS SENIOR SERVICES OF  
ROCKWALL COUNTY  
PO BOX 910  
ROCKWALL, TX 75087

# PUBLIC NOTICE



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

Property Owner and/or Resident of the City of Rockwall:

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

**Case No. Z2022-012: Airport Overlay (APOV) District**

Hold a public hearing to discuss and consider approval of a Text Amendment to Section 06, Overlay Districts, of Article 05, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of incorporating Airport Overlay (AP OV) District, 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, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

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

**Case No. Z2022-012: Airport Overlay (APOV) District**

Please place a check mark on the appropriate line below:

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

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

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

Name: [Grey input field]

Address: [Grey input field]

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

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

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Councilmember Milder made a motion to approve MIS2014-013. Councilmember White seconded the motion, which passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

3. MIS2014-014 - Discuss and consider a miscellaneous request by Tim Spiars of Spiars Engineering on behalf of Master Developers SNB LLC for the approval of a variance to the alley requirements stipulated by Planned Development District 41 (PD-41) [Ordinance No. 01-27] and Section 2.11 of the Standards of Design Manual, for a 12.45-acre subdivision of land identified as the North Shore Addition, being a portion of the Preserve preliminary plat, zoned Planned Development District 41 (PD- 41) for single family residential land uses, generally located on the south side of East Fork Drive, and take any action necessary.

Planning Director Robert LaCroix provided background information related to this agenda item. Mr. Spiars of Spiars Engineering then came forth and briefly addressed the city council. Councilmember White made a motion to approve MIS2014-014. Councilmember Milder seconded the motion, which passed by a vote of 5 ayes with 2 absent (Daniels and Lewis).

4. Z2014-022 – Discuss and consider approval of an ordinance for a City initiated zoning request for the approval of a text amendment to Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] for the purpose of creating and implementing an Airport Overlay (AP OV) District, which will be applicable for the Ralph M. Hall/Rockwall Municipal Airport property, and for all properties located within 500-feet of the airport property and/or located within the Airport’s Runway Protection Zones as defined by AC150/5300-13A, Airport Design, of the FAA standards, and take any action necessary. (1st Reading)

Planning Director Robert LaCroix provided brief background information related to this item, indicating that a public hearing on this issue was held at the last, regular city council meeting. Mayor Sweet indicated that Mayor Pro Tem Pruitt, Councilmember White and Councilmember Townsend are the council members that currently sit on the council’s Airport Subcommittee, and, following discussions had at the last council meeting, they were asked to further evaluate this matter. Mayor Pro Tem Pruitt indicated that, after further discussions with the Airport Subcommittee, they are comfortable with recommending that the council leave the zoning ‘as is’ at this time. Therefore, no action will be taken by the city council to make any modifications to the zoning at this time.

JoAnn Athey  
124 Main Street  
P.O. Box 219  
Lavon, TX 75166

Mrs. Athey came forth and asked if hangars can be built on the land surrounding the airport. Staff clarified that the FAA is the authority that approves or disapproves these sorts of requests; however, “thru the fence” agreements are not allowed at the Rockwall Municipal Airport.

5. Discuss and consider approval of a resolution establishing an intent to apply for Preserve America Community Designation, supporting heritage tourism and historic preservation, and take any action necessary.





March 2, 2022

TO: Dennis Lewis, *President*  
Meals on Wheels Senior Services of Rockwall County  
P. O. Box 910  
Rockwall, Texas 75087

FROM: Ryan Miller, AICP  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

SUBJECT: Case No. Z2022-012; *Airport Overlay (AP OV) District*

Mr. Lewis,

As you point out in your correspondence to me on February 24, 2022, a small portion of the property at 1780 Airport Road (*i.e. Tract 2 of the D. Harr Survey, Abstract No. 102*) is situated within the proposed Airport Overlay (AP OV) District. This overlay district is intended to regulate inconsistent development in and around the Ralph Hall Municipal Airport, and does have prohibitions on certain land uses (*e.g. residential and educational land uses, places of worship, places of assembly, etc.*). Regarding your question of if the overlay district's prohibitions would apply to the entire property, the document defines the *Airport Influence Zone* -- *of which is projected to extend over a small portion of the northwest corner of the subject property* -- as "...all areas within the 500-foot buffer excluding the *Municipal Airport Zone* and the *RPZ*." Based on this definition the requirements for property within the *Municipal Airport Zone* would only apply to the land area inside this zone or buffer, and would not affect the balance of your parcel of land. Taking this interpretation of the ordinance into account, I do not foresee any issues with the establishment of a *Social Service Provider* on the subject property as long as the structures for this land use are outside of the Airport Overlay (AP OV) District. If you have any additional questions or need any additional clarifications please let me know. Thank you.

Sincerely,

Ryan Miller, AICP  
Director of Planning and Zoning



the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

#### SUBSECTION 06.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

- (A) **Purpose.** The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) **Application and Boundaries.** The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276. The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) **Overlay District Standards.** If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

#### SUBSECTION 06.15: AIRPORT OVERLAY (AP OV) DISTRICT

*Note: This document was prepared using FAA guidelines as of March 17, 2020 and using AC150/5300-14D.*

- (A) **Purpose.** The purpose of this district is to provide both airspace protection and land use compatibility with airport operations at the Ralph M. Hall/Rockwall Municipal Airport. This district, through establishment of airport zones and corresponding regulations, provides for independent review of development proposals in order to promote the public interest in safety, health and general welfare of the City of Rockwall. Therefore, the City of Rockwall deems it necessary to regulate uses of land located within or near the traffic patterns of the airport through regulation of height of structures and objects of natural growth, and through the regulation of land uses within the Airport Overlay (AP OV) District, and other FAA regulated areas associated with the airport (*i.e. areas relating to RSA/ROFA/ROFZ which extend off the airport property*).
- (B) **District Boundaries.** This *Airport Overlay (AP OV) District* is hereby established as the land area owned by the City of Rockwall and held as Ralph M. Hall/Rockwall Municipal Airport, the Airport Runway Protection Zone (RPZs), and a buffer area extending 500-feet from all property lines of the Ralph M. Hall/Rockwall Municipal Airport (*see Figure 29: Airport Overlay District Boundaries*).
- (C) **Definitions.** Unless otherwise stated in this section, the following words shall have the definitions prescribed to them below:

- (1) **Administrative Agency.** The appropriate person or office of the municipality that is responsible for the administration and enforcement of the regulations prescribed in this section of the Unified Development Code (UDC).
  - (2) **Airport.** The current and future boundaries of the Ralph Hall Municipal Airport located within the City of Rockwall, Texas.
  - (3) **Airport Hazard.** A structure or object of natural growth that obstructs the air space required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft.
  - (4) **Airport Hazard Area.** An area of land or water on which an airport hazard could exist.
  - (5) **Applicant.** The person or persons making a request to the administrative agency.
  - (6) **Centerline.** The runway centerline identifies the center of the runway and provides alignment guidance during takeoff and landings. The centerline consists of a line of uniformly spaced stripes and gaps.
  - (7) **Non-Conforming Land Use or Non-Conforming Use.** Any land use of which is inconsistent with the provisions of these regulations and which is existing as of the effective date of the Airport Overlay (AP OV) District.
  - (8) **Person.** An individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.
  - (9) **Runway.** A defined area on the airport prepared for the landing and taking off of aircraft along its length. The current length of the Rockwall Municipal Airport is 3,373-feet by 45-feet and the zoned dimensions are 3,373-feet by 60-feet.
  - (10) **Runway Safety Area (RSA).** The surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway.
  - (11) **Structure.** An object constructed or installed by one (1) or more persons and includes but is not limited to a building, tower, smokestack, and overhead transmission line.
- (D) **Airport Zones.** In order to implement the intent of this ordinance, the Airport Overlay (AP OV) District hereby includes the following three (3) exhibits that depict the zones within the controlled area and shown on the official zoning map as depicted in [Figure 29: Airport Overlay District Boundaries](#):
- Airport Overlay (AP OV) District Boundaries (*see Figure 29: Airport Overlay District Boundaries*)
  - Development Zones within the Airport Overlay (AP OV) District (*see Figure 30: Development Zones within the Airport Overlay (AP OV) District*)
  - Airport Airspace Zones Boundaries (*see Figure 31: Airspace Zone Boundaries*)
- (E) **Permitted Uses.** All uses otherwise permitted by existing zoning ordinances within the boundaries of the AP OV District are permitted



within the district, except where there is a conflict between the AP OV District and the existing zoning ordinances. Where the provisions of the AP OV District are more restrictive, the provisions of the AP OV District shall govern.

(F) **Controlled Area.** The area within which airport land use compatibility controls may be instituted, as defined by *Section 241, Municipal and County Zoning Authority Around Airports*, of the *V.T.C.A., Texas Local Government Code*, shall be defined as the controlled area. The controlled area is located outside the Airport boundaries and within an area measured no farther than one and one-half (1½) statute miles from the centerline of the Ralph M. Hall/Rockwall Municipal Airport runway and lies no farther than five (5) statute miles from each end of the paved surface of the runway.

(G) **Airspace Zones.** *Airspace Zones* consist of all of the land area lying beneath the surfaces referenced in Section H, *Height Limitations*, below and in Title 14, Part 77.19. The following *Airspace Zones* are hereby established and set forth (see *Figures 26: Airspace Zones [right] & Figure 31: Airspace Zone Boundaries [below]*; reference Title 14, Part 77, FAR):

(1) **Primary Surface.** The *Primary Surface* is a surface that is longitudinally centered on the runway. It extends 200-feet beyond the end of each runway and 250-feet on either side of the centerline of the runway for a total width of 500-feet (i.e. a 250-foot side buffer of the runway centerline).

(2) **Approach Zone.** The *Approach Zone* is a fan shaped zone that is established at both ends of the runway for the purpose of landings and take-offs. The *Approach Zone* commences at the end of the *Primary Surface* (i.e. 200-feet beyond the end of the runway) and has a beginning width of 500-feet. It then extends uniformly along the continuation of the centerline of the runway to a width of 3,500-feet at a distance of 10,000-feet from the point of commencement, and a slope of 34:1 or one (1) foot in height for each 34-feet in horizontal distance [this is the land area that exists underneath the *Approach Surface*].

(3) **Transitional Zones.** The *Transitional Zones* are symmetrically located on either side of runway, and have variable widths. The *Transitional Zones* extend outward and upward commencing from the edge of the *Primary Surface* (i.e. 250-feet on either side of the centerline of the runway), and *Approach Surfaces*. The *Transitional Zones* extend upward and outward at slope of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the *Horizontal Zone*. The *Transitional Zones* are established adjacent to the *Approach Zones* and extend their entire length. The *Transitional Zones* flare symmetrically with either side of the runway *Approach Zone* from the base of said zones and slope upward and outward at the rate of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surface of the *Horizontal Zone* and the *Conical Zone* [this is the land area that exists underneath the *Transitional Surface*].

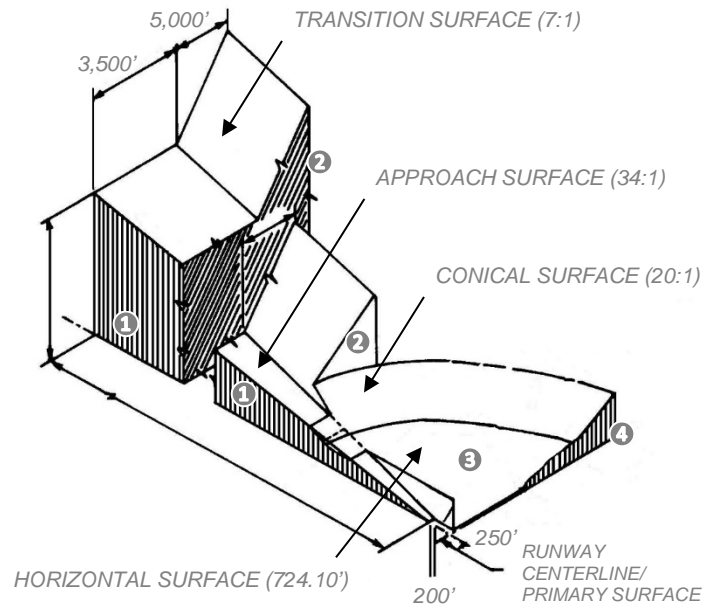
(4) **Horizontal Zone.** The *Horizontal Zone* consists of the land area within the perimeter of which is constructed by swinging arcs of 10,000-feet from the center of each *Primary Surface*, 200-feet beyond the centerline of each runway and connecting the adjacent arcs by lines of tangent to those arcs. The *Horizontal*

*Zone* does not include the *Approach Zone* and/or the *Transition Zone* [this is the land area that exists underneath the *Horizontal Surface*].

(5) **Conical Zone.** The *Conical Zone* consists of the land area that commences at the periphery of the *Horizontal Zone* and extends outward for a distance of 4,000-feet, at a 20:1 slope or one (1) foot in height for each 20-feet of horizontal distance. The *Conical Zone* does not include the *Approach Zone* and/or the *Transition Zone* [this is the land area that exists underneath the *Conical Surface*].

FIGURE 26: AIRSPACE ZONES

① : APPROACH ZONE; ② : TRANSITION ZONE; ③ : HORIZONTAL ZONE;  
④ : CONICAL ZONE



(H) **Height Limitations.** Except as otherwise provided in this ordinance, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created above to a height in excess of the limits established herein for each of the imaginary surfaces created by the airspace zones (*Title 14 CFR, Section 77.19, Civil Airport Imaginary Surfaces*), which are defined as follows:

(1) **Approach Surface.** The *Approach Surface* is the surface that is created by the *Approach Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Approach Surface* is the same starting width as the *Primary Surface* (i.e. 500-feet), and has a slope of 34:1 or one (1) foot in height for each 34-feet in horizontal distance commencing at the *Primary Surface* and extending to a point 10,000-feet from the point of beginning and widening to a width of 3,500-feet.

(2) **Transitional Surface.** The *Transitional Surface* is the surface that is created by the *Transitional Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending in the area required for an aircraft's navigable airspace. The *Transitional Surface* is the surface that extends outward and upward, at right angles to the runway



centerline (at any point 250-foot normal to and at the elevation of the centerline) and extended runway centerline (i.e. 200-foot beyond the end of the runway), from the sides of the Primary Surface and the Approach Surfaces to a point of 150-foot above the airport elevation (i.e. 724.10-feet) [the airport elevation is 574.10-feet above mean sea level]. The Transitional Surface has a slope of 7:1 or one (1) foot in height for each seven (7) feet in horizontal distance.

- (3) **Horizontal Surface.** The Horizontal Surface is the surface that is created by the Horizontal Zone, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The Horizontal Surface is the horizontal plane created by swinging arcs with a 10,000-foot radius centered on the extended runway centerline where it crosses the Primary Surface, and is situated 150-foot above the established airport elevation (i.e. 724-feet) [the airport elevation is 574-feet above mean sea level], which coincides with the extent of the Horizontal Zone.
- (4) **Conical Surface.** The Conical Surface is the surface that is created by the Conical Zone, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The Conical Surface extends upward and outward from the outer limits or the periphery of the Horizontal Surface at a slope of 20:1 or one (1) foot in height for each 20-feet of horizontal distance for a horizontal distance of 4,000-feet. The Conical Surface extends to a height of 350-feet above the airport's elevation (i.e. 924-feet) [the airport elevation is 574-feet above mean sea level].

[Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail. Nothing in this ordinance shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 45-feet above the surface of the land, except in the Approach Zones.]

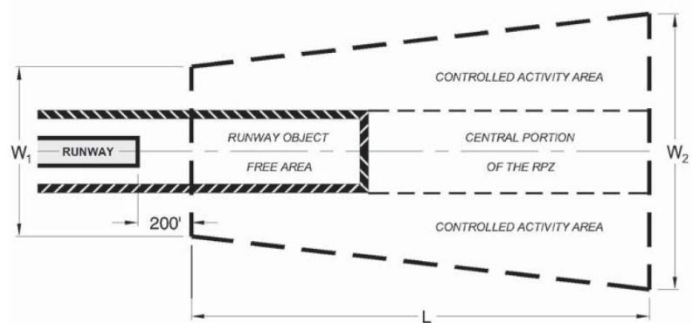
- (I) **Airport Hazard Area.** The Airport Hazard Area is an area of land or water on which an airport hazard could exist. An airport hazard is defined as a structure or object of natural growth that obstructs the airspace required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft. For the purposes of this ordinance, the Airport Hazard Area is defined as the entirety of all the imaginary surfaces stated in Section H, Height Limitations, of this ordinance (see Figure 31: Airspace Zone Boundaries).
- (J) **Land Use Compatibility.**
  - (1) **Intent.** The Airport Overlay (AP OV) District is intended to overlay any other zoning district's regulations comprising or pertaining to areas to which it is applicable, to prevent undue negative interaction between aviation activities associated with the airport and the surrounding community. It is intended to protect the lives and property of the users of the airport and of the occupants of the land in its general vicinity by restricting places of public assembly within this Airport Overlay (AP OV) District. The overlay is intended to preserve the utility of the airport and the public investment therein.

(2) **Development Zones.** The Development Zones are hereby established within the Airport Overlay (AP OV) District. These zones are depicted in Figure 30: Development Zones within the Airport Overlay (AP OV) District of this ordinance. The Development Zones are defined and described as follows:

- (a) **Airport Runway Protection Zones (RPZs).** The Airport Runway Protection Zones are hereby established as the trapezoidal areas centered about the extended runway centerline. The RPZ dimensions for a particular runway end are a function of the type of aircraft and approach/departure visibility minimum associated with the runway end. The RPZs for the Ralph M. Hall/Rockwall Municipal Airport commence 200-feet from the edge of pavement at the end of each runway, beginning with a base of 500-feet (i.e. inner width or  $W_1$ ), extending 1,000-feet along the runway centerline (i.e. length or  $L$ ), and terminating at the outboard corners of a 700-foot line segment (i.e. outer width or  $W_2$ ) [see Figure 27: Airport Runway Protection Zone (RPZ)], creating a 13.770-acre trapezoidal area, which is intended to service Aircraft Approach/Departure Categories 'A' & 'B' (i.e. small single and multi-engine planes). Contained within the two (2) trapezoidal areas that make up the RPZs are the Controlled Activity Area and a portion of the ROFA (Object Free Area). These areas are defined as follows:

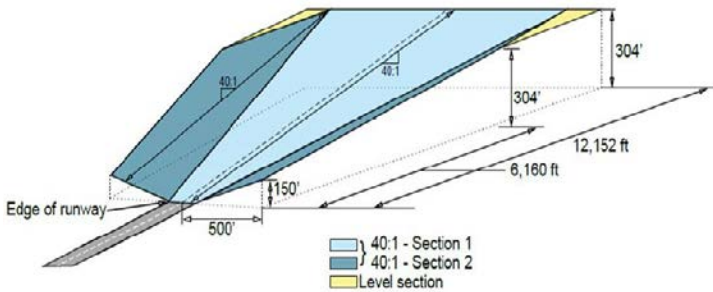
- (1) **The Runway Object Free Area (ROFA).** The Runway Object Free Area (ROFA) is centered on the runway centerline. The ROFA clearing standard requires clearing the ROFA of above ground objects protruding above the runway safety area edge elevation. Except where precluded by other clearing standards, it is acceptable to place objects that need to be located in the ROFA for air navigation or aircraft ground maneuvering purposes to protrude above the nearest point of the runway safety area, and to taxi and hold aircraft in the ROFA. To the extent practicable, objects in the ROFA should meet the same frangibility requirements as the runway safety area. Objects non-essential for air navigation or aircraft ground maneuvering purposes are not permitted to be placed in the ROFA. This includes parked airplanes and agricultural operations.

FIGURE 27: AIRPORT RUNWAY PROTECTION ZONE (RPZ)



- (2) The Controlled Activity Area. The *Controlled Activity Area* is the portion of the *RPZ* beyond the boundaries of the *ROFA*.
- (b) Municipal Airport Zone. The *Municipal Airport Zone* is hereby established as the real property boundaries of the Ralph M. Hall/Rockwall Municipal Airport. This zone contains the majority of all airport related land uses and structures.
- (c) Airport Influence Zone. The *Airport Influence Zone* contains all areas within the 500-foot buffer excluding the *Municipal Airport Zone* and the *RPZ*.
- (d) Height Restriction Zone. The *Height Restriction Zone* extends to the edge of the *Conical Zone* and is subject only to the requirements stipulated in Section H, *Height Limitations*, of this ordinance (see Figure 29: Airport Overlay District Boundaries).
- (e) Departure Surface. The *Departure Surface* starts at the end of the runway end elevation and matches the width of the usable runway. From the edge of the usable runway, the surface rises upward to 150-feet above the runway end elevation at a point 500-feet on either side of the runway centerline. The new surface rises upward along the extended centerline at a slope of 40:1 or one (1) foot in height for each 40-feet in horizontal distance until reaching 304-feet above the runway end elevation (i.e. 6,160-feet across at its outer width at the runway end elevation). Upon reaching the 304-foot marker, the surface levels out until the end of the departure surface at 12,152-feet. The area splays outward at a rate of 15-degrees relative to the extended runway centerline (see Figure 28: Departure Surface).

FIGURE 28: DEPARTURE SURFACE



(3) Land Use Restrictions.

- (a) Runway Object Free Area (ROFA) and Controlled Activity Area. No uses are permitted within the *Runway Object Free Area (ROFA)* or the *Controlled Activity Area* unless deemed essential to air navigation or aircraft ground maneuvering purposes by the Federal Aviation Administration (FAA) with the following exceptions:
  - (1) Permitted Uses. See the current *FAA Standard*.
  - (2) Specific Use Permit (SUP).

- (a) Roadways, Automobile Parking Areas, and Railroads that Adhere to the Height Restrictions
- (b) Municipal Airport Zone.
  - (1) Permitted Uses.
    - (a) Aircraft Runways, Taxiways, Taxi Lanes, Ramps, Parking Areas and Fuel Storage Facilities
    - (b) Aircraft Operational Facilities (including but not limited to Instrument Landing Systems, Visual Navigational Aids, and Related Equipment; Communication Facilities; Weather Service Offices and Equipment)
    - (c) Hangars (includes all buildings which may be used for the Storage or Maintenance of Aircraft, Airport Snow Removal, Sweeping and Other Maintenance Equipment, and/or Other Aviation-Related or Ancillary Activities)
    - (d) Terminal Buildings (which may contain Offices or Airline Companies, and Other Businesses and Concessionaires)
    - (e) Offices and Facilities for Airport Management, Air Charter, Air Taxi, Crop Spraying, Aircraft Sales or Rentals, and Air Cargo Processing Facilities
    - (f) Agriculture (other than Forestry or Livestock), Tourism Information Centers and Museums
    - (g) Flight Schools, Flying Clubs, and Other Schools or Training Facilities (relating to Aviation or Air-Related Transportation)
    - (h) Offices and Facilities for the Operation and Maintenance of Air Rescue, Emergency and Firefighting Services
    - (i) Aircraft Maintenance, Manufacturing, and Testing Facilities
    - (j) Offices and Facilities of Federal, State and Local Government Entities that Incorporate an Aeronautical Land Use (Unless the Property has been Designated for Non-Aeronautical Land Uses)
  - (2) Prohibited Uses.
    - (a) No uses other than those uses explicitly permitted above.
- (c) Airport Influence Zone. All uses permitted within the underlying zoning depicted on the official zoning map of the City of Rockwall, with the following additional uses and exceptions:
  - (1) Specific Use Permits (SUP).
    - (a) Residential Airpark or Aviation Homes
    - (b) Driving Test Track

(2) Prohibited Uses.

- (a) Residential Uses (e.g. Single Family, Multi Family, etc.)
- (b) Educational Centers (including all types of Primary and Secondary Schools, Pre-Schools, and Child Care Facilities)
- (c) Hospitals, Medical Inpatient Treatment Facilities, Nursing Homes and/or Convalescent Home Facilities
- (d) Places of Worship
- (e) Places of Public Assembly (Not Previously Listed)
- (f) Fuel Handling and Storage Facilities (Does Not Include Gas Station)

(d) Height Restriction Zone. Properties within the Height Restriction Zone, outside of the Airport Overlay (AP OV District), are subject to the use requirements stipulated by the underlying zoning depicted on the official zoning map of the City of Rockwall (see Figure 29: Airport Overlay District Boundaries).

(4) Additional Use Restrictions.

- (a) Notwithstanding any other provision of this ordinance, no use may be made of land within any zone established by this ordinance in such a manner as to (1) create electrical interference with radio communication between the Airport and aircraft, (2) make it difficult for flyers to distinguish between airport lights and others, (3) result in glare in the eyes of flyers using the Airport, (4) impair visibility in the vicinity of the Airport or otherwise endanger the landing, taking-off, or maneuvering of aircraft.

(5) Legal Non-Conforming Land Uses.

- (a) Regulations Not Retroactive. The regulations prescribed by this ordinance shall not be construed to require the removal, lowering, changes and/or alteration of any structure (e.g. building) or object of natural growth (e.g. tree) not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of any legal non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure or property, for which the construction or alteration of said structure or property was commenced prior to the effective date of this ordinance.
- (b) Hazard Marking and Lighting. Notwithstanding the preceding provision of this section, the owner of any non-conforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City Manager or his designee to indicate to the operators of aircraft in the vicinity of the Airport, the presence of such airport hazards. Markers and lighting necessary for existing non-conforming structures or trees shall be operated and maintained at the expense of the

property owner. Markers and lighting necessary for future non-conforming structures or trees, approved per the requirements of this ordinance, shall be installed, operated, and maintained at the expense of the property owner.

(K) Development Standards.(1) Architectural Standards.

- (a) All buildings within the Municipal Airport Zone shall be designed by a licensed, professional architect and all drawings submitted for approval and/or permits shall bear the architect's seal of the State of Texas.
- (b) All buildings intended for airport related use such as hangars, maintenance facilities, offices and facilities for airport management, terminal buildings and other similar types of uses with exterior walls visible from a public right-of-way shall consist of 90% masonry materials, excluding doors and windows as defined in Article 13, Definitions, of the Unified Development Code (UDC) [i.e. "Masonry"]. Building exterior walls not visible from the public rights-of-way may be earth-tone colored, pre-finished aluminum, steel or masonry. Materials that are unfinished are prohibited.

*[All other buildings not related to airport uses within the Airport Overlay (AP OV) District shall conform to building materials requirements as stipulated within the Unified Development Code (UDC).]*

In addition, all buildings intended for airport related uses shall adhere to the following standards:

- (1) A Material Sample Board indicating all exterior materials and colors must be submitted to the Planning and Zoning Commission, upon a recommendation by the Architecture Review Board (ARB), for approval prior to the commencement of construction. All sides of the exterior building shall be architecturally integrated and similar in nature with respect to the design and aesthetic.
- (2) All roofs shall be metal. If galvanized metal is being proposed, it shall be limited to a roofing material only.
- (3) Building glazing or reflectors shall not be incorporated into a building if it will cause a glare or reflection that could interfere with airport operations or ground circulation.
- (4) All windows or large glass elements shall be oriented and/or treated to avoid reflections that could cause a distraction to air traffic that is landing or taking off.
- (5) All new construction shall be of a high quality and utilize materials and finishes that will maintain their appearance with relatively low maintenance.
- (6) All steel used for roofing or siding shall be a minimum of 28-gauge steel, with a factory finish in a color that has been approved by the Planning and Zoning Commission, and which has been warranted by the



manufacturer for a minimum of 20 years with regards to the durability and color fastness.

- (7) All floors must be constructed of a minimum of four (4) inches thick concrete and reinforced with steel to a standard approved by the Engineering and Building Inspections Departments.
- (8) All hangars facing a taxiway (*i.e. a path connecting runways with ramps, hangars, terminals, etc.*) shall have a hangar door that has a minimum opening of 55-feet in width by 16-feet in height (*i.e. 55' [w] x 16' [h]*). Buildings facing a taxilane (*i.e. a path connecting the taxiways to aircraft parking positions*) shall have a hangar door that has a minimum opening of 41-feet, 6-inches in width by 12-feet in height (*i.e. 41'-6" [w] x 12' [h]*). Approved swing out, overhead or sliding doors may also be used. All pedestrian doors must be of a pre-finished metal construction positioned in metal doorjamb. No wood doorjamb will be permitted on exterior doors.
- (9) Mechanical equipment shall be screened so as not to be visible from the public and private rights-of-way. All screens, whether situated on the ground or on the building, shall be constructed to be aesthetically integrated into the design of the building. The rooftops of all buildings shall be free of any mechanical equipment unless completely screened from all points of view along all public rights-of-way by an architectural parapet. All screening materials shall be compatible with the material used on the building.

(2) Landscaping.

- (a) The requirements contained within Article 05, *District Development Standards*, and Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), whichever would be applicable to the subject property independent of the AP OV District, shall apply to a property located within the overlay (*i.e. the landscaping percentage of the underlying zoning district would apply*); however, landscaping plans in the AP OV District should be designed with the consideration of aircraft movement and should not be designed using trees and/or plants that have the propensity to attract hazardous wildlife. In cases where aircraft requirements would conflict with certain landscaping elements, the Planning and Zoning Commission may approve requirements that deviate from those stipulated by the Unified Development Code (UDC) if, in its opinion, such alternate requirements provide for a safer and more efficient use of the property. In addition, the Planning and Zoning Commission may request that a qualified Airport Wildlife Biologist review landscaping plans in sensitive areas and provide recommendations for planting placement and alternatives.
- (3) Variances. The City Council may, upon request from the applicant, grant a variance to the any of the provisions contained within Section K.6, *Architectural Standards*, and Section K.7, *Landscaping*, of this ordinance where unique or

extraordinary conditions exist or where strict adherence to the provisions of this ordinance would create a hardship. Approval of any variance to any provision of this section shall require City Council approval by a three-quarter (¾) majority vote of the City Council members present with a minimum of four (4) affirmative votes.

(L) Administrative Procedures and Permits.

- (1) Notice of Proposed Construction or Alteration (i.e. FAA Form 7460-1). Any tree or structure (*new or alteration of an existing structure*) proposed within the AP OV District or 20,000-feet of the runway shall require an applicant to file a *Notice of Proposed Construction or Alteration* form (*i.e. FAA Form 7460-1*) with the Federal Aviation Administration (FAA) to determine if the tree or structure creates a hazard to air navigation or will result in an inefficient use of airspace.
- (2) Future Use. Except as specifically provided herein, no change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.
  - (a) In the area lying within the limits of the *Horizontal Zone* and *Conical Zone*, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for such zone.
  - (b) In the areas lying within the limits of the *Approach Zones* but at the horizontal distance of not less than 4,000-feet from each end of the runways, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limit prescribed for the *Approach Zone*.
  - (c) In the areas lying within the limits of the *Transitional Zones* ending at the perimeter of the *Horizontal Zone*, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when such tree or structure because of terrain, land-contour or topographic features would extend above the height limit prescribed for such *Transitional Zones*.
- (3) Exceptions/Variances/Non-Conforming Uses. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height



limits established by this Ordinance except as set forth in Section H, *Height Limitations*.

- (a) *Existing Uses*. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- (b) *Non-Conforming Uses Abandoned or Destroyed*. Whenever the Board of Adjustment (BOA) determines that a non-conforming structure or use has been abandoned for a period of six (6) months, or more than eighty (80%) percent of a non-conforming structure or tree has been torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- (c) *Variances*. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use of their property, not in accordance with the regulations prescribed in this ordinance, may apply to the Board of Adjustment (BOA) for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but will do substantial justice to be in accordance with the spirit and intent of this Ordinance.
- (d) *Hazard Marking and Lighting*. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the owners at their own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

(M) *Enforcement*. It shall be the duty of the City Manager or his designee to administer and enforce the regulations prescribed herein. Application of permits shall be made to the City Manager or his designee upon a form published for that purpose. Applications required by this ordinance to be submitted to the City Manager or his designee shall be promptly considered and granted or denied. Applications for variances shall be made to the Board of Adjustment (BOA) by first filing said application for variance with the City Manager or his designee who shall forthwith transmit said application to the Board of Adjustment for determination.

~~(A)(N)~~ *Appeals*. Requests for appeals to administrative decisions by the City Manager or his designee concerning the enforcement of this ordinance shall be directed to the Board of Adjustment (BOA) in compliance with Section 04, Board of Adjustments, of Article 02, Authority and Administrative Procedures, of the Unified Development Code (UDC).

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FIGURE 29: AIRPORT OVERLAY (AP OV) DISTRICT BOUNDARIES

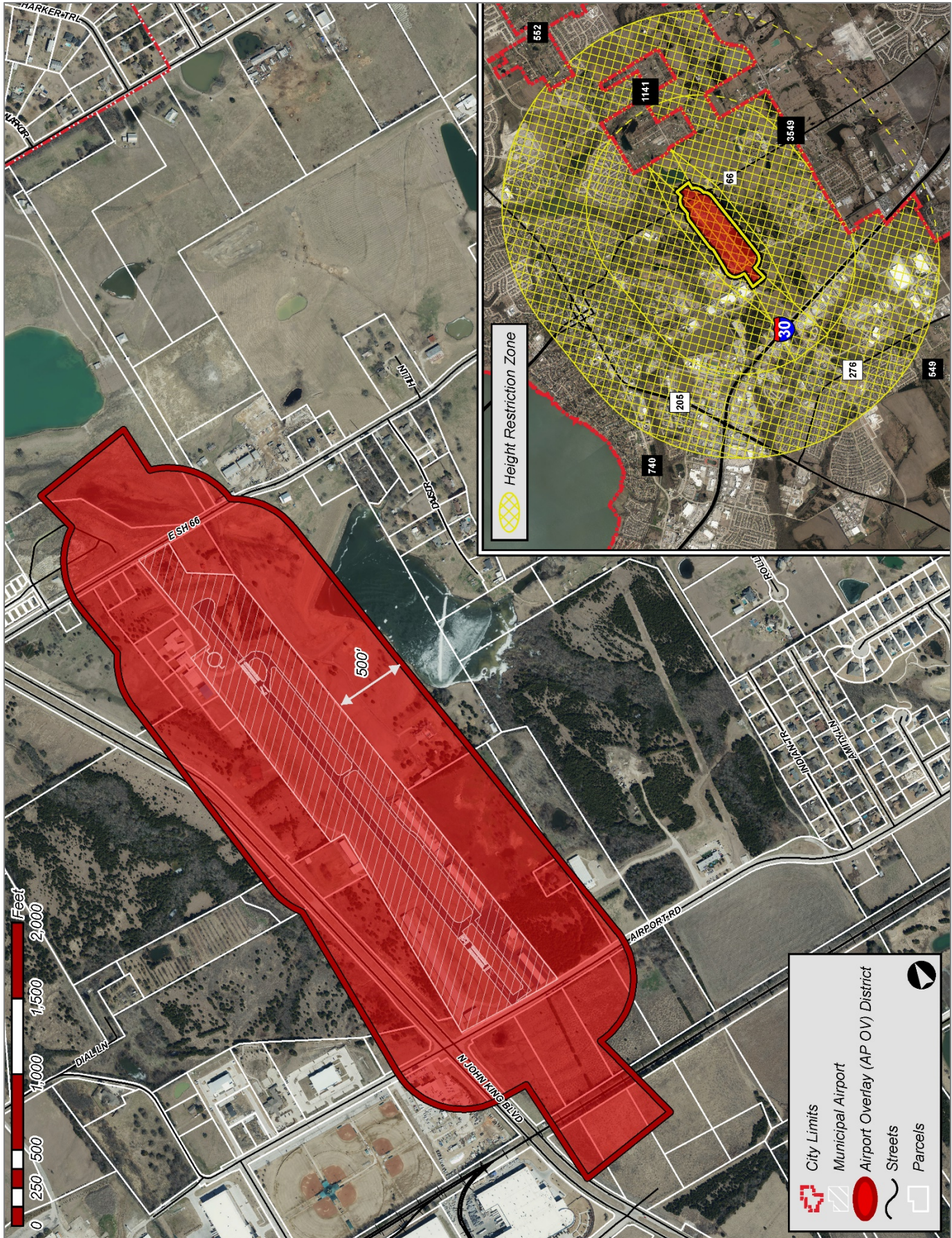




FIGURE 30: DEVELOPMENT ZONES WITHIN THE AIRPORT OVERLAY (AP OV) DISTRICT

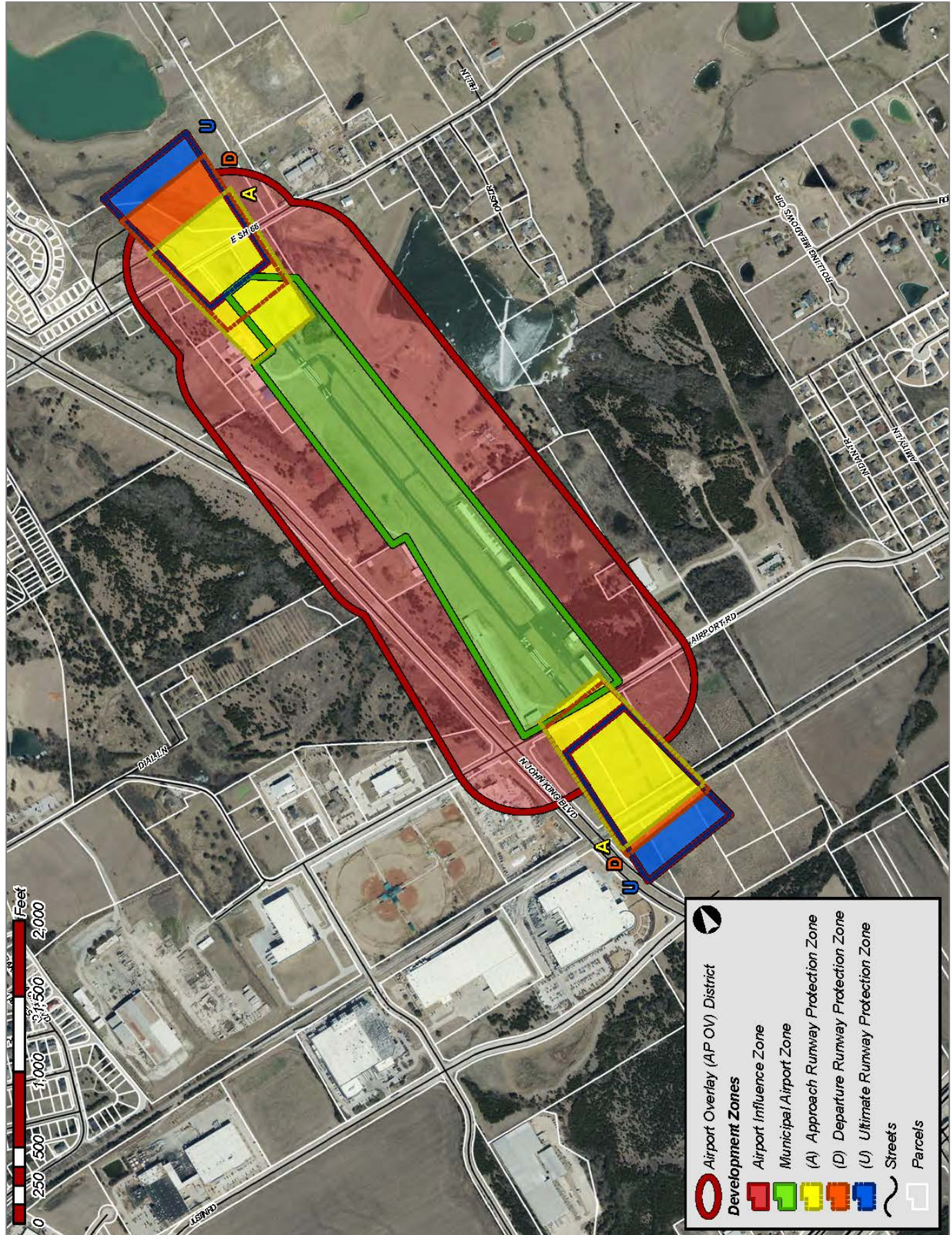




FIGURE 31: AIRSPACE ZONE BOUNDARIES

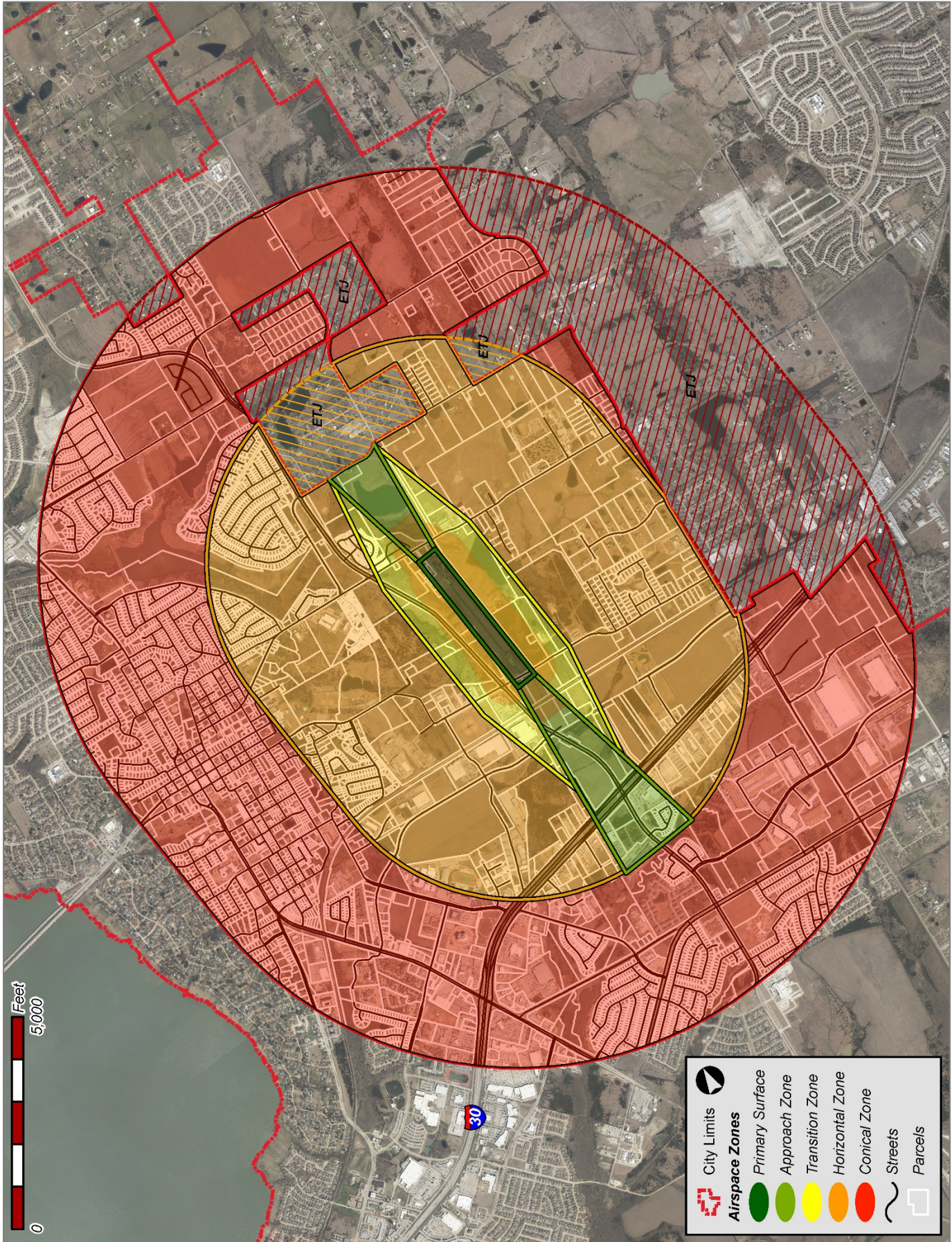
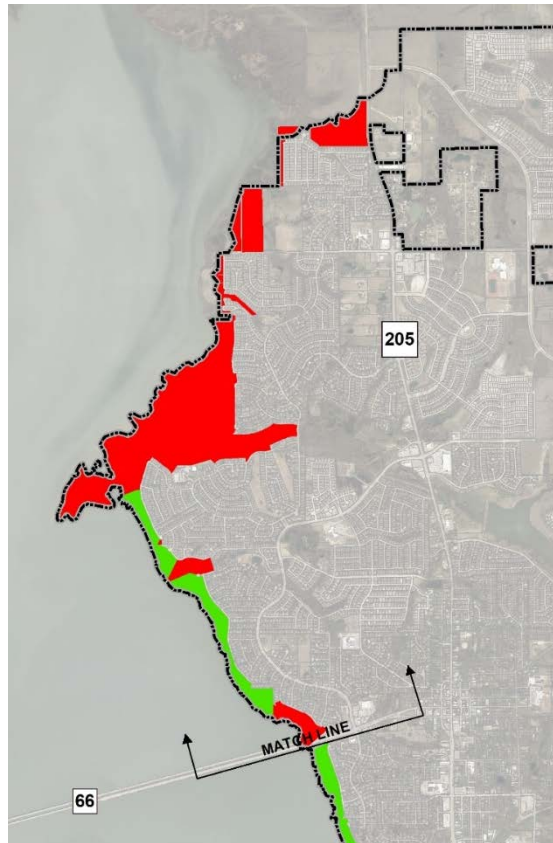




FIGURE 2632: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP

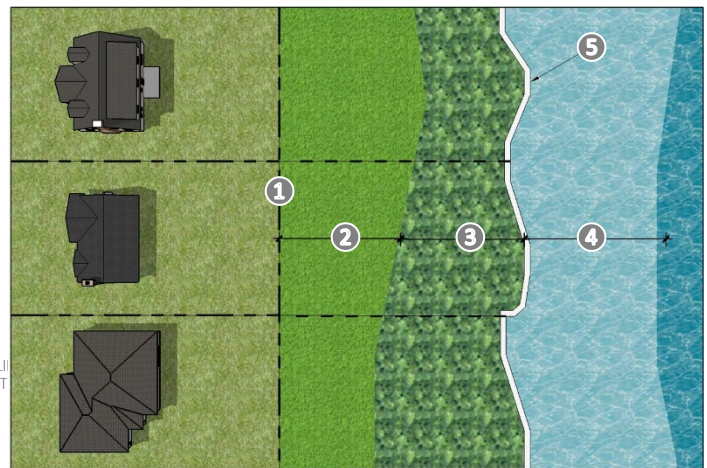


**RED:** NON-LEASEABLE PROPERTY  
**GREEN:** LEASABLE PROPERTY

**SUBSECTION 06.1516: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT**

- (A) **Purpose.** The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (adopted by the City of Dallas), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. *Garland, Rockwall, and Rowlett*) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality
- (B) **Boundaries.** The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas *Takeline* as shown on the boundary map for Lake Ray Hubbard (i.e. *File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

FIGURE 2733: ELEVATION CONTOUR ZONES



- (C) **Applicability.**
  - (1) **Applicable Lots.** The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in *Figure 26: Lake Ray Hubbard Takeline Overlay (TL OV) District Map* above.



- (2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in [Subsection 06.15\(C\)\(1\)](#) above.
- (D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to [Subsection \(J\), Specifications for Permitted Land Uses](#). In addition, the following terms shall be defined as follows:
- (1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.
  - (2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).
  - (3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.
  - (4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.
  - (5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.
  - (6) Lake. Refers to Lake Ray Hubbard.
  - (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (i.e. *property at or below an elevation of 435.5-foot mean sea level*).
  - (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
  - (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
  - (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
  - (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
  - (12) Mooring. A place where a watercraft can be tied up and secured while in the water (e.g. *a slip*) for not more than 156-consecutive hours.
  - (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
  - (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (i.e. *435.5-foot mean sea level*).
- (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
  - (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (i.e. *435.5-foot mean sea level*).
  - (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
  - (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
  - (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area ([see Figure 28: Visual Measurements for View Corridors of Subsection \(E\)](#)).
  - (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard ([see Figure 28: Visual Measurements for View Corridors](#)).
  - (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
    - (a) Motorized Boat. A boat propelled by an internal combustion engine.
    - (b) Sail Boat. A boat with a mast and sail propelled by the wind.
- (E) Visual Measurements for View Corridors.
- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (i.e. *435.5-foot mean sea level*), and connecting these two (2) points in a straight line ([see Figure 28: Visual Measurements for View Corridors](#)). Based on this linear measurement, the view clear zones are determined by the following:
    - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (i.e. 25%) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline



area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

- (b) Lots That Have More 100-Foot or More Shoreline Frontage. The view corridor for lots that have 100-foot or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (i.e. 25%) line projected from the shoreline frontage line extending from the leasing property owner's side yard 30-foot along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

FIGURE 2834: VISUAL MEASUREMENTS FOR VIEW CORRIDORS

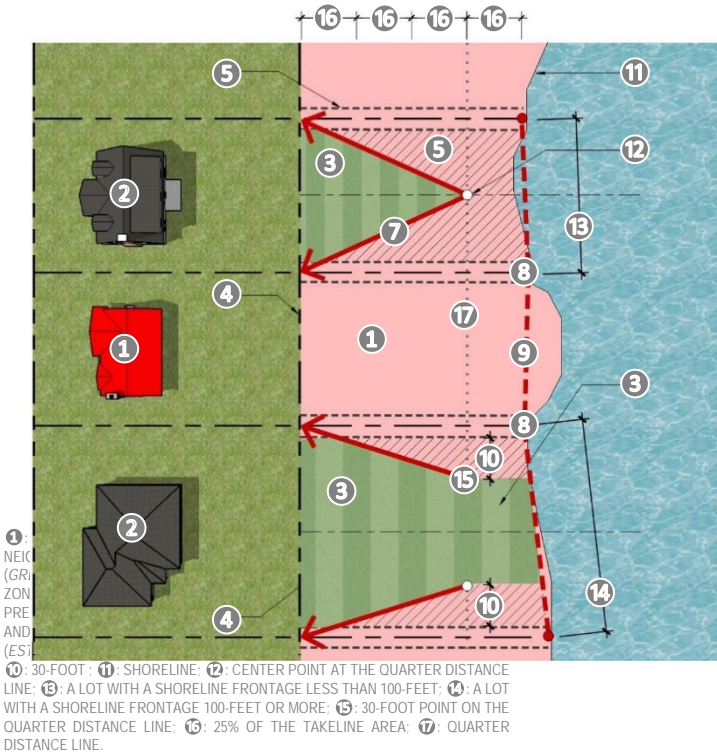
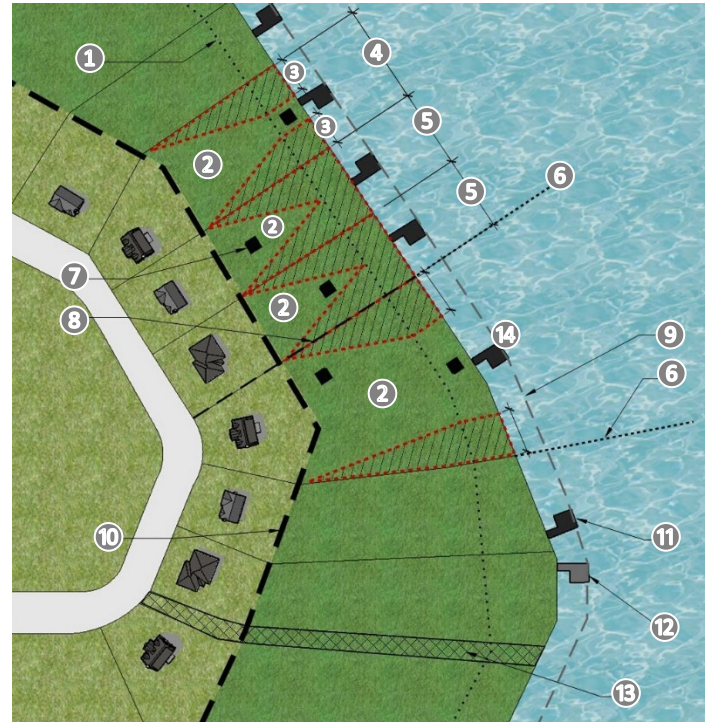


FIGURE 2935: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



NOTE: 2: BUILDABLE AREA; 3: 30-Feet; 4: A LOT WITH A SHORELINE FRONTAGE 100-Feet OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-Feet; 6: LEASE AREA'S SHORELINE FRONTAGE; 7: REAR YARD; 8: 40-FOOT BUILDING LINE; 9: EXISTING BOATHOUSE; 10: BOATHOUSE BUILT IN THE 438.0 ELEVATION ZONE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE BUILT IN THE 435.5 ELEVATION ZONE; 13: DRAINAGE EASEMENT; 14: STRUCTURE BUILT IN THE 435.5 ELEVATION ZONE GENERALLY BEHIND THE PRIMARY STRUCTURE.

(F) General Requirements. The following general requirements shall apply for all property in the takeline area.

- (1) Number of Permitted Structures. The following is the maximum number of structures that shall be permitted in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height):
  - (a) 438.0 Elevation Zone: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) 435.5 Elevation Zone: One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) General Location of Permitted Structures. The following requirements relate to where structures should be generally located in each elevation zone (NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height):
  - (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 20-02*] has been initiated by the City of Rockwall to amend Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] for the purpose of creating an Airport Overlay (AP OV) District; and,

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

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

**SECTION 1.** That Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4<sup>TH</sup> DAY OF APRIL, 2022.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

*1<sup>st</sup> Reading:* March 21, 2022

*2<sup>nd</sup> Reading:* April 4, 2022

DRAFT  
ORDINANCE  
03.21.2022



**Exhibit 'A'**  
Text Amendment

ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, OF THE  
UNIFIED DEVELOPMENT CODE (UDC)

ADDITIONS: RED

DELETIONS: ~~RED WITH STRIKE THROUGH~~



the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

#### SUBSECTION 06.14: SH-276 OVERLAY (SH-276 OV) DISTRICT

- (A) **Purpose.** The intent of the SH-276 Overlay (SH-276 OV) District is to provide for consistent development of office, retail and commercial areas in concert with the most efficient and aesthetically pleasing appearance of the frontage, which serves as the initial impression to those visiting and passing through the City of Rockwall. In order to ensure that the visual impact of development does not detrimentally affect the area in which it is proposed, landscaping plans, building elevations and site plans are required. Architectural compatibility will be reviewed through the Architectural Review Board (ARB). These development requirements shall apply to non-residential and multi-family land uses only, single-family land uses shall be excluded from these standards except as otherwise stated.
- (B) **Application and Boundaries.** The SH-276 Overlay (SH-276 OV) District includes the entirety of all properties which adjoin or are located within 500-feet of the current or future right-of-way of SH-276. The SH-276 Overlay (SH-276 OV) District extends from SH-205 east to the eastern city limits, as may be extended with future annexation(s). The standards and regulations set forth in the SH-276 Overlay (SH-276 OV) District are superimposed and shall supersede the standards and regulations of any underlying zoning district which are in conflict.
- (C) **Overlay District Standards.** If any portion of a property is situated within the boundaries of the SH-276 Overlay (SH-276 OV) District, the entire property shall be subject to the requirements of [Section 06.02, General Overlay District Standards](#).

#### SUBSECTION 06.15: AIRPORT OVERLAY (AP OV) DISTRICT

*Note: This document was prepared using FAA guidelines as of March 17, 2020 and using AC150/5300-14D.*

- (A) **Purpose.** The purpose of this district is to provide both airspace protection and land use compatibility with airport operations at the Ralph M. Hall/Rockwall Municipal Airport. This district, through establishment of airport zones and corresponding regulations, provides for independent review of development proposals in order to promote the public interest in safety, health and general welfare of the City of Rockwall. Therefore, the City of Rockwall deems it necessary to regulate uses of land located within or near the traffic patterns of the airport through regulation of height of structures and objects of natural growth, and through the regulation of land uses within the Airport Overlay (AP OV) District, and other FAA regulated areas associated with the airport (i.e. areas relating to RSA/ROFA/ROFZ which extend off the airport property).
- (B) **District Boundaries.** This Airport Overlay (AP OV) District is hereby established as the land area owned by the City of Rockwall and held as Ralph M. Hall/Rockwall Municipal Airport, the Airport Runway Protection Zone (RPZs), and a buffer area extending 500-feet from all property lines of the Ralph M. Hall/Rockwall Municipal Airport (see [Figure 29: Airport Overlay District Boundaries](#)).
- (C) **Definitions.** Unless otherwise stated in this section, the following words shall have the definitions prescribed to them below:

- (1) **Administrative Agency.** The appropriate person or office of the municipality that is responsible for the administration and enforcement of the regulations prescribed in this section of the Unified Development Code (UDC).
  - (2) **Airport.** The current and future boundaries of the Ralph Hall Municipal Airport located within the City of Rockwall, Texas.
  - (3) **Airport Hazard.** A structure or object of natural growth that obstructs the air space required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft.
  - (4) **Airport Hazard Area.** An area of land or water on which an airport hazard could exist.
  - (5) **Applicant.** The person or persons making a request to the administrative agency.
  - (6) **Centerline.** The runway centerline identifies the center of the runway and provides alignment guidance during takeoff and landings. The centerline consists of a line of uniformly spaced stripes and gaps.
  - (7) **Non-Conforming Land Use or Non-Conforming Use.** Any land use of which is inconsistent with the provisions of these regulations and which is existing as of the effective date of the Airport Overlay (AP OV) District.
  - (8) **Person.** An individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.
  - (9) **Runway.** A defined area on the airport prepared for the landing and taking off of aircraft along its length. The current length of the Rockwall Municipal Airport is 3,373-feet by 45-feet and the zoned dimensions are 3,373-feet by 60-feet.
  - (10) **Runway Safety Area (RSA).** The surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway.
  - (11) **Structure.** An object constructed or installed by one (1) or more persons and includes but is not limited to a building, tower, smokestack, and overhead transmission line.
- (D) **Airport Zones.** In order to implement the intent of this ordinance, the Airport Overlay (AP OV) District hereby includes the following three (3) exhibits that depict the zones within the controlled area and shown on the official zoning map as depicted in [Figure 29: Airport Overlay District Boundaries](#):
- Airport Overlay (AP OV) District Boundaries (see [Figure 29: Airport Overlay District Boundaries](#))
  - Development Zones within the Airport Overlay (AP OV) District (see [Figure 30: Development Zones within the Airport Overlay \(AP OV\) District](#))
  - Airport Airspace Zones Boundaries (see [Figure 31: Airspace Zone Boundaries](#))
- (E) **Permitted Uses.** All uses otherwise permitted by existing zoning ordinances within the boundaries of the AP OV District are permitted



within the district, except where there is a conflict between the AP OV District and the existing zoning ordinances. Where the provisions of the AP OV District are more restrictive, the provisions of the AP OV District shall govern.

(F) **Controlled Area.** The area within which airport land use compatibility controls may be instituted, as defined by *Section 241, Municipal and County Zoning Authority Around Airports*, of the *V.T.C.A., Texas Local Government Code*, shall be defined as the controlled area. The controlled area is located outside the Airport boundaries and within an area measured no farther than one and one-half (1½) statute miles from the centerline of the Ralph M. Hall/Rockwall Municipal Airport runway and lies no farther than five (5) statute miles from each end of the paved surface of the runway.

(G) **Airspace Zones.** *Airspace Zones* consist of all of the land area lying beneath the surfaces referenced in Section H, *Height Limitations*, below and in Title 14, Part 77.19. The following *Airspace Zones* are hereby established and set forth (see *Figures 26: Airspace Zones [right] & Figure 31: Airspace Zone Boundaries [below]*; reference Title 14, Part 77, FAR):

(1) **Primary Surface.** The *Primary Surface* is a surface that is longitudinally centered on the runway. It extends 200-feet beyond the end of each runway and 250-feet on either side of the centerline of the runway for a total width of 500-feet (i.e. a 250-foot side buffer of the runway centerline).

(2) **Approach Zone.** The *Approach Zone* is a fan shaped zone that is established at both ends of the runway for the purpose of landings and take-offs. The *Approach Zone* commences at the end of the *Primary Surface* (i.e. 200-feet beyond the end of the runway) and has a beginning width of 500-feet. It then extends uniformly along the continuation of the centerline of the runway to a width of 3,500-feet at a distance of 10,000-feet from the point of commencement, and a slope of 34:1 or one (1) foot in height for each 34-feet in horizontal distance [this is the land area that exists underneath the *Approach Surface*].

(3) **Transitional Zones.** The *Transitional Zones* are symmetrically located on either side of runway, and have variable widths. The *Transitional Zones* extend outward and upward commencing from the edge of the *Primary Surface* (i.e. 250-feet on either side of the centerline of the runway), and *Approach Surfaces*. The *Transitional Zones* extend upward and outward at slope of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the *Horizontal Zone*. The *Transitional Zones* are established adjacent to the *Approach Zones* and extend their entire length. The *Transitional Zones* flare symmetrically with either side of the runway *Approach Zone* from the base of said zones and slope upward and outward at the rate of 7:1 or one (1) foot vertically for each seven (7) feet horizontally to the points where they intersect the surface of the *Horizontal Zone* and the *Conical Zone* [this is the land area that exists underneath the *Transitional Surface*].

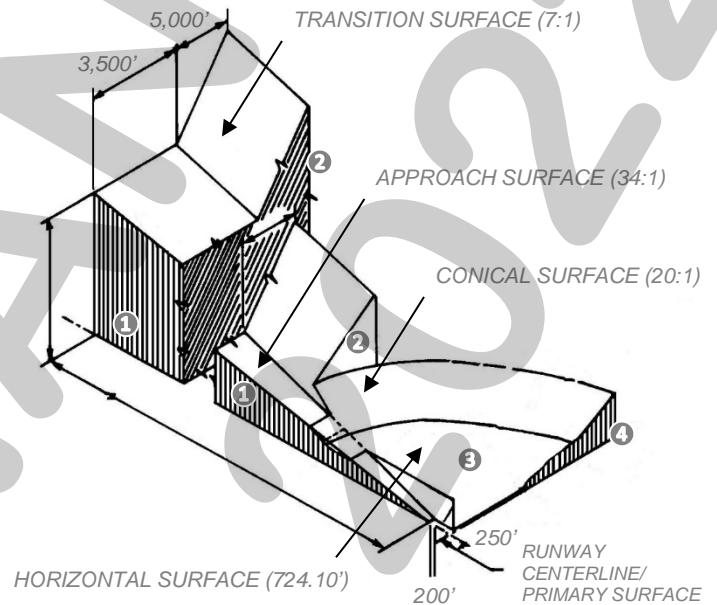
(4) **Horizontal Zone.** The *Horizontal Zone* consists of the land area within the perimeter of which is constructed by swinging arcs of 10,000-feet from the center of each *Primary Surface*, 200-feet beyond the centerline of each runway and connecting the adjacent arcs by lines of tangent to those arcs. The *Horizontal*

*Zone* does not include the *Approach Zone* and/or the *Transition Zone* [this is the land area that exists underneath the *Horizontal Surface*].

(5) **Conical Zone.** The *Conical Zone* consists of the land area that commences at the periphery of the *Horizontal Zone* and extends outward for a distance of 4,000-feet, at a 20:1 slope or one (1) foot in height for each 20-feet of horizontal distance. The *Conical Zone* does not include the *Approach Zone* and/or the *Transition Zone* [this is the land area that exists underneath the *Conical Surface*].

FIGURE 26: AIRSPACE ZONES

①: APPROACH ZONE; ②: TRANSITION ZONE; ③: HORIZONTAL ZONE;  
④: CONICAL ZONE



(H) **Height Limitations.** Except as otherwise provided in this ordinance, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created above to a height in excess of the limits established herein for each of the imaginary surfaces created by the airspace zones (Title 14 CFR, Section 77.19, *Civil Airport Imaginary Surfaces*), which are defined as follows:

(1) **Approach Surface.** The *Approach Surface* is the surface that is created by the *Approach Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The *Approach Surface* is the same starting width as the *Primary Surface* (i.e. 500-feet), and has a slope of 34:1 or one (1) foot in height for each 34-feet in horizontal distance commencing at the *Primary Surface* and extending to a point 10,000-feet from the point of beginning and widening to a width of 3,500-feet.

(2) **Transitional Surface.** The *Transitional Surface* is the surface that is created by the *Transitional Zone*, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending in the area required for an aircraft's navigable airspace. The *Transitional Surface* is the surface that extends outward and upward, at right angles to the runway



centerline (at any point 250-feet normal to and at the elevation of the centerline) and extended runway centerline (i.e. 200-feet beyond the end of the runway), from the sides of the Primary Surface and the Approach Surfaces to a point of 150-feet above the airport elevation (i.e. 724.10-feet) [the airport elevation is 574.10-feet above mean sea level]. The Transitional Surface has a slope of 7:1 or one (1) foot in height for each seven (7) feet in horizontal distance.

- (3) Horizontal Surface. The Horizontal Surface is the surface that is created by the Horizontal Zone, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The Horizontal Surface is the horizontal plane created by swinging arcs with a 10,000-foot radius centered on the extended runway centerline where it crosses the Primary Surface, and is situated 150-feet above the established airport elevation (i.e. 724-feet) [the airport elevation is 574-feet above mean sea level], which coincides with the extent of the Horizontal Zone.
- (4) Conical Surface. The Conical Surface is the surface that is created by the Conical Zone, and is required to prevent existing or proposed objects, objects of natural growth or terrain from extending into the area required for an aircraft's navigable airspace. The Conical Surface extends upward and outward from the outer limits or the periphery of the Horizontal Surface at a slope of 20:1 or one (1) foot in height for each 20-feet of horizontal distance for a horizontal distance of 4,000-feet. The Conical Surface extends to a height of 350-feet above the airport's elevation (i.e. 924-feet) [the airport elevation is 574-feet above mean sea level].

[Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail. Nothing in this ordinance shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 45-feet above the surface of the land, except in the Approach Zones.]

- (I) Airport Hazard Area. The Airport Hazard Area is an area of land or water on which an airport hazard could exist. An airport hazard is defined as a structure or object of natural growth that obstructs the airspace required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft. For the purposes of this ordinance, the Airport Hazard Area is defined as the entirety of all the imaginary surfaces stated in Section H, Height Limitations, of this ordinance (see Figure 31: Airspace Zone Boundaries).

(J) Land Use Compatibility.

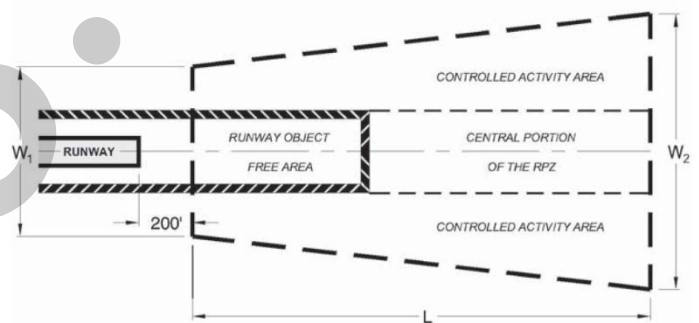
- (1) Intent. The Airport Overlay (AP OV) District is intended to overlay any other zoning district's regulations comprising or pertaining to areas to which it is applicable, to prevent undue negative interaction between aviation activities associated with the airport and the surrounding community. It is intended to protect the lives and property of the users of the airport and of the occupants of the land in its general vicinity by restricting places of public assembly within this Airport Overlay (AP OV) District. The overlay is intended to preserve the utility of the airport and the public investment therein.

- (2) Development Zones. The Development Zones are hereby established within the Airport Overlay (AP OV) District. These zones are depicted in Figure 30: Development Zones within the Airport Overlay (AP OV) District of this ordinance. The Development Zones are defined and described as follows:

- (a) Airport Runway Protection Zones (RPZs). The Airport Runway Protection Zones are hereby established as the trapezoidal areas centered about the extended runway centerline. The RPZ dimensions for a particular runway end are a function of the type of aircraft and approach/departure visibility minimum associated with the runway end. The RPZs for the Ralph M. Hall/Rockwall Municipal Airport commence 200-feet from the edge of pavement at the end of each runway, beginning with a base of 500-feet (i.e. inner width or  $W_1$ ), extending 1,000-feet along the runway centerline (i.e. length or  $L$ ), and terminating at the outboard corners of a 700-foot line segment (i.e. outer width or  $W_2$ ) [see Figure 27: Airport Runway Protection Zone (RPZ)], creating a 13.770-acre trapezoidal area, which is intended to service Aircraft Approach/Departure Categories 'A' & 'B' (i.e. small single and multi-engine planes). Contained within the two (2) trapezoidal areas that make up the RPZs are the Controlled Activity Area and a portion of the ROFA (Object Free Area). These areas are defined as follows:

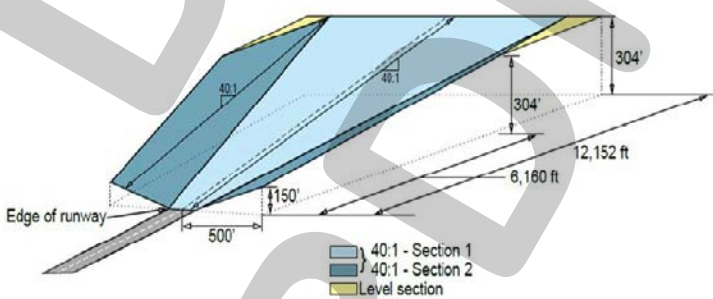
- (1) The Runway Object Free Area (ROFA). The Runway Object Free Area (ROFA) is centered on the runway centerline. The ROFA clearing standard requires clearing the ROFA of above ground objects protruding above the runway safety area edge elevation. Except where precluded by other clearing standards, it is acceptable to place objects that need to be located in the ROFA for air navigation or aircraft ground maneuvering purposes to protrude above the nearest point of the runway safety area, and to taxi and hold aircraft in the ROFA. To the extent practicable, objects in the ROFA should meet the same frangibility requirements as the runway safety area. Objects non-essential for air navigation or aircraft ground maneuvering purposes are not permitted to be placed in the ROFA. This includes parked airplanes and agricultural operations.

FIGURE 27: AIRPORT RUNWAY PROTECTION ZONE (RPZ)



- (2) The Controlled Activity Area. The *Controlled Activity Area* is the portion of the *RPZ* beyond the boundaries of the *ROFA*.
- (b) Municipal Airport Zone. The *Municipal Airport Zone* is hereby established as the real property boundaries of the Ralph M. Hall/Rockwall Municipal Airport. This zone contains the majority of all airport related land uses and structures.
- (c) Airport Influence Zone. The *Airport Influence Zone* contains all areas within the 500-foot buffer excluding the *Municipal Airport Zone* and the *RPZ*.
- (d) Height Restriction Zone. The *Height Restriction Zone* extends to the edge of the *Conical Zone* and is subject only to the requirements stipulated in Section H, *Height Limitations*, of this ordinance (see Figure 29: Airport Overlay District Boundaries).
- (e) Departure Surface. The *Departure Surface* starts at the end of the runway end elevation and matches the width of the usable runway. From the edge of the usable runway, the surface rises upward to 150-feet above the runway end elevation at a point 500-feet on either side of the runway centerline. The new surface rises upward along the extended centerline at a slope of 40:1 or one (1) foot in height for each 40-feet in horizontal distance until reaching 304-feet above the runway end elevation (i.e. 6,160-feet across at its outer width at the runway end elevation). Upon reaching the 304-foot marker, the surface levels out until the end of the departure surface at 12,152-feet. The area splays outward at a rate of 15-degrees relative to the extended runway centerline (see Figure 28: Departure Surface).

FIGURE 28: DEPARTURE SURFACE



(3) Land Use Restrictions.

- (a) Runway Object Free Area (ROFA) and Controlled Activity Area. No uses are permitted within the *Runway Object Free Area (ROFA)* or the *Controlled Activity Area* unless deemed essential to air navigation or aircraft ground maneuvering purposes by the Federal Aviation Administration (FAA) with the following exceptions:
  - (1) Permitted Uses. See the current *FAA Standard*.
  - (2) Specific Use Permit (SUP).

- (a) Roadways, Automobile Parking Areas, and Railroads that Adhere to the Height Restrictions
- (b) Municipal Airport Zone.
  - (1) Permitted Uses.
    - (a) Aircraft Runways, Taxiways, Taxi Lanes, Ramps, Parking Areas and Fuel Storage Facilities
    - (b) Aircraft Operational Facilities (including but not limited to *Instrument Landing Systems, Visual Navigational Aids, and Related Equipment; Communication Facilities; Weather Service Offices and Equipment*)
    - (c) Hangars (includes all buildings which may be used for the *Storage or Maintenance of Aircraft, Airport Snow Removal, Sweeping and Other Maintenance Equipment, and/or Other Aviation-Related or Ancillary Activities*)
    - (d) Terminal Buildings (which may contain *Offices or Airline Companies, and Other Businesses and Concessionaires*)
    - (e) Offices and Facilities for Airport Management, Air Charter, Air Taxi, Crop Spraying, Aircraft Sales or Rentals, and Air Cargo Processing Facilities
    - (f) Agriculture (other than *Forestry or Livestock*), Tourism Information Centers and Museums
    - (g) Flight Schools, Flying Clubs, and Other Schools or Training Facilities (relating to *Aviation or Air-Related Transportation*)
    - (h) Offices and Facilities for the Operation and Maintenance of Air Rescue, Emergency and Firefighting Services
    - (i) Aircraft Maintenance, Manufacturing, and Testing Facilities
    - (j) Offices and Facilities of Federal, State and Local Government Entities that Incorporate an *Aeronautical Land Use (Unless the Property has been Designated for Non-Aeronautical Land Uses)*
  - (2) Prohibited Uses.
    - (a) No uses other than those uses explicitly permitted above.
    - (c) Airport Influence Zone. All uses permitted within the underlying zoning depicted on the official zoning map of the City of Rockwall, with the following additional uses and exceptions:
      - (1) Specific Use Permits (SUP).
        - (a) Residential Airpark or Aviation Homes
        - (b) Driving Test Track

(2) Prohibited Uses.

- (a) Residential Uses (e.g. Single Family, Multi Family, etc.)
- (b) Educational Centers (including all types of Primary and Secondary Schools, Pre-Schools, and Child Care Facilities)
- (c) Hospitals, Medical Inpatient Treatment Facilities, Nursing Homes and/or Convalescent Home Facilities
- (d) Places of Worship
- (e) Places of Public Assembly (Not Previously Listed)
- (f) Fuel Handling and Storage Facilities (Does Not Include Gas Station)

(d) Height Restriction Zone. Properties within the Height Restriction Zone, outside of the Airport Overlay (AP OV District), are subject to the use requirements stipulated by the underlying zoning depicted on the official zoning map of the City of Rockwall (see Figure 29: Airport Overlay District Boundaries).

(4) Additional Use Restrictions.

(a) Notwithstanding any other provision of this ordinance, no use may be made of land within any zone established by this ordinance in such a manner as to (1) create electrical interference with radio communication between the Airport and aircraft, (2) make it difficult for flyers to distinguish between airport lights and others, (3) result in glare in the eyes of flyers using the Airport, (4) impair visibility in the vicinity of the Airport or otherwise endanger the landing, taking-off, or maneuvering of aircraft.

(5) Legal Non-Conforming Land Uses.

(a) Regulations Not Retroactive. The regulations prescribed by this ordinance shall not be construed to require the removal, lowering, changes and/or alteration of any structure (e.g. building) or object of natural growth (e.g. tree) not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of any legal non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure or property, for which the construction or alteration of said structure or property was commenced prior to the effective date of this ordinance.

(b) Hazard Marking and Lighting. Notwithstanding the preceding provision of this section, the owner of any non-conforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City Manager or his designee to indicate to the operators of aircraft in the vicinity of the Airport, the presence of such airport hazards. Markers and lighting necessary for existing non-conforming structures or trees shall be operated and maintained at the expense of the

property owner. Markers and lighting necessary for future non-conforming structures or trees, approved per the requirements of this ordinance, shall be installed, operated, and maintained at the expense of the property owner.

(K) Development Standards.(1) Architectural Standards.

- (a) All buildings within the Municipal Airport Zone shall be designed by a licensed, professional architect and all drawings submitted for approval and/or permits shall bear the architect's seal of the State of Texas.
- (b) All buildings intended for airport related use such as hangars, maintenance facilities, offices and facilities for airport management, terminal buildings and other similar types of uses with exterior walls visible from a public right-of-way shall consist of 90% masonry materials, excluding doors and windows as defined in Article 13, Definitions, of the Unified Development Code (UDC) [i.e. "Masonry"]. Building exterior walls not visible from the public rights-of-way may be earth-tone colored, pre-finished aluminum, steel or masonry. Materials that are unfinished are prohibited.

*[All other buildings not related to airport uses within the Airport Overlay (AP OV) District shall conform to building materials requirements as stipulated within the Unified Development Code (UDC).]*

In addition, all buildings intended for airport related uses shall adhere to the following standards:

- (1) A Material Sample Board indicating all exterior materials and colors must be submitted to the Planning and Zoning Commission, upon a recommendation by the Architecture Review Board (ARB), for approval prior to the commencement of construction. All sides of the exterior building shall be architecturally integrated and similar in nature with respect to the design and aesthetic.
- (2) All roofs shall be metal. If galvanized metal is being proposed, it shall be limited to a roofing material only.
- (3) Building glazing or reflectors shall not be incorporated into a building if it will cause a glare or reflection that could interfere with airport operations or ground circulation.
- (4) All windows or large glass elements shall be oriented and/or treated to avoid reflections that could cause a distraction to air traffic that is landing or taking off.
- (5) All new construction shall be of a high quality and utilize materials and finishes that will maintain their appearance with relatively low maintenance.
- (6) All steel used for roofing or siding shall be a minimum of 28-gauge steel, with a factory finish in a color that has been approved by the Planning and Zoning Commission, and which has been warranted by the



manufacturer for a minimum of 20 years with regards to the durability and color fastness.

- (7) All floors must be constructed of a minimum of four (4) inches thick concrete and reinforced with steel to a standard approved by the Engineering and Building Inspections Departments.
- (8) All hangars facing a taxiway (*i.e. a path connecting runways with ramps, hangars, terminals, etc.*) shall have a hangar door that has a minimum opening of 55-feet in width by 16-feet in height (*i.e. 55' [w] x 16' [h]*). Buildings facing a taxilane (*i.e. a path connecting the taxiways to aircraft parking positions*) shall have a hangar door that has a minimum opening of 41-feet, 6-inches in width by 12-feet in height (*i.e. 41'-6" [w] x 12' [h]*). Approved swing out, overhead or sliding doors may also be used. All pedestrian doors must be of a pre-finished metal construction positioned in metal doorjamb. No wood doorjamb will be permitted on exterior doors.
- (9) Mechanical equipment shall be screened so as not to be visible from the public and private rights-of-way. All screens, whether situated on the ground or on the building, shall be constructed to be aesthetically integrated into the design of the building. The rooftops of all buildings shall be free of any mechanical equipment unless completely screened from all points of view along all public rights-of-way by an architectural parapet. All screening materials shall be compatible with the material used on the building.

(2) Landscaping.

- (a) The requirements contained within Article 05, *District Development Standards*, and Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), whichever would be applicable to the subject property independent of the AP OV District, shall apply to a property located within the overlay (*i.e. the landscaping percentage of the underlying zoning district would apply*); however, landscaping plans in the AP OV District should be designed with the consideration of aircraft movement and should not be designed using trees and/or plants that have the propensity to attract hazardous wildlife. In cases where aircraft requirements would conflict with certain landscaping elements, the Planning and Zoning Commission may approve requirements that deviate from those stipulated by the Unified Development Code (UDC) if, in its opinion, such alternate requirements provide for a safer and more efficient use of the property. In addition, the Planning and Zoning Commission may request that a qualified Airport Wildlife Biologist review landscaping plans in sensitive areas and provide recommendations for planting placement and alternatives.
- (3) Variances. The City Council may, upon request from the applicant, grant a variance to the any of the provisions contained within Section K.6, *Architectural Standards*, and Section K.7, *Landscaping*, of this ordinance where unique or

extraordinary conditions exist or where strict adherence to the provisions of this ordinance would create a hardship. Approval of any variance to any provision of this section shall require City Council approval by a three-quarter (¾) majority vote of the City Council members present with a minimum of four (4) affirmative votes.

(L) Administrative Procedures and Permits.

- (1) Notice of Proposed Construction or Alteration (i.e. FAA Form 7460-1). Any tree or structure (*new or alteration of an existing structure*) proposed within the AP OV District or 20,000-feet of the runway shall require an applicant to file a *Notice of Proposed Construction or Alteration* form (*i.e. FAA Form 7460-1*) with the Federal Aviation Administration (FAA) to determine if the tree or structure creates a hazard to air navigation or will result in an inefficient use of airspace.
- (2) Future Use. Except as specifically provided herein, no change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.
  - (a) In the area lying within the limits of the *Horizontal Zone* and *Conical Zone*, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for such zone.
  - (b) In the areas lying within the limits of the *Approach Zones* but at the horizontal distance of not less than 4,000-feet from each end of the runways, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limit prescribed for the *Approach Zone*.
  - (c) In the areas lying within the limits of the *Transitional Zones* ending at the perimeter of the *Horizontal Zone*, no permit -- *except as required by Section (L)(1) above* -- shall be required for any tree or structure less than 75-feet of vertical height above the ground as measured at grade, except when such tree or structure because of terrain, land-contour or topographic features would extend above the height limit prescribed for such *Transitional Zones*.
- (3) Exceptions/Variances/Non-Conforming Uses. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height



limits established by this Ordinance except as set forth in Section H, *Height Limitations*.

- (a) *Existing Uses*. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation, than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.
- (b) *Non-Conforming Uses Abandoned or Destroyed*. Whenever the Board of Adjustment (BOA) determines that a non-conforming structure or use has been abandoned for a period of six (6) months, or more than eighty (80%) percent of a non-conforming structure or tree has been torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
- (c) *Variances*. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use of their property, not in accordance with the regulations prescribed in this ordinance, may apply to the Board of Adjustment (BOA) for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but will do substantial justice to be in accordance with the spirit and intent of this Ordinance.
- (d) *Hazard Marking and Lighting*. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the owners at their own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

(M) *Enforcement*. It shall be the duty of the City Manager or his designee to administer and enforce the regulations prescribed herein. Application of permits shall be made to the City Manager or his designee upon a form published for that purpose. Applications required by this ordinance to be submitted to the City Manager or his designee shall be promptly considered and granted or denied. Applications for variances shall be made to the Board of Adjustment (BOA) by first filing said application for variance with the City Manager or his designee who shall forthwith transmit said application to the Board of Adjustment for determination.

(A)(N) *Appeals*. Requests for appeals to administrative decisions by the City Manager or his designee concerning the enforcement of this ordinance shall be directed to the Board of Adjustment (BOA) in compliance with Section 04, Board of Adjustments, of Article 02, Authority and Administrative Procedures, of the Unified Development Code (UDC).

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FIGURE 29: AIRPORT OVERLAY (AP OV) DISTRICT BOUNDARIES

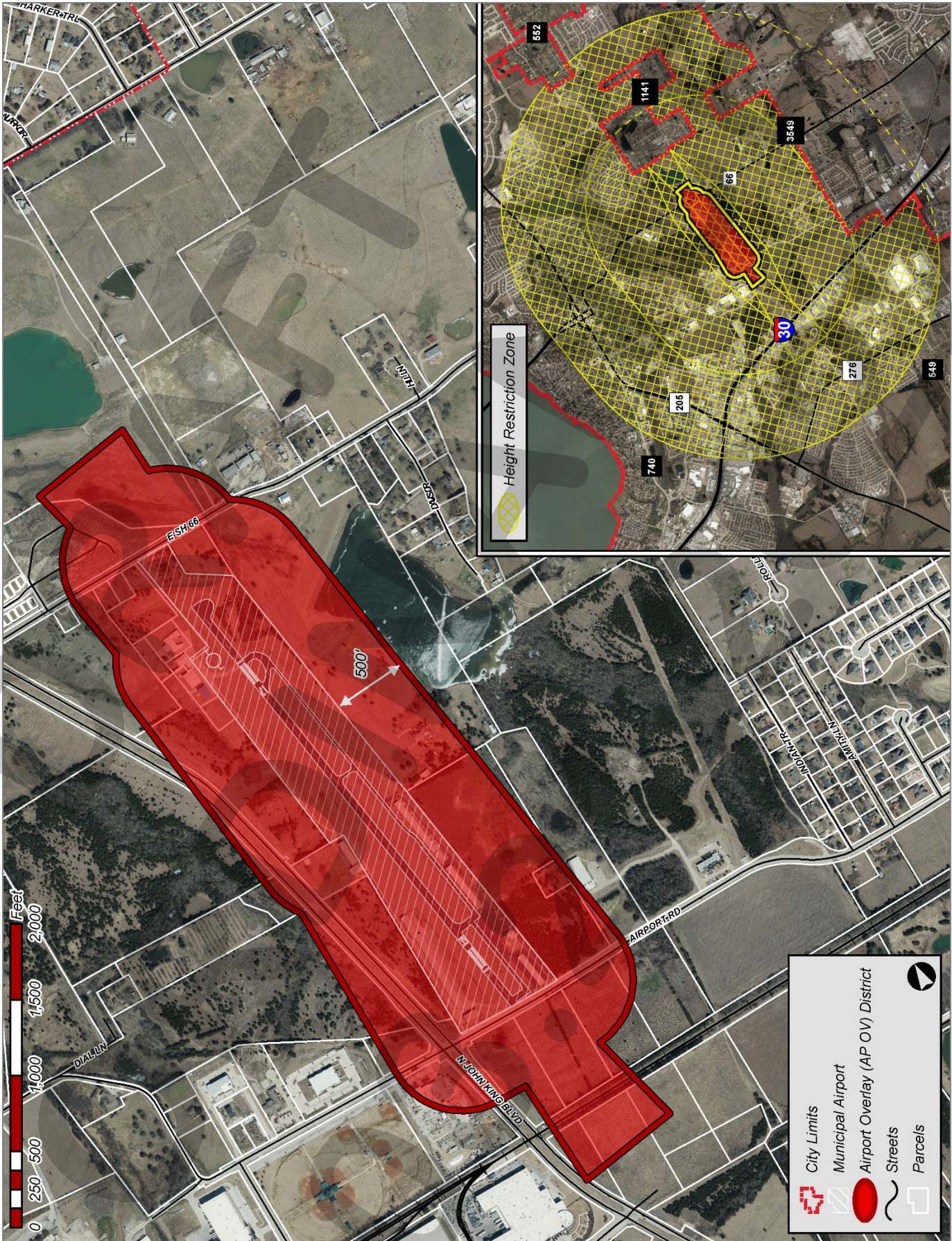




FIGURE 30: DEVELOPMENT ZONES WITHIN THE AIRPORT OVERLAY (AP OV) DISTRICT

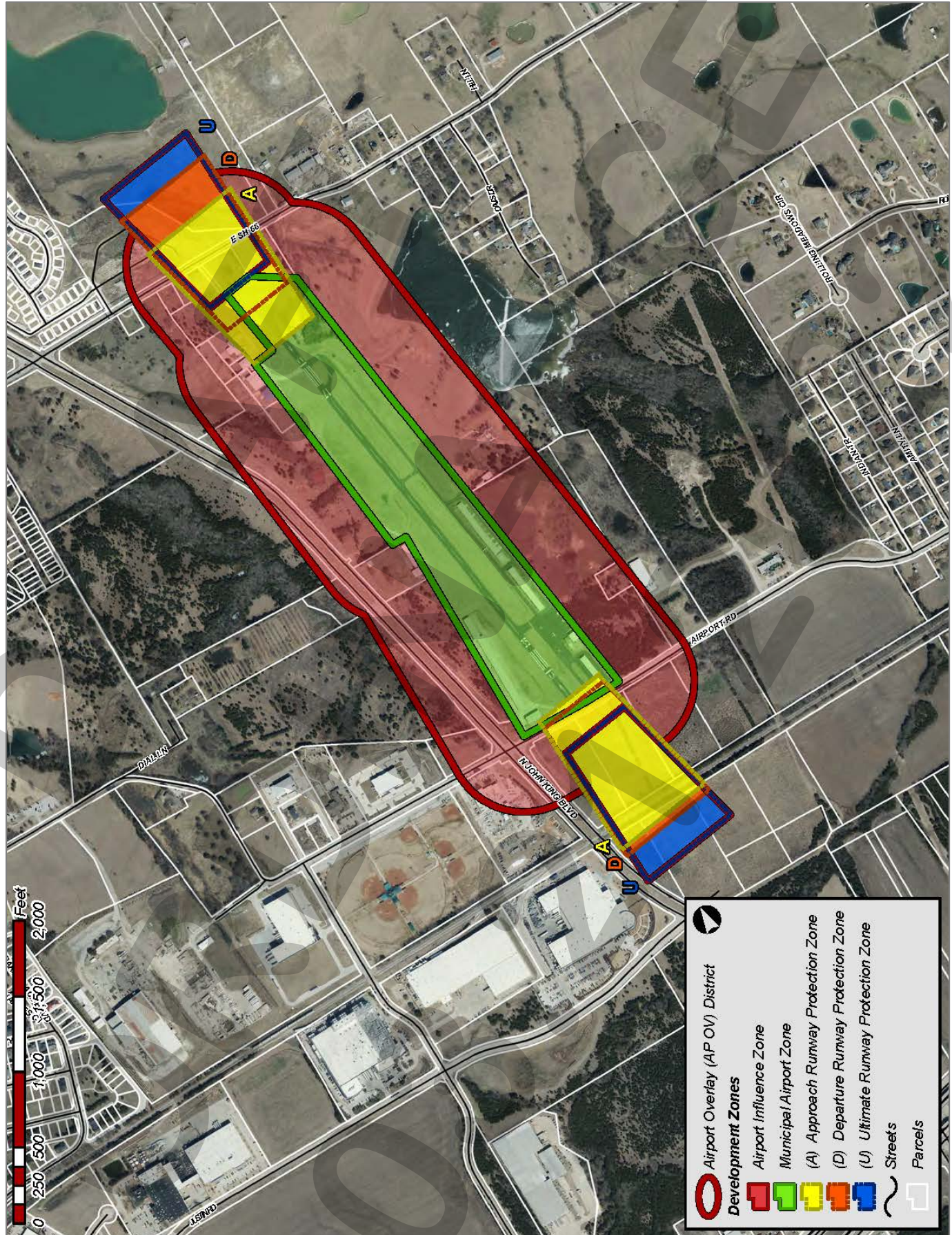




FIGURE 31: AIRSPACE ZONE BOUNDARIES

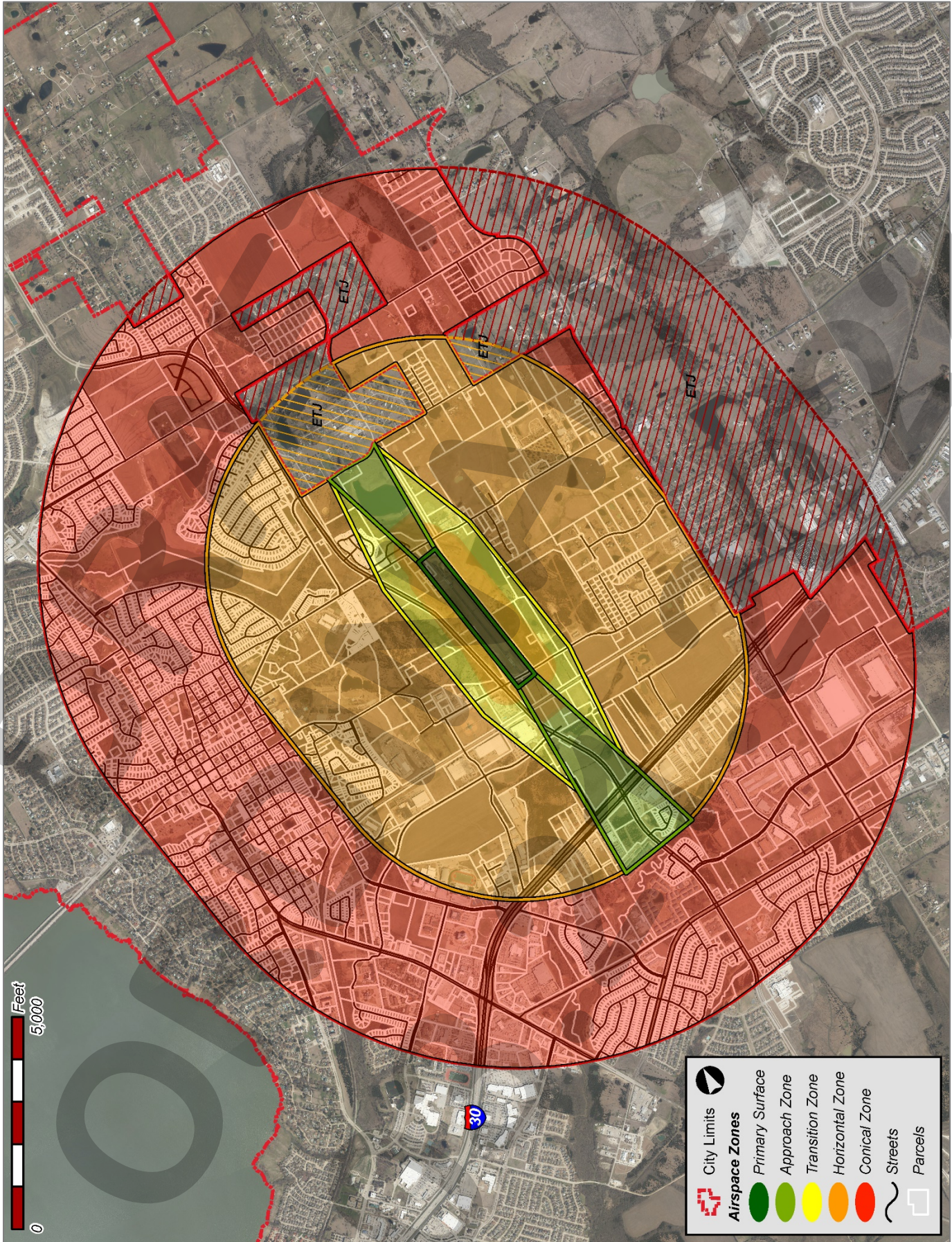
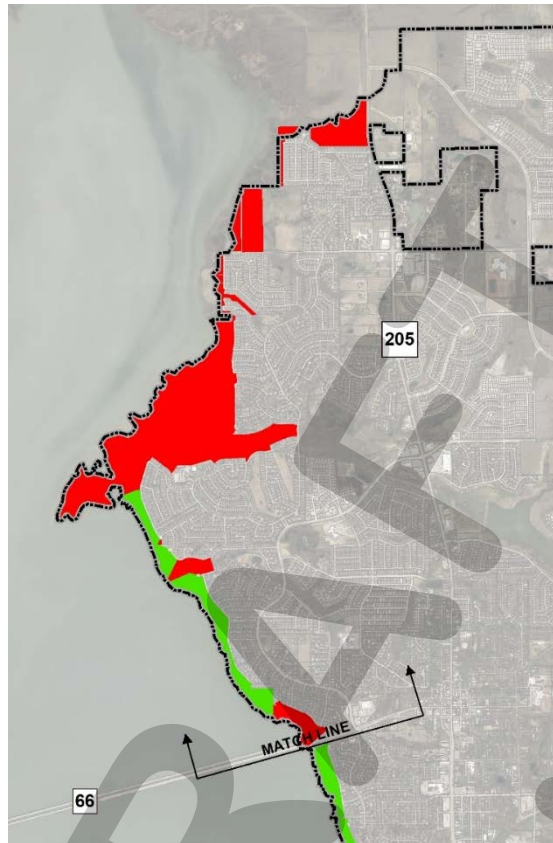




FIGURE 2632: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP

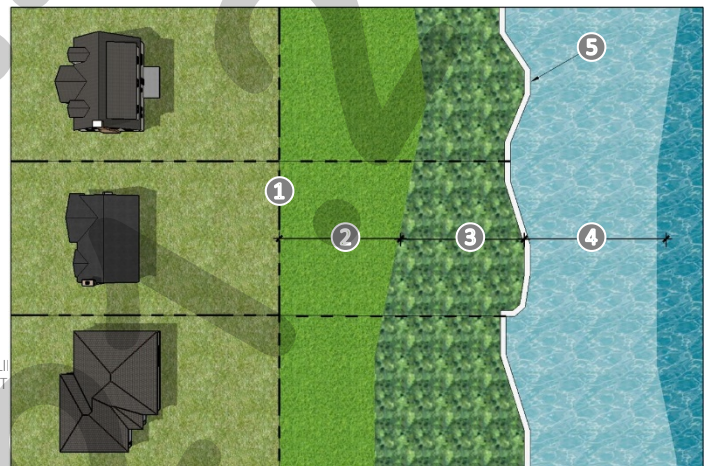


**RED:** NON-LEASEABLE PROPERTY  
**GREEN:** LEASABLE PROPERTY

**SUBSECTION 06.1516: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT**

- (A) **Purpose.** The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended serve as an implementation tool for the Lake Ray Hubbard Master Plan (adopted by the City of Dallas), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. *Garland, Rockwall, and Rowlett*) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality.
- (B) **Boundaries.** The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas Takeline as shown on the boundary map for Lake Ray Hubbard (i.e. File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 26, *Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 27: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

FIGURE 2733: ELEVATION CONTOUR ZONES



- (C) **Applicability.**
  - (1) **Applicable Lots.** The standards set forth within Subsection 06.15, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac that are eligible to lease. The properties eligible to lease the takeline area are depicted in *Figure 26: Lake Ray Hubbard Takeline Overlay (TL OV) District Map* above.



- (2) Exceptions for Lots Not Meeting the Applicability Standards. The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in [Subsection 06.15\(C\)\(1\)](#) above.
- (D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to [Subsection \(J\), Specifications for Permitted Land Uses](#). In addition, the following terms shall be defined as follows:
- (1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.
  - (2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).
  - (3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.
  - (4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.
  - (5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.
  - (6) Lake. Refers to Lake Ray Hubbard.
  - (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (i.e. *property at or below an elevation of 435.5-foot mean sea level*).
  - (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
  - (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
  - (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
  - (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
  - (12) Mooring. A place where a watercraft can be tied up and secured while in the water (e.g. *a slip*) for not more than 156-consecutive hours.
  - (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.
  - (14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (i.e. *435.5-foot mean sea level*).
  - (15) Slip. A watercraft's berth between two (2) piers or between finger piers.
  - (16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (i.e. *435.5-foot mean sea level*).
  - (17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.
  - (18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.
  - (19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area ([see Figure 28: Visual Measurements for View Corridors of Subsection \(E\)](#)).
  - (20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard ([see Figure 28: Visual Measurements for View Corridors](#)).
  - (21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:
    - (a) Motorized Boat. A boat propelled by an internal combustion engine.
    - (b) Sail Boat. A boat with a mast and sail propelled by the wind.
- (E) Visual Measurements for View Corridors.
- (1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (i.e. *435.5-foot mean sea level*), and connecting these two (2) points in a straight line ([see Figure 28: Visual Measurements for View Corridors](#)). Based on this linear measurement, the view clear zones are determined by the following:
    - (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (i.e. 25%) center point from the shoreline frontage line along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline



area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

- (b) *Lots That Have More 100-Foot or More Shoreline Frontage.* The view corridor for lots that have 100-foot or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (i.e. 25%) line projected from the shoreline frontage line extending from the leasing property owner's side yard 30-foot along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

FIGURE 2834: VISUAL MEASUREMENTS FOR VIEW CORRIDORS

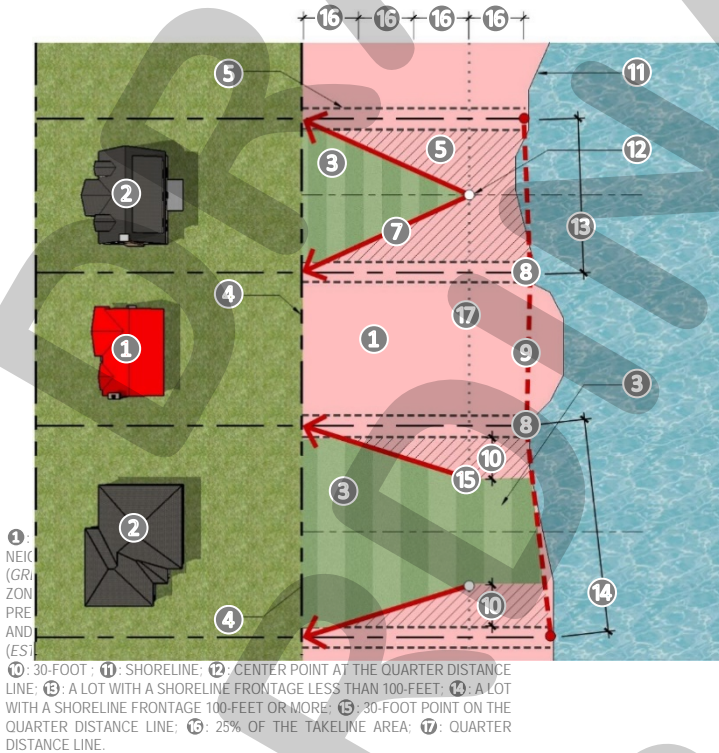
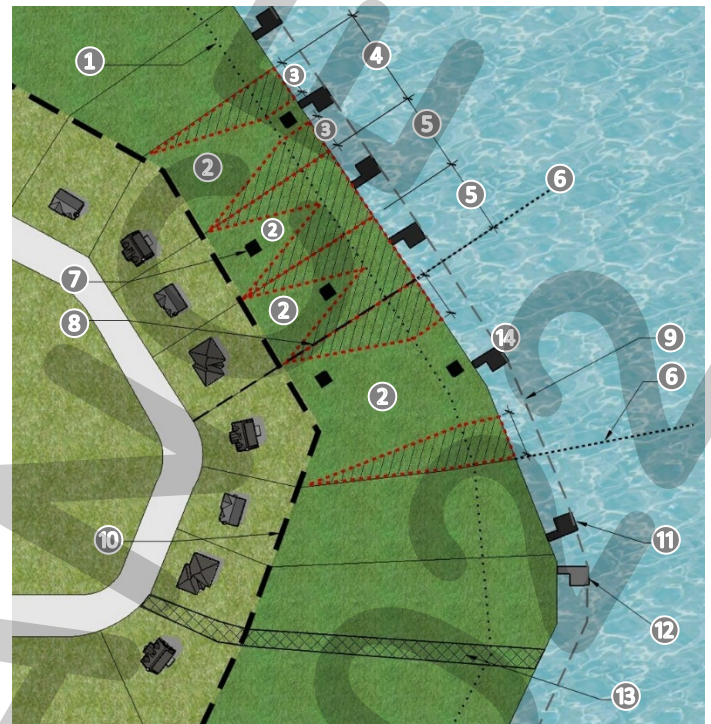


FIGURE 2935: EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT



(F) *General Requirements.* The following general requirements shall apply for all property in the takeline area.

- (1) *Number of Permitted Structures.* The following is the maximum number of structures that shall be permitted in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) *438.0 Elevation Zone:* Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) *435.5 Elevation Zone.* One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) *General Location of Permitted Structures.* The following requirements relate to where structures should be generally located in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in [Subsection \(J\), Specifications for Permitted Land Uses](#) that exceeds six [6] feet in height*):
  - (a) *438.0 Elevation Zone:* Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone