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| Consider approval of the minutes from the November 7, 2016 regular city council meeting, and take any action necessary. | |
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| Consider awarding a bid to Love Field Chrysler Dodge and authorizing the City Manager to execute a Purchase Order for three new Police Pursuit Dodge Chargers in the amount of \$77,208 to be funded out of the General Fund, Police Patrol Operations Budget, and take any action necessary. | |
| Memo | 23 |
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| Consider approving an emergency purchase for repairs made at the Signal Ridge Lift Station to DFW Services and authorizing the City Manager to execute a check in the amount of \$30,403.64 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary. | |
| Memo | 25 |
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P2016-047 - Consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a final plat for Phase 1 of the Somerset Park Subdivision, containing 144 single-family residential lots on a 56.276-acre tract of land being a portion of a larger 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

P2016-047 41
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P2016-048 - Consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the approval of a replat for Lot 3 of Road Runner Addition being a 0.93-acre parcel of land identified as Lot 2, Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 2804 S. Goliad Street, and take any action necessary.

P2016-048 52
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P2016-049 - Consider a request by Matt Moore, PE of Claymoore Engineering, Inc. on behalf of the owner Cindy Paris of Rockwall Regional Hospital, LLP for the approval of a replat for Lot 22, Block A, Presbyterian Hospital Addition being a 18.867-acre parcel of land identified as Lot 15, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located east of the intersection of Summer Lee Drive and Rockwall Parkway, and take any action necessary.

P2016-049 60
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Z2016-033 - Hold a public hearing to discuss and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of an ordinance for a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary (1st Reading).

Z2016-033 67
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Z2016-034 - Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], and take any action necessary (1st Reading).

Z2016-034 89
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Z2016-035 - Hold a public hearing to discuss and consider a request by Robert A, Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an ordinance for a Specific Use Permit (SUP) for the purpose of allowing a Public School in an Agricultural (AG) District for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary (1st Reading).

Z2016-035 109
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Z2016-036 - Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of an ordinance for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary (1st Reading).

Z2016-036 128

Z2016-037 - Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of an ordinance for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [SH-205], and take any action necessary (1st Reading).

Z2016-037 157
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Z2016-031 - Discuss and consider a request by Kasey Weadon of New Craft Brewing, LLC on behalf of the owner Benbrooke Ridge Partners, LP for the approval of an ordinance amending Planned Development District 1 (PD-1) for the purpose of allowing the Brewery or Distillery (Excluding Brew Pub) land use in the Planned Development District, being identified as ~39.5249-acre tract of land situated in the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, situated within the Scenic Overlay (SOV) District, located on the eastside of Ridge Road south of the intersection of Ridge Road [FM-740] and SH-205, and take any action necessary (2nd Reading).

Ord (2nd reading) 175

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Discuss and consider authorizing the City Manager to execute documents to grant consent to the City of Heath to provided wastewater services associated with construction of a new Rockwall Indpendant School District (RISD) school and service to a limited number of residential customers who reside in Heath's extra territorial jurisdiction (ETJ) using the regional wastewater interceptor line, and take any action necessary.

CM's Memo 190

RISD letter 191

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AGENDA
ROCKWALL CITY COUNCIL
Monday, November 21, 2016
5:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

I. CALL PUBLIC MEETING TO ORDER

II. EXECUTIVE SESSION.

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

1. Discussion regarding the lease of real property / land in the vicinity of the downtown area pursuant to Section §551.072 (Real Property)
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)

III. ADJOURN EXECUTIVE SESSION

AGENDA
ROCKWALL CITY COUNCIL
Monday, November 21, 2016
6:00 p.m. Regular City Council Meeting
City Hall, 385 S. Goliad, Rockwall, Texas 75087

- IV. RECONVENE PUBLIC MEETING**
- V. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**
- VI. INVOCATION AND PLEDGE OF ALLEGIANCE – MAYOR PRO TEM TOWNSEND**
- VII. OPEN FORUM**
- VIII. CONSENT AGENDA**
 - p.10 1.** Consider approval of the minutes from the November 7, 2016 regular city council meeting, and take any action necessary.
 - p.23 2.** Consider awarding a bid to Love Field Chrysler Dodge and authorizing the City Manager to execute a Purchase Order for three new Police Pursuit Dodge Chargers in the amount of \$77,208 to be funded out of the General Fund, Police Patrol Operations Budget, and take any action necessary.
 - p.25 3.** Consider approving an emergency purchase for repairs made at the Signal Ridge Lift Station to DFW Services and authorizing the City Manager to execute a check in the amount of \$30,403.64 to be funded out of the Water and Sewer Fund, Sewer Operations Budget, and take any action necessary.
 - p.27 4.** **P2016-045** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of Ridgecrest SF, LTD. for the approval of a final plat for the Ridgecrest Subdivision creating 45 single-family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549, and take any action necessary.
 - p.35 5.** **P2016-046** - Consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a final plat for Breezy Hill, Phase VII creating 10 single-family residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take any action necessary.

- p.41** 6. **P2016-047** - Consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a final plat for Phase 1 of the Somerset Park Subdivision, containing 144 single-family residential lots on a 56.276-acre tract of land being a portion of a larger 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.
- p.52** 7. **P2016-048** - Consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the approval of a replat for Lot 3 of Road Runner Addition being a 0.93-acre parcel of land identified as Lot 2, Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 2804 S. Goliad Street, and take any action necessary.
- p.60** 8. **P2016-049** - Consider a request by Matt Moore, PE of Claymoore Engineering, Inc. on behalf of the owner Cindy Paris of Rockwall Regional Hospital, LLP for the approval of a replat for Lot 22, Block A, Presbyterian Hospital Addition being a 18.867-acre parcel of land identified as Lot 15, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located east of the intersection of Summer Lee Drive and Rockwall Parkway, and take any action necessary.

IX. APPOINTMENTS

- 1. Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues and take any action necessary.

X. PUBLIC HEARING ITEMS

- p.67** 1. **Z2016-033** - Hold a public hearing to discuss and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of an **ordinance** for a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary (**1st Reading**).

- p.89** 2. **Z2016-034** - Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], and take any action necessary **(1st Reading)**.
- p.109** 3. **Z2016-035** - Hold a public hearing to discuss and consider a request by Robert A, Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of an **ordinance** for a Specific Use Permit (SUP) for the purpose of allowing a Public School in an Agricultural (AG) District for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary **(1st Reading)**.
- p.128** 4. **Z2016-036** - Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of an **ordinance** for a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary **(1st Reading)**.
- p.157** 5. **Z2016-037** - Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of an **ordinance** for a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [SH-205], and take any action necessary **(1st Reading)**.

XI. ACTION ITEMS

- p.175** 1. **Z2016-031** - Discuss and consider a request by Kasey Weadon of New Craft Brewing, LLC on behalf of the owner Benbrooke Ridge Partners, LP for the approval of an **ordinance** amending Planned Development District 1 (PD-1) for the purpose of allowing the Brewery or Distillery (Excluding Brew Pub) land use in the Planned Development District, being identified

as ~39.5249-acre tract of land situated in the B. J. T. Lewis Survey, Abstract No. 255 and the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, situated within the Scenic Overlay (SOV) District, located on the eastside of Ridge Road south of the intersection of Ridge Road [FM-740] and SH-205, and take any action necessary **(2nd Reading)**.

- p.190** 2. Discuss and consider authorizing the City Manager to execute documents to grant consent to the City of Heath to provided wastewater services associated with construction of a new Rockwall Independent School District (RISD) school and service to a limited number of residential customers who reside in Heath's extra territorial jurisdiction (ETJ) using the regional wastewater interceptor line, and take any action necessary.

XII. EXECUTIVE SESSION

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

1. Discussion regarding the lease of real property / land in the vicinity of the downtown area pursuant to Section §551.072 (Real Property)
2. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to Section 551.074 (personnel matters)

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

XIV. 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 § 551.086 (Economic Development)

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of November, 2016 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Cole, City Secretary

Date Removed

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MINUTES
ROCKWALL CITY COUNCIL
Monday, November 07, 2016
4:00 p.m. Regular City Council Meeting
City Hall - 385 S. Goliad, Rockwall, Texas 75087

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I. CALL PUBLIC MEETING TO ORDER

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Mayor Pruitt called the meeting to order at 4:06 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Mike Townsend and Council Members David White, John Hohenshelt, Scott Milder, Kevin Fowler and Dennis Lewis. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Brad Griggs and City Attorney Frank Garza.

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II. WORK SESSION

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1. Hold a work session to hear an update from the GIS Division concerning new projects and the upcoming GIS Day, and take any action necessary.

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Lance Singleton, the GIS Supervisor, came forth and provided an introduction to Council of staff members who work in the GIS division as well as well as an update on mapping-related projects, capabilities, services, etc. Lindsay Gnann with the GIS Division came forth and briefed the Council on the new 311 mobile app. Mr. Singleton shared that “Geographic Technologies Group” will soon be performing a “GIS Health Check” with the city and its staff. This will help the division do some strategic planning to better ensure the needs of the public and GIS users are being met. Mr. Singleton also announced that the city will be hosting its 3rd annual GIS Day on November 16th at City Hall from 1:00 – 6:00 p.m. All members of the public are invited to attend this informational, educational event.

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At 4:21 p.m. Mayor Pruitt read the following discussion items into the record before recessing the public meeting into Executive Session.

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III. EXECUTIVE SESSION.

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

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1. Discussion regarding Interlocal Cooperative Agreement between STAR Transit and City of Rockwall pursuant to Section §551.071 (Consultation with Attorney)
 2. Discussion regarding possible amendments to City’s International Fuel Gas and International Residential Codes pursuant to Section §551.071 (Consultation with Attorney)
 3. Discussion regarding the lease of real property / land in the vicinity of the downtown area pursuant to Section §551.072 (Real Property)

46 4. Discussion regarding (re)appointments to city regulatory boards, commissions, and
47 committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to
48 Section 551.074 (personnel matters)

49
50 **IV. ADJOURN EXECUTIVE SESSION**

51
52 **Council adjourned out of Executive Session at 5:50 p.m.**

53
54 **V. RECONVENE PUBLIC MEETING (6:00 P.M.)**

55
56 **Mayor Pruitt reconvened the public meeting at 6:00 p.m.**

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

59
60 **Mayor Pro Tem Townsend made a motion to authorize the City Manager to negotiate with**
61 **STAR Transit for an amendment to our agreement for a change in scope of services in**
62 **transportation needs for the elderly and disabled for an additional six month period,**
63 **allowing the city additional time to review further options. Mayor Pruitt seconded the**
64 **motion, which passed by a vote of 6 in favor with 1 against (White).**

65
66 **Motion to authorize the city manager to execute a lease with the Hance Family as**
67 **discussed in Executive Session. Councilman Lewis seconded the motion, which passed**
68 **unanimously of those present.**

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70 **VII. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER WHITE**

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72 **Councilmember David White delivered the invocation and led the Pledge of Allegiance.**

73
74 **VIII. PROCLAMATIONS / AWARDS**

75
76 1. Presentation of plaque by "Women in Need" organization

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78 **Connie Pettit from the local “Women in Need” organization came forth with several other**
79 **representatives from the community, including the Rockwall County District Attorney,**
80 **Kenda Culpepper. After introductions, Mrs. Pettitt thanked Mayor Pruitt for all he does to**
81 **lead the community and presented him with a plaque to recognize him for his support of**
82 **ending violence against women.**

83
84 2. GIS (Geographic Information Systems) Day

85
86 **IX. OPEN FORUM**

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88 **Mrs. Marilyn King**
89 **511 Sunset Hill Drive**
90 **Rockwall, TX**

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92 **Mrs. King came forth to address the city council regarding STAR Transit public**
93 **transportation services. Mrs. King explained that this local bus service allows the elderly**
94 **to keep their independence and maintain a social life, especially when they are able to**

95 attend classes, lunches and other activities at both the local Y.M.C.A and at The Center.
96 She asked the Council to continue funding these services in the future.
97

98 **Larry Christian**
99 **2920 Saratoga Drive**
100 **Rockwall, TX**
101

102 **Mr. Christian indicated that he has lived in Rockwall for many years, and he assists Mrs.**
103 **King in teaching a joint health (arthritis) exercise class at the local Y.M.C.A each**
104 **morning. He generally encouraged the Council to continue funding public (STAR) transit**
105 **in Rockwall so that the elderly and disabled may continue to utilize these services.**
106

107 **X. CONSENT AGENDA**
108

- 109 1. Consider approval of the minutes from the October 17, 2016 regular city council
110 meeting, and take any action necessary.
- 111 2. **Z2016-030** - Consider a request by James Shaw for the approval of an **ordinance** for a
112 Specific Use Permit (SUP) to allow for an accessory building that does not meet the
113 minimum requirements as stipulated by Article IV, Permissible Uses, of the Unified
114 Development Code for a 1.4692-acre parcel of land identified as Lot 14, Block B,
115 Sterling Farms Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family
116 Estate 1.5 (SFE-1.5) District, addressed as 1910 Copper Ridge Circle, and take any
117 action necessary **[2nd Reading]**.
- 118 3. Consider approval of an **ordinance** amending the Rockwall Code of Ordinances in
119 Chapter 38. Subdivisions; Article I. In General; Sec. 38-23 Standards for Design of
120 Developments within Subdivisions Adopted to reflect the 2016 update to these
121 standards, and take any action necessary. **[2nd reading]**
- 122 4. Consider approval of funding recommendation from hotel occupancy tax subcommittee
123 regarding supplemental requests from Aspasiens and Noon Rotary, and take any action
124 necessary.
- 125 5. Consider awarding a bid to Sam Pack's Five Star Ford and authorizing the City Manager
126 to execute a Purchase Order for a new 3 yard dump truck totaling \$57,935 to be funded
127 out of General Fund Reserves, Streets and Drainage Operating Budget, and take any
128 action necessary.
- 129 6. Consider authorizing the City Manager to execute a contract amendment with Tyler
130 Technologies, Inc. for an upgrade to the Rockwall Police Department Dispatch Center
131 CAD software, approving the purchase of related hardware in the amount of \$202,704 to
132 be paid from general fund reserves, and take any action necessary.
- 133 7. Consider authorizing the City Manager to enter into an agreement with the Texas
134 Department of Transportation (TxDOT) under the City Pride Program for the installation
135 of signage recognizing the Historic Bankhead Highway at the intersections of SH-66 &
136 First Street, SH-66 & Second Street, SH-66 & Olive Street and SH-66 & Interurban
137 Street, and take any action necessary.
- 138 8. Consider approval of a resolution renewing Fiduciary Consulting Group, Inc. to continue
139 to act as Named Fiduciary and Named Plan Administrator of the City of Rockwall's
140 457(b) Plan for the benefit of its employees, to engage Ascensus Trust to provide direct
141 trust services including an annual trust report on the Plan assets, and authorizing the

142 City Manager to sign a Fiduciary Engagement Agreement and appoint an Oversight
143 Committee, and take any action necessary.

144 9. Consider awarding a bid to Interstate Trailers and authorizing the City Manager to
145 execute a Purchase Order for three (3) new heavy equipment trailers in the amount of
146 \$45,031 to be funded out of the General, Water and Sewer Funds, and take any action
147 necessary.

148 10. Consider awarding a bid to Caldwell Country Chevrolet and authorizing the City
149 Manager to execute a Purchase Order for five (5) new trucks totaling \$141,479 to be
150 funded out of the General Fund various departments' operating budgets, and take any
151 action necessary.

152 11. Consider authorizing the City Manager to execute an agreement with WME
153 Entertainment in the amount of \$45,000 to be funded from Hotel Occupancy Taxes for
154 headline entertainment for the 2017 Founder's Day Festival, and take any action
155 necessary.

156 12. Consider a request by Jason Lentz of Atticus Real Estate Services, Inc. for the approval
157 of a resolution abandoning a 0.095-acre portion of the excess right-of-way adjacent to
158 Summer Lee Drive and being directly adjacent to property identified as Lot 5A of the
159 Isaac Brown Addition, City of Rockwall, Rockwall County, Texas, and take any action
160 necessary.

161 **Councilmember Lewis made a motion to approve the entire Consent Agenda (#1, 2, 3, 4,**
162 **5, 6, 7, 8, 9, 10, 11 and 12). Councilmember Milder seconded the motion. The ordinances**
163 **were read as follows:**

164 CITY OF ROCKWALL
165 ORDINANCE NO. 16-57
166 SPECIFIC USE PERMIT NO. S-158
167

168 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
169 AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF
170 THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO
171 GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN ACCESSORY
172 BUILDING THAT DOES NOT MEET THE MINIMUM REQUIREMENTS ON A
173 1.4692-ACRE PARCEL OF LAND ZONED SINGLE FAMILY ESTATE 1.5 (SFE-1.5)
174 AND IDENTIFIED AS LOT 14, BLOCK B, STERLING FARMS ADDITION, CITY OF
175 ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL
176 CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE
177 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
178 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
179 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
180

181 CITY OF ROCKWALL
182 ORDINANCE NO. 16-58
183

184 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
185 AMENDING THE ROCKWALL CODE OF ORDINANCES IN CHAPTER 38.
186 SUBDIVISIONS; ARTICLE I. IN GENERAL; SECTION 38-23 STANDARDS FOR
187 DESIGN OF DEVELOPMENTS WITHIN SUBDIVISIONS ADOPTED; PROVIDING
188 FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO
189 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
190 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
191 REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
192

193 The motion passed unanimously (7 ayes to 0 nays).
194

195 **XI. APPOINTMENTS**
196

197 1. Appointment with the Planning and Zoning Chairman to discuss and
198 answer any questions regarding cases on the agenda and related issues
199 and take any action necessary.

200
201 2. Appointment with Molly Peterson to hear request concerning an
202 Assignment & Assumption Agreement from the Collin County Humane
203 Society to Rockwall Adoption Center and request for a term extension
204 through 2021, and take any action necessary.

205 **Molly Peterson, representing what has been known as the Legacy Humane Society, came**
206 **forth to address the Council concerning this agenda item. Her organization is the one**
207 **that has been operating the city's Animal Adoption Center for several years. She**
208 **generally explained that when her organization first began running the shelter here in**
209 **Rockwall, there was confusion over the then name "Collin County Humane Society."**
210 **Subsequently, the name was changed to "Legacy," however, that name generally poses**
211 **some challenges as well. She noted that on the annual "Day of Giving" that non-profits**
212 **typically benefit from, she would like to have a clear distinction between funds donated**
213 **to the Rockwall shelter and funds donated to "Legacy." She requested that the Council**
214 **consider an "assignment and assumption agreement" to essentially allow a name**
215 **change to "Rockwall Adoption Center." In addition, she would like city council to**
216 **consider extending the term through the year 2021.**

217
218 **Councilmember Lewis made a motion to approve the request concerning an Assignment**
219 **& Assumption Agreement from the Collin County Humane Society to "Rockwall Adoption**
220 **Center" as well as the request for a term extension through 2021. Councilmember Milder**
221 **seconded the motion, which passed by a vote of 7 ayes to 0 nays.**
222

223 3. Appointment with Michael Hunter of the Rockwall Housing Development
224 Corporation to discuss the construction fees associated with a project at
225 805 Throckmorton Street, and take any action necessary.

226 **Mr. Hunter came forth and explained that he is Executive Director of the Rockwall**
227 **Housing Development Corporation. He explained that he is working to tear down some**
228 **houses and rebuild them such that they are built to current standards and codes. He is**
229 **essentially requesting that fees be waived so that those monies may be utilized for the**
230 **building itself.**

231
232 **Councilmember Lewis made a motion to approve the requested waiver of construction**
233 **fees at 805 Throckmorton Street. Councilmember Townsend seconded the motion,**
234 **which passed by a vote of 7 ayes to 0 nays.**
235

236 **XII. PUBLIC HEARING ITEMS**
237

238 1. **Z2016-031** - Hold a public hearing to discuss and consider a request by
239 Kasey Weadon of New Craft Brewing, LLC on behalf of the owner
240 Benbrooke Ridge Partners, LP for the approval of an **ordinance**
241 amending Planned Development District 1 (PD-1) for the purpose of

242 allowing the Brewery or Distillery (Excluding Brew Pub) land use in the
243 Planned Development District, being identified as ~39.5249-acre tract of
244 land situated in the B. J. T. Lewis Survey, Abstract No. 255 and the D.
245 Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas,
246 situated within the Scenic Overlay (SOV) District, located on the eastside
247 of Ridge Road south of the intersection of Ridge Road [FM-740] and SH-
248 205, and take any action necessary [1st Reading].

249 **Director of Planning, Ryan Miller, explained that the applicant, Kasey Weadon of New**
250 **Craft Brewing, LLC, is requesting to further amend PD-1 to allow for the Brewery or**
251 **Distillery (Excluding Brew Pub) land use to be permitted on a ~25.97-acre portion of the**
252 **planned development district. Currently, the Brewery or Distillery (Excluding Brew Pub)**
253 **land use is only permitted by-right in the Light Industrial (LI) and Heavy Industrial (HI)**
254 **Districts. The purpose of these designations is that -- until recently -- a brewery or**
255 **distillery was viewed as a manufacturing or industrial type of use; however, in 2013 the**
256 **Texas Alcoholic Beverage Commission (TABC) passed amendments designed to loosen**
257 **the restrictions on microbreweries or craft breweries. As part of the applicant's request,**
258 **staff has suggested to the applicant that the use may be better served through a Specific**
259 **Use Permit (SUP). This means that if the City Council chooses to approve the**
260 **amendment to PD-1, the applicant would be required to submit a request for a Specific**
261 **Use Permit (SUP) prior to requesting a Certificate of Occupancy (CO). As staff has been**
262 **done in past amendments to planned development districts that consist of several**
263 **regulating ordinances, staff has taken this opportunity to consolidate the regulating**
264 **ordinances of PD-1 into one (1) ordinance; however, while staff has clarified several**
265 **sections of these ordinances in the new regulating ordinance, no changes with regard to**
266 **the requirements, intent or permitted land uses have been made to any other portion of**
267 **the planned development district (*with the exception of adding the requested land use*).**
268

269 **Mayor Pruitt opened the public hearing and asked if anyone would like to come forth and**
270 **speak. The applicant came forth to address the Council. Mr. Weadon explained that he**
271 **grew up in Rockwall, moved away for college, and has since returned to the Rockwall**
272 **area. He believes that this footprint is a good area for the proposed brewery use. He**
273 **generally explained that he is seeking approval from the Council at this time.**
274

275 **Madison Lyle**
276 **1603 S. Alamo**
277 **Rockwall, TX 75087**
278

279 **Mr. Lyle came forth and generally expressed concern regarding the city council**
280 **approving this request tonight. He mentioned several numbers, including the (potential)**
281 **maximum number of gallons of beer per year that this type of brewery may be able to**
282 **produce under state law. He is generally concerned about patrons being over served /**
283 **getting drunk and leaving the facility. He pointed out that there is a dance studio and**
284 **karate studio in the same shopping center as this location. He explained that he is not**
285 **against the brewery itself, but he is against it being placed in his neighborhood. He is**
286 **generally business-friendly; however, he is not in favor of it being located in this**
287 **particular area. He realizes there is already a brewery located off of IH-30, and he thinks**
288 **that location is fine. However, not in his neighborhood.**
289
290
291

292 Erica Lyle
293 1603 S. Alamo Road
294 Rockwall, TX

295
296 Mrs. Lyle came forth and explained that she is against this brewery being located in this
297 neighborhood. She indicated that there is a county commissioner who lives in her
298 neighborhood, and she believes he is also against it. She asked the City Council to vote
299 this request down, and to deny it 'with prejudice.'

300
301 Katherine Lyle
302 1603 S. Alamo
303 Rockwall, TX

304
305 Mrs. Lyle came forth and indicated that she grew up in this neighborhood, and, with the
306 exception of going away to college briefly, she has lived here her whole life. She stated
307 that she is 19 years old and is also a city employee. She believes that this brewery does
308 not belong in this neighborhood. She pointed out that the Planet Fitness, which is
309 essentially located next door, is a 24 hour establishment, and she generally believes that
310 this brewery might make the area unsafe (i.e. drunk drivers). She is opposed to this
311 brewery being approved by Council in this location.

312
313 David Mitchell
314 206 Dartbrook
315 Rockwall, TX

316
317 Mr. Mitchell came forth and indicated that he is an insurance claims adjuster by
318 profession. He explained that he is against this brewery being located in this particular
319 area / neighborhood. He believes there are other locations elsewhere in the city where
320 this business could be established. He is generally concerned about drunk drivers, and
321 he would like the Council to vote against approval of this request.

322
323 Martha Sue Keegan
324 207 Meadowdale Drive
325 Rockwall, TX

326
327 Mrs. Keegan came forth and shared that she is 85 years old. She has lived here for forty-
328 one years, and she does not want to see it change.

329
330 Bob Wacker
331 806 Miramar Drive
332 Rockwall, TX

333
334 Mr. Wacker stated that he is from Milwaukee and actually used to work for Miller Brewing
335 Company. He believes that the state will regulate how much this brewery can make, what
336 they can sell and what they can do. He questions if the brewery will even be selling
337 enough for someone to get drunk. He wonders if at some point in the future there could
338 end up being more than one (perhaps several) breweries located within this shopping
339 center. So, his only concern is "how big could this get?"

340
341 Mr. Miller clarified that the Council is only being asked to either approve or not approve
342 "the use" itself tonight. He shared that, should the Council approve the use, the

343 applicant would have to come back to the Council in order to tie down the specifics via
344 approval of an ordinance, including the actual location of the brewery.

345
346 Mr. Renfro, Chairman of the Planning & Zoning Commission, came forth and provided
347 some clarifying comments on behalf of the P&Z Commission. He explained that the
348 Commission decided to move forward with a recommendation to add this as a “use” only
349 through review and approval of a Specific Use Permit that can be scrutinized and
350 reviewed annually. He pointed out that this shopping center has been struggling for
351 quite some time. He believes that a brewery is a “destination location” type business,
352 and he generally suspects that could be a good use to breathe some life back into this
353 area. He generally encouraged the applicant to speak again to further explain the
354 business that is being proposed to be placed at the location (i.e. business hours,
355 operations, etc.).

356
357 Mr. Weadon explained that the average number of barrels that will be brewed will be
358 about 2,500 annually compared to the allowed 15,000 barrels. He shared that the majority
359 of operating hours will be related to employees who will be in the facility actually working
360 to produce the product. He shared that there will be no anticipated smell associated with
361 the operation. As far as the operating hours for the tap / taste room, he explained that it
362 will be regulated by TABC. Liquor will not be sold, and beer will only be sold for ‘tasting.’
363 The tap / tasting room will only sell beer that is brewed there, and any / all workers will go
364 through required classes through the TX Alcoholic Beverage Commission (TABC) so that
365 they know how to serve such that “over serving” does not occur. He indicated that he
366 does not believe that the concern about drunk driving really makes a lot of sense. He
367 pointed out that even if the brewery is located elsewhere in the city, anyone driving to /
368 from the location will still be driving on local roads either way.

369
370 Mayor Pruitt pointed out that with breweries, they are not required to have 51% of sales
371 be food (via a “food and beverage” certificate) (and 49% alcohol sales). He explained
372 that this is the only way that the city really keeps “bars” out of the city. So, he clarified
373 that as long as a brewery serves its own beer, then the business does not have to also
374 sell food. He does not feel that allowing this brewery would not be fair to other local
375 business owners who sell beer (or alcohol) yet do have to have associated food sales
376 totaling 51%. He explained that the city has business owners locally who often times
377 wish that the city council would change the ratio requirements. City Attorney Frank
378 Garza did concur that this business, if it serves its own beer, will not have to meet the
379 city’s “food” requirement.

380
381 Councilmember White pointed out that if a restaurant that sells alcohol wanted to open in
382 this location, it could do so without having to come and seek any sort of special approval
383 from the city council. Councilmember White asked if the police have ever had to respond
384 to a call at Buffalo Wild Wings pertaining to alcohol-related violence. He asked if the
385 city’s police department has ever had to respond to any alcohol-related calls (i.e.
386 violence / a fight) associated with the (existing off of IH-30) Woodcreek Brewery or the
387 past Winery (KE Cellars). Chief Riggs stated that, no, they have not. He generally shared
388 that he does not believe that breweries are really “bars,” but, rather, he believes that they
389 are more so “family friendly” establishments. They are not like “The Scoreboard.”

390
391 Councilmember Lewis reiterated that this “use” would be allowed only by approval of an
392 SUP. So, the Council will have an ability to review the business before deciding on
393 issuing an SUP. The applicant clarified that a majority of his sales would be for beer that

394 is brewed and is sold for distribution. Also, there are no “off-site sales” for ‘take away’
395 (i.e. no “buying a 6 pack to go”).
396

397 After additional, brief comments, Councilmember White made a motion to approve
398 Z2016-031. Councilmember Milder seconded the motion. The ordinance was read as
399 follows:

400 CITY OF ROCKWALL
401 ORDINANCE NO. 16-___

402
403 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
404 AMENDING PLANNED DEVELOPMENT DISTRICT 1 (PD-1) AND THE UNIFIED
405 DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL,
406 AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING BY
407 AMENDING THE PERMITTED LAND USES TO ALLOW THE *BREWERY AND*
408 *DISTILLERY (EXCLUDING BREWPUB)* LAND USE FOR A 25.97-ACRE PORTION
409 OF THE ~39.6443-ACRE PLANNED DEVELOPMENT DISTRICT BEING SITUATED
410 WITHIN THE B. J. T. LEWIS SURVEY, ABSTRACT NO. 225 & THE D. ATKINS
411 SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY,
412 TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT ‘A’*; PROVIDING
413 FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO
414 EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH
415 OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A
416 REPEALER CLAUSE; PROVIDING FOR AN

417
418 The motion passed by a vote of 4 in favor with 3 against (Townsend, Pruitt and Fowler).
419

420 **XIII. ACTION ITEMS**

- 421
422 1. **Z2016-032** - Discuss and consider a request by Noah Flabiano of the
423 Skorburg Company on behalf of BH Balance IV, LLC for the approval of
424 an **ordinance** amending Planned Development District 74 (PD-74) to
425 amend the concept plan to allow for additional single-family residential
426 lots and for the purpose of incorporating changes to the development
427 standards contained in Exhibit ‘C’ of Ordinance No. 14-26 for a 405.184-
428 acre tract of land identified as the Breezy Hill Subdivision and situated
429 within the J. Strickland Survey, Abstract No. 187, Rockwall, Rockwall
430 County, Texas, generally located north of FM-552 and west of Breezy Hill
431 Road, and take any action necessary [2nd Reading].

432 Mr. Miller explained that this is second reading of an ordinance that did not receive
433 unanimous approval at the last city council meeting. Councilmember White made a
434 motion to approve Z2016-032. Councilmember Lewis seconded the motion. The
435 ordinance was read as follows:

436 CITY OF ROCKWALL
437 ORDINANCE NO. 16-59

438
439 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
440 AMENDING PLANNED DEVELOPMENT DISTRICT 74 (PD-74) [ORDINANCE NO.
441 14-26] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF
442 THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING THE
443 PLANNED DEVELOPMENT CONCEPT PLAN AND THE DEVELOPMENT
444 STANDARDS APPROVED WITH ORDINANCE NO. 14-26, BEING A 405.184-ACRE
445 TRACT OF LAND SITUATED IN THE J. STRICKLAND SURVEY, ABSTRACT NO.

446 187, T. R. BAILEY SURVEY, ABSTRACT NO. 30 AND THE J. SIMMONS SURVEY,
447 ABSTRACT NO. 190, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND
448 MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL
449 CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE
450 SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE;
451 PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER
452 CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
453

454 **The motion passed by a vote of 6 in favor with 1 against (Townsend).**

- 455 2. Discuss and consider a request from Mr. Alton Frazier with Channell for a
456 variance for the number of signs allowed and a size variance for 4
457 monument signs located at 1700 Justin Rd, and take any action
458 necessary.

459 **Jeffrey Widmer, the city's Building Official, came forth and provided brief, introductory**
460 **comments pertaining to this agenda item and associated request. Thereafter, Mr. Frazier**
461 **came forth, introduced himself, and generally asked that the Council approve his request**
462 **pertaining to these sign variances.**

463 **Councilmember White made a motion to approve the sign variance requests, as**
464 **presented (for both the number of signs and the size). Councilmember Lewis seconded**
465 **the motion, which passed unanimously of Council present (7 ayes to 0 nays).**

- 466 3. **SP2016-023** - Discuss and consider a request by Worth Williams of
467 Moore Worth Investments, LLC for the approval of a variance to the
468 natural stone requirements stipulated by the Unified Development Code
469 in conjunction with an approved site plan for a multi-tenant
470 commercial/retail building on a 1.56-acre tract of land being a portion of a
471 larger 6.1091-acre tract of land identified as Tract 8-4 of the J. H. B.
472 Jones Survey, Abstract No. 8-4, City of Rockwall, Rockwall County,
473 Texas, zoned Planned Development District 65 (PD-65) for General
474 Retail (GR) District land uses, situated within the North SH-205 Overlay
475 (N. SH-205 OV) District, located at the southwest corner of Quail Run
476 Road and N. Goliad Street [SH-205], and take any action necessary.

477 **Mr. Miller, City Planning Director, indicated that property is about six acres and is located**
478 **on the corner of Lakeshore and N. Goliad. It is approved, through a PD, for general retail**
479 **land uses. At the last P&Z Commission meeting, the P&Z approved a site plan for about**
480 **a 9,800 square foot, multi-tenant, commercial facility that will house three users (retail,**
481 **restaurant or medical office type businesses). The applicant is now requesting a**
482 **variance to the city's natural stone requirement, as what they are proposing to use falls**
483 **slightly short, percentage wise, of that which the city requires. This variance, if**
484 **approved, will require a ¾ majority vote of Council. The P&Z Commission has**
485 **recommended approval of this variance by a vote of 5-0 (with two commissioners being**
486 **absent).**

487
488 **Councilmember Lewis pointed out that the Architectural Review Board made some**
489 **recommendations. He asked if the P&Z took into account the comments of the ARB. Mr.**
490 **Miller generally indicated that, yes, those comments were taken into account, and the**
491 **applicant has agreed to those recommendations.**
492

493 After brief, additional comments, Councilman Lewis made a motion to approve SP2016-
494 023. Councilmember White seconded the motion, which passed unanimously of those
495 present (7 ayes to 0 nays).
496

497 4. Discuss and consider appointments to the City's Comprehensive Plan
498 Advisory Committee (CPAC), and take any action necessary.

499 Indication was given that the Council appointed 6 of the 7 needed members to this
500 Committee. Councilmember Hohenshelt then made a motion to appoint Dale Cherry to
501 serve on this committee. Councilmember White seconded the motion, which passed by
502 a vote of 7 ayes to 0 nays.
503

504 **XIV. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS,**
505 **FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**
506

- 507 1. Departmental Reports
508 Building Inspections Monthly Report - September 2016
509 Fire Dept. Monthly Reports - September 2016
510 Fire Dept. Report re: Texas Task Force 2 Update
511 Fire Marshal Division Report - September 2016
512 GIS Division Monthly Report - September 2016
513 Harbor PD Monthly Report - September 2016
514 Internal Operations Department Monthly Report - September 2016
515 Police Department Monthly Report - September 2016
516 Recreation Monthly Report - September 2016
517 Rockwall Animal Adoption Center Monthly Report - September 2016
518 Rockwall Meals on Wheels Senior Services 4th Quarter Report

519 2. City Manager's Report
520

521 City Manager Rick Crowley indicated that the Council has received the various reports,
522 and staff is prepared to answer any questions the Council may have. Councilmember
523 Lewis pointed out one of the reports, specifically the Texas Task Force 2 report
524 pertaining to the Fire Department, and asked the Chief to speak more about it. Fire Chief
525 Mark Poindexter commented on this report, indicating that the TTF2 team has been in
526 operation for several years. Currently, the City of Rockwall has one full time staff
527 member that serves and two part time staff members who serve. In addition, he himself
528 serves as a board member. He generally indicated that the team has recently received
529 national recognition for achieving a Type 1 certification for its Urban Search and Rescue
530 (USAR) Team. He pointed out that TTF2 is one of only 3 teams in the country to achieve
531 this national recognition and one of the first two to achieve a Type 1 certification, along
532 with Alabama. He pointed out that funding was cut during the last legislative session,
533 and more funding is needed in order for this resource to continue. He pointed out that
534 the City of Dallas will likely not put in the \$2.5 million that is "short" due to reductions in
535 state funding. Chief Poindexter shared some more details concerning the benefits of this
536 team to the entire state and to the North Texas area. Councilmember Lewis thanked
537 Chief Poindexter and that team for its hard work and for its recent recognition. He
538 pointed out that funding for this Team may be something that the city should consider
539 tackling as part of its "legislative agenda."
540

541
542

543 **XV. EXECUTIVE SESSION**

544
545 **THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS**
546 **THE FOLLOWING MATTERS AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT**
547 **CODE:**
548

- 549 1. Discussion regarding Interlocal Cooperative Agreement between STAR Transit and City
550 of Rockwall pursuant to Section §551.071 (Consultation with Attorney)
- 551 2. Discussion regarding possible amendments to City's International Fuel Gas and
552 International Residential Codes pursuant to Section §551.071 (Consultation with
553 Attorney)
- 554 3. Discussion regarding the lease of real property / land in the vicinity of the downtown
555 area pursuant to Section §551.072 (Real Property)
- 556 4. Discussion regarding (re)appointments to city regulatory boards, commissions, and
557 committees - Rockwall Economic Development Corporation (REDC) Board - pursuant to
558 Section 551.074 (personnel matters)

559 **XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

560
561 **Council did not reconvene in Executive Session following the conclusion of the public**
562 **meeting agenda.**

563
564 **XVII. ADJOURNMENT**

565
566 **The meeting was adjourned at 7:01 p.m. by Mayor Pruitt.**
567

568
569
570 **PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,**
571 **THIS 21st day of November, 2016.**

572
573
574 **ATTEST:**

Jim Pruitt, Mayor

575
576 _____
577 **Kristy Cole, City Secretary**

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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: November 10, 2016
SUBJECT: Purchase of 2017 Model Police Pursuit Chargers for Patrol

Three (3) Police Pursuit Sedans are approved in the General Fund, Police Patrol budget. The total budget for these vehicles is \$82,500. The Dodge Charger with pursuit package (PPV) is available from Love Field Chrysler Dodge through the Dallas County purchasing cooperative contract #000802913. The cost is \$25,736 each.

As a member and participant in the Dallas County cooperative program, the City has met all formal bidding requirements pertaining to the purchase of these new vehicles.

For Council consideration is the Charger PPV bid award to Love Field Chrysler Dodge for \$77,208 and authorize the City Manager to execute a purchase order for these new vehicles.

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City of Rockwall
The New Horizon

MEMORANDUM

TO: Richard Crowley, City Manager
FROM: Lea Ann Ewing, Purchasing Agent
DATE: November 9, 2016
SUBJECT: Emergency Repairs at Signal Ridge Lift Station

Staff contacted DFW Services to make emergency repairs at the Signal Ridge Lift Station. Following is an account of what transpired:

During a routine lift station inspection at Signal Ridge, the rails on the pump in slot #2 were found off the support brackets. The pump would run but had severe vibration when running. It was also discovered that the pump and pump base were tilted forward out of position. The pump had to be locked out and taken out of service until repaired. DFW Services was called to make emergency repairs to the station. DFW ordered a new pump base, rails and brackets to prepare for replacement when bypass pumping could be set up. To work on the pump base, it is necessary to bypass all flow coming to the wet well into the force main bypass piping. After setting up bypass pumping it was discovered that the existing pump base had come loose because the bolts holding it in place were broken. A three inch stainless steel spacer had to be manufactured to support the new base due to the height of the discharge piping. The previous base was supported but it somehow failed.

The repair work is complete and the total cost of the above mentioned repairs is \$30,403.64 which exceeds the City's competitive sealed bid threshold. Therefore; Local Government Code Chapter 252, Section 252.022. General Exceptions to the competitive bid process; Item (2) a procurement necessary to preserve or protect the public health or safety of the municipality's residents may be used to justify the emergency repairs made at the lift station.

For Council's consideration is the approval of this emergency repair and authorize the City Manager to execute a check to DFW Services in the amount of \$30,403.64.

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**CITY OF ROCKWALL
CITY COUNCIL MEMO**

AGENDA DATE: 11/21/2016

APPLICANT: Chase Finch, *Corwin Engineering, Inc.*

AGENDA ITEM: **P2016-045**; *Ridgecrest Subdivision*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of Ridgecrest SF, LTD. for the approval of a final plat for the Ridgecrest Subdivision creating 45 single-family residential lots on a 29.541-acre parcel of land being a portion of Lot 1 and all of Lot 2, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 81 (PD-81), located on the north side of Airport Road, west of the intersection of Airport Road and FM-3549, and take any action necessary.

PLAT INFORMATION:

- ☑ The Ridgecrest Subdivision will consist of 45 single-family lots on 29.541-acres of land. The development will incorporate a rural street cross-section and larger front yard setback (i.e 40-feet) to give the appearance of a rural neighborhood. The development will also incorporate 6-acres (i.e. 20%) of open space. The residential subdivision will be composed of 45 single-family lots on 29.541-acres of land. In conjunction with this final plat, the applicant has submitted a site plan [Case No. SP2016-024]. A summary of the proposed density and dimensional requirements is as follows:

| | |
|---|------------------|
| <i>Minimum Lot Width/Frontage</i> | <i>80'</i> |
| <i>Minimum Lot Depth</i> | <i>100'</i> |
| <i>Minimum Lot Area</i> | <i>15,000 SF</i> |
| <i>Minimum Front Yard Setback</i> | <i>40'</i> |
| <i>Minimum Side Yard Setback</i> | <i>5'</i> |
| <i>Minimum Side Yard Setback (Adjacent to a Street)</i> | <i>10'</i> |
| <i>Minimum Length of Driveway Pavement</i> | <i>20'</i> |
| <i>Maximum Height</i> | <i>36'</i> |
| <i>Minimum Rear Yard Setback</i> | <i>10'</i> |
| <i>Minimum Area/Dwelling Unit (SF)</i> | <i>1,800 SF</i> |
| <i>Maximum Lot Coverage</i> | <i>65%</i> |

- ☑ The proposed Final Plat conforms to the concept plan and development standards included in Planned Development 81 District (PD-81) approved by the City Council on May 16, 2016 under Case No. Z2016-014 [Ordinance No. 16-42] and to the Preliminary Plat approved by City Council on June 20, 2016 under Case No. P2016-029.
- ☑ On November 1, 2016 the Parks Board reviewed the *Final Plat* and made a recommendation to approve the plat with the following conditions:
 - 1) The developer is to pay the pro-rata equipment fees required in the amount of \$54,180 [i.e. 45 Lots @ \$1,204.00 Per Lot].
 - 2) The developer is to pay the cash-in-lieu of land fees required in the amount of \$41,985 [i.e. 45 Lots @ \$933.00 Per Lot].

- 3) The shade structure presented in the plan be changed to a play structure.
- 4) The six (6)-acre open space and drainage easement shall remain as HOA maintained and not accepted as a public park.

NOTE: This condition has been added to the conditions of approval below.

- The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for plats as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *final plat* for *Ridgecrest Subdivision* staff would recommend the following conditions:

- 1) The *final plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- 2) The development shall conform to the recommendations made by the Parks Board; and,
- 3) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On November 15, 2016, the Planning and Zoning Commission's motion to approve the final plat with staff conditions passed by a vote of 6 to 0 with Commissioner Lyons absent.

City of Rockwall
Project Plan Review History



| | | |
|---|-------------------------------|------------------------------|
| Project Number P2016-046 | Owner BH BALANCE I LLC | Applied 10/14/2016 LM |
| Project Name Breezy Hill Phase VII | Applicant | Approved |
| Type PLAT | | Closed |
| Subtype FINAL | | Expired |
| Status STAFF REVIEW | | Status 10/14/2016 LM |

| | | |
|--|--|---------------|
| Site Address BREEZY HILLS RD | City, State Zip ROCKWALL, TX 75087 | Zoning |
|--|--|---------------|

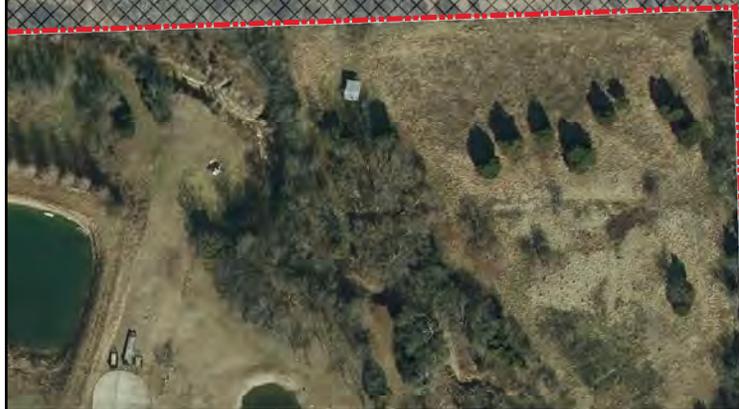
| | | | | | |
|--|----------------------|----------------------|-----------------------|--|---------------------|
| Subdivision BREEZY HILL PH 1 | Tract 7-10 | Block NULL | Lot No 7-10 | Parcel No 0187-0000-0007-10-OR | General Plan |
|--|----------------------|----------------------|-----------------------|--|---------------------|

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|--|-----------------|------------|------------|------------|---------|----------|--------------|
| BUILDING | John Shannon | 10/14/2016 | 10/21/2016 | 10/18/2016 | 4 | APPROVED | |
| ENGINEERING (10/18/2016 10:31 AM AW) See markups Remove 15' utility easement between lots 4 and 5 Need to show flood plain line with label that matches the cross-sections that are on the plat. | Amy Williams | 10/14/2016 | 10/21/2016 | 10/18/2016 | 4 | COMMENTS | See Comments |
| FIRE | Ariana Hargrove | 10/14/2016 | 10/21/2016 | | | | |
| GIS | Lance Singleton | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | APPROVED | |
| PLANNING | Korey Brooks | 10/14/2016 | 10/21/2016 | 10/21/2016 | 7 | COMMENTS | Comments |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed Status | Remarks |
|--|---------|------|-----|----------|----------------|---------|
| (10/21/2016 8:43 AM KB) | | | | | | |
| P2016-046 Breezy Hill Phase VII Please address the following comments (M= Mandatory Comments; I = Informational Comments). | | | | | | |
| I.1 Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a final plat for Breezy Hill, Phase VII creating 10 single-family residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take any action necessary. | | | | | | |
| I.2 For questions or comments concerning this case, please contact Korey Brooks in the Planning Department at (972) 772-6434 or email kbrooks@rockwall.com. | | | | | | |
| M.3 For reference, include the case number (P2016-046) in the lower right hand corner of all pages on future submittals. | | | | | | |
| M.4 Please add note "John King is indicated as a Principle 6-lane divided highway on the City's Master Thoroughfare Plan." | | | | | | |
| I.5 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested by November 1, 2016. The Park Board Meeting is November 1, 2016. The Planning & Zoning Worksession date for this case will be October 25, 2016. The Planning and Zoning Meeting for this case is November 15, 2016. | | | | | | |
| I.6 The City Council meeting date and subsequent approval for this plat is November 21, 2016. | | | | | | |



P2016-046- BREEZY HILL PHASE VII
FINAL PLAT - LOCATION MAP =



City of Rockwall

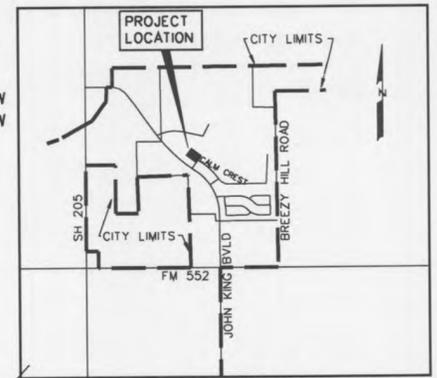
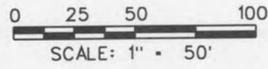
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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CURVE TABLE

| CURVE NO. | DELTA | RADIUS | LENGTH | TANGENT | CHORD | BEARING |
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| 1. | 03° 38' 23" | 4626.00' | 293.86' | 146.98' | 293.81' | N52° 03' 03" W |
| 2. | 57° 04' 08" | 60.00' | 317.23' | --- | 57.32' | S09° 55' 31" W |



LOCATION MAP
N.T.S.

| CITY OF ROCKWALL GRID SYSTEM COORDINATES | | |
|--|-------------|-------|
| X | Y | ELEV |
| 2596044.292 | 7043840.108 | 490.5 |

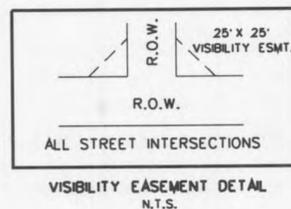
POINT OF BEGINNING

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|--|------------|-------|
| X | Y | ELEV |
| 2594992.88 | 7043874.36 | 504.0 |

$\Delta = 06^\circ 38' 02''$
 $R = 4940.00'$
 $T = 286.31'$
 $L = 571.98'$
 $C = 571.66'$
 $B = N50^\circ 34' 40'' W$

NOTES

- Bearing are referenced to 21.857 acre tract, as described in Clerks File No. 2012-467951, in the Deed Records of Rockwall County, Texas.
- All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
- 1/2" iron rods with "CORWIN ENGR. INC." caps set at all boundary corners, block corners, points of curvature, points of tangency, and angle points in public right-of-way unless otherwise noted.
- B.L. - Building Line.
U.E. - Utility Easements.
C.M. - Controlling Monument.
D.E. - Drainage Easement
V.A.M.S. - Visibility, Maintenance & Sidewalk Easement
H.O.A. - Homeowners Association
- All open spaces, drainage areas and other common areas shall be maintained by the Homeowners Association.
- No building permits will be issued until all public improvements are accepted by the City.



VISIBILITY EASEMENT DETAIL
N.T.S.

FINAL PLAT
 OF
**BREEZY HILL
 PHASE VII**
 10 LOTS, BEING 6.802 ACRES
 SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
 IN THE

CITY OF ROCKWALL
 ROCKWALL COUNTY, TEXAS
 PREPARED BY
CORWIN ENGINEERING, INC.

200 W. BELMONT, SUITE E
 ALLEN, TEXAS 75013
 972-396-1200

OWNER
BH PHASE VISF, LTD.
 8214 WESTCHESTER DRIVE, SUITE 710
 DALLAS, TEXAS 75225
 214-522-4945

JUNE 2016 SCALE 1" = 50'

CASE #P2016-XXX SHEET 1 OF 2

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner/s of the land shown on this plot, and designated herein as the BREEZY HILL PHASE VII, 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 BREEZY HILL PHASE VII, subdivision have been notified and signed this plot.

We understand and do hereby reserve the easement strips shown on this plot 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.

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

BH PHASE VI, SF, LTD.
a Texas limited partnership
By: BH PHASE VI, GP Corporation,
a Texas corporation, its General Partner

Richard M. Skorburg
President

Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, 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 _____, 2016.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this _____ day of _____, 2016.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: 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 plot by the City does not constitute any representation, assurance or guarantee that any building within such plot 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 plot, as required under Ordinance 83-54.

Recommended for Final Approval:

Planning & Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2016.

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

WITNESS OUR HANDS, this _____ day of _____, 2016.

Mayor, City of Rockwall

City Secretary

City Engineer

LEGAL DESCRIPTION

BEING, a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being out of Tract 2, as described in Clerks File No. 20130000498884 in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod found at the northwest corner Breezy Hill Phase I, an addition to the City of Rockwall, as described in Cob. H, Pgs. 375-376 in the Plat Records of Rockwall County, Texas and being the most easterly corner of said Tract 2;

THENCE, South 38° 38' 15" West, along the west line of said Breezy Hill Phase I, for a distance of 264.75 feet, to a 1/2 inch iron rod found;

THENCE, North 54° 02' 00" West, continuing along said west line, for a distance of 15.83 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 35° 45' 14" West, continuing along said west line, for a distance of 339.01 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc."; at the most westerly southwest corner of said Breezy Hill Phase I, being in the north line John King Boulevard (120' R.O.W.), being in a curve to the right, having a radius of 4940.00 feet, a central angle of 06° 38' 02", and a tangent of 286.31 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 571.98 feet (Chord Bearing North 50° 34' 40" West - 571.66 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc."; at the most southerly southwest corner of Breezy Hill Phase 4, an addition to the City of Rockwall, as described in Cob. I, Pgs. 155-156 in said Plat Records;

THENCE, North 40° 25' 33" East, departing said north line and along the south line of said Breezy Hill Phase 4, for a distance of 348.46 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 75° 18' 52" East, continuing along said south line, for a distance of 29.78 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 89° 29' 27" East, continuing along said south line, for a distance of 156.65 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88° 32' 31" East, continuing along said south line, for a distance of 191.34 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 54° 20' 06" East, continuing along said south line, for a distance of 264.77 feet, to the POINT OF BEGINNING and containing 6.802 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the plotting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this _____ day of _____, 2016.

THE STATE OF TEXAS
COUNTY OF COLLIN

WARREN L. CORWIN
R.P.L.S. No. 4621

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2016.

Notary Public in and for the State of Texas

FINAL PLAT
OF
**BREEZY HILL
PHASE VII**
10 LOTS, BEING 6.802 ACRES
SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
**CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS**
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
OWNER
BH PHASE VI SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945
JUNE 2016

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**CITY OF ROCKWALL
CITY COUNCIL MEMO**

AGENDA DATE: 11/21/2016

APPLICANT: Chase Finch; *Corwin Engineering, Inc.*

AGENDA ITEM: **P2016-046**; *Breezy Hill, Phase VII*

SUMMARY:

Discuss and consider a request by Chase Finch of Corwin Engineering, Inc. on behalf of John Arnold of BH Balance I LLC for the approval of a final plat for Breezy Hill, Phase VII creating 10 single-family residential lots on 6.802-acres of land identified as Tract 7-10 of the J. Strickland Survey, Abstract No. 187, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 74 (PD-74) for Single Family 10 (SF-10) District land uses, situated within the 205 By-Pass Corridor Overlay (205 BY-OV) District, located at the northeast corner of N. John King Boulevard and Cozy View Drive, and take any action necessary.

PLAT INFORMATION:

- The Breezy Hill Subdivision is a master planned community that will provide approximately 405-acres of residential and commercial development. The residential subdivision will be composed of 776 single-family lots on ~385-acres of land, and to be broken down per the lot mix indicated in Planned Development District 74 (PD-74). The lot mix in this Planned Development District is as follows.

| <i>Lot Types</i> | <i>A</i> | <i>B</i> | <i>C</i> | <i>D</i> | <i>E</i> |
|------------------------------------|----------|----------|----------|----------|----------|
| <i>Typical Lot Frontage (Feet)</i> | 60 | 70 | 80 | 100 | 60 |
| <i>Typical Lot Depth (Feet)</i> | 120 | 120 | 125 | 200 | 120 |
| <i>Minimum Lot Size (Sq. Ft.)</i> | 7,200 | 8,400 | 10,000 | 20,000 | 7,200 |
| <i>Number of Units</i> | 186 | 117 | 326 | 107 | 40 |
| <i>Dwelling Unit %</i> | 23.97% | 15.08% | 42.01% | 13.79% | 5.15% |

- The purpose of this request is to *final plat* Phase VII of the Breezy Hill Subdivision for the purpose of laying out ten (10) of the 776 lots. The ten (10) proposed lots will be constructed to the Type "D" standards (*all standards are displayed in the above table*) and be situated on approximately 6.802 acres. All of the lots will be subject to PD-74 District and the 205 By-Pass Overlay (205 BY-OV) District Standards.
- The proposed *final plat* generally conforms to the revised concept plan approved by the City Council on July 7, 2014 under *Case No. Z2014-007* [Ordinance No 14-26].
- On November 1, 2016 the Parks Board reviewed the *Final Plat* and made a recommendation to approve the plat with the following conditions:
 - 1) The developer is to pay the pro-rata equipment fees required in the amount of \$2,105 [i.e. 10 Lots @ \$215.00 Per Lot].
 - 2) The developer shall continue the ten (10)-foot concrete trail portion that is adjacent to John King Blvd. within Phase VII.

- ☑ The Surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for *Final Plats* as stated in 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 *final plat* by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS

If the Planning & Zoning Commission and City Council choose to approve the Final Plat for Breezy Hill Phase VII, staff would recommend the following conditions of approval:

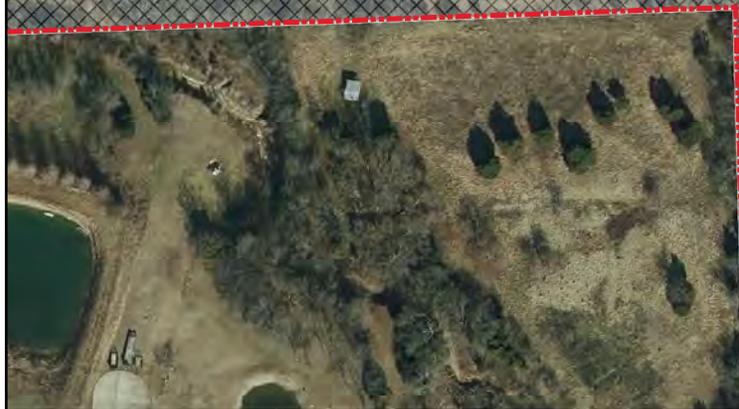
- 1) The Final Plat shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- 2) The development shall adhere to the recommendations of the Park Board as noted in this report;
- 3) The development will need to have an approved *site plan* before any building permits will be released; and,
- 4) Any construction resulting from the approval of this Final Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On November 15, 2016, the Planning and Zoning Commission's motion to approve the final plat with staff conditions passed by a vote of 6 to 0 with Commissioner Lyons absent.



P2016-046- BREEZY HILL PHASE VII
FINAL PLAT - LOCATION MAP =



City of Rockwall

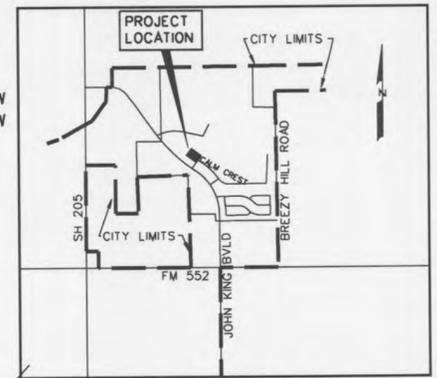
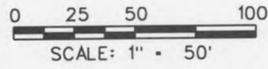
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LOCATION MAP
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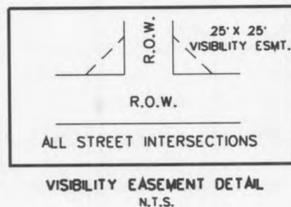
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 OF
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 PHASE VII**
 10 LOTS, BEING 6.802 ACRES
 SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
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 214-522-4945
 JUNE 2016 SCALE 1" = 50'
CASE #P2016-XXX SHEET 1 OF 2

OWNER'S CERTIFICATE

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner/s of the land shown on this plot, and designated herein as the BREEZY HILL PHASE VII, 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 BREEZY HILL PHASE VII, subdivision have been notified and signed this plot.

We understand and do hereby reserve the easement strips shown on this plot 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.

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

BH PHASE VI, SF, LTD.
a Texas limited partnership
By: BH PHASE VI, GP Corporation,
a Texas corporation, its General Partner

Richard M. Skorburg
President

Mortgage or Lien Interest

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared RICHARD M. SKORBURG, 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 _____, 2016.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this _____ day of _____, 2016.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: 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 plot by the City does not constitute any representation, assurance or guarantee that any building within such plot 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 plot, as required under Ordinance 83-54.

Recommended for Final Approval:

Planning & Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the _____ day of _____, 2016.

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

WITNESS OUR HANDS, this _____ day of _____, 2016.

Mayor, City of Rockwall

City Secretary

City Engineer

LEGAL DESCRIPTION

BEING, a tract of land situated in the J. Strickland Survey, Abstract No. 187 in the City of Rockwall, Rockwall County, Texas, being out of Tract 2, as described in Clerks File No. 20130000498884 in the Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING, at a 1/2 inch iron rod found at the northwest corner Breezy Hill Phase I, an addition to the City of Rockwall, as described in Cob. H, Pgs. 375-376 in the Plat Records of Rockwall County, Texas and being the most easterly corner of said Tract 2;

THENCE, South 38° 38' 15" West, along the west line of said Breezy Hill Phase I, for a distance of 264.75 feet, to a 1/2 inch iron rod found;

THENCE, North 54° 02' 00" West, continuing along said west line, for a distance of 15.83 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 35° 45' 14" West, continuing along said west line, for a distance of 339.01 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc."; at the most westerly southwest corner of said Breezy Hill Phase I, being in the north line John King Boulevard (120' R.O.W.), being in a curve to the right, having a radius of 4940.00 feet, a central angle of 06° 38' 02", and a tangent of 286.31 feet;

THENCE, continuing along said north line and with said curve to the right for an arc distance of 571.98 feet (Chord Bearing North 50° 34' 40" West - 571.66 feet), to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc."; at the most southerly southwest corner of Breezy Hill Phase 4, an addition to the City of Rockwall, as described in Cob. I, Pgs. 155-156 in said Plat Records;

THENCE, North 40° 25' 33" East, departing said north line and along the south line of said Breezy Hill Phase 4, for a distance of 348.46 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 75° 18' 52" East, continuing along said south line, for a distance of 29.78 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 89° 29' 27" East, continuing along said south line, for a distance of 156.65 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, North 88° 32' 31" East, continuing along said south line, for a distance of 191.34 feet, to a 1/2 inch iron rod set with a yellow cap stamped "Corwin Eng. Inc.";

THENCE, South 54° 20' 06" East, continuing along said south line, for a distance of 264.77 feet, to the POINT OF BEGINNING and containing 6.802 acres of land.

SURVEYOR CERTIFICATE

I, WARREN L. CORWIN, do hereby certify that the plat shown hereon accurately represents the results of an on-the-ground survey made under my direction and supervision and all corners are as shown thereon and there are no encroachments, conflicts, protrusions or visible utilities on the ground except as shown and said plat has been prepared in accordance with the plotting rules and regulations of the City Plan Commission of the City of Rockwall, Texas.

DATED the this _____ day of _____, 2016.

THE STATE OF TEXAS
COUNTY OF COLLIN

WARREN L. CORWIN
R.P.L.S. No. 4621

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2016.

Notary Public in and for the State of Texas

FINAL PLAT
OF
**BREEZY HILL
PHASE VII**
10 LOTS, BEING 6.802 ACRES
SITUATED IN THE
J. STRICKLAND SURVEY, ABSTRACT NO. 187
IN THE
**CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS**
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200
OWNER
BH PHASE VI SF, LTD.
8214 WESTCHESTER DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945
JUNE 2016

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**CITY OF ROCKWALL
CITY COUNCIL MEMO**

AGENDA DATE: 11/21/2015

APPLICANT: Christopher Orr, *Arcadia Lakes of Somerset Holdings, LLC*

AGENDA ITEM: **P2016-047**; *Somerset Park Subdivision*

SUMMARY:

Discuss and consider a request by Christopher Orr of Arcadia Lakes of Somerset Holdings, LLC for the approval of a final plat for Phase 1 of the Somerset Park Subdivision, containing 144 single-family residential lots on a 56.276-acre tract of land being a portion of a larger 139.354-acre tract of land identified as Tracts 1 & 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single Family 10 (SF-10) District land uses, situated within the SH-205 Overlay (SH-205 OV) District, located at the northeast corner of the Intersection of FM-549 and S. Goliad Street (SH-205), and take any action necessary.

PLAT INFORMATION:

- ☑ The Somerset Park Subdivision is a two (2) phase, master planned community that will be composed of 309 single-family, residential lots on approximately 139.354-acres land. The 309 single-family lots will be broken down into three (3) lot types with 93 lots being allocated to the 7,200 SF lot type, 135 lots being allocated to the 8,400 SF lot type, and 81 lots being allocated to the 10,400 SF lot type. Additionally, the plan will consist of 38.7-acres of open space (*or ~27.05% of total land area*). A summary of the proposed density and dimensional requirements is as follows:

Table 1: Density and Dimensional Requirements

| | A | B | C |
|--|----------|----------|-----------|
| <i>Minimum Lot Width</i> ⁽¹⁾ | 60' | 70' | 80' |
| <i>Minimum Lot Depth</i> | 120' | 120' | 130' |
| <i>Minimum Lot Area</i> | 7,200 SF | 8,400 SF | 10,400 SF |
| <i>Minimum Front Yard Setback</i> ^{(2) & (5)} | 20' | 20' | 20' |
| <i>Minimum Side Yard Setback</i> | 5' | 5' | 5' |
| <i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)} | 10' | 10' | 10' |
| <i>Minimum Length of Driveway Pavement</i> | 25' | 25' | 25' |
| <i>Maximum Height</i> ⁽³⁾ | 30' | 30' | 30' |
| <i>Minimum Rear Yard Setback</i> ⁽⁴⁾ | 20' | 20' | 20' |
| <i>Minimum Area/Dwelling Unit (SF)</i> | 2,200 SF | 2,700 SF | 3,200 SF |
| <i>Maximum Lot Coverage</i> | 65% | 65% | 65% |
| <i>Permitted Encroachment into Required Setbacks</i> ⁽⁵⁾ | Allowed | Allowed | Allowed |

General 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: The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
- ⁴: As measured from the rear yard 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* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-

of-way [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] (see *Exhibit 'F' of the Ordinance*).

- ☑ The purpose of this request is to *final plat* 144 of the 309 single-family, residential lots and 5.998-acres of private park and open space. The lot mix for the proposed 144 lots is as follows:

Table 2: Lot Composition

| <i>Lot Type</i> | <i>Minimum Lot Size (FT)</i> | <i>Minimum Lot Size (SF)</i> | <i>Dwelling Units (#)</i> | <i>Dwelling Units (%)</i> |
|--------------------|------------------------------|------------------------------|---------------------------|---------------------------|
| A | 60' x 120' | 7,200 SF | 40 | 27.8% |
| B | 70' x 120' | 8,400 SF | 58 | 40.3% |
| C | 80' x 130' | 10,400 SF | 46 | 31.9% |
| <i>Total Lots:</i> | | | 144 | 100.00% |

- ☑ The *final plat* conforms to Planned Development District 63 (PD-63) [*Ordinance No. 14-49*], which was approved by the City Council on November 17, 2014 under *Case No. Z2014-025*.
- ☑ The Surveyor/Engineer has completed the majority of the technical revisions requested by staff, and this *final plat*, conforming to the requirements for *Final Plats* as stated in the *Subdivision Ordinance* in the *Municipal Code of Ordinances*, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Recommendation* section below.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the *final plat* for the *Somerset Park Subdivision* staff would recommend the following conditions of approval:

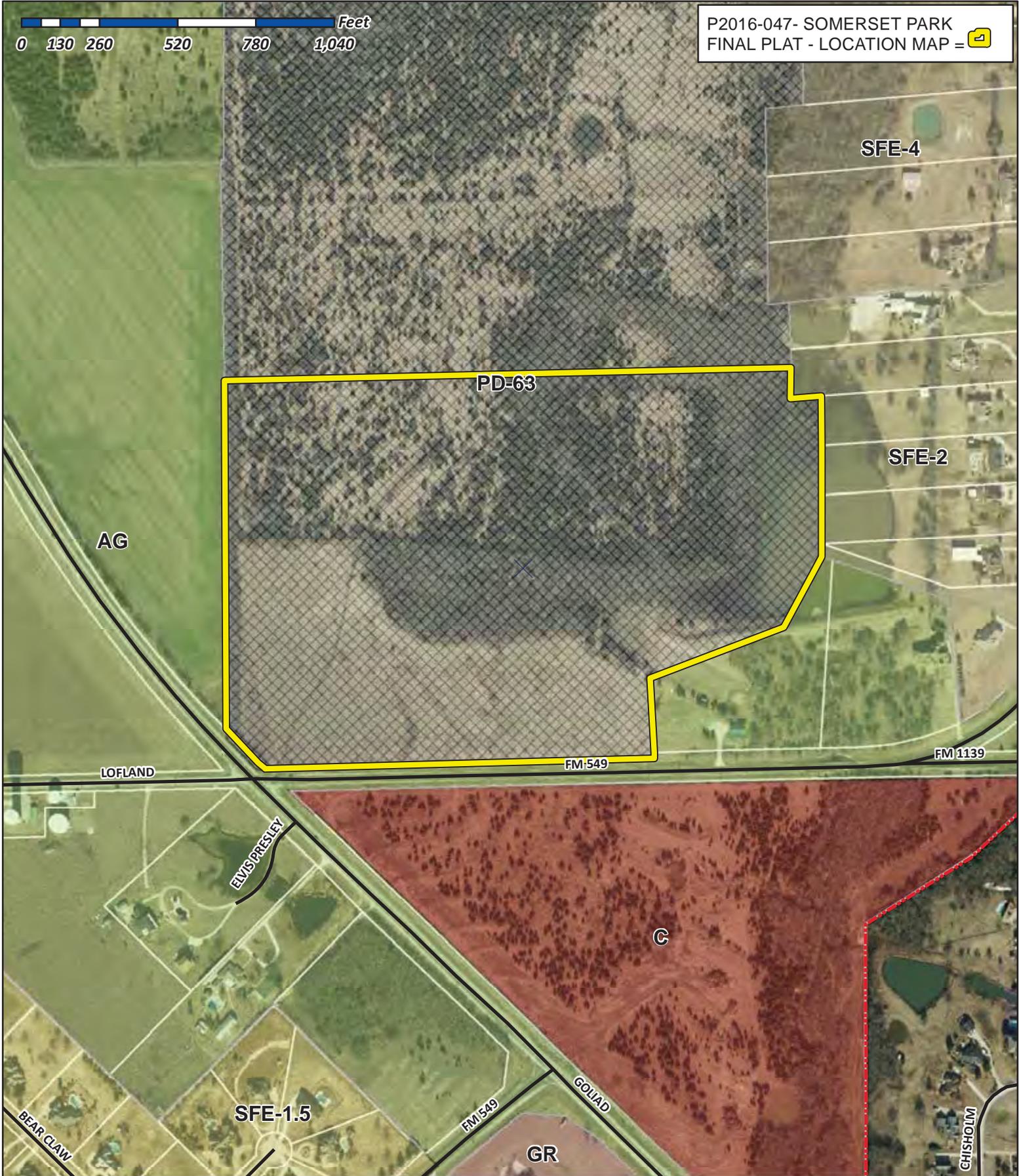
- 1) The *final plat* shall conform to all requirements stipulated by the Planning, Engineering and Fire Departments;
- 2) The site plan will be required to go to the Park Board.
- 3) Any construction resulting from the approval of this *final plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On November 15, 2016, the Planning and Zoning Commission's motion to approve the final plat with staff conditions passed by a vote of 6 to 0 with Commissioner Lyons absent.

0 130 260 520 780 1,040 Feet

P2016-047- SOMERSET PARK
FINAL PLAT - LOCATION MAP = 



City of Rockwall

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

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



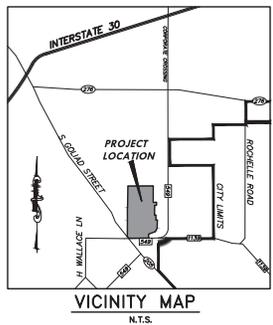


- LEGEND**
- IRF = Iron rod found
 - C.M. = Controlling monument
 - (TYP.) = Typical
 - W/ = With
 - B.L. = Building Line
 - H.O.A. = Homeowners Association
 - D.E. = Drainage Easement
 - U.E. = Utility Easement
 - S.S.E. = Sanitary Sewer Easement
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N.L. LOFLAND &
ANNIE LOFLAND
VOL. 28, PG. 487
D.R.R.C.T.

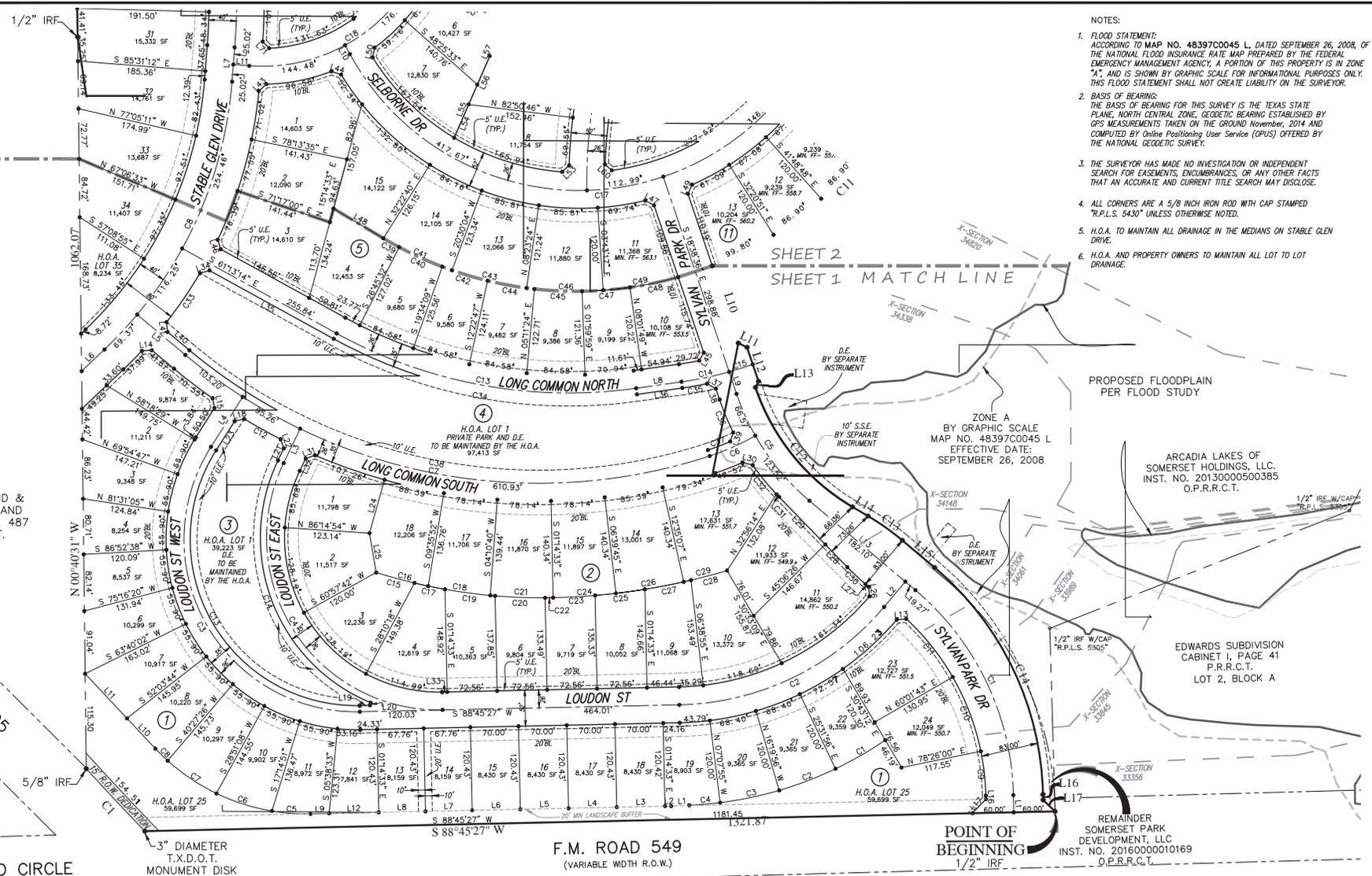
S.H. NO. 205
(100' R.O.W.)

LOFLAND CIRCLE



| GROSS SECTION NUMBER | WATER SURFACE ELEVATION |
|----------------------|-------------------------|
| 33356 | 524.48 |
| 33945 | 537.40 |
| 33989 | 541.16 |
| 34061 | 541.84 |
| 34148 | 541.90 |
| 34338 | 541.94 |
| 34820 | 541.96 |
| 35001 | 541.96 |
| 35237 | 541.96 |
| 35586 | 541.96 |
| 35598 | 541.96 |
| 35775 | 541.97 |
| 35973 | 541.98 |
| 36275 | 541.99 |
| 36687 | 542.06 |
| 37190 | 542.36 |
| 37549 | 543.09 |
| 37791 | 544.75 |
| 38048 | 546.84 |

| LAND USE SUMMARY | |
|----------------------------|---------------------|
| 144 RESIDENTIAL LOTS | 35.633 ACRES |
| 1 PRIVATE H.O.A. PARK | 2.236 ACRES |
| 7 H.O.A. LOTS (OPEN SPACE) | 3.762 ACRES |
| RIGHT-OF-WAY | 14.748 ACRES |
| RIGHT-OF-WAY DEDICATION | 0.048 ACRES |
| TOTAL: 152 LOTS | 56.427 ACRES |



- NOTES:**
- FLOOD STATEMENT: ACCORDING TO MAP NO. 48397C0045 L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, A PORTION OF THIS PROPERTY IS IN ZONE "A", AND IS SHOWN BY GRAPHIC SCALE FOR INFORMATIONAL PURPOSES ONLY. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE SURVEYOR.
 - BASIS OF BEARING: THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE, GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND November, 2014 AND COMPUTED BY Online Positioning User Service (OPUS) OFFERED BY THE NATIONAL GEODETIC SURVEY.
 - THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 - ALL CORNERS ARE A 5/8 INCH IRON ROD WITH CAP STAMPED "R.P.L.S. 5430" UNLESS OTHERWISE NOTED.
 - H.O.A. TO MAINTAIN ALL DRAINAGE IN THE MEDIANS ON STABLE GLEN DRIVE.
 - H.O.A. AND PROPERTY OWNERS TO MAINTAIN ALL LOT TO LOT DRAINAGE.

POINT OF BEGINNING
1/2" IRF

REMAINDER SOMERSET PARK DEVELOPMENT, LLC
INST. NO. 20160000010169
O.P.R.R.C.T.

**FINAL PLAT
SOMERSET PARK**

BLOCK 1, LOTS 1-25, BLOCK 2, LOTS 1-18, BLOCK 3, LOT 1, BLOCK 4, LOT 1, BLOCK 5, LOTS 1-15, BLOCK 6, LOTS 15-35, BLOCK 7, LOTS 1-18, BLOCK 8, LOTS 1-18, BLOCK 9, LOTS 1-16, BLOCK 10, LOTS 1-2 & 5-15, BLOCK 11, LOTS 9-13, AND BLOCK 12, LOT 1

BEING 56.427 ACRES SITUATED IN THE
A. JOHNSON SURVEY, ABSTRACT NUMBER 123
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

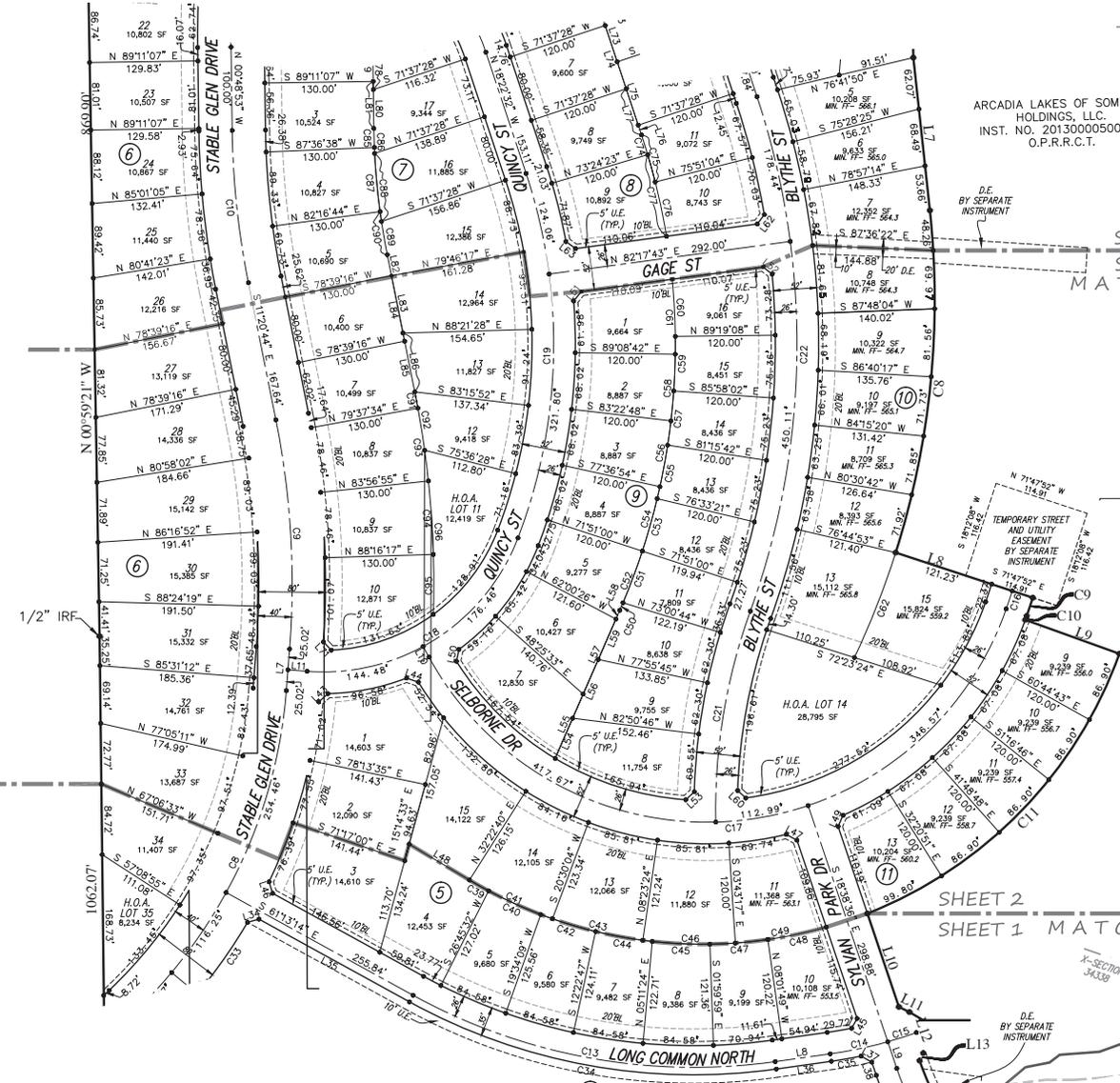
| | | | | |
|---|--|---|--|--|
| <p>SURVEYOR: MADDOX SURVEYING & MAPPING INC. P.O. BOX 2109 FORNEY, TEXAS 75126 (972) 564-4416 CONTACT: JAY MADDOX Firm Registration No. 10013200</p> | <p>OWNER: SOMERSET PARK DEVELOPMENT, LLC & ARCADIA LAKES OF SOMERSET HOLDINGS LLC 3500 MAPLE AVENUE, SUITE 1165 DALLAS, TEXAS 75219 (214) 724-9281 CONTACT: CHRISTOPHER ORR 1"=100'</p> | <p>ENGINEER: TEAGUE NALL AND PERKINS, INC. 5237 N. RIVERSIDE DRIVE, SUITE 100 FORT WORTH, TEXAS 76137 (817) 336-5773 CONTACT: SCOTT WILHELM, P.E. TPE Registration No. F-230</p> | | |
| | | | | |
| | | | | |
| | | | | |



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N.L. LOFLAND &
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1/2" IRF



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X-SECTION 35973
X-SECTION 35975
X-SECTION 35989
X-SECTION 35986

X-SECTION 35237
X-SECTION 35931
X-SECTION 34682
X-SECTION 34338

ZONE A
BY GRAPHIC SCALE
MAP NO. 48397C0045 L
EFFECTIVE DATE:
SEPTEMBER 26, 2008

PROPOSED FLOODPLAIN
PER FLOOD STUDY

FINAL PLAT SOMERSET PARK

BLOCK 1, LOTS 1-25, BLOCK 2, LOTS 1-18, BLOCK 3, LOT 1,
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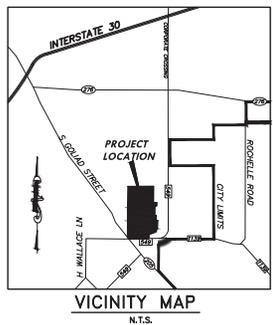
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CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



SURVEYOR:
MADDOX SURVEYING & MAPPING INC.
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416
CONTACT: JAY MADDOX
Firm Registration No. 10013200

OWNER:
SOMERSET PARK DEVELOPMENT, LLC &
ARCADIA LAKES OF SOMERSET
HOLDINGS LLC.
3500 MAPLE AVENUE, SUITE 1165
DALLAS, TEXAS 75219
(214) 724-9281
CONTACT: CHRISTOPHER ORR

ENGINEER:
TEAGUE NALL AND PERKINS, INC.
5237 N. RIVERSIDE DRIVE, SUITE 100
FORT WORTH, TEXAS 76137
(817) 336-5773
CONTACT: SCOTT WILHELM, P.E.
L.P.E. Registration No. F-230



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H.O.A. LOT 1
PRIVATE PARK AND D.E.
TO BE MAINTAINED BY THE H.O.A.
97.413 SF



LEGEND

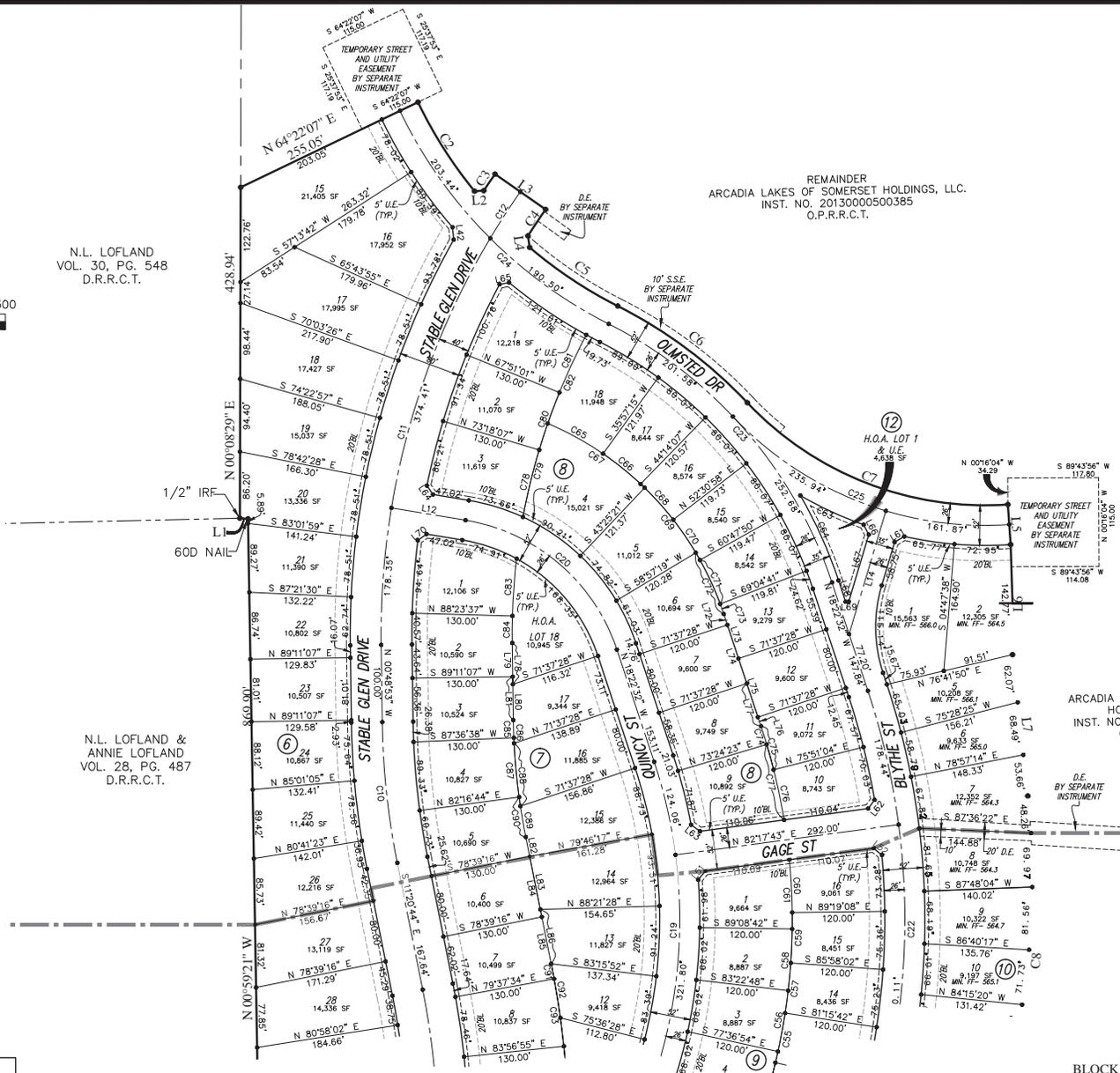
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N.L. LOFLAND &
ANNIE LOFLAND
VOL. 28, PG. 487
D.R.R.C.T.

REMAINDER
ARCADIA LAKES OF SOMERSET HOLDINGS, LLC.
INST. NO. 20130000500385
O.P.R.R.C.T.

ARCADIA LAKES OF SOMERSET
HOLDINGS, LLC.
INST. NO. 20130000500385
O.P.R.R.C.T.



- NOTES:**
1. FLOOD STATEMENT:
ACCORDING TO MAP NO. 48397C0045 L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, A PORTION OF THIS PROPERTY IS IN ZONE "A", AND IS SHOWN BY GRAPHIC SCALE FOR INFORMATIONAL PURPOSES ONLY. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE SURVEYOR.
 2. BASIS OF BEARING:
THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS STATE PLANE, NORTH CENTRAL ZONE, GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS TAKEN ON THE GROUND November, 2014 AND COMPUTED BY Online Positioning User Service (OPUS) OFFERED BY THE NATIONAL GEODETIC SURVEY.
 3. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 4. ALL CORNERS ARE A 5/8 INCH IRON ROD WITH CAP STAMPED "R.P.L.S. 5430" UNLESS OTHERWISE NOTED.
 5. H.O.A. TO MAINTAIN ALL DRAINAGE IN THE MEDIANS ON STABLE GLEN DRIVE.
 6. H.O.A. AND PROPERTY OWNERS TO MAINTAIN ALL LOT TO LOT DRAINAGE.

ZONE A
BY GRAPHIC SCALE
MAP NO. 48397C0045 L
EFFECTIVE DATE:
SEPTEMBER 26, 2008

PROPOSED FLOODPLAIN
PER FLOOD
STUDY

SHEET 3
SHEET 2
MATCH LINE

**FINAL PLAT
SOMERSET PARK**

BLOCK 1, LOTS 1-25, BLOCK 2, LOTS 1-18, BLOCK 3, LOT 1,
BLOCK 4, LOT 1, BLOCK 5, LOTS 1-15, BLOCK 6, LOTS 15-35,
BLOCK 7, LOTS 1-18, BLOCK 8, LOTS 1-18, BLOCK 9, LOTS
1-16, BLOCK 10, LOTS 1-2 & 5-15, BLOCK 11, LOTS 9-13, AND
BLOCK 12, LOT 1

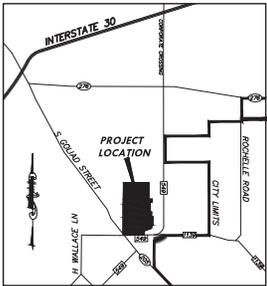
BEING 56.427 ACRES SITUATED IN THE
A. JOHNSON SURVEY, ABSTRACT NUMBER 123
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



SURVEYOR:
MADDOX SURVEYING & MAPPING INC.
P.O. BOX 2109
FORNEY, TEXAS 75126
(972) 564-4416
CONTACT: JAY MADDOX
Firm Registration No. 10013200

OWNER:
SOMERSET PARK DEVELOPMENT, LLC
& ARCADIA LAKES OF SOMERSET
HOLDINGS LLC
3500 MAPLE AVENUE, SUITE 1165
DALLAS, TEXAS 75219
(214) 724-9281
CONTACT: CHRISTOPHER ORR

ENGINEER:
TEAGUE NALL AND PERKINS, INC.
5237 N. RIVERSIDE DRIVE, SUITE 100
FORT WORTH, TEXAS 76137
(817) 336-5773
CONTACT: SCOTT WILHELM, P.E.
TPE Registration No. F-230



VICINITY MAP
N.T.S.

| CROSS SECTION NUMBER | WATER SURFACE ELEVATION |
|----------------------|-------------------------|
| 33356 | 524.48 |
| 33845 | 537.40 |
| 33989 | 541.16 |
| 34061 | 541.84 |
| 34168 | 541.90 |
| 34338 | 541.94 |
| 34820 | 541.96 |
| 35031 | 541.96 |
| 35237 | 541.96 |
| 35586 | 541.96 |
| 35598 | 541.96 |
| 35775 | 541.97 |
| 35973 | 541.98 |
| 36275 | 541.99 |
| 36827 | 542.06 |
| 37192 | 542.36 |
| 37549 | 543.09 |
| 37791 | 544.75 |
| 38048 | 546.84 |

| LAND USE SUMMARY | |
|----------------------------|---------------------|
| 144 RESIDENTIAL LOTS | 35.633 ACRES |
| 1 PRIVATE H.O.A. PARK | 2.236 ACRES |
| 7 H.O.A. LOTS (OPEN SPACE) | 3.762 ACRES |
| RIGHT-OF-WAY | 14.748 ACRES |
| RIGHT-OF-WAY DEDICATION | 0.048 ACRES |
| TOTAL: 152 LOTS | 56.427 ACRES |

| LOT CURVE TABLE | | | | | |
|-----------------|---------|-------------|------------|---------------|--------------|
| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
| C1 | 546.00 | 83.44 | 83.42 | N 60'35"27" E | 83.34 |
| C2 | 546.00 | 91'20"00" | 87.67 | N 80'04"04" E | 87.58 |
| C3 | 546.00 | 91'20"00" | 87.67 | N 78'16'05" E | 87.58 |
| C4 | 546.00 | 44'32"11" | 45.00 | N 85'13'46" E | 44.99 |
| C5 | 300.00 | 10'44'00" | 56.20 | S 85'52'33" E | 56.12 |
| C6 | 300.00 | 16'12'41" | 84.88 | S 72'24'12" E | 84.60 |
| C7 | 300.00 | 16'19'12" | 85.45 | S 56'08'16" E | 85.16 |
| C8 | 300.00 | 16'19'12" | 85.45 | S 45'34'34" E | 85.14 |
| C9 | 360.00 | 10'19'27" | 64.87 | N 06'24'16" W | 64.78 |
| C10 | 360.00 | 18'24'18" | 115.64 | N 20'46'09" W | 115.15 |
| C11 | 360.00 | 17'14'59" | 108.38 | N 38'35'47" W | 107.97 |
| C12 | 826.00 | 4'11'12" | 60.36 | S 60'55'20" E | 60.34 |
| C13 | 241.00 | 13'34'53" | 520.44 | S 29'22'36" E | 425.05 |
| C14 | 259.00 | 9'30'47" | 421.13 | S 20'54'54" E | 376.25 |
| C15 | 800.10 | 4'08'14" | 57.77 | S 74'38'33" E | 57.76 |
| C16 | 800.10 | 5'35'20" | 78.05 | S 75'22'06" E | 78.02 |
| C17 | 800.10 | 3'14'45" | 45.10 | S 78'19'33" E | 45.09 |
| C18 | 800.10 | 6'32'06" | 91.26 | S 81'25'49" E | 91.21 |
| C19 | 800.10 | 5'15'29" | 73.43 | S 82'34'10" E | 73.40 |
| C20 | 800.10 | 5'12'26" | 72.71 | S 87'48'07" E | 72.69 |
| C21 | 800.10 | 6'32'40" | 91.39 | S 87'58'12" E | 91.34 |
| C22 | 800.10 | 0'50'12" | 11.69 | N 89'10'34" E | 11.69 |
| C23 | 966.34 | 3'36'42" | 60.91 | N 86'57'06" E | 60.90 |
| C24 | 966.34 | 5'25'12" | 91.41 | N 86'02'51" E | 91.35 |
| C25 | 966.34 | 4'19'30" | 72.95 | N 82'59'00" E | 72.93 |
| C26 | 966.34 | 5'59'23" | 99.89 | N 80'22'34" E | 99.85 |
| C27 | 966.34 | 4'02'50" | 68.28 | N 78'47'50" E | 68.24 |
| C28 | 966.34 | 3'12'29" | 54.10 | N 75'10'11" E | 54.10 |
| C29 | 966.34 | 3'50'57" | 64.92 | N 75'29'25" E | 64.90 |
| C30 | 361.00 | 5'40'15" | 35.73 | S 47'02'16" E | 35.72 |
| C31 | 376.00 | 0'50'50" | 5.56 | S 43'46'44" E | 5.56 |
| C32 | 376.00 | 8'19'27" | 54.63 | S 39'11'35" E | 54.58 |
| C33 | 640.00 | 7'41'55" | 85.99 | N 34'19'47" E | 85.93 |
| C34 | 709.00 | 36'48'34" | 455.49 | S 79'37'31" E | 447.70 |
| C35 | 535.00 | 3'52'43" | 36.22 | N 80'01'51" E | 36.21 |
| C36 | 376.00 | 7'52'51" | 51.72 | S 22'41'14" E | 51.68 |
| C37 | 341.00 | 5'50'06" | 34.73 | N 68'59'39" E | 34.71 |
| C38 | 791.00 | 9'28'07" | 800.23 | S 79'06'13" E | 766.59 |
| C39 | 547.21 | 2'45'36" | 26.36 | S 60'38'19" E | 26.36 |
| C40 | 547.21 | 7'11'53" | 68.74 | S 65'37'04" E | 68.70 |
| C41 | 547.21 | 11'31'21" | 110.05 | S 65'01'11" E | 109.86 |
| C42 | 547.21 | 7'13'01" | 68.93 | S 72'49'30" E | 68.88 |
| C43 | 547.21 | 11'41'31" | 111.66 | S 76'37'37" E | 111.47 |
| C44 | 547.21 | 7'14'09" | 69.10 | S 80'03'05" E | 69.06 |
| C45 | 547.21 | 7'15'13" | 69.28 | S 87'17'46" E | 69.23 |
| C46 | 547.21 | 11'39'13" | 111.30 | S 88'17'59" E | 111.11 |
| C47 | 547.21 | 7'18'47" | 69.84 | N 85'25'14" E | 69.80 |
| C48 | 547.21 | 7'30'19" | 71.68 | N 78'00'40" E | 71.63 |
| C49 | 547.21 | 11'36'54" | 110.93 | N 80'03'58" E | 110.74 |
| C50 | 796.00 | 2'41'56" | 9.71 | N 23'15'38" E | 9.71 |
| C51 | 796.00 | 4'45'40" | 66.15 | N 20'31'50" E | 66.13 |
| C52 | 796.00 | 5'27'36" | 75.85 | N 20'52'48" E | 75.83 |
| C53 | 796.00 | 4'42'21" | 65.38 | N 15'47'49" E | 65.36 |
| C54 | 796.00 | 5'45'54" | 80.09 | N 15'16'03" E | 80.06 |
| C55 | 796.00 | 4'42'21" | 65.38 | N 11'05'29" E | 65.36 |
| C56 | 796.00 | 3'45'04" | 60.09 | N 09'30'09" E | 60.06 |
| C57 | 796.00 | 4'42'21" | 65.38 | N 06'23'08" E | 65.36 |
| C58 | 796.00 | 5'45'54" | 80.09 | N 03'44'15" E | 80.06 |
| C59 | 796.00 | 4'42'50" | 65.49 | N 01'40'33" E | 65.47 |
| C60 | 796.00 | 4'56'08" | 68.57 | N 03'08'56" W | 68.55 |
| C61 | 796.00 | 8'28'19" | 89.91 | N 02'22'51" W | 89.86 |
| C62 | 1000.00 | 7'45'31" | 135.41 | N 21'29'22" E | 135.31 |
| C63 | 478.00 | 10'54'33" | 90.63 | S 65'42'50" E | 90.49 |
| C64 | 589.00 | 11'45'11" | 120.82 | N 24'15'08" W | 120.61 |
| C65 | 407.88 | 11'30'43" | 81.95 | N 61'20'23" W | 81.82 |
| C66 | 407.88 | 8'47'19" | 62.56 | N 51'11'22" W | 62.50 |
| C67 | 407.88 | 2'11'26" | 151.68 | N 56'26'32" W | 150.81 |
| C68 | 407.88 | 8'46'36" | 62.72 | N 42'23'25" W | 62.66 |
| C69 | 407.88 | 15'06'36" | 107.47 | N 38'14'01" W | 107.26 |
| C70 | 407.88 | 8'49'13" | 62.79 | N 33'34'30" W | 62.73 |
| C71 | 407.88 | 8'49'10" | 62.79 | N 24'45'18" W | 62.72 |
| C72 | 407.88 | 12'18'10" | 87.58 | N 24'31'37" W | 87.41 |
| C73 | 407.88 | 1'58'10" | 14.02 | N 19'21'38" W | 14.02 |
| C74 | 796.00 | 1'46'56" | 24.76 | N 17'29'04" W | 24.76 |
| C75 | 796.00 | 4'31'36" | 58.72 | S 05'18'04" E | 70.10 |
| C76 | 796.00 | 4'47'19" | 66.53 | N 11'45'17" W | 66.51 |
| C77 | 796.00 | 7'13'59" | 100.49 | N 12'58'37" W | 100.42 |
| C78 | 830.00 | 6'10'26" | 89.44 | S 13'36'40" W | 89.39 |
| C79 | 830.00 | 8'39'56" | 125.53 | S 14'51'25" W | 125.41 |
| C80 | 830.00 | 5'27'06" | 78.97 | S 19'25'26" W | 78.94 |
| C81 | 830.00 | 5'41'57" | 82.56 | S 24'59'58" W | 82.43 |
| C82 | 830.00 | 8'39'33" | 125.44 | S 23'31'10" W | 125.32 |
| C83 | 830.00 | 5'08'42" | 74.53 | S 04'10'44" W | 74.51 |
| C84 | 830.00 | 2'25'17" | 35.08 | S 00'23'45" W | 35.07 |
| C85 | 830.00 | 1'34'28" | 22.81 | S 01'36'07" E | 22.81 |
| C86 | 830.00 | 2'03'58" | 29.93 | S 01'50'52" E | 29.93 |
| C87 | 830.00 | 4'51'21" | 88.27 | S 05'18'04" E | 88.25 |
| C88 | 830.00 | 5'39'45" | 82.03 | S 05'42'44" E | 81.99 |
| C89 | 830.00 | 2'48'08" | 40.59 | S 09'56'40" E | 40.59 |
| C90 | 830.00 | 3'37'28" | 52.50 | S 09'32'00" E | 52.50 |
| C91 | 1170.00 | 0'58'18" | 19.84 | N 10'51'35" W | 19.84 |
| C92 | 1170.00 | 3'28'35" | 70.99 | N 09'36'26" W | 70.98 |
| C93 | 1170.00 | 4'21'21" | 88.27 | N 08'27'45" W | 88.25 |
| C94 | 1170.00 | 4'19'21" | 88.27 | N 03'53'24" W | 88.25 |
| C95 | 1170.00 | 3'31'18" | 71.91 | N 00'01'56" E | 71.90 |
| C96 | 1170.00 | 9'39'43" | 197.30 | N 03'02'17" W | 197.07 |

| LOT LINE TABLE | | |
|----------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | N 87'35'26" E | 26.42 |
| L2 | N 88'45'27" E | 8.86 |
| L3 | N 88'45'27" E | 70.00 |
| L4 | S 32'29'21" W | 86.09 |
| L5 | N 88'45'27" E | 70.00 |
| L6 | N 88'45'27" E | 70.00 |
| L7 | N 88'45'27" E | 67.76 |
| L8 | N 88'45'27" E | 67.76 |
| L9 | N 88'45'27" E | 27.07 |
| L10 | N 43'10'28" W | 60.17 |
| L11 | N 43'10'28" W | 88.68 |
| L12 | N 88'45'27" E | 72.20 |
| L13 | N 85'51'55" E | 13.86 |
| L14 | N 86'16'05" E | 14.48 |
| L15 | N 11'28'09" W | 14.41 |
| L16 | N 01'14'33" W | 5.08 |
| L17 | N 43'45'27" E | 28.28 |
| L18 | S 77'00'13" W | 14.26 |
| L19 | S 88'45'27" W | 14.95 |
| L20 | N 10'03'15" E | 4.00 |
| L21 | S 25'39'59" W | 19.24 |
| L22 | N 18'50'53" W | 14.26 |
| L23 | S 32'29'21" W | 50.14 |
| L24 | S 15'43'44" W | 80.44 |
| L25 | S 09'39'33" E | 57.90 |
| L26 | N 04'51'21" W | 14.14 |
| L27 | N 49'52'23" W | 5.88 |
| L28 | N 44'12'09" W | 46.49 |
| L29 | N 44'12'09" W | 95.94 |
| L30 | S 74'47'57" E | 15.20 |
| L31 | N 69'35'28" E | 14.41 |
| L32 | S 25'39'59" W | 19.60 |
| L33 | S 88'45'27" W | 7.30 |
| L34 | N 74'24'22" E | 14.30 |
| L35 | S 61'31'14" E | 205.90 |
| L36 | N 81'58'12" E | 66.55 |
| L37 | N 60'32'37" W | 14.89 |
| L38 | S 18'38'36" E | 16.66 |
| L39 | N 10'55'21" E | 13.61 |
| L40 | S 50'07'52" E | 41.41 |
| L41 | N 05'44'48" W | 14.30 |
| L42 | S 05'51'02" E | 16.27 |
| L43 | N 47'26'22" E | 14.75 |
| L44 | S 71'30'06" E | 15.16 |
| L45 | N 24'40'27" E | 13.30 |
| L46 | N 17'36'51" E | 14.44 |
| L47 | S 61'27'16" E | 14.67 |
| L48 | S 59'15'31" E | 84.21 |
| L49 | N 24'10'05" E | 14.67 |
| L50 | N 11'53'48" E | 14.63 |
| L51 | N 38'41'27" E | 14.49 |
| L52 | S 51'38'28" E | 13.88 |
| L53 | N 47'17'18" E | 13.89 |
| L54 | N 23'36'35" E | 52.56 |
| L55 | N 23'36'35" E | 84.08 |
| L56 | N 23'36'35" E | 76.85 |
| L57 | N 23'36'35" E | 98.15 |
| L58 | N 23'36'35" E | 11.65 |
| L59 | N 23'36'35" E | 64.48 |
| L60 | S 47'37'20" E | 13.09 |
| L61 | N 59'58'03" E | 14.54 |
| L62 | N 36'25'11" E | 13.92 |
| L63 | N 53'55'29" W | 14.43 |
| L64 | N 34'40'16" W | 13.91 |
| L65 | N 79'16'32" E | 12.64 |
| L66 | S 27'19'25" E | 14.40 |
| L67 | S 16'37'23" W | 90.81 |
| L68 | N 18'22'32" W | 29.34 |
| L69 | N 89'07'25" E | 4.00 |
| L70 | N 53'22'43" E | 13.91 |
| L71 | N 43'31'05" W | 13.48 |
| L72 | N 18'22'32" W | 14.76 |
| L73 | N 18'22'32" W | 60.66 |
| L74 | N 18'22'32" W | 80.00 |
| L75 | N 18'22'32" W | 80.00 |
| L76 | N 18'22'32" W | 12.45 |
| L77 | N 18'22'32" W | 58.35 |
| L78 | N 00'48'53" W | 53.41 |
| L79 | N 00'48'53" W | 43.64 |
| L80 | N 00'48'53" W | 46.59 |
| L81 | N 00'48'53" W | 56.36 |
| L82 | S 11'20'44" E | 25.62 |
| L83 | S 11'20'44" E | 70.09 |
| L84 | S 11'20'44" E | 80.00 |
| L85 | S 11'20'44" E | 62.02 |
| L86 | S 11'20'44" E | 71.94 |

| STREET & LINE TABLE | | |
|---------------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | N 01'14'33" W | 25.08 |
| L2 | N 40'07'37" E | 47.88 |
| L3 | S 25'39'59" W | 45.19 |
| L4 | S 32'29'21" W | 86.09 |
| L5 | S 50'07'12" E | 91.35 |
| L6 | S 46'30'18" W | 45.78 |
| L7 | N 04'28'48" E | 50.04 |
| L8 | N 81'58'12" E | 66.55 |
| L9 | S 18'38'36" E | 33.73 |
| L10 | S 28'37'54" E | 14.51 |
| L11 | N 85'31'12" W | 23.00 |
| L12 | N 80'35'46" W | 97.37 |
| L13 | N 49'52'23" W | 201.37 |
| L14 | S 16'37'23" W | 166.84 |

| STREET & CURVE TABLE | | | | | |
|----------------------|---------|-------------|------------|---------------|--------------|
| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
| C1 | 400.00 | 48'37'50" | 339.51 | N 25'33'28" W | 329.41 |
| C2 | 400.00 | 48'37'51" | 339.51 | N 64'26'32" E | 329.41 |
| C3 | 250.00 | 12'34'53" | 539.88 | S 29'22'36" E | 440.92 |
| C4 | 250.00 | 116'54'32" | 610.11 | S 32'47'17" E | 426.11 |
| C5 | 350.00 | 31'13'48" | 190.77 | S 34'15'29" E | 188.42 |
| C6 | 350.00 | 41'33'52" | 70.64 | N 66'07'46" E | 70.52 |
| C7 | 800.00 | 5'75'07" | 809.39 | S 79'06'15" E | 775.31 |
| C8 | 600.00 | 42'01'29" | 440.08 | N 25'29'33" E | 430.28 |
| C9 | 1000.00 | 15'49'32" | 276.21 | N 03'55'58" W | 275.33 |
| C10 | 1000.00 | 10'31'51" | 183.80 | S 06'04'49" E | 183.54 |
| C11 | 1000.00 | 31'40'14" | 552.76 | S 11'01'14" W | 545.75 |
| C12 | 1000.00 | 4'07'01" | 71.86 | S 32'54'51" W | 71.84 |
| C13 | 700.00 | 36'48'34" | 449.71 | S 79'37'31" E | 442.02 |
| C14 | 526.00 | 7'41'34" | 70.62 | N 78'07'25" E | 70.57 |
| C15 | 526.00 | 3'55'22" | 36.01 | N 72'18'57" E | 36.00 |
| C16 | 1450.00 | 0'54'00" | 22.77 | N 18'59'08" E | 22.77 |
| C17 | 380.00 | 13'21'59" | 877.22 | N 85'14'07" E | 695.01 |
| C18 | 250.00 | 73'33 | | | |

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS]
COUNTY OF ROCKWALL]

I, the undersigned owner of the land shown on this plat, and designated herein as the SOMERSET PARK 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 understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

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

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or 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 Addition upon the public services required in order that the development will comport with the present and future growth needs of the City; we, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

SOMERSET PARK DEVELOPMENT, LLC,

Representative:

ARCADIA LAKES OF SOMERSET HOLDINGS, LLC,

Representative:

STATE OF TEXAS]
COUNTY OF ROCKWALL]

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated. Given upon my hand and seal of office this _____ day of _____, 2016.

Notary Public in and for the State of Texas

My Commission Expires:

OWNERS CERTIFICATE

STATE OF TEXAS]
COUNTY OF ROCKWALL]

WHEREAS, Somerset Park Development, LLC, and Arcadia Lakes of Somerset Holdings, LLC, are the owners of a tract of land in the Abney Johnson Survey, Abstract No. 123, situated in the City of Rockwall, in Rockwall County, Texas, being a portion of a tract of land to Somerset Park Development, LLC, as recorded in Instrument Number 201600001016169 of the Official Public Records of Rockwall County, Texas and a portion of a remainder of a tract of land to Arcadia Lakes of Somerset Holdings, LLC, recorded in Instrument Number 20130000500385 of the Official Public Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the southeast corner of said Somerset Park tract, lying on the north Right of Way of Farm to Market (F.M.) 549, a variable width right-of-way;

THENCE South 88 degrees 45 minutes 27 seconds West along the south line of said Somerset Park tract and the north line of said F.M. 549, a distance of 1321.87 feet to a 3 inch T.X.D.O.T. right-of-way disk found for the southwest corner of said Somerset Park tract, said point also lying on the east line of State Highway (S.H.) 205 a called 100 feet wide right-of-way and at the beginning of a curve to the right;

THENCE with said curve to the right and along the east line of said S.H. 205, having a radius of 5005.59 feet, a central angle of 01 degrees 25 minutes 19 seconds, to a 24.23 inch iron rod found at the northern base of North 43 degrees 10 minutes 28 seconds West, a distance of, 124.23 feet to a 5/8 inch iron rod found for the most northerly southwest corner of said Somerset Park tract, same being the south corner of a tract of land to N.L. Lofland & Annie Lofland as recorded in Volume 28, Page 487 of the Deed Records of Rockwall County, Texas;

THENCE North 00 degrees 40 minutes 31 seconds West along the common line of said N.L. Lofland & Annie Lofland tract and said Somerset Park tract, a distance of 1062.07 feet to a 1/2 inch iron rod found at an angle point in same;

THENCE North 00 degrees 59 minutes 21 seconds West continuing along said N.L. Lofland & Annie Lofland tract and said Somerset Park tract common line, a distance of 869.00 feet to a 60-D nail found at the northerly base of a fence corner post for the northeast corner of said N.L. Lofland & Annie Lofland tract and at an inner ell corner of said Somerset Park tract;

THENCE North 85 degrees 28 minutes 38 seconds West continuing along said N.L. Lofland & Annie Lofland tract and said Somerset Park tract common line, a distance of 10.57 feet to a 1/2 inch iron rod found for the southeast corner of a tract of land to N.L. Lofland recorded in Volume 30, Page 548, of the Deed Records of Rockwall County, Texas, same point lying on the north line of said N.L. Lofland & Annie Lofland tract and on the west line of said Somerset Park tract;

THENCE North 00 degrees 08 minutes 29 seconds East along the common line of said N.L. Lofland tract and said Somerset Park tract, a distance of 428.94 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for the northwest corner of said Somerset Park tract;

THENCE departing the east line of said N.L. Lofland tract, along the north/east lines of said Somerset Park tract and partially through the interior of said Arcadia tract the following courses and distances;

THENCE North 64 degrees 22 minutes 07 seconds East, a distance of 255.05 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the left;

THENCE with said curve to the left having a radius of 574.00 feet, a central angle of 13 degrees 40 minutes 50 seconds, an arc length of 137.05 feet, a chord bearing of South 32 degrees 28 minutes 18 seconds East, a distance of 136.73 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE North 86 degrees 43 minutes 34 seconds East, a distance of 11.91 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the right;

THENCE with said curve to the right having a radius of 1040.00 feet, a central angle of 01 degrees 06 minutes 50 seconds, an arc length of 26.02 feet, a chord bearing of North 34 degrees 15 minutes 20 seconds East a distance of 26.02 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 55 degrees 02 minutes 34 seconds East a distance of 80.00 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the left;

THENCE with said curve to the left having a radius of 960.00 feet, a central angle of 02 degrees 27 minutes 29 seconds, an arc length of 41.19 feet, a chord bearing of South 33 degrees 44 minutes 40 seconds West a distance of 41.18 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 08 degrees 23 minutes 58 seconds East a distance of 15.18 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the left;

THENCE with said curve to the left having a radius of 574.00 feet, a central angle of 13 degrees 44 minutes 06 seconds, an arc length of 137.60 feet, a chord bearing of South 56 degrees 22 minutes 56 seconds East a distance of 137.27 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a reverse curve to the right;

THENCE with said reverse curve to the right having a radius of 606.00 feet, a central angle of 19 degrees 54 minutes 48 seconds, an arc

length of 210.62 feet, a chord bearing of South 53 degrees 17 minutes 35 seconds East, a distance of, 209.58 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a reverse curve to the left;

THENCE with said reverse curve to the left having a radius of 424.00 feet, a central angle of 50 degrees 39 minutes 01 seconds, an arc length of 374.82 feet, a chord bearing of South 68 degrees 39 minutes 41 seconds East, a distance of, 362.73 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 03 degrees 59 minutes 12 seconds East, a distance of 52.00 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 00 degrees 57 minutes 49 seconds East, a distance of 142.77 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 06 degrees 11 minutes 04 seconds East, a distance of 184.22 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the right;

THENCE with said curve to the right having a radius of 1000.00 feet, a central angle of 23 degrees 47 minutes 40 seconds, an arc length of 415.29 feet, a chord bearing of South 05 degrees 42 minutes 46 seconds West, a distance of 412.31 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 71 degrees 47 minutes 52 seconds East, a distance of 173.23 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the right;

THENCE with said curve to the right having a radius of 1476.00 feet, a central angle of 00 degrees 54 minutes 00 seconds, an arc length of 23.18 feet, a chord bearing of South 18 degrees 39 minutes 08 seconds West, a distance of, 23.18 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a compound curve continuing to the right;

THENCE with said compound curve continuing to the right having a radius of 406.00 feet, a central angle of 00 degrees 41 minutes 12 seconds, an arc length of 4.86 feet, a chord bearing of South 19 degrees 26 minutes 43 seconds West, a distance of, 4.86 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 70 degrees 12 minutes 41 seconds East, a distance of 120.00 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the right;

THENCE with said curve to the right having a radius of 526.00 feet, a central angle of 48 degrees 44 minutes 05 seconds, an arc length of 447.41 feet, a chord bearing of South 44 degrees 09 minutes 22 seconds West, a distance of 434.04 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 18 degrees 38 minutes 36 seconds East a distance of 118.21 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 63 degrees 53 minutes 02 seconds East a distance of 14.08 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 18 degrees 38 minutes 36 seconds East a distance of 52.01 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 26 degrees 04 minutes 50 seconds West a distance of 9.95 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the left;

THENCE with said curve to the left having a radius of 321.00 feet, a central angle of 40 degrees 44 minutes 09 seconds, an arc length of 228.22 feet, a chord bearing of South 39 degrees 07 minutes 20 seconds East a distance of 223.45 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 59 degrees 29 minutes 25 seconds East a distance of 26.18 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the right;

THENCE with said curve to the right having a radius of 364.00 feet, a central angle of 09 degrees 37 minutes 01 seconds, an arc length of 61.10 feet, a chord bearing of South 54 degrees 40 minutes 54 seconds East a distance of 61.03 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 49 degrees 52 minutes 23 seconds East a distance of 61.12 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner at the beginning of a curve to the right;

THENCE with said curve to the right having a radius of 443.00 feet, a central angle of 48 degrees 37 minutes 50 seconds, an arc length of 376.00 feet, a chord bearing of South 25 degrees 33 minutes 28 seconds East a distance of 364.82 feet;

THENCE South 01 degrees 14 minutes 33 seconds East a distance of 8.08 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for corner;

THENCE South 46 degrees 14 minutes 32 seconds East a distance of 24.04 feet to the POINT OF BEGINNING containing 2,457,949 square Feet, or 56.427 acres of land.

APPROVED
I hereby certify that the above and foregoing plat of SOMERSET PARK to the City of Rockwall, Texas was approved by the City Council of the City of Rockwall on the ____ day of _____, 2016.
This approval shall be invalid unless the approved Plat for such Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred eighty (180) days from said date of final approval.
Witness our hands this the ____ day of _____, 2016.
Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Brian J. Maddox, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2016

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

**FINAL PLAT
SOMERSET PARK**

BLOCK 1, LOTS 1-25, BLOCK 2, LOTS 1-18, BLOCK 3, LOT 1, BLOCK 4, LOT 1, BLOCK 5, LOTS 1-15, BLOCK 6, LOTS 15-35, BLOCK 7, LOTS 1-18, BLOCK 8, LOTS 1-18, BLOCK 9, LOTS 1-16, BLOCK 10, LOTS 1-2 & 5-15, BLOCK 11, LOTS 9-13, AND BLOCK 12, LOT 1

BEING 56.427 ACRES SITUATED IN THE A. JOHNSON SURVEY, ABSTRACT NUMBER 123 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SURVEYOR: MADDOX SURVEYING & MAPPING INC. P.O. BOX 2109 FORNEY, TEXAS 75126 (972) 564-4416 CONTACT: JAY MADDOX Firm Registration No. 10013200
OWNER: SOMERSET PARK DEVELOPMENT, LLC & ARCADIA LAKES OF SOMERSET HOLDINGS LLC 3500 MAPLE AVENUE, SUITE 1165 DALLAS, TEXAS 75219 (214) 724-9281 CONTACT: CHRISTOPHER ORR 1"=100'
ENGINEER: TEAGUE NALL AND PERKINS, INC. 5237 N. RIVERSIDE DRIVE, SUITE 100 FORT WORTH, TEXAS 76137 (817) 336-5773 CONTACT: SCOTT WILHELM, P.E. THE Registration No. F-230 1"=100'

SOMERSET PARK

Closure Report

Fri Aug 12 09:55:08 2016

Northing Easting Bearing Distance

7010393.855 2606397.560

S 88°45'27" W 1321.870

7010365.192 2605076.001

Radius: 5005.590 Chord: 124.230 Degree: 1°08'41" Dir: Right

Length: 124.233 Delta: 1°25'19" Tangent: 62.120

Chord BRG: N 43°10'28" W Rad-In: N 46°06'52" E Rad-Out: N 47°32'11" E

Radius Point: 7013835.165,2608683.661

7010455.789 2604991.000

N 00°40'31" W 1062.066

7011517.781 2604978.483

N 00°59'21" W 869.901

7012387.552 2604963.466

N 85°28'38" W 10.570

7012388.386 2604952.929

N 00°08'29" E 428.941

7012817.326 2604953.988

N 64°22'07" E 255.050

7012927.655 2605183.940

Radius: 574.000 Chord: 370.137 Degree: 9°58'55" Dir: Left

Length: 376.870 Delta: 37°37'07" Tangent: 195.509

Chord BRG: S 44°26'26" E Rad-In: N 64°22'07" E Rad-Out: N 26°45'01" E

Radius Point: 7013175.954,2605701.456

7012663.385 2605443.098

Radius: 606.000 Chord: 209.560 Degree: 9°27'17" Dir: Right

Length: 210.618 Delta: 19°54'48" Tangent: 106.382

Chord BRG: S 53°17'35" E Rad-In: S 26°45'01" W Rad-Out: S 46°39'49" W

Radius Point: 7012122.240,2605170.337

7012538.127 2605611.103

Radius: 424.000 Chord: 362.735 Degree: 13°30'47" Dir: Left

Length: 374.821 Delta: 50°39'01" Tangent: 200.651

Chord BRG: S 68°39'41" E Rad-In: N 46°39'49" E Rad-Out: N 03°59'12" W

Radius Point: 7012829.110,2605919.494

7012406.136 2605948.971

S 03°59'12" E 52.000

7012354.262 2605952.586

S 00°57'49" E 142.774

7012211.508 2605954.987

S 06°11'04" E 184.218

7012028.362 2605974.833

Radius: 1000.000 Chord: 412.312 Degree: 5°43'46" Dir: Right

Length: 415.290 Delta: 23°47'40" Tangent: 210.682

Chord BRG: S 05°42'46" W Rad-In: S 83°48'56" W Rad-Out: N 72°23'24" W

Radius Point: 7011920.634,2604980.652

7011618.098 2605933.790

S 71°47'52" E 173.233

7011563.985 2606098.354

Radius: 1476.000 Chord: 23.183 Degree: 3°52'55" Dir: Right

Length: 23.183 Delta: 0°54'00" Tangent: 11.592
 Chord BRG: S 18°39'08" W Rad-In: N 71°47'52" W Rad-Out: N 70°53'52" W
 Radius Point: 7012025.044,2604696.213
 7011542.020 2606090.940
 Radius: 406.000 Chord: 4.865 Degree: 14°06'44" Dir: Right
 Length: 4.865 Delta: 0°41'12" Tangent: 2.433
 Chord BRG: S 19°26'43" W Rad-In: N 70°53'52" W Rad-Out: N 70°12'41" W
 Radius Point: 7011674.884,2605707.295
 7011537.432 2606089.320
 S 70°12'41" E 120.000
 7011496.806 2606202.234
 Radius: 526.000 Chord: 434.041 Degree: 10°53'34" Dir: Right
 Length: 447.407 Delta: 48°44'05" Tangent: 238.244
 Chord BRG: S 44°09'22" W Rad-In: N 70°12'41" W Rad-Out: N 21°28'35" W
 Radius Point: 7011674.884,2605707.295
 7011185.405 2605899.874
 S 18°38'36" E 186.573
 7011008.622 2605959.517
 Radius: 324.000 Chord: 226.124 Degree: 17°41'02" Dir: Left
 Length: 230.985 Delta: 40°50'50" Tangent: 120.646
 Chord BRG: S 39°04'00" E Rad-In: N 71°21'24" E Rad-Out: N 30°30'35" E
 Radius Point: 7011112.197,2606266.516
 7010833.057 2606102.026
 S 59°29'25" E 26.177
 7010819.767 2606124.578
 Radius: 361.000 Chord: 60.523 Degree: 15°52'17" Dir: Right
 Length: 60.594 Delta: 9°37'01" Tangent: 30.368
 Chord BRG: S 54°40'54" E Rad-In: S 30°30'35" W Rad-Out: S 40°07'37" W
 Radius Point: 7010508.750,2605941.304
 7010784.778 2606173.962
 S 49°52'23" E 61.122
 7010745.386 2606220.697
 Radius: 440.000 Chord: 362.347 Degree: 13°01'18" Dir: Right
 Length: 373.456 Delta: 48°37'50" Tangent: 198.809
 Chord BRG: S 25°33'28" E Rad-In: S 40°07'37" W Rad-Out: S 88°45'27" W
 Radius Point: 7010408.954,2605937.125
 7010418.495 2606377.021
 S 01°14'33" E 5.079
 7010413.417 2606377.131
 S 46°14'32" E 28.284
 7010393.855 2606397.560

Closure Error Distance> 0.00000
 Total Distance> 7570.179
 Polyline Area: 2451392 sq ft, 56.276 acres

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/21/2016

APPLICANT: Eric Morff of *Cole*

AGENDA ITEM: **P2016-048**; Lot 3 Road Runner Addition

SUMMARY:

Discuss and consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the approval of a replat for Lot 3 of Road Runner Addition being a 0.93-acre parcel of land identified as Lot 2, Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 2804 S. Goliad Street, and take any action necessary.

COMMENTS:

- ✓ The applicant is requesting approval of a replat for the purpose of constructing a 4,300 sq. ft. restaurant with a drive-through facility (*i.e. Panera Bread*). The 0.93-acre parcel of land is zoned Commercial (C) District, is within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, and is generally located on the southwest corner of IH-30 and Ridge Road and is addressed as 2804 S. Goliad Street.
- ✓ The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the *Subdivision Ordinance* in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ✓ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions listed in the *Recommendations* section below.
- ✓ With the exception of the items listed in the *Recommendation* section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the request for replat, staff would recommend the following conditions of approval:

- 1) All staff comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit; and,
- 2) Any construction resulting from the approval of this final plat shall conform to the requirements set forth by the Unified Development Code, the International Building Code, 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 November 15, 2016, the Planning and Zoning Commission's motion to approve the replat with staff conditions passed by a vote of 6 to 0 with Commissioner Lyons absent.

City of Rockwall
Project Plan Review History



| | | |
|----------------------------------|-------------------------------|-----------------------------|
| Project Number P2016-048 | Owner 2804 RIDGE, LLC, | Applied 11/4/2016 LM |
| Project Name Panera Bread | Applicant COLE | Approved |
| Type PLAT | | Closed |
| Subtype FINAL | | Expired |
| Status P&Z HEARING | | Status 11/11/2016 DG |

| | | |
|--------------------------------------|-----------------------------|---------------|
| Site Address 2804 RIDGE RD | City, State Zip , | Zoning |
|--------------------------------------|-----------------------------|---------------|

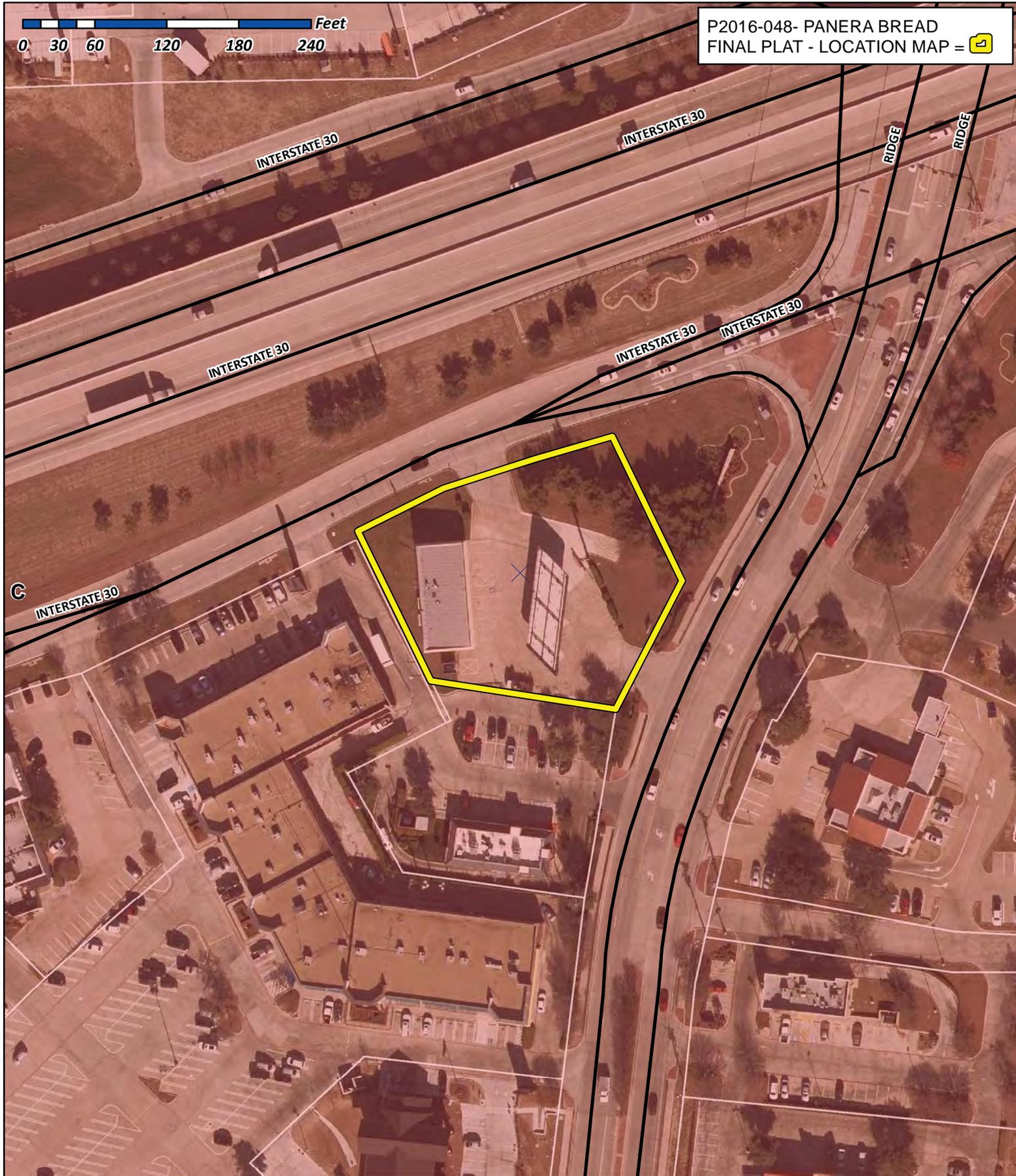
| | | | | | |
|---|-------------------|--------------|--------------------|--|---------------------|
| Subdivision CARLISLE PLAZA ADDN | Tract 1 | Block | Lot No 1 | Parcel No 4807-0000-0001-00-OR | General Plan |
|---|-------------------|--------------|--------------------|--|---------------------|

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|---|-----------------|-----------|------------|-----------|---------|----------|--------------|
| BUILDING | John Shannon | 11/4/2016 | 11/11/2016 | 11/4/2016 | | APPROVED | |
| ENGINEERING (11/7/2016 7:44 AM AW) Needs the off-site access easement along the southern property line on the plat with the recording information | Amy Williams | 11/4/2016 | 11/11/2016 | 11/7/2016 | 3 | COMMENTS | See Comment |
| FIRE | Ariana Hargrove | 11/4/2016 | 11/11/2016 | 11/7/2016 | 3 | APPROVED | |
| GIS | Lance Singleton | 11/4/2016 | 11/11/2016 | | | | |
| PLANNING | David Gonzales | 11/4/2016 | 11/11/2016 | 11/7/2016 | 3 | COMMENTS | See comments |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed Status | Remarks |
|--|---------|------|-----|----------|----------------|---------|
| PLANNING COMMENTS - DAVID GONZALES - 11.07.2016 | | | | | | |
| <hr/> <p>Discuss and consider a request by Eric Morff of Cole on behalf of the owner 2804 Ridge, LLC for the approval of a replat for Lot 3 of Road Runner Addition being a 0.93-acre parcel of land identified as Lot 2, Road Runner Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 2804 S. Goliad Street, and take any action necessary.</p> <hr/> <p>The following staff comments (including Rockwall County comments) are to be addressed and resubmitted no later than Tuesday, November 22, 2016. Please provide three large copies [18" X 24" FOLDED] and one PDF version for a subsequent review by staff:</p> <ol style="list-style-type: none"> 1. Adherence to all Engineering and Fire Department standards shall be required. 2. Provide a label indicating "Case No. P2016-048" on the lower right corner on all pages of the revised plat. 3. Provide City staff with a .dwg file. 4. Provide cross access easement and dimensions to/from Jack in the Box for south property line. 5. Change Title Block to read as follows: Final Plat Lot 3 Road Runner Addition being a replat of Lot 2 Road Runner Addition James Smith survey City of Rockwall, Rockwall County, Texas 6. Provide adjacent property owner information for the adjacent lot east of subdivision (TXDOT?). 7. Move Location Map from page two (2) to page one (1). 8. Correct Owners Certificate: <ol style="list-style-type: none"> a) 1st paragraph needs to read..."Whereas, 2804...the sole owner of one tract of land..."the the plat thereof recorded in "cabinet I,slide 157..." b) Now, thereof, know all men by these presents,...1st paragraph - does hereby adopt this plat..."change from Lot 2 to LOT 3" <p>As a note and once the plat has been approved by the Planning and Zoning Commission and City Council, all staff comments are to be addressed and all revisions resubmitted and approved (by staff) prior to plat submittal on mylar for filing purposes. **</p> <p>Meeting Dates to Attend; Since this item is on the Consent Agenda you are not required to attend either meeting; however, staff recommends that a representative is present during both scheduled meetings as indicated below. The meetings will be held in the City's Council Chambers. If you have any questions regarding this case, please feel free to contact David Gonzales, AICP with the Planning Department at 972-771-7745.</p> <p>Planning - Consent Agenda: November 17, 2016 (6:00 p.m.)</p> <p>City Council - Consent Agenda: November 21, 2016 (6:00 p.m.)</p> <hr/> | | | | | | |



P2016-048- PANERA BREAD
FINAL PLAT - LOCATION MAP =



City of Rockwall

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

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



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**CITY OF ROCKWALL
CITY COUNCIL MEMO**

AGENDA DATE: 11/21/2016
APPLICANT: Matt Moore, PE; *Claymoore Engineering, Inc.*
AGENDA ITEM: **P2016-049**; Presbyterian Hospital Addition

SUMMARY:

Discuss and consider a request by Matt Moore, PE of Claymoore Engineering, Inc. on behalf of the owner Cindy Paris of Rockwall Regional Hospital, LLP for the approval of a replat for Lot 22, Block A, Presbyterian Hospital Addition being a 18.867-acre parcel of land identified as Lot 15, Block A, Presbyterian Hospital of Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located east of the intersection of Summer Lee Drive and Rockwall Parkway, and take any action necessary.

PLAT INFORMATION:

- The objective of this request is to replat an 18.867-acre parcel of land [*Lot 15, Block A, Presbyterian Hospital of Rockwall Addition*] for the purpose of constructing a 55,827 sq. ft. medical office building.
- On October 11, 2016, the Planning and Zoning Commission approved a site plan [*SP2016-020*] for a medical office building to be located on the subject property. Currently, the subject property has a hospital (i.e. Presbyterian Hospital), an existing medical office building, and a future medical office building.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat, conforming to the requirements for replats as stated in the Subdivision Ordinance in the Municipal Code of Ordinances, is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the Recommendation section below.
- With the exception of the items listed in the Recommendation section of this case memo, this plat is in substantial compliance with the requirements of the Subdivision Ordinance in the Municipal Code of Ordinances.

RECOMMENDATIONS:

If the Planning & Zoning Commission and City Council choose to approve the applicant's request, staff would recommend the following conditions of approval:

- 1) All technical comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of a building permit;
- 2) Any construction or building necessary to complete this replat request must conform to the requirements set forth by the UDC, the International Building Code, 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 November 15, 2016, the Planning and Zoning Commission's motion to approve the replat with staff conditions passed by a vote of 6 to 0 with Commissioner Lyons absent.

0 62.5 125 250 375 500 Feet

P2016-049 - LOT 22, BLOCK A, PREBYTERIAN HOSPITAL ROCKWALL ADDITION REPLAT - LOCATION MAP = 

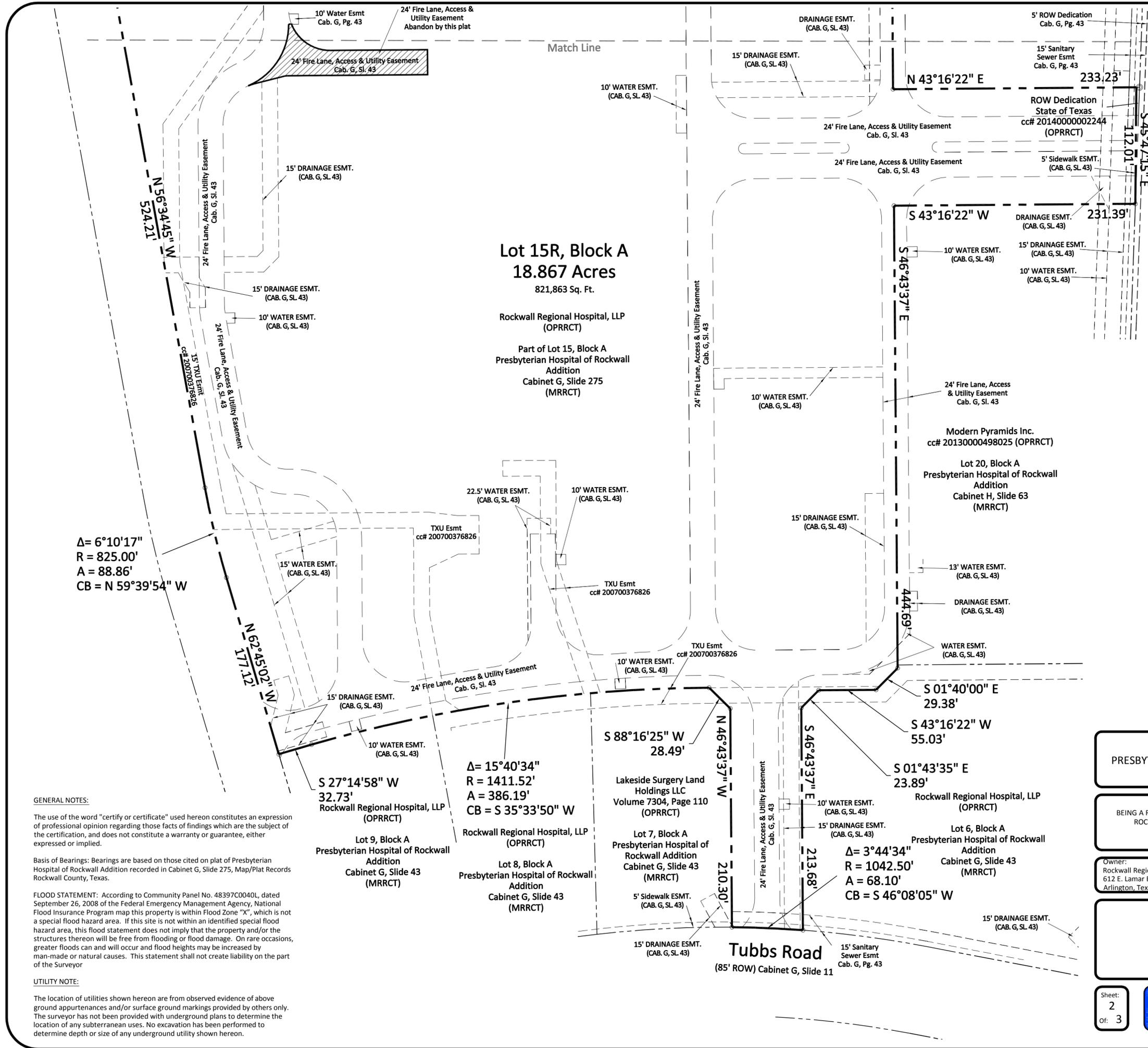


City of Rockwall

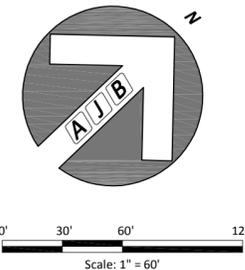
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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



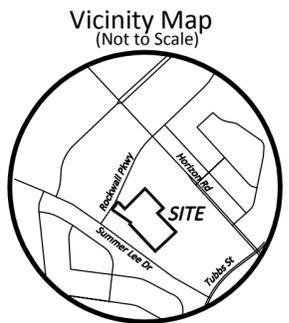


Horizon Road (FM 3097)
(Variable width ROW)



LEGEND

| | |
|--------|--|
| IRF | Iron Rod Found |
| IRS | Iron Rod Set |
| DRRCT | Deed Records Rockwall County, Texas |
| PRRCT | Plat Records Rockwall County, Texas |
| RPRRCT | Real Property Records Rockwall County, Texas |
| OPRRCT | Official Public Records Rockwall County, Texas |



$\Delta = 6^{\circ}10'17''$
 $R = 825.00'$
 $A = 88.86'$
 $CB = N 59^{\circ}39'54'' W$

$\Delta = 15^{\circ}40'34''$
 $R = 1411.52'$
 $A = 386.19'$
 $CB = S 35^{\circ}33'50'' W$

$\Delta = 3^{\circ}44'34''$
 $R = 1042.50'$
 $A = 68.10'$
 $CB = S 46^{\circ}08'05'' W$

GENERAL NOTES:

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 those cited on plat of Presbyterian Hospital of Rockwall Addition recorded in Cabinet G, Slide 275, Map/Plat 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

UTILITY NOTE:

The location of utilities shown hereon are from observed evidence of above ground appurtenances and/or surface ground markings provided by others only. The surveyor has not been provided with underground plans to determine the location of any subterranean uses. No excavation has been performed to determine depth or size of any underground utility shown hereon.

REPLAT
PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION
LOT 15R, BLOCK A

1 LOT TOTALING 18.867 ACRES
 BEING A REPLAT OF A LOT 15, BLOCK A OF PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION 18.867 ACRES (821,863 SQUARE FEET)
 EDWARD TEAL SURVEY, ABSTRACT NO. 207
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

| | |
|--|---|
| Owner: Rockwall Regional Hospital, LLP 612 E. Lamar Blvd., Suite 100 Arlington, Texas 76011 | Engineer: ClayMoore Engineering 1903 Central Drive, Suite 406 Bedford, Texas 76021 |
| Scale: 1" = 60' Date: October 10, 2016 Technician: Spradling/Elam Drawn By: Spradling/Elam | Checked By: A.J. Bedford P.C.: Cryer/Spradling File: Rockwall Hospital RP 10-10-16 Job No. 552-114 GF No. |

301 N. Alamo Rd. * Rockwall, Texas 75087
 (972) 722-0225, www.ajbedfordgroup.com

Sheet: 2
 Of: 3

TBPLS REG#10118200

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OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS ROCKWALL REGIONAL HOSPITAL, LLP, BEING THE OWNER OF A TRACT OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, said tract being described as follows:

BEING an 18.867 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and being a portion of Lot 15, Block A of Presbyterian Hospital of Rockwall Addition an addition to the City of Rockwall according to the plat recorded in Cabinet G, Slide 275, Map Records, Rockwall County, Texas (MRRCT) and being more particularly described as follows:

BEGINNING at a capped iron rod found for corner in the easterly line of Rockwall Parkway a 60 feet wide right of way as dedicated in Cabinet E, Slide 149 (MRRCT), and being the westerly corner of Lot 17, Block A of Presbyterian Hospital of Rockwall Addition according to the plat recorded in Cabinet G, Slide 315 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 17, SOUTH 46°43'37" EAST a distance of 146.22 feet to a capped iron rod found for corner;

THENCE continuing along said common line, NORTH 43°16'22" EAST a distance of 536.58 feet to a capped iron rod found for corner in the southwest line of lot 18, Block A of Presbyterian Hospital of Rockwall Addition as recorded in Cabinet G, Slide 297 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 18, SOUTH 46°43'37" EAST a distance of 566.96 feet to a capped iron rod found for corner at the southerly corner of Lot 21, Block A of Presbyterian Hospital of Rockwall Addition according to the plat recorded in Cabinet I, Slide 87 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 21, NORTH 43°16'22" EAST a distance of 233.23 feet to a capped iron rod found for corner in the southwest line of Horizon Road (FM 3097) a variable width right of way as dedicated to the State of Texas by deed recorded in County Clerk's File No. 2014000002244, Official Public Records, Rockwall County, Texas (OPRRCT);

THENCE along the south line of said Horizon Road (FM 3097), SOUTH 45°47'15" EAST a distance of 112.01 feet to a capped iron rod found for corner at the northerly corner of Lot 20, Block A of Presbyterian Hospital of Rockwall Addition according to the plat recorded in Cabinet H, Slide 63 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 20, SOUTH 43°16'22" WEST a distance of 231.39 feet to a capped iron rod found for corner;

THENCE continuing along said common line, SOUTH 46°43'37" EAST a distance of 444.69 feet to a point for corner at an ell corner of Lot 6, Block A of Presbyterian Hospital of Rockwall Addition according to the plat recorded in Cabinet G, Slide 43 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 6 as follows:

SOUTH 01°40'00" EAST a distance of 29.38 feet to a capped iron rod found for corner;

SOUTH 43°16'22" WEST a distance of 55.03 feet to a capped iron rod found for corner;

SOUTH 01°43'35" EAST a distance of 23.89 feet to a capped iron rod found for corner;

SOUTH 46°43'37" EAST a distance of 213.68 feet to a capped iron rod found for corner in the northwesterly line of Tubbs Road an 85 feet wide right of way dedicated by Cabinet G, Slide 11 (MRRCT) and being the beginning of a non-tangent curve to the left having a radius of 1042.50 feet and a chord bearing of SOUTH 46°08'05" WEST;

THENCE along the northwesterly line of said Tubbs Road and along said non-tangent curve to the left through a central angle of 03°44'34" for an arc length of 68.10 feet to a capped iron rod found for corner at the easterly corner of Lot 7, Block A of Presbyterian Hospital of Rockwall Addition according to the plat recorded in Cabinet G, Slide 43 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 7 as follows:

NORTH 46°43'37" WEST a distance of 210.30 feet to a capped iron rod found for corner;

SOUTH 88°16'25" WEST a distance of 28.49 feet to a capped iron rod found for corner and being the beginning of a non-tangent curve to the left having a radius of 1411.52 feet and a chord bearing of SOUTH 35°33'50" WEST;

Along said non-tangent curve to the left through a central angle of 15°40'34" for an arc length of 386.19 feet to a capped iron rod found for corner in the northwest line of Lot 9, Block A of Presbyterian Hospital of Rockwall Addition according to the plat recorded in Cabinet G, Slide 43 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 9, SOUTH 27°14'58" WEST a distance of 32.73 feet to a capped iron rod found for corner in the northeasterly line of Summer Lee Drive a variable width right of way;

THENCE along said Summer Lee drive as follows:

NORTH 62°45'02" WEST a distance of 177.12 feet to a capped iron rod found for corner and being the beginning of a curve to the right having a radius of 825.00 feet and a chord bearing of NORTH 59°39'54" WEST;

Along said curve to the right through a central angle of 06°10'17" for an arc length of 88.86 feet to a capped iron rod found for corner;

NORTH 56°34'45" WEST a distance of 524.21 feet to a capped iron rod found for corner at the southerly corner of Lot 12, Block A of Presbyterian Hospital of Rockwall Addition according to the plat recorded in Cabinet G, Slide 43 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 12, NORTH 36°10'29" EAST a distance of 125.10 feet to a capped iron rod found for corner;

THENCE continuing along said common line, NORTH 46°43'37" WEST a distance of 257.70 feet to a capped iron rod found for corner in the southeast line of Lot 9, Block A of Horizon Ridge Center an addition to the City of Rockwall according to the plat recorded in Cabinet E, Slide 149 (MRRCT);

THENCE along the common line of said Lot 15 and Lot 9, NORTH 33°25'38" EAST a distance of 30.95 feet to a capped iron rod found for corner;

THENCE continuing along said common line, NORTH 56°34'45" WEST a distance of 270.62 feet to a capped iron rod found for corner in the southeast line of said Rockwall Parkway and being the beginning of a non-tangent curve to the left having a radius of 915.00 feet and a chord bearing of NORTH 27°49'52" EAST;

THENCE along the southeast line of said Rockwall Parkway and along said non-tangent curve to the left through a central angle of 06°58'50" for an arc length of 111.48 feet to the POINT OF BEGINNING;

CONTAINING 18.867 acres or 821,863 square feet of land more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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;

7. Property owner is responsible for maintenance, repair, and replacement of all detention/drainage facilities in easements;

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

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

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

ROCKWALL REGIONAL HOSPITAL, LLP

Name: _____
Title: _____

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this ____ day of _____, 2016

Notary Public in and for the State of Texas

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2016.

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

WITNESS OUR HANDS, this ____ day of _____, 2016.

Mayor, City of Rockwall City Secretary City Engineer

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Austin J. Bedford, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

Austin J. Bedford
Registered Professional Land Surveyor No. 4132
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

REPLAT
PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION
LOT 15R, BLOCK A

1 LOT TOTALING 18.867 ACRES
BEING A REPLAT OF A LOT 15, BLOCK A OF PRESBYTERIAN HOSPITAL OF ROCKWALL ADDITION 18.867 ACRES (821,863 SQUARE FEET)
EDWARD TEAL SURVEY, ABSTRACT NO. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

| | |
|--|---|
| Owner: Rockwall Regional Hospital, LLP 612 E. Lamar Blvd., Suite 100 Arlington, Texas 76011 | Engineer: ClayMoore Engineering 1903 Central Drive, Suite 406 Bedford, Texas 76021 |
|--|---|

| | |
|----------------------------|-------------------------------------|
| Scale: 1" = 60' | Checked By: A.J. Bedford |
| Date: October 10, 2016 | P.C.: Cryer/Spradling |
| Technician: Spradling/Elam | File: Rockwall Hospital RP 10-10-16 |
| Drawn By: Spradling/Elam | Job No. 552-114 |
| | GF No. |

301 N. Alamo Rd. * Rockwall, Texas 75087
(972) 722-0225, www.ajbedfordgroup.com

Sheet: 3
Of: 3

AJ Bedford Group, Inc.
Registered Professional Land Surveyors

TBPLS REG#10118200

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*

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

DATE: November 21, 2016

SUBJECT: SUP for a Residency Hotel on Vigor Way [Z2016-033]

The applicant Phillip Craddock of Craddock Architecture, PLLC has requested to postpone the public hearing for *Case No. Z2016-033* to December 19, 2016. According to Section 6.2, *Public Hearing Postponements, Recess, and Continuations*, of the Article II of the Unified Development Code, a public hearing may be postponed by announcing the postponement at the public hearing and indicating the time and place the new hearing is scheduled to begin. The announcement of a postponement shall be sufficient notice and no additional notice shall be required.

Exhibit 'A': Applicant's Letter

From: [PHILLIP CRADDOCK](#)
To: [Miller, Ryan](#)
Cc: [H.V. Chauhan](#)
Subject: rockwall hotel
Date: Wednesday, November 16, 2016 2:48:03 PM
Attachments: [image002.png](#)

Ryan,

It is our Intention to Delay the City Council until the December 19th meeting in order for us to research Some Site issues.

Please Confirm that we can Delay to December 19th.

Phillip Craddock, AIA
OWNER / ARCHITECT
CRADDOCK ARCHITECTURE, PLLC
750 E. Interstate 30, Ste. 160
Rockwall, TX 75087
214-952-0527 cell
469-769-1015 office
phillip@craddockarchitecture.com



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**CITY OF ROCKWALL
CITY COUNCIL MEMO**

AGENDA DATE: 11/21/2016

APPLICANT: Phillip Craddock; *Craddock Architecture, PLLC*

AGENDA ITEM: **Z2016-033**; Hotel on Vigor Way

SUMMARY:

Hold a public hearing and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

PURPOSE AND CHARACTERISTICS OF THE REQUEST:

The applicant is requesting the approval of a Specific Use Permit (SUP) to allow a residence hotel on a 1.74-acre parcel of land located north of IH-30 on Vigor Way. This property is currently zoned Commercial (C) District. According to the Section 1, *Land Use Table*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC) a *hotel, residence* requires an SUP in a Commercial (C) District.

On August 4, 2008, the City Council approved an SUP [*Ordinance No. 08-37*] to allow for a hotel in a Commercial (C) District. At that time, the ordinance restricted *hotel, residence* on the subject property. Additionally, the ordinance required that the building elevations *strictly adhere* to the elevations contained in the ordinance. Also, the ordinance required that the building be limited to a maximum of 58-feet in height. Since this original approval, the applicant has requested to change the SUP to allow a *residence hotel* with the provision that four (4) of the suites be residence suites. In addition, the applicant is proposing new building elevations, which would be required to generally conform to the building elevations in the attached ordinance at the time of site plan. The hotel will also be limited 65-feet in height.

With the exception of the proposed residence suites, the applicant's request conforms to all applicable requirements; however, granting a Specific Use Permit (SUP) is a discretionary act to the City Council. If approved, the applicant will be required to submit a site plan and replat conforming to all applicable requirements. Additionally, this SUP shall supersede all requirements stipulated in Ordinance No. 08-37. Contained in the attached packet is a copy of the applicant's letter, a concept plan, and draft ordinance.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are all follows:

North: Directly north of the subject property there are two restaurants (i.e. Popeyes and Culvers). Beyond that is Ridge Road which is identified as an *M4D (major collector,*

four [4] lane divided highway) in the City's *Master Thoroughfare Plan*. This area is zoned Commercial (C) District.

South: Directly south of the subject property is a restaurant (*i.e. Denny's*), an automotive shop (*i.e. Valvoline Oil Change*), and a tire shop (*i.e. Goodyear*). Beyond this is IH-30. This area is zoned Commercial (C) District.

East: Directly east of the subject property is Vigor Way, which is a private road. Beyond this street is a shopping center (*i.e. Rockwall Towne Centre*), which is zoned Commercial (C) District.

West: Directly west of the subject property there are two (2) restaurants (*i.e. Wendy's and McDonalds*), a shopping center (*i.e. Rockwall Towne Centre*), and a gas station (*i.e. Chevron*). Beyond this is Ridge Road which is identified as an M4D (major collector, four [4] lane, divided highway) on the City's *Master Thoroughfare Plan*. This area is zoned Commercial (C) District.

NOTIFICATION:

On October, 27, 2016, staff sent 35 notices to property owners/residents within 500-feet of the subject property. Staff also mailed notices to the Lakeside Village and Turtle Cove HOA's, which are the only HOA's/Neighborhood associations that are within 1,500-feet and participating in the notification program. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notice in opposition of the request.

RECOMMENDATIONS:

Should the City Council choose to approve the SUP request, staff would offer the following conditions of approval:

- 1) The building shall generally conform to the site plan and building elevations, depicted in Exhibit 'A' and Exhibit 'B' of the attached ordinance.
- 2) The hotel shall be limited to four (4) residence suites. The remaining rooms shall be typical hotel rooms (*i.e. not contain kitchen facilities*).
- 3) The building shall be no more than 65-feet in height.
- 4) Freestanding signage associated with this development shall be limited to a monument sign (*i.e. no pole sign shall be allowed*).
- 5) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, 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 November 15, 2016, the Planning and Zoning Commission approved a motion to recommend denial of the applicant's request by a vote of 5-1, with Commissioner Whitley dissenting.

City of Rockwall Project Plan Review History



| | | |
|---|--|------------------------------|
| Project Number Z2016-033 | Owner PASTEM, CORP | Applied 10/14/2016 LM |
| Project Name Rockwall Hotel on Vigor Way | Applicant CRADDOCK ARCHITECTURE, PLLC | Approved |
| Type ZONING | | Closed |
| Subtype SUP | | Expired |
| Status STAFF REVIEW | | Status 10/14/2016 LM |

| | | |
|----------------------------------|--|---------------|
| Site Address VIGOR WAY | City, State Zip ROCKWALL, TX 75087 | Zoning |
|----------------------------------|--|---------------|

| | | | | | |
|--|-------------------|-------------------|--------------------|--|---------------------|
| Subdivision ROCKWALL TOWNE CENTER PH 2 & 3 | Tract 1 | Block A | Lot No 1 | Parcel No 3411-000A-0001-00-OR | General Plan |
|--|-------------------|-------------------|--------------------|--|---------------------|

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|---|-----------------|------------|------------|------------|---------|------------------------|-----------|
| BUILDING | John Shannon | 10/14/2016 | 10/21/2016 | 10/18/2016 | 4 | APPROVED | |
| ENGINEERING (10/18/2016 8:21 AM AW) Must meet all engineering standards and requirements | Amy Williams | 10/14/2016 | 10/21/2016 | 10/18/2016 | 4 | APPROVED W/ CONDITIONS | Condition |
| FIRE | Ariana Hargrove | 10/14/2016 | 10/21/2016 | | | | |
| PLANNING Z2016-033 SUP: Hotel on Vigor Way Please address the following comments (M= Mandatory Comments; I = Informational Comments). | Korey Brooks | 10/14/2016 | 10/21/2016 | 10/21/2016 | 7 | COMMENTS | Comments |
| <p>I.1 Hold a public hearing and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) for the purpose of allowing a hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.</p> <p>I.2 For questions or comments concerning this case, please contact Korey Brooks in the Planning Department at (972) 772-6434 or email kbrooks@rockwall.com.</p> <p>M.3 For reference, include the case number (Z2016-033) in the lower right hand corner of all pages on future submittals.</p> <p>M.4 Please provide North, East, South, and West Elevations</p> <p>M.5 The original SUP states that a "Residence Hotel" is prohibited. Please provide a unit mix of suites vs. non suites.</p> <p>I.6 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, The Planning & Zoning Worksession date for this case will be October 25, 2016. The Planning and Zoning Meeting for this case is November 15, 2016.</p> <p>I.7 The City Council meeting date and subsequent approval for this SUP is November 21, 2016 [1st Reading] and December 5, 2016 [2nd Reading].</p> | | | | | | | |



Z2016-033- HOTEL ON VIGOR WAY
 SUP - LOCATION MAP =

0 37.5 75 150 225 300 Feet

City of Rockwall

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

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

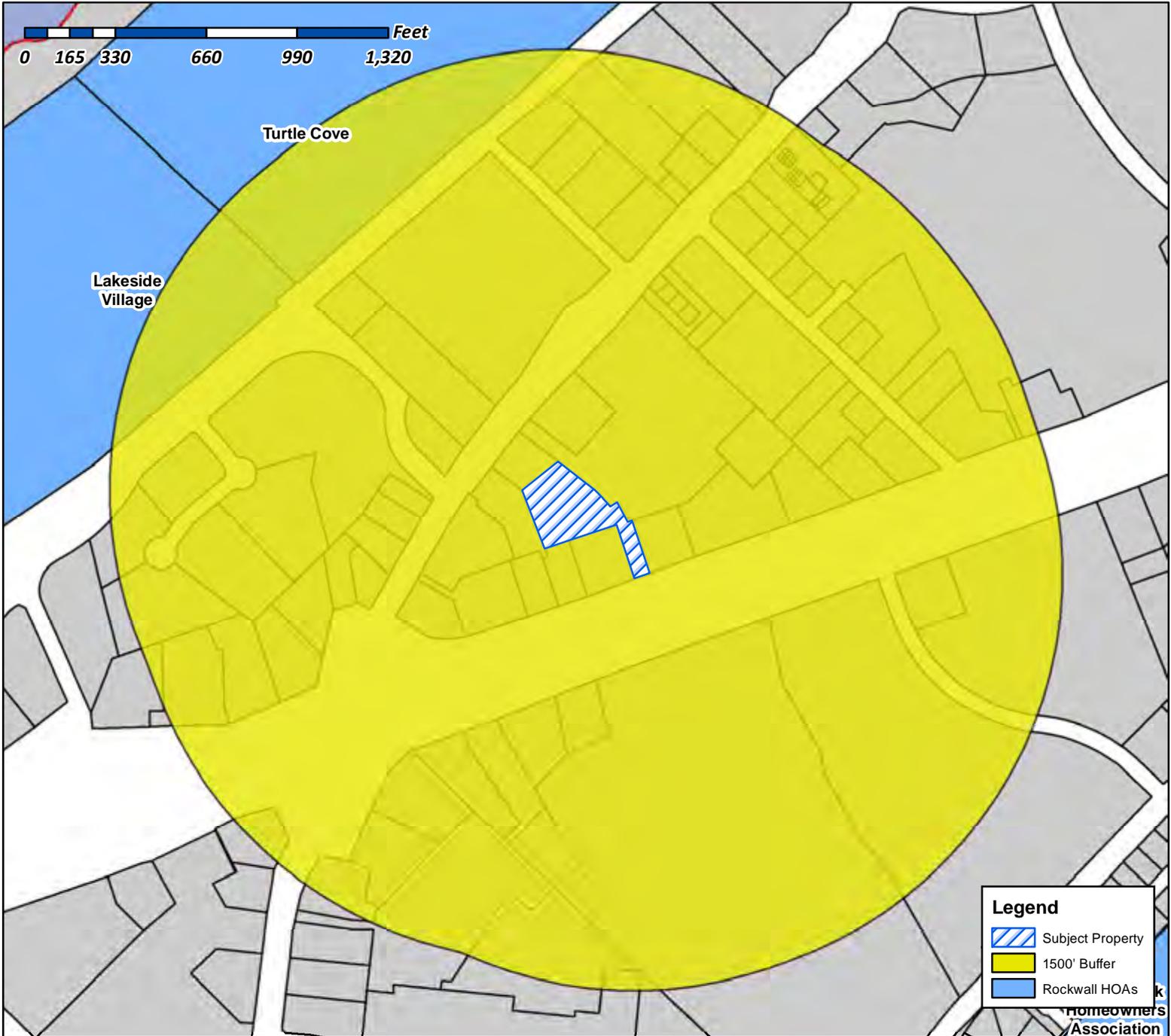




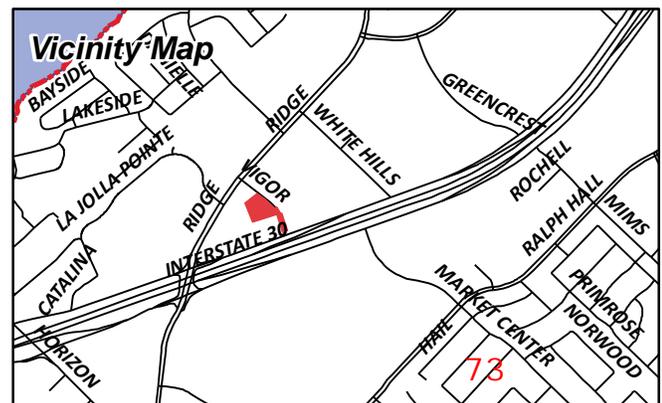
City of Rockwall

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

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Case Number: Z2016-033
Case Name: SUP for Hotel on Vigor Way
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 700 Vigor Way



Date Created: 10/16/2016

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

From: [Morales, Laura](#)
To: [REDACTED]
Cc: [Miller, Ryan](#); [Brooks, Korey](#); [Gonzales, David](#)
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Wednesday, October 26, 2016 4:03:30 PM
Attachments: [Z2016-033 HOA Map.pdf](#)

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on **November 4, 2016**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below.

Additional information can also be found at

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

Z2016-033- Hold a public hearing and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

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

Sincerely,

Laura Morales

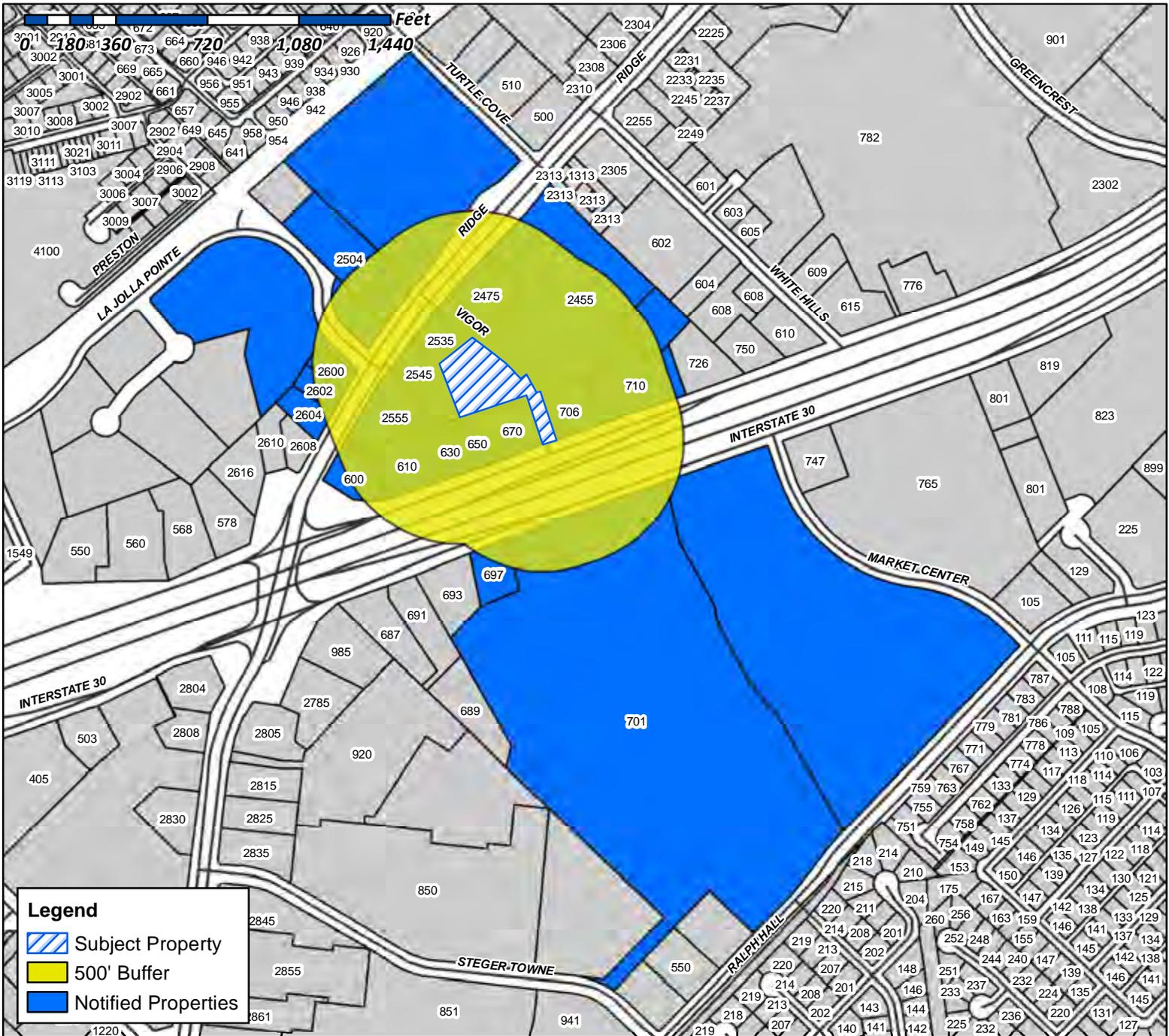
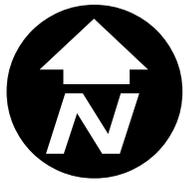
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | <http://www.rockwall.com>



City of Rockwall

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

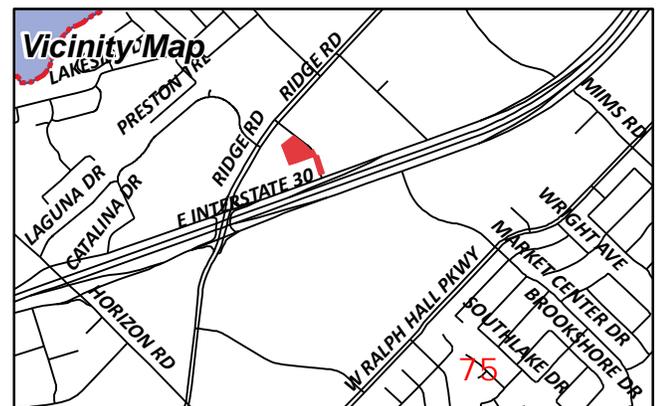
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Case Number: Z2016-033
Case Name: SUP for Hotel on Vigor Way
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 700 Vigor Way

Date Created: 10/14/2016

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



WENDY'S INTERNATIONAL INC
ATTN:PROPERTY TAX
1 DAVE THOMAS BLVD
DUBLIN, OH 43017

BOLD LLC
121 WYLER DR
DAKOTA, IL 61018

HP ROCKWALL III 30, LTD
12720 HILLCREST RD STE 1080
DALLAS, TX 75230

SUNFLOWER DELI INC
1345 MEANDERING WAY
ROCKWALL, TX 75087

ROCKWALL OCEANHILL LLC
C/O GEORGE RAUST
200 GLENWOOD CIR BOX 316
MONTEREY, CA 92940

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

CURRENT RESIDENT
2455 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2475 RIDGE RD
ROCKWALL, TX 75087

BROOKS RICHARD L MD
2504 RIDGE RD STE 101
ROCKWALL, TX 75087

CURRENT RESIDENT
2535 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2545 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2555 RIDGE RD
ROCKWALL, TX 75087

BELAC PROPERTIES LLC
2600 RIDGE RD STE 102
ROCKWALL, TX 75087

CURRENT RESIDENT
2602 RIDGE RD
ROCKWALL, TX 75087

CURRENT RESIDENT
2604 RIDGE RD
ROCKWALL, TX 75087

ROCKWALL AREA CHAMBER OF COMMERCE
2850 SHORELINE TRL
ROCKWALL, TX 75032

ROCKWALL DUNHILL LLC
3100 MONTICELLO AVENUE SUITE 300
DALLAS, TX 75205

MUZNA REAL ESTATE INC
3405 SPECTRUM BOULEVARD
RICHARDSON, TX 75082

CBAX PROPERTIES LLC
465 W PRESIDENT GEORGE BUSH HWY
RICHARDSON, TX 75080

ROCKWALL CORNER CORPORATION
600 E I-30
ROCKWALL, TX 75087

CURRENT RESIDENT
610 I30
ROCKWALL, TX 75087

CURRENT RESIDENT
630 I 30
ROCKWALL, TX 75087

PAUL'S KWIK KAR INC
650 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT RESIDENT
670 E I30
ROCKWALL, TX 75087

CURRENT RESIDENT
697 I30
ROCKWALL, TX 75087

LAKE POINTE BAPTIST CHURCH
701 E INTERSTATE 30
ROCKWALL, TX 75087

CURRENT RESIDENT
706 E I30
ROCKWALL, TX 75087

CURRENT RESIDENT
710 E I30
ROCKWALL, TX 75087

POP HOLDINGS LP
7750 N MACARTHUR BLVD STE 120-121
IRVING, TX 75063

DAVID HOGG BUILDING LLC
8652 W ROWEL RD
PEORIA, AZ 85383

ROCKWAY PARTNERS LLP
C/O JOHN HAMMERBECK
9071 E VASSAR AVE
DENVER, CO 80231

MIRANDA VINOD
9105 BRIARCREST DR
ROWLETT, TX 75089

MCDONALDS CORP (398/42)
C/O KEVA CHILDRESS
935 W RALPH HALL PKWY #101
ROCKWALL, TX 75032

PASTEM CORP
PO BOX 600433
DALLAS, TX 75360

ROCKWALL II PROPERTIES LLC
PO BOX 630768
HOUSTON, TX 77263



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

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

To Whom It May Concern:

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

Case No. Z2016-033: Residence Hotel on Vigor Way

Hold a public hearing and consider a request by Philip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) for the purpose of allowing a residence hotel in a Commercial (C) District that exceeds 36-feet in height in the Scenic Overlay (SOV) District for a 1.74-acre parcel of land identified as Lot 1, Block A, Comfort Inn & Suites Rockwall Towne Centre Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within IH-30 Overlay (IH-30 OV) and Scenic Overlay (SOV) Districts, addressed as 700 E. IH-30, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **11/21/2016** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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

PLEASE RETURN THE BELOW FORM

Case No. Z2016-033: Residence Hotel on Vigor Way

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.

Opposed to Residence Facilities. We already have that type of facility and don't need to encourage hotels as long term housing solutions. Not opposed to hotel without residence facility

Name: *John Wendell / Lake Private*

Address: *701 Interstate 30, Rockwall, TX*

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



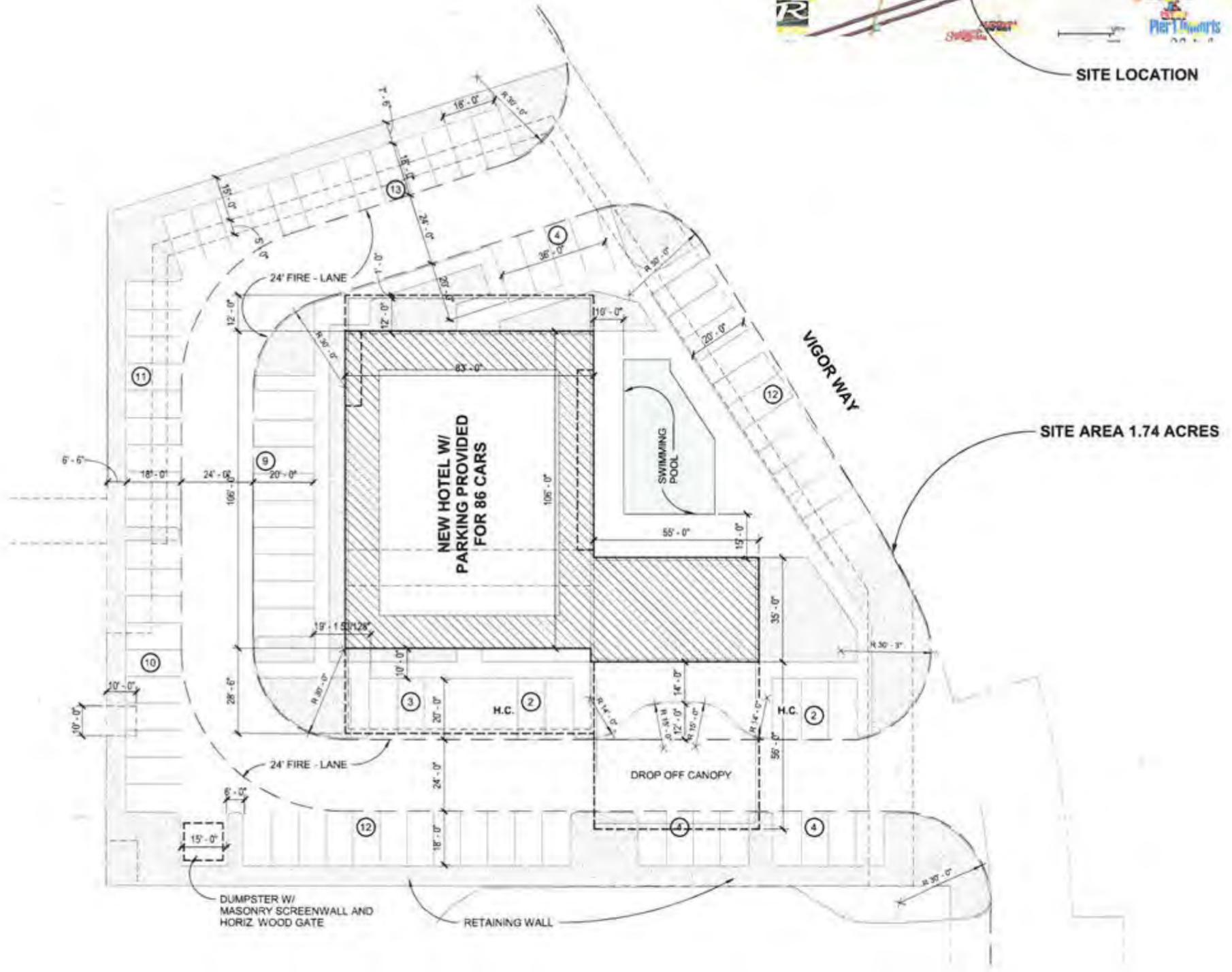
SITE LOCATION

**CONCEPT SITE PLAN
NEW HOTEL**

**ROCKWALL TOWNE CENTRE
LOT 1, BLOCK A**

**BEING A REPLAT OF LOT 8, BLOCK "A"
ROCKWALL TOWNE CENTRE PHASE 4**

**E.P.G. CHISUM SURVAY, A-64
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS**



SITE AREA 1.74 ACRES

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ROCKWALL

All that certain int. tract or parcel of land situated in the E.P. GARNES CHISUM SURVEY, ABSTRACT NO. 64, City of Rockwall, Rockwall County, Texas, and being Lot 8, Block A, of REPLAT LOT 8 & 9 ROCKWALL TOWNE CENTRE, PHASE 4, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet G, Side 35 of the Plat Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the West-most Southwest corner of said Lot 8, Block A, and being at the East-Southwest corner of Lot 8, Block A of SECOND REPLAT ROCKWALL TOWNE CENTRE, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Side 259 of the Plat Records of Rockwall County, Texas;

THENCE N. 18 deg. 31 min. 06 sec. W. along the Southwest line of Lot 8, Block A, a distance of 225.07 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner at an angle point in the Southwest line of said Lot 8, Block A;

THENCE N. 53 deg. 16 min. 29 sec. E. a distance of 162.49 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner in the Southwest line of a 15' access easement per plat recorded in Cabinet C, Side 274;

THENCE S. 52 deg. 10 min. 10 sec. E. along the Southwest line of said 15' access easement, a distance of 168.12 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE in a Southeastery direction along a curve to the right having a central angle of 16 deg. 24 min. 46 sec., a radius of 265.00 feet, a tangent of 41.10 feet, a chord of 5.43 deg. 57 min. 45 sec. E. 81.36 feet, along said 15' access easement, an arc distance of 81.94 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" found for corner;

THENCE N. 54 deg. 14 min. 35 sec. E. a distance of 30.00 feet to an "X" chisled in concrete for corner;

THENCE in a Southeastery direction along a curve to the right having a central angle of 14 deg. 57 min. 35 sec., a radius of 315.00 feet, a tangent of 41.36 feet, a chord of 5.28 deg. 19 min. 34 sec. E. 82.01 feet, along said 15' access easement, an arc distance of 82.25 feet to an "X" chisled in concrete for corner;

THENCE N. 71 deg. 21 min. 19 sec. E. a distance of 14.36 feet to a 1/2" iron rod found for corner;

THENCE S. 18 deg. 35 min. 57 sec. E. a distance of 291.58 feet to a P-K nail found in concrete for corner in the Northwest right-of-way line of Interstate Highway 30;

THENCE S. 71 deg. 21 min. 22 sec. W. along said right-of-way line, a distance of 58.00 feet to an "X" found in concrete for corner;

THENCE N. 18 deg. 35 min. 57 sec. W. a distance of 212.44 feet to a "X" found in concrete for corner;

THENCE S. 71 deg. 21 min. 19 sec. W. at 13.12 feet pass a 1/2" iron rod found for corner at an inner corner of said Lot 8, Block A, and continuing along the Southwest line of said Lot 8, a total distance of 261.28 feet to the POINT OF BEGINNING and containing 1.74 acres or 75,987 square feet of land.

1 CONCEPT SITE PLAN
1" = 20'-0"

PROPOSED MAX. HT = 60'-0"



① ELEVATION FRONT
1/8" = 1'-0"



② ELEVATION BACK
1/8" = 1'-0"



PRELIMINARY - NOT FOR CONSTRUCTION, PERMITTING OR REGULATORY APPROVAL

CRADDOCK ARCHITECTURE

750 E. Interstate 30 Ste. 160 Rockwall, TX 75087 214-952-0527

ROCKWALL HOTEL

VIGOR WAY
ROCKWALL TEXAS 75087

COPYRIGHT 2016 - CRADDOCK ARCHITECTURE PLLC, FOR USE ONLY ON A SPECIFIC SITE.



ROCKWALL HOTEL
VIGOR WAY
ROCKWALL TEXAS 75087

Project number 2016-140

Date 10/14/2016

ELEVATIONS

Scale: 1/8" = 1'-0"

| REVISION | | |
|----------|---------------|----------------------|
| # | Revision Date | Revision Description |
| | | |

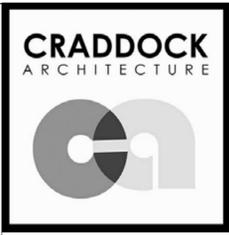
② ELEVATION RIGHT
1/8" = 1'-0"



① ELEVATION LEFT
1/8" = 1'-0"



PRELIMINARY - NOT FOR CONSTRUCTION, PERMITTING OR REGULATORY APPROVAL



CRADDOCK ARCHITECTURE
 750 E. Interstate 30 Ste. 160 Rockwall, TX 75087 214-952-0527
ROCKWALL HOTEL
 VIGOR WAY
 ROCKWALL TEXAS 75087

| REVISION | | |
|----------|---------------|----------------------|
| # | Revision Date | Revision Description |
| | | |

ROCKWALL HOTEL
 VIGOR WAY
 ROCKWALL TEXAS 75087
 Project number 2016-140 Date 10/14/2016
ELEVATIONS
 Scale: 1/8" = 1'-0"

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A HOTEL IN A COMMERCIAL (C) DISTRICT AND TO ALLOW FOR A STRUCTURE THAT EXCEEDS 36-FEET IN HEIGHT WITHIN THE SCENIC OVERLAY (SOV) DISTRICT, ON A 1.783-ACRE PARCEL OF LAND BEING IDENTIFIED AS LOT 8, BLOCK A, ROCKWALL TOWNE CENTER, PHASE 4, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City has received a request from Phillip Craddock of Craddock Architecture, PLLC on behalf of the owner Pastem Corporation for the approval of a Specific Use Permit (SUP) to allow for a *Hotel* in a Commercial (C) District and to allow for a structure that exceeds 36-feet in height within the Scenic Overlay (SOV) District on a 1.783-acre parcel of land being described as Lot 8, Block A, Rockwall Towne Center, Phase 4, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) and the IH-30 Overlay (IH-30 OV) Districts, addressed as 700 E. IH-30, which herein after shall be referred to as the *Subject Property* and incorporated 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*] and Specific Use Permit (SUP) No. S-55 [*Ordinance No. 08-37*] 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. 08-37*;

Section 2. 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 a *hotel* within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] and to allow for a structure that exceeds 36-feet in height within the Scenic Overlay (SOV) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*], on the *Subject Property*; and

Section 3. That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 4.5, Commercial District; Section 6.6, IH-30 Overlay (IH-30 OV) District; and Section 6.8,*

Scenic Overlay (SOV) District, of Article V, District Development Standards, Unified Development Code [Ordinance No. 04-38] as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:

- 1) The building shall generally conform to the site plan and building elevations, depicted in Exhibit 'A' and Exhibit 'B' of the attached ordinance.
- 2) The hotel shall be limited to four (4) residence suites. The remaining rooms shall be typical hotel rooms (i.e. not contain kitchen facilities).
- 3) The building shall be no more than 65-feet in height.
- 4) Freestanding signage associated with this development shall be limited to a monument sign (i.e. no pole sign shall be allowed).
- 5) Any construction or building necessary to complete this request must conform to the requirements set forth by the UDC, the International Building Code, 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.

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 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 5TH DAY OF DECEMBER, 2016.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 21, 2016

2nd Reading: December 5, 2016

DRAFT
ORDINANCE
12.05.2016

Exhibit 'B':
Building Elevations

PRELIMINARY - NOT FOR CONSTRUCTION, PERMITTING OR REGULATORY APPROVAL

| | | | |
|---|---|---------------------|--|
|  | CRADDOCK ARCHITECTURE 7502 WINTERBURN DR. #9 ROCKWALL, TX 75087 314-552-3527 ROCKWALL HOTEL VIGOR WAY ROCKWALL, TEXAS 75087 | SHEET ELEVATIONS | E1 Scale: 1/8" = 1'-0" Project Number: 2016-143 Date: 10/22/16 ROCKWALL HOTEL VIGOR WAY ROCKWALL, TEXAS 75087 |
|---|---|---------------------|--|



② ELEVATION BACK
1/8" = 1'-0"



① ELEVATION FRONT
1/8" = 1'-0"

1014 - TEX S.M.P.15116

Exhibit 'B':
Building Elevations



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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/21/2016

APPLICANT: David Palmer of *Cencor Acquisition Co., Inc.*

AGENDA ITEM: Z2016-034; N.W. Corner FM-549 & SH-205 (AG to C)

SUMMARY:

Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [*SH-205*], and take any action necessary.

BACKGROUND INFORMATION AND PURPOSE:

The subject property is a 7.1692-acre tract of land generally located on the northwest corner of FM-549 and SH-205 and is adjacent to the Oaks of Buffalo Way Subdivision. The *subject property* was annexed into the City on May 19, 1986 (*Ordinance No. 86-37*) and zoned Agricultural (AG) District. The applicant is requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Commercial (C) District. The subject property is within the SH-205 Overlay (*SH-205 OV*) District and if approved, is subject to the development standards of such district.

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a single-family residence situated on a 4.99-acre tract of land zoned Agricultural (AG) District.

South: Directly south of the subject property is a 7.32-acre tract of land zoned General Retail (*GR*) District that currently has an office facility and two (2) practice baseball in-fields. A portion of the property has been granted an SUP for a retail store with gasoline sales.

East: Directly east of the subject property is a 45.4871-acre vacant tract of land zoned Commercial (C) District.

West: Directly west of the subject property is the Oaks of Buffalo Way Subdivision zoned Single-Family Estate (SFE-1.5) District.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for Commercial land uses, which is in conformance with the Comprehensive Plan and the applicants request for the zoning change to Commercial (C) District.

NOTIFICATION:

On October 27, 2016, staff mailed 17 notices to property owners and residents within 500-feet of the subject property. Staff also sent a notice to the Oaks of Buffalo Way Homeowner's Associations (*HOA*), which is the only HOA located within 1,500 feet of the subject property and participating in the notification program. Additionally, staff posted a sign along SH-205, adjacent to the *subject property* as required by the Unified Development Code (UDC). At the time this case memo was drafted staff has received two (2) notices against the zoning change request.

PLANNING AND ZONING COMMISSION:

On November 15, 2016, the Planning and Zoning Commission's motion to recommend denial of the applicants' zoning request failed due to a lack of obtaining a second. However, a subsequent motion to recommend approval of a zoning change from Agricultural (AG) District to General Retail (GR) District passed by a vote of 6 to 0 with Commissioner Lyons absent.

David C. Palmer
Executive Vice President

dpalmer@cencorrealty.com

October 12, 2016

Ryan Miller
City of Rockwall
385 S. Goliad Street
Rockwall, TX 75087

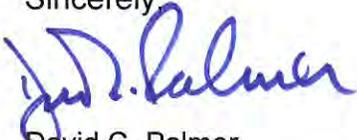
**Re: NWC 205 & 549 - Rockwall, TX
Zoning Change**

Dear Mr. Miller:

The applicant desires to change the zoning on the referenced seven acre tract from Agricultural to Commercial. With property frontage on 205, and the planned extension of 549, the site is most suited to commercial development. The Future Land Use Map designates the site as Commercial.

Specific uses and a site plan have not yet been determined. Having the proper zoning in place is necessary to effectively market the property to potential users.

Sincerely,



David C. Palmer.
Executive Vice President

City of Rockwall Project Plan Review History



| | | | | | | |
|-----------------------|--------------------------------------|------------------|-----------------------------|-----------------|------------|----|
| Project Number | Z2016-034 | Owner | HOME, BOY ENTERPRISES INC | Applied | 10/14/2016 | LM |
| Project Name | Home Boy Enterprise SWC SH-205 FM549 | Applicant | CENCOR ACQUISITION CO., INC | Approved | | |
| Type | ZONING | | | Closed | | |
| Subtype | REZONE | | | Expired | | |
| Status | STAFF REVIEW | | | Status | 10/14/2016 | LM |

| | | |
|---------------------|------------------------|---------------|
| Site Address | City, State Zip | Zoning |
| FM205 & FM549 | ROCKWALL, TX 75032 | |

| | | | | | |
|---------------------|--------------|--------------|---------------|----------------------|---------------------|
| Subdivision | Tract | Block | Lot No | Parcel No | General Plan |
| OAKS OF BUFFALO WAY | 10-1 | NULL | 10-1 | 0080-0000-0010-01-OR | |

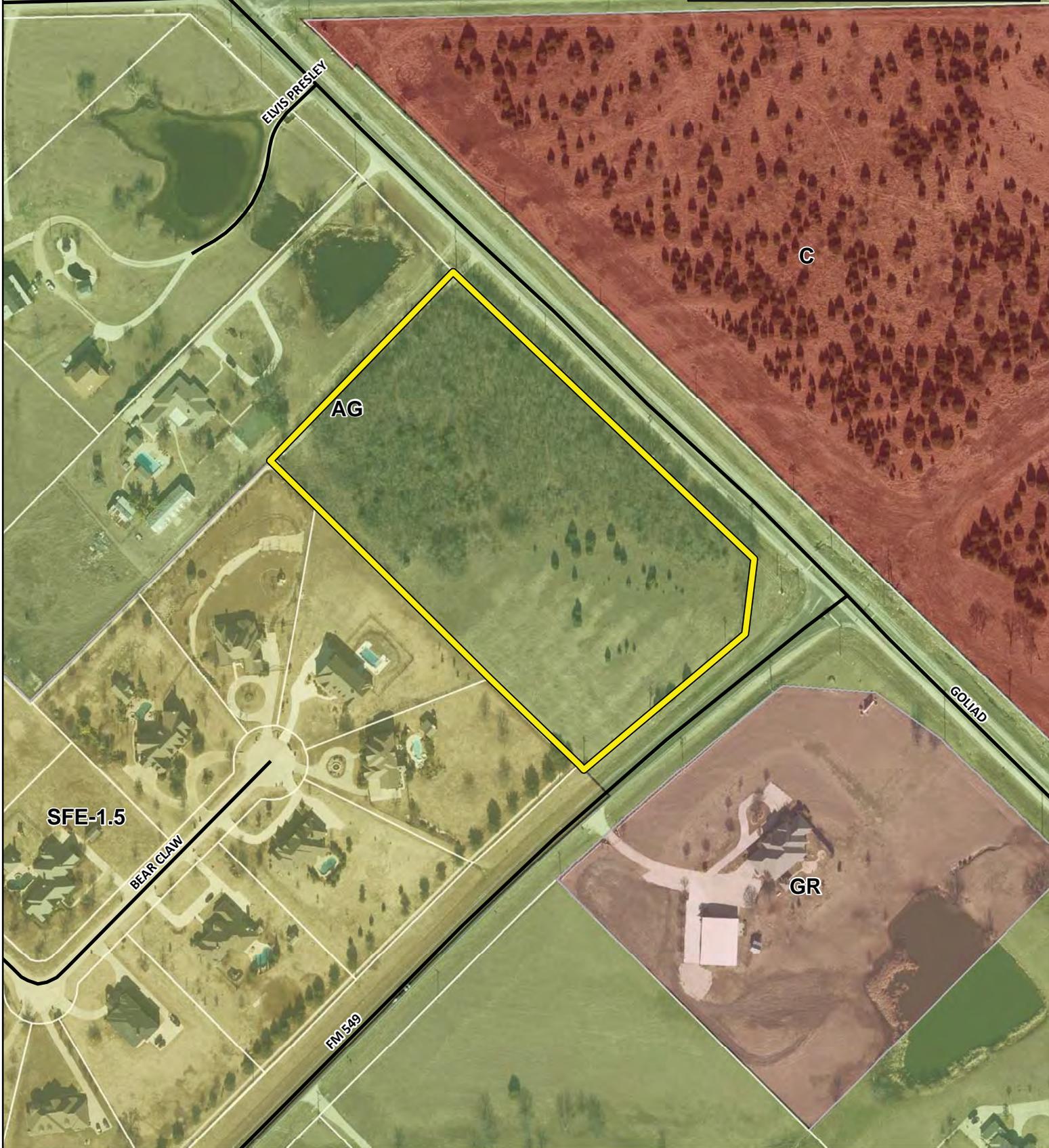
| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|--|-----------------|------------|------------|------------|---------|----------|-----------------|
| ENGINEERING (10/18/2016 8:22 AM AW) Must meet all engineering standards and requirements | Amy Williams | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | APPROVED | With Conditions |
| FIRE | Ariana Hargrove | 10/14/2016 | 10/21/2016 | 10/24/2016 | 10 | APPROVED | |
| PLANNING | David Gonzales | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | COMMENTS | See comments |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed Status | Remarks |
|--|---------|------|-----|----------|----------------|---------|
| <p>Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], and take any action necessary.</p> | | | | | | |
| <p>General Planning Comments to be addressed:</p> | | | | | | |
| <p>1. On all revised plan submittals please include the Case Number (Z2016-034) in the lower right hand corner.</p> | | | | | | |
| <p>The following are scheduled meeting dates that you and/or your representative(s) should attend regarding the zoning change request. Most importantly, be sure tha you and/or your representative(s) are present for both Public Hearings as per the scheduled dates below. If you have any quesitons regarding this case, please feel free to contact David Gonzales, AICP with the Planning Department at 972-771-7745.</p> | | | | | | |
| <p>Meeting Dates to Attend:</p> | | | | | | |
| <p>Planning - Work Session: October 25, 2016 (6:00 p.m.)</p> | | | | | | |
| <p>Planning - Public Hearing: November 15, 2016 (6:00 p.m.)</p> | | | | | | |
| <p>City Council - Public Hearing: November 21, 2016 (1st Reading of Ordinance) [6:00 p.m.]</p> | | | | | | |
| <p>City Council - December 5, 2016 (2nd Reading of Ordinance) [6:00 p.m.]</p> | | | | | | |



PD-63

Z2016-034- ZONING CHANGE (AG to C)
 ZONING- LOCATION MAP =



City of Rockwall

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

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

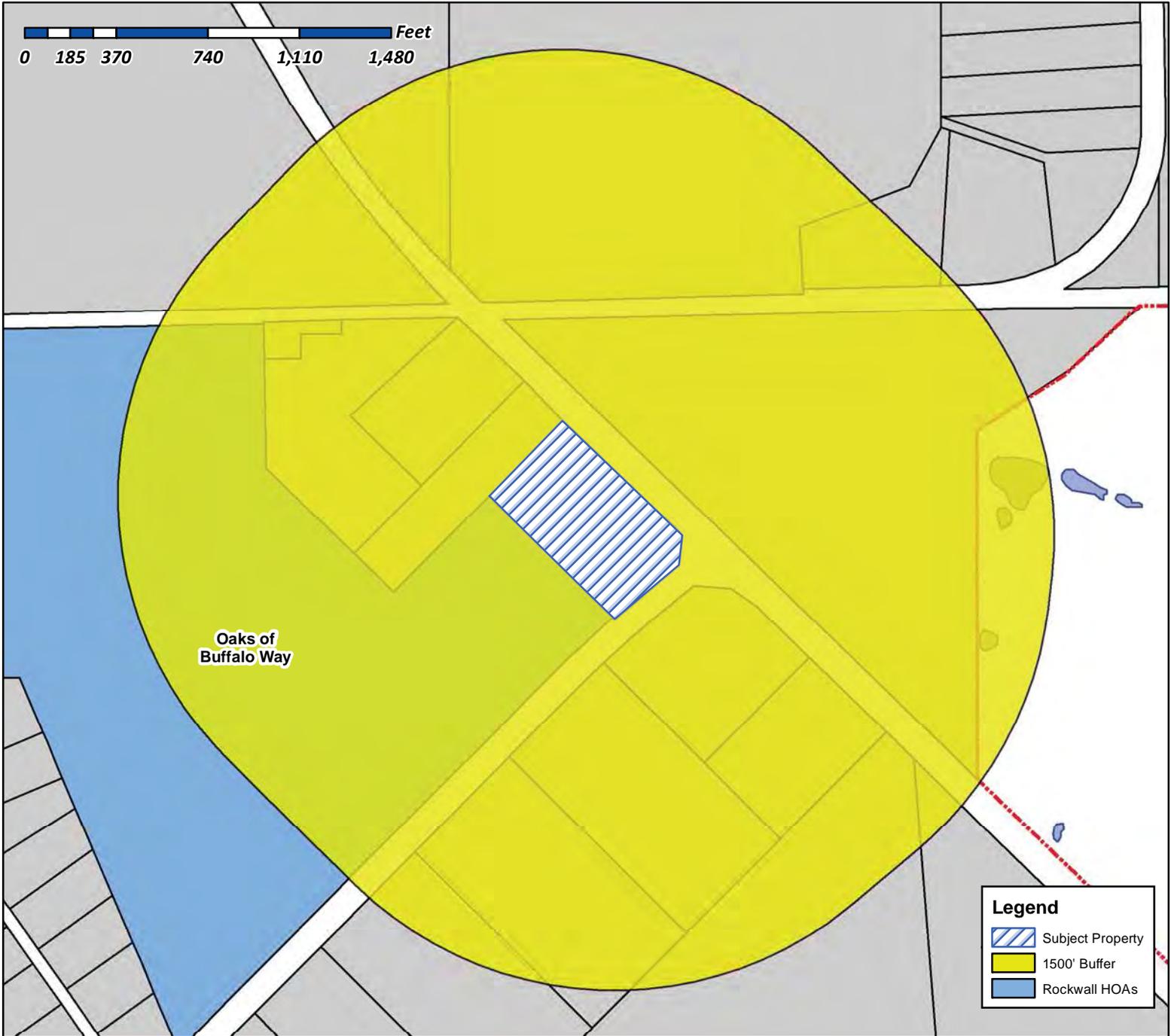




City of Rockwall

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Case Number: Z2016-034
Case Name: Zoning Change (AG to C)
Case Type: Zoning
Zoning: Agriculture (AG) District
Case Address: SWC of SH-205 & FM549



Date Created: 10/16/2016

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

From: [Morales, Laura](#)
To: "oaksofbwpres@gmail.com"
Cc: [Miller, Ryan](#); [Brooks, Korey](#); [Gonzales, David](#)
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Wednesday, October 26, 2016 4:07:19 PM
Attachments: [Z2016-034 HOA Map.pdf](#)

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on **November 4, 2016**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>

Z2016-034-Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], and take any action necessary.

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

Sincerely,

Laura Morales

Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | <http://www.rockwall.com>



City of Rockwall

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

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Case Number: Z2016-034
Case Name: Zoning Change (AG to C)
Case Type: Zoning
Zoning: Agriculture (AG) District
Case Address: NWC of SH-205 & FM549



Date Created: 10/16/2016

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

IMBURGIA JOHN & GRACE
211 ELVIS PRESLEY LANE
ROCKWALL, TX 75032

J BR2 LLC
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

ROCKWALL RETAIL INVESTORS LLC
2701 SUNSET RIDGE DR #607
ROCKWALL, TX 75032

CURRENT RESIDENT
2994 S FM549
ROCKWALL, TX 75032

ARCADIA LAKES OF SOMERSET HOLDINGS LLC
3500 MAPLE AVENUE #1165
DALLAS, TX 75219

HOME BOY ENTERPRISES INC
460 LAWRENCE DR
HEATH, TX 75032

HOUSER WILLIAM D & STACEY B
4768 S STATE HIGHWAY 205
ROCKWALL, TX 75032

CURRENT RESIDENT
5133 S FM549
ROCKWALL, TX 75032

BALEY ROBIN E
5135 BEAR CLAW LANE
ROCKWALL, TX 75032

USMAN ASIM & HUMA RASHID
5140 BEAR CLAW LN
ROCKWALL, TX 75032

CURRENT RESIDENT
5155 BEAR CLAW LN
ROCKWALL, TX 75032

PHILIP LIVING TRUST
5160 BEAR CLAW LN
ROCKWALL, TX 75032

YOUNG BRIAN E & PATTI D
5165 BEAR CLAW LANE
ROCKWALL, TX 75032

CURRENT RESIDENT
5170 BEAR CLAW LN
ROCKWALL, TX 75032

BLACKWOOD SCOTT W & GLENITA G
5205 S FM 549
ROCKWALL, TX 75032

THURMOND KATHRYN ESTATE
5606 POLO RD
COLLEGE STATION, TX 77845

GROOM ROGER
PO BOX 1150
MABANK, TX 75147



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

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

To Whom It May Concern:

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

Case No. Z2016-034: Zoning Change (AG to C)

Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], 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, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **11/21/2016** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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

PLEASE RETURN THE BELOW FORM

Case No. Z2016-034: Zoning Change (AG to C)

Please place a check mark on the appropriate line below:

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

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

Gonzales, David

From: Planning
Sent: Wednesday, November 02, 2016 8:34 AM
To: Gonzales, David; Miller, Ryan
Subject: FW: Case no. 22016-034 (Zoning Change)

From: Greg Shockley [REDACTED]
Sent: Tuesday, November 01, 2016 5:39 PM
To: Planning
Subject: Case no. 22016-034 (Zoning Change)

David,

I just bought the house at 5155 Bear Claw Lane, so, I did not know about the zoning issue, and my submittal will therefore be late.

Needless to say, I would not have purchased the house, had I known that the city was planning on putting a gas station in my backyard, and, I am OPPOSED to the request to change the zoning.

I have 3 small children, so having a gas station in my backyard will endanger my children, as transients will be loitering around the station.

The station will cause noise pollution, and harm my family.

The station will cause air pollution and harm my family.

The construction and station will disrupt the school bus routes.

It is my intent to hire a lawyer to represent my family in opposition to this zoning change.

Please be advised.

Greg Shockley

Gonzales, David

From: Gonzales, David
Sent: Tuesday, November 01, 2016 3:54 PM
To: 'From Burzair'; Miller, Ryan; Brooks, Korey; Morales, Laura
Subject: RE: ZONING CHANGE REQUEST

Ms. Burzair,

Thank you for taking time to write this e-mail and participating in the zoning process. Your e-mail will be forwarded to the Planning and Zoning Commission and City Council in their information packets for consideration of the request (*during the public hearing process*). You are also welcome to express your concerns during the public participation process of one or both meeting(s).

Please let me know if you have any additional questions or concerns.

Thank you,



DAVID GONZALES, AICP

SENIOR PLANNER • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6488 OFFICE
DGONZALES@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

[HELPFUL LINKS](#) | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[CITY OF ROCKWALL INTERACTIVE MAPS](#)

From: From Burzair [REDACTED]
Sent: Monday, October 31, 2016 1:54 PM
To: Miller, Ryan; Gonzales, David; Brooks, Korey; Morales, Laura
Subject: Re: ZONING CHANGE REQUEST

To: Ryan Miller, David Gonzales, Korey Brooks, Laura Morales:

In regards to the zoning change request (as listed below) that lies within 1500 feet of the boundaries of the neighborhood in which we live, Oaks of Buffalo Way, we wanted to reach out to you formally via email to express our concern and opposition. As involved, supportive, and invested residents of the community of Rockwall, we think it is imperative for the benefit of all Rockwall residents, that well-established and well-regarded neighborhoods be protected from commercial zoning within such close proximity.

Not only is there concern that a commercial venue within such close proximity will lessen the value of our individual properties, we are also concerned that this change would bring an increase in traffic, noise, activity level, light pollution and safety issues to our neighborhood. The traffic at the intersection in question, (205 & 549) during prime hours of travel, is already a problem... adding a commercial venue at that intersection, located right next door to our neighborhood, will increase the traffic issues, devalue the worth of our homes, and negatively impact the quality of our lives and the welfare of our families.

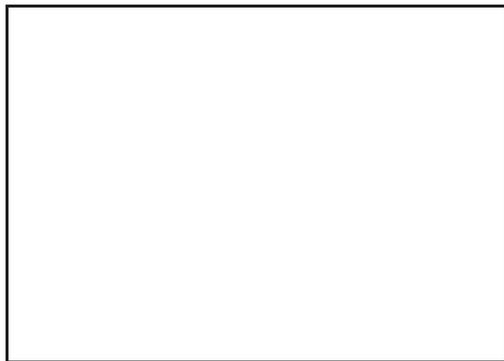
We value your time and consideration regarding this matter and would appreciate a confirmation that this email has been received and will be formally noted in regards to the upcoming hearings scheduled for November 15th and 21st.

Best Regards,

Marcia Carroll Burzair and Edward Burzair
Oaks of Buffalo Way residents for 15 years

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on **November 4, 2016**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>



Current Development Cases - Planning and Zoning Department

sites.google.com

The following are the current development cases for the City of Rockwall. Included are the dates of the public meetings as well as links to location maps, property ...

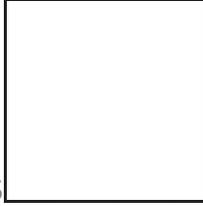
Z2016-034-Hold a public hearing to discuss and consider a request by David Palmer of Cencor Acquisition Co., Inc on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of FM-549 and S. Goliad Street [SH-205], and take any action necessary.

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

City of Rockwall

www.rockwall.com

Location: City of Rockwall 385 S. Goliad Street Rockwall , Texas 75087 : Business Hours: Monday – Friday



8:00 a.m. to 5:00 p.m. Phone: (972) 771-7745

Sincerely,

Laura Morales
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
[972-771-7745](tel:972-771-7745) | 972-772-6438

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

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 FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT ON A 7.1692-ACRE TRACT OF LAND IDENTIFIED AS TRACT 10-1 OF THE W. W. FORD SURVEY, ABSTRACT NO. 80, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by David Palmer of Cencor Acquisition Co., Inc. on behalf of Hossain Makvandi of Home Boy Enterprises, Inc. for a change in zoning from an Agricultural (AG) District to a Commercial (C) District on a 7.1692-acre tract of land identified as Tract 10-1 of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'*, of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 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 Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Commercial (C) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Commercial (C) District* in *Section 1.1, "Use of Land and Buildings,"* of *Article IV, "Permissible Uses,"* *Section 4.5, "Commercial (C) District,"* and *Section 6.7, "SH-205 Overlay (SH-205 OV) District"* of *Article V, "District Development Standards,"* of the *Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall

be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage 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 5th DAY OF DECEMBER, 2016.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 21, 2016

2nd Reading: December 5, 2016

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CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/21/2016

APPLICANT: Robert Howman of *Glenn Engineering Corp.*

AGENDA ITEM: Z2016-035; RISD - CCA (*SUP*)

SUMMARY:

Hold a public hearing to discuss and consider a request by Robert A, Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (*RISD*) for the approval of a Specific Use Permit (*SUP*) for the purpose of allowing a *Public School* in an Agricultural (*AG*) District for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (*AG*) District, situated within the SH-205 Bypass Corridor Overlay (*205 BY-OV*) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.

BACKGROUND INFORMATION:

The applicant is requesting approval of a Specific Use Permit (*SUP*) for the purpose of allowing a *Public School* in an Agricultural (*AG*) District. The property is located east of the intersection of John King Boulevard and Trial View Drive, and is adjacent to and south of the Lofland Farms Addition. The proposed public school facility will be located on a 24.209-acre portion of a larger 173.0-acre tract of land that is situated within the SH-205 By-Pass Corridor Overlay (*205 BY-OV*) District.

As part of the Specific Use Permit (*SUP*) submittal, the applicant has submitted a conceptual site plan indicating the proposed layout (*building footprint, parking, access, etc.*) of the Rockwall - CCA [*College and Career Academy*]. The site will provide two (2) primary points of access along John King Boulevard and one (1) secondary access point from Sugar Valley Drive (*Lofland Farms Addition*). If approved, the applicant will be required to submit a site plan and replat the property.

Included in your packet is the applicant's concept plan indicating the location of the proposed site in relation to the overall boundary of the property. As a note, a request for an *SUP* is a discretionary decision for the Planning and Zoning Commission and the City Council.

NOTIFICATION:

Staff mailed 102 notices to property owners and residents within 500-feet of the subject property. Staff also notified four (4) HOA/Neighborhood Organization's (*Lofland Farms, Meadow Creek Estates, Hickory Ridge, and Hickory Ridge East*) that are within 1,500 feet of the *subject property* and participating in the notification program. Additionally, staff posted a sign on the property as required by the Unified Development Code (*UDC*). At the time this report was drafted, staff has not received any notices for or against the zoning change request.

RECOMMENDATIONS:

Should the Specific Use Permit be approved, staff would offer the following conditions:

1. The development must meet all Fire Department, Building Inspections, and Engineering standards.
2. Submittal and approval of a site plan and final plat are required prior to the issuance of a building permit.
3. Expansion of the approximately 173-acre site will require a Specific Use Permit for each additional phase of the development.
4. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.
5. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the International Building Code, 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 November 15, 2016, the Planning and Zoning Commission's motion to recommend approval of the SUP with staff conditions passed by a vote of 6 to 0 with Commissioner Lyons absent.

City of Rockwall Project Plan Review History



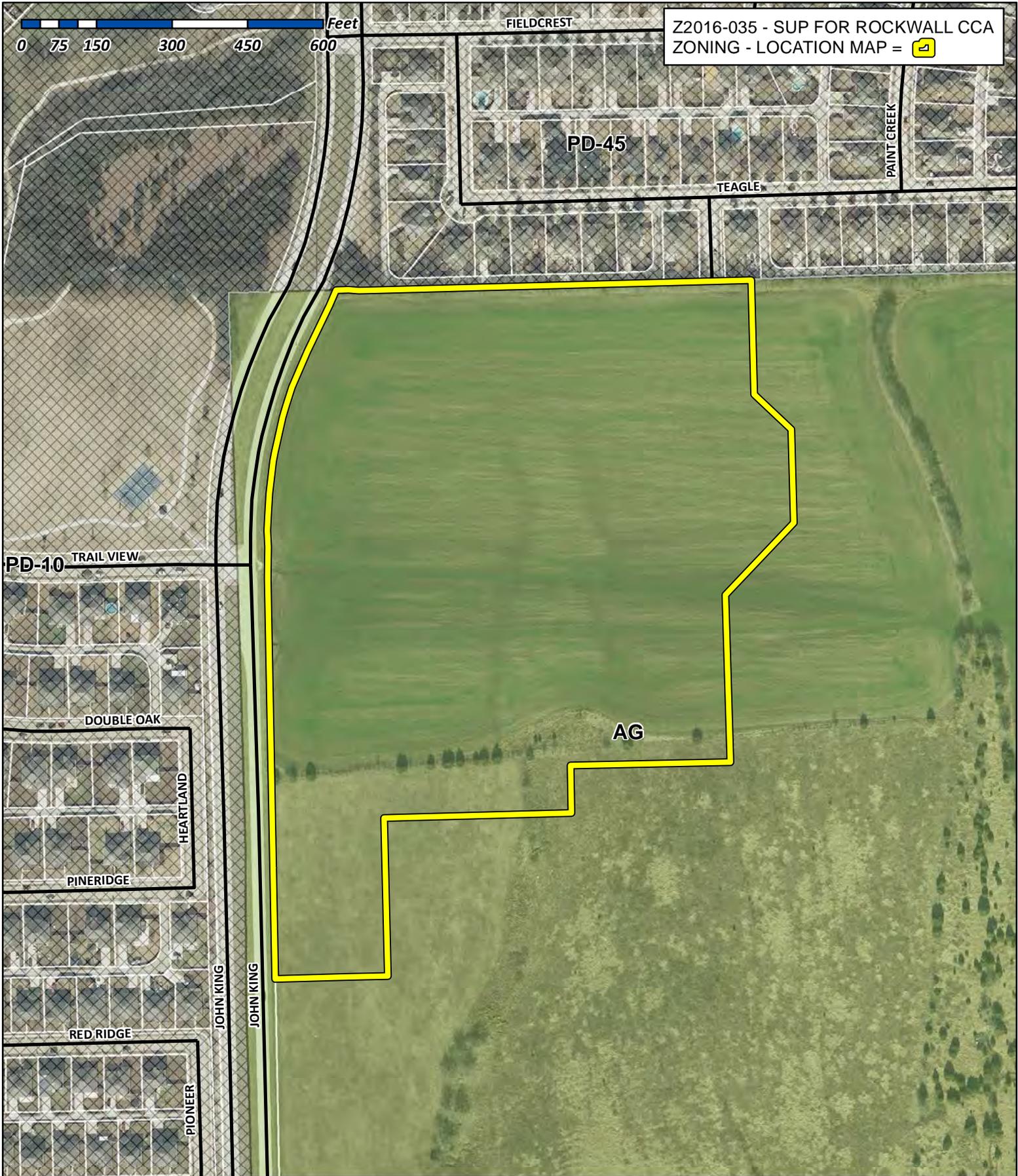
| | | |
|---------------------------------------|--|------------------------------|
| Project Number Z2016-035 | Owner ROCKWALL, INDEPENDENT SCHOOL DISTRICT | Applied 10/14/2016 LM |
| Project Name Rockwall CCA-RISD | Applicant GLENN ENGINEERING CORP. | Approved |
| Type ZONING | | Closed |
| Subtype SUP | | Expired |
| Status P&Z HEARING | | Status 11/11/2016 DG |

| | | |
|---------------------------------------|--|---------------|
| Site Address JOHN KING BLVD | City, State Zip ROCKWALL, TX 75032 | Zoning |
|---------------------------------------|--|---------------|

| | | | | | |
|--|---------------------|----------------------|----------------------|--|---------------------|
| Subdivision HICKORY RIDGE PH 4 | Tract 7-1 | Block NULL | Lot No 7-1 | Parcel No 0025-0000-0007-01-OR | General Plan |
|--|---------------------|----------------------|----------------------|--|---------------------|

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|---|-----------------|------------|------------|------------|---------|----------|-----------------|
| BUILDING | John Shannon | 10/14/2016 | 10/21/2016 | 10/18/2016 | 4 | APPROVED | |
| ENGINEERING (10/18/2016 8:23 AM AW) Must meet all engineering standards and requirements Pay all pro-ratas | Amy Williams | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | APPROVED | With Conditions |
| FIRE | Ariana Hargrove | 10/14/2016 | 10/21/2016 | 10/24/2016 | 10 | APPROVED | |
| PLANNING | David Gonzales | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | COMMENTS | See comments |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed Status | Remarks |
|---|---------|------|-----|----------|----------------|---------|
| <p>Hold a public hearing to discuss and consider a request by Robert A, Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for the purpose of allowing a Public School in an Agricultural (AG) District for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.</p> <p>The following staff comments are to be addressed and resubmitted no later than Tuesday, November 1, 2016. Please provide three (3) large copies [24" X 36" FOLDED] of the Conceptual Site Plan and one PDF version for a subsequent review by staff:</p> <ul style="list-style-type: none"> • On all future plan submittals please include the Case Number (Z2016-035) in the lower right hand corner. <p>Planning Staff General Comments/Conditions of SUP:</p> <ol style="list-style-type: none"> 1. The development must meet all Fire Department, Building Inspections, and Engineering standards. 2. Submittal and approval of a site plan and final plat (mylars in house for filing purposes) are required prior to the issuance of a building permit. 3. Future expansion of the approximately 173 acre site requires a Specific Use Permit (SUP) [or amendment] for each additional phase of the development. 4. Relabel document title to read: Zoning Exhibit - Conceptual Site Plan. 5. The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof. 6. Any construction or building allowed by this request must conform to the requirements set forth by the Unified Development Code, the International Building Code, 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. <p>The following are scheduled meeting dates that you and/or your representative(s) should attend regarding the zoning matter. Most importantly, be sure that you and/or your representative(s) are present for both Public Hearings as per the scheduled dates below. If you have any quesitons regarding this case, please feel free to contact David Gonzales, AICP with the Planning Department at 972-771-7745.</p> <p>Meeting Dates to Attend:</p> <p>Planning - Work Session: October 25, 2016 (6:00 p.m.) Planning - Public Hearing: November 15, 2016 (6:00 p.m.)</p> <p>City Council - Public Hearing: November 21, 2016 (1st Reading of Ordinance) [6:00 p.m.] City Council - December 5, 2016 (2nd Reading of Ordinance) [6:00 p.m.]</p> | | | | | | |



City of Rockwall

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

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

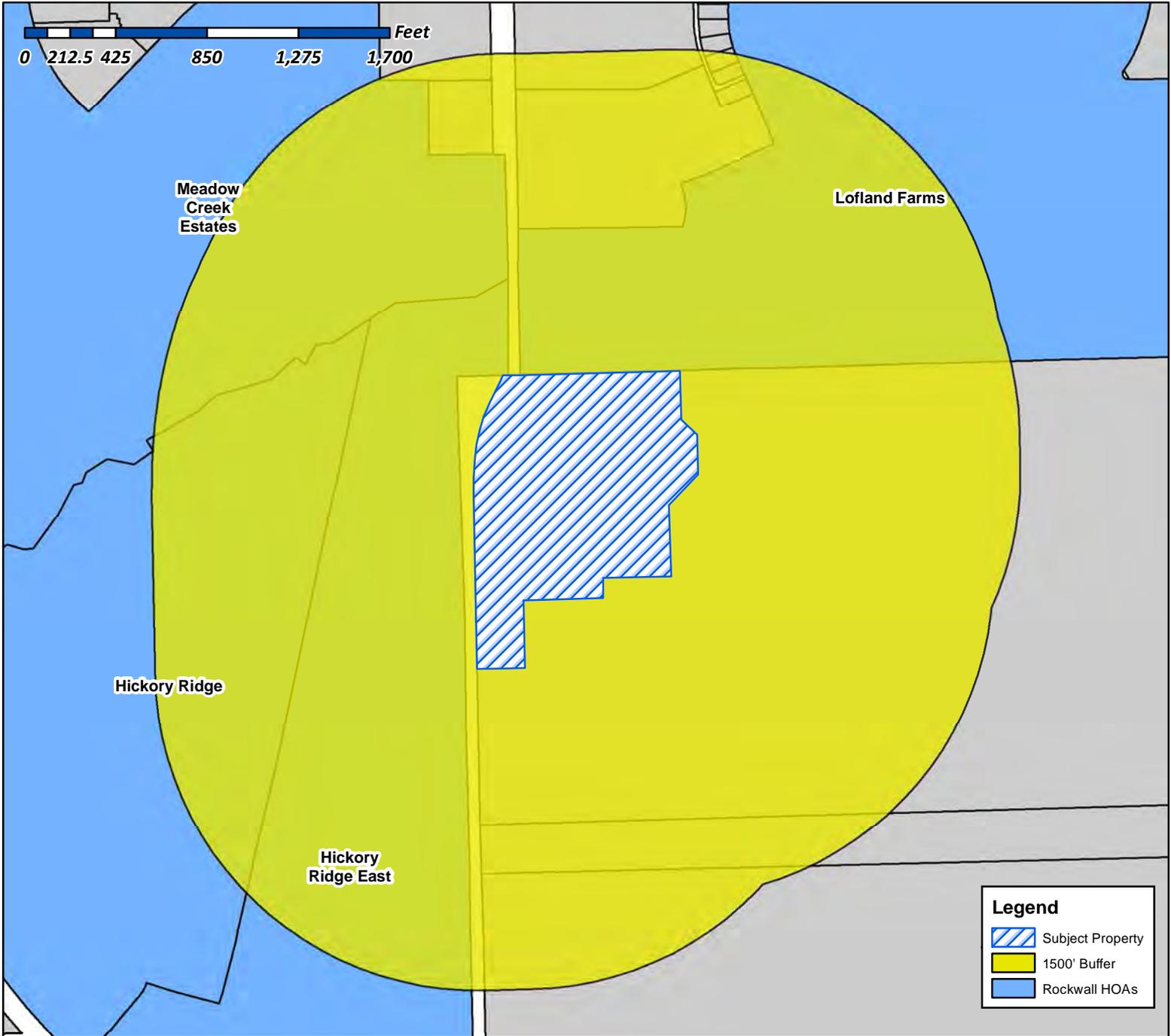




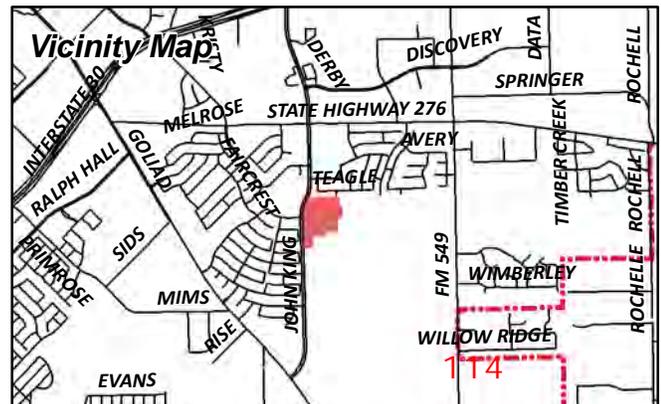
City of Rockwall

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

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Case Number: Z2016-035
Case Name: SUP for Public School in AG District
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: East of the Intersection of John King Blvd and Trail View Drive



Date Created: 10/25/2016

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

From: [Morales, Laura](#)
To: "hromatka@hotmail.com"; "s.gantt@sbbmanagement.com"; "dbmeyer@cmamanagement.com"; "Justini@ymail.com"; "dbmeyer@cmamanagement.com"; "mdoemeny@principal-mgmt.com"; "jcomerford@principal-mgmt.com"
Cc: [Miller, Ryan](#); [Brooks, Korey](#); [Gonzales, David](#)
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Wednesday, October 26, 2016 4:13:02 PM
Attachments: [Z2016-035 HOA Map.pdf](#)

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on **November 4, 2016**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>

Z2016-035-Hold a public hearing to discuss and consider a request by Robert A, Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for the purpose of allowing a *Public School* in an Agricultural (AG) District for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.

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

Sincerely,

Laura Morales

Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | <http://www.rockwall.com>



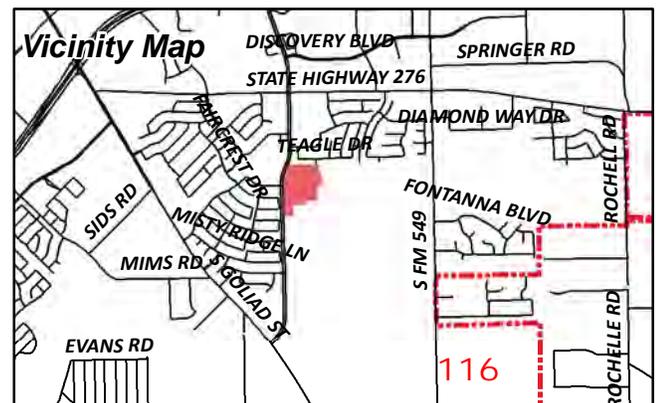
City of Rockwall

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

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Case Number: Z2016-035
Case Name: SUP for a Public School in AG District
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: East of the intersection of John King Blvd and Trail View Drive



Date Created: 10/25/2016

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

ROCKWALL INDEPENDENT SCHOOL DISTRICT
1050 WILLIAMS ST
ROCKWALL, TX 75087

HOLMES NILES & LINDA
122 JAMES DR
ROCKWALL, TX 75032

DRUMMOND LYNNE B
16 EASTVIEW RD
HIGHLAND MILLS, NY 10930

HICKORY RIDGE EAST HOMEOWNERS ASSOC
1800 PRESTON PARK BLVD STE 101
PLANO, TX 75093

BOWERS JOHN WALTER
2141 PAINT CREEK CT
ROCKWALL, TX 75032

WHELOCK DEAN I & IDA P
2141 TEAGLE DR
ROCKWALL, TX 75032

HANDS TOM & SUSAN
2150 PAINT CREEK
ROCKWALL, TX 75032

HALL DEREK R
2151 PAINT CREEK CT
ROCKWALL, TX 75032

GASKILL RODNEY A & REBECCA J
2151 TEAGLE DR
ROCKWALL, TX 75032

DENTON JOSHUA & ASHLEY
2160 PAINT CREEK COURT
ROCKWALL, TX 75032

MYERS JAMES R & KARLA SUE
2161 PAINT CREEK CT
ROCKWALL, TX 75032

GLAZE STEVE LOUIS
2161 TEAGLE DR
ROCKWALL, TX 75032

KELLEY RUSSELL D &
2170 PAINT CREEK CT
ROCKWALL, TX 75032

CURRENT RESIDENT
2171 PAINT CREEK CT
ROCKWALL, TX 75032

QUEEN RONALD RENARD &
2171 TEAGLE DR
ROCKWALL, TX 75032

SMITH ALLISON L & DANIEL J
2181 TEAGLE DR
ROCKWALL, TX 75032

ERICKSON STEPHEN R & KRISTIN L
2211 FIELDCREST DR
ROCKWALL, TX 75032

TRUJILLO SIMON AND NALLELY
2221 FIELDCREST DR
ROCKWALL, TX 75032

SHIVERS ROBERT & LETRIS
2231 FIELDCREST DR
ROCKWALL, TX 75032

NEWBERRY RANDY F
2231 TEAGLE DR
ROCKWALL, TX 75032

VO LIEN THI
2240 TEAGLE DRIVE
ROCKWALL, TX 75032

GOLDSMITH MATTHEW R/COURTNEY
2241 FIELDCREST DR
ROCKWALL, TX 75032

KING RYAN G & AMBER S
2241 TEAGLE DR
ROCKWALL, TX 75032

LEWIS MARCUS & BELICIA
2250 TEAGLE DR
ROCKWALL, TX 75032

DIETZ CHRISTINE M
2251 FIELDCREST DRIVE
ROCKWALL, TX 75032

MCDONALD KRISTOPHER MICHAEL & LYDIANNE
PARDON
2251 TEAGLE DR
ROCKWALL, TX 75032

ROBERTS RICHARD O AND NORMA
2260 TEAGLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
2261 FIELDCREST DR
ROCKWALL, TX 75032

MARINO STEFANO & GLORIA E
2261 TEAGLE DR
ROCKWALL, TX 75032

BAKER TIMOTHY M &
2270 TEAGLE DR
ROCKWALL, TX 75032

HAYES SHARON B
2271 FIELDCREST DRIVE
ROCKWALL, TX 75032

HUDGEONS BRIAN M & LAUREN A
2271 TEAGLE DR
ROCKWALL, TX 75032

NGUYEN VOI V
2280 TEAGLE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
2281 FIELDCREST DR
ROCKWALL, TX 75032

NORRIS RICK H & IONA E
2281 TEAGLE DR
ROCKWALL, TX 75032

LANGFORD ROBERT S & JAIME D
2290 TEAGLE DR
ROCKWALL, TX 75032

GUTIERREZ J FRANCISCO ALVAREZ
2291 FIELDCREST DR
ROCKWALL, TX 75032

BOOTH WALTER STEPHEN & SUE ANN
2291 TEAGLE DR
ROCKWALL, TX 75032

GENTRY RONALD & VALERIE &
2301 FIELDCREST DR
ROCKWALL, TX 75032

SIEMS PAMELA
2311 FIELDCREST DR
ROCKWALL, TX 75032

MARTIN LYNDA
2320 TEAGLE DR
ROCKWALL, TX 75032

BINZ LISA A
2330 TEAGLE DR
ROCKWALL, TX 75032

EATON NICHOLAS A & INDIRA
2331 TEAGLE DR
ROCKWALL, TX 75032

SWINSON RODNEY B
2340 TEAGLE DR
ROCKWALL, TX 75032

ONEY CHARLES BRYAN AND
2341 TEAGLE DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
2350 TEAGLE DR
ROCKWALL, TX 75032

KING MEREDITH L
2351 TEAGLE DR
ROCKWALL, TX 75032

DURAN EMILIO & BARBARA
2361 TEAGLE DR
ROCKWALL, TX 75032

ADAIR SEAN M & CRYSTAL B
2371 TEAGLE DR
ROCKWALL, TX 75032

PETTY STEPHEN C
2381 TEAGLE DRIVE
ROCKWALL, TX 75032

CURRENT RESIDENT
2391 TEAGLE DR
ROCKWALL, TX 75032

AGUIRRE MICHAEL & ANGELA
2401 TEAGLE DR
ROCKWALL, TX 75032

CALBOW SHAWN P
2710 MIRASOL LOOP
ROUND ROCK, TX 78681

KERSEY KELLI KRISTINE AND
3 PEREGRINE CIR
ROCKWALL, TX 75032

TERRY KENNETH W & DANA L
3014 DOUBLE OAK DR
ROCKWALL, TX 75032

BOSTEDER STEVEN GEORGE & CARLA
3015 TRAILVIEW DRIVE
ROCKWALL, TX 75032

MWIYA NAWA & CATHERINE
3022 DOUBLE OAK DR
ROCKWALL, TX 75032

CEDANO MARIO ROMERO
3022 PINE RIDGE DRIVE
ROCKWALL, TX 75032

FISHER CHERYLE &
3023 DOUBLE OAK DR
ROCKWALL, TX 75032

ALBERS EDWIN
3023 PINE RIDGE DR
ROCKWALL, TX 75032

WELDON JUDY ANNE
3023 TRAILVIEW DR
ROCKWALL, TX 75032

WILBORN LARRY AND MICHIE
3030 DOUBLE OAK DR
ROCKWALL, TX 75032

RAND AMY &
3030 PINE RIDGE DR
ROCKWALL, TX 75032

FLORES MARTIN AND DEBORAH
3031 DOUBLE OAK DR
ROCKWALL, TX 75032

COUTCH THOMAS & IRENE
3031 PINE RIDGE DR
ROCKWALL, TX 75032

GIPSON LEE W
3031 TRAILVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3038 DOUBLE OAK DR
ROCKWALL, TX 75032

KOGA DARRIN K
3038 PINE RIDGE DR
ROCKWALL, TX 75032

WHITE JOSHUA DAVID
3038 RED RIDGE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3039 RED RIDGE DR
ROCKWALL, TX 75032

TREJO CRISTINA AND EDGAR J YFARRAGUERRY
3039 DOUBLE OAK DR
ROCKWALL, TX 75032

MICHEL GUILLERMO AND
3039 PINE RIDGE DR
ROCKWALL, TX 75032

THE WANDA S MITCHELL & SHARON C JOHNSON
REVOCABLE LIVING TRUST
3039 TRAILVIEW DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3046 RED RIDGE DR
ROCKWALL, TX 75032

LARKIN CHRISTOPHER TODD
3046 PINE RIDGE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3047 RED RIDGE DR
ROCKWALL, TX 75032

JONES DENNIS RAY & ANGELYN O
3047 DOUBLE OAK DR
ROCKWALL, TX 75032

PAIZ ALEX A
3047 PINE RIDGE DR
ROCKWALL, TX 75032

PETERSON DEBORAH
3047 TRAILVIEW DR
ROCKWALL, TX 75032

RODRIGUEZ ERACIO ET UX
3050 DOUBLE OAK DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3054 DEER RIDGE DR
ROCKWALL, TX 75032

LUGTU MARIA JESUSA CONSISTA
3054 RED RIDGE DR
ROCKWALL, TX 75032

SCOTT GEORGE C
3055 RED RIDGE DR
ROCKWALL, TX 75032

ROBINSON CHRISTY
3059 PINE RIDGE DR
ROCKWALL, TX 75032

AMH 2014-3 BORROWER LLC
30601 AGOURA RD SUITE 200
AGOURA HILLS, CA 91301

CURRENT RESIDENT
3062 RED RIDGE DR
ROCKWALL, TX 75032

MCWHORTER RODNEY & VICKIE
3062 DEER RIDGE DR
ROCKWALL, TX 75032

MILLER CLAUDIA J
3063 RED RIDGE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
3070 DEER RIDGE DR
ROCKWALL, TX 75032

SMITH LUCIOUS
3070 RED RIDGE DR
ROCKWALL, TX 75032

HERNANDEZ MIGUEL & HILDA
3071 RED RIDGE DR
ROCKWALL, TX 75032

THOMPSON LISA
3078 DEER RIDGE DR
ROCKWALL, TX 75032

CRUZ ROLANDO SANTOS &
3078 RED RIDGE DR
ROCKWALL, TX 75032

DAWSON LAURIE K
3079 DEER RIDGE DR
ROCKWALL, TX 75032

CARRANZA LUCY
3087 DEER RIDGE DR
ROCKWALL, TX 75032

EVANS ERIC C & BRANDI A
5280 E MADISON
FRESNO, CA 93727

TARBERT LLC
5507 LOUETTA RD SUITE C
SPRING, TX 77379

BIRT DAVID D TRUST
68540 TORTUGA RD
CATHEDRAL CITY, CA 92234

VAZQUEZ JORGE & AIDA
6990 CHADBOURNE AVE
RIVERSIDE, CA 92505

HILL HEATH TRUSTEE
8301 LAKEVIEW PKWY STE 111-202
ROWLETT, TX 75088

GOMEZ ISMAEL & LAURA
PO BOX 472665
GARLAND, TX 75047

ARAUCO JESUS
PO BOX 671124
DALLAS, TX 75367



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

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

To Whom It May Concern:

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

Case No. Z2016-035: SUP for Rockwall CCA

Hold a public hearing to discuss and consider a request by Robert A, Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) for the purpose of allowing a Public School in an Agricultural (AG) District for a 24.209-acre portion of a larger 173.0-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Bypass Corridor Overlay (205 BY-OV) District, located directly east of the intersection of John King Boulevard and Trail View Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **11/21/2016** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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

PLEASE RETURN THE BELOW FORM

Case No. Z2016-035: SUP for Rockwall CCA

Please place a check mark on the appropriate line below:

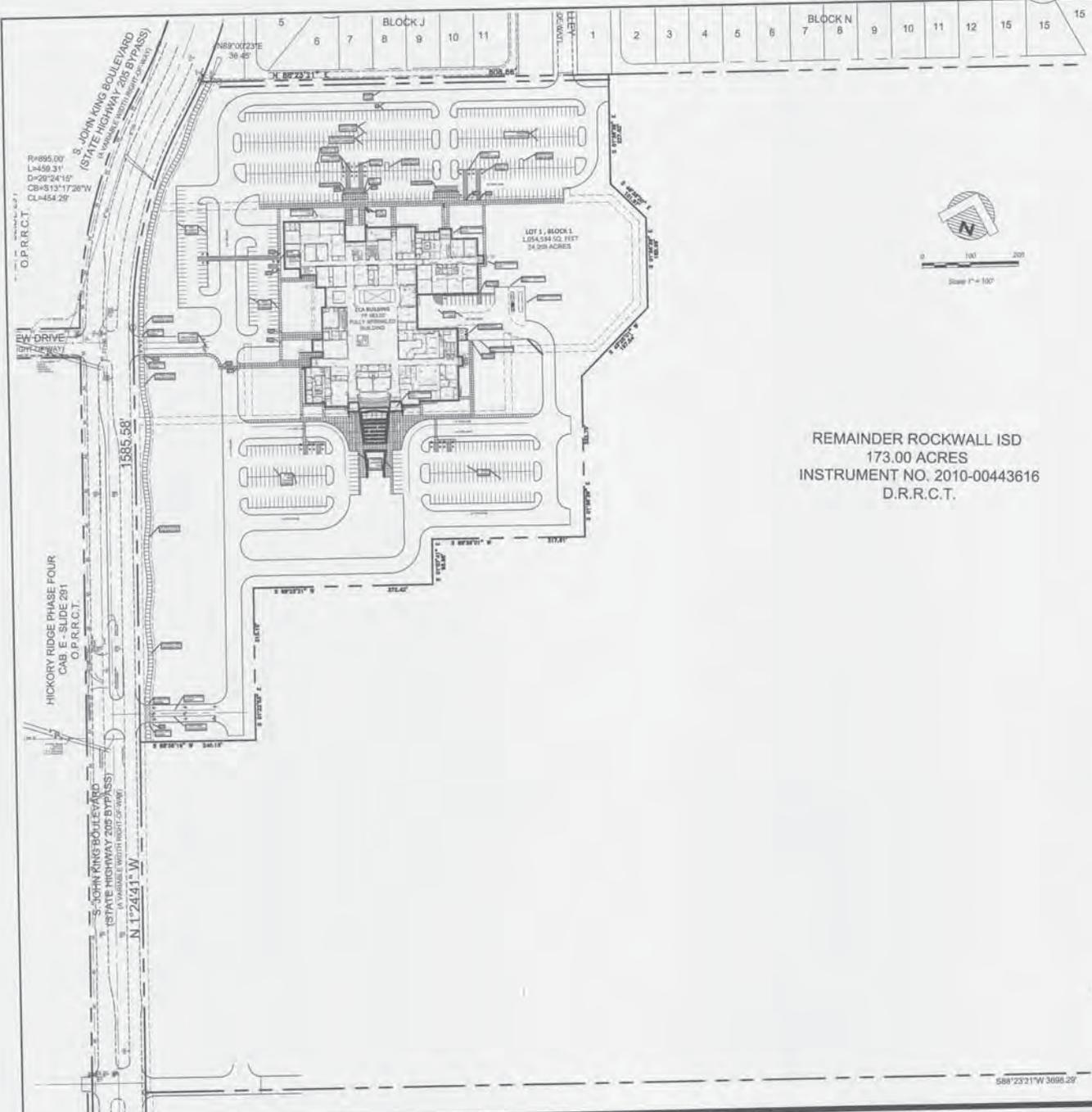
- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

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



REMAINDER ROCKWALL ISD
 173.00 ACRES
 INSTRUMENT NO. 2010-00443616
 D.R.R.C.T.



Location Map

PROPERTY DESCRIPTION

WHEREAS, ROCKWALL INDEPENDENT SCHOOL DISTRICT IS THE OWNER OF A TRACT OF LAND SITUATED IN THE W. BARD SURVEY, ABSTRACT NO. 26, ROCKWALL COUNTY, TEXAS, AND PART OF A 13.55-ACRE TRACT OF LAND CONVEYED TO ROCKWALL INDEPENDENT SCHOOL DISTRICT BY DEED AS RECORDED IN INSTRUMENT NO. 2010-0443616, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR CORNER IN THE EAST RIGHT-OF-WAY JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS) (A VARIABLE WIDTH R.O.W.), SAME POINT BEING THE NORTHEAST CORNER OF SAID ROCKWALL INDEPENDENT SCHOOL DISTRICT TRACT;

THENCE NORTH 86° 49' 51" EAST, ALONG THE NORTH LINE OF SAID ROCKWALL INDEPENDENT SCHOOL DISTRICT TRACT, A DISTANCE OF 36.43 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE NORTH 86° 12' 49" EAST, ALONG THE NORTH LINE OF SAID ROCKWALL INDEPENDENT SCHOOL DISTRICT TRACT, PASSING THE SOUTHWEST CORNER OF L&L LAND FARM, PHASE II, AS ACCORD TO THE CITY OF ROCKWALL, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 6, PAGE 107-156, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, A CONTAINING FOR A TOTAL DISTANCE OF 898.88 FEET TO A POINT FOR CORNER;

THENCE GENERALLY IN A SOUTHERLY DIRECTION AS FOLLOWS THE FOLLOWING COURSES AND DISTANCES:

SOUTH 81° 36' 38" EAST, A DISTANCE OF 227.63 FEET TO A POINT FOR CORNER;
 SOUTH 89° 28' 20" EAST, A DISTANCE OF 101.89 FEET TO A POINT FOR CORNER;
 SOUTH 89° 36' 38" EAST, A DISTANCE OF 158.96 FEET TO A POINT FOR CORNER;
 SOUTH 63° 28' 01" EAST, A DISTANCE OF 197.34 FEET TO A POINT FOR CORNER;
 SOUTH 81° 58' 36" EAST, A DISTANCE OF 352.78 FEET TO A POINT FOR CORNER;
 SOUTH 86° 38' 31" EAST, A DISTANCE OF 317.61 FEET TO A POINT FOR CORNER;
 SOUTH 89° 22' 21" WEST, A DISTANCE OF 49.88 FEET TO A POINT FOR CORNER;
 SOUTH 89° 22' 21" EAST, A DISTANCE OF 372.43 FEET TO A POINT FOR CORNER;
 SOUTH 89° 33' 19" WEST, A DISTANCE OF 340.13 FEET TO A POINT FOR CORNER;
 SAME POINT BEING IN THE EAST LINE OF SAID JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS);

THENCE NORTH 91° 35' 13" WEST, ALONG THE EAST LINE OF SAID JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS), A DISTANCE OF 68.76 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 88.40 FEET, A DELTA ANGLE OF 29° 04' 14", AND A CHORD BEARING AND DISTANCE OF NORTH 13° 06' 34" EAST, 64.56 FEET;

THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID CURVE TO THE RIGHT AND ALONG THE EAST LINE OF SAID JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS), AN ARC DISTANCE OF 293.31 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, SAID POINT BEING THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 108.50 FEET, A DELTA ANGLE OF 94° 11' 31", AND A CHORD BEARING AND DISTANCE OF NORTH 23° 42' 12" EAST, 73.29 FEET;

THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID CURVE TO THE LEFT AND ALONG THE EAST LINE OF SAID JOHN KING BOULEVARD (STATE HIGHWAY 205 BYPASS), AN ARC DISTANCE OF 15.31 FEET TO THE PLACE OF BEGINNING AND CONTAINING 29.368 ACRES OF COMPUTED LAND.

| | |
|----------------|------------|
| DD PROJECT SET | Date |
| 50% CHECK SET | 08/20/2016 |
| Revision | 08/22/2016 |
| 1 | |
| 2 | |

Project: ROCKWALL CCA FOR ROCKWALL I.S.D., ROCKWALL, TEXAS

DRAFT COPY ONLY

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF PUBLIC REVIEW ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

DATE OF REVIEW: 08/22/2016
 BY: MIKE CLEARY, P.E., 35029
 ON: October 13, 2016



| | |
|---------------|------------|
| SUP SITE PLAN | |
| VOLUME | Sheet No. |
| | CS |
| Scale | 1.0 |
| Drawn By | |
| Check | |
| Date | 10/12/2016 |

GLENN ENGINEERING
 TEXAS REGISTRATION NO. 122
 PHONE 972-707-5331 FAX 972-707-5332
 100 DICKER COURT, SUITE 900
 IRVING, TEXAS 75039

588° 23' 21" W 3698.29'

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

SPECIFIC USE PERMIT NO. S-1XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A PUBLIC SCHOOL ON A 24.209-ACRE TRACT OF LAND BEING A PORTION OF A LARGER 173.0-ACRE TRACT OF LAND, ZONED AGRICULTURAL (AG) DISTRICT, AND IDENTIFIED AS TRACT 7-1 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'*; 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 Robert A. Howman of Glenn Engineering Corp. on behalf of James Watson of the Rockwall Independent School District (RISD) for the approval of a Specific Use Permit (SUP) to allow for a *Public School* on a 24.209-acre tract land being a portion of a larger 173.0-acre tract of land, zoned Agricultural (AG) District, and identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25, City of Rockwall, Rockwall County, Texas, and 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 [Ord. 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 [Ord. 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) to allow for a *Public School* within an Agricultural (AG) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ord. No. 04-38] for the *Subject Property*; and,

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article V, Section 2.1, Agricultural (AG) District Standards of the Unified Development Code* [Ordinance No. 04-38] as heretofore amended, as amended herein by granting of this Specific Use Permit (SUP), and as may be amended in the future; and,

Section 3. That the *Subject Property* shall be developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance granted herein and shall be subject to the conditions set forth in *Article V, Section 4.5, Commercial (C) District Standards and Section 6.10, 205 By-Pass Corridor Overlay (205 BY-OV) District Standards of the Unified Development Code [Ordinance No. 04-38]* as heretofore amended, as amended herein by granting of this Specific Use Permit (SUP), and as may be amended in the future, and shall be subject to the additional following conditions:

3.1 Conditions for Operation and Development of a Public School.

The following conditions pertain to the operation and development of a *Public School* on the *Subject Property*, and conformance to these development conditions is required for continued operations:

- 1) Prior to the issuance of a building permit, submittal and approval of a site plan and final plat shall be approved by the Planning & Zoning Commission and the City Council (*if applicable*); and,
- 2) Expansion of the approximately 173-acre site will require approval of a Specific Use Permit (SUP) for each additional phase of the development; and,
- 3) The City Council reserves the right to review the Specific Use Permit granted herein upon the expiration of one (1) year from the date hereof.

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 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 5th DAY OF December, 2016.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

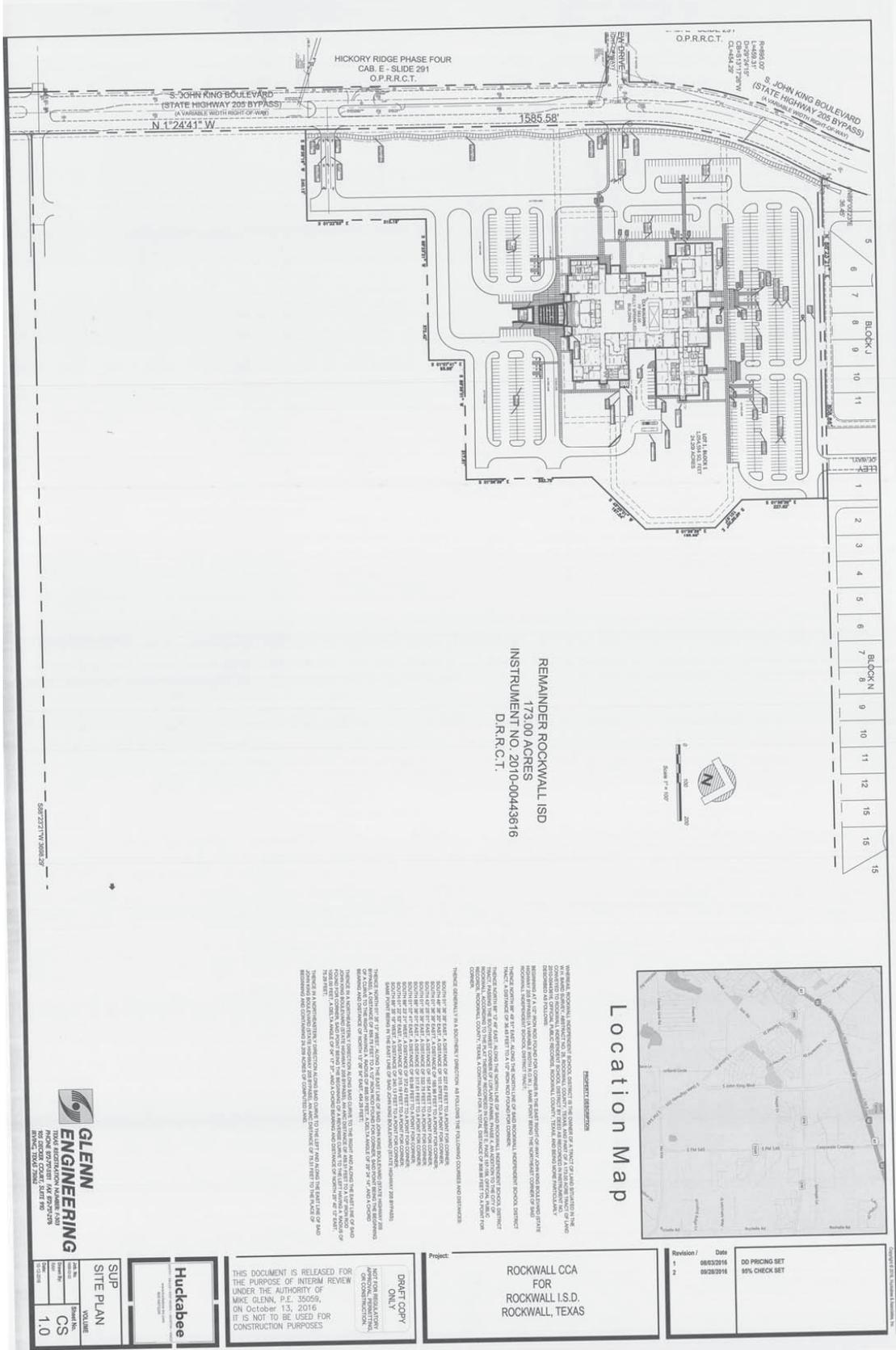
Frank J. Garza, City Attorney

1st Reading: November 21, 2016

2nd Reading: December 5, 2016

DRAFT

Exhibit 'A': Legal Description & Boundary



REMAINDER ROCKWALL ISD
173.00 ACRES
INSTRUMENT NO. 2010-00443616
D.R.R.C.T.



Location Map



GENERAL DESCRIPTION

THE REMAINDER ROCKWALL ISD, 173.00 ACRES, IS THE REMAINDER OF THE ROCKWALL ISD, 173.00 ACRES, AS SHOWN ON THE INSTRUMENT NO. 2010-00443616, D.R.R.C.T., DATED 10/13/2010, AND IS SUBJECT TO THE RESTRICTIONS AND COVENANTS THEREON. THE REMAINDER ROCKWALL ISD, 173.00 ACRES, IS THE REMAINDER OF THE ROCKWALL ISD, 173.00 ACRES, AS SHOWN ON THE INSTRUMENT NO. 2010-00443616, D.R.R.C.T., DATED 10/13/2010, AND IS SUBJECT TO THE RESTRICTIONS AND COVENANTS THEREON. THE REMAINDER ROCKWALL ISD, 173.00 ACRES, IS THE REMAINDER OF THE ROCKWALL ISD, 173.00 ACRES, AS SHOWN ON THE INSTRUMENT NO. 2010-00443616, D.R.R.C.T., DATED 10/13/2010, AND IS SUBJECT TO THE RESTRICTIONS AND COVENANTS THEREON.



GLENN ENGINEERING
INCORPORATED IN TEXAS
1500 ROCKWALL BOULEVARD, SUITE 100
ROCKWALL, TEXAS 75087

Huckabee
CONSULTING ENGINEERS
1500 ROCKWALL BOULEVARD, SUITE 100
ROCKWALL, TEXAS 75087

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF MIKE GLENN, P.E. 150559, ON October 13, 2016. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

Project: **ROCKWALL CCA FOR ROCKWALL I.S.D., ROCKWALL, TEXAS**

| Revision / | Date |
|------------|------------|
| 1 | 08/03/2016 |
| 2 | 08/03/2016 |

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CITY OF ROCKWALL, TEXAS

MEMORANDUM

TO: Mayor and City Council

CC: Rick Crowley, *City Manager*
Brad Griggs, *Assistant City Manager*
Ryan Miller, *Director of Planning and Zoning*

FROM: David Gonzales, *Senior Planner*

DATE: November 21, 2016

SUBJECT: Z2016-036; *Amendment to PD-79 (Saddle Star Estates South)*

On January 4, 2016, the City Council approved Planned Development District 79 (PD-79) [Case No. Z2015-034], which rezoned the 45.292-acre *subject property* from an Agricultural (AG) District to a Planned Development District establishing a single-family residential subdivision consisting of 113 single-family lots. In May of this year, the applicant voluntarily annexed an additional 11.121-acre tract of land [A2016-001] and amended PD-79 [Z2016-015], incorporating this property into the subdivision. The annexation created a 55.413-acre tract of land for the Saddle Star Estates South development. The amendment to PD-79 increased the lot count from 113 to 138 lots. At the time of this proceeding, the applicant requested and was granted an increase in the maximum front entry garages from 0% to 50%. A front entry garage configuration allows the garage to be flush with the front façade of the primary structure.

According to the applicant, David Weekly and Highland Homes will be the builders for the subdivision. During the work session held on October 25, 2016 the applicant indicated that the builders do not have a traditional swing (*or j-swing*) product and because of this he was requesting 100% front entry configuration. Since this meeting, the applicant has modified his request to allow for a minimum of 20% of the garages to be oriented in a traditional swing (*or j-swing*) configuration, thereby allowing for up to 80% front entry garage configuration [flush with the front façade (*or optional 5-foot off-set*) of the primary structure]. The purpose of the garage orientation requirements in the UDC (*i.e. 20-ft setback from the front façade*) is intended to provide variation and articulation to the front façade of the proposed home where the development is not alley served.

It should be noted that if approved, the remainder of the PD ordinance will not be affected by this request; however, it is at the discretion of the Planning and Zoning Commission and City Council to approve the applicant's request. Staff has provided a *Draft Ordinance* indicating the proposed changes [i.e. Exhibit 'C', Section 4 (c)]. Should the Planning and Zoning Commission and City Council have any questions concerning the request staff will be available at the meeting.

Staff mailed three (3) notices to property owners and residents within 500-feet, and notified the Stoney Hollow and Stone Creek Homeowner's Associations (HOA's), which are the only HOA's located within 1,500 feet of the subject property. Additionally, staff posted a sign along John King Boulevard, and advertised the public hearings in the Rockwall Harold Banner as required by the Unified Development Code (UDC). At the time this memo was drafted, staff received one (1) notice from the Skorburg Companies comprising two (2) properties that are "*opposed to*" the

zoning change request. The notice constitutes a protest from more than 20% of the property owners within 200-ft of the proposed property and will require a super-majority vote by the City Council for approval of the PD Amendment. A super-majority vote is $\frac{3}{4}$ of all Council members present.

On November 15, 2016, the Planning and Zoning Commission held a public hearing on the proposed PD amendment. After deliberation, the Commission voted 6 to 0 (*with Commissioner Lyons absent*) to allow for a minimum of 35% j-swing garages to be constructed within the development. Contained within this packet are copies of the draft ordinance for Planned Development District 79 (PD-79) that reflects the change recommended by the Planning Commission and the applicants request (*Exhibit 'A'*) for this zoning change. Additionally, staff has provided all returned property owner notifications for the Planning and Zoning Commission and City Council's review.

City of Rockwall Project Plan Review History



| | | |
|--|---|------------------------------|
| Project Number Z2016-036 | Owner R, & R HANCE INVESTMENTS LP | Applied 10/14/2016 LM |
| Project Name Amendment to PD-79 | Applicant SADDLE STAR LAND DEVELOPMENT LLC | Approved |
| Type ZONING | | Closed |
| Subtype ZONING ORD. AMD | | Expired |
| Status P&Z HEARING | | Status 11/11/2016 DG |

| | | |
|---------------------------------------|--|---------------|
| Site Address JOHN KING BLVD | City, State Zip ROCKWALL, TX 75087 | Zoning |
|---------------------------------------|--|---------------|

| | | | | | |
|--------------------|--------------|--------------|---------------|----------------------|---------------------|
| Subdivision | Tract | Block | Lot No | Parcel No | General Plan |
| | 2-3 | NULL | 2-3 | 0097-0000-0002-03-OR | |

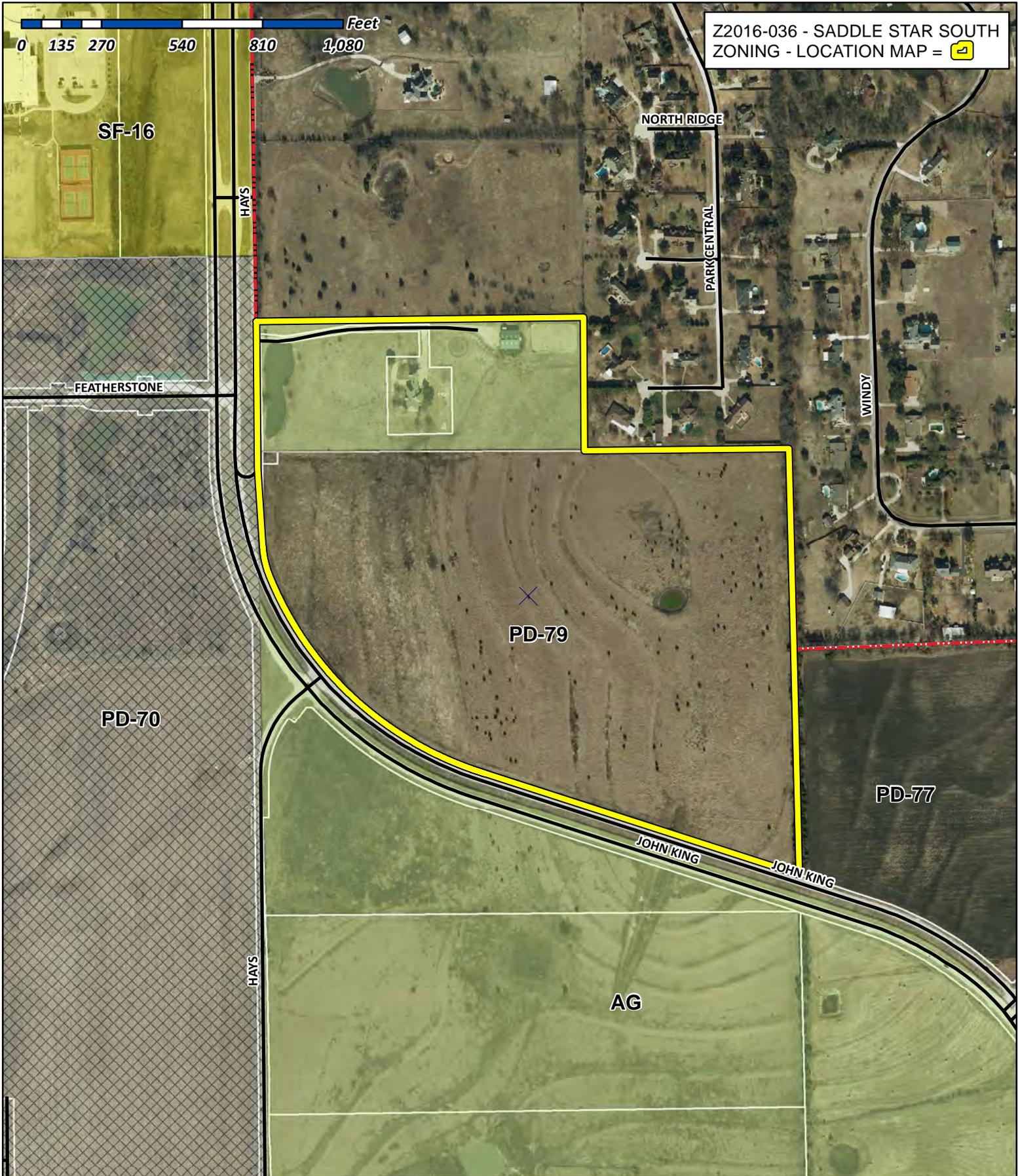
| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|--|-----------------|------------|------------|------------|---------|----------|-----------------|
| ENGINEERING (10/18/2016 8:24 AM AW) Must meet all engineering standards and requirements | Amy Williams | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | APPROVED | With Conditions |
| FIRE | Ariana Hargrove | 10/14/2016 | 10/21/2016 | 10/24/2016 | 10 | APPROVED | |
| PLANNING Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary. | David Gonzales | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | COMMENTS | See comments |

The following are scheduled meeting dates that you and/or your representative(s) should attend regarding the zoning matter. Most importantly, be sure that you and/or your representative(s) are present for both Public Hearings as per the scheduled dates below. If you have any questions regarding this case, please feel free to contact David Gonzales with the Planning Department at 972-771-7745.

Meeting Dates to Attend:

Planning - Work Session: October 25, 2016 (6:00 p.m.)
 Planning - Public Hearing: November 15, 2016 (6:00 p.m.)

City Council - Public Hearing: November 21, 2016 (1st Reading of Ordinance) [6:00 p.m.]
 City Council - December 5, 2016 (2nd Reading of Ordinance) [6:00 p.m.]



City of Rockwall

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

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

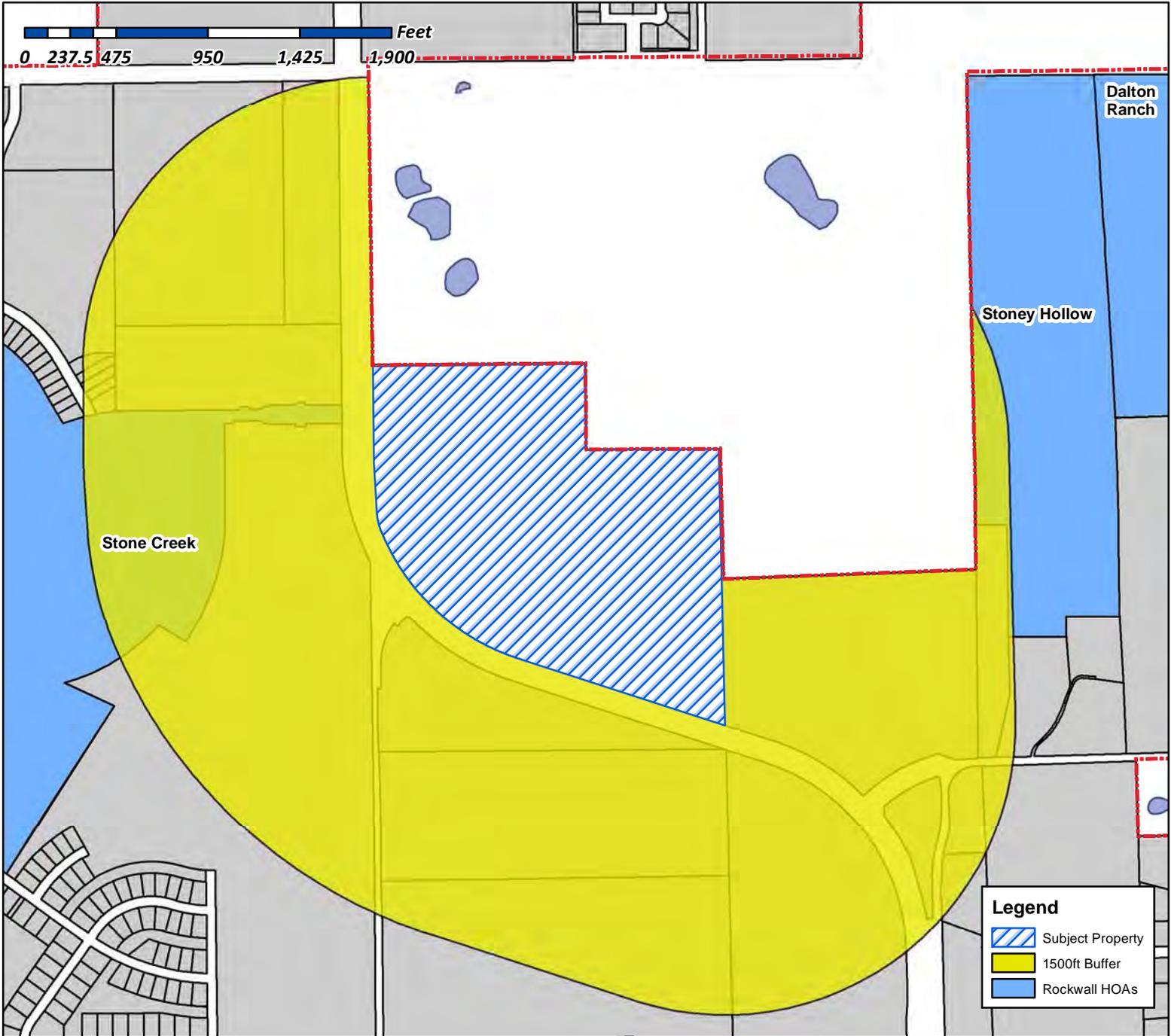




City of Rockwall

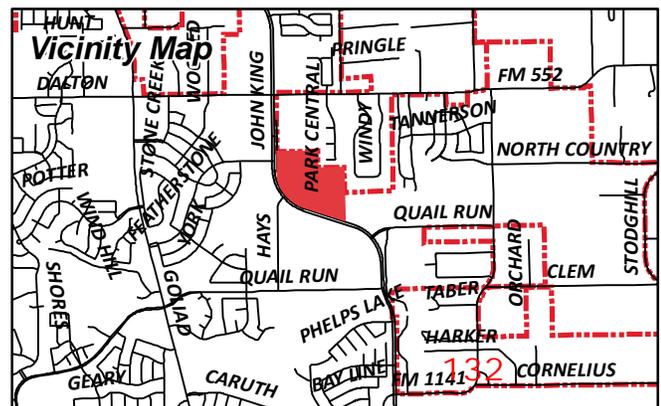
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2016-036
Case Name: Amendment to PD-79
Case Type: Zoning
Zoning: PD-79
Case Address: East of Hays Ln, South of FM 552 along John King

Date Created: 10/17/2016
 For Questions on this Case Call (972) 771-7745



From: [Morales, Laura](#)
To: "ahilton@nmitx.com"; "bharrington@lonestarmanagement.com"; "sswan@lonestarmanagement.com"
Cc: [Miller, Ryan](#); [Brooks, Korey](#); [Gonzales, David](#)
Subject: Neighborhood Notification Program: Notice of zoning request
Date: Wednesday, October 26, 2016 4:22:04 PM
Attachments: [Z2016-036 HOA Map.pdf](#)

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on **November 4, 2016**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>

Z2016-036-Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

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

Sincerely,

Laura Morales

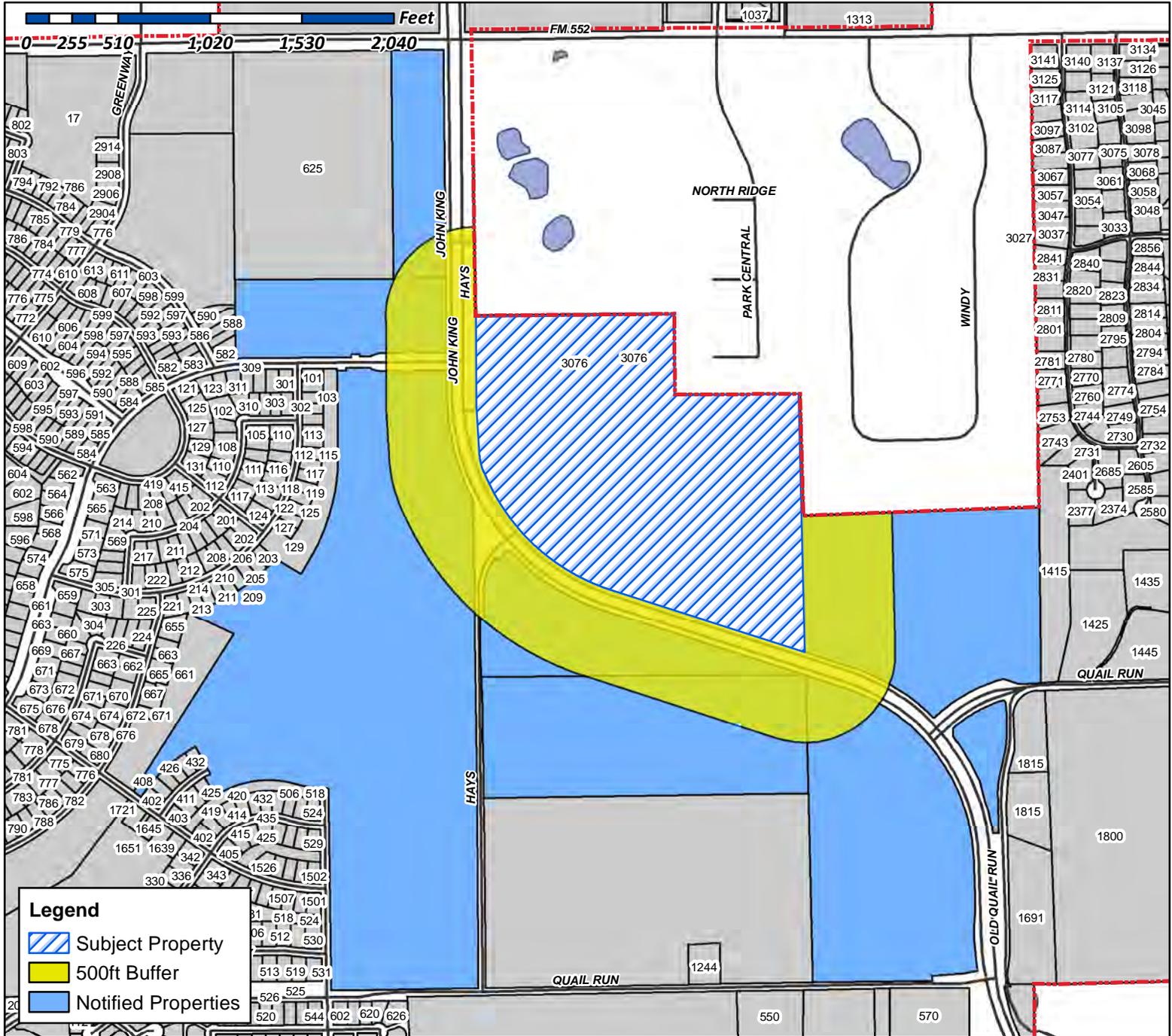
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
Lmorales@rockwall.com | <http://www.rockwall.com>



City of Rockwall

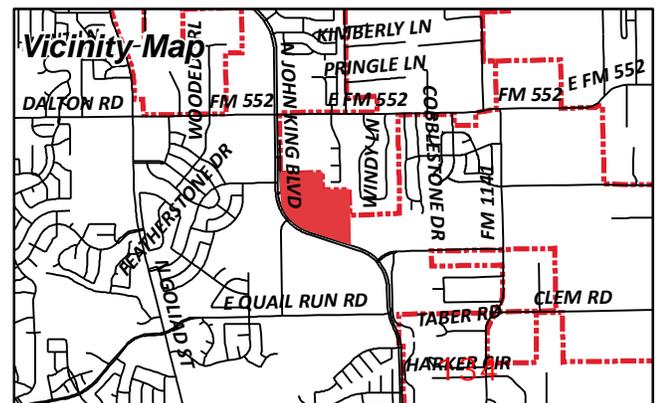
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2016-036
Case Name: Saddle Star South
Case Type: Zoning
Zoning: Amendment to PD-79
Case Address: East of Hays Ln, South of FM 552 along John King

Date Created: 10/17/2015
For Questions on this Case Call (972) 771-7745



R & R HANCE INVESTMENTS LP
1244 E QUAIL RUN RD
ROCKWALL, TX 75087

Current Resident
3076 HAYS RD
Rockwall, TX 75087

STONE CREEK SF LTD
8214 WESTCHESTER DR STE 710
DALLAS, TX 75225



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

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

To Whom It May Concern:

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

Case No. Z2016-036: Amendment to PD-79

Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **11/21/2016** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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

PLEASE RETURN THE BELOW FORM

Case No. Z2016-036: Amendment to PD-79

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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



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

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

To Whom It May Concern:

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

Case No. Z2016-036: Amendment to PD-79

Hold a public hearing to discuss and consider a request by Pat Atkins of the Saddle Star Land Development, LLC on behalf of the owners Gwen Reed and Randa Hance (R. & R. Hance Investments, LP) for the approval of a zoning amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-07] for the purpose of amending the development standards to allow front entry garages on a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

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385 S. Goliad Street
Rockwall, TX 75087

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Ryan Miller, AICP
Director of Planning & Zoning

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

Case No. Z2016-036: Amendment to PD-79

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.

Front entry ^{only} garages have not been allowed in Stone Creek nor in the Gideon Grove PDs. If allowed for this property, it should be allowed in Stone Creek and Gideon Grove.

Name: *Gideon Grove, Ltd & Stone Creek Balance, Ltd*
Address: *8214 Westchester Drive, Suite 710, Dallas, TX 75225*

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.

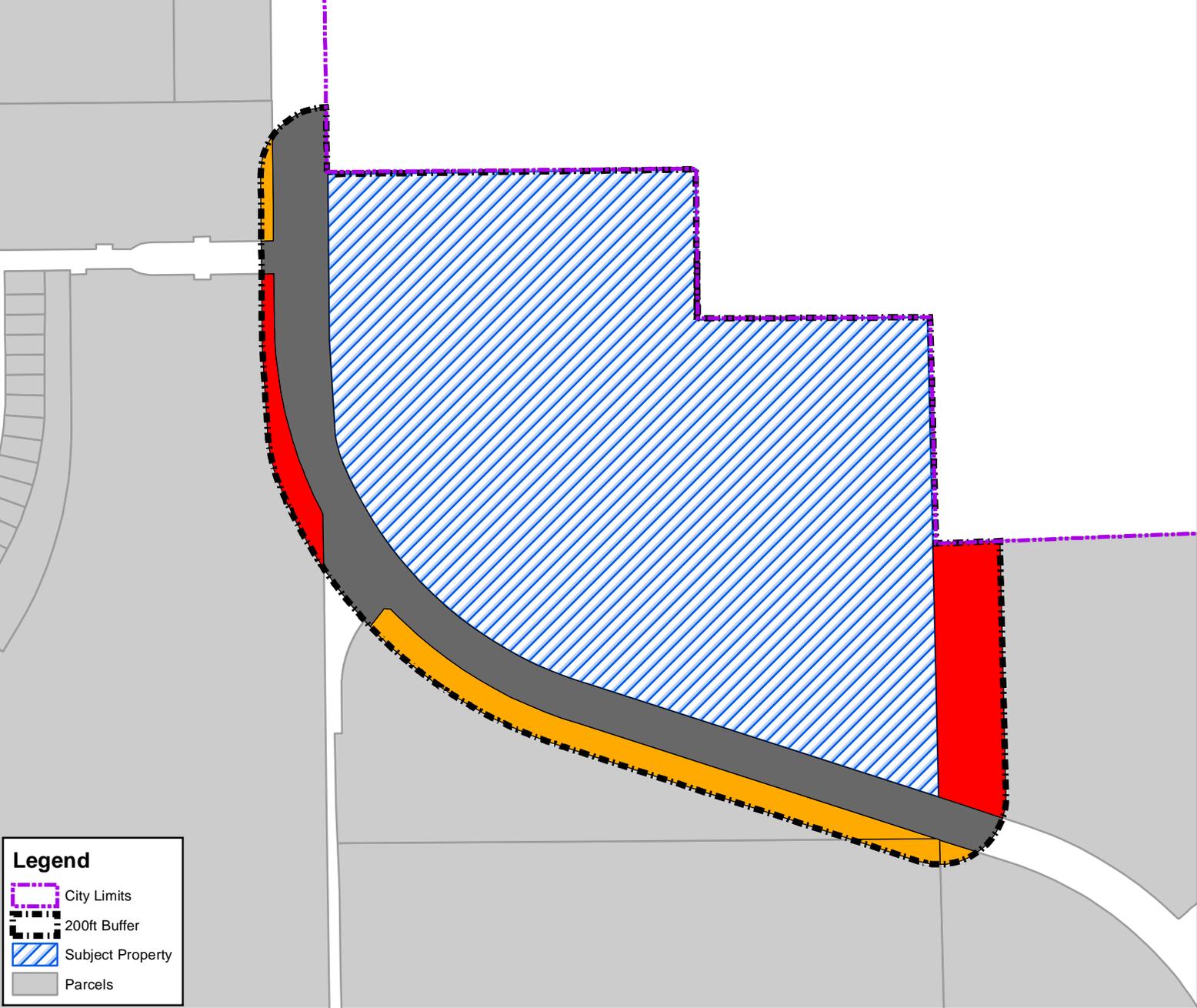
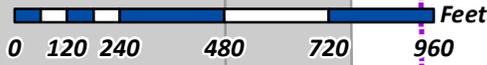
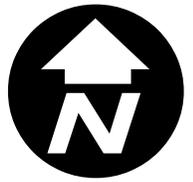
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



City of Rockwall

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

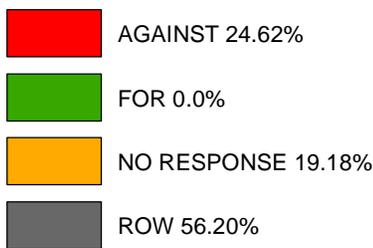
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Legend

- City Limits
- 200ft Buffer
- Subject Property
- Parcels

Z2016-036 - Saddle Star South



Date Created: 11/11/2016

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

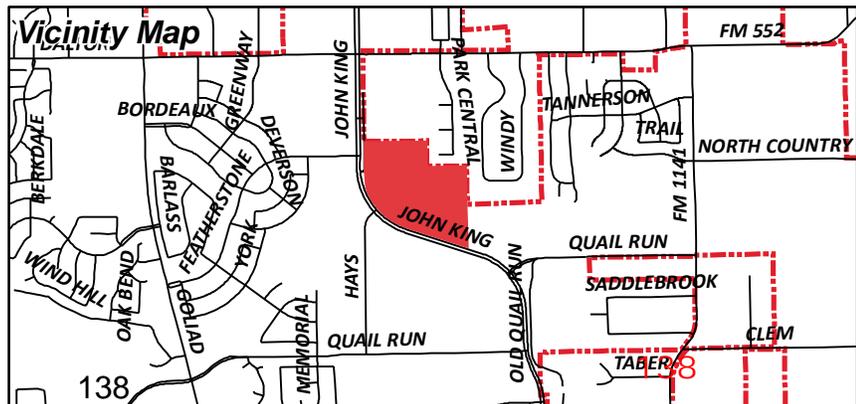


Exhibit 'A': Applicant's Letter

Gonzales, David

From: Miller, Ryan
Sent: Tuesday, November 08, 2016 5:03 PM
To: Gonzales, David
Subject: FW: SADDLE STAR SOUTH

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 | MAIN STREET DIVISION

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

From: Kirk Atkins [REDACTED]
Sent: Tuesday, November 08, 2016 4:39 PM
To: Miller, Ryan
Subject: RE: SADDLE STAR SOUTH

Ryan, As requested by Commission at our October 25, 2016 meeting we further discussed with our Builders , Highland and David Weekly Homes Garage orientation . We can amend our request from 100% Front Flush Garages to 80% Front Flush and 20% J-Swing and option Front Entry with a 5' offset from main structure.

Sincerely

Pat Atkins Director of Land Development and Acquisitions Saddle Star Land Development L.L.C.
3076 Hays Ln.
Rockwall, Texas 75087
972-388-6383
[REDACTED]

On Tue, 10/18/16, Miller, Ryan <RMiller@rockwall.com> wrote:

Subject: RE: SADDLE STAR SOUTH
To: "Kirk Atkins" <[REDACTED]>
Date: Tuesday, October 18, 2016, 7:06 AM

Pat ... I already have plans for lunch today, but should be available from 1:00 PM - 2:00 PM to meet. I pretty much have meetings from 2:00 PM on. Let me know what works for you. Thanks.

RYAN C.

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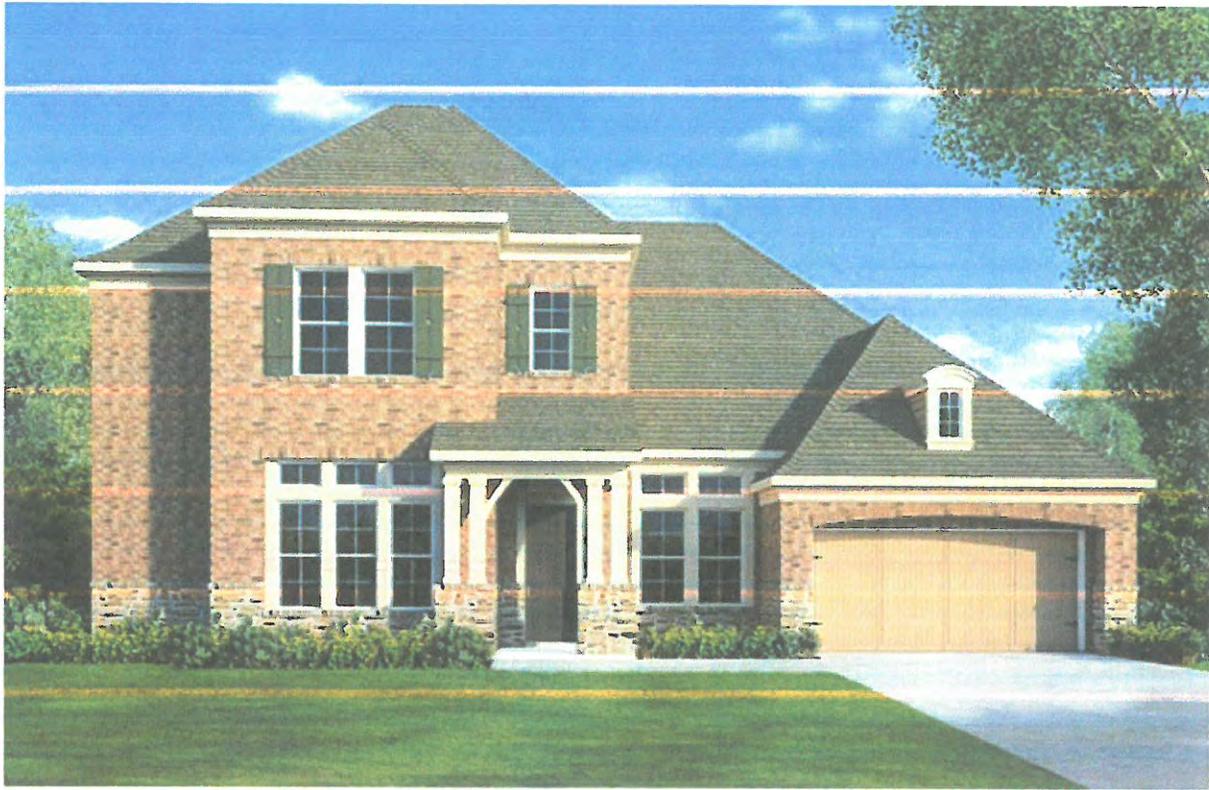
Pat Atkins Director of Land Development and Acquisitions Saddle Star Land Development L.L.C.
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Rockwall, Texas 75087
972-388-6383
[REDACTED]

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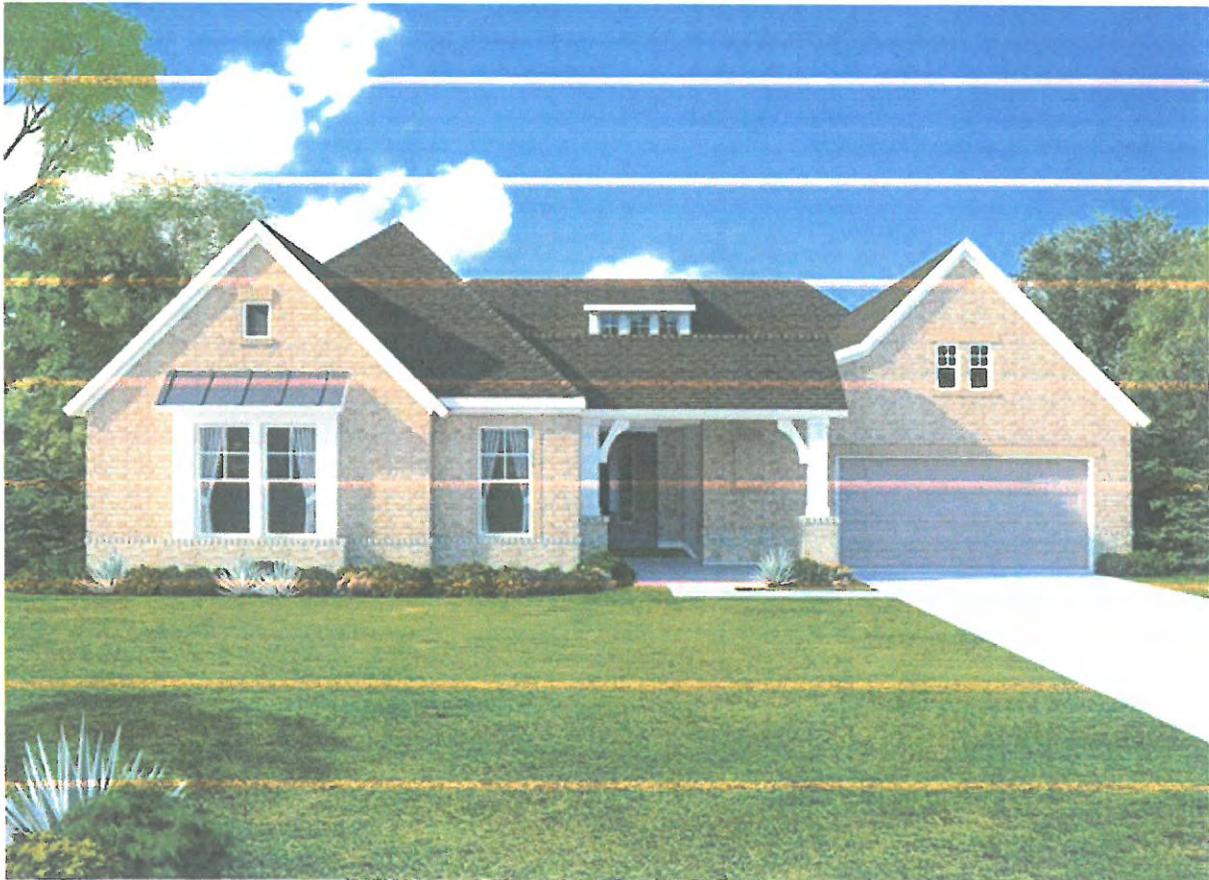
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Date: Tuesday, October 18, 2016, 7:06 AM

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RYAN C.



6649 DSI - B



6642DAL-A



4870 - 1 - 10000000



4870001-B



4193 HOU - A



3235 DAL - D

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

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 FURTHER AMEND PLANNED DEVELOPMENT DISTRICT 79 (PD-79) [ORDINANCE NO. 16-39] FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS TO ALLOW FOR FRONT ENTRY GARAGES FOR A 55.413-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED 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 by Pat Atkins of Saddle Star Land Development, LLC. on behalf of the owners Randa Hance of R&R Hance Investment, LP and Gwen Reed for the approval of an amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the Development Standards to allow for front entry garages for 55.413-acre tract of land, zoned Planned Development District 79 (PD-79) for Single Family 8.4 (SF-8.4) District land uses, being a 55.413-acre tract of land identified as Tracts 1, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas and more fully described 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 79 [Ordinance No. 16-39] 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. 16-39*;

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 [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with

the *Planned Development Concept Plan*, described 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*;

Section 4. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, described 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 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 an *Open Space Master Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Open Space Master Plan
 - (2) Master Plat
 - (3) PD Site Plan
 - (4) Preliminary Plat
 - (5) Final Plat
- (c) *Open Space Master Plan.* An *Open Space Master Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan*, and shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property* shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Open Space Master Plan* for the development.
- (e) *PD Site Plan.* A *PD Site Plan* covering all of the *Subject Property* 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 *Preliminary Plat* application for the development.
- (f) *Preliminary Plat.* A *Preliminary Plat* covering all of the *Subject Property* shall be submitted and shall include a *Treescape Plan*. A *Preliminary Plat* application may be processed by the City concurrently with a *PD Site Plan* application for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, for all of the *Subject Property* 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 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 5th DAY OF DECEMBER, 2016.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 21, 2016

2nd Reading: December 5, 2016

Exhibit 'A':
Legal Description and Survey

TRACT 1:

BEING 44.292 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being part of two tracts of land, the "First Tract" being a called 32.5 acres and the "Second Tract" being a called 32 acres, described in a Special Warranty Deed to R & R Hance Investments, LP., recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 of the Deed Records of Rockwall County, Texas (DRRCT), SAVE AND EXCEPT the called "Parcel 16 (Parts 1 and 2)" conveyed to the City of Rockwall, recorded as Instrument No. 2007-00380919 and in Volume 5124, Page 210 (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" capped iron rod stamped, "6081," found for corner in the northeasterly right-of-way line of John King Boulevard (120' right-of-way) at the common north corner of said "Part 1" of Parcel 16 and called "Parcel 15" conveyed to the City of Rockwall, recorded as Instrument No. 2009-00424601 and in Volume 5951, Page 84 (DRRCT), said point also being in the common line of said "First Tract" and a called 29.185 acre tract of land conveyed to Gideon Grove Ltd., recorded as Instrument No. 20150000014609 of the Official Public Records of Rockwall County, Texas;

THENCE North 72°06'44" West along the common northeasterly line of said John King Boulevard and said Part 1, a distance of 1,126.56 feet to a point for corner at the beginning of a tangent curve to the right, having a radius of 1,140.00 feet and a chord which bears North 44° 02' 06" West, a distance of 1,073.12-feet;

THENCE in the northwesterly direction along said curve to the right, and last mentioned common line, through a central angle of 56°09'19", an arc distance of 1,117.31-feet to a 1/2" iron rod with a yellow cap stamped, "RPLS 3963," set for corner at the end of said curve and at the most northerly corner of said Part 1;

THENCE North 00°38'27" West continuing along the east right-of-way line of said John King Boulevard, a distance of 261.96 feet to a "PK" nail set for corner at the southwest corner of said Part 2;

THENCE North 89°38'44" East along the south line of said Part 2, a distance of 50.00 feet to a 1/2" iron rod with a yellow cap found for the southeast corner thereof;

THENCE North 00°38'27" West along the east line of said Part 2, a distance of 40.00 feet to a 1/2" iron rod with a yellow cap found for the northeast corner thereof in the north line of said Second Tract and being in the south line of a tract of land conveyed to Randy and Gwen Reed, recorded in Volume 260, Page 1 (DRRCT);

THENCE North 89°38'05" East along the common line of last mentioned tracts, at 1,051.89 feet passing a 1/2" iron rod found for the southeast corner of said Reed tract common to the southwest corner of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT), and continuing along the north line of said Second Tract and the south line of said Park Ridge Estates, a total distance of 1,736.25 feet to a 3/8" iron rod found for the common east corner thereof, and being in the west line of Block A of Wind mill Valley Subdivision, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 157 (PRRCT);

THENCE South 01°17'27" East along the common line of said Second Tract and said Block A, a distance of 669.75 feet to a 1/2" iron rod found for the southwest corner of said Block A, and being the northwest corner of said 29.185 acre tract;

THENCE South 01°30'45" East along the west line of said 29.185-acre tract and partially

Exhibit 'A':
Legal Description and Survey

along the east lines of said First Tract and said Second Tract, a distance of 761.52 feet to the PLACE OF BEGINNING and Containing 44.292 acres, or 1,929,345 square feet, of land.

TRACT 2:

BEING 11.121 acres of land situated in the P. B. Harrison Survey, Abstract No. 97, Rockwall County, Texas, and being all of a called 11.126 acre tract of land described in a Warranty Deed with Vendor's Lien to Randy Reed and wife, Gwen Reed, recorded in Volume 260, Page 1 of the Deed Records of Rockwall County, Texas (DRRCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the east right-of-way line of John King Boulevard (120' right-of-way) at the common west corner of said Reed tract and a tract of land conveyed to Stephen L. Branch and Judy C. Branch, recorded in Volume 234, Page 527 (DRRCT);

THENCE North 89°26'12" East along the common line of last mentioned tracts, a distance of 1,092.52-feet to a 1/2" iron rod found for the common east corner thereof, and being in the west line of Park Ridge Estates, an addition to the City of Rockwall, according to the Plat thereof recorded in Cabinet A, Page 390 of the Plat Records of Rockwall County, Texas (PRRCT);

THENCE South 00°30'07" East along the common line of said Reed tract and said Park Ridge Estates, a distance of 446.60 feet to a 1/2" iron rod found for the common south corner thereof, and being in the north line of a called 32 acre tract described, in a Special Warranty Deed to R & R Hance Investments, L.P., as "*Second Tract*," recorded as Instrument No. 2008-00396963 and in Volume 5433, Page 49 (DRRCT);

THENCE South 89°38'05" West along the common line of said Second Tract and said Reed tract, a distance of 1,086.19-feet to a 1/2" iron rod found at the southwest corner of said Reed tract and being in the east right-of-way line of said John King Boulevard;

THENCE North 01°19'17" West along the west line of said Reed tract and the east line of said John King Boulevard, a distance of 442.88-feet to the PLACE OF BEGINNING and Containing 11.121-acres, or 484,450 square feet, of land.

Exhibit 'B': Concept Plan

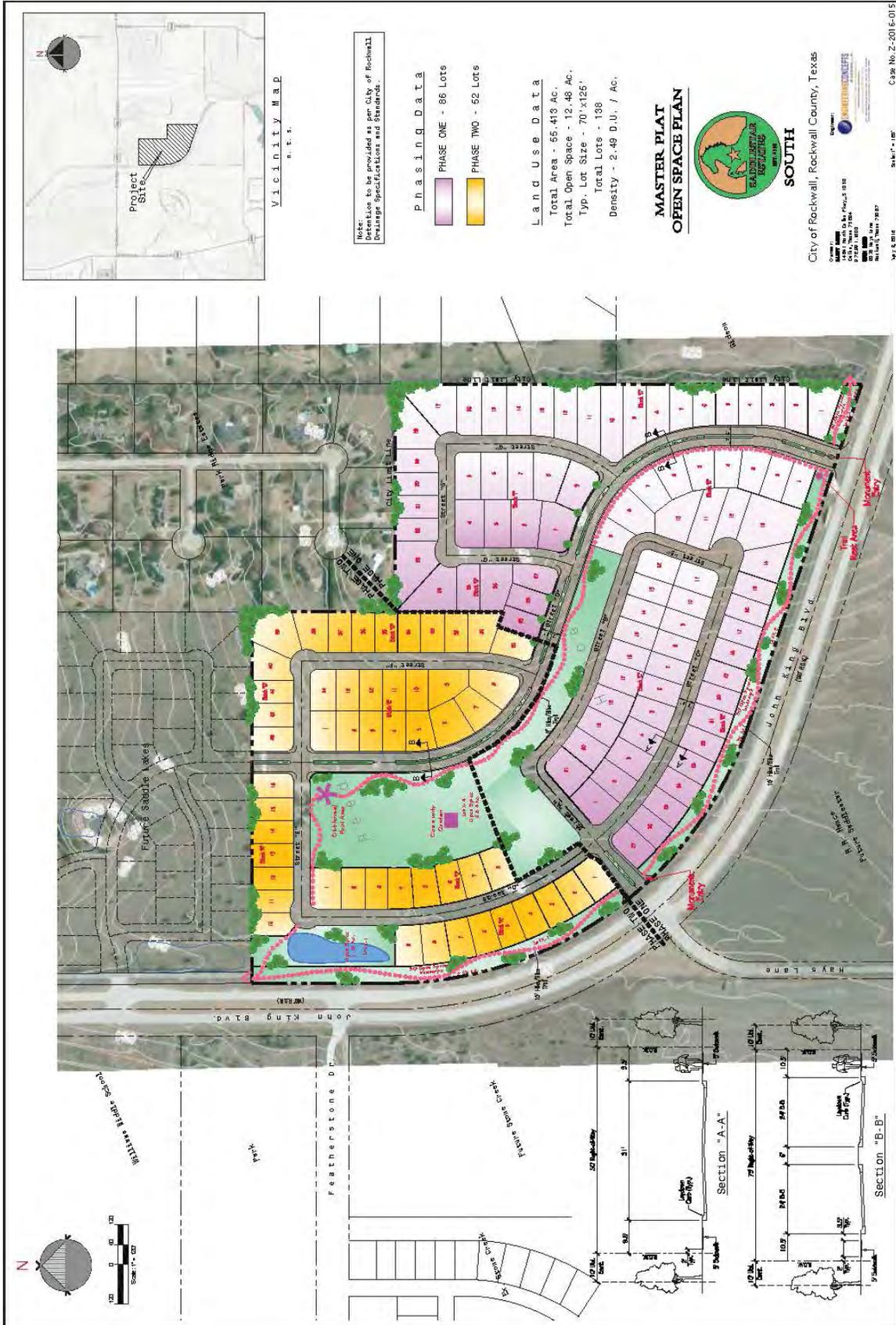


Exhibit 'C':
Development Standards

TEXT TO BE ADDED TO THE ORDINANCE
TEXT TO BE REMOVED FROM THE ORDINANCE

Development Standards.

1. *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 8.4 (SF-8.4) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
2. *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

| Lot Type | Minimum Lot Size (FT) | Minimum Lot Size (SF) | Dwelling Units (#) | Dwelling Units (%) |
|---------------------------------|-----------------------|-----------------------|--------------------|--------------------|
| A | 70' x 125' | 8,750 SF | 138 | 100.00% |
| <i>Maximum Permitted Units:</i> | | | 138 | 100.00% |

3. *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single Family 8.4 (SF-8.4) District, as specified by Article V, *District Development Standards*, of the Unified Development Code are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.49 dwelling units per gross acre of land; however, in no case should the proposed development exceed 138 units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

| | |
|--|----------|
| <i>Minimum Lot Width</i> ⁽¹⁾ | 70' |
| <i>Minimum Lot Depth</i> | 125' |
| <i>Minimum Lot Area</i> | 8,750 SF |
| <i>Minimum Front Yard Setback</i> ^{(2) & (5)} | 20' |
| <i>Minimum Side Yard Setback</i> | 5' |
| <i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)} | 10' |
| <i>Minimum Length of Driveway Pavement</i> | 25' |
| <i>Maximum Height</i> ⁽³⁾ | 30' |
| <i>Minimum Rear Yard Setback</i> ⁽⁴⁾ | 20' |
| <i>Minimum Area/Dwelling Unit (SF)</i> | 2,700 SF |
| <i>Maximum Lot Coverage</i> | 65% |
| <i>Permitted Encroachment into Required Setbacks</i> ⁽⁵⁾ | Allowed |

General 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. The *Maximum Height* shall be measured to the eave or top plate (whichever is greater) of the single family home.
4. As measured from the rear yard 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* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks (Adjacent to a Street)* and shall not encroach into public right-of-way [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].

Exhibit 'C':
Development Standards

4. *Building Standards.* All development shall adhere to the following building standards:

(a) *Masonry Requirement.* The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and, stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) may be used for up to 50% of the masonry requirement; however, stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted through a Specific Use Permit (SUP) only.

(b) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on all structures with the exception of sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.

(c) *Garage Orientation.* A minimum of 50% 35% of garages shall be oriented in a traditional swing (or j-swing) configuration. The remainder of garages maybe configured in a front entry configuration with a minimum setback of 20-feet (i.e. allowing the garage to be flush with the front façade of the primary structure). In this case the front façade of the primary structure does not include a permitted encroachment (e.g. a porch, sunroom, etcetera) allowed in Table 2 above. **All garage configurations that are not front entry shall meet the requirements of Article VI, Parking and Loading, of the Unified Development Code.**

5. *Anti-Monotony Restrictions.* The development shall adhere to the *Anti-Monotony Matrix* depicted in Table 3 below (for spacing requirements see the illustration below).

Table 3 : Anti-Monotony Matrix

| Lot Type | Minimum Lot Size | Elevation Features |
|----------|------------------|--------------------|
| A | 70' x 120' | (1), (2), (3), (4) |

(1) 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.

(2) 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 spaces or on John King Boulevard 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:

- (a) Number of Stories
- (b) Permitted Encroachment Type and Layout
- (c) Roof Type and Layout
- (d) Articulation of the Front Façade

Exhibit 'C':
Development Standards

- (3) Permitted encroachments (*i.e. porch 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.
- (4) 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*).

Illustration 1: Properties line up on the opposite side of the street. Where RED is the subject property.



Illustration 2: Properties do not line up on opposite side of the street. Where RED is the subject property.



- 6. **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
 - (a) **Wood Fences.** All wood fences shall be constructed of a standard fencing material (*minimum of ½" thickness or better; spruce fencing will not be allowed*), and use fasteners that are hot dipped galvanized or stainless steel. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.
 - (b) **Wrought Iron/Tubular Steel.** Lots located along the perimeter of roadways, abutting open spaces, greenbelts and parks shall be required to install a wrought iron or

Exhibit 'C':
Development Standards

tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

- (c) *Corner Lots.* Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-foot 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.
- (d) *Solid Fences (including Wood Fences).* All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

7. *Landscape and Hardscape Standards.*

- (1) *Landscape.* Landscaping shall be reviewed and approved with the PD Site Plan. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. The following tree species are approved for planting within this subdivision:

- (a) *Canopy/Shade Trees.* Bald Cypress, Cedar Elm, Texas Red Oak, Homestead Elm, Lace Bark Elm, Alle Elm, Chinese Pistachio, Shumard Oak, Sycamore, and Burr Oak.

- (b) *Accent/Ornamental/Under-Story Trees.* Texas Redbud, Eve's Necklace, Mexican Plum, Downy Hawthorn, Crepe Myrtle, Texas Mountain Laurel, Vitex, and Desert Willow.

- (2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

- (a) *Landscape Buffer and Sidewalks (John King Boulevard).* A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard.

- (3) *Streetscape Landscaping.* Prior to the issuance of a Certificate of Occupancy (CO), all residential, single family lots situated within the proposed subdivision shall be landscaped with canopy trees from the list stipulated by *Section 7(1)* of this ordinance in the following sizes and proportions:

- (i) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of an interior lot.

Exhibit 'C':
Development Standards

- (ii) Two (2), three (3) inch trees measured six (6) inches above the root ball shall be planted in the front yard of a corner lot and two (2), three (3) inch caliper trees shall be planted in the side yard facing the street.

Note: For the purposes of this section only [i.e. Section 7(3)], the term “front yard” includes the area within the dedicated right-of-way for a parkway immediately adjoining the front yard of the lot.

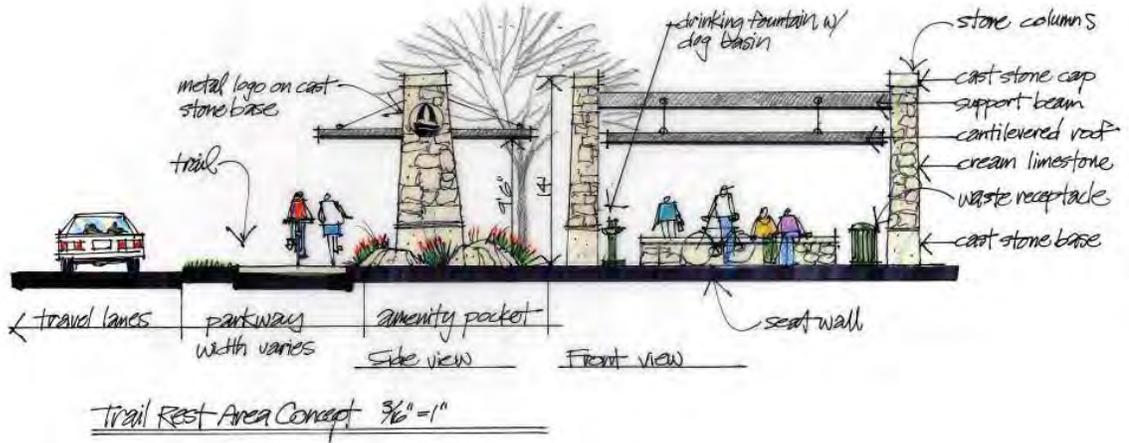
- (4) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner’s Association.
 - (5) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the PD Site Plan.
- 8. *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
 - 9. *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
 - 10. *Sidewalks.* At a maximum, all sidewalks adjacent to a street shall begin two (2) feet behind the right-of-way line and be five (5) feet in overall width.
 - 11. *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
 - 12. *Open Space.* The development shall consist of a minimum of 20% open space (*or 11.29-acres*), and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. All open space areas shall be maintained by the Homeowner’s Association (HOA).

Continued on Next Page ...

Exhibit 'C':
Development Standards

13. *Trail Rest Area*. The developer shall be responsible for the construction of a *Trail Rest Area* that generally conforms to the rest area depicted in *Figure 1 (below)*.

Figure 1: *Trail Rest Area Concept*



14. *Neighborhood Signage*. Permanent subdivision identification signage shall be permitted 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*.

15. *Drainage Standards*. The development shall comply with existing drainage standards including the permissible spread of water in the streets and permissible gutter flow through intersections as outlined in the City of Rockwall's *Standards of Design and Construction (approved in August 2003 and updated in October 2007)*. The proposed drainage areas, flow patterns, and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a *Conceptual Drainage Plan*, which shall be submitted with the *Civil Plans* at the time of *Engineering* submittal. The *Conceptual Drainage Plan* shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

16. *Homeowner's Association (HOA)*. A Homeowner's Association 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 neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development.

17. *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL CITY COUNCIL MEMO

AGENDA DATE: 11/21/2016

APPLICANT: Douglas F. DeMarco

AGENDA ITEM: Z2016-037; 2922 S. Goliad Street (AG to C)

SUMMARY:

Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [*SH-205*], and take any action necessary.

BACKGROUND INFORMATION AND PURPOSE:

The subject property is a 23.27-acre tract of land generally located on the west side of SH-205, is adjacent to and south of the development along National Drive, and is addressed as 2922 S. Goliad Street. The *subject property* was annexed into the City on March 22, 2004 by *Case No. A2003-002 (Ordinance No. 04-20)*, and was zoned Agricultural (AG) District. Currently, an existing sporting complex, also known as the Rockwall Indoor Sports Expo (*R/SE*), is situated on the *subject property*. The applicant is requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Commercial (C) District for the purpose of installing light poles adequate to serve the outdoor baseball complex for usage at night. It should be noted that the outdoor lighting of the baseball complex will require the approval of a Specific Use Permit (*SUP*) once the zoning has been established as a Commercial (C) District.

Additionally, the property being in existence prior to the adoption of the Unified Development Code (UDC) is considered to be a Lot of Record, "...or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the county clerk of Rockwall County prior to the adoption date of the ordinance [1983] from which this [the] Unified Development Code [UDC] is derived which has not been divided since recording."

ADJACENT LAND USES AND ACCESS:

The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a Heavy Commercial (HC) District with several parcels of land that have a majority of uses and buildings considered to be legal non-conforming (*National Drive*).

South: Directly south of the subject property is a 4.0-acre vacant tract of land zoned Agricultural (AG) District. PD-75 (*Lake Rockwall Estates*) is adjacent to and west of this vacant tract of land.

East: Directly east of the subject property are two (2) vacant tracts of land (i.e. 7.0 acres & 15.276-acres) zoned Agricultural (AG) District.

West: Directly west of the subject property is a 5.0-acre vacant tract of land zoned Agricultural (AG) District and was annexed into the City in 1999. PD-75 (*Lake Rockwall Estates*) is adjacent to and west of this vacant tract of land.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map, adopted with the Comprehensive Plan, designates the subject property for Commercial/Industrial land uses. Should the City Council approve the applicant's request, staff has included a condition of approval that would amend the Future Land Use Map to reflect the proposed change in land use from a Commercial/Industrial designation to a Commercial designation.

NOTIFICATION:

On October 27, 2016, staff mailed 56 notices to property owners and residents within 500-feet of the subject property. Staff also sent a notice to the Hickory Ridge and Hickory Ridge East Homeowner's Associations (HOA), which are the only HOA's located within 1,500 feet of the subject property and participating in the notification program. Additionally, staff posted a sign along SH-205, adjacent to the *subject property* as required by the Unified Development Code (UDC). At the time this case memo was drafted staff has received one (1) notice in favor of the zoning change request.

RECOMMENDATIONS:

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Commercial (C) District then staff would propose the following conditions of approval:

- 1) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a Commercial/Industrial designation to a Commercial designation; and,
- 2) Any construction resulting from the approval of this *zoning change* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION:

On November 15, 2016, the Planning and Zoning Commission's motion to recommend approval of a zoning change from Agricultural (AG) District to Commercial (C) District passed by a vote of 6 to 0 with Commissioner Lyons absent.

Gonzales, David

From: Cheryle deMarco <[REDACTED]>
Sent: Monday, October 17, 2016 4:25 PM
To: Gonzales, David
Cc: 'douglas demarco'
Subject: FW: Re-zoning request for Rockwall Indoor Sports Expo

David,

Rockwall Indoor Sports Expo ("RISE") requests to have its property rezoned from the current Agriculture designation to a Commercial designation. The only purpose for this modification is to allow for a Special Use Permit (SUP) permitting installation and use of 60 foot light posts and lights for our baseball complex. The addition of these lights would provide RISE the opportunity to better serve the baseball community. RISE currently provides a low cost alternative to more expensive private facilities. These lights would allow RISE to provide our outdoor baseball facilities after dark, thereby increasing the hours of usage on a daily basis. This would also allow for sanctioned baseball tournaments. RISE would fully adhere to light pollution restrictions and curfews. Our baseball complex once had 30 foot lights which were lost in a storm. It's been determined that 60 foot light replacements are the only safe alternative because shorter lights are blinding to the players and not sanctioned. We respectfully request that Rockwall city allow us the opportunity to serve the community in a more efficient manner.

P.S. David, would it be more efficient for the SUP to be adjudicated in parallel with the zoning request. This would speed the process and provide context to the zoning request for those charged in this determination.

Thank you for your consideration.
Cheryle deMarco
Owner/operator of RISE

City of Rockwall
Project Plan Review History



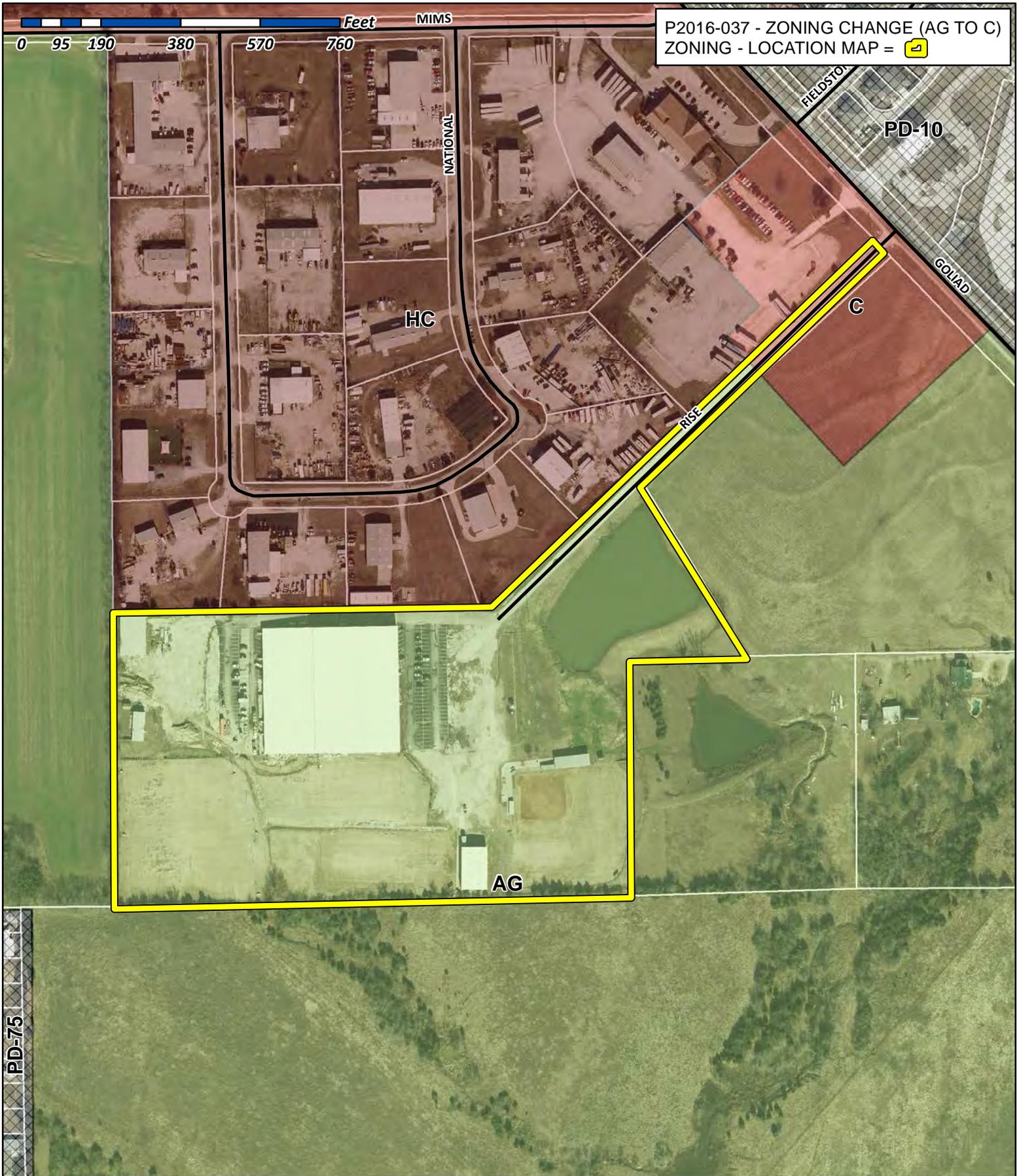
| | | |
|--|-------------------------------------|------------------------------|
| Project Number Z2016-037 | Owner J, & S EXPO LIMITED | Applied 10/14/2016 LM |
| Project Name 2922 S. Goliad (AG to C) | Applicant DOUGLAS F. DEMARCO | Approved |
| Type ZONING | | Closed |
| Subtype PD | | Expired |
| Status P&Z HEARING | | Status 11/11/2016 DG |

| | | |
|--------------------------------------|--|---------------|
| Site Address 2922 S HWY205 | City, State Zip ROCKWALL, TX 75032 | Zoning |
|--------------------------------------|--|---------------|

| | | | | | |
|--|----------------------|----------------------|-----------------------|--|---------------------|
| Subdivision ROCKWALL 205 BUSINESS PARK | Tract 2-28 | Block NULL | Lot No 2-28 | Parcel No 0128-0000-0002-28-OR | General Plan |
|--|----------------------|----------------------|-----------------------|--|---------------------|

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|--|-----------------|------------|------------|------------|---------|----------|-----------------|
| ENGINEERING (10/18/2016 8:25 AM AW) Must meet all engineering standards and requirements on any improvement or expansion | Amy Williams | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | APPROVED | With Conditions |
| FIRE | Ariana Hargrove | 10/14/2016 | 10/21/2016 | 10/24/2016 | 10 | APPROVED | |
| PLANNING | David Gonzales | 10/14/2016 | 10/21/2016 | 10/19/2016 | 5 | COMMENTS | See comments |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed Status | Remarks |
|--|---------|------|-----|----------|----------------|---------|
| <p>Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [SH-205], and take any action necessary.</p> <p>General Planning Comments to be addressed:</p> <p>1. On all revised plan submittals please include the Case Number (Z2016-037) in the lower right hand corner.</p> <p>The following are scheduled meeting dates that you and/or your representative(s) should attend regarding the zoning matter. Most importantly, be sure that you and/or your representative(s) are present for both Public Hearings as per the scheduled dates below. If you have any quesitons regarding this case, please feel free to contact David Gonzales with the Planning Department at 972-771-7745.</p> <p>Meeting Dates to Attend:</p> <p>Planning - Work Session: October 25, 2016 (6:00 p.m.) Planning - Public Hearing: November 15, 2016 (6:00 p.m.)</p> <p>City Council - Public Hearing: November 21, 2016 (1st Reading of Ordinance) [6:00 p.m.] City Council - December 5, 2016 (2nd Reading of Ordinance) [6:00 p.m.]</p> | | | | | | |



P2016-037 - ZONING CHANGE (AG TO C)
 ZONING - LOCATION MAP = [icon]

PD-75



City of Rockwall

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

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

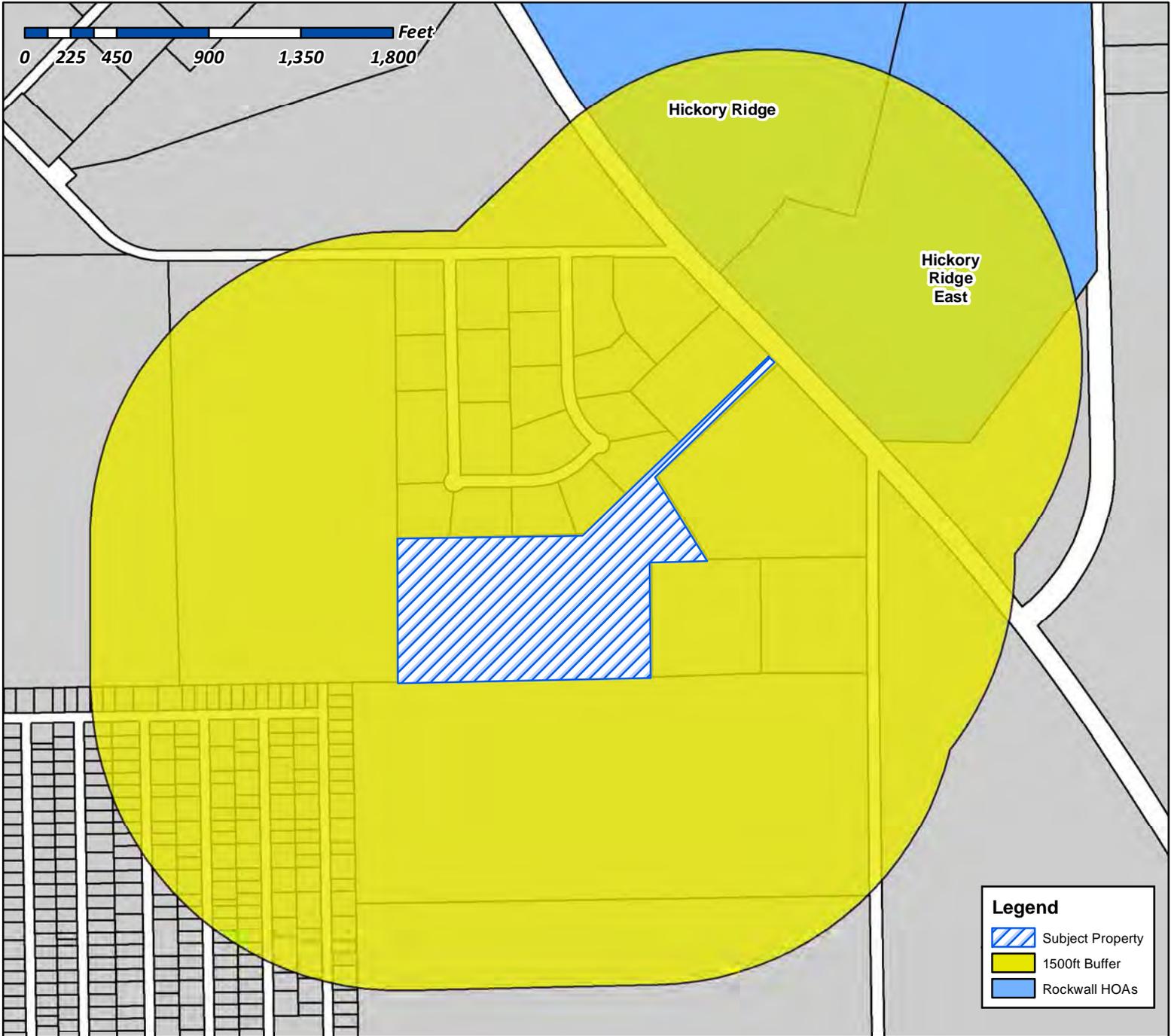




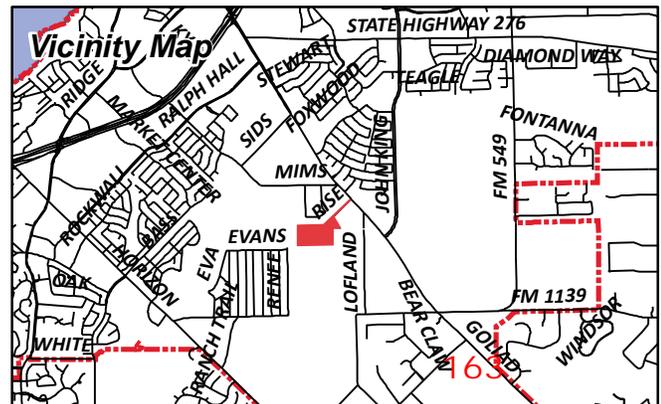
City of Rockwall

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

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Case Number: Z2016-037
Case Name: Zoning Change (AG to C)
Case Type: Zoning
Zoning: Agriculture (AG) District
Case Address: 2292 S Goliad St



Date Created: 10/17/2016

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

From: [Morales, Laura](#)
To: ["hromatka@hotmail.com"](mailto:hromatka@hotmail.com); ["s.gantt@sbbmanagement.com"](mailto:s.gantt@sbbmanagement.com); ["dbmeyer@cmamanagement.com"](mailto:dbmeyer@cmamanagement.com); ["Justini@ymail.com"](mailto:Justini@ymail.com)
Cc: [Miller, Ryan](#); [Brooks, Korey](#); [Gonzales, David](#)
Subject: Neighborhood Noification Program: Notice of zoning request
Date: Wednesday, October 26, 2016 4:18:40 PM
Attachments: [Z2016-037 HOA Map.pdf](#)

To whom it may concern:

Per your participation in the Neighborhood Notification Program, you are receiving this notification to inform your organization and residents of a request for a zoning change that lies within 1,500 feet of the boundaries of your neighborhood or subdivision. As the primary contact for the organization, you are encouraged to share this information with the residents of your subdivision. Please find attached a map detailing the location of the subject property requesting the zoning change in relation to your subdivision boundaries. Additionally, below is a summary of the zoning request that will also be published in the Rockwall Herald Banner on **November 4, 2016**. The Planning and Zoning Commission will hold a public hearing on **Tuesday, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street. If you have any questions or comments regarding this request, the contact information for the Planning Department is listed below. Additional information can also be found at <https://sites.google.com/site/rockwallplanning/development-cases>

Z2016-037-Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [SH-205], and take any action necessary.

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

Sincerely,

Laura Morales

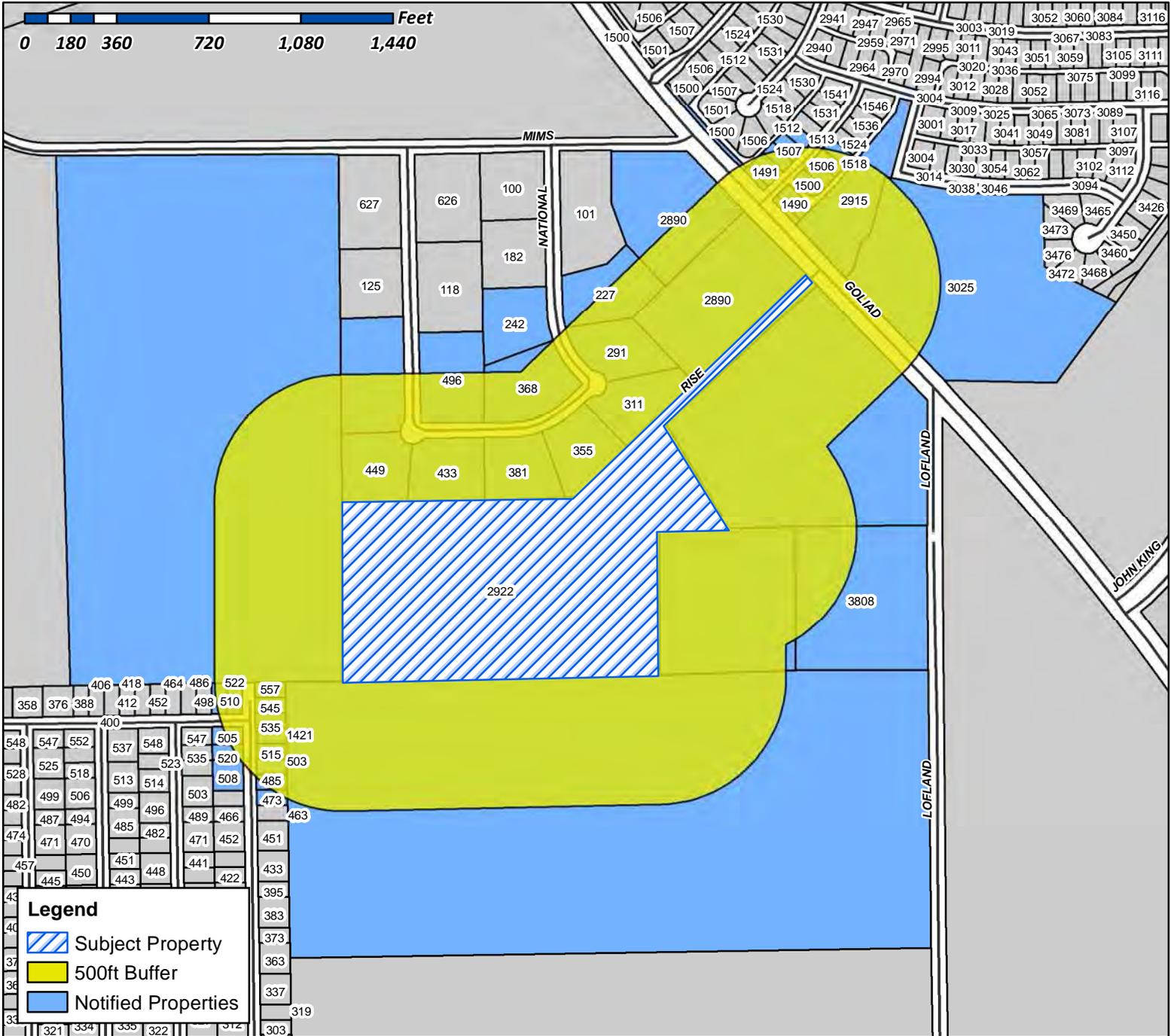
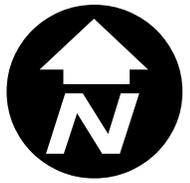
Planning & Zoning Coordinator
City of Rockwall Planning & Zoning Department
972-771-7745 | 972-772-6438
lmorales@rockwall.com | <http://www.rockwall.com>



City of Rockwall

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

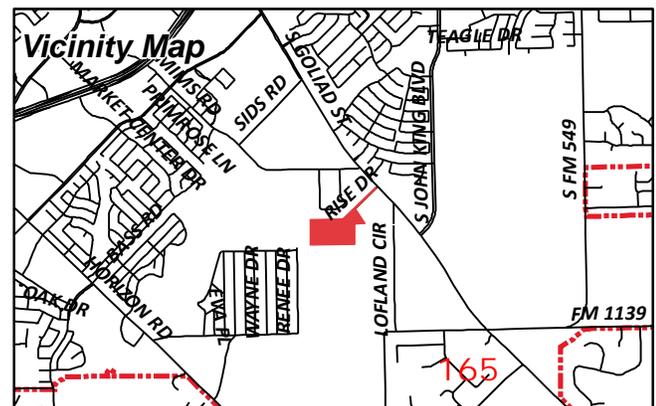
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Case Number: Z2016-037
Case Name: Zoning Change (AG to C)
Case Type: Zoning
Zoning: Agriculture (AG) District
Case Address: 2292 S Goliad St

Date Created: 10/17/2015

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



SMARTT LOFLAND & BOND
1 CARMARTHEN CT
DALLAS, TX 75225

VALDEZ JOSE G
10296 CR 2440
ROYSE CITY, TX 75189

LEMMOND BRENTON & KIMBERLY
10349 S STATE HIGHWAY 205
ROCKWALL, TX 75032

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

CURRENT RESIDENT
1421 RENEE DR
ROCKWALL, TX 75032

ZIYADEH MUNEEER R ABU
1490 FIELDSTONE DR
ROCKWALL, TX 75032

REYES JULIO CESAR & URANIA S
1491 FIELDSTONE DR
ROCKWALL, TX 75032

CONFIDENTIAL
1500 FIELDSTONE DR
ROCKWALL, TX 75032

NICKERSON TELISA A
1501 FIELDSTONE DR
ROCKWALL, TX 75032

KROLL MONTY R
1506 FIELDSTONE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
1507 FIELDSTONE DR
ROCKWALL, TX 75032

CRUZET MARIE FLOR
1512 FIELDSTONE DR
ROCKWALL, TX 75032

MACFOY THEODORE P & EASTERLINE V
1513 FIELDSTONE DR
ROCKWALL, TX 75032

AUTENCIO ROSELYN P & PHILLIP
1518 FIELDSTONE DR
ROCKWALL, TX 75032

MILLER FAMILY INVESTMENT LP
17430 CAMPBELL RD 0
DALLAS, TX 75252

HICKORY RIDGE EAST HOMEOWNERS ASSOC
1800 PRESTON PARK BLVD 0
PLANO, TX 75093

CURRENT RESIDENT
227 NATIONAL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
242 NATIONAL DR
ROCKWALL, TX 75032

NABORS CHERYL ELAINE
264 VICTORY LN
ROCKWALL, TX 75032

AXUM MARC R & DEBRA S
2849 WILD OAK LN
ROCKWALL, TX 75032

BODFORD ALVIN M
C/O TEXAS STAR EXPRESS
2890 S GOLIAD ST
ROCKWALL, TX 75032

CURRENT RESIDENT
291 NATIONAL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
2915 S GOLIAD
ROCKWALL, TX 75032

CURRENT RESIDENT
2922 S HWY205
ROCKWALL, TX 75032

CURRENT RESIDENT
3025 LIMESTONE HILL LN
ROCKWALL, TX 75032

CURRENT RESIDENT
311 NATIONAL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
355 NATIONAL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
368 NATIONAL DR
ROCKWALL, TX 75032

FORREST FRANK & KELLI LAFON
3808 LOFLAND CIR
ROCKWALL, TX 75032

WOOD BROTHERS INVESTMENTS PARTNERSHIP
381 NATIONAL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
433 NATIONAL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
449 NATIONAL DR
ROCKWALL, TX 75032

MAYHALL DANIEL J
473 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
485 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
496 NATIONAL DR
ROCKWALL, TX 75032

CURRENT RESIDENT
503 RENEE DR
ROCKWALL, TX 75032

VALDEZ EUSEBIO
505 EVANS
ROCKWALL, TX 75032

CURRENT RESIDENT
508 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
510 EVANS RD
ROCKWALL, TX 75032

CURRENT RESIDENT
515 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
520 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
522 EVANS RD
ROCKWALL, TX 75032

GUEVARA CRUZ & LIZ
522 EVANS DR
ROCKWALL, TX 75032

CURRENT RESIDENT
535 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
545 RENEE DR
ROCKWALL, TX 75032

CURRENT RESIDENT
557 RENEE DR
ROCKWALL, TX 75032

GADDIS ROY F FAMILY TRUST
ROY F GADDIS TRUSTEE
6 BRIGHT MEADOWS ROAD
HEATH, TX 75032

CLARK DAVID R
601 TATUM PL
HEATH, TX 75032

SIERRA ZACARIAS RAMIREZ
701 T L TOWNSEND DR
ROCKWALL, TX 75087

ROCKWALL HICKORY RIDGE HOMEOWNERS
ASSOC INC
C/O SBB MANAGEMENT COMPANY
8360 LBJ FRWY 0
DALLAS, TX 75243

J & S EXPO LIMITED
941 FM 1139
ROCKWALL, TX 75032

SEYMORE TIM & RAY SEYMORE
PO BOX 1900
ROCKWALL, TX 75087

MEADE JAMES W & ROBIN N
PO BOX 2107
MCLENDON-CHISHOLM, TX 75087

FARRAR SECURITY SYSTEMS INC
PO BOX 2199
ROCKWALL, TX 75087

PEOPLES MIKE
PO BOX 41
ROCKWALL, TX 75087

FRAUSTO MICKEY & LISA L
PO BOX 928
ROYSE CITY, TX 75189



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

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

To Whom It May Concern:

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

Case No. Z2016-037: Zoning Change (AG to C)

Hold a public hearing to discuss and consider a request by Douglas F. DeMarco on behalf of John G. Robertson for the approval of a zoning change from an Agricultural (AG) District to a Commercial (C) District for a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2922 S. Goliad Street [SH-205], 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, 11/15/2016 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 11/21/2016 at 6:00 p.m.** These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by **11/21/2016** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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

PLEASE RETURN THE BELOW FORM

Case No. Z2016-037: Zoning Change (AG to C)

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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



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

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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

PLEASE RETURN THE BELOW FORM

Case No. Z2016-037: Zoning Change (AG to C)

Please place a check mark on the appropriate line below:

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

[Redacted area]

Name: *Laura M. Farra*
Address: *433 National Dr. Rockwall, TX 75082*

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

Annotation Legend

- (D) Decade Measurement
- (C) Field Measurement or Calculation
- IRF Iron Rod Found
- IRS 1/2" Rebar with yellow plastic cap embossed Colvin/4252

Symbol Legend

- E — Electric Line
- X — Fence Line
- ⊕ Power Pole
- ⊙ Light Pole
- ⊙ Septic Tank
- ⊕ Water Valve
- ⊕ Gas Meter

State Of Texas
County of Rockwall

Field Notes:

BEING a tract of land situated in the J. R. JOHNSON SURVEY, ABSTRACT NO. 128, Rockwall County, Texas, and also being a part of a called 38.044 acres conveyed to Max Scheid, recorded in Volume 120, Page 530, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 3" iron pipe fence corner found for corner in the North line of a called 7.0 acre tract of land, said point being North 88 degrees 43 minutes 17 seconds West, 537.06 feet and North 88 degrees 51 minutes 28 seconds West, 260.00 feet from the most easterly Southeast corner of said called 38.044 acre tract, same being the Northeast corner of a called 2.0 acre tract of land conveyed to Max Anderson, recorded in Volume 570, Page 001, and being in the centerline of Loffand Road;

THENCE North 88 degrees 51 minutes 28 seconds West, a distance of 280.01 feet to a 1/2 inch iron rod found for corner;

THENCE South 01 degrees 59 minutes 32 seconds West, a distance of 563.79 feet to a 1/8 inch iron rod found for corner, said point being in the North line of a called 60.0 acre tract conveyed to Smartt, Lefland, and Bond, recorded in Volume 98, Page 759;

THENCE North 88 degrees 47 minutes 32 seconds West, along the North line of said 60.0 acre tract, a distance of 1233.39 feet to a 5/8 inch iron rod found for corner;

THENCE North 02 degrees 13 minutes 57 seconds East, a distance of 707.35 feet to a 1/2 inch iron rod set for corner;

THENCE South 88 degrees 25 minutes 12 seconds East, a distance of 902.83 feet to a 1/8 inch iron rod set for corner;

THENCE North 48 degrees 32 minutes 09 seconds East, a distance of 1260.90 feet to a 1/8 inch iron rod set for corner, said point being in the Southwest line of State Highway 205;

THENCE South 41 degrees 11 minutes 24 seconds East along said Southwest line a distance of 40.00 feet to a 1/2 inch iron rod set for corner;

THENCE South 48 degrees 32 minutes 09 seconds West, a distance of 808.31 feet to a 3" iron pipe fence post found for corner;

THENCE South 29 degrees 28 minutes 12 seconds East, a distance of 482.0 feet to the PLACE OF BEGINNING and containing 23.27 acres of land.

I, William M. Colvin, do hereby certify that on this date I made a survey on the premises herein described and the results of said survey, to the best of my knowledge, information, belief and in my professional opinion are true and correct. The results of said survey are as shown on this plat of survey.

William M. Colvin
William M. Colvin, Texas PPLS No. 4252



Plat of Survey
2922 State Highway 205
23.27 Acres of Land in the
J. R. Johnson Survey, Abstract No. 128
Rockwall County,
Texas

| | |
|-------------|----------|
| Project No: | RISE |
| Date: | 4-8-2009 |
| Scale: | 1"=100' |
| Drawn By: | UAB |
| Checked By: | WMC |
| Sheet | 1 of 1 |

CSC Colvin Surveying Company
Registered Professional Land Surveyors
3814 Covalier Drive, Garland, Texas 75042 Ph: 972.272.3479 Fax: 972.272.7315

CITY OF ROCKWALL

ORDINANCE NO. 16-XX

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 FURTHER AMEND THE ZONING MAP TO ADOPT A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT ON A 23.27-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-28 OF THE J. R. JOHNSON SURVEY, ABSTRACT NO. 128, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Douglas F. DeMarco on behalf of John G. Robertson for a change in zoning from an Agricultural (AG) District to a Commercial (C) District on a 23.27-acre tract of land identified as Tract 2-28 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'*, of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [~~Ordinance No. 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 Unified Development Code [~~Ordinance No. 04-38~~] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Commercial (C) District; and

Section 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Commercial (C) District* in *Section 1.1, "Use of Land and Buildings," of Article IV, "Permissible Uses", Section 4.5, "Commercial (C) District", and Section 6.7, SH-205 Overlay (SH-205 OV) District of Article V, "District Development Standards", of the Unified Development Code* of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

Section 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall

be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

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

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

Section 7. That this ordinance shall take effect immediately from and after its passage 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 5th DAY OF DECEMBER, 2016.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 21, 2016

2nd Reading: December 5, 2016

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CITY OF ROCKWALL

ORDINANCE NO. 16-60

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 1 (PD-1) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING BY AMENDING THE PERMITTED LAND USES TO ALLOW THE *BREWERY AND DISTILLERY (EXCLUDING BREWPUB)* LAND USE FOR A 25.97-ACRE PORTION OF THE ~39.6443-ACRE PLANNED DEVELOPMENT DISTRICT BEING SITUATED WITHIN THE B. J. T. LEWIS SURVEY, ABSTRACT NO. 225 & THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MOREFULLY DESCRIBED 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 Kasey Weadon of New Craft Brewing, LLC for the approval of an amendment to Planned Development District 1 (PD-1) and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall for the purpose of incorporating the Brewery and Distillery (Excluding Brewpub) land use for a 29.97-acre portion of the ~39.6443-acre planned development district, being situated within the B. J. T. Lewis Survey, Abstract No. 225 & the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas and more fully described 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 1 (PD-1) [*Ordinance No.'s 72-02, 83-21, 02-49 & 12-03*] 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 72-02, 83-21, 02-49 & 12-03*;

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 [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

Section 3. That development of the *Subject Property* shall generally be in accordance with the *Location Map/Area Concept Plan*, described in *Exhibit 'A'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'A'*, 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 generally be in accordance with the *PD*

Development Standards, described 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*;

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 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 21st DAY OF NOVEMBER, 2016.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: 11-07-2016

2nd Reading: 11-21-2016

Exhibit 'A':
Legal Description

BEING an approximate 39.6443-acre tract of land situated in the Eastridge Center Addition, O'Reilly Addition, and Rockwall Commons Addition, as recorded in the County of Rockwall, Texas and being more particularly described as follows:

BEGINNING at a point in the south right of way line of State Highway 205 (*S. Goliad Street*) and the most northeastern corner of the Eastridge Center Addition (*Plat Dated June 27, 1977*), said point being the *POINT OF BEGINNING*;

THENCE S.85°55'54"E., a distance of 122.63-feet to a point in the right of way of State Highway 205 (*S. Goliad Street*);

THENCE S.42°16'51"E., a distance of 562.88-feet;

THENCE S.50°16'49"E., a distance of 45.96-feet for a corner;

THENCE S.17°37'07"W., a distance of 574.34-feet along the centerline of the Dallas, Garland and Northeastern Railroad;

THENCE continue southerly along said line, a distance of 902.87-feet;

THENCE S.17°45'42"W., a distance of 1,008.68-feet for a corner;

THENCE N.73°24'37"W., a distance of 57.97-feet;

THENCE N.71°22'39"W., a distance of 378.33-feet;

THENCE N.71°58'06"W., a distance of 42.15-feet for a corner;

THENCE N.11°18'18"E., a distance of 736.84-feet;

THENCE N.10°53'56"E., a distance of 85.39-feet;

THENCE N.11°21'07"E., a distance of 223.50-feet;

THENCE N.10°54'10"E., a distance of 790.62-feet;

THENCE N.07°16'40"E., a distance of 181.57-feet;

THENCE N.04°08'39"E., a distance of 60.22-feet;

THENCE N.04°08'38"E., a distance of 387.24-feet;

THENCE N.04°21'49"E., a distance of 274.21-feet for a corner;

THENCE S.83°09'43"E., a distance of 244.04-feet to the *POINT OF BEGINNING*.

Containing 1,726,906.82 square-feet or 39.6443-acres, more or less.

Exhibit 'A':
Survey

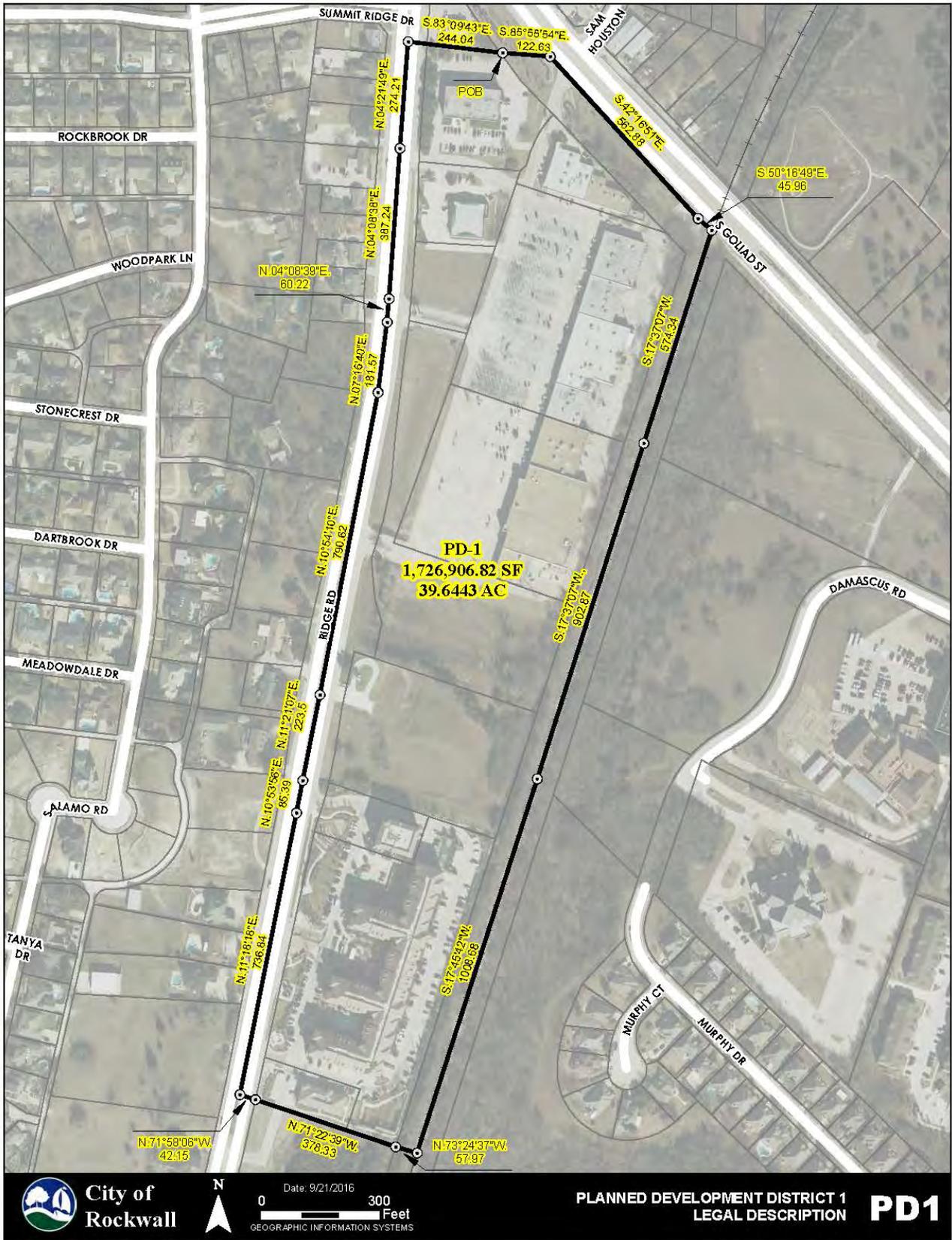


Exhibit 'A':
Location Map/Area Concept Plan

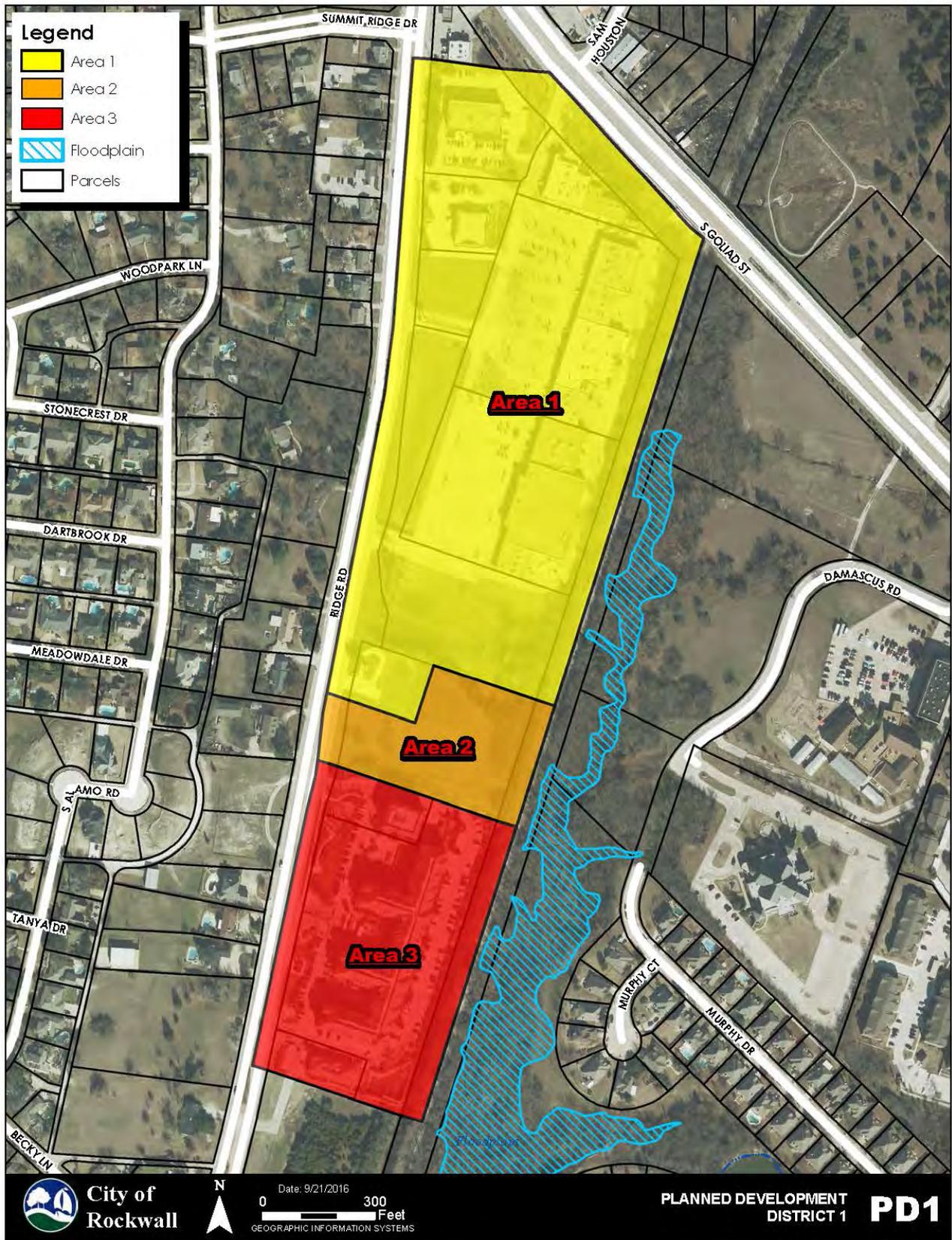


Exhibit 'B':
PD Development Standards

Purpose.

The purpose of this amendment to Planned Development District 1 (PD-1) is to consolidate *Ordinance No.'s 72-02, 83-21, 02-49 & 12-03*; however, this ordinance does not change the intent, restrictions or land uses established in any previous ordinance with the exception of adding the *Brewery or Distillery (Excluding Brew Pub)* land use to *Area 1* as depicted in *Exhibit 'A'* of this ordinance.

Area 1 [Ordinance No. 72-02].

1. *Permitted Uses.* *Area 1* as depicted in *Exhibit 'A'* of this ordinance shall be subject to the land uses permitted in the General Retail (GR) District and Multi-Family 14 (MF-14) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional uses being permitted *by-right*.

- General/Medical Office

In addition, the following additional uses being permitted by Specific Use Permit (SUP):

- Brewery or Distillery (*Excluding Brew Pub*)

2. *Density and Dimensional Requirements.* The development of *Area 1* as depicted in *Exhibit 'A'* of this ordinance shall be subject to the development standards stipulated for properties within a General Retail (GR) and Multi-Family 14 (MF-14) Districts as required by Section 3.9, *Multi-Family 14 (MF-14) District*, and Section 4.4, *General Retail (GR) 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 granting this zoning change, and as maybe amended in the future.

Area 2 [Ordinance No. 12-03].

1. *Permitted Uses.* *Area 2* as depicted in *Exhibit 'A'* of this ordinance shall be subject to the land uses permitted in the General Retail (GR) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional uses being permitted *by-right*.

- General/Medical Office
- Urban Residential Housing (*as Defined by the Unified Development Code [Ordinance No. 04-38]*)

2. *Density and Dimensional Requirements.* The development of *Area 2* as depicted in *Exhibit 'A'* of this ordinance shall be in accordance with the *PD Concept Plan* contained in *Exhibit 'C'* of this ordinance, and with the Mixed Use Overlay (MUO) District standards stipulated by Section 6.5, *Mixed Use Overlay (MUO) District*, of the Unified Development Code [*Ordinance No. 04-38*]. In addition, *Area 2* shall be subject to the following additional requirements:

- (a) A maximum of 140 urban residential units shall be allowed.
- (b) The average dwelling unit size shall not be less than 980 square feet.
- (c) The development must contain a minimum of 12,000 square feet of non-residential space.

Exhibit 'B':
PD Development Standards

- (d) The overall height may not exceed 65-feet as measured to the midpoint of the sloped roof from the average grade along the front of the building, and as depicted on the *Section Through Center of Site* drawing attached hereto as *Exhibit 'C'*.
 - (e) A minimum of 20% open space shall be provided, and the open space shall be developed to the extent reflected on the Concept Plan. A pool for the use of the residents shall be provided.
 - (f) The interiors of all residential units shall include higher grade finish-out materials such as granite or other comparable counter tops, durable high quality flooring, and stainless steel and other high end appliances.
3. Procedure. The procedure for submittals associated with the development of *Area 2* shall be as follows:
- (a) Submittal and approval of a detailed *PD Site Plan*, for review and approval by the Architectural Review Board (ARB) and Planning and Zoning Commission.
 - (b) Submittal and approval of a final plat.

Area 3 [Ordinance No. 02-49].

- 1. Permitted Uses. *Area 3* as depicted in *Exhibit 'A'* of this ordinance shall be subject to the land uses permitted in the General Retail (GR) District and Multi-Family 14 (MF-14) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future, with the following additional uses being permitted *by-right*:
 - Townhomes
 - General/Medical Office
 - Multifamily (*with a Maximum Density of 15 Dwelling Units/Acre*)
- 2. Density and Dimensional Requirements. The development of *Area 3* as depicted in *Exhibit 'A'* of this ordinance shall in accordance with the *PD Concept Plan* contained in *Exhibit 'D'* of this ordinance. In addition, *Area 3* shall be subject to the following additional requirements:
 - (a) *Residential.* Residential uses shall be governed by the following standards:
 - (i) Residential uses must be integrated with retail and/or office uses in terms of site planning. The separate uses must not be perceived or discrete developments.
 - (ii) The development may not exceed four (4) square feet of residential use for at least one (1) square foot of non-residential use (unless approved as part of this PD) for each phase of the development.
 - (b) *Open Space.* A minimum of 20% of the site shall be devoted to open space. This requirement may be satisfied by either public or by a combination of public and private open space. Open space shall be satisfied with each phase of development, or the developer must execute a reservation of open space in a form that will assure the City that such open space will be provided.
 - (c) *Height.* The development should average two (2) to three (3) stories in height, but not exceed three (3) stories unless otherwise approved as part of this PD. If adjacent to single

Exhibit 'B':
PD Development Standards

family zoned areas, this height should taper down to two (2) stories if the development is close to the property line.

(d) *Enhancements.*

- (i) Pedestrian areas shall be enhanced with trees, decorative paving and pedestrian-level lighting.
- (ii) Public and private open space shall be developed to the extent reflected in the plan.

(e) *Parking.* Parking shall meet the following standards:

- (i) Parking required for a building shall primarily be located behind the building. On-street parking may be allowed to partially meet the required parking for a building or use.
- (ii) A majority of parking shall be structured or decked to minimize the amount of land given over to parking.
- (iii) Site access and non-residential use parking shall be shared between non-residential uses.
- (iv) The minimum amount of required parking may be 10% below the City's standard requirement.
- (v) The minimum amount of parking may be further reduced where parking is shared by multiple uses and is justified by the applicant.

(f) *Amenities.* A pool for the use of the residents will be provided.

(g) *Traffic.* A facilities agreement will be required to address traffic improvements as called for in the traffic engineer's recommendations.

(h) *Phasing.* If constructed in phases, no phase shall exceed the allowed ratio of 4 square feet of residential to 1 square foot of non-residential uses.

3. *Procedure.* A *PD Site Plan* is mandatory and is the final step of the *PD Development* process. The purposes of a *PD Site Plan* is to assure that the development of individual building lots, parcels, or tracts within the *PD District* are consistent with the approved Concept Plan and Development Plan, if any, and to assure that the standards applicable within the *PD District* are met for each such lot, parcel or tract. Following approval by the City Council a *PD Site Plan* shall continue to be valid for a period of three years. However, the Council may extend the three (3) year time period following a recommendation of said extension from the Planning and Zoning Commission.

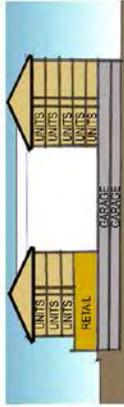
The Site Plan shall be accompanied by building elevations and landscape and master sign plans, which shall be reviewed by the Architectural Review Board (ARB) for consistency with the overall objectives of the district. The Board's recommendation shall be forwarded to the Planning & Zoning Commission for consideration in their recommendation to City Council.

A *PD Site Plan* shall terminate at the end of such three (3) year period (*or extended period if approved by the City Council*) unless, within such period, a preliminary plat has been filed with the City for the entire land covered by the *PD Site Plan*. In which case, the Site Plan will remain valid as long as there is an approved plat for the property. If a *PD Site Plan* terminates,

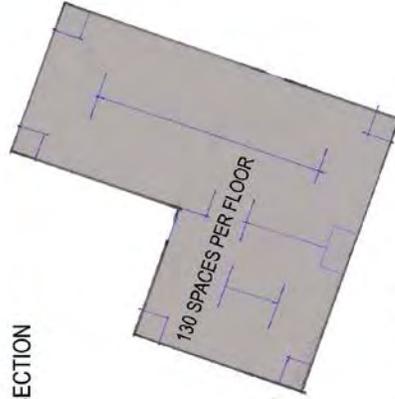
Exhibit 'B':
PD Development Standards

development of the land covered by the terminated plan cannot occur until a new *PD Site Plan* has been approved for the land as provided by this Ordinance.

Exhibit 'C':
Area 2 Concept Building Elevation [Ordinance No. 12-03]



A - A SECTION



GARAGE FLOOR PLAN (BASEMENT 1 & 2)

TABULATION:

- 5 STORY OVER 2 LEVEL PODIUM
 - 140 UNITS AVG 980 SF (108 UNITS IF 4 STORY)
 - 12000 SF RETAIL
 - 333 TOTAL PARKING SPACES (260 IN GARAGE, 73 SURFACE)
 - 72 SPACES RETAIL
 - 261 SPACES RESIDENTIAL (1.9 AVG)
- UNIT MIX:**
- 25% 1BRs, 50% 2BRs, 25% 3BRs
 - OPEN SPACE: 20%



SITE PLAN 3



Exhibit 'C':
Area 2 Concept Building Elevation [Ordinance No. 12-03]



CHARACTER ELEVATION (WEST)

Exhibit 'C':
Area 2 Building Height Comparison [Ordinance No. 12-03]



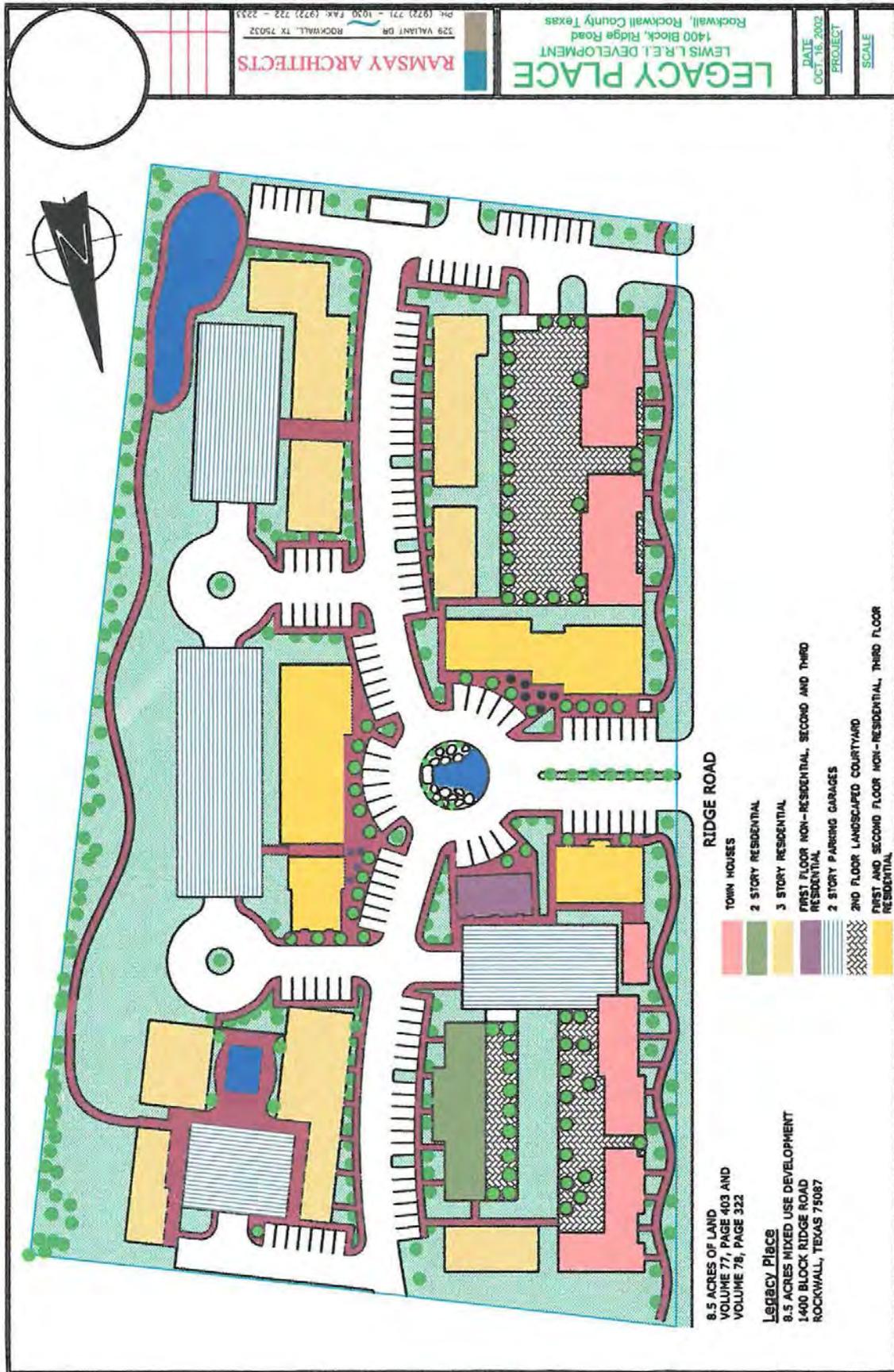
HEIGHT COMPARISON WITH OFFICE

Exhibit 'C':
Area 2 Line of Sight Study [Ordinance No. 12-03]



SECTION THROUGH CENTER OF SITE

Exhibit 'D':
 Area 3 Concept Plan [Ordinance No. 02-49]



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City of Rockwall
The New Horizon

CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Mayor and City Council
FROM: Rick Crowley, City Manager
DATE: November 18, 2016
SUBJECT: RISD and City of Heath wastewater line request

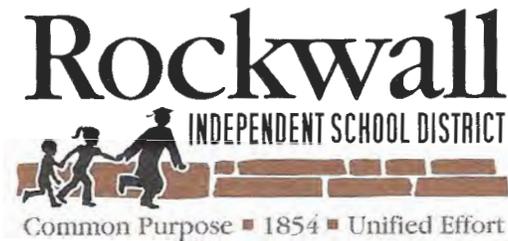
Rockwall ISD has provided the attached request for consideration by the city. The request is for the city to authorize flow from a new school facility in Heath (and up to four (4) single family residences) into the regional wastewater collection line which is jointly owned by the City of Rockwall, the City of Heath and the City of Forney. Each entity pays in proportion to wastewater flow into the line. Each of the three cities is authorized without approval from the others to add flow from within their city into the line; however, when one of the cities proposes to add flow from outside of their city limits, approval of the other two “partners” is required.

RISD proposed to build a school in Heath’s ETJ and will be required to build a sewer line to the regional line. There are about four (4) property owners along this route from which the RISD will be required to acquire easements.

The RISD is requesting City of Rockwall approval for use of the regional line to serve the school and the four (4) single family homes along the route. All associated costs will be paid by RISD and/or the City of Heath. The additional flow will be assigned to the City of Heath and these five (5) new customers currently located in the Heath ETJ will be customers of the City of Heath.

A similar approval by Rockwall and Heath a few years ago allowed a similarly located Forney ISD school to be added to the line. Approval from Heath and Forney allowed Rockwall to add flow from McLendon Chisholm into the line as a customer of Rockwall.

If Council approves the request, action to authorize the City Manager to so advise the NTMWD and to execute the contractual documents after the project is further designed would be appropriate. Of course the City Attorney would review the contractual documents prior to execution.



November 17, 2016

Mr. Rick Crowley, City Manager
City of Rockwall
385 S. Goliad
Rockwall, Texas 75087

Dear Mr. Crowley:

The Rockwall Independent School District (RISD) is constructing a new elementary school in the southern part of our school district within the City of Heath and near the Kaufman County border. Sanitary sewer service for the new school will be served by a new 8" gravity sanitary sewer line, constructed from our school site to the North Texas Municipal Water District (NTMWD) Buffalo Creek Trunk Main. This 8" line will be constructed to City of Heath standards and will be dedicated and maintained by the City of Heath. A portion of this new line will be constructed outside of the City Limits of Heath but still within the City of Heath's ETJ.

We have begun the process to notify property owners along the route in an attempt to acquire the appropriate utility easement for this line. We have been advised by our consultants that a sewer tap for the impacted residences is often a favorable and common compensation offered in exchange for the easement. There are four (4) property owners that we would like to offer one (1) single-family residential tap. We understand in discussions with the City of Heath and NTMWD that for Heath to be able to provide retail service outside of their corporate limits, NTMWD, Rockwall and Forney must be notified and agree to the request, even if it is for only 4 single family taps. The City of Heath's easement agreement will be clear that the offer is limited to 1 single-family residential tap, and that no other future taps are being offered or promised until such time that the properties are annexed into the City of Heath.

NTMWD has stated that this is straightforward and they have no objections to Heath serving these 4 potential customers retail service. Therefore, we are seeking the appropriate agreement from Rockwall and Forney. Mr. R.J. Muraski with NTNWD has stated that an email from the city manager of each city is all they need to let us proceed. He can be reached by e-mail at rmuraski@NTMWD.COM. Thank you very much for your consideration and please feel free to contact me if you have any questions regarding this request.

Sincerely,

Dr. JJ Villarreal – Superintendent Rockwall ISD

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