

# ROCKWALL CITY COUNCIL REGULAR MEETING Monday, July 18, 2022 - 4:00 PM City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order (4:00 P.M.)

#### II. Work Session

- **1.** Hold a work session with Brian Cramer of Corson Cramer Development to discuss potential residential development in the vicinity of SH-205 and FM-549.
- **2.** Hold a work session to discuss citywide residential density.

#### III. 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 (re)appointments to city regulatory boards and commissions, pursuant to Section, §551.074 (Personnel Matters)
- **2.** Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters).
- 3. Discussion regarding Buffalo Creek Interceptor System Contract, pursuant to Section §551.071 (Consultation with Attorney)
- **4.** Discussion regarding RCH Water Supply Corp. and City of Heath water related contracts, pursuant to Section §551.071 (Consultation with Attorney)

#### IV. Adjourn Executive Session

- V. Reconvene Public Meeting (6:00 P.M.)
- VI. Invocation and Pledge of Allegiance Councilmember Macalik

#### VII. Open Forum

This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. Per Council policy, public comments should be limited to three minutes out of respect for other citizens' time. If you have a topic that warrants longer time, please contact the City Secretary at kteague@rockwall.com 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 July 5, 2022 regular city council meeting, and take any action necessary.

- 2. P2022-031 Consider a request by Terri Bedford of A. J. Bedford Group, Inc. on behalf of Jonathan Fox for the approval of a <u>Replat</u> for Lots 1 & 2, Block A, Fox Addition being a 0.50-acre tract of land identified as a part of Block 41 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary.
- **3.** Consider approval of the construction contract amendment for Turtle Cove Boulevard and W. Yellowjacket Lane Reconstruction Project and authorize the City Manager to execute a change order to the construction contract with Quality Excavation, LLC, in the amount of \$202,029.33 to be funded by 2018 Street Bond funds, and take any action necessary.

#### X. Appointment Items

**1.** Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

#### XI. 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. Z2022-027 [POSTPONED TO AUGUST 1, 2022] Hold a public hearing to discuss and consider a request by Adam Buczek of the Skorburg Company on behalf of Bill Lofland of the Lofland Family 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) and General Retail (GR) District land uses on a 544.89-acre tract of land identified as Tracts 3 & 3-1 of the A. Johnson Survey, Abstract No. 123 [355.146-acres]; Tracts 7 & 7-2 of the W. H. Baird Survey, Abstract No. 25 [45.744-acres]; and Tracts 3 & 4 of the J. R. Johnson Survey, Abstract No. 128 [144.00-acres], City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205) and SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east and west side of S. Goliad Street [SH-205] at the corner of the intersection of John King Boulevard and S. Goliad Street [SH-205], and take any action necessary (1st Reading).
- 2. Z2022-029 Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an ordinance for a Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary (1st Reading).
- 3. **Z2022-030** Hold a public hearing to discuss and consider a request by Cory Cannon of Siren Rock Brewing Company for the approval of an **ordinance** for a *Specific Use Permit (SUP)* amending *Ordinance No.18-34 (S-194)* to allow a *Craft Winery* in conjunction with an existing *Craft Brewery* on a 1.233-acre parcel of land identified as Lot 2, Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 310 S. Goliad Street, and take any action necessary **(1st Reading)**.
- **4. Z2022-031** Hold a public hearing to discuss and consider a request by Mark and Veronica Combs for the approval of an **ordinance** for a <u>Specific Use Permit (SUP)</u> for an accessory <u>Guest Quarters/Detached Garage</u> on a 0.7379-acre parcel of land identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, and take any action necessary **(1st Reading)**.
- 5. Z2022-032 Hold a public hearing to discuss and consider a request by Kirk Eyring of Squirrel's Real Estate, LLC on behalf of Jeff Newland for the approval of an ordinance for a Specific Use Permit (SUP) for a Self-Service Carwash on a 2.47-acre parcel of land identified as Lot 3, Block A, The Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the southeast corner of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary (1st Reading).

- 6. Z2022-033 Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of an ordinance for a <u>PD Development Plan</u> for a <u>Restaurant</u> on a 1.021-acre tract of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the <u>Summit Office Subdistrict</u> of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Horizon Road [FM-3097] and the IH-30 Frontage Road, and take any action necessary (1st Reading).
- 7. Z2022-034 Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments 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 85.63-acre tract of land identified as Tracts 2-01, 2-04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and John King Boulevard, and take any action necessary (1st Reading).

#### XII. Action Items

If your comments are regarding an agenda item below, you are asked to wait until that particular agenda item is up for discussion, and the Mayor or Mayor Pro Tem will call you forth to the podium to hear your comments (please limit to 3 minutes or less). This allows for all public comments to be grouped with each specific agenda item for the Council to consider, and they are then easily referenced in meeting recordings.

1. P2022-029 - Discuss and consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a Preliminary Plat for Lot 2, Block A, Rockwall – CCA Addition being a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25 and Lot 1, Block A, Rockwall CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 95 (PD-95) for limited Neighborhood Services (NS) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 2301 John King Boulevard, and take any action necessary.

#### XIII. Executive Session.

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

- 1. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to Section, §551.074 (Personnel Matters)
- 2. Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters).
- **3.** Discussion regarding Buffalo Creek Interceptor System Contract, pursuant to Section §551.071 (Consultation with Attorney)
- **4.** Discussion regarding RCH Water Supply Corp. and City of Heath water related contracts, pursuant to Section §551.071 (Consultation with Attorney)

#### XIV. Reconvene Public Meeting & Take Any Action as Result of Executive Session

#### XV. Adjournment

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

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

I, Kristy 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 14th day of July, 2022 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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



# ROCKWALL CITY COUNCIL REGULAR MEETING Tuesday, July 05, 2022 - 5:00 PM City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

#### I. CALL PUBLIC MEETING TO ORDER

Mayor Pro Tem Johannesen called the meeting to order at 5:00 p.m. Present were Mayor Pro Tem Trace Johannesen and Councilmembers Clarence Jorif, Dana Macalik, Anna Campbell, Bennie Daniels and Mark Moeller. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd and City Attorney Frank Garza. Mayor Kevin Fowler was absent from the entirety of the meeting. Mayor Pro Tem Johannesen read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

#### II. EXECUTIVE SESSION.

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

- 1. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to Section, §551.074 (Personnel Matters)
- 2. Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters).
- **3.** Discussion regarding Buffalo Creek Interceptor System Contract, pursuant to Section §551.071 (Consultation with Attorney)
- **4.** Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development).
- 5. Pulled from public meeting agenda: P2022-028 Discuss and consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a <u>Preliminary Plat</u> for Lots 1 & 2, Block A, Rockwall ISD Addition being a 76.068-acre tract of land identified as Tracts 14-01 & 14-11 of the J. M. Glass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 94 (PD-94) for limited Neighborhood Services (NS) District land uses, generally located at the northwest corner of the intersection of FM-1141 and E. Quail Run Road, and take any action necessary. (pursuant to Section §551.071 (Consultation with Attorney)
- 6. Pulled from public meeting agenda: P2022-029 Discuss and consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a <u>Preliminary Plat</u> for Lot 2, Block A, Rockwall CCA Addition being a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25 and Lot 1, Block A, Rockwall CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 95 (PD-95) for limited Neighborhood Services (NS) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 2301 John King Boulevard, and take any action necessary. (pursuant to Section §551.071 (Consultation with Attorney)

#### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 5:58 p.m.

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

Mayor Pro Tem Johannesen called the public meeting back to order with 6 of seven council members being present (Fowler was absent).

V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER JORIF

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

- VI. PROCLAMATIONS / AWARDS / RECOGNITIONS
- 1. Recognition of Mr. Larry Parks for service on the N. TX Municipal Water District Board of Directors

Current Executive Director, Jenna Covington, of the NTMWD came forth and shared numerous statistics about the District, making comparisons between when Mr. Parks began serving on the Board in 1993 until now (i.e. population differences, service expansions over time, various accomplishments of the District/Board over time). She generally thanked Mr. Parks for his twenty-nine years of service as a Director on the NTMWD Board. Board Member Terry Sam Anderson of the NTMWD Board (Mesquite's rep.) came forth and shared several, positive comments about Mr. Parks personally and about his service on the board. He generally thanked Mr. Parks for his many years of service on the Board. Director (board member) Chip Imrie came forth and indicated that he is the second City of Rockwall appointee to the NTMWD Board. Mr. Imrie expressed many positive comments about Mr. Parks, including comments related to both his character and his long-tenured service on the Board. Mr. Parks himself then came forth and provided comments, generally thanking several NTMWD staff members and his wife and expressing a lot of positive comments about his twenty-nine years of service on the board. Mayor Pro Tem Johannesen then presented him with an award to commemorate his years of dedicated service on the board.

2. Presentation of Life-Saving Awards - Rockwall Fire Department Crew members of Engine 01 "C"

Fire Chief, Kenneth Cullins came forth and called forth Firefighter Josh Turner and Captain Lewis Johnson (note: Captain Todd Rowan was also a part of this life-saving event; however, he could not be present this evening). Chief Cullins then read a narrative about these three firefighters performing CPR and administering life-saving measures on a seizure patient in March of this year. He thanked them for their efforts and contributions that led to saving the patient's life.

#### 3. Parks & Recreation Month

Mayor Pro Tem Johannesen called forth Parks Director, Travis Sales, and several of his Parks & Rec staff members. He then read and presented them with this proclamation, thanking them for their various contributions made to our community and our citizens. Mr. Sales then quickly introduced his staff members – Cory Dentler, Kyle Pullen, Daniel Gutierrez, Cassie Tabira, and Andrew Ainsworth. He mentioned that the city's staff members, Wendy Young and Brian Sartain could not be present tonight; however, he thanked them and all other Parks & Rec staff members for all their work. City Manager Mary Smith also thanked all of the Parks & Rec staff for their tireless, professional and vast efforts, especially pertaining to the annual July 4<sup>th</sup> parade and fireworks display at Harry Myers Park this past weekend.

#### VII. OPEN FORUM

Mayor Pro Tem Trace Johannesen explained how Open Forum is conducted, indicating that the one public hearing item on the agenda this evening (Z2022-027) will be delayed until the Mon., July 18 city council meeting. However, anyone who would like to speak on that item or anything else is welcome to come forth at this time and speak.

Bob Wacker 309 Featherstone Rockwall, TX

Mr. Wacker came forth and generally thanked the City for allowing him the opportunity to serve on both the city's Comprehensive Plan Advisory Committee (CPAC) and Architectural Review Boards (ARB).

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

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

No action was taken as a result of Executive Session.

#### IX. CONSENT AGENDA

- 1. Consider approval of the minutes from the June 20, 2022 regular city council meeting, and take any action necessary.
- 2. Z2022-022 Consider a request by Cameron Ehn, PE of DB Constructors on behalf of Matt Wavering of the Rockwall Economic Development Corporation (REDC) for the approval of an ordinance for a <u>Specific Use Permit (SUP)</u> to allow a <u>General Retail Store</u> on a 10.649-acre parcel of land identified as Lot 1, Block B, Rockwall Technology Park, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the FM-549 Overlay (FM-549 OV) District, generally located at the southeast corner of Corporate Crossing and Discovery Boulevard, and take any action necessary (2nd Reading).
- 3. Z2022-024 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 <u>PD Development Plan</u> 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).
- 4. Z2022-025 Consider a request by Javier Silva for the approval of an ordinance for a <u>Specific Use Permit</u> (<u>SUP</u>) allowing <u>Residential Infill in an Established Subdivision</u> for the purpose of constructing a single-family home on a 0.25-acre parcel of land identified as Lot E, Block 112, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 511 Bourn Street, and take any action necessary (2nd Reading).
- **5. Z2022-026** Consider a request by David Scott and Christine Fischer for the approval of an **ordinance** for a <u>Specific Use Permit (SUP)</u> allowing *Residential Infill Adjacent to Established Subdivision* for the purpose

- of constructing a single-family home on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary (2nd Reading).
- 6. P2022-030 Consider a request by Keaton Mai of the Dimension Group on behalf of Justin Webb of Rockwall 205 Investors, LLC for the approval of a <u>Preliminary Plat</u> for Lots 1-14, Block A, Creekside Commons being a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.
- 7. P2022-032 Consider a request by Chistophe Guignard of KRISS USA, Inc. on behalf of Matt Wavering of the Rockwall Economic Development Corporation (REDC) for the approval of a <u>Replat</u> for Lots 9-11, Block A, Rockwall Technology Park Addition being a 16.44-acre tract of land being identified as Lots 7 & 8, Block A, Rockwall Technology Park Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 73 (PD-73) and Light Industrial (LI) District, 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 FM-549 and SH-276, and take any action necessary.
- 8. P2022-033 Consider a request by Josh Millsap of KFM Engineering & Design on behalf of Tony Austin of Rockwall Downtown Lofts, LTD for the approval of a *Replat* for Lot 2, Block A, TAC Rockwall Addition being a 3.338-acre tract of land identified as Lot 1, Block A, TAC Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, situated at the southwest corner of the intersection of SH-66 and SH-205 [*N. Goliad Street*], and take any action necessary.
- 9. MIS2022-013 Consider a request by Keaton Mai of the Dimension Group on behalf of Justin Webb of Rockwall 205 Investors, LLC for the approval of a <u>Miscellaneous Case</u> for an <u>Alternative Tree Mitigation Settlement Agreement</u> on a 34.484-acre tract of land identified as Tracts 17-5 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at east of the intersection of S. Goliad Street [SH-205] and S. FM-549, and take any action necessary.
- **10.** Consider approval of the construction contract for the Boydstun Elevated Water Storage Tank Dismantling Project, including authorizing the City Manager to execute said contract with Hunter Demolition and Wrecking Corp., in the amount of \$177,000 to be funded out of the Water Operations Budget, and take any action necessary.
- 11. Consider awarding a bid to B&B Concrete for the Service Center Yard Concrete Pavement Replacement Phase II Project in the amount of \$378,000, approving \$116,000 for additional concrete pavement expanding the project scope, project testing and misc. expenses to various vendors to be funded by the Streets Maintenance Budget, and authorizing the City Manager to execute contracts for this project, and take any action necessary.
- **12.** Consider awarding a bid to Chief Landscaping for NIS Forced Mowing services in the amount of \$33,500 to be funded by the Neighborhood Improvement Services (NIS) Operating Budget, and authorizing the City Manager to negotiate and execute a contract, and take any action necessary.

Councilman Daniels pulled item #12 for further discussion.

Councilmember Macalik moved to approve the remainder of the Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11). Councilmember Moeller seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL ORDINANCE NO. <u>22-35</u> SPECIFIC USE PERMIT NO. <u>S-281</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-

02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A GENERAL RETAIL STORE ON A 10.649-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK B, ROCKWALL TECHNOLOGY PARK, PHASE 2 ADDITION, 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. 22-36

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. <u>22-37</u> SPECIFIC USE PERMIT NO. <u>S-282</u>

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 0.25-ACRE PARCEL OF LAND, IDENTIFIED AS LOT E, BLOCK 112, B.F. BOYDSTON 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. 22-38 SPECIFIC USE PERMIT NO. S-283

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 TEN (10) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, BREEZY HILL LANE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (Fowler).

Regarding Consent Agenda Item #12, Councilmember Daniels shared that he has no issue with the item itself; however, he would like staff to please explain to the public how "forced mowing" does not actually end up being paid for by the city. Mrs. Smith provided said explanation, generally indicating how a property that is out of compliance is 'force mowed,' then the owner is billed. Then, if they do not pay, a lien is placed against the property, and the city recoups its money when the property eventually sells. Following Mrs. Smith's explanation, Councilmember Daniels then moved to approve Consent Agenda item #12, with Councilmember Campbell seconding the motion. The motion passed by a vote of 6 ayes with 1 absence (Fowler).

#### X. APPOINTMENT ITEMS

**1.** Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

No one from the P&Z Commission was present this evening. So this item was not heard by Council.

2. Appointment with Police Chief Max Geron to hear 'state of the department' update for the Rockwall Police Department, and take any action necessary.

Police Chief Max Geron came forth and provided the following comments concerning the state of the Rockwall Police Department.

It has been my great honor to serve the citizens of Rockwall as your Police Chief for the last 2 ½ years. I am honored and excited to accept a Senior Director position with a national policy institute focused on health and public safety. This is a wonderful opportunity that will allow me to have a broad, national impact of my chosen profession of policing.

Given some of the anonymous social media posts and remarks, I thought it important you hear directly from me, before I leave, in public about the state of the department. First thing, I have

too much respect for Ms. Smith and Mr. Boyd, as well as you and council, to ever leave the police department in anything other than a good place.

I am proud of the work we have done during my tenure. We not only maintained staffing, we increased the number of sworn officers during a time when policing saw decreases and fierce competition for new officers. The Police Executive Research Forum reported in the Wall Street Journal just today that police resignations were 42.7% higher in 2021 than in 2019 - except in Rockwall where we went eight months without a resignation or retirement. This in spite of concerns expressed to council to the contrary, early in my tenure. In addition, we upped our investigative staffing to handle increased prosecutions, and we are proposing additional increases in the upcoming budget year.

As part of our strategic plan, we grew the department overall and increased its analytical capabilities by adding a full-time Crime Analyst. We added technological capabilities and better equipped our officers in the field. We solicited officers' input by, like few other departments do, forming focus groups to inform us on a host of issues important to all ranks and especially our line-level officers. We have applied that same employee input into our scheduling and the move to acquire outer-vest carriers and other equipment.

We took significant steps to modernize this police department, improving on something good and making it better. We succeeded in our primary strategic priority by "Keeping Rockwall Safe," and we did so not just with crime fighting: We increased training and reduced risk with smart and prudent policy changes. We restricted dangerous vehicle pursuits to only those crimes where the risk was commensurate with the danger of failing to act. Prior to the civil unrest of 2020, we moved the neck restraint to the category of "deadly force," thus restricting its use to only those times when someone's life was in danger. This preceded the nationwide call from the President of the United States for police departments to do just that in the wake of the murder of George Floyd.

We made significant investments in our officers' mental and physical wellbeing by screening for hidden signs of heart disease and providing private consultation with a trained physician and dietician. We also worked with HR Director, Shawn Yerks and provided cost-free gym memberships (another employee recommendation). And we are currently making an investment in the physical brain health of our leadership by partnering with the Center for Brain Health that will pay dividends in the years to come.

We were one of the first departments in the entire nation to adopt and be recognized as an ABLE Certified agenc. ABLE stands for Active Bystandership for Law Enforcement, embracing and strengthening the culture of intervention to protect and save officers' careers and reduce the devastating cost of misconduct.

We changed tack on how we addressed 1<sup>st</sup> Amendment Auditors by improving our training and understanding of what is and is not permitted relative to free speech and demonstrations. At the same time, we acquired equipment and training to address those demonstrations should they

turn violent. And in the wake of our training, confrontations with 1<sup>st</sup> Amendment Auditors virtually ceased, allowing our officers to perform their duties with less interference and accompanying stress.

I'm encouraged by our progress toward supplying our police and fire departments with a headquarters building that serves our growing community. The work is just beginning, but this exciting and ambitious project will improve our level of service and is desperately needed.

The last two years have been incredibly challenging for the profession of policing. The members of this police department have worked hard to not only serve and protect our residents, but also make an investment in the youth of our community. As a father with children in this city, I am encouraged by the relationships our SROs build with our children. Our civilian professionals have done an outstanding job in support of our mission, and I'm proud of their diligent work each day.

Records and evidence retention are not flashy and glamorous, but the accuracy and professionalism required must exist for this police department to function for the people we serve, and we have those excellent professionals. I'm proud of our Telecommunicators as we've worked to increase staffing and respond to not only increased calls but also requests for help from our partner agencies. Our telecommunicators are currently working with our partners at the County to be able to provide back-up dispatch capabilities should the need arise. Our detectives distinguish themselves every day with solid follow up and case filing, setting the example for others to follow. We maintain excellent relationships with our state and federal partners because of their cooperation and teamwork on task forces and through our collaboration on cases. Every work group has contributed to our success, and for that I am thankful.

I want to say thank you to all who work hard to protect this community and who do so with compassion and empathy. My door was always open as the Chief, and I continue to be available to you as a resource and partner and a resident, so please don't hesitate to reach out if the need arises. I wish each of you the very best and challenge you to support and build on all we've started. Thank you for this great experience.

Mayor Pro Tem Johannesen thanked the Rockwall Police Department for its work to keep the community safe. Councilmember Macalik and Councilmember Jorif thanked Chief Geron for his service and expressed to him well wishes for his future. Councilmember Jorif shared that he has formed a relationship with Chief Geron during his tenure. He is thankful for dialogue that has occurred between Chief Geron and himself, including the 'listening' that has occurred and the compassion that Chief Geron has shown to members of Council during his tenure.

Council took no action concerning this agenda item.

#### **XI. PUBLIC HEARING ITEMS**

Z2022-027 - Hold a public hearing to discuss and consider a request by Adam Buczek of the Skorburg Company on behalf of Bill Lofland of the Lofland Family 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) and General Retail (GR) District land uses on a 544.89-acre tract of land identified as Tracts 3 & 3-1 of the A. Johnson Survey, Abstract No. 123 [355.146-acres]; Tracts 7 & 7-2 of the W. H. Baird Survey, Abstract

No. 25 [45.744-acres]; and Tracts 3 & 4 of the J. R. Johnson Survey, Abstract No. 128 [144.00-acres], City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205) and SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east and west side of S. Goliad Street [SH-205] at the corner of the intersection of John King Boulevard and S. Goliad Street [SH-205], and take any action necessary (1st Reading).

Mayor Pro Tem Johannesen shared that this item will be addressed at the July 18, 2022 regular city council meeting.

#### XII. ACTION ITEMS

1. P2022-028 - Discuss and consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a <u>Preliminary Plat</u> for Lots 1 & 2, Block A, Rockwall ISD Addition being a 76.068-acre tract of land identified as Tracts 14-01 & 14-11 of the J. M. Glass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 94 (PD-94) for limited Neighborhood Services (NS) District land uses, generally located at the northwest corner of the intersection of FM-1141 and E. Quail Run Road, and take any action necessary.

Planning Director, Ryan Miller, provided background information concerning this agenda item. He generally explained that is located at FM1141 and E. Quail Run Road. Back in May, the City approved a zoning change for this property, on which the school district plans to construct a freshman center. The applicant is seeking waivers associated with the infrastructure requirements associated with this property. The applicant has submitted this preliminary plat for the city's consideration, along with a letter asking for the Council to consider approving a waiver for the school district associated with the infrastructure that would otherwise be required to be constructed/installed associated with this development (i.e. upgrading of certain road ways (Panhandle Drive); a portion of FM1141, Quail Run Rd., N. Country Lane). Mr. Miller explained in more detail the nature of the various waivers that the applicant (RISD) is seeking related to both the roadway improvements/extensions as well as the water/wastewater lines. The applicant has submitted a "Traffic Impact Analysis;" however, there are some discrepancies that have been identified, and those will need to be rectified. He went on to share that the city's P&Z Commission recently heard and reviewed this case, and it recommended denial of the requested waivers. Since that time, the applicant has changed its waivers-related request to some degree. Mr. Miller shared that the preliminary plat is a technical review/approval, but the waivers that are requested are discretionary on the part of Council.

Will Salee
Executive Director of Operations, RISD
1050 Williams Street
Rockwall, TX

Tim Lyssy
Director of Project Planning & Construction
RISD
1050 Williams Street

Mr. Salee (the applicant/applicant representative) came forth and addressed Council concerning this agenda item (the "North Ninth Grade Center") and the "South Ninth Grade

Center" (next agenda item). Mr. Salee shared that he has been working with city staff on infrastructure requirements associated with these projects since February. He explained RISD's plans for 'stacking cars' (related to traffic) at both the North and South RISD Ninth Grade Center sites. He went on to thank city staff and the P&Z Commission for all of their input and feedback. He generally expressed thanks to Council for giving the ISD's (revised) proposal(s) consideration this evening. He went on to explain what RISD is proposing to do/build/install as far as roadway and water/wastewater infrastructure is concerned at both the North and South site locations. (i.e. Panhandle Lane (N site); N. Country Lane (N site); and E. Quail Run Road (N. site), as well as Stableglen (S site)).

Councilmember Jorif sought clarification from Mr. Salee and Mr. Miller (city Planning Director). He clarified that the applicant is wanting to delay improvements on Panhandle and N. Country Lane for now. The applicant indicated that, yes, that is what the school district would like to do with the understanding that the RISD will agree to do the improvements in the future if/when it becomes absolutely necessary. Mayor Pro Tem Johannesen shared that he is happy to hear that E. Quail Run Road will be widened and improved, surface wise.

Mayor Pro Tem Johannesen asked if anyone in the audience would like to come forth and speak at this time, but no one indicated a desire to do so.

Johannesen then brought the item back before the council for any action. Councilmember Daniels moved to approve P2022-028. Councilmember Jorif seconded the motion, which passed by a vote of 5 ayes, 1 abstention (Campbell) and 1 absence (Fowler).

2. P2022-029 - Discuss and consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a <u>Preliminary Plat</u> for Lot 2, Block A, Rockwall – CCA Addition being a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25 and Lot 1, Block A, Rockwall CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 95 (PD-95) for limited Neighborhood Services (NS) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 2301 John King Boulevard, and take any action necessary.

Planning Director, Ryan Miller provided background information concerning this agenda item, generally indicating that this case intertwines with the case just above (Action Item #1). The waivers being requested by the RISD are discretionary decisions on the part of the Council. The approval of the preliminary plat is a technical review/approval. Mr. Salee with RISD came forth again and provided various comments to Council concerning his request(s), including the waivers being sought.

Mayor Pro Tem Johannesen asked if anyone in the audience would like to come forth and speak on this matter; however, no one present indicated a desire to do so.

Mr. Salee provided additional comments, including clarification regarding how the associated RISD bond proposal was estimated as related to the required infrastructure. Discussion took place related to RISD's budget(s) associated with this project, and Mr. Salee shared that the required infrastructure was essentially not included in the school district's budget estimates. Discussion took place pertaining to the estimated costs associated with the city's required infrastructure improvements.

City Manager, Mary Smith shared that part of the south side RISD location will be covered under CARES Act funding that the city will be receiving (for use on a project that includes installing a sewer line that residents in the Lake Rockwall Estates neighborhood will benefit from (and be able to get off of septic systems). Indication was given that a portion of this CARES Act funding project would also benefit this school district site; however, Mr. Salee shared that the timing of this grant-funded project may not line up with the school district's timing and associated needs. Cost-related comments and discussions ensued between Mr. Salee and Mayor Pro Tem Johannesen. Councilmember Jorif clarified that Mr. Salee is asking for a waiver on a required roadway and on required sewer. Mr. Salee again provided comments about the city's CARES Act-related sewer project, sharing that the timing of said project may not align with the school district's timeframe. Mrs. Smith clarified that the CARES Act funding (sewer line) project (1) has been funded by the government, (2) the money has been received and is currently sitting in the city's bank accounts and (3) the sewer line is currently in design (3) months in) and construction will begin just as soon as possible. Mrs. Smith shared that, short of something catastrophic happening, there is no reason why the city's sewer-related CARES Act funded project cannot and will not be completed in time to meet the school district's needs pertaining to this site location. Mr. Salee spoke, generally, about the possibilities associated with the CARES Act funding sewer project potentially not being done in time to be beneficial to the RISD's construction and subsequent opening of the newly-constructed building. Mr. Salee shared that the school district is not asking for permission to never build the required roadway - rather, the RISD is asking for a waiver to grant permission to delay the required roadway until which time as it is absolutely needed. Mayor Pro Tem Johannesen generally explained that he is not clear on the justifications provided as to the reasons why the school district is asking for waivers associated with constructing the required infrastructure improvements at this location. Mr. Salee responded, generally sharing that the RISD is actively pursuing moving bond projects forward while dealing with inflation-related challenges. Mayor Pro Tem Johannesen generally expressed concerns about the possibility of the city council approving requested waivers, essentially 'kicking the can down the road' and wanting to construct required infrastructure at a later (unspecified) date in time. General discussion took place by a secondary RISD representative (Mr. Lyssy) related to possible timeframes associated with the RISD building the required infrastructure at a future (unspecified) date and time. Councilmember Jorif shared concerns related to possibly granting waivers to the school district on required construction of infrastructure when the city has an obligation to treat ALL developers equally (even if the 'developer' is the school district).

Mayor Pro Tem Johannesen shared that his goal and desire is to have both freshmen centers constructed and that they be constructed and ultimately open 'on time.' Johannesen asked for clarification from the city attorney on ramifications associated with the city council possibly denying the preliminary plat. The city attorney explained that plats fall under a 'shot clock,' which essentially means that the governing body has to either approve or deny a plat proposal within thirty days. If the Council is going to deny a plat, then it has to specify the specific reason(s) why it is being denied so that the submitter/applicant has a clear indication of the areas of the Code that need to be remedied prior to resubmission of a (revised) plat proposal. Additional comments ensued related to the process and associated timing moving forward (if the Council denies this preliminary plat this evening).

Mr. Lyssy spoke about the general timeline that the RISD is hoping to see unfold associated with bidding the projects (August 22<sup>nd</sup>), awarding bids, and starting and ending construction. Ultimately, the RISD is hoping to begin construction sometime in December. Ultimately, they

hope to have the centers constructed (start of construction to finished product) within eighteen months.

Mr. Miller, Planning Director, then clarified that staff cannot take a site plan forward without the roadway being depicted on the site plan because it is a 'requirement.' He went on to explain how the site plan and preliminary plat could possibly move forward concurrently for consideration (if the RISD shows an agreement to build the roadway as part of the site plan process). Clarifying comments ensued.

Mrs. Smith, City Manager, shared concerns, expressing that the timeline the RISD has conveyed this evening is incredibly optimistic. In fact, it is a very, very aggressive ("light-speed") timeline, especially considering associated expectations for staff being able to get plans received, reviewed, marked-up, finalized and ultimately approved by the city (in a very busy, busy city where city staff members are also assisting other developers/customers with planning, engineering, and fire-related plan submittals, reviews, approvals, etc.).

Mr. Salee provided responses to Mrs. Smith's expressed concerns (re: the RISD's desired timeframe for the two freshmen centers). He indicated that their timeline was dictated by the passage of the bond package that voters approved. He explained that if they miss their desired timelines associated with the project, it will have to be made up on the back end, which will result in more cost (essentially). He expressed that it puts more pressure and cost on the project.

Mayor Pro Tem Johannesen asked for clarification from the city attorney if 'approval with conditions' is allowable. Mr. Garza, City Attorney, shared that 'conditions' are really not a good idea with plats. The Council either needs to approve it or deny it (with very specific denial reasons clearly stated). Johannesen asked for further clarification from staff regarding timing associated with this preliminary plat and a site plan that the RISD has already submitted to the city (which is currently under the "shot clock" (a 30 day 'time crunch'). Mr. Miller shared a possibility associated with staff working with the RISD to have P&Z review and issue a recommendation on the site plan at an upcoming work session (on July 12), which will help the RISD move things along and avoid the project potentially being delayed by two weeks. Mr. Miller generally explained how the city can potentially assist in helping not delay this project for the RISD.

Following additional, brief comments, Councilmember Jorif moved to deny P2022-029 pursuant to Section 38-8, Subsection (g)(3) (of the Municipal Code of Ordinances) – essentially (because of) "a failure to provide sufficient infrastructure." Councilmember Daniels seconded the motion to deny, which passed by a vote of 5 ayes, 1 abstention (Campbell) and 1 absence (Fowler).

3. MIS2022-011 - Discuss and consider a request by Matt Wavering of the Rockwall Economic Development Corporation (REDC) for the approval of a <u>Miscellaneous Request</u> for a <u>Variance</u> to the <u>Utility Placement</u> requirements in the <u>General Overlay District Standards</u> to allow overhead utilities along [1] a portion of SH-276 between John King Boulevard and Rochelle Road and [2] a portion of Corporate Crossing [FM-549] between the IH-30 Frontage Road and SH-276, City of Rockwall, Rockwall County, Texas, being right-ofway, and take any action necessary.

Planning Director, Ryan Miller provided background information pertaining to this agenda item. He explained that the applicant (the REDC) is seeking permission to allow for existing, overhead power lines to remain in place for a period of five years, at which time the REDC will bury those lines underground. The affected properties are along the North side of SH-276 between John King Boulevard and Rochelle Road. The other portion that's affected is along Corporate Crossing in between the IH-30 frontage road and SH-276 on the East side of the roadway.

Mr. Miller went on to provide an explanation of the city's requirements associated with putting utility lines underground and further explain the reasons and logic behind the REDC making this request. The P&Z Commission did review this request and voted 7-0 to recommend approval of this request to the City Council.

Matt Wavering of the REDC came forth and generally shared that he would like to do this project and do it correctly and fully. So the REDC is not asking for a waiver – they are asking for a deferral. He shared more specifics related to his reasons behind requesting approval of a deferral associated with burying the lines underground. He went on to explain that TXDOT will be expanding SH-276 in two phases, and the second phase of the TXDOT expansion project will extend all the way to the Hunt County line. He provided comments on how that project will tie into this particular project, including the REDC putting lines underground.

Mayor Pro Tem Johannesen reiterated that this request is actually not a waiver, but – rather – it is a deferral request on the part of the REDC.

Following additional comments, Councilmember Macalik moved to approve MIS2022-011 as presented. Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absence (Fowler).

**4.** Discuss and consider (re)appointments to non-regulatory city boards and commissions, and take any action necessary.

Councilmember Jorif moved to reappoint to the city's Park Board for an additional two-year term (thru August of 2024) the following board members – Jake Wimpee, Kevin Johnson, Marcia Hasenyager, and Amanda Fowler. Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absence (Fowler).

Councilmember Jorif mentioned that two, existing board members – Brad Bassett and Matt Murphy – will be 'terming out' on the city's Airport Board next month, so he will work to find replacements for those board members. Jorif then moved to reappoint to the city's Airport Advisory Board the following individual to serve an additional two-year term (thru August of 2024) – Jacob North. Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absence (Macalik).

Councilmember Macalik then moved to reappoint to the city's ART Commission board member Ginger Womble to serve an additional, two-year term (thru August of 2024) and also moved to appoint Haydon Frasier to the Historic Preservation Advisory Board (HPAB) to replace existing board member, Beverly Bowlin, for a term to run from August 2022 thru August 2024 (Bowling is 'terming out' on this board next month, in August). Mayor Pro Tem Johannesen seconded the motion, which passed by a vote of 6 ayes with 1 absence (Macalik).

Regarding the city's Architectural Review Board, Councilmember Daniels moved to appoint Phillip Craddock to fill a vacant seat on the city's Architectural Review Board (ARB) (to replace Bob Wacker who recently resigned) for a two-year term to begin immediately and run thru August of 2024. Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes with 1 absence (Fowler).

Councilmember Daniels then moved to appoint Kevin Lefere to the city's ARB to replace Quint Avenetti for a term to begin immediately and run thru August of 2024. Councilmember Moeller seconded the motion, which passed unanimously of those present (Fowler being absent).

Councilmember Daniels moved to reappoint Robert McAngus to the city's ARB for an additional two-year term thru August of 2024. Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absence (Fowler).

Councilmember Daniels made a motion to reappoint to the city's Architectural Review Board (ARB) Rick Johnson to serve an additional two-year term (expiring August of 2024). Councilmember Jorif seconded the motion, which passed by a vote of 6 ayes with 1 absence (Fowler).

Mayor Pro Tem Johannesen moved to appoint to the North Texas Municipal Water District (NTMWD) Board of Directors Mr. Rick Crowley to fill Rockwall's vacant seat (Mr. Larry Parks' seat). Councilmember Jorif seconded the motion, which passed unanimously of those present (Fowler).

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

- 1. Building Inspections Department Monthly Report May 2022
- 2. Fire Department Monthly Report May 2022
- 3. Parks & Rec Department Monthly Report May 2022
- 4. Police Department Monthly Report May 2022
- 5. Sales Tax Historical Comparison
- **6.** Water Consumption Historical Statistics

City Manager, Mary Smith commented that the city's solid waste provider has requested that their garbage collection trucks and crews be allowed to begin their routine routes one hour earlier each day in order to get their crews finished and out of the extreme, summer heat sooner. So the city has notified residents of the need to ensure their garbage is out for collection by 6:00 a.m. (rather than by 7:00 a.m.). Staff will continue efforts to remind residents of this (temporary) change. Councilmember Macalik asked for clarification on how this change may impact any HOAs (homeowners associations) that may have restrictions in place. Mrs. Smith urged that HOAs make contact with the city if they have any concerns related to this temporary change. She feels sure they will understand.

Mrs. Smith went on to thank Police Chief, Max Geron for his 2.5 years of service to the City of Rockwall and generally wished him well in his new position. She expressed that the city's

executive staff consider him to be a friend, and they would like for him to stay in touch. Also, she acknowledged that this Thursday will be a tough day for Dallas officers (both Geron and Councilman Mark Moeller are ex-Dallas PD) and for law enforcement officers in general. She wanted them to know she will be thinking of them this Thursday on that tough day.

#### XIV. 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 (re)appointments to city regulatory boards and commissions, pursuant to Section, §551.074 (Personnel Matters)
- **2.** Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters).
- **3.** Discussion regarding Buffalo Creek Interceptor System Contract, pursuant to Section §551.071 (Consultation with Attorney)
- **4.** Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development).

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

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

#### XVI. ADJOURNMENT

Mayor Pro Tem Johannesen adjourned the meeting at 8:01 p.m.

ATTEST:	KEVIN FOWLER, MAYOR
18 <sup>th</sup> DAY OF <u>JULY</u> , <u>2022</u> .	
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CI	TY OF ROCKWALL, TEXAS ON THIS

KRISTY TEAGUE, CITY SECRETARY



#### **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 18, 2022

SUBJECT: P2022-031; REPLAT FOR LOTS 1 & 2, BLOCK A, FOX ADDITION

Attachments
Case Memo
Development Application
Location Map
Replat

#### Summary/Background Information

Consider a request by Terri Bedford of A. J. Bedford Group, Inc. on behalf of Jonathan Fox for the approval of a *Replat* for Lots 1 & 2, Block A, Fox Addition being a 0.50-acre tract of land identified as a part of Block 41 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary.

#### **Action Needed**

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



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Terri Bedford; A. J. Bedford Group, Inc.

CASE NUMBER: P2022-031; Replat for Lots 1 & 2, Block A, Fox Addition

#### **SUMMARY**

Discuss and consider a request by Terri Bedford of A. J. Bedford Group, Inc. on behalf of Jonathan Fox for the approval of a <u>Replat</u> for Lots 1 & 2, Block A, Fox Addition being a 0.50-acre tract of land identified as a part of Block 41 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 205 S. Clark Street, and take any action necessary.

#### **PLAT INFORMATION**

- ☑ The applicant is requesting the approval of a <u>Replat</u> of a 0.50-acre tract of land for the purpose of creating two (2) residential lots (i.e. Lots 1 & 2, Block A, Fox Addition).
- ☑ The subject property was annexed prior to 1934 based on the April 1934 Sanborn Maps. According to the January 3, 1972 zoning map, the subject property was zoned Single-Family 3 (SF-3) District. The zoning designation of the subject property changed from Single-Family 3 (SF-3) District to a Single-Family 7 (SF-7) District sometime between January 3, 1972 and May 16, 1983 based on the City's historic zoning maps. The subject property has remained zoned Single-Family 7 (SF-7) District since this change. On January 7, 2019, the City Council approved a Specific Use Permit (*Ordinance No. 19-03, S-201*) for an accessory building [*Case No. Z2018-048*] that did not meet the requirements as stipulated by the Unified Development Code (UDC).
- On July 6, 2022, the Parks and Recreation Board reviewed the <u>Replat</u> and made the following recommendations concerning the subject property:
  - (1) The property owner shall pay cash-in-lieu of land fees at \$656.00 for the newly created lot.
  - (2) The property owner shall pay pro-rata equipment fees at \$621.00 for the newly created lot.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this <u>Replat</u> -- 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 <u>Replat</u> 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 the *Replat* for the *Lots 1 & 2, Block A, Fox 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) The development of the subject property shall adhere to the recommendations made by Parks and Recreation Board; and,
- (3) Any construction resulting from the approval of this <u>Replat</u> 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 July 12, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the <u>Replat</u> by a vote of 6-0, with Commissioner Llewellyn absent.



## **DEVELOPMENT APPLICATION**

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

PLANNING & ZONING CASE NO.	12022-031
<u>NOTE:</u> THE APPLICATION IS NOT C CITY UNTIL THE PLANNING DIRECT SIGNED BELOW.	
DIRECTOR OF PLANNING:	

DAISY ALMAGUER Notary ID #126213186 My Commission Expires

September 12, 2023

	Rockwall, Texas 75087			DIRECTOR OF PLANNING: CITY ENGINEER:		
PLEASE CHECK THE A	PPROPRIATE BOX BELOW TO	INDICATE THE TYPE OF I	DEVELOPMENT R	EQUEST [SELECT ONLY O	NE BOX]:	
PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEPLATING APPLICATION FEES:  MASTER PLAT (\$100.00 + \$15.00 ACRE) 1  PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) 1  FINAL PLAT (\$300.00 + \$20.00 ACRE) 1  AMENDING OR MINOR PLAT (\$150.00)  PLAT REINSTATEMENT REQUEST (\$100.00)  SITE PLAN APPLICATION FEES:  SITE PLAN (\$250.00 + \$20.00 ACRE) 1  AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)		ZONING APPLICATION FEES:  ZONING CHANGE (\$200.00 + \$15.00 ACRE)  SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)  PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)  OTHER APPLICATION FEES:  TREE REMOVAL (\$75.00)  VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)  NOTES:  IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  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 INFO	RMATION [PLEASE PRINT]					
ADDRESS	205 S. CLARK ST	REET				
SUBDIVISION				LOT	BLOCK	
GENERAL LOCATION	EAST OF S. CLARK STREET					
ZONING, SITE PL	AN AND PLATTING INF	ORMATION [PLEASE	PRINT]			
CURRENT ZONING	SF 7		CURRENT US	E RESIDENTIAL		
PROPOSED ZONING	SF 7		PROPOSED US	E RESIDENTIAL		
ACREAGE	0.500	LOTS [CURRENT]	1	LOTS [PROP	OSED] 2	
REGARD TO ITS A	PLATS: BY CHECKING THIS BOX APPROVAL PROCESS, AND FAILUI ENIAL OF YOUR CASE.	K YOU ACKNOWLEDGE THA RE TO ADDRESS ANY OF ST	AT DUE TO THE PAS FAFF'S COMMENTS I	SSAGE OF <u>HB3167</u> THE CITY BY THE DATE PROVIDED ON	NO LONGER HAS FLEXIBILITY WITH THE DEVELOPMENT CALENDAR WILL	
OWNER/APPLICA	ANT/AGENT INFORMAT	ION [PLEASE PRINT/CHEC	CK THE PRIMARY CO	ONTACT/ORIGINAL SIGNATUR	ES ARE REQUIRED]	
Ď OWNER	JONATHAN R. FOX		<b>□</b> APPLICANT	A.J. BEDFORD GROUP	, INC.	
CONTACT PERSON	JONATHAN FOX	C	ONTACT PERSON	TERRI BEDFORD		
ADDRESS	205 S. CLARK STRE	ΞT	ADDRESS	301 N. ALAMO ROAD		
CITY, STATE & ZIP	ROCKWALL, TX 75087		CITY, STATE & ZIP	ROCKWALL, TX 7508	87	
PHONE	214-725-6491		PHONE	972-722-0225X1		
E-MAIL	jon@bankheadbrewin	g.com	E-MAIL	terri@ajbedfordgroup.c	om.	
NOTARY VERIFIC BEFORE ME, THE UNDER STATED THE INFORMATI	CATION [REQUIRED] SIGNED AUTHORITY, ON THIS DA ON ON THIS APPLICATION TO BE	Y PERSONALLY APPEARED TRUE AND CERTIFIED THE F		an Fox	OWNER] THE UNDERSIGNED, WHO	
INFORMATION CONTAINE	TO COVER THE COS	T OF THIS APPLICATION, HAS I THIS APPLICATION, I AGREE THE PUBLIC. THE CITY IS A	BEEN PAID TO THE C THAT THE CITY OF I ALSO AUTHORIZED A	ITY OF ROCKWALL ON THIS THI ROCKWALL (I.E. "CITY") IS AUTI IND PERMITTED TO REPRODU	HORIZĒD AND PERMITTED TO PROVIDI ICE ANY COPYRIGHTED INFORMATIOI	

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE DAY OF

OWNER'S SIGNATURE



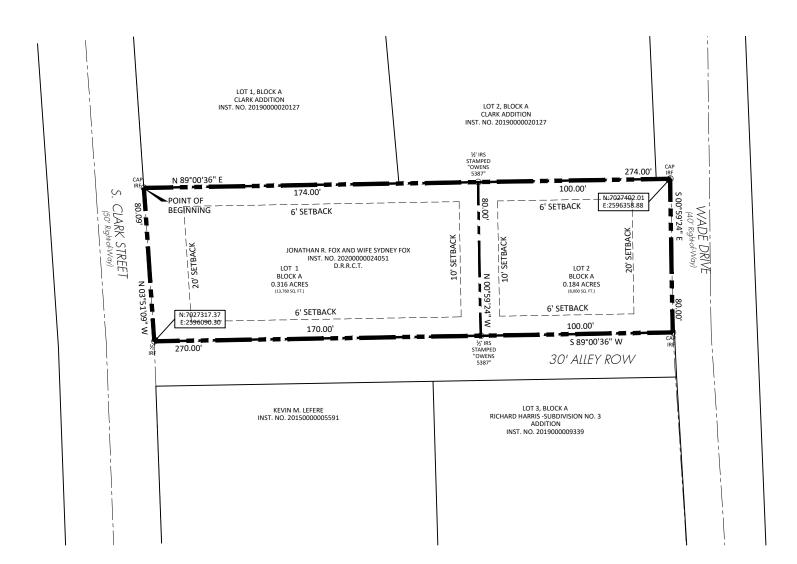


# City of Rockwall

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.



IRS DRRCT
PRRCT
PRRCT
PRRCT
PRRCT
OPRRCT
OPRRCT
OFFIcial Public Records Rockwall County, Texas
Plat Records Rockwall County, Texas
Real Property Records Rockwall County, Texas



## 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 bee 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 use of the word "certify or certificate" used hereon constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

Basis of Bearings: Bearings are based on General Warranty Deed recorded in INST. NO. 20200000024051, Official Public Records, Rockwall County, Texas.

FLOOD STATEMENT: According to Community Panel No. 48397C0040L, dated September 26, 2008 of the Federal Emergency Management Agency, National Flood Insurance Program map this property is within Flood Zone "X", which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

#### OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

**BEING a 0.500 acre** tract of land situated in the B.F. BOYDSTUN SURVEY, ABSTRACT NO. 14 in the City of Rockwall, Rockwall County, Texas and being all of Tract #1 & Tract #2 per General Warranty Deed with Vendor's Lien to Jonathan R. Fox and wife, Sydney Fox as recorded in Inst. No. 202000000024051, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

**BEGINNING** at a capped iron rod found for the northwest corner of said 0.500 acre tract and being located in the east line of South Clark Street (50' ROW) and being the southeast corner of Lot 1, Block A, Clark Addition according to the plat recorded in Inst. No. 20190000020127, Official Public Records, Rockwall County, Texas;

**THENCE** along the common line of said 0.500 acre tract and said Lot 1, **NORTH 89°00'36" EAST** a distance of **274.00** feet to a capped iron rod found for the northwest corner of said 0.500 acre tract and being located in the west line of Wade Drive (40' ROW);

**THENCE** along the west line of said WADE DRIVE, **SOUTH 00°59'24" EAST** a distance of **80.00** feet to a capped iron rod found for the southeast corner of said 0.500 acre tract and being in a called 30' Alley ROW;

**THENCE** along the north line of said 30' Alley ROW, **SOUTH 89°00'36"WEST** a distance of **270.00** feet to a 1/2 inch iron rod found for the southwest corner of said 0.500 acre tract and being located in the east line of said South Clark Street;

THENCE along the east line of said South Clark Street, NORTH 03°51'09" WEST a distance of 80.09 feet to the POINT OF BEGINNING;

**CONTAINING** within these metes and bounds **0.500** acres or 21,760 square feet more

#### SURVEYOR'S CERTIFICATE

RECOMMENDED FOR FINAL APPROVAL

WITNESS OUR HANDS, this \_\_\_\_

Mayor, City of Rockwall

APPROVED

Planning and Zoning Commission Date

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Frank R. Owens, 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.

"Proliminary, this document shall not be recorded for any."

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County

City Engineer

Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2022.

City Secretary

"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"

Frank R. Owen
Registered Professional Land Surveyor No. 5387
frank@ajbedfordgroup.com
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: STATE OF TEXAS COUNTY OF ROCKWALL

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

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

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

- 3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- 4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- 5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

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. Property Owner Signature

Jonathan R. Fox	Sydney Fox
STATE OF TEXAS	
COUNTY OF ROCKWALL	
President, known to me to be the per	r, on this day personally appeared Jonathan R. Fox and Sydney Fox sons whose name is subscribed to the foregoing instrument, and d the same for the purpose and consideration therein stated.
Given upon my hand and seal of offic	
Given upon my nand and sear or ome	e this day of, 2022
Notary Public in and for the State of T	exas
Notary Public in and for the State of T	exas
Notary Public in and for the State of Signature of Party with Mortgage or Lie STATE OF TEXAS COUNTY OF ROCKWALL	exas
Notary Public in and for the State of Signature of Party with Mortgage or Lie STATE OF TEXAS COUNTY OF ROCKWALL Before me, the undersigned authority, on this	exas  In Interest  day personally appeared Jonathan R. Fox and Sydnay Foc, known to me to be eforegoing instrument, and acknowledged to me that he executed the same for

Case No.:

# REPLAT FOX ADDITION, LOTS 1 & 2, BLOCK A

BEING 0.500 ACRES
OUT OF THE B. F. BOYDSTUN SURVEY, ABSTRACT NO. 14, CITY BLOCK 47
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

TBPLS REG#10118200

Scale: 1" = 50'	Checked By: Frank R.
Date: May 24, 2022	P.C.: Cryer/Spradli
Technician: Spradling/Bedford	File: FOX ADDITION PLAT  Job. No. 772-001
Drawn By: Spradling/Bedford	GF No.
301 N. Alamo Rd. * R (972) 722-0225 , www.ajbedford	,

N:\ALL FILES\Jon Fox\FOX ADDITION - PLAT.dwg, PLAT, 6/16/2022 10:57:16 AM



#### **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

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

**DATE:** July 18, 2022

AMENDMENT TO THE CONSTRUCTION CONTRACT FOR THE TURTLE

SUBJECT: COVE BLVD AND W. YELLOW JACKET LANE RECONSTRUCTION

**PROJECT** 

Attachments
Change Order

### Summary/Background Information

The Turtle Cove Boulevard and W. Yellow Jacket Lane Reconstruction Project is one of the roadway reconstruction projects in the 2018 Street Bond Program. On May 3, 2021, the City Council awarded the construction contract to Quality Excavation, LLC in the amount of \$1,128,090.00.

City staff and the engineering consultant, Cobb, Fendley & Associates, Inc., have been working with the railroad to finalize the permit to construct improvements within the railroad right-of-way. The railroad permit was approved on July 1, 2022. Due to requirements in the railroad permit, additional construction items are necessary. Quality Excavation, LLC submitted a change order in the amount of \$202,029.33.

#### **Action Needed**

Staff requests the City Council consider approving the construction contract amendment for the Turtle Cove Boulevard and W. Yellow Jacket Lane Reconstruction Project, and authorize the City Manager to execute a change order with Quality Excavation, LLC in an amount of \$202,029.33. This would amend the construction contract to \$1,330,119.33 to be paid for out of the 2018 Street Bond, and take any action necessary.

Project Agency	City of Rockwall		
Project Name	Turtle Cove Blvd & Yellowjacket Reconstruction		
Date:	July 08, 2022		
Proposed CO Description	Construct Storm Drain/Channel Exc/Shoring along DNGO/UP Railroad		
Original Contract Amount	\$1,128,090.00		
Requested Amount	\$202,029.33		

CAT   CAT	PAY ITEM	DESCRIPTION	LINITE	OLIA NITRITYA	ф/IINIT	TOTAL/EXTENSION
112   Remove and Dispose of Concrete Pipe (18"-48")   LF	IATHEM	DESCRIPTION	UNIT	QUANTITY	\$/UNIT	TOTAL/EATENSION
112   Remove and Dispose of Concrete Pipe (18"-48")   LF						
New F&I 24" CL III RCP (Incl MOH for new 18" RCP)  New F&I 24" Pre-Cast Concrete S.E.T. (FW)  New Build Excavated Channel Station 0+00 to 1+29  Included in this item:  Added Erosion Control (Silt Fence 150 LF)  Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract	111	Remove and Dispose of Concrete Headwall	EA	2	\$1,100.00	\$2,200.00
New F&I 24" CL III RCP (Incl MOH for new 18" RCP)  New F&I 24" Pre-Cast Concrete S.E.T. (FW)  New Build Excavated Channel Station 0+00 to 1+29  Included in this item:  Added Erosion Control (Silt Fence 150 LF)  Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract						
New F&I 24" Pre-Cast Concrete S.E.T. (FW)  Rew Build Excavated Channel Station 0+00 to 1+29  Included in this item:  Added Erosion Control (Silt Fence 150 LF)  Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract	112	Remove and Dispose of Concrete Pipe (18"-48")	LF	94	\$10.00	\$940.00
New F&I 24" Pre-Cast Concrete S.E.T. (FW) EA 2 \$3,856.34 \$7,712.6  New Build Excavated Channel Station 0+00 to 1+29 LF 129 \$1,327.13 \$171,199.7  Included in this item:  Added Erosion Control (Silt Fence 150 LF)  Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract						
New Build Excavated Channel Station 0+00 to 1+29	New	F&I 24" CL III RCP (Incl MOH for new 18" RCP)	LF	94	\$212.52	\$19,976.88
New Build Excavated Channel Station 0+00 to 1+29						
Included in this item:  Added Erosion Control (Silt Fence 150 LF)  Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract	New	F&I 24" Pre-Cast Concrete S.E.T. (FW)	EA	2	\$3,856.34	\$7,712.68
Included in this item:  Added Erosion Control (Silt Fence 150 LF)  Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract						
Added Erosion Control (Silt Fence 150 LF)  Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract	New		LF	129	\$1,327.13	\$171,199.77
Tree & Stump Removal (15 EA.)  Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract						
Repair to Wood Fence at Station 1+29 (16 LF)  Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract						
Engineered Railroad Excavation Support System  All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO  Added to the contract		Tree & Stump Removal (15 EA.)				
All New Item Work includes added time for RR Flagmen (Railpros)  Request 35 Calendar Days for this PCO Added to the contract						
Request 35 Calendar Days for this PCO Added to the contract		Engineered Railroad Excavation Support System				
Request 35 Calendar Days for this PCO Added to the contract						
Added to the contract		All New Item Work includes added time for RR Fla	agmen (Railpro	os)		
Added to the contract						
		Request 35 Calendar Days for this PCO				
		Added to the contract				
Sub-10tai: \$202,029.3					Sub Total	¢202 020 22
		<u> </u>			Sup-10tal:	\$202,029.33

QUALITY EX	CAVATION LLC	
5580 US HIG	HWAY 377	
AUBREY, TX	76227	
Approved		
		=
Printed		
		=



Total :

\$202,029.33



#### **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 18, 2022

SUBJECT: Z2022-027; ZONING CHANGE (AG TO PD) FOR THE LOFLAND TRACT

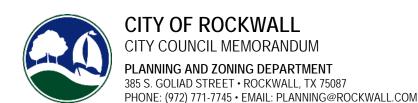
Attachments Memorandum Applicant's Letter

#### Summary/Background Information

[POSTPONED TO AUGUST 1, 2022] Hold a public hearing to discuss and consider a request by Adam Buczek of the Skorburg Company on behalf of Bill Lofland of the Lofland Family 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) and General Retail (GR) District land uses on a 544.89-acre tract of land identified as Tracts 3 & 3-1 of the A. Johnson Survey, Abstract No. 123 [355.146-acres]; Tracts 7 & 7-2 of the W. H. Baird Survey, Abstract No. 25 [45.744-acres]; and Tracts 3 & 4 of the J. R. Johnson Survey, Abstract No. 128 [144.00-acres], City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205) and SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east and west side of S. Goliad Street [SH-205], and take any action necessary (1st Reading).

#### **Action Needed**

The City Council will need to announce the public hearing date of August 1, 2022. No further action is required.



TO: Mayor and City Council

CC: Mary Smith, City Manager

Joey Boyd, Assistant City Manager

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

**DATE**: July 18, 2022

SUBJECT: Z2022-027; Zoning Change (AG to PD) for the Lofland Tract

On July 12, 2022, the Planning and Zoning Commission held a public hearing on *Case No. Z2022-027*, and approved a motion to continue the public hearing to the *July 26, 2022* Planning and Zoning Commission Work Session meeting (*see attached applicant's letter*). The purpose of this request is to allow the applicant time to refine the concept plan to account for recent findings that include: [1] a 24-inch water line that was discovered in the existing right-of-way of Lofland Circle, and [2] the discovery of wetlands area adjacent to Lofland Circle. Both of these issues require changes to the proposed concept plan. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a) public hearing that was noticed in the manner prescribed by Subsection 02.03(A) [*Article 11*; *UDC*] may be postponed by announcing the postponement at the time and place of the noticed public hearing. The postponement 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. A postponed public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a postponement at a public hearing shall be sufficient notice and no additional notice is required." This means the City Council will need to announce the new public hearing date of *August 1, 2022* and no further action or motions are required. Should the City Council have any questions staff and the applicant will be available at the *July 18, 2022* City Council meeting.

## Miller, Ryan

From: Adam Buczek <abuczek@skorburgcompany.com>

Sent: Wednesday, July 6, 2022 1:27 PM

To: Miller, Ryan

Cc: John Arnold; JR Johnson; Mike Gavin; Warren Corwin; Chase Finch

(cfinch@corwinengineering.com); Kevin Harrell

**Subject:** Lofland Tract request to table to July 26th meeting (or next available meeting)

Attachments: IES\_FINAL WF MAP\_7-1-22.pdf; IES\_Definition Notes to WF MAP\_7-6-22 (Lofland Tract).pdf

Importance: High

Ryan,

On behalf of Skorburg Company's pending zoning request on the Lofland Tract (which the P&Z Commission granted our request to continue the public hearing at the upcoming July 12<sup>th</sup> P&Z Meeting), please accept this e-mail as our respectful request of the Planning & Zoning Commission to allow us to table our agenda item from the current upcoming July 12<sup>th</sup> P&Z Meeting to continue the public hearing at the next scheduled Planning & Zoning Commission meeting (which I believe is July 26).

As I showed the Commission at last week's public hearing, we discovered the day before the meeting two (2) major issues that had a material impact on our site plan: (1) a determination that a tributary was a Water of U.S. feature that impacted the estate lots near the Oaks at Buffalo Way, and (2) our surveyor discovered at 24" water line running through the property that was not of record in the title nor shown on any existing surveys (and the Lofland Family was also unaware).

On top of these 2 issues, over the course of last few days, our environmental consultant finished analyzing the balance of the Lofland Tract and found several additional jurisdictional areas of Waters of U.S. on the property based on the recently changed (August 2021) laws. We've been engaged in discussions with him through this morning to make sure we understand the regulations such that our new layout will conform and comply with the government regulations.

I've attached to this e-mail the consultant's final water feature delineation map as well as a zoom-in legend with summary notes beside each of the water feature types that impact our layout. You can see from these exhibits the substantial amount of rework that is needed to ensure our site plan complies with the Waters of U.S. regulations as well as make sure to incorporate changes based on the direction from the P&Z Commission (i.e. lower density) and additional neighbor input.

Please let me know if you need anything else to submit this request for the P&Z Commission's consideration. I will be present at next week's meeting in case the P&Z Commission wishes to ask me any questions or take any other action that requires my attendance. Thank you.

1

Best Regards,

Adam J. Buczek President

**Skorburg Company** 

8214 Westchester Drive, Suite 900

Dallas, Texas 75225 Ph: (214) 888-8843 Cell: (817) 657-5548

Fax: (214) 888-8861

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#### **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

**DATE:** July 18, 2022

SUBJECT: Z2022-029; AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 59

(PD-59)

**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** 

Zoning Exhibits Legal Description

Ordinance No. 19-08

**Draft Ordinance** 

#### Summary/Background Information

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 59 (PD-59) [Ordinance No. 19-08] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary (1st Reading).

#### **Action Needed**

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



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Bill Bricker; Columbia Development Company, LLC

CASE NUMBER: Z2022-029; Amendment to Planned Development District 59 (PD-59)

#### **SUMMARY**

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a *Zoning Change* amending Planned Development District 59 (PD-59) [*Ordinance No. 19-08*] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

#### **BACKGROUND**

A portion of the subject property (*i.e.* the portion adjacent to T. L. Townsend Drive) is identified as being a part of the Original Town of Rockwall, and -- based on the April 1934 Sanborn Maps -- was annexed prior to 1934. The remainder of the subject property was annexed on February 6, 1961 by Ordinance No. 60-01 [Case No. A1960-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. By January 3, 1972, the City's Historic Zoning Maps show that portions of the subject property were zoned Commercial (C) District and Light Industrial (LI) District. Based on the December 7, 1993 Historic Zoning Map, these designations changed between January 3, 1972 and December 7, 1993 from a Commercial (C) District and Light Industrial (LI) District, Commercial District, Heavy Commercial (HC) District to a Single-Family 7 (SF-7) District, Light Industrial (LI) District, Commercial District, Heavy Commercial (HC) District, and Planned Development District 52 (PD-52). On October 18, 2004, the City Council approved Ordinance No. 04-59 [Case No. Z2004-034] creating Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District and Residential-Office (RO) District land uses. This ordinance was amended on December 11, 2006 by Ordinance No. 06-51 [Case No. Z2006-023] to allow an increase in the maximum building coverage to 60%. Planned Development District 59 (PD-59) was again amended on February 4, 2019 by Ordinance No. 19-08 [Case No. Z2018-057] to change a 0.789-acre tract of land from being designated for Single-Family 7 (SF-7) District land uses to Residential-Office (RO) District land uses. Staff should note that this area is a portion of the area being affected by the applicant's proposed zoning change. No other zoning amendments have been approved for the subject property.

#### **PURPOSE**

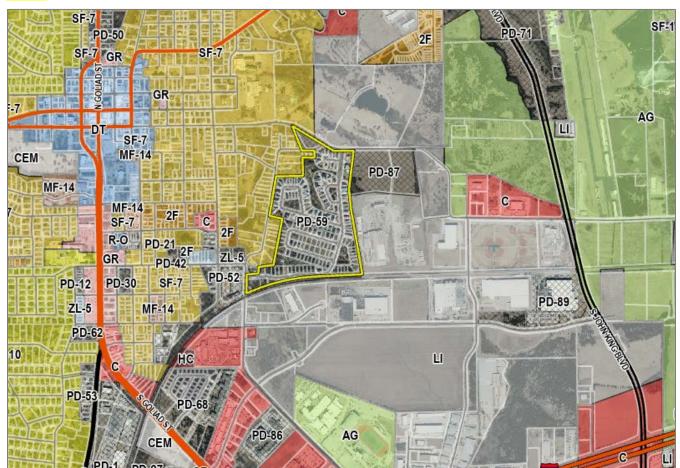
On June 17, 2022, the applicant -- *Bill Bricker of Columbia Development Company, LLC* -- submitted an application requesting to amend Planned Development District 59 (PD-59) to change the zoning exhibit contained in *Ordinance No. 19-08*. Specifically, the applicant is proposing to reclassify a 0.913-acre tract of land (*i.e. being portions of Lot 2, Block E, Park Place West, Phase III Addition and Tracts 35 & 53 of the R. Ballard Survey, Abstract No. 29*) from being designated for Residential-Office (RO) District land uses to Single-Family 7 (SF-7) District land uses.

#### ADJACENT LAND USES AND ACCESS

The subject property is generally located between E. Washington Street, Renfro Street, T. L. Townsend Drive, the Union Pacific/Dallas Garland N. E. rail line, and the old Columbia Extrusion facility. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is E. Washington Street, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a ~67.036-acre public park (*i.e. Harry Myers Park*) consisting of three (3) tracts of land (*i.e. Lot 1 of the Municipal Park Addition; Tract 6-3 of the G. W. Redlin Survey, Abstract No. 183; and Tract 29 of the R. Ballard Survey, Abstract No. 73*). The public park is zoned Light Industrial (LI) District and Single-Family 7 (SF-7) District.
- South: Directly south of the subject property is a 100-foot right-of-way for the Union Pacific/Dallas Garland N. E. Rail Line. Beyond this is Whitmore Manufacturing (i.e. Lot 2, Block A, Whitmore Manufacturing Addition), the Rockwall County Maintenance Facility (i.e. Lot 5, Block A, Municipal Industrial Park Addition), and three (3) vacant tracts of land (i.e. Tracts 14 & 24 of the R. Ballard Survey, Abstract No. 29 and Lot 1, Block A, Whitmore Manufacturing Addition). All of these properties are zoned Light Industrial (LI) District.
- <u>East</u>: Directly east of the subject property is the old Columbia Extrusion facility, which is situated on a 42.6034-acre parcel of land (*i.e. Lot 2, Block 1, Indalloy Addition*) zoned Light Industrial (LI) District. Also, east of the subject property are two (2) vacant tracts of land (*i.e. Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29*) that are zoned Planned Development District 87 (PD-87) for townhouse, commercial/retail, and light industrial land uses.
- <u>West</u>: Directly west of the subject property are 17 residential lots that are vacant or that have single-family homes situated on them. These lots are zoned Single-Family 7 (SF-7) District. Also, west of the subject property are T. L. Townsend Drive and Renfro Street. T. L. Townsend Drive is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) and Renfro Street is identified as a *Minor Collector* 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 revised concept plan that proposes minor changes to the alignment of *Phases 3 & 4* of the zoning exhibit contained in *Ordinance No. 19-08* (see *Figures 1 & 2 below*). Specifically, the applicant is requesting to change a 0.913-acre tract of land (i.e. being portions of Lot 2, Block E, Park Place West, Phase III Addition and Tracts 35 & 53 of the R. Ballard Survey, Abstract No. 29) from being designated for Residential-Office (RO) District land uses to Single-Family 7 (SF-7) District land uses. The applicant has stated that the majority of interest in the property has been in developing these properties with single-family homes, and -- while the Residential-Office (RO) District allows single-family homes -- the detention requirements for property zoned for non-residential land uses is more restrictive than property zoned for residential land uses. Staff should note that the drainage and detention plan originally approved for this phase of the Park Place Subdivision included the 0.913-acre tract of land into the drainage calculations as residential property. Making this change would avoid additional drainage from being required for these properties. This is the only change being proposed for Planned Development District 59 (PD-59).



<u>FIGURE 1</u>: CURRENT CONCEPT PLAN IN ORDINANCE NO. 19-08; <u>RED CIRCLE</u>: PROPOSED CHANGES



<u>FIGURE 2</u>: PROPOSED CONCEPT PLAN; <u>RED CIRCLE</u>: PROPOSED CHANGES

#### **INFRASTRUCTURE**

The proposed amendment to Planned Development District 59 (PD-59) does not change the infrastructure requirements necessary to serve the subject property.

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

The proposed amendment to Planned Development District 59 (PD-59) conforms to all of the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual*.

#### CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the Land Use Plan contained in the OURHometown Vision 2040 Comprehensive Plan. the subject property is located within the Central District and is designated for Live/Work land uses. The designation for this area was originally changed from a Density Medium Residential Live/Work designation to a designation by Case No. Z2018-057 [Ordinance No. 19-08]. Under

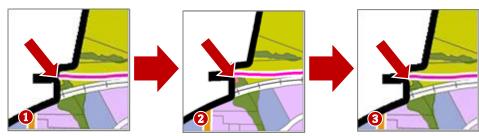


FIGURE 3: CHANGES TO THE FUTURE LAND USE MAP

- ORIGINAL DESIGNATION (MEDIUM DENSITY RESIDENTIAL)
- 2: CHANGES AFTER THE APPROVAL OF ORDINANCE NO. 19-08 (LIVE/WORK)
- 3: PROPOSED CHANGES (MEDIUM DENSITY RESIDENTIAL)

this case, the applicant had requested this area be changed to allow flexibility for home occupations (i.e. live/work), single-family homes, and businesses to be allowed.

While this amendment to Planned Development District 59 (PD-59) is proposing to change the Future Lane Use Map, staff should note that the change is minor in nature and does not appear to have an impact on any adjacent properties or the essential character of the Park Place Subdivision. With this being said, zoning changes are discretionary decisions for the City Council pending a recommendation by the Planning and Zoning Commission. Should the City Council choose to approve this request, staff has added a condition of approval that would make the necessary changes to the Future Land Use Map.

### **NOTIFICATIONS**

On June 17, 2022, staff mailed 284 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Park Place 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 four (4) property owner notifications and one (1) email from five (5) property owners within the 500-foot notification area in favor of the applicant's request.

#### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request to amend Planned Development District 59 (PD-59), 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) By approving this <u>Zoning Change</u>, 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 0.913-acre tract of land from a <u>Live Work</u> designation to a <u>Medium Density Residential</u> designation.
- (3) Any construction resulting from the approval of this <u>Zoning Change</u> 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 July 12, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the *Zoning Change* by a vote of 6-0, with Commissioner Llewellyn absent.



## **DEVELOPMENT APPLICATION**

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

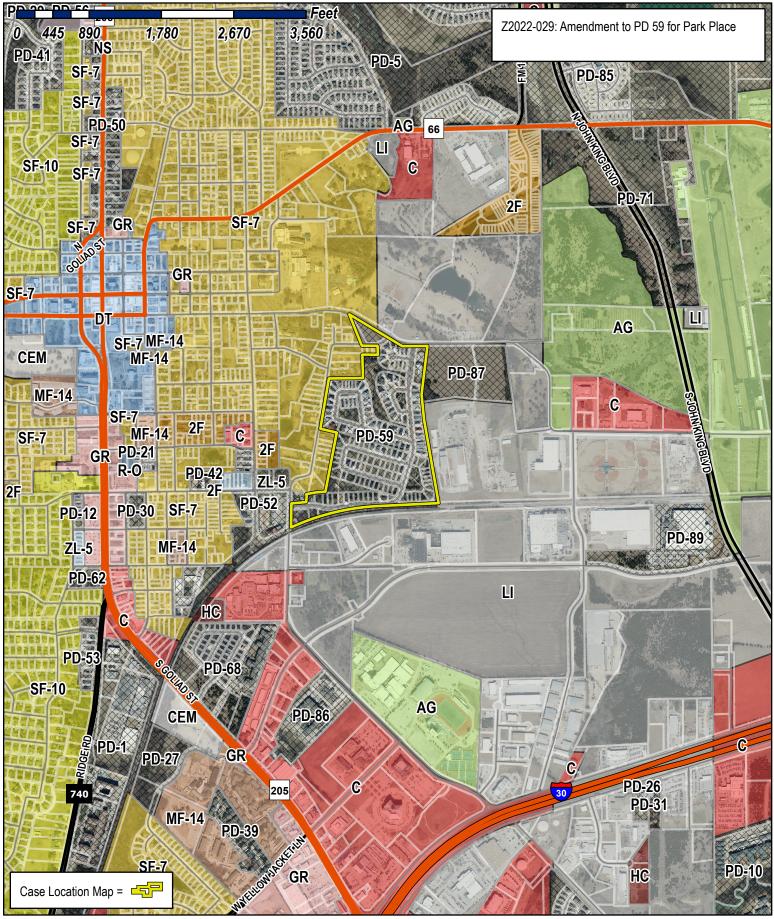
ATT USE DIVET		- 6	
ANNING & ZONING CASE NO	7	2000	-

**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:

		<u> </u>		
PLEASE CHECK THE	APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF	DEVELOPMENT REC	QUEST [SELECT ONLY ONE BO.	X]:
PLATTING APPLICATION FEES:  ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹ ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹ ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹ ☐ AMENDING OR MINOR PLAT (\$150.00) ☐ PLAT REINSTATEMENT REQUEST (\$100.00)  SITE PLAN APPLICATION FEES: ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹ ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)		ZONING APPLICATION FEES:  ZONING CHANGE (\$200.00 + \$15.00 ACRE) 1  SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) 1  PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) 1  OTHER APPLICATION FEES:  TREE REMOVAL (\$75.00)  VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) 2  NOTES:  1: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.  2: 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 INFO	PRMATION [PLEASE PRINT]			
	Corner of T.L. Townsend &	Bal Dlas	a Rlud	
SUBDIVISION	Park Place	1412 / 1018	LOT	DI OOK
GENERAL LOCATION			LOT	BLOCK
	AN AND PLATTING INFORMATION [PLEASE	PRINT]		
CURRENT ZONING	RO	CURRENT USE	None	
PROPOSED ZONING	410 change 48 to PD-59	PROPOSED USE	Residential	
	\$ ,913 LOTS [CURRENT]	Nowe	LOTS [PROPOSED]	4
REGARD TO ITS A	<u>PLATS</u> : BY CHECKING THIS BOX YOU ACKNOWLEDGE TH. PPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF S ENIAL OF YOUR CASE.	AT DUE TO THE PASSA TAFF'S COMMENTS BY	AGE OF <u>HB3167</u> THE CITY NO LO THE DATE PROVIDED ON THE DE	NGER HAS FLEXIBILITY WIT. VELOPMENT CALENDAR WIL
	ANT/AGENT INFORMATION [PLEASE PRINT/CHE	CK THE BRIMARY COM	TACT/ODICINAL CIONATUDES ADD	- PEOUPEN
□ OWNER	Columbia Development	☐ APPLICANT	Same	: KEQUIKED]
CONTACT PERSON	Bill Bricker	CONTACT PERSON	Same	
ADDRESS	305 Porla Place Blud.	ADDRESS		
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP		
PHONE	972-722-2439	PHONE		
E-MAIL	bill @ colventures. com	E-MAIL		
NOTARY VERIFIC BEFORE ME, THE UNDER STATED THE INFORMATION	ATION [REQUIRED] SIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ON ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE F	Charles W F	Bricker Jr [OWNER]	THE UNDERSIGNED, WHO
A JUNE INFORMATION CONTAINED	AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL  TO COVER THE COST OF THIS APPLICATION, HAS  20 22 BY SIGNING THIS APPLICATION, I AGREE  WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS A ON WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOC	BEEN PAID TO THE CITY THAT THE CITY OF ROC ALSO, AUTHORIZED, AND	OF ROCKWALL ON THIS THE CKWALL (I.E. "CITY") IS AUTHORIZED PERMITTED TO REPRODUCE ANY	DAY OF
	OWNER'S SIGNATURE	ne, 20 <b>2</b> 2	2	TANYA BUEHLER Notary Public STATE OF TEXAS
NOTARY PUBLIC IN AND I	FOR THE STATE OF TEXAS		MY COUNTY MY CO	ID# 13099192-5 mm. Exp. MAR. 10, 2025





# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

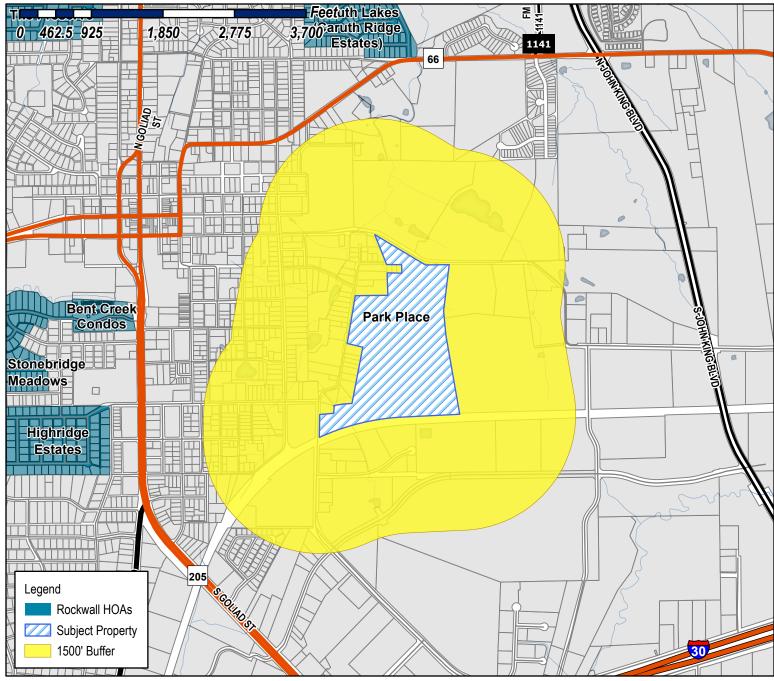




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Case Number: Z2022-029

Case Name: Amendment to PD-59 for Park Place

Case Type: Zoning

**Zoning:** Planned Development District 59

(PD-59)

Case Address: Park Place Subdivision

Date Saved: 6/15/2022

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



## Miller, Ryan

From: Gamez, Angelica

Sent: Tuesday, June 21, 2022 4:43 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry

Subject: Neighborhood Notification Program [Z2022-029]

Attachments: Public Notice (06.20.2022).pdf; HOA Map (06.17.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>June 24, 2022</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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 <a href="Planning@rockwall.com">Planning@rockwall.com</a> 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.

## Z2022-029: Zoning Change Amending Planned Development District 59

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a *Zoning Change* amending Planned Development District 59 (PD-59) [*Ordinance No. 19-08*] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

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Thank you,

## Angelica Gamez

Planning & Zoning Coordinator City of Rockwall 972.771.7745 Office 972.772.6438 Direct http://www.rockwall.com/planning/

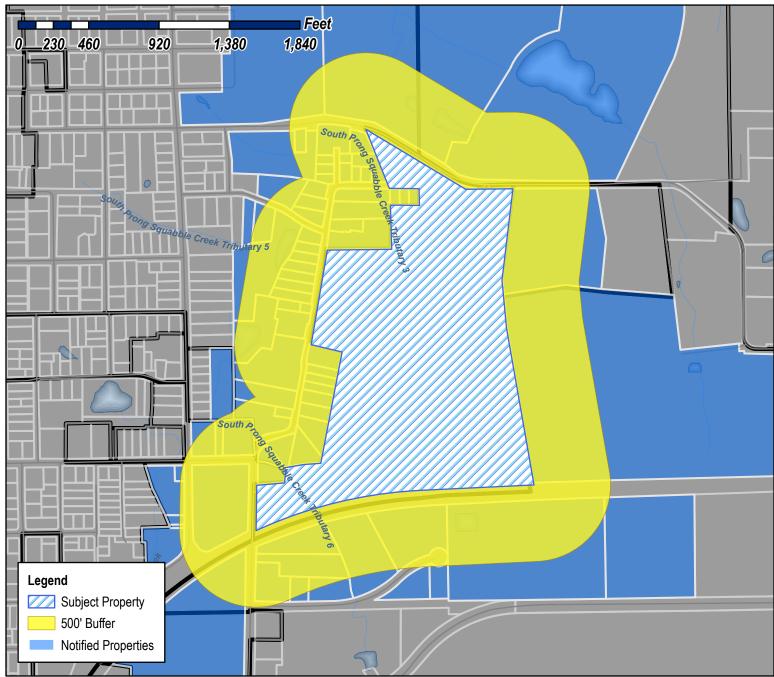
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Case Number: Z2022-029

Case Name: Amendment to PD-59 for Park Place

Case Type: Zoning

**Zoning:** Planned Development District 59

(PD-59)

Case Address: Park Place Subdivision

Date Saved: 6/15/2022

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



PLUNKETT NEIL F AND GAYLA A 1000 BOW ST ROCKWALL, TX 75087 DUKE JERI L 1001 ST. CHARLES CT ROCKWALL, TX 75087 LADD JESSE & TAMMY 1001 MICHAEL GARDENS ROCKWALL, TX 75087

JONES COLLINS BRUCE & JERALDINE C 1002 BOW ST. ROCKWALL, TX 75081 TENNEY LYNN H III AND CHRISTINE L 1002 IVY LN ROCKWALL, TX 75087 LAKEVIEW SUMMIT PROPERTIES LLC 1002 ST CHARLES CT ROCKWALL, TX 75087

BREWER ROBERT AND GAYLE 1004 MICHAEL GARDENS ROCKWALL, TX 75087 MILLER MARION F 1005 BOW ST ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
1006 BOW ST
ROCKWALL, TX 75087

MOSELEY TIM AND MELISSA 1007 MICHAEL GARDENS ROCKWALL, TX 75087 TROSPER MARK AND GLORIA 1007 ST. CHARLES CT ROCKWALL, TX 75087 BRIDGES SANDRA DAVIS 1008 IVY LANE ROCKWALL, TX 75087

ROLLINS DANNY & JONNA 1008 SAINT CHARLES CT ROCKWALL, TX 75087 LUTES GREGORY AND SUSAN 1009 BOW ST ROCKWALL, TX 75087

MISHLER MICHAEL L AND RHONDA 1009 IVY LN ROCKWALL, TX 75087

ROCKWALL COUNTY C/O COUNTY TREASURER 101 E RUSK ST SUITE 101 ROCKWALL, TX 75087

DANIELS JERRY RONALD AND TANA SCHUBERT 1011 MICHAEL GARDENS ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1012 MICHAEL GARDENS ROCKWALL, TX 75087

STEWART ROBIN 1013 BOW STREET ROCKWALL, TX 75204 MOORE BECKY INEZ AND CYNTHIA ANN HUDDLESTON 1014 IVY LN ROCKWALL, TX 75087

PODINA HERB AND LAURA 1014 SAINT CHARLES CT ROCKWALL, TX 75087

MANZ CHARLES & CHRISTAL 1014 BOW ST ROCKWALL, TX 75087 BUCKNER DANA RENEE 1015 IVY LN ROCKWALL, TX 75087 JONES RONALD AND MARILYN 1015 MICHAEL GARDENS ROCKWALL, TX 75087

TROSPER MARK AND GLORIA 1015 ST CHARLES CT ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1016 MICHAEL GARDENS ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
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ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1018 BOW ST ROCKWALL, TX 75087 DEVINE FAMILY TRUST RUTH C DEVINE- TRUSTEE 1019 MICHAEL GARDENS ROCKWALL, TX 75087

ARCHER ADAM AND SHAUNA 1020 IVY LANE ROCKWALL, TX 75087 DAVID DAVID A AND CHRISTINE A
1020 SAINT CHARLES CT
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
1022 BOW ST
ROCKWALL, TX 75087

FECHT JARED W & JULIE 1026 IVY LN ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1026 BOW ST ROCKWALL, TX 75087

> BCL REAL ESTATE LLC 103 GROSS RD MESQUITE, TX 75149

REICHART KENNETH AND LINDA 1031 MICHAEL GARDENS ROCKWALL, TX 75087

> FIELDS SHAY AND JONI 1032 ST CHARLES COURT ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1034 ST THOMAS CT
ROCKWALL, TX 75087

HAWKINS THOMAS JOSEPH AND NITA POORE 1035 MICHAEL GARDENS ROCKWALL, TX 75087

> COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1038 BOW ST ROCKWALL, TX 75087

DAVIS SHAUNTE AND JACOB 1021 IVY LN ROCKWALL, TX 75087

TAYLOR TIMOTHY DAVID AND JUDY HELENE DUBREUIL 1023 ST THOMAS COURT ROCKWALL, TX 75087

YOUNG PHIL & KATHY 1026 SAINT CHARLES COURT ROCKWALL, TX 75087

RIPP KEEGAN V AND NICOLA M 1027 IVY LANE ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
1030 BOW ST
ROCKWALL, TX 75087

GANDY DAVID H 1031 ST THOMAS CT ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1032 MICHAEL GARDENS ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1034 BOW ST ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1036 MICHAEL GARDENS ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1038 ST THOMAS CT
ROCKWALL, TX 75087

YODER KARL AND GLORIA FIELD 1021 CALM CREST DR ROCKWALL, TX 75087

CANO OSCAR AND NANCY 1025 MICHAEL GARDENS ROCKWALL, TX 75087

IVEY BRUCE AND TINA 1026 ST THOMAS CT ROCKWALL, TX 75087

FOX DENNIS AND KAREN 1027 ST THOMAS CT ROCKWALL, TX 75087

EDWARDS EDWINA W REVOCABLE TRUST
EDWINA W EDWARDS TRUSTEE
1030 ST THOMAS CT
ROCKWALL, TX 75087

JACKSON JOEY W AND ANITA L 1032 IVY LANE ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
1033 BOW ST
ROCKWALL, TX 75087

JOHNSON RICHARD ERIC AND DIANNA MUNRO 1035 SAINT THOMAS CT ROCKWALL, TX 75087

> CHUNG MARGARET CONLON 1038 IVY LANE ROCKWALL, TX 75087

> > KRAEMER TERESA A 1039 IVY LN ROCKWALL, TX 75087

LEAVERTON HENRY C AND TAMMY D 1039 MICHAEL GARDENS ROCKWALL, TX 75087 BEER TERRY L AND CYNTHIA OLSON 1039 ST THOMAS CT ROCKWALL, TX 75087

HOULE GARY AND AYURNI NAKAMURA 1040 SAINT CHARLES CT ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 1040 MICHAEL GARDENS ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
1041 BOW ST
ROCKWALL, TX 75087

SOMMER RICHELLE AND RICHARD 1042 SAINT THOMAS CT ROCKWALL, TX 75087

KELLY WARREN RAY AND YVONNE G 1042 BOW ST ROCKWALL, TX 75087 BALLARD BRUCE THOMAS AND CATHY ELAINE 1043 MICHAEL GARDENS ROCKWALL, TX 75087 SOUTHERLAND CHRISTOPHER AND JENNIFER 1043 ST THOMAS COURT ROCKWALL, TX 75087

SMITH TAMMY WILLIAMS AND RICHARD 1044 IVY LN ROCKWALL, TX 75087 BEAL CHERYL LYNN 1044 MICHAEL GARDENS ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
1045 BOW ST
ROCKWALL, TX 75087

DENTON LANCE AND GLENDA K 1045 IVY LN ROCKWALL, TX 75087 SMITH TEDDY GLEN AND MARY HELEN 1046 BOW ST ROCKWALL, TX 75087 VRANA MARK AND PAM VRANA 1046 SAINT CHARLES CT ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G 1046 ST THOMAS CT ROCKWALL, TX 75087 HENTSCHEL BEN AND DANA 1047 MICHAEL GARDENS ROCKWALL, TX 75087 RUBERTINO JOSEPH C AND FROSINE 1048 MICHAEL GARDENS ROCKWALL, TX 75087

TRUONG THUTHUY AND VALERIE 1049 BOW STREET ROCKWALL, TX 75087 COLUMBIA EXTRUSION CORP ATTN: BILL BRICKER 1200 E WASHINGTON ROCKWALL, TX 75087

OLIVARES JAIME 1209 QUAIL DR GARLAND, TX 75040

WHITMORE MANUFACTURING CO 1250 JUSTIN RD ROCKWALL, TX 75087 ALVAPLAST US DEVELOPMENT LLC 1480 JUSTIN ROAD ROCKWALL, TX 75087 HOGUE MIKE AND VICKY 1498 HUBBARD DR FORNEY, TX 75126

TAH MS BORROWER LLC C/O TRICON AMERICAN HOMES LLC 1508 BROOKHOLLOW DRIVE SANTA ANA, CA 92705

MANZ CHARLES & CHRISTAL 1607 BRYNMAR CIRCLE TYLER, TX 75087 GARCIA MARCO AND WHITNEY 1700 BISON MEADOW HEATH, TX 75032

POOL JOE AND REBECCA 1700 PLUMMER DR ROCKWALL, TX 75087 LAKEVIEW SUMMIT PROPERTIES LLC 1870 HILLCROFT DR ROCKWALL, TX 75087 DALLAS-GARLAND & NORTHEASTERN RAILROAD
C/O GENESEE & WYOMING RAILROAD
1940 ENCHANTED WAY 201
GRAPEVINE, TX 76051

RADNEY FAMILY TRUST
STEPHEN P AND MARTHA RADNEY- TRUSTEES
20 GLISTENING POUND DR
FRISCO, TX 75087

FOSTER STEPHEN AND MICKIE 2015 PONTCHARTRAIN DRIVE ROCKWALL, TX 75087 RUFF DAVE & ANNE 202 HAMMACK LN ROCKWALL, TX 75087

LIGHTFOOT MARSHALL K AND CYNTHIA DAWN 202 RENFRO ST ROCKWALL, TX 75087 BCL REAL ESTATE LLC 203 RENFRO ST ROCKWALL, TX 75087 LIGHTFOOT MARSHALL & CYNTHIA 204 RENFRO ST ROCKWALL, TX 75087

ESPINOZA MARCELA P AND ROLAND 206 RENFRO ST ROCKWALL, TX 75087 RUFF DAVID & ANNE 206HAMMACKLN ROCKWALL, TX 75087 WOOD WILLIAM AND SANDIE 207 WADE DRIVE ROCKWALL, TX 75087

HARRIS RICHARD & JUDY 210 GLENN AVE ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 210 GLENN AVENUE ROCKWALL, TX 75087

JOE & DAVID TACOS LTD 2455 RIDGE RD #135 ROCKWALL, TX 75087

STOVALL PERRY J & BEVERLY A 2500 SUMMER LEE DR APT 147 ROCKWALL, TX 75032 LIGHTFOOT MARSHALL K AND CYNTHIA DAWN 256 WINDY LN ROCKWALL, TX 75087 HAWKINS THOMAS JOSEPH AND NITA POORE 2599 CR 249 TERRELL, TX 75160

CUMMINGS KARYN 2823 QUAIL HOLLOW DR MESQUITE, TX 75032 CORDOSO FRANCISCO 2848 TANGLEGLEN DR ROCKWALL, TX 75032 DANIELS JERRY RONALD AND TANA SCHUBERT 2917 SCOTT DR ROWLETT, TX 75087

GLASS JO KAY HARRIS 301 MEADOWDALE ROCKWALL, TX 75087 RUSHING JOE L & DONNA S 301 RENFRO ST ROCKWALL, TX 75087 CHERRY JOHN T 303 RENFRO STREET ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 305 PARK PLACE BLVD ROCKWALL, TX 75087 COLUMBIA EXTRUSIONS CORP ATTN BILL BRICKER 305 PARK PLACE BLVD ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT COMPANY 305 PARK PLACE BLVD ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 305 PARK PLACE BLVD ROCKWALL, TX 75087

PRATER SAMUEL LEE AND LAUREN NICOLE 305 RENFRO ST ROCKWALL, TX 75087 WERCHAN ALLEN AND KELLI 309 GLENN AVE ROCKWALL, TX 75087

KELLY WARREN RAY AND YVONNE G 3117 SYCAMORE ST ROWLETT, TX 75088 GIELOW JOHN L AND LISA L 365 JORDAN FARM CIR ROCKWALL, TX 75087 STRADTMANN TROY H 366 RENFRO ST ROCKWALL, TX 75087 MEYER DAVID JAMES AND ALETA KAY 369 JORDAN FARM CIR ROCKWALL, TX 75087 JOHNSON DANA 373 JORDAN FARM CIRCLE ROCKWALL, TX 75087 TAH MS BORROWER LLC C/O TRICON AMERICAN HOMES LLC 374 RENFRO ST ROCKWALL, TX 75087

MCGEE STEPHANIE L 377 JORDAN CIRCLE ROCKWALL, TX 75087 SIKES MARK EUGENE AND AMY CHRISTINE 381 JORDAN FARM CIR ROCKWALL, TX 75087 HALL JESSIE MARIE AND JAMIE KATE HALL 382 RENFRO ST ROCKWALL, TX 75087

MOSBY CYNTHIA ANN BURTON 385 JORDAN FARM CIRCLE ROCKWALL, TX 75087 CITY OF ROCKWALL ATTN;MARY SMITH 385 S GOLIAD ST ROCKWALL, TX 75087

FAUCON SERGE AND JENNIFER 389 JORDAN FARM CIRCLE ROCKWALL, TX 75087

KNOERR KELLIE MICHELLE 3900 W NORTHWEST HWY APT 1465 DALLAS, TX 75220 PEURIFOY REBECCA 393 JORDAN FARM CIR ROCKWALL, TX 75087 GARRETT FAMILY TRUST DOROTHY ANN GARRETT- TRUSTEE 397 JORDAN FARM CIRCLE ROCKWALL, TX 75087

PLUNKETT NEIL F AND GAYLA A 4 MANOR CT HEATH, TX 75032 HARRIS HOLLI J 400 RENFRO ST ROCKWALL, TX 75087 CLARK JERRY W & PAMELA 401 RENFRO ST ROCKWALL, TX 75087

RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 402 RENFRO ST ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 404 RENFRO ST ROCKWALL, TX 75087

FREDERICK MARSHA 405 JORDAN FARM CIR ROCKWALL, TX 75087

MATEER JEFFREY CARL & D'ANN ELIZABETH

DELP

405 PARK PLACE BLVD

ROCKWALL, TX 75087

RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 406 RENFRO ST ROCKWALL, TX 75087

CLINE DAVID & LAURA 408 JORDAN FARM CIRCLE ROCKWALL, TX 75087

RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 408 RENFRO ST ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 410 RENFRO ST ROCKWALL, TX 75087

KESSLAR MARILYNN 411 JORDAN FARM CIRCLE ROCKWALL, TX 75087

JONES KENNETH AND CINDY 411 PARK PLACE BLVD ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 412 RENFRO ST ROCKWALL, TX 75087

FLYNT GARY & NANCY 414 JORDAN FARM CIRCLE ROCKWALL, TX 75087

VAN WINKLE KATHI AND RONNIE G 417 PARK PLACE BLVD ROCKWALL, TX 75087 SCHLEYER JON MARK AND ELIZABETH A 417 JORDAN FARM CIR ROCKWALL, TX 75087 HOWARD DALE E AND JOYCE 420 JORDAN FARM CIRCLE ROCKWALL, TX 75087 WILLMAN RUSSELL M AND CYNTHIA H 423 JORDAN FARM CIRCLE ROCKWALL, TX 75087 KISTNER ARIANA M AND KELLY 423 PARK PLACE BLVD ROCKWALL, TX 75087 WALKER ANTHONY W AND JENNIFER 426 JORDAN FARM CIR ROCKWALL, TX 75087

PRATER SAMUEL LEE AND LAUREN NICOLE 428 COACHLIGHT TRL ROCKWALL, TX 75087 MORGAN WILBUR J AND NANCY F 429 PARK PLACE BLVD ROCKWALL, TX 75087 RADNEY FAMILY TRUST
STEPHEN P AND MARTHA RADNEY- TRUSTEES
429 JORDAN FARM CIR
ROCKWALL, TX 75087

HOWELL RONALD L AND MICHELE L 434 JORDAN FARM CIR ROCKWALL, TX 75087 CONWAY MICHAEL AND JEAN 435 JORDAN FARM ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 500 RENFRO ST ROCKWALL, TX 75087

LOVOI JOSEPH J SR AND VELMA J 501 PARK PLACE BLVD ROCKWALL, TX 75087 SAMPLES ELVA NELL 502 RENFRO ST ROCKWALL, TX 75087 LADD JESSE & TAMMY 504 NASH ST ROCKWALL, TX 75087

WARDELL JOHN P AND JULIE ANN C 506 RENFRO ST ROCKWALL, TX 75087 RASMUSSEN MICHAEL AND DELILA RASMUSSEN 507 PARK PLACE BLVD ROCKWALL, TX 75087 HITT FLOYD ESTATE DOROTHY SUE HITT MATTHIES AND 507 RENFRO ST ROCKWALL, TX 75087

GARCIA MELISSA P AND JOE DOWELL LOFTIS JR AKA JOE DOWELL LOFTIS 513 PARK PLACE BLVD ROCKWALL, TX 75087

HOGUE ALLEN 513 RIDGEVIEW DR ROCKWALL, TX 75087 MOORE CONNIE JO 523 PARK PLACE BLVD ROCKWALL, TX 75087

SANTIAGO KIMBERLY J AND JOSE JR 535 PARK PLACE BLVD ROCKWALL, TX 75087 WALSH DONNA 541 PARK PLACE BLVD ROCKWALL, TX 75087 CUMMINGS KARYN 547 PARK PLACE BLVD ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G 5574 CANADA CT ROCKWALL, TX 75032 WHITE THOMAS WAYNE AND LAURIE ELLEN 5701 SUNFLOWER DR ROWLETT, TX 75089 MURREY GARY L AND PAMELA K 601 PARK PLACE BLVD ROCKWALL, TX 75087

WARDELL JOHN P & JULIE C 601 RENFRO ST ROCKWALL, TX 75087 KIMBALL AARON AND LEANNA 602 ANGELA CRESCENT ROCKWALL, TX 75087 HOGUE CAROLYN SUE 602 RENFRO ROCKWALL, TX 75087

CALDWELL KEVIN L & LINDA D 605 RENFRO ST ROCKWALL, TX 75087 WARDELL JOHN P & JULIE C 606 RENFRO ST ROCKWALL, TX 75087 SCHRADE JAMES E AND MITZY H 607 PARK PLACE BLVD ROCKWALL, TX 75087

HARRINGTON DEBORAH	STOVALL PERRY J & BEVERLY A	RUFF DAVE & ANNE
607 RENFRO ST	608 ANGELA CRESCENT	6105 LAKESHORE DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROWLETT, TX 75089
COX STEPHEN	ROBERTS TERRY DON AND MICHELLE	ABBOTT TODD & WHITNEY
613 PARK PLACE BLVD	614 ANGELA CRESCENT	619 RENFRO ST
ROCKWALL, TX 75087	ROCKWALL, TX 75126	ROCKWALL, TX 75087
HENRY PATRICIA A 620 ANGELA CRESCENT ROCKWALL, TX 75087	KNOERR KELLIE MICHELLE 626 ANGELA CRESCENT ROCKWALL, TX 75087	KAUFMANN PROPERTIES LLC % DOUGLAS A KAUFMANN 627 SORITA CIR HEATH, TX 75032
BEAL CHERYL LYNN	JONES RONALD H AND CAROL A	ROCHIER JOE AND KELLY
6401 TRAFALGAR DR	6467 COUNTY RD 2560	649 BIG OAK CT
ROWLETT, TX 75089	ROYSE CITY, TX 75089	ROCKWALL, TX 75087
MALONE CLANTON 657 MISSION DR ROCKWALL, TX 75087	KENNEDY BRENDA K 701 T L TOWNSEND DR ROCKWALL, TX 75087	COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 701 PARK PLACE BLVD ROCKWALL, TX 75087
KENNEDY BRENDA K	KAUFMANN PROPERTIES LLC	HOGUE ALLEN
701 RENFRO	702 S CLARK ST	703 E BOYSTUN AVE
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
HARRIS RICHARD & JUDY 703 TOWNSEND DR ROCKWALL, TX 75087	HOGUE ALLEN 705 E BOYDSTUN AVE ROCKWALL, TX 75087	KAUFMANN PROPERTIES LLC % DOUGLAS A KAUFMANN 706 S CLARK ST ROCKWALL, TX 75087
MALONE CLANTON 707 PARK PLACE BLVD ROCKWALL, TX 75087	ROCKWALL INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITY CORP 707 S CLARK ROCKWALL, TX 75087	COLUMBIA DEVELOPMENT COMPANY 707 TOWNSEND ROCKWALL, TX 75087
HOGUE MIKE AND VICKY 709 E BOYDSTUN AVE ROCKWALL, TX 75087	GILLIAM ROBERT W JR & PERRILYN 712 HARTMAN ST ROCKWALL, TX 75087	KAUFMANN PROPERTIES LLC % DOUGLAS A KAUFMANN 712 CLARK ST ROCKWALL, TX 75087
PIERCY DUANE AND JENNIFER	FOSTER STEPHEN AND MICKIE	HOOVER LINDA WEST-
713 HARTMAN	713 PARK PLACE BLVD	716 HARTMAN STREET
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 719 PARK PLACE BLVD ROCKWALL, TX 75087

WERCHAN ALLEN AND KELLI 720 E WASHINGTON ROCKWALL, TX 75087 SWANSON PARKER G AND ABBY M 724 E WASHINGTON STREET ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 725 PARK PLACE BLVD ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
731 PARK PLACE BLVD
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 737 PARK PLACE BLVD ROCKWALL, TX 75087

WHITE THOMAS WAYNE AND LAURIE ELLEN 743 PARK PLACE BLVD ROCKWALL, TX 75087 FIET AARON 749 PARK PLACE BLVD ROCKWALL, TX 75087 YODER KARL AND GLORIA FIELD 755 PARK PLACE BLVD ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 761 PARK PLACE BLVD ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 767 PARK PLACE BLVD ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 773 PARK PLACE BLVD ROCKWALL, TX 75087

GARCIA MARCO AND WHITNEY 779 PARK PLACE BLVD ROCKWALL, TX 75087 MILLER MARION F 8 HILLSIDE DRIVE ROCKWALL, TX 75087 WALSH DONNA 8009 LAKEBEND ROWLETT, TX 75087

ROCKWALL INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITY CORP 801 E WASHINGTON ST ROCKWALL, TX 75087

ZYLKA PROPERTIES LLC 801 ALUMINUM PLANT RD ROCKWALL, TX 75087 ROCKWALL I S D 801 E WASHINGTON ROCKWALL, TX 75087

COX GERALD GLEN & ROSALBA 801 N T L TOWNSEND DR ROCKWALL, TX 75087 ARCHER CHARLES & TRACIE 802 PARK PLACE BLVD ROCKWALL, TX 75087 WISE ALICE 803 ALUMINUM PLANT ROAD ROCKWALL, TX 75087

COX ROSALBA C 803S T L TOWNSENDDR ROCKWALL, TX 75087 WARDELL JOHN AND JAKE WARDELL 805 ALUMINUM PLANT RD ROCKWALL, TX 75087

WRIGHT BRADLEY AND CATHERINE 808 PARK PLACE BLVD ROCKWALL, TX 75087

HUSSONG BRETT AND LAUREN 809 SIGNAL RIDGE ROCKWALL, TX 75032 POOL JOE AND REBECCA 814 PARK PLACE BLVD ROCKWALL, TX 75087 COX ROSALBA C 815 T L TOWNSEND DR ROCKWALL, TX 75087

COX GERALD GLEN & ROSALBA 815 T L TOWNSEND SUITE 101 ROCKWALL, TX 75087 VARNER ROBERT R JR & GLEN COX 815 TL TOWNSEND STE 101 ROCKWALL, TX 75087

CITY OF ROCKWALL 815 E WASHINGTON ST ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
820 PARK PLACE BLVD
ROCKWALL, TX 75087

COLUMBIA DEVELOPMENT CO LLC
ATTN BILL BRICKER
832 PARK PLACE BLVD
ROCKWALL, TX 75087

SCHLEYER JON MARK AND ELIZABETH A 825 FAITH TRAIL HEATH, TX 75032 COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 826 PARK PLACE BLVD ROCKWALL, TX 75087

JONES RONALD H AND CAROL A <Null>
838 PARK PLACE BLVD
ROCKWALL, TX 75087

HARSTROM STUART & SUSAN 844 PARK PLACE BLVD ROCKWALL, TX 75087

HUSSONG BRETT AND LAUREN 850 PARK PLACE BLVD ROCKWALL, TX 75087 CORDOSO FRANCISCO 855 WHITMORE DR ROCKWALL, TX 75087 SHAWN RAY SEXTON REVOCABLE TRUST
SHAWN RAY SEXTON- TRUSTEE
856 PARK PLACE BLVD
ROCKWALL, TX 75087

HANCOCK ELIZABETH KAY, TRUSTEE
KAY HANCOCK LIVING TRUST
862 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCHIER JOE AND KELLY 868 PARK PLACE BLVD ROCKWALL, TX 75087 COLUMBIA DEVELOPMENT CO LLC ATTN BILL BRICKER 872 PARK PLACE BLVD ROCKWALL, TX 75087

WARDELL JOHN P AND JULIE ANN C 880 IVY LANE ROCKWALL, TX 75087 WARDELL JOHN P & JULIE C 880 IVY LN ROCKWALL, TX 75087 WARDELL JOHN AND JAKE WARDELL 880 IVY LN ROCKWALL, TX 75087

WARDELL JAKE P AND MEREDITH K 880 SHORES BLVD ROCKWALL, TX 75087 ALLISON DEANNA JO 886 IVY LN ROCKWALL, TX 75087 BARRIER CHRISTIA A 891 IVY LN ROCKWALL, TX 75087

HARRILL EVELYN 892 IVY LN ROCKWALL, TX 75087 RAGSDALE ELIZABETH J LIFE ESTATE LISA JANE BAKER & DONALD KIRK RAGSDALE 895 IVY LN ROCKWALL, TX 75087

DENTON LANCE AND GLENDA K 900 DAVY CROCKETT ROCKWALL, TX 75087

FIET AARON 901 HIDDEN CREEK DR ROYSE CITY, TX 75189 MASON MARSHA 901 IVY LN ROCKWALL, TX 75087 COLUMBIA EXTRUSIONS CORP ATTN BILL BRICKER 902 ALUMINUM PLANT RD ROCKWALL, TX 75087

WARDELL JAKE P AND MEREDITH K 904 ALUMINUM PLANT RD ROCKWALL, TX 75087 STANLEY STEVE AND ROBIN 905 IVY LN ROCKWALL, TX 75087 STATON CARL E & BOBBIE JANE 906 ALUMINUM PLANT RD ROCKWALL, TX 75087

BUCHANAN BARRY D & MELISSA M 908 IVY LN ROCKWALL, TX 75087 TUCKER JANA 914 IVY LN ROCKWALL, TX 75087 COUNTY OF ROCKWALL 915 WHITMORE ROCKWALL, TX 75087 WHITMORE MANUFACTURING CO THE 917 WHITMORE DR ROCKWALL, TX 75087 CCO TRANSFERS LLC ATTN; PROPERTY TAX DEPT 920 WHITEMORE ROCKWALL, TX 75087

WHITMORE MANUFACTURING CO THE 930 WHITMORE DR ROCKWALL, TX 75087

WHITMORE MANUFACTURING CO 930 WHITMORE DRIVE ROCKWALL, TX 75087 RUSHING JOE L & DONNA S 9414 SHEARER ST ROWLETT, TX 75088 CITY OF ROCKWALL ATTN;MARY SMITH 945 E WASHINGTON ST ROCKWALL, TX 75087

ROCKWALL COUNTY C/O COUNTY TREASURER 950 TOWNSENDRD ROCKWALL, TX 75087 2020 T R MARTIN REVOCABLE TRUST CHARLES TED MARTIN AND RHONDA KAREN MARTIN- TRUSTEES 995 ST CHARLES COURT ROCKWALL, TX 75087

CCO TRANSFERS LLC ATTN; PROPERTY TAX DEPT P.O. BOX 7467 CHARLOTTE, NC 28241

ALLISON DEANNA JO PO BOX 1624 ROCKWALL, TX 75087 BREWER ROBERT AND GAYLE PO BOX 1742 ROCKWALL, TX 75087 HARRIS HOLLI J PO BOX 2191 ROCKWALL, TX 75087

MISHLER MICHAEL L AND RHONDA PO BOX 38 ROCKWALL, TX 75087 HOWELL RONALD L AND MICHELE L PO BOX 761 ROCKWALL, TX 75087

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

Case No. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a <u>Zoning Change</u> amending Planned Development District 59 (PD-59) [Ordinance No. 19-08] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend 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 <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Name:

Address:

Ryan Miller, AICP

Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE



 $\underline{\textit{MORE INFORMATION ON THIS CASE CAN BE FOUND AT}}: https://sites.google.com/site/rockwallplanning/development/development-cases$ 

PLEASE RETURN THE BELOW FORM
Case No. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]
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.

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.

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

Case No. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08] being a 56.586-acre tract of land identified as a portion of R, Bailard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District, 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

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#### Ryan Miller

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Sincerely,

Ryan Miller, AICP

Director of Planning & Zoning

TO GO DIRECTLY TO THE WEBSITE



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

Case No. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Please place a check mark on the appropriate line below:

Lam in favor of the request for the reasons listed below.

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

This is a good change and appropriate for lark Places

Name:

Barry Buchanan 908 Ivy LN, Rockwall 75087 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

CITY OF ROCKWALL . PLANNING AND ZONING DEPARTMENT . 385 S. GOLIAD STREET . ROCKWALL, TEXAS 75087 . P: (972) 771-7745 . E: PLANNING@ROCKWALL.COM

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

Case No. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary.

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Ryan Miller

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

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Sincerely,

Ryan Miller, AICP Director of Planning & Zoning

TO GO DIRECTLY TO THE WEBSITE



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. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Please place a check mark on the appropriate line below:

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

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

Charge should have no rezarive effect on aux neighborhow

Name:

KenReichark

Address:

1031 MICHAEL GARDENS

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

Case No. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Please place a check mark on the appropriate line below:

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

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

THIS WILL BE OF BENEFIT to RAKE PLACE RESIDENTS.

Name: MARK + GLURIN TROSPER Address: 1015 SAINT CHARLES CT.

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.

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

Case No. Z2022-029: Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Hold a public hearing to discuss and consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of a <u>Zoning Change</u> amending Planned Development District 59 (PD-59) [Ordinance No. 19-08] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend 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 <u>Tuesday</u>, <u>July 12</u>, <u>2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday</u>, <u>July 18</u>, <u>2022 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S.

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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 18, 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 USE THIS OR CODE TO GO DIRECTLY TO THE WEBSITE

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. Z2022-029; Zoning Change amending Planned Development District 59 (PD-59) [Ordinance No. 19-08]

Please place a check mark on the appropriate line below:

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

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

More in keeping with The subdivisor concept

Name:

Address:

Mike Mishler 1009 Fry Lr. Rodowell, MX 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.

From: thomas white
To: Planning
Cc: Bill Bricker

**Date:** Monday, June 27, 2022 11:49:58 AM

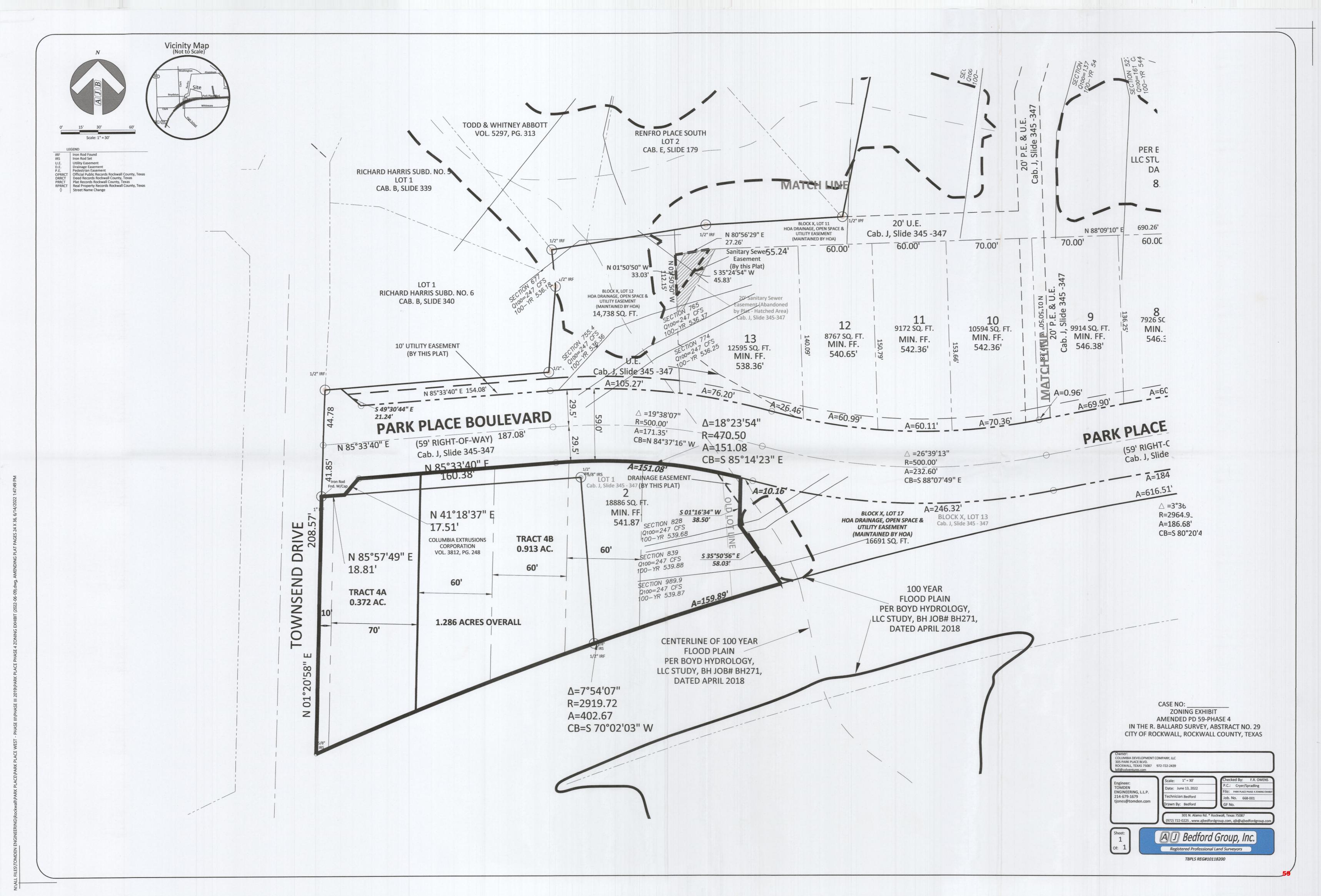
As a property owner in this development we are currently building a new home at 743 Park Place Blvd which is right around the corner from these proposed changes. I wholeheartedly support these changes for the reasons listed below:

- 1. Bill Bricker, the developer for Park Place, has always shown good and proper judgement to insure that Park Place is a premium community that meets high standards not only for Park Place but for the community of Rockwall as well
- 2. Making these changes will enhance Park Place by allowing additional residential homes to be built.
- 3. By continuing to allow this one corner lot to be zoned for a residential business simply makes good common sense.

Thank you, Tommy White 972-269-3751

Sent from my iPhone

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.



### FIELD NOTE DESCRIPTION

BEING a 1.286 acre tract of land located in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas and being a portion of a 0.582 acre tract of land and also a portion of Block E of Park Place West Phase III Addition according to the amending Plat recorded in Book J, Page 345, Plat Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a iron rod with cap found for corner and being located in the east line of Townsend Drive and being located in the south line of Park Place Boulevard (59' Wide);

THENCE along the south line of said Park Place Boulevard as follows:

NORTH 85°57'49" EAST a distance of 18.81 feet to a point for corner;

NORTH 41°18'37" EAST a distance of 17.51 feet to a point for corner;

NORTH 85°33'40" EAST a distance of 160.38/ feet to a point for corner and being the beginning of a curve to the right with a radius of 470.50 feet and a chord bearing of SOUTH 85°14'23" EAST;

ALONG said curve to the right through a central angle of 18°23′54" feet and a arc length of 151.08 feet to a point for corner in Block X, Lot 17 of said Park Place West Phase III;

THENCE ALONG the west line of said Block X, Lot 17 as follows:

SOUTH 01°16'34" WEST a distance of 38.50 feet to a point for corner;

SOUTH 35°50′56″ EAST a distance of 58.03 feet to a point for corner located in the south line of said 1.286 acre tract and being the beginning of a curve to the left with a radius of 2919.72 feet and a chord bearing of SOUTH 70°02′03″ WEST;

ALONG said curve to the left through a central angle of 7°54'07" for an arc length of 402.67 feet to a 5/8 inch iron rod found for corner and being located in the east line of said Townsend Drive;

THENCE NORTH 01°20'58" EAST a distance of 208.57 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 1.286 acres or 56,003 square feet of land more or less.

## CITY OF ROCKWALL

## ORDINANCE NO. 19-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO.'s 04-59 AND -6-51] AND PLANNED DEVELOPMENT DISTRICT 52 (PD-52) **FORDINANCE** NO. 16-45] **FOR** THE **PURPOSE** INCORPORATING A 0.789-ACRE TRACT OF LAND FOR RESIDENTAL-OFFICE (RO) DISTRICT LAND USES BEING A 56.586-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED PLANNED DEVELOPMENT DISTRICT 52 (PD-52) AND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) 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 the applicant Bill Bricker of Columbia Development Company, LLC, for the approval of an amendment to Planned Development District 59 (PD-59) for the purpose of incorporating a 0.786-acre tract of land for Residential-Office (RO) District land uses, being a 56.586-acre tract of land identified as a portion of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 52 (PD-52) [Ordinance No. 16-45] and Planned Development District 59 (PD-59) [Ordinance No.'s 04-59 and 06-51], located between W. Washington Street and T. L. Townsend Drive and more fully described in Exhibit 'A' and depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the Subject Property and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 59 (PD-59) [Ordinance No.'s 04-59 and 06-51], Planned Development District 52 (PD-52) [Ordinance No. 16-45], and the Unified Development Code [Ordinance No. 04-38] should be amended as follows:

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

**SECTION 1.** That the approval of this ordinance shall supersede all requirements stipulated in

Ordinance No.'s 04-59 and 06-51;

**SECTION 2.** 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 (UDC) [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

**SECTION 3.** That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained 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 development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

**SECTION 5.** 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 6.** 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 7.** 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 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  $4^{TH}$  DAY OF FEBRUARY, 2019.

Jim Pruitt Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>January 22, 2019</u>

2<sup>nd</sup> Reading: February 4, 2019



## Legal Description

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31, as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);

THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;

THENCE deporting said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;

THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;

THENCE North 05°42'23" West a distance of 29.95 feet to a 1/2" iron pipe for corner;

THENCE North 80°56'29" East a distance of 126.45 feet to a 1/2" iron pipe for corner;

THENCE North 86°39'04" East a distance of 110.36 feet to a 1/2" iron pipe for corner;

THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;

THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;

THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner;

THENCE deporting said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;

THENCE North 01°20'36" West a distance of 200.09 feet to a ½" iron pipe for corner;

THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner:

THENCE South 89°00' 45" East a distance of 63.08 feet to a ½" iron pipe for corner;

THENCE South 88°34'57" East a distance of 126.36 feet to a ½" iron pipe for corner;

THENCE North 00°48'06" West a distance of 110.27 feet to a ½" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;

THENCE along said Aluminum Plant Road North 89°08'46" West o distance of 194.10 feet to a point for corner;

THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;

THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;

THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;

THENCE South 07°24' 46" West a distance of 602.23 feet to a point for corner;

THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner;

THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;

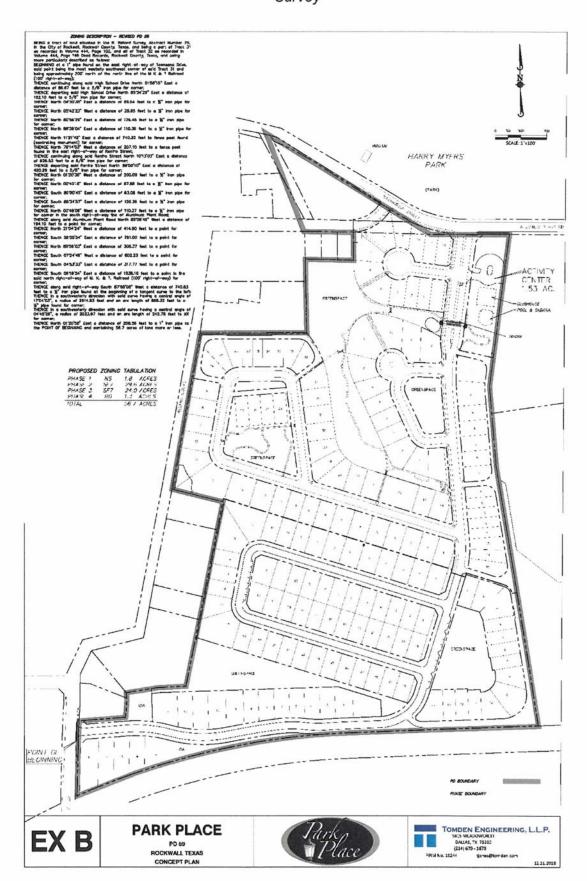
THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;

THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;

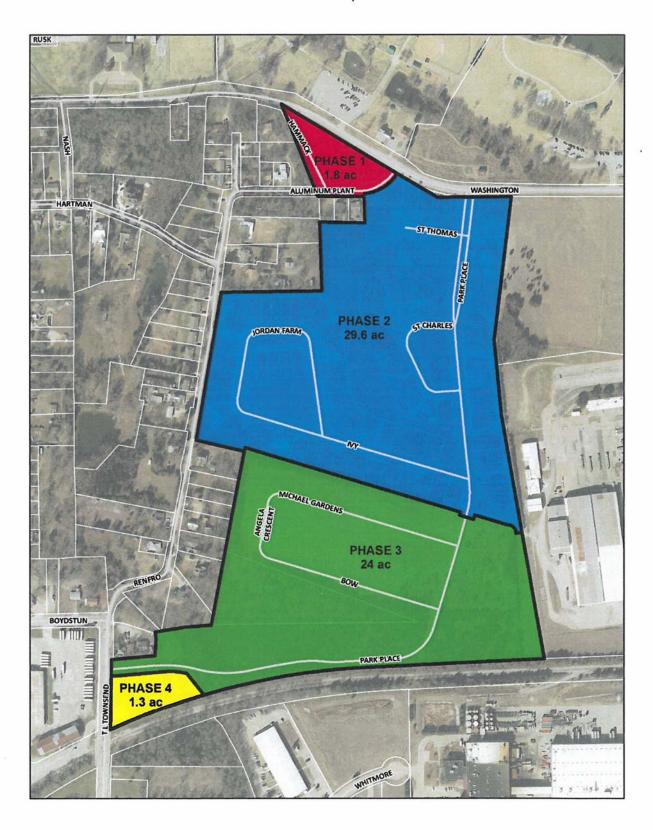
THENCE In a southwesterly direction with sold curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;

THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.

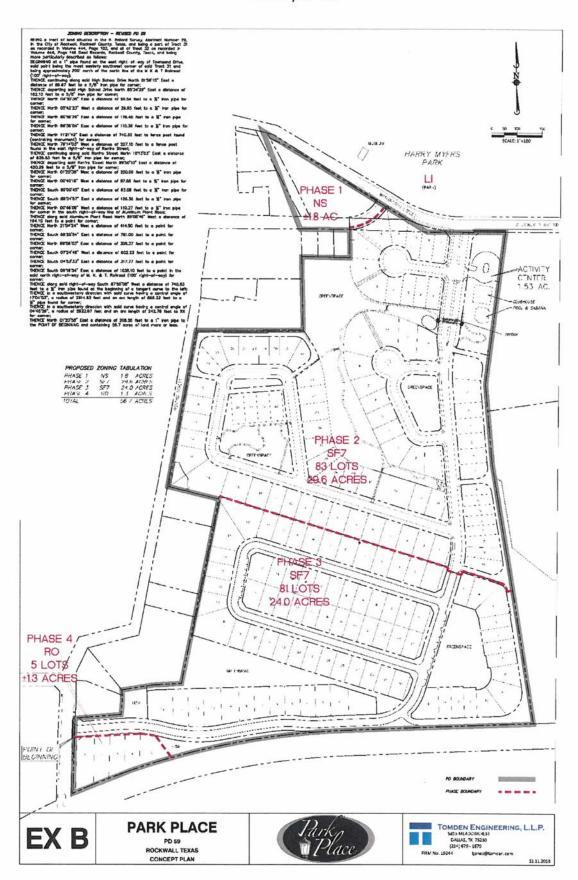
# Exhibit 'B': Survey



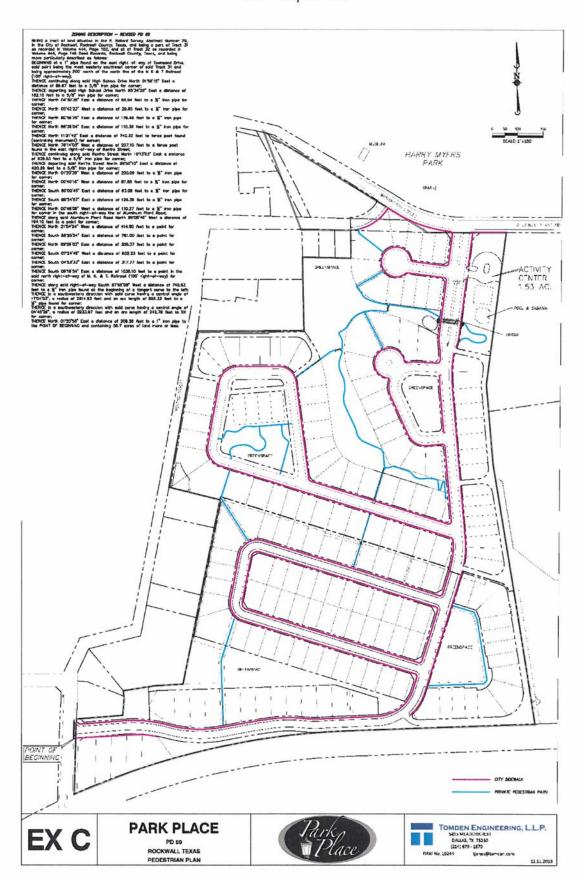
# Exhibit 'C': Area Map



## Exhibit 'D': Concept Plan



## Exhibit 'E': Hardscape Plan



## PD Development Standards

## Phases 1-4 (56.586-Acres): Development Standards for all Phases

- (1) Streetscape Standards. The following aspects of development shall be reviewed in conjunction with a preliminary plat and/or site plan:
  - (a) Street Lighting. Street lighting shall be compatible with neo-traditional design methods, the Old Town Rockwall Historic District guidelines, and any proposed guidelines for the City's Downtown Plan.
  - (b) Street Signage and Traffic Control. Signage and traffic control methods shall be compatible with neo-traditional design and complement the surrounding historic areas of the City.
  - (c) Street Sections. A PD Development Plan shall include any alternative street and alley cross-sections, paving methods, use of street trees, and other proposed engineering details.
- (2) Private Parks and Open Space. Details for private parks and open space as indicated in Exhibit 'B' shall be subject to the following requirements and approved as part of the preliminary plat and/or site plan:
  - (a) A site/landscape plan for all open space, pocket parks, the community center, and trail systems. The development plan and/or preliminary plat shall also be reviewed by the City's Parks and Recreation Board.
  - (b) All city-required trails and public sidewalks shall be constructed with concrete and meet all City standards.
  - (c) Drainage area trails, which shall be maintained by the HOA, may be constructed with asphalt.
  - (d) The developer shall install a screening fence adjacent to the railroad along the south boundary of the subject property. The exact location, construction material(s), and height of the screening fence shall be reviewed and approved as part of the required site plan.
- (3) Hardscape. Hardscape plans--depicted in Exhibit 'E'--indicating the location of all sidewalks and trails shall be reviewed and approved with the preliminary plat and/or final plat.
- (4) Fence Standards. All fences shall be required to be wrought iron or tubular steel and vinyl shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height unless situated in the front yard. Front yard fences shall meet the following requirements:
  - (a) No front yard fences shall be located within a public right-of-way;
  - (b) The maximum height for a front yard fence is 42-inches (i.e. 3 1/2 feet); and
  - (c) All front yard fences shall be open or *picket-style* fencing constructed of wrought iron, tubular steel, or vinyl.

## Phase 1: Neighborhood Services (1.8-Acres)

(1) Permitted Uses. Unless specifically provided by this Planned Development ordinance, Phase 1 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the land uses permitted for the Neighborhood Services (NS) District as stipulated by the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code (UDC) [Ordinance

## PD Development Standards

- (2) No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development ordinance, Phase 1 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the development standards for the Neighborhood Services (NS) District as stipulated in Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in Table 1, which are as follows:

Table 1: Density and Dimensional Requirements

Minimum Lot Width (1)	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback (2)	15'
Minimum Side Yard Setback	20'
Minimum Distance Between Buildings	15'
Maximum Height	36'
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	60%
Maximum Building Size	5,000 SF

#### General Notes:

- The minimum lot width shall be measured at the Front Yard Building Setback.
- 2: The location of the Front Yard Building Setback as measured from the front property line.
- (4) Building Standards. All development shall be subject to site plan and Architectural Review Board (ARB) review and shall adhere to the following building standards:
  - (a) Masonry Requirements. The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. HardiBoard or Hardy Plank) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (i.e. three [3] part stucco or similar) shall be prohibited.
  - (b) Roof Design Requirements. All structures having a footprint of 6,000 SF or less shall be constructed with a pitched roof system.
  - (c) Architectural Requirements. All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space. This should include the detailing and features. This will be reviewed by the Architectural Review Board (ARB) for conformance.
- (5) Landscape Buffer. A minimum 10-foot landscape buffer shall be required along all street frontages. The buffer shall include a minimum of one (1) tree per 30 linear feet.
- (6) Signage. Permanent, free-standing signage for Phase 1 shall be limited to one (1) monument not exceeding five (5) feet in height or a maximum of 60 SF in area.
- (7) Lighting. In addition to the outdoor lighting requirements stipulated in Article VII, Environmental Performance, of the Unified Development Code (UDC), no light pole, pole base, or combination thereof shall exceed 20-feet in height. All lighting fixtures shall focus downward and be contained on the subject property

## PD Development Standards

## Phases 2 & 3: Single-Family 7 (53.6-Acres)

- (1) Permitted Uses. Unless specifically provided by this Planned Development ordinance, Phases 2 & 3 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the land uses permitted for the Single-Family 7 (SF-7) District as stipulated by the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (2) Density and Dimensional Requirements. Any development on Phases 2 & 3 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the development standards required for properties in a Single-Family 7 (SF-7) District as stipulated by Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Table 2: SF-7 Lot Dimensional Requirements

Minimum Lot Width (1)	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback (2) & (3)	10'
Minimum Side Yard Setback (4)	5'
Minimum Side Yard Adjacent to a Street	10
Minimum Distance Between Buildings	15'
Maximum Height (3)	36'
Minimum Rear Yard Setback (4,5)	10'
Maximum Lot Coverage	60%

### General Notes:

- : The minimum lot width shall be measured at the Front Yard Building Setback.
- 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 minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
- 5: Lots with double frontage shall have a minimum rear yard setback of 15 feet.
- (3) Building Standards. Housing type and construction shall generally conform to the Architectural Styles depicted in Exhibit 'G' of this ordinance; however, all development shall adhere to the following building standards:
  - (a) Masonry Requirements. The minimum masonry requirement for all exterior façades (excluding walls on a porch, patio, courtyard, or breezeway) greater than 100 SF shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. HardiBoard or Hardy Plank) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (i.e. three [3] part stucco or similar) shall be prohibited.
  - (b) Anti-Monotony. An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than five (5) houses apart on either side of the street.
  - (c) Common Areas and Open Space. All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s)

## PD Development Standards

- (d) Guest Quarters/Secondary Living Unit. A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
  - (i) Such quarters must be ancillary to the primary use;
  - (ii) The area of such quarters shall not exceed 30% of the area of the main structure;
  - (iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot;
  - (iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*; and
  - (v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) Access. Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

## Phase 4: Residential-Office (1.3-Acres)

(1) Permitted Uses. Unless specifically provided by this Planned Development District Ordinance, Phase 4 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the land uses permitted for the Residential-Office (RO) District as stipulated by the Permissible Use Charts contained in Article IV, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Phase 4*:

- Accessory Building
- ☑ Bed and Breakfast
- Convent or Monastery
- ☑ Daycare (7 or more children)
- Residential Care Facility
- Assisted Living Facility
- ☑ Convalescent Care Facility/Nursing Home
- Congregate Care Facility
- ☑ General Retail Store\*
- ☑ Group or Community Home
- ☑ Halfway House
- ☑ Library, Art Gallery, or Museum (Public)
- ☑ Railroad Yard or Shop
- ☑ Studio-Art, Photography, or Music
- Shoe and Boot Repair and Sales
- ☑ Transit Passenger Facility
- ☑ Antenna, Accessory
- ☑ Antenna, Commercial
- Antenna, Amateur Radio
- Antenna, Dish
- ☑ Wireless Communication Tower
- Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill and Wastewater Treatment
- Municipally Owned or Controlled Facilities, Utilities, and Use

#### Exhibit 'F':

#### PD Development Standards

\*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

The following land uses shall be permitted by Specific Use Permit (SUP) on the Phase 4:

- ☑ General Retail Store\*
- ☑ Hair Salon, Manicurist
- ☑ Office Building, 5,000 SF or More
- ☑ Restaurant, Less Than 2,000 SF w/o Drive-Thru
- Solar Energy Collector Panels and Systems

\*General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit

Density and Dimensional Requirements. Any development on Phase 4 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the development standards required for properties in a Residential-Office (RO) District as stipulated by Article V, District Development Standards, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development shall adhere to the following building standards:

Table 3. Density and Dimensional Requirements

Minimum Lot Width (1)	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback (2)	10'
Minimum Side Yard Setback	5'
Minimum Distance Between Buildings	15'
Maximum Height (3)	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	60%

#### General Notes:

- (3) Building Standards. Building Standards. Housing type and construction shall generally conform to the Architectural Styles depicted in Exhibit 'G' of this ordinance; however, all development shall adhere to the following building standards:
  - (a) Masonry Requirements. The minimum masonry requirement for all exterior façades (excluding walls on a porch, patio, courtyard, or breezeway) greater than 100 SF shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. HardiBoard or Hardy Plank) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (i.e. three [3] part stucco or similar) shall be prohibited.
  - (b) Anti-Monotony. An anti-monotony standard shall not allow the same structure—in terms of materials and elevation—any closer than five (5) houses apart on either side of the street.

The minimum lot width shall be measured at the Front Yard Building Setback.

<sup>&</sup>lt;sup>2</sup>: The location of the Front Yard Building Setback as measured from the front property line.

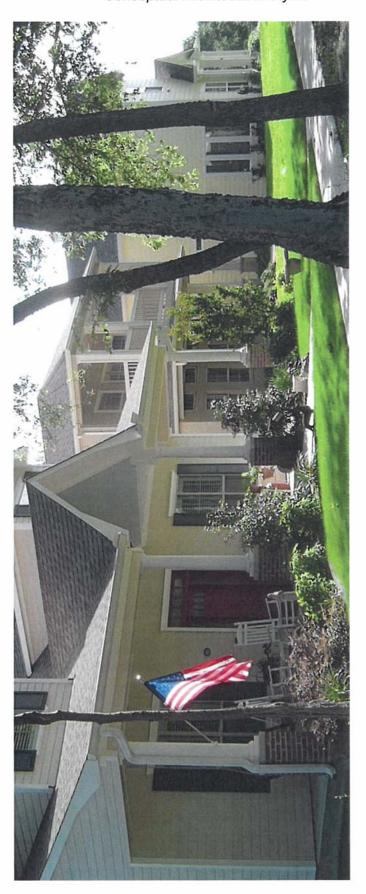
<sup>3:</sup> The Maximum Height shall be measured to the eave or top plate (whichever is greater) of the residential-office structure.

#### Exhibit 'F':

#### PD Development Standards

- (c) Common Areas and Open Space. All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s).
- (d) Guest Quarters/Secondary Living Unit. A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
  - (i) Such quarters must be ancillary to the primary use;
  - (ii) The area of such quarters shall not exceed 30% of the area of the main structure;
  - (iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot; and
  - (iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*.
  - (v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) Access. Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.
- (5) Parking Requirements. Parking requirements for Phase 4 shall be all follows:
  - (a) Two (2) parking spaces per lot for single-family uses.
  - (b) One (1) additional space per 500 SF for non-residential uses as permitted by this ordinance. Off-site common or shared parking agreements shall be considered for Phase 4, subject the review of the proposed parking area(s) with the required development plan.

Exhibit 'G': Conceptual Architectural Styles



#### 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 AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [ORDINANCE NO. 19-08] BEING A 56.70-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, 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 (\$2,000.00) FOR EACH OFFENSE; THOUSAND DOLLARS PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Bill Bricker of Columbia Development Company, LLC requesting the approval of an amendment to Planned Development District 59 (PD-59) being a 56.70-acre tract of land identified as a portion of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) [Ordinance No. 19-08], located between W. Washington Street and T. L. Townsend Drive, and more fully described in Exhibit 'A' and depicted in Exhibit 'B' of this ordinance, which hereinafter shall be referred to as the Subject Property and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 59 (PD-59) [Ordinance No. 19-08] and 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 approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 19-08*;

**SECTION 2.** 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 (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

**SECTION 3.** That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained 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 development of the Subject Property shall be in accordance with the

Development Standards, described in Exhibit 'F' of this ordinance, attached hereto and incorporated herein by reference as Exhibit 'F', which is deemed hereby to be a condition of approval of the amended zoning classification for the Subject Property;

**SECTION 5.** 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 6.** 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 7.** 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 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 1<sup>ST</sup> DAY OF AUGUST, 2022.

ATTEST:	Kevin Fowler, Mayor
Kristy Teague, City Secretary	
APPROVED AS TO FORM:	
Frank J. Garza, City Attorney	
1 <sup>st</sup> Reading: <u>July 18, 2022</u>	

2<sup>nd</sup> Reading: August 1, 2022

### Exhibit 'A':

#### Legal Description

BEING a tract of land situated in the R. Ballard Survey, Abstract Number 29, in the City of Rockwall, Rockwall County, Texas, and being a part of Tract 31, as recorded in Volume 444, Page 102, and all of Tract 32 as recorded in Volume 444, Page 146 Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1" pipe found on the east right-of-way of Townsend Drive, said point being the most westerly southwest corner of said Tract 31 and being approximately 200' north of the north line of the M K & T Railroad (100' right-of-way);

THENCE continuing along said High School Drive North 01°56'15" East a distance of 86.67 feet to a 5/8" iron pipe for corner;

THENCE deporting said High School Drive North 85°34'29" East a distance of 182.10 feet to a 5/8" iron pipe for corner;

THENCE North 04°30'38" East a distance of 69.54 feet to a ½" iron pipe for corner;

THENCE North 05°42'23" West a distance of 29.95 feet to a 1/2" iron pipe for corner;

THENCE North 80°56'29" East a distance of 126.45 feet to a 1/2" iron pipe for corner;

THENCE North 86°39'04" East a distance of 110.36 feet to a ½" iron pipe for corner;

THENCE North 11°21'42" East a distance of 740.32 feet to fence post found (controlling monument) for corner;

THENCE North 76°14'03" West a distance of 207.10 feet to a fence post found in the east right-of-way of Renfro Street;

THENCE continuing along said Renfro Street North 10°13'03" East a distance of 626.53 feet to a 5/8" iron pipe for corner:

THENCE deporting said Renfro Street North 89°50'10" East a distance of 420.29 feet to a 5/8" iron pipe for corner;

THENCE North 01°20'36" West a distance of 200.09 feet to a ½" iron pipe for corner;

THENCE North 00°40'16" West a distance of 87.88 feet to a ½" iron pipe for corner:

THENCE South 89°00' 45" East a distance of 63.08 feet to a ½" iron pipe for corner;

THENCE South 88°34'57" East a distance of 126.36 feet to a ½" iron pipe for corner;

THENCE North 00°48'06" West a distance of 110.27 feet to a ½" iron pipe for corner in the south right-of-way line of Aluminum Plant Road;

THENCE along said Aluminum Plant Road North 89°08'46" West o distance of 194.10 feet to a point for corner;

THENCE North 21°04'24" West a distance of 414.90 feet to a point for corner;

THENCE South 58°25'54" East a distance of 761.00 feet to a point for corner;

THENCE North 89°56'03" East a distance of 308.37 feet to a point for corner;

THENCE South 07°24' 46" West a distance of 602.23 feet to a point for corner;

THENCE South 04°53'33" East a distance of 317.77 feet to a point for corner:

THENCE South 09°19'54" East a distance of 1038.10 feet to a point in the said north right-of-way of M. K. & T. Railroad (100' right-of-way) for corner;

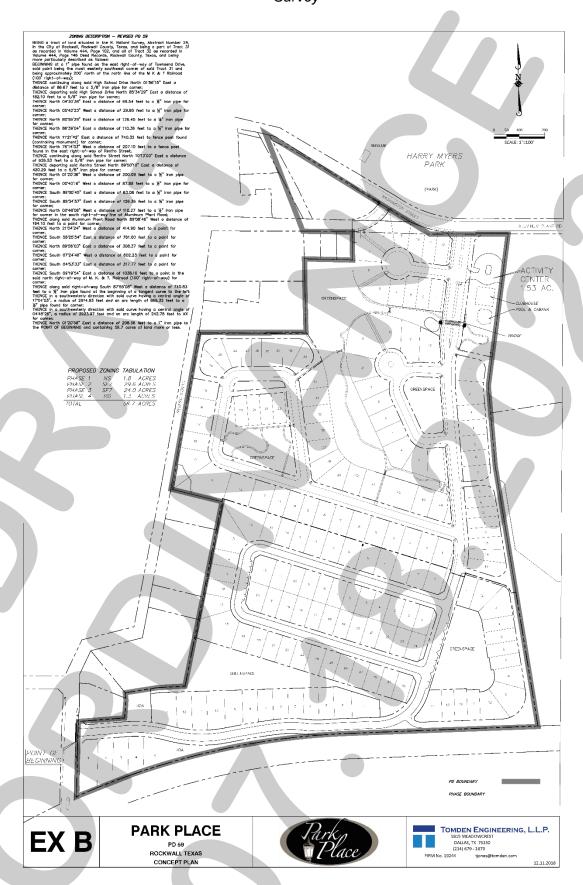
THENCE along said right-of-way South 87°55'08" West a distance of 740.83 feet to a ½" iron pipe found at the beginning of a tangent curve to the left;

THENCE in a southwesterly direction with said curve having a central angle of 17°04'03", a radius of 2914.93 feet and an arc length of 868.32 feet to a ½" pipe found for corner;

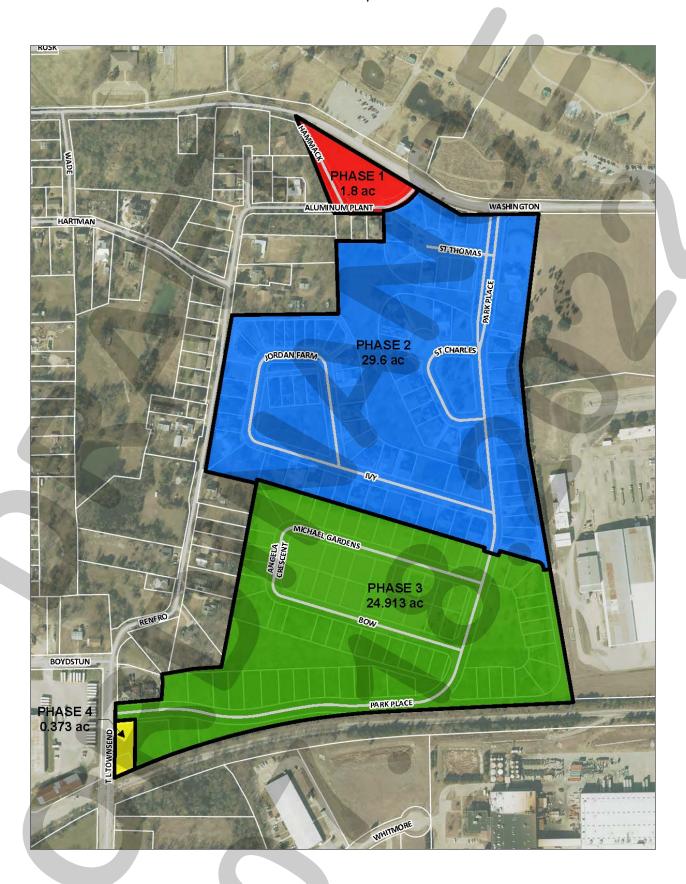
THENCE In a southwesterly direction with sold curve having a central angle of 04°45'26", a radius of 2923.97 feet and an arc length of 242.78 feet to XX for corner;

THENCE North 01°20'58" East a distance of 208.56 feet to a 1" iron pipe to the POINT OF BEGINNING and containing 56.7 acres of land more or less.

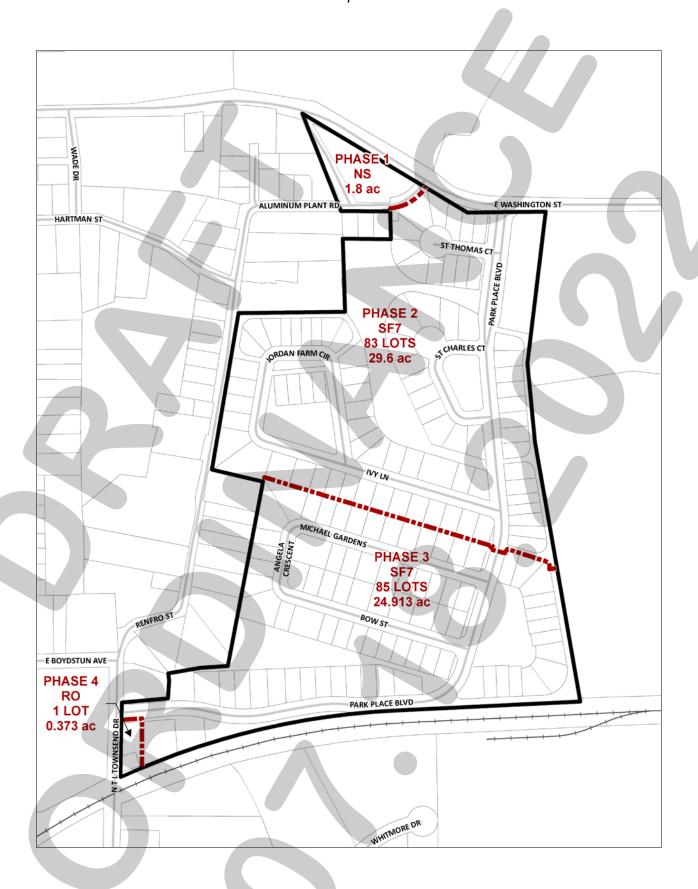
# Exhibit 'B': Survey

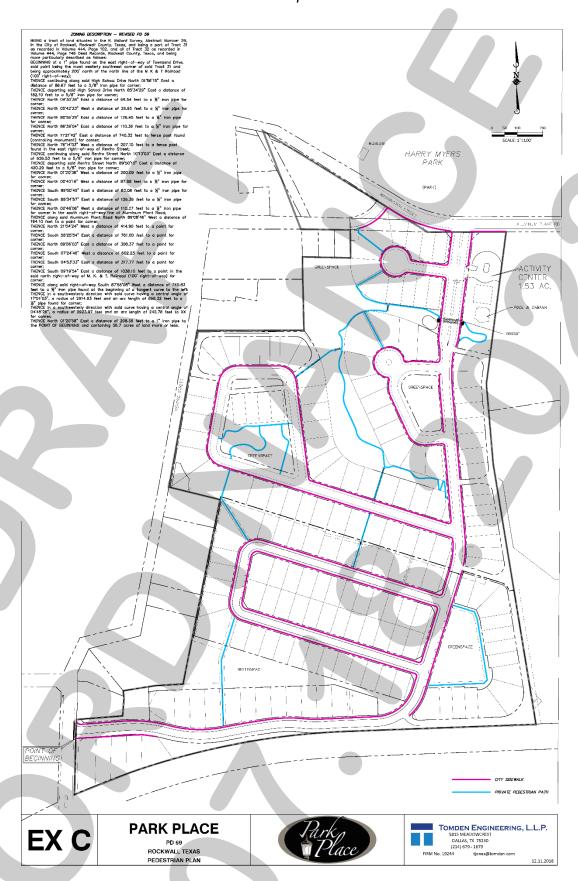


# Exhibit 'C': Area Map



# Exhibit 'D': Concept Plan





#### Phases 1-4 (56.586-Acres): Development Standards for all Phases

- (1) <u>Streetscape Standards</u>. The following aspects of development shall be reviewed in conjunction with a preliminary plat and/or site plan:
  - (a) Street Lighting. Street lighting shall be compatible with neo-traditional design methods, the Old Town Rockwall Historic District guidelines, and any proposed guidelines for the City's Downtown Plan.
  - (b) Street Signage and Traffic Control. Signage and traffic control methods shall be compatible with neo-traditional design and complement the surrounding historic areas of the City.
  - (c) Street Sections. A PD Development Plan shall include any alternative street and alley cross-sections, paving methods, use of street trees, and other proposed engineering details.
- (2) <u>Private Parks and Open Space</u>. Details for private parks and open space as indicated in *Exhibit* 'B' shall be subject to the following requirements and approved as part of the preliminary plat and/or site plan:
  - (a) A site/landscape plan for all open space, pocket parks, the community center, and trail systems. The development plan and/or preliminary plat shall also be reviewed by the City's Parks and Recreation Board.
  - (b) All city-required trails and public sidewalks shall be constructed with concrete and meet all City standards.
  - (c) Drainage area trails, which shall be maintained by the HOA, may be constructed with asphalt.
  - (d) The developer shall install a screening fence adjacent to the railroad along the south boundary of the subject property. The exact location, construction material(s), and height of the screening fence shall be reviewed and approved as part of the required site plan.
- (3) <u>Hardscape</u>. Hardscape plans--depicted in *Exhibit 'E'*--indicating the location of all sidewalks and trails shall be reviewed and approved with the preliminary plat and/or final plat.
- (4) <u>Fence Standards</u>. All fences shall be required to be wrought iron or tubular steel and vinyl shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height unless situated in the front yard. Front yard fences shall meet the following requirements:
  - (a) No front yard fences shall be located within a public right-of-way;
  - (b) The maximum height for a front yard fence is 42-inches (i.e. 3 ½ feet); and
  - (c) All front yard fences shall be open or *picket-style* fencing constructed of wrought iron, tubular steel, or vinyl.

#### Phase 1: Neighborhood Services (1.8-Acres)

(1) <u>Permitted Uses</u>. Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Neighborhood Services (NS) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

(2) <u>Density and Dimensional Requirements</u>. Unless specifically provided by this Planned Development ordinance, *Phase 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards for the Neighborhood Services (NS) District as stipulated in Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. All lots shall conform to the standards depicted in *Table 1*, which are as follows:

TABLE 1: DENSITY AND DIMENSIONAL REQUIREMENTS

Minimum Lot Width (1)	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback (2)	15'
Minimum Side Yard Setback	20'
Minimum Distance Between Buildings	15'
Maximum Height	36'
Minimum Rear Yard Setback	20'
Maximum Lot Coverage	60%
Maximum Building Size	5,000 SF

#### NOTES:

- 1: The minimum lot width shall be measured at the Front Yard Building Setback.
- 2: The location of the Front Yard Building Setback as measured from the front property line.
- (3) <u>Building Standards</u>. All development shall be subject to site plan and Architectural Review Board (ARB) review and shall adhere to the following building standards:
  - (a) <u>Masonry Requirements</u>. The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. HardiBoard or Hardy Plank) and/or similar cementitious products may be used for up to <u>100%</u> of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (i.e. three [3] part stucco or similar) shall be prohibited.
  - (b) <u>Roof Design Requirements</u>. All structures having a footprint of 6,000 SF or less shall be constructed with a pitched roof system.
  - (c) <u>Architectural Requirements</u>. All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space. This should include the detailing and features. This will be reviewed by the Architectural Review Board (ARB) for conformance.
- (4) <u>Landscape Buffer</u>. A minimum ten (10) foot landscape buffer shall be required along all street frontages. The buffer shall include a minimum of one (1) tree per 30 linear feet.
- (5) <u>Signage</u>. Permanent, free-standing signage for Phase 1 shall be limited to one (1) monument not exceeding five (5) feet in height or a maximum of 60 SF in area.
- (6) <u>Lighting</u>. In addition to the outdoor lighting requirements stipulated in Article 07, Environmental Performance, of the Unified Development Code (UDC), no light pole, pole base, or combination thereof shall exceed 20-feet in height. All lighting fixtures shall focus downward and be contained on the subject property

#### Phases 2 & 3: Single-Family 7 (54.513-Acres)

- (1) Permitted Uses. Unless specifically provided by this Planned Development ordinance, Phases 2 & 3 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the land uses permitted for the Single-Family 7 (SF-7) District as stipulated by the *Permissible Use Charts* contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- Density and Dimensional Requirements. Any development on Phases 2 & 3 as depicted in (2) Exhibits 'C' & 'D' of this ordinance shall be subject to the development standards required for properties in a Single-Family 7 (SF-7) District as stipulated by Article 05, District Development Standards, of the Unified Development Code [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

TABLE 2: SF-7 LOT DIMENSIONAL REQUIREMENTS

Minimum Lot Width (1)	40'
Minimum Lot Area	4,000 SF
Minimum Average Lot Area	7,000 SF
Minimum Front Yard Setback (2) & (3)	10'
Minimum Side Yard Setback (4)	5'
Minimum Side Yard Adjacent to a Street	10
Minimum Distance Between Buildings	15'
Maximum Height (3)	36'
Minimum Rear Yard Setback (4) & (5)	10'
Maximum Lot Coverage	60%

#### NOTES:

- The minimum lot width shall be measured at the Front Yard Building Setback.
- The location of the Front Yard Building Setback as measured from the front property line.
- The Maximum Height shall be measured to the eave or top plate (whichever is greater) of the singlefamily home.
- The minimum side yard setback for an internal lot or a lot abutting open space or HOA common area is five (5) feet. For yards abutting a street, the minimum side yard setback shall be 10-feet.
- 5: Lots with double frontage shall have a minimum rear yard setback of 15 feet.

Page 10

- Building Standards. Housing type and construction shall generally conform to the Architectural Styles depicted in Exhibit 'G' of this ordinance; however, all development shall adhere to the following building standards:
  - Masonry Requirements. The minimum masonry requirement for all exterior façades (excluding walls on a porch, patio, courtyard, or breezeway) greater than 100 SF shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. HardiBoard or Hardy Plank) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (i.e. three [3] part stucco or similar) shall be prohibited.
  - Anti-Monotony Standards. An anti-monotony standard shall not allow the same structure -- in terms of materials and elevation -- any closer than five (5) houses apart on either side of the street.
  - Common Areas and Open Space. All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s)

#### Exhibit 'E':

### Hardscape Plan

- (d) <u>Guest Quarters/Secondary Living Unit</u>. A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
  - (1) Such quarters must be ancillary to the primary use;
  - (2) The area of such quarters shall not exceed 30% of the area of the main structure;
  - (3) The area of such quarters shall also conform to the maximum lot coverage for the overall lot:
  - (4) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*; and
  - (5) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) <u>Access.</u> Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.

#### Phase 4: Residential-Office (0.373-Acres)

(1) <u>Permitted Uses</u>. Unless specifically provided by this Planned Development District Ordinance, Phase 4 as depicted in Exhibits 'C' & 'D' of this ordinance shall be subject to the land uses permitted for the Residential-Office (RO) District as stipulated by the Permissible Use Charts contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Phase 4*:

- ☑ Accessory Building
- ☑ Bed and Breakfast
- ☑ Convent or Monastery
- ☑ Daycare (7 or more children)
- ☑ Residential Care Facility
- ☑ Assisted Living Facility
- ☑ Convalescent Care Facility/Nursing Home
- ☑ Congregate Care Facility
- ☑ General Retail Store¹
- ☑ Group or Community Home
- ☑ Halfway House
- ☑ Library, Art Gallery, or Museum (Public)
- ☑ Railroad Yard or Shop
- ☑ Studio-Art, Photography, or Music
- ☑ Shoe and Boot Repair and Sales
- Transit Passenger Facility
- ☑ Antenna, Accessory
- ☑ Antenna. Commercial
- ☑ Antenna, Amateur Radio
- ☑ Antenna, Dish
- ☑ Wireless Communication Tower
- ☑ Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill and Wastewater Treatment
- ☑ Municipally Owned or Controlled Facilities, Utilities, and Use

#### NOTES:

 General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit (SUP).

The following land uses shall be permitted by Specific Use Permit (SUP) on the Phase 4:

- ☑ General Retail Store¹
- Hair Salon, Manicurist
- ☑ Office Building, 5,000 SF or More
- ☑ Restaurant, Less Than 2,000 SF w/o Drive-Thru
- ☑ Solar Energy Collector Panels and Systems

#### NOTES:

- General Retail Store less than 2,000 SF shall be allowed by-right. General Retail Stores larger than 2,000 SF shall require a Specific Use Permit (SUP).
- (2) <u>Density and Dimensional Requirements</u>. Any development on *Phase 4* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Residential-Office (RO) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development shall adhere to the following building standards:

TABLE 3: DENSITY AND DIMENSIONAL REQUIREMENTS

Minimum Lot Width (1)	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback (2)	10'
Minimum Side Yard Setback	5'
Minimum Distance Between Buildings	15'
Maximum Height <sup>(3)</sup>	36'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	60%

#### NOTES:

- 1: The minimum lot width shall be measured at the Front Yard Building Setback.
- <sup>2</sup>: 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 residential-office structure.
- (3) Building Standards. Building Standards. Housing type and construction shall generally conform to the Architectural Styles depicted in Exhibit 'G' of this ordinance; however, all development shall adhere to the following building standards:
  - (a) Masonry Requirements. The minimum masonry requirement for all exterior façades (excluding walls on a porch, patio, courtyard, or breezeway) greater than 100 SF shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lapsiding (e.g. HardiBoard or Hardy Plank) and/or similar cementitious products may be used for up to 100% of the exterior of the building pending conformance with the antimonotony restrictions outlined in this ordinance. Stucco (i.e. three [3] part stucco or similar) shall be prohibited.
  - (b) Anti-Monotony. An anti-monotony standard shall not allow the same structure—in terms of materials and elevation--any closer than five (5) houses apart on either side of the street.

- (c) <u>Common Areas and Open Space</u>. All common areas, dedicated landscape easements, and open space areas shall be maintained by a Homeowner's Association, which shall be created subject to the requirements of the City's Subdivision Ordinance and filed prior to approval of the final plat(s).
- (d) <u>Guest Quarters/Secondary Living Unit</u>. A guest quarters/secondary living unit shall be permitted by-right within Phases 2 & 3 and subject to the following conditions:
  - (i) Such quarters must be ancillary to the primary use;
  - (ii) The area of such quarters shall not exceed 30% of the area of the main structure;
  - (iii) The area of such quarters shall also conform to the maximum lot coverage for the overall lot; and
  - (iv) No such use may be sold or conveyed separately without meeting the requirements of the zoning district and the *Subdivision Ordinance*.
  - (v) Such quarters shall be designed for temporary occupancy or as a secondary living unit. These structures are not to be used as rental accommodations.
- (4) <u>Access.</u> Lots with rear yards that abut Renfro Street shall not have access from Renfro Street.
- (5) Parking Requirements. Parking requirements for Phase 4 shall be all follows:
  - (a) Two (2) parking spaces per lot for single-family uses.
  - (b) One (1) additional space per 500 SF for non-residential uses as permitted by this ordinance. Off-site common or shared parking agreements shall be considered for Phase 4, subject the review of the proposed parking area(s) with the required development plan.

**Exhibit 'G':** Conceptual Architectural Styles





### **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 18, 2022

SUBJECT: Z2022-030; SPECIFIC USE PERMIT (SUP) FOR A CRAFT WINERY FOR

**SIREN ROCK BREWERY** 

**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

Ordinance No. 18-34

**Draft Ordinance** 

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Cory Cannon of Siren Rock Brewing Company for the approval of an **ordinance** for a *Specific Use Permit* (SUP) amending *Ordinance No.18-34* (S-194) to allow a *Craft Winery* in conjunction with an existing *Craft Brewery* on a 1.233-acre parcel of land identified as Lot 2, Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 310 S. Goliad Street, 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)*.



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Cory Cannon; Siren Rock Brewing Company

CASE NUMBER: Z2022-030; Specific Use Permit (SUP) for a Craft Winery for Siren Rock Brewery

#### **SUMMARY**

Hold a public hearing to discuss and consider a request by Cory Cannon of Siren Rock Brewing Company for the approval of a <u>Specific Use Permit (SUP)</u> amending <u>Ordinance No.18-34</u> (S-194) to allow a <u>Craft Winery</u> in conjunction with an existing Craft Brewery on a 1.233-acre parcel of land identified as Lot 2, Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 310 S. Goliad Street, and take any action necessary.

#### **BACKGROUND**

The subject property is a part of the *Original Town Rockwall*. Based on the April 1934 Sanborn Maps, the subject property was annexed into the City of Rockwall prior to 1934. The subject property was originally established as a portion of Lot 1 of the Cain Properties No. 1 Addition, and was later replatted as all of Lot 1R and a portion of Lot 1 of the Cain Properties No. 1 Addition on February 19, 1992. On April 2, 2018, the City Council held an appointment with the applicant to discuss creating a land use that would allow a *Craft Brewery* in the Downtown (DT) District. At this meeting the City Council directed staff to amend Article 04, *Permissible Uses*, of the Unified Development Code (UDC) for the purpose of making changes to the alcohol related land uses. On June 4, 2018, the City Council adopted *Ordinance No. 18-27*, which created the *Craft/Micro Brewery, Distillery and/or Winery* land use. Following this approval, the applicant submitted a request for a Specific Use Permit (SUP) [*Case No. Z2018-029*] to allow a *Craft Brewery* on the subject property. On August 20, 2018, the City Council approved the Specific Use Permit (SUP) request by adopting *Ordinance No. 18-34* (*S-194*). After this approval, the Planning and Zoning Commission approved a site plan [*Case No. SP2018-038*] for a *Craft Brewery* on December 11, 2018. On April 15, 2019, the City Council adopted a replat [*Case No. P2019-016*] establishing the subject property as Lot 2, Cain Properties No. 1 Addition. A building permit [*BLD2019-2699*] was issued on August 20, 2020 followed by a Certificate of Occupancy (CO) [*COM2021-3996*] on August 19, 2021. No changes have been made to the subject property since the establishment of the *Craft Brewery*.

#### **PURPOSE**

On June 17, 2022, the applicant -- Cory Cannon of Siren Rock Brewing Company -- submitted an application requesting to amend Ordinance No. 18-34 (Specific Use Permit No. S-194) for the purpose of allowing the Craft Winery land use in conjunction with an existing Craft Brewery.

#### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 310 S. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

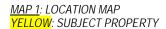
North:

Directly north of the subject property is an unimproved 50-foot right-of-way and *Texas Power & Light* utility easement. Beyond this is a 3.338-acre vacant parcel of land (*i.e. Lot 1, Block A, TAC Rockwall Addition*). This property is zoned Downtown (DT) District. North of this is E. Washington Street (*SH-66*), which is identified as a P3U (*i.e. principal arterial, three [3] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

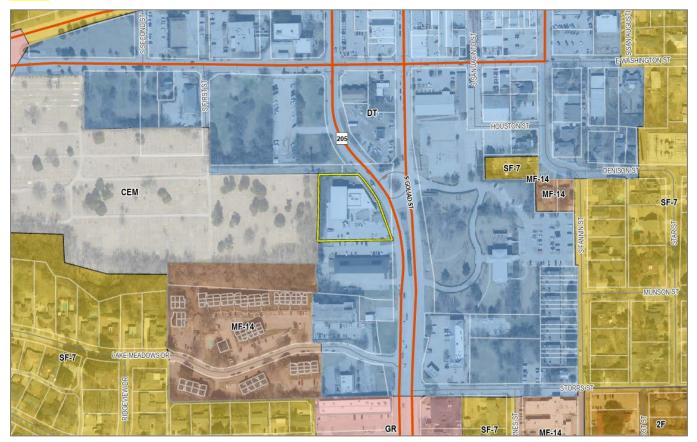
South: Directly south of the subject property is a 1.254-acre parcel of land (i.e. Lot 1RA, Cain Properties #1 Addition) that is currently occupied with a multi-tenant shopping center. South of this property is a 0.85-acre parcel of land (i.e. Lot 3, Rocca Villa Addition), which is currently occupied by a building owned by the Rockwall Housing Authority. Also, south of the shopping center is a 0.254-acre parcel of land (i.e. Lot 1, Block A, Richard Harris #4 Addition) that is currently occupied by a hair salon (i.e. Davis Hair Design). All of these properties are zoned Downtown (DT) District.

East: Directly east of the subject property is S. Alamo Road and S. Goliad Street, which are both identified as a P3U (i.e. principal arterial, three [3] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. The roadways merge together and transition into a P6D (i.e. principal arterial, six [6] lane, divided roadway) south of the subject property. East of this roadway is a 7.3545-acre parcel of land (i.e. Lot 1, Block 1, Rockwall City Hall Addition), which is occupied by the City Hall building of the City of Rockwall. All of these areas are zoned Downtown (DT) District.

Directly west of the subject property is a 2.754-acre tract of land (*i.e. Bock 15, 16 & 17, Lowe & Allen Addition*) that is the Rockwall Memorial Cemetery. This property is zoned Cemetery (CEM) District.



West:



#### CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and letter requesting the addition of a *Craft Winery* to the existing *Craft Brewery*. According to the applicant, the purpose of this request is to provide more offerings on-site for patrons who do not prefer beer, and to diversify the products the brewery currently produces. No changes are being proposed to the existing building or current brewery operations.

#### CONFORMANCE WITH THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the *Craft/Micro Brewery, Distillery and/or Winery* land use requires a Specific Use Permit (SUP) in the Downtown (DT) District. This section goes on to stipulate the following *Conditional Lane Use Standards* associated with the establishment of this land use:

- (1) The total building area of a Craft/Micro Brewery, Distillery, and/or Winery shall be less than 12,000 SF.
- (2) A maximum of 40% of the total floor areas can be dedicated to the direct sale of on-site manufactured product.
- (3) A Craft/Micro Brewery, Distillery and/or Winery may include the following accessory uses (in accordance with any applicable land use standards and requirements): [7] a tasting room to dispense beer, wine, and/or spirits for on premise consumption, [2] meeting/banquet facilities, [3] restaurants, and/or [4] retail package sales of on-site manufactured product for off-premise consumption shall be allowed as permitted by the Texas Alcohol Beverage Commission's (TABC) Alcoholic Beverage Code.
- (4) A facility that does not have a manufacturing component (i.e. only provides tasting or retail sales of alcoholic beverages) shall not be considered a Craft/Micro Brewery, Distillery and/or Winery and shall be prohibited.

In this case, the subject property is required to conform to all of these *Conditional Land Use Standards* as part of the *Operational Conditions* contained within *Ordinance No. 18-34*. These *Operational Conditions* are as follows:

- (1) The development and operation of a brewery shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and *Concept Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
- (2) The maximum square footage of the building used for a brewery shall not exceed 12,000 SF in total building area.
- (3) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building.
- (4) The Subject Property shall not be used as a winery (a facility used for the manufacturing, bottling, labeling and packaging of wine) or a distillery (a facility used for manufacturing of distilled beverages).
- (5) The *Subject Property* may be used for all permitted accessory uses as well as special event rentals.
- (6) Any grain bins or silos located on the *Subject Property* shall be located on the *Subject Property* so as not to be readily visible from the streets adjacent to the *Subject Property*, or shall be shielded from view by materials that are complementary to the exterior of the brewery building, unless otherwise approved by the City Council.
- (7) The brewery's hours of operation shall be limited so that it will not be open to the general public after 10:00 PM, provided that this shall not prevent the facility from hosting private special events during later hours so long as such events are not open to the general public.
- (8) In the event of the sale or other transfer of the *Subject Property*, or the transfer of a majority interest in the entity which owns the *Subject Property*, this SUP shall remain in effect for the Subject Property, however such new owner of the Subject Property may not operate a tasting room for on premise consumption of beer by the general public (a *Tasting Room*) unless the City Council shall have approved the operation of such a *Tasting Room* by the new owner. Any application for operation of a *Tasting Room* by a future owner of the *Subject Property* may be reviewed by the City to ensure the new ownership of the *Subject Property* understands and agrees to comply to the conditions and operational constraints contained in this SUP ordinance or other applicable law with respect to the operation of a *Tasting Room* and that any such *Tasting Room* be operated as an accessory use to a brewery on the Subject Property. Failure to comply to these requirements could result in termination of the SUP in accordance with Section 2.2, *Compliance*, of this ordinance. The provisions of this *Section 9* shall not be applicable to a transfer of the *Subject Property* to Cory and/or Eva Cannon (*the Cannons*) or any entity controlled by the Cannons (*including without limitation Siren Rock Brewing Company, LLC*) or to any descendants of the Cannons by will or intestate succession or as part of an estate planning process.
- (9) The brewery operated on the Subject Property shall comply with all applicable ordinances of the City of Rockwall related to noise emanating from the Subject Property. The business will not allow performance of music outside of the building on the Subject Property prior to 6:00 PM on the following holidays: Memorial Day, Mother's Day, Father's Day or Veterans Day.

The applicant's request would require *Operation Condition #4* to be changed as follows: "The Subject Property shall not be used as a winery (a facility used for the manufacturing, bottling, labeling and packaging of wine) or a distillery (a facility used

for manufacturing of distilled beverages)." This would be the only change to Ordinance No. 18-34 necessary to approve the applicant's request.

### **STAFF ANALYSIS**

Since the proposed change does not change the way the current *Craft Brewery* operates and the change only represents a change to the products being offered on-site, it does not appear that the applicant's request will have a negative impact on any of the adjacent properties; however, a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

#### **NOTIFICATIONS**

On June 17, 2022, staff mailed 112 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Stonebridge Meadows and Bent Creek Condos Homeowner's Associations (HOA's), which are the only HOA's within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices returned concerning the applicant's request.

#### CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend *Ordinance No. 18-34* (*S-194*) to allow for a *Craft Winery* in conjunction with the existing *Craft Brewery*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the *Operational Conditions* contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) The development and operation of a brewery shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and *Concept Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
  - (b) The maximum square footage of the building used for a brewery shall not exceed 12,000 SF in total building area.
  - (c) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building.
  - (d) The Subject Property shall not be used as a distillery (a facility used for manufacturing of distilled beverages).
  - (e) The Subject Property may be used for all permitted accessory uses as well as special event rentals.
  - (f) Any grain bins or silos located on the *Subject Property* shall be located on the *Subject Property* so as not to be readily visible from the streets adjacent to the *Subject Property*, or shall be shielded from view by materials that are complementary to the exterior of the brewery building, unless otherwise approved by the City Council.
  - (g) The brewery's hours of operation shall be limited so that it will not be open to the general public after 10:00 PM, provided that this shall not prevent the facility from hosting private special events during later hours so long as such events are not open to the general public.
  - (h) In the event of the sale or other transfer of the *Subject Property*, or the transfer of a majority interest in the entity which owns the *Subject Property*, this SUP shall remain in effect for the Subject Property, however such new owner of the Subject Property may not operate a tasting room for on premise consumption of beer by the general public (a *Tasting Room*) unless the City Council shall have approved the operation of such a *Tasting Room* by the new owner. Any application for operation of a *Tasting Room* by a future owner of the *Subject Property* may be reviewed by the City to ensure the new ownership of the *Subject Property* understands and agrees to comply to the conditions and operational constraints contained in this SUP ordinance or other applicable law with respect to the operation of a *Tasting Room* and that any such *Tasting Room* be operated as an accessory use to a brewery on the Subject Property. Failure to comply to these requirements could result in termination of the SUP in accordance with Section 2.2, *Compliance*, of this ordinance. The provisions of this *Section 9* shall not be applicable to a transfer of the *Subject Property* to Cory and/or Eva Cannon (*the Cannons*) or any entity controlled by the Cannons (*including without limitation Siren Rock Brewing Company, LLC*) or to any descendants of the Cannons by will or intestate succession or as part of an estate planning process.
  - (i) The brewery operated on the Subject Property shall comply with all applicable ordinances of the City of Rockwall related to noise emanating from the Subject Property. The business will not allow performance of music outside of

the building on the Subject Property prior to 6:00 PM on the following holidays: Memorial Day, Mother's Day, Father's Day or Veterans Day.

(2) Any construction resulting from the approval of this <u>Specific Use Permit (SUP)</u> 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 July 12, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the <u>Specific Use Permit</u> (<u>SUP</u>) by a vote of 6-0, with Commissioner Llewellyn absent.



# **DEVELOPMENT APPLICATION**

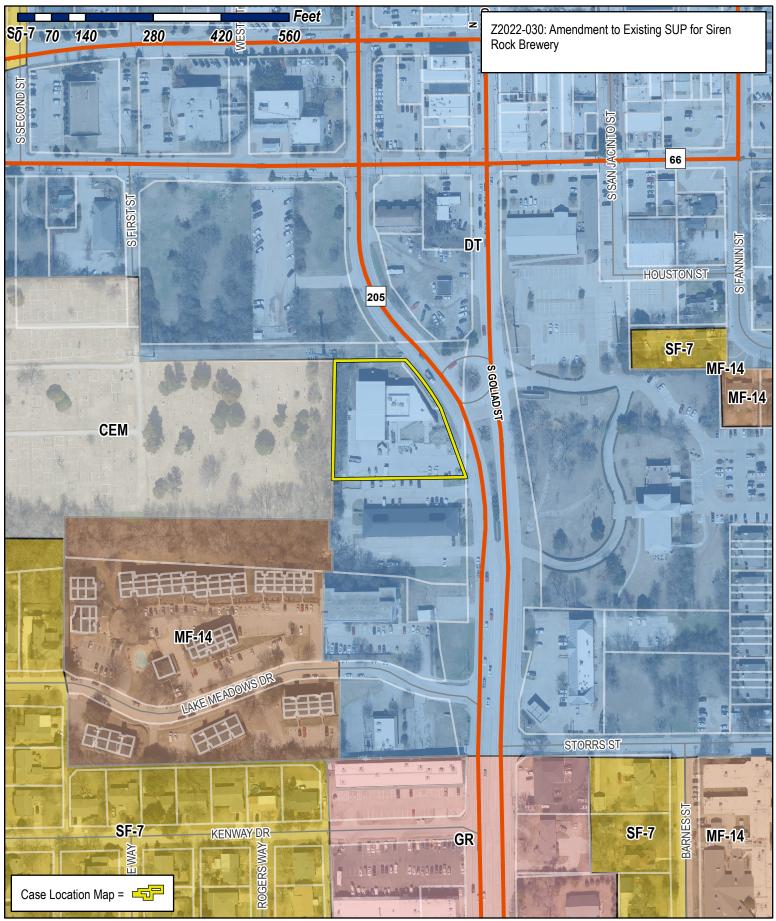
City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087

PLANNING & ZONING CASE NO.	Z2022-030
NOTE: THE APPLICATION IS NOT O	CONSIDERED ACCEPTED BY THE
CITY UNTIL THE PLANNING DIRECT	TOR AND CITY ENGINEER HAVE

DIRECTOR OF PLANNING:

CITY ENGINEER:

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PLEASE CHECK THE A	APPROPRIATE BOX BELOW TO INDICATE T	HE TYPE OF DEVELOP	MENT REQUEST [S	ELECT ONLY ONE B	30X]:
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CURRENT ZONING		CURF	RENT USE		
PROPOSED ZONING		PROPO	SED USE		
ACREAGE	LOTS	[CURRENT]		LOTS [PROPOSE	D]
REGARD TO ITS	PLATS: BY CHECKING THIS BOX YOU ACKN APPROVAL PROCESS, AND FAILURE TO ADDRE ENIAL OF YOUR CASE.				
OWNER/APPLICA	ANT/AGENT INFORMATION [PLEA	SE PRINT/CHECK THE PRI	MARY CONTACT/ORI	GINAL SIGNATURES A	RE REQUIRED]
COWNER	Siren Rock Brewing	Corwan APP	PLICANT		
CONTACT PERSON	Copy Cannon	CONTACT	PERSON		
ADDRESS	Siren Rock Brewing Cory Cannon 310 S. Goliad St.	Al	DDRESS		
CITY, STATE & ZIP	Rockwall, TX 7.	STOS CITY, STA	TE & ZIP		
PHONE	(92) X89-3444	5001	PHONE		
E-MAIL	(972) 885-3444 Copy & SireNROC	c.com	E-MAIL		
	·	Y APPEARED _ Cor		NWO]	ER] THE UNDERSIGNED, WHO
S INFORMATION CONTAINE	I AM THE OWNER FOR THE PURPOSE OF THIS AP. TO COVER THE COST OF THIS APPLICATION TO THE PUBLIC. TO WITHIN THIS APPLICATION TO THE PUBLIC. TON WITH THIS APPLICATION, IF SUCH REPRODUC	LICATION, HAS BEEN PAID T ATION, I AGREE THAT THE ( THE CITY IS ALSO AUTHO	TO THE CITY OF ROCK CITY OF ROCKWALL (I DRIZED AND PERMITT	WALL ON THIS THE <u> </u>	DAY O  ZED AND PERMITTED TO PROVID  INY COPYRIGHTED INFORMATIO
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	OWNER'S SIGNATURE	, e		Nota	ry Public, State of Texas
NOTARY PUBLIC IN AND	FOR THE STATE OF TEXAS	e He chett	U I	MY COMMISSION EXPI	RES Expires 02-00-2023





# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

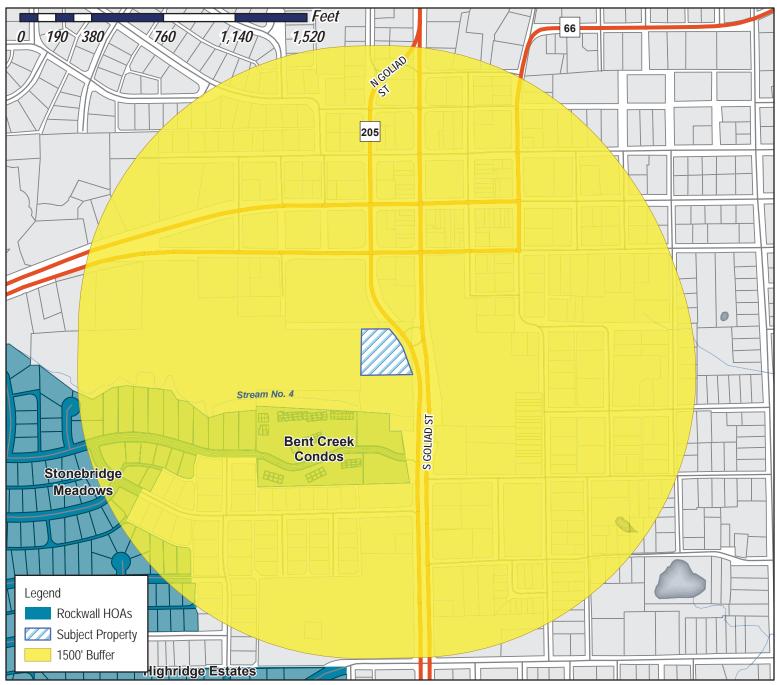




# City of Rockwall

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Case Number: Z2022-030

Case Name: Amendment to Existing SUP

(Siren Rock Brewery)

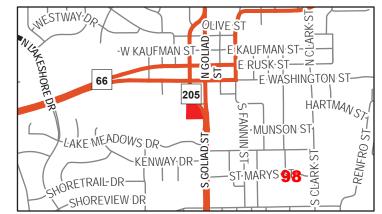
Case Type: Zoning

**Zoning:** Downtown (DT) District

Case Address: 310 S. Goliad St

Date Saved: 6/16/2022

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



## Miller, Ryan

From: Gamez, Angelica

Sent: Tuesday, June 21, 2022 4:43 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry

**Subject:** Neighborhood Notification Program [Z2022-030]

Attachments: Public Notice (06.21.2022).pdf; HOA Map (06.16.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>June 24, 2022</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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 <a href="Planning@rockwall.com">Planning@rockwall.com</a> 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.

#### Z2022-030: SUP Amending Ordinance No. 18-34 to allow Craft Winery

Hold a public hearing to discuss and consider a request by Cory Cannon of Siren Rock Brewing Company for the approval of a *Specific Use Permit (SUP)* amending *Ordinance No.18-34* (*S-194*) to allow a *Craft Winery* in conjunction with an existing *Craft Brewery* on a 1.233-acre parcel of land identified as Lot 2, Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 310 S. Goliad Street, and take any action necessary.

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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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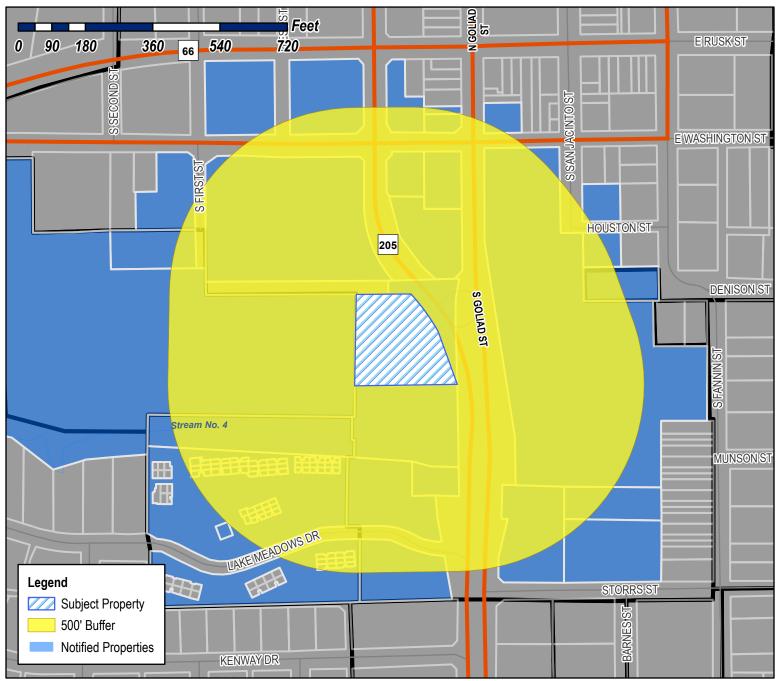
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# City of Rockwall

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Case Number: Z2022-030

Case Name: Amendment to Existing SUP

(Siren Rock Brewery)

Case Type: Zoning

Zoning: Downtown (DT) District
Case Address: 310 S. Goliad Street

Date Saved: 6/16/2022

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



HOUSING AUTHORITY OF CITY	TRASSATTS CORPORATION	TRASSATTS CORPORATION
100 LAKE MEADOWS	101 LAKE MEADOWS DR	102 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
TRASSATTS CORPORATION	TRASSATTS CORPORATION	HOGUE MICHAEL & VICKY
103 LAKE MEADOWS DR	104 LAKE MEADOWS DR	105 W WASHINGTON
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
SKY 111-115 S GOLIAD SERIES LLC	PRUITT JAMES PRESTON	MODERN PYRAMIDS INC
106 E RUSK SUITE 200	110 S GOLIAD ST STE 101	1111 BELTLINE RD STE #100
ROCKWALL, TX 75087	ROCKWALL, TX 75087	GARLAND, TX 75040
CITY OF ROCKWALL ATTN;MARY SMITH 111 W RUSK ROCKWALL, TX 75087	BENT CREEK OAKS CORP 113 LAKE MEADOWS DR ROCKWALL, TX 75087	BENT CREEK OAKS CORP 114 LAKE MEADOWS DR ROCKWALL, TX 75087
BENT CREEK OAKS CORP	SKY 111-115 S GOLIAD SERIES LLC	BENT CREEK OAKS CORP
115 LAKE MEADOWS DR	115 S GOLIAD	116 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
KENDALL DALE ROBERT	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
117 LAKE MEADOWS DR	118 LAKE MEADOWS DR	119 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
120 LAKE MEADOWS DR	121 LAKE MEADOWS DR	122 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
123 LAKE MEADOWS DR	124 LAKE MEADOWS DR	125 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	JUST HELD CORPORATION	BENT CREEK OAKS CORP
126 LAKE MEADOWS DR	127 LAKE MEADOWS DR	128 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
JUST HELD CORPORATION	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
129 LAKE MEADOWS DR	131 LAKE MEADOWS DR	132 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087

BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	HOGUE MICHAEL & VICKY
133 LAKE MEADOWS DR	134 LAKE MEADOWS DR	1498 HUBBARD DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	FORNEY, TX 75126
ROCKWALL DOWNTOWN LOFTS LTD	KENDALL DALE ROBERT	TRASSATTS CORPORATION
1600 N COLLINS BLVD SUITE 3000	2001 LAMONT DR	201 LAKE MEADOWS DR
RICHARDSON, TX 75080	GARLAND, TX 75040	ROCKWALL, TX 75087
CITY OF ROCKWALL	TRASSATTS CORPORATION	SHIELDS MICHAEL L
201 STORRS ST	202 LAKE MEADOWS DR	202 S GOLIAD
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
TRASSATTS CORPORATION	TRASSATTS CORPORATION	SMITH ROBERT & MARY SUE
203 LAKE MEADOWS DR	204 LAKE MEADOWS DR	205 S SAN JACINTO
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
CITY OF ROCKWALL	CITY OF ROCKWALL	BENT CREEK OAKS CORP
205 W RUSK	210 HOUSTON ST	213 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
214 LAKE MEADOWS DR	215 LAKE MEADOWS DR	216 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
TRASSATTS INC	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
217 LAKE MEADOWS DR	218 LAKE MEADOWS DR	219 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
220 LAKE MEADOWS DR	221 LAKE MEADOWS DR	222 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
223 LAKE MEADOWS DR	224 LAKE MEADOWS	225 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
TRASSATTS CORPORATION	JUST HELD CORPORATION	BENT CREEK OAKS CORP
226 LAKE MEADOWS DR	227 LAKE MEADOWS DR	228 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087

BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
229 LAKE MEADOWS DR	231 LAKE MEADOWS DR	232 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	TRASSATTS CORPORATION
233 LAKE MEADOWS DR	234 LAKE MEADOWS DR	301 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
TRASSATTS CORPORATION	ROCKWALL DOWNTOWN LOFTS LTD	TRASSATTS CORPORATION
302 LAKE MEADOWS DR	302 S GOLIAD	303 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
TRASSATTS CORPORATION	HUGHES THOMAS P	STATE OF TEXAS
304 LAKE MEADOWS DR	306 S FANNIN ST	306 S GOLIAD
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
GDA INVESTMENTS LLC SERIES 1272	SIREN ROCK BREWING COMPANY LLC	BENT CREEK OAKS CORP
310 SILVERY PINE AVE	310 SOUTH GOLIAD STREET	314 LAKE MEADOWS DR
WYLIE, TX 75098	ROCKWALL, TX 75087	ROCKWALL, TX 75087
JUST HELD CORPORATION	JUST HELD CORPORATION	DJ ROCKWALL LLC
315 LAKE MEADOWS DR	316 LAKE MEADOWS DR	316 S GOLIAD
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
RADER SHARON M	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
317 LAKE MEADOWS DR	318L AKE MEADOWS DR	319 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
BENT CREEK OAKS CORP	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
320 LAKE MEADOWS DR	321 LAKE MEADOWS DR	322 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
GDA INVESTMENTS LLC SERIES 1272	THOMPSON LEROSS & RUTH	BENT CREEK OAKS CORP
323 LAKE MEADOWS DR	324 LAKE MEADOWS DR	325 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087
TRASSATTS CORPORATION	BENT CREEK OAKS CORP	BENT CREEK OAKS CORP
326 LAKE MEADOWS DR	327 LAKE MEADOWS DR	328 LAKE MEADOWS DR
ROCKWALL, TX 75087	ROCKWALL, TX 75087	ROCKWALL, TX 75087

BENT CREEK OAKS CORP JUST HELD CORPORATION THOMPSON LEROSS AND RUTH 329 LAKE MEADOWS DR 331 LAKE MEADOWS DR 332 LAKE MEADOWS DR ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROCKWALL, TX 75087 BENT CREEK OAKS CORP SHALOM RENTALS LLC- SERIES 596 PRINCE COUNTY OF ROCKWALL 333 LAKE MEADOWS DR 334 LAKE MEADOWS DR 365 W RUSK ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROCKWALL, TX 75087 MODERN PYRAMIDS INC DJ ROCKWALL LLC DAVIS LISA M 401 WASHINGTON ST 402 S GOLIAD ST 4021 W 232 ST ROCKWALL, TX 75087 ROCKWALL, TX 75087 TORRENCE, CA 90505 SLAUGHTER RICHARD E JR **ROCKWALL ROTARY FOUNDATION SMITH ROBERT & MARY SUE** 407 S GOLIAD 408 S GOLIAD 502 W RUSK ST ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROCKWALL, TX 75087 SANCHES MANUEL R AND MARIA DEL CARMEN CITY CEMETARY SHALOM RENTALS LLC- SERIES 596 PRINCE SANCHEZ 525 W WASHINGTON ST 720 DAVIS DRIVE 721 MEADOW LARK DRIVE ROCKWALL, TX 75087 ROCKWALL, TX 75087 **MURPHY, TX 75094** SHIELDS MICHAEL L HUGHES THOMAS P SLAUGHTER RICHARD E JR 811 S ALAMO RD PO BOX 1315 PO BOX 1717 ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROCKWALL, TX 75087 BENT CREEK OAKS CORP JUST HELD CORPORATION TRASSATTS CORPORATION PO BOX 270028 PO BOX 270640 PO BOX 271001 FLOWER MOUND, TX 75027 FLOWER MOUND, TX 75027 FLOWER MOUND, TX 75027 **ROCKWALL ROTARY FOUNDATION** 

PO BOX 446 ROCKWALL, TX 75087 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. Z2022-030: SUP amending Ordinance No. 18-34 (S-194) to allow a Craft Winery

Hold a public hearing to discuss and consider a request by Cory Cannon of Siren Rock Brewing Company for the approval of a Specific Use Permit (SUP) amending Ordinance No.18-34 (S-194) to allow a Craft Winery in conjunction with an existing Craft Brewery on a 1.233-acre parcel of land identified as Lot 2, Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 310 S. Goliad Street, 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, July 12, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 18, 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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 18, 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. Z2022-030: SUP amending Ordinance No. 18-34 (S-194) to allow a Craft Winery
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



City of Rockwall

Planning & Zoning Division 385 S. Goliad Street Rockwall, TX 75087 Attention: Ryan Miller, Director

Re: Updated SUP for Siren Rock Brewing Company in the Downtown (DT) District of the City of Rockwall. Requesting an amendment to the Special Use Permit #S-194 ("SUP") for Siren Rock Brewing Company LLC, originally granted and approved on August 20, 2018.

Dear Mr. Miller:

Siren Rock Brewing Company, LLC, a Texas limited liability company ("Siren Rock"), requests that an amendment to the Special Use Permit ("SUP") be included on the next agenda(s) for the Rockwall Planning & Zoning Meeting and/or forthcoming City Council Meeting. Specifically, we are requesting the SUP for Siren Rock, originally approved on August 20, 2018, be amended to allow Siren Rock to add a Winery License for the manufacturing, purchase or sale of Wine as currently permitted by right under the Rockwall Unified Land Development Code (the "Code") for the Downtown (DT) District.

In connection with the requested amendment, we specifically request to amend Article 2.1 ("Operational Conditions"), Section 4, to show that the Subject Property may be used as a Winery (a facility used for the manufacturing, bottling, packaging, and sale of wine) as stipulated by Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] for the Downtown (DT) District.

Please note that all capitalized words and terms in this Agreement, unless otherwise provided herein, shall have the same meanings ascribed to such words and terms as in the Code. Please feel free to contact us if you have any questions or concerns.

Sincerely,

Cory Cannon President Siren Rock Brewing Company

#### CITY OF ROCKWALL

### **ORDINANCE NO. <u>18-34</u>**

## SPECIFIC USE PERMIT NO. S-194

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A CRAFT BREWERY, DISTILLERY AND/OR WINERY ON A 1.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1R OF THE CAIN PROPERTIES ADDITION #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Doug Galloway on behalf of Corey Cannon for the approval of a Specific Use Permit (SUP) for a *Craft Brewery, Distillery and/or Winery* for the purpose of establishing a brewery on a 1.16-acre parcel of land, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, being identified as Lot 1R of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, located north of the intersection of S. Goliad Street [SH-205] and Storrs Street, and being more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

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

**SECTION 1.** That the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a Craft Brewery, Distillery and/or Winery as stipulated by Article IV, Permissible Uses, of the Unified Development Code [Ordinance No. 04-38] on the Subject Property; and

**SECTION 2.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Section 1.1, Land Use Schedule*, of *Article IV, Permissible Uses*, and *Section 4.8, Downtown (DT) District*, and *Section 6.9, SH-66 Overlay (SH-66 OV) District*, of *Article V, District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] of the

City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as my be amended in the future, and shall be subject to the additional following conditions:

#### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Craft Brewery, Distillery and/or Winery* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a brewery shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and *Concept Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 2) The maximum square footage of the building used for a brewery shall not exceed 12,000 SF in total building area.
- 3) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building.
- 4) The Subject Property shall not be used as a winery (a facility used for the manufacturing, bottling, labeling and packaging of wine) or a distillery (a facility used for manufacturing of distilled beverages).
- 5) The Subject Property may be used for all permitted accessory uses as well as special event rentals.
- 6) Any grain bins or silos located on the *Subject Property* shall be located on the *Subject Property* so as not to be readily visible from the streets adjacent to the *Subject Property*, or shall be shielded from view by materials that are complementary to the exterior of the brewery building, unless otherwise approved by the City Council.
- 7) The brewery's hours of operation shall be limited so that it will not be open to the general public after 10:00 PM, provided that this shall not prevent the facility from hosting private special events during later hours so long as such events are not open to the general public.
- 8) In accordance with Section 12, *Brewer's Permit (B)*, of the Texas Alcoholic Beverage Commission's Alcoholic Beverage Code, retail package sales of on-site manufactured products (*i.e. beer, ale or malt beverages*) to the ultimate consumers for consumption off-premise of the *Subject Property* shall be prohibited.
- 9) In the event of the sale or other transfer of the Subject Property, or the transfer of a majority interest in the entity which owns the Subject Property, this SUP shall remain in effect for the Subject Property, however such new owner of the Subject Property may not operate a tasting room for on premise consumption of beer by the general public (a Tasting Room) unless the City Council shall have approved the operation of such a Tasting Room by the new owner. Any application for operation of a Tasting Room by a future owner of the Subject Property may be reviewed by the City to ensure the new ownership of the Subject Property understands and agrees to comply to the conditions and operational constraints contained in this SUP ordinance or other applicable law with respect to the operation of a Tasting Room and that any such Tasting Room be operated as an accessory use to a brewery on the Subject Property. Failure to comply to these requirements could result in termination of the SUP in accordance with Section 2.2, Compliance, of this ordinance. The

City of Rockwall, Texas

provisions of this Section 9 shall not be applicable to a transfer of the Subject Property to Cory and/or Eva Cannon (the Cannons) or any entity controlled by the Cannons (including without limitation Siren Rock Brewing Company, LLC) or to any descendants of the Cannons by will or intestate succession or as part of an estate planning process.

10) The brewery operated on the *Subject Property* shall comply with all applicable ordinances of the City of Rockwall related to noise emanating from the *Subject Property*. The business will not allow performance of music outside of the building on the Subject Property prior to 6:00 PM on the following holidays: Memorial Day, Mother's Day, Father's Day or Veterans Day.

#### 2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, Council Approval or Denial, of Article II, Authority and Administrative Procedures, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, Permissible Uses, of the Unified Development Code (UDC).
- **SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.
- **SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.
- **SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.
- **SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.
- **SECTION 7.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 20<sup>TH</sup> DAY OF AUGUST, 2018.

Jim Pruitt, Mayor

ATTEST:

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: August 6, 2018

2<sup>nd</sup> Reading: August 20, 2018

# Exhibit 'A':

## Survey and Legal Description

#### Legal Description for Area 1

Being a portion of Lot 1-R, of the Replat of Cain Properties No. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof, recorded in Cabinet C, Slide 138, Plat Records, Rockwall County, Texas, and being the same tract of land described in deed to Cain Family Partnership, LTD., recorded in Volume 2379, Page 165, Deed Records, Rockwall County, Texas:

BEGINNING at a 1/2" iron rod found in the present West line of State Highway 205, a variable width right-of-way, at the most Northerly Northeast corner of Lot 1-R, of said addition, same being an interior ell corner of said Lot 1, said point being North 88°54′50" East, a distance of 55.83' from the East line of Alamo Street, a 60' right-of-way;

Thence the following three (3) course and distances along the said West line of State Highway 205;

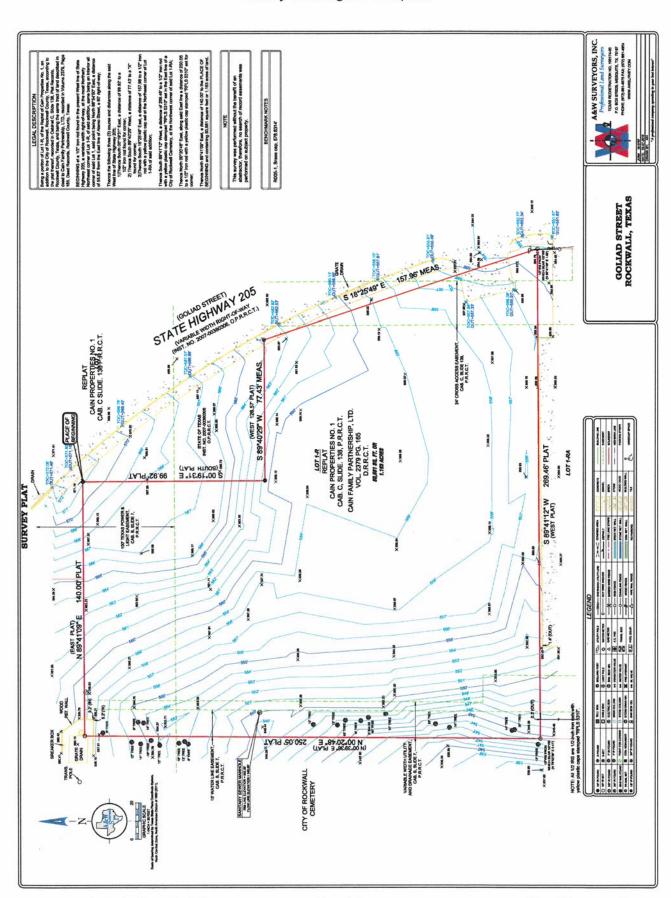
- 1) Thence South 00°19'31" East, a distance of 99.92' to a 1/2" iron rod found for corner;
- 2) Thence South 89°40'29" West, a distance of 77.43' to a "X" found for corner;
- 3) Thence South 18°25'49" East, a distance of 157.96 to a 1/2" iron rod with a yellow plastic cap set at the Northeast corner of Lot 1-RA;

Thence South 89°41'12" West, a distance of 269.46' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the East line of a City of Rockwall Cemetery, at the Northwest corner of said Lot 1-RA:

Thence North 00°20'48" East, along said East line a distance of 250.05 to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 89°41'09" East, a distance of 140.00' to the *PLACE OF BEGINNING* and containing 50,681 square feet or 1.163 acres of land.

Exhibit 'A': Survey and Legal Description



# Exhibit 'A':

### Survey and Legal Description

#### Legal Description for Area 2

Being a portion of Lot 1, of the Replat of Cain Properties No. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof, recorded in Cabinet C, Slide 138, Plat Records, Rockwall County, Texas, and being a portion of a tract of land described in deed to the State of Texas, recorded in Instrument No. 2007-00380306, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

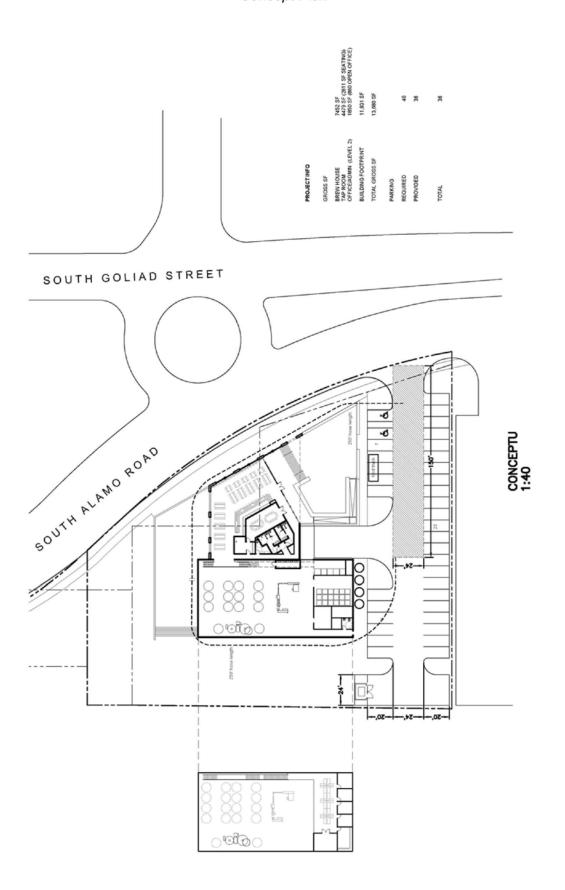
BEGINNING at a 1/2" iron rod found in the present West line of State Highway 205, a variable width right-of-way, at the most Northerly Northeast corner of Lot 1-R, of said addition, same being an interior ell corner of said Lot 1, said point being North 88°54'50" East, a distance of 55.83' from the East line of Alamo Street, a 60' right-of-way;

Thence South 38°51 '32" East, cutting though said Lot 1 and said State of Texas tract, a distance of 126.41' to an "X" found on a concrete sidewalk, in the said West line of State Highway 205, at the present most Easterly Northeast corner of said Lot 1-R;

Thence South 88°54'50" West, a distance of 77.43' to a 1/2" iron rod found at the exterior ell corner of said Lot 1, same being an interior ell corner of said Lot 1-R;

Thence North 01°05'1 O" West, a distance of 99.92' to the *PLACE OF BEGINNING* and containing 3,868 square feet or 0.089 of an acre of land.

# Exhibit 'B': Concept Plan



**Exhibit 'C':** Concept Building Elevations









#### CITY OF ROCKWALL

# ORDINANCE NO. 22-XX

## SPECIFIC USE PERMIT NO. <u>S-194</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ORDINANCE NO. 18-34 [S-194] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED. SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A CRAFT BREWERY, DISTILLERY AND/OR WINERY ON A 1.16-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2 OF THE CAIN PROPERTIES ADDITION #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; **PROVIDING** FOR **SPECIAL** CONDITIONS: PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a request has been made by Cory Cannon for the approval of a Specific Use Permit (SUP) for a *Craft Brewery, Distillery and/or Winery* for the purpose of establishing a brewery and winery on a 1.16-acre parcel of land, zoned Downtown (DT) District, situated within the SH-66 Overlay (SH-66 OV) District, being identified as Lot 2 of the Cain Properties #1 Addition, City of Rockwall, Rockwall County, Texas, addressed as 310 S. Goliad Street [SH-205], and being more specifically described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

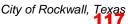
WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that *Ordinance No. 18-34* [*S-194*] and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

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

**SECTION 1.** That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 18-34*;

**SECTION 2.** That the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Craft Brewery, Distillery and/or Winery* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] on the *Subject Property*, and

**SECTION 3.** That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Section 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Section 04.07,



Downtown (DT) District, and Section 06.02, General Overlay District Standards, of Article 05, District Development Standards, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

#### 3.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Craft Brewery, Distillery and/or Winery* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a brewery shall generally conform to the Concept Plan depicted in Exhibit 'B' and Concept Building Elevations depicted in Exhibit 'C' of this ordinance.
- 2) The maximum square footage of the building used for a brewery shall not exceed 12,000 SF in total building area.
- 3) The areas dedicated to the direct sale of the on-site manufactured product shall not exceed 40% of the total floor area of the building.
- 4) The Subject Property shall not be used as a distillery (a facility used for manufacturing of distilled beverages).
- 5) The Subject Property may be used for all permitted accessory uses as well as special event rentals.
- 6) Any grain bins or silos located on the *Subject Property* shall be located on the *Subject Property* so as not to be readily visible from the streets adjacent to the *Subject Property*, or shall be shielded from view by materials that are complementary to the exterior of the brewery building, unless otherwise approved by the City Council.
- 7) The brewery's hours of operation shall be limited so that it will not be open to the general public after 10:00 PM, provided that this shall not prevent the facility from hosting private special events during later hours so long as such events are not open to the general public.
- 8) In the event of the sale or other transfer of the Subject Property, or the transfer of a majority interest in the entity which owns the Subject Property, this SUP shall remain in effect for the Subject Property, however such new owner of the Subject Property may not operate a tasting room for on premise consumption of beer by the general public (a Tasting Room) unless the City Council shall have approved the operation of such a Tasting Room by the new owner. Any application for operation of a Tasting Room by a future owner of the Subject Property may be reviewed by the City to ensure the new ownership of the Subject Property understands and agrees to comply to the conditions and operational constraints contained in this SUP ordinance or other applicable law with respect to the operation of a Tasting Room and that any such Tasting Room be operated as an accessory use to a brewery on the Subject Property. Failure to comply to these requirements could result in termination of the SUP in accordance with Section 2.2, Compliance, of this ordinance. The provisions of this Section 9 shall not be applicable to a transfer of the Subject Property to Cory and/or Eva Cannon (the Cannons) or any entity controlled by the Cannons (including without limitation Siren Rock Brewing Company, LLC) or to any descendants of the Cannons by will or intestate succession or as part of an estate planning process.

9) The brewery operated on the Subject Property shall comply with all applicable ordinances of the City of Rockwall related to noise emanating from the Subject Property. The business will not allow performance of music outside of the building on the Subject Property prior to 6:00 PM on the following holidays: Memorial Day, Mother's Day, Father's Day or Veterans Day.

#### 3.2 COMPLIANCE

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

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

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

**SECTION 5.** 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 6.** 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 7.** 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 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 1<sup>ST</sup> DAY OF AUGUST, 2022.

Page | 3

City of Rockwall,

	Kevin Fowler, <i>Mayor</i>
ATTEST:	
Kristy Teague, City Secretary	
APPROVED AS TO FORM:	
Frank J. Garza, City Attorney	

Z2022-030: SUP for Siren Rock Brewery

Ordinance No. 22-XX; SUP # S-194

1<sup>st</sup> Reading: <u>July 12, 2022</u>

2<sup>nd</sup> Reading: August 1, 2022

### Exhibit 'A': Survey and Legal Description

#### Legal Description for Area 1

Being a portion of Lot 1-R, of the Replat of Cain Properties No. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof, recorded in Cabinet C, Slide 138, Plat Records, Rockwall County, Texas, and being the same tract of land described in deed to Cain Family Partnership, LTD., recorded in Volume 2379, Page 165, Deed Records, Rockwall County, Texas:

BEGINNING at a 1/2" iron rod found in the present West line of State Highway 205, a variable width rightof-way, at the most Northerly Northeast corner of Lot 1-R, of said addition, same being an interior ell corner of said Lot 1, said point being North 88°54'50" East, a distance of 55.83' from the East line of Alamo Street, a 60' right-of-way;

Thence the following three (3) course and distances along the said West line of State Highway 205;

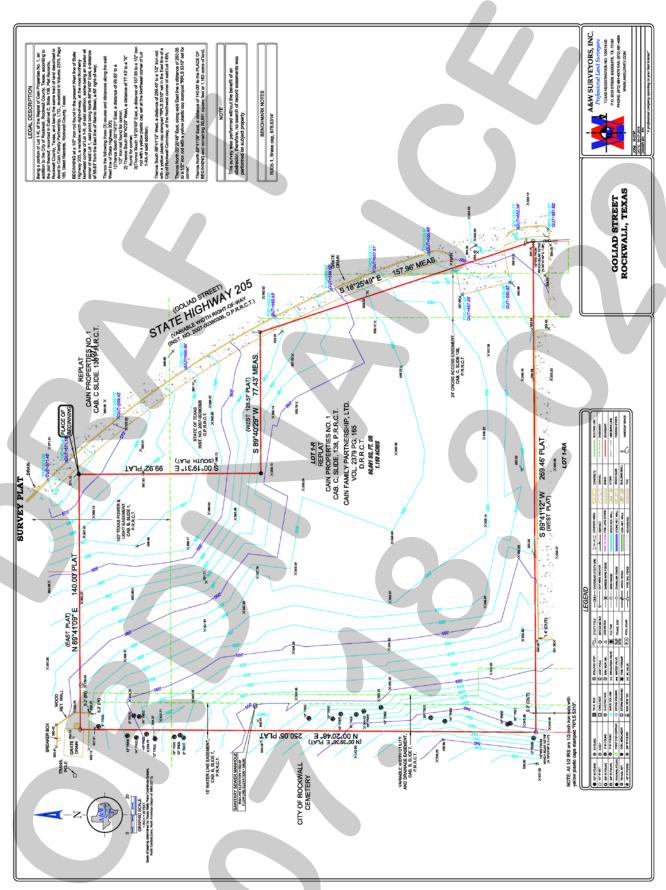
- 1) Thence South 00°19'31" East, a distance of 99.92' to a 1/2" iron rod found for corner;
- 2) Thence South 89°40'29" West, a distance of 77.43' to a "X" found for corner;
- 3) Thence South 18°25'49" East, a distance of 157.96 to a 1/2" iron rod with a yellow plastic cap set at the Northeast corner of Lot 1-RA;

Thence South 89°41'12" West, a distance of 269.46' to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set in the East line of a City of Rockwall Cemetery, at the Northwest corner of said Lot 1-RA;

Thence North 00°20'48" East, along said East line a distance of 250.05 to a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5310" set for corner;

Thence North 89°41'09" East, a distance of 140.00' to the PLACE OF BEGINNING and containing 50,681 square feet or 1.163 acres of land.

**Exhibit 'A':**Survey and Legal Description



# Exhibit 'A': Survey and Legal Description

#### Legal Description for Area 2

Being a portion of Lot 1, of the Replat of Cain Properties No. 1, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof, recorded in Cabinet C, Slide 138, Plat Records, Rockwall County, Texas, and being a portion of a tract of land described in deed to the State of Texas, recorded in Instrument No. 2007-00380306, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

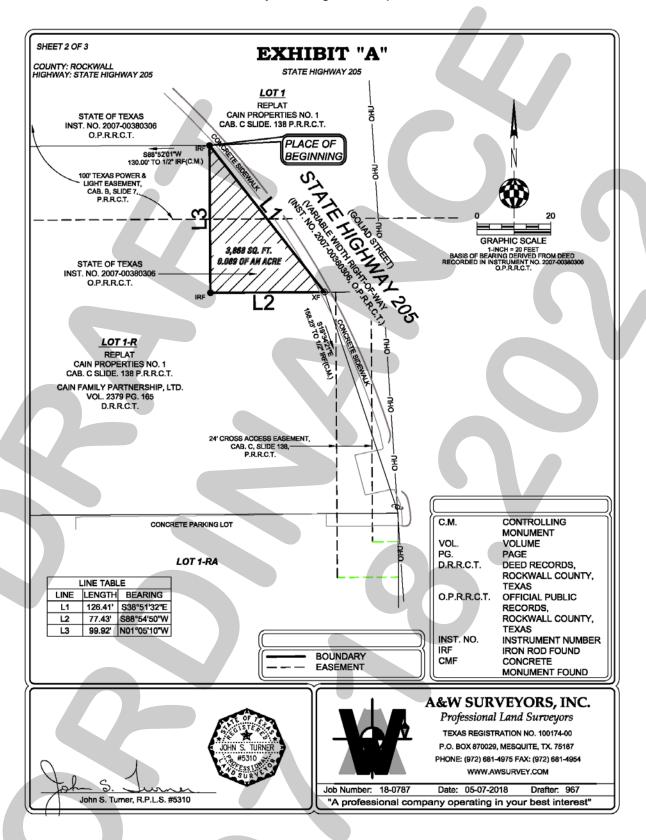
BEGINNING at a 1/2" iron rod found in the present West line of State Highway 205, a variable width right-of-way, at the most Northerly Northeast corner of Lot 1-R, of said addition, same being an interior ell corner of said Lot 1, said point being North 88°54'50" East, a distance of 55.83' from the East line of Alamo Street, a 60' right-of-way;

Thence South 38°51 '32" East, cutting though said Lot 1 and said State of Texas tract, a distance of 126.41' to an "X" found on a concrete sidewalk, in the said West line of State Highway 205, at the present most Easterly Northeast corner of said Lot 1-R;

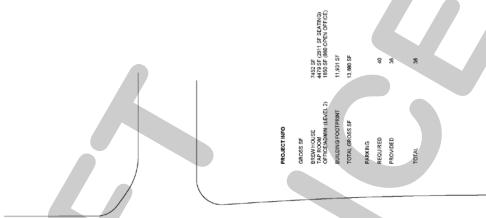
Thence South 88°54'50" West, a distance of 77.43' to a 1/2" iron rod found at the exterior ell corner of said Lot 1, same being an interior ell corner of said Lot 1-R;

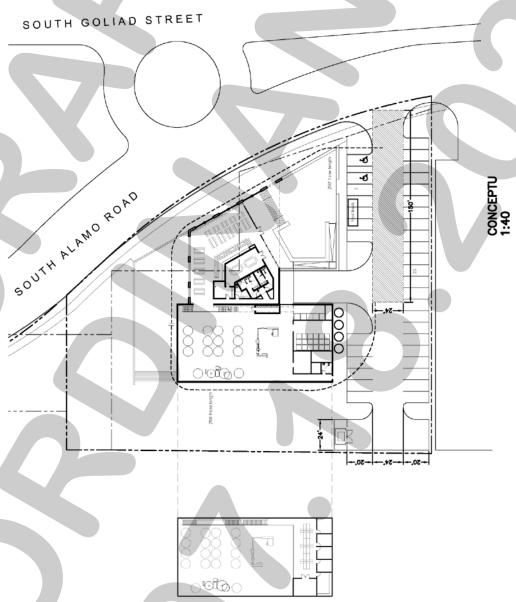
Thence North 01°05'1 O" West, a distance of 99.92' to the *PLACE OF BEGINNING* and containing 3,868 square feet or 0.089 of an acre of land.

# **Exhibit 'A':**Survey and Legal Description



# Exhibit 'B': Concept Plan





**Exhibit 'C':**Concept Building Elevations



**Exhibit 'C':**Concept Building Elevations





### **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

**DATE:** July 18, 2022

SUBJECT: Z2022-031; SPECIFIC USE PERMIT FOR A GUEST

QUARTERS/DETACHED GARAGE AT 401 S. CLARK STREET

**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** 

Zoning Exhibits

HPAB Packet from 06.16.2022

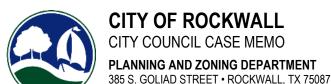
**Draft Ordinance** 

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Mark and Veronica Combs for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for an accessory *Guest Quarters/Detached Garage* on a 0.7379-acre parcel of land identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, 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)*.



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Mark and Veronica Combs

CASE NUMBER: Z2022-031; Specific Use Permit for a Guest Quarters/Detached Garage at 401 S. Clark Street

#### **SUMMARY**

Hold a public hearing to discuss and consider a request by Mark and Veronica Combs for the approval of a <u>Specific Use Permit</u> (<u>SUP</u>) for an accessory <u>Guest Quarters/Detached Garage</u> on a 0.7379-acre parcel of land identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, and take any action necessary..

#### **BACKGROUND**

The 2,080 SF single-family home situated on the subject property at 401 S. Clark Street was constructed in 1873 in the *National Folk* architectural style according to the *2017 Historic Resource Survey*. The subject property was annexed prior to 1934 based on the April 1934 Sanborn Maps. According to the January 3, 1972 zoning map the subject property was zoned Single-Family 3 (SF-3) District. At some point between January 3, 1972 and May 16, 1983 the subject property was rezone from a Single-Family 3 (SF-3) District to Single-Family 7 (SF-7) District. The property has remained zoned Single Family (SF-7) District since this date. According to the Rockwall Central Appraisal District (RCAD) there is also a 192 SF detached garage constructed in 1990, a 150 SF storage building constructed in 2008, a 280 SF storage building constructed in 2009, and a 100 SF pergola constructed in 2009. On June 16, 2022, the Historic Preservation Advisory Board (HPAB) approved a Certificate of Appropriateness (COA), a *Small Matching Grant*, and a *Building Permit Fee Waiver* associated with the demolition of existing structures on the subject property and construction of the proposed *Guest Quarters/Detached Garage*.

#### **PURPOSE**

The applicants -- Mark and Veronica Combs -- are requesting the approval of a Specific Use Permit (SUP) to allow for the construction of a Guest Quarters/Detached Garage that exceeds the overall maximum allowable square footage.

#### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 401 S. Clark Street. The land uses adjacent to the subject property are as follows:

North:

Directly north of the subject property are four (4) parcels of land (*i.e.* 301 and 307 S. Clark Street and 706 and 708 Hartman Street) developed with single-family homes that are zoned Single-Family 7 (SF-7) District. All of the properties are located within the Old Town Rockwall (OTR) Historic District, where 307 S. Clark Street is a High Contributing Property, 301 S. Clark Street is a Medium Contributing Property, and 706 and 708 Hartman Street are Non-Contributing Properties. Beyond this is Hartman Street, which is identified as a R2U (*i.e.* residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are nine (9) parcels of lands of which three (3) parcels are vacant and six (6) are developed with single-family homes.

South:

Directly south of the subject property is the boundary for the Old Town Rockwall (OTR) Historic District, followed by seven (7) parcels of land of which two (2) are vacant and five (5) are developed with single-family homes. All of these properties are zoned Single-Family 7 (SF-7) District. Beyond this are several parcels of land developed with single-family homes all zoned Two-Family (2F) District.

<u>East</u>: Directly east of the subject property is a vacant 3.983-acre tract of land zoned Single-Family 7 (SF-7) District. Beyond this are four (4) parcels of land (*i.e.* 402, 404, 406, & 408 Renfro Street) developed with single-family homes and zoned Single-Family 7 (SF-7) District. Beyond this is Renfro Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Park Place West Phase 2 Subdivision, which consists of 95 lots and is zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses.

<u>West</u>: Directly west of the subject property is the boundary for the Old Town Rockwall (OTR) Historic District. Beyond this is S. Clark Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are five (5) parcels of land of which four (4) are developed with single-family homes (*i.e. 402 S. Clark Street and 502, 504, & 506 Munson Street*) and one (1) is vacant (*i.e. 508 Munson Street*). All of the properties are zoned Single-Family 7 (SF-7) District. Beyond this is Tyler Street, which is identified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

#### CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, letter of explanation, residential plot plan, and conceptual building elevations. The applicant has indicated that they are demolishing approximately 4,637.70 SF of existing accessory structures and landscape features. Of the proposed structures to be removed approximately 1,521.50 SF is currently under roof. To replace the removed structures, the applicant is requesting to construct a 30-foot by 50-foot or 1,500 SF *Guest Quarters/Detached Garage*. The *Guest Quarters/Detached Garage* will have 1,140 SF enclosed area and 360 SF open porch facing the existing pool at the rear of the property. The *Guest Quarters/Detached Garage* will have 12-foot walls, with a 4/12 roof pitch, giving the structure a maximum height of 17-feet; however, at the roof midpoint the structure will be 14.50-feet tall. According to the applicant the structure will be used as a shop and garage; however, there will be a bathroom, which is an element of a dwelling unit that qualifies this request as a *Guest Quarters*.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines a *Guest Quarters* as "(a)n accessory building designed for the temporary occupancy of guests of the primary dwelling for which there is no remuneration and is not rented or otherwise used as separate domicile." According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a *Guest Quarters* requires a Specific Use Permit (SUP) in a Single-Family 7 (SF-7) District and -- according to Subsection 02.03 -- is subject to the following *Conditional Land Use Standards*: [1] the structure must be ancillary to a single-family home, [2] the square footage of the structure shall not exceed 30% of the square footage of the primary structure, and [3] the structure may not be sold or conveyed separately from the single-family home without meeting the zoning requirements for the district. In addition, the *Guest Quarters/Detached Garage* is required to meet the Single-Family 7 (SF-7) District density and dimensional requirements contained in Subsection 07.01, *Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

#### **STAFF ANALYSIS**

In this case, the applicant's request generally conforms to the density and dimensional requirements for a *Guest Quarters/Detached Garage*; however, it does not adhere to the maximum allowable size. *Guest Quarters* are permitted to be 30% if the square footage of the primary structure. In this case, the applicant is permitted by right a 624 SF (*i.e.* 2,080 SF \* 30% = 624 SF) *Guest Quarters*. Staff should also point out that the maximum permissible size of a detached garage is 600 SF. With that being said the applicant is requesting a 1,500 SF *Guest Quarters/Detached Garage*, which exceeds the maximum permitted size by 876 SF. Based on this, the applicant is requesting a Specific Use Permit (SUP) to allow the construction of a *Guest Quarters/Detached Garage* that exceeds the maximum permissible size. If the applicant's Specific Use Permit (SUP) is approved, staff has included operational conditions in the Specific Use Permit (SUP) ordinance that tie down the size, height, and general architecture. Being located within the Old Town Rockwall (OTR) Historic District the applicant had to first receive a Certificate of Appropriateness (COA), which on June 16, 2022 the Historic Preservation Advisory Board (HPAB) recommended approval of the *Guest Quarters/Detached Garage* by a vote of 5-0, with Board Members McClintock and Miller absent. With

this being said, the approval of a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

#### **NOTIFICATIONS**

On June 21, 2022, staff mailed 88 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Park Place Homeowner's Association (HOA), which is the only HOA or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received two (2) notices in favor of the applicant's request.

#### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Guest Quarters/Detached Garage*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) The Guest Quarters/Detached Garage shall generally conform to the concept plan and the conceptual building elevations depicted in Exhibits 'B' & 'C' of the Specific Use Permit (SUP) ordinance.
  - (b) The Guest Quarters/Detached Garage shall not exceed a maximum size of 1,500 SF;
  - (c) The Guest Quarters/Detached Garage shall exceed 15-feet in height at the roof midpoint;
  - (d) The Guest Quarters/Detached Garage shall not be sold or conveyed separately without meeting the requirements of the zoning district and the subdivision ordinance.
- (2) Any construction resulting from the approval of this <u>Specific Use Permit (SUP)</u> 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 July 12, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0, with Commissioner Llewellyn absent.



# **DEVELOPMENT APPLICATION**

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

PLANNING & ZONING CASE	NO. 22022-031
NOTE: THE APPLICATION IS CITY UNTIL THE PLANNING SIGNED BELOW.	S NOT CONSIDERED ACCEPTED BY THE DIRECTOR AND CITY ENGINEER HAVE
DIRECTOR OF PLANNING:	
CITY ENGINEER:	

	Rockwall, Texas 75087	CITY ENGINEER:						
PLEASE CHECK THE A	PPROPRIATE BOX BELOW TO INDICATE TH	HE TYPE OF DEVELOPMEN	T REQUEST [	SELECT (	ONLY ONE BOX	X]:		
PLATTING APPLICATION FEES:  ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹ ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹ ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹ ☐ AMENDING OR MINOR PLAT (\$150.00) ☐ PLAT REINSTATEMENT REQUEST (\$100.00)  SITE PLAN APPLICATION FEES: ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹ ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)			ZONING APPLICATION FEES:  □ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹ □ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹ □ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹  OTHER APPLICATION FEES: □ TREE REMOVAL (\$75.00) □ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²  NOTES: ¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (¹) ACRE. ²: 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 INFO	RMATION [PLEASE PRINT]							
ADDRESS	401 S. Clark Street							
SUBDIVISION	BF Boydston			LOT	N/A	BLOCK	105A-1	
GENERAL LOCATION	Clark Street between Mun	son and Williams						
ZONING. SITE PL	AN AND PLATTING INFORMATION	M IPI FASE PRINTI						
CURRENT ZONING		CURRENT	USE					
PROPOSED ZONING		PROPOSED	USE					
ACREAGE	<b>0.7379</b> LOTS	CURRENT]		LOTS	[PROPOSED]			
REGARD TO ITS A RESULT IN THE DI	PLATS: BY CHECKING THIS BOX YOU ACKNO IPPROVAL PROCESS, AND FAILURE TO ADDRESS ENIAL OF YOUR CASE.	SS ANY OF STAFF'S COMMEN	ITS BY THE DA	TE PROVI	DED ON THE DE	EVELOPMENT CA	XIBILITY WITH ALENDAR WILL	
Ø OWNER	ANT/AGENT INFORMATION [PLEAS Mark and Veronica Combs	E PRINT/CHECK THE PRIMAR		rk Co		: KEQUIKED]		
CONTACT PERSON	Mark Combs	CONTACT PER		rk Co				
ADDRESS	401 S. Clark Street	ADDR	3271		ark Street			
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	4010. Oldirk Otreet	ADDIC	40	1 3. CI	aik Street			
CITY, STATE & ZIP	Rockwall, Texas 75087	CITY, STATE 8	ITY, STATE & ZIP Rockwall, Texas		ill. Texas	75087		
PHONE	214-732-9875	PH						
E-MAIL	firecombs@gmail.com	E-N	MAIL fi	recom	bs@gmai	l.com		
STATED THE INFORMATION HEREBY CERTIFY THAT IN S 215:00 Din C INFORMATION CONTAINE	SIGNED AUTHORITY, ON THIS DAY PERSONALL'ON ON THIS APPLICATION TO BE TRUE AND CERTAIN THE OWNER FOR THE PURPOSE OF THIS APPLICATION TO THE PUBLICATION TO THE PUBLICATION WITH THIS APPLICATION, IF SUCH REPRODUCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION.	RTIFIED THE FOLLOWING: LICATION; ALL INFORMATION S ICATION, HAS BEEN PAID TO TI TION, I AGREE THAT THE CITY THE CITY IS ALSO AUTHORIZE	UBMITTED HERE HE CITY OF ROC OF ROCKWALL ED AND PERMIT	EIN IS TRUI KWALL ON (I.E. "CITY TED TO F	E AND CORRECT THIS THE ") IS AUTHORIZED REPRODUCE AN	17:75 D AND PERMITTE Y COPYRIGHTED	CATION FEE OF DAY OF ED TO PROVIDE	
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	500 71/507/7505 75/70	2 11 12	^   ~		TE OF TO M	y Comm. Expines	5 42-05-2022-	





# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

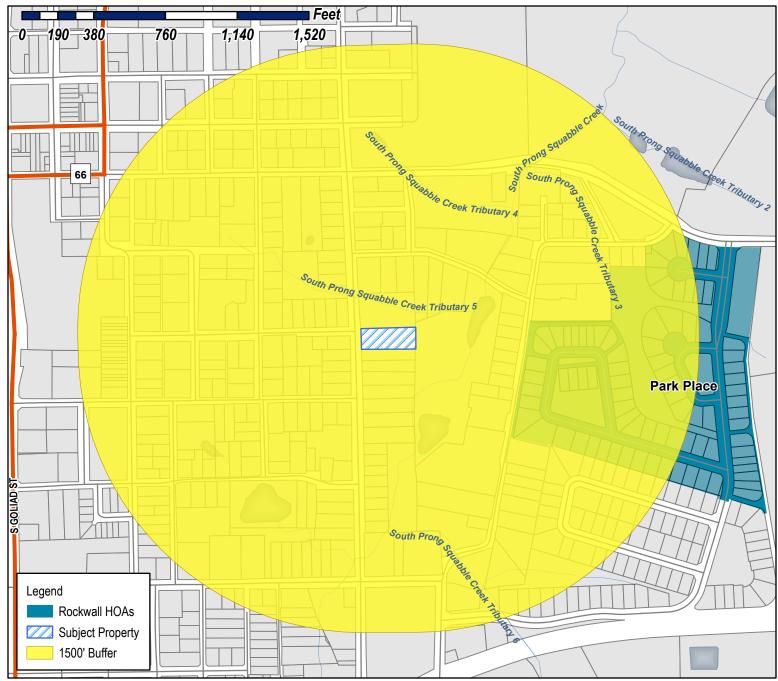




# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number: Z2022-031

Case Name: SUP for an Accessory Structure

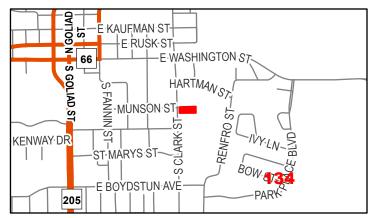
Case Type: Zoning

**Zoning:** Single-Family 7 (SF-7) District

Case Address: 401 S. Clark Street

Date Saved: 6/17/2022

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



# Lee, Henry

**From:** Gamez, Angelica

Sent: Tuesday, June 21, 2022 4:44 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry

**Subject:** Neighborhood Notification Program [Z2022-031]

Attachments: Public Notice (06.21.2022).pdf; HOA Map (06.17.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>June 24, 2022</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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 <a href="Planning@rockwall.com">Planning@rockwall.com</a> 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.

#### Z2022-031: SUP for Guest Quarters/Detached Garage

Hold a public hearing to discuss and consider a request by Mark and Veronica Combs for the approval of a <u>Specific Use Permit (SUP)</u> for an accessory <u>Guest Quarters/Detached Garage</u> on a 0.7379-acre parcel of land identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, and take any action necessary.

1

Thank you,

# Angelica Gamez

Planning & Zoning Coordinator City of Rockwall 972.771.7745 Office 972.772.6438 Direct http://www.rockwall.com/planning/

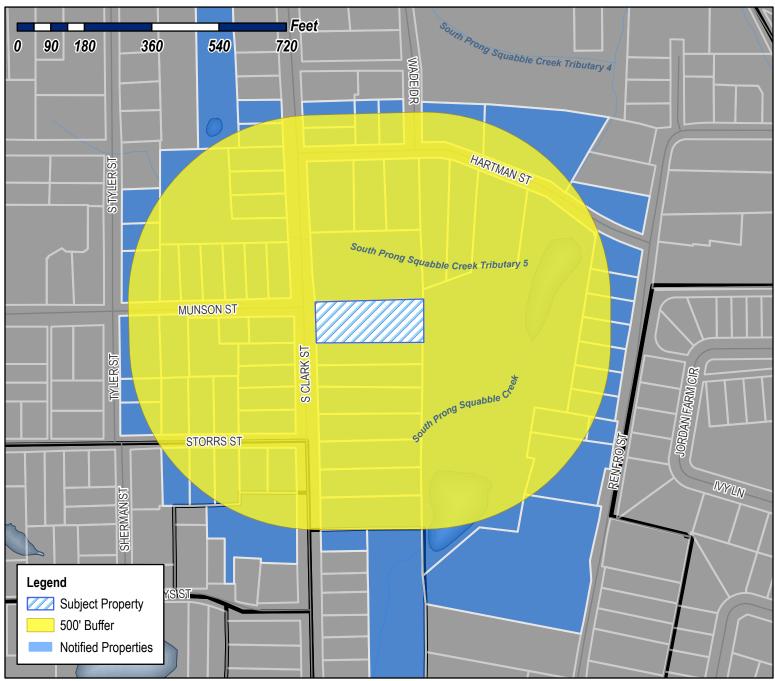
135



# **City of Rockwall**

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number: Z2022-031

Case Name: SUP for Accessory Structure

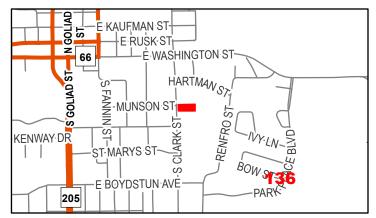
Case Type: Zoning

**Zoning:** Single-Family 7 (SF-7) District

Case Address: 401 S. Clark Street

Date Saved: 6/17/2022

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



OLIVARES JAIME 1209 QUAIL DR GARLAND, TX 75040

GADDIS DANNY E 12922 EPPS FIELD RD FARMERS BRANCH, TX 75234 TUTTLE LEON ETUX 1408 DHAKA DR ROCKWALL, TX 75087

HOGUE MIKE 1498 HUBBARD DRIVE FORNEY, TX 75126 BOREN TERRY L ETUX 207 GNARLY OAKS WAY LTL RVR ACAD, TX 75042 LOWREY DAVID D 2070 PONTCHARTRAIN ROCKWALL, TX 75087

RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 210 GLENN AVENUE ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 210 S CLARK ST ROCKWALL, TX 75087 WILKINSON LYNN L & CHAD DAVID 211 S CLARK ST ROCKWALL, TX 75087

ZAKEM KYNSIE JO 212 S CLARK ST ROCKWALL, TX 75087 ZAKEM KYNSIE JO 212 S CLARK ST ROCKWALL, TX 75087 MUNSON PARTNERS 1 LLC 213 S CLARK ST ROCKWALL, TX 75087

TRES PUERTAS LLC 214 S CLARK ST ROCKWALL, TX 75087 BOWEN CHASE AND PERRY BOWEN 230 MYERS ROAD HEATH, TX 75032

GLASS JO KAY HARRIS 301 MEADOWDALE ROCKWALL, TX 75087

CAUBLE LINDA 301 S CLARK ST ROCKWALL, TX 75087 BURGESS JULIA ANN 302 S CLARK ST ROCKWALL, TX 75087 MUNSON PARTNERS 1 LLC 306 S CLARK ST ROCKWALL, TX 75087

SPROUL DAVID D JR AND TRISH IRELAND 307 S CLARK ST ROCKWALL, TX 75087 TWOMEY ELIZABETH 307 TYLER STREET ROCKWALL, TX 75087 ROBINSON MARK A
DBA MARKS LAWN AND LANDSCAPING
309 TYLER ST
ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 3435 HWY 276 ROCKWALL, TX 75032 HALL JESSIE MARIE AND JAMIE KATE HALL 382 RENFRO ST ROCKWALL, TX 75087

HARRIS HOLLI J 400 RENFRO ST ROCKWALL, TX 75087

COMBS MARK HILTON AND VERONICA RUTH 401 SOUTH CLARK STREET ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 402 RENFRO ST ROCKWALL, TX 75087

SADLER LESLIE A 402 S CLARK ST ROCKWALL, TX 75087

LIVINGSTON JUSTIN AND BROOKE 403 S CLARK STREET ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY
TRUST
RICHARD AND JUDY HARRIS- TRUSTEES
404 RENFRO ST
ROCKWALL, TX 75087

TUTTLE LEON ETUX 404 S CLARK ST ROCKWALL, TX 75087 LIVINGSTON JUSTIN R & BROOKE D 405 S CLARK ST ROCKWALL, TX 75087 TOVAR LUIS & MARICELA 405 TYLER ST ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 406 RENFRO ST ROCKWALL, TX 75087

SOLID ROCK HOLDINGS LLC 406 S CLARK ST ROCKWALL, TX 75087 BOWEN CHASE AND PERRY BOWEN 407 S CLARK ST ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 408 RENFRO ST ROCKWALL, TX 75087

GADDIS CAMILLE D 408 SOUTH CLARK STREET ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 410 RENFRO ST ROCKWALL, TX 75087

SIMS CHRIS AND TERESA 410 S CLARK ST ROCKWALL, TX 75087

RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 412 RENFRO ST ROCKWALL, TX 75087

BRYAN KYLE AND HALEY BROOKE BOWEN 4800 NORTHWAY DR #12A DALLAS, TX 75206 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 500 RENFRO ST ROCKWALL, TX 75087

HUDSON KATIE 501 MUNSON ST ROCKWALL, TX 75087 BRYAN KYLE AND HALEY BROOKE BOWEN 501 S CLARK ST ROCKWALL, TX 75087 HOLLAND TRENTON A AND ROD HOLLAND 502 MUNSON STREET ROCKWALL, TX 75087

SAMPLES ELVA NELL 502 RENFRO ST ROCKWALL, TX 75087 RICHARDSON JEANETTE 503 MUNSON ST ROCKWALL, TX 75087 EARNHEART JOHN L 504 MUNSON ST ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 505 MUNSON ST ROCKWALL, TX 75087 WARDELL JOHN P AND JULIE ANN C 506 RENFRO ST ROCKWALL, TX 75087 EARNHEART JOHN L 506 MUNSON ST ROCKWALL, TX 75087

WYCKOFF MICHELE M 507 MUNSON ST ROCKWALL, TX 75087 LECOUR DAVID & RENEE 507 S CLARK ST ROCKWALL, TX 75087 MUNSON PARTNERS 1 LLC 508 MUNSON ST ROCKWALL, TX 75087

CHERRY J DALE AND TEDDI 508 HIGHVIEW ROCKWALL, TX 75087 AUBE JEAN-PAUL III 509 MUNSON ST ROCKWALL, TX 75087 CASTRO RENE AND BETSY 509 SOUTH CLARK STREET ROCKWALL, TX 75087

DEL BOSQUE RODOLFO 510 S CLARK ROCKWALL, TX 75087 CGRH IMPROVEMENTS LLC 511 MUNSON ST ROCKWALL, TX 75087 BOREN TERRY L ETUX 513 MUNSON ST ROCKWALL, TX 75087 TRES PUERTAS LLC 5800 E CAMPUS CIRCLE #114A IRVING, TX 75063 TOVAR LUIS & MARICELA 601 STORRS ST ROCKWALL, TX 75087 JONES PEGGY 604 STORRS ST ROCKWALL, TX 75087

DAVIS JIMMY JACK 605 STORRS ST ROCKWALL, TX 75087 DAVIS AMY M AND WESLEY D 606 STORRS STREET ROCKWALL, TX 75087 HALDEMAN MICHAEL 607 STORRS ST ROCKWALL, TX 75087

LOWREY DAVID D 608 STORRS ST ROCKWALL, TX 75087 WALLACE DUSTIN & KATHERINE 608 EAST WASHINGTON ROCKWALL, TX 75087 GADDIS DANNY E 609 STORRS ST ROCKWALL, TX 75087

JOHNSTON SHERRI A 610 STORRS ST ROCKWALL, TX 75087

HOGUE MIKE 612 STORRS ST ROCKWALL, TX 75087 ROBINSON MARK A
DBA MARKS LAWN AND LANDSCAPING
6704 MCDONOUGH DRIVE
ROWLETT, TX 75089

RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 705 HARTMAN ST ROCKWALL, TX 75087

CHERRY J DALE AND TEDDI 706 HARTMAN ST ROCKWALL, TX 75087 RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST RICHARD AND JUDY HARRIS- TRUSTEES 707 HARTMAN ST ROCKWALL, TX 75087

MOORE LAKISHA Q AND JASON 708 HARTMAN ST ROCKWALL, TX 75087 ANDERSON TREVOR 709-711 HARTMAN ST ROCKWALL, TX 75087 RENDON MARCELINO J JR 710 HARTMAN ST ROCKWALL, TX 75087

ANDERSON TREVOR 711 HARTMAN ST ROCKWALL, TX 75087

GILLIAM ROBERT W JR & PERRILYN 712 HARTMAN ST ROCKWALL, TX 75087 PIERCY DUANE AND JENNIFER 713 HARTMAN ROCKWALL, TX 75087

HOOVER LINDA WEST-716 HARTMAN STREET ROCKWALL, TX 75087 GARTH GARY AND CYNTHIA 7501 NORFOLK AVE LUBBOCK, TX 79423 WARDELL JOHN P AND JULIE ANN C 880 IVY LANE ROCKWALL, TX 75087

SOLID ROCK HOLDINGS LLC 904 CAMPTON CT ROCKWALL, TX 75032 HARRIS HOLLI J PO BOX 2191 ROCKWALL, TX 75087 DEL BOSQUE RODOLFO PO BOX 2437 ROCKWALL, TX 75087

AUBE JEAN-PAUL III PO BOX 868 ROCKWALL, TX 75087 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. Z2022-031: SUP for an accessory Guest Quarters/Detached Garage

Hold a public hearing to discuss and consider a request by Mark and Veronica Combs for the approval of a Specific Use Permit (SUP) for an accessory Guest Quarters/Detached Garage on a 0.7379-acre parcel of land identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, 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 <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on Monday, July 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S.

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

#### **Henry Lee**

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

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

Your comments must be received by Monday, July 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Address:

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. Z2022-031: SUP for an accessory Guest Quarters/Detached Garage
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:

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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Sincerely,

Ryan Miller, AICP Director of Planning & Zoning USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE



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Case No. Z2022-031: SUP for an accessory Guest Quarters/Detached Garage

Please place a check mark on the appropriate line below:

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

Name: Doug & Trish Sproul
Address: 3075, Clark ST

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. Z2022-031: SUP for an accessory Guest Quarters/Detached Garage

Please place a check mark on the appropriate line below:

PLEASE RETURN THE BELOW FORM

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

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

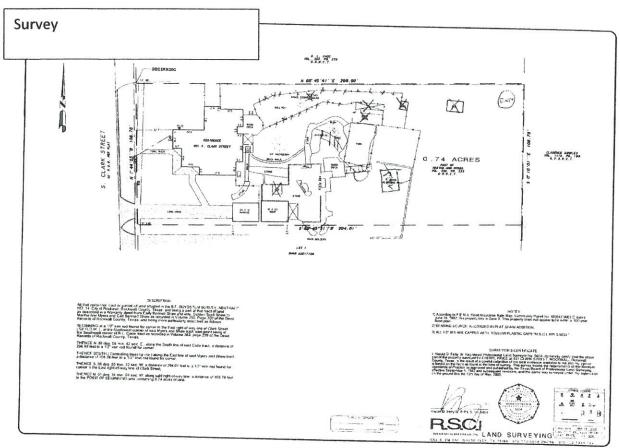
Name:

Address:

405 S. Clark St

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











Approximation of Street facing (front wall) veneer and trim; 401 S. Clark Street garage addition.



PLANNING AND ZONING DEPARTMENT

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

TO: Historic Preservation Advisory Board

**DATE:** June 16, 2022

**APPLICANT:** Mark and Veronica Combs

CASE NUMBER: H2022-012; Certificate of Appropriateness (COA) for 401 S. Clark Street

#### **SUMMARY**

Hold a public hearing to discuss and consider a request by Mark and Veronica Combs for the approval of a <u>Certificate of Appropriateness (COA)</u> for the demolition of existing accessory buildings, the construction of a guest quarters/detached garage, and expanding the driveway on a <u>Low Contributing Property</u> being a 0.7379-acre parcel of land identified as Block 105A-1, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, and take any action necessary.

# **BACKGROUND**

The 2,080 SF single-family home situated on the subject property at 401 S. Clark Street was constructed in 1873 in the National Folk architectural style according to the 2017 Historic Resource Survey. According to the Rockwall Central Appraisal District (RCAD) there is also a 192 SF detached garage constructed in 1990, a 150 SF storage building constructed in 2008, a 280 SF storage building constructed in 2009, and a 100 SF pergola constructed in 2009. The single-family home is classified as Low Contributing Property and is situated within the Old Town Rockwall (OTR) Historic District. A property is assigned the Low Contributing classification is defined as having most, but not all, of the historical character and integrity being lost through alterations to the home. The subject property was annexed prior to 1934 based on the April 1934 Sanborn Maps. According to the January 3, 1972 zoning map the subject property was zoned Single-Family 3 (SF-3) District. At some point between January 3, 1972 and May 16, 1983 the



FIGURE 1: SEPTEMBER 28, 2012

subject property was rezone from a Single-Family 3 (SF-3) District to Single-Family 7 (SF-7) District. The property has remained zoned Single Family (SF-7) District since this date.

#### **PURPOSE**

The applicant is requesting approval of a Certificate of Appropriateness (COA) for the purpose of demolishing five (5) structures and landscape features, constructing a new 1,500 SF guest quarters/detached garage, and expanding the driveway.

# **ADJACENT LAND USES AND ACCESS**

The subject property is located at 401 S. Clark Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are four (4) parcels of land (i.e. 301 and 307 S. Clark Street and 706 and 708 Hartman Street) developed with single-family homes that are zoned Single-Family 7 (SF-7) District. All of the properties are located within the Old Town Rockwall (OTR) Historic District, where 307 S. Clark Street is a High

Contributing Property, 301 S. Clark Street is a Medium Contributing Property, and 706 and 708 Hartman Street are Non-Contributing Properties. Beyond this is Hartman Street, which is identified as a R2U (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are nine (9) parcels of lands of which three (3) parcels are vacant and six (6) are developed with single-family homes.

South: Directly south of the subject property is the boundary for the Old Town Rockwall (OTR) Historic District, followed by seven (7) parcels of land of which two (2) are vacant and five (5) are developed with single-family homes. All of these properties are zoned Single-Family 7 (SF-7) District. Beyond this are several parcels of land developed with single-family homes all zoned Two-Family (2F) District.

<u>East</u>: Directly east of the subject property is a vacant 3.983-acre tract of land zoned Single-Family 7 (SF-7) District. Beyond this are four (4) parcels of land (*i.e.* 402, 404, 406, & 408 Renfro Street) developed with single-family homes and zoned Single-Family 7 (SF-7) District. Beyond this is Renfro Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Park Place West Phase 2 Subdivision, which consists of 95 lots and is zoned Planned Development District 59 (PD-59) for Single-Family 7 (SF-7) District land uses.

<u>West</u>: Directly west of the subject property is the boundary for the Old Town Rockwall (OTR) Historic District. Beyond this is S. Clark Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are five (5) parcels of land of which four (4) are developed with single-family homes (*i.e. 402 S. Clark Street and 502, 504, & 506 Munson Street*) and one (1) is vacant (*i.e. 508 Munson Street*). All of the properties are zoned Single-Family 7 (SF-7) District. Beyond this is Tyler Street, which is identified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

## **CHARACTERISTICS OF THE PROJECT**

The applicant is proposing to demolish five (5) structures and landscape features, construct a guest quarters/detached garage, and pave a larger driveway. The applicant has indicated that the roof area being demolished is approximately 1,521.50 SF and the total demolition area is approximately 4,637.70 SF. To replace the demolished structures the applicant is also requesting to construct a 30-foot by 50-foot or 1,500 SF guest quarters/detached. The guest quarters/detached garage will have 1,140 SF enclosed and 360 SF open porch facing the existing pool at the rear of the property. The guest quarters/detached garage will have 12-foot walls, with a 4/12 roof pitch, giving the structure a maximum height of 17-feet; however, at the roof midpoint the structure will be 14.50-feet tall. The applicant has indicated on their residential plot plan, in green, that they want to expand the driveway width just in front of the proposed guest quarters/detached garage. The applicant's letter indicates that the remaining area that is demolished will be returned to greenspace. The applicant has also indicated that despite requesting a guest quarters/detached garage that exceeds the maximum permissible size, their intent is to replace the incoherent and impractical accessory structures with one (1) new guest quarters/detached garage that is more consistent with the historic district and the existing home.

#### CONFORMANCE TO THE HISTORIC DISTRICT GUIDELINES & CITY'S CODES

According to Subsection 06.03(F), Certificate of Appropriateness (COA) for Alteration or New Construction, of Article 05, District Development Standards, of the Unified Development Code (UDC), "(t)he provisions of this ordinance [Historic Overlay (HOV) District] shall apply only to those properties ... which meet the following criteria: [1] either be a designed historical landmark or be wholly or partially located within a designated historic district, and [2] either be a contributing property as defined by Subsection B or be located within 200-feet of a contributing property." In this case, the subject property meets all of the criteria for a property that would require a Certificate of Appropriateness (COA). Specifically, it is situated wholly within the Old Town Rockwall (OTR) Historic District, and is designated as a Low Contributing Property.

According to Section 10, Demolition Criteria, of Appendix D, Historic Preservation Guidelines, of the Unified Development Code (UDC), a structure may be demolished if the "structure does not contribute to the historical or architectural character and importance of the Historic District (e.g. a Non-Contributing Structure), and its removal will result in a positive, appropriate visual

effect on the Historic District." In this case, the accessory structures are considered to be *Non-Contributing* according to the 2017 Historic Resource Survey and are therefore are eligible for demolition.

According to Section 07, *Building Standards*, of Appendix D, *Historic Preservation Guidelines*, of the Unified Development Code (UDC), "the scale, mass, volume, period and style" of new construction "shall be compatible with other historic buildings or structures in the Historic District." In this case, the proposed guest quarters will be a white metal building, with black wood accents. The applicant has indicated in their letter that the front façade will incorporate the wood accents and features intended to complement the existing home. With this being said, the existing home is clad in vinyl siding, which has been painted white. Section 07 also states that driveways "should not exceed a width of ten feet." In this case the proposed driveway exceeds ten (10) feet in width.

According to Subsection 06.03(G)(5), Standards of Approval, of Article 05, District Development Standards, of the Unified Development Code (UDC), "...the Historic Preservation Advisory Board (HPAB) must approve the application for a Certificate of Appropriateness (COA) if it determines that ... the application will not adversely affect the character of the site; and the proposed work is consistent with the regulations contained in this section and proposed preservation criteria ..." While the applicant's proposed scope of work for the demolition is in conformance with the UDC guidelines, the proposed guest quarters and driveway do not appear to meet the historic preservation guidelines within the UDC. With this being said, the proposed project does not appear to impair the historical integrity of the subject property nor will it negatively impact any of the adjacent properties; however, approval of a Certificate of Appropriateness (COA) is a discretionary decision for the Historic Preservation Advisory Board (HPAB). Should the Historic Preservation Advisory Board approve the COA, a recommendation would be forwarded to the Planning and Zoning Commission for the approval of a Specific Use Permit (SUP) for a guest quarters that exceeds the maximum permissible size.

#### **NOTIFICATIONS**

On June 7, 2022, staff mailed 28 property owner notifications to property owners and occupants within 500-feet of the subject property. At the time this report was drafted, staff had not received any notices returned regarding the applicant's request.

## **CONDITIONS OF APPROVAL**

If the Historic Preservation Advisory Board (HPAB) chooses to approve the request for a Certificate of Occupancy (COA), staff would propose the following conditions of approval:

(1) Any construction resulting from the approval of this request 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.



# HISTORIC PRESERVATION ADVISORY BOARD APPLICATION

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

STAFF USE ONLY	
CASE NUMBER:	
NOTE: THE APPLICATION IS NOT CO	
CITY UNTIL THE PLANNING DIRECT	OR HAS SIGNED BELOW.
DIRECTOR OF PLANNING:	
DATE RECEIVED:	
RECEIVED BY:	

APPLICATION:  CERTIFICATE OF APPROPRIATENESS (COA)  LOCAL LANDMARK EVALUATION & DESIGNATION BUILDING PERMIT WAIVER & REDUCTION PROGRAM SMALL MATCHING GRANT APPLICATION  SPECIAL DISTRICTS [SELECT APPLICABLE]: OLD TOWN ROCKWALL HISTORIC (OTR) DISTRICT PLANNED DEVELOPMENT DISTRICT 50 (PD-50) SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT DOWNTOWN (DT) DISTRICT			CONTRIBUTING ST  LANDMARKED I HIGH CONTRIBL MEDIUM CONT LOW CONTRIBL NON-CONTRIBL CURRENT LAND U RESIDENTIAL COMMERCIAL	PROPERTY JTING PROPERTY RIBUTING PROPER JTING PROPERTY JTING PROPERTY	RTY			
PROPERTY INFO	RMATION [PI	LEASE PRINT]						
ADDRESS	401 S. CI	ark Street						
SUBDIVISION	BF Boyo	Iston			LOT	N/A	BLOCK	105A-1
OWNER/APPLICA	ANT/AGENT	INFORMATION [PLEASE PI	RINT/CHEC	K THE PRIMARY CON	TACT/ORIGINAL SI	GNATURES ARE	E REQUIRED]	
IS THE OWNER OF THE	PROPERTY THE P	PRIMARY CONTACT? X YES	NO A	APPLICANT(S) IS/ARE:	☐ OWNER ☐	TENANT   N	ON-PROFIT 🔀	RESIDENT
CHECK THIS BOX	IF OWNER AND	APPLICANT ARE THE SAME.		OTHER, SPECIFY:				
OWNER(S) NAME	Mark and	l Veronica Combs	A	APPLICANT(S) NAME				
ADDRESS	401 S. CI	ark Street		ADDRESS				
PHONE				PHONE				
E-MAIL				E-MAIL				
SCOPE OF WOR	K/REASON F	OR EVALUATION REQ	UEST [P	PLEASE PRINT]				
CONSTRUCTION TYPE	[CHECK ONE]:	EXTERIOR ALTERATION	☐ NEV	V CONSTRUCTION	ADDITION		DEMOLITION	
		RELOCATIONS	X OTH	IER, SPECIFY: Dem	no of acc st	ructures	& new cor	struction
ESTIMATED COST OF C	CONSTRUCTION/DE	EMOLITION OF THE PROJECT (IF A	PPLICABLE	\$ <b>115,0</b>	050			
FOR LOCAL LANDMARK	K <i>EVALUATION &amp; L</i> NT CONDITIONS, S	PROVIDED BELOW OR ON A SEPA DESIGNATION REQUESTS INDICA TATUS, CURRENT OR PAST USE(S PPLICATION.	TE ANY AD	DITIONAL INFORMATI	ON YOU MAY HAV	E CONCERNING	G THE PROPER	TY, HISTORY,
See Attachm	nent(s)							

# OWNER & APPLICANT STATEMENT [ORIGINAL SIGNATURES REQUIRED]

I ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. FURTHERMORE, I UNDERSTAND THAT IT IS NECESSARY FOR ME OR A REPRESENTATIVE TO BE PRESENT AT A PUBLIC HEARING FOR THIS CASE TO BE APPROVED.

OW	NFR'S	SIGN	ATURF

Chion-

APPLICANT'S SIGNATURE

150





# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

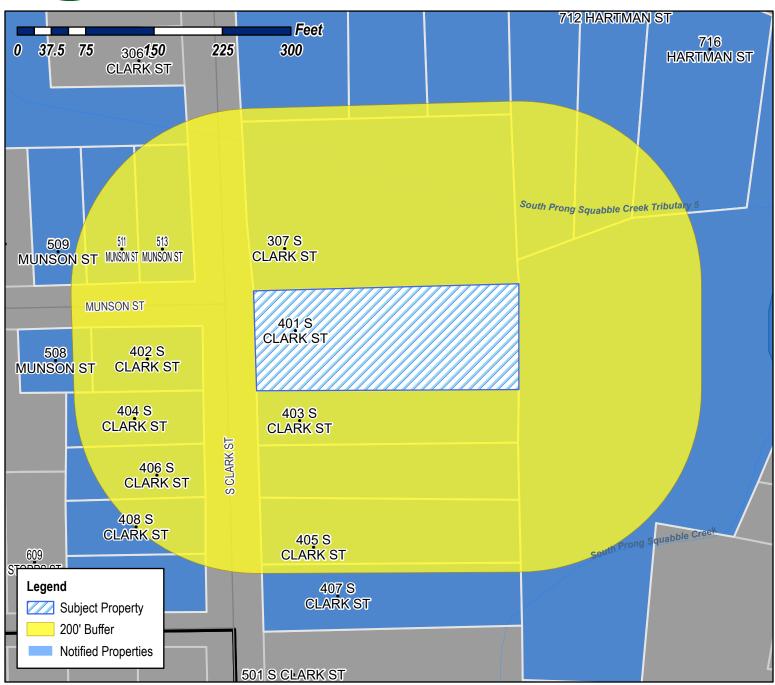




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Case Number: H2022-012

Case Name: COA for Low-Contributing Property

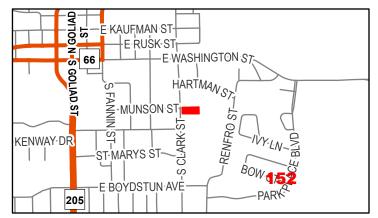
Case Type: Historic

**Zoning:** Single-Family 7 (SF-7) District

Case Address: 401 S. Clark Street

Date Saved: 6/7/2022

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



TUTTLE LEON ETUX 1408 DHAKA DR ROCKWALL, TX 75087 BOREN TERRY L ETUX 207 GNARLY OAKS WAY LTL RVR ACAD, TX 75042 BOWEN CHASE AND PERRY BOWEN 230 MYERS ROAD HEATH, TX 75032

CAUBLE LINDA 301 S CLARK ST ROCKWALL, TX 75087 SPROUL DAVID D JR AND TRISH IRELAND 307 S CLARK ST ROCKWALL, TX 75087 MUNSON PARTNERS 1 LLC 3435 HWY 276 ROCKWALL, TX 75032

COMBS MARK HILTON AND VERONICA RUTH 401 SOUTH CLARK STREET ROCKWALL, TX 75087 SADLER LESLIE A 402 S CLARK ST ROCKWALL, TX 75087 LIVINGSTON JUSTIN AND BROOKE 403 S CLARK STREET ROCKWALL, TX 75087

TUTTLE LEON ETUX 404 S CLARK ST ROCKWALL, TX 75087 LIVINGSTON JUSTIN R & BROOKE D 405 S CLARK ST ROCKWALL, TX 75087 SOLID ROCK HOLDINGS LLC 406 S CLARK ST ROCKWALL, TX 75087

BOWEN CHASE AND PERRY BOWEN 407 S CLARK ST ROCKWALL, TX 75087

GADDIS CAMILLE D 408 SOUTH CLARK STREET ROCKWALL, TX 75087 SIMS CHRIS AND TERESA 410 S CLARK ST ROCKWALL, TX 75087

SAMPLES ELVA NELL 502 RENFRO ST ROCKWALL, TX 75087 CHERRY J DALE AND TEDDI 508 HIGHVIEW ROCKWALL, TX 75087 MUNSON PARTNERS 1 LLC 508 MUNSON ST ROCKWALL, TX 75087

AUBE JEAN-PAUL III 509 MUNSON ST ROCKWALL, TX 75087

CGRH IMPROVEMENTS LLC 511 MUNSON ST ROCKWALL, TX 75087 BOREN TERRY L ETUX 513 MUNSON ST ROCKWALL, TX 75087

CHERRY J DALE AND TEDDI 706 HARTMAN ST ROCKWALL, TX 75087 MOORE LAKISHA Q AND JASON 708 HARTMAN ST ROCKWALL, TX 75087 RENDON MARCELINO J JR 710 HARTMAN ST ROCKWALL, TX 75087

GILLIAM ROBERT W JR & PERRILYN 712 HARTMAN ST ROCKWALL, TX 75087 HOOVER LINDA WEST-716 HARTMAN STREET ROCKWALL, TX 75087 SOLID ROCK HOLDINGS LLC 904 CAMPTON CT ROCKWALL, TX 75032

AUBE JEAN-PAUL III PO BOX 868 ROCKWALL, TX 75087 Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the Historic Preservation Advisory Board will consider the following application:

#### Case No. H2022-012: COA for 401 S. Clark Street

Hold a public hearing to discuss and consider a request by Mark and Veronica Combs for the approval of a <u>Certificate of Appropriateness (COA)</u> for the demolition of existing accessory buildings and the construction of a new accessory building on a Low Contributing Property being a 0.7379-acre parcel of land identified as Block 105A-1, B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Historic Preservation Advisory Board (HPAB) will hold a public hearing on *Thursday, June 16, 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:

#### Henry Lee

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

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

Your comments must be received by <u>Thursday, June 16, 2022 at 4:00 PM</u> to ensure they are included in the information provided to the Historic Preservation Advisory Board (HPAB).

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. H2022-012: COA for 401 S. Clark Street
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

USE THIS QR CODI

TO THE WEBSITE





Mark and Veronica Combs 401 S. Clark Street Rockwall TX, 75087

Historic Preservation Board Advisory Committee City of Rockwall – Planning and Zoning Department 385 S. Goliad Street Rockwall TX 75087

SUBJECT: CERTIFICATE OF APPROPRIATENESS

My wife Veronica and I recently purchased 401 S. Clark, a lovely farmhouse at the edge of the historical district which is currently classified as low contributing. The home's original sale occurred Sep 4, 1873 when Harriet Clark purchased it from the Boydston family. What a cool piece of history. Unfortunately, in the years between 1990 and 2009 several structures (5) and large landscape features were added that do not complement the property. In fact, they are largely incoherent and impractical; and distract from what could otherwise be a beautiful back yard. From our research it appears that many of these changes were made without Historic Preservation Board or City approval.

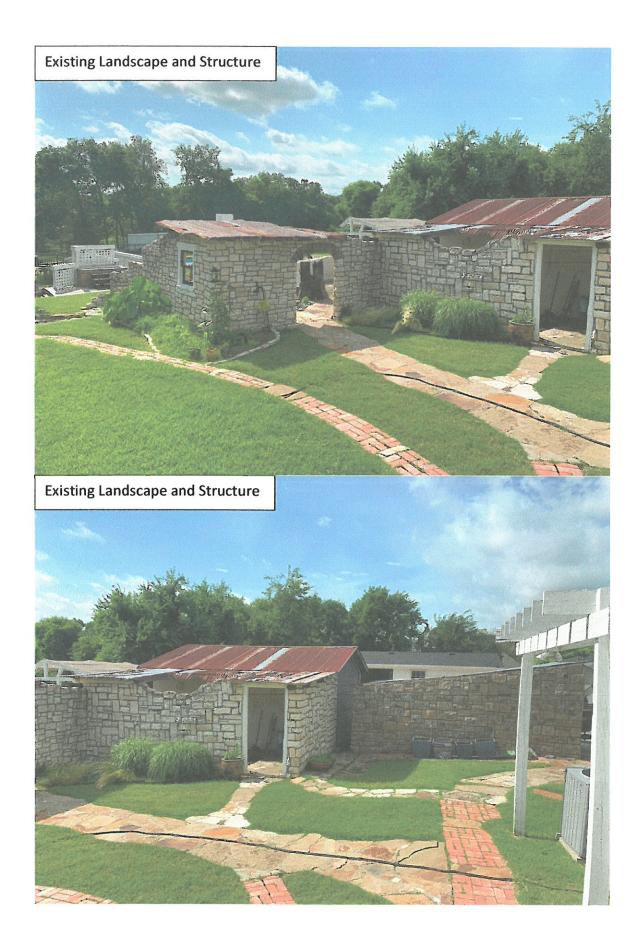
It is our hope that we can raise these structures and landscape additions, then construct one garage/shop that is coherent and complimentary to the property. In addition, much of the proposed demolition would be returned to green space (see attached documents). The proposed demolition area is 4,637.7 sqft; estimate taken from Rockwall Central Appraisal Districts ARC GIS CAD data (see attachment). The approximate "under roof" area of demolition is 1,521,5 sqft; leaving approximately 3,116 sqft returned to green space.

The proposed replacement structure would be a 1,500 sqft garage workshop (30x50 slab); 1140 sqft enclosed, and a 360 sqft under roof patio that would be facing the pool area. The building would be an engineered building constructed of metal with roof, walls, and doors that color match the homestead. Street facing veneer would include wood accents and features as to complement the original farm house. The drive behind the house would be extended to match the new structure. We will be applying for variances for both the proposed square footage, and metal building materials. We have noticed, that although not common, there are examples of larger barn-like or metal shop structures within the historical district.

Veronica and I are invested in making this our last home purchase. It is our sincere desire to improve the property in a manner that will add value to the home and neighborhood.

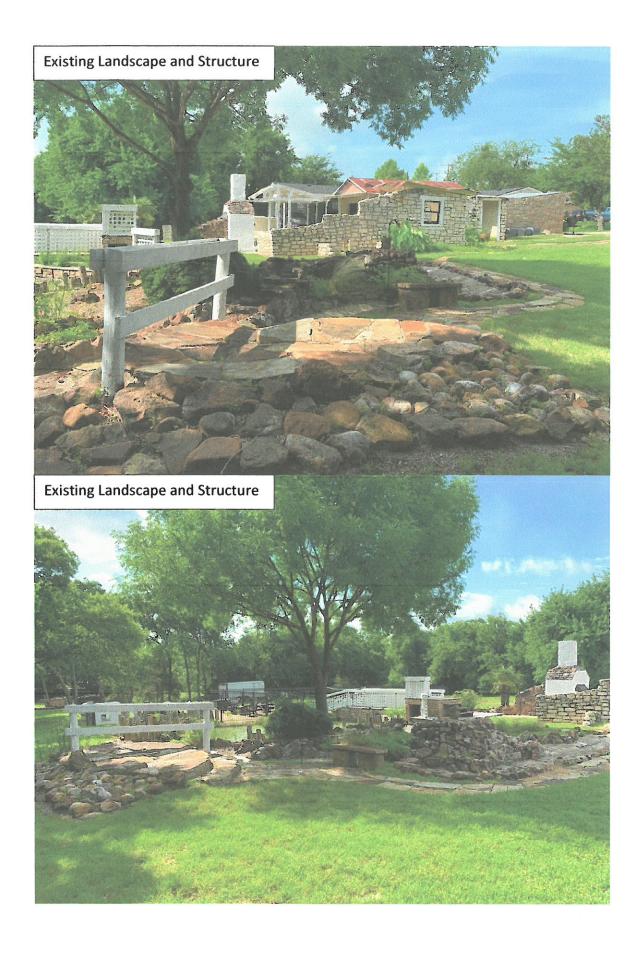
Sincerely,

Mark H. Combs

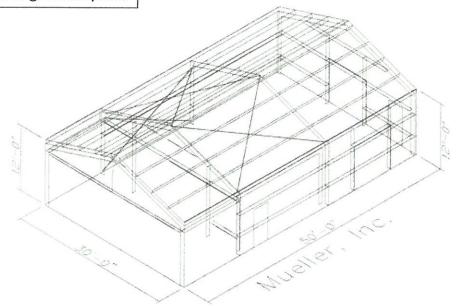








NOTE: Garage door opening sizes are on incorrect ends; will be corrected on final engineered plans



Unless noted, drawings are for conceptual purposes only. Please review for building dimensions and framed openings occuracy. All other aspects such as wall girt and roos purin spacing, wind bracing locations, etc. may change during engineered design unless noted in the "Special Requirements" section of the contract.

#### BID 1

# DESCRIPTION

THESE ARE ESTIMATED BIDS UNTIL ACTUAL SELECTIONS ARE MADE.

COMBS GARAGE 30X50 1140SQ FT ENCLOSED GABLE ROOF 4/12 PITCH 12' WALLS

TOTAL A/C GARAGES PORCHES

1140

TOTAL SF

360 1500

BID 1	

# **SECTION 1**

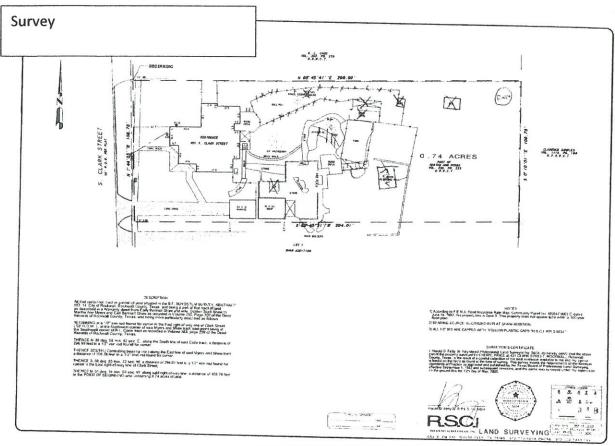
1	ENG FLOOR PLANS AND DRAINAGE PLAN	\$ 1,800.00
2	CITY PERMITS & ROADWAY IMPACT FEE & DEPOSIT	\$ 1,500.00
3	PIERS INSPECTION & PRE-POUR INSPECTION	\$ 250.00
4	RES CHECK FEE/ROUGH ENERGY/	\$ 850.00 <b>162</b>

5	SURVEYS/FORM BOARD SURVEY/ELEVATIONS	\$	750.00	1
6	WATER METER 5/8" METER	IN WITH PI	750.00	-
7	CHEMICAL INJECTION & WATER USAGE & TESTING	\$		-
8	UTILITIES/ELECTRIC/WATER/RESTROOM	\$	3,500.00	
9	BUILDERS RISK INSURANCE	\$	1,800.00	-
10	GENERAL LIABILITY INSURANCE	\$	1,200.00	-
50.000		2	500.00	_
11	SHEAR WALL PLAN			4
12	HENLEY JOHNSON SOILS TEST		1787a)	
13 14				
	SECTION 2			
15	SECTION 2			7
16	PLUMBING STUBOUT FOR FUTURE	\$	1,500.00	
17	PLUMBING FIXTURES-ESTIMATE			_
18	ELECTRICAL	\$	5,000.00	
19	A/C AND HEAT			
20	LOT PREP CUTTING LOT	\$	5,800.00	
21	FOUNDATION (INCLUDES PIERS & PUMP TRUCK)	\$	19,500.00	
22	FLAT WORK (DRIVEWAYS) ESTIMATE			
23	FINAL GRADE ESTIMATE			
24	FRAME MATERIAL	\$	30,000.00	estimated
25	FRAMING LABOR	\$	15,000.00	
26	GUTTERS			
27	WINDOWS	\$	800.00	
28	ROOFING	\$	6,500.00	
29	CABINETS			
30	METAL ROOF			
31				
32	SECTION 3			
32 33	SECTION 3 PRETREAT FOUNDATION FOR TERMITES	\$	500.00	7
		\$	500.00	
33	PRETREAT FOUNDATION FOR TERMITES	\$	500.00	
33 34	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL	\$	500.00	
33 34 35	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND	\$	500.00	
33 34 35 36 37	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND	\$	500.00	
33 34 35 36 37	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS	\$	500.00	
33 34 35 36 37 38 39	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR	\$	500.00	
33 34 35 36 37 38 39 40	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE	\$	500.00	
33 34 35 36 37 38 39	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR	\$	500.00	
33 34 35 36 37 38 39 40 41	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE	\$	500.00	
33 34 35 36 37 38 39 40 41 42	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH	\$	500.00	
33 34 35 36 37 38 39 40 41 42 43 44	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH		500.00	
33 34 35 36 37 38 39 40 41 42 43 44	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE)	s n/a	500.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES	n/a		
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS	n/a \$	4,000.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam	n/a		
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY	n/a \$ \$	4,000.00 4,500.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY ALL OTHER EXTERIOR DOORS 1-3080 1-6080	n/a \$ \$	4,000.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY ALL OTHER EXTERIOR DOORS 1-3080 1-6080 BACKPORCH SLIDER	n/a \$ \$	4,000.00 4,500.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY ALL OTHER EXTERIOR DOORS 1-3080 1-6080 BACKPORCH SLIDER TRIM MATERIAL/STAIR PARTS/INSIDE DOORS	n/a \$ \$	4,000.00 4,500.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY ALL OTHER EXTERIOR DOORS 1-3080 1-6080 BACKPORCH SLIDER TRIM MATERIAL/STAIR PARTS/INSIDE DOORS TRIM LABOR	n/a \$ \$	4,000.00 4,500.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY ALL OTHER EXTERIOR DOORS 1-3080 1-6080 BACKPORCH SLIDER TRIM MATERIAL/STAIR PARTS/INSIDE DOORS TRIM LABOR WOOD FLOORS vinyl	n/a \$ \$	4,000.00 4,500.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY ALL OTHER EXTERIOR DOORS 1-3080 1-6080 BACKPORCH SLIDER TRIM MATERIAL/STAIR PARTS/INSIDE DOORS TRIM LABOR WOOD FLOORS vinyl TILE LABOR ENTIRE HOUSE	n/a \$ \$	4,000.00 4,500.00	
33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54	PRETREAT FOUNDATION FOR TERMITES BRICK MATERIAL BRICK LABOR MASONARY SAND MASONARY CEMENT LINTELS STONE ON FIREPLACES-MATERIAL & LABOR FIREPLACE - 1 - INSIDE SCREENED IN PORCH  SECTION 4 SHEETROCK AND LABOR(INCLUDES GARAGE) SPECIAL TEXTURES GARAGE DOORS INSULATION foam FRONT DOOR ONLY ALL OTHER EXTERIOR DOORS 1-3080 1-6080 BACKPORCH SLIDER TRIM MATERIAL/STAIR PARTS/INSIDE DOORS TRIM LABOR WOOD FLOORS vinyl TILE LABOR ENTIRE HOUSE TILE MATERIAL ALLOWANCE	n/a \$ \$	4,000.00 4,500.00	

<b>F</b> 0	DAGKODI AGU	1 .	
58 59	BACKSPLASH		
60	MIRRORS AND SHOWERS-ESTIMATE		
	PAINT AND LABOR (INCLUDED GARAGE)	\$	4,500.00
61	HARDWARE - ALLOWANCE		
62	LIGHT FIXTURES - ALLOWANCE		
63 64			
65			
66	SECTION 5		
67	APPLIANCES		
68	SPRINKLER AND LANDSCAPE		
69			
70	SECURITY SYSTEM (BURGLAR, FIRE, WIRING)		
71	PRE WIRE (TV,PHONE,ENTERTAINMENT, SURVEILLANCE)  EXPENSES		
72	EXTERIOR CLEAN building material		
73	INTERIOR CLEAN AND RE-CLEAN BEFORE MOVE IN	customer p	roviding
74	HARDWARE LABOR COST		
75	MISCELLANEOUS LABOR COSTS/PUNCHOUT LABOR		
76		\$	1,500.00
	MATERIAL TO COVER FLOORS/WINDOWS/DOORS		
77	MAILBOX AND ADDRESS BLOCK		
78	CONTINGENCY ALLOWANCE		
79	METAL FIREPLACE CAPS		
80	POWER WASH GARAGE		
81	POWER WASH EXTERIOR OF HOUE FOR TOUCH UP	N/A	
82			
83 84			
1	CUD TOTAL	1.	
85	SUB TOTAL	\$	115,050.00
86	TOTAL	\$	
87   88	TOTAL	\$	115,050.00









#### **CITY OF ROCKWALL**

# ORDINANCE NO. 22-XX

# SPECIFIC USE PERMIT NO. <u>S-2XX</u>

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 AND DETACHED **GARAGE ON A 0.7379-ACRE PARCEL OF LAND, IDENTIFIED** AS BLOCK 105A-1 OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' THIS ORDINANCE; PROVIDING FOR 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 **PROVIDING** CLAUSE: FOR Α REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark and Veronica Combs for the approval of a Specific Use Permit (SUP) for a *Guest Quarters and Detached Garage* to allow for the construction of an *Accessory Building* on a 0.7379-acre parcel of land being identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 401 S. Clark Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for Guest Quarters and Detached Garage to allow for the construction of an Accessory Building in accordance with Article 04, Permissible Uses, the Unified Development Code (UDC) [Ordinance No. 20-02] on the Subject Property; and,

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

#### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a *Guest Quarters* and *Detached Garage* on the *Subject Property* and conformance to these operational conditions are required:

- (1) The development of the *Subject Property* shall generally conform to the <u>Site Plan</u> as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
- (2) The construction of a *Guest Quarters* and *Detached Garage* on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
- (3) The Guest Quarters and Detached Garage shall not exceed a maximum size of 1,500 SF.
- (4) The maximum height of the *Guest Quarters* and *Detached Garage* shall not exceed a total height of 15-feet as measured to midpoint of the pitched roof.
- (5) The *Guest Quarters* and *Detached Garage* shall not be sold or conveyed separately from the single-family home without meeting the requirements of the zoning district and subdivision ordinance.

#### 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

Z2022-031: SUP for 401 S. Clark Street Ordinance No. 22-XX; SUP # S-2XX

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 1st DAY OF AUGUST, 2022.

	Kevin Fowler, <i>Mayor</i>
ATTEST:	
Kristy Teague, City Secretary	
APPROVED AS TO FORM:	
Frank J. Garza, City Attorney	
1st Reading: July 18, 2022	

2<sup>nd</sup> Reading: August 1, 2022

# Exhibit 'A' Location Map and Legal Description

<u>Address:</u> 401 S. Clark Street <u>Legal Description:</u> Block 105A-1 of the B. F. Boydston Addition



Exhibit 'B':
Site Plan



Exhibit 'C': Concept Building Elevations



Z2022-031: SUP for 401 S. Clark Street Ordinance No. 22-XX; SUP # S-2XX



# **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 18, 2022

SUBJECT: Z2022-032; SPECIFIC USE PERMIT (SUP) FOR A SMITTY€™S CAR

**WASH** 

**Attachments** 

Case Memo

**Development Application** 

**Location Map** 

**HOA Notification Map** 

Neighborhood Notification Email

**Property Owner Notification Map** 

**Property Owner Notification List** 

**Public Notice** 

**Property Owner Notifications** 

Concept Plan

**Conceptual Building Elevations** 

Concept Building Renderings

Floor Plan

Noise Study

**Draft Ordinance** 

# Summary/Background Information

Hold a public hearing to discuss and consider a request by Kirk Eyring of Squirrel's Real Estate, LLC on behalf of Jeff Newland for the approval of an **ordinance** for a *Specific Use Permit* (SUP) for a *Self-Service Carwash* on a 2.47-acre parcel of land identified as Lot 3, Block A, The Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the southeast corner of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], 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)*.



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Kirk Eyring, Squirrel's Real Estate

CASE NUMBER: Z2022-032; Specific Use Permit (SUP) for a Smitty's Car Wash

#### **SUMMARY**

Hold a public hearing to discuss and consider a request by Kirk Eyring of Squirrel's Real Estate, LLC on behalf of Jeff Newland for the approval of a <u>Specific Use Permit (SUP)</u> for a <u>Self-Service Carwash</u> on a 2.47-acre parcel of land identified as Lot 3, Block A, The Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the southeast corner of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

#### **BACKGROUND**

On November 7, 1960, the City Council approved the annexation of the subject property by adopting *Ordinance No. 60-04*. [Case No. A1960-004]. According to the January 3, 1972 zoning map the subject property was zoned Multi-Family 1 (MF-1) District. At some point between January 3, 1972 and May 16, 1983 the subject property was rezoned to Multi-Family 15 (MF-15) District. At some point between May 16, 1983 and December 7, 1993 the subject property was rezoned to Commercial (C) District, which remains its current zoning designation. On July 28, 2003, the City Council approved a plat for the subject property establishing it as Lot 2, Block A, The Woods at Rockwall addition and Lot 2, Block B, Rockwall High School Addition. On April 15, 2013, the City Council approved a Specific Use Permit (SUP) for the subject property to allow for a convenience store with gasoline sales by *Ordinance No.13-09* [Case No. Z2013-004]. On December 10, 2013, the Planning and Zoning Commission approved a site plan [Case No. SP2013-002] for the subject property. This Specific Use Permit (SUP) expired in September 2019. On October 5, 2020, the City Council re-approved the replat from May 1, 2017, establishing the subject property as Lot 3, Block A, The Woods at Rockwall Addition.

#### **PURPOSE**

The applicant -- Kirk Eyring of Squirrel's Real Estate -- is requesting the approval of a Specific Use Permit (SUP) for a Self-Service Car Wash (i.e. Smitty's Car Wash) to operate on the subject property.

#### ADJACENT LAND USES AND ACCESS

The subject property is generally located at the southeast corner of W. Yellow Jacket Lane and Ridge Road. The land uses adjacent to the subject property are as follows:

North:

Directly north of the subject property is the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], which are identified as M4D (i.e. major collector, four [4] lane, divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 1.129-acre parcel of land developed with a commercial/retail strip center zoned Commercial (C) District. Beyond this is Old Country Road, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an undeveloped 9.24-acre tract of land zoned Commercial (C) District.

- <u>South</u>: Directly south of the subject property are two (2) undeveloped parcels of land zoned Commercial (C) District. Beyond this is a 25.9263-acre parcel of land developed with a *Grocery Store* (*i.e. Walmart Superstore*) zoned Commercial (C) District.
- East: Directly east of the subject property is a 1.1988-acre parcel of land developed with a Medical Office (i.e. Rockwall Surgery Center) zoned Commercial (C) District. Beyond this is Greencrest Boulevard, which is identified as a Minor Collector on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 35.295-acre parcel of land developed with a High School (i.e. Rockwall High School) zoned Commercial (C) District.
- <u>West</u>: Directly west of the subject property is Ridge Road [FM-740], which is identified as M4D (i.e. major collector, four [4] lane, divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Sky Ridge Addition, which consists of six (6) parcels of land zoned Commercial (C) District. Beyond this is 2.95-acre parcel of land developed with a House of Worship (i.e. Great Faith Church) zoned Commercial (C) District.

## CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a *Self-Service Carwash*. The proposed carwash will consist of a single entrance tunnel that has three (3) lanes of queuing and a bail out lane. Based on the concept plan, the carwash tunnel will be oriented so that the entrance of the tunnel will be facing onto W. Yellow Jacket Lane and the tunnel will be parallel to Ridge Road [*FM-740*]. The concept plan also indicates 20 vacuum stalls and five (5) parking spaces. Staff should note that ten (10) of the vacuum bays are located adjacent to the property line along Ridge Road [*FM-740*] and based on the provided noise study they do not appear to meet the City of Rockwall noise ordinance (*Chapter 16, Environment, Article IV, Noise, of the Municipal Code of Ordinances*).

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

According to the Permissible Use Charts contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a Self-Service Car Wash requires a Specific Use Permit (SUP) in the Scenic Overlay (SOV District) District. In addition, Subsection 02.03.(H)(4), *Conditional Land Use Standards*, of Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also provides the following requirements relating to regulating the land use:

- (a) Entrances and exits to the car wash shall not directly face any public right-of-way. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume.
- (b) The carwash shall be set back a minimum of 50-feet from any street frontage.

In this case, the submitted concept plan conforms to the conditional land use standards required for a *Self-Service Car Wash*. Staff has included additional conditions of approval that require the applicant to provide additional landscape screening of the tunnel and vacuum bays as well as prohibit all outside display/outside storage. Staff should note that the submitted building elevations do not appear to meet the minimum material standards of the Scenic Overlay (SOV) District and will need to be reviewed by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of site plan.

#### STAFF ANALYSIS

The subject property is located within the Scenic Overlay (SOV District) District, which requires a Specific Use Permit (SUP) for a Self-Service Car Wash. According to Subsection 02.02, Specific Use Permit (SUP), of Article 11, Development Applicants and Review Procedures, of the Unified Development Code (UDC), "(t)he purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions." It shall be the discretion of the City Council -- pending a recommendation from the Planning and Zoning Commission -- to determine if the subject property is a compatible site for a Self-Service Car Wash. Should the City Council choose to approve the applicant's request staff has included conditions of approval described below and outlined within the Draft Ordinance contained in your packet.

#### **NOTIFICATIONS**

On June 21, 2022, staff mailed 32 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Turtle Cove Homeowners Association (HOA), which is the only HOA's 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 one (1) returned notice in opposition to the applicant's request.

#### **CONDITIONS OF APPROVAL**

If the City Council chooses to approve the applicant's request for a <u>Specific Use Permit (SUP)</u> for a <u>Self-Service Car Wash</u> then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The Self-Service Car Wash facility shall generally conform to the Concept Plan depicted in Exhibit 'B' and the Building Elevations depicted in Exhibit 'C' of the Specific Use Permit (SUP) ordinance.
  - (b) No outside display of merchandise or outside storage (e.g. ice machine, propane cage, vending machines, and DVD rental kiosk) shall be allowed on the subject property.
  - (c) Additional landscaping (*i.e. trees and shrubs*) shall be required adjacent to the vacuum bays to provide additional screening and sound attenuation.
  - (d) The tunnel entrance and exit shall be screened from all public rights-of-way with three (3) tier screening in accordance with Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC).
- (2) Any construction resulting from the approval of this <u>Specific Use Permit (SUP)</u> 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 July 12, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0, with Commissioner Llewellyn absent.



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

# DEVELOPI" SNT APPLICATION

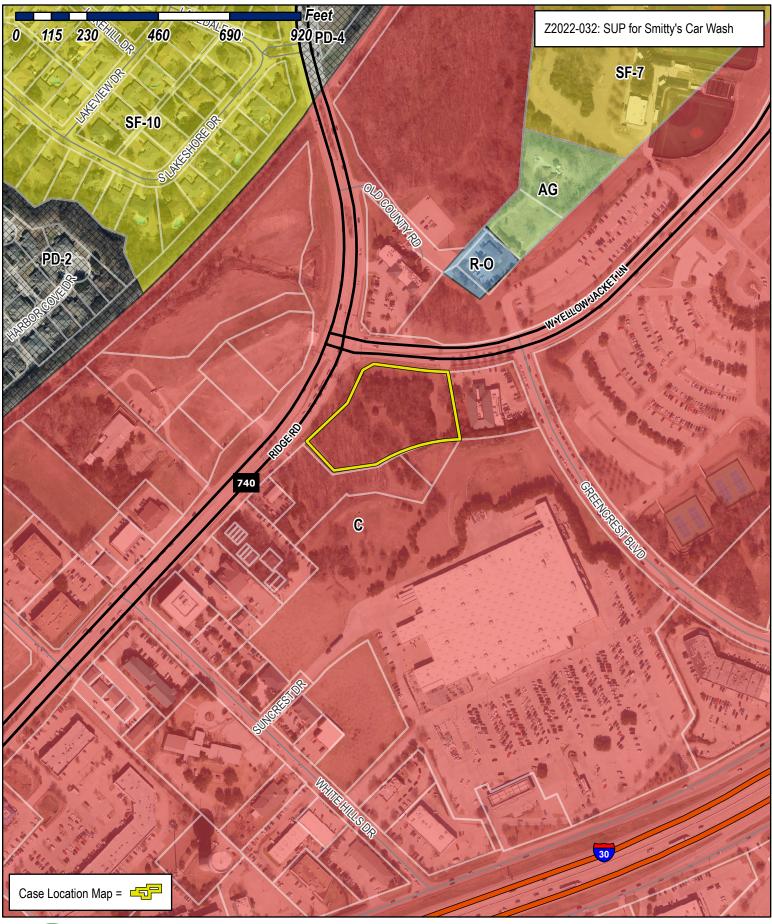
City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087

PLANNING	'NING CASE NO.	22022-032
	THE PLANNING DIREC	CONSIDERED ACCEPTED BY THE TOR AND CITY ENGINEER HAVE

CITY ENGINEER:

PLEASE CHECK THE AF	PPROPRIATE BOX BELOW TO INDICATE THE TYPE	OF DEVELOPMENT REC	UEST [SELECT	ONLY ONE BOX	]:	
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PROPERTY INFOR	RMATION [PLEASE PRINT]			S.H.		
ADDRESS	2205 Ridge Road (Property ID #	86686)				
SUBDIVISION	The Woods of Rockwall Addition	1	LOT	1 & 2	BLOCK	Α
GENERAL LOCATION	Ridge Road & Yellowjacket Land	е				
ZONING, SITE PLA	AN AND PLATTING INFORMATION [PLEA	SE PRINT)				
CURRENT ZONING	Commericial	CURRENT USE	Undevelo	oped		
PROPOSED ZONING	Commericial	PROPOSED USE	Tunnel C	ar Wash		
ACREAGE	ACREAGE 2.47 LOTS [CURRENT]		LOTS [PROPOSED]			
REGARD TO ITS AI RESULT IN THE DE	PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE PPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF NIAL OF YOUR CASE. NT/AGENT INFORMATION [PLEASE PRINT/C	STAFF'S COMMENTS BY	THE DATE PROV	IDED ON THE DE	/ELOPMENT C	EXIBILITY WITH ALENDAR WILL
☑ OWNER	Squirrels' Real Estate LLC	☑ APPLICANT		Real Estat		
CONTACT PERSON	Jeff Newland - Owner Rep	CONTACT PERSON	Kirk Eyrin			
ADDRESS	203 S. First St.	ADDRESS	203 S. Fi	st St.		
CITY, STATE & ZIP	Lufkin, Texas 75901	CITY, STATE & ZIP		xas 75901		
PHONE	(936) 632-6033	PHONE	(713) 550			
E-MAIL	jnewland@smittyscarwash.com	E-MAIL	keyring@	smittyscar	wash.co	m
STATED THE INFORMATION INFORMATION S 237.05 June INFORMATION CONTAINED SUBMITTED IN CONJUNCTION	ATION [REQUIRED]  SIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEAR IN ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; , TO COVER THE COST OF THIS APPLICATION, I AGI, 20_22. BY SIGNING THIS APPLICATION, I AGI WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IN THIS APPLICATION, IF SUCH REPRODUCTION IS ASSEMIND SEAL OF OFFICE ON THIS THE DAY OF	IE FOLLOWING: ALL INFORMATION SUBMITT IAS BEEN PAID TO THE CITY REE THAT THE CITY OF RO IS ALSO AUTHORIZED AND	ED HEREIN IS TRU OF ROCKWALL OI CKWALL (I.E. "CITY PERMITTED TO	E AND CORRECT; N THIS THE	AND THE APPLI AND PERMITTE COPYRIGHTED	DAY OF
	OWNER'S SIGNATURE	1			57741-3	<u> </u>

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.

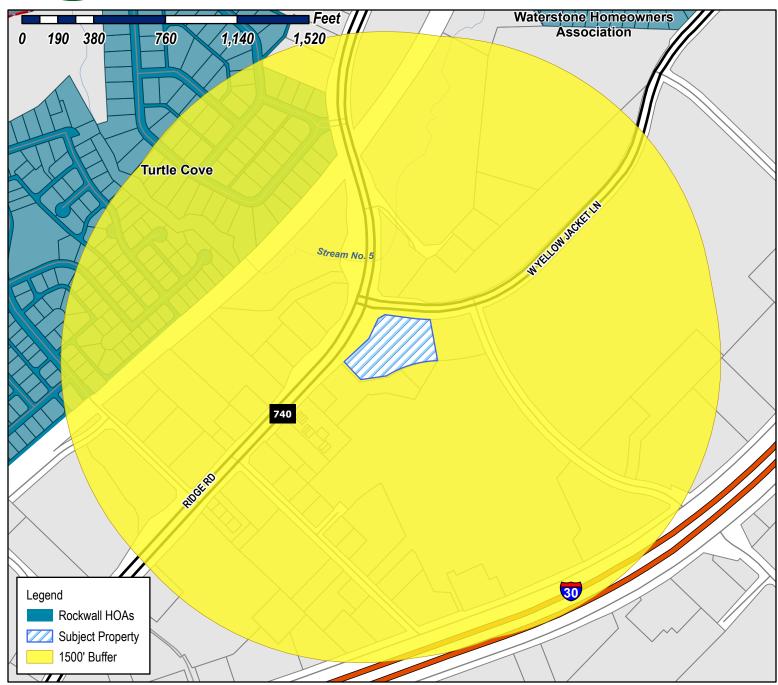




# **City of Rockwall**

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number: Z2022-032

Case Name: SUP for Smitty's Car Wash

Case Type: Zoning

**Zoning:** Commercial (C) District

Case Address: 2205 Ridge Road

Date Saved: 6/17/2022

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



### Lee, Henry

**From:** Gamez, Angelica

Sent: Tuesday, June 21, 2022 4:44 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry

**Subject:** Neighborhood Notification Program [Z2022-032]

Attachments: Public Notice (06.21.2022).pdf; HOA Map (06.17.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>June 24, 2022</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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 <a href="Planning@rockwall.com">Planning@rockwall.com</a> 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.

#### Z2022-032: SUP for Self-Service Car Wash

Hold a public hearing to discuss and consider a request by Kirk Eyring of Squirrel's Real Estate, LLC on behalf of Jeff Newland for the approval of a <u>Specific Use Permit (SUP)</u> for a <u>Self-Service Carwash</u> on a 2.47-acre parcel of land identified as Lot 3, Block A, The Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the southeast corner of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

1

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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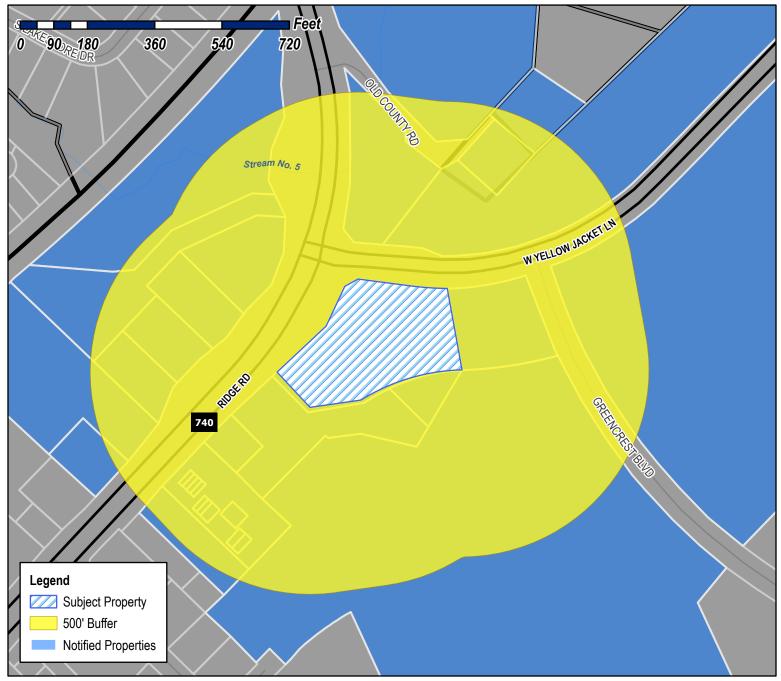
181



## City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number: Z2022-032

Case Name: SUP for Smitty's Car Wash

Case Type: Zoning

**Zoning:** Commercial (C) District

Case Address: 2205 Ridge Road

Date Saved: 6/17/2022

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



7.1 RIDGE LLC JARA PARTNERS LTD FRANK RUSSELL 106 E RUSK SUITE 200 1425 HUNTERS GLEN 15 PRINGLE LANE ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROYSE CITY, TX 75189 **GAMEZ SUSAN AND** MEHL ROBERT F III & JOAN DGR ASSOCIATES INC A MISSOURI CORP VICTOR BALDERAS 1545 RUNNING CEADER CT 1710 WEISKOPF DR 2001 RIDGE RD CHARLOTTESVILLE, VA 75087 HEATH, TX 75032 ROCKWALL, TX 75087 MFR PROPERTIES LLC AND **PROCK CHARLES PROCK CHARLES** YELLOW JACKET PLAZA LLC 2003 RIDGE RD 209 RUSSELL DR 2135 RIDGE RD ROCKWALL, TX 75087 ROCKWALL, TX 75032 ROCKWALL, TX 75087 7.1 RIDGE LLC MOUNTAINPRIZE INC FRANK RUSSELL 2200 RIDGE RD 2205 RIDGE RD 2215 RIDGE RD ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROCKWALL, TX 75087 LAYAN INVESTMENTS INC 7.1 RIDGE LLC JARA PARTNERS LTD 2225 RIDGE RD 2230 RIDGE RD 2231 RIDGE RD ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROCKWALL, TX 75087 DGR ASSOCIATES INC A MISSOURI CORP DOUPHRATE PROPERTIES INC. MEHL ROBERT F III & JOAN 2233 RIDGE RD 2235 RIDGE RD 2237 RIDGE RD ROCKWALL, TX 75087 ROCKWALL, TX 75087 ROCKWALL, TX 75087 **HUDSPETH FREDERICK WARD ESTATE** LAKEWOOD PROPERTIES LLC NONA MAHAFFY HUDSPETH INDEPENDENT MCKENNEY CARL K 2245 RIDGE RD **EXECUTOR** 2306 RIDGE RD STE 2 ROCKWALL, TX 75087 2304 RIDGE RD ROCKWALL, TX 75087 ROCKWALL, TX 75087 MFR PROPERTIES LLC AND JAMES & MARY SYVRUD REVOCABLE TRUST RICHARD W MCKEE REVOCABLE TRUST YELLOW JACKET PLAZA LLC JAMES P SYVRUD AND MARY J SYVRUD RICHARD W MCKEE-TRUSTEE 28632 ROADSIDE DR SUITE 270 **4 MEADOWVIEW COURT 4817 RIVER VILLAGE DRIVE** AGOURA HILLS, CA 91301 HEATH, TX 75087 VERO BEACH, FL 32967 **GAMEZ SUSAN AND** WAL-MART REAL ESTATE LAYAN INVESTMENTS INC VICTOR BALDERAS **BUSINESS TRUST** 6403 CRESTMOOR LN **602 LAURENCE** 782 130 SACHSE, TX 75048 HEATH, TX 75032 ROCKWALL, TX 75087

RICHARD W MCKEE REVOCABLE TRUST RICHARD W MCKEE- TRUSTEE 825 YELLOW JACKET LN ROCKWALL, TX 75087

ROCKWALL IS D 901 YELLOWJACKET RD ROCKWALL, TX 75087 MOUNTAINPRIZE INC P. O. BOX 2437 SMYRNA, GA 30081 LAKEWOOD PROPERTIES LLC PO BOX 2259 ROCKWALL, TX 75087 WAL-MART REAL ESTATE BUSINESS TRUST PO BOX 8050 BENTONVILLE, AR 72712 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. Z2022-032: SUP for a Self-Service Car Wash

Hold a public hearing to discuss and consider a request by Kirk Eyring of Squirrel's Real Estate, LLC on behalf of Jeff Newland for the approval of a <u>Specific Use Permit (SUP)</u> for a <u>Self-Service Carwash</u> on a 2.47-acre parcel of land identified as Lot 3, Block A, The Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the southeast corner of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740], 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 <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

#### **Henry Lee**

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

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

Your comments must be received by Monday, July 18, 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

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE



·	O THE WEDSITE	
MORE INFORMATION ON THIS CASE CAN BE FOUND AT: https://sites.google.com/site/rockwallplanning/development	development-ca	ises
PLEASE RETURN THE BELOW FORM		- · - · - ·
Case No. Z2022-032: SUP for a Self-Service Car Wash		
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

#### Lee, Henry

From: Miller, Ryan

**Sent:** Tuesday, July 12, 2022 3:26 PM

**To:** Lee, Henry

**Subject:** FW: Official protest

FYI ...



#### 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

HELPFUL LINKS | CITY OF ROCKWALL WEBSITE | PLANNING & ZONING DIVISION WEBSITE | MUNICIPAL CODE WEBSITE GIS DIVISION WEBSITE | CITY OF ROCKWALL INTERACTIVE MAPS | UNIFIED DEVELOPMENT CODE

#### NOTES

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

From: Marco Vega < > Sent: Tuesday, July 12, 2022 2:23 PM

**To:** Miller, Ryan <RMiller@rockwall.com>

Cc: Danielle Frank < >; Hacienda CarWash <

**Subject:** Official protest

#### Good afternoon Ryan

Hope you doing well. With this email we would like to make it an official protest against the new car wash that is attempting to come in on Ridge Road and yellow jacket. It's a Terrible location for traffic and noice levels.

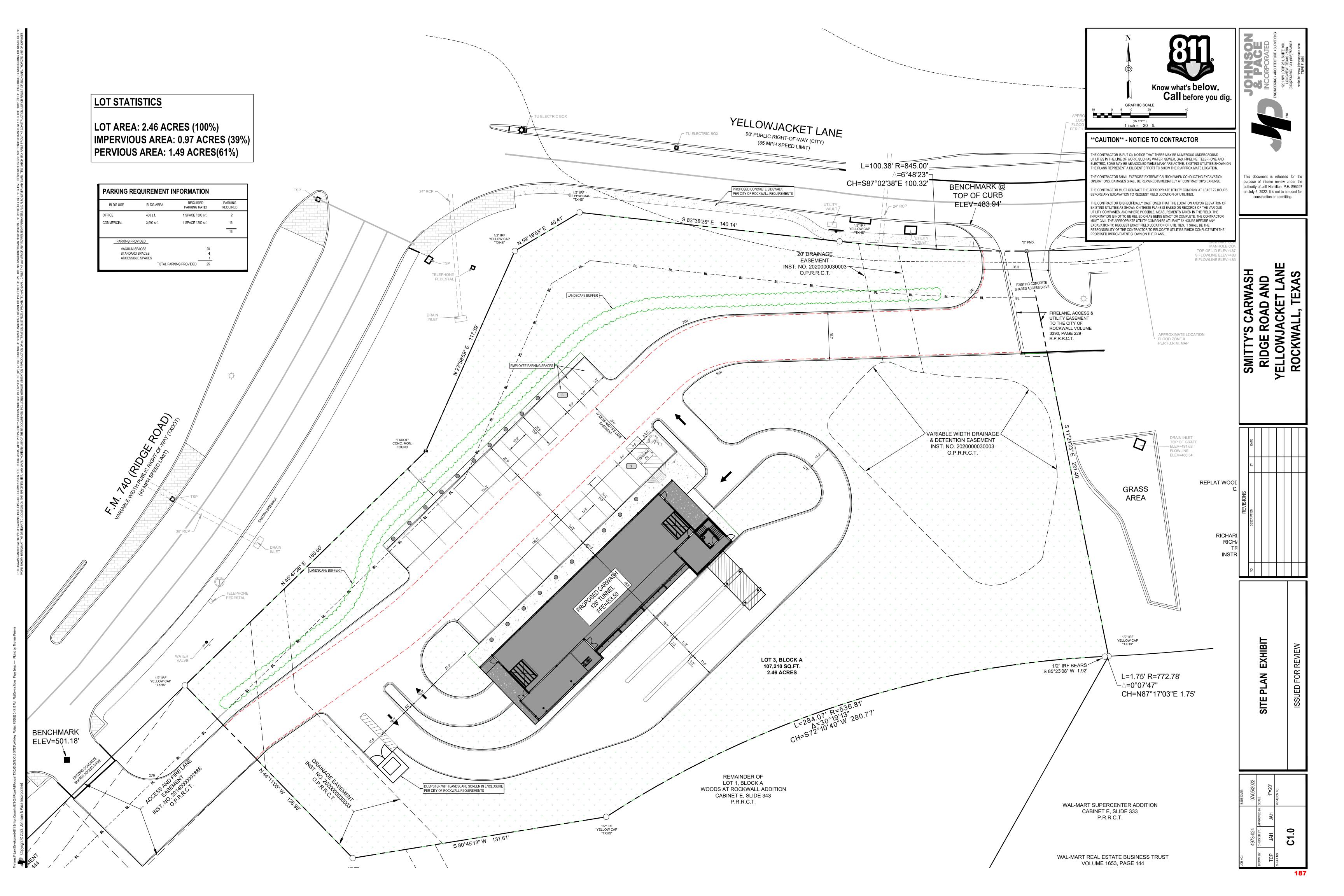
#### Regards

Marco Vega

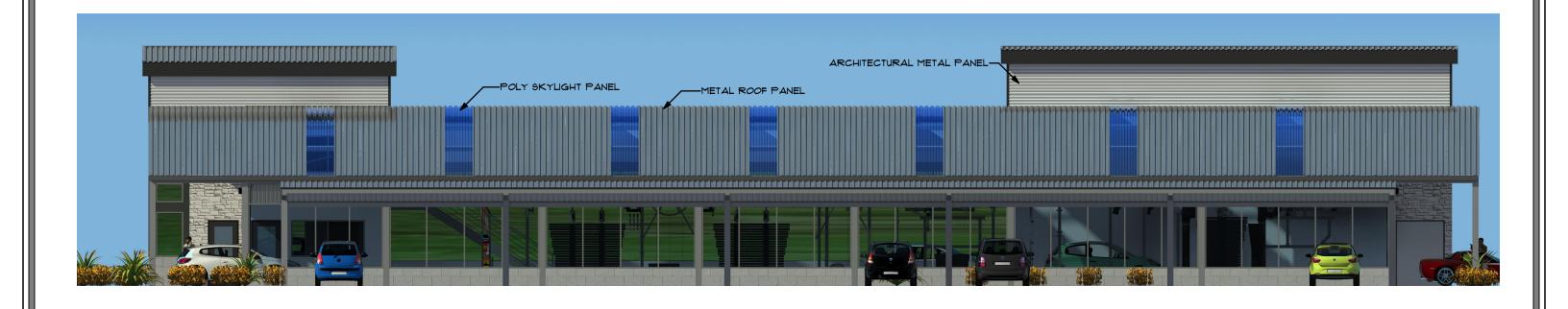
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Lufkin, Texas











Smitty's Wash



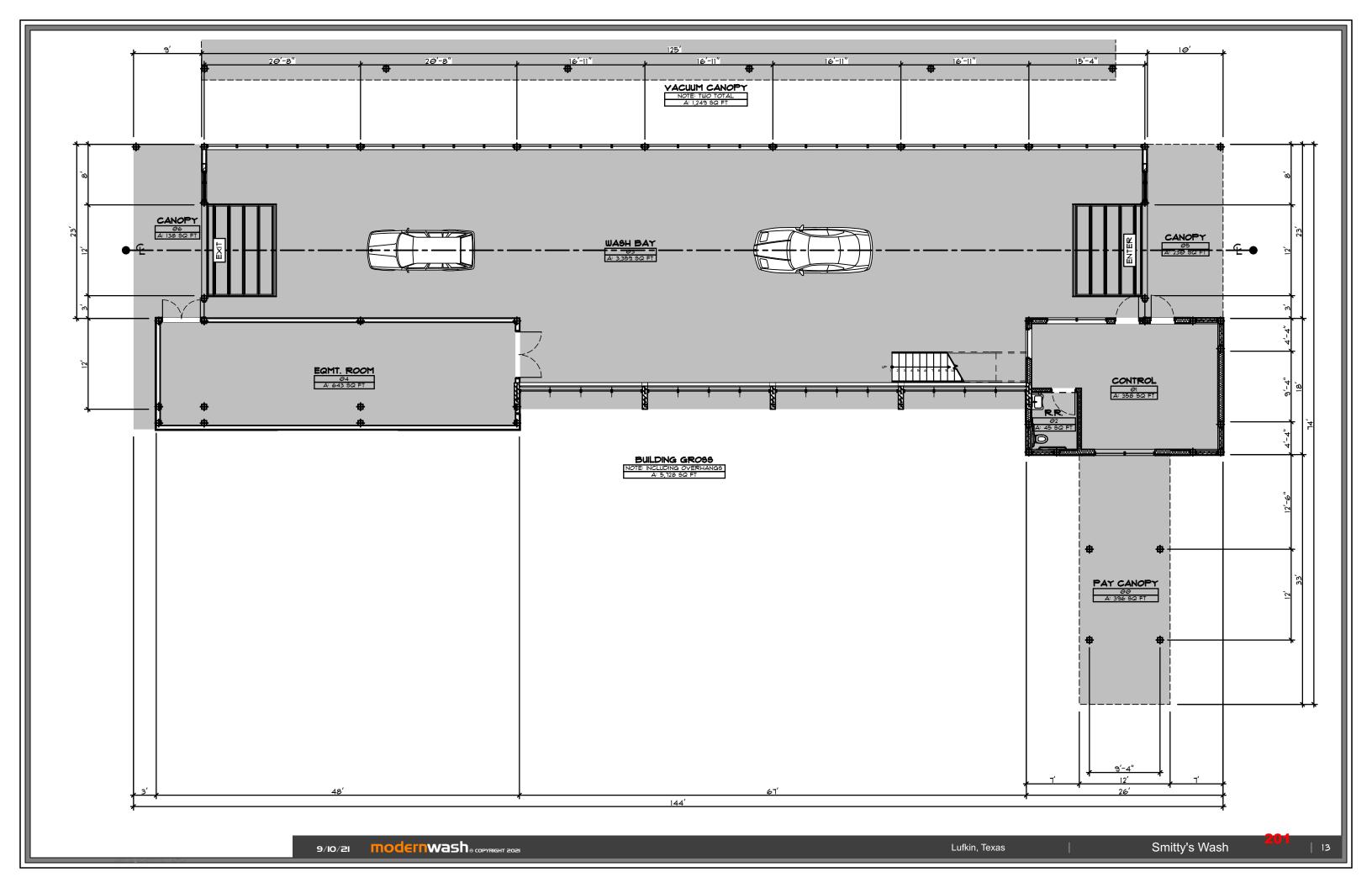


Smitty's Wash





Lufkin, Texas





Architectural Acoustics • AV Design • Noise & Vibration

June 30, 2020

#### Introduction

ABD Engineering & Design, Inc., (ABD) was retained by Tommy Car Wash to complete a noise study of the new facility at 4665 32nd Ave, Hudsonville, MI 49426. Both long term and short term sound level measurements were collected at the site to capture noise levels generated by the Car Wash. Long term measurements were initiated on June 17, 2020 at 7:00 AM and were concluded on June 18, 2020 at 11:00 AM. Short term measurements were conducted on the morning of June 17. The following report details relevant acoustical concepts, and the results of our acoustical measurements.

### Acoustical Terminology and Concepts

When dealing with sound, there is the physical quantity which is expressed as sound level and the perceived level which is expressed as loudness. Sound level is measured in units called decibels (abbreviated dB). Decibels are power ratios and are logarithmic quantities. Audible sound occurs over a wide frequency range, from approximately 20 Hertz (Hz) to 20,000 Hz. Human hearing does not respond equally to sounds at different frequencies (or pitch). Lower frequency sounds that are equally as "loud" have a much higher decibel level than high frequency sounds. To accommodate this variation in frequency sensitivity of human hearing, a frequency weighting can be applied to sound level measurements. When the weighting is applied, the resulting sound level measurements are said to be "A-weighted" and the decibel level is abbreviated dBA.

While the decibel or A-weighted decibel are the basic units used for noise measurement, other indices are also used. One common index, the equivalent sound level, abbreviated as Leq, is commonly used to indicate the average sound level over a period of time. Leq represents the steady level of sound which would contain the same amount of sound energy as does the actual time varying sound level. Although it is an average, it is strongly influenced by the loudest events occurring during the time period because these loudest events contain most of the sound energy.

Listed in Table 1 are some commonly encountered noises, their A-weighted level, and associated subjective evaluations:

**Table 1: Noise Source Comparison** A-weighted **Subjective Evaluation Examples Decibels** 140 dBA **Near Jet Engine** Deafening 130 dBA Threshold of Pain 120 dBA Threshold of Feeling - Hard Rock Band 100 dBA Loud Auto Horn (at 10 ft) Very Loud 90 dBA **OSHA 8 Hour Noise Exposure Limit** 80 dBA Shouting at 1m (3 ft) Loud 70 dBA **Busy Office** 60 dBA Conversational Speech at 1m (3 ft) Moderate 50 dBA **Average Office** 40 dBA **Soft Radio Music in Apartment Faint Average Residence without Stereo** 30 dBA **Playing** 20 dBA **Average Whisper Very Faint** 10 dBA **Human Breathing Threshold of Hearing** 0 dBA Threshold of Audibility

Adapted from *Concepts in Architectural Acoustics* by M. David Egan (1972) and *Architectural Acoustics: Principles and Design* by M. Mehta, J. Johnson, and J. Rocafort (1999)

#### Instrumentation

One (1) Larson-Davis Laboratories Model 831 sound level meter was used for all short term measurements reported here. The Model 831 sound level meter was equipped with a Larson-Davis Laboratories model 377B20 microphone and Larson-Davis Laboratories Model PRM831 preamplifier. This meter conforms to the ANSI Standard Specifications for Sound Level Meters S1.4-1983 (R2006), Type 1 (Precision), and the IEC Standard 61672-1 Ed. 1.0 (2002-05), Sound-Level Meters, Class 1. The instrument was calibrated and is traceable to The National

**JUNE 2020** 

Institute of Standards. Evidence of traceability is on file at the Larson Davis Corporate Headquarters. The meter calibration was field verified before and after the measurement session.

Four Soft-dB, Piccolo Model sound level meters were used for A-weighted measurements for the 24-hour noise study. These meters conform to ANSI Standard Specifications for Sound Level Meters S1.4-1983 (R2006), Type 2, and the IEC Standard 61672-1 Ed. 1.0 (2002-05), Sound Level Meters Class 2. The instruments were calibrated and are traceable to the National Institute of Standards. Evidence of traceability is on file at the Soft-dB Corporate Headquarters. The meters were field verified before and after the measurement session.

#### **Atmospheric Conditions**

ABD completes noise measurements within atmospheric limits specified in ANSI S12.9 *Quantities and Procedures for Description and Measurement of Environmental Sound* and S12.18 *Outdoor Measurement of Sound Pressure Level* for environmental noise measurements. Data measured during higher wind speeds risk reliability contamination due to wind noise on the microphone, and repeatability limitations due to the directionality of the receiver relative to the noise source.

The environmental conditions, as measured at the Gerald R. Ford International Airport, in Grand Rapids MI on June 17-18, 2020 were within the range of the specified limits and are summarized in Table 2.

Table 2: Environmental conditions during testing over June 17 & 18, 2020

Time	Average Temperature (F)	Average Relative Humidity	Nominal Wind Direction	Average Wind Speed (MPH)	Precipitation (in.)
June 17- 18, 2020	72°	58 %	E	3.8 mph	0.0 in

Environmental data provided by <a href="www.wunderground.com">www.wunderground.com</a>, from the Gerald R. Ford International Airport Weather Station

#### **Noise Measurements**

Noise measurements were completed at a variety of interior and exterior positions, as shown in Figure 1. The measurement locations indicated by the red squares are where the long-term measurements were taken. The locations indicated by the blue circles (and the blue gradations) are the suggested measurement locations by Tommy Car Wash and represent the short-term measurements taken while on site.

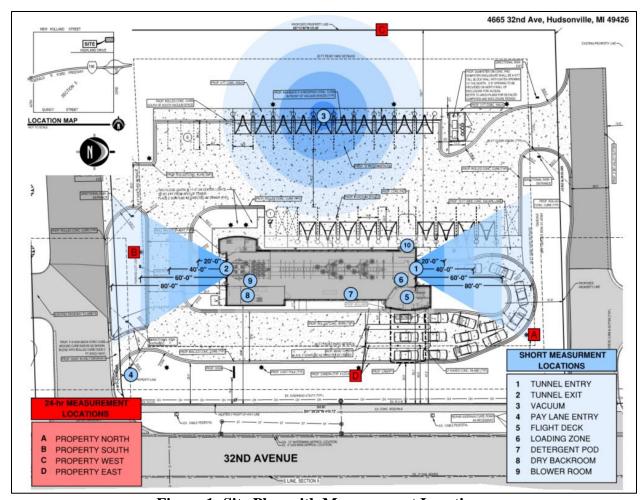


Figure 1: Site Plan with Measurement Locations

#### **Short-Term Measurements**

A description of each measurement location is provided for clarity. The short-term measurements (1-10) were taken with the Larson Davis Model 831 hand-held meter.

- 1) Tunnel Entry: This position is the vehicular entry location to the car-wash structure. Measurements were also taken at the vehicle entry to the building and at 20', 40' and 60' from the entrance towards the north of the building. All measurements were in-line with the vehicle path as it moves through the car-wash process.
- 2) Tunnel Exit: This position is the vehicular exit location to the car-wash structure. Measurements were also taken at the vehicle's exit location at distances of 20', 40', 60', and 80' from the exit towards the south of the building. All measurements were in-line with the vehicle path as it exits the car-wash process.
- 3) Vacuum: This position is intended to capture the operational noise of a single vacuum unit for which Vacuum #12 was selected. It was observed that on this unit with both hose nozzles stowed, there was a significant whistling noise being generated by the air-flow

#### **NOISE STUDY**

**JUNE 2020** 

leakage at the storage pocket. Since typical use would involve using at least one of the hoses, one hose was removed from its pocket and placed on the ground during measurements.

Measurements were also taken relative to this vacuum station at distances of 20', 40', 60', and 80' to the west of the vacuum bay. These measurements of vacuum operational noise at these distances to the west were completed with all vacuum units within this bay operating simultaneously. This was in order to capture the loudest operating condition.

- 4) Pay Lane Entry: This location is the vehicle entry point to the property, for users who proceed through the car wash process.
- 5) Flight Deck: This location was to capture the noise within the enclosed office area where employees interact with customers through the drive-through window.
- 6) Loading Zone: This is the position where vehicles are transitioned onto the conveyer system for shuttling the car through the car-wash mechanism.
- 7) Detergent Pod: This position is located behind the bank of car-wash detergent chemical storage and delivery tanks.
- 8) Dry Backroom: This position is located within a separate closed room behind the blower bay of the car-wash facility. Chemical pumping equipment was observed within this room.
- 9) Blower Room: This space is the area where the air-blowers are used to dry the vehicles after being washed and rinsed, it is near the vehicular exit of the car-wash structure.
- 10) Mat Washer: This position is the location of two separate, self-service car mat-washer machines. Three measurements were taken at this position with one (1) of the mat washers on and operating, but no floor mat was being conveyed into the machine. The specific measurement locations are as follows: 3 ft. in front of door with the door closed, 6' in front of the door with the door closed, and 3' in front of the door with the door open.

It should be noted that noise measurements on the interior of the car wash were collected at these various locations, and during multiple operating conditions for the car wash. This was done to provide a general understanding of the noise generated within the car wash, as requested by Tommy Car Wash. It should be understood that the noise measurements that were collected are strictly informational. To understand regulations for OSHA's allowable noise exposure, please refer to the OSHA standard. For compliance to this standard, noise dosimetry testing should be performed on individual employees that spend significant amounts of time in high noise areas that are identified in the following results. Listed in Table 3 are the results of these short-term measurements. Reported here are the loudest measured levels at each measurement location over the various operating conditions evaluated.

**Table 3: Short-term Measurement Results** 

Short-term Measurement Locations	Measured Sound Pressure Level dB(A) <sup>1</sup>
(1) Tunnel Entry	86
(2) Tunnel Exit	95
(3) Vacuum	90
(4) Pay Lane Entry	67
(5) Flight Deck	66
(6) Loading Zone	91
(7) Detergent Pod	93
(8) Dry Backroom	92
(9) Blower Room	104
(10) Mat Washer	86

Utilizing the short-term measurement results, we have projected how noise generated by Tommy Car Wash will propagate over the property; these results are shown in Figure 2. Please note that our measurements at distances away from the vacuum include the noise levels with all vacuums in operation (worst case scenario). This "all-vacuums on" condition was projected onto the entire property for the sound map. It should be noted that noise contribution from the vacuums dominated the noise levels at the entrance, so the results shown at the entrance on the sound map exceed the short term measurements taken in these locations with no vacuum in operation.

<sup>&</sup>lt;sup>1</sup> Reported values are for the loudest operating condition captured during the measurement session.

\*\*ABD Engineering & Design \*\* Architectural Acoustics \*\* AV Design \*\* Noise and Vibration 321 SW 4th Avenue, Suite 700, Portland, OR 97204

124 Fulton Street East, Second Floor, Grand Rapids, MI 49503

\*\*Phone (866) 272-9778 \*\* www.abdengineering.com\*\*



Figure 2: Sound Map of Tommy's Car Wash Property

### **Long-Term Measurements**

The long-term measurements (A-D) were taken with the Soft-dB Piccolo meters and located at the perimeter of the property as shown in Figure 1. Locations A, B, and D were approximately 9' above the ground. Location C was 5' above the ground.

All meters were set to run with a 1-second sampling interval and using exponential (slow) detector integration methods. The time-history results of these long-term measurements over the time interval are shown in Figure 3.

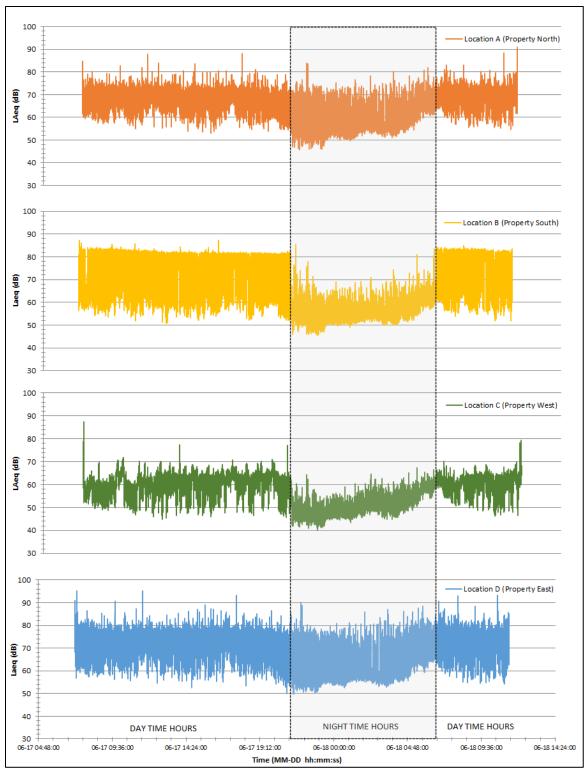


Figure 3: Time-History Results of Long-Term Measurements

#### **NOISE STUDY**

**JUNE 2020** 

Measurement Location A and D, on the street side of the property, show no clear transition between the car wash operational noise and the nighttime noise collected at this position. Consistent with observations made at site, the noise at these locations is dominated by general traffic noise. Also note that at both Location A and D, there are a significant number of short-term peaks in these time histories. Again, based on observations made on site, these peaks are likely due to motorcycles passing by, and trucks traversing pot-holes producing a series of "bangs & clanks" as the vehicle navigated the uneven road surface.

Noise data at Location B and C clearly show a distinction between the day-time (operational hours) and night-time noise levels. Location B in particular, has the loudest consistent noise levels due to the dryers at the exit..

If you have any questions, please call.

Sincerely,

ABD ENGINEERING & DESIGN, INC.

Per:

Peter C. Laux, PhD

Chief Scientist and Senior Consultant

Ouincev Smail

Acoustical Consultant

cc: Marci Boks – ABD Engineering & Design

#### CITY OF ROCKWALL

#### ORDINANCE NO. 22-XX

#### SPECIFIC USE PERMIT NO. <u>S-2XX</u>

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A SELF-SERVICE CAR WASH ON A 2.47-ACRE TRACT OF LAND, IDENTIFIED AS A LOT 3, BLOCK A, THE WOODS AT ROCKWALL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE: PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Kirk Eyring of Squirrel's Real Estate, LLC on behalf of Jeff Newland for the approval of a Specific Use Permit (SUP) for a *Self Service Car Wash* on a 2.47-acre tract of land, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, being identified as Lot 3, Block A, of The Woods at Rockwall Addition, City of Rockwall, Rockwall County, Texas, generally located at the southeast corner of the intersection of W. Yellow Jacket Lane and Ridge Road [*FM-740*], 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 [Ordinance No. 20-02] of the City of Rockwall should be amended as follows:

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

**SECTION 1.** That the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for a *Self-Service Car Wash* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] on the *Subject Property*; and

**SECTION 2.** That the Subject Property shall be subject to the requirements set forth in

Subsection 02.03(H)(4), Car Wash (Full-Service or Self-Service), of Article 04, Permissible Uses; Subsection 04.01, General Commercial District Standards, of Article 05, District Development Standards; and Subsection 06.08, Scenic Overlay (SOV) District, of Article 05, District Development Standards, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and as my be amended in the future -- and the following conditions:

#### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of the *Self Service Car Wash* land use on the *Subject Property* and conformance to these conditions is necessary for continued operations:

- (1) The Self-Service Car Wash facility shall generally conform to the Concept Plan depicted in Exhibit 'B' and the Building Elevations depicted in Exhibit 'C' of this ordinance.
- (2) No outside display of merchandise or outside storage (e.g. ice machine, propane cage, vending machines, and DVD rental kiosk) shall be allowed on the subject property.
- (3) Additional landscaping (*i.e. trees and shrubs*) shall be required adjacent to the vacuum bays to provide additional screening and sound attenuation.
- (4) The tunnel entrance and exit shall be screened from all public rights-of-way with three (3) tier screening in accordance with Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC).

#### 2.2 COMPLIANCE

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

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should any business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].
- **SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.
- **SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.
- **SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.
- **SECTION 6.** If any section or provision of this ordinance or the application of that section or

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 1st DAY OF AUGUST, 2022.

ATTEST:	Kevin Fowler, <i>Mayor</i>	
Kristy Teague, City Secretary		
APPROVED AS TO FORM:		
Frank J. Garza, City Attorney		
1 <sup>st</sup> Reading: <u>July 12, 2022</u>		

2<sup>nd</sup> Reading: August 1, 2022

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

<u>Legal Description</u>: Lot 3, Block A, The Woods at Rockwall Addition <u>Address</u>: Southeast corner of the intersection of W. Yellow Jacket Lane and Ridge Road [FM-740]

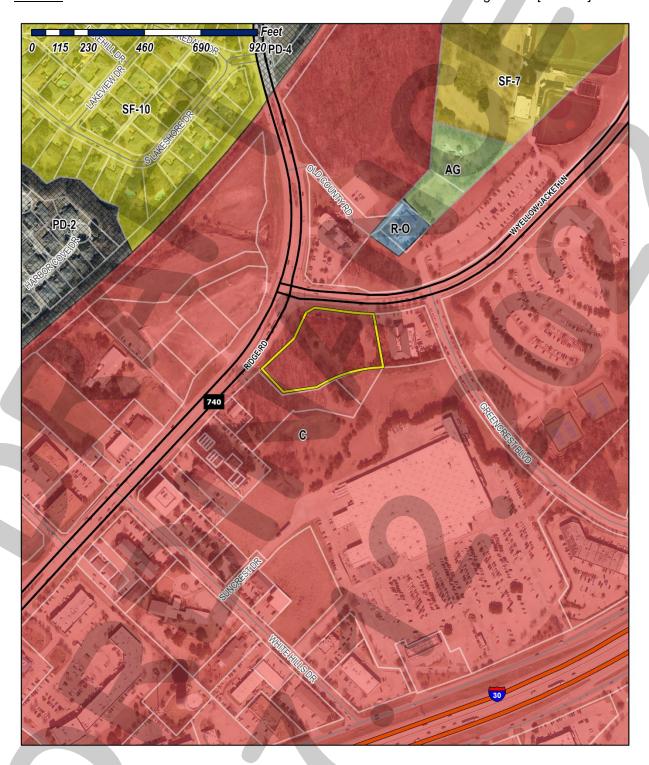
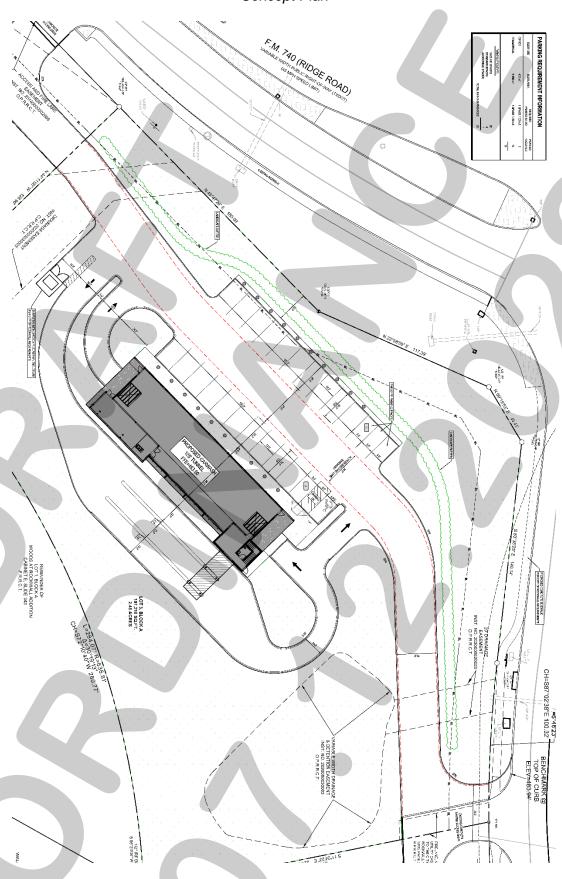


Exhibit 'B'
Concept Plan



# **Exhibit 'C'**Building Elevations





# **Exhibit 'C'**Building Elevations







# **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 18, 2022

SUBJECT: Z2022-033; PD DEVELOPMENT PLAN FOR A RESTAURANT IN THE

**HARBOR DISTRICT** 

**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

Subdivision Plat

Zoning Exhibits

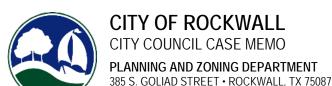
**Draft Ordinance** 

#### Summary/Background Information

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of an **ordinance** for a *PD Development Plan* for a *Restaurant* on a 1.021-acre tract of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the *Summit Office Subdistrict* of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Horizon Road [*FM-3097*] and the IH-30 Frontage Road, and take any action necessary (1st Reading).

## **Action Needed**

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



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Patrick Filson; *Kirkman Engineering* 

CASE NUMBER: Z2022-033; PD Development Plan for a Restaurant in the Harbor District

# **SUMMARY**

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of a <u>PD Development Plan</u> for a Restaurant on a 1.021-acre tract of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Summit Office Subdistrict of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Horizon Road [FM-3097] and the IH-30 Frontage Road, and take any action necessary.

# **BACKGROUND**

The City Council annexed the subject property into the City of Rockwall on November 7, 1960 through the adoption of *Ordinance No. 60-03*. Upon annexation, the subject property was zoned Agricultural (AG) District. On July 19, 1976, a portion of the subject property was platted as a portion of Lot 1, Block A, Christian Church Subdivision. On December 2, 2002, the subject property was rezoned to Planned Development District 32 (PD-32) [*Ordinance No. 02-55*] for General Retail (GR) District land uses. This Planned Development District was again amended on February 4, 2008 by *Ordinance No. 08-11*. This ordinance increased the boundaries of the district, and established a limited set of land uses for the district. On September 20, 2010, the City Council passed *Ordinance No. 10-21*, which superseded all previous ordinances associated with Planned Development District 32 (PD-32) and established a concept plan and development standards for an approximate 78.89-acre tract of land that included the subject property. The subject property was originally platted as Lot 2, Block A, Harbor District Addition by *Case No. P2013-012*. On May 26, 2015, the subject property was replatted as Lot 4, Block A, Harbor District Addition by *Case No. P2015-016*. The subject property has remained vacant since annexation.

## **PURPOSE**

On June 17, 2022, the applicant -- *Patrick Filson of Kirkman Engineering* -- submitted an application requesting the approval of a *PD Development Plan* for a mixed office and restaurant building.

## ADJACENT LAND USES AND ACCESS

The subject property is located east of the intersection of Sunset Ridge Drive and the IH-30 Frontage Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the eastbound lanes of the IH-30 Frontage Road, followed by the main lanes for IH-30, and then the westbound lanes of the IH-30 Frontage Road. Beyond this is a 1.2994-acre parcel of land (i.e. Ranch House Addition) with a restaurant (i.e. Snuffer's) situated on it. This property is zoned Commercial

(C) District.

<u>South</u>: Directly south of the subject property is a 2.0617-acre parcel of land (*i.e. Lot 6, Block A, Harbor District Addition*) with an office building (*i.e. Trend Tower*) and parking garage situated on it. This property is situated within the *Summit Office Subdistrict* of Planned Development District 32 (PD-32). Beyond this is Pinnacle Way, which is identified as a *Street Type 'E'* and *Street Type 'B'* on the *Streetscape Plan* contained within Planned Development

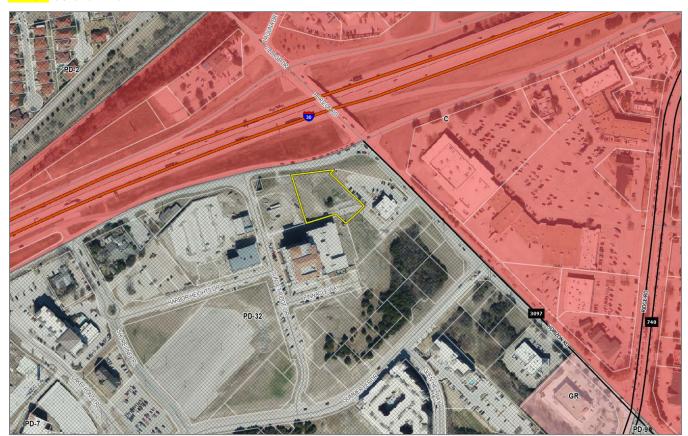
District 32 (PD-32). Beyond this are multiple vacant parcels of land situated within the *Hillside Mixed-Use Subdistrict* of Planned Development District 32 (PD-32).

<u>East</u>: Directly east of the subject property is a 0.915-acre parcel of land (*i.e.* Lot 4, Block A, Briscoe/Hillcrest Addition) with a medical office (*i.e.* CareNow) situated on it. This property is located within the Summit Office Subdistrict of Planned Development District 32 (PD-32). Beyond this is Horizon Road, which is identified as a M4U (*i.e.* major collector, four [4] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 4.9376-acre parcel of land (*i.e.* Lot 1 of the Carlisle Plaza Addition), which is a portion of a larger shopping center (*i.e.* Carlisle Plaza Shopping Center) that is zoned Commercial (C) District.

Directly west of the subject property is a 0.90-acre parcel of vacant land (i.e. Lot 5, Block A, Harbor District Addition) that is located within the Summit Office Subdistrict of Planned Development District 32 (PD-32). Beyond this is Sunset Ridge Drive, which is identified as a Street Type 'E' and Street Type 'B' on the Streetscape Plan contained within Planned Development District 32 (PD-32). Beyond this is a 2.893-acre parcel of land (i.e. Lot 2, Block B, Harbor District Addition) with a mixed office/retail development situated on it. This property is located within the Hillside Subdistrict of Planned Development District 32 (PD-32).

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY

West:



# CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan showing the establishment of a 5,100 SF restaurant with an 1,800 SF patio, and 5,000 SF of office space. The proposed restaurant will be two (2) stories and incorporate a structure parking garage below the restaurant. Based on the proposed concept plan and floor plan the restaurant will have a parking requirement of one (1) parking space per 100 SF of building area, which translates to a 69-space parking requirement (*i.e.* 5,100 SF + 1,800 SF = 6,900 SF/100 SF = 69 Parking Spaces). The office will have a parking requirement of one (1) parking space per 300 SF of building area, which translates to a 17-space parking requirement (*i.e.* 5,000 SF/300 SF = 16.667 Parking Spaces). The concept plan shows that a total of 86 parking spaces are required and 90 parking spaces will be provided.

#### CONFORMANCE WITH PLANNED DEVELOPMENT DISTRICT 32 (PD-32)

According to the *Subdistrict Plan* contained in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] the subject property is situated within the *Summit Office Subdistrict*, which -- according to *Ordinance No. 17-22* -- is intended "...to capitalize on the superior views of Lake Ray Hubbard by providing mid-rise office buildings." In addition, the approved *PD Concept Plan* contained within *Ordinance No. 17-22* shows a mid-rise office building being generally located on the subject property. In this case, the applicant is proposing a three (3) story building that is more characteristic of a low-rise building (*i.e. the district allows up to eight [8] story buildings, which are considered to be a mid-rise building*). With regard to the proposed land uses, the *Subdistrict Land Use Charts* contained in *Ordinance No. 17-22* show that an *Office Building* and a *Restaurant* are permitted *by-right* land uses within the *Summit Office Subdistrict*; however, the project is proposing to incorporate the restaurant on the second floor, which according to the *Subdistrict* standards is required to be located on the ground floor. Based on these areas of non-conformance, staff has requested that the applicant submit a *PD Development Plan* for the project. According to *Ordinance No. 17-22*, "(a) [*PD*] development plan shall be required if a proposed development within any *Subdistrict* that does not meet the intent of the *PD Concept Plan* or the *Subdistrict Plan*, or requires waivers not provided for in *Section 9.3* [*Waivers of Design Standards*] of this ordinance." The following is a summary of the form-based code requirements for the *Subdistrict*, and how the proposed project conforms to these requirements:

TABLE 1: BUILDING PLACEMENT AND PARKING COMPLIANCE THE SUMMIT OFFICE SUBDISTRICT

ODDINIANOE DDOMICIONO	LILL OIDE MIVED LIGE OURDIGEDIOT	CONFORMANCE TO THE OTANDARDO		
ORDINANCE PROVISIONS	HILLSIDE MIXED-USE SUBDISTRICT	CONFORMANCE TO THE STANDARDS		
SETBACK (FROM THE ROW):				
IH-30 FRONTAGE ROAL	50-Feet	80-Feet; IN CONFORMANCE		
BUILDING FORM:	45% IH-30 Façade Built to Build-to-Line	0% at Build-to-Line; NOT IN CONFORMANCE		
	Remaining façade must be no less than two (2) feet and no greater than 12-feet from the build-to-line.	Greater Than 12-Feet; NOT IN CONFORMANCE		
MAXIMUM LOT COVERAGE	60%	75.90%; NOT IN CONFORMANCE		
LAND USE:				
GROUND FLOOR	Office Retail, and Restaurant	Parking; NOT IN CONFORMANCE		
UPPER FLOORS	Office	Restaurant and Office; NOT IN CONFORMANCE		
BUILDING HEIGHT:				
MAXIMUM BUILDING HEIGHT	3-Stories	8-Stories or 120-Feet; IN CONFORMANCE		
MINIMUM FIRST FLOOR HEIGHT	A Minimum of 15-Feet	Will be Reviewed with the Site Plan		
ENCROACHMENTS	5-Feet	Will be Reviewed with the Site Plan		
SURFACE PARKING:				
SETBACK FROM ROW LINE	20-Feet from the IH-30 Frontage Road	20-Feet, IN CONFORMANCE		
MAXIMUM AMOUNT OF SURFACE	Ü	16 Structured and 74 Surface or 82.22% Surface		
PARKING	20%	Parked; NOT IN CONFORMANCE		
MAXIMUM NUMBER OF DRIVEWAYS	IH-30 Frontage Road: 0	0; IN CONFORMANCE		

In addition to this summary, staff has provided the concept plan for the *Summit Office Subdistrict* in *Figure 1*. Staff did requested building elevations from the applicant; however, the applicant has not provided these elevations. While these are not required, staff had requested them to ensure compliance with the *Design Guidelines* [*Resolution 10-40*]. This review will be performed at the time of site plan.

Taking into account all of the submitted materials, the applicant's request does appear to conform to the majority of the applicable standards and design guidelines stipulated for the *Harbor District*; however, it should be noted that the proposed plan lacks conformance to the [1] maximum lot coverage, [2] building form, [3] land use location requirements, and [4] the surface parking requirements. In evaluating a request for a waiver as part of a *PD Development Plan* the Planning and Zoning Commission and City Council are asked to consider if the request: "(a) Meets the general intent of the *PD District* or *Sub-District* that the property is located; and, (b) Will result in an improved project which will be an attractive

INTERSTATE 30 FRONTAGE

REPLACE TO FRONTAGE

PARKING GARAGE OPPORTUNITY

FIGURE 1: SUMMIT OFFICE SUBDISTRICT CONCEPT PLAN RED CIRCLE = APPROXIMATE LOCATION OF SUBJECT PROPERTY

contribution to the PD District or Sub-District; and (c) Will not prevent the implementation of the intent of this PD District." In

this case, the applicant's request does not appear to change the intent of the *Sub-District* as approved in the City Council by *Ordinance No. 10-21* (*currently Ordinance No. 17-22*), or prevent the implementation of the intent of this *PD District*; however, a *PD Development Plan* is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

# **INFRASTRUCTURE**

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

(1) Drainage. The applicant shall be required to pay a stormwater pro-rata fee of \$7,226.59 per acre.

# **NOTIFICATIONS**

On June 17, 2022, staff mailed 24 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lakeside Village and Lago Vista Homeowner's Associations (HOA's), which are the only HOA's within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received two (2) property owner notifications from one (1) property owner that owns two (2) parcels of land within the 500-foot notification area in favor of the applicant's request.

# **CONDITIONS OF APPROVAL**

If the City Council chooses approve the applicant's request for a <u>PD Development Plan</u> for an *Office and Restaurant Building*, 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 <u>PD Development Plan</u> ordinance.
- (2) Any construction resulting from the approval of this <u>PD Development Plan</u> 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 July 12, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the <u>PD Development</u> <u>Plan</u> by a vote of 6-0, with Commissioner Llewellyn absent.



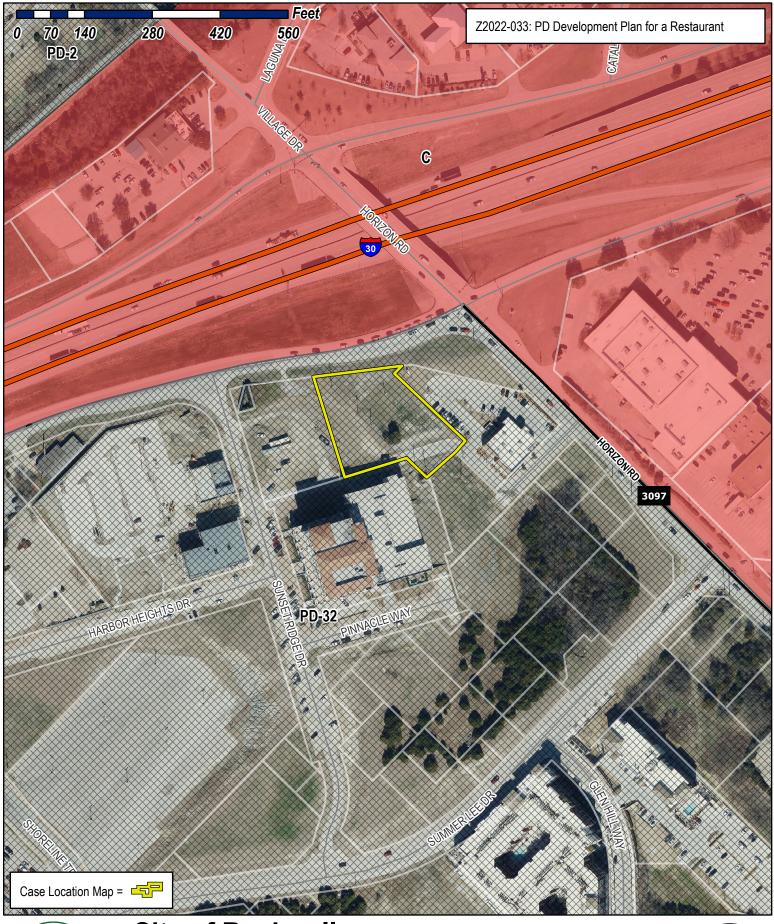
# **DEVELOPMENT APPLICATION**

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

PLANNING & ZONING CASE I	NO.
	NOT CONSIDERED ACCEPTED BY THE IRECTOR AND CITY ENGINEER HAVE
DIRECTOR OF PLANNING:	
CITY ENGINEER:	

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST ISELECT ONLY ONE BOX1:

☐ PRELIMINARY F ☐ FINAL PLAT (\$31 ☐ REPLAT (\$300.0 ☐ AMENDING OR ☐ PLAT REINSTAT  SITE PLAN APPLIC ☐ SITE PLAN (\$250	\$100.00 + \$15.00 ACRE) 1 PLAT (\$200.00 + \$15.00 ACR 00.00 + \$20.00 ACRE) 1 0 + \$20.00 ACRE) 1 MINOR PLAT (\$150.00) EMENT REQUEST (\$100.00	))	07 07 08 00 00 00	ZONING APPLICATION FEES:  ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹ ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹ ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹  OTHER APPLICATION FEES: ☐ TREE REMOVAL (\$75.00) ☐ VARIANCE REQUEST (\$100.00)  NOTES: ¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.					
PROPERTY INFO	RMATION [PLEASE PRIN	т							
ADDRESS	I30								
SUBDIVISION	1					LOT	4	BLOCK	A
GENERAL LOCATION	The intersection of	f Horizon Road and E. Ir	nterstate :	30					
ZONING, SITE PL	AN AND PLATTING	INFORMATION [PLEAS	E PRINT]						
CURRENT ZONING	PD - 32		CUF	RRENT USE	USE Undeveloped				
PROPOSED ZONING	PD - 32		PROF	OSED USE	Res	staurant			
ACREAGE	1.021 ac	LOTS [CURRENT]	] 1		LOTS [PROPOSED] 1				
REGARD TO ITS A RESULT IN THE D	APPROVAL PROCESS, AND FA ENIAL OF YOUR CASE.	BOX YOU ACKNOWLEDGE TH	STAFF'S CO	OMMENTS BY	THE DAT	E PROVID	ED ON THE DE	VELOPMENT (	
OWNER OWNER	101 Hubbard Dr. LLC	-		PPLICANT	NTACT/ORIGINAL SIGNATURES ARE REQUIRED]  Kirkman Engineering				
CONTACT PERSON				PERSON	Patrick Filson				
ADDRESS	2701 Sunset Ridge D	r.		ADDRESS	5200 State Highway 121				
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Suite 610				3200 State Highway 121				
CITY, STATE & ZIP	Rockwall, TX 7503	32	CITY, ST	ATE & ZIP	Co	olleyville	e, TX 76034		
PHONE				PHONE	81	817-488-4960			
E-MAIL				E-MAIL	pa	patrick.filson@trustke.com			
BEFORE ME, THE UNDEF STATED THE INFORMATI I HEREBY CERTIFY THAT S NFORMATION CONTAINE	ON ON THIS APPLICATION TO  I AM THE OWNER FOR THE PUI TO COVER THE 20 BY SIG. D WITHIN THIS APPLICATION	S DAY PERSONALLY APPEAREI BE TRUE AND CERTIFIED THE RPOSE OF THIS APPLICATION; AL COST OF THIS APPLICATION, HA WING THIS APPLICATION, I AGRE TO THE PUBLIC. THE CITY IS SUCH REPRODUCTION IS ASSO	FOLLOWIN  LL INFORMA S BEEN PAIL EE THAT TH	TION SUBMITTI O TO THE CITY E CITY OF ROC HORIZED AND	OF ROCK CKWALL ( PERMIT	(WALL ON 1 (I.E. "CITY") TED TO RE	AND CORRECT; THIS THE IS AUTHORIZED EPRODUCE ANY	AND THE APPL AND PERMITI	DAY_OF TED TO PROVIDE
	,	S THE DAY OF				11111			     
	OWNER'S SIGNATURE								 
NOTARY PUBLIC IN AND	FOR THE STATE OF TEXAS					MY COMM	IISSION EXPIRE	s <b>22</b> ;	3





# City of Rockwall Planning & Zoning Department 385 S. Goliad Street

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.

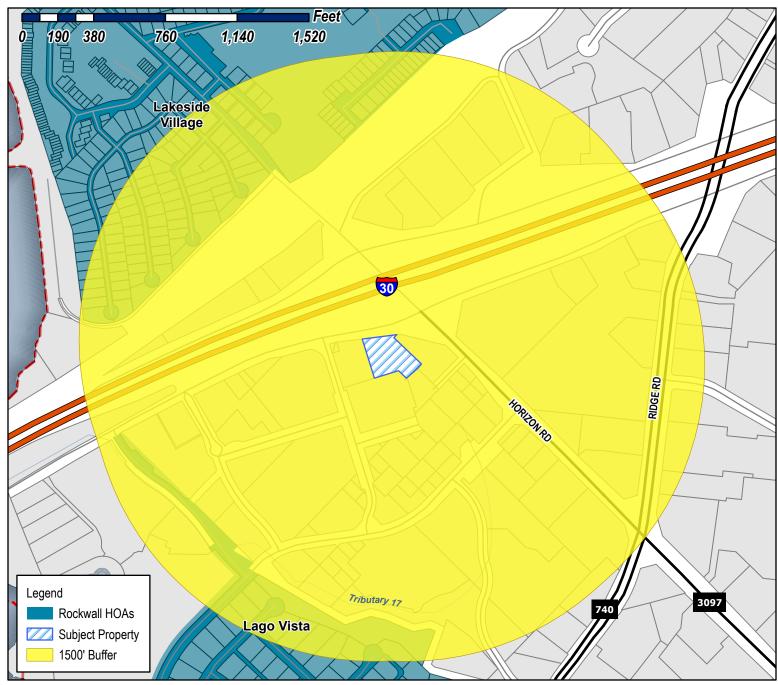




# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number: Z2022-033

Case Name: PD Development Plan for a Restaurant

Case Type: Zoning

**Zoning:** Planned Development District 32

(PD-32)

Case Address: Intersection of Horizon Rd. & E. I-30

Date Saved: 6/17/2022

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



# Miller, Ryan

From: Gamez, Angelica

Sent: Tuesday, June 21, 2022 4:44 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry

**Subject:** Neighborhood Notification program [Z2022-033]

Attachments: Public Notice (06.20.2022).pdf; HOA Map (06.17.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>June 24, 2022</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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 <a href="Planning@rockwall.com">Planning@rockwall.com</a> 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.

# Z2022-033: PD Development Plan for a Restaurant

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of a <u>PD Development Plan</u> for a <u>Restaurant</u> on a 1.021-acre tract of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the <u>Summit Office Subdistrict</u> of Planned Development District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road [FM-3097] and the IH-30 Frontage Road, and take any action necessary.

1

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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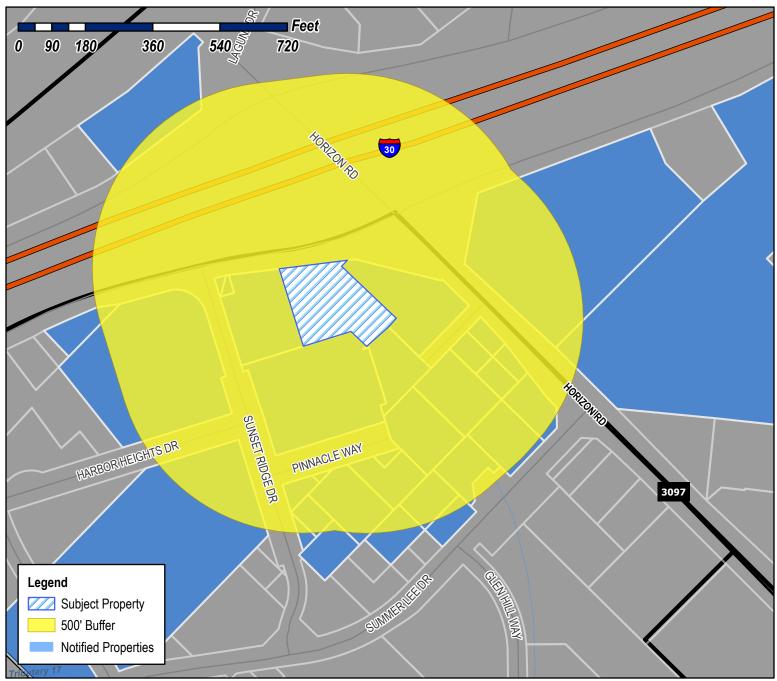
226



# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number: Z2022-033

Case Name: PD Development Plan for a Restaurant

Case Type: Zoning

**Zoning:** Planned Development District 32

(PD-32)

Case Address: Intersection of Horizon Rd. & E. I-30

Date Saved: 6/17/2022

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



BENT TREE REALTY CO 16475 DALLAS PKWY STE 880 ADDISON, TX 75001

# TRITON I-30 ROCKWALL LLC 1845 WOODALL ROGERS FREEWAY, SUITE 1100 DALLAS, TX 75201

WHITE MICHAEL AND
MARION E WILSON AND DIMENSIONS REAL
ESTATE SERVICES LLC
2304 W WHEATLAND RD
DALLAS, TX 75232

BRYANT JUDY GRACE AND DOUGLASS FREDERICK WYGAL 2528 MARK MESQUITE, TX 75150

HH RETAIL CENTER LP 2620 SUNSET RIDGE DR ROCKWALL, TX 75032 EIGHTYTWENTY REAL ESTATE HOLDINGS LLC 2651 SUNSET RIDGE DR ROCKWALL, TX 75032

HH RETAIL CENTER LP 2701 SUNSET RIDGE DR SUITE 610 ROCKWALL, TX 75032 HARBOR HEIGHTS INVESTORS LP 2701 SUNSET RIDGE DR SUITE 610 ROCKWALL, TX 75032 101 HUBBARD DR LLC 2701 SUNSET RIDGE DR SUITE 610 ROCKWALL, TX 75032

TRITON I-30 ROCKWALL LLC 2901 VILLAGE DR ROCKWALL, TX 75032 BRIDGE VALHALLA INC 311 E I30 ROCKWALL, TX 75032 FAULKNER INVESTMENT CO. LTD 3401 MAIN ST ROWLETT, TX 75088

MOTON ALVIN D SR & ETHEL 3419 LILY LN ROWLETT, TX 75089 MOTON ETHEL REED C/O OF TONY C MOTON 3419 LILY LN ROWLETT, TX 75089

CITY OF ROCKWALL 385 S GOLIAD ST ROCKWALL, TX 75087

KATHERINE BANNER FAMILY TRUST
KATHERINE BANNER- TRUSTEE
4 CHURCH HILL ROAD
HIGH FALLS, NY 12240

BUILDERS ASSOCIATES #3 ATTN: ARNOLD SCHLESINGER 405 I 30 ROCKWALL, TX 75032

BRIDGE VALHALLA INC 519 E I 30 #157 ROCKWALL, TX 75087

ATTICUS REAL ESTATE SERVICES INC 5339 ALPHA RD STE 300 DALLAS, TX 75240 EIGHTYTWENTY REAL ESTATE HOLDINGS LLC 5740 PROSPECT AVE SUITE 2001 DALLAS, TX 75206 KATHERINE BANNER FAMILY TRUST
KATHERINE BANNER- TRUSTEE
600 HORIZON DR
ROCKWALL, TX 75032

CARSON MARK R 701 N MUNSON RD ROYSE CITY, TX 75189 BUILDERS ASSOCIATES #3 ATTN: ARNOLD SCHLESINGER 9595 WILSHIRE BLVD STE 700 BEVERLY HILLS, CA 90212 CULPEPPER/SPATEX JV %GARY SHULTZ PO BOX 190569 DALLAS, TX 75219 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. Z2022-033: PD Development Plan for a Restaurant

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of a <u>PD</u> <u>Development Plan</u> for a <u>Restaurant</u> on a 1.021-acre tract of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the <u>Summit Office Subdistrict</u> of Planned Development District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road [FM-3097] and the IH-30 Frontage Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Address:

Ryan Miller, AICP

Director of Planning & Zoning





3.4.4.3	TO THE WEBSITE	
MORE INFORMATION ON THIS CASE CAN BE FOUND AT: https://sites.google.com/site/rockwallplanning/developm	ent/development-ca	ases
- · - PLEASE RETURN THE BELOW FORM - · - · - · - · - · - · - · - · - · -		
Case No. Z2022-033: PD Development Plan for a Restaurant		
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:		

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

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

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Director of Planning & Zoning





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Case No. Z2022-033: PD Development Plan for a Restaurant

Please place a check mark on the appropriate line below:

PLEASE RETURN THE BELOW FORM

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

Name:

Address:

DW BOBST 15060 /270/ SVNSET REDGE

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Sincerely,

Ryan Miller, AICP

Director of Planning & Zoning

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE



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

PLEASE RETURN THE BELOW FORM

Case No. Z2022-033: PD Development Plan for a Restaurant

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

Name:

Address:

DW BOBST 2701 SUNSET REDGE

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

Kirkman Engineering 5200 State Highway 121 Colleyville, TX 76034 817.488.4960



May 18, 2022

City of Rockwall 385 S Goliad Street Rockwall, Texas 75087 (972) 771-7700

Project Number: Lot 4 Block A Harbor District Addition PD Amendment

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal PD Amendment to update the concept plan with the Harbor District to allow the site to be developed as shown in the attached concept plan. There are currently no variances being requested at this time. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely,

Patrick Filson

Patrick Filson P.E.

O: (817) 488-4960

OWNERS CERTIFICATE

STATE OF TEXAS COUNTY OF ROCKWALL}

WHEREAS, J-BR2, LLC IS THE OWNER OF two tracts of land in the M.J. Barksdale Survey, Abstract No. 11, situated in the City of Rockwall, in Rockwall County, Texas, said tracts being all of Lot 2, Block A, of the Harbor District Addition, an addition to The City of Rockwall as recorded in Cabinet I, Slide 7, of the Plat Records of Rockwall County, Texas, and all of Lot 1, Block A, of the Christian Church Addition, an addition to The City of Rockwall, as recorded in Cabinet A, Slide 217 of the Plat Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of said Lot 2, Block A, said point also lying on the southerly Right of Way of Interstate 30, (a variable width Right of Way) and the east line of Sunset Ridge Drive (a variable width Right of Way) as shown on said Harbor Heights Addition

THENCE North 74 degrees 49 minutes 50 seconds East along the southerly Right of Way of said Interstate 30, a distance of 32.37 feet to a wood right-of-way monument found for the northwest corner of a remainder tract of land described by deed to Faulkner Investment Company, Ltd. Recorded in Volume 1542, Page 296 of the Deed Records of Rockwall County, Texas;

THENCE South 14 degrees 20 minutes 24 seconds West departing the southerly line of said Interstate 30 and along said Faulkner tract, a distance of 57.31 feet to a 1/2 inch iron rod found for corner;

THENCE South 49 degrees 36 minutes 39 seconds East continuing along said Faulkner tract a distance of 1.89 feet to a 1/2 inch iron rod found for corner;

THENCE North 73 degrees 25 minutes 30 seconds East continuing along said Faulkner tract a distance of 36.01 feet to a 1/2 inch iron rod found for corner;

THENCE North 16 degrees 31 minutes 03 seconds West continuing along said Faulkner tract a distance of 49.47 feet to a 1/2 inch iron rod found for corner lying on the aforementioned southerly line of Interstate 30;

THENCE North 82 degrees 55 minutes 59 seconds East along said southerly line a distance of 230.89 feet to a 1/2 inch iron rod found for corner at an angle point in same;

THENCE North 82 degrees 42 minutes 40 seconds East continuing along said southerly line a distance of 88.82 feet to a 1/2 inch iron rod found for the northeast corner of said Lot 2 Block A, said point also lying on the northwest line of Lot 1, Block A of Briscoe/Hillcrest Addition, an addition to the City of Rockwall according to the plat recorded in Cabinet D, Slide 245 of the Plat Records of Rockwall County, Texas. from which a 1/2 inch iron rod found bears North 63 degrees 14 minutes 55 seconds West, a distance of 1.38 feet;

THENCE South 42 degrees 49 minutes 10 seconds West along the northwest line of said Lot 1, Block A of Briscoe/Hillcrest Addition, a distance of 21.73 feet to a 1/2 inch iron rod found for the west corner of said Lot 1, Block A of said Briscoe/Hillcrest Addition and the north corner of Lot 1, Block A of Christian Church Addition:

THENCE South 46 degrees 25 minutes 58 seconds East along the northeast line of said Christian Church Addition, a distance of 196.92 feet to a 1/2 inch iron rod found for the east corner of said Christian Church Addition;

THENCE South 44 degrees 04 minutes 52 seconds West along the southeast line of said Christian Church Addition a distance of 109.88 feet to a 1/2 inch iron rod found for the south corner of same, said point also lying on the northeast line of Lot 1, Block A, of said Harbor District Addition;

THENCE North 46 degrees 19 minutes 53 seconds West along the southwest line of said Christion Church Addition, same being the northeast line of said Lot 1. Block A, a distance of 5430" found for the southeast corner of said Lot 2 Block A, and the north corner of said Lot 1 Block A;

THENCE South 72 degrees 42 minutes 13 seconds West along the common line of said Lot 1, Block A, and said Lot 2, Block A, a distance of 307.23 feet to a 1/2 inch iron rod found for the southwest corner of said Lot 2. Block A, the northwest corner of said Lot 1, Block A, and lying on the aforementioned east right—of—way line of Sunset Ridge Drive;

THENCE North 17 degrees 15 minutes 53 seconds West along the east line of said Sunset Ridge Drive and the west line of said Lot 2, Block A, a distance of 243.79 feet to the POINT OF BEGINNING containing 83,679 square Feet, or 1.921 acres

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY, THAT I PREPARED THIS SURVEY PLAT SHOWN HEREON FROM AN ACTUAL SURVEY ON THE GROUND BY ME AND THAT ALL CORNERS ARE MARKED. AND THAT ALL DIMENSIONS SHOWN THEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND FURTHERMORE THERE ARE NO ENCROACHMENTS. PROTRUSIONS, IMPROVEMENTS, EASEMENTS, RIGHT-OF- WAY, OR 100 YEAR FLOOD PLAIN AFFECTING THE PROPERTY EXCEPT AS SHOWN THEREON.

WITNESS UNDER MY HAND THIS THE 15+17DAY OF MAY BRIAN J. MADDOX, R.P.L.S. NO. 5430

10' T.X.U. ESMT.

BEARING DISTANCE N 74°49′50″ S 14°20′24" W S 49°36′39″ E N 73°25′30″ I N 16°31′03″ W 49.47 88.82 N 82°42′40″ S 42°49′10″ \ N 46°19′53″ W

Leaend of Symbols & Abbreviations

IRF = IRON ROD FOUND R.O.W. = RIGHT-OF-WAYP.O.B. = POINT OF BEGINNINGD.E. = DRAINAGE EASEMENT W.E. = WATER EASEMENT DOC = DOCUMENT

VOL. = VOLUMEPG. = PAGECAB. = CABINET

BRIAN J. MADDOX 3

CAB. D, SLD. 245 LOT 1, BLOCK A 57.97 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. BRISCOE/HILLCREST ADDITION CABINET D, SLIDE 245 FAULKNER INVESTMENT CO., LTD. VOLUME 1542, PAGE 296 MONUMENT-P.O.B. NORTHING: 7014393.0752 EASTING: 2589481.3789 AS TIED TO CITY OF ROCKWALL GPS MONUMENTS RO15 & RO17 VOL. 64, PG. 215 BLOCK D.R.R.C.T. CAB. I, SLIDE DOC#2012-473793 P.R.R.C.T. 44,494 SF 1.021 AC LOT 3 BLOCK A  $^{\circ}$  .R.R.C.T. 39,184 SF 0.900 AC FIFELANE, PUPLIC & UTILITY ESMT. BLOCK B HARBOR DISTRICT ADDITION CAB. I, SLIDE 7 P. R. R. C. **T**. 20' ONCOR ELEC. ESMT. 4324, PAGE 290 iled and Recorded ficial Public Records Shelli Miller, County Clerk Rockwall County, Texas 05/26/2015 02:29:53 PM 10' ONCOR ELECTRIC ESMT. VOL. 7162, PG. 300 BLOCK 5

THE BASIS OF BEARING AND ELEVATION DATUM FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE, GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON SITE IN SEPTEMBER 2011 AND VERIFIED

2. ALL CORNERS ARE 5/8" IRON RODS FOUND WITH A PLASTIC CAP STAMPED "R.P.L.S. 5430" UNLESS OTHERWISE NOTED.

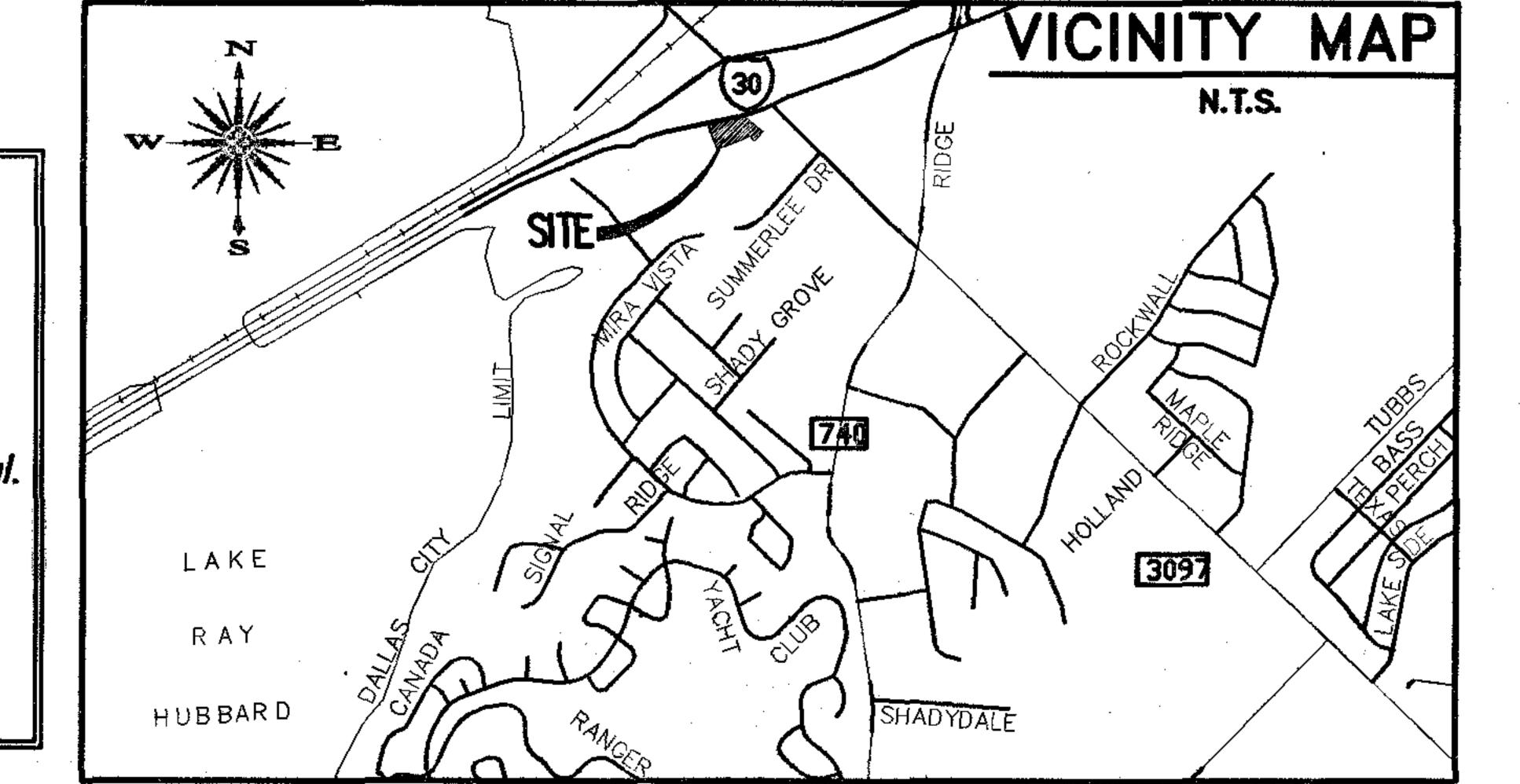
THE PURPOSE OF THIS REPLAT IS TO ADD ALL OF LOT I BLOCK A OF THE CHRISTIAN CHURCH ADDITION RECORDED IN CABINET A, SLIDE 217 TO THE OVERALL AREA OF LOT 2, BLOCK A, OF THE HARBOR DISTRICT ADDITION RECORDED IN CABINET I, SLIDE 7, AND RECONFIGURE THE GEOMETRY OF SAID PROPERTY TO PRODUCE TWO DEVELOPABLE LOTS.

**APPROVED** 

I hereby certify that the above and foregoing plat of REPLAT OF THE HARBOR DISTRICT ADDITION LOT 3 AND 4 to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the 267 day of 1914, 2015.

This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval. Said addition\_shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

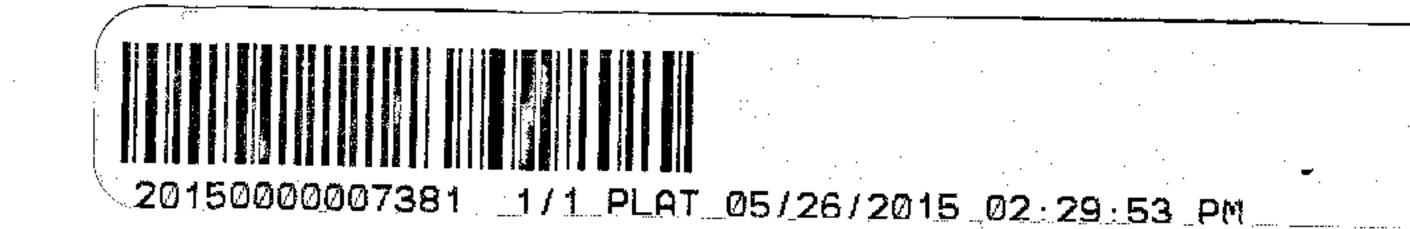
<u> Williams</u> Director of Planning



OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS? COUNTY OF ROCKWALL?



That we the undersigned owner's of the land shown on this plat, and designated herein as the REPLAT OF THE HARBOR DISTRICT ADDITION LOT 3 AND 4 to the City of Rockwall, Texas, and whose name's are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. we further certify that all other parties who have a mortgage or lien interest in the REPLAT OF THE HARBOR DISTRICT ADDITION LOT 3 AND 4 have been notified

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

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described
- 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 Rockwalls West regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall, or until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

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

STATE OF TEXAS

COUNTY OF ROCKWALL Betwee me, the undersigned authority, on this day personally appeared

known to me to be the person whose name is subscribed to the acknowledged to me that he executed the same for the purpose and Given upon my hand and seal of office this \_\_\_\_\_day of

My Commission Expires:

MIMBERLY VERMILLION

168

HARBOR DISTRICT ADDITION LOT 3 AND 4

BEING ALL OF LOT 2, BLOCK A, OF THE HARBOR DISTRICT ADDITION, RECORDED IN CABINET I, SLIDE 7 P.R.R.C.T.

AND ALL OF

LOT 1, BLOCK A, OF THE CHRISTIAN CHURCH ADDITION RECORDED INCABINET A, SLIDE 217

P.R.R.C.T.

SITUATED IN THE

BARKSDALE SURVEY, ABSTRACT NO. 11 L, ROCKWALL COUNTY, TEXAS CITY OF ROCKWALL, OWNER/DEVELOPER SURVEYOR

J-BR2, LLC 1400 Ridge Road Rockwall, Texas 75087 (972) 741 - 9748

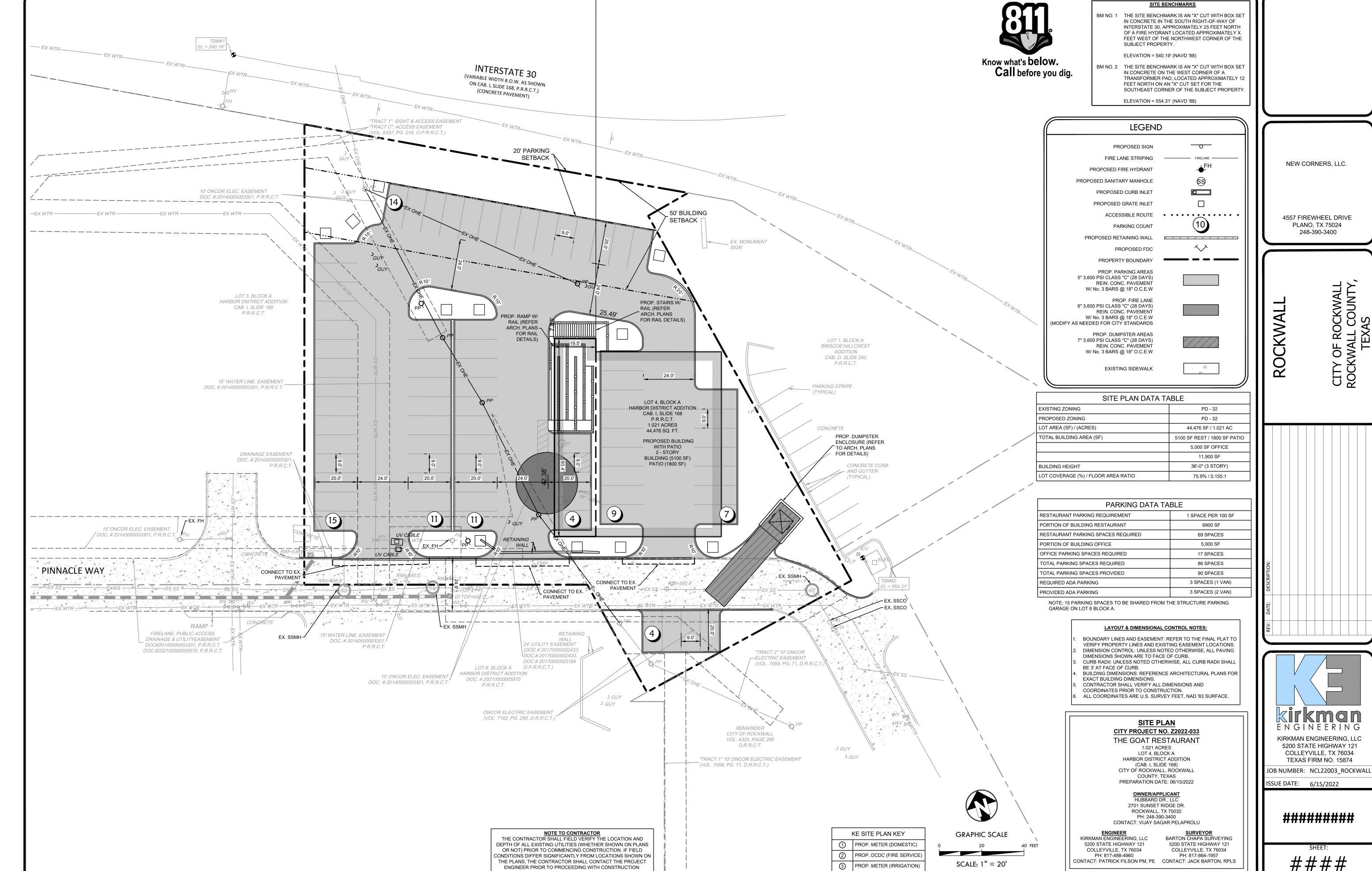
1"=60"

MADDOX SURVEYING & MAPPING INC P.O. BOX 2109 FORNEY, TEXAS 75126

(972) 564 - 4416

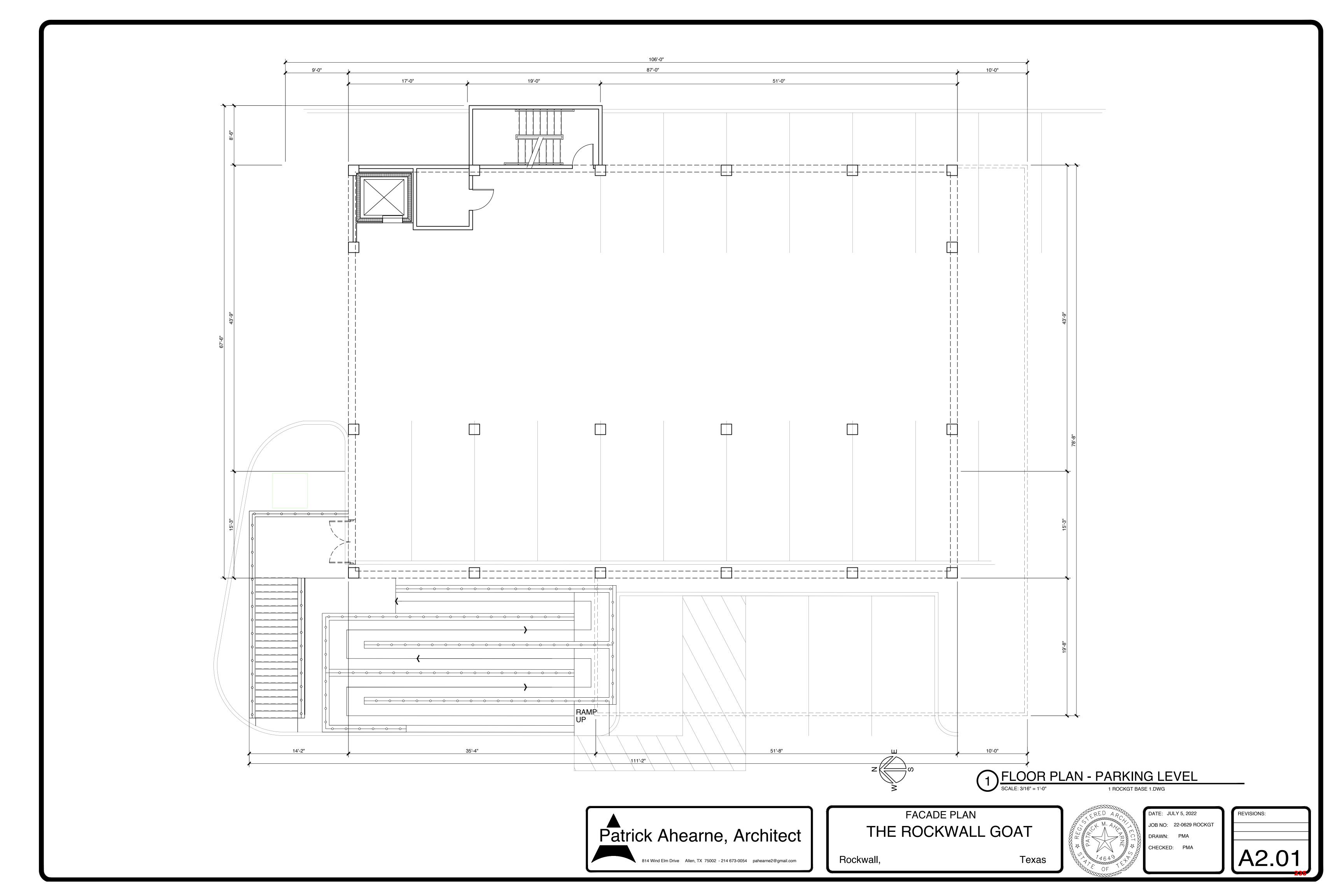
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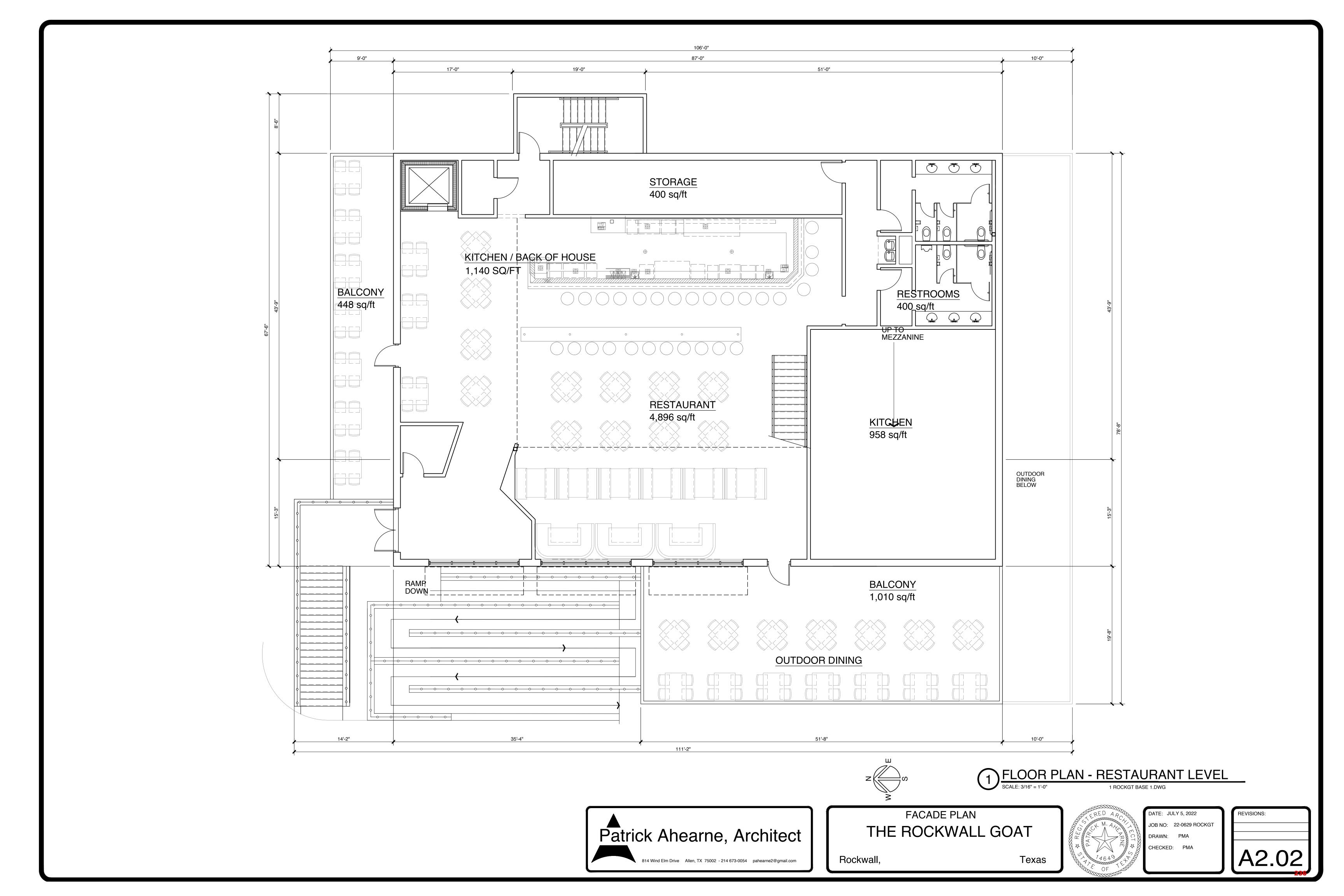
SHEET 1 OF 1 CASE NO. P2015-016

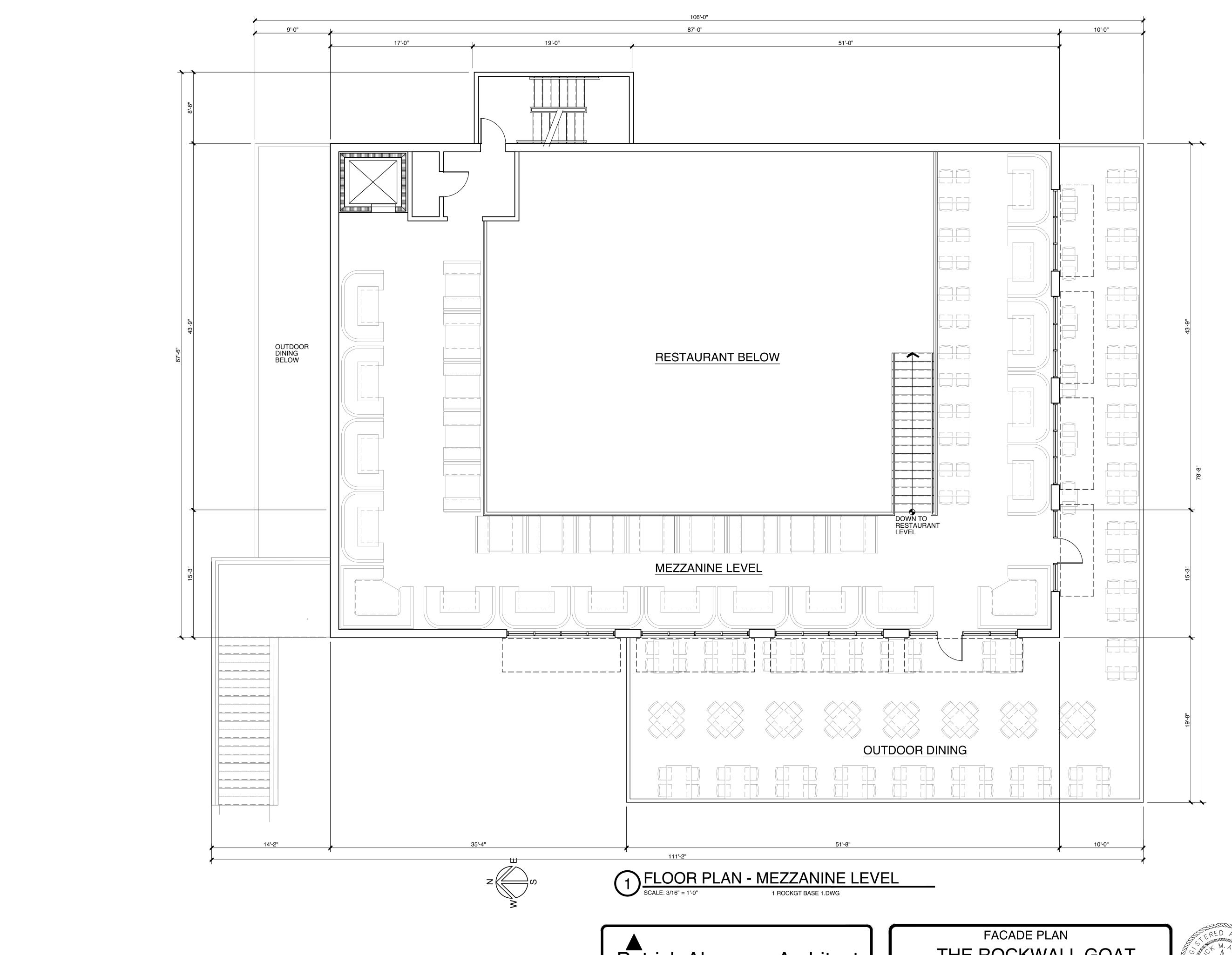


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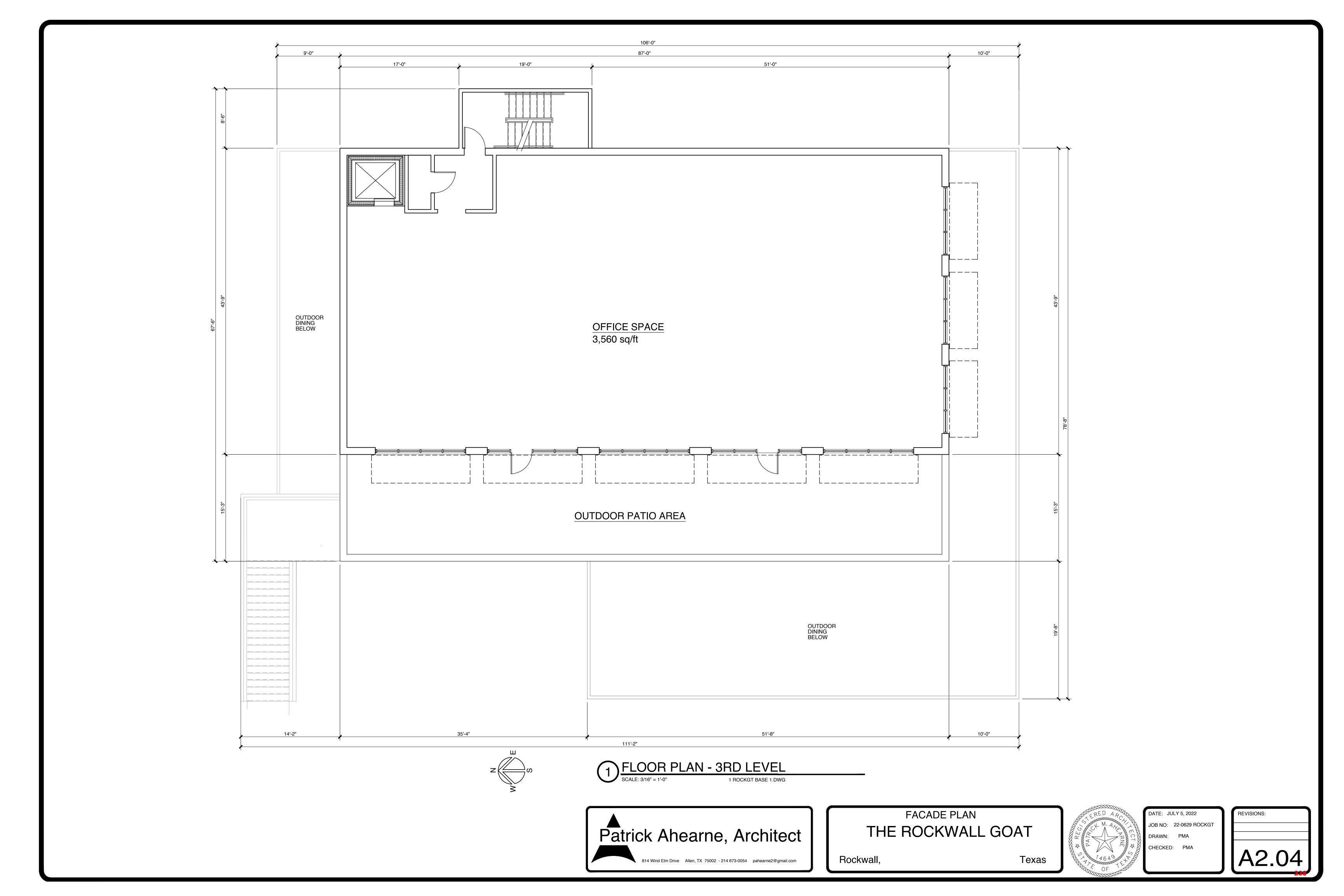


THE ROCKWALL GOAT

Rockwall, Texas



JOB NO: 22-0629 ROCKGT DRAWN: PMA CHECKED: PMA



#### CITY OF ROCKWALL

# ORDINANCE NO. 22-XX

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 RESTAURANT ON A 1.021-ACRE PARCEL OF LAND IDENTIFIED AS LOT 4, BLOCK A, HARBOR DISTRICT 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.

WHEREAS, the City has received a request from Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of a *PD Development Plan* for a *Restaurant* situated within the *Summit Office Subdistrict* of Planned Development District 32 (PD-32), on a 1.021-acre parcel of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas and more fully described and depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 32 (PD-32) [Ordinance No. 17-22] and 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 Planned Development District 32 (PD-32) [Ordinance No. 17-22] and the Unified Development Code [Ordinance No. 20-02], as heretofore amended, shall be further amended by adopting this PD Development Plan and amending the official zoning map of the City of Rockwall for the Subject Property; and,

**SECTION 2.** That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

**SECTION 3.** That development of the *Subject Property* shall generally be in accordance with the *Conceptual Building Elevations*, 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*; and,

- **SECTION 4.** That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [Ordinance No. 17-22], the Unified Development Code [Ordinance No. 20-02], and in compliance with the following conditions and requirements:
  - (1) The development of the subject property shall generally conform to the Concept Plan depicted in Exhibit 'B' of this ordinance.
  - (2) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32) [as amended.
  - (3) Prior to the issuance of a building permit the applicant shall submit and seek approval for a detailed PD Site Plan that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [as amended] and with the requirements approved in this ordinance.
  - (4) All buildings throughout the development shall be constructed with a consistent design scheme, incorporate four (4) sided architecture that creates an entry appearance on all four (4) sides, and be approved by the Architectural Review Board (ARB) at the time of the PD Site Plan.
- **SECTION 5.** That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed quilty 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 6. 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 7. 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 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 1<sup>ST</sup> DAY OF AUGUST, 2022.

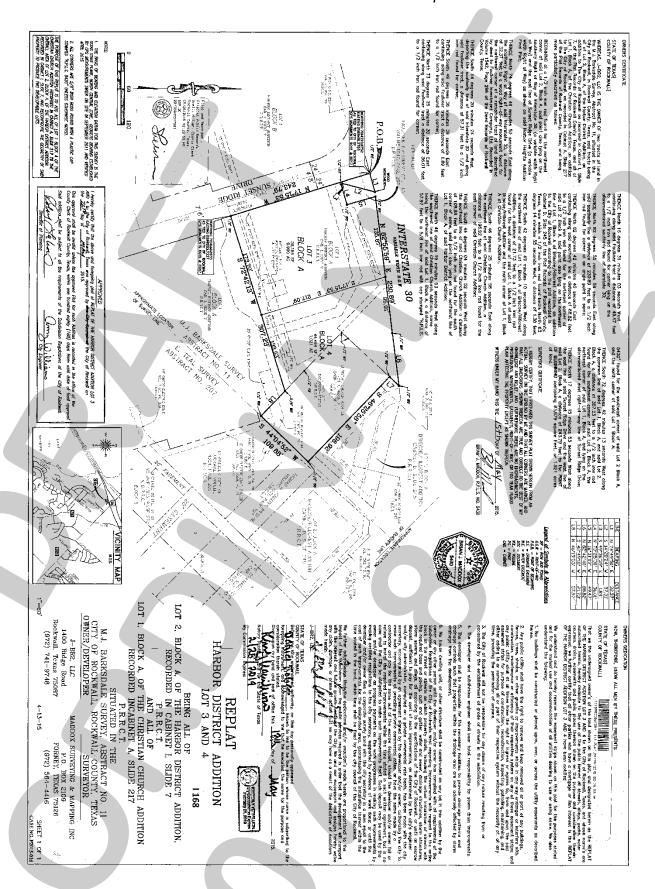
	Kevin Fowler, <i>Mayor</i>
ATTEST:	
Kristy Cole, City Secretary	

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: <u>July 18, 2022</u>2nd Reading: <u>August 1, 2022</u>

# **Exhibit 'A':**Subdivision Plat and Location Map



**Exhibit 'A':**Subdivision Plat and Location Map

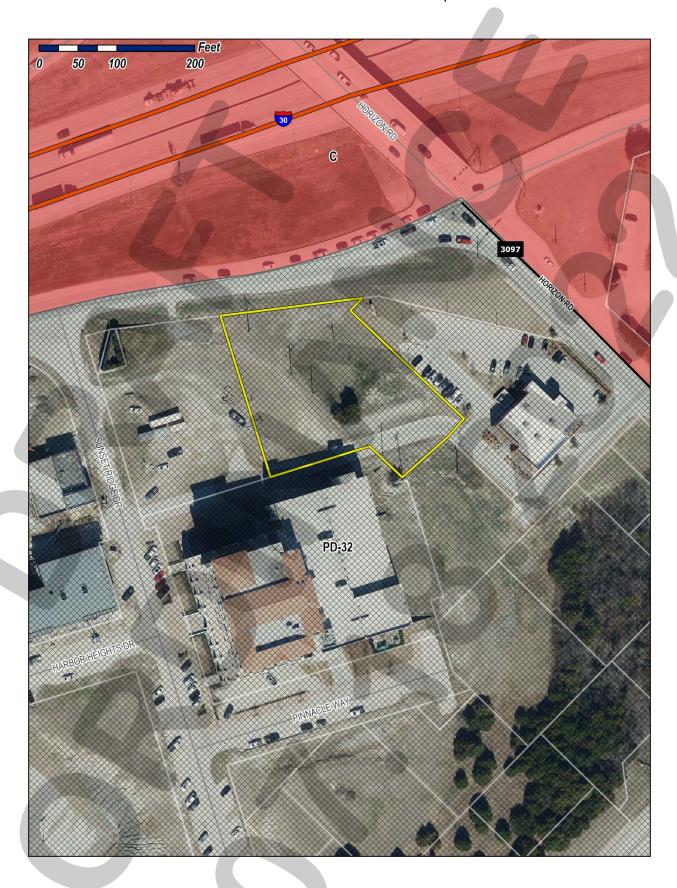
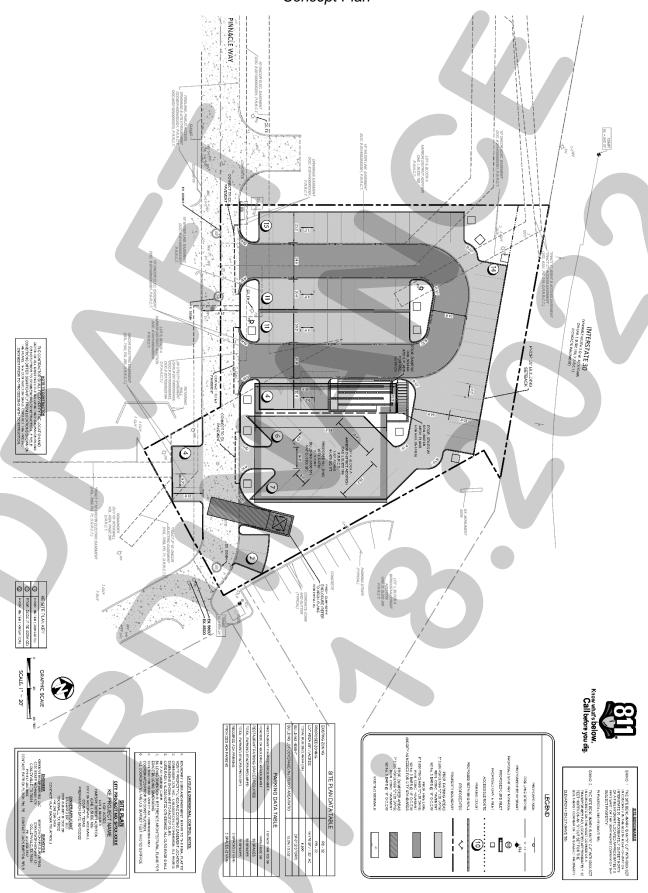


Exhibit 'B': Concept Plan





# **MEMORANDUM**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 18, 2022

SUBJECT: Z2022-034; ZONING CHANGE (AG TO PD) FOR THE HANCE TRACT

Attachments

Case Memo

**Development Application** 

Location Map

**HOA Notification Map** 

**Neighborhood Notification Email** 

**Property Owner Notification Map** 

Property Owner Notification List

**Public Notice** 

**Property Owner Notifications** 

Survey

Concept Plan

Comprehensive Plan Excerpts

**Draft Ordinance** 

# Summary/Background Information

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments 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 85.63-acre tract of land identified as Tracts 2-01, 2-04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and John King Boulevard, 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*.



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Kevin Harrell; *Skorburg Company* 

CASE NUMBER: Z2022-034; Zoning Change (AG to PD) for the Hance Tract

# **SUMMARY**

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments 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 85.63-acre tract of land identified as Tracts 2-01, 2-04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southeast corner of the intersection of Hays Road and John King Boulevard, 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 2,236 SF single-family home, [2] a 64 SF storage building, [3] a 2,400 SF metal storage building, [4] a 2,208 SF barn, [5] an 897 SF storage shed, and [6] an 864 SF storage building. All of these improvements were constructed in 1975. Beyond these structures, the subject property has remained largely undeveloped and the zoning designation has not changed since annexation.

### **PURPOSE**

On June 17, 2022, the applicant -- *Kevin Harrell of the Skorburg Company* -- 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 252-lot single-family, residential subdivision that will consists of three (3) lot sizes (*i.e.* [A] 157, 62' x 120' lots; [B] 78, 72' x 120' lots; and [C] 17, 82' x 125' lots).

## ADJACENT LAND USES AND ACCESS

The subject property is generally located at the southeast corner of the intersection of Hays Road and John King Boulevard. The land uses adjacent to the subject property are as follows:

North:

Directly north 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. North of this thoroughfare is Phase 1 of the Saddle Star Estates Subdivision, which consists of 66 single-family residential lots on 26.41-acres. This phase of the subdivision was filed with Rockwall County on November 23, 2020, and is zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses.

South:

Directly south of the subject property is E. Quail Run Road. Portions of this roadway are designated as an M4D (i.e. major collector, four [4] lane, divided roadway) and a R2U (i.e. residential, two [2] lane, roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are three (3) tracts of land (i.e. Tract 19-2 and 22 of the S. S. McCurry Survey, Abstract No. 146 and Lot 1 of the L. L.

Leonard Addition) that are currently vacant and zoned Agricultural (AG) District and Planned Development District 5 (PD-5) for Single-Family 8.4 (SF-8.4) District land uses.

East: Directly east of the subject property is the Gideon Grove Subdivision, which consists of 84 single-family residential lots on 30.06-acres. This subdivision was filed with Rockwall County on March 22, 2022, and is zoned Planned Development District 84 (PD-84) for Single-Family 7 (SF-7) District land uses. 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.

Directly west of the subject property is Hays Road, which is identified as a *Minor Collector* on the City Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Phase 8 of the Stone Creek Subdivision, which consists of 102 single-family residential lots on 28.66-acres. This phase of the subdivision was filed with Rockwall County on March 6, 2018, and is zoned Planned Development District 70 (PD-70) for Single-Family 10 (SF-10) District land uses.

MAP 1: LOCATION MAP YELLOW: SUBJECT PROPERTY

West:



# **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 85.63-acre subject property will consist of 252 residential lots. These lots will consist of three (3) lot types: [1] 157 Type 'A' lots that are a minimum of 62' x 120' (or 7,440 SF), [2] 78 Type 'B' lots that are a minimum of 72' x 120' (or 8,640 SF), and [3] 17 Type 'C' lots that are a minimum of 82' x 125' (or 10,250 SF). This translates to a gross density of 2.94 dwelling units per gross acre (i.e. 252 lots/85.63-acres = 2.9428 dwelling units per gross acre). The minimum dwelling unit size (i.e. air-condition space) will range from 2,200 SF to 2,800 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, 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 50% cementitous fiberboard utilized in a horizontal lap-siding, board-and-batten siding, or decorative pattern to allow a variation of materials throughout the subdivision.

Looking at the garage orientation proposed for the development, the applicant is requesting to allow a total of 32.10% of the *Type 'A' Lots* (*51 lots or 20% of all the garages*) to be orientated toward the street in a *Flat Front Entry* garage configuration; however, the applicant is proposing to require a 25-foot front yard building setback for all garages oriented in a *Flat Front Entry* garage configuration. The remaining garage doors will be oriented in a *J-Swing* (or a *Traditional Swing*) configuration or *Recessed Entry* configuration (*i.e. where the garage door is situated a minimum of 20-feet behind the front façade*). In addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] coach lighting, [2] 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 the upgrades required in the Planned Development District ordinance:

IMAGES 1, 2 & 3: 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 (%)
ŀ	62' x 120'	7,440 SF	157	62.30%
E	3 72' x 120'	8,640 SF	78	30.95%
(	82' x 125'	10,250 SF	17	06.75%
		Maximum Permitted Units:	252	100.00%

# TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ▶	Α	В	С
Minimum Lot Width (1)	62′	72′	82′
Minimum Lot Depth	120′	120′	125′
Minimum Lot Area (SF)	7,440 SF	8,640 SF	10,250 SF
Minimum Front Yard Setback (2), (5) & (6)	20'	20′	20'
Minimum Side Yard Setback	6′	6′	6'
Minimum Side Yard Setback (Adjacent to a Street) (2), (5) & (7)	20'	20′	20'
Minimum Length of Driveway Pavement	20'	20′	20′
Maximum Height (3)	36′	36′	36′
Minimum Rear Yard Setback (4)	10′	10′	10′
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	2,200 SF	2,600 SF	2,800 SF
Maximum Lot Coverage	65′	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 17.2288-acres open space that includes a 4.80-acre amenity center. This translates to an open space percentage of 20.12% (*i.e.* 17.2288-acres of open space/85.63-acres gross = 20.12%). In addition, the applicant has incorporated a ten (10) foot hike/bike trail along John King Boulevard and five (5) foot walking trails throughout the subdivision.

# **INFRASTRUCTURE**

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

- (1) <u>Roadways</u>. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan, E. Quail Run Road is required to be a M4D (*i.e. major collector, four [4] lane, divided roadway*), which requires an 85-foot right-of-way with two (2), 25-foot *back-to-back* concrete streets with a 14-foot median. This roadway will need to be fully constructed from the existing E. Quail Run Road -- *constructed with Phase 2 of the Gideon Grove Subdivision* -- to where the future alignment ties into the existing E. Quail Run Road. From this point, to the western property line, the applicant will be responsible for constructing a minimum of 24½-feet of the existing E. Quail Run Road. Hays Road is a *Minor Collector* according to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This means the applicant will be required to dedicate the remaining right-of-way to ensure that the full right-of-way width of 60-feet is provided, and construct the remaining 16½-feet of paving. In addition, the applicant will be required to construct a left turn lane on John King Boulevard to the City's standards.
- (2) <u>Water</u>. The applicant will be required to construct an eight (8) inch water line that loops through the subject property.
- (3) <u>Wastewater</u>. The applicant will be required to construct an eight (8) inch wastewater line that connects to the existing wastewater system, and pay a \$361.54 per acre sewer pro-rata.
- (4) <u>Drainage</u>. 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) <u>Alleyways</u>. 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) <u>Garage Configuration</u>. Section 04, <u>Residential Parking</u>, of Article 06, <u>Parking and Loading</u>, 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."

<u>Applicant's Response to (1) & (2)</u>: In lieu of providing the required alleyways, the applicant is proposing to provide 80% *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 20% *Flat Front Entry* garages with a minimum of a 25-foot building setback. 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. The following are examples of some of the upgraded finishes depicted in the Planned Development District ordinance:

# IMAGES 4, 5, 6, & 7: EXAMPLES OF UPGRADED FINISHES



(3) <u>Roadway Spacing</u>. The Engineering Department's *Standards of Design and Construction Manual* stipulates a minimum driveway spacing of 200-feet between a local (*i.e. a residential street*) and an arterial (*i.e. Quail Run Road*). Currently, the concept plan does not appear to meet the minimum spacing requirements for the roadways in the southeast corner of the subject property. Should the City Council choose to approve this Planned Development District, they would essentially be approving a variance to the minimum driveway spacing 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 *Northwest Residential District* and is designated for *Medium Density Residential* land uses. The plan defines *Medium Density Residential* land uses as "... residential subdivisions that are greater than two (2) and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In this case the applicant is proposing a total density of *2.94* dwelling units per acre. In addition, the applicant is proposing to incorporate walking trails and 20.12% open space, and a 4.80-acre amenity center. Based on this the applicant's request is in conformance with the *Medium Density Residential* designation indicated for the subject property.

According to the *District Strategies* for *Suburban Residential* in the *Northwest Residential District*, "... 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." In this case, the subject property is directly adjacent to Phase 2 of the Gideon Grove Subdivision and Phases 8, 9, & 10 of the Stone Creek Subdivision. Contained within these phases of these subdivisions are lot sizes that range from 60' x 120' (or a minimum of 7,000 SF) to 70' x 120' (or a minimum of 8,400 SF). This means that the applicant is proposing lots that are equal to or larger than the lots in the adjacent subdivisions. Based on this the applicant's request appears to be in conformance with the *District Strategies* for the *Northwest Residential 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, etc.); however, staff has identified the following non-conformities on the concept plan and provided the following recommendations to the applicant:

<u>RED</u>: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE. BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

(1) <u>CH. 08 | Section 02.03 | Goal 01; Policy 5</u>: Design neighborhoods utilizing the *Housing Tree Model* ... A method of laying out single-family lots so that the largest lots are located adjacent to main entries or perimeter streets, and smaller lots are located internal to the subdivision.

<u>Staff Response</u>: Staff requested that the *Type 'C' Lots* (*i.e.* 82' x 125' Lots) be incorporated into the concept plan along E. Quail Run Road to better conform to the *Housing Tree Model*. <u>The applicant has chosen not to incorporate this request into the concept plan</u>.

- (2) <u>CH. 07 | Goal 02; Policy 3</u>: Continue to develop and plan for an interconnected trail and sidewalk system that promotes connectivity and access to all areas of the City.
  - <u>Staff Response</u>: Staff request the applicant label and show an interconnected trail and sidewalk system on the concept plan. <u>The applicant has shown a ten (10) foot hike/bike trail along John King Boulevard on the concept plan and additional five (5) foot trails that traverse the proposed subdivision.</u>
- (3) <u>CH. 08 | Section 02.02 | Goal 03; Policy 1</u>: All residential development -- five (5) acres or greater -- should consist of a minimum of 20% open space as calculated by the gross land area. Floodplain should be counted at a rate of ½-acre for every acre provided (e.g. ten [10] acres of floodplain dedicated as open space would count as five [5] acres of open space).

<u>Staff Response</u>: The original concept plan had less than 20.00% open space. Based on this staff requested that the applicant change the concept plan to incorporate at least 20.00%. <u>The applicant has changed the concept plan to incorporate 20.12%.</u>

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 June 17, 2022, staff mailed 275 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Stone Creek, Quail Run Valley, and Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Associations (HOA's), which are the only HOA's within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) One (1) response from the City's online *Zoning and Specific Use Input Form* from one (1) property owner outside of the 500-foot notification buffer in favor of the applicant's request.
- (2) One (1) response from the City's online *Zoning and Specific Use Input Form* from one (1) property owner outside of the 500-foot notification buffer in opposition of the applicant's request.
- (3) Two (2) emails from two (2) property owners outside of the 500-foot notification buffer in opposition to the applicant's request.
- (4) One (1) email from one (1) property owner outside of the 500-foot notification buffer in favor of the applicant's request.

# **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request 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) Any construction resulting from the approval of this <u>Zoning Change</u> 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

F LANNING AND ZONING COMMISSION
On July 12, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the <i>Zoning Change</i> by a vote of 6-0, with Commissioner Llewellyn absent.



## **DEVELOPMENT APPLICATION**

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

PLANNING & ZONING CASE NO.

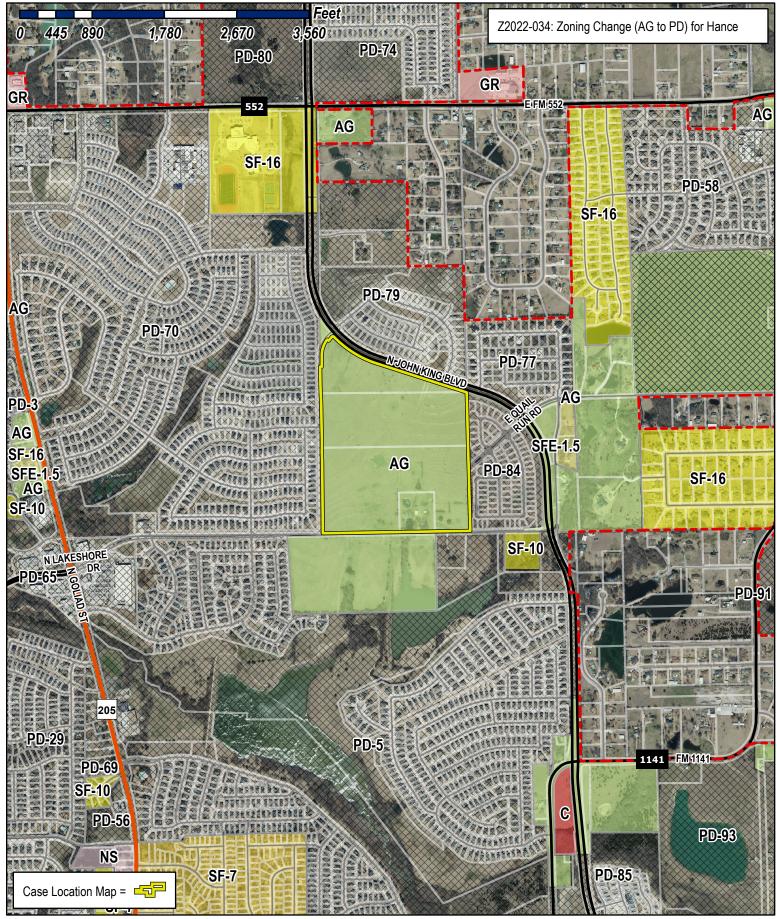
<u>NOTE:</u> THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:

CITY ENGINEER:

PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:						
PLATTING APPLICATION FEES:  ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹ ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹ ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ ☐ REPLAT (\$300.00 + \$20.00 ACRE) ¹ ☐ AMENDING OR MINOR PLAT (\$150.00) ☐ PLAT REINSTATEMENT REQUEST (\$100.00)  SITE PLAN APPLICATION FEES: ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) ¹ ☐ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)		ZONING APPLICATION FEES:  ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹ ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹ ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹ ☐ OTHER APPLICATION FEES: ☐ TREE REMOVAL (\$75.00) ☐ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ² NOTES: 1: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT, FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. 2: 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 INFO	DRMATION [PLEASE PRINT]					
ADDRESS						
SUBDIVISIO	N/A			1	.OT	BLOCK
GENERAL LOCATION		vd and Hays	s Ln			
ZONING. SITE P	LAN AND PLATTING INFORM	ATION (PLEASE F	PRINT1			
CURRENT ZONING			CURRENT USE	Vac	ant Ag Land	
PROPOSED ZONING			PROPOSED USE	Sinc	le Family Resid	ential
ACREAGI	₹ 85.63 L	OTS [CURRENT]	N/A	0	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.						
	ANT/AGENT INFORMATION [F		CK THE PRIMARY CON	TACT/ORI	GINAL SIGNATURES ARE F	REQUIRED]
☐ OWNER	R & R Hance Investment	S	☑ APPLICANT	Skor	ourg Company	
CONTACT PERSON	Larry Hance	C	ONTACT PERSON	Kevi	n Harrell	
ADDRESS	6946 Sperry St		ADDRESS	8214	Westchester D	r
				STE	900	
CITY, STATE & ZIP	Dallas, TX 75214		CITY, STATE & ZIP	Dalla	as, TX 75225	
PHONE	214-207-4362		PHONE	214-8	888-8859	
E-MAIL	larryhance@gmail.com		E-MAIL	kharr	ell@skorburgco	mpany.com
NOTARY VERIFICATION [REQUIRED]  BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Larry Hance [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 SECURITY OF ROCKWALL ON THIS THE DAY OF SUBMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION						
SUBMITTED IN CONJUNC	TION WITH THIS APPLICATION, IF SUCH REPRO	ODUCTION IS ASSOCI	IATED OR IN RESPONSE	TO A REC	UEST FOR PUBLIC INFORMA	ATION." IOTHY JOSEPH DONAHO
GIVEN LINDER MY HAND AND SEAL OF OFFICE ON THIS THE 14 DAY OF ) WAS 2005			51 30000	Notary Public the State of Montar		
OWNER'S SIGNATURE			2	į	震: " "語	Residing at:   Ivingston, Montana
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS						

DEVELOPMENT APPLICATION • CITY OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745 253





# City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.

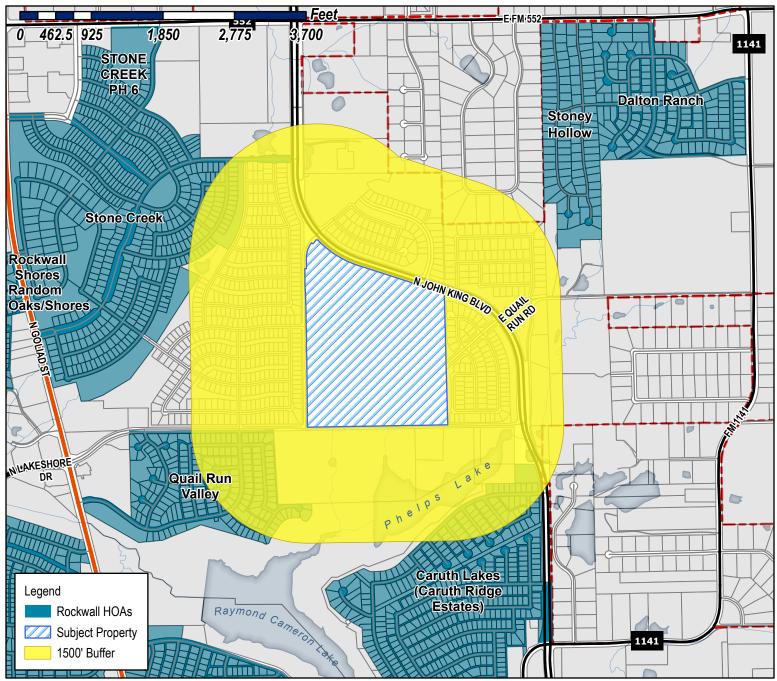




## City of Rockwall

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Case Number: Z2022-034

Case Name: Zoning Change (AG to PD)

Case Type: Zoning

**Zoning:** Agricultural (AG) District

Case Address: SEC Hays Road & John King Blvd.

Date Saved: 6/18/2022

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



### Miller, Ryan

From: Gamez, Angelica

Sent: Tuesday, June 21, 2022 4:44 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry

**Subject:** Neighborhood Notification Program [Z2022-034]

Attachments: Public Notice (06.20.2022).pdf; HOA Map (06.17.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>June 24, 2022</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, July 12, 2022 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, July 18, 2022 at 6:00 PM</u>. 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 <a href="Planning@rockwall.com">Planning@rockwall.com</a> 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.

#### Z2022-034: Zoning Change from AG to PD for SF-10 District land uses

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments 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 85.63-acre tract of land identified as Tracts 2-01, 2-04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and 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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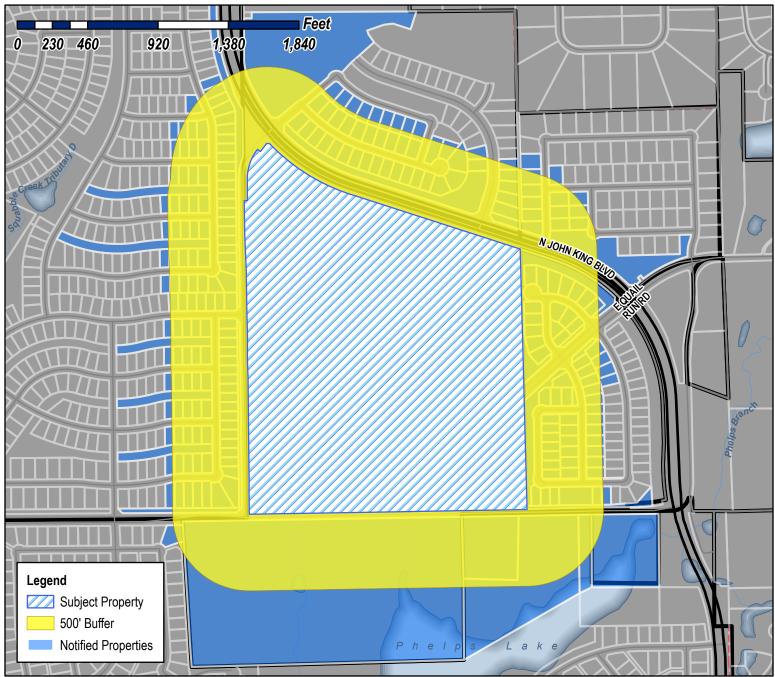
256



## **City of Rockwall**

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Case Number: Z2022-034

Case Name: Zoning Change (AG to PD)

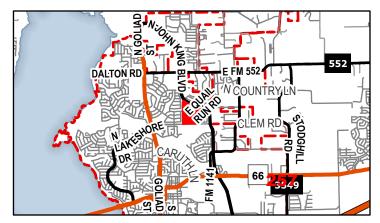
Case Type: Zoning

**Zoning:** Agricultural (AG) District

Case Address: SEC Hays Road & John King Blvd.

Date Saved: 6/18/2022

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

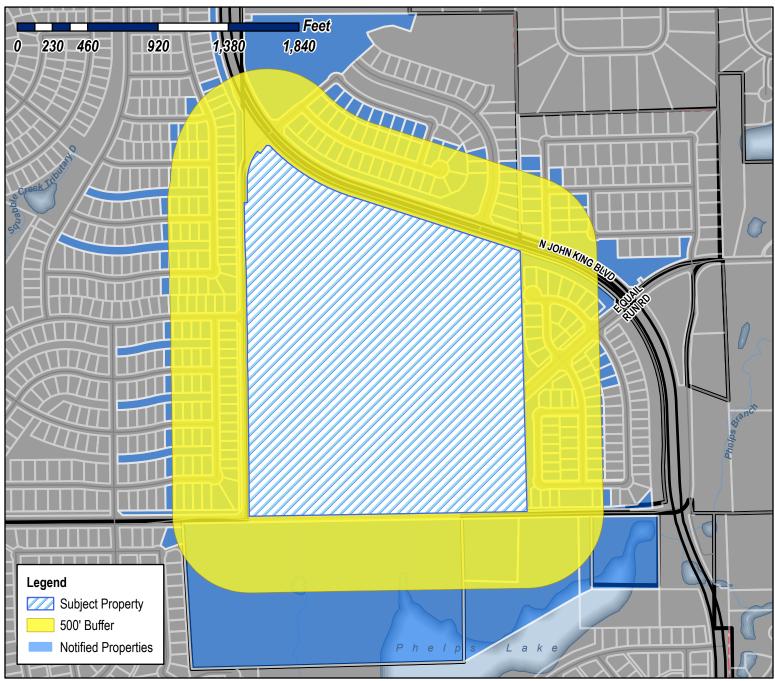




## City of Rockwall

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Case Number: Z2022-034

Case Name: Zoning Change (AG to PD)

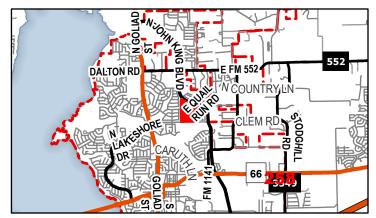
Case Type: Zoning

**Zoning:** Agricultural (AG) District

Case Address: SEC Hays Road & John King Blvd.

Date Saved: 6/18/2022

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



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. Z2022-034: Zoning Change from AG to PD for SF-10 District land uses

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments 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 85.63-acre tract of land identified as Tracts 2-01, 2-04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and 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, July 12, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 18, 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. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, July 18, 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/fockwaliplanning/development-cases
PLEASE RETURN THE BELOW FORM
Case No. Z2022-034: Zoning Change from AG to PD for SF-10 District land uses
Please place a check mark on the appropriate line below:
☐ I am in favor of the request for the reasons listed below.
☐ I am opposed to the request for the reasons listed below.
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

### Miller, Ryan

From:

Bob Wacker Monday, July 11, 2022 8:55 AM Sent:

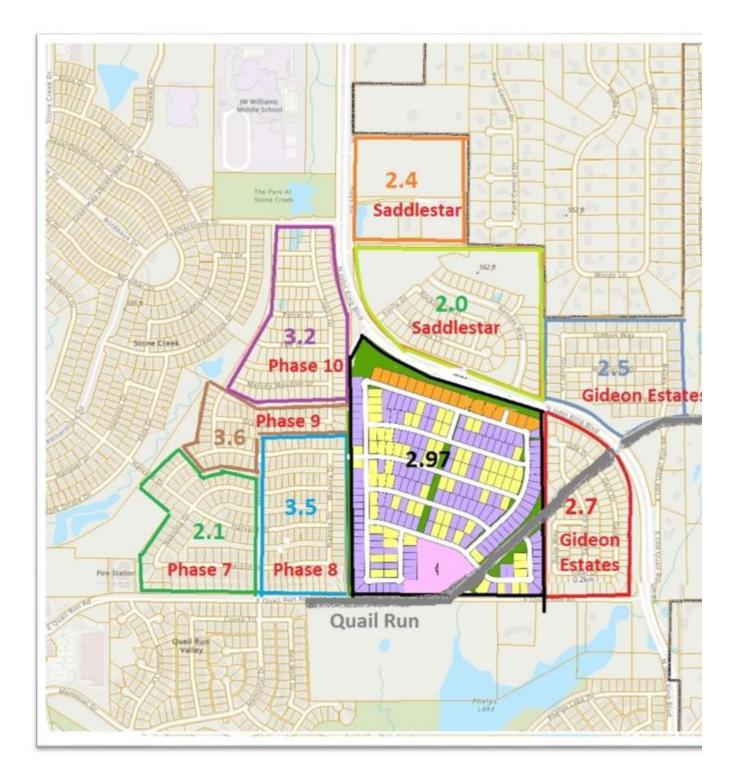
Miller, Ryan To: Planning Cc:

Z2022-034 Hance / Skorburg Development Subject:

I am in favor of this zoning change.

- 1. The density is comparable to the last couple of phases of Stone Creek. (see drawing below)
- 2. Widening Hayes Road will help the traffic flow.
- 3. Having the same developer for these three adjacent properties will ensure consistency of home types and quality.

**260** 1



Regards, Bob Wacker 309 Featherstone Drive Rockwall, TX 75087

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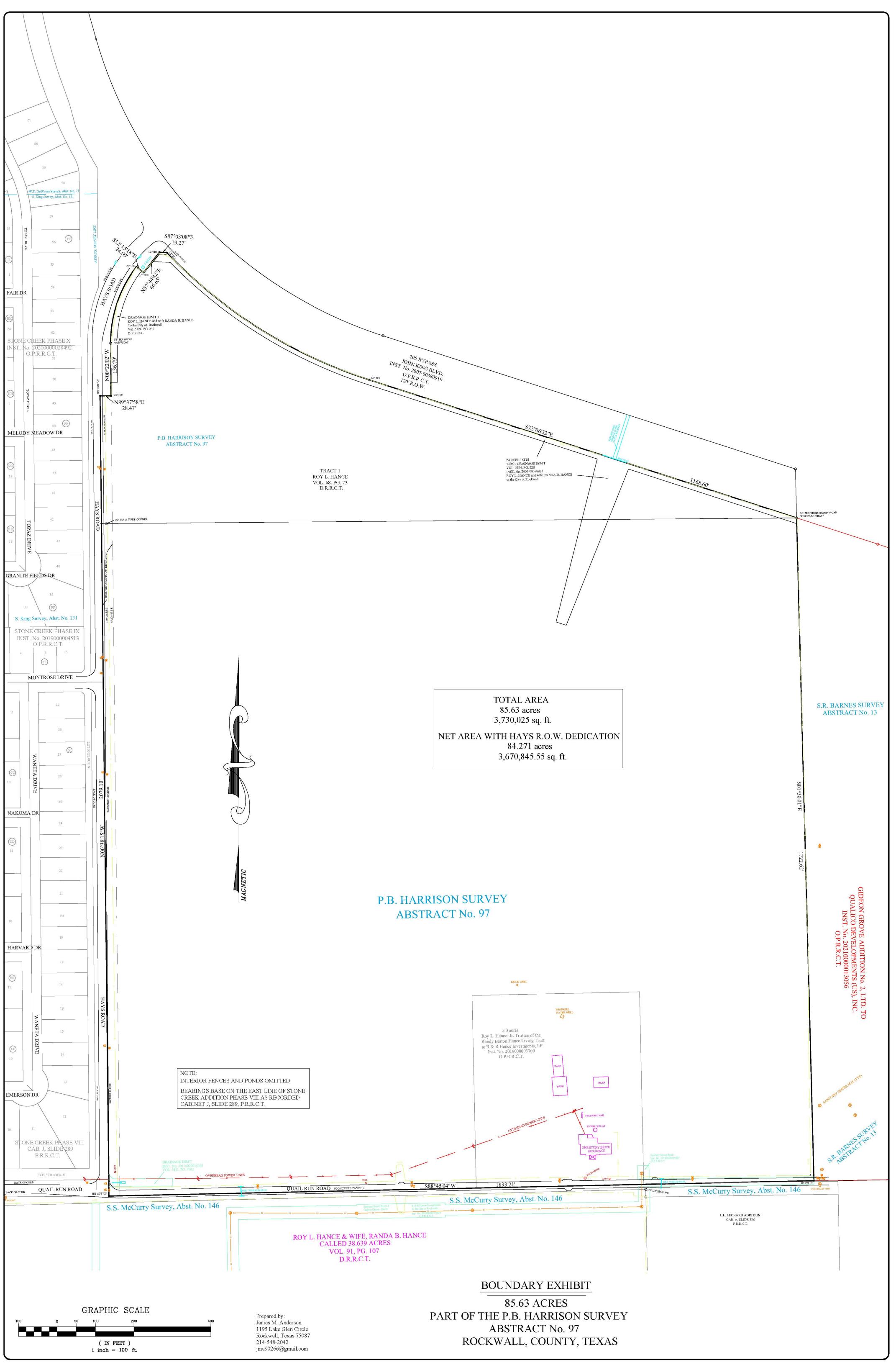
From: <u>C Lopez</u>
To: <u>Planning</u>

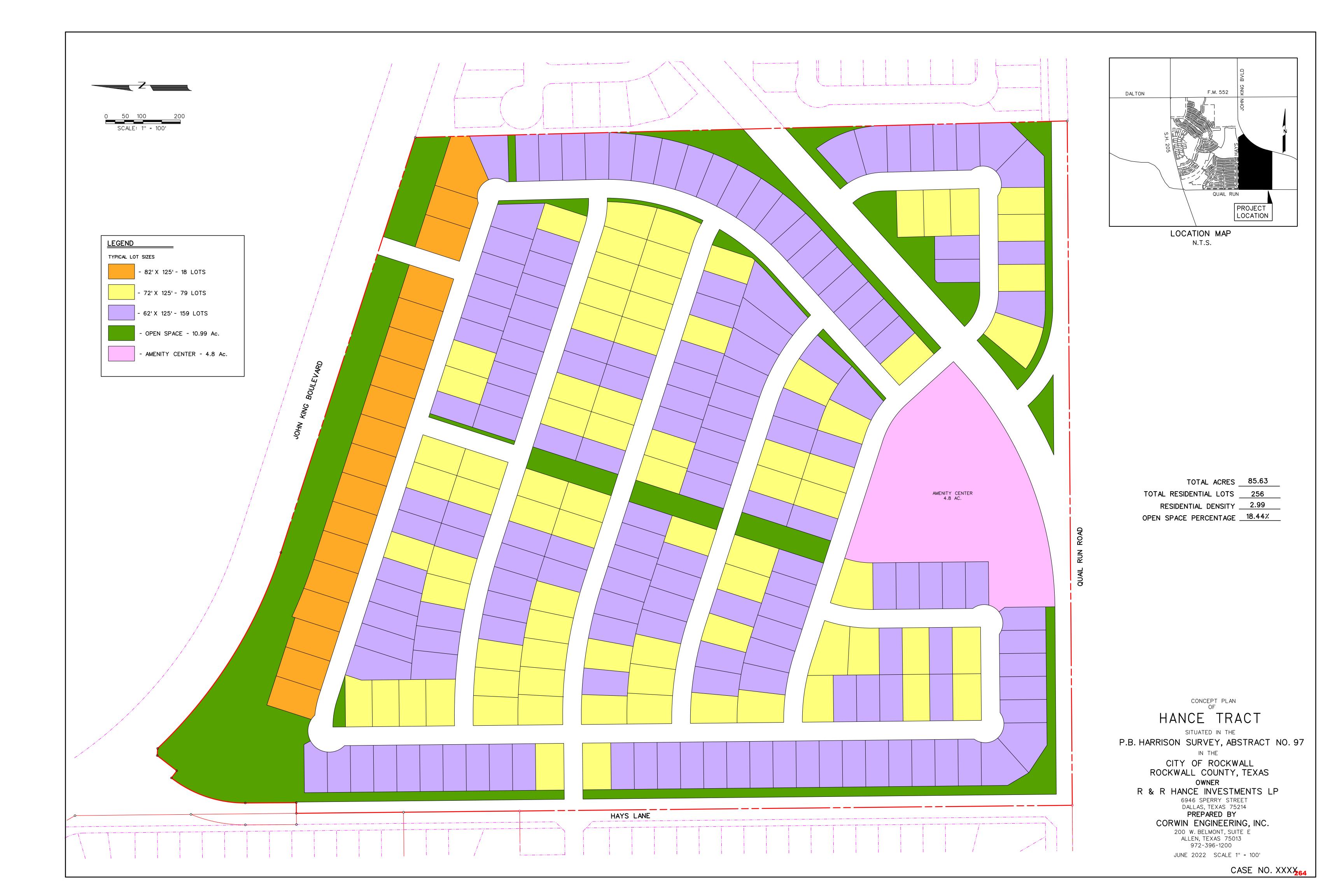
**Date:** Monday, July 11, 2022 8:57:58 PM

We do not need anymore homes in Rockwall. You are allowing everyone square inch of this cute small town to turn into homes, plus we don't have the infrastructure for all these people coming in. All this growth is ruining our small town.

#### Cheri Lopez

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.





## 05 FUTURE LAND USE PLAN 01 LAND USE PLAN DESIGNATIONS

## 01.01 RESIDENTIAL O









### 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**

- Primary Land Uses: Suburban, Estate and Rural Residential (i.e. Single-Family Detached Homes)
- Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 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

- Breezy Hill Subdivision
- 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 (31/2) 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).

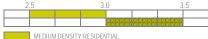
#### **DESIGNATION CHARACTERISTICS**

- Primary Land Uses: Suburban Residential (i.e. Single-Family Detached Homes)
- Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- Zoning Districts: Certain Planned Development (PD) Districts and the Single-Family 16 (SF-16) District

#### EXISTING LAND USE EXAMPLES

- Caruth Lakes Subdivision
- 2 Lago VistaSubdivision
- Park Place Subdivision

#### RESIDENTIAL DENSITY CHART



MEDIUM DENSITY RESIDENTIAL WITH INCREASED AMENITY



### 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**

- 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)
- Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 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
- Sixteen50 @ Lake Ray Hubbard Apartments

Mission Rockwall Apartment Complex

#### RESIDENTIAL DENSITY CHART



NOTE: HIGH DENSITY RESIDENTIAL REQUIRES INCREASED AMENITY









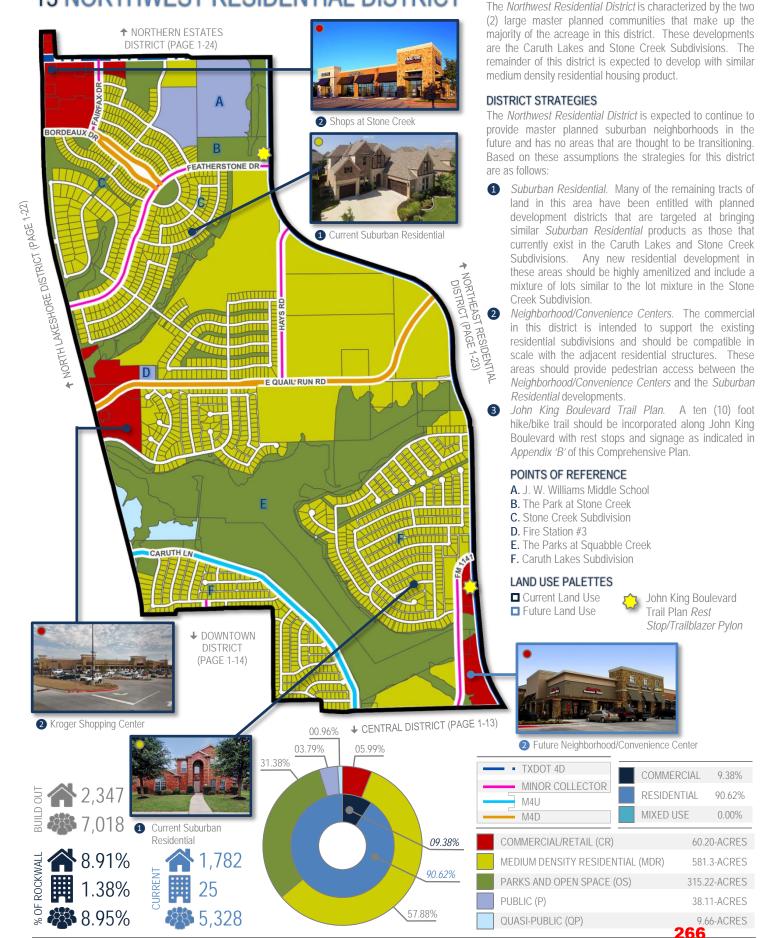








## 13 NORTHWEST RESIDENTIAL DISTRICT



DISTRICT DESCRIPTION

#### 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 85.63-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 2-01, 2-04, 2-05 & 2-06 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, 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 Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments 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 85.63-acre tract of land identified as Tracts 2-01, 2-04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road 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 [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) <u>Master Parks and Open Space Plan</u>. 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) <u>Master Plat</u>. A <u>Master Plat</u> for the <u>Subject Property</u>, as depicted in <u>Exhibit</u> 'C' of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A <u>Master Plat</u> application may be processed by the City concurrently with a <u>Master Parks and Open Space Plan</u> application for the development.
- (e) <u>Preliminary Plat</u>. 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.

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(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 1<sup>ST</sup> DAY OF AUGUST, 2022.

ATTEST:	Kevin Fowler, <i>Mayor</i>
Kristy Teague, City Secretary	
APPROVED AS TO FORM:	
Frank J. Garza, City Attorney	
1 <sup>st</sup> Reading: <u>July 18, 2022</u>	
2 <sup>nd</sup> Reading: August 1, 2022	

## Exhibit 'A': Legal Description

BEING an 85.629-acre tract of land situated in the P.B. HARRISON SURVEY, ABSTRACT No. 97, ROCKWALL COUNTY, TEXAS and being the remainder of Tract 2 as described in a Deed to R & R HANCE INVESTMENTS, LP as recorded in Volume 53, Page 49 of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.) and all of the FIRST TRACT to R & R INVESTMENTS, LP as recorded in Volume 5702, Page 99 O.P.R.R.C.T. and all of the SECOND TRACT to R & R INVESTMENTS, L.P. as recorded in Volume 5702, Page 99 O.P.R.R.C.T. and all of a called 5.00-acre tract to R & R INVESTMENTS, LP as recorded in a Correction Special Warranty Deed to R & R INVESTMENTS, LP as recorded in File Clerk's No. 2019-00411939 O.P.R.R.C.T.;

BEGINNING at a ½" iron rod found with a plastic cap stamped "PIERCE-MURRAY", said point being on the south right-of-way line of John King Boulevard (a 120' right-of-way) and said point being the northwest corner of a tract of land conveyed to QUALICO DEVELOPMENT (US), INC. as recorded in Instrument No. 20210000013056 O.P.R.R.C.T. and said point being the southeast corner of said remainder of Tract 2;

THENCE South 01°30'01" East along the east line of said Hance second tract and the west line of said QUALICO tract and generally along a fence line, a distance of 1722.62' to a cut "x" set in the concrete paving of Quail Run Road, said point being the southeast corner of said second tract and the southwest corner of said QUALICO tract;

THENCE South 88°45'04" West generally along said Quail Run Road, a distance of 1833.21' to a set cut "x" in the concrete paving of Quail Run Road and the eastern side of Hays Road, said point being the southeast corner of STONE CREEK PHASE VIII as recorded in Cabinet J, Slide 289 of the Plat Records of Rockwall County, Texas;

THENCE North 00°38′15″ West along the west line of said Hance tracts and the east line of said Stone Creek addition, a distance of 2079.10′ to a set cut "x" in the concrete paving of Hays Road;

THENCE North 89°37′58" East a distance of 28.47′ to a 5/8" iron rod found for a corner on the east right-of-way. line of Hays Road;

THENCE North 00°22'02" West along said right-of-way line, a distance of 136.79' to a 5/8" iron rod found for the beginning of a curve to the right having a central angle of 38°06'45" a radius of 320.00 and a chord that bears North 18°41'20" East 208.96';

THENCE along said right-of-way an arc distance of 212.86' to a ½" iron rod set for a corner with a plastic cap stamped "RLS 5664";

THENCE South 52°15'18" East a distance of 24.00' to a ½" iron rod set for a corner with a plastic cap stamped "RLS 5664";

THENCE North 37°44′42″ East a distance of 66.65′ to a ½″ iron rod set for a corner with a plastic cap stamped "RLS 5664″ said point being the southerly clip corner of the intersection of Hays Road and said John King Boulevard said point being in a curve to the left having a central angle of 28°29′36″, a radius of 1260.00′ and a chord that bears South 57°51′44″ East a distance of 620.16′;

THENCE South 87°03'08" East along said corner clip, a distance of 19.27' to a ½" iron rod set with a plastic cap stamped "RLS 5664";

THENCE along the south right-of-way line of said John King Boulevard an arc distance of 626.60' to a ½" iron rod set with a plastic cap stamped "RLS 5664";

THENCE South 72°06'32" East a distance of 1168.60' to the POINT OF BEGINNING and containing 85.629-acres or 3,730,025 square feet of land.

# Exhibit 'B': Survey

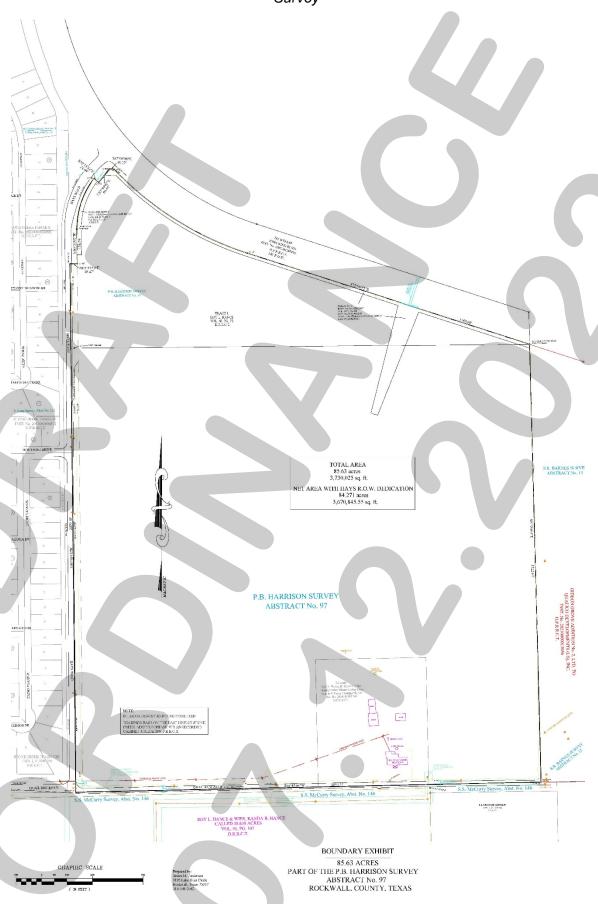


Exhibit 'C':
Concept Plan



#### Density and Development Standards

#### DENSITY AND DEVELOPMENT STANDARDS.

- (1) <u>Permitted Uses</u>. 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) <u>Lot Composition and Layout</u>. 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 (%)
Α	62' x 120'	7,440 SF	157	62.30%
В	72' x 120'	8,640 SF	78	30.95%
С	82' x 125'	10,250 SF	17	06.75%
	М	aximum Permitted Units:	256	100.00%

(3) <u>Density and Dimensional Requirements</u>. 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 <u>2.94</u> dwelling units per gross acre of land; however, in no case should the proposed development exceed <u>252</u> 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) ▶	Α	В	C
Minimum Lot Width (1)	62'	72'	82'
Minimum Lot Depth	120'	120'	125'
Minimum Lot Area	7,440 SF	8,640 SF	10,250 SF
Minimum Front Yard Setback (2), (5) & (6)	20'	20'	20'
Minimum Side Yard Setback	6'	6'	6'
Minimum Side Yard Setback (Adjacent to a Street) (2), (5) & (7)	20'	20'	20'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height <sup>(3)</sup>	36'	36'	36'
Minimum Rear Yard Setback (4)	10'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	2,200 SF	2,600 SF	2,800 SF
Maximum Lot Coverage	65'	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.
- (4) Building Standards. All development shall adhere to the following building standards:

#### Density and Development Standards

(a) <u>Masonry Requirement</u>. 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 50% of the masonry requirement; however, administrative from the Director of Planning and Zoning approval may be requested for housing plans that utilize cementitous fiberboard in excess of 50% of the masonry requirement on a case-by-case basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD





FIGURE 2: EXAMPLES OF BOARD AND BATTEN





FIGURE 3: EXAMPLES OF HORIZONTAL LAP





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#### Density and Development Standards

- (b) <u>Roof Pitch</u>. 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) <u>Garage Orientation and Garage Doors</u>. This development shall adhere to the following garage design and orientation requirements:
  - (1) <u>Type 'A' Lots</u>. The Type 'A' Lots (i.e. the purple lots depicted in Exhibit 'C') may be oriented in a traditional swing (or j-swing) garage configuration -- where the two (2) car garage is situated facing the side yard property line and the driveway swings into the garage in a 'J' configuration. In a traditional swing (or j-swing) garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the traditional (or j-swing) configuration. A maximum of 32.85% of the Type 'A' Lots (i.e. 50 lots or 20.00% of all lots) shall be permitted to be oriented in a flat-front entry configuration -- allowing the garage door to be flush with the front façade of the primary structure -- pending the front yard building setback is increased to a minimum setback of 25-feet.
  - (2) <u>Type 'B' & 'C' Lots</u>. The Type 'B' & 'C' Lots (i.e. the yellow and orange lots depicted in Exhibit 'C') may be oriented in a traditional swing (or j-swing) garage configuration -- where the two (2) car garage is situated facing the side yard property line and the driveway swings into the garage in a 'J' configuration. In a traditional swing (or j-swing) garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the traditional (or j-swing) configuration.
  - (3) <u>Requirements for all Lot Types</u>. All garage configurations not conforming to the aforementioned garage configurations shall meet the requirements stipulated by Article 06, *Parking and Loading*, of the Unified Development Code (UDC). 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].

Continued on Next Page ...

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# **Exhibit 'D':**Density and Development Standards

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



FIGURE 5: EXAMPLES OF UPGRADED FINISHES







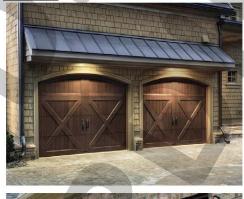


**DIVIDED BAYS** 

CARRIAGE HARDWARE CEDAR CLADDING

ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES









#### Density and Development Standards

(5) <u>Anti-Monotony Restrictions</u>. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (for spacing requirements see Figures 7 & 8 below).

**TABLE 3: ANTI-MONOTONY MATRIX** 

Lot Type	Minimum Lot Size	Elevation Features
Α	62' x 120'	(1), (2), (3), (4)
В	72' x 120'	(1), (2), (3), (4)
С	82' x 125'	(1), (2), (3), (4)

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open space, John King Boulevard, Hays Road, E. Quail Run Road, or Old E. Quail Run Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following 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).

Continued on Next Page ...

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#### Density and Development Standards

FIGURE 7: Properties line up on the opposite side of the street. Where RED is the subject property.

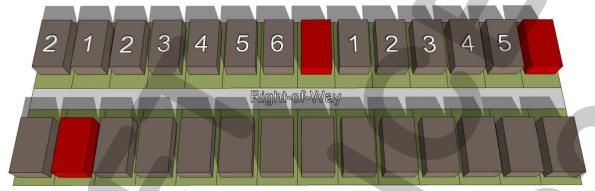
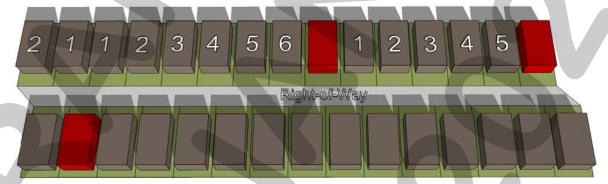


FIGURE 8: Properties do not line up on opposite side of the street. Where RED is the subject property.



- (6) <u>Fencing Standards</u>. 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) <u>Wood Fences</u>. 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) <u>Wrought Iron/Tubular Steel</u>. Lots located along the perimeter of roadways (i.e. E. Quail Run Road [Old E. Quail Run Road], Hays Road, and John King Boulevard), abutting open spaces, the amenity center, 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.

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#### Density and Development Standards

- (d) <u>Corner Lots</u>. 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) <u>Solid Fences (including Wood Fences)</u>. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
- (7) <u>Landscape and Hardscape Standards</u>.
  - (a) <u>Landscape</u>. 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) <u>Landscape Buffers</u>. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
    - (1) <u>Landscape Buffer and Sidewalks (John King Boulevard)</u>. A minimum of a 90-foot landscape buffer shall be provided along John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering ten (10) foot trail shall be constructed within the 90-foot landscape buffer.
    - (2) <u>Landscape Buffer and Sidewalks (Hays Road and E. Quail Run Road -- and Old Quail Run Road)</u>. A minimum of a ten (10) foot landscape buffer shall be provided along Hays Road, E. Quail Run Road, and Old E. Quail Run Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree are required per 50-linear feet of frontage along these roadways. A five (5) foot sidewalk shall be constructed within the ten (10) foot landscape buffer.
  - (c) <u>Street Trees</u>. 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-feet 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*.

Z2022-034: Zoning Change for the Hance Tract Page 13 Ordinance No. 22-XX; PD-XX

#### Density and Development Standards

- (d) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on Exhibit 'C' shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.
- (e) <u>Irrigation Requirements</u>. 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) <u>Hardscape</u>. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (8) <u>Street</u>. All streets (excluding drives, fire lanes and private parking areas) shall be built according to City street standards.
- (9) <u>Lighting</u>. Light poles shall not exceed 20-feet in total height (i.e. base and lighting standard). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (10) <u>Sidewalks</u>. 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.
- (11) <u>Buried Utilities</u>. New distribution power-lines required to serve the <u>Subject Property</u> shall be placed underground, whether such lines are located internally or along the perimeter of the <u>Subject Property</u>, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the <u>Subject Property</u> to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (12) <u>Open Space</u>. The development shall consist of a minimum of 20.00% open space (or a minimum of 17.126-acres -- as calculated by the formula stipulated in the Comprehensive Plan), and generally conform to the Concept Plan contained in Exhibit 'C' of this ordinance. All open space areas (including landscape buffers) shall be maintained by the Homeowner's Association (HOA).
- (13) <u>Trails</u>. 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.
- (14) <u>Amenity Center</u>. An amenity center shall be constructed in generally the same areas as depicted in *Exhibit 'C'* of this ordinance, and shall be maintained by the Homeowner's Association (HOA). The design and layout of the amenity center shall be approved with the *PD Site Plan*. The amenities will feature at least one (1) of the following: [1] a pavilion, [2] a playground, and/or [3] a multi-use court (e.g. a pickle ball court and basketball court).

Z2022-034: Zoning Change for the Hance Tract Page 14 Ordinance No. 22-XX; PD-XX

#### Density and Development Standards

- (15) <u>Neighborhood Signage and Enhancements</u>. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (16) <u>Homeowner's Association (HOA)</u>. 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) <u>Variances</u>. 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**

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: July 18, 2022

SUBJECT: P2022-029; PRELIMINARY PLAT FOR LOT 2, BLOCK A, ROCKWALL-

**CCA ADDITION** 

Attachments

Case Memo

**Development Application** 

**Location Map** 

Applicant's Letter

**Preliminary Plat** 

Preliminary Drainage Plan

Preliminary Utility Plan

Preliminary Wastewater Plan

Preliminary Treescape Plan

#### Summary/Background Information

Discuss and consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a *Preliminary Plat* for Lot 2, Block A, Rockwall – CCA Addition being a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25 and Lot 1, Block A, Rockwall CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 95 (PD-95) for limited Neighborhood Services (NS) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 2301 John King Boulevard, and take any action necessary.

#### **Action Needed**

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



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

TO: Mayor and City Council

**DATE:** July 18, 2022

**APPLICANT:** Robert Howman; Glenn Engineering Corp.

CASE NUMBER: P2022-029; Preliminary Plat for lot 2, Block A, Rockwall-CCA Addition

#### **SUMMARY**

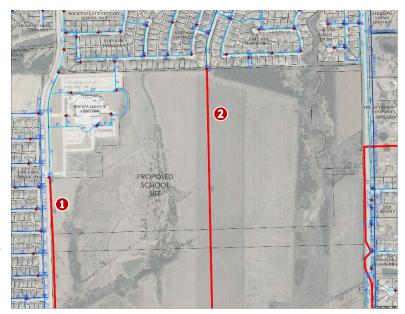
Discuss and consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a *Preliminary Plat* for Lot 2, Block A, Rockwall – CCA Addition being a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25 and Lot 1, Block A, Rockwall CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 95 (PD-95) for limited Neighborhood Services (NS) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 2301 John King Boulevard, and take any action necessary.

#### PLAT INFORMATION

- ☑ <u>Request</u>. The purpose of the applicant's request is to <u>Preliminary Plat</u> a 173.00-acre tract of land (i.e. Tract 7-1 of the W. H. Baird Survey, Abstract No. 25) to establish the necessary easements (e.g. fire lane, public access/right-of-way, utilities, and drainage) for the future development of the school. In addition, the applicant has submitted a letter requesting waivers to the required infrastructure as stipulated in Chapter 38, Subdivisions, of the Municipal Code of Ordinances.
- History. On June 15, 1998, the subject property was annexed by the City Council through Ordinance No. 98-20 [Case No. A1998-002]. On December 5, 2016, the City Council approved a Specific Use Permit (SUP) [Case No. Z2016-035] for the purpose of allowing a Public School in an Agricultural (AG) District on the subject property. On December 13, 2016, the Planning and Zoning Commission approved a site plan [Case No. SP2016-029] -- and recommended approval of all associated variances -- allowing the construction of a two (2) story, 150,848 SF public school [i.e. College and Career Academy (CCA)]. On December 19, 2016, the City Council approved all requested variances to the SH-205 By-Pass Overlay (SH-205 BY OV) District regarding primary and secondary building material requirements. On April 3, 2017, the City Council approved a final plat [Case No. P2017-013] for the Rockwall CCA Addition. On December 29, 2020, the Planning and Zoning Commission approved a variance request for an Accessory Building [Case No. MIS2020-018] on the Rockwall CCA's property. On May 2, 2022, City Council approved a zoning change by Ordinance No. 22-24 [Case No. Z2022-014] from Agricultural (AG) District to Planned Development 95 (PD-95) District for Neighborhood Services (NS) District land uses.
- Resubmittal After Disapproval. On July 5, 2022, the City Council denied this Preliminary Plat and the requested Infrastructure Waivers (which included waivers to not construct Stable Glen Drive and a 12-inch waterline that was required to run in the right-of-way of Stable Glen Drive). This request was denied in accordance with Section 38-8, Preliminary Plat, of Chapter 38, Subdivisions, of the Municipal Code of Ordinances, which outlines the criteria for approval for a preliminary plat. Specifically, the City Council cited that the request did not meet Criteria #3, which states, "(t)he proposed provision and configuration of roads, water, wastewater, drainage easements and rights-of-way and park facilities conforms to the city's master facilities plans for such facilities, including the city's adopted thoroughfare plan, and any amendments thereto." According to Section 212.0093, Approval Procedure: Applicant Response to Conditional Approval or Disapproval, of the Texas Local Government Code, "(a)fter the conditional approval or disapproval of a plan or plat under Section 212.0091, the applicant may submit to the municipal authority or governing body that conditionally approved or disapproved the plan or plat a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The municipal authority or governing body may not establish a deadline for an applicant to submit the response." In accordance with this section the applicant has submitted letter requesting the request be rereviewed and that the provided

preliminary plat has been changed to address the concerns raised by the City Council at the July 5, 2022 City Council meeting.

☑ Infrastructure Waiver Request. The applicant has submitted a letter requesting that the City Council waive infrastructure required by Chapter 38, Subdivisions, of the Municipal Code of Ordinances. Specifically, the applicant is requesting to waive the 12-inch water line required from the existing water line at the northern property line to the southern property (see #2 in Figure 1). In response to the applicant's request staff consulted with Birkoff, Hendricks, & Carter LLP -- the City's Water Consultant -- concerning the applicant's request, and has determined that 12-inch line in Stableglen Drive is not necessary to serve the current development, but may be needed for any additional development. Staff should note that, the waiver of infrastructure associated with a Preliminary Plat is a discretionary decision for the City Council.



 $\underline{\it FIGURE}$  1: MASTER WATER DISTRIBUTION SYSTEM MASTER PLAN FOR THE SUBJECT PROEPRTY

- 1: 12-INCH ALONG JOHN KING BOULEVARD
- 2: 12-INCH ALONG STABLEGLEN DRIVE
- ☑ <u>Purpose of a Preliminary Plat</u>. The purpose of a <u>Preliminary Plat</u> is to provide sufficient information to evaluate and review the general design of the development to ensure compliance with the OURHometown Vision 2040 Comprehensive Plan, the Unified Development Code (UDC), and the <u>Subdivision Ordinance</u> contained in the Municipal Code of Ordinances.
- ✓ <u>Technical Conformance</u>. 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.
- ☑ <u>Conditional Approval</u>. Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ <u>Conformance with Requirements</u>. With the exception of the items listed in the <u>Conditions of Approval</u> section of this case memo, this plat is in substantial compliance with the requirements of the <u>Subdivision Ordinance</u> in the Municipal Code of Ordinances.

#### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of a <u>Preliminary Plat</u> for Lot 2, Block A, Rockwall-CCA 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 <u>Preliminary Plat</u> 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 June 28, 2022, the Planning and Zoning Commission approved a motion to recommend denial of the <u>Infrastructure Waivers</u> and <u>Preliminary Plat</u> by a vote of 7-0.

### **CITY COUNCIL**

On July 5, 2022, the City Council approved a motion to deny the <u>Infrastructure Waivers</u> and <u>Preliminary Plat</u> by a vote of 7-0.

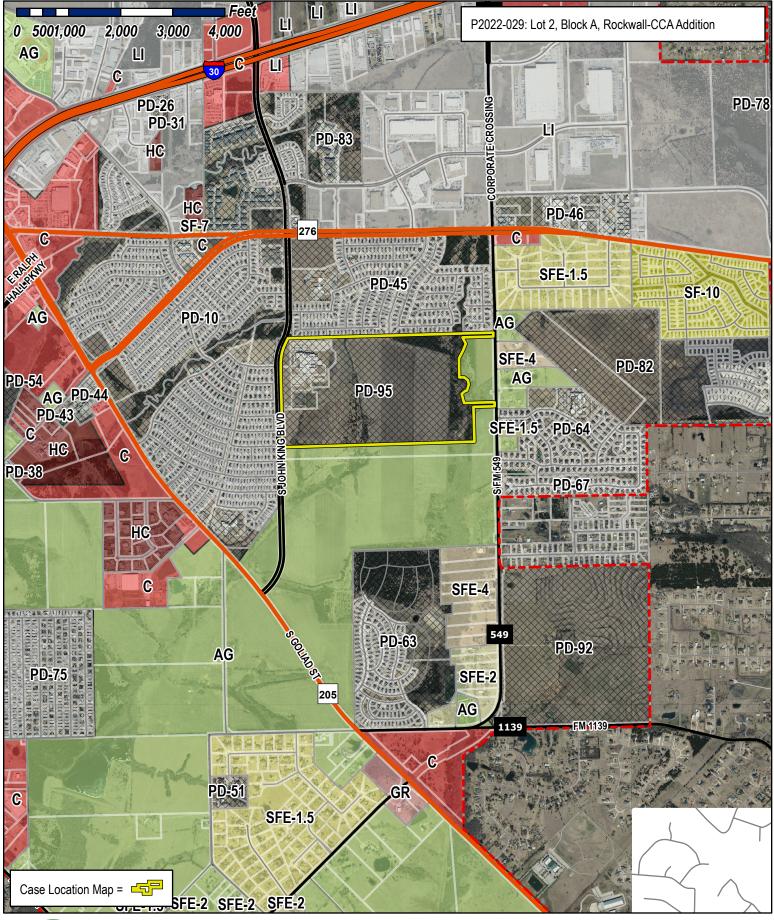


## **DEVELOPMENT APPLICATION**

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

PLA	NNING & ZONING CA	SE NO.
NOT	E: THE APPLICATION	IS NOT CONSIDERED ACCEPTED BY THE
CITY	UNTIL THE PLANNIN	G DIRECTOR AND CITY ENGINEER HAVE
SIGI	VED BELOW.	

	Rockwall, Texas 75087	CITYE	NGINEER:
PLEASE CHECK THE A	PPROPRIATE BOX BELOW TO INDICATE THE TYPE OF	DEVELOPMENT REQU	UEST [SELECT ONLY ONE BOX]:
PRELIMINARY P  FINAL PLAT (\$30.0)  REPLAT (\$300.0)  AMENDING OR P  PLAT REINSTAT  SITE PLAN APPLIC  SITE PLAN (\$250	\$100.00 + \$15.00 ACRE) 1 PLAT (\$200.00 + \$15.00 ACRE) 1 00.00 + \$20.00 ACRE) 1 0 + \$20.00 ACRE) 1 MINOR PLAT (\$150.00) EMENT REQUEST (\$100.00)	☐ SPECIFIC USE ☐ PD DEVELOP!  OTHER APPLICA ☐ TREE REMOV. ☐ VARIANCE RE  NOTES: 1: IN DETERMINING THE PER ACRE AMOUNT. 2: A \$1,000.00 FEF. W.	NGE (\$200.00 + \$15.00 ACRE) 1 E PERMIT (\$200.00 + \$15.00 ACRE) 1 8 2 MENT PLANS (\$200.00 + \$15.00 ACRE) 1 TION FEES: AL (\$75.00) EQUEST/SPECIAL EXCEPTIONS (\$100.00) 2  E FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE OR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. BUT BY ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT
LI AMENDED SITE	FLANCELEVATIONS/LANDSCAFING FLAN (\$100.00)	INVOLVES CONSTRUC PERMIT.	TION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING
PROPERTY INFO	PRMATION [PLEASE PRINT]		
ADDRESS			
SUBDIVISION	Rockwall Heath High School 9th Grade C	Center	LOT 2 BLOCK A
GENERAL LOCATION	Rockwall 9th Grade Center - South site -	at the Gene Burto	on Academy
ZONING. SITE PL	AN AND PLATTING INFORMATION (PLEASE	PRINTI	
CURRENT ZONING		CURRENT USE	Public School
PROPOSED ZONING	PD for NS uses	PROPOSED USE	Public School
ACREAGE	79.54 acres LOTS [CURRENT]	1	LOTS [PROPOSED] 1
REGARD TO ITS A RESULT IN THE D	D. PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE TH APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF S DENIAL OF YOUR CASE.  ANT/AGENT INFORMATION [PLEASE PRINT/CHE	TAFF'S COMMENTS BY	IGE OF <u>HB3167</u> THE CITY NO LONGER HAS FLEXIBILITY WITH THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL  [ACTIONIGINAL SIGNATURES ARE REQUIRED]
☐ OWNER	Rockwall Independent School District	☐ APPLICANT	Rockwall Independent School District
CONTACT PERSON	William Salee - Executive Director of Operations	CONTACT PERSON	Robert Howman
ADDRESS	1191 T.L. Townsend Drive	ADDRESS	4500 Fuller Drive
	PIRECTOR OF	CONTRUCTION	Suite 220
CITY, STATE & ZIP	Rockwall, Texas 75087	CITY, STATE & ZIP	Irving, Texas 75038
PHONE	469-698-7031 /979-574-9497	PHONE	972.989.2174 (mobile)
E-MAIL	will.salee@rockwallisd.org	E-MAIL	rahowman@glennengineering.com
BEFORE ME, THE UNDE STATED THE INFORMAT "I HEREBY CERTIFY THAT \$ 1393:10	, TO COVER THE COST OF THIS APPLICATION, HAS , 20 22 BY SIGNING THIS APPLICATION. I AGRE	FOLLOWING: L INFORMATION SUBMITT S BEEN PAID TO THE CITY E THAT THE CITY OF RO	TED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF OF ROCKWALL ON THIS THE DAY OF CKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE DEFENDING ANY COPYRIGHTED INFORMATION
SUBMITTED IN CONJUNC	TION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSO D AND SEAL OF OFFICE ON THIS THEDAY of	CIATED OR IN RESPONSE	TO A REQUE STATE OF THE PYLAND  MELANIE PYLAND  My Notary ID # 126570708
	OWNER'S SIGNATURE	DOID	Expires August 6, 2024
NOTARY PUBLIC IN ANI	D FOR THE STATE OF TEXAS	TAM	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.





Ryan Miller
Director of Planning
City of Rockwall
385 South Goliad
Rockwall, TX 75087

July 13, 2022

## Rockwall ISD – P2022-029 – Ninth Grade Center Project (South/GBCCA) – Preliminary Plat Submission Letter

Mr. Miller,

On July 8, the district's consultant team provided updated documents for city staff and city council review for consideration of approval for the preliminary plat for the above-mentioned project. This letter is being provided in support of the submitted documents to clarify the district's proposed scope that will ensure compliance with the OURHometown Vision 2040 Comprehensive Plan, the Unified Development Code (UDC), and the Subdivision Ordinance contained in the Municipal Code of Ordinances

#### Project Scope Revisions in regards to city-identified waivers are as follows:

<u>Stableglen Drive:</u> The district will dedicate a 60-foot right-of-way and construct a 24' wide concrete street section from the north property line to south property line as indicated in Table 1: Roadway Requirement in City Staff's City Council Case Memo dated July 5, 2022 to ensure compliance.

#### Project Scope not revised in regards to city-identified waivers are as follows:

Stableglen Drive Water Line: The district will dedicate a 60-foot right-of-way and any additional easement required for the future water line. The district is requesting not to build the water line at this time in the initial phase of the project per staff response comment in the City Council Memorandum dated July 5, 2022 that indicated the following:

Staff's Response: Staff has consulted with Birkoff, Hendricks, & Carter LLP -- the City's Water Consultant -- concerning the applicant's request, and has determined that 12-inch line in Stableglen Drive is not necessary to serve the current development, but may be needed for any additional development.

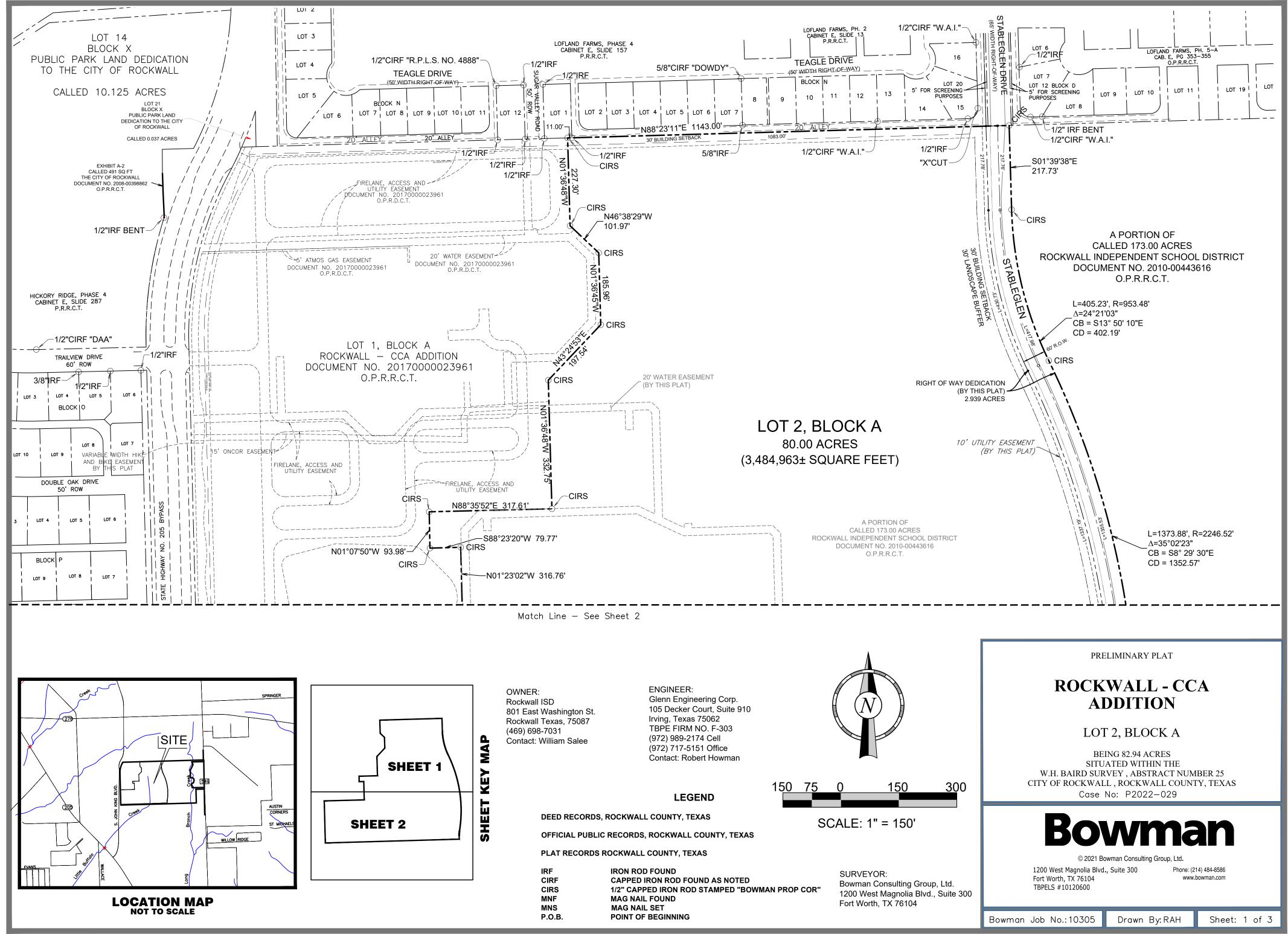
The district acknowledges as indicated that the water line may be required for future phases of development and would construct the line at the time it is determined to be needed.

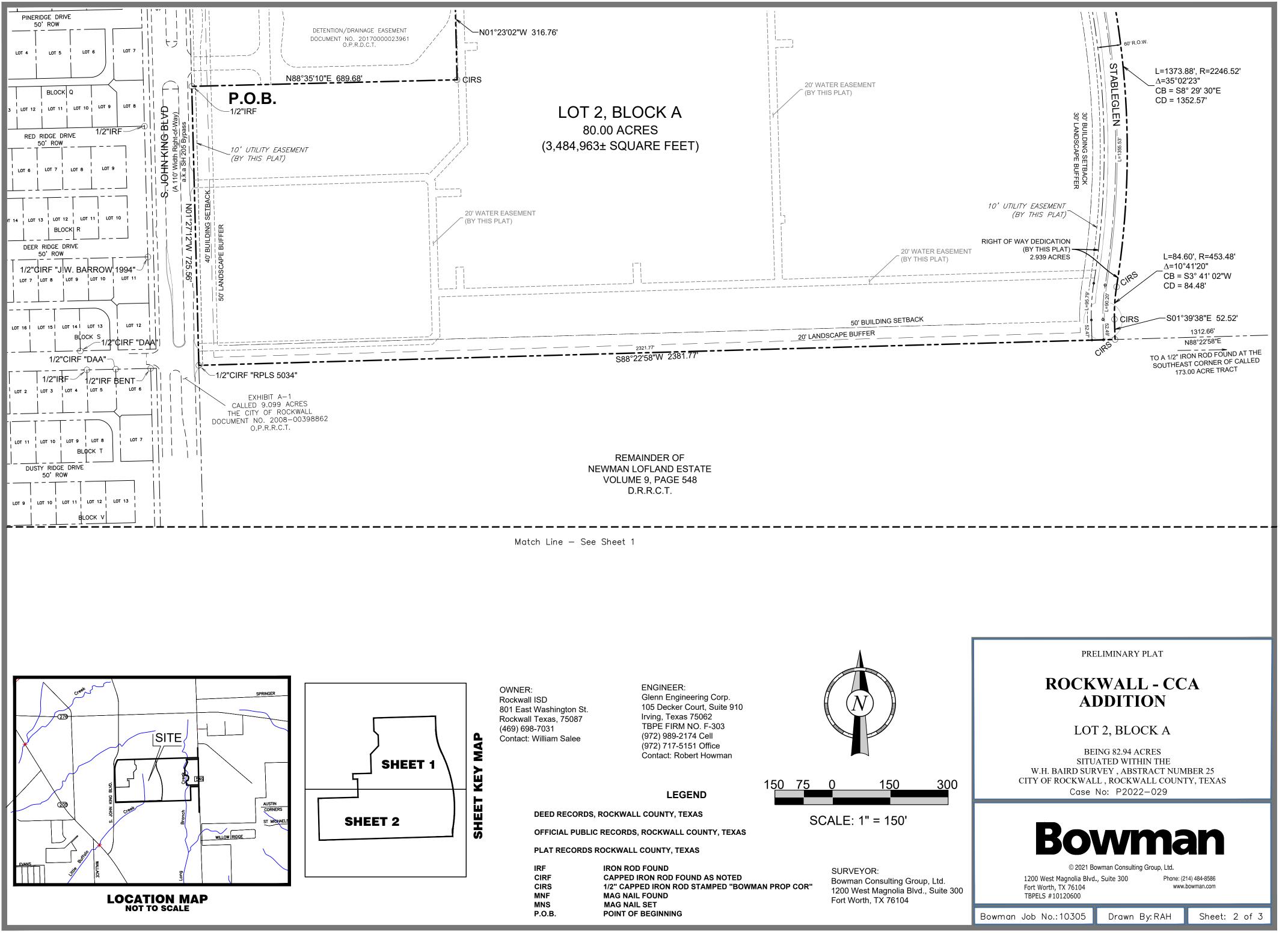
<u>Wastewater Infrastructure:</u> The district will continue to work with city staff in the engineering phase of the project review, pending preliminary plat approval, to ensure the required wastewater infrastructure is constructed to adequately serve this proposed development. The district's design and construction obligation will be determined as the city staff continue to work with city consultants on the design of the CIP portion of the line required. The district understands that federal funds are allotted for the CIP portion of which a reimbursement would be made if the district needs to construct this portion due to time frame needs. Any remainder of the wastewater infrastructure will be constructed by the district as required from the existing Hickory Ridge lift station to Lake Rockwall Estates at Country Lane.

Sincerely,

WIII Sales

**Executive Director of Operations** 





#### PLAT PERIMETER LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, Rockwall Independent School District being the owner of a 82.94 acre tract of land situated within the W.H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, and being all of a portion of a called 173.00 acre tract of land as described in the deed to Rockwall Independent School District recorded under Document No. 2010-00443616 of the Official Public Records of Rockwall County, Texas (hereafter referred to as the ISD Tract). Said 82.94 acre tract of land being more particularly describes by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found at the southwest corner of Lot 1, Block A of the plat designated as "Rockwall CCA Addition" recorded under Document No. 20170000023961 of said Official Public Records, being on the east right of way line of S. John King Boulevard, a 110.00-foot right of way, as described in the deed to the City of Rockwall recorded under Document No. 2008-00398862 of said Official Public Records;

THENCE the following ten (10) calls coincident with the perimeter of said Block A:

- 1. NORTH 88 degrees 35 minutes 10 seconds EAST, 689.68 feet to a 1/2-inch capped iron rod stamped "BOWMAN PROP COR" set (hereafter referred to as CIRS);
- 2. NORTH 01 degree 23 minutes 02 seconds WEST, 316.76 feet to a CIRS;
- 3. SOUTH 88 degrees 23 minutes 20 seconds WEST, 79.77 feet to a CIRS;
- 4. NORTH 01 degree 07 minutes 50 seconds WEST, 93.98 feet to a CIRS;
- 5. NORTH 88 degrees 35 minutes 52 seconds EAST, 317.61 feet to a CIRS;
- 6. NORTH 01 degree 36 minutes 48 seconds WEST, 332.75 feet to a CIRS;
- NORTH 43 degrees 24 minutes 53 seconds EAST, 197.54 feet to a CIRS;
- 8. NORTH 01 degree 36 minutes 45 seconds WEST, 185.96 feet to a CIRS;
- NORTH 46 degrees 38 minutes 29 seconds WEST, 101.97 feet to a CIRS;
- 10. NORTH 01 degree 36 minutes 48 seconds WEST, 227.30 feet to a CIRS set on the south line of a 20-foot Alley as dedicated on the plat designated as "Lofland Farms, Phase 4" recorded in Cabinet E, Slide 157 of the Plat Records of Rockwall County, Texas;
- THENCE NORTH 88 degrees 23 minutes 11 seconds EAST, 1143.00 feet with the south line of said 20-foot Alley (being also dedicated on the plat designated as "Lofland Farms, Phase 2 recorded in Cabinet E, Slide 13 of said Plat Records) to a CIRS:
- THENCE the following five (5) calls through the interior of said called 173.00 acre tract of land:

  1. SOUTH 01 degree 39 minutes 38 seconds EAST, 217.73 feet to a tangent curve;
  - southerly, coincident with said tangent curve, concave to the EAST, having a radius of 953.48 feet and a chord bearing and distance of SOUTH 13 degrees 50 minutes 10 seconds EAST, 402.19 feet, an arc length of 405.23
  - feet to the point of reverse curve;

    3. southerly, coincident with said reverse curve, concave to the west, having a radius of 2246.52 feet and a chord bearing and distance of SOUTH 08 degrees 29 minutes 30 seconds EAST, 1352.57 feet, an arc length of
  - 1373.88 feet to the point of reverse curve;
    southerly, coincident with said reverse curve, concave to the east, having a radius of 453.48 feet and a chord bearing and distance of SOUTH 03 degrees 41 minutes 02 seconds WEST, 84.48 feet, an arc length of 84.60
  - 5. SOUTH 01 degree 39 minutes 38 seconds EAST, 52.52 feet to a CIRS set on the south line of said called 173.00 acre tract of land;
- THENCE SOUTH 88 degrees 22 minutes 58 seconds WEST, 2381.77 feet with the south line of said called 173.00 acre tract of land to a 1/2-inch capped iron rod stamped "RPLS 5034" found at its southwest corner and being on the east right of way line of said S. John King Boulevard;
- THENCE NORTH 01 degree 27 minutes 12 seconds WEST, 725.56 feet with the east right of way line of said S. John King Boulevard to the POINT OF BEGINNING containing 82.94 acres.

**RECOMMENDED FOR FINAL APPROVAL:** 

APPROVED:

Planning & Zoning Commission, Chairman

\_\_\_ day of \_\_\_\_

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

Mayor, City of Rockwall

one hundred eighty (180) days from said date of final approval.

Date

City Secretary

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

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

City Engineer

#### 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 **ROCKWALL** - **CCA ADDITION, LOT 2, BLOCK A, α** subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in the **ROCKWALL I.S.D. ADDITION** 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

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.

- 7. Property owner shall be responsible for maintaining, repairing, and replacing all systems in the detention and drainage
- 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.

Rockwall	Independent School Di	strict
TOCKWAII	macpenacine sensor bi.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,

Rockwall Independent School District - Dr. John Villarreal Superintendent

#### STATE OF TEXAS COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas My Commission Expires

# OWNER: Rockwall ISD 801 East Washington St. Rockwall Texas, 75087 (469) 698-7031 Contact: William Salee ENGINEER: Glenn Engineering Corp. 105 Decker Court, Suite 9

Glenn Engineering Corp. 105 Decker Court, Suite 910 Irving, Texas 75062 TBPE FIRM NO. F-303 (972) 989-2174 Cell (972) 717-5151 Office Contact: Robert Howman

SURVEYOR: Bowman Consulting Group, Ltd. 1200 West Magnolia Blvd., Suite 300 Fort Worth, TX 76104

#### PLAT NOTES:

- 1. The Basis of Bearings for this plat is GRID NORTH as established by GPS observation utilizing the Texas Coordinate System of 1983, North Central Zone. To obtain a grid distance, multiply the ground distance by 0.999853886.
- 2. NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.
- 3. All corners are 1/2" iron rods set with a plastic cap stamped "BOWMAN PROP COR" unless otherwise noted.
- 4. Lot, block and ROW corners will be set after substantial completion of the infrastructure

#### GENERAL NOTES

- 1. 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.
- 2. Site is zoned Planned Development 95 (PD-95) District for Neighborhood Services (NS) District land uses

#### CERTIFICATE OF SURVEYOR

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, A LSLS & REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION 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. Released to the City for review. 2022-07

## ROBERT A. HANSEN LSLS & REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 6439 RHANSEN@BOWMAN.COM

STATE OF TEXAS COUNTY OF ROCKWALL

DATE:

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

Given upon my hand and seal of office this	day of	, 2022
--------------------------------------------	--------	--------

Notary Public in and for the State of Texas

My Commission Expires

### PRELIMINARY PLAT

### ROCKWALL - CCA ADDITION

LOT 2, BLOCK A

BEING 82.94 ACRES
SITUATED WITHIN THE
W.H. BAIRD SURVEY , ABSTRACT NUMBER 25
CITY OF ROCKWALL , ROCKWALL COUNTY, TEXAS

Case No: P2022-029

## Bowman

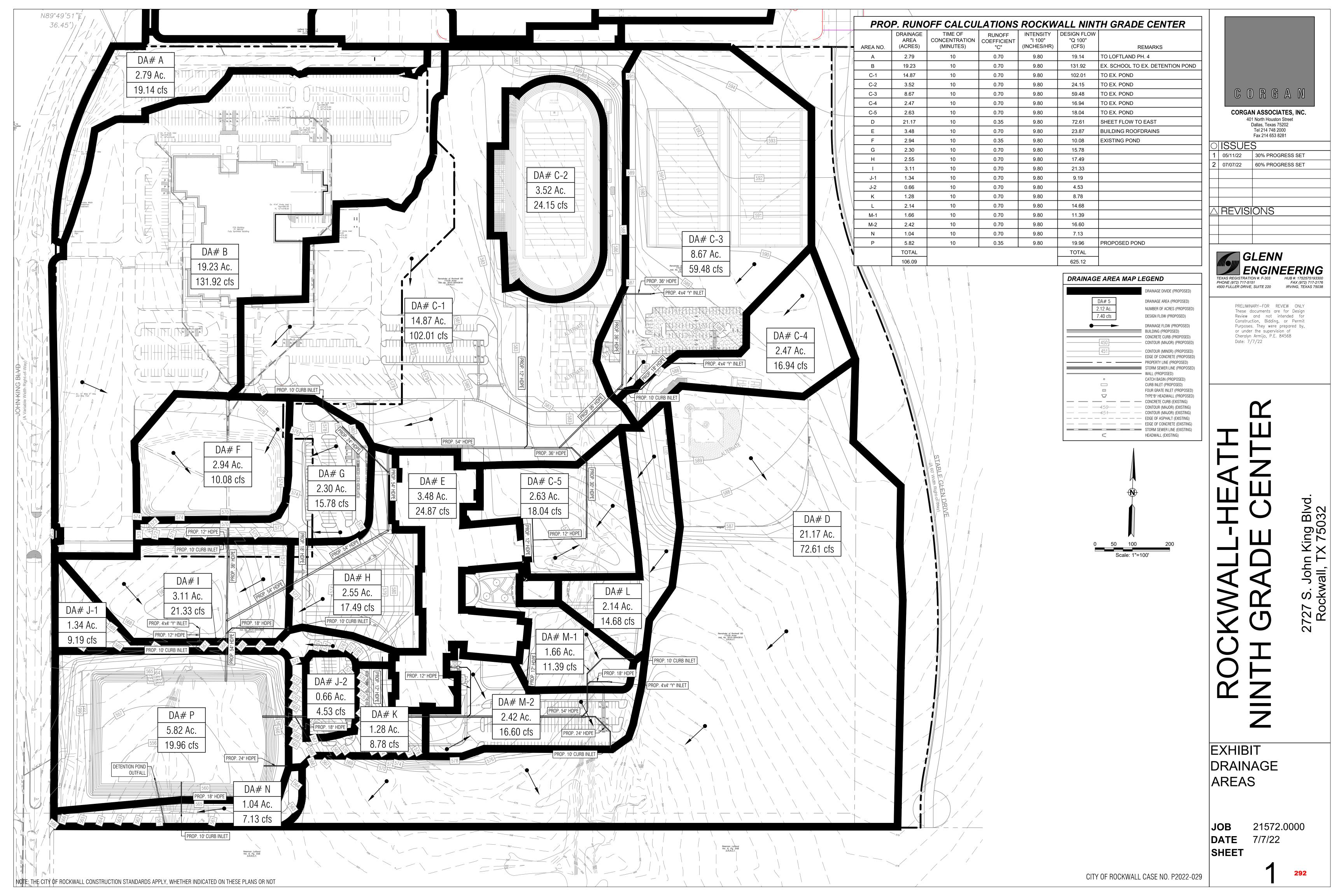
© 2021 Bowman Consulting Group, Ltd.

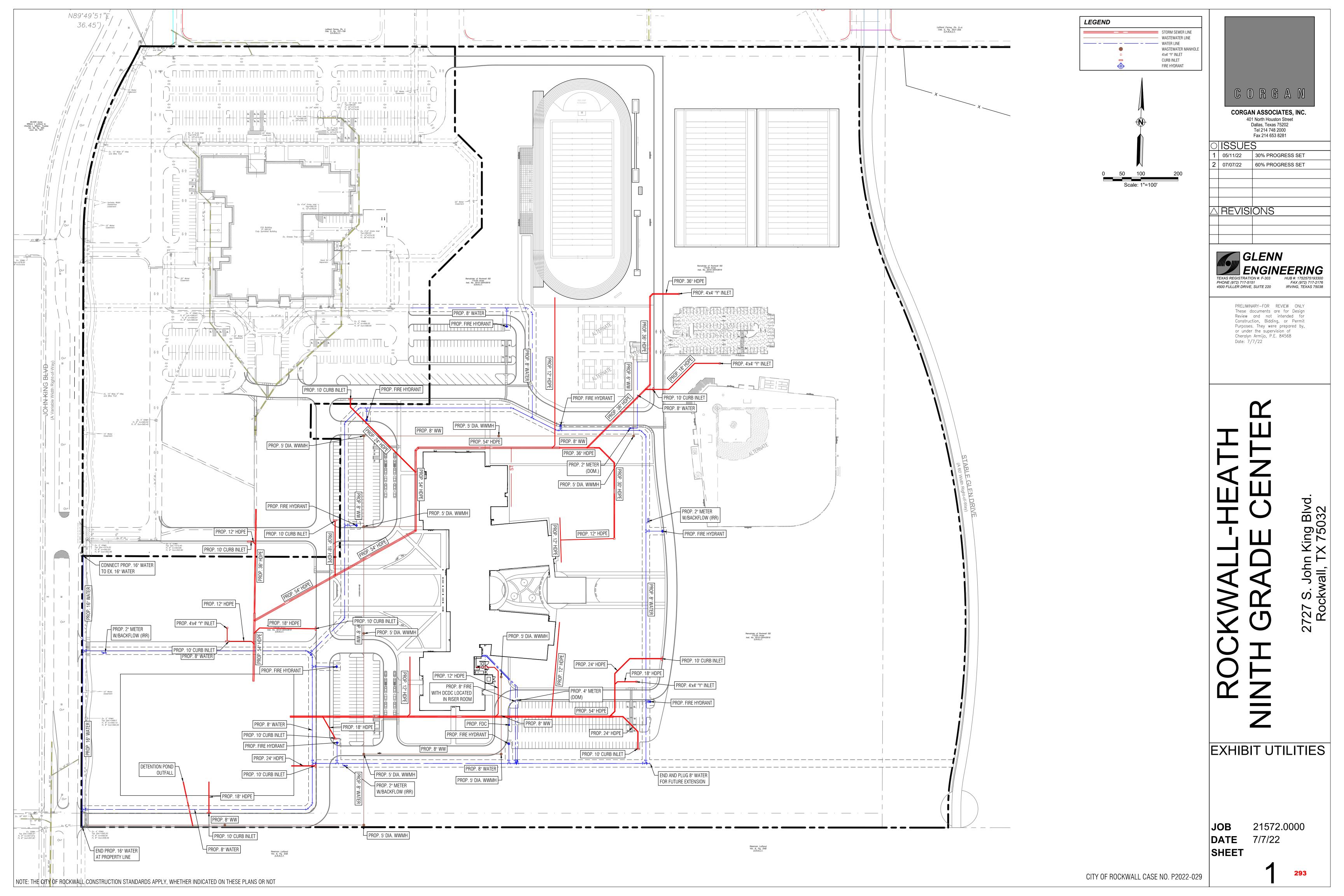
1200 West Magnolia Blvd., Suite 300 Fort Worth, TX 76104 TBPELS #10120600 Phone: (214) 484-8586 www.bowman.com

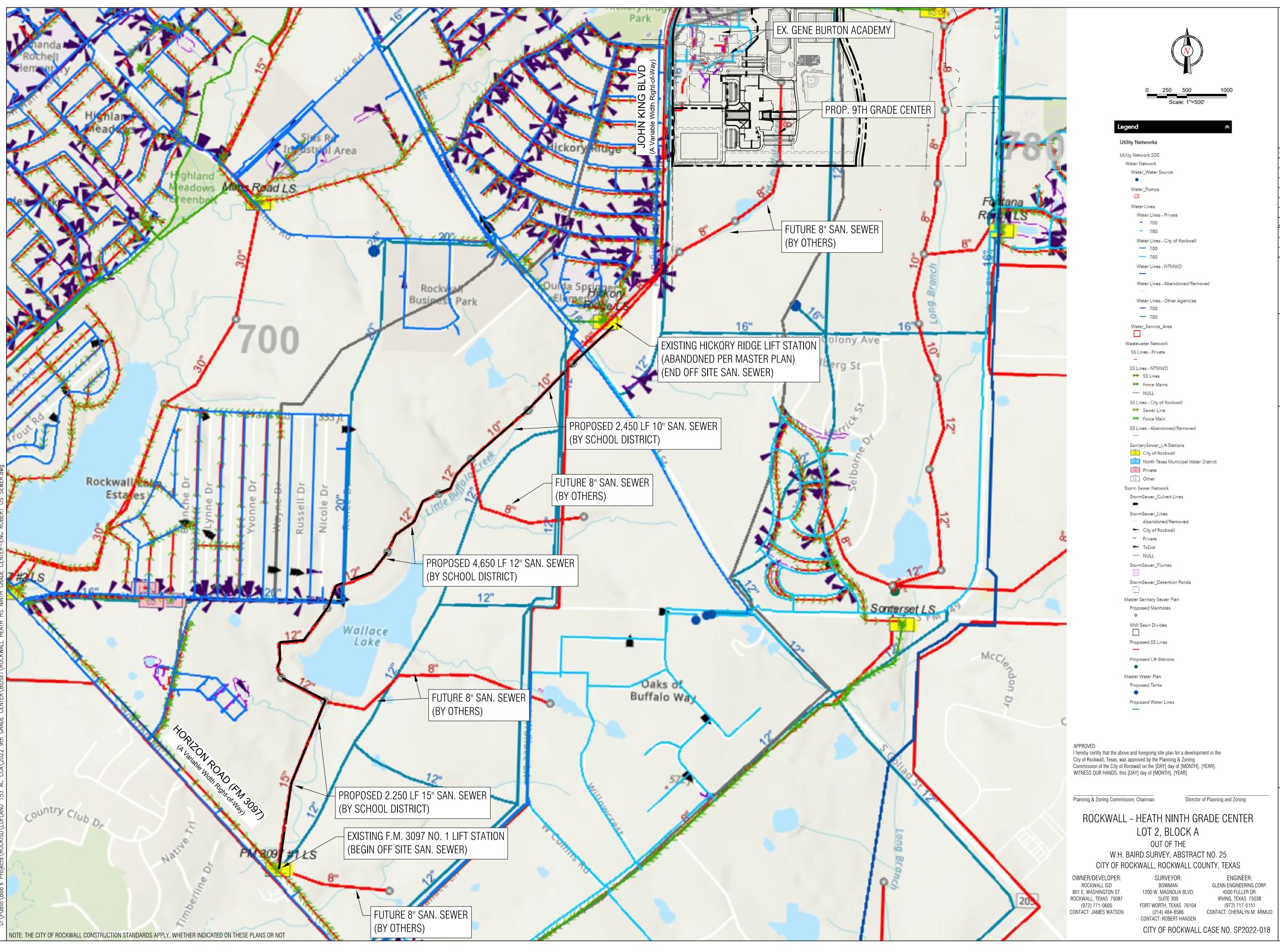
Bowman Job No.:10305

Drawn By:RAH

Sheet: 3 of 3







CORGAN ASSOCIATES, INC. 401 North Houston Street Dallas, Texas 75202

Tel 214 748 2000 Fax 214 653 8281 O ISSUES 05/11/22 30% PROGRESS SET

REVISIONS

PHONE (972) 717-5151

**GLENN** TEXAS REGISTRATION #: F-303 HUB #: 1752575193300

FAX (972) 717-2176 IRVING, TEXAS 75038 4500 FULLER DRIVE, SUITE 220 PRELIMINARY-FOR REVIEW ONLY These documents are for Design Review and not intended for Construction, Bidding, or Permit

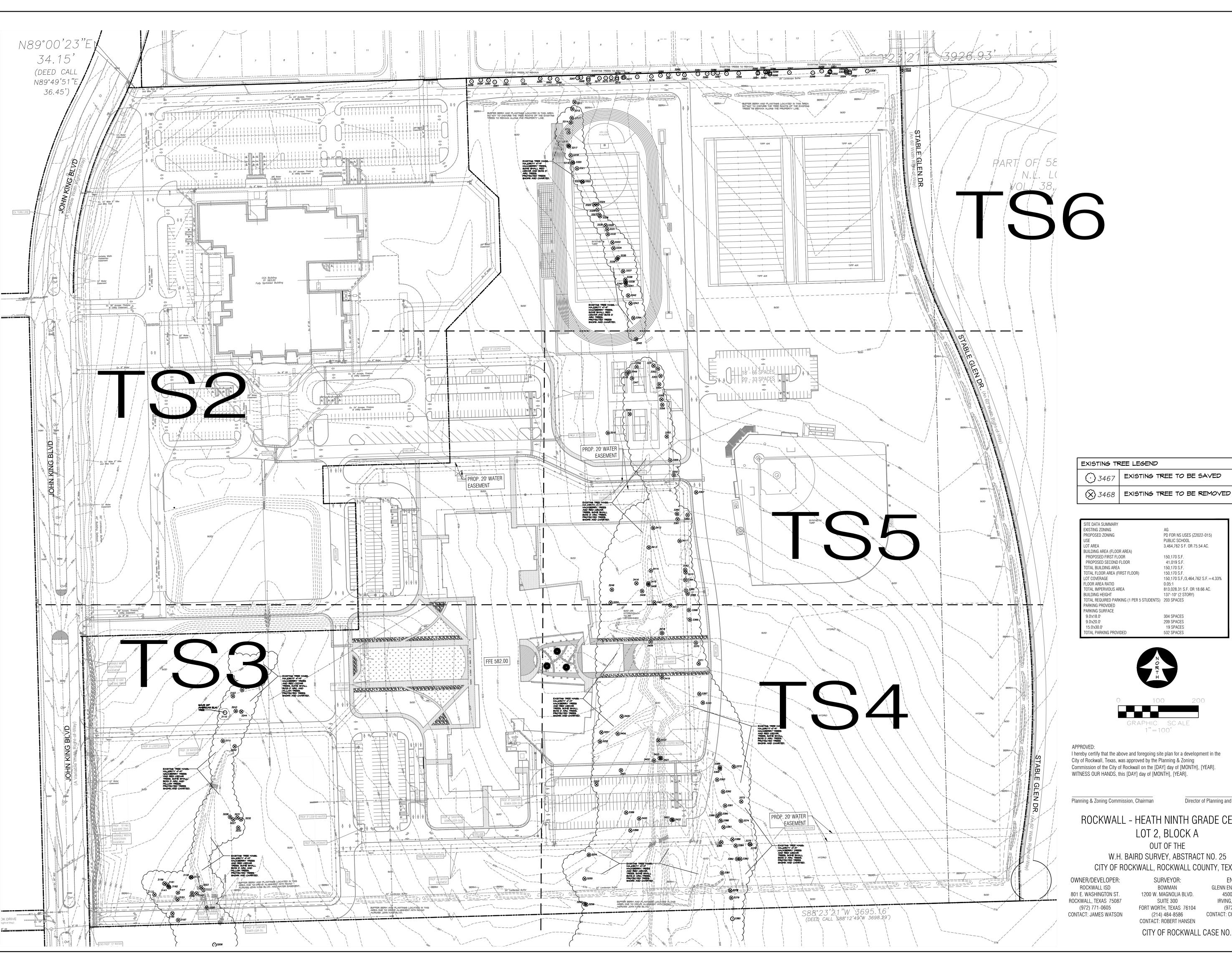
Purposes. They were prepared by, or under the supervision of Cheralyn Armijo, P.E. 84568 Date: 7/7/22

2727 S. John King Blvd Rockwall, TX 75032

OFF SITE SANITARY SEWER PLAN

> 21572.0000 7/7/22

DATE SHEET



401 N. Houston St Dallas, TX 75202 T: 214-748-2000

ISSUES
1 07/06/22 PERMIT REVIEW

REVISIONS

THIS DOCUMENT IS
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MICHAEL RAMSEY
REGISTERED LANDSCAPE
ARCHITECT #1901.
IT IS NOT TO BE USED
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PURPOSES.

RAMSEY LANDSCAPE ARCHITECTS, LLC

11914 WISHING WELL CT. FRISCO, TEXAS 75035 PHONE (972) 335-0889 FAX (469) 362-5433

# EMAIL: MIKE.RLA@ATT.NET

PD FOR NS USES (Z2022-015) PUBLIC SCHOOL 3,464,762 S F. OR 75.54 AC. BUILDING AREA (FLOOR AREA) 150,170 S.F. PROPOSED FIRST FLOOR 41,019 S.F. PROPOSED SECOND FLOOR 150,170 S.F. TOTAL FLOOR AREA (FIRST FLOOR) 150,170 S.F. 150,170 S.F./3,464,762 S.F.=4.33% 813,028.31 S.F. OR 18.66 AC. 137'-10" (2 STORY) TOTAL REQUIRED PARKING (1 PER 5 STUDENTS) 203 SPACES

> 304 SPACES 209 SPACES 19 SPACES 532 SPACES



I hereby certify that the above and foregoing site plan for a development in the City of Rockwall, Texas, was approved by the Planning & Zoning Commission of the City of Rockwall on the [DAY] day of [MONTH], [YEAR]. WITNESS OUR HANDS, this [DAY] day of [MONTH], [YEAR].

Planning & Zoning Commission, Chairman

Director of Planning and Zoning

ROCKWALL - HEATH NINTH GRADE CENTER LOT 2, BLOCK A OUT OF THE

W.H. BAIRD SURVEY, ABSTRACT NO. 25 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

> (214) 484-8586 CONTACT: ROBERT HANSEN

BOWMAN GLENN ENGINEERING CORP 1200 W. MAGNOLIA BLVD. 4500 FULLER DR. SUITE 300 FORT WORTH, TEXAS 76104

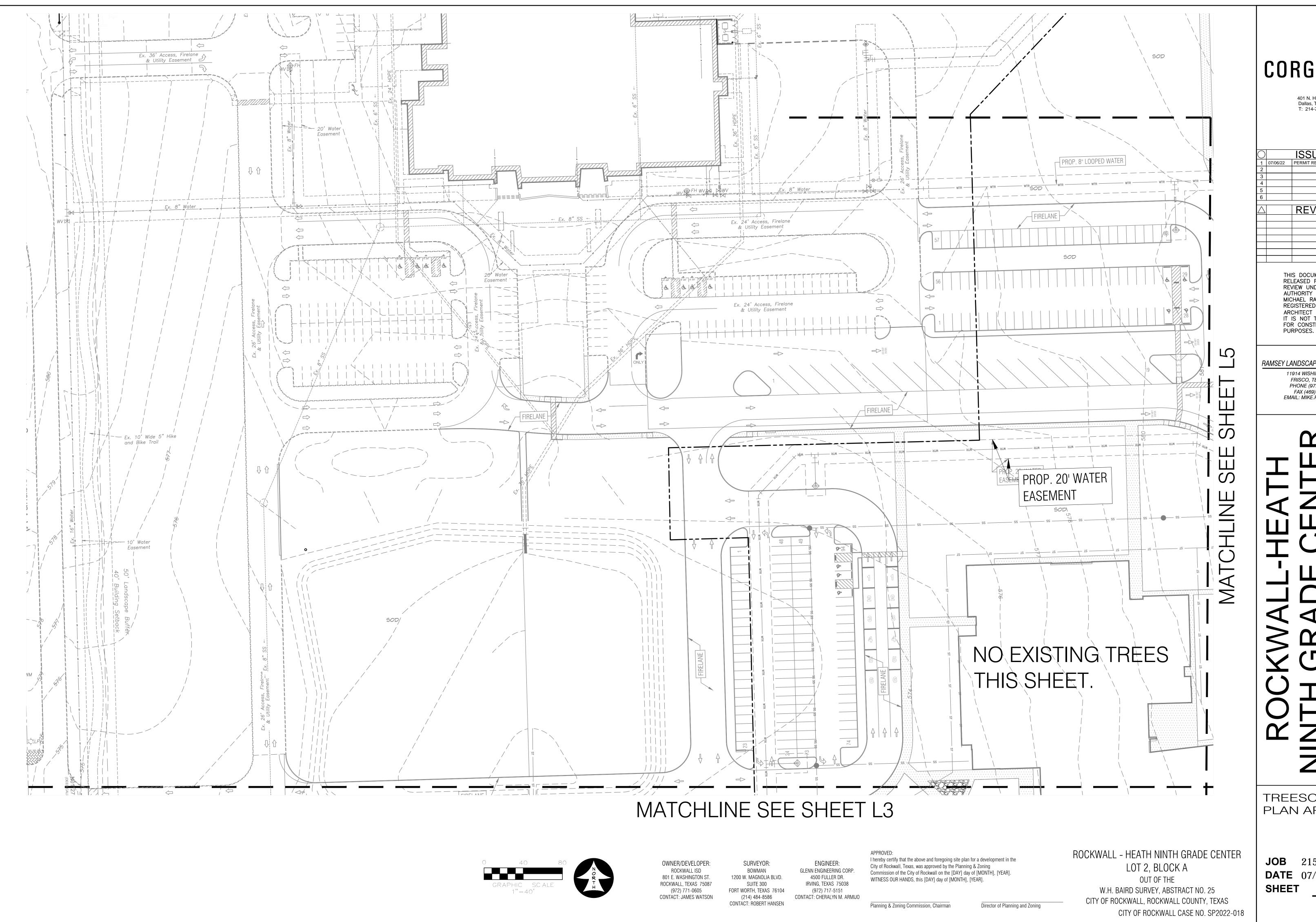
CITY OF ROCKWALL CASE NO. SP2022-018

IRVING, TEXAS 75038 (972) 717-5151 CONTACT: CHERALYN M. ARMIJO

**OVERALL** TREESCAPE PLAN

21572.0000 **DATE** 07/06/22SHEET

P2022-029



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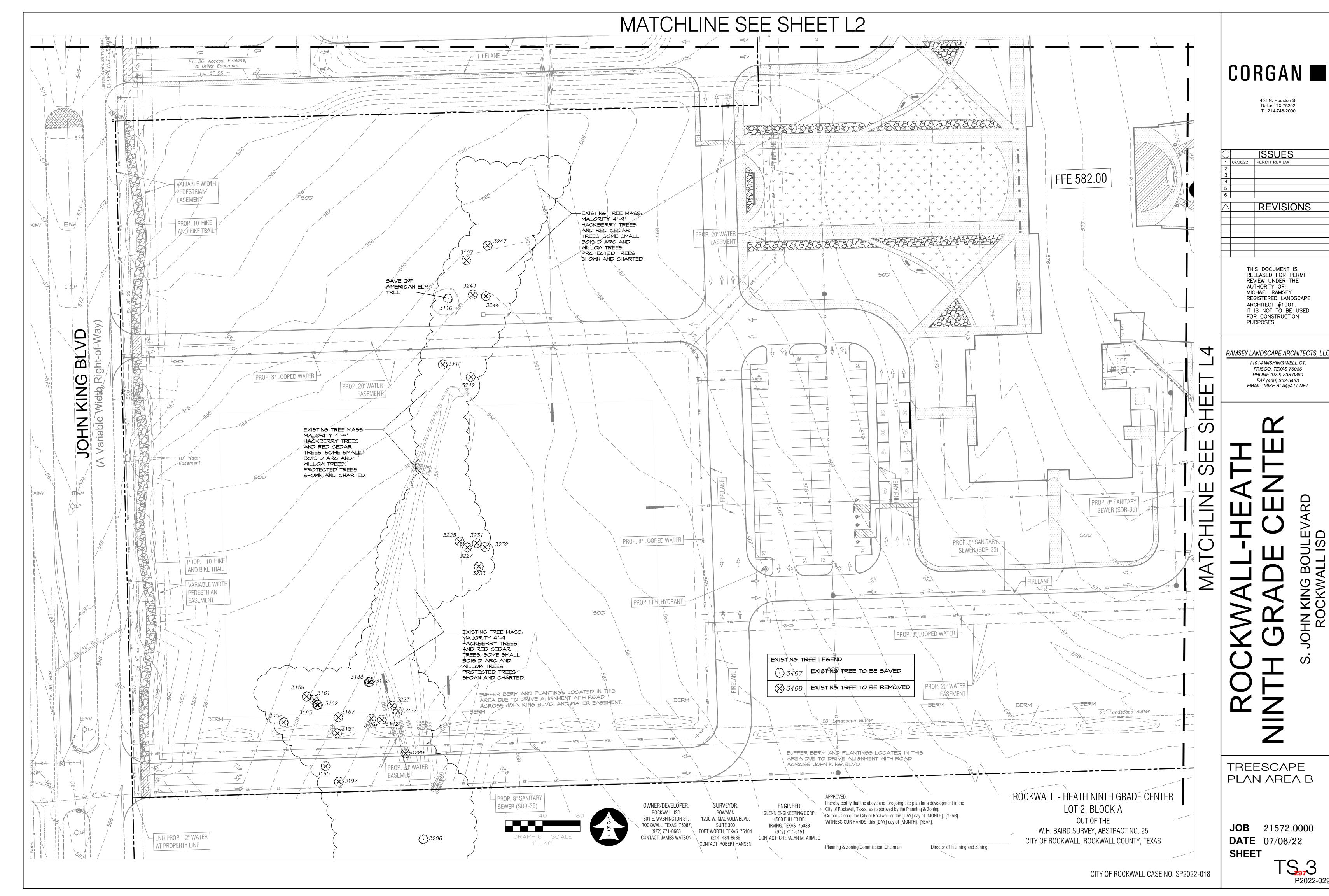
RAMSEY LANDSCAPE ARCHITECTS, LLC

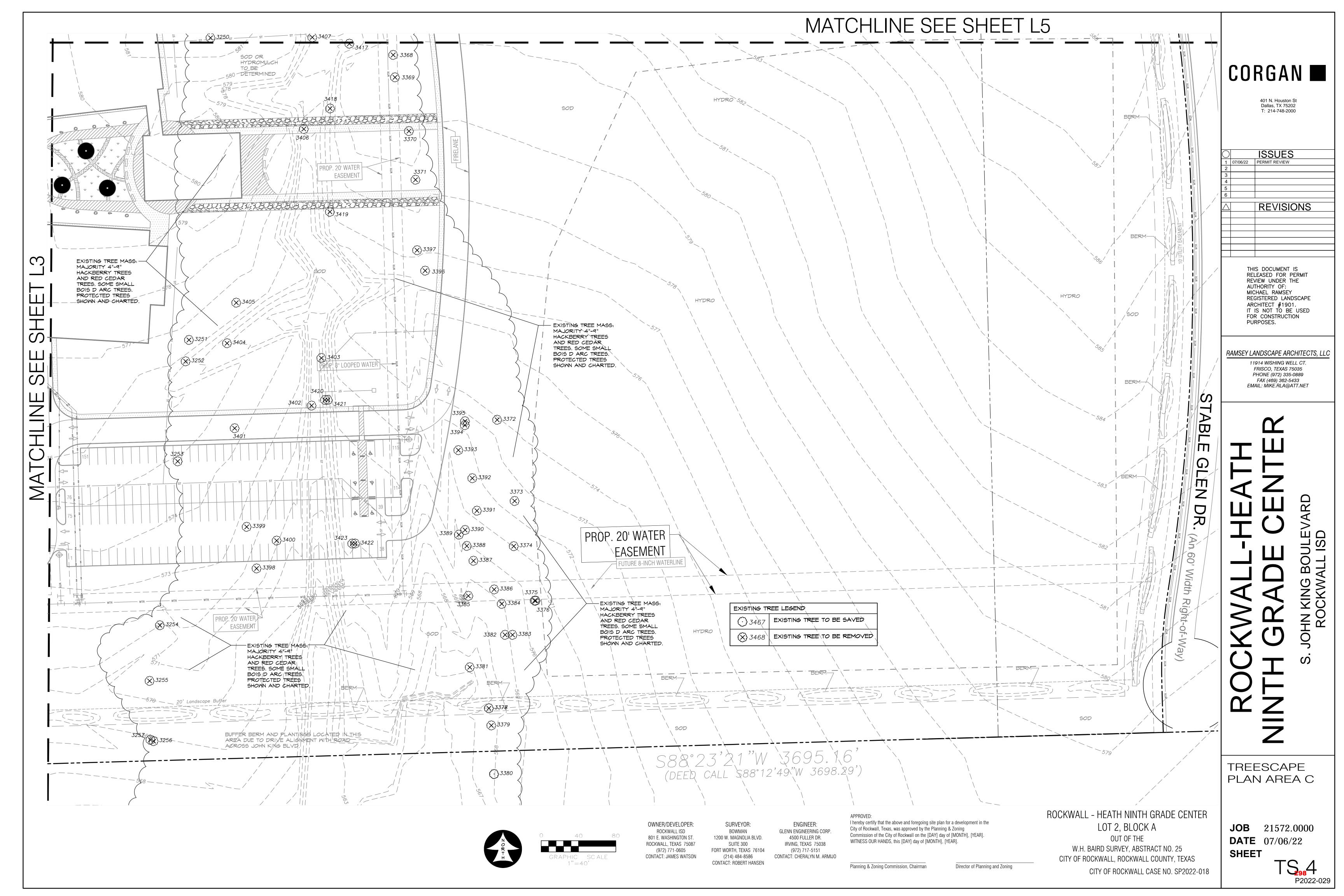
11914 WISHING WELL CT. FRISCO, TEXAS 75035 PHONE (972) 335-0889 FAX (469) 362-5433 EMAIL: MIKE.RLA@ATT.NET

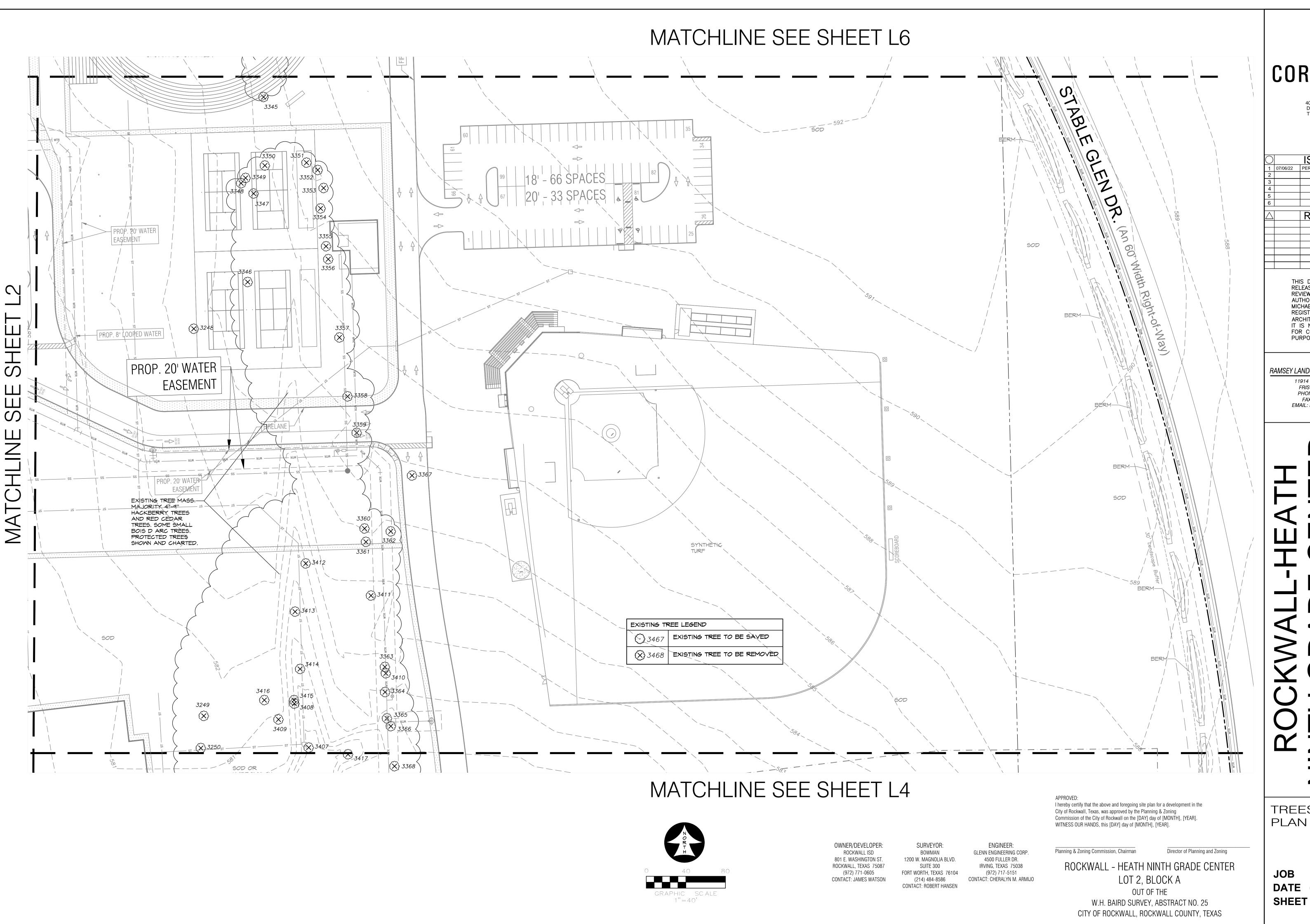
TREESCAPE PLAN AREA A

21572.0000 **DATE** 07/06/22

TS<sub>96</sub>2
P2022-029







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ISSUES
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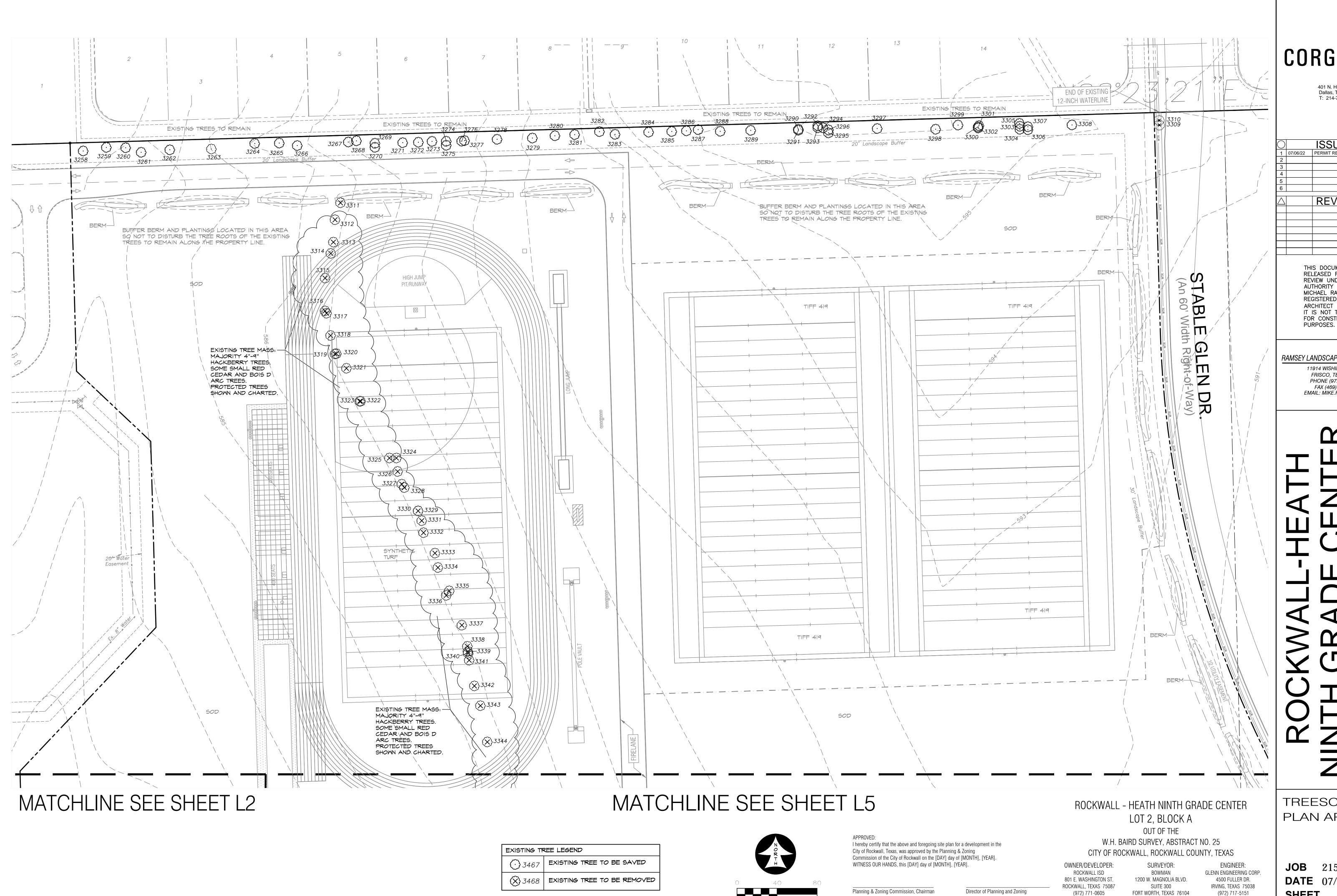
JOHN KING BOULE ROCKWALL ISD

TREESCAPE PLAN AREA E

21572.0000 **DATE** 07/06/22

TS<sub>99</sub>5
P2022-029

CITY OF ROCKWALL CASE NO. SP2022-018



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RAMSEY LANDSCAPE ARCHITECTS, LLC

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JOHN KING BOULE ROCKWALL ISD

TREESCAPE PLAN AREA E

21572.0000 **DATE** 07/06/22

SHEET TS<sub>00</sub>6
P2022-029

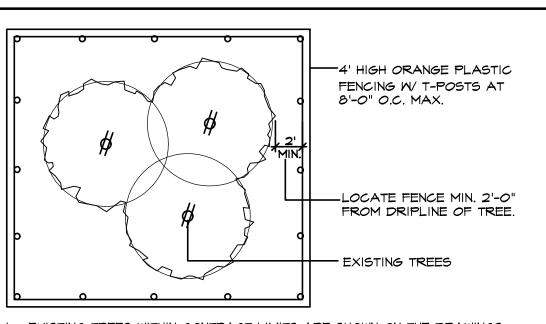
FORT WORTH, TEXAS 76104 (214) 484-8586

CONTACT: ROBERT HANSEN

CONTACT: JAMES WATSON

(972) 717-5151 CONTACT: CHERALYN M. ARMIJO

CITY OF ROCKWALL CASE NO. SP2022-018



- EXISTING TREES WITHIN CONTRACT LIMITS ARE SHOWN ON THE DRAWINGS. EXISTING TREES DESIGNATED FOR REMOVAL SHALL BE FLAGGED AT THE PROJECT SITE WITH FLAGGING BY THE CONTRACTOR.
- 2. PROTECT ALL INDIVIDUAL TREES OR GROUPS OF TREES TO BE PRESERVED BY ERECTING A BARRIER AROUND EACH TREE OR GROUP OF TREES. INSTALL AND MAINTAIN BARRIER AT TREE DRIPLINE. BARRIERS SHALL REMAIN IN PLACE UNTIL REMOVAL IS NECESSARY.
- 3. IN THE EVENT THAT HEAVY CONSTRUCTION IS SCHEDULED TO OCCUR WITHIN THE DRIPLINE OF AN EXISTING TREE, CONTRACTOR SHALL ERECT A PROTECTION FENCE OUTSIDE THE DRIPLINE UNTIL THIS CONSTRUCTION IS SCHEDULED TO OCCUR. THE PROTECTION FENCE MAY THEN BE ADJUSTED AS REQUIRED TO COMPLETE THE PROPOSED CONSTRUCTION. AFTER CONSTRUCTION IN THIS AREA IS COMPLETED, THE PROTECTION FENCE SHALL BE ADJUSTED TO IT'S ORIGINAL LOCATION.
- 4. CONTRACTORS SHALL NOT PARK, CLEAN TOOLS AND EQUIPMENT OR STORE MATERIALS WITHIN THE DRIPLINE OF ANY TREE.
- 5. ALL ROOTS OVER I" IN DIAMETER SHALL BE CUT CLEAN WITH A HAND SAW.

TREE PROTECTION FENCE AND NOTES

SCALE: N.T.S.

	ROCKWALL JH SOUTH			
TREE #	TREE TYPE/COND.	DEMO/SAVE	MITIGATE	CREDIT
3107	TREE 19" HACKBERRY	REMOVE	9.5	CREDIT
3110	TREE 29" AMERICAN ELM MT	SAVE	0	29
3111 3132	TREE 17" HACKBERRY TREE 12" HACKBERRY	REMOVE REMOVE	8.5 6	
3133	TREE 20" HACKBERRY	REMOVE	10	
3139	TREE 13" HACKBERRY	REMOVE	6.5	
3142 3151	TREE 15" HACKBERRY TREE 13" HACKBERRY	REMOVE REMOVE	7.5 6.5	
3158	TREE 25" HACKBERRY	REMOVE	12.5	
3159 3161	TREE 19" HACKBERRY TREE 12" HACKBERRY	REMOVE	9.5 6	
3162	TREE 17" HACKBERRY	REMOVE REMOVE	8.5	
3163	TREE 13" HACKBERRY	REMOVE	6.5	
3167	TREE 14" HACKBERRY	REMOVE	7	
3195 3197	TREE 13" HACKBERRY TREE 15" HACK. Heartrot & Split	REMOVE REMOVE	6.5 0	SICK/EXEMPT
3206	TREE 15" AM ELM	SAVE	0	OFF-SITE
3220	TREE 11" HACKBERRY TREE 12" RED CEDAR	REMOVE	5.5 6	
3222 3223	TREE 15" BOIS D ARC	REMOVE REMOVE	0	
3227	TREE 13" HACKBERRY	REMOVE	6.5	
3228	TREE 12" HACKBERRY	REMOVE	6	
3231 3232	TREE 13" HACKBERRY TREE 14" HACKBERRY	REMOVE REMOVE	6.5 7	
3233	TREE 12" HACKBERRY	REMOVE	6	
3242	TREE 18"" HACKBERRY	REMOVE	9	
3243 3244	TREE 12" HACKBERRY TREE 18" HACKBERRY	REMOVE REMOVE	6 9	
3247	TREE 21" HACK. Heartrot & Split	REMOVE	0	SICK/EXEMPT
3248	TREE 12" RED CEDAR	REMOVE	6	
3249 3250	TREE 15" RED CEDAR TREE 15" RED CEDAR	REMOVE REMOVE	7.5 7.5	
3251	TREE 11" RED CEDAR	REMOVE	7.5 5.5	
3252	TREE 18" HACKBERRY	REMOVE	9	
3253 3254	TREE 12" RED CEDAR TREE 13" RED CEDAR	REMOVE REMOVE	6 6.5	
3254 3255	TREE 13" RED CEDAR	REMOVE REMOVE	5.5	
3256	TREE 13" RED CEDAR	REMOVE	6.5	
3257	TREE 15" RED CEDAR	REMOVE	7.5	
3258 3259	TREE 13" HACKBERRY TREE 13" HACKBERRY	SAVE SAVE	0	
3260	TREE 16" HACKBERRY	SAVE	0	
3261	TREE 11" HACKBERRY	SAVE	0	
3262 3263	TREE 17" HACKBERRY TREE 22" HACKBERRY HEARTROT	SAVE REMOVE	0	SICK/EXEMPT
3264	TREE 19" HACKBERRY	SAVE	0	STERY EXCEVIL 1
3265	TREE 14" HACKBERRY	SAVE	0	
3266 3267	TREE 15" HACKBERRY TREE 13" HACKBERRY	SAVE SAVE	0	
3268	TREE 15" HACKBERRY	SAVE	0	
3269	TREE 12" HACKBERRY	SAVE	0	
3270 3271	TREE 17" HACKBERRY TREE 20" HACKBERRY	SAVE	0	
3272	TREE 14" HACKBERRY	SAVE SAVE	0	
3273	TREE 18" HACKBERRY	SAVE	0	
3274	TREE 14" HACKBERRY	SAVE SAVE	0	
3275 3276	TREE 15" HACKBERRY TREE 18" HACKBERRY	SAVE	0	
3277	TREE 18" HACKBERRY	SAVE	0	
3278	TREE 23" HACKBERRY	SAVE	0	
3279 3280	TREE 11" HACKBERRY TREE 14" HACKBERRY	SAVE SAVE	0	OFF-SITE
3281	TREE 13"HACKBERRY	SAVE	0	
3282	TREE 13" HACKBERRY	SAVE	0	
3283 3284	TREE 25" HACKBERRY TREE 15" HACKBERRY	SAVE SAVE	0	
3285	TREE 13" HACKBERRY	SAVE	0	
3286	TREE 20" HACKBERRY HEARTROT	REMOVE	0	SICK/EXEMPT
3287 3288	TREE 13" HACKBERRY TREE 15" HACKBERRY	SAVE SAVE	0	
3289	TREE 12" HACKBERRY	SAVE	0	
3290	TREE 18" HACKBERRY	SAVE	0	
3291 3292	TREE 18" HACKBERRY TREE 14" HACKBERRY	SAVE SAVE	0	
3293	TREE 11" HACKBERRY	SAVE	0	
3294	TREE 11"HACKBERRY	SAVE	0	
3295 3296	TREE 15" HACKBERRY TREE 18" HACKBERRY MT	SAVE SAVE	0	
3297	TREE 25" HACKBERRY	SAVE	0	
3298	TREE 15" HACKBERRY MT	SAVE	0	
3299 3300	TREE 12" HACKBERRY TREE 12" HACKBERRY	SAVE SAVE	0	
3301	TREE 12" HACKBERRY	SAVE	0	
3302	TREE 12" HACKBERRY	SAVE	0	
3303 3304	TREE 11" HACKBERRY TREE 13" HACKBERRY	SAVE SAVE	0	
3304	TREE 11" HACKBERRY	SAVE	0	
3306	TREE 11" HACKBERRY	SAVE	0	
3307	TREE 18" HACKBERRY	SAVE	0	
3308 3309	TREE 15" HACKBERRY TREE 11" HACKBERRY	SAVE REMOVE	0 5.5	
3310	TREE 11" HACKBERRY	REMOVE	5.5	
3311	TREE 11" HACKBERRY	REMOVE	5.5	_
3312 3313	TREE 17" HACKBERRY MT TREE 20" HACKBERRY MT	REMOVE REMOVE	8.5 10	
3314	TREE 20" HACKBERRY MT	REMOVE	10	
3315	TREE 24" HACKBERRY	REMOVE	12	
3316 3317	TREE 12" HACKBERRY TREE 15" HACKBERRY	REMOVE REMOVE	6 7.5	
3318	TREE 21" HACKBERRY MT	REMOVE	10.5	
3319	TREE 16" HACKBERRY	REMOVE	8	
3320	TREE 21" HACKBERRY	REMOVE	10.5	

3321	TREE 12" HACKBERRY	REMOVE	6	
3322	TREE 20" HACKBERRY MT	REMOVE	10	
3323	TREE 11" HACKBERRY MT	REMOVE	5.5	
3324	TREE 16" HACKBERRY MT	REMOVE	8	
3325	TREE 16" HACKBERRY MT	REMOVE	8	
3326	TREE 21" HACKBERRY MT	REMOVE	10.5	
3327	TREE 21" HACKBERRY MT	REMOVE	10.5	
3328	TREE 20" HACKBERRY MT	REMOVE	10	
3329	TREE 16" HACKBERRY	REMOVE	8	
3330	TREE 11" HACKBERRY	REMOVE	5.5	
3331	TREE 18" HACKBERRY MT	REMOVE	9	
3332	TREE 12" HACKBERRY	REMOVE	6	
3333	TREE 17" HACKBERRY MT TREE 22"HACKBERRY MT	REMOVE	8.5	
3334	<u> </u>	REMOVE	11 7	
	TREE 14" HACKBERRY MT TREE 11" HACKBERRY	REMOVE	5.5	
3336 3337	TREE 20" HACKBERRY MT	REMOVE REMOVE	10	
3338	TREE 15" HACKBERRY MT	REMOVE	7.5	
3339	TREE 11" HACKBERRY MT	REMOVE	5.5	
3340	TREE 11" HACKBERRY MT	REMOVE	5.5	
3341	TREE 11" HACKBERRY MT	REMOVE	5.5	
3342	TREE 18" HACKBERRY MT	REMOVE	9	
3343	TREE 12" HACKBERRY	REMOVE	6	
3344	TREE 22" HACKBERRY	REMOVE	11	
3345	TREE 17" HACKBERRY MT	REMOVE	8.5	
3346	TREE 14" RED CEDAR	REMOVE	7	
3347	TREE 12" HACKBERRY	REMOVE	6	
3348	TREE 12" HACKBERRY	REMOVE	6	
3349	TREE 12" HACKBERRY	REMOVE	6	
3350	TREE 14" HACKBERRY	REMOVE	7	
3351	TREE 14" HACKBERRY	REMOVE	7	
3352	TREE 11" HACKBERRY	REMOVE	5.5	
3353	TREE 17" HACKBERRY	REMOVE	8.5	
3354	TREE 11" HACKBERRY MT	REMOVE	5.5	
3355	TREE 12" HACKBERRY	REMOVE	6	
3356	TREE 24" HACKBERRY	REMOVE	12	
3357	TREE 20" HACKBERRY MT	REMOVE	10	
3358	TREE 14" RED CEDAR	REMOVE	7	
3359	TREE 19" HACKBERRY	REMOVE	9.5	
3360	TREE 16" RED CEDAR	REMOVE	8	
3361	TREE 11" HACKBERRY	REMOVE	5.5	
3362	TREE 15" HACKBERRY	REMOVE	7.5	
3363	TREE 14" HACKBERRY	REMOVE	7	
3364	TREE 17" HACKBERRY	REMOVE	8.5	
3365	TREE 16" HACKBERRY	REMOVE	8	
3366	TREE 15" HACKBERRY	REMOVE	7.5	
3367	TREE 13" HACKBERRY	REMOVE	6.5	
3368	TREE 11" RED CEDAR	REMOVE	5.5	
3369	TREE 11" RED CEDAR	REMOVE	5.5	
3370 3371	TREE 16" HACKBERRY TREE 14" HACKBERRY	REMOVE REMOVE	8 7	
3372	TREE 13" RED CEDAR	REMOVE	6.5	
3373	TREE 12" RED CEDAR	REMOVE	6	
		<b>†</b>		
3374	TREE 18" RED CEDAR	REMOVE	9	
3374 3375	TREE 18" RED CEDAR TREE 12" RED CEDAR	REMOVE REMOVE	9 6	
3374 3375 3376	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR	REMOVE REMOVE REMOVE	9 6 5.5	
3374 3375 3376 3377	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY	REMOVE REMOVE REMOVE	9 6 5.5 6	
3374 3375 3376 3377 3378	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY	REMOVE REMOVE REMOVE REMOVE	9 6 5.5 6 8.5	
3374 3375 3376 3377 3378 3379	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY MT	REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE	9 6 5.5 6 8.5 9	OFF-SITE
3374 3375 3376 3377 3378	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY	REMOVE REMOVE REMOVE REMOVE	9 6 5.5 6 8.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY MT TREE 13" HACKBERRY	REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE SAVE	9 6 5.5 6 8.5 9	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY MT TREE 13" HACKBERRY TREE 11" HACKBERRY	REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE SAVE REMOVE	9 6 5.5 6 8.5 9 0 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY MT TREE 13" HACKBERRY TREE 11" HACKBERRY	REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE SAVE REMOVE REMOVE	9 6 5.5 6 8.5 9 0 5.5 6	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY MT TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR	REMOVE REMOVE REMOVE REMOVE REMOVE SAVE REMOVE REMOVE REMOVE REMOVE REMOVE	9 6 5.5 6 8.5 9 0 5.5 6	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY	REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE SAVE REMOVE REMOVE REMOVE REMOVE REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" HACKBERRY	REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE SAVE REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 12" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 5.5 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 15" HACKBERRY TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 15" HACKBERRY TREE 15" HACKBERRY	REMOVE REMOVE REMOVE REMOVE REMOVE REMOVE SAVE REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 13" RED CEDAR TREE 13" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 12" RED CEDAR TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 15" HACKBERRY TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 12" RED CEDAR TREE 13" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 5.5 7.5 6	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 15" HACKBERRY TREE 15" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 13" RED CEDAR TREE 14" RED CEDAR TREE 12" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 6 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 15" HACKBERRY TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 6 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 15" HACKBERRY TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 12" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6.5 7.5 6.5 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 13" RED CEDAR TREE 12" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 7 7	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 7 7 7 7	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 6 7.5 7 7 7 7 7 7,5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 15" HACKBERRY TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 12" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 7 7 7 7 7 7 7 7 5.5 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 6 7.5 7 7 7 7 7 7 5.5 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6.5 7.5 6 7.5 7 7 7 7 7 7 7 5.5 7.5 9	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 7 7 7 7 7 7 7 5.5 7.5 9 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 6 7.5 7 7 7 7 7 7 7 5.5 7.5 9 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 7 7 7 7 7 7 7 5.5 7.5 9 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR TREE 14" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 7 7 7 7 7 7 7 7 7 5.5 7.5 9 5.5 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6.5 7 7 7 7 7 7 7 5.5 7.5 9 5.5 7.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 12" RED CEDAR TREE 13" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6.5 7.5 6.7 7 7 7 7 7 7 7 5.5 7.5 9 5.5 7.5 9	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406 3407	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" RED CEDAR TREE 12" RED CEDAR TREE 13" RED CEDAR TREE 13" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 11" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7.5 7 7 7 7 7 7 7 5.5 7.5 9 5.5 7.5 9 5.5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406 3407 3408	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 12" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 5.5 7.5 6 5.5 7.5 6 7.5 6 7,5 7 7 7 7 7 5.5 7,5 9 5.5 7,5 9 5.5 7,5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406 3407 3408	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 18" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" HACKBERRY TREE 12" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6.5 7 7 7 7 7 7 7 7 5.5 7,5 9 5.5 7,5 9 5.5 7,5 7	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406 3407 3408 3409 3410	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 12" RED CEDAR TREE 13" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6.5 6 7 7 7 7 7 7 5.5 7,5 9 5.5 7,5 9 5.5 7,5	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406 3407 3408 3409 3410 3411	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" HACKBERRY TREE 15" RED CEDAR TREE 11" RED CEDAR TREE 11" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 14" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 15" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 7 7 7 7 7 7 7 7 7 5.5 7 7 7 7 7 5.5 7,5 9 5.5 7,5 9 9 5.5 7,5 7,5 7,5 7,5 7,5 7,5 7,5 7,5 7,5 7,	OFF-SITE
3374 3375 3376 3377 3378 3379 3380 3381 3382 3383 3384 3385 3386 3387 3388 3389 3390 3391 3392 3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406 3407 3408 3409 3410 3411 3412	TREE 18" RED CEDAR TREE 12" RED CEDAR TREE 11" RED CEDAR TREE 11" HACKBERRY TREE 17" HACKBERRY TREE 18" HACKBERRY TREE 13" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" HACKBERRY TREE 11" RED CEDAR TREE 12" RED CEDAR TREE 13" RED CEDAR TREE 14" RED CEDAR TREE 11" RED CEDAR	REMOVE	9 6 5.5 6 8.5 9 0 5.5 6 5.5 7.5 6 5.5 7.5 6 6 7,5 7 7 7 7 7 7 7 5.5 7,5 9 5.5 7,5 6	OFF-SITE
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MITIGATION 1,090.5 - 29 = 1,061.5 X \$100.00 = \$106,150.00

TOTALS

1090.5

CORGAN

401 N. Houston St Dallas, TX 75202 T: 214-748-2000

ISSUES REVISIONS

> THIS DOCUMENT IS RELEASED FOR PERMIT REVIEW UNDER THE AUTHORITY OF: MICHAEL RAMSEY REGISTERED LANDSCAPE ARCHITECT #1901. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

RAMSEY LANDSCAPE ARCHITECTS, LLC

11914 WISHING WELL CT. FRISCO, TEXAS 75035 PHONE (972) 335-0889 FAX (469) 362-5433 EMAIL: MIKE.RLA@ATT.NET

I hereby certify that the above and foregoing site plan for a development in the City of Rockwall, Texas, was approved by the Planning & Zoning Commission of the City of Rockwall on the [DAY] day of [MONTH], [YEAR]. WITNESS OUR HANDS, this [DAY] day of [MONTH], [YEAR].

Planning & Zoning Commission, Chairman

Director of Planning and Zoning

ROCKWALL - HEATH NINTH GRADE CENTER LOT 2, BLOCK A

OUT OF THE W.H. BAIRD SURVEY, ABSTRACT NO. 25 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER/DEVELOPER: ROCKWALL ISD 801 E. WASHINGTON ST. ROCKWALL, TEXAS 75087 (972) 771-0605 CONTACT: JAMES WATSON

BOWMAN 1200 W. MAGNOLIA BLVD. SUITE 300 FORT WORTH, TEXAS 76104 (214) 484-8586 CONTACT: ROBERT HANSEN

(972) 717-5151 CONTACT: CHERALYN M. ARMIJO CITY OF ROCKWALL CASE NO. SP2022-018

GLENN ENGINEERING CORP.

4500 FULLER DR.

IRVING, TEXAS 75038

TREESCAPE PLAN CHART

**JOB** 21572.0000 **DATE** 07/06/22 SHEET