

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 15, 2022 - 5:00 PM

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

I. Call Public Meeting to Order

II. Executive Session.

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

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters).
2. Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding (re)appointments to city regulatory boards and commissions, including conducting applicant interviews, pursuant to Section, §551.074 (Personnel Matters)

III. Adjourn Executive Session

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

V. Invocation and Pledge of Allegiance - Mayor Fowler

VI. Proclamations / Awards / Recognitions

1. Full Metal Jackets (Rockwall High School Robotics Team) Celebration Day

VII. Open Forum

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

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

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

1. Consider approval of the minutes from the August 1, 2022 regular city council meeting, and take any action necessary.

2. **Z2022-034** - Consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 85.63-acre tract of land identified as Tracts 2-01, 2- 04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and John King Boulevard, and take any action necessary **(2nd Reading)**.
3. Consider authorizing the City Manager to execute a one-year contract with three 1-year renewal options with ZT Baseball Nation LP to supply umpires for Leon Tuttle RBSL Spring, Summer, and Fall baseball and softball seasons annually to be funded by the Recreation Development Fund, and take any action necessary.
4. Consider authorizing the City Manager to execute a one-year contract with three 1-year renewal options with ZT Baseball Nation LP to host Fall and Spring baseball tournaments at Leon Tuttle Athletic Complex, and take any action necessary.
5. Consider authorizing the City Manager to execute a one-year contract with three 1-year renewal options with Illumination Firework to provide our July 4th Firework Special Event at Harry Myers Park annually to be funded by the General Fund, and take any action necessary.
6. Consider an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2022 Rate Review Mechanism filing, adopting tariffs as part of the settlement, and take any action necessary.
7. **P2022-034** - Consider a request by Bill Bricker of Columbia Development Company for the approval of a *Final Plat* for Lots 1-5, Block E, Park Place, Phase IV Addition being a 1.286-acre tract of land identified as Lot 2, Block E, Park Place, Phase III Addition and Tracts 53 & 35 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Single-Family 7 (SF-7) and Residential-Office (RO) District land uses, located at the northeast corner of the intersection of T. L. Townsend Drive and Park Place Boulevard, and take any action necessary.
8. Consider authorizing the City Manager to execute an Interlocal Agreement with Rockwall Independent School District for School Resource Officer services for school calendar year 2022-2023, and take any action necessary.

X. Appointment Items

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

XI. Public Hearing Items

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

1. **Z2022-035** - Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary **(1st Reading)**.
2. **Z2022-036** - Hold a public hearing to discuss and consider a request by David Scott and Christine Fischer for the approval of an **ordinance** for a *Specific Use Permit (SUP)* allowing an *Agricultural Accessory Building* on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary **(1st Reading)**.

3. **Z2022-037** - Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary (**1st Reading**).
4. **Z2022-038** - Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 93 (PD-93) [*Ordinance No. 22-22*] to incorporate a 21.83-acre tract of land into the existing 93.97-acre tract of land being identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 10-02, 10-03, 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (DF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary (**1st Reading**).

XII. Action Items

If your comments are regarding an agenda item below, you are asked to come forth and do so during the 'Open Forum' portion of the meeting (please limit to 3 minutes or less). Please turn in a (yellow) 'Request to Address City Council' form to the City Secretary either before the meeting or as you approach the podium.

1. Discuss and consider (re)appointments to non-regulatory city boards and commissions, and take any action necessary.
2. Discuss and consider granting permission for an alcohol waiver associated with the city's October 1, 2022, 14th Annual Rib Rub Run and Roll at Harry Myers Park in accordance with Chapter 30, Article I, Sec. 30-2, 'Regulated Activities in Parks' of the Code of Ordinances, and take any action necessary.

XIII. Executive Session.

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

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding appointment assignments for city council subcommittees and board liaisons, pursuant to Section, §551.074 (Personnel Matters)
3. Discussion regarding (re)appointments to city regulatory boards and commissions, including conducting applicant interviews, pursuant to Section, §551.074 (Personnel Matters)

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

XV. Adjournment

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

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

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of August, 2022 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

Date Removed

Rockwall, Texas

Proclamation

Whereas, STEM is an acronym that stands for “Science, Technology, Engineering and Mathematics;” and

Whereas, founded in 2003, Rockwall High School's robotics team – “FRC Team 1296 Full Metal Jackets” – is a STEM program focusing on enhancing students' STEM skills while providing mentorship and community service opportunities; and

Whereas, the Full Metal Jackets recently had an impressive winning streak that began with building a fantastic robot, receiving the “Chairmans Award” at a District event, winning the State UIL Chairmans Award, and eventually advancing to the World Championships where they progressed to the semi-finals; and

Whereas, since 2017 RHS' team has successfully helped advocate for \$1.2 billion in annual STEM funding from Congress, and it continues to give back to the community in numerous ways, such as:

- helping Girl and Boy Scouts earn their robotics badge;
- packaging over 50 LEGO kits for Ukraine refugees relocated to the N. TX area;
- mentoring 9 younger teams; and
- purchasing \$12k worth of LEGO Spike Kits for Rockwall County elementary schools; and

Whereas, this year the Rockwall High School Robotics Team will host its 3rd annual off season event called “STEM Gals” to promote and encourage women in “STEM.”

NOW, THEREFORE, I, Kevin Fowler, Mayor of the City of Rockwall TX, do hereby proclaim **August 15, 2022** as

FULL METAL JACKETS CELEBRATION DAY

in the City of Rockwall and urge all citizens to congratulate this team for its many accomplishments and to encourage young students to pursue careers in the field of Science, Technology, Engineering and/or Mathematics.

In Witness Whereof, I hereunto set my hand and official seal this 15th day of August, 2022.

Kevin Fowler, Mayor

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 01, 2022 - 6:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the public meeting to order at 6:01 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem Trace Johannesen, and Councilmembers Clarence Jorif, Anna Campbell, Bennie Daniels and Mark Moeller. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd. City Attorney Frank Garza and Councilmember Dana Macalik were absent from the meeting.

II. INVOCATION AND PLEDGE OF ALLEGIANCE - MAYOR PRO TEM JOHANNESSEN

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

III. OPEN FORUM

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

Bob Wacker
309 Featherstone Drive
Rockwall, TX

Mr. Wacker shared comments pertaining to Quail Run near Hays Road and potential improvements to that portion of the roadway in conjunction with the developer who will be developing the Hance property (which is on tonight's agenda for 2nd reading (Skorburg)).

Michael Rasmussen
507 Park Place Blvd.
Rockwall, TX 75087

Mr. Rasmussen came forth to share that he is seeking help on what is currently the SPR Packaging business / property located behind the Park Place residential subdivision. He has concerns about the property (i.e. dead trees in need of attention). Mrs. Smith shared that our Parks Director, Travis Sales has reached out to SPR about the dead trees and has provided to the company recommended trees that will live and be viable alternatives to plant. She pointed out that planting trees right now during this time of year is not ideal, but Mr. Sales will be working with SPR to identify trees to be planted in the fall.

Adam Buczek
8214 Westchester Dr., Suite 900
Dallas, TX 75225

Mr. Buczek came forth and shared that the portion of the roadway that Mr. Wacker pointed out a few minutes ago is not actually going to be part of the “Hance property” development / project. So that portion will not be reconstructed as part of the new, residential development.

George Russell
3B Lakeway Drive
Heath, TX

Mr. Russell came forth and shared that he was in Uvalde when the school shooting tragedy happened. He does not anticipate that we have those sorts of problems here in Rockwall; however, he does have speeding-related concerns especially related to vehicles traveling on Ridge Road right near the Heath/Rockwall city limit line outside of the Chandler’s Landing subdivision. He stressed that the speeds are ‘out of control,’ and this issue needs to be addressed by law enforcement.

There being no one else wishing to come forth and speak at this time, Mayor Fowler closed Open Forum. Fowler then recognized interim Police Chief, Ed Fowler who is joining tonight’s city council meeting, with the former chief having moved on to another position elsewhere.

IV. CONSENT AGENDA

1. Consider approval of the minutes from the July 18, 2022 regular city council meeting, and take any action necessary.
2. **Z2022-029** - Consider a request by Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** for a Zoning Change amending Planned Development District 59 (PD-59) [*Ordinance No. 19-08*] being a 56.586-acre tract of land identified as a portion of R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Single-Family 7 (SF-7) District, and Residential-Office (RO) District land uses, located between W. Washington Street and T. L. Townsend Drive, and take any action necessary **(2nd Reading)**.
3. **Z2022-030** - Consider a request by Cory Cannon of Siren Rock Brewing Company for the approval of an **ordinance** for a Specific Use Permit (SUP) amending *Ordinance No.18-34 (S-194)* to allow a *Craft Winery* in conjunction with an existing *Craft Brewery* on a 1.233-acre parcel of land identified as Lot 2, Cain Properties No. 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 310 S. Goliad Street, and take any action necessary **(2nd Reading)**.
4. **Z2022-031** - Consider a request by Mark and Veronica Combs for the approval of an **ordinance** for a Specific Use Permit (SUP) for an accessory *Guest Quarters/Detached Garage* on a 0.7379-acre parcel of land identified as Block 105A-1 of the B. F. Boydston Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 401 S. Clark Street, and take any action necessary **(2nd Reading)**.
5. **Z2022-033** - Consider a request by Patrick Filson of Kirkman Engineering on behalf of 101 Hubbard Dr., LLC for the approval of an **ordinance** for a PD Development Plan for a *Restaurant* on a 1.021-acre tract of land identified as Lot 4, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the *Summit Office Subdistrict* of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, generally located at the southwest corner of the intersection of Horizon Road [*FM-3097*] and the IH-30 Frontage Road, and take any action necessary **(2nd Reading)**.
6. **P2022-035** - Consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a Replat for Lot 3, Block 1, Rockwall Recreational Addition being a 4.40-acre parcel of land identified as Lot 2, Block 1, Rockwall Recreational Addition,

City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

7. **P2022-036** - Consider a request by Patrick Hogan, PE of Kimley Horn on behalf of Justin Day of Platform Rockwall, LP for the approval of a *Final Plat* for Lots 1 & 2, Block A, Platform Rockwall Addition being a 16.889-acre parcel of land identified as Tract 4 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, 1818, 1824 & 1860 Airport Road, and take any action necessary.
8. Consider authorizing the City Manager to execute an interlocal agreement with Rockwall County for Fire Protection Services for fiscal year 2023, and take any action necessary.

Mayor Fowler pulled item #3 from the Consent Agenda in order to consider it separately, as Councilman Daniels had voted 'against' this item at the last, regular council meeting (upon first reading).

Mayor Pro Tem Johannesen moved to approve the remaining Consent Agenda items (#s 1, 2, 4, 5, 6, 7, and 8). Councilmember Campbell seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-39**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 59 (PD-59) [*ORDINANCE NO. 19-08*] BEING A 56.70-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL
ORDINANCE NO. 22-41
SPECIFIC USE PERMIT NO. S-285**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *GUEST QUARTERS* AND *DETACHED GARAGE* ON A 0.7379-ACRE PARCEL OF LAND, IDENTIFIED AS BLOCK 105A-1 OF THE B. F. BOYDSTON ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absent (Macalik).

Regarding Consent Agenda item #3, Mayor Fowler moved to approve this agenda item (Z2022-030). Mayor Pro Tem Johannesen seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-40
SPECIFIC USE PERMIT NO. S-284**

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

The motion to approve passed by a vote of 4 ayes, 2 nays (Jorif and Daniels) and 1 absence (Macalik).

V. ACTION ITEMS

- 1. Z2022-034** - Discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 85.63-acre tract of land identified as Tracts 2-01, 2- 04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and John King Boulevard, and take any action necessary (**1st Reading**).

Brian Holland with Skorburg Company came forth and briefly addressed Council concerning this agenda item. He generally indicated that he went back and reduced the lot number and increased the size of some of the lots based on feedback received during the last council meeting.

Following additional, brief comments Councilmember Daniels moved to approve Z2022-034. Councilmember Jorif seconded the motion. The ordinance caption was read as follows:

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 10

(SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 85.63-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 2-01, 2-04, 2-05 & 2-06 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

City Secretary, Kristy Teague, pointed out that she inadvertently overlooked reading the ordinance caption associated with Consent Agenda item #5 above (Z2022-033) a few minutes ago. Indication was given that Council does not need to 're-vote' on the item. Mrs. Teague simply needs to read the ordinance caption into the record, which she did so at this time, as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 22-42**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 17-22] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A RESTAURANT ON A 1.021-ACRE PARCEL OF LAND IDENTIFIED AS LOT 4, BLOCK A, HARBOR DISTRICT ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve Action Item #1 (Z2022-034) passed by a vote of 6 ayes with 1 absence (Macalik).

2. **A2022-002** - Discuss and consider the expiration of an existing 212 Development Agreement for five (5) properties contiguous with the City of Rockwall's corporate limits and being identified as Tracts 1-1, 17 & 17-01 of the J. Lockhart Survey, Abstract No. 137 and Tracts 6 & 6-01 of the J. H. Bailey Survey Abstract No. 22, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located along and at the terminus of Zollner Road, and take any action necessary.

Planning Director, Ryan Miller shared background information concerning this agenda item. At the request of Mayor Pro Tem Johannesen, Mr. Miller explained in more detail what a "212 Development Agreement" is and how it impacts a particular piece of property. A couple of the council members shared that they would potentially like to see the term of this updated agreement be set at 5 years. Mayor Fowler went on to share that he is actually in favor of the city moving forward with annexing a portion of this property at this time, especially considering that the City did not hear back from one of the two property owners associated with this overall property. Mrs. Smith, City Manager, shared that annexing a portion of this overall property will neither 'hurt nor harm' the City of Rockwall.

Mayor Fowler made a motion to extend the 212 Development Agreement for Tracts 1-4 (being Tracts 1-1, 17, & 17-01 of the J. Lockhart Survey, Abstract No. 137 and Tract 6 of the J. H. Bailey Survey, Abstract No. 22) for a period of 5 years and then move forward with annexation on Tract 5 (being Tract 6-01 of the J. H. Bailey Survey, Abstract No. 22). Councilmember Moeller seconded the motion, which passed by a vote of 6 ayes with 1 absence (Macalik).

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

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

No discussion took place regarding monthly reports, and no action was taken.

VII. ADJOURNMENT

Mayor Fowler adjourned the meeting at 6:31 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS
15th DAY OF AUGUST, 2022.**

KEVIN FOWLER, MAYOR

ATTEST:

KRISTY TEAGUE, CITY SECRETARY

CITY OF ROCKWALL

ORDINANCE NO. 22-44

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 96 (PD-96) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 85.63-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 2-01, 2-04, 2-05 & 2-06 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Kevin Harrell of the Skorburg Company on behalf of Larry Hance of R & R Investments for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 85.63-acre tract of land identified as Tracts 2-01, 2-04, 2-05 & 2-06 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located at the southwest corner of the intersection of Hays Road and John King Boulevard, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

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

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat*. A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan*. A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.

(g) *Final Plat*. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 15th DAY OF AUGUST, 2022.

Kevin Fowler, Mayor

ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: August 1, 2022

2nd Reading: August 15, 2022

BEING an 85.629-acre tract of land situated in the P.B. HARRISON SURVEY, ABSTRACT No. 97, ROCKWALL COUNTY, TEXAS and being the remainder of Tract 2 as described in a Deed to R & R HANCE INVESTMENTS, LP as recorded in Volume 53, Page 49 of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.) and all of the FIRST TRACT to R & R INVESTMENTS, LP as recorded in Volume 5702, Page 99 O.P.R.R.C.T. and all of the SECOND TRACT to R & R INVESTMENTS, L.P. as recorded in Volume 5702, Page 99 O.P.R.R.C.T. and all of a called 5.00-acre tract to R & R INVESTMENTS, LP as recorded in a Correction Special Warranty Deed to R & R INVESTMENTS, LP as recorded in File Clerk's No. 2019-00411939 O.P.R.R.C.T.;

BEGINNING at a ½" iron rod found with a plastic cap stamped "PIERCE-MURRAY", said point being on the south right-of-way line of John King Boulevard (a 120' right-of-way) and said point being the northwest corner of a tract of land conveyed to QUALICO DEVELOPMENT (US), INC. as recorded in Instrument No. 20210000013056 O.P.R.R.C.T. and said point being the southeast corner of said remainder of Tract 2;

THENCE South 01°30'01" East along the east line of said Hance second tract and the west line of said QUALICO tract and generally along a fence line, a distance of 1722.62' to a cut "x" set in the concrete paving of Quail Run Road, said point being the southeast corner of said second tract and the southwest corner of said QUALICO tract;

THENCE South 88°45'04" West generally along said Quail Run Road, a distance of 1833.21' to a set cut "x" in the concrete paving of Quail Run Road and the eastern side of Hays Road, said point being the southeast corner of STONE CREEK PHASE VIII as recorded in Cabinet J, Slide 289 of the Plat Records of Rockwall County, Texas;

THENCE North 00°38'15" West along the west line of said Hance tracts and the east line of said Stone Creek addition, a distance of 2079.10' to a set cut "x" in the concrete paving of Hays Road;

THENCE North 89°37'58" East a distance of 28.47' to a 5/8" iron rod found for a corner on the east right-of-way line of Hays Road;

THENCE North 00°22'02" West along said right-of-way line, a distance of 136.79' to a 5/8" iron rod found for the beginning of a curve to the right having a central angle of 38°06'45" a radius of 320.00 and a chord that bears North 18°41'20" East 208.96';

THENCE along said right-of-way an arc distance of 212.86' to a ½" iron rod set for a corner with a plastic cap stamped "RLS 5664";

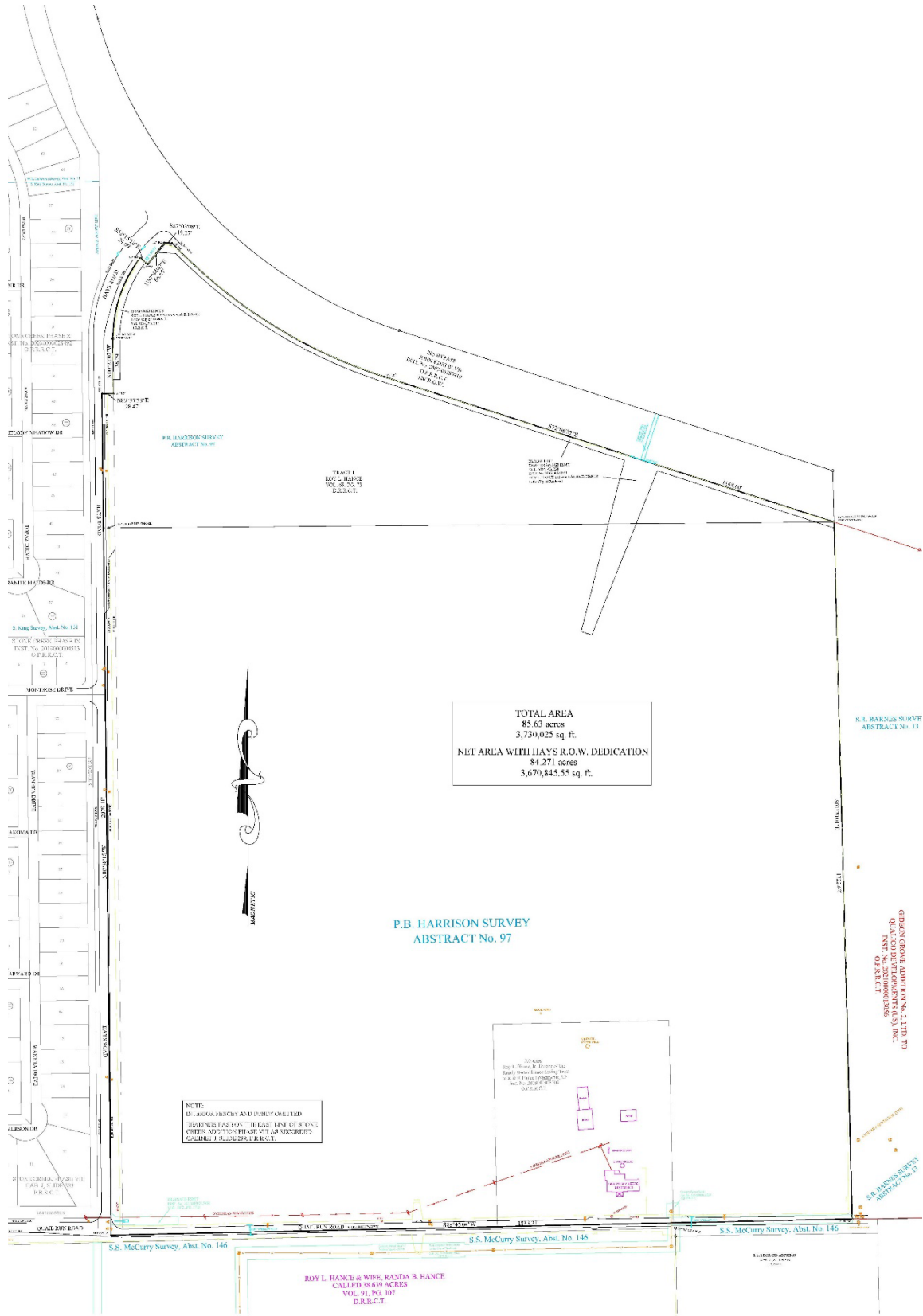
THENCE South 52°15'18" East a distance of 24.00' to a ½" iron rod set for a corner with a plastic cap stamped "RLS 5664";

THENCE North 37°44'42" East a distance of 66.65' to a ½" iron rod set for a corner with a plastic cap stamped "RLS 5664" said point being the southerly clip corner of the intersection of Hays Road and said John King Boulevard said point being in a curve to the left having a central angle of 28°29'36", a radius of 1260.00' and a chord that bears South 57°51'44" East a distance of 620.16';

THENCE South 87°03'08" East along said corner clip, a distance of 19.27' to a ½" iron rod set with a plastic cap stamped "RLS 5664";

THENCE along the south right-of-way line of said John King Boulevard an arc distance of 626.60' to a ½" iron rod set with a plastic cap stamped "RLS 5664";

THENCE South 72°06'32" East a distance of 1168.60' to the *POINT OF BEGINNING* and containing 85.629-acres or 3,730,025 square feet of land.



TOTAL AREA
85.63 acres
3,730,025 sq. ft.

NET AREA WITH HAYS R.O.W. DEDICATION
84.271 acres
3,670,845.55 sq. ft.

P.B. HARRISON SURVEY
ABSTRACT No. 97

NOTE:
IN THE ABSENCE OF A SURVEYOR, THE
BOUNDARY LINES OF THIS TRACT OF LAND
SHOULD BE DETERMINED BY THE FOLLOWING
METHODS: 1. SURVEY RECORDS; 2. ADJACENT
LANDS; 3. HISTORICAL RECORDS.

ROY L. HANCE & WIFE, RANDA B. HANCE
CALLED 38.639 ACRES
VOL. 91, P. 107
D.R.C.T.



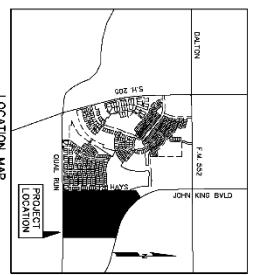
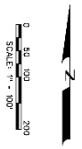
Prepared by:
Randy E. Gannon
1193 Lake Glen Circle
Rockwall, Texas 75087
214-948-2146

BOUNDARY EXHIBIT
85.63 ACRES
PART OF THE P.B. HARRISON SURVEY
ABSTRACT No. 97
ROCKWALL, COUNTY, TEXAS



LEGEND

Typical Lot Sizes	62' x 125' - 17' Lots
	72' x 120' - 78' Lots
	62' x 100' - 87' Lots
	Open Space - 12,443 Sq. Ft.
	Amenity Center - 4.8 Ac.



TOTAL ACRES	85.63
TOTAL RESIDENTIAL LOTS	292
RESIDENTIAL DENSITY	2.84
OPEN SPACE PERCENTAGE	20.82%

CONCEPT PLAN
HANCE TRACT
 SITUATED IN THE
 CITY OF ROCKWALL
 COUNTY OF COLLIN, TEXAS
 OWNED BY
 R & R HANCE INVESTMENTS LP
 6048 SPRING STREET
 ROCKWALL, TEXAS 75087
 PREPARED BY
 CORWIN ENGINEERING, INC.
 201 N. WILKINSON STREET
 SUITE 100
 ROCKWALL, TEXAS 75087
 972-985-1000
 JUNE 2022 SCALE 1" = 300'
 CASE NO. Z2022-034

DENSITY AND DEVELOPMENT STANDARDS.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single-Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit ‘C’* and stated in *Table 1*, which is as follows:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	62' x 120'	7,440 SF	157	62.30%
B	72' x 120'	8,640 SF	78	30.95%
C	82' x 125'	10,250 SF	17	06.75%
<i>Maximum Permitted Units:</i>			256	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 10 (SF-10) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.94 dwelling units per gross acre of land; however, in no case should the proposed development exceed 252 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see <i>Concept Plan</i>) ▶	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	62'	72'	82'
<i>Minimum Lot Depth</i>	120'	120'	125'
<i>Minimum Lot Area</i>	7,440 SF	8,640 SF	10,250 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2), (5) & (7)}	20'	20'	20'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	36'	36'	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,200 SF	2,600 SF	2,800 SF
<i>Maximum Lot Coverage</i>	65'	65'	65'

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.
- ⁶: *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- ⁷: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

- (4) Building Standards. All development shall adhere to the following building standards:

(a) ***Masonry Requirement.*** The minimum masonry requirement for the exterior façade of all buildings shall be 90% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 50% of the masonry requirement; however, administrative from the Director of Planning and Zoning approval may be requested for housing plans that utilize cementitious fiberboard in excess of 50% of the masonry requirement on a *case-by-case* basis.

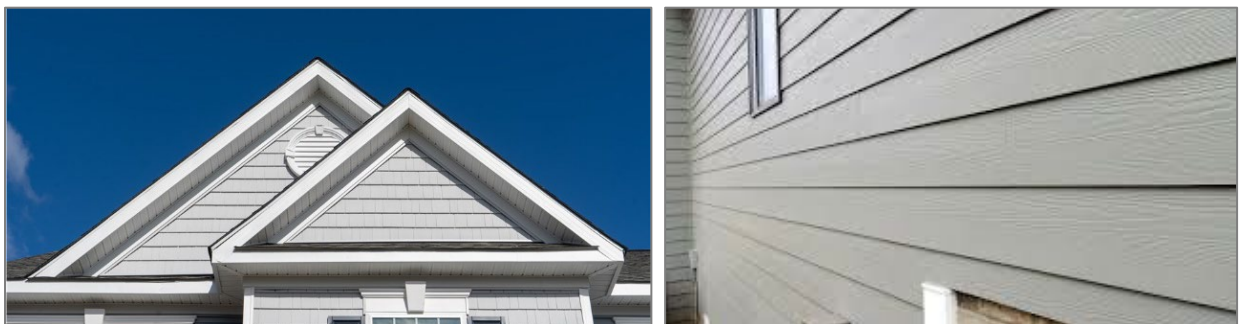
FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



- (b) Roof Pitch. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) Garage Orientation and Garage Doors. This development shall adhere to the following garage design and orientation requirements:
- (1) Type 'A' Lots. The Type 'A' Lots (i.e. the purple lots depicted in Exhibit 'C') may be oriented in a *traditional swing (or j-swing)* garage configuration -- where the two (2) car garage is situated facing the side yard property line and the driveway swings into the garage in a 'J' configuration. In a *traditional swing (or j-swing)* garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the *traditional (or j-swing)* configuration. A maximum of 32.85% of the Type 'A' Lots (i.e. 50 lots or 20.00% of all lots) shall be permitted to be oriented in a *flat-front entry configuration* -- allowing the garage door to be flush with the front façade of the primary structure -- pending the front yard building setback is increased to a minimum setback of 25-feet.
 - (2) Type 'B' & 'C' Lots. The Type 'B' & 'C' Lots (i.e. the yellow and orange lots depicted in Exhibit 'C') may be oriented in a *traditional swing (or j-swing)* garage configuration -- where the two (2) car garage is situated facing the side yard property line and the driveway swings into the garage in a 'J' configuration. In a *traditional swing (or j-swing)* garage configuration, a second (single or double) garage door facing the street is permitted if it is behind the width of the double garage door in the *traditional (or j-swing)* configuration.
 - (3) Requirements for all Lot Types. All garage configurations not conforming to the aforementioned garage configurations shall meet the requirements stipulated by Article 06, *Parking and Loading*, of the Unified Development Code (UDC). In addition, all garage configurations shall have upgraded finishes that consist of the following architectural elements: [1] coach lighting, [2] decorative wood doors or wood overlays on insulated metal doors, and [3] driveways that are constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished [see Figures 4-6 for examples of upgraded or enhanced finishes].

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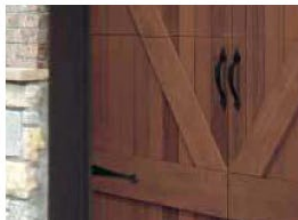
FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



DIVIDED BAYS



CARRIAGE HARDWARE



CEDAR CLADDING



ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



- (5) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in Table 3 below (for spacing requirements see Figures 7 & 8 below).

TABLE 3: ANTI-MONOTONY MATRIX

<u>Lot Type</u>	<u>Minimum Lot Size</u>	<u>Elevation Features</u>
A	62' x 120'	(1), (2), (3), (4)
B	72' x 120'	(1), (2), (3), (4)
C	82' x 125'	(1), (2), (3), (4)

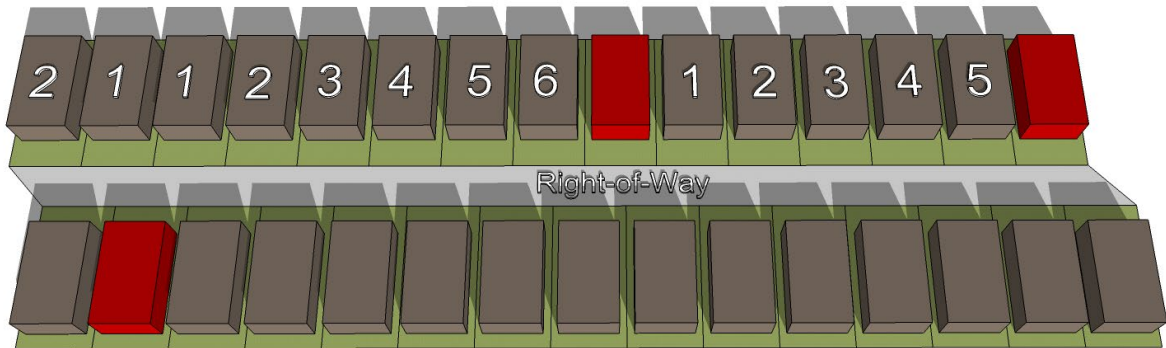
- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open space, John King Boulevard, Hays Road, E. Quail Run Road, or Old E. Quail Run Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
- (1) Number of Stories
 - (2) Permitted Encroachment Type and Layout
 - (3) Roof Type and Layout
 - (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

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FIGURE 7: Properties line up on the opposite side of the street. Where RED is the subject property.



FIGURE 8: Properties do not line up on opposite side of the street. Where RED is the subject property.



- (6) **Fencing Standards.** All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) **Front Yard Fences.** Front yard fences shall be prohibited.
 - (b) **Wood Fences.** All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.
 - (c) **Wrought Iron/Tubular Steel.** Lots located along the perimeter of roadways (*i.e. E. Quail Run Road [Old E. Quail Run Road], Hays Road, and John King Boulevard*), abutting open spaces, the amenity center, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.

- (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
- (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(7) Landscape and Hardscape Standards.

- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
- (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
 - (1) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 90-foot landscape buffer shall be provided along John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering ten (10) foot trail shall be constructed within the 90-foot landscape buffer.
 - (2) Landscape Buffer and Sidewalks (Hays Road and E. Quail Run Road -- and Old Quail Run Road). A minimum of a ten (10) foot landscape buffer shall be provided along Hays Road, E. Quail Run Road, and Old E. Quail Run Road (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, one (1) canopy tree and one (1) accent tree are required per 50-linear feet of frontage along these roadways. A five (5) foot sidewalk shall be constructed within the ten (10) foot landscape buffer.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

- (d) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.
- (e) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (f) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (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. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (12) Open Space. The development shall consist of a minimum of 20.00% open space (or a minimum of 17.126-acres -- as calculated by the formula stipulated in the *Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (including landscape buffers) shall be maintained by the Homeowner's Association (HOA).
- (13) Trails. A minimum of a six (6) foot concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance.
- (14) Amenity Center. An amenity center shall be constructed in generally the same areas as depicted in *Exhibit 'C'* of this ordinance, and shall be maintained by the Homeowner's Association (HOA). The design and layout of the amenity center shall be approved with the *PD Site Plan*. The amenities will feature at least one (1) of the following: [1] a pavilion, [2] a playground, and/or [3] a multi-use court (e.g. a pickle ball court and basketball court).

- (15) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (16) Homeowner's Association (HOA). A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.
- (17) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Mary Smith, City Manager

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

DATE: August 15, 2022

SUBJECT: ZT Baseball Nation LP Contract for Leon Tuttle Athletic Complex Umpires

Rockwall Parks and Recreation entered into agreements for the past several years with Baseball Nations with great success to provide umpires for RBSL league games. Baseball Nation sold to ZT Baseball Nation LP in 2022 with James Belt continuing to be the Chief Operating Officer.

This agreement provides umpires at set rates depending on the length of the scheduled games, which ranges from \$40.00 - \$45.00 per game with a \$6.00 scheduling fee. Staff is requesting a 1-year agreement with (3) 1-year renewal options for the future.

The City Council is requested to consider authorizing the City Manager to execute the agreement with ZT Baseball Nation LP. Staff will be available to answer any questions.

**ZT Baseball Nation LP
And
City of Rockwall**

Baseball Umpire Contract

It is hereby understood and agreed this agreement is a legal and binding contract between ZT Baseball Nation LP, (hereinafter referred to as “BN”) and City of Rockwall (hereinafter referred to as “City”). This agreement covers youth league baseball and baseball tournament games played within Rockwall, Texas.

1. TERM

Starting September 1, 2022 and ending August 31, 2023. With up to three (3) 1-year renewals.

2. SCOPE

BN shall be the primary provider of baseball umpires to the City of Rockwall as covered under the terms of this agreement. The City acknowledges this is a non-exclusive agreement and BN may provide similar officiating services to other organizations located in the City. BN also acknowledges that the City of Rockwall may use other umpires if BN cannot supply the required umpires for either youth baseball leagues or on tournament by tournament basis.

BN acknowledges and agrees to give the City priority in umpire assignments, for games played Monday-Friday, during the term of this Agreement. In cases of BN failure to assign an umpire or an umpire’s failure to be on the field at the assigned game time, or to contact the City of estimated time of arrival prior to the start of the game, and when the game has been delayed by more than ten minutes, the City may find a substitute umpire(s) for the respective game.

It is understood that BN does not employ or train umpires and/or game officials. BN contracts umpires and/or game officials from multiple associations across Dallas/Fort Worth. If an umpire and/or game official is not properly trained, BN will inform the appropriate association of the inadequacies and require the inadequacies to be resolved in a timely manner. As an independent contractor, all umpires and/or game officials provide their own protective gear. BN will communicate to all associations providing umpires the appropriate uniform (per the City) for each scheduled game. Per the City, all umpires must wear official umpire shirt (same color), gray pants, cap (same color), protective gear and black shoes.

3. GAME RATES

\$40.00- 50-60 Minute game with 1 umpire

\$80.00- 75 Minute Game with 2 umpires

\$90.00- 90 Minute Game with 2 umpires

\$100.00-105 Minute game with 2 umpires

BN will schedule two umpires for all games requiring two umpires. However, if for some reason a BN umpire is forced to work a game by himself/herself, that requires two umpires, he or she will be paid time and a half.

4. OTHER FEES

The premature ending of a game due to inclement weather or other conditions not in control of the umpires, where the game is considered a complete game by rule, will be sanctioned by the City as a completed game. The game rate for a premature ending game will be the same as if the game was played to completion. The game rate for all games that start, regardless of completion, will be charged the same as if the game was played to completion. Suspended games will be charged at a prorated fee to the city.

BN will provide an on-site UIC for all League games. The UIC will be on site to handle any and all rules question and issues. The UIC will be dressed and ready to take the field, but will not take the field unless required. If the UIC does take the field he/she will receive \$45 (per game) regardless of the game time limit.

\$5.00 Scheduling fee

\$90.00-UIC- No payment if on the field

5. PAYMENT OF FEES

For tournament Umpires BN will submit an invoice by Monday or next business day at noon following the previous weekend's games, to guarantee a payment is received within a reasonable window of time no more than two weeks.

For league play BN will submit an invoice for half of the leagues scheduled games 1 week after the release of the schedule. At the half way point of each season BN will submit a reconciled invoice for the remainder of the scheduled games.

All checks should be mailed to:

ZT Baseball Nation LP
1410 Wooded Lake Drive
Mesquite Texas 75150

All invoices will be emailed to Jack McLain at (JMclain@rockwall.com). BN will be responsible for payment to the umpires and umpire associations that work City scheduled games.

6. GAME SCHEDULES

BN will be provided a schedule Wednesday night by 8:00 PM for any weekend tournament.

7. GAME CANCELLATIONS AND RESCHEDULES

Games cancelled for reasons other than inclement weather, when the City notifies BN more than twenty-four hours prior to game day, will not be assessed a cancellation fee.

A cancellation fee equal to the game fee will be paid to BN for games cancelled due to reasons other than inclement weather or field conditions when City notifies BN less than two hours before game time. Rainouts will be determined by the City and posted to the rainout line no later than 3:00 PM Monday through Friday and 6:30 AM on Saturdays and Sundays. Games cancelled on any given day will not constitute automatic cancellation of games the following day.

If inclement weather forces play to stop during a game, causing games to be postponed it is the responsibility of the umpires to collect all relevant information, allowing us to restart the game at a date TBD. Umpires will also know, understand, and assist city staff with all task related to THOR Guard and our inclement weather policy.

8. EJECTIONS

ALL Game umpires will be required to report to the City any and all ejections and provide details of the situation and cause for the ejection within twenty-four hours of the end of the game in a written report. The City staff member on site for all league games will be available to collect the written report or if incident occurs on Sunday, report shall be emailed to the City at the same time the invoices are sent to the City.

9. RULE CHANGES AND UMPIRE LIABILITY

Any seasonal change to the City Supplemental Rules must be in writing and delivered to the BN (5) days prior to the start of the season. Changes to the rules after the season starts must be presented to the BN in writing (5) days prior to their effective date.

BN will provide proof of insurance, naming the City as an additional insured, with minimum coverage limits of \$1,000,000.00. BN insurance policy shall cover BN on all fields for any and all types of games.

10. CANCELLATION:

Either party may terminate this contract for convenience by submitting to the other party a written notice of cancellation sixty (60) days prior to the effective date of termination.

11. REVIEW AND EVALUATION:

The City reserves the right to perform umpire and/or game official evaluations throughout the season. The City will share any and all participant feedback upon request.

12. AFFILIATION:

City and BN agree to be affiliated with the same governing organizations for tournament play if such organizations require them to do so. The City will be affiliated with Perfect Game. City Reserves the right to offer tournaments under alternative governing bodies.

13. POINT OF CONTACT:

It is hereby acknowledged there must be a single point of contact from each party to this contract for the purpose of coordinating issues dealing with game schedules, umpire assignments, and contractual issues as outlined in this agreement. The contact for each party to this agreement will be the designee of each organization.

14. MISCELLANEOUS

- (a) Amendments. This Agreement shall not be amended, altered, or changed except by written agreement approved by the City and BN and signed by both Parties.
- (b) Governing Law. This agreement shall be governed by, and construed and enforced in accordance with, the Laws of the State of Texas. Any action or proceeding arising out of or related in any way to this Agreement shall be brought solely in the District Court of Rockwall County, Texas.
- (c) Severability. In the event any provision of this Agreement is held to be unenforceable for any reason; the unenforceability thereof shall not affect the remainder of this Agreement, which shall remain in full force and effect enforceable in accordance with its terms.
- (d) Entire Agreement. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof, and supersedes all proposals or prior agreements, oral or written, and all other communication.

James Belt, Chief Operating Officer

Mary Smith, Interim City Manager

Date

Date

City of Rockwall
385 S. Goliad
Rockwall, TX 75087



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Mary Smith, City Manager

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

DATE: August 15, 2022

SUBJECT: ZT Baseball Nation LP Contract for Leon Tuttle Athletic Complex

Staff has received a request from James Belt, Chief Operating Officer of ZT Baseball Nation LP to utilize Leon Tuttle Athletic Complex for several weekend tournaments during the 2022 fall baseball season and the 2023 spring baseball season.

Rockwall Parks and Recreation entered into agreements for the past several years with Baseball Nations with great success. Baseball Nations sold to Perfect Game in 2022 with James Belt continuing to be the Director of operations. These tournaments are open to all participants including Rockwall teams. This can be a major revenue stream for our department and it also puts Rockwall Parks and Recreation on the sports map for hosting local, state and national tournaments with our award winning fields that many organizations want to utilize. An example of revenue is January 2019 (\$8,000.00) April 2019 (\$13,000.00) and June 2019 (\$9,000.00) for Baseball Nation tournaments and this does not include the concession stand revenue. It is important to note that these tournaments do not conflict with our Rockwall Baseball and Softball League games, as many of teams compete in these tournaments. Staff is requesting a 1-year agreement with (3) 1-year renewal options for the future.

The City Council is requested to consider authorizing the City Manager to execute the agreement with ZT Baseball Nation LP. Staff will be available to answer any questions.

AGREEMENT

This agreement is entered into this ____ day of August, 2022 by and between City of Rockwall ("Rockwall") and ZT Baseball Nation LP ("ZT Baseball Nation").

RECITALS

WHEREAS, ZT Baseball Nation operates two indoor baseball facilities located at 1210 W. Scyene Rd., Suite A, Mesquite, Texas and 6151 CR 124, McKinney, Texas ("Indoor Facilities") and three baseball field complexes located at 1410 Wooded Lake Dr., Mesquite, Texas ("Future Infrastructure Ballpark"), 11911 Rylie Crest Dr., Balch Springs, Texas ("ZT Baseball Nation Ballpark South") and 6151 CR 124, McKinney, Texas ("Aviator Ballpark"). ZT Baseball Nation provides the following products and services to its customers; team formation, private baseball instruction, baseball camps and clinics, baseball leagues, baseball tournaments and other baseball related services; and

WHEREAS, ZT Baseball Nation desires to rent Leon Tuttle Park (Fields #1, #2, #3, #4, #5 & #6) on the following dates:

- September 24-25, 2022 | BN Rodeo & Sunday September Slam
- October 22-23, 2022 | DFW PG Fall State Championship
- November 5-6, 2022 | DFW PG Fall Super NIT
- March 25-26, 2023 | DFW PG Super NIT
- April 8-9, 2023 | Reach The Trees
- April 22-23, 2023 | Longhorn Launch Fest
- May 13-14, 2023 | Mid May Mayhem
- June 10-11, 2023 | DFW PG State Championship

THEREFORE, City of Rockwall and ZT Baseball Nation hereto agree to the Following:

TERM

Starting September 1, 2022 and ending August 31, 2023 with up to three (3) 1-year renewals

Section 1 Duties and Responsibilities

- A. ZT Baseball Nation agrees to pay \$65 per game to Rockwall for every game played at Leon Tuttle Park during the Event.
1. Any game started will be deemed a full game and require the \$65 fee to Rockwall.

2. All parties to this agreement acknowledge and agree that the rental fee is consideration for game use of Leon Tuttle Park by ZT Baseball Nation within the dates and times herein specified.
- B. ZT Baseball Nation agrees to pay \$12 per bag of quick dry used during the Event by Rockwall.
 - C. ZT Baseball Nation will handle pre-tournament emails, phone calls, team registration, accepting team payments and collection, telemarketing campaign, and communications to teams regarding Event.
 - D. ZT Baseball Nation will provide an on-site director. The on-site director is responsible for checking in teams, collecting owed funds and gate fees, checking team tournament insurance, log in game scores and pitch counts. The on-site director is responsible for handling any team protest, parent conflicts, coach conflicts, umpire conflicts. The on-site director is expected to arrive at the assigned park an hour before the first game and not depart until the end of the final game each tournament day.
 - E. Rockwall agrees to prepare and stripe all fields for Saturday pool play as well as Sunday bracket play.
 - F. Rockwall agrees to provide temporary pitching mounds for any/all applicable fields and age divisions at Leon Tuttle Park.

Section 2
Insurance and Indemnification

ZT Baseball Nation will obtain insurance for baseball tournaments held on City property in accordance with this Section.

- A. At least three working (3) days prior to the Event, ZT Baseball Nation shall furnish copies of completed Certificate(s) of Insurance to the City. The certificate(s) or form must have the agent's original signature, including the signer's company affiliation, title and phone number, and be mailed, with copies of all applicable endorsements, directly from the insurer's authorized representative to the City.
- B. Insurance coverage, by companies authorized and admitted to do business in the State of Texas for the amount listed:
 - \$ 500,000 per Occurrence
 - \$1,000,000 Policy Aggregate
- C. **Indemnification:** ZT Baseball Nation whose services are the subject of this Agreement, agrees to INDEMNIFY AND HOLD CITY, ITS OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES HARMLESS against any and all claims by third parties, lawsuits, judgments, cost, liens, losses, expenses, fees (including reasonable attorney's fees and costs of defense), proceedings, actions, demands,

causes of action, liability and suits of any kind and nature, including but not limited to, personal injury (including death), property damage, or other harm for which recovery of damages is sought to the extent ARISING OUT OF A NEGLIGENT ACT, ERROR, OR OMISSION OF TRU, OR ANY OFFICER, DIRECTOR OR EMPLOYEE OF ZT Baseball Nation while in the exercise of performance of services under this Agreement. The INDEMNITY provided for in this paragraph shall not apply to any liability resulting from the NEGLIGENCE of CITY, its officers or employees, in instances where such NEGLIGENCE causes personal injury, death, or property damage

Section 2
Miscellaneous

- A. Neither party will assign or transfer this agreement without the express written consent of the other party hereto.
- B. This Agreement between the Parties does not constitute a joint venture or partnership of any kind.
- C. The laws of the State of Texas shall govern the validity, performance and enforcement of this agreement. Parties hereto hereby submit to the exclusive jurisdiction of the courts in Rockwall County, Texas.
- D. No oral statements or prior written material not specifically incorporated herein shall be of any force or effect. The parties hereto agree that in entering into this agreement they have relied solely upon the representations and agreements contained herein and no others. This agreement constitutes the whole agreement of the parties and shall not be modified or amended except by a written agreement executed by and delivered to both parties.
- E. The individuals executing this agreement on behalf of Rockwall and ZT Baseball Nation have the authority to execute this agreement on behalf of their organizations.

Agreed to this _____ day August, 2022.

City of Rockwall

Mary Smith, City Manager

ZT Baseball Nation LLC

James Belt, Chief Operating Officer



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC: Mary Smith, City Manager

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

DATE: August 15, 2022

SUBJECT: July 4, 2023 Fireworks Event Contract with Illuminations

Our annual 4th of July Firework show at Harry Myers Park will be on Monday, July 4, 2023. Reservations for fireworks, especially when on July 4th require a contract commitment and payment well in advance of the show. Cost has increased this year especially when the show is on July 4th and there is now a minimum cost of \$35,000.00 for that date. The 2023 show will be 22.5 minutes long at a cost of \$35,000.00. There is a 50% down payment of \$17,500.00 due by October 31, 2022 which will be funded out of the 2022-2023 fiscal year. The remaining payment of \$17,500.00 is due by June 1, 2023. Illumination Fireworks has been our provider for several years, is easy to work with, perform a great show and they are highly sought after which is why we are requesting this commitment this early.

Staff is requesting a 1-year agreement with (3) 1-year renewal options for the future.

The City Council is requested to consider authorizing the City Manager to execute the contract with Illuminations Firework. Staff will be available to answer any questions.



1605 Crescent Circle, Suite 200, Carrollton, Texas 75006
Phone: 972-245-7976 | Fax: 972-245-7977 | IlluminationFireworks.com

FIREWORKS DISPLAY CONTRACT

This contract shall be effective the later of the dates signed below, by and between Illumination Fireworks Partners, LP (herein, "Illumination") and

Individual/Organization (herein, "Client"): _____

Contact Name (if different from above): _____

Mailing Address: _____

Email Address: _____ Phone: _____

Billing Contact Name: _____

Billing Address: _____

Billing Email Address: _____ Billing Phone: _____

This contract engages the services of Illumination under the following terms:

1. PAYMENT TERMS:

Payment(s) shall be made by check or certified funds. ~~Upon signing this Contract,~~ **By October 31st, 2022,** the Client shall pay a deposit; the deposit amount shall be 50% of the total contract amount including known applicable fees. The deposit must be received to guarantee the date. The remaining balance must be paid no less than (14) calendar days prior to the event date. Client agrees to pay interest at the rate of 1.5% per month on any delinquent balance until paid in full. All invoices are based on a cash discount, credit cards are subject to convenience fees.

2. FEES & COSTS:

The Client is responsible for all fees and costs associated with the acquisition of state and local permits, police, fire, and other appropriate protection necessary for proper crowd control, safety, and security during the event.

3. INSURANCE:

Illumination shall provide general liability insurance in the amount of \$10,000,000 naming the Client, property owner, and permitting jurisdiction as additional insured.

4. MUSIC & MARKETING:

In the event music is played during the event, the Client, pursuant to ASCAP, BMI, and SESAC policy, is responsible for obtaining all music performance licenses, and all associated fees and costs thereto. Except when explicitly forbidden by Client, Illumination reserves the right use the production for promotional use, including but limited to the capturing of video and photographs at any time or place during the event.

Client Initials: _____ Illumination Initials: _____



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Phone: 972-245-7976 | Fax: 972-245-7977 | IlluminationFireworks.com

5. HOLD HARMLESS:

The Client agrees to hold harmless and indemnify Illumination for any and all costs and liabilities, which may be incurred as a result of the failure of the Client to comply with its obligations and responsibilities under this contract, or the actions of individuals other than the pyrotechnicians or employees of Illumination. The Client shall not, under any circumstances, be entitled to recover any consequential, incidental, exemplary, special and/or punitive damages from Illumination, including, without limitation, loss of income, business or profits.

6. FORCE MAJEURE:

Illumination shall make every effort to fulfill its obligations under this contract. Illumination shall not be liable in the event of strike, lockout, act of God, accident, or other circumstance beyond its control.

7. TERMS AND CONDITIONS:

This Contract shall be governed by laws of the State of Texas. A court of competent jurisdiction within Denton County, Texas shall be the venue for any dispute. If any provision of this agreement is deemed unenforceable, the remaining provisions hereof shall remain in full force and effect. The Client shall pay to Illumination all costs and expenses, including reasonable attorney's fees, incurred by Illumination in enforcing the terms of this Contract.

8. ENTIRE AGREEMENT:

This Contract constitutes the entire agreement between the parties hereto and supersedes all prior and contemporaneous agreements, understandings, negotiations, and discussions, either oral or written. The waiver of any provisions of this Contract shall not constitute a waiver of any other provision of this contract; any and all modifications to these terms shall be made in writing and become part of the agreement in its entirety.

Client Initials: _____ Illumination Initials: _____



1605 Crescent Circle, Suite 200, Carrollton, Texas 75006
Phone: 972-245-7976 | Fax: 972-245-7977 | IlluminationFireworks.com

9. POSTPONEMENT:

Illumination will strive to execute the display as planned. At the discretion of Illumination, the display may be postponed due to inclement weather or other circumstances deemed to cause unnecessary risk to person or property. In the event of postponement, the Client may reschedule the display to a mutually agreed upon alternate date within two (2) months of the original date. If the display is not rescheduled it shall be subject to cancellation. The client shall be responsible for the reasonably incurred, direct costs of executing the display on the alternate date. Direct costs may include transportation, labor, and permit fees, and shall not exceed 20% of contract amount plus applicable government fees. Subsequent postponements, if necessary, shall be subject to the same conditions.

10. CANCELLATION:

If the Client elects to cancel the display thirty (30) or more days prior to the display date, the Client shall pay Illumination 50% of the total contract amount plus incurred governmental fees. If the Client cancels the display less than thirty (30) prior to the display date, the Client shall pay Illumination 75% of the total contract amount plus incurred governmental fees. If the client cancels less than 14 days prior to display date the client is responsible for 100% of total contract. If the Client elects not to reschedule a postponed display within two (2) months of the originally scheduled date, the Client shall pay Illumination 100% of the total contract amount plus incurred governmental fees.

11. WORKFLOW:

Illumination shall provide qualified pyrotechnicians who will deliver, set-up, execute, and dismantle the fireworks display in adherence with NFPA 1123 as adopted by the State of Texas. The Client shall allow sufficient time for Illumination to access and safely set up the display. Upon request by Illumination, Client shall provide a means of transporting product and/or equipment to the shoot site if the terrain is not suitable for passage by truck. The Client shall be responsible for working with the property owner to ensure that all sprinkler irrigation systems are disarmed to prevent damage to the display product and equipment. Following the display, Illumination shall remove all equipment including firing systems, mortar racks, and launching tubes. Fireworks may normally produce a reasonable amount of fallout debris, removal of fallout debris shall be the responsibility of the Client.

12. SAFETY & SECURITY:

The Client agrees to cooperate with requests of Illumination regarding the safety and security of the display. In the event such requests are not resolved, Illumination reserves the right to withdraw all equipment, fireworks, employees, personnel, and other property without refund. For safety, the Client acknowledges that no pyrotechnics or fireworks, except for those used in the display, including sparklers, shall be distributed, ignited, or possessed at the event. The Client shall be responsible for preventing unauthorized access to the shoot site during the set-up, firing, and dismantling of the display. Illumination reserves the right to stop the display if unauthorized persons enter the secured fallout area. Following the display, Illumination will conduct a search to locate and dispose of any unexploded fireworks. Should the Client become aware of any hazards resulting from the display, including unexploded fireworks, Illumination shall be immediately notified.

13. MODIFICATIONS:

Illumination reserves the right to substitute pyrotechnic products, both in size and type, for those of an equal or higher value based upon product availability, display site safety requirements, and overall show design.

Client Initials: _____ Illumination Initials: _____



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Phone: 972-245-7976 | Fax: 972-245-7977 | IlluminationFireworks.com

14. DISPLAY DATE & BUDGET:

This addendum can be used for up to five (5) fireworks displays.

Display Date(s):	<u>07.04.23</u>	_____	_____	_____	_____
Rain Date(s):	<u>N/A*</u>	_____	_____	_____	_____
Display Cost(s):	<u>\$34,950.00</u>	_____	_____	_____	_____
Permit Fee(s):	<u>\$50.00</u>	_____	_____	_____	_____
Total Cost(s):	<u>\$35,000.00</u>	_____	_____	_____	_____

Permit fees are estimated based on best available information. Client acknowledges that permit fees are subject to change by governmental agencies and beyond the control of Illumination. Further, Client is responsible for all permit fees including those incurred following the signing or execution of this contract.

Deposit Amount(s):	<u>\$17,500</u>	_____	_____	_____	_____
Deposit Due Date(s):	<u>10.31.22</u>	_____	_____	_____	_____
Final Payment Amount(s):	<u>\$17,500</u>	_____	_____	_____	_____
Final Payment Due Date(s):	<u>06.20.23</u>	_____	_____	_____	_____

15. DISPLAY SPECIFICATIONS:

Display Description:	22.5 Minute 1.3G Aerial Fireworks Display with shells up to 6", featuring a variety of colors and effects, ending with a finale. Upon request, illumination Fireworks will provide a custom audio soundtrack for the display. Audio equipment and playback are the responsibility of the client. - * - Premium-season rain dates may be scheduled if/when postponement occurs and are subject to the availability of Illumination. Please see Section 9 for details.
----------------------	--

Display Location: 815 E Washington St
Rockwall, Texas 75087
 Display Type: 1.3G Fireworks
 Display Length: 22.5 Minutes
 Approximate Start Time: _____
 Name of Person Cueing Start of Display: _____

16. DISPLAY CONTACT(S):

Primary On-Site Contact Person:
 Name: _____
 Cell Phone: _____
 Email Address: _____

Secondary On-Site Contact Person (if applicable):
 Name: _____
 Cell Phone: _____
 Email Address: _____

Client Initials: _____ Illumination Initials: _____



1605 Crescent Circle, Suite 200, Carrollton, Texas 75006
Phone: 972-245-7976 | Fax: 972-245-7977 | IlluminationFireworks.com

By signing below, I accept all terms and conditions of this agreement and I certify that I am authorized to enter into this agreement on behalf of the Client.

On behalf of **Client:**

Signature: _____

Print Name: Travis Sales

Title: _____

Date: _____

On behalf of **Illumination Fireworks Partners, LP**

Signature: _____

Print Name: _____

Title: _____

Date: _____

Client Initials: _____ Illumination Initials: _____



City of Rockwall
The New Horizon

MEMORANDUM

TO: Rockwall City Council

FROM: Joey Boyd, Assistant City Manager

DATE: August 5, 2022

SUBJECT: Settlement Agreement with Atmos Energy Corp. Mid-Tex Division

The information below is provided by the Atmos Cities Steering Committee Executive Committee and its General Counsel.

BACKGROUND AND SUMMARY

The City of Rockwall, along with 181 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in an ordinance adopted by ACSC members in 2018. On or about April 1, 2022, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2021, entitled it to additional system-wide revenues of \$141.3 million.

Application of the standards set forth in ACSC's RRM Tariff reduces the Company's request to \$115 million, \$83.26 million of which would be applicable to ACSC members. ACSC's consultants concluded that the system-wide deficiency under the RRM regime should be \$95.8 million instead of the claimed \$141.3 million.

The Executive Committee recommends a settlement at \$115 million. The Effective Date for new rates is October 1, 2022. ACSC members should take action approving the Ordinance before September 30, 2022.

RATE TARIFFS

Atmos generated rate tariffs attached to the Ordinance will generate \$115 million in additional revenues. Atmos also prepared a Proof of Revenues supporting the settlement figures. ACSC consultants have agreed that Atmos' Proof of Revenues is accurate.

BILL IMPACT

The impact of the settlement on average residential rates is an increase of \$4.60 on a monthly basis, or 6.7 percent. The increase for average commercial usage will be \$14.34 or 4.3 percent. Atmos provided bill impact comparisons containing this figures.

SUMMARY OF ACSC'S OBJECTION TO THE UTILITIES CODE SECTION 104.301 GRIP PROCESS

ACSC strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues while rewarding the Company for increasing capital investment on an annual basis. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission's review of annual GRIP filings or allow recovery of Cities' rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In ACSC's view, the GRIP process unfairly raises customers' rates without any regulatory oversight. In contrast, the RRM

process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

RRM SAVINGS OVER GRIP

While residents outside municipal limits must pay rates governed by GRIP, there are some cities served by Atmos Mid-Tex that chose to remain under GRIP rather than adopt RRM. Additionally, the City of Dallas adopted a variation of RRM which is referred to as DARR. When new rates become effective on October 1, 2022, ACSC residents will maintain an economic monthly advantage over GRIP and DARR rates.

Comparison to Other Mid-Tex Rates (Residential)

	<u>Average Bill</u>	<u>Compared to RRM Cities</u>
RRM Cities:	\$73.22	-
DARR:	\$71.96	(\$1.26)
ATM Cities:	\$78.72	\$5.50
Environs:	\$78.53	\$5.31

Note: DARR rate is as-filed 1/22/22. Also note that DARR uses a test year ending in September rather than December.

EXPLANATION OF “BE IT RESOLVED” PARAGRAPHS:

1. This section approves all findings in the Ordinance.
2. This section adopts the RRM rate tariffs and finds the adoption of the new rates to be just, reasonable, and in the public interest.
3. This section makes it clear that Cities may challenge future costs associated with gas leaks like the explosion in North Dallas or the evacuation in Georgetown.
4. This section finds that existing rates are unreasonable. Such finding is a necessary predicate to establishment of new rates. The new tariffs will permit Atmos Mid-Tex to recover an additional \$115 million from ACSC Cities.

5. This section approves an exhibit that establishes a benchmark for pensions and retiree medical benefits to be used in future rate cases or RRM filings.
6. This section requires the Company to reimburse the City for expenses associated with review of the RRM filing, settlement discussions, and adoption of the Ordinance approving new rate tariffs.
7. This section repeals any resolution or ordinance that is inconsistent with the Ordinance.
8. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
9. This section is a savings clause, which provides that if any section is later found to be unconstitutional or invalid, that finding shall not affect, impair, or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.
10. This section provides for an effective date upon passage.
11. This section directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for ACSC.

CONCLUSION

The Legislature's GRIP process allowed gas utilities to receive annual rate increases associated with capital investments. The RRM process has proven to result in a more efficient and less costly (both from a consumer rate impact perspective and from a ratemaking perspective) than the GRIP process. Given Atmos Mid-Tex's claim that its historic cost of service should entitle it to recover \$141.3 million in additional system-wide revenues, the RRM settlement at \$115 million for ACSC Cities reflects substantial savings to ACSC Cities. Settlement at \$115 million is fair and reasonable. The ACSC Executive Committee consisting of city employees of 18 ACSC members

urges all ACSC members to pass the Ordinance before September 30, 2022. New rates become effective October 1, 2022.

**CITY OF ROCKWALL
ORDINANCE NO. 22-43**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2022 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the City of Rockwall, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2022, Atmos Mid-Tex filed its 2022 RRM rate request with ACSC Cities based on a test year ending December 31, 2021; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2022 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$115 million on a system-wide basis with an Effective Date of October 1, 2022; and

WHEREAS, ACSC agrees that Atmos plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

SECTION 1. That the findings set forth in this Ordinance are hereby in all things approved.

SECTION 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$115 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2022 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

SECTION 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$115 million on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

SECTION 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

SECTION 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of ACSC in processing the Company's 2022 RRM filing.

SECTION 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

SECTION 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

SECTION 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2022.

SECTION 11. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 15th DAY OF AUGUST, 2022 BY A VOTE OF _____AYES WITH _____NAYS.

Kevin Fowler, Mayor

ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 21.55 per month
Rider CEE Surcharge	\$ 0.05 per month ¹
Total Customer Charge	\$ 21.60 per month
Commodity Charge – All <u>Ccf</u>	\$0.36223 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 63.50 per month
Rider CEE Surcharge	(\$ 0.01) per month ¹
Total Customer Charge	\$ 63.49 per month
Commodity Charge – All Ccf	\$ 0.14137 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2022.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,204.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4939 per MMBtu
Next 3,500 MMBtu	\$ 0.3617 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0776 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailement Overpull Fee

Upon notification by Company of an event of curtailement or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailement or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 1,204.50 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.4939 per MMBtu
Next 3,500 MMBtu	\$ 0.3617 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0776 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Curtailement Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
- R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
- HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
- NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- ADD = billing cycle actual heating degree days.
- BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j^{th} customer in i^{th} rate schedule is computed as:

$$WNA_{ij} = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j^{th} customer in i^{th} rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION UNDER THE RRM TARIFF	
EFFECTIVE DATE:	Bills Rendered on or after 10/01/2022	

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	10.58	0.1422	88.85	0.6666
Austin	9.90	0.1372	233.56	0.7819
Dallas	14.17	0.1938	186.38	0.9394
Waco	10.07	0.1308	140.10	0.7170
Wichita Falls	11.43	0.1398	131.57	0.5610

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

**ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2021**

Line No.	Description (a)	Shared Services		Mid-Tex Direct		Adjustment Total (g)
		Pension Account Plan (b)	Post-Employment Benefit Plan (c)	Pension Account Plan (d)	Supplemental Executive Benefit Plan (e)	
1	Proposed Benefits Benchmark - Fiscal Year 2022 Willis Towers Watson Report as adjusted (1) (2) (3)	\$ 1,715,323	\$ 982,708	\$ 3,137,022	\$ 313,319	\$ (341,412)
2	Allocation to Mid-Tex	44.72%	44.72%	76.88%	100.00%	76.88%
3	Proposed Benefits Benchmark Costs Allocated to Mid-Tex (Ln 1 x Ln 2)	\$ 767,038	\$ 439,436	\$ 2,411,882	\$ 313,319	\$ (262,493)
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%
5	Proposed Benefits Benchmark Costs to Approve (Ln 3 x Ln 4) (3)	\$ 767,038	\$ 439,436	\$ 2,411,882	\$ 313,319	\$ (262,493)
6						\$ 3,669,182
7						
8	Summary of Costs to Approve (1):					
9		79.88%	79.88%	38.60%	11.00%	38.60%
10	O&M Expense Factor (WP_F-2.3, Ln 2)					
11						
12						
13	Total Pension Account Plan	\$ 612,700	\$ 351,016	\$ 931,100	\$	\$ 1,543,800
14	Total Post-Employment Benefit Plan				\$ (101,335)	249,681
15	Total Supplemental Executive Benefit Plan				\$ 34,465	34,465
16	Total (Ln 13 + Ln 14 + Ln 15)	\$ 612,700	\$ 351,016	\$ 931,100	\$ 34,465	\$ 1,827,946
17						

Notes:

1. Studies not applicable to Mid-Tex or Shared Services are omitted.
2. Mid-Tex is proposing that the Fiscal Year 2022 Willis Towers Watson actuarial amounts shown on WP_F-2.3 and WP_F-2.3.1, be approved by the RRM Cities as the benchmark amounts to be used to calculate the regulatory asset or liability for future periods. The benchmark amount approved by the RRM Cities for future periods includes only the expense amount. The amount attributable to capital is recorded to utility plant through the overhead process as described in the CAM.
3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.

**ATMOS ENERGY CORP., MID-TEX DIVISION
 AVERAGE BILL COMPARISON - BASE RATES
 TEST YEAR ENDING DECEMBER 31, 2021**

Line No.	Rate R @ 43.8 Ccf	Current	Proposed	Change
1	Customer charge	\$ 20.85		
2	Consumption charge	= 12.25		
3	Rider GCR Part A	= 15.66		
4	Rider GCR Part B	= 15.73		
5	Subtotal	\$ 64.49		
6	Rider FF & Rider TAX	= 4.13		
7	Total	\$ 68.62		
8				
9	Customer charge		\$ 21.55	
10	Consumption charge		= 15.87	
11	Rider GCR Part A		= 15.66	
12	Rider GCR Part B		= 15.73	
13	Subtotal		\$ 68.81	
14	Rider FF & Rider TAX		= 4.41	
15	Total		\$ 73.22	\$ 4.60
16				6.71%
17				
18				
19	Rate C @ 345.7 Ccf	Current	Proposed	Change
20	Customer charge	\$ 56.50		
21	Consumption charge	= 42.39		
22	Rider GCR Part A	= 123.56		
23	Rider GCR Part B	= 91.71		
24	Subtotal	\$ 314.16		
25	Rider FF & Rider TAX	= 20.13		
26	Total	\$ 334.29		
27				
28	Customer charge		\$ 63.50	
29	Consumption charge		= 48.87	
30	Rider GCR Part A		= 123.56	
31	Rider GCR Part B		= 91.71	
32	Subtotal		\$ 327.64	
33	Rider FF & Rider TAX		= 20.99	
34	Total		\$ 348.63	\$ 14.34
35				4.29%

**ATMOS ENERGY CORP., MID-TEX DIVISION
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2021**

Line No.						Current	Proposed	Change
36	Rate I @ 4278 MMBTU					\$ 1,054.75		
37	Customer charge				X \$ 0.4330 =			
38	Consumption charge	1,500	MMBTU			649.50		
39	Consumption charge	2,778	MMBTU		X \$ 0.3171 =	880.80		
40	Consumption charge	0	MMBTU		X \$ 0.0680 =	-		
41	Rider GCR Part A	4,278	MMBTU		X \$ 3.4906 =	14,931.86		
42	Rider GCR Part B	4,278	MMBTU		X \$ 0.5485 =	2,346.33		
43	Subtotal					\$ 19,863.24		
44	Rider FF & Rider TAX				X 0.06408 =	1,272.82		
45	Total					\$ 21,136.06		
46								
47	Customer charge				X \$ 0.4939 =		1,204.50	
48	Consumption charge	1,500	MMBTU			740.85		
49	Consumption charge	2,778	MMBTU		X \$ 0.3617 =	1,004.69		
50	Consumption charge	0	MMBTU		X \$ 0.0776 =	-		
51	Rider GCR Part A	4,278	MMBTU		X \$ 3.4906 =	14,931.86		
52	Rider GCR Part B	4,278	MMBTU		X \$ 0.5485 =	2,346.33		
53	Subtotal					\$ 20,228.23		
54	Rider FF & Rider TAX				X 0.06408 =	1,296.21		388.38
55	Total					\$ 21,524.44		1.84%
56								
57	Rate T @ 4278 MMBTU					\$ 1,054.75		
58	Customer charge				X \$ 0.4330 =			
59	Consumption charge	1,500	MMBTU			649.50		
60	Consumption charge	2,778	MMBTU		X \$ 0.3171 =	880.80		
61	Consumption charge	0	MMBTU		X \$ 0.0680 =	-		
62	Rider GCR Part B	4,278	MMBTU		X \$ 0.5485 =	2,346.33		
63	Subtotal					\$ 4,931.38		
64	Rider FF & Rider TAX				X 0.06408 =	316.00		
65	Total					\$ 5,247.38		
66								
67	Customer charge				X \$ 0.4939 =		1,204.50	
68	Consumption charge	1,500	MMBTU			740.85		
69	Consumption charge	2,778	MMBTU		X \$ 0.3617 =	1,004.69		
70	Consumption charge	0	MMBTU		X \$ 0.0776 =	-		
71	Rider GCR Part B	4,278	MMBTU		X \$ 0.5485 =	2,346.33		
72	Subtotal					\$ 5,296.37		
73	Rider FF & Rider TAX				X 0.06408 =	339.39		388.38
74	Total					\$ 5,635.76		7.40%
75								



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: August 15, 2022

SUBJECT: P2022-034; FINAL PLAT FOR LOTS 1-5, BLOCK E, PARK PLACE, PHASE IV ADDITION

Attachments

Case Memo
Development Application
Location Map
Final Plat

Summary/Background Information

Consider a request by Bill Bricker of Columbia Development Company for the approval of a *Final Plat* for Lots 1-5, Block E, Park Place, Phase IV Addition being a 1.286-acre tract of land identified as Lot 2, Block E, Park Place, Phase III Addition and Tracts 53 & 35 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Single-Family 7 (SF-7) and Residential-Office (RO) District land uses, located at the northeast corner of the intersection of T. L. Townsend Drive and Park Place Boulevard, and take any action necessary.

Action Needed

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



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: August 15, 2022
APPLICANT: Bill Bricker; *Columbia Development Company*
CASE NUMBER: P2022-034; *Final Plat for Lots 1-5, Block E, Park Place, Phase IV Addition*

SUMMARY

Discuss and consider a request by Bill Bricker of Columbia Development Company for the approval of a Final Plat for Lots 1-5, Block E, Park Place, Phase IV Addition being a 1.286-acre tract of land identified as Lot 2, Block E, Park Place, Phase III Addition and Tracts 53 & 35 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 57 (PD-57) for Single-Family 7 (SF-7) and Residential-Office (RO) District land uses, located at the northeast corner of the intersection of T. L. Townsend Drive and Park Place Boulevard, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting the approval of a Final Plat for a 1.286-acre parcel of land for the purpose of creating five (5) lots on the subject property. Four (4) of the lots will allow single-family homes and one (1) lot will allow Residential-Office (RO) District land uses.
- The subject property was annexed on June 20, 1959 by *Ordinance No. 59-02 [i.e. Case No. A1959-002]*. At the time of annexation, the subject property was zoned Commercial (C) District. Sometime between 1959 and 1993, the subject property changed to a Light Industrial (LI) District and then to Planned Development District 52 (PD-52) [*Ordinance No. 02-14*] on March 18, 2002. The subject property remained zoned Planned Development District 52 (PD-52) until February 4, 2019 when the City Council approved *Ordinance No. 19-08 [i.e. Case No. Z2018-057]* changing the zoning to Planned Development District 59 (PD-59). On April 16, 2018, the City Council approved a Final Plat [*i.e. Case No. P2018-007*] for the Park Place West subdivision to lay out 82 single-family lots, which included a portion of the subject property.
- On August 2, 2022, the Parks and Recreation Board reviewed the Final Plat and made the following recommendations concerning the subject property:
 - (1) The property owner shall pay cash-in-lieu of land fees at \$656.00 per lot for the newly created lots.
 - (2) The property owner shall pay pro-rata equipment fees at \$621.00 per lot for the newly created lots.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Final Plat -- conforming to the requirements for plats as stipulated by the *Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Final Plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance in the Municipal Code of Ordinances*.

CONDITIONS OF APPROVAL

If City Council chooses to approve of the Final Plat for the *Lots 1-5, Block E, Park Place, Phase IV Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) shall be addressed prior to submittal of civil engineering plans;
- (2) The development of the subject property shall adhere to the recommendations made by Parks and Recreation Board; and,
- (3) Any construction resulting from the approval of this 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 August 9, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Final Plat by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹

PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹

FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹

REPLAT (\$300.00 + \$20.00 ACRE) ¹

AMENDING OR MINOR PLAT (\$150.00)

PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

SITE PLAN (\$250.00 + \$20.00 ACRE) ¹

AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹

SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}

PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

TREE REMOVAL (\$75.00)

VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS _____

SUBDIVISION Park Place West LOT 1-5 BLOCK E

GENERAL LOCATION TL Townsend & Park Place Blvd. (SE corner)

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING R.O. CURRENT USE Undeveloped lots

PROPOSED ZONING Lot 1 - R0, 2-5 - SF PROPOSED USE Houses, R0-business/home

ACREAGE 1.286 LOTS [CURRENT] 5 LOTS [PROPOSED] 5

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

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

OWNER Columbia Development Co, LLC APPLICANT Same

CONTACT PERSON Bill Bricker CONTACT PERSON _____

ADDRESS 305 Park Place Blvd. ADDRESS _____

CITY, STATE & ZIP Rockwall, TX 75087 CITY, STATE & ZIP _____

PHONE 214-801-6157 cell PHONE 972-722-2439 office

E-MAIL bill@colventures.com E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

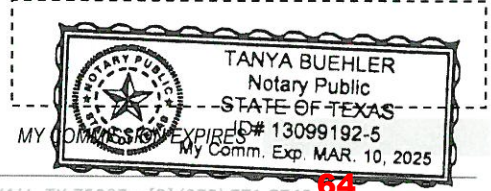
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CW Bricker [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

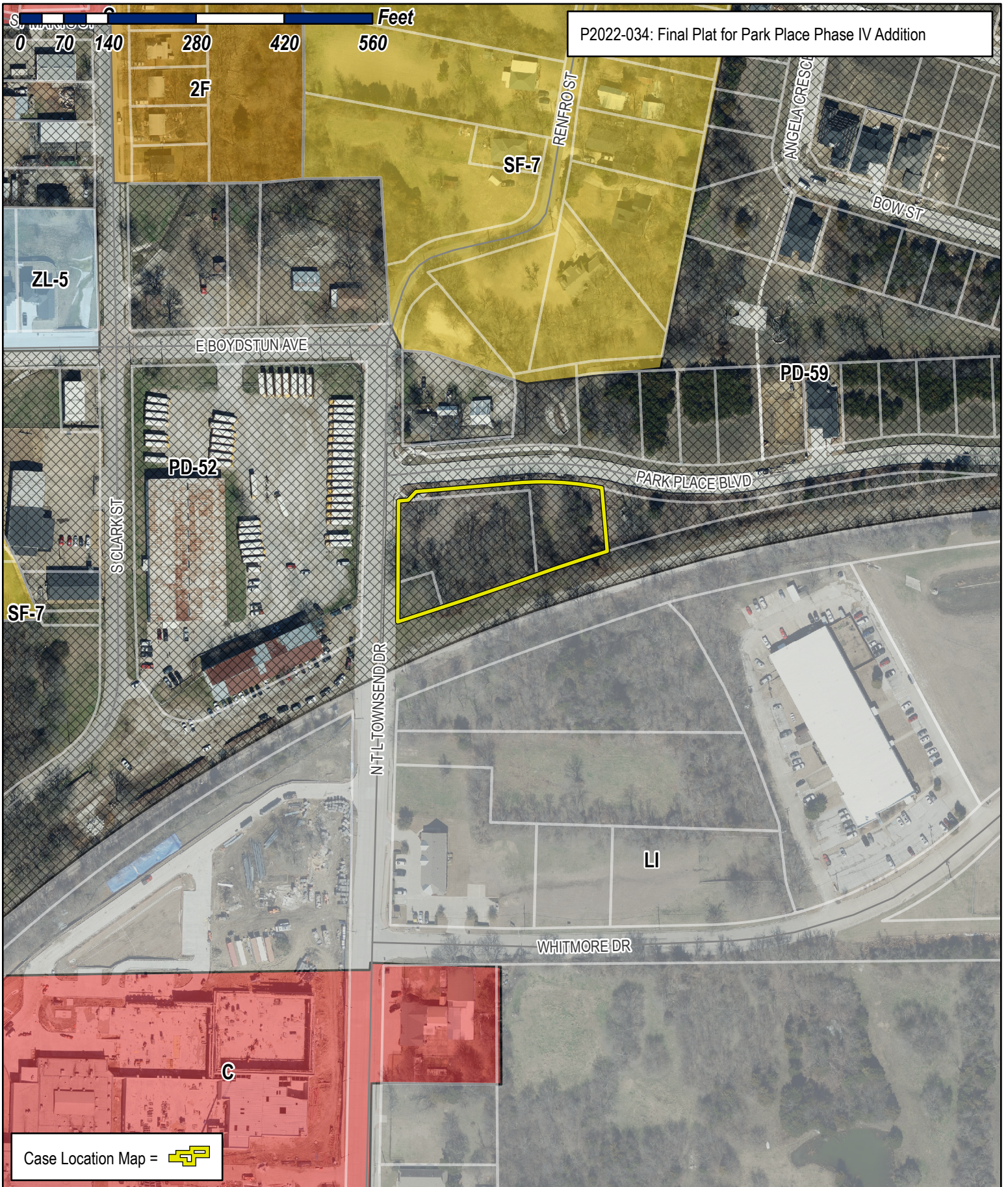
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 325.72 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14 DAY OF July, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14th DAY OF July, 2022

OWNER'S SIGNATURE CW Bricker


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Tanya Buehler





P2022-034: Final Plat for Park Place Phase IV Addition

0 70 140 280 420 560 Feet

Case Location Map = 

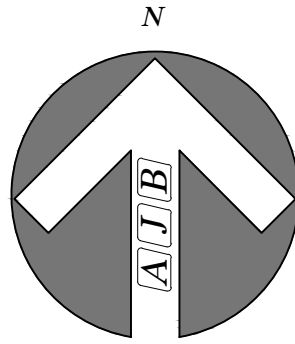


City of Rockwall

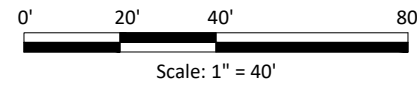
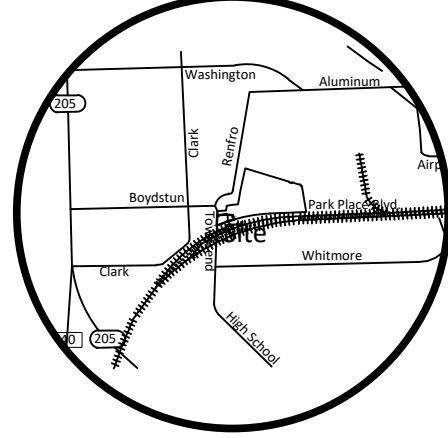
Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

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.



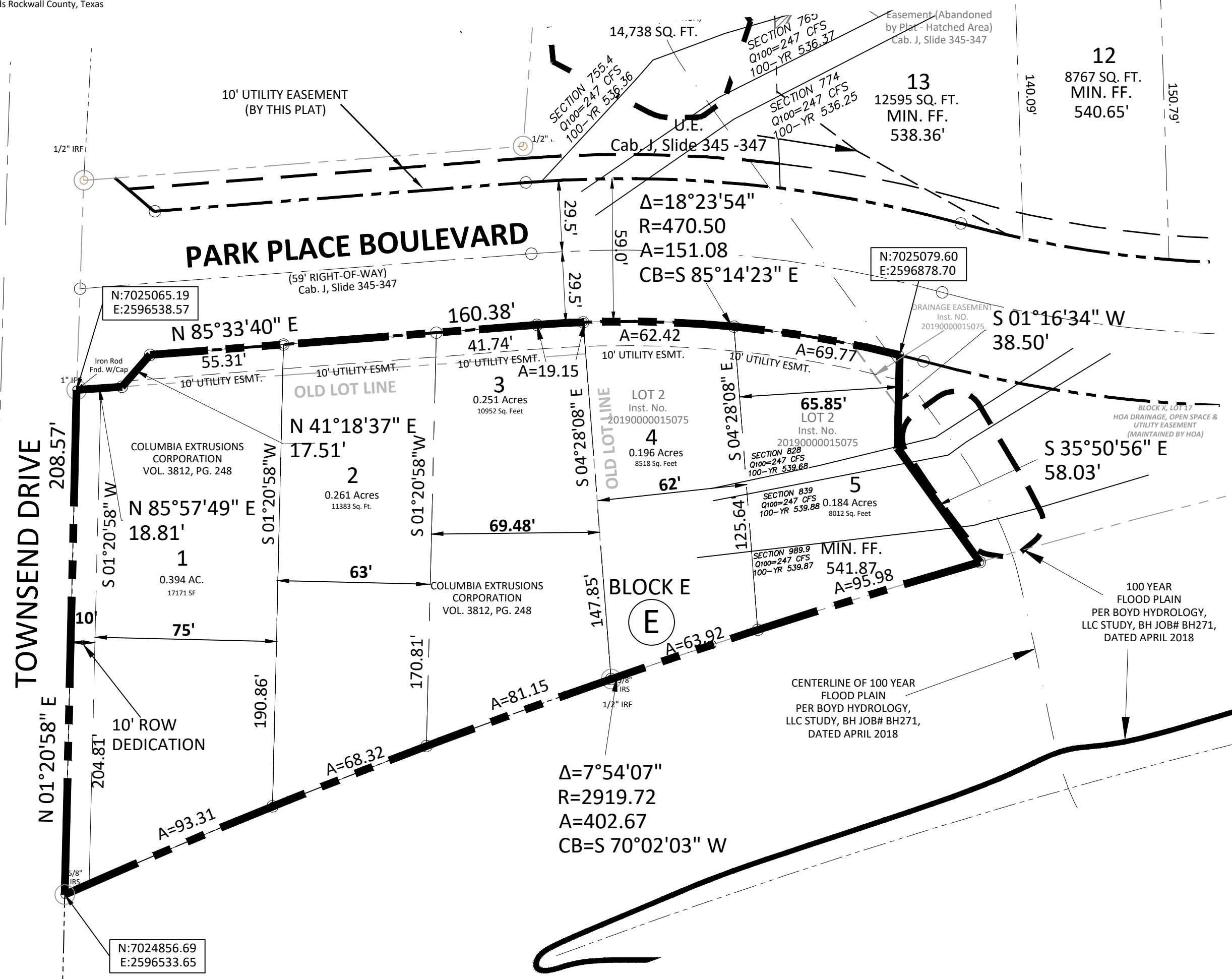


Vicinity Map
(Not to Scale)



LEGEND

- IRF Iron Rod Found
- IRS Iron Rod Set
- U.E. Utility Easement
- OPRRCT Official Public Records Rockwall County, Texas
- DRRCT Deed Records Rockwall County, Texas
- PRRCT Plat Records Rockwall County, Texas
- RPRRCT Real Property Records Rockwall County, Texas



NOTES:

1. The purpose of this Final Plat is to create 5 Lots in Block E and adding a 10' Utility Easement and dedicating 10' ROW along Townsend Drive.
2. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
3. Basis of Bearings: Bearings are based on the Amending Plat of PARK PLACE WEST PHASE III ADDITION recorded in Inst. No. 2019000015075, Plat Records Rockwall County, Texas.
4. 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 "A" which is the area of 100-year flood with base flood elevations and flood hazard factors determined. The location of Flood Zone "A" shown hereon is approximate and is for informational purposes only and shall not create liability on the part of the Surveyor as to its accuracy.
5. Property owner/HOA is responsible for all maintenance and repair of Open Space and Drainage Easements.
6. NOTICE: Selling a portion of this addition by metes and bounds is a violation of city subdivisions ordinance and state platting statues and is subject to fines and withholding of utilities and building certificates.

The purpose of this Final Plat is to create 5 lots and dedicate utility easement and dedicate right of way.

CASE NO: _____
 FINAL PLAT
 PARK PLACE PHASE IV ADDITION
 BEING 5 LOTS ON 1.286 ACRES OF LAND LOCATED
 IN THE R. BALLARD SURVEY, ABSTRACT NO. 29
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF BLOCK E OF PARK PLACE PHASE III ADDITION, RECORDED IN INST. NO. 2019000015075, PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND A PORTION OF A TRACT OF LAND PER DEED RECORDED IN VOL. 3812, PG. 248, DEED RECORDS, ROCKWALL COUNTY, TEXAS AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER:
 COLUMBIA DEVELOPMENT COMPANY, LLC
 305 PARK PLACE BLVD.
 ROCKWALL, TEXAS 75087 972-722-2439
 bill@colventures.com

Scale: 1" = 40'	Checked By: F.R. OWENS
Date: July 17, 2022	P.C.: Cryer/Spradling
Technician: Bedford/Spradling	File: PARK PLACE PHASE 4
Drawn By: Bedford/Spradling	Job No. 668-001
	GF No.

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

Sheet:
 1
 Of: 2



Engineer:
 TOMDEN ENGINEERING, L.L.P.
 214-679-1679
 tjones@tomden.com

TBPLS REG#10118200

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS COLUMBIA DEVELOPMENT COMPANY, LLC are the owners of a 1.286 acre tract of land situated in the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas and being a portion of a 0.582 acre tract of land to Columbia Development Company, LLC per Deed Record in Vol. 3812, Pg. 240, Deed Records, Rockwall County, Texas and also a portion of Block E of Park Place West Phase III Addition according to the Amending Plat recorded in Inst. No. 20190000015075, Plat Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1" iron rod with cap found for corner and being located in the east line of Townsend Drive and being located in the south line of Park Place Boulevard (59' Wide);

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

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

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

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

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

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

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

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

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

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

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

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

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

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

Frank R. Owens
Registered Professional Land Surveyor No. 5387
A.J. Bedford Group, Inc.
301 North Alamo Road
Rockwall, Texas 75087

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

We, COLUMBIA DEVELOPMENT COMPANY, LLC, the undersigned owners of the land shown on this plat, and designated herein as PARK PLACE PHASE IV 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 PARK PLACE PHASE IV 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 reconstruction of all detention/drainage facilities in easements.

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.

COLUMBIA DEVELOPMENT COMPANY, LLC

Name: Charles W. Bricker
Title: President

STATE OF TEXAS
COUNTY OF ROCKWALL

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

Given upon my hand and seal of office this ____ day of _____, 2022.

Notary Public in and for the State of Texas

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 _____, 2022.

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

WITNESS OUR HANDS, this ____ day of _____, 2022.

Mayor, City of Rockwall City Secretary City Engineer

NOTES:

- 1. The purpose of this Final Plat is to create 5 Lots in Block E and adding a 10' Utility Easement and dedicating 10' ROW along Townsend Drive.
2. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
3. Basis of Bearings: Bearings are based on the Amending Plat of PARK PLACE WEST PHASE III ADDITION recorded in Inst. No. 20190000015075, Plat Records Rockwall County, Texas.
4. 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 "A" which is the area of 100-year flood with base flood elevations and flood hazard factors determined. The location of Flood Zone "A" shown hereon is approximate and is for informational purposes only and shall not create liability on the part of the Surveyor as to it's accuracy.
5. Property owner/HOA is responsible for all maintenance and repair of Open Space and Drainage Easements.
6. NOTICE: Selling a portion of this addition by metes and bounds is a violation of city subdivisions ordinance and state platting statues and is subject to fines and withholding of utilities and building certificates.

CASE NO: _____
FINAL PLAT
PARK PLACE PHASE IV ADDITION
BEING 5 LOTS ON 1.286 ACRES OF LAND LOCATED
IN THE R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

BEING A REPLAT OF BLOCK E OF PARK PLACE PHASE III ADDITION, RECORDED IN INST. NO. 20190000015075, PLAT RECORDS, ROCKWALL COUNTY, TEXAS AND A PORTION OF A TRACT OF LAND PER DEED RECORDED IN VOL. 3812, PG. 248, DEED RECORDS, ROCKWALL COUNTY, TEXAS AND LOCATED IN B. J. LEWIS SURVEY, ABSTRACT NO. 225 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Owner:
COLUMBIA DEVELOPMENT COMPANY, LLC
305 PARK PLACE BLVD.
ROCKWALL, TEXAS 75087 972-722-2439
bill@colventures.com

Scale: 1" = 40'
Date: July 17, 2022
Checked By: F.R. OWENS
P.C.: Cryer/Spradling
File: PARK PLACE PHASE 4
Technician: Bedford
Job No. 668-001
Drawn By: Bedford
GF No.

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

Engineer:
TOMDEN ENGINEERING, L.L.P.
214-679-1679
tjones@tomden.com

Sheet:
2
2



TBPLS REG#10118200



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mary Smith, City Manager
FROM: Edward Fowler, Interim Chief of Police
DATE: August 11, 2022
SUBJECT: ILA with RISD for SROs - 2022-2023 School Year

The attached Interlocal Cooperation Agreement (ILA) between the City of Rockwall and the Rockwall Independent School District is being submitted to Council for review and approval. The agreement outlines the agreed upon funding and services that will be provided by officers of the Rockwall Police Department acting in the capacity as School Resource Officers (SROs). This is a standard agreement that is entered into annually and includes one change, which is the addition of one (1) SRO that will be assigned to the Rockwall High School.

**INTERLOCAL COOPERATION AGREEMENT FOR GOVERNMENTAL
SERVICES RELATING TO A SCHOOL RESOURCE OFFICER PROGRAM
BETWEEN THE CITY OF ROCKWALL AND
THE ROCKWALL INDEPENDENT SCHOOL DISTRICT**

**THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF ROCKWALL §**

THIS AGREEMENT (the "**Agreement**"), entered into this ___ day of August, 2022, by and between the **CITY OF ROCKWALL** (hereinafter called "**CITY**") and the **ROCKWALL INDEPENDENT SCHOOL DISTRICT** (hereinafter called "**RISD**").

WITNESSETH:

WHEREAS, the CITY desires to enter into an agreement relating to providing certain professional police services to RISD in accordance with the program description and details as provided herein; and

WHEREAS, this Agreement is made pursuant to the authority granted to the parties pursuant to the Interlocal Cooperation Act, V.T.C.A. Government Code, Chapter 791 (the "Act").

WHEREAS, the primary purpose of the School Resource Officer (SRO) Program is the reduction and prevention of crime committed by juveniles and young adults and to promote the safety of children. This is accomplished by assigning Ten (10) fully outfitted and equipped police officers to school facilities on a semi-permanent basis while school is in session. The SRO Program accomplishes this purpose by achieving the established goals and objectives. Goals and objectives are designed to develop and enhance rapport between youth, police officers and school administrators. Officers who are chosen for this program are responsible for establishing the communication links and creating a free flow of information between all parties involved.

WHEREAS, the goals of the SRO Program are as follows:

1. Reduction of criminal offenses committed by juveniles and young adults.
2. Establish rapport with the students.
3. Establish rapport with the parents, faculty, staff, administrators and other adults.

4. Create and expand programs with vision and creativity to increase student participation, which will benefit the students, the school district, the police department, and the community.
5. Present a positive role image for students and adults.
6. Provide safety for students, faculty, staff and all persons involved with the school district.

NOW, THEREFORE, the parties hereby do mutually agree as follows:

I.

Scope of Agreement: Duties and Responsibilities: CITY shall provide Ten (10) licensed police officers for the RISD School Resource Officer Program ("SRO") for the 2022-2023 school year. The effective date of this Agreement shall be the first day of instruction for the current school year, beginning with the first day of instruction for the 2022-2023 school year ("Effective Date"). The duties of the SROs and each party are described herein.

II.

Term of Agreement: The term of this Agreement shall be for a period beginning upon the Effective Date and ending on the last day of instruction for the current school year. This Agreement may be renewed for one (1) year periods beginning on the Effective Date, upon written consent of the parties, for five (5) years.

III.

Payment for Services: The RISD agrees to reimburse the CITY for certain costs associated with the City's placement of Police Officers on the School Grounds from the Effective Date of this Agreement. The parties have heretofore agreed that RISD shall remit payment to the CITY in the amount of \$741,215.30 (\$82,357.26 per month) for the months of September 2022 through May 2023 ("Payment"). This amount reflects the SROs salary, benefits and any equipment or materials and supplies required by the SROs in the performance of their duties. These Payments shall satisfy the RISD's obligation for payment of SRO services for the entire school year to the CITY. The first monthly Payment shall be made by RISD to CITY on the 15th day of the first month Payment is due.

RISD shall not be relieved of its obligation to pay the entire amount described in this Agreement in the event that CITY exercises its right to temporarily reassign the resource officer for a period not to exceed fifteen (15) business days when, in the sole judgment of CITY, their service is required in response to a CITY wide or major emergency, or in the event that the resource officer is absent due to sickness, injury, training or court

appearances. However, CITY is required to furnish replacement officers on days when regular SROs are absent for any period exceeding thirty (30) business days. Replacement Officers must meet the selection requirements of SRO Applicants as stated herein. RISD shall be relieved of its obligation to pay if an absence exceeds fifteen (15) business days.

From time to time the RISD has need of police officers to perform security services at extracurricular activities. It is understood and agreed that the District will engage Police Officers to perform such security services on a contract labor basis and this agreement does not address the District's arrangements for these independent security services in any manner whatsoever.

IV.

Organizational Structure:

1. Ten (10) uniformed police officers designated as School Resource Officers will be assigned to RISD campuses, and will directly report to the Chief of Police, or his designee. All requests from RISD personnel regarding new SRO assignments or temporary reassignments with exception of requests pertaining to emergencies, shall be made through the RISD Superintendent or his designee. The SROs shall have properly equipped police vehicles and other necessary equipment available for their use in performing their duties and responsibilities.
2. The SRO Program shall utilize the SRO Triad concept as set forth by NASRO (National Association of School Resource Officers). The SRO concept reflects the philosophy of the School Resource Officer Program and adheres to the roles of Law Enforcement Officer, Counselor, and Teacher. The SROs are first and foremost Law Enforcement Officers for the CITY Police Department and shall be responsible for carrying out all duties and responsibilities of a police officer and shall remain at all times under the control, through the chain of command, of the CITY Police Department. All acts of commission or omission shall conform to the guidelines of the CITY Police Department Policies and Procedures Manual
3. The SROs report directly to the Chief of Police, or his designee, regarding all matters pertinent to their position and function. The SROs are enforcement officers in regards to criminal matters only. Presence of an SRO is expected on his/her assigned campus on most school days before classes start in the morning, between most class changes, during most lunch periods, on most school days immediately after school and during most any other time during the school day when students assemble in large groups. The purpose of that presence is to deter criminal behavior and not perform school duty.
4. RISD campus principals shall have operational oversight to coordinate efforts for the needs of their respective campuses.
5. In the case of any unresolved conflict, the Chief of Police and the RISD Superintendent shall consult on the best course of action. The Chief of Police

shall have final authority and final responsibility for operational control of the SRO Program.

6. Local, State and Federal law will prevail over RISD policies and procedures.
7. Conflicts involving violence or other dangerous situations should be reported immediately to the Chief of Police and RISD Superintendent.

V.

Independent Contractor Relationship: CITY is and at all times shall be deemed to be an independent contractor and shall be wholly responsible for the manner in which the SROs are assigned to the SRO Program and the way CITY performs the services required by the terms of this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee, or principal and agent, between RISD and CITY or any of CITY's agents or employees. CITY assumes responsibility for the acts of its employees as they relate to the services provided during the course and scope of their employment. CITY, its agents and employees, shall not be entitled to any rights or privileges of RISD employees and shall not be considered in any manner to be RISD employees. RISD may or may not desire to evaluate the services provided to RISD by the SRO Program. Any such evaluation should be presented to the CITY on a prescribed form.

VI.

Selection of SRO: CITY affirms that it has complied or will comply prior to the performance of any work for RISD, with the requirements regarding criminal background checks as provided under Texas Education Code, Chapter 22. This law requires the independent contractor to obtain all criminal history record information on all persons to whom the law applies through the Texas Department of Public Safety (DPS) clearinghouse. This process includes fingerprinting in order to submit the individuals to a national check. CITY must certify to RISD that the CITY has received all criminal history record information on all SROs, and that there were no positive hits. The cost of this requirement is to be paid by the CITY.

VII.

SRO Duties and Responsibilities: Basic responsibilities of the SROs will include but will not be limited to:

General duties and responsibilities set forth by the Chief of Police through standard operating procedures ("S.O.P.").
Planning and presentation of programs requested by the RISD or CITY Police personnel.

Any additional duties agreed upon the Chief of Police and the Superintendent of the Schools.

VIII.

Student Consultation:

The SROs are not formal counselors, and will not conduct or offer any formal or clinical psychological counseling, however they are to be used as a resource to assist students, faculty, staff and all persons involved with the RISD.

The SROs will advise students on responsibilities and procedures concerning criminal matters.

The SROs will give advice to help resolve issues between students that involve matters that may result in criminal violations, disturbances or disruptions.

Student confidentiality must be maintained in compliance with the Family Education Rights and Privacy Act ("FERPA").

IX.

Transporting Students:

The SROs shall not transport students in their vehicles except:

1. When the students are victims of a crime, under arrest, or some other emergency circumstance exists;
2. When the students are participants in a CITY Police Department program with parental consent;
3. When the students are suspended from school pursuant to school disciplinary action and the student's parents or guardian has refused or is unable to pick-up the student within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel, as determined by the SRO or the SRO supervisor.

If the student to be transported off campus is not under arrest, a victim of a crime or violent/disruptive, the RISD shall provide transportation for the student and an SRO may accompany the school official in transporting the student.

SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, to any location other than the CITY Police Building, County Juvenile Detention Center, and or hospital unless it is determined that the student's parent, guardian or other responsible adult is at the

location to which the student is being transported.

SROs shall not transport students, excluding students who are participants in a CITY Police Department program including but not limited to the Police Explorer Program and the Campus Crime Stoppers Program, in their personal vehicles.

SROs shall notify the school principal before removing a student from campus.

X.

Enforcement:

Although the SROs have has been placed in a formal education environment, they are not relieved of their official duties as enforcement officers. Decisions to intervene normally will be made when it is necessary to prevent violence, a breach of the peace, personal injury or loss of property. Citations should be issued and arrests made when appropriate and in accordance with CITY Police Department policies and procedures. When immediate action is needed and an SRO is not available, another officer may be dispatched to the school.

The SROs, when on duty, should investigate and prepare reports on all criminal offenses committed at the schools. Other CITY Police Department personnel may be summoned by the SROs as they deem necessary and or by RISD during the SROs absence.

XI.

Scheduling:

Hours - The SROs will work a forty (40) hour work week, and will coordinate their hours with school hours Monday through Friday. However, there may be occasions when this schedule is altered because of court appearances, sickness, injury, training and special assignments. The SROs are still considered non-exempt employees under the Fair Labor Standards Act and are subject to its provisions as well as CITY Police Department and CITY policy relating to overtime. All overtime requests from the District will be reviewed and approved by the Chief of Police or his designee.

Holidays and vacation - The SROs will accrue holidays and vacation at the rate allowed by CITY policy. However, holidays and vacations may be scheduled to coincide with school holidays or when schools are closed. The SROS should accomplish as much of the required training as possible during these periods or during the summer when school is not in session, if reasonably practical. The Chief of Police in his sole discretion, shall have the power and authority to schedule all leave and training for the SROs as he deems necessary.

Substitution - Substitution for the SROs by other officers will only be considered through a request to the Chief of Police and only on the joint written approval of the Chief of Police and RISD. Typically, this will only be considered for an extended leave as discussed in Section III.

XII.

Availability of Funds: Each party shall make payments required hereunder from current revenues, as required by the Agreement.

XIII.

Insurance: CITY is insured, and upon request by RISD, shall provide RISD documentation of its coverage, said coverage to meet the reasonable approval of RISD. CITY shall also provide, during the term of this Agreement, worker's compensation insurance, including liability coverage, in the amounts required by Texas state law, for any employee engaged in work under this Agreement. As to all insurance provided by CITY, it shall provide RISD with documentation, upon request, indicating such coverage prior to the beginning of any activities under this Agreement.

XIV.

Termination: This Agreement may be terminated by either party at its sole option and without prejudice by giving thirty (30) days written notice of termination to the other party. Upon termination of this Agreement, the CITY will assume any and all fiscal responsibilities for the officer from and after the effective date of termination.

Replacement: RISD may, for cause, request a replacement of the SRO. Such a request shall be made through the CITY Chief of Police, shall be in writing and shall set forth the basis for the request. A replacement SRO shall be provided as soon as possible giving due consideration for the CITY's staffing level and time required to complete the outside hiring process as necessary.

XV.

Assignment of Agreement: Neither party shall assign, transfer, or sub-contract any of its rights, burdens, duties or obligations under this Agreement without the prior written permission of the other party to this Agreement.

XVI.

Waiver: No waiver of a breach or any provision of this Agreement by either party shall constitute a waiver of any subsequent breach of such provision. Failure of either party to enforce at any time, or from time to time, any provisions of this Agreement shall not be construed as a waiver thereof.

XVII

Place of Performance: Venue: Venue shall be in Rockwall County, Texas. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of this Agreement and the exclusive venue for any legal proceedings involving this Agreement shall be Rockwall County, Texas.

XVIII.

Notices: Notices to RISD shall be deemed given when delivered in person to the Superintendent of Schools of RISD, or on the next business day after the mailing of said notice addressed to said RISD by United States mail certified or registered mail, return receipt requested, and postage paid at 1050 Williams Street, Rockwall, Texas 75087.

Notices to CITY shall be deemed given when delivered in person to the CITY Manager or on the next business day after the mailing of said notice addressed to said CITY by United States mail, certified or registered mail, return receipt requested, and postage paid at 385 South Goliad, Rockwall, Texas 75087.

XIX.

Severability Provisions: If any provisions of this Agreement are held to be illegal, invalid or unenforceable under present or future laws, (1) such provision shall be fully severable; (2) this Agreement shall be construed and enforced as if such illegal, invalid or unenforceable provisions had never been a part of this Agreement; and (3) the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from this Agreement.

XX.

Entire Agreement of Parties: This Agreement and all exhibits shall be binding upon the parties hereto, their successors and assigns, and constitutes the entire agreement between the parties. No other agreements, oral or written, pertaining to the performance of the Agreement exists between the parties. This Agreement can be modified only by an agreement in writing, signed by both parties.

XXI.

Immunity: CITY and RISD agree that neither party has waived its respective sovereign immunity by entering into and performing the obligations under this Agreement.

XX:11.

Liability:

Any claims by third parties arising as a result of the enforcement of Local, State or Federal law, including employment claims, shall be handled by, and be the responsibility of, the CITY. Any claims by third parties arising as a result of the enforcement of RISD policy or procedure shall be handled by, and be the responsibility of RISD.

IN WITNESS WHEREOF, the parties have executed this Agreement in the year and day first above written.


Attest:

Rockwall Independent School District

By: _____

Dr. John Villarreal, Superintendent
Rockwall Independent School District

Attest:



City of Rockwall

By: _____

Mary Smith, City Manager
City of Rockwall



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: August 15, 2022

SUBJECT: Z2022-035; AMENDMENT TO PLANNED DEVELOPMENT DISTRICT 87 (PD-87)

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Property Owner Notification Map
Neighborhood Notification Email
Property Owner Notification List
Public Notice
Property Owner Notifications
Concept Plan
Survey
Conceptual Building Renderings
Ordinance No. 18-46
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Bill Bricker of Columbia Development Company, LLC for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary (**1st Reading**).

Action Needed

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



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: August 15, 2022
APPLICANT: Dub Douphrate; *Douphrate and Associates*
CASE NUMBER: Z2022-035; *Amendment to Planned Development District 87 (PD-87)*

SUMMARY

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Bill Bricker of Columbia Development Company, LLC for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

BACKGROUND

The subject property was annexed on February 6, 1961 by *Ordinance No. 60-01 [A1960-001]*. According to the City's historic zoning maps, the subject property has been zoned Light Industrial (LI) District since at least January 3, 1972. On July 14, 2000, the City Council approved a final plat for a portion of this property (*i.e.* 7.409-acres), establishing it as Lot 1, Block 1, Indalloy Addition by *Case No. PZ2000-055-01*. On November 19, 2018, the City Council approved a change in zoning [*Case No. Z2018-032; Ordinance No. 18-46*] from a Light Industrial (LI) District to Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District, and Light Industrial (LI) District land uses. On July 15, 2019, the City Council approved a preliminary plat [*Case No. P2019-026*] for the purpose of establishing a lot layout for a townhome development (*i.e.* *Park Station, Phase 1*). This preliminary plat expired on July 15, 2020. The subject property is currently vacant with the exception of a private driveway that connects the property south of the subject property to E. Washington Street.

PURPOSE

On July 15, 2022, the applicant -- *Bill Bricker of Columbia Development Company, LLC* -- submitted an application requesting to amend Planned Development District 87 (PD-87) to change the prohibited uses within *Ordinance No. 18-46*. Specifically, the applicant is proposing to combine *Tracts 2-5* into one (1) tract (*i.e.* *Tract 2*) and remove *Church/House of Worship* from the prohibited land uses in *Tract 2*.

ADJACENT LAND USES AND ACCESS

The subject property is generally located south of E. Washington street and east of Park Place Boulevard, across from Harry Myers Park. The land uses adjacent to the subject property are as follows:

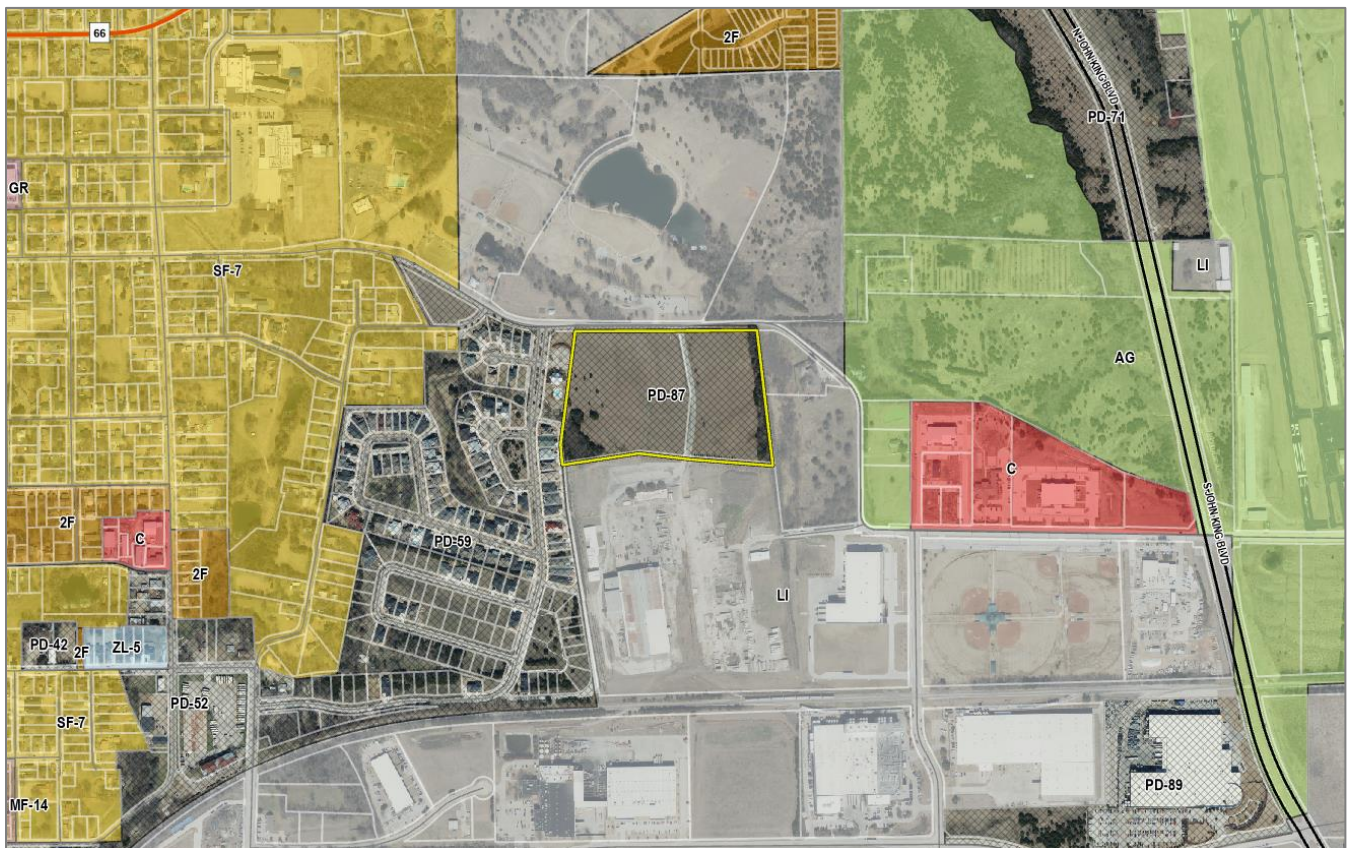
North: Directly north of the subject property is E. Washington Street, which also delineates the future alignment of SH-66. This roadway is identified as a TXDOT4D (*i.e.* *four [4] lane, divided highway, owned by the Texas Department of Transportation*) on the City's Master Thoroughfare Plan. North of this thoroughfare is a 67.036-acre public park (*i.e.* *Harry Myers Park*), which is zoned Light Industrial (LI) District. Beyond this is a 17.861-acre vacant tract of land that was platted as a 78 unit duplex subdivision (*i.e.* *Oak Creek*) in 1984. This property is zoned Two-Family (2F) District. Adjacent to this residentially zoned area is a 21.326-acre tract of land that is zoned Light Industrial (LI) District. This property has a school and administrative offices (*i.e.* *Rockwall Quest Academy/RISD Administrative Offices*) situated on it.

South: Directly south of the subject property is an 8.197-acre tract of land and a 14.53-acre parcel of land (i.e. Lot 1-01, Block 1, Indalloy Addition). Both of these properties are zoned Light Industrial (LI) District. Situated on these properties is a large industrial building and various other improvements. Beyond this is the right-of-way for the Union Pacific Dallas/Garland Northeast Railroad.

East: Directly east of the subject property is a 2.093-acre parcel of land (i.e. Lot 1, Block A, Soroptimist Rockwall Children's Home), a vacant 7.97-acre tract of land, and a vacant 11.3736-acre tract of land. All of these properties are zoned Light Industrial (LI) District. Beyond this are E. Washington Street, Airport Road, and Industrial Boulevard. These roadways are all identified as an M4U (i.e. minor collector, four [4] lane, roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Phases 2 & 3 of the Park Place Subdivision, which currently contains 94 single-family residential lots. This property is zoned Planned Development District 59 (PD-59) for Neighborhood Services (NS) District, Residential-Office (RO) District, and Single-Family 7 (SF7) District land uses.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a revised concept plan that proposes combining *Tracts 2-5* as shown on the existing concept plan contained in *Ordinance No. 18-46*. Specifically, the applicant is requesting to change the 12.82-acre tract of land (i.e. *Tracts 2-5*) into one (1) tract (i.e. *Tract 2*) [see *Figures 1 & 2* below]. In addition to combining these tracts of land, the applicant is requesting to remove the *Church/House of Worship* land use as a prohibited land use within *Ordinance No. 18-46*. Making this change would allow a *Church/House of Worship* to develop *by-right* on *Tract 2*, which is prohibited under the current ordinance. These are the only changes being proposed for Planned Development District 87 (PD-87). That being said the applicant has also provide staff with a conceptual site plan -- *that is not included in the draft ordinance* -- that depicts the applicant's intent to develop the subject property as a *Church/House of Worship*. This concept plan shows that a 35,000 SF church will be constructed on *Tract 2*, with the possibility of a second building approximately the same size could be constructed in the future.



FIGURE 1: CURRENT CONCEPT PLAN IN ORDINANCE 18-46



FIGURE 2: PROPOSED CONCEPT PLAN

INFRASTRUCTURE

Based on the applicant's concept plan, the infrastructure requirements have not changed; however, if a *Church/House of Worship* is developed on the subject property per the conceptual site plan provided by the applicant, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

- (1) Roadways. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan, E. Washington Street is a TXDOT4D (*i.e. four [4] lane, divided highway, owned by the Texas Department of Transportation*), which requires a 120-foot right-of-way. In this case, right-of-way must be dedicated for the future alignment of SH-66.
- (2) Water. The applicant will be required to construct an eight (8) inch water line that loops through the subject property.
- (3) Wastewater. The applicant will be required to construct an eight (8) inch wastewater line that connects to existing lines located south of the subject property.
- (4) Drainage. Detention will be required and sized per the required detention study. If the applicant is proposing development that will affect the existing floodplain on the subject property, a *Flood Study* and a Letter of Map Revision (LOMR) will be required.

CONFORMANCE TO THE CITY'S CODES

The proposed amendment to Planned Development District 87 (PD-87) conforms to all of the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual*.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is designated for Commercial/Retail and Technology/Employment Center land uses. The designation for this area was originally changed from a Technology/Employment Center designation to a Commercial/Retail and Technology/Employment Center designation by Case No. Z2018-032 [Ordinance No. 18-46]. Under this case, the applicant had requested this area be changed to allow flexibility for low intensity commercial and light industrial businesses to be allowed.

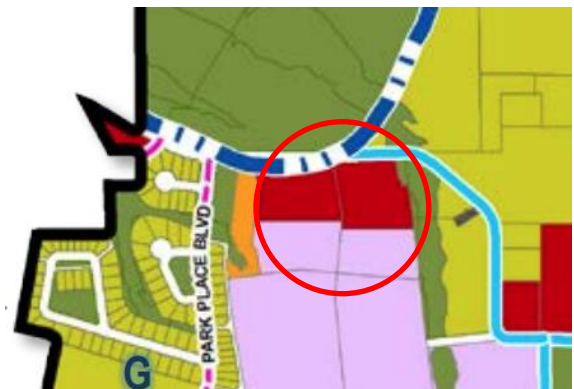


FIGURE 3: FUTURE LAND USE MAP
RED CIRCLE: SUBJECT PROPERTY

The proposed amendment to Planned Development District 87 (PD-87) will not immediately change the Future Land Use Map; however,

if a *Church/House of Worship* is developed on the subject property the Future Land Use Map will change from *Commercial/Retail* and *Technology/Employment Center* to *Quasi-Public*. This change would be made with a future update to the Comprehensive Plan in the event the *Church/House of Worship* is approved and constructed. Staff should note that a change to *Quasi-Public* does not appear to have an impact on any of the adjacent properties or the essential character of the neighboring Park Place Subdivision. With this being said, zoning changes are discretionary decisions for the City Council pending a recommendation by the Planning and Zoning Commission. Should the City Council choose to approve this request, staff has added a condition of approval that would make the necessary changes to the Future Land Use Map.

NOTIFICATIONS

On July 22, 2022, staff mailed 59 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Park Place Homeowner's Association (HOA), which is the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received three (3) property owner notifications from two (2) property owners within the 500-foot notification area in favor of the applicant's request. The Park Place HOA has provided staff a letter indicating they are in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend Planned Development District 87 (PD-87), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) Any construction resulting from the approval of this *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 August 9, 2022, the Planning and Zoning Commission approved a motion to recommend denial of the *Zoning Change* by a vote of 7-0. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22022-035

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) &
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS

SUBDIVISION Park station Conveyance Plat LOT 1 BLOCK A

GENERAL LOCATION Washington st east of Park Place West Ph 2

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Commercial / Light Industrial CURRENT USE

PROPOSED ZONING PD Amendment PROPOSED USE Church Addition

ACREAGE 16.26 LOTS [CURRENT] LOTS [PROPOSED]

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

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

OWNER Columbia Development Co. LLC APPLICANT Crosspoint Church in c/o Dub Doughrate Doughrate & Assoc.

CONTACT PERSON Bill Bricker CONTACT PERSON Dub Doughrate

ADDRESS 305 Park Place Blvd ADDRESS 2235 Ridge Rd

CITY, STATE & ZIP Rockwall, Tx 75087 CITY, STATE & ZIP Rockwall, Tx 75087

PHONE 972-722-2439 PHONE 972-742-2210

E-MAIL bill@colventures.com E-MAIL wldoughrate@doughrate.com

NOTARY VERIFICATION [REQUIRED]

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

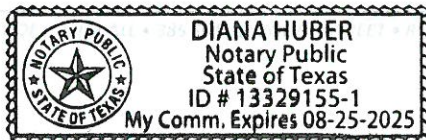
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 7K TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 7th DAY OF July 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

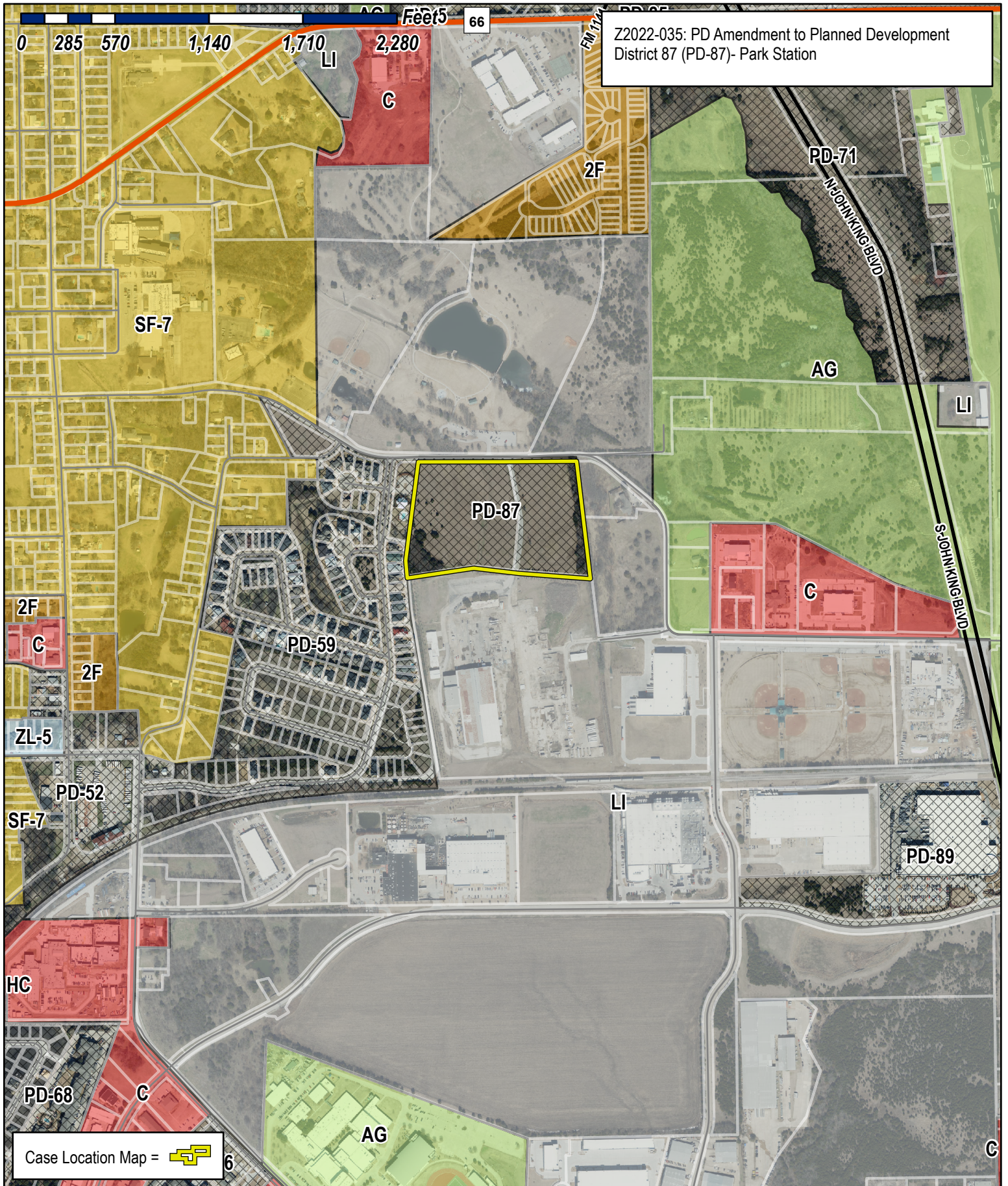
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 7 DAY OF July, 2022

OWNER'S SIGNATURE ChW Bricker


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

8-25-2025
MY COMMISSION EXPIRES





Z2022-035: PD Amendment to Planned Development District 87 (PD-87)- Park Station

Case Location Map =  6



City of Rockwall

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

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

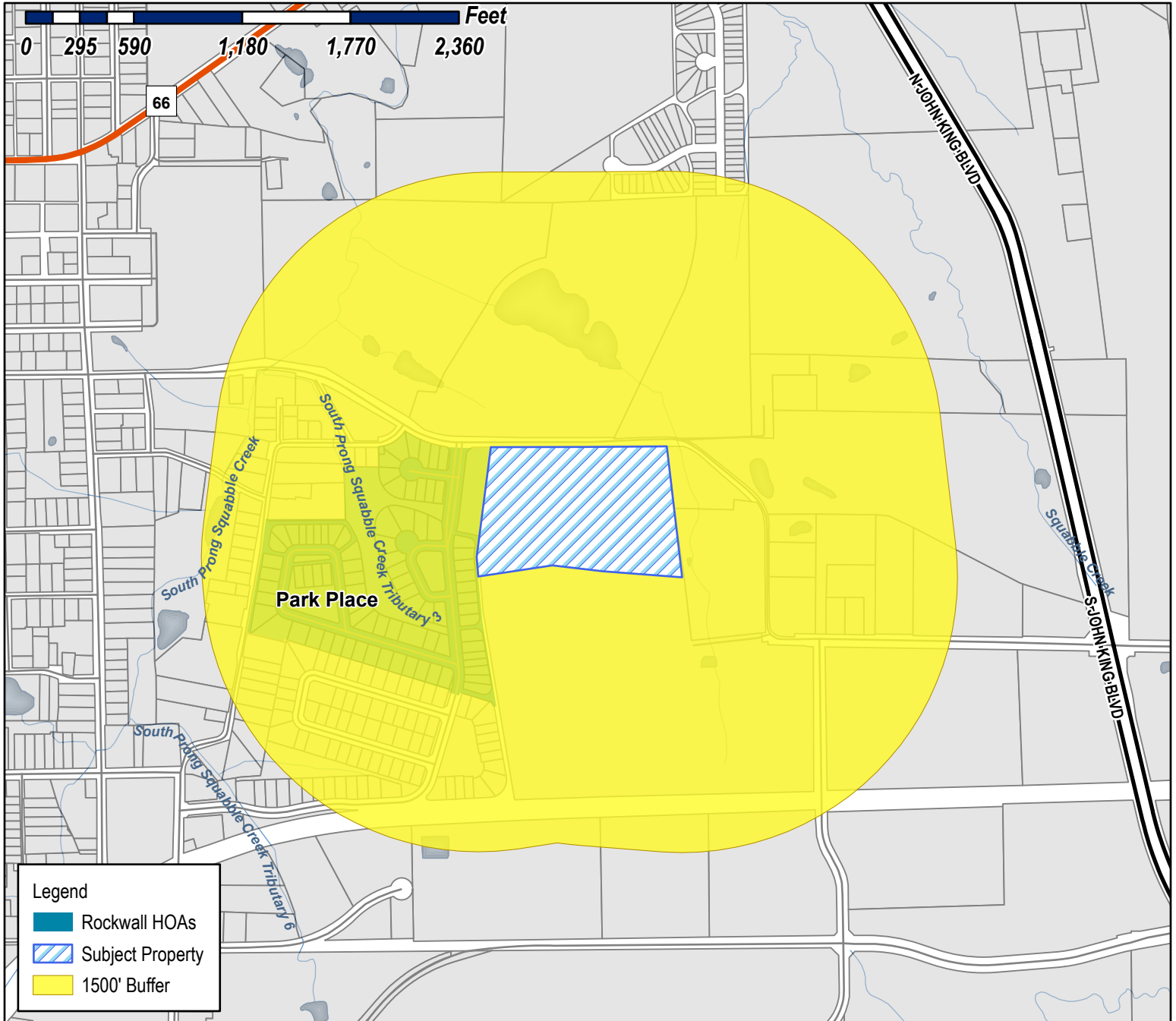




City of Rockwall

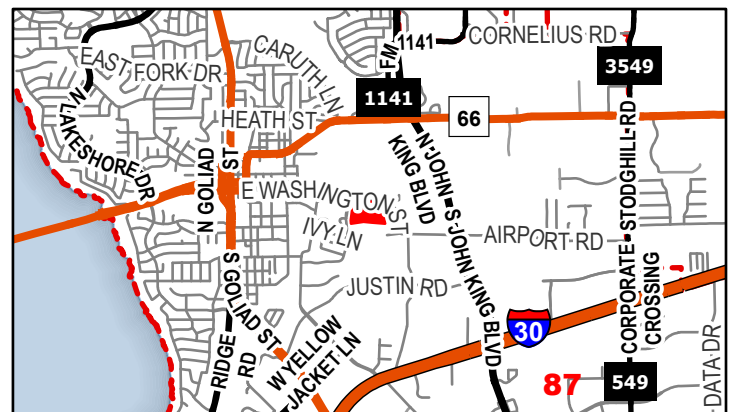
Planning & Zoning Department
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Rockwall, Texas 75087
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Case Number: Z2022-035
Case Name: PD Amendment to Planned Development District 87 (PD-87)- Park Station
Case Type: Zoning
Zoning: Planned Development District 87 (PD-87)

Date Saved: 7/14/2022
 For Questions on this Case Call (972) 771-7745

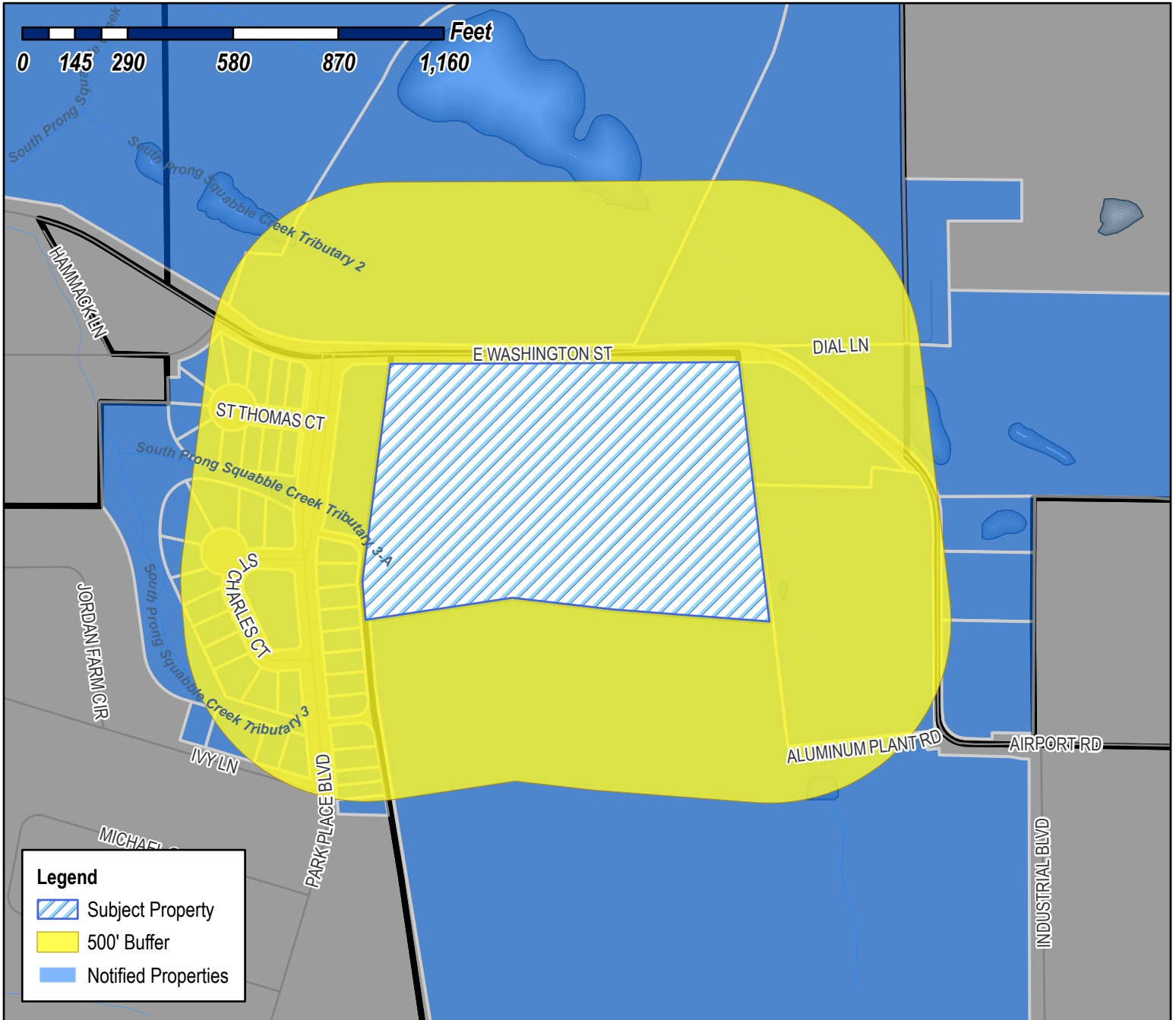




City of Rockwall

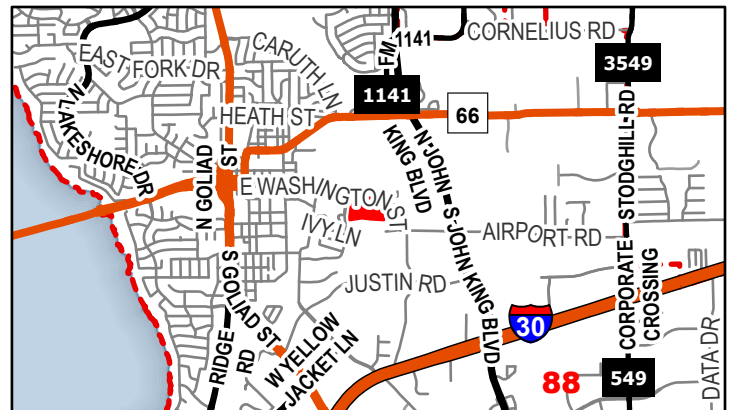
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385 S. Goliad Street
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Case Number: Z2022-035
Case Name: PD Amendment to Planned Development District 87 (PD-87) Park Station
Case Type: Zoning
Zoning: Planned Development District 87 (PD-87)

Date Saved: 7/14/2022
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Friday, July 22, 2022 11:36 AM
To: 'bill@colventures.com'; 'barrybuchanan@ebby.com'
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-035]
Attachments: Public Notice (07.15.2022).pdf; HOA Map Z2022-035.pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *July 22, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, August 9, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, August 15, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2022-035: Zoning Change amending Planned Development District 87

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Bill Bricker of Columbia Development Company, LLC for the approval of a *Zoning Change* amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

DUKE JERI L
1001 ST. CHARLES CT
ROCKWALL, TX 75087

LAKEVIEW SUMMIT PROPERTIES LLC
1002 SAINT CHARLES CT
ROCKWALL, TX 75087

TROSPER MARK AND GLORIA
1007 ST. CHARLES CT
ROCKWALL, TX 75087

ROLLINS DANNY & JONNA
1008 SAINT CHARLES CT
ROCKWALL, TX 75087

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

TROSPER MARK AND GLORIA
1015 ST CHARLES CT
ROCKWALL, TX 75087

DAVID DAVID A AND CHRISTINE A
1020 SAINT CHARLES CT
ROCKWALL, TX 75087

DAVIS SHAUNTE AND JACOB
1021 IVY LN
ROCKWALL, TX 75087

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

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

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

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

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

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

WHITWORTH JULIE A
1031 ST THOMAS COURT
ROCKWALL, TX 75087

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

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

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

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

KRAEMER TERESA A
1039 IVY LN
ROCKWALL, TX 75087

BEER TERRY L AND
CYNTHIA OLSON
1039 ST THOMAS CT
ROCKWALL, TX 75087

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

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

SOUTHERLAND CHRISTOPHER AND JENNIFER
1043 ST THOMAS COURT
ROCKWALL, TX 75087

DENTON LANCE AND GLENDA K
1045 IVY LN
ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G
1046 ST THOMAS CT
ROCKWALL, TX 75087

VRANA MARK AND
PAM VRANA
1046 SAINT CHARLES CT
ROCKWALL, TX 75087

FUNK JOSEPH
11226 INDIAN TRAIL
DALLAS, TX 75229

COLUMBIA EXTRUSION CORP
ATTN: BILL BRICKER
1200 E WASHINGTON
ROCKWALL, TX 75087

COLUMBIA EXTRUSION CORP
ATTN BILL BRICKER
1300 E WASHINGTON ST
ROCKWALL, TX 75087

SOROPTIMIST INT'L OF ROCKWALL
1350 E WASHINGTON
ROCKWALL, TX 75087

BAYS JACOB M
1435 E WASHINGTON ST
ROCKWALL, TX 75087

ALVAPLAST US DEVELOPMENT LLC
1480 JUSTIN ROAD
ROCKWALL, TX 75087

DEVENNEY DIANA
205 DIAL
ROCKWALL, TX 75087

CUMMINGS KARYN
2823 QUAIL HOLLOW DR
MESQUITE, TX 75150

DEVENNEY DIANA
2944 PEGASUS DR
GARLAND, TX 75044

ROCKWALL PROPERTY CORP
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

COLUMBIA EXTRUSION CORP
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

MATEER JEFFREY CARL & D'ANN ELIZABETH
DELP
405 PARK PLACE BLVD
ROCKWALL, TX 75087

JONES KENNETH AND CINDY
411 PARK PLACE BLVD
ROCKWALL, TX 75087

VAN WINKLE KATHI AND RONNIE G
417 PARK PLACE BLVD
ROCKWALL, TX 75087

KISTNER ARIANA M AND KELLY
423 PARK PLACE BLVD
ROCKWALL, TX 75087

MORGAN WILBUR J AND NANCY F
429 PARK PLACE BLVD
ROCKWALL, TX 75087

LOVOI JOSEPH J SR AND VELMA J
501 PARK PLACE BLVD
ROCKWALL, TX 75087

RASMUSSEN MICHAEL AND DELILA RASMUSSEN
507 PARK PLACE BLVD
ROCKWALL, TX 75087

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

MOORE CONNIE JO
523 PARK PLACE BLVD
ROCKWALL, TX 75087

SANTIAGO KIMBERLY J AND JOSE JR
535 PARK PLACE BLVD
ROCKWALL, TX 75087

WALSH DONNA
541 PARK PLACE BLVD
ROCKWALL, TX 75087

CUMMINGS KARYN
547 PARK PLACE BLVD
ROCKWALL, TX 75087

BLACKWOOD SCOTT W & GLENITA G
5574 CANADA CT
ROCKWALL, TX 75032

BAYS JACOB M
5602 YACHT CLUB DR.
ROCKWALL, TX 75032

MURREY GARY L AND PAMELA K
601 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCKWALL COMMUNITY PLAYHOUSE
609 E RUSK ST
ROCKWALL, TX 75087

WALSH DONNA
8009 LAKEBEND
ROWLETT, TX 75088

CITY OF ROCKWALL
815 E WASHINGTON ST
ROCKWALL, TX 75087

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

2020 T R MARTIN REVOCABLE TRUST
CHARLES TED MARTIN AND RHONDA KAREN
MARTIN- TRUSTEES
995 ST CHARLES COURT
ROCKWALL, TX 75087

SOROPTIMIST INT'L OF ROCKWALL
PO BOX 372
ROCKWALL, TX 75087

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

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

Case No. Z2022-035: PD Amendment to PD-87

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Bill Bricker of Columbia Development Company, LLC for the approval of a Zoning Change amending Planned Development District 87 (PD-87) [*Ordinance No. 18-46*] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, August 9, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 15, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, August 15, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-035: PD Amendment to PD-87

Please place a check mark on the appropriate line below:

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

Four horizontal grey bars for providing reasons for support or opposition.

Name:
Address:

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

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

PUBLIC NOTICE



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

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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Case No. Z2022-035: PD Amendment to PD-87

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.

Good project for all involved. City, Channon, Park Place & SPR all benefit

Name: Bill Bricker Rockwall Property Corporation
Address: 305 Park Place Blvd.

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

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Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2022-035

Please place a check mark on the appropriate line below: *



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Jennifer

Last Name *

Faucon

Address *

389 Jordan Farm Circle

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
- Other:

How did you hear about this Zoning or Specific Use Permit (SUP) request? *

I received a property owner notification in the mail.

I read about the request on the City's website.

I saw a zoning sign on the property.

I read about the request in the Rockwall Herald Banner.

My neighbors told me about the request.

Other: _____

This content is neither created nor endorsed by Google.

Google Forms

PLEASE RETURN THE BELOW FORM

Case No. Z2022-035: PD Amendment to PD-87

Please place a check mark on the appropriate line below:

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

We believe this will be an acceptable addition to the area

Name: Lance & Glenda Denton

Address: 1045 Ivy Ln Rockwall TX 75087

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

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I am in opposition to the request.

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Respondent Information

Please provide your information.

First Name *

Serge

Last Name *

Faucon

Address *

389 Jordan Farm Circle

City *

Rockwall

State *

TX

Zip Code *

75087

Please check all that apply: *

- I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
- I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
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I read about the request in the Rockwall Herald Banner.

My neighbors told me about the request.

Other: _____

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Google Forms

PLEASE RETURN THE BELOW FORM

Case No. Z2022-035: PD Amendment to PD-87

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.

Retail will increase traffic, and crime for the area. traffic will use Dial Ln to turn around or park thus damaging the Road. How will the city keep this from happening? This is by a city park that is heavily used. increased traffic increase RISK to children and traffic coming/going to the park

Name:

Diana Devaney

Address:

2944 Pegasus Garland 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.

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PUBLIC NOTICE



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

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

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Case No. Z2022-035: PD Amendment to PD-87

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-035: PD Amendment to PD-87

Please place a check mark on the appropriate line below:

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

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

*#1 - In favor of Church location
→ Need Assurance/Help
to prevent LARGE PPlace Traffic*
*#2. Need Assurance of build
quality on Condos.*

1) Very concerned there are no pro-active options to prevent Sunday traffic passing thru Park Place Blvd to Townsend-- We already have multiple speeders and busy street. People exiting church will turn left and right to get back to I30 and Rockwall.

2) Partial designated as Condo : We were originally told it would be part of Park Place and meet Park Place architecture Standards - Now we are at the mercy of new property owner. Why can't the city honor original?

Name: Michael Rasmussen

Address: Park Place Blvd, Rockwall TX 75087

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

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



July 26, 2022

Rockwall Planning and Zoning Department
385 S Goliad St.
Rockwall, TX 75087

To the Planning and Zoning Department,

The Park Place West HOA and its members are in receipt of the notice of Zoning Change at 1200 E Washington St. Rockwall, Texas 75087. The membership was notified by the HOA and has had an open meeting with Bill Bricker, Applicant, Dub Douphrate, the Project Engineer and principal leaders of Crosspoint Church, the ultimate end user.

All questions were answered professionally and satisfactorily. The Board of Park Place West HOA has voted, based upon member input, to express support of the application.

The HOA feels this is a good fit for themselves, the church and the City of Rockwall.

Respectfully submitted,

David David
VP Park Place West HOA

IT'S A DREAM COME TRUE.

www.parkplacerockwall.com • info@parkplacerockwall.com

WASHINGTON STREET
(60' Right-of-Way)

FUTURE WIDENING AND
REROUTING OF WASHINGTON

MAIN ENTRANCE

20' LANDSCAPE BUFFER

DETENTION POND

DETENTION POND

23 SPACES

21 SPACES

24' FIRE LANE

31 SPACES

27 SPACES

PLAYGROUND COURTYARD

FUTURE BUILDING EXPANSION
PHASE IF NEEDED

PORTE-COCHERE

LANDSCAPED COURTYARD

PROPOSED 35,000 SF BUILDING

308 PARKING SPACES PHASE 1

570

24' FIRE LANE

8 SPACES

8 SPACES

8 SPACES

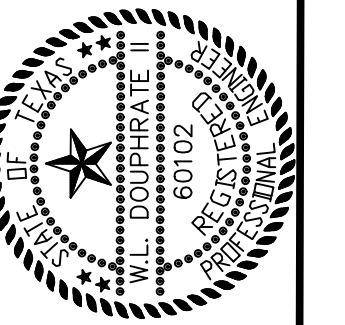
8 SPACES

39 SPACES

DETENTION POND

LANDSCAPED BUFFER

SHORE LINE
(50' Right-of-Way)

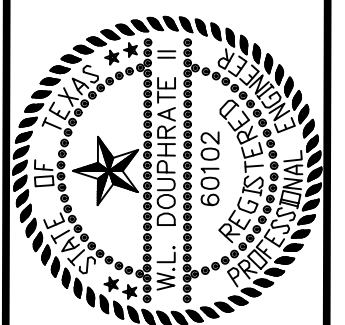
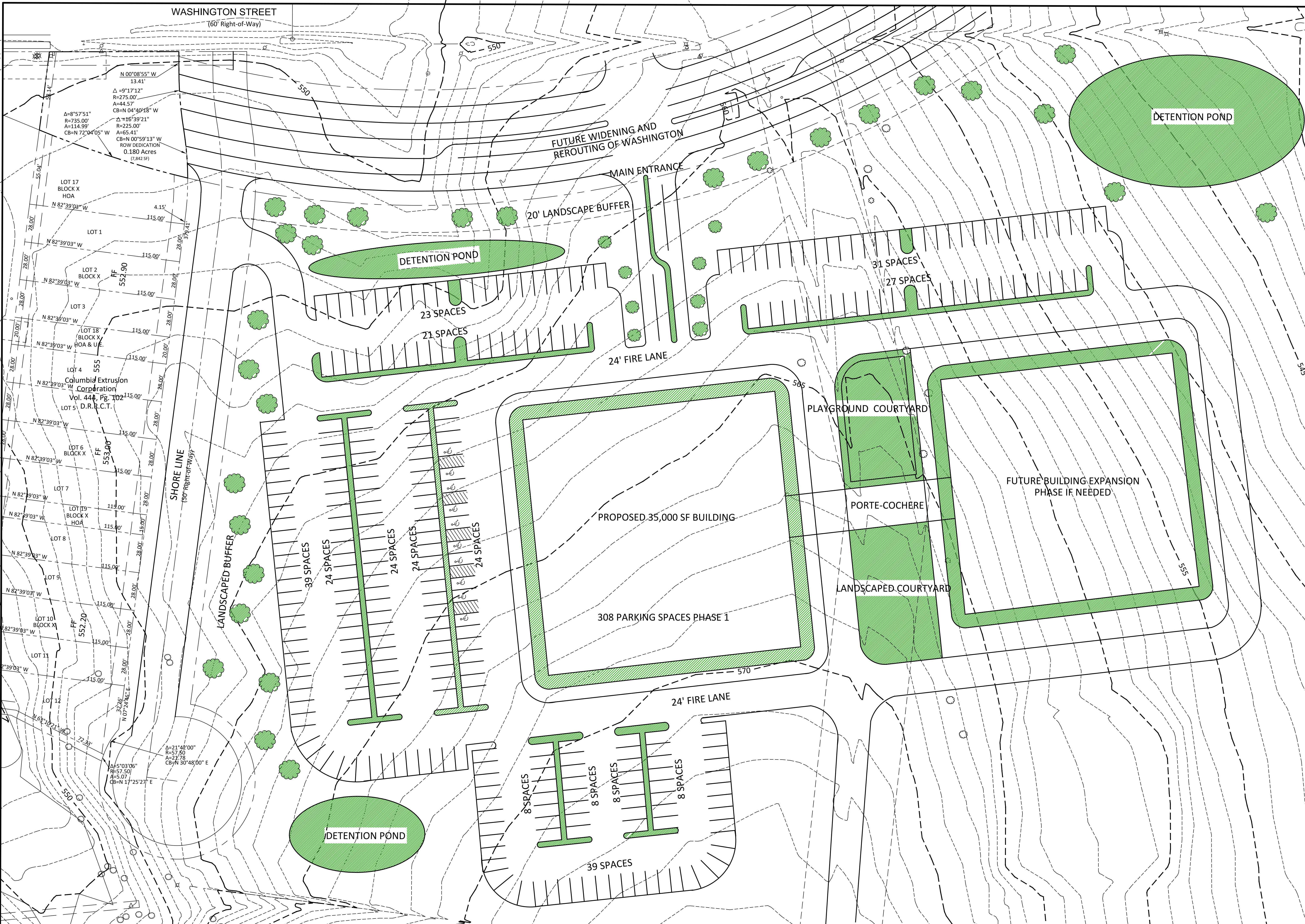


THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WILL DOUPHRATE, J. TEXAS P.E. LICENSE NO. 60102, EXPIRES ON DATE: JUNE 20, 2022

DOUPHRATE & ASSOCIATES, INC.
ENGINEERING PROJECT MANAGEMENT SURVEYING
2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
PHONE: (972)771-9004 FAX: (972)771-9005

PRELIMINARY CONCEPT PLAN
CROSSPOINT COMMUNITY CHURCH
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

REVISION	W.L.D.
CHECKED	G.C.W.
DRAWN	
SCALE	1" = 30' H 1" = 150' V
DATE	JUNE 20, 2022
PROJECT	22023 SITE PL
	20



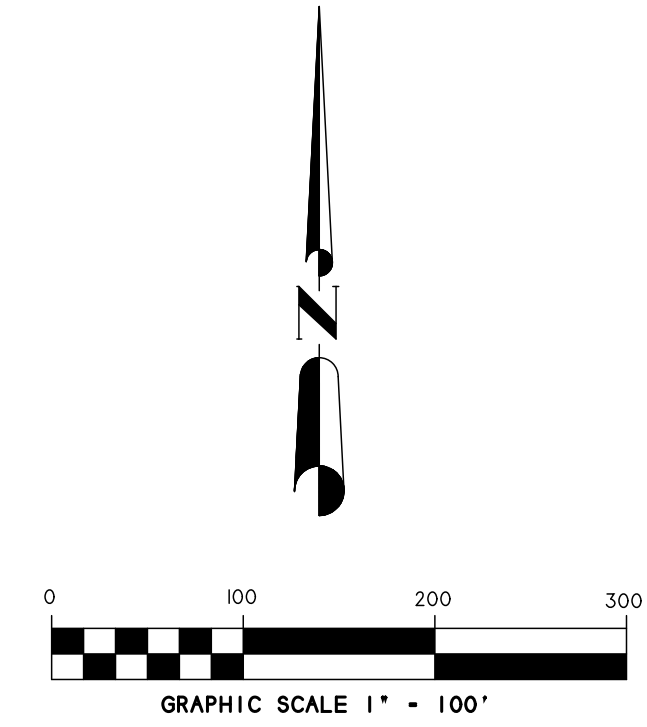
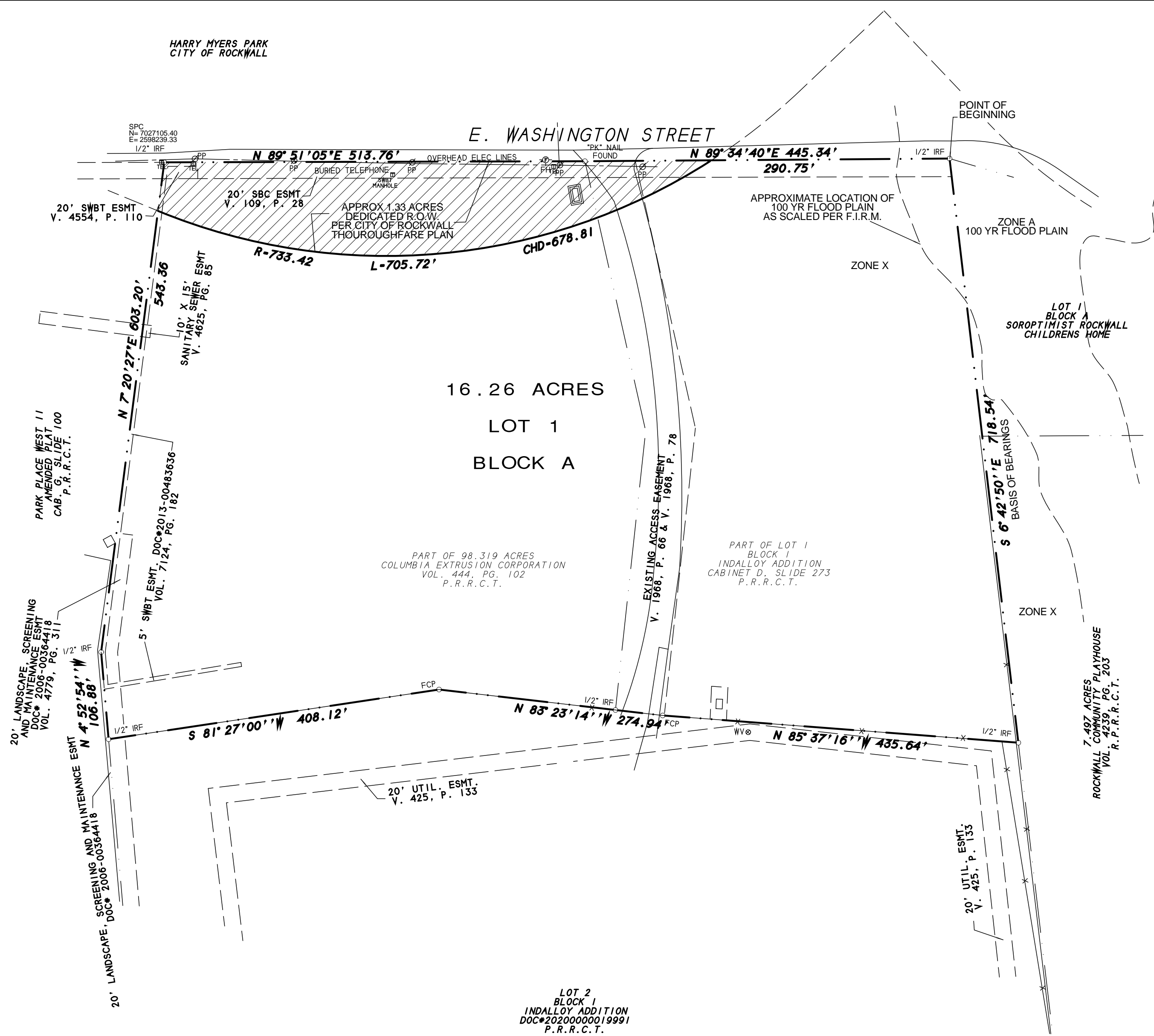
THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY W.L. DOUPHRATE II TEXAS P.E. NO. 60102, F-888, ON DATE: JUNE 20, 2022

DOUPHRATE & ASSOCIATES, INC.
 ENGINEERING PROJECT MANAGEMENT SURVEYING
 2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
 PHONE: (972)771-9004 FAX: (972)771-9005

**PRELIMINARY CONCEPT PLAN
 CROSSPOINT COMMUNITY CHURCH
 CITY OF ROCKWALL,
 ROCKWALL COUNTY, TEXAS**

REVISION	W.L.D.
CHECKED	G.C.W.
DRAWN	
SCALE	1" = 30' H 1" = 5' V
DATE	JUNE 20, 2022
PROJECT	22023 SITE PL
	20

HARRY MYERS PARK
CITY OF ROCKWALL



CONVEYANCE PLAT
**PARK STATION
LOT 1, BLOCK A**

16.26 ACRES 708,285 S.F.
BEING A REPLAT OF
PART OF INDALLOY ADDITION
PART OF 98.319 ACRES TRACT
R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CURVE DATA TABLE

CURVE	CENTRAL ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD	CHORD BEARING
C-1	55°07'56"	733.42'	382.87'	705.72'	678.81'	S 84°14'49"W

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0040 L dated Sept. 26, 2008, this property lies in Zones A & X. Part of this property does appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOA and the owner are responsible for drainage and detention systems in easements.

OWNER:
COLUMBIA DEVELOPMENT COMPANY, LLC
BILL BRICKER
305 PARK PLACE BOULEVARD
ROCKWALL, TEXAS 75087

SHEET 1 OF 2

SYMBOL LEGEND

TV	GAS	TEL	FH	PP
TELEVISION	TELEPHONE	HYDRANT	POWER	PIPE
CABLE RISER	RISE	WATER	POLE	POLE
ELEC	ELEC	BOX	WATER	WATER
ELECTRIC	ELECTRIC	BOX	WATER	WATER
METER	METER	JUNCTION	BOX	BOX
POLE	POLE	JUNCTION	BOX	BOX
POLE	POLE	JUNCTION	BOX	BOX
POLE	POLE	JUNCTION	BOX	BOX

H.D. Fetty Land Surveyor, LLC
Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE: JUNE 2022
SCALE: 1" = 100' FILE # 20140274-RP
CLIENT: CDC, LLC GF # NONE

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

WHEREAS Columbia Development Company, LLC, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the R. BALLARD SURVEY, ABSTRACT NO. 29, City of Rockwall, Rockwall County, Texas, and being a part of Lot 1, Block 1, INDALLOY ADDITION, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 273 of the Plat Records of Rockwall County, Texas, and also being a part of a 98.319 acres tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Columbia Extrusion Corporation, dated December 22, 1988 and being recorded in Volume 444, Page 102 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the south line of E. Washington Street, at the northeast corner of said Lot 1, Block 1, Indalloy Addition;

THENCE S. 06 deg. 42 min. 50 sec. E. along the east boundary of said Lot 1, a distance of 718.54 feet to a 1/2" iron rod found for corner at the northeast corner of Lot 2, Block 1, Indalloy Addition, an Addition to the City of Rockwall, Texas, according to the Replat recorded in Document no. 2020000019991 of the Plat Records of Rockwall County, Texas;

THENCE N. 85 deg. 37 min. 16 sec. W. along the north boundary of said Lot 2, a distance of 435.64 feet to a fence post found for corner;

THENCE N. 83 deg. 23 min. 14 sec. W. along the north boundary of said Lot 2, a distance of 274.94 feet to a fence post found for corner;

THENCE S 81 deg. 27 min. 00 sec. W. along the north boundary of said Lot 2, a distance of 408.12 feet to a 1/2" iron rod found for corner in the east boundary of Park Place West II, an Addition to the City of Rockwall, Texas, according to the Amended plat recorded in Cabinet G, Slide 100 of the Plat Records of Rockwall County, Texas;

THENCE N. 04 deg. 52 min. 54 sec. W. along the east boundary of said Addition, a distance of 106.88 feet to a 1/2" iron rod found for corner;

THENCE N. 07 deg. 20 min. 27 sec. E. along the east boundary of said Addition, a distance of 603.20 feet to a 1/2" iron rod found for corner in the south line of E. Washington Street;

THENCE N. 89 deg. 51 min. 05 sec. E. along the south line of E. Washington Street, a distance of 513.76 feet to a P-K Nail found for corner;

THENCE N. 89 deg. 34 min. 40 sec. E. along the south line of E. Washington Street, a distance of 445.34 feet to the POINT OF BEGINNING and containing 708,285 square feet or 16.26 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as PARK STATION LOT 1, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in PARK STATION LOT 1, BLOCK A have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or
Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

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

7) Property owners are responsible for maintenance, repair and replacement of all retaining walls and drainage and detention systems in easements.

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

Bill Bricker
for Columbia Development Company, LLC

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

Notary Public in and for the State of Texas

My Commission Expires: _____

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 plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



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

APPROVED

I hereby certify that the above and foregoing plat of PARK STATION LOT 1, BLOCK A, an addition to the City of Rockwall, Texas, was approved by the City Planning Director of the City of Rockwall on the _____ day of _____, _____.

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

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

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

Director of Planning _____

City Engineer _____ Date _____

CONVEYANCE PLAT
**PARK STATION
LOT 1, BLOCK A**
16.26 ACRES 708,285 S.F.
BEING A REPLAT OF
PART OF INDALLOY ADDITION
PART OF 98.319 ACRES TRACT
R. BALLARD SURVEY, ABSTRACT NO. 29
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND											
TV	GAS	TEL	FH	PP							
TELEPHONE	WATER	PHONE	HYDRANT	POWER							
CABLE RIGID	METER	RISER	POLE	POLE							
ELEC.	ELEC.	WATER	LP	2" IRF							
ELECTRIC	BOX	METER	POLE	WATER FOUND							
METER	JUNCTION BOX			4" CORNER							
FENCE	EASEMENT LINE	PROPERTY LINE	AR. COND. UNIT	PROPANE TANK							

OWNER:
COLUMBIA DEVELOPMENT COMPANY, LLC
BILL BRICKER
305 PARK PLACE BOULEVARD
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE NOVEMBER 17, 2020
SCALE 1" = 20' FILE # 20200432-RP
CLIENT CDC, LLC GF # NONE

CITY CASE P2022-





CITY OF ROCKWALL

ORDINANCE NO. 18-46

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 CHANGE THE ZONING FROM A LIGHT INDUSTRIAL (LI) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 87 (PD-87) FOR TOWNHOMES, COMMERCIAL/RETAIL, AND LIGHT INDUSTRIAL LAND USES ON THE SUBJECT PROPERTY, BEING A 16.26-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK 1, INDALLOY ADDITION AND TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the applicant Bill Bricker on behalf of the owner, Columbia Development Company, LLC, for the approval of a zoning change from a Light Industrial (LI) District to a Planned Development District for the purpose of establishing commercial/retail, light industrial, and townhome land uses on a 16.26-acre tract of land identified as Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1100 & 1300 E. Washington Street and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

SECTION 2. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

SECTION 4. That a preliminary plat for the entire *Subject Property* -- as depicted in *Exhibits 'C' & 'D'* of this ordinance -- shall be submitted prior to any other submittal for any portion of the *Subject Property*.

SECTION 5. That development of *Tract 1* of the *Subject Property* -- as depicted in Exhibits 'C' & 'D' of this ordinance -- 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(d) below], shall be the exclusive procedures applicable to the subdivision and platting of *Tract 1* as depicted in Exhibits 'C' & 'D' of this ordinance.
- (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). If required, 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) PD Site Plan
 - (2) Final Plat
- (c) *PD Site Plan.* A *PD Site Plan* covering all of *Tract 1* as depicted in Exhibit 'B' of this ordinance shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat Application* after engineering approval.
- (d) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, for all of *Tract 1* as depicted in Exhibits 'C' & 'D' of this ordinance shall be submitted for approval.

SECTION 6. That development of *Tracts 2, 3, 4 & 5* of the *Subject Property* -- as depicted in Exhibits 'C' & 'D' of this ordinance -- shall be in conformance with the procedures set forth in the Unified Development Code [Ordinance No. 04-38];

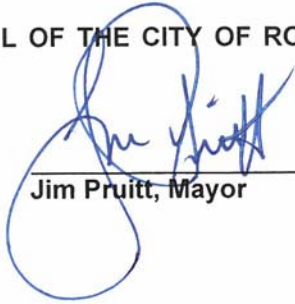
SECTION 7. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 8. 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 9. 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 10. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 19TH DAY OF NOVEMBER, 2018.



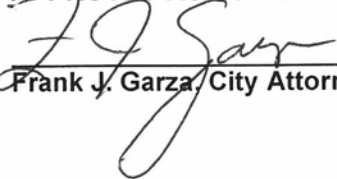
Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: November 5, 2018

2nd Reading: November 19, 2018

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *R. BALLARD SURVEY, ABSTRACT NO. 29*, City of Rockwall, Rockwall County, Texas, and being a part of Lot 1, Block 1, *INDALLOY ADDITION*, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 273 of the Plat Records of Rockwall County, Texas, and also being a part of a 98.319 acres tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Columbia Extrusion Corporation, dated December 22, 1988 and being recorded in Volume 444, Page 102 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northeast corner of said Lot 1, Block 1, said point being in the south right-of-way line of E. Washington Street;

THENCE S. 06 deg. 42 min. 50 sec. E. along the east boundary line of Lot 1, a distance of 718.54 feet to a 1/2" iron rod found for corner;

THENCE N. 85 deg. 37 min. 16 sec. W. a distance of 435 .64 feet to a 1/2" iron rod found for corner on the West boundary line of said Lot 1, Block 1;

THENCE N. 83 deg. 23 min. 14 sec. W. a distance of 274.94 feet to a 1/2" iron rod found for corner;

THENCE S. 81 deg. 27 min. 00 sec. W. a distance of 408.12 feet to a Y," iron rod found for corner in the east boundary line of *PARK PLACE WEST II*, according to the Amended plat thereof recorded in Cabinet G, Slide 100, of the Plat Records of Rockwall County, Texas;

THENCE N. 04 deg. 52 min. 54 sec. W. along said addition, a distance of 106.88 feet to a W' iron rod found for corner;

THENCE N. 07 deg. 20 min. 27 sec. E. along said addition, a distance of 603.20 feet to a W' iron rod found for corner in the south line of E. Washington Street;

THENCE N. 89 deg. 51 min. 05 sec. E. along the south line of said street, a distance of 513.76 feet to a P-K nail found for corner at the northwest corner of said Lot 1, Block 1;

THENCE N. 89 deg. 34 min. 40 sec. E. along the south line of said street and north line of said Lot 1, a distance of 445.34 feet to the *POINT OF BEGINNING* and containing 16.26 acres of land.

**Exhibit 'B':
Survey**

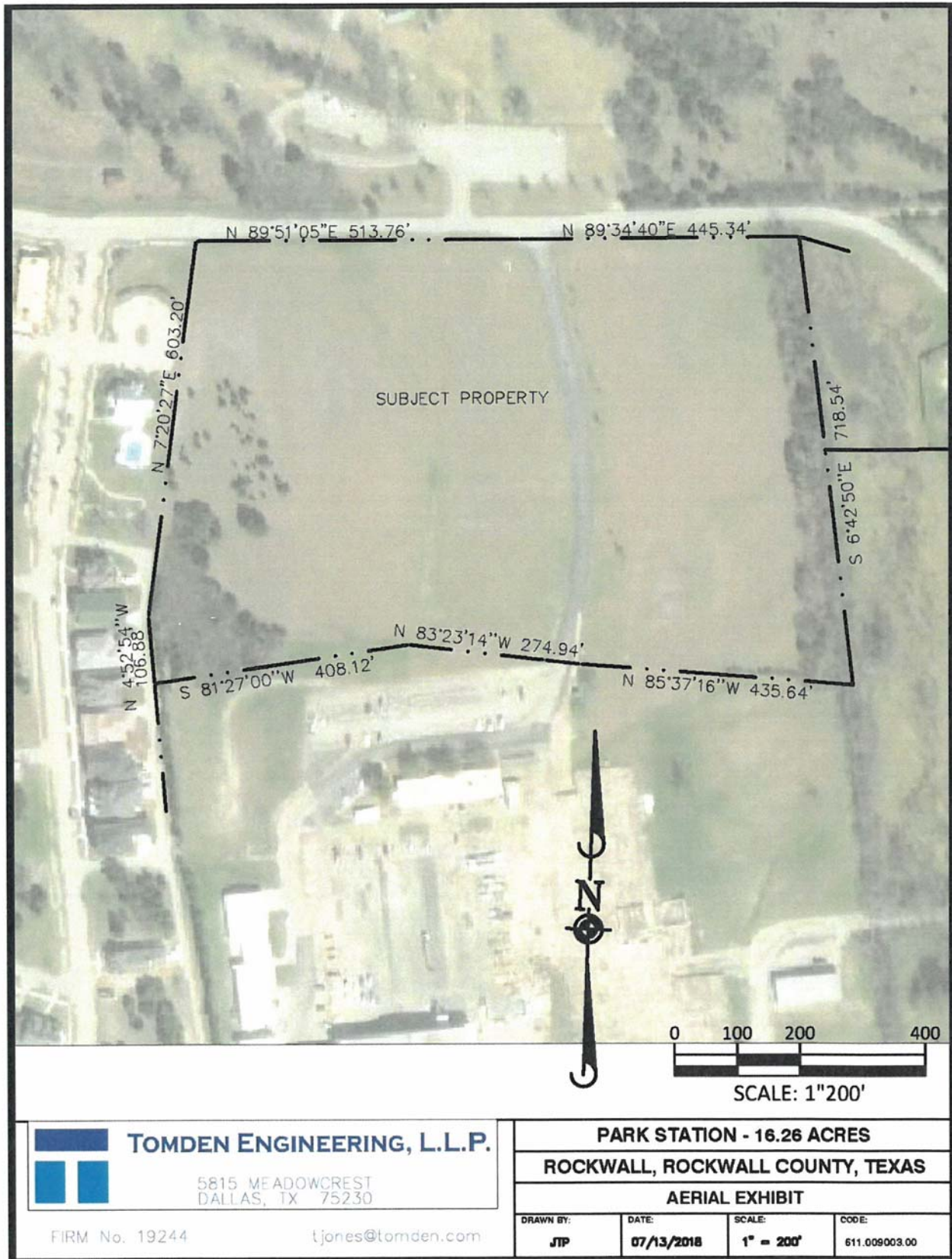


Exhibit 'C':
Area Map

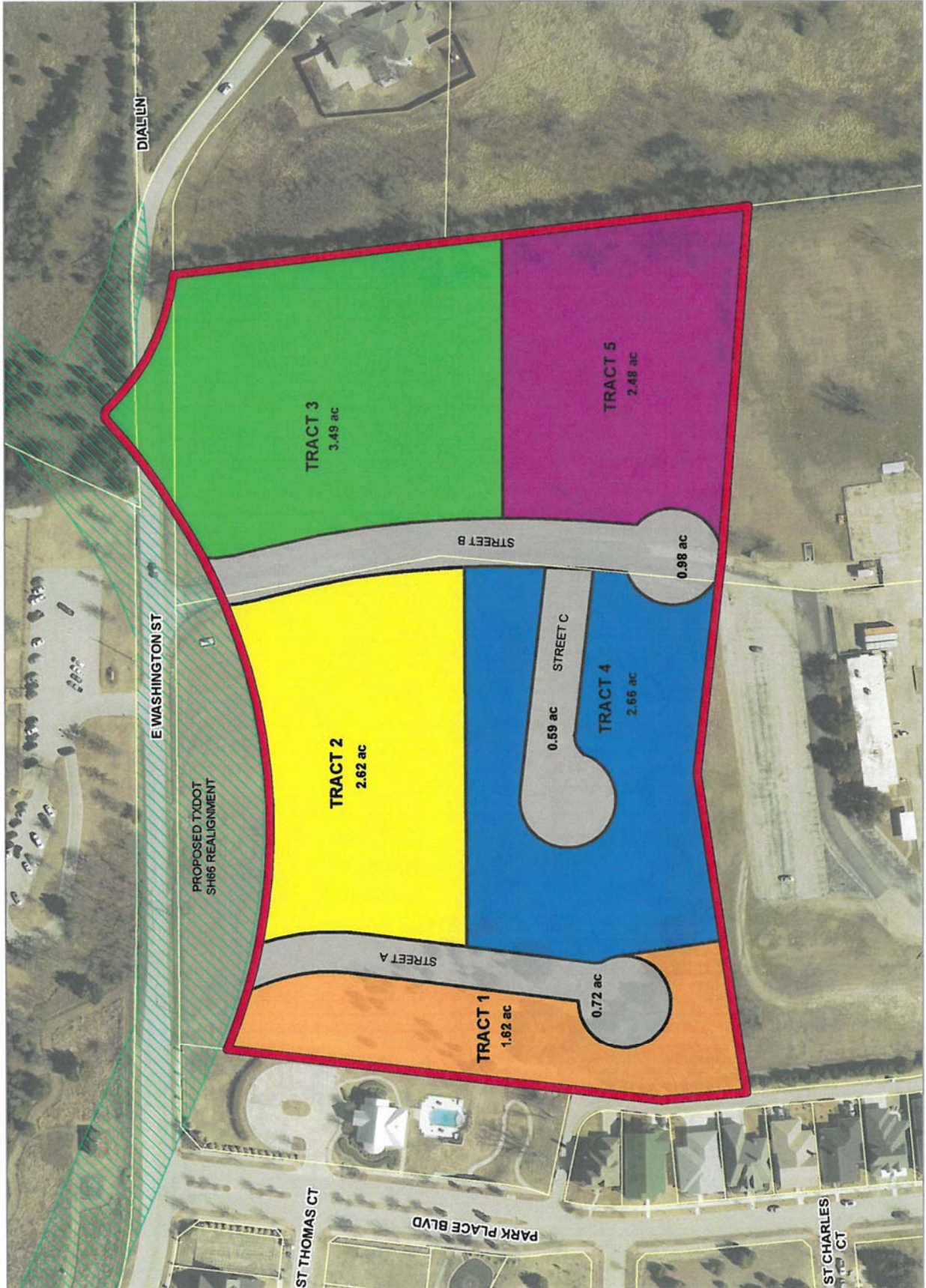


Exhibit 'D': Concept Plan



CONCEPT DATA TABLE	
TOTAL SITE AREA	18.76 ACRES
TOTAL BUILDING AREA	1,131 ACRES
TOTAL TRACTS	5
TOTAL LOTS	2,118
TOTAL UNITS	2,118 (100% AFFORDABLE)
MAXIMUM DENSITY	112 UNITS/ACRE
COMMERCIAL USE	NO
TRACT 1	2.18 ACRES
TRACT 2	2.18 ACRES
TRACT 3	2.18 ACRES
TRACT 4	2.18 ACRES
TRACT 5	2.18 ACRES

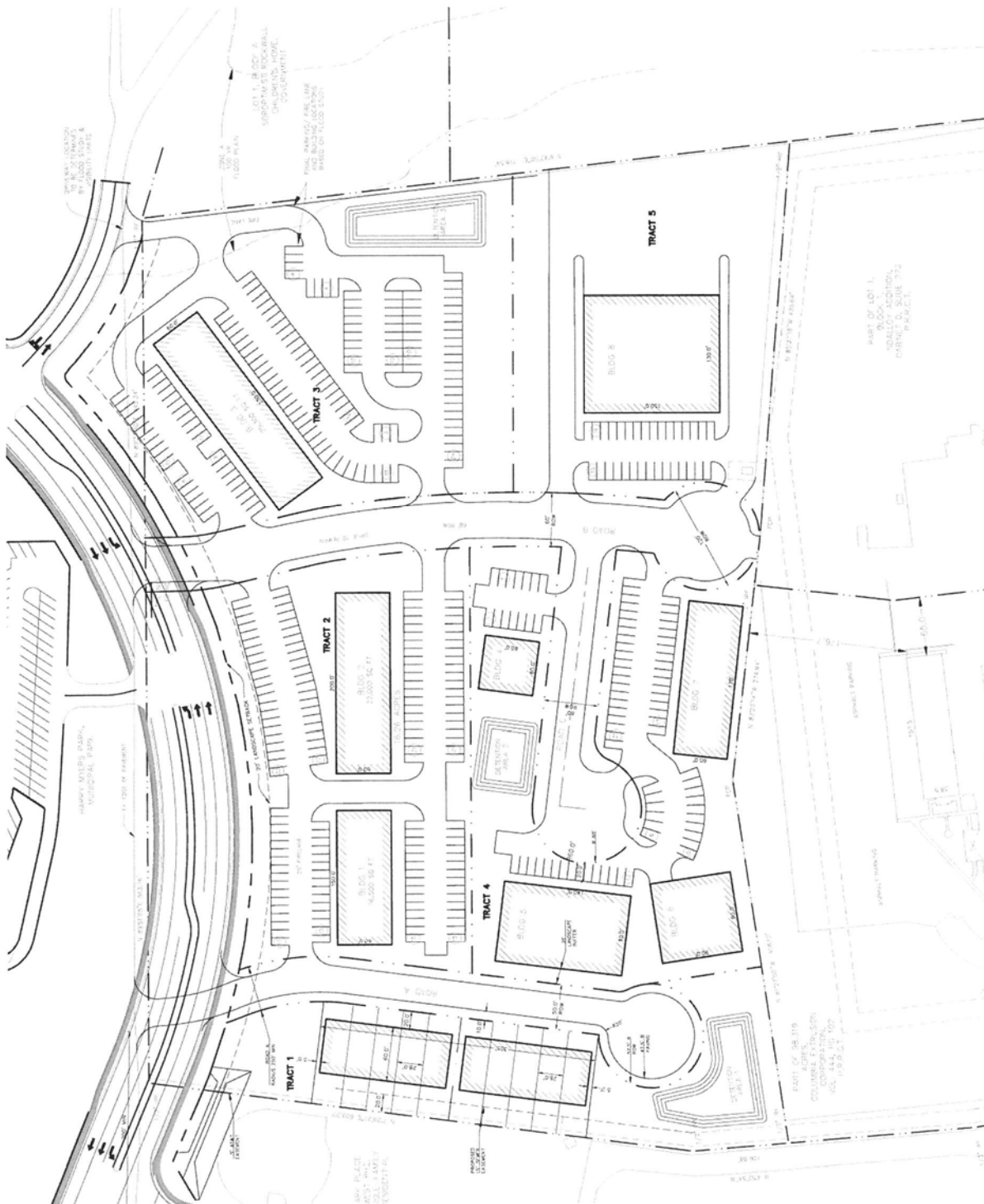


Exhibit 'E':
PD Development Standards

Tracts 1-5 (16.26-Acres): Development Standards for all Tracts

- (1) *Landscaping Standards.*
 - (i) *Landscape Requirements.* Landscaping shall be reviewed and approved with a *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of three (3) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height.
 - (ii) *Landscape Buffers (Streets A, B, & C and Other Streets).* A minimum of a ten (10) foot landscape buffer shall be provided along the frontage of *Streets A, B & C* as depicted in *Exhibit 'D'* of this ordinance, and shall incorporate a minimum of one (1) canopy tree per 50-feet of linear frontage unless otherwise specified in this ordinance. Any streets added to the subject property that are not depicted on the Concept Plan in *Exhibit 'D'* of this ordinance or referenced in *Exhibit 'E'* of this ordinance shall also be subject to this requirement.
 - (iii) *Landscape Buffer and Sidewalks (SH-66/SH-66 Right-of-Way).* A minimum of a 20-foot landscape buffer shall be provided along the future right-of-way for SH-66 (*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, two (2) canopy trees shall be planted per 100-feet of linear frontage.
 - (iv) *Landscape Buffer (Adjacent to Residential).* A minimum of a 20-foot landscape buffer shall be provided along the western boundary of *Tracts 2 & 4* (*i.e. areas adjacent to residential land uses*). The landscape buffer shall incorporate a combination of shrubbery and ground cover along the entire length of the adjacency for the purpose of screening the commercial areas from the residential areas without using a physical barrier. In addition, the landscape buffer shall incorporate canopy trees planted on 20-foot centers along the entire length of the adjacency. *Tract 4* shall also incorporate a minimum of a six (6) foot wrought iron fence in the required landscape buffer.
 - (v) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect.
- (2) *Washington Street.* The applicant shall not be responsible for upgrading E. Washington Street to a M4U (*major collector, four [4] lane, undivided roadway*) as shown on the Master Thoroughfare Plan in the Comprehensive Plan.
- (3) *Buried Utilities.* New transmission and 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. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property* as long as these lines remain in their current pre-developed state. 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.

Exhibit 'E':
PD Development Standards

- (4) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code [*Ordinance No. 04-38*] shall apply to any application for variances to any provisions of this ordinance.

Tract 1: Townhomes (2.38-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Single Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be permitted on the *Tract 1* in addition to the land uses permitted in the Single Family 10 (SF-10) District:

- Townhomes

However, the following land uses shall be expressly prohibited on *Tract 1*:

- Accessory Building
- Guest Quarters/Secondary Living Unit
- Portable Buildings
- Church/House of Worship
- Day Care
- Private or Public School
- Railroad Yard or Shop

- (2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards for the Single Family 10 (SF-10) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. The maximum permissible density for the *Subject Property* shall not exceed 5.10 dwelling units per gross acre of land; however, in no case should the proposed development exceed 12 dwelling units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Minimum Lot Width ⁽¹⁾</i>	28'
<i>Minimum Lot Depth</i>	115'
<i>Minimum Lot Area</i>	3,000 SF
<i>Minimum Front Yard Setback ^{(2) & (4)}</i>	20'
<i>Minimum Side Yard Setback</i>	0'
<i>Minimum Distance Between Buildings</i>	10'
<i>Minimum Length of Driveway Pavement</i>	20'
<i>Maximum Height ⁽³⁾</i>	36'
<i>Minimum Rear Yard Setback ⁽⁴⁾</i>	10'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	1,400 SF
<i>Garage Orientation</i>	<i>Rear Entry</i>
<i>Maximum Number of Attached Units Per Buildings</i>	5 Units
<i>Maximum Lot Coverage</i>	75%

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.

Exhibit 'E':
PD Development Standards

- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: Porches, stoops, bay windows, balconies, eaves and similar architectural features may encroach beyond the *Front and Rear Yard Building Setbacks* by up to five (5) feet for any property; however, the encroachment shall not exceed three (3) feet on *Side Yard Setbacks* where appropriate for such use and shall not encroach into public right-of-way.

- (3) *Garage Orientation*. All garages are required to be rear entry (*i.e. access from Road 'A'*) and shall generally conform to the Concept Plan depicted in *Exhibit 'D'* of this ordinance (*i.e. the Townhomes will front towards the Park Place Subdivision*).
- (4) *Building Standards*. The building elevations shall generally conform to the *Conceptual Building Elevations* depicted in *Exhibit 'F'* of this ordinance; however, all development shall adhere to the following building standards:
- (i) *Masonry Requirements*. 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/or similar cementaceous products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.
 - (ii) *Roof Design Requirements*. All buildings shall be designed such that no roof mounted mechanical equipment (*i.e. HVAC, satellite, vents, etc.*) shall be visible from any direction. *Note: Screening of mechanical equipment is necessary for all equipment regardless of location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).*
 - (iii) *Architectural Requirements*. All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space with the same materials, detailing and features.
- (5) *Anti-Monotony Restrictions*. The development shall generally conform to development scheme portrayed in the *Conceptual Building Elevations* depicted in *Exhibit 'F'* of this ordinance; however, all development shall adhere to the following anti-monotony restrictions:
- (i) Identical brick blends and paint colors may not occur on adjacent (*i.e. side-by-side*) properties within the development without at least two (2) intervening townhomes of differing materials on the same side of the adjacent townhome beginning with the adjacent property.
 - (ii) Front building elevations shall not repeat along any block face without at least two (2) intervening homes of differing appearance on the same block face within the development.
 - (iii) The rear elevation of the homes, backing to the public right-of-way (*i.e. Street A*), shall not repeat without at least two (2) (*i.e. side-by-side*) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - a) Front Encroachment (*i.e. Porch and/or Sunroom*) Type and Layout
 - b) Roof Type and Layout
 - c) Articulation of the Front Façade
 - d) Differing Primary Exterior Materials
- (6) *Sidewalks*. The sidewalk adjacent to *Road 'A'* as depicted in *Exhibit 'D'* of this ordinance shall be constructed adjacent to the roadway with the exception of the area directly adjacent to the

Exhibit 'E':
PD Development Standards

townhomes. In this area the sidewalk may be deviated to run in between the western property line of the *Subject Property* and the front facades of the townhomes. Where the sidewalk is on private property it shall be in a *pedestrian access easement*.

- (7) *Fence Standards*. All fences shall be required to be wrought iron or a tubular steel fence. Wrought iron/tubular steel fences shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height.
- (8) *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. As an alternative -- *and pending the approval of an adjacent HOA* --, this property can be incorporated into an existing HOA. The HOA shall also maintain all neighborhood parks, open space and common areas, irrigation, landscaping, screening fences and the private roadway, drive aisles and drive approaches for the subject property associated with this development.

Tracts 2 & 3: Commercial/Retail (6.33-Acres)

- (1) *Permitted Uses*. Unless specifically provided by this Planned Development ordinance, *Tracts 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the General (GR) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on *Tracts 2 & 3*:

- Convent or Monastery
 - Hotel or Motel
 - Residence Hotel
 - Cemetery/Mausoleum
 - Church/House of Worship
 - Convalescent Care Facility/Nursing Home
 - Emergency Ambulance Services (*Ground*)
 - Hospital
 - Mortuary or Funeral Chapel
 - Social Service Provider
 - Billiard Parlor or Pool Hall
 - Carnival, Circus, or Amusement Ride
 - Commercial Amusement/Recreation (*Outside*)
 - Golf Driving Range
 - Astrologer, Hypnotist, or Psychic Art and Science
 - Night Club, Discotheque, or Dance Hall
 - Secondhand Dealer
 - Auto Repair Garage (*Minor*)
 - Car Wash/Auto Detail
 - Car Wash (*Self Service*)
 - Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
 - Service Station
 - Mining and Extraction (*Sand, Gravel, Oil & Other*)
 - Helipad
 - Railroad Yard or Shop
 - Transit Passenger Facility
- (2) *Density and Dimensional Requirements*. Any development on *Tracts 2 & 3* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for

Exhibit 'E':
PD Development Standards

properties in a General Retail (GR) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Tracts 4 & 5: Light Industrial (6.22-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tracts 4 & 5* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the land uses permitted for the Light Industrial (LI) District as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be expressly prohibited on the *Tracts 4 & 5*:

- Animal Shelter
- Hotel or Motel
- Residence Hotel
- Cemetery/Mausoleum
- Church/House of Worship
- Crematorium (*Stand Alone*)
- Emergency Ambulance Services (*Ground*)
- Mortuary or Funeral Chapel
- Prison/Custodial Institution
- Rescue Mission or Shelter for the Homeless
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Golf Driving Range
- Private Sports Arena, Stadium or Track
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Car Wash (*Self Service*)
- Building & Landscape Material with Outside Storage
- Building & Landscape Material with Limited Outside Storage
- Building Maintenance, Service & Sales with Outside Storage
- Commercial Cleaners
- Food Processing
- Heavy Machinery & Equipment (Rental, Sales & Service)
- Motor Vehicle Dealership (*New or Used*)
- Recreation Vehicle Sales
- Service Station
- Towing & Impound Yard
- Truck Rental
- Truck Stop with Fuel and Accessory Services
- Asphalt or Concrete Batch Plant
- Environmentally Hazardous Materials
- Food Processing (*No Slaughtering*)
- Heavy Manufacturing
- Metal Plating/Electro Plating
- Mining and Extraction (*Sand, Gravel, Oil & Other*)
- Salvage or Reclamation of Products (*Indoors or Outdoors*)
- Heavy Construction Trade Yard
- Outside Storage and/or Outside Display
- Bus Charter Service & Service Facility

Exhibit 'E':
PD Development Standards

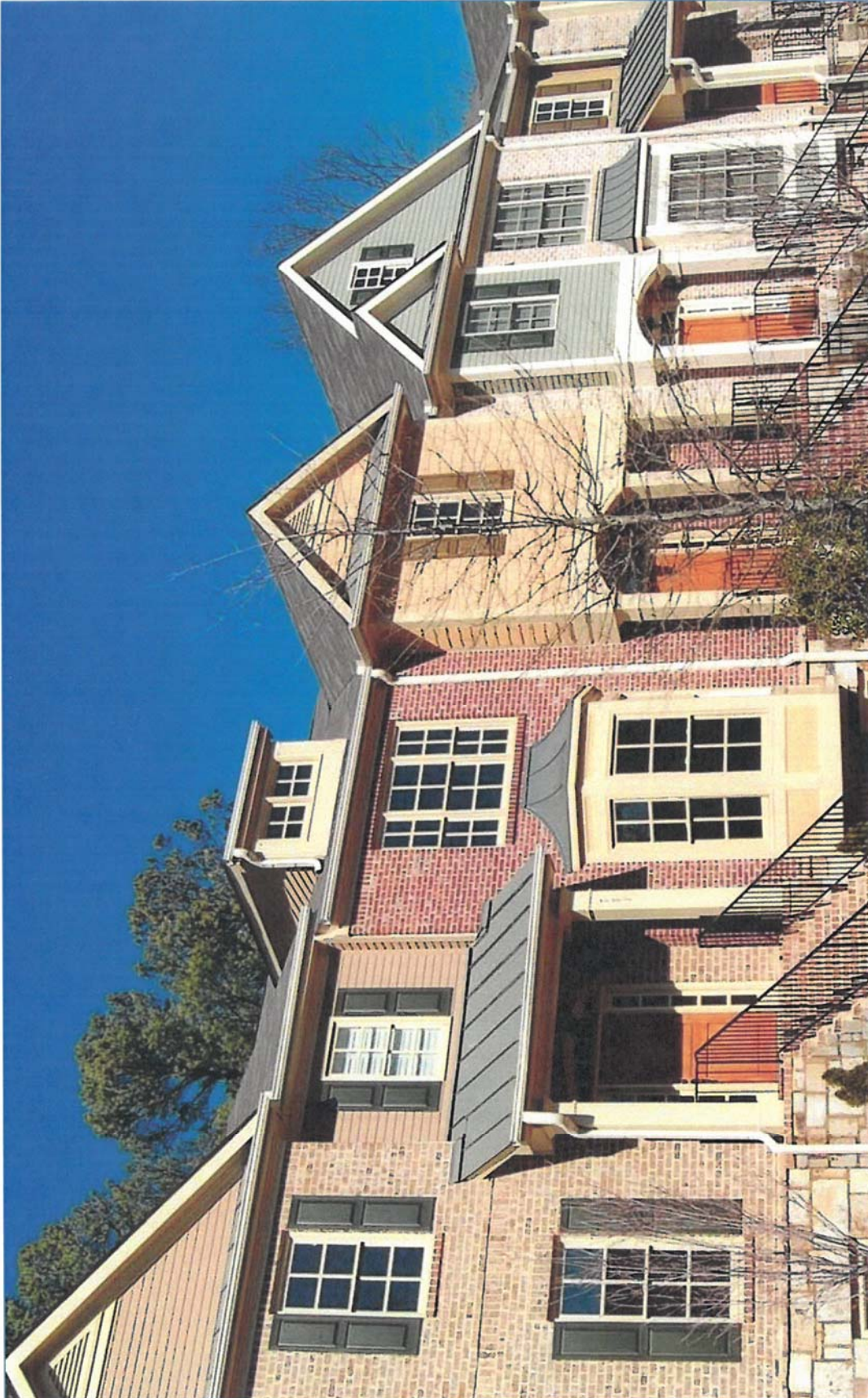
- Airport, Heliport or Landing Field
- Railroad Yard or Shop
- Transit Passenger Facility

The following land uses shall be permitted by Specific Use Permit (SUP) on the *Tracts 4 & 5*:

- Auto Repair Garage (*Minor*)
- Auto Repair Garage (*Major*)
- Mini-Warehouse

- (2) *Density and Dimensional Requirements.* Any development on *Tracts 4 & 5* as depicted in *Exhibits 'C' & 'D'* of this ordinance shall be subject to the development standards required for properties in a Light Industrial (LI) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [*Ordinance No. 04-38*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.

Exhibit 'F':
Conceptual Townhome Elevations



CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 87 (PD-87) [ORDINANCE NO. 18-46] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE PLANNED DEVELOPMENT CONCEPT PLAN AND DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 18-46, BEING A 16.26-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK 1, INDALLOY ADDITION AND TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO 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 Dub Douphrate of Douphrate and Associates on behalf of Bill Bricker of Columbia Development Company, LLC, for of an amendment to Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 87 (PD-87) [Ordinance No. 18-46] and the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated by *Ordinance No. 18-46*;

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. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 3. That development of the *Subject Property* shall be in accordance with the *Planned Development Concept Plan*, contained in *Exhibit '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 4. That development of the *Subject Property* shall be in accordance with the *Development Standards*, described in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That a preliminary plat for the entire *Subject Property* -- as depicted in *Exhibits 'B' & 'C' of this ordinance* -- shall be submitted prior to any other submittal for any portion of the *Subject Property*.

SECTION 6. That development of *Tract 1* of the *Subject Property* -- as depicted in *Exhibits 'B' & 'C' of this ordinance* -- 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 6(b) through 6(d) below], shall be the exclusive procedures applicable to the subdivision and platting of *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (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). If required, 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) PD Site Plan/Open Space Master Plan
 - (2) Final Plat
- (c) *PD Site Plan/Open Space Master Plan.* A *PD Site Plan/Open Space Master Plan* covering all of *Tract 1* as depicted in *Exhibit 'C'* of this ordinance shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat Application* after engineering approval.
- (d) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, for all of *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be submitted for approval.

SECTION 7. That development of *Tract 2* on the *Subject Property* -- as depicted in *Exhibits 'B' & 'C' of this ordinance* -- shall be in conformance with the procedures set forth in the Unified Development Code [*Ordinance No. 20-02*];

SECTION 8. 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 9. 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 10. 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 11. That this ordinance shall take effect immediately from and after its passage;

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF SEPTEMBER, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: August 15, 2022

2nd Reading: September 6, 2022

Exhibit 'A':
Legal Description

All that certain lot, tract or parcel of land situated in the *R. BALLARD SURVEY, ABSTRACT NO. 29*, City of Rockwall, Rockwall County, Texas, and being a part of Lot 1, Block 1, *INDALLOY ADDITION*, an Addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet D, Slide 273 of the Plat Records of Rockwall County, Texas, and also being a part of a 98.319 acres tract of land as described in a Warranty deed from Alumax Aluminum Corporation to Columbia Extrusion Corporation, dated December 22, 1988 and being recorded in Volume 444, Page 102 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northeast corner of said Lot 1, Block 1, said point being in the south right-of-way line of E. Washington Street;

THENCE S. 06 deg. 42 min. 50 sec. E. along the east boundary line of Lot 1, a distance of 718.54 feet to a 1/2" iron rod found for corner;

THENCE N. 85 deg. 37 min. 16 sec. W. a distance of 435 .64 feet to a 1/2" iron rod found for corner on the West boundary line of said Lot 1, Block 1;

THENCE N. 83 deg. 23 min. 14 sec. W. a distance of 274.94 feet to a 1/2" iron rod found for corner;

THENCE S. 81 deg. 27 min. 00 sec. W. a distance of 408.12 feet to a Y," iron rod found for corner in the east boundary line of *PARK PLACE WEST II*, according to the Amended plat thereof recorded in Cabinet G, Slide 100, of the Plat Records of Rockwall County, Texas;

THENCE N. 04 deg. 52 min. 54 sec. W. along said addition, a distance of 106.88 feet to a W' iron rod found for corner;

THENCE N. 07 deg. 20 min. 27 sec. E. along said addition, a distance of 603.20 feet to a W' iron rod found for corner in the south line of E. Washington Street;

THENCE N. 89 deg. 51 min. 05 sec. E. along the south line of said street, a distance of 513.76 feet to a P-K nail found for corner at the northwest corner of said Lot 1, Block 1;

THENCE N. 89 deg. 34 min. 40 sec. E. along the south line of said street and north line of said Lot 1, a distance of 445.34 feet to the *POINT OF BEGINNING* and containing 16.26 acres of land.

Exhibit 'B':
Survey

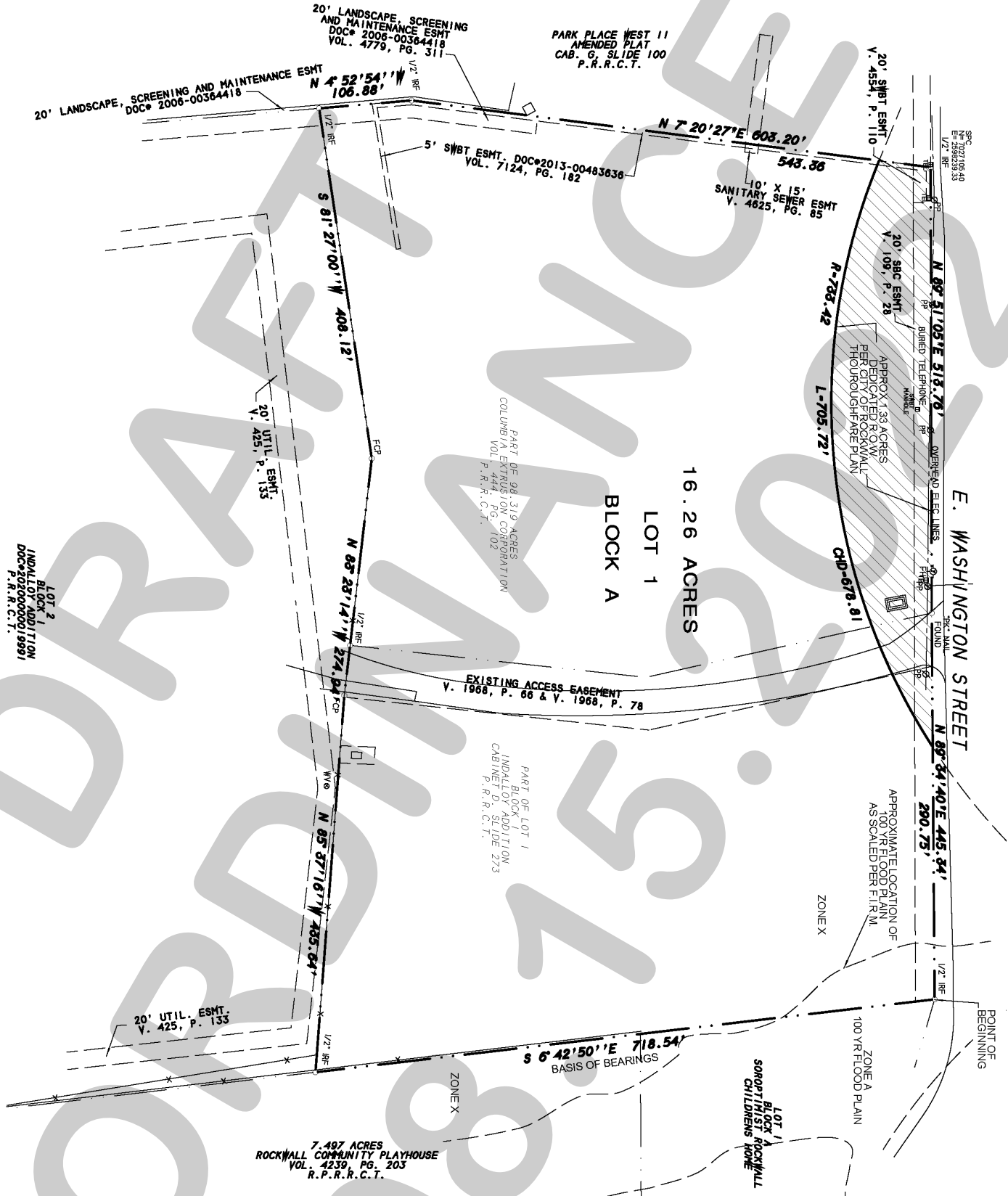


Exhibit 'C':
Concept Plan

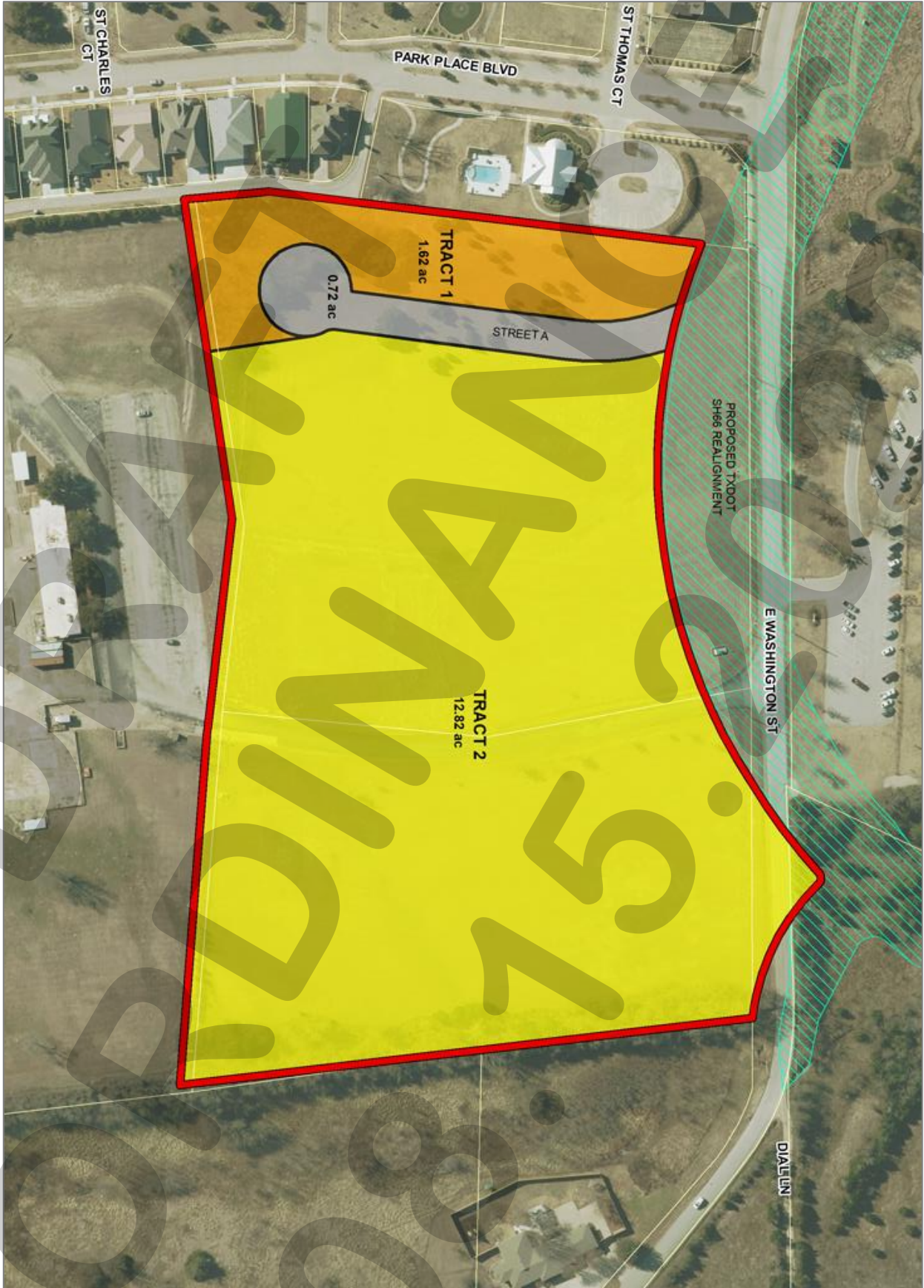


Exhibit 'D':
Conceptual Townhome Elevations

Tracts 1 & 2 (16.26-Acres): Development Standards for all Tracts

(1) *Landscaping Standards.*

- (a) *Landscape Requirements.* Landscaping shall be reviewed and approved with a *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.
- (b) *Landscape Buffers (Street A).* A minimum of a ten (10) foot landscape buffer shall be provided along the frontage of *Street A* as depicted in *Exhibit 'C'* of this ordinance, and shall incorporate a minimum of one (1) canopy tree and one (1) accent tree per 50-feet of linear frontage unless otherwise specified in this ordinance. Any streets added to the subject property that are not depicted on the Concept Plan in *Exhibit 'C'* of this ordinance or referenced in *Exhibit 'E'* of this ordinance shall also be subject to this requirement.
- (c) *Landscape Buffer and Sidewalks (SH-66/SH-66 Right-of-Way).* A minimum of a 30-foot landscape buffer shall be provided along the future right-of-way for SH-66 (*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, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage.
- (d) *Landscape Buffer (Adjacent to Residential).* A minimum of a 20-foot landscape buffer shall be provided along the western boundary of *Tract 2 (i.e. areas adjacent to residential land uses)*. The landscape buffer shall incorporate a combination of shrubbery and ground cover along the entire length of the adjacency for the purpose of screening the commercial areas from the residential areas without using a physical barrier. In addition, the landscape buffer shall incorporate canopy trees planted on 20-foot centers along the entire length of the adjacency.
- (e) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect.

(2) *Washington Street.* The applicant shall not be responsible for upgrading E. Washington Street to a M4U (*major collector, four [4] lane, undivided roadway*) as shown on the Master Thoroughfare Plan in the Comprehensive Plan.

(3) *Buried Utilities.* All transmission and distribution power-lines located internally or along the perimeter of the *Subject Property*, shall be underground. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between a home and the property line.

(4) *Variances.* The variance procedures and standards for approval that are set forth in the Unified Development Code [*Ordinance No. 20-02*] shall apply to any application for variances to any provisions of this ordinance.

Tract 1: Townhomes (2.38-Acres)

Exhibit 'D':
Conceptual Townhome Elevations

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be subject to the land uses permitted for the Single Family 10 (SF-10) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

The following land uses shall be permitted on the *Tract 1* in addition to the land uses permitted in the Single Family 10 (SF-10) District:

- Townhomes

However, the following land uses shall be expressly prohibited on *Tract 1*:

- Accessory Building
- Guest Quarters/Secondary Living Unit
- Portable Buildings
- Church/House of Worship
- Day Care
- Private or Public School
- Railroad Yard or Shop

- (2) *Density and Dimensional Requirements.* Unless specifically provided by this Planned Development ordinance, *Tract 1* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be subject to the development standards for the Single Family 10 (SF-10) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future. The maximum permissible density for the *Subject Property* shall not exceed 5.10 dwelling units per gross acre of land; however, in no case should the proposed development exceed 12 dwelling units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

<i>Minimum Lot Width</i> ⁽¹⁾	28'
<i>Minimum Lot Depth</i>	115'
<i>Minimum Lot Area</i>	3,000 SF
<i>Minimum Front Yard Setback</i> ^{(2) & (4)}	20'
<i>Minimum Side Yard Setback</i>	0'
<i>Minimum Distance Between Buildings</i>	10'
<i>Minimum Length of Driveway Pavement</i>	20'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air Conditioned Space]</i>	1,400 SF
<i>Garage Orientation</i>	<i>Rear Entry</i>
<i>Maximum Number of Attached Units Per Buildings</i>	5 Units
<i>Maximum Lot Coverage</i>	75%

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.

Exhibit 'D':
Conceptual Townhome Elevations

- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: Porches, stoops, bay windows, balconies, eaves and similar architectural features may encroach beyond the *Front and Rear Yard Building Setbacks* by up to five (5) feet for any property; however, the encroachment shall not exceed three (3) feet on *Side Yard Setbacks* where appropriate for such use and shall not encroach into public right-of-way.
- (3) *Garage Orientation*. All garages are required to be rear entry (*i.e. access from Road 'A'*) and shall generally conform to the Concept Plan depicted in *Exhibit 'C'* of this ordinance (*i.e. the Townhomes will front towards the Park Place Subdivision*).
- (4) *Building Standards*. The building elevations shall generally conform to the *Conceptual Building Elevations* depicted in *Exhibit 'D'* of this ordinance; however, all development shall adhere to the following building standards:
- (a) *Masonry Requirements*. 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/or similar cementaceous products may be used for up to 100% of the exterior of the building pending conformance with the anti-monotony restrictions outlined in this ordinance. Stucco (*i.e. three [3] part stucco or similar*) shall be prohibited.
- (b) *Roof Design Requirements*. All buildings shall be designed such that no roof mounted mechanical equipment (*i.e. HVAC, satellite, vents, etc.*) shall be visible from any direction. *Note: Screening of mechanical equipment is necessary for all equipment regardless of location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).*
- (c) *Architectural Requirements*. All units shall be architecturally finished on all sides of the building that are visible from a public right-of-way or open space with the same materials, detailing and features.
- (5) *Anti-Monotony Restrictions*. The development shall generally conform to development scheme portrayed in the *Conceptual Building Elevations* depicted in *Exhibit 'D'* of this ordinance; however, all development shall adhere to the following anti-monotony restrictions:
- (a) Identical brick blends and paint colors may not occur on adjacent (*i.e. side-by-side*) properties within the development without at least two (2) intervening townhomes of differing materials on the same side of the adjacent townhome beginning with the adjacent property.
- (b) Front building elevations shall not repeat along any block face without at least two (2) intervening homes of differing appearance on the same block face within the development.
- (c) The rear elevation of the homes, backing to the public right-of-way (*i.e. Street A*), shall not repeat without at least two (2) (*i.e. side-by-side*) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

Exhibit 'D':
Conceptual Townhome Elevations

- (1) Front Encroachment (*i.e. Porch and/or Sunroom*) Type and Layout
 - (2) Roof Type and Layout
 - (3) Articulation of the Front Façade
 - (4) Differing Primary Exterior Materials
- (6) *Sidewalks.* The sidewalk adjacent to *Road 'A'* as depicted in *Exhibit 'C'* of this ordinance shall be constructed adjacent to the roadway with the exception of the area directly adjacent to the townhomes. In this area the sidewalk may be deviated to run in between the western property line of the *Subject Property* and the front facades of the townhomes. Where the sidewalk is on private property it shall be in a *pedestrian access easement*.
- (7) *Fence Standards.* All fences shall be required to be wrought iron or a tubular steel fence. Wrought iron/tubular steel fences shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height.
- (8) *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. As an alternative -- *and pending the approval of an adjacent HOA* --, this property can be incorporated into an existing HOA. The HOA shall also maintain all neighborhood parks, open space and common areas, irrigation, landscaping, screening fences and the private roadway, drive aisles and drive approaches for the subject property associated with this development.

Tract 2: Commercial/Retail (12.82-Acres)

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, *Tract 2* as depicted in *Exhibits 'B' & 'C'* of this ordinance shall be subject to the land uses permitted for the General (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following conditions shall apply:

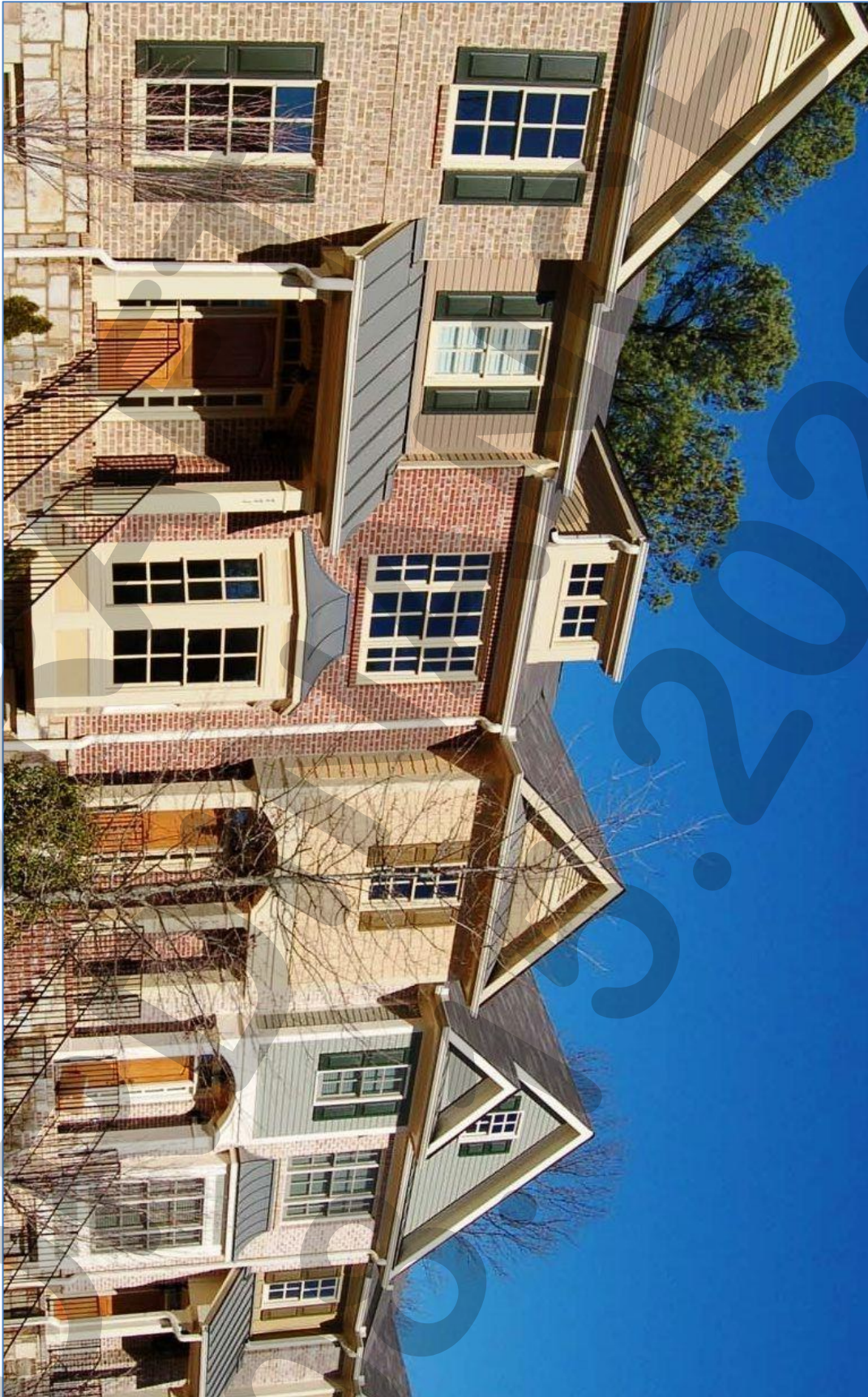
The following land uses shall be expressly prohibited on *Tract 2*:

- Convent or Monastery
- Hotel or Motel
- Residence Hotel
- Cemetery/Mausoleum
- Convalescent Care Facility/Nursing Home
- Emergency Ambulance Services (*Ground*)
- Hospital
- Mortuary or Funeral Chapel
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Golf Driving Range
- Astrologer, Hypnotist, or Psychic Art and Science
- Night Club, Discotheque, or Dance Hall

Exhibit 'D':
Conceptual Townhome Elevations

- Secondhand Dealer
 - Auto Repair Garage (*Minor*)
 - Car Wash/Auto Detail
 - Car Wash (*Self Service*)
 - Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
 - Service Station
 - Mining and Extraction (*Sand, Gravel, Oil & Other*)
 - Helipad
 - Railroad Yard or Shop
 - Transit Passenger Facility
- (2) *Density and Dimensional Requirements.* Any development on *Tract 2* as depicted in Exhibits 'B' & 'C' of this ordinance shall be subject to the development standards required for properties in a General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future.
- (3) *Building Standards.* The building elevations shall generally conform to the *Overlay District Standards*; however, all development shall adhere to the following building standards:
- (a) *Masonry Requirements.* 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 or quarried stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Stucco*) and/or similar cementaceous products may be used for up to 50% of the exterior of the building.
 - (b) *Roof Design Requirements.* All buildings shall be designed such that no roof mounted mechanical equipment (i.e. *HVAC, satellite, vents, etc.*) shall be visible from any direction. Parapets must be finished on both sides in the same material as the exterior facing elevation. *Note: Screening of mechanical equipment is necessary for all equipment regardless of location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).*

Exhibit 'D':
Conceptual Townhome Elevations





MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: August 15, 2022

SUBJECT: Z2022-036; SPECIFIC USE PERMIT (SUP) FOR AN AG ACCESSORY STRUCTURE FOR BREEZY HILL LANE

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Property Owner Notification Map
Public Notice
Property Owner Notification List
Concept Plan
Conceptual Building Elevations
Floor Plan
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by David Scott and Christine Fischer for the approval of an **ordinance** for a *Specific Use Permit (SUP)* allowing an *Agricultural Accessory Building* on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary (**1st Reading**).

Action Needed

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



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: August 15, 2022
APPLICANT: David Scott and Christine Fischer
CASE NUMBER: Z2022-036; *Specific Use Permit (SUP) for an AG Accessory Structure for Breezy Hill Lane*

SUMMARY

Hold a public hearing to discuss and consider a request by David Scott and Christine Fischer for the approval of a Specific Use Permit (SUP) for an *Agricultural Accessory Building* on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary.

BACKGROUND

The subject property was annexed on February 4, 2008 by *Ordinance No. 08-12 [Case No. A2004-003]*. At the time of annexation, the subject property was a portion of a larger 90.00-acre tract of land (*i.e. Tract 33 of the J. Strickland Survey, Abstract No. 187*), and was zoned Agricultural (AG) District. On May 5, 2020, the subject property was established as Lot 2, Block A, Breezy Hill Lane Addition by *Case No. P2020-007*. On July 5, 2022, the City Council approved a Specific Use Permit (SUP) [*Case No. Z2022-026*] for *Residential Infill Adjacent to an Established Subdivision* for the purpose of constructing of a 4,925 SF single-family home on the subject property.

PURPOSE

The applicants -- *David Scott and Christine Fischer* -- are requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing an *Agricultural Accessory Building* on the subject property in accordance with Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is generally located at the terminus of Breezy Hill Lane. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 10.010-acre parcel of land (*i.e. Lot 1, Block A, Breezy Hill Lane Addition*) zoned Agriculture (AG) District. Beyond this are the corporate limits of the City of Rockwall and the corporate limits of Rockwall County.

South: Directly south of the subject property are the corporate limits of the City of Rockwall followed by several residential properties situated within Rockwall County and the City of Rockwall's Extraterritorial Jurisdiction (ETJ).

East: Directly east of the subject property is a 50.29-acre tract of land (*i.e. Tract 33-02, of the J Strickland Survey, Abstract No. 187*) zoned Agricultural (AG) District. Beyond this is Anna Cade Road, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the corporate limits of the City of Rockwall followed by several properties with single-family homes situated on them.

West: Directly west of the subject property is Breezy Hill Lane, which is classified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Phase 11 of the Breezy Hill Subdivision, which was established in 2019 and contains 78 residential lots. The Breezy Hill

Subdivision is zoned Planned Development District 74 (PD-74) for limited General Retail (GR) District and Single-Family 10 (SF-10) District.

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

On January 7, 2019, the City Council directed staff to change the Unified Development Code (UDC) to incorporate an *Agricultural Accessory Building* land use into Article 04, *Permissible Uses*, of the Unified Development Code (UDC). Based on this direction staff brought forward the requested changes on February 19, 2019, and the City Council adopted the new land use and operational conditions on March 4, 2019 through *Ordinance No. 19-12*. According to this new ordinance (*consolidated in Section 02.03, Conditional Land Use Standards, of Article 04, Permissible Uses, of the Unified Development Code [UDC]*) a *Barn or Agricultural Accessory Building* is permitted by a Specific Use Permit (SUP) in an Agricultural (AG) District subject to the following *Conditional Land Use Standards*:

- (1) The property shall be a minimum of ten (10) acres or more in size.
- (2) A *Barn or Agricultural Accessory Building* shall be a minimum of 2,000 SF and a maximum of 4,999 SF in total size (*i.e. under roof*).
- (3) The *Barn or Agricultural Accessory Building* shall be located behind the front façade of the primary structure, and be subject to the same building setbacks as the primary structure.

Staff has placed a table below (*i.e. Table 1: Conformance with the Conditional Land Use Standards for Agricultural Accessory Buildings*) showing how the *Agricultural Accessory Building* will conform to the *Conditional Land Use Standards* stated above.

TABLE 1: Conformance with the Conditional Land Use Standards for Agricultural Accessory Buildings

Conditional Use Standard	Proposed <i>Agricultural Accessory Building</i>
Minimum lot size of ten (10) acres	10.00-acres; <i>in conformance</i>
Building shall be 2,000 sf < x < 4,999 sf	~2,400 sf; <i>in conformance</i>
Located behind the front facade	Yes; <i>in conformance</i>
Meets setback requirements	Yes; <i>in conformance</i>

The applicant has submitted an application, residential plot plan, and conceptual building elevations. The applicant has indicated that they are planning to construct a 40’ x 60’ or 2,400 SF *Agricultural Accessory Building*. The *Agricultural Accessory Building* will have 12-foot walls, with a 4:12 roof pitch, and at the roof midpoint the structure will be less than 15-feet tall. According to the applicant the structure will be placed behind the front façade of the home, and be used to store agricultural equipment (*i.e. a tractor*). The proposed *Agricultural Accessory Building* meets all of the conditional land use standards, density and dimensional standards for a property situated within an Agricultural (AG) District as stipulated by the Unified Development Code (UDC).

NOTIFICATIONS

On July 22, 2022, staff mailed 48 notices to property owners and occupants within 500-feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff has not received any notices in regard to the applicant’s request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant’s request for a *Specific Use Permit (SUP)* for an *Agricultural Accessory Building*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the *Specific Use Permit (SUP)* ordinance and which are detailed as follows:
 - (a) The *Agricultural Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit ‘B & ‘C’* of the *Specific Use Permit SUP* ordinance.
 - (b) The *Agricultural Accessory Building* shall not exceed a maximum size of 4,999 SF.

- (c) The Agricultural Accessory Building shall not exceed a maximum height of 15-feet as measured to the mid-point of the pitched roof.
 - (d) The Agricultural Accessory Building shall have a minimum of 3:12 roof pitch.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 9, 2022, the Planning and Zoning Commission approved a motion to approve the Specific Use Permit (SUP) with a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1101 Breezy Hill Lane Rockwall TX 75087

SUBDIVISION N/A

LOT 2 BLOCK A

GENERAL LOCATION At the North end of Breezy Hill Lane - the immediate property to the South is 1027 Breezy Hill. Property ID 106345

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER David Scott & Christine Fischer

APPLICANT

CONTACT PERSON David Scott Fischer

CONTACT PERSON

ADDRESS 1608 Lake Crest Ln

ADDRESS

CITY, STATE & ZIP Plano TX 75023

CITY, STATE & ZIP

PHONE 214-683-6617

PHONE

E-MAIL scott@downsfischer.com

E-MAIL

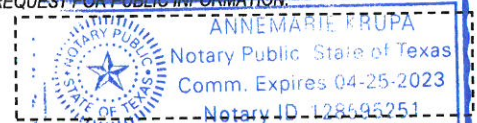
NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 350 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15th DAY OF JULY, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 11th DAY OF July, 2022

OWNER'S SIGNATURE

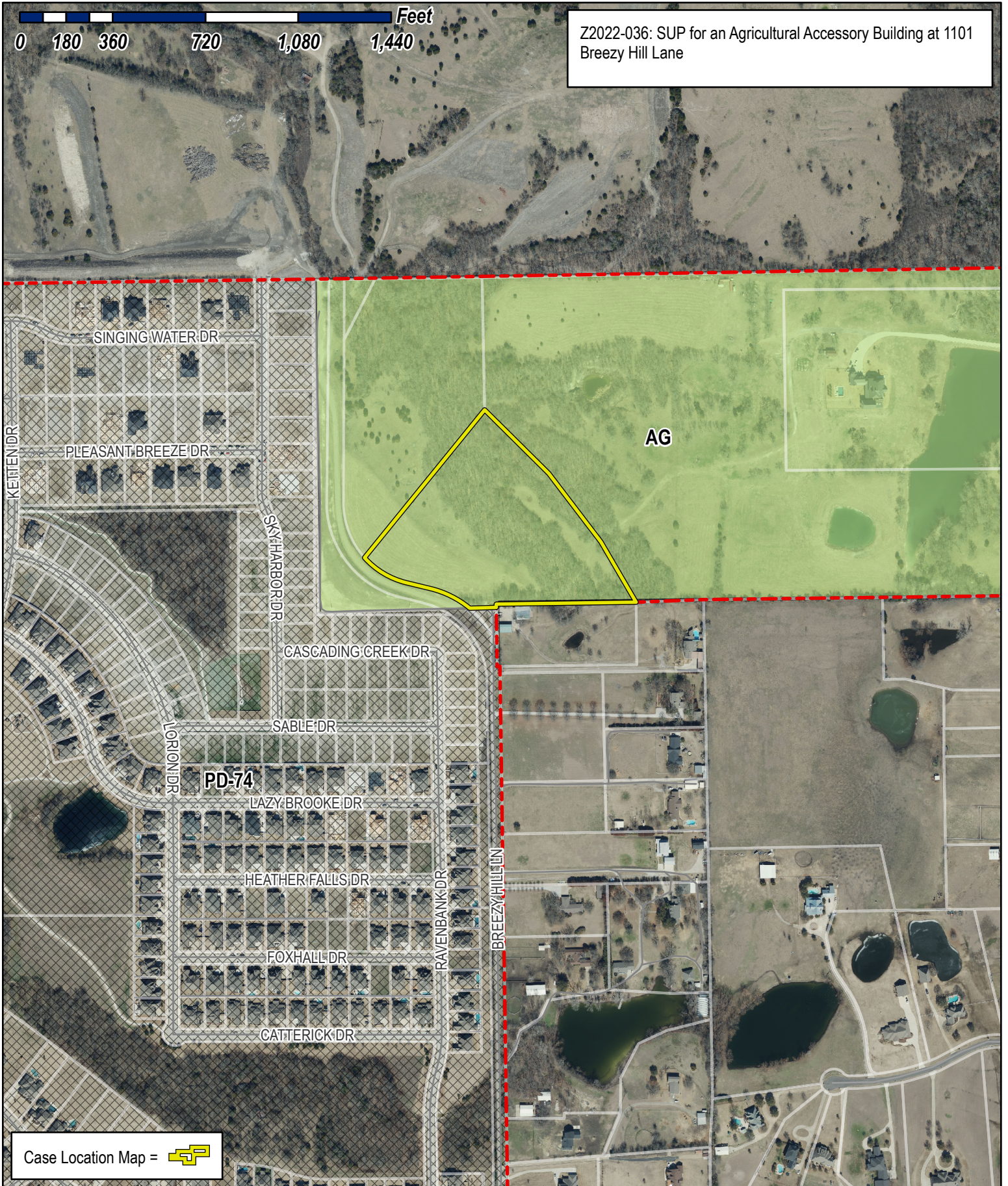



MY COMMISSION EXPIRES 4/25/2023

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

0 180 360 720 1,080 1,440 Feet

Z2022-036: SUP for an Agricultural Accessory Building at 1101 Breezy Hill Lane



Case Location Map = 



City of Rockwall

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

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

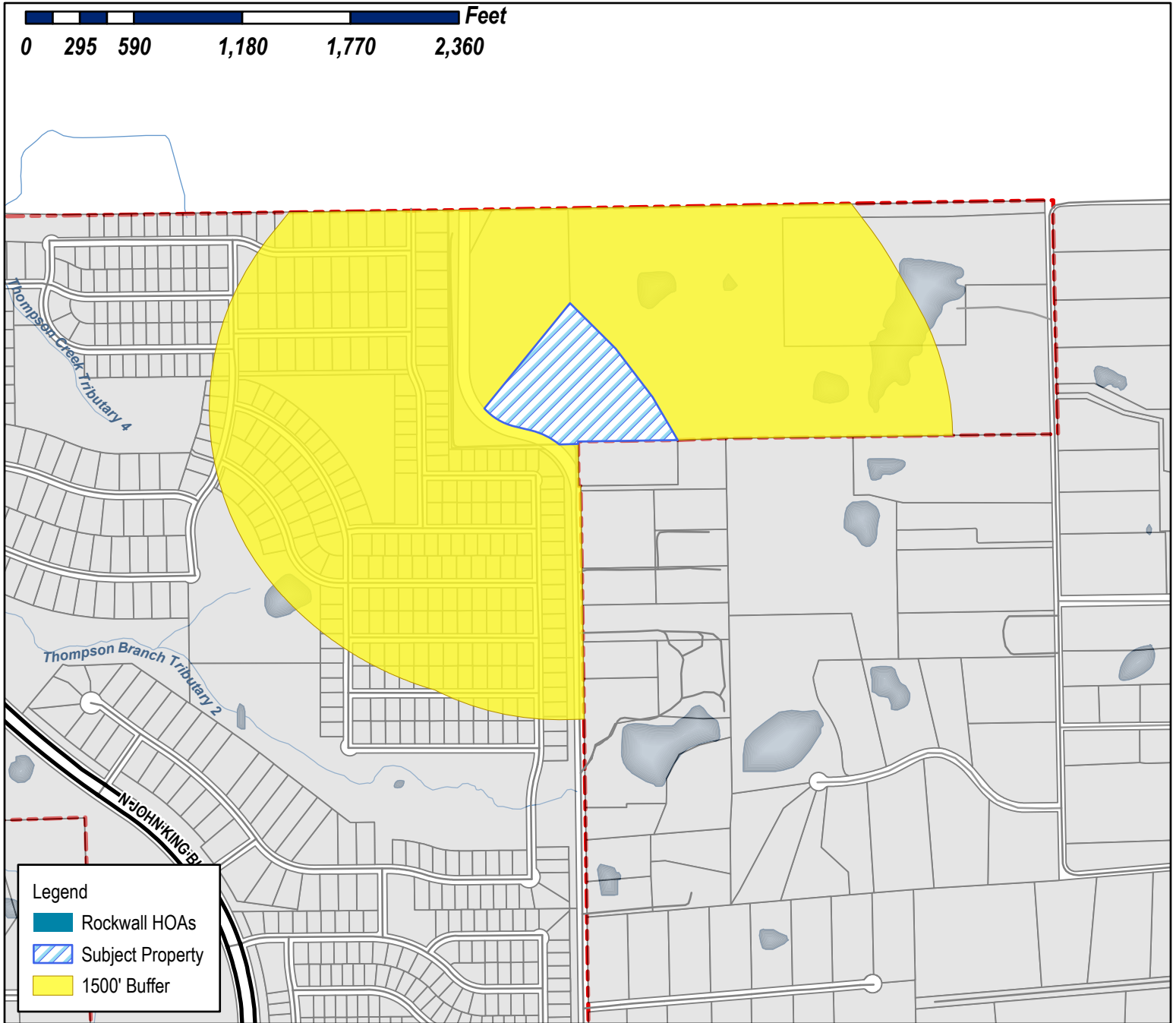




City of Rockwall

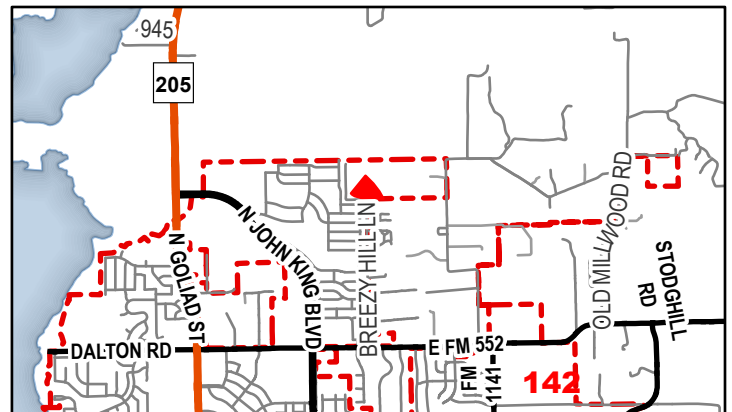
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2022-036
Case Name: SUP for an Agricultural Accessory Building
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1101 Breezy Hill Lane

Date Saved: 7/15/2022
 For Questions on this Case Call (972) 771-7745

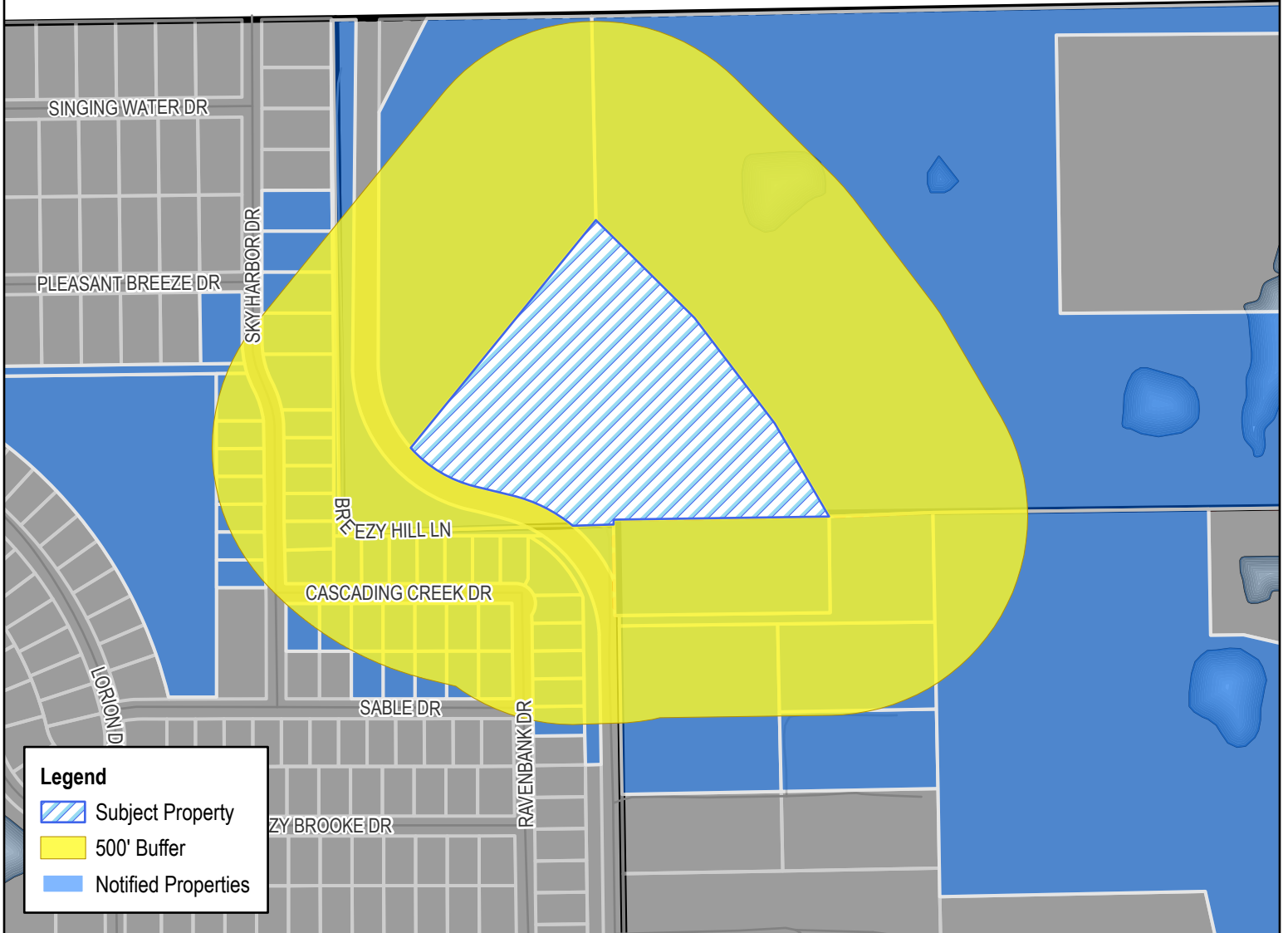
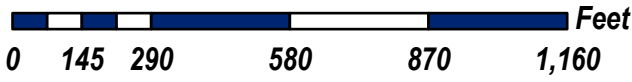




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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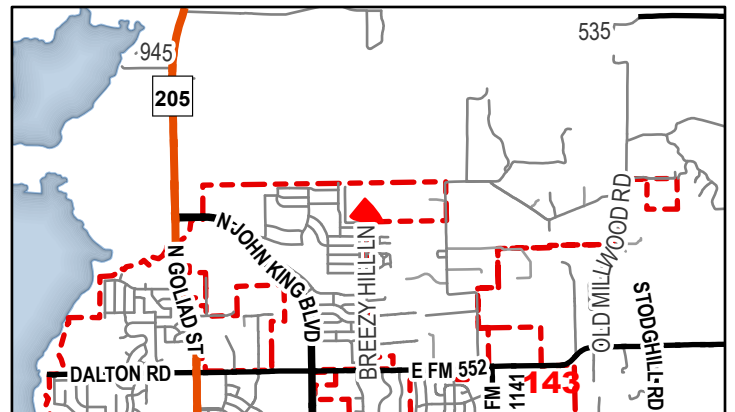
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Case Number: Z2022-036
Case Name: SUP for an Agricultural Accessory Building
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1101 Breezy Hill Lane

Date Saved: 7/15/2022

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



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

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

Case No. Z2022-036: SUP for an Agricultural Accessory Building

Hold a public hearing to discuss and consider a request by David Scott and Christine Fischer for the approval of a *Specific Use Permit (SUP)* for an *Agricultural Accessory Building* on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, August 9, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 15, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, August 15, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

— . . . PLEASE RETURN THE BELOW FORM — . . .

Case No. Z2022-036: SUP for an Agricultural Accessory Building

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

BH PHASE XI LTD
1001 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1005 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1006 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1009 CASCADING CREEK DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
1010 CASCADING CREEK DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
1012 SABLE DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
1013 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1014 CASCADING CREEK DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
1016 SABLE DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
1017 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1018 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1020 CASCADING CREEK DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
1020 SABLE DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
1021 CASCADING CREEK DR
ROCKWALL, TX 75087

BREEZY HILL ESTATES HOMEOWNERS
ASSOCIATION INC
1024 S GREENVILLE AVE SUITE 230
ALLEN, TX 75225

BH PHASE XI LTD
1024 CASCADING CREEK DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
1024 SABLE DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
1025 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1028 CASCADING CREEK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
1028 SABLE DR
ROCKWALL, TX 75087

KNOWLTON COREY D
1460 ANNA CADE ROAD
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
15455 DALLAS PARKWAY SUITE 1000
ADDISON, TX 75225

KNOWLTON COREY D
205 BREEZY HILL DR
ROCKWALL, TX 75087

KNOWLTON COREY D
205 ROCKHOUSE LN
ROCKWALL, TX 75087

BH PHASE XI LTD
4414 RAVENBANK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
4504 RAVENBANK DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
4505 SKY HARBOR DR
ROCKWALL, TX 75087

BH PHASE XI LTD
4506 SKY HARBOR DR
ROCKWALL, TX 75087

BH PHASE XI LTD
4508 RAVENBANK DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
4511 SKY HARBOR DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
4512 RAVENBANK DR
ROCKWALL, TX 75087

BH PHASE XI LTD
4514 SKY HARBOR DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
4516 RAVENBANK DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
4521 SKY HARBOR DR
ROCKWALL, TX 75087

BH PHASE XI LTD
4524 SKY HARBOR DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
4536 SKY HARBOR DR
ROCKWALL, TX 75087

BH PHASE XI LTD
4537 SKY HARBOR DR
ROCKWALL, TX 75087

GRAND HOMES 2014 LP
4538 SKY HARBOR DR
ROCKWALL, TX 75087

SANCHEZ ELENA
4546 SKY HARBOR DRIVE
ROCKWALL, TX 75225

WALLER DAVID AND SORAYA
4550 SKY HARBOR DRIVE
ROCKWALL, TX 75225

BH PHASE XI LTD
4602 RAVENBANK DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
4602 SKY HARBOR DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
4606 SKY HARBOR DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
5310 HARVEST HILL RD SUITE 162
DALLAS, TX 75225

HEFNER SCOTT & CHERYL
735 PLEASANT BREEZE DR
ROCKWALL, TX 75087

WINDSOR HOMES CUMBERLAND LLC
8214 WESTCHESTER DR STE 710
DALLAS, TX 75225

BH PHASE XI LTD
8214 WESTCHESTER DRIVE SUITE 900
DALLAS, TX 75225

HEFNER SCOTT & CHERYL
897 ANACONDA COURT
CASTLE ROCKWA, CO 75225

RESIDENCE FOR
SCOTT AND
CHRISTINE
FISCHER

LOT 2
BREEZY HILL
LANE ADDITION
ROCKWALL, TX



02 SITE LOCATION
SCALE: 1/4" = 1'-0"

ISSUE LOG

DATE ISSUE	DESCRIPTION

REVISION LOG

DATE ISSUE	DESCRIPTION	REV. NO.

ISSUED FOR:

- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

REMAINDER OF COREY D.
KNOWLTON
INST. NO. 20150000015311
O.P.R.R.C.T.

DOUGLAS D. MORRIS @ WIFE,
LYNDA J. MORRIS
VOL. 94, PG. 318
D.R.R.C.T.

DOUGLAS D. MORRIS @ WIFE,
LYNDA J. MORRIS
VOL. 136, PG. 110
D.R.R.C.T.

BREEZY HILL 405 LTD.
INST. NO. 2007-00315392
O.P.R.R.C.T.

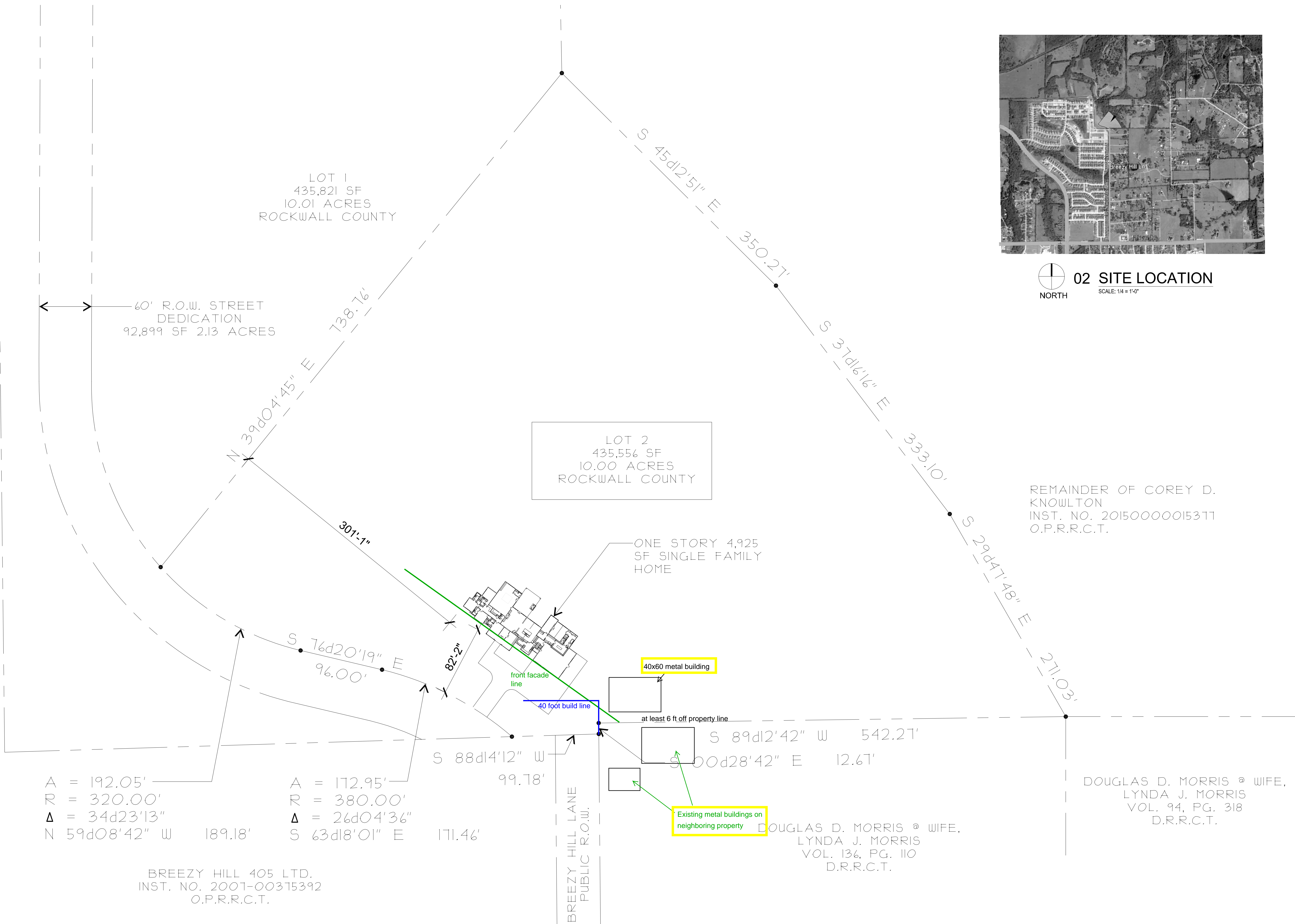
01 SITE PLAN EXHIBIT
SCALE: 1" = 50'-0"

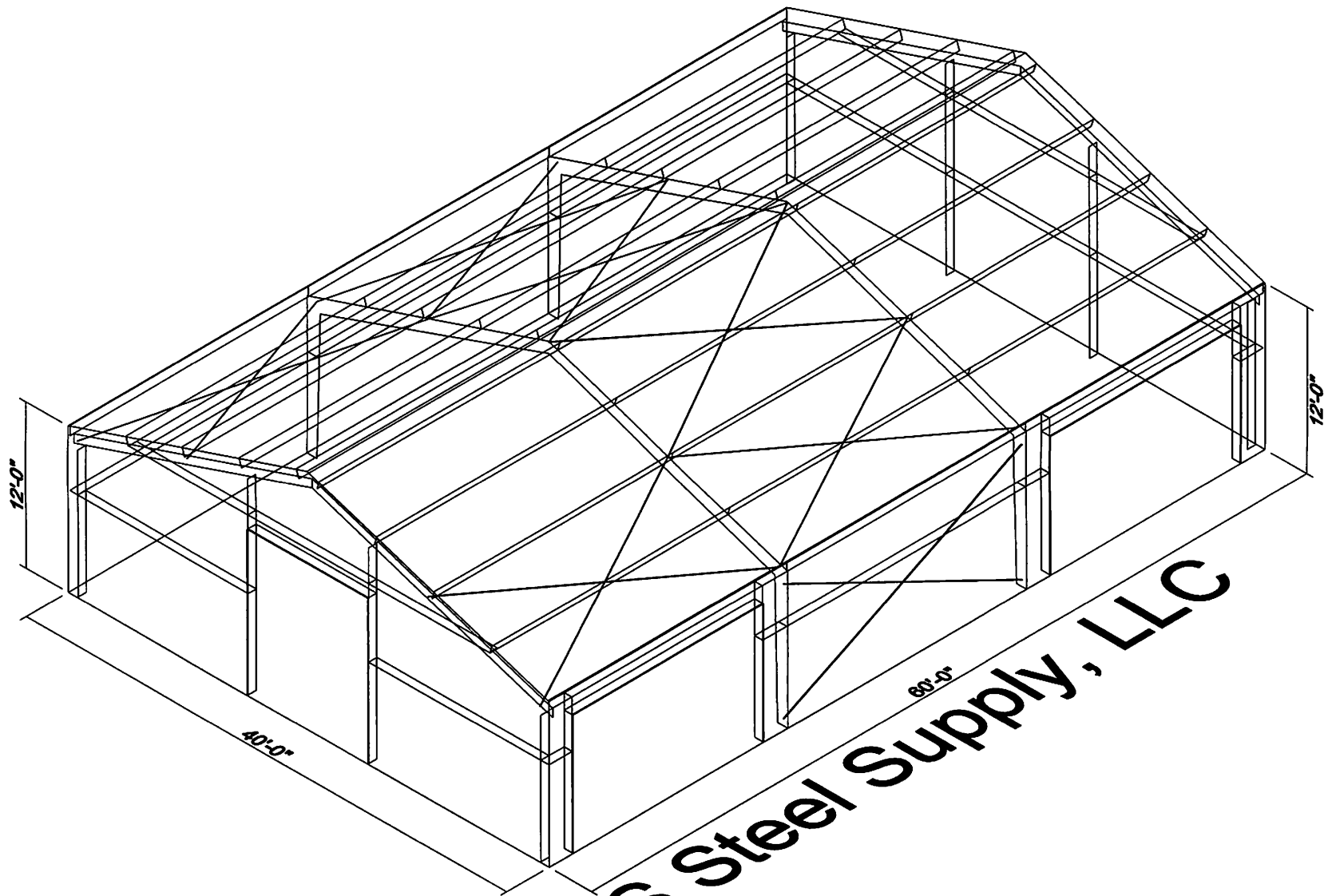
ARCH. PROJ. #	SCALE
22307	REF. DRAWING

SHEET NO.

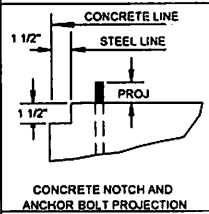
E.1

SITE PLAN
EXHIBIT

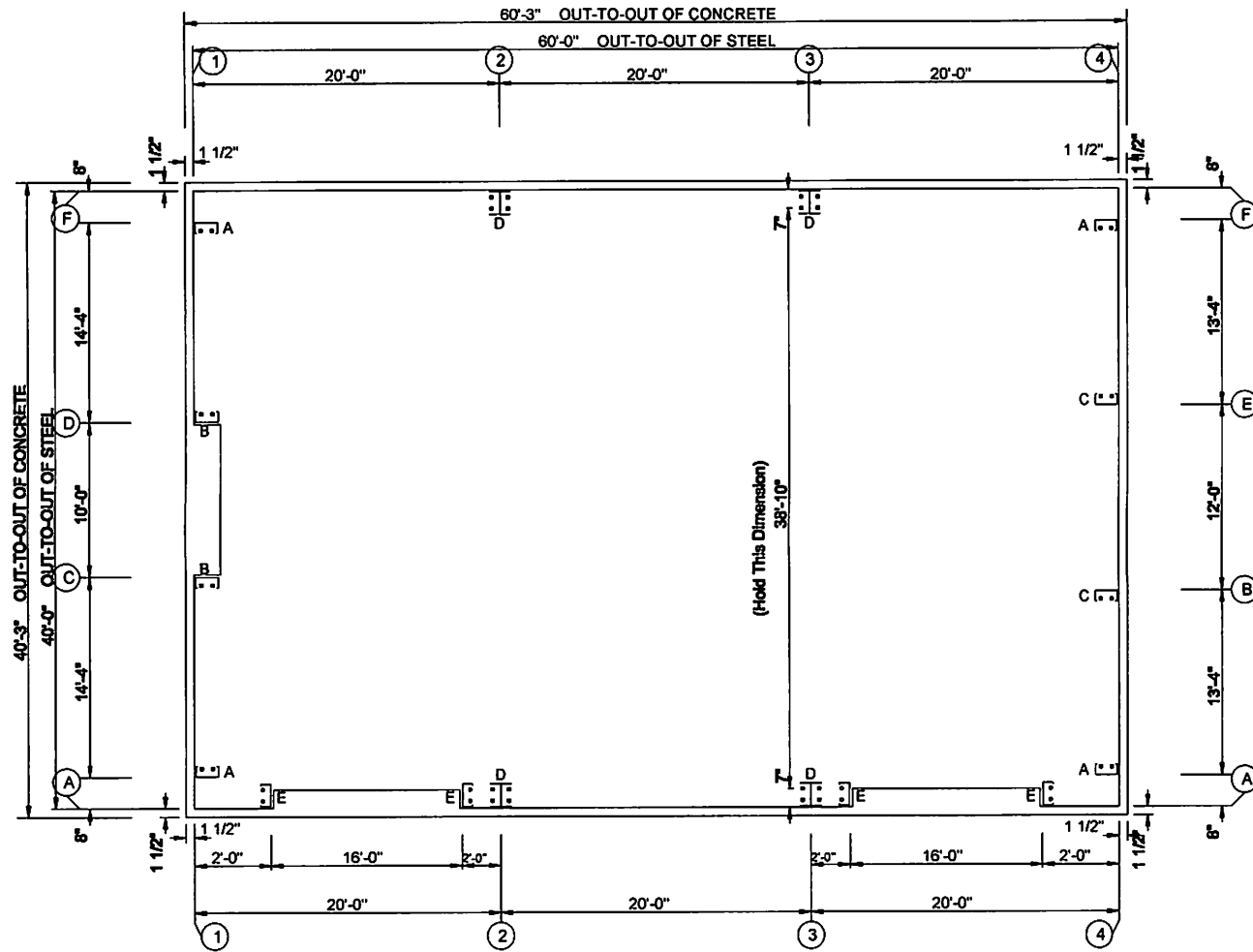




Triple-S Steel Supply, LLC



- Dia= 5/8"
- Dia= 3/4"



ANCHOR BOLT PLAN
 NOTE: All Base Plates @ 100'-0" (U.N.)

Triple-S Steel Supply, LLC				
PROJECT	Tiffany Woods	ANCHOR BOLT PLAN		
ID	32901	DESIGN:	DRAFT:	CHECK:
PROJECT ADDRESS		DATE: 7/1/22	SHEET	OF

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *AGRICULTURAL ACCESSORY BUILDING* ON A TEN (10) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK A, BREEZY HILL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from David Scott and Christine Fischer for the approval of a *Specific Use Permit (SUP)* for an *Agricultural Accessory Building* on a ten (10) acre parcel of land identified as Lot 2, Block A, Breezy Hill Lane Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the terminus of Breezy Hill Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Agricultural Accessory Building* as stipulated by Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*]*-- as heretofore amended and as may be amended in the future --*, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an *Agricultural Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Agricultural Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
- (2) The *Agricultural Accessory Building* shall not exceed a maximum size of 4,999 SF.
- (3) The *Agricultural Accessory Building* shall not exceed a maximum height of 15-feet as measured to the mid-point of the pitched roof.
- (4) The *Agricultural Accessory Building* shall have a minimum of 3:12 roof pitch.

2.2. COMPLIANCE

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

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6th DAY OF SEPTEMBER, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

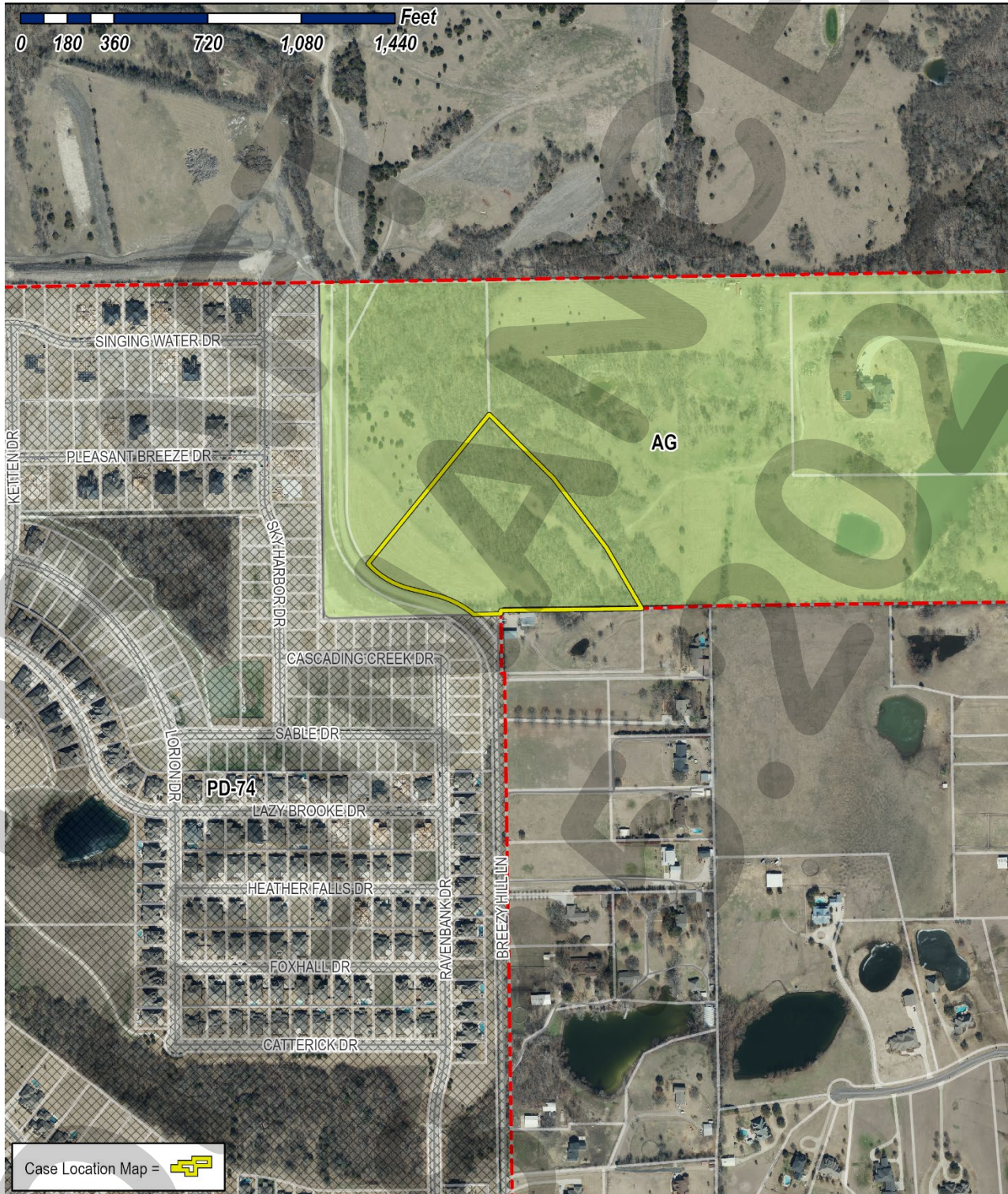
1st Reading: August 15, 2022

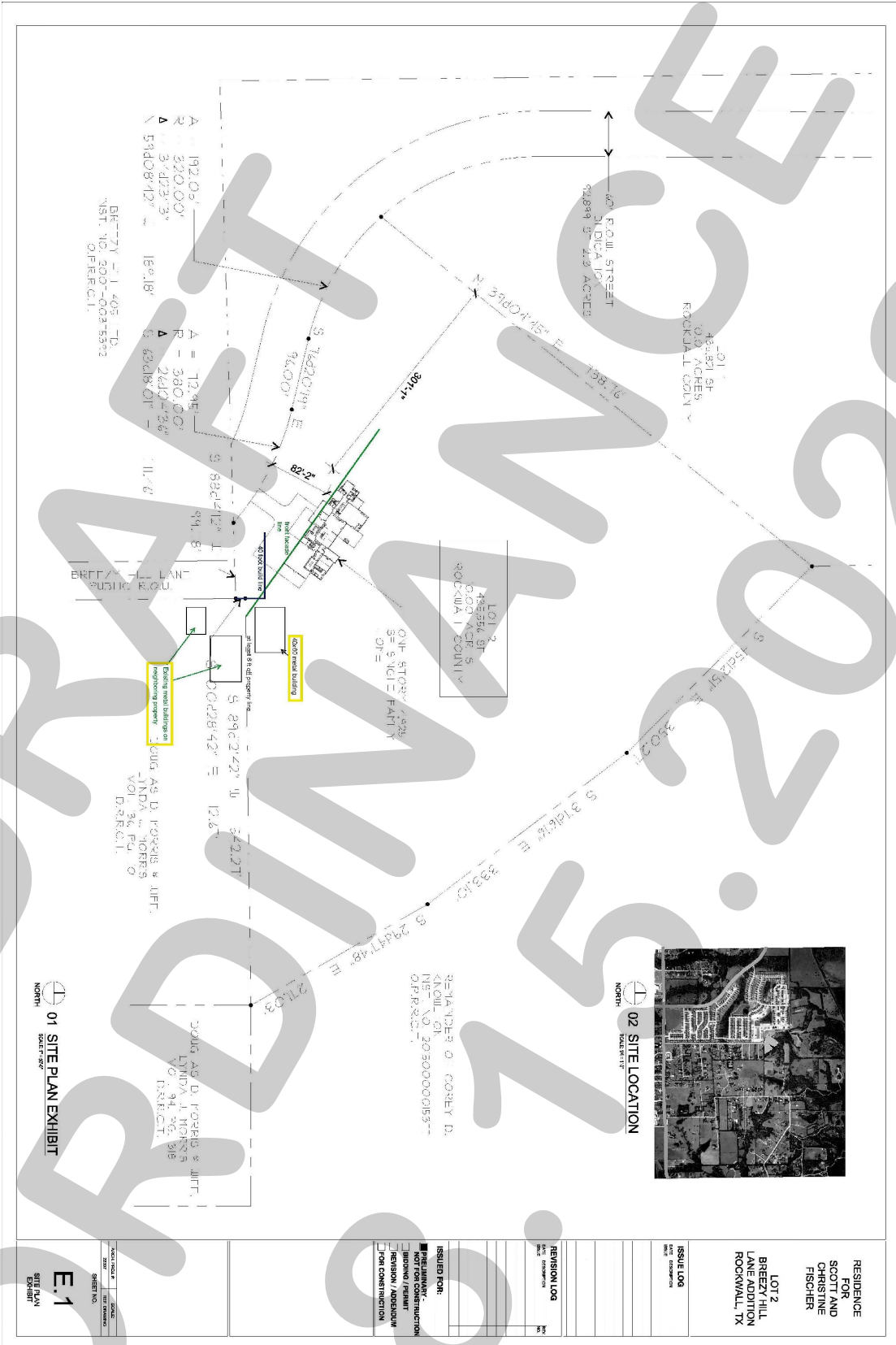
2nd Reading: September 6, 2022

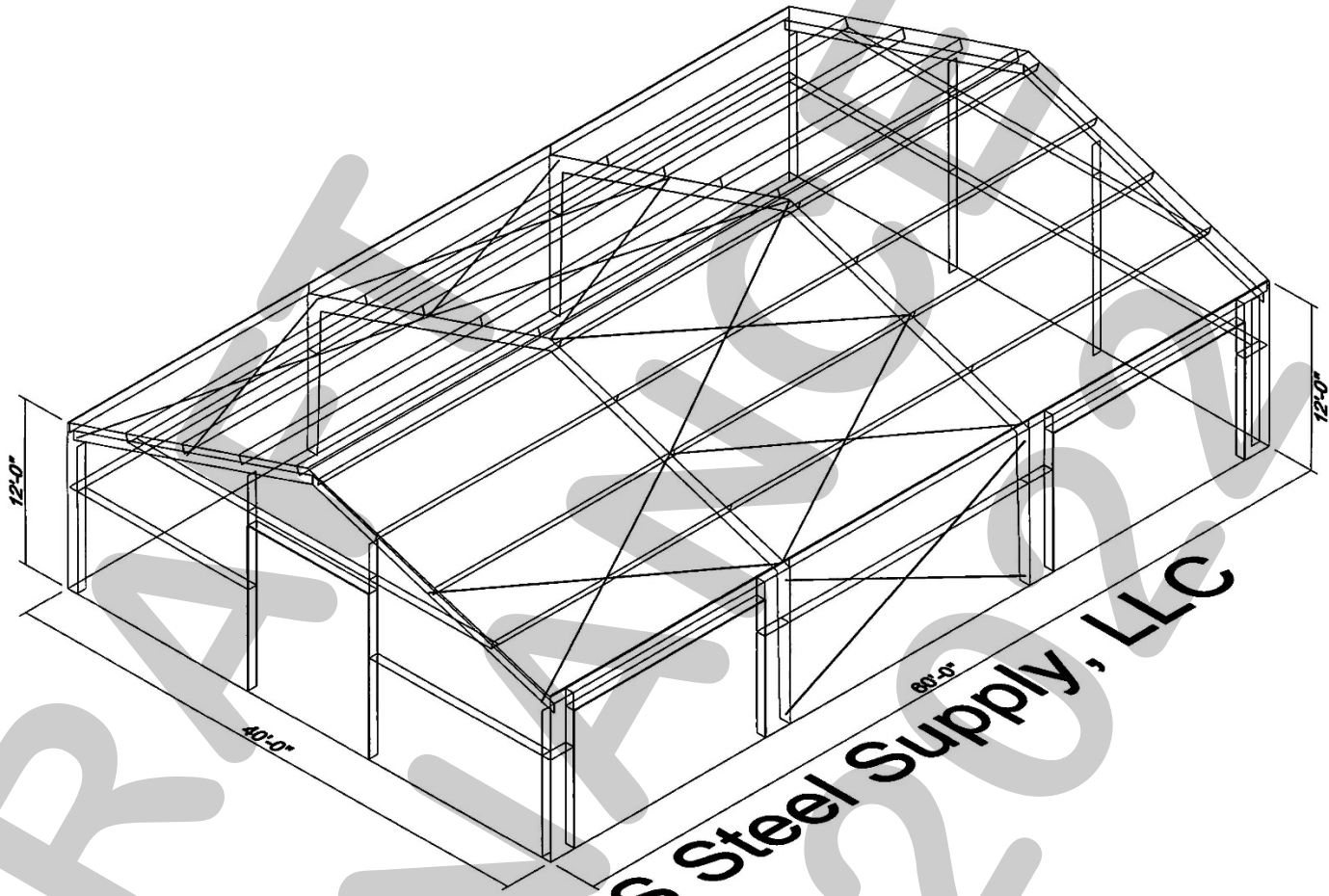
DRAFT
ORDINANCE
08.15.2022

Address: 1101 Breezy Hill Lane

Legal Description: Lot 2, Block A, Breezy Hill Lane Addition

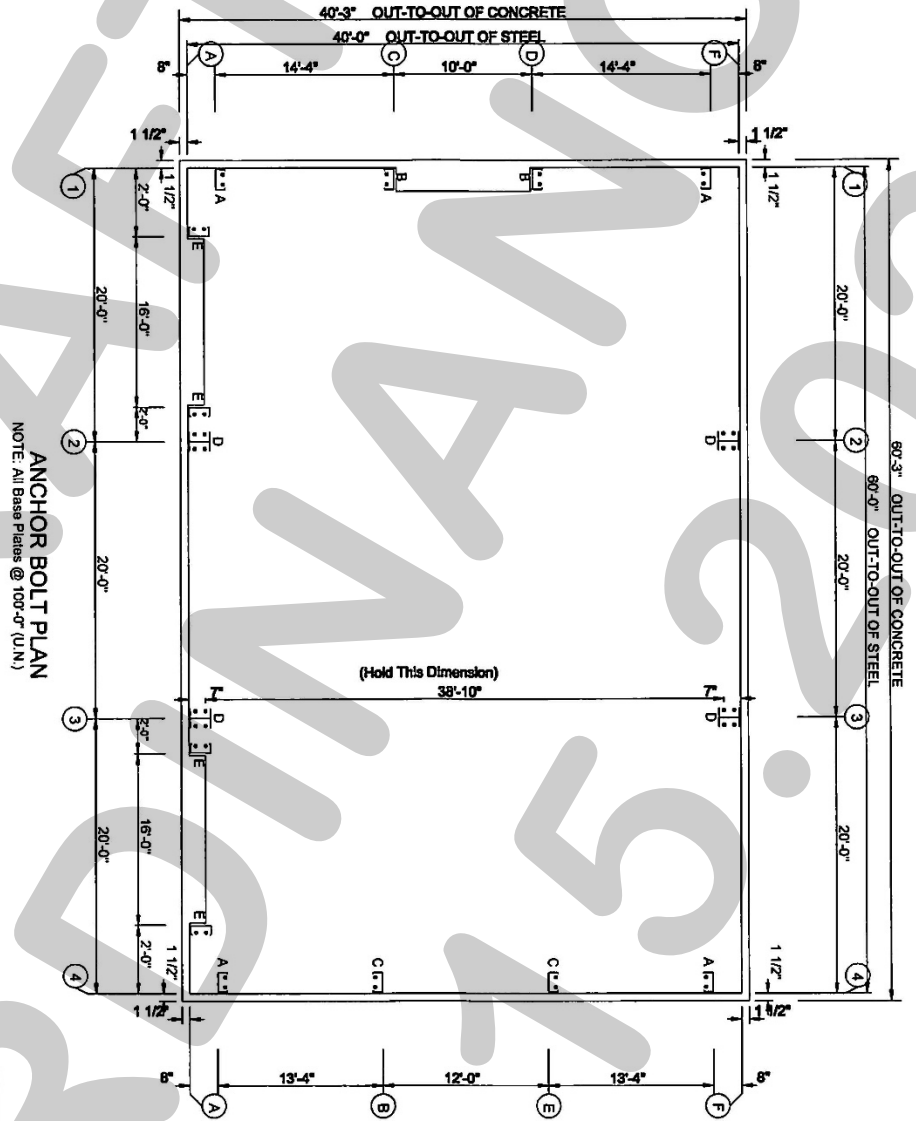
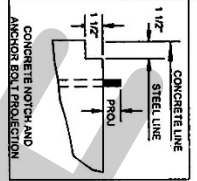






Triple-S Steel Supply, LLC

ORDINANCE 08.15.20



ANCHOR BOLT PLAN
NOTE: All Base Plates @ 100'-0" (U.N.)

Triple-S Steel Supply, LLC			
PROJECT	Tiffany Woods	ANCHOR BOLT PLAN	CHECK:
ID	32301	DESIGN:	DRAFT:
PROJECT		DATE: 7/1/22	SHEET
ADDRESS			OF

o Dia = 5/8"
a Dia = 3/4"



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: August 15, 2022

SUBJECT: Z2022-037; ZONING CHANGE (AG, 2F & LI TO PD) FOR THE PARK HILLS SUBDIVISION

Attachments

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

Summary/Background Information

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary (**1st Reading**).

Action Needed

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



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: August 15, 2022
APPLICANT: Ryan Joyce; *Michael Joyce Properties*
CASE NUMBER: Z2022-037; *Zoning Change (AG, 2F & LI to PD) for the Park Hills Subdivision*

SUMMARY

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of a Zoning Change from an Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.

BACKGROUND

A portion of the subject property was annexed by the City Council on February 6, 1961 through the adoption of *Ordinance No. 60-01 [Case No. A1960-001]*. Based on the January 3, 1972 *Historic Zoning Maps*, this portion of the subject property was rezoned from an Agricultural (AG) District to a Light Industrial (LI) District at some point between February 6, 1961 and January 3, 1972. On January 9, 1984 the City Council approved *Ordinance No. 84-06* changing the zoning of a portion of the subject property from a Light Industrial (LI) District to a Two-Family (2F) District for the purpose of facilitating a townhome development [*Case No. 1983-048-01*]. Approved concurrently with this zoning change, the City Council also approved a *Preliminary Plat [Case No. 1983-049-01]* and *Site Plan [Case No. 1983-049-02]* for the townhome development. On April 10, 1984 a *Final Plat* for the Oak Creek Subdivision, consisting of 78 townhome lots on 18.37-acres, was filed with Rockwall County. This property -- *while being platted into 78 townhome lots* -- remains currently vacant. The balance of the subject property was annexed into the City of Rockwall on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation this property was zoned Agricultural (AG) District. This designation has not changed since annexation and this portion of the subject property has remained vacant.

PURPOSE

On July 15, 2022 the applicant -- *Ryan Joyce of Michael Joyce Properties* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District, Two-Family (2F) District, and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses. Specifically, the applicant is proposing to entitle the subject property for a 144-lot single-family, residential subdivision that will consists of three (3) lot sizes (*i.e. [A] 41, 72' x 120' lots; [B] 75, 62' x 120' lots; and [C] 28, 52' x 120' lots*).

ADJACENT LAND USES AND ACCESS

The subject property is generally located in between John King Boulevard, E. Washington Street, E. Williams Street [*SH-66*], and Harry Myers Park. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is E. Williams Street [*SH-66*], which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Highlands Subdivision, which consists of 36 single-family residential lots on 11.00-acres. North of this is a

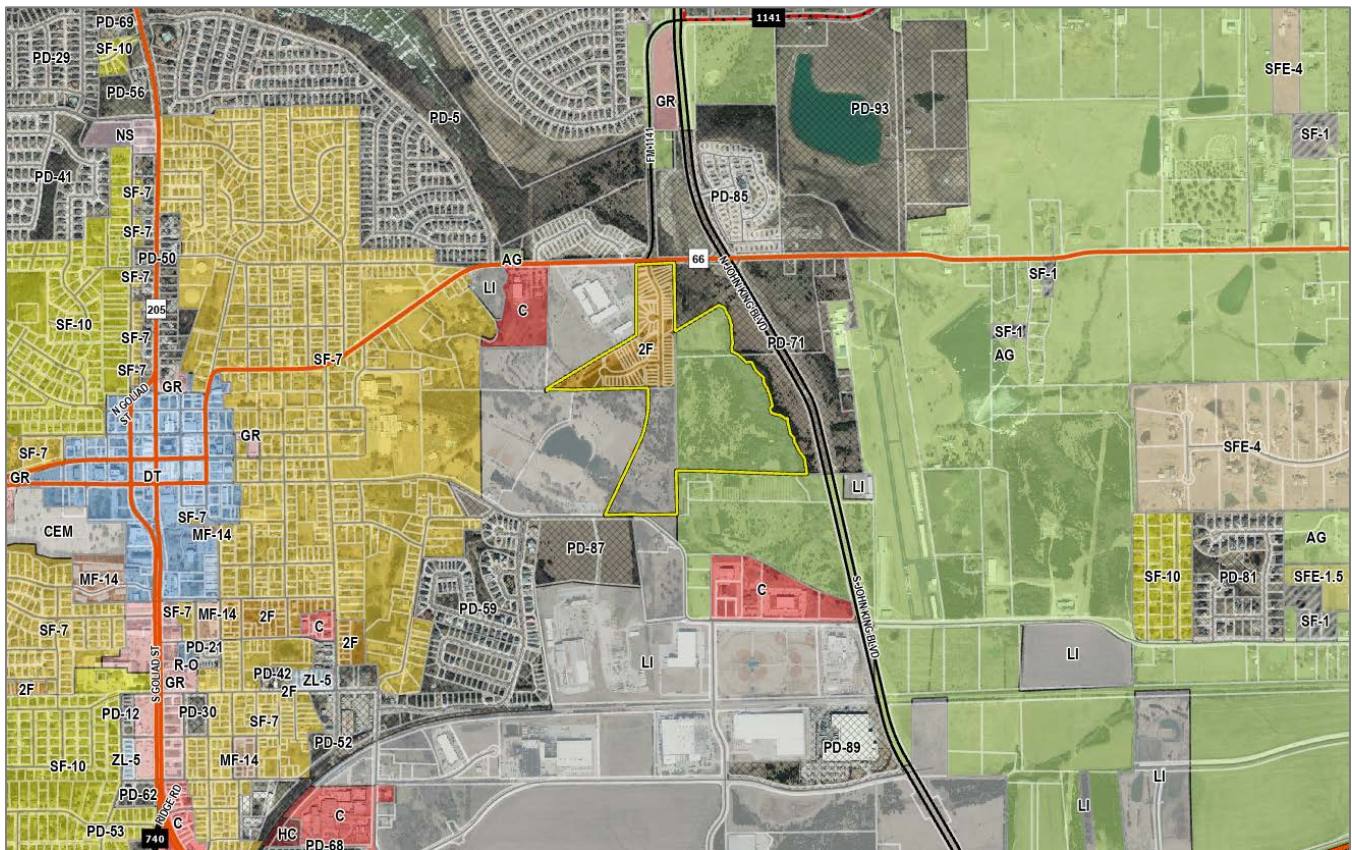
vacant 3.494-acre tract of land (i.e. Tract 2 of the M. B. Jones Survey, Abstract No. 122). These properties are zoned Planned Development District 5 (PD-5) for open space and Zero Lot Line (ZL-5) District land uses.

South: Directly south of the subject property is E. Washington Street, which is identified as a M4U (i.e. major collector, four [4] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are two (2) vacant tracts of land (i.e. Tract 31 of the R. Ballard Survey, Abstract No. 197 and Lot 1, Block 1, Indalloy Addition) that are zoned Planned Development District 87 (PD-87) for Townhomes, General Retail (GR) District, and Light Industrial (LI) District land uses.

East: Directly east of the subject property are the remainder tracts for Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183. These remainders are zoned Planned Development District 71 (PD-71) for Commercial (C) District land uses. Beyond this is N. John King Boulevard, which is identified as a P6D (i.e. principal arterial, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is a 67.036-acre public park (i.e. Harry Myers Park). Also, west of the subject property is a 21.326-acre tract of land (i.e. Tract 7 of the G. W. Redlin Survey, Abstract No. 183) that is occupied with the administrative offices for the Rockwall Independent School District (RISD) and the Quest Academy. Both of these properties are zoned Light Industrial (LI) District, with a portion of the public park being zoned Single-Family 7 (SF-7) District.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that the 65.309-acre subject property will consist of 144 residential lots. These lots will consist of three (3) lot types: [1] 41 Type 'A' lots that are a minimum of 72' x 120' (or 8,400 SF), [2] 75 Type 'B' lots that are a minimum of 62' x 120' (or 7,200 SF), and [3] 28 Type 'C' lots that are a minimum of 52' x 120' (or 6,000 SF). This translates to a gross density

of 2.21 dwelling units per gross acre (i.e. $144 \text{ lots}/65.309\text{-acres} = 2.205 \text{ dwelling units per gross acre}$). The minimum dwelling unit size (i.e. air-condition space) will range from 2,400 SF to 2,500 SF. With regard to the proposed housing product, staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance. Specifically, the ordinance will require a minimum of 90% masonry, and be subject to the City's upgraded anti-monotony standards; however, the Planned Development District ordinance will also incorporate provisions that allow up to 80% cementitious fiberboard utilized in a horizontal lap-siding, *board-and-batten* siding, or decorative pattern to allow a variation of materials throughout the subdivision. The following are some of the examples provided by the applicant showing horizontal lap-siding, *board-and-batten* siding, or decorative patterns that are contained within the Planned Development District ordinance:

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP



Looking at the garage orientation proposed for the development, the applicant is requesting to allow all of the *Type 'C'* lots (i.e. the 52' x 120' lots) or a total of 19.40% of the 144 lots (equating to a total of 28 lots) to be orientated toward the street in a *Front Entry* garage configuration; however, the applicant is proposing to require an additional five (5) foot setback from the front façade of the home for *Front Entry* garage configurations, which will create a 25-foot separation from the garage to the front property line. The remaining garage doors will be orientated in a *J-Swing* (or a *Traditional Swing*) configuration or *Recessed Entry* configuration (i.e. where the garage door is situated a minimum of 20-feet behind the front façade). In

addition, the applicant is proposing to incorporate upgraded finishes on all garage doors that include: [1] coach lighting, [2] carriage style hardware and lighting, [3] decorative wood doors or wood overlays on insulated metal doors, and [4] driveways that are constructed with ornamental stamped concrete brick pavers, stained finish, or salt finished. The following are some of the examples of the upgrades required in the Planned Development District ordinance:

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



DIVIDED BAYS

CARRIAGE HARDWARE

CEDAR CLADDING

ORNAMENTAL PAVING

FIGURE 6: EXAMPLES OF UPGRADED GARAGES



The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 8.4 (SF-8.4) District unless otherwise specified in the Planned Development District ordinance. The following is a summary of the lot composition and density and dimensional standards contained in the proposed Planned Development District ordinance:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	72' x 120'	8,400 SF	41	28.50%
B	62' x 120'	7,200 SF	75	52.10%
C	52' x 120'	6,000 SF	28	19.40%
<i>Maximum Permitted Units:</i>			144	100.00%

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ►	A	B	C
Minimum Lot Width ⁽¹⁾	72'	62'	52'
Minimum Lot Depth	120'	120'	120'
Minimum Lot Area (SF)	8,400 SF	7,200 SF	6,000 SF
Minimum Front Yard Setback ^{(2), (5) & (6)}	20'	20'	20'
Minimum Side Yard Setback	6'	6'	6'
Minimum Side Yard Setback (Adjacent to a Street) ^{(2), (5) & (7)}	15'	15'	15'
Minimum Length of Driveway Pavement	20'	20'	20'
Maximum Height ⁽³⁾	35'	35'	35'
Minimum Rear Yard Setback ⁽⁴⁾	10'	10'	10'
Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]	2,500 SF	2,500 SF	2,400 SF
Maximum Lot Coverage	65'	65'	65'

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.
- ⁶: *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- ⁷: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

The proposed concept plan shows that the development will consist of a total of 21.14-acres of open space that includes a 0.97-acre amenity center, 11.95-acres of private open space, 1.87-acres of parkland dedication, and 6.35-acres of floodplain. This translates to an open space percentage of 27.51% (*i.e. 11.95-acres of private open space + 0.97-acre amenity center + 1.87-acres of parkland dedication [6.35-acres of floodplain/2]/65.309-acres gross = 17.965-acres or 27.50769%*). In addition, the applicant has incorporated a trail system on the concept plan that shows a six (6) foot hike and bike trail will be provided. These trails will also provide access into Harry Myers Park, which is situated west of the proposed subdivision.

INFRASTRUCTURE

Based on the applicant's concept plan and the proposed density, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

- (1) **Roadways.** According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan SH-66 is required to be a TXDOT4D (*i.e. a Texas Department of Transportation, four [4] lane, divided roadway*), which requires a 140-foot right-of-way. The applicant will be required to dedicate a minimum of 120-feet of right-of-way with the remaining right-of-way being reserved on the subdivision plat. In addition, FM-1141 is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This will

require a minimum of 76-feet of right-of-way. The applicant will be required to dedicate a minimum of 60-feet of right-of-way with the remainder of the right-of-way being reserved on the subdivision plat.

- (2) Water. The applicant will be required to construct a 12-inch waterline in the future right-of-way of SH-66 connecting to the existing waterline in E. Washington Street, and a 12-inch waterline along Williams Street. In addition, an infrastructure study will be needed to verify if additional water improvements are required.
- (3) Wastewater. The applicant will be required to construct a minimum of a ten (10) inch wastewater line connecting the existing stub out on the southside of Williams Street to the southern property line.
- (4) Drainage. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Flood Study and a Wetlands and Waters of the United States (WOTUS) Study for the existing ponds and floodplain on the subject property.

CONFORMANCE TO THE CITY'S CODES

The proposed Planned Development District conforms to the majority of the City's code requirements; however, it should be noted that the development standards contained within the Planned Development District ordinance deviate from the requirements of the Unified Development Code (UDC), the Municipal Code of Ordinances, and the Engineering Department's *Standards of Design and Construction Manual* in the following ways:

- (1) Alleyways. The Engineering Department's *Standards of Design and Construction Manual* stipulates that "(a)lleys shall be provided in all residential areas and shall be paved with steel reinforced concrete..." The code does grant the City Council the ability to "... waive the residential alley requirement, if it is in the best interest of the City." [Page 14; Section 2.11 of the *Standards of Design and Construction Manual*]
- (2) Garage Configuration. Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC) requires that, "(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front building façade for front entry garages unless it is a *J-Swing [or traditional swing]* garage where the garage door is perpendicular to the street."

Applicant's Response to (1) & (2): In lieu of providing the required alleyways, the applicant is proposing to provide 80.06% *J-Swing (or Traditional Swing)* or *Recessed Front Entry (i.e. where the garage is setback a minimum of 20-feet behind the front façade of the home)* garages and 19.40% *Front Entry* garages with a five (5) foot recess of the garage door front the front façade of the single-family home. This will create a minimum of 25-feet from the front property line and the garage. As a compensatory measure the applicant is proposing to provide additional architectural elements into all garage configurations: [A] coach lighting, [B] decorative wood doors or wood overlays on insulated metal doors, [C] driveways constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is designated for Medium Density Residential land uses. The plan defines Medium Density Residential land uses as "... residential subdivisions that are greater than two (2) and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In this case, the applicant is proposing a total density of 2.21 dwelling units per acre. The proposed density is more characteristic of the Low Density Residential land use designation, which is defined as "... residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In addition, the applicant is proposing to incorporate 1.87-acres of public parkland dedication (*which will be added to the existing acreage of Harry Myers Park*), six (6) foot hike and bike trails, a 0.97-acre amenity center, and 27.51% open space (*which exceeds the required open space by 7.51%*). Based on this, the applicant's request is in substantial conformance with the Medium Density Residential designation indicated for the subject property.

According to the *District Strategies for Suburban Residential* in the Central District, "... many of the larger tracts in this area are not large enough to support a master planned community ... any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* lots in this district, but should be comparable in size to newer developments ..." In this case, the subject property incorporates an existing subdivision that was never constructed, but was platted for 78 townhome lots. This development -- *the Oak Creek Subdivision* -- consists of lots that are a minimum of 35' x 105', and an overall density of 4.37 dwelling units per acre. In addition, the subject property is directly south of the Highlands Subdivision, which incorporates lots that are a minimum of 50' x 100', and an overall density of 3.27 dwelling units per acre. These two (2) subdivisions are the only subdivisions within a close proximity to the subject property, and based on this the applicant's proposal incorporates larger lot sizes and a lower density than these subdivisions. Taking this into consideration, the applicant's request appears to be in conformance with the *District Strategies for the Central District*.

With regard to the policies and goals for residential development contained in the Comprehensive Plan, the applicant's request incorporates the majority of these policies and goals (e.g. *minimum of six [6] side yard setbacks on all lot types, providing a mixture of lot types throughout the development, etc.*); however, staff did identify the following non-conformities on the original concept plan. Based on these non-conformities, staff provided the below recommendations to the applicant. These recommendations are followed by the applicant's response to each recommendation.

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) CH. 07 | Goal 02; Policy 3: Continue to develop and plan for an interconnected trail and sidewalk system that promotes connectivity and access to all areas of the City.
- (2) CH. 08 | Section 02.02 | Goal 02; Policy 3: All parks and open space should provide an integrated trail system that serves the adjacent neighborhood areas.

Staff Response: Staff requested the applicant label and show an interconnected trail system and sidewalks on the concept plan, and show connectivity of the trail system to Harry Myers Park. The applicant has shown a six (6) foot hike/bike trail circulating through the development and connecting to Harry Myers Park, and five (5) foot sidewalks throughout the development.

- (3) CH. 08 | Section 02.03 | Goal 03; Policy 2: Require rear-entry garages and alleyways on all lots that have a lot width of 55-feet or less; however, alleyways should be prohibited on all lots greater than 55-feet. These lots should incorporate *J-Swing* or *Recessed Front Entry* garages.

Staff Response: The applicant is proposing to incorporate a 52' x 120' lot product (i.e. *Type 'C' lots*) that will incorporate a *Front Entry* garage. Staff recommended that the 52' x 120' lot product be removed from the Planned Development District; however, staff also recognizes that the proposed development would replace 78 existing 35' x 100' lots that were established as the Oak Creek Subdivision. The applicant has indicated that the 52' x 120' lots are necessary to make the current concept plan work. Based on removal of the existing lots in the Oak Creek Subdivision, this request may be warranted; however, this is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

- (4) CH. 08 | Sec. 02.03 | Goal 03; Policy 3: In cases where *Flat Front Entry* garages (i.e. *even with the front façade of the primary structure*) are requested as part of a development no greater than 20% should be incorporated into the development. In addition, *Flat Front Entry* garages should have a minimum of a 25-foot front yard building setback to allow vehicles to be parked in the driveway without overhanging public right-of-way. This type of garage may not be appropriate for all developments and should be generally discouraged.

Staff Response: If a *Front Entry* garage configuration with a recess of five (5) feet is being requested it should be limited to 20%. The applicant is requesting that 19.40% or all of the Type 'C' lots (i.e. the 52' x 120' lots) incorporate Front Entry garage orientations; however, they are proposing a five (5) foot off-set between the front façade of the home and the garage, which will create a 25-foot building setback for the garage.

In addition to these recommendations, staff also suggested to the applicant that they: [1] submit examples of entry monumentation signage, [2] pursue obtaining an access agreement to the property south of the subject property to reduce the number of cul-de-sacs being proposed, [3] provide a 50-foot landscape buffer as opposed to a 30-foot landscape buffer along the future alignment of SH-66. In response to this the applicant did incorporate entry signage locations on to the concept plan, but did not provide examples of the propose entry monumentation signage. Staff has included a *Condition of Approval* for this case stating that the entry monumentation signage shall be equal to or better than the entry monumentation signage provided for newer subdivisions along John King Boulevard. In addition, the applicant has indicated that they have approached the property owner to the south about a possible access easement; however, they have not finalized an agreement to provide this access. The applicant has indicated this on the concept plan, but this is not binding and does not require the applicant to provide this access. Finally, the applicant has stated that they were able to incorporate a 50-foot landscape buffer along the majority of the future alignment of SH-66, but in certain locations -- *due to the shape of the property* -- they couldn't get the full 50-foot landscape buffer and it was necessary to reduce these areas down to 30-feet.

Taking all of this into account, the applicant's concept plan and proposed density and development standards appear to conform with the majority of the OURHometown Vision 2040 Comprehensive Plan; however, as with all zoning cases, this request remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On July 22, 2022, staff mailed 15 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Park Place and Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Associations (HOA's), which are the only HOA's within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) Two (2) property owner notifications from one (1) property owner who owns two (2) properties within the 500-foot notification buffer in favor of the applicant's request.
- (2) One (1) property owner notification from one (1) property owner within the 500-foot notification buffer in opposition to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from an Agricultural (AG) District, Two Family (2F) District, and Light Industrial (LI) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The entry monumentation signage proposed for the subdivision should be substantial and should be of a quality and design equal to or better than existing entry monumentation signage along John King Boulevard. This will be reviewed by the Planning and Zoning Commission at the time of *PD Site Plan*.
- (3) Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 9, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS John King Blvd, Rockwall, TX 75087

SUBDIVISION ABS A0183, G W Redlin Tract 1, 6-1, 6 LOT BLOCK

GENERAL LOCATION Southwest of Intersection at John King Blvd & Williams Street (Hwy 66)

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural CURRENT USE Agricultural

PROPOSED ZONING Planned Development District - SF10 PROPOSED USE Single Family Residential

ACREAGE 65.309 LOTS [CURRENT] LOTS [PROPOSED] 152

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

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

<input type="checkbox"/> OWNER	Rockwall Property Corp	<input checked="" type="checkbox"/> APPLICANT	Michael Joyce Properties
CONTACT PERSON	Bill Bricker	CONTACT PERSON	Ryan Joyce
ADDRESS	305 Park Place Blvd	ADDRESS	767 Justin Road
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Rockwall, TX 75087
PHONE		PHONE	512-965-6280
E-MAIL		E-MAIL	ryan@michaeljoyceproperties.com

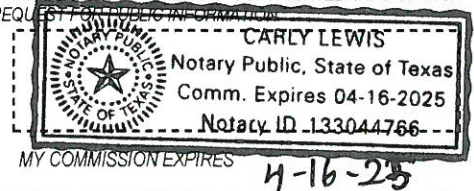
NOTARY VERIFICATION [REQUIRED]

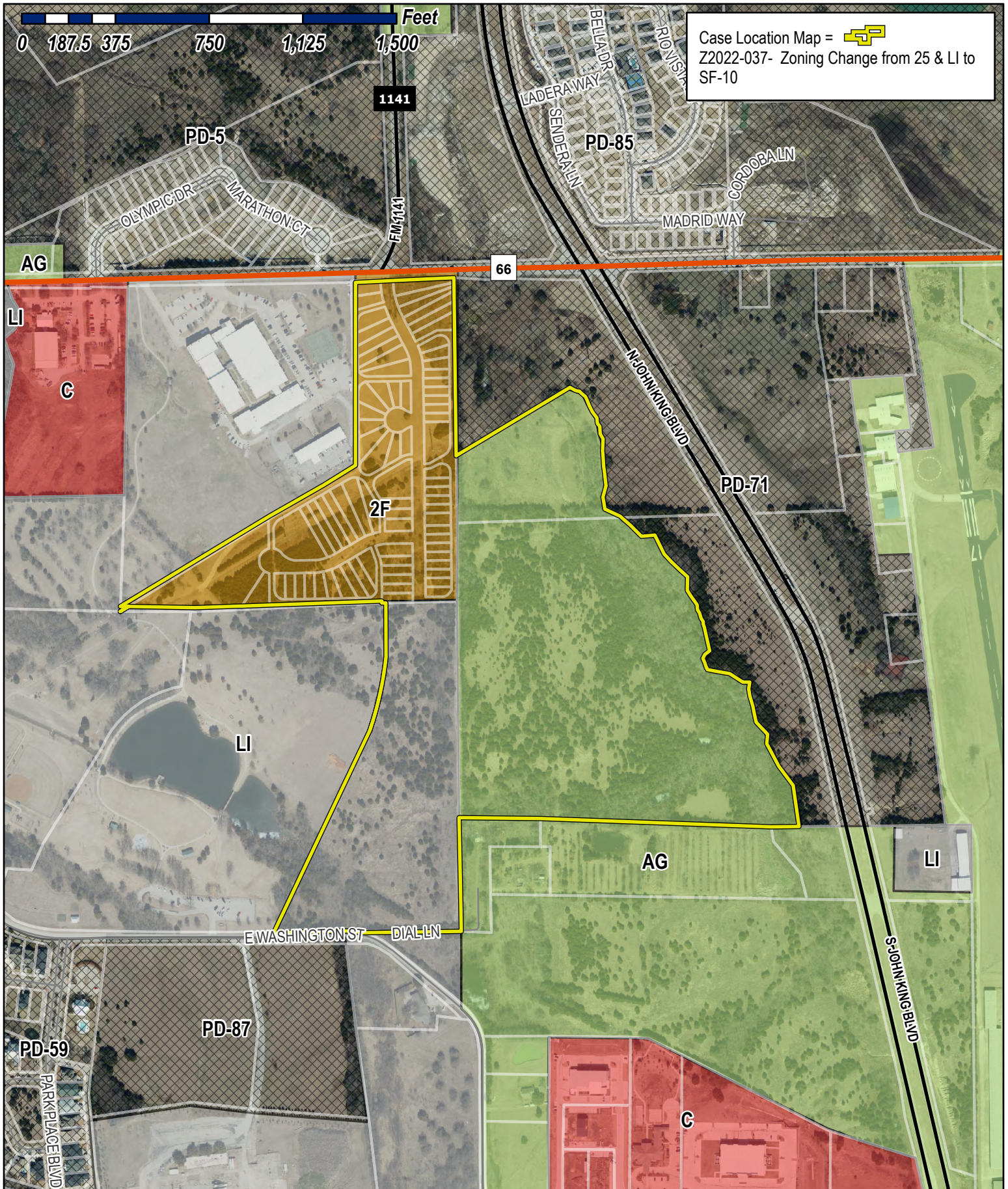
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Charles W Bricker [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:


"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION, ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ 700 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF July 2022 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15th DAY OF July 2022

OWNER'S SIGNATURE Charles W Bricker
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Carly Lewis





Case Location Map = 
 Z2022-037- Zoning Change from 25 & LI to SF-10



City of Rockwall

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

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

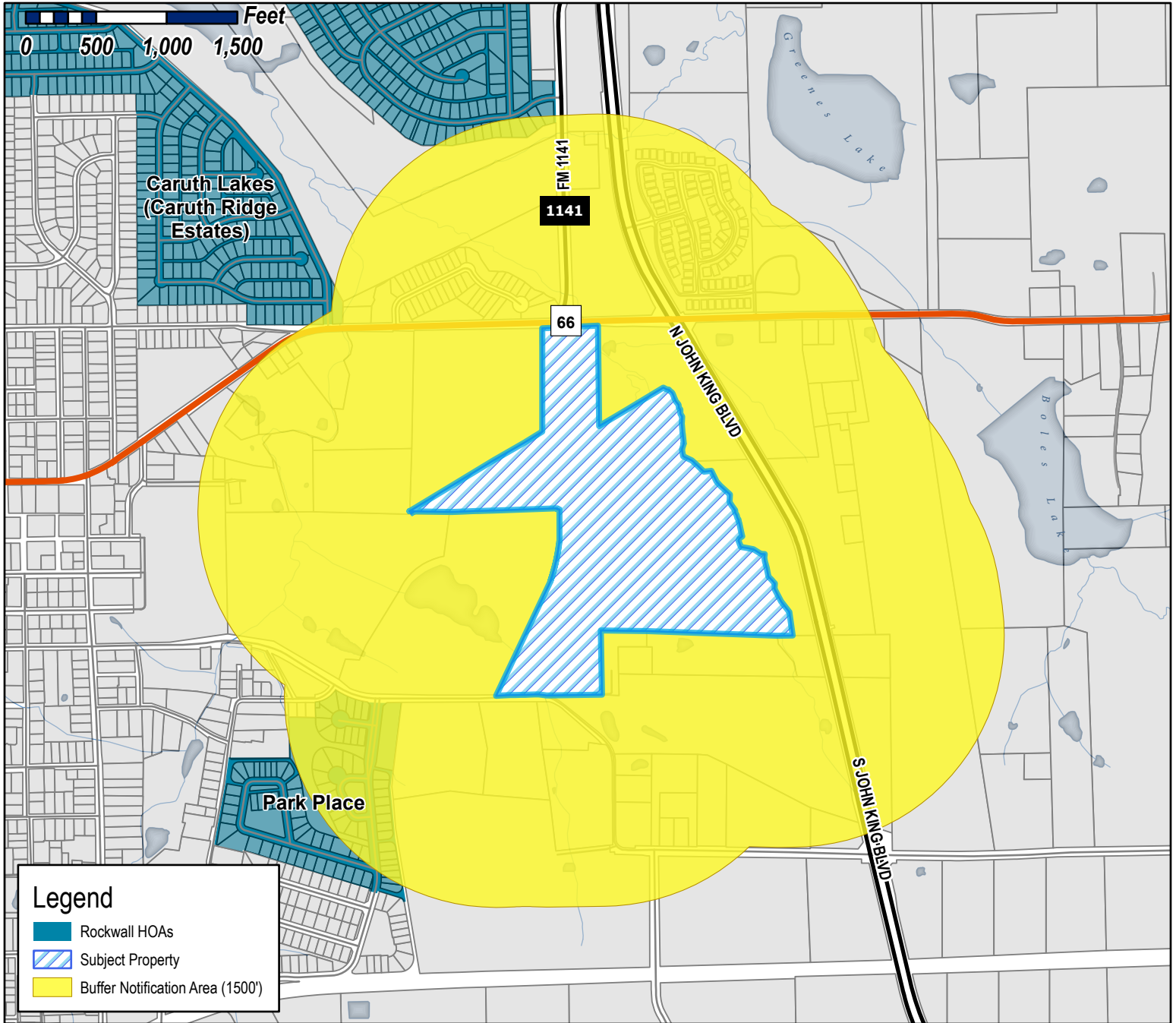




City of Rockwall

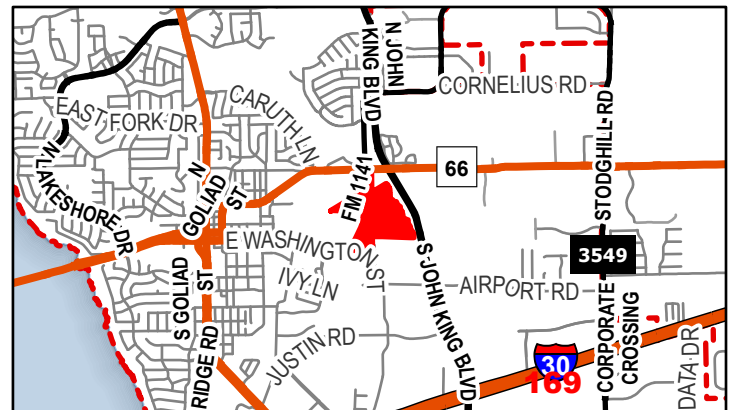
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Case Number: Z2022-037
Case Name: Zoning Change from AG, 2F and LI to PD for SF-10
Case Type: Residential
Zoning: AG, 2F, & LI
Case Address: John King Blvd & Williams Street

Date Saved: 7/18/2022
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Friday, July 22, 2022 11:47 AM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-037]
Attachments: Public Notice (07.15.2022).pdf; HOA Map Z2022-037.pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on July 22, 2022. The Planning and Zoning Commission will hold a public hearing on Tuesday, August 9, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 15, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2022-037 Zoning Change from AG, 2F, and LI to a PD for SF-8.4 District

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of a Zoning Change from an Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

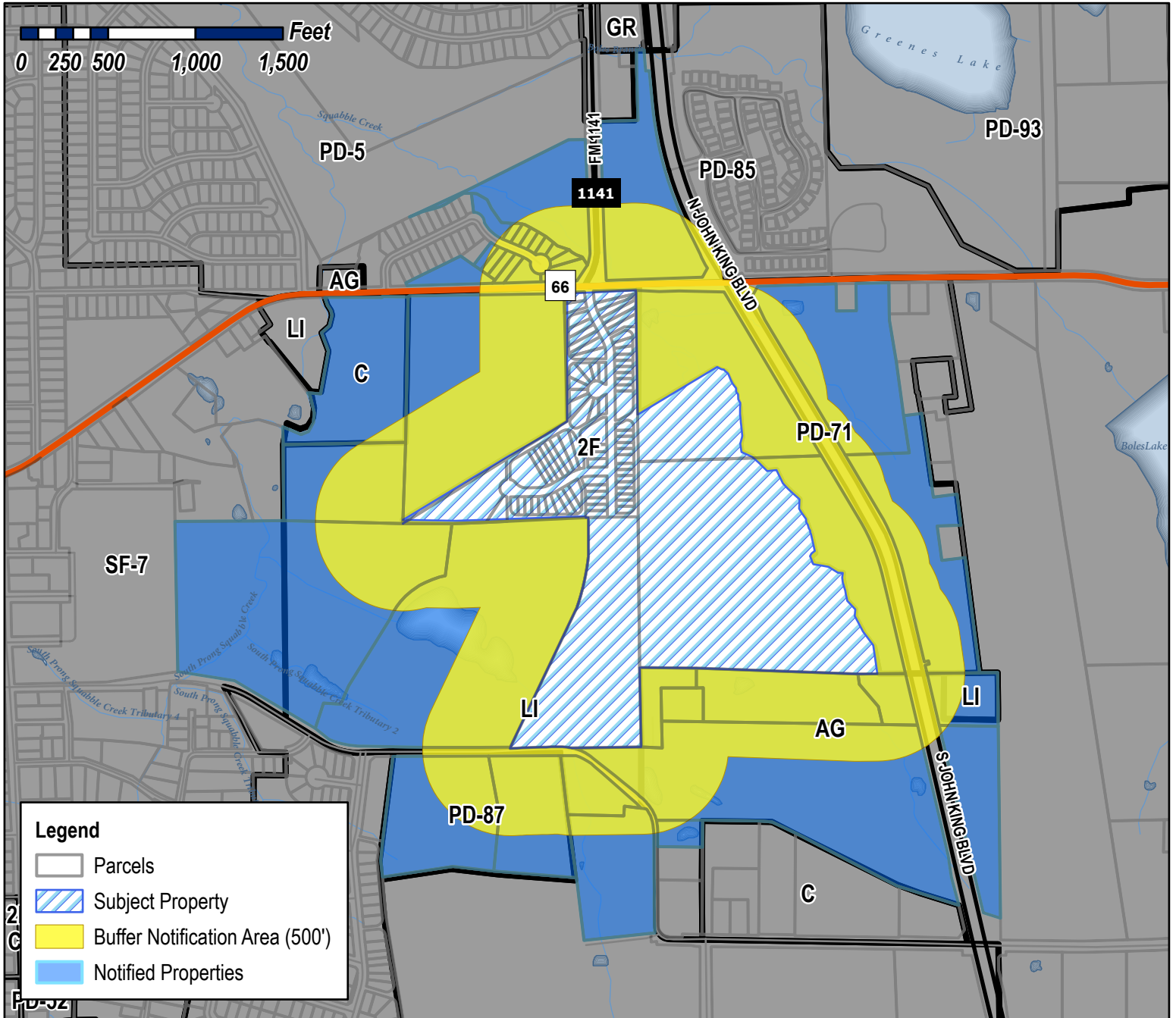
<http://www.rockwall.com/planning/>



City of Rockwall

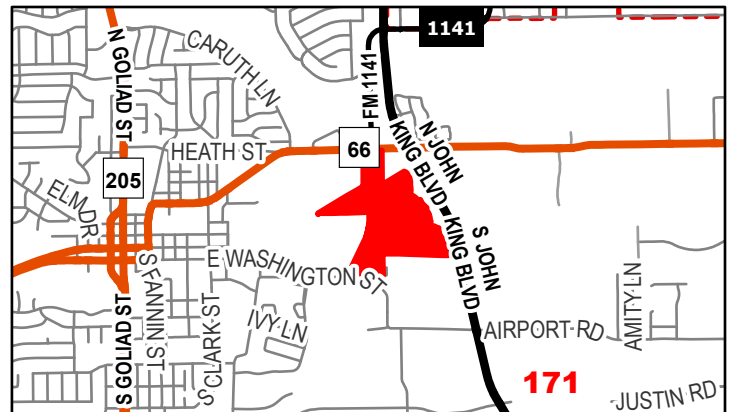
Planning & Zoning Department
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Case Number: Z2022-037
Case Name: Zoning Change from AG, 2F and LI to PD for SF-10
Case Type: Residential
Zoning: AG, 2F, & LI
Case Address: John King Blvd & Williams Street

Date Saved: 7/18/2022
 For Questions on this Case Call (972) 771-7745



BAYS JACOB M
5602 YACHT CLUB DR.
ROCKWALL, TX 75032

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

COLUMBIA EXTRUSION
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

CTDIGLAND LLC
361 W BYRON NELSON BLVD
SUITE 104
ROANOKE, TX 76262

DEVENNEY DIANA
2944 PEGASUS DR
GARLAND, TX 75044

DILLENDER ROBERT O & SHERY
PO BOX 2016
ROCKWALL, TX 75087

F & F HOLDINGS I, LTD
11226 INDIAN TRAIL
DALLAS, TX 75229

FUNK JOSEPH
11226 INDIAN TRAIL
DALLAS, TX 75229

ROCKWALL COMMUNITY PLAYHOUSE
609 E RUSK ST
ROCKWALL, TX 75087

ROCKWALL COUNTY HELPING HANDS INC
P O BOX 375
ROCKWALL, TX 75087

ROCKWALL I S D
1050 WILLIAMS ST
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORP
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

SOROPTIMIST INT'L OF ROCKWALL
PO BOX 372
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
150 TURTLE CREEK
SUITE 104-E
DALLAS, TX 75207

WHITTLE HIGHLANDS, LLC
PO BOX 369
ROCKWALL, TX 75087

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

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

Case No. Z2022-037: Zoning Change (2F, LI, and AG to PD) for Park Hills

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of a Zoning Change from an Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, 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, August 9, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 15, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, August 15, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-037: Zoning Change (2F, LI, and AG to PD) for Park Hills

Please place a check mark on the appropriate line below:

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

Four horizontal grey bars for providing reasons for support or opposition.

Name: [Grey box]
Address: [Grey box]

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

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

PUBLIC NOTICE



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

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

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

Case No. Z2022-037: Zoning Change (2F, LI, and AG to PD) for Park Hills

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of a Zoning Change from an Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, 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, August 9, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 15, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, August 15, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-037: Zoning Change (2F, LI, and AG to PD) for Park Hills

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.

Great Plan, medium density of 2.3, future lot preserved, lots of open space, mix of lot sizes to show good streetscapes. Eliminated the duplex lots

Name: *Bill Bricker Columbia Extrusion Corporation*
Address: *305 Park Place Blvd.*

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

PUBLIC NOTICE



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

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

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

Case No. Z2022-037: Zoning Change (2F, LI, and AG to PD) for Park Hills

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of a Zoning Change from an Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-037: Zoning Change (2F, LI, and AG to PD) for Park Hills

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.

*Great plan; medium 2.3 density, future lot preserved, lots of open space and mix of lot sizes to show good streetscapes.
Eliminated the duplex potential*

Name: *Bill Bricker - Columbia Extension Corporation*
Address: *305 Park Place Blvd.*

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

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

Case No. Z2022-037: Zoning Change (2F, LI, and AG to PD) for Park Hills

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.

poor design, adds expense to the city to move 66. It is NOT a friendly design to future development. This design creates crime pockets. Puts a highway in the middle of Residential neighborhood. Kids will have to cross highway

Name:

Diana Newberry

Address:

205 Dial Ln, 2944 Regency Garland TX 75044

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



JOHNSON VOLK CONSULTING

704 Central Parkway East | Suite 1200 | Plano, Texas 75074 | 972.201.3100

July 15, 2022

City of Rockwall
Planning Department
385 South Goliad
Rockwall, TX 75087

RE: Park Hills – Zoning Application

Dear Staff,

The purpose of this letter is to formally request a zoning change for the referenced property located west of John King Blvd and south of SH 66. The subject development will consist of +/-152 single family lots on a 65.309 acre tract. After meeting with staff at a Development Review Committee Meeting, the Concept Plan included with this submittal is representative of our proposed vision for the property.

Please feel free to contact us if you have any questions regarding this project or application.

Sincerely,

Johnson Volk Consulting, Inc.

Tom Dayton, PE

LEGAL DESCRIPTION
65.309 ACRES

BEING a tract of land situated in the GEORGE W. REDLIN SURVEY, ABSTRACT NO. 183, City of Rockwall, Rockwall County, Texas and being all of OAK CREEK, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Slide 201, Plat Records, Rockwall County, Texas and being part of those tracts of land described in Deed to Rockwall Property Corporation, as recorded in Volume 444, Page 146 and Volume 2002, Page 150, Deed Records, Rockwall County, Texas and being all of that tract of land described in Deed to Rockwall Property Corporation, as recorded in Volume 2051, Page 53, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the south line of State Highway No. 66, a 60 foot right-of-way, for the common northwest corner of said OAK CREEK Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53 and northeast corner of that tract of land described in Deed to Rockwall Independent School District, as recorded in Volume 105, Page 153, Deed Records, Rockwall County, Texas;

THENCE North 88 degrees 29 minutes 03 seconds East, with said south line, a distance of 411.45 feet to a wood post found for the common northeast corner of said OAK CREEK Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53 and northwest corner of said Rockwall Property Corporation tract recorded in Volume 2002, Page 150;

THENCE South 00 degrees 56 minutes 16 seconds East, leaving said south line and with the common west line of said Rockwall Property Corporation tract recorded in Volume 2002, Page 150 and east line of said OAK CREEK Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53, a distance of 705.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 59 degrees 30 minutes 28 seconds East, leaving said common line, a distance of 503.69 feet to a point for corner;

THENCE South 69 degrees 21 minutes 48 seconds East, a distance of 40.60 feet to a point for corner;

THENCE South 25 degrees 06 minutes 25 seconds East, a distance of 64.89 feet to a point for corner;

THENCE South 31 degrees 25 minutes 37 seconds East, a distance of 51.80 feet to a point for corner;

THENCE South 09 degrees 09 minutes 13 seconds East, a distance of 55.61 feet to a point for corner;

THENCE South 16 degrees 55 minutes 05 seconds East, a distance of 49.61 feet to a point for corner;

THENCE South 03 degrees 11 minutes 20 seconds East, a distance of 109.33 feet to a point for corner;

THENCE South 04 degrees 27 minutes 24 seconds East, a distance of 60.49 feet to a point for corner;

THENCE South 16 degrees 19 minutes 49 seconds West, a distance of 39.76 feet to a point for corner;

THENCE South 08 degrees 12 minutes 45 seconds East, a distance of 48.89 feet to a point for corner;

THENCE South 64 degrees 09 minutes 47 seconds East, a distance of 66.87 feet to a point for corner;

THENCE South 47 degrees 50 minutes 45 seconds East, a distance of 73.04 feet to a point for corner;

THENCE South 42 degrees 29 minutes 55 seconds East, a distance of 44.81 feet to a point for corner;

THENCE North 85 degrees 31 minutes 53 seconds East, a distance of 53.72 feet to a point for corner;

THENCE South 25 degrees 10 minutes 09 seconds East, a distance of 84.31 feet to a point for corner;

THENCE South 42 degrees 22 minutes 14 seconds East, a distance of 59.42 feet to a point for corner;

THENCE South 47 degrees 09 minutes 28 seconds East, a distance of 71.66 feet to a point for corner;

THENCE South 02 degrees 46 minutes 29 seconds West, a distance of 57.76 feet to a point for corner;

THENCE South 31 degrees 26 minutes 15 seconds East, a distance of 71.66 feet to a point for corner;

THENCE South 18 degrees 53 minutes 46 seconds East, a distance of 88.10 feet to a point for corner;

THENCE South 11 degrees 41 minutes 53 seconds East, a distance of 110.02 feet to a point for corner;

THENCE South 53 degrees 25 minutes 21 seconds West, a distance of 34.88 feet to a point for corner;

THENCE South 20 degrees 12 minutes 22 seconds East, a distance of 44.84 feet to a point for corner;

THENCE South 79 degrees 08 minutes 23 seconds East, a distance of 90.02 feet to a point for corner;

THENCE South 56 degrees 28 minutes 11 seconds East, a distance of 62.92 feet to a point for corner;

THENCE South 87 degrees 49 minutes 07 seconds East, a distance of 28.55 feet to a point for corner;

THENCE South 05 degrees 58 minutes 08 seconds West, a distance of 28.02 feet to a point for corner;

THENCE South 10 degrees 07 minutes 55 seconds East, a distance of 46.33 feet to a point for corner;

THENCE South 10 degrees 56 minutes 13 seconds East, a distance of 88.76 feet to a point for corner;

THENCE South 42 degrees 32 minutes 37 seconds East, a distance of 66.83 feet to a point for corner;

THENCE South 05 degrees 48 minutes 00 seconds West, a distance of 37.66 feet to a point for corner;

THENCE South 27 degrees 06 minutes 51 seconds East, a distance of 115.84 feet to a point for corner;

THENCE South 36 degrees 05 minutes 07 seconds East, a distance of 93.26 feet to a point for corner;

THENCE South 09 degrees 53 minutes 27 seconds East, a distance of 144.51 feet to a point for corner in the common south line of said Rockwall Property Corporation tract recorded in Volume 444, Page 146 and north line of that tract of land described in Deed to Robert O. Dillender and wife, Sherry Dillender, as recorded in Volume 3356, Page 177, Deed Records, Rockwall County, Texas;

THENCE Westerly, with said south line, the following four (4) courses and distances:

North 89 degrees 15 minutes 43 seconds West, a distance of 1,002.42 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to F&F Holdings I, Ltd., as recorded in Document No. 20200000031089, Deed Records, Rockwall County, Texas and northeast corner of that tract of land described in Deed to D. Richard Devenney and wife, Diana Devenney, as recorded in Volume 165, Page 116, Deed Records, Rockwall County, Texas;

North 87 degrees 11 minutes 23 seconds West, a distance of 295.74 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of said D. Richard Devenney and wife, Diana Devenney tract and an interior ell corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146;

South 01 degrees 26 minutes 13 seconds West, a distance of 426.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common southwest corner of said D. Richard Devenney and wife, Diana Devenney tract and an exterior ell corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146;

South 88 degrees 33 minutes 07 seconds West, a distance of 724.98 feet to a 1/2 inch iron rod with a red plastic cap stamped "SPARK SURVEY" found in the north line of Washington Street, a variable width right-of-way, for the common southwest corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146 and southeast corner of that tract of land described in Deed to City of Rockwall, as recorded in Volume 2163, Page 96, Deed Records, Rockwall County, Texas;

THENCE Northerly, with the east line of said City of Rockwall tract, the following three (3) courses and distances:

North 24 degrees 23 minutes 30 seconds East, a distance of 884.48 feet to a 1/2 inch iron rod with a red plastic cap stamped "SPARK SURVEY" found at the beginning of a curve to the left having a central angle of 25 degrees 00 minutes 38 seconds, a radius of 700.00 feet and a chord bearing and distance of North 11 degrees 53 minutes 11 seconds East, 303.14 feet;

Northerly, with said curve to the left, an arc distance of 305.56 feet to a 1/2 inch iron rod with a red plastic cap stamped "SPARK SURVEY" found for corner;

North 00 degrees 37 minutes 07 seconds West, a distance of 201.44 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common northeast corner of said City of Rockwall tract and an exterior ell corner of said Rockwall Property Corporation tract recorded in Volume 444, Page 146;

THENCE South 89 degrees 07 minutes 35 seconds West, a distance of 762.97 feet to a 3/8 inch iron rod found for the common northwest corner of said City of Rockwall tract and northeast corner of MUNICIPAL PARK ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Slide 49, Plat Records, Rockwall County, Texas;

THENCE South 89 degrees 15 minutes 52 seconds West, with the north line of said MUNICIPAL PARK ADDITION, a distance of 297.37 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the southwest corner of the above mentioned OAK CREEK Addition;

THENCE North 59 degrees 30 minutes 28 seconds East, leaving said north line and with the west line of said OAK CREEK Addition, a distance of 1,091.77 feet to a 1/2 inch iron rod found for corner;

THENCE North 01 degrees 18 minutes 48 seconds West, continuing with said west line, a distance of 759.30 feet to the **POINT OF BEGINNING** and containing 65.309 acres of land, more or less.

LEGAL DESCRIPTION:

Point of Beginning in the Section 16, Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas...

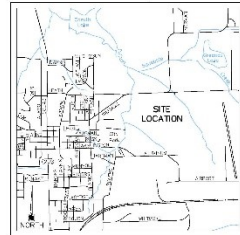
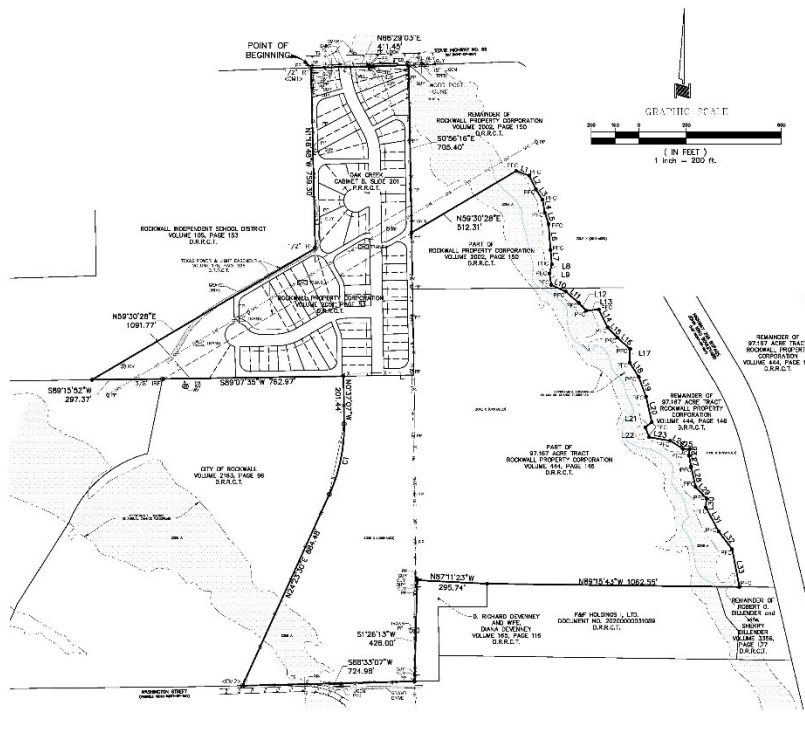
- BEARING AND A DISTANCE OF 1/2 INCH FROM THE SOUTH END OF STATE HIGHWAY NO. 88...
TRACED NORTH 88 DEGREES 26 MINUTES 03 SECONDS EAST, WITH A SLOPE OF 41.45...
TRACED SOUTH 20 DEGREES 56 MINUTES 16 SECONDS EAST, BEING A SLOPE WITH THE SLOPE...

LEGAL DESCRIPTION (CONT.):

- South 88 degrees 23 minutes 27 seconds West, a distance of 704.88 feet to a 1/2 inch iron rod...
North 24 degrees 23 minutes 30 seconds East, a distance of 261.48 feet to a 1/2 inch iron rod...
North 20 degrees 37 minutes 07 seconds West, a distance of 204.44 feet to a 1/2 inch iron rod...

NOTES:

- 1. BASES OF BEARINGS DERIVED FROM THE TEXAS STATE PLANE COORDINATE SYSTEM, MODEL NORTH CENTRAL ZONE, DATUM CONTROL ESTABLISHED THROUGH CHINA AND GUYANA...
2. THE SUBJECT TRACT LIES WITHIN ZONE 4 (UNSHARED), DEFINED AS 'AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PROTECTION AND ARE NOT COVERED BY FEDERAL FLOOD INSURANCE...'



LOCATION MAP NOT TO SCALE

- LEGEND
1/2" IRON ROD WITH RED PLASTIC CAP STAMPED 'SPARK SURVEY' (UNLESS OTHERWISE NOTED)
1/2" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED 'CIV' (UNLESS OTHERWISE NOTED)
P/C POINT FOR CORNER
C/M CONTROL MONUMENT
D.R.C.I. DEED RECORDS, ROCKWALL COUNTY, TEXAS

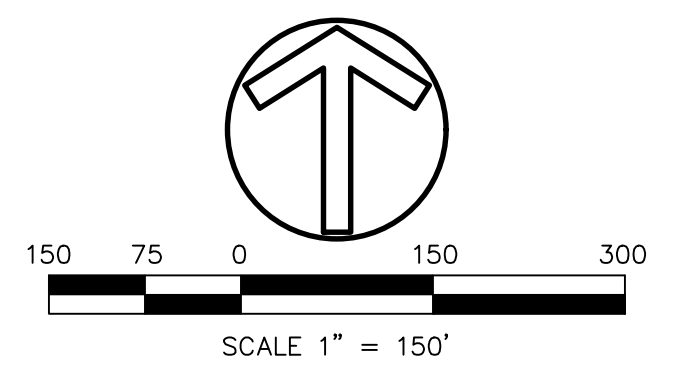
JOHNSON WOLK CONSULTING logo and contact information.

LAND TITLE SURVEY
67.015 ACRES
GEORGE W. REDLIN SURVEY, ABSTRACT NO. 183
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



10/11/2022

15:15:15
15:15:15
15:15:15



- LEGEND**
- TYPE A LOT
 - TYPE B LOT
 - TYPE C LOT
 - AMENITY SITE
 - PARK DEDICATION

ALL LOTS LESS THAN 12,000 SF ARE LOCATED WITHIN 800 FT OF A PUBLIC OR PRIVATE OPEN SPACE.

LOT DIMENSION STANDARDS

LAND USE	AREA (AC)	PERCENT OF TOTAL
RESIDENTIAL	37.52	57.4%
FUTURE TXDOT R.O.W.	6.65	10.2%
OPEN SPACE		
Private Open Space	11.95	18.3%
Park Dedication	1.87	2.9%
Amenity Site	0.97	1.5%
Floodplain	6.35	9.7%
OPEN SPACE TOTAL	21.14	32.4%
TOTAL	65.309	100.0%

Open Space Required (20%) = 65.309 x 20% = 13.06 acres
 Open Space Provided (assuming 1/2 of floodplain) = 17.97 Ac.

Line Table

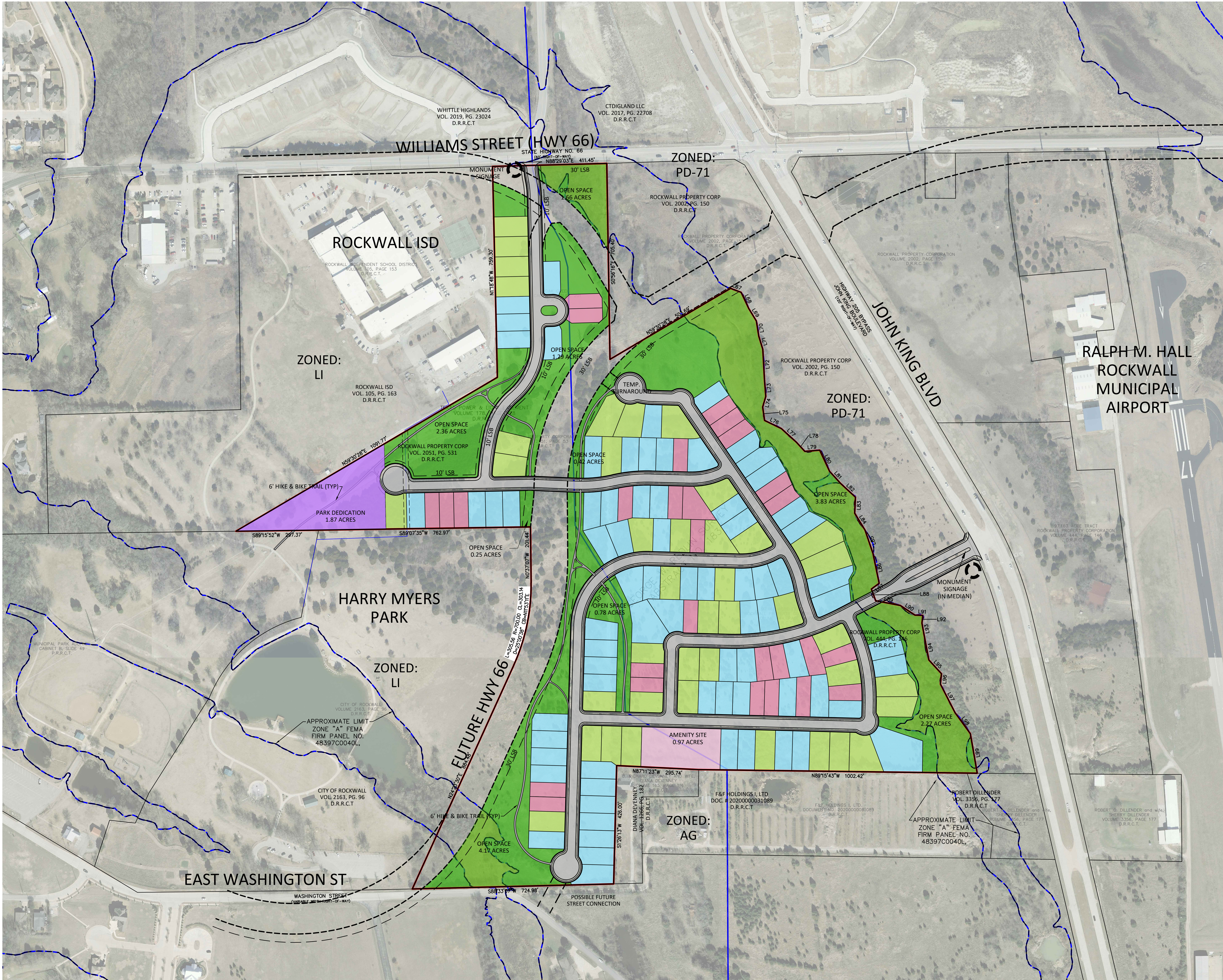
Line	Length	Direction
L67	40.60	S69° 21' 48"E
L68	64.89	S25° 06' 25"E
L69	51.80	S31° 25' 37"E
L70	55.61	S9° 09' 13"E
L71	49.61	S16° 55' 05"E
L72	109.33	S3° 11' 20"E
L73	60.49	S4° 27' 24"E
L74	39.76	S16° 19' 49"W
L75	48.89	S8° 12' 45"E
L76	66.87	S64° 09' 47"E
L77	73.04	S47° 50' 45"E
L78	44.81	S42° 29' 55"E
L79	53.72	N85° 31' 53"E
L80	84.31	S25° 10' 09"E
L81	59.42	S42° 22' 14"E
L82	72.07	S47° 09' 28"E
L83	57.76	S2° 46' 29"W
L84	71.66	S31° 26' 15"E
L85	88.10	S18° 53' 46"E
L86	110.02	S11° 41' 53"E

Line Table

Line	Length	Direction
L87	34.88	S53° 25' 21"W
L88	44.84	S20° 12' 22"E
L89	90.02	S79° 08' 23"E
L90	62.92	S56° 28' 11"E
L91	28.55	S87° 49' 07"E
L92	28.02	S5° 58' 08"W
L93	46.33	S10° 07' 55"E
L94	88.76	S10° 56' 13"E
L95	66.83	S42° 32' 37"E
L96	37.66	S5° 48' 00"W
L97	115.84	S27° 06' 51"E
L98	93.26	S36° 05' 07"E
L99	144.51	S9° 53' 27"E

CONCEPT PLAN
PARK HILLS
 144 SINGLE-FAMILY LOTS
 65.309 Acres
 Rockwall, Texas

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



05 FUTURE LAND USE PLAN

01 LAND USE PLAN DESIGNATIONS

01.01 RESIDENTIAL ● ● ●

● LOW DENSITY RESIDENTIAL (LDR)

The *Low Density Residential* land use category consists of residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses (see Chapter 8, *Residential Developments, of this Comprehensive Plan*).

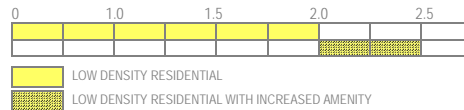
DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban, Estate and Rural Residential (i.e. *Single-Family Detached Homes*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: All Single-Family Estate (SFE) Districts (i.e. SFE 1.5, 2.0 & 4.0), certain Planned Development (PD) Districts and the Single-Family One (SF-1) District.

EXISTING LAND USE EXAMPLES

- 1 Breezy Hill Subdivision
- 2 Stone Creek Subdivision
- 3 Oaks of Buffalo Way Subdivision

RESIDENTIAL DENSITY CHART



● MEDIUM DENSITY RESIDENTIAL (MDR)

The *Medium Density Residential* land use category consists of residential subdivisions that are greater than two and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses (see Chapter 8, *Residential Developments, of this Comprehensive Plan*).

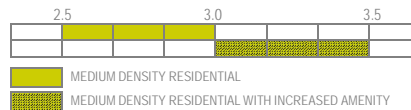
DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban Residential (i.e. *Single-Family Detached Homes*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Certain Planned Development (PD) Districts and the Single-Family 16 (SF-16) District

EXISTING LAND USE EXAMPLES

- 1 Caruth Lakes Subdivision
- 2 Lago Vista Subdivision
- 3 Park Place Subdivision

RESIDENTIAL DENSITY CHART



● HIGH DENSITY RESIDENTIAL (HDR)

The *High Density Residential* land use category may consist of single-family residential homes, duplexes, townhomes, apartments, lofts, condominiums or other forms of housing that exceed three and one-half (3½) units per gross acre. These developments should contain increased amenities and open space, and incorporate pedestrian connectivity to adjacent land uses.

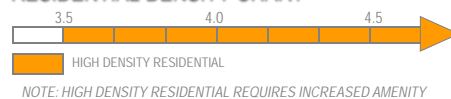
DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban and Urban Residential (i.e. *Single-Family Detached, Single-Family Attached, Zero Lot Line Homes, Townhomes, Duplexes, Condominiums and Multi-Family Apartments*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Certain Planned Development (PD) Districts, Single-Family 10 (SF-10) District, Single-Family 8.4 (SF-8.4) District, Single-Family 7 (SF-7) District, Zero Lot Line (ZL-5) District, Two Family (2F) District, and the Multi-Family 14 (MF-14) District.

EXISTING LAND USE EXAMPLES

- 1 Turtle Cove Subdivision
- 2 Sixteen50 @ Lake Ray Hubbard Apartments
- 3 Mission Rockwall Apartment Complex

RESIDENTIAL DENSITY CHART

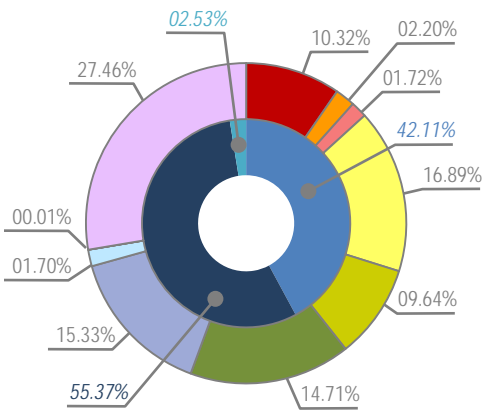


01 CENTRAL DISTRICT DISTRICT STRATEGIES

DISTRICT DESCRIPTION

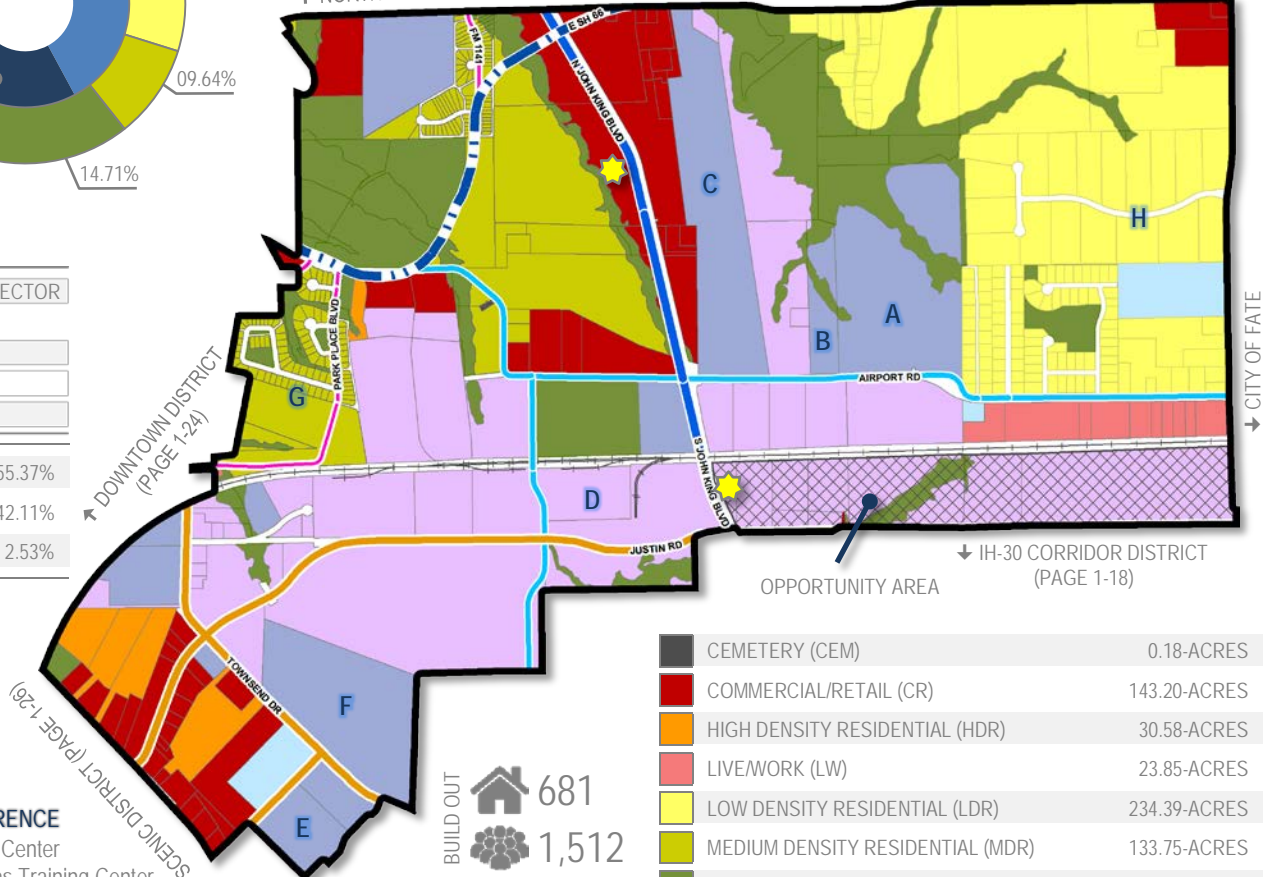
The *Central District* is composed of a wide range of land uses that vary from single-family to industrial. The district's residential areas consist of suburban residential (e.g. *Park Place*), estate and rural residential (e.g. *Rolling Meadows Subdivision*), and higher density residential developments (e.g. *Evergreen Senior Living*). The *Central District* also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Rail Road* line that bisects the district -- and *City* -- in an east/west direction. The *Ralph Hall Municipal Airport* and several other large public/school facilities are also located within the boundaries of this district.

 John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon






Color	Category	Percentage
Black	COMMERCIAL	55.37%
Blue	RESIDENTIAL	42.11%
Light Blue	MIXED USE	2.53%
Pink	MINOR COLLECTOR	
Light Blue	M4U	
Orange	M4D	
Dark Blue	P6D	
Dark Blue	TXDOT 4D	

↑ NORTHWEST RESIDENTIAL DISTRICT (PAGE 1-25) ↑ NORTHEAST RESIDENTIAL DISTRICT (PAGE 1-23)





- POINTS OF REFERENCE**
- A. Animal Adoption Center
 - B. Regional Firearms Training Center
 - C. Ralph Hall Municipal Airport
 - D. Leon Tuttle Athletic Complex
 - E. Rockwall County Courthouse
 - F. Utley Middle School
 - G. Park Place Subdivision
 - H. Rolling Meadows Subdivision




CURRENT

-  220
-  71
-  488

BUILD OUT

-  681
-  1,512

% OF ROCKWALL

-  1.10%
-  3.91%
-  0.82%

	CEMETERY (CEM)	0.18-ACRES
	COMMERCIAL/RETAIL (CR)	143.20-ACRES
	HIGH DENSITY RESIDENTIAL (HDR)	30.58-ACRES
	LIVE/WORK (LW)	23.85-ACRES
	LOW DENSITY RESIDENTIAL (LDR)	234.39-ACRES
	MEDIUM DENSITY RESIDENTIAL (MDR)	133.75-ACRES
	PARKS AND OPEN SPACE (OS)	204.05-ACRES
	PUBLIC (P)	212.77-ACRES
	QUASI-PUBLIC (QP)	23.65-ACRES
	SPECIAL COMMERCIAL CORRIDOR (SC)	0.08-ACRES
	TECHNOLOGY/EMPLOYMENT CENTER (TEC)	381.07-ACRES

- 1 **Live/Work.** The live/work designation in this district is intended to provide flexibility for land owners, adjacent to the railroad tracks, to transition their properties -- *when appropriate* -- to low intensity office/retail land uses that are similar in scale and scope to the adjacent residential properties.
- 2 **Suburban Residential.** While many of the larger tracts in this area are not large enough to support a master planned community (*which is characteristic of Northern Estates and Northwest Residential Districts*), any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* lots in this district, but should be comparable in size to newer developments (*i.e. Ridgecrest Subdivision*). In addition, newer subdivisions adjacent to existing larger lot subdivisions should provide a transition (*e.g. larger lots or a large landscape buffer*) adjacent to the existing subdivision.
- 3 **Commercial/Retail Centers.** The commercial/retail centers in this district are intended to support existing and proposed residential developments, and should be compatible in scale with adjacent residential structures (*i.e. are more characteristic of neighborhood/convenience centers*); however, areas adjacent to John King Boulevard should be capable of accommodating mid to large-scale commercial users. All commercial developments should incorporate appropriate screening (*e.g. berms, landscaping and large buffers*) to transition uses.
- 4 **Industrial/Special Commercial Corridor Opportunity Area.** The area south of the railroad tracks that is indicated by a crosshatched pattern represents an opportunity area in the City of Rockwall. Due to its adjacency to the railroad tracks, the land is naturally suitable for *Technology/Industrial* land uses; however, due to the land's adjacency to strategically located parcels along IH-30 the land could be utilized as part of a larger development in the *Special Commercial Corridor*.
- 5 **John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT, TWO-FAMILY (2F) DISTRICT, AND LIGHT INDUSTRIAL (LI) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 8.4 (SF-8.4) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 65.309-ACRE TRACT OF LAND IDENTIFIED AS THE OAK CREEK SUBDIVISION; TRACT 6 OF THE G. W. REDLIN SURVEY, ABSTRACT NO. 183; AND PORTIONS OF TRACTS 1 & 6-1 OF THE G. W. REDLINE SURVEY, ABSTRACT NO. 183, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of the Michael Joyce Properties on behalf of Bill Bricker of Columbia Development Company for the approval of a zoning change from an Agricultural (AG) District, Two-Family (2F) District, and Light Industrial (LI) District to a Planned Development District for Single-Family 8.4 (SF-8.4) District land uses, on a 65.309-acre tract of land identified as the Oak Creek Subdivision and Tract 6 and portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, Two-Family (2F) District, and Light Industrial (LI) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with

the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*,

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat*. A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.

- (f) PD Site Plan. A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) Final Plat. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF SEPTEMBER, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: August 15, 2022

2nd Reading: September 6, 2022

BEING a tract of land situated in the *GEORGE W. REDLIN SURVEY, ABSTRACT NO. 183*, City of Rockwall, Rockwall County, Texas and being all of *OAK CREEK*, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Slide 201, Plat Records, Rockwall County, Texas and being part of those tracts of land described in Deed to Rockwall Property Corporation, as recorded in Volume 444, Page 146 and Volume 2002, Page 150, Deed Records, Rockwall County, Texas and being all of that tract of land described in Deed to Rockwall Property Corporation, as recorded in Volume 2051, Page 53, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found in the south line of State Highway No. 66, a 60-foot right-of-way, for the common northwest corner of said *OAK CREEK* Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53 and northeast corner of that tract of land described in Deed to Rockwall Independent School District, as recorded in Volume 105, Page 153, Deed Records, Rockwall County, Texas;

THENCE North 88 degrees 29 minutes 03 seconds East, with said south line, a distance of 411.45-feet to a wood post found for the common northeast corner of said *OAK CREEK* Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53 and northwest corner of said Rockwall Property Corporation tract recorded in Volume 2002, Page 150;

THENCE South 00 degrees 56 minutes 16 seconds East, leaving said south line and with the common west line of said Rockwall Property Corporation tract recorded in Volume 2002, Page 150 and east line of said *OAK CREEK* Addition and said Rockwall Property Corporation tract recorded in Volume 2051, Page 53, a distance of 705.40-feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 59 degrees 30 minutes 28 seconds East, leaving said common line, a distance of 503.69-feet to a point for corner;

THENCE South 69 degrees 21 minutes 48 seconds East, a distance of 40.60-feet to a point for corner;

THENCE South 25 degrees 06 minutes 25 seconds East, a distance of 64.89-feet to a point for corner;

THENCE South 31 degrees 25 minutes 37 seconds East, a distance of 51.80-feet to a point for corner;

THENCE South 09 degrees 09 minutes 13 seconds East, a distance of 55.61-feet to a point for corner;

THENCE South 16 degrees 55 minutes 05 seconds East, a distance of 49.61-feet to a point for corner;

THENCE South 03 degrees 11 minutes 20 seconds East, a distance of 109.33-feet to a point for corner;

THENCE South 04 degrees 27 minutes 24 seconds East, a distance of 60.49-feet to a point for corner;

THENCE South 16 degrees 19 minutes 49 seconds West, a distance of 39.76-feet to a point for corner;

THENCE South 08 degrees 12 minutes 45 seconds East, a distance of 48.89-feet to a point for corner;

THENCE South 64 degrees 09 minutes 47 seconds East, a distance of 66.87-feet to a point for corner;

THENCE South 47 degrees 50 minutes 45 seconds East, a distance of 73.04-feet to a point for corner;

THENCE South 42 degrees 29 minutes 55 seconds East, a distance of 44.81-feet to a point for corner;

THENCE North 85 degrees 31 minutes 53 seconds East, a distance of 53.72-feet to a point for corner;

THENCE South 25 degrees 10 minutes 09 seconds East, a distance of 84.31-feet to a point for corner;

THENCE South 42 degrees 22 minutes 14 seconds East, a distance of 59.42-feet to a point for corner;

THENCE South 47 degrees 09 minutes 28 seconds East, a distance of 71.66-feet to a point for corner;

THENCE South 02 degrees 46 minutes 29 seconds West, a distance of 57.76-feet to a point for corner;

THENCE South 31 degrees 26 minutes 15 seconds East, a distance of 71.66-feet to a point for corner;

THENCE South 18 degrees 53 minutes 46 seconds East, a distance of 88.10-feet to a point for corner;

THENCE South 11 degrees 41 minutes 53 seconds East, a distance of 110.02-feet to a point for corner;

THENCE South 53 degrees 25 minutes 21 seconds West, a distance of 34.88-feet to a point for corner;

THENCE South 20 degrees 12 minutes 22 seconds East, a distance of 44.84-feet to a point for corner;

THENCE South 79 degrees 08 minutes 23 seconds East, a distance of 90.02-feet to a point for corner;

THENCE South 56 degrees 28 minutes 11 seconds East, a distance of 62.92-feet to a point for corner;

THENCE South 87 degrees 49 minutes 07 seconds East, a distance of 28.55-feet to a point for corner;

THENCE South 05 degrees 58 minutes 08 seconds West, a distance of 28.02-feet to a point for corner;

THENCE South 10 degrees 07 minutes 55 seconds East, a distance of 46.33-feet to a point for corner;

THENCE South 10 degrees 56 minutes 13 seconds East, a distance of 88.76-feet to a point for corner;

THENCE South 42 degrees 32 minutes 37 seconds East, a distance of 66.83-feet to a point for corner;

THENCE South 05 degrees 48 minutes 00 seconds West, a distance of 37.66-feet to a point for corner;

THENCE South 27 degrees 06 minutes 51 seconds East, a distance of 115.84-feet to a point for corner;

THENCE South 36 degrees 05 minutes 07 seconds East, a distance of 93.26-feet to a point for corner;

THENCE South 09 degrees 53 minutes 27 seconds East, a distance of 144.51-feet to a point for corner in the common south line of said Rockwall Property Corporation tract recorded in Volume 444, Page 146 and north line of that tract of land described in Deed to Robert O. Dillender and wife, Sherry Dillender, as recorded in Volume 3356, Page 177, Deed Records, Rockwall County, Texas;

THENCE Westerly, with said south line, the following four (4) courses and distances:

North 89 degrees 15 minutes 43 seconds West, a distance of 1,002.42-feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to F&F Holdings I, Ltd., as recorded in Document No. 2020000031089, Deed Records, Rockwall County, Texas and northeast corner of that tract of land described in Deed to D. Richard Devenney and wife, Diana Devenney, as recorded in Volume 165, Page 116, Deed Records, Rockwall County, Texas;

North 87 degrees 11 minutes 23 seconds West, a distance of 295.74-feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of said D. Richard Devenney and wife, Diana Devenney tract and an interior ell corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146;

South 01 degrees 26 minutes 13 seconds West, a distance of 426.00-feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the common southwest corner of said D. Richard Devenney and wife, Diana Devenney tract and an exterior ell corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146;

South 88 degrees 33 minutes 07 seconds West, a distance of 724.98-feet to a ½-inch iron rod with a red plastic cap stamped "SPARK SURVEY" found in the north line of Washington Street, a variable width right-of-way, for the common southwest corner of said Rockway Property Corporation tract recorded in Volume 444, Page 146 and southeast corner of that tract of land described in Deed to City of Rockwall, as recorded in Volume 2163, Page 96, Deed Records, Rockwall County, Texas;

THENCE Northerly, with the east line of said City of Rockwall tract, the following three (3) courses and distances:

North 24 degrees 23 minutes 30 seconds East, a distance of 884.48-feet to a ½-inch iron rod with a red plastic cap stamped "SPARK SURVEY" found at the beginning of a curve to the left having a central angle of 25 degrees 00 minutes 38 seconds, a radius of 700.00-feet and a chord bearing and distance of North 11 degrees 53 minutes 11 seconds East, 303.14-feet;

Northerly, with said curve to the left, an arc distance of 305.56-feet to a ½-inch iron rod with a red plastic cap stamped "SPARK SURVEY" found for corner;

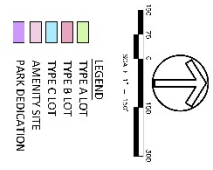
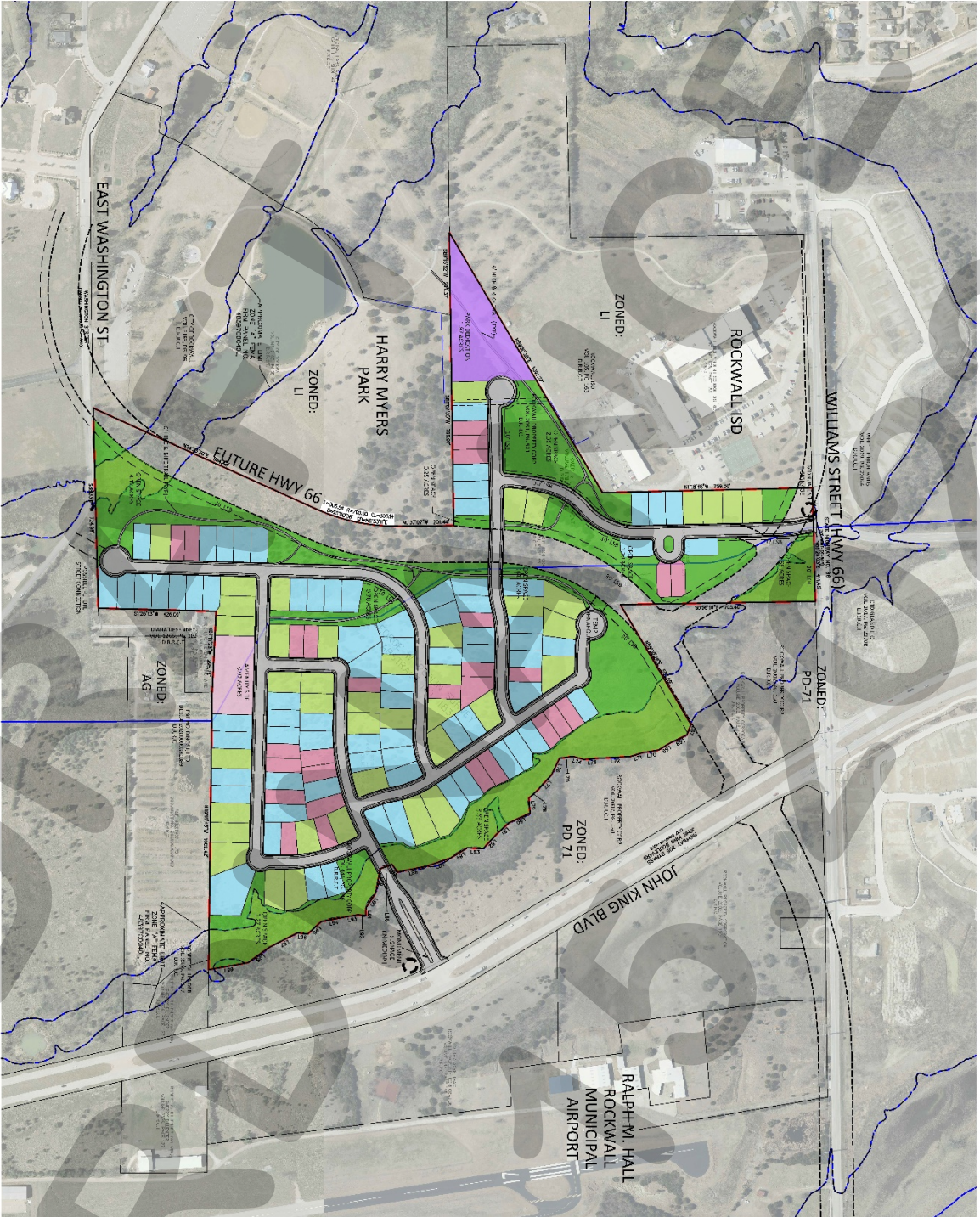
North 00 degrees 37 minutes 07 seconds West, a distance of 201.44-feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the common northeast corner of said City of Rockwall tract and an exterior ell corner of said Rockwall Property Corporation tract recorded in Volume 444, Page 146;

THENCE South 89 degrees 07 minutes 35 seconds West, a distance of 762.97-feet to a 3/8-inch iron rod found for the common northwest corner of said City of Rockwall tract and northeast corner of *MUNICIPAL PARK ADDITION*, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Cabinet B, Slide 49, Plat Records, Rockwall County, Texas;

THENCE South 89 degrees 15 minutes 52 seconds West, with the north line of said *MUNICIPAL PARK ADDITION*, a distance of 297.37-feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the southwest corner of the above-mentioned OAK CREEK Addition;

THENCE North 59 degrees 30 minutes 28 seconds East, leaving said north line and with the west line of said *OAK CREEK* Addition, a distance of 1,091.77-feet to a ½-inch iron rod found for corner;

THENCE North 01 degrees 18 minutes 48 seconds West, continuing with said west line, a distance of 759.30-feet to the *POINT OF BEGINNING* and containing 65.309 acres of land, more or less.



ALL LOT SIZES SHALL BE 200' OR GREATER IN LENGTH AND 100' OR GREATER IN WIDTH. ALL LOT SIZES SHALL BE 200' OR GREATER IN LENGTH AND 100' OR GREATER IN WIDTH.

LOT DIMENSION STANDARDS

MINIMUM	MAXIMUM	PERCENT OF TOTAL
MINIMUM LOT AREA	1,000 SQ. FT.	100%
MINIMUM LOT WIDTH	11.75'	100%
MINIMUM LOT DEPTH	1.67'	100%
MINIMUM LOT FRONT SETBACK	0.97'	100%
MINIMUM LOT SIDE SETBACK	2.14'	100%
MINIMUM LOT REAR SETBACK	2.14'	100%
TOTAL	65,309	100%

Open Space: 7,945 sq ft (12.16% of total area)

LINE NUMBER	LINE TYPE	LINE LENGTH
1	TYPE A LOT	1,000
2	TYPE B LOT	1,000
3	TYPE C LOT	1,000
4	AMENITY SITE	1,000
5	PARK DEDICATION	1,000

**CONCEPT PLAN
PARK HILLS**
144 SINGLE-FAMILY LOTS
65,309 ACRES
Rockwall, Texas

**JOHNSON YOLK
CONSULTING**
14000 W. LAKESIDE DRIVE, SUITE 100, ROCKWALL, TEXAS 75087
972.962.1234
JOHNSON-YOLK.COM
ZONING CASE #2022-037

DENSITY AND DEVELOPMENT STANDARDS.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District 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 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	72' x 120'	8,400 SF	41	28.50%
B	62' x 120'	7,200 SF	75	52.10%
C	52' x 120'	6,000 SF	28	19.40%
<i>Maximum Permitted Units:</i>			144	100.00%

- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 8.4 (SF-8.4) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.21 dwelling units per gross acre of land; however, in no case should the proposed development exceed 144 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ▶	A	B	C
<i>Minimum Lot Width</i> ⁽¹⁾	72'	62'	52'
<i>Minimum Lot Depth</i>	120'	120'	120'
<i>Minimum Lot Area</i>	8,400 SF	7,200 SF	6,000 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	20'	20'	20'
<i>Minimum Side Yard Setback</i>	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2), (5) & (7)}	15'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	35'	35'	35'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'	10'	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,500 SF	2,500 SF	2,400 SF
<i>Maximum Lot Coverage</i>	65'	65'	65'

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.
- ⁶: *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- ⁷: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

(4) **Building Standards.** All development shall adhere to the following building standards:

- (a) **Masonry Requirement.** The minimum masonry requirement for the exterior façade of all buildings shall be 90% (excluding dormers and walls over roof areas). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (e.g. *HardiBoard* or *Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (see examples below) may be used for up to 80% of the masonry requirement; however, administrative from the Director of Planning and Zoning approval may be requested for housing plans that utilize cementitious fiberboard in excess of 80% of the masonry requirement on a case-by-case basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN



Continued on Next Page ...

FIGURE 3: EXAMPLES OF HORIZONTAL LAP



- (b) **Roof Pitch.** A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) **Garage Orientation and Garage Doors.** All of the *Type 'C'* lots (*i.e. the 52' x 120' lots*) may be oriented toward the street in a *Front Entry* garage configuration; however, the front façade of the garage must be situated a minimum of five (5) feet behind the front façade of the primary structure. The remaining *Type 'A' & 'B'* lots (*i.e. the 62' x 120' and 72' x 120' lots*) shall be oriented in a *J-Swing (or Traditional Swing)* configuration or be situated a minimum of 20-feet behind the front façade of the home. In addition, all garage configurations shall have upgraded finishes that consist of the following architectural elements: [1] coach lighting, [2] carriage style hardware and lighting, [3] decorative wood doors or wood overlays on insulated metal doors, and [4] driveways that are constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished [see *Figures 4-6 for examples of upgraded or enhanced finishes*].

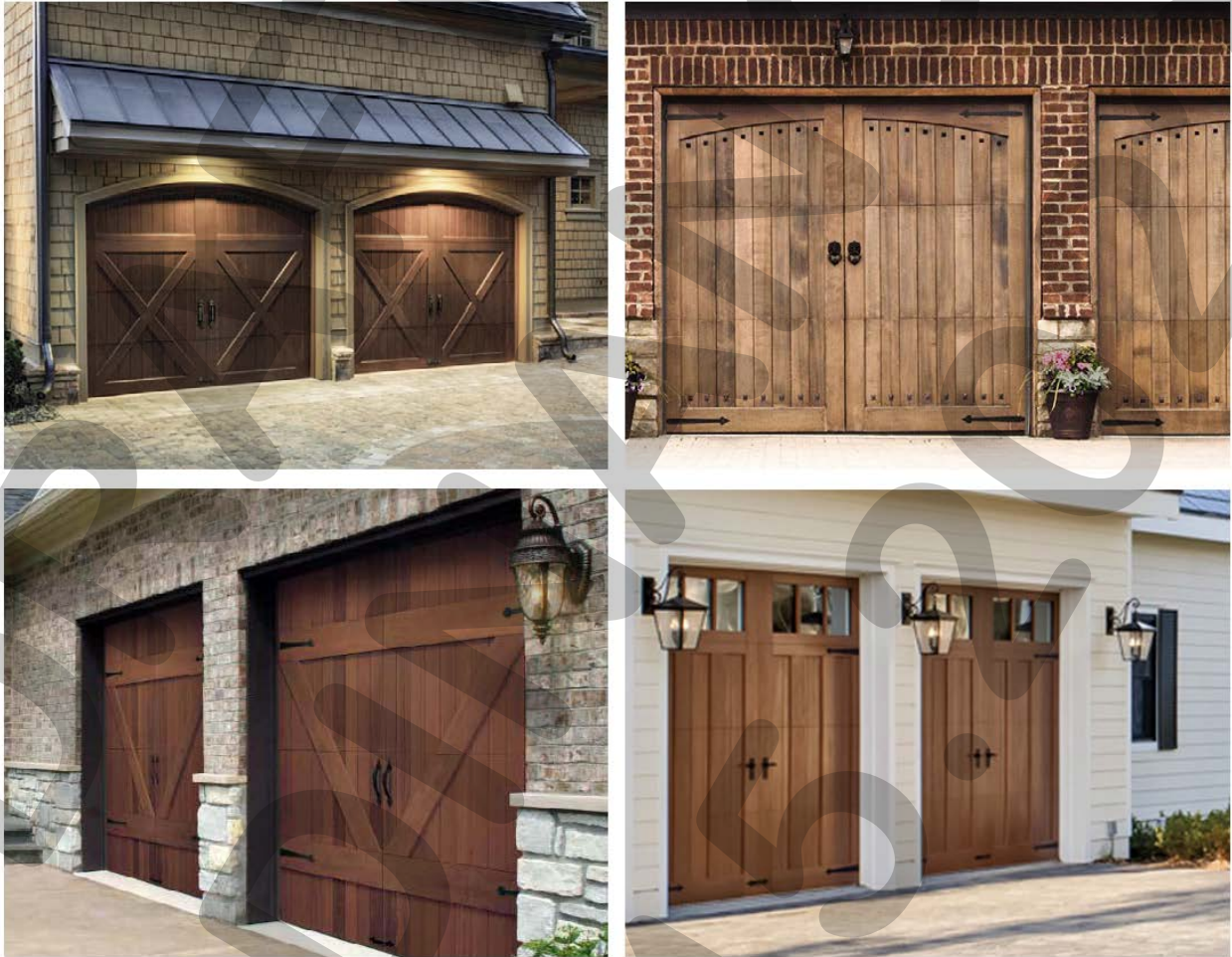
FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES



FIGURE 6: EXAMPLES OF UPGRADED GARAGES



(5) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in Table 3 below (for spacing requirements see Figures 7 & 8 below).

TABLE 3: ANTI-MONOTONY MATRIX

Lot Type	Minimum Lot Size	Elevation Features
A	8,400 SF	(1), (2), (3), (4)
B	7,200 SF	(1), (2), (3), (4)
E	6,000 SF	(1), (2), (3), (4)

(a) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least five (5) intervening homes of differing materials on

the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open space, SH-66 (*Future*), or Harry Myers Park shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Permitted Encroachment Type and Layout
 - (3) Roof Type and Layout
 - (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

FIGURE 7: Properties line up on the opposite side of the street. Where **RED** is the subject property.



FIGURE 8: Properties do not line up on opposite side of the street. Where **RED** is the subject property.



- (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) Front Yard Fences. Front yard fences shall be prohibited.
 - (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.
 - (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. including the future right-of-way for SH-66*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.
 - (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
 - (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
 - (f) Fence in Easements. No fencing shall be constructed in or across a North Texas Municipal Water District (NTMWD) easement and/or an easement of the City of Rockwall.
- (7) Landscape and Hardscape Standards.
- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).

- (1) Landscape Buffer and Sidewalks (Future SH-66). A minimum of a 30-foot landscape buffer shall be provided along the future right-of-way for SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 36-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (2) Landscape Buffer and Sidewalks (E. Williams Street). A minimum of a 30-foot landscape buffer shall be provided along E. Williams Street (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (Adjacent to Open Space). A minimum of a ten (10) foot landscape buffer shall be provided along streets that have frontage on open space. This landscape buffer shall incorporate one (1) canopy tree and one (1) accent tree per 50-feet of linear frontage.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the side yard facing the street.
- (e) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (f) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (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. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (12) Open Space/Public Park. The development shall consist of a minimum of 20% open space (or a minimum of 13.0618-acres -- as calculated using the formula stipulated in the *Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance.
- (13) Trails. A minimum of a six (6) foot concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance. This trail system should connect the residents to the adjacent Harry Myers Park.
- (14) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*; however, the signage should be equal to or better than existing neighborhood signage along John King Boulevard. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (15) Homeowner's Association (HOA). A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (including *drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.
- (16) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.



MEMORANDUM

TO: Mary Smith, City Manager
CC: Honorable Mayor and City Council
FROM: Ryan Miller, Director of Planning and Zoning
DATE: August 15, 2022
SUBJECT: Z2022-038; AMENDMENT TO PD-93

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Applicant's Letter
Survey
Concept Plan
Ordinance No. 22-22
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 93 (PD-93) [*Ordinance No. 22-22*] to incorporate a 21.83-acre tract of land into the existing 93.97-acre tract of land being identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 10-02, 10-03, 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (DF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary (**1st Reading**).

Action Needed

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



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: August 15, 2022
APPLICANT: Ryan Joyce; *Michael Joyce Properties*
CASE NUMBER: Z2022-038; *Amendment to PD-93*

SUMMARY

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of a Zoning Change amending Planned Development District 93 (PD-93) [*Ordinance No. 22-22*] to incorporate a 21.83-acre tract of land into the existing 93.97-acre tract of land being identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 10-02, 10-03, 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10* [*Case No. A1998-001*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is: [1] a 2,500 SF single-family home constructed in 1958, [2] an ~1,856 SF covered porch constructed in 1958, [3] a 400 SF storage building constructed in 1900, and [4] a 96 SF storage building with a 240 SF covered canopy constructed in 2007. Beyond these structures, the subject property has remained largely undeveloped. On March 7, 2022, the City Council approved a zoning change for the subject property changing the zoning from an Agricultural (AG) District to Planned Development District 93 (PD-93) [*Ordinance No. 22-22*] for Single-Family 10 (SF-10) District land uses.

PURPOSE

On July 15, 2022, the applicant -- *Ryan Joyce of Michael Joyce Properties* -- submitted an application requesting to amend Planned Development District 93 (PD-93). Specifically, the applicant is proposing to incorporate an additional 21.83-acres of land and entitle it to add an additional 82 single-family residential lots to Planned Development District 93 (PD-93).

ADJACENT LAND USES AND ACCESS

The subject property is generally located between SH-66 and FM-1141 at the southwest corner of the intersection of FM-1141 and Cornelius Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is FM-1141 and Cornelius Road. FM-1141 is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) and Cornelius Road is identified as a M4U (*i.e. major collector, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. On the northside of the right-of-way for FM-1141 and the southside of the right-of-way for Cornelius Road are the corporate limits of the City of Rockwall. Beyond this are multiple residential properties situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ) in Rockwall County.

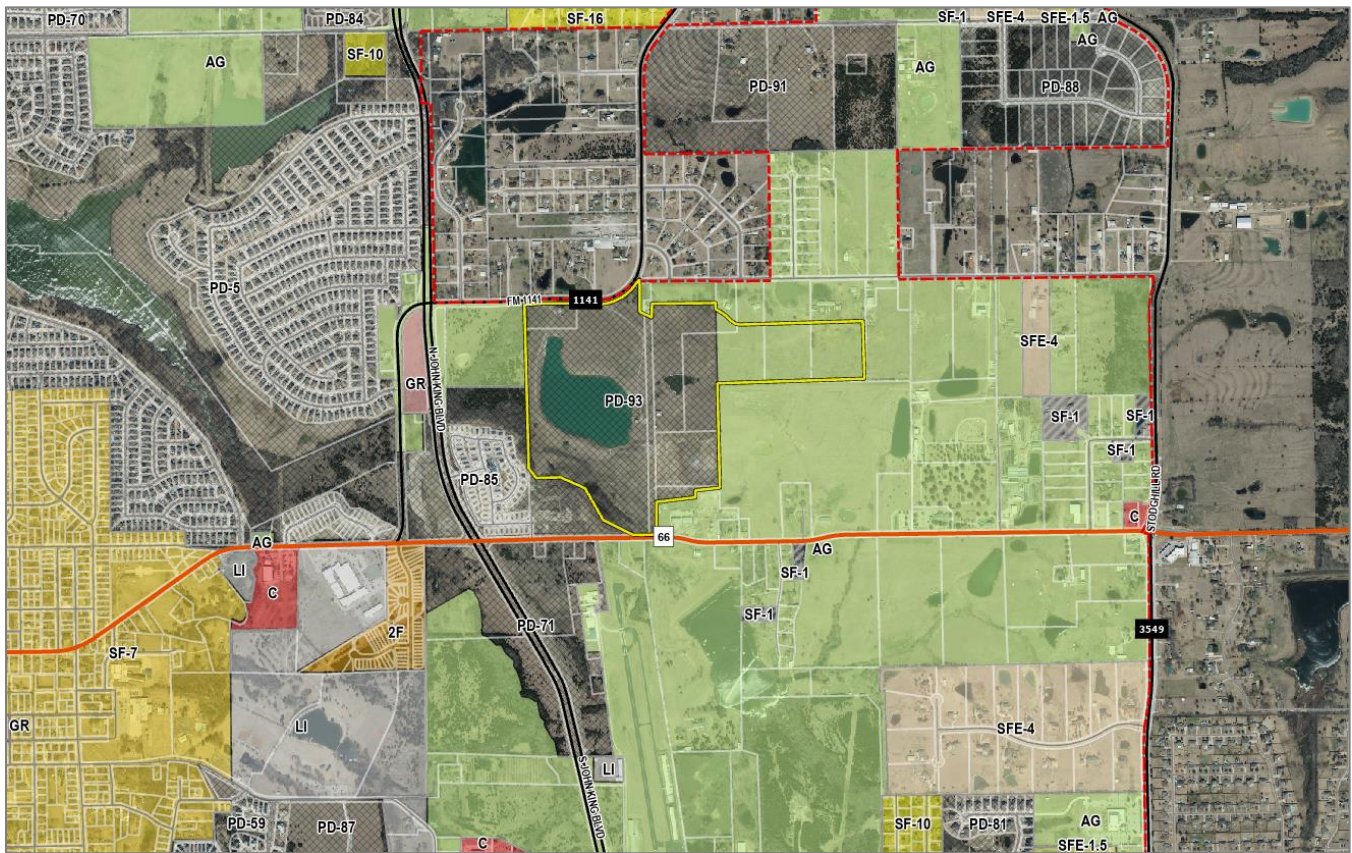
South: Directly south of the subject property is a 9.789-acre tract of land (*i.e. a portion of Lot 1, Block A, Ladera Rockwall Addition*), which will be Phase 2 of the Ladera Subdivision. This phase will consist of 33 residential units that are zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses. Beyond this is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation [TXDOT] roadway, four [4] lane,*

divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this thoroughfare is: [1] a 47.89-acre parcel of land (i.e. Lot 1 of the Rockwall Municipal Airport Addition) which is occupied by the Ralph Hall Municipal Airport, [2] a vacant two (2) acre tract of land (i.e. Tract 2 of the G. W. Redlin Survey, Abstract No. 183), and [3] a 43.66-acre tract of land (i.e. Tract 7 of the D. Harr Survey, Abstract No. 102) occupied with a single-family home. All of these properties are zoned Agricultural (AG) District.

East: Directly east of the subject property are the reminder tracts (i.e. Tracts 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72) being subdivided from the subject property. Also, east of the subject property is a 55.08-acre tract of land (i.e. Tract 11 of the W. M. Dalton Survey, Abstract No. 72), which has a two (2) barns (i.e. a 1,107 SF barn and a 7,448 SF barn both built in 1966). All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property is: [1] a 15.935-acre vacant tract of land (i.e. Tract 5-1 of the M. B. Jones Survey, Abstract No. 122) zoned Agricultural (AG) District, and [2] a 37.80-acre parcel of land (i.e. Lot 1, Block A, Ladera Rockwall Addition) zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses. The 37.80-acre tract of land is the Ladera Subdivision, and will consist of 117 single-family units at buildout. Beyond this is John King Boulevard, which is identified as a P6D (i.e. principal arterial, six [6] lane, divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan showing the incorporation of an additional 21.83-acres of land into the existing 93.97-acre tract of land that makes up Planned Development District 93 (PD-93). The concept plan shows that the 21.83-acre subject property will consist of 82 residential lots. These lots will consist of three (3) lot types that were already established by Planned Development District 93 (PD-93): [1] 40 Type 'C' lots that are a minimum of 72' x 115' (or 9,000 SF), [2] 12 Type 'D' lots that are a minimum of 72' x 110' (or 8,400 SF), and [3] 30 Type 'E' lots that are a minimum of 62' x 110' (or 7,200 SF). This adjusts the gross density of Planned Development District 93 (PD-93) from 1.93 dwelling units per acre to 2.27 dwelling units per gross acre (i.e. 263 lots/115.80-acres = 2.2712 dwelling units per gross acre) for the total development. The proposed

subdivision will continue to be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 10 (SF-10) District unless otherwise specified in the Planned Development District ordinance. The following is a summary of the updated lot composition and density and dimensional standards contained in the proposed Planned Development District ordinance:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	100' x 130'	13,000 SF	9	3.42%
B	82' x 120'	10,000 SF	26	9.89%
C	72' x 115'	9,000 SF	86	32.70%
D	72' x 110'	8,400 SF	34	12.93%
E	62' x 110'	7,200 SF	108	41.06%
<i>Maximum Permitted Units:</i>			263	100.00%

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ►	A	B	C	D	E
<i>Minimum Lot Width</i> ⁽¹⁾	100'	82'	72'	72'	62'
<i>Minimum Lot Depth</i>	130'	120'	115'	110'	110'
<i>Minimum Lot Area (SF)</i>	13,000	10,000	9,000	8,400	7,200
<i>Minimum Front Yard Setback</i> ^{(2), (6) & (8)}	25'	20'	20'	20'	20'
<i>Minimum Side Yard Setback</i>	15'	6'	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2), (6) & (7)}	15'	15'	15'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	35'	35'	35'	35'	35'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	25'	20'	20'	20'	20'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,400	2,500	2,400	2,200	2,200
<i>Maximum Lot Coverage</i>	45'	45'	45'	65'	65'

General Notes:

- ^{1:} Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ^{2:} The location of the *Front Yard Building Setback* as measured from the front property line.
- ^{3:} The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ^{4:} The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ^{5:} Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.
- ^{6:} *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- ^{7:} All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

The proposed concept plan shows that the development will consist of a total of 29.72-acres of floodplain and 13.23-acres of open space maintained by the Homeowner’s Association (HOA). This translates to an open space percentage of 24.26% (*i.e. [29.72-acres of floodplain/2] + 13.23-acres of open space = 28.09-acres/115.80-acres gross = 24.26%*), which is 5.45% less than what was approved with *Ordinance No. 22-22 (i.e. the previous concept plan showed 29.71% open space)*; however, this still exceeds the 20.00% open space required by the Unified Development Code (UDC) and OURHometown Vision 2040 Comprehensive Plan by 4.26%.

INFRASTRUCTURE

Based on the applicant’s concept plan and the proposed density, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

- (1) Roadways. According to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan, FM-1141 is required to be a M4D (*i.e. major collector, four [4] lane, divided roadway*), which requires an 85-foot right-of-way with a 64-foot *back-to-back* concrete street. In addition, SH-66 is identified as a which is identified as a TXDOT4D (*i.e. Texas Department of Transportation [TXDOT] roadway, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This road will require a minimum of 120-feet of right-of-way or 60-feet from the centerline of the roadway. The applicant will also be required to perform a Traffic Impact Analysis (TIA) for the proposed drive approaches off of FM-1141 and SH-66. Staff is also requiring that as part of the Traffic Impact Analysis (TIA) and/or roadway design, the applicant's consultant study the need for a left turn lane at the proposed drive approach on FM-1141.
- (2) Water. The applicant will be required to construct a 12-inch water line on the subject property along SH-66, extending to the existing stub out at FM-1141. In addition, the development will require an eight (8) inch water line be looped through the subject property.
- (3) Wastewater. The applicant will be required to construct an eight (8) inch wastewater line that will tie into the 12-inch line adjacent to the southwestern property line.
- (4) Drainage. The applicant shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Wetlands and Waters of the United States (WOTUS) study for the existing ponds on the subject property.

CONFORMANCE TO THE CITY'S CODES

The proposed amendment to Planned Development District 93 (PD-93) continues to conform to the approvals adopted by the City Council with Planned Development District 93 (PD-93) [*Ordinance No. 22-22*], and does not increase any non-conformities that were not already approved by this ordinance.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northeast Residential District and is designated for Low Density Residential land uses. The plan defines Low Density Residential land uses as "... residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In addition, the Comprehensive Plan defines increased amenity as, "... developments that provide some of the following: (1) open space beyond the required 20%, (2) a golf course and/or other comparable recreation facilities, (3) amenity/recreation facilities, (4) school site integration, (5) dedication or development of park land beyond the required park land dedication, (6) additional development of trails, (7) other amenities deemed appropriate by the City Council." In this case the applicant is proposing a total density of 2.27 dwelling units per acre. In addition, the applicant is proposing to incorporate walking trails, an amenity center, and 24.26% open space (*i.e. 4.26% in excess of the required 20.00%*). Based on this the applicant's request appears to be in conformance with the Low Density Residential designation indicated for the subject property; however, any increase in density between 2.00 dwelling units per acre and 2.50 dwelling units per acre is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. No other aspect about the proposed amendment changes the plans conformance with the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On July 22, 2022, staff mailed 64 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Association (HOA), which is the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices in regard to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to amend Planned Development District 93 (PD-93), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The applicant will be required to put an avigation easement over the property to ensure that homeowners are provided with information showing that they are within close proximity to the flight path of the Ralph Hall Municipal Airport. This will need to be established with the final plat for the subdivision.
- (3) No development or amenities can take place within the Runway Protection Zone (RPZ) of the Ralph Hall Municipal Airport.
- (4) As part of the Traffic Impact Analysis (TIA) and/or roadway design, the need for a left turn lane on FM-1141 -- *at the proposed drive approach* -- shall be determined.
- (5) Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On August 9, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 7-0.



DEVELOPMENT APPLICATION

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

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

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

PLATTING APPLICATION FEES:

MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹

PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹

FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹

REPLAT (\$300.00 + \$20.00 ACRE) ¹

AMENDING OR MINOR PLAT (\$150.00)

PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

SITE PLAN (\$250.00 + \$20.00 ACRE) ¹

AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹

SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}

PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

TREE REMOVAL (\$75.00)

VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1649 FM 1141, Rockwall, TX 75087
SUBDIVISION ABS A0122, MB Jones, Tract 4-01 LOT _____ BLOCK _____
GENERAL LOCATION Approximately 1250 feet east of the intersection John King and FM 1141 South of 1141

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural CURRENT USE Agricultural
PROPOSED ZONING Planned Development District PROPOSED USE Single Family
ACREAGE 21.83 LOTS [CURRENT] 1 LOTS [PROPOSED] _____

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

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

<input type="checkbox"/> OWNER	Mike Peoples	<input type="checkbox"/> APPLICANT	Michael Joyce Properties
CONTACT PERSON	Mike Peoples	CONTACT PERSON	Ryan Joyce
ADDRESS	1850 FM 1141	ADDRESS	767 Justin Road
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Rockwall, TX 75087
PHONE		PHONE	512-965-6280
E-MAIL		E-MAIL	ryan@michaeljoyceproperties.com

NOTARY VERIFICATION [REQUIRED]

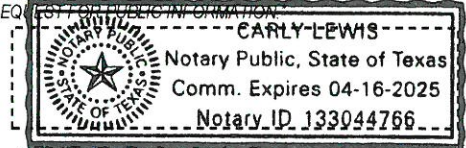
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Michael Ryan Joyce [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION. ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15 DAY OF July 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

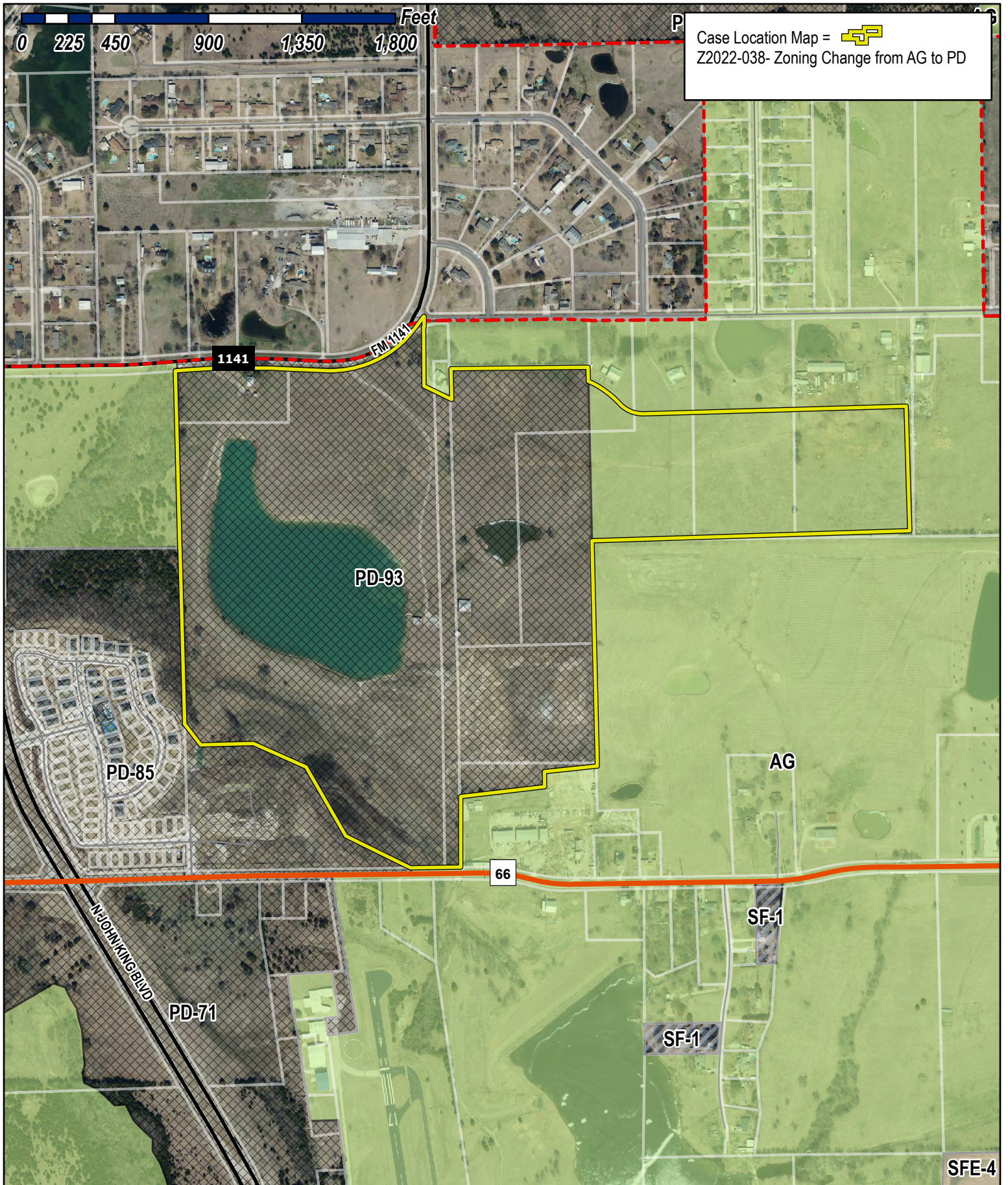
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15 DAY OF July 2022

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 4-16-25



City of Rockwall

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

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

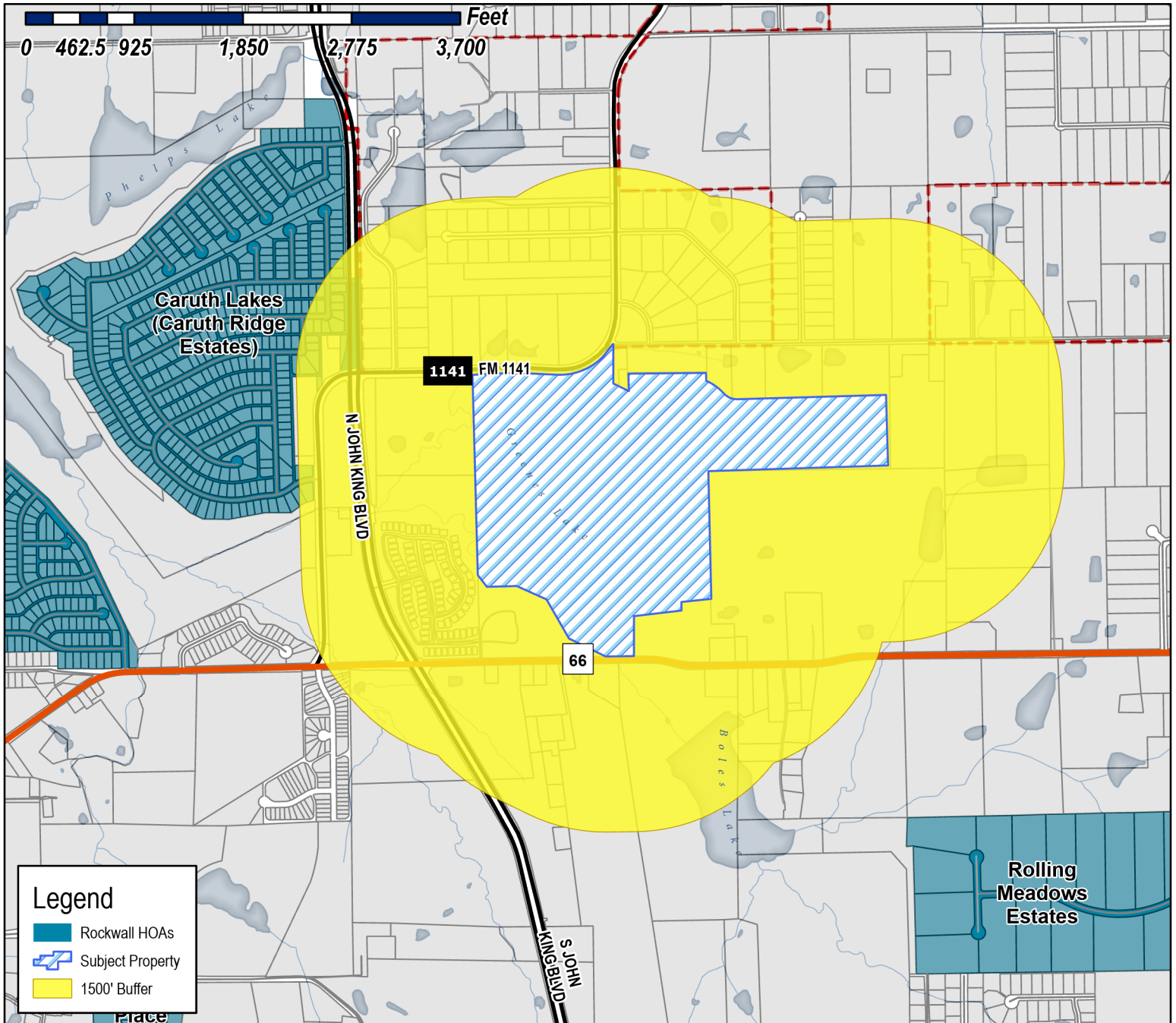




City of Rockwall

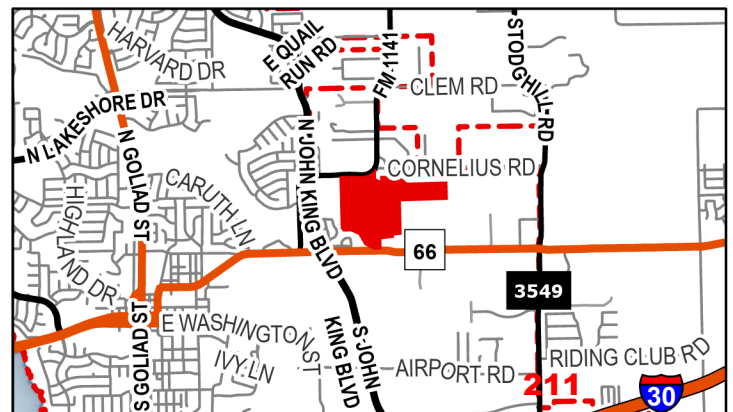
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2022-0038
Case Name: Amendment to PD-93
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1649 FM 1141

Date Saved: 7/18/2022
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Friday, July 22, 2022 11:51 AM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-038]
Attachments: Public Notice (07.15.2022).pdf; HOA Map (7.18.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on July 22, 2022. The Planning and Zoning Commission will hold a public hearing on Tuesday, August 9, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 15, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2022-038: Zoning Change amending Planned Development District 93

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of a Zoning Change amending Planned Development District 93 (PD-93) [*Ordinance No. 22-22*] to incorporate a 21.83-acre tract of land into the existing 93.97-acre tract of land being identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 10-02, 10-03, 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (DF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

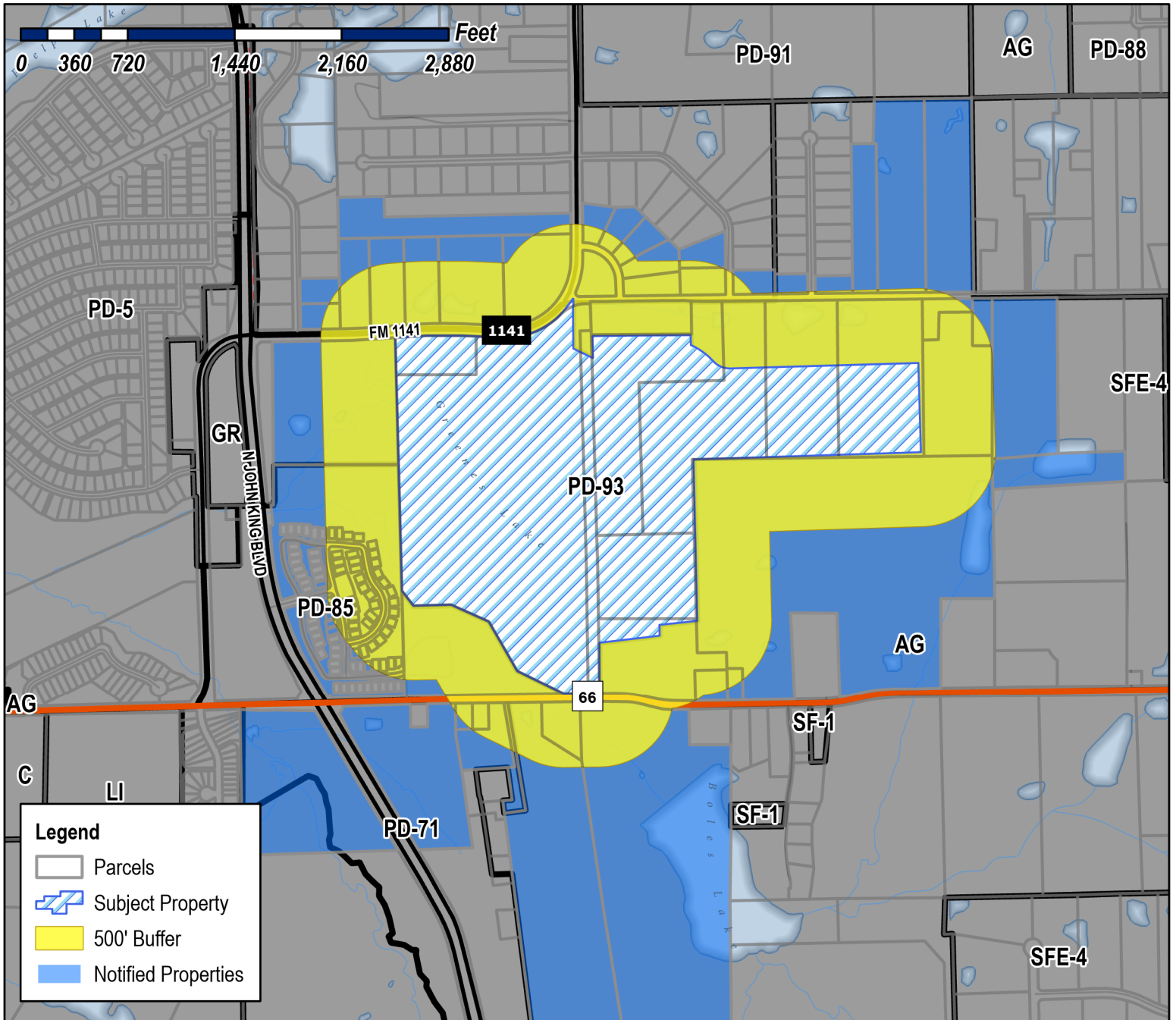
<http://www.rockwall.com/planning/>



City of Rockwall

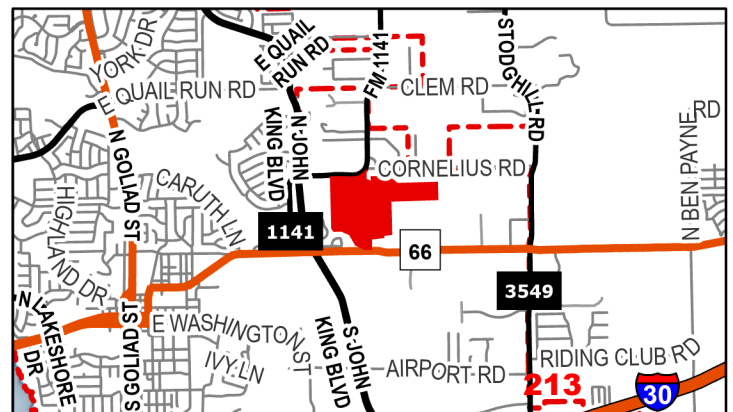
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2022-038
Case Name: Amendment to PD-93
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1649 FM 1141

Date Saved: 7/18/2022
 For Questions on this Case Call (972) 771-7745



ALDERMAN CLAUDETTE
815 RIO VISTA LANE
ROCKWALL, TX 75087

ANDRULAT ALEC J AND VERONICA BITZ
124 HARKER TR
ROCKWALL, TX 75087

BELEW THOMAS E SR
DIANNE S CURREY
2 NORMAN TRL
ROCKWALL, TX 75087

BENEDICT JAMES AND JUDY
27 PINE ISLAND CT
HILTON HEAD, SC 29928

BROCHON DELILIA A AND MARTIAL H
913 RIO VISTA LANE
ROCKWALL, TX 75087

BROWN LARRY MELVIN & MARSHA LIZBETH
906 BELLA DR
ROCKWALL, TX 75087

CAIN DEWAYNE
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CARRIAGE MANAGEMENT INC
3040 POST OAK BLVD SUITE 300
HOUSTON, TX 77056

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

DELK JEANNETTE FREY
903 RIO VISTA LN
ROCKWALL, TX 75087

DENNEY DENNIS W & LINDA L
162 MEADOWLARK CIR
ROCKWALL, TX 75087

DIMISSEW SAMUEL
956 S WEATHERRED DR
RICHARDSON, TX 75080

EASLEY PHYLLIS
909 RIO VISTA LANE
ROCKWALL, TX 75087

EVANS MARY E
830 BELLA DRIVE
ROCKWALL, TX 75087

EVANS ROSEMARY J AND ROBERT E
908 RIO VISTA LN
ROCKWALL, TX 75087

G & C DAVIS FAMILY 2013 TRUST
GREGORY A DAVIS AND CAROL L DAVIS - CO
TRUSTEES
916 RIO VISTA LN
ROCKWALL, TX 78087

GARRETT CHRISTOPHER AND ROSEMARY
1620 MADRID WAY
ROCKWALL, TX 75087

GIAMPAPA SANTO AND SUSAN
1606 ENCANTO TRL
ROCKWALL, TX 75087

GILLILAND TOMMY JOE
2098 WILLIAMS
ROCKWALL, TX 75087

GRIFFITH JESSE JOHN AND SARAH KRISTIN
1578 FM 1141
ROCKWALL, TX 75087

HAMBLIN DONALD ELEX AND DEBORAH LUCILLE
905 RIO VISTA LN
ROCKWALL, TX 75087

HAMPTON ELDEN L
1530 FM 1141
ROCKWALL, TX 75087

HOWARD EDWARD L AND BRENDA S
902 RIO VISTA LN
ROCKWALL, TX 75087

HUCK WALTER R AND MARY A
830 RIO VISTA LANE
ROCKWALL, TX 75087

HUDDIN RYAN S AND JADA
1666 FM 1141
ROCKWALL, TX 75087

IGOPCO LLC
361 W BYRON NELSON BLVD STE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

JOHN AND LYNNE MCMAHAN REVOCABLE
TRUST
JOHN AND LYNNE MCMAHAN- TRUSTEES
912 RIO VISTA LN
ROCKWALL, TX 75087

JONES BRENDA K & SAM A
910 BELLA DR
ROCKWALL, TX 75087

LANCASTER JAMES EVERETT JR &
GEORGIANA MARIE
820 BELLA DRIVE
ROCKWALL, TX 75087

LEE JAMES H AND BARBARA
628 CORNELIUS RD
ROCKWALL, TX 75087

LUKER LEO
P.O. BOX 1599
LYTLE, TX 78052

MAUTNER ERNESTO & BEATRICE
829 BELLA DRIVE
ROCKWALL, TX 75087

MCKEE MARK D
131 MEADOWLARK CIR
ROCKWALL, TX 75087

MURPHY DON & SHARON
837 BELLA DRIVE
ROCKWALL, TX 75087

PAUL DAVID OLIVIER AND LYN DIANE OLIVIER
FAMILY REVOCABLE TRUST
LYN DIANE OLIVIER- SURVIVING TRUSTOR
834 RIO VISTA LANE
ROCKWALL, TX 75087

PEOPLES DONNIE
589 CORNELIUS
ROCKWALL, TX 75087

PEOPLES MICHAEL L
PO BOX 41
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

PEOPLES MIKE
PO BOX 41
ROCKWALL, TX 75087

POTTER JOHN D ETUX
PO BOX 259
FATE, TX 75132

RANDLE SUSAN AND DERRICE
226 CORNELIUS RD
ROCKWALL, TX 75087

RANDY AND KAY WILSON REVOCABLE TRUST
RANDY SCOTT WILSON AND KAY MARIE
WILSON- CO TRUSTEES
1201 MARILYN JAYNE
ROCKWALL, TX 75087

RATLIFF JENNIFER L
123 HARKER TRAIL
ROCKWALL, TX 75087

RILEY RODNEY H & JANET E
802 RIO VISTA LN
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORP
ATTN:BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
305 PARK PLACE BLVD
ROCKWALL, TX 75087

ROCKWALL RV PARK AND TINY HOME VILLAGE
3094 COUNTY ROAD 1024
FARMERSVILLE, TX 75442

ROONEY CATHERINE
912 BELLA DR
ROCKWALL, TX 75087

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

SALINAS HILSE S
2068 STATE HWY 66
ROCKWALL, TX 75087

SANDKNOP LES T AND CLAUDIA J
1614 ENCANTO TRAIL
ROCKWALL, TX 75087

SCHRAMM EDWIN W III & PATSY ANN
1895 FM 1141
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SHANNON STANLEY W
162 HARKER TRL
ROCKWALL, TX 75087

SINGH GAGANPREET K AND PAWANPREET
151 STEVENSON DR
FATE, TX 75087

SQUIER NATALIE
153 MEADOWLARK CIRCLE
ROCKWALL, TX 75087

TESMER STEVEN AND VICKIE
838 RIO VISTA LN
ROCKWALL, TX 75087

THOMAS STEPHEN R & SHARON C
1200 MARILYN JAYNE DR
ROCKWALL, TX 75087

VACLAVIK JOHN AND MARCILE
610 W COLCHESTER DR
EAGLE, ID 83616

WAINNER MATTHEW CODY &
MELANIE RENEE HUMBLE
173 MEADOWLARK CIRCLE
ROCKWALL, TX 75087

WALLACE MARTHA G
826 BELLA DRIVE
ROCKWALL, TX 75087

WHYDE KIMBERLY
1602 ENCANTO TRAIL
ROCKWALL, TX 75087

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

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

Case No. Z2022-038: PD Amendment to PD-93

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Mike Peoples for the approval of a Zoning Change amending Planned Development District 93 (PD-93) [*Ordinance No. 22-22*] to incorporate a 21.83-acre tract of land into the existing 93.97-acre tract of land being identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 10-02, 10-03, 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (DF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, 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, August 9, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 15, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, August 15, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-038: PD Amendment to PD-93

Please place a check mark on the appropriate line below:

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

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

Four horizontal grey bars for providing reasons for support or opposition.

Name: [Grey bar for name input]

Address: [Grey bar for address input]

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



JOHNSON VOLK CONSULTING

704 Central Parkway East | Suite 1200 | Plano, Texas 75074 | 972.201.3100

July 15, 2022

City of Rockwall
Planning Department
385 South Goliad
Rockwall, TX 75087

RE: Terraces – Zoning Application

Dear Staff,

The purpose of this letter is to formally request a zoning change for the referenced property located south of FM 1141 and north of SH 66. The subject development will consist of +/-263 single family lots on a 115.80 acre tract. After meeting with staff at a Development Review Committee Meeting, the Concept Plan included with this submittal is representative of our proposed vision for the property.

Please feel free to contact us if you have any questions regarding this project or application.

Sincerely,

Johnson Volk Consulting, Inc.

Tom Dayton, PE

LEGAL DESCRIPTION
115.804 ACRES

BEING a tract of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72 and the M.B. JONES SURVEY, ABSTRACT NO. 122, City of Rockwall, Rockwall County, Texas and being part of that tract of land described in Deed to Michael L. Peoples, as recorded in Volume 173, Page 752, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 184, Page 522, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike L. Peoples, as recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas and being part of that tract of land described as 0.64 Acre Tract in Deed to Mike Peoples, as recorded in Volume 138, Page 106, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 190, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 196, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Michael L. Peoples, as recorded in Volume 1081, Page 151, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found in the south line of Farm to Market Road No. 1141, an 80 foot right-of-way, for the northwest corner of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE Easterly, with said south line, the following four (4) courses and distances:

North 83 degrees 33 minutes 49 seconds East, a distance of 62.35 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the right having a central angle of 07 degrees 20 minutes, a radius of 2,824.93 feet and a chord bearing and distance of North 86 degrees 53 minutes 49 seconds East, 361.32 feet;

Easterly, with said curve to the right, an arc distance of 361.57 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 86 degrees 46 minutes 56 seconds East, a distance of 289.88 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 57 degrees 36 minutes 49 seconds, a radius of 517.68 feet and a chord bearing and distance of North 64 degrees 24 minutes 40 seconds East, 498.90 feet;

Northeasterly, with said curve to the left, an arc distance of 520.55 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the intersection of said south line with the south line of Cornelius Road, a 60 foot right-of-way;

THENCE North 89 degrees 31 minutes 25 seconds East, leaving said south line of Farm to Market Road No. 1141 and with said south line of Cornelius Road, a distance of 37.01 feet to a 1/2 inch iron rod with a yellow plastic cap stamped “JVC” set for corner;

THENCE South 00 degrees 29 minutes 15 seconds East, leaving said south line and generally with an existing fence, a distance of 300.96 feet to a fence corner post found for corner;

THENCE South 61 degrees 44 minutes 36 seconds East, generally with an existing fence, a distance of 134.73 feet to a fence corner post found for corner;

THENCE North 00 degrees 05 minutes 20 seconds West, generally with an existing fence, a distance of 152.26 feet to a fence corner post found for an exterior ell corner of that tract of land described in Deed to City of Rockwall, Texas, as recorded in Volume 58, Page 191, Deed Records, Rockwall County, Texas;

THENCE North 89 degrees 12 minutes 20 seconds East, with the south line of said City of Rockwall, Texas tract and generally with an existing fence, a distance of 657.00 feet to a fence corner post found for the southeast corner of said City of Rockwall, Texas tract;

THENCE South 01 degrees 28 minutes 22 seconds East, a distance of 63.06 feet to a point for corner at the beginning of a non-tangent curve to the right having a central angle of 26 degrees 09 minutes 34 seconds, a radius of 450.00 feet and a chord bearing and distance of South 54 degrees 21 minutes 52 seconds East, 203.68 feet;

THENCE Southeasterly, with said curve to the right, an arc distance of 205.46 feet to a point for corner at the beginning of a reverse curve to the left having a central angle of 49 degrees 15 minutes 27 seconds, a radius of 150.00 feet and a chord bearing and distance of South 65 degrees 54 minutes 48 seconds East, 125.02 feet;

THENCE North 89 degrees 27 minutes 29 seconds East, a distance of 1,265.98 feet to a point for corner;

THENCE South 00 degrees 32 minutes 31 seconds East, a distance of 600.00 feet to a point for corner;

THENCE South 89 degrees 27 minutes 29 seconds West, a distance of 1,531.48 feet to a 1/2 inch iron rod with a yellow plastic cap stamped “JVC” set for the common northwest corner of that tract of land described in Deed to Cain Family Partnership Ltd., as recorded in Document No. 2008-00396788, Deed Records, Rockwall County, Texas and an interior ell corner of said Mike Peoples tract recorded in Volume 1679, Page 196;

THENCE South 01 degrees 35 minutes 19 seconds East, a distance of 1,090.27 feet to a fence corner post found for corner in the common east line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and west line of said Cain Family Partnership Ltd. tract;

THENCE South 83 degrees 16 minutes 15 seconds West, leaving said common line and generally with an existing fence, a distance of 258.34 feet to a fence corner post found for corner;

THENCE South 05 degrees 53 minutes 32 seconds East, generally with an existing fence, a distance of 78.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 83 degrees 38 minutes 06 seconds West, a distance of 415.44 feet to a fence corner post found for corner in the common west line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and east line of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE South 01 degrees 18 minutes 41 seconds East, with said common line, a distance of 334.84 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the north line of State Highway No. 66, a variable width right-of-way, for the common southeast corner of said Mike L. Peoples tract recorded in Volume 850, Page 15 and southwest corner of said Michael L. Peoples tract recorded in Volume 1081, Page 151;

THENCE South 89 degrees 38 minutes 42 seconds West, with said north line, a distance of 241.04 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the southeast corner of Lot 1, Block A of LADERA ROCKWALL, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Document No. 20190000016594, Plat Records, Rockwall County, Texas;

THENCE Northwesterly, with the north line of said Lot 1, the following five (5) courses and distances:

North 63 degrees 59 minutes 31 seconds West, leaving said north line of State Highway No. 66, a distance of 347.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

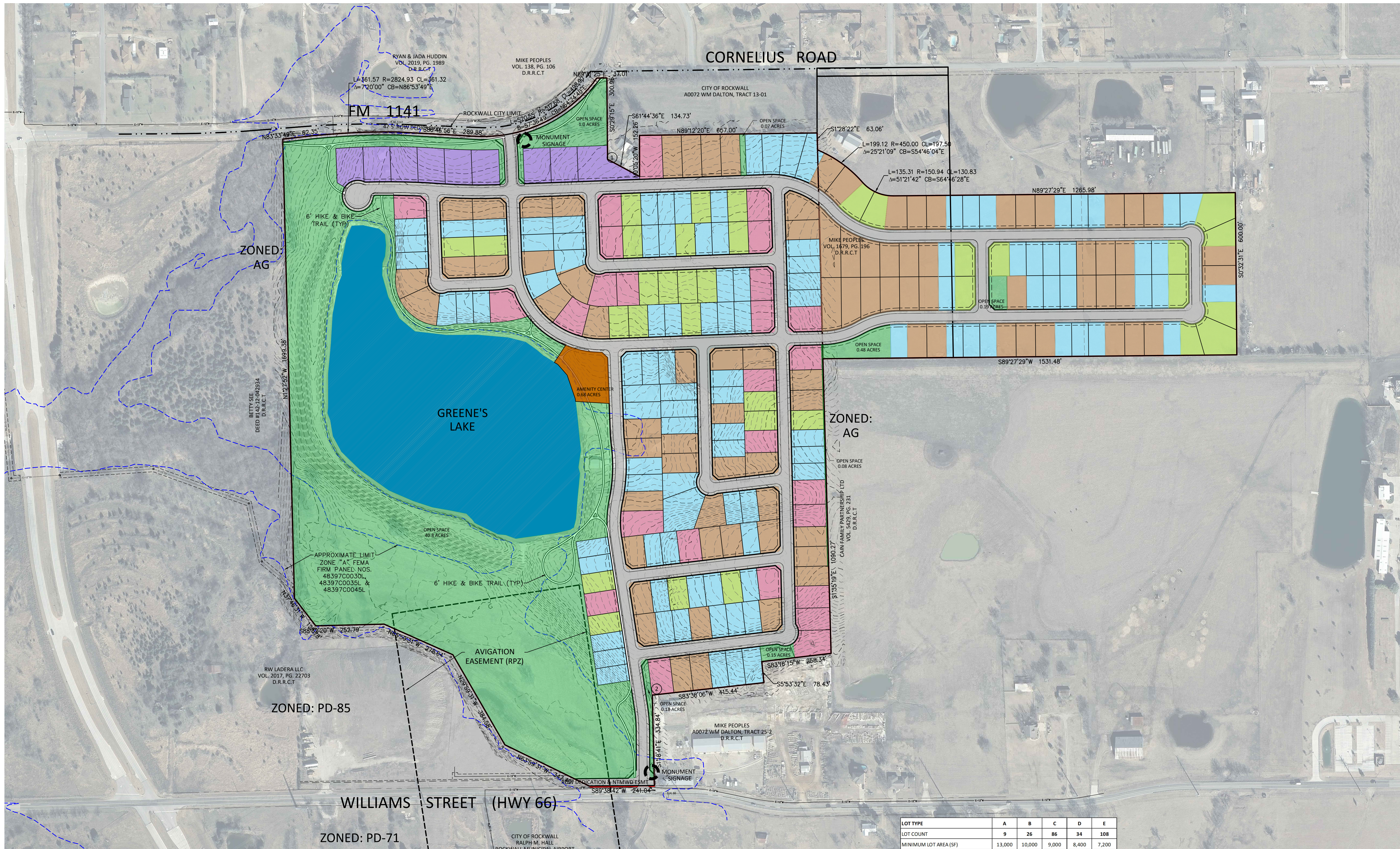
North 29 degrees 59 minutes 31 seconds West, a distance of 384.58 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

North 65 degrees 59 minutes 31 seconds West, a distance of 278.64 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

South 88 degrees 32 minutes 20 seconds West, a distance of 252.79 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

North 37 degrees 46 minutes 31 seconds West, a distance of 128.78 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found in the west line of said Mike L. Peoples tract recorded in Volume 850, Page 15 for an interior ell corner of said Lot 1;

THENCE North 01 degrees 27 minutes 52 seconds West, with said west line, a distance of 1,699.38 feet to the **POINT OF BEGINNING** and containing 115.804 acres of land, more or less.



ALL LOTS LESS THAN 12,000 SF ARE LOCATED WITHIN 800 FT OF A PUBLIC OR PRIVATE OPEN SPACE.

OPEN SPACE	ACRES
FLOOD PLAIN	29.72
OTHER	13.05
TOTAL	42.77
OPEN SPACE RATIO*	
$[(29.72/2) + 13.05] / 115.80$	= 24.1%

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

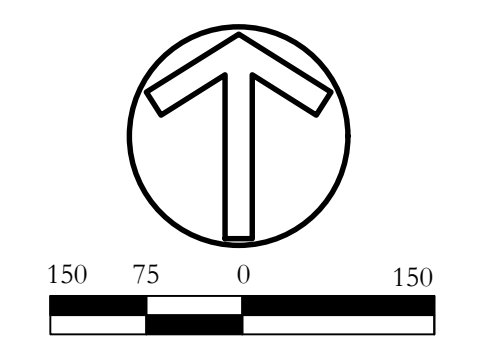
*ASSUMING HALF OF FLOODPLAIN

CONCEPT PLAN TERRACES

115.80 ACRES
ROCKWALL, TEXAS

LOT TYPE	A	B	C	D	E
LOT COUNT	9	26	86	34	108
MINIMUM LOT AREA (SF)	13,000	10,000	9,000	8,400	7,200
MINIMUM LOT WIDTH (FT)*	100	82	72	72	62
MINIMUM LOT DEPTH (FT)	130	120	115	110	110
FRONT BUILDING SETBACK (FT)	25	20	20	20	20
REAR BUILDING SETBACK (FT)	25	20	20	20	20
SIDE BUILDING SETBACK - INTERIOR (FT)	15	6	6	6	6
SIDE BUILDING SETBACK - CORNER (FT)	15	15	15	15	15
MAXIMUM BUILDING HEIGHT	35 FEET / 2.5 STORIES				
MAXIMUM LOT COVERAGE (%)	45	45	45	65	65
*Measured at front building setback					

LOT TYPE	MIN. LOT AREA (SF)
A (100'x130')	13,000
B (82'x120')	10,000
C (72'x120')	9,000
D (72'x120')	8,400
E (62'x120')	7,200



ZONING CASE # Z-2022-XXX

CITY OF ROCKWALL

ORDINANCE NO. 22-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 93 (PD-93) FOR SINGLE-FAMILY 10 (SF-10) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 93.97-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4-01 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of the Michael Joyce Properties on behalf of Mike Peoples for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses, on a 93.97-acre tract of land identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1936 SH-66, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto

and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat*. A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan*. A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.

(g) *Final Plat*. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.


SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

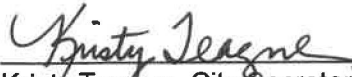
SECTION 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

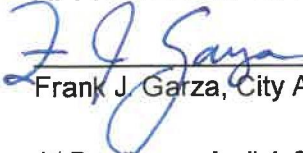
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF APRIL, 2022.


Kevin Fowler, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: April 4, 2022

2nd Reading: April 18, 2022

Exhibit 'A':
Legal Description

BEING a tract of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72 and the M.B. JONES SURVEY, ABSTRACT NO. 122, City of Rockwall, Rockwall County, Texas and being part of that tract of land described in Deed to Mike L. Peoples, as recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas and being part of that tract of land described as 0.64 Acre Tract in Deed to Mike Peoples, as recorded in Volume 138, Page 106, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 190, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 196, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Michael L. Peoples, as recorded in Volume 1081, Page 151, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found in the south line of Farm to Market Road No. 1141, an 80-foot right-of-way, for the northwest corner of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE Easterly, with said south line, the following four (4) courses and distances:

North 83 degrees 33 minutes 49 seconds East, a distance of 62.35 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the right having a central angle of 07 degrees 20 minutes, a radius of 2,824.93 feet and a chord bearing and distance of North 86 degrees 53 minutes 49 seconds East, 361.32 feet;

Easterly, with said curve to the right, an arc distance of 361.57 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 86 degrees 46 minutes 56 seconds East, a distance of 289.88 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 57 degrees 36 minutes 49 seconds, a radius of 517.68 feet and a chord bearing and distance of North 64 degrees 24 minutes 40 seconds East, 498.90 feet;

Northeasterly, with said curve to the left, an arc distance of 520.55 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the intersection of said south line with the south line of Cornelius Road, a 60-foot right-of-way;

THENCE North 89 degrees 31 minutes 25 seconds East, leaving said south line of Farm to Market Road No. 1141 and with said south line of Cornelius Road, a distance of 37.01 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 00 degrees 29 minutes 15 seconds East, leaving said south line and generally with an existing fence, a distance of 300.96 feet to a fence corner post found for corner;

THENCE South 61 degrees 44 minutes 36 seconds East, generally with an existing fence, a distance of 134.73 feet to a fence corner post found for corner;

THENCE North 00 degrees 05 minutes 20 seconds West, generally with an existing fence, a distance of 152.26 feet to a fence corner post found for an exterior ell corner of that tract of land described in Deed to City of Rockwall, Texas, as recorded in Volume 58, Page 191, Deed Records, Rockwall County, Texas;

THENCE North 89 degrees 12 minutes 20 seconds East, with the south line of said City of Rockwall, Texas tract and generally with an existing fence, a distance of 657.00 feet to a fence corner post found for the southeast corner of said City of Rockwall, Texas tract;

THENCE South 01 degrees 28 minutes 22 seconds East, a distance of 835.49 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to Cain Family Partnership Ltd., as recorded in Document No. 2008-00396788, Deed Records, Rockwall County, Texas and an interior ell corner of said Mike Peoples tract recorded in Volume 1679, Page 196;

THENCE South 01 degrees 35 minutes 19 seconds East, a distance of 1,090.27 feet to a fence corner post found for corner in the common east line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and west line of said Cain Family Partnership Ltd. tract;

THENCE South 83 degrees 16 minutes 15 seconds West, leaving said common line and generally with an existing fence, a distance of 258.34 feet to a fence corner post found for corner;

Exhibit 'A':
Legal Description

THENCE South 05 degrees 53 minutes 32 seconds East, generally with an existing fence, a distance of 78.43 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 83 degrees 38 minutes 06 seconds West, a distance of 415.44 feet to a fence corner post found for corner in the common west line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and east line of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE South 01 degrees 18 minutes 41 seconds East, with said common line, a distance of 334.84 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set in the north line of State Highway No. 66, a variable width right-of-way, for the common southeast corner of said Mike L. Peoples tract recorded in Volume 850, Page 15 and southwest corner of said Michael L. Peoples tract recorded in Volume 1081, Page 151;

THENCE South 89 degrees 38 minutes 42 seconds West, with said north line, a distance of 241.04 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the southeast corner of Lot 1, Block A of LADERA ROCKWALL, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Document No. 20190000016594, Plat Records, Rockwall County, Texas;

THENCE Northwesterly, with the north line of said Lot 1, the following five (5) courses and distances:

North 63 degrees 59 minutes 31 seconds West, leaving said north line of State Highway No. 66, a distance of 347.40 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

North 29 degrees 59 minutes 31 seconds West, a distance of 384.58 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

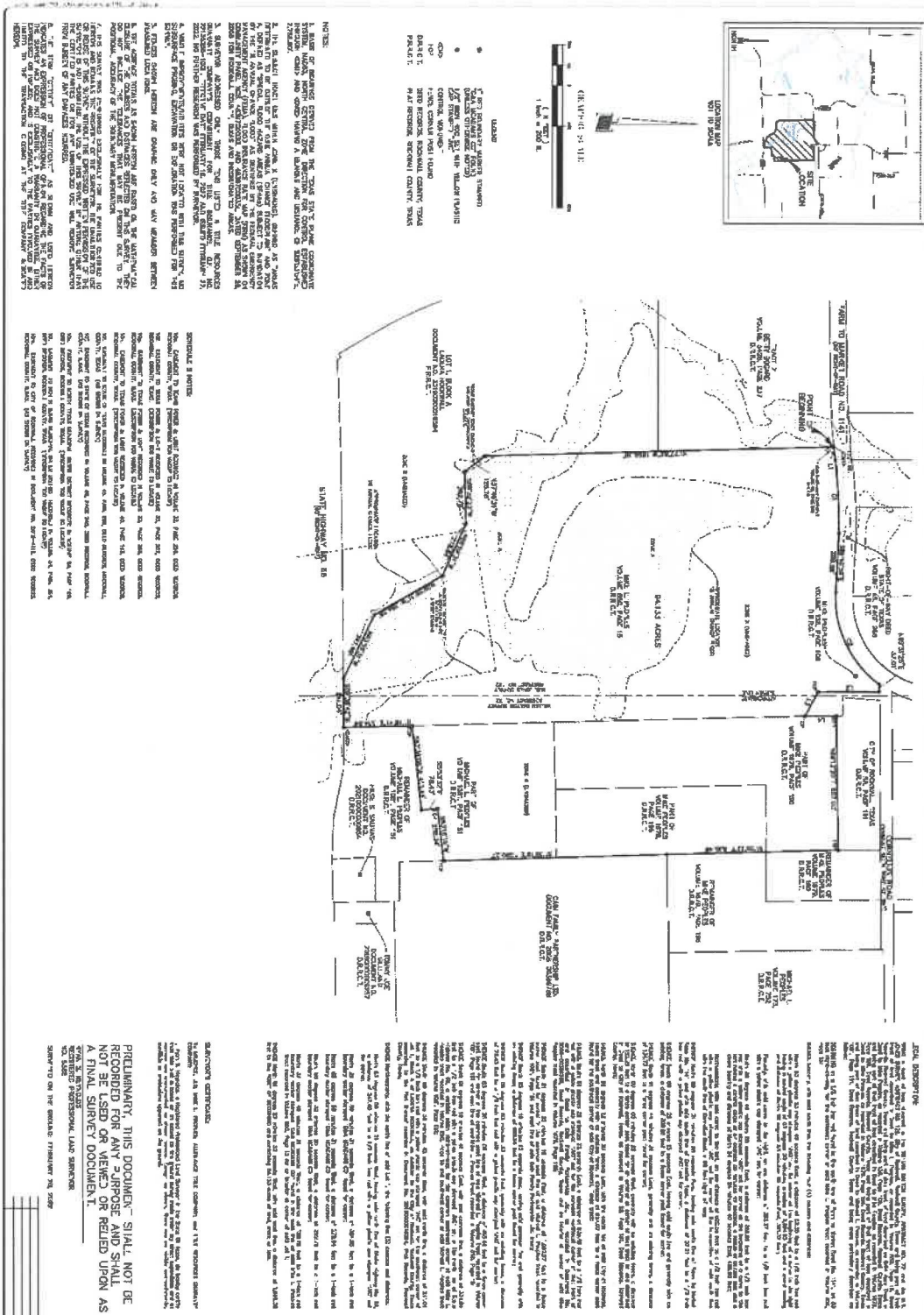
North 65 degrees 59 minutes 31 seconds West, a distance of 278.64 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

South 88 degrees 32 minutes 20 seconds West, a distance of 252.79 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

North 37 degrees 46 minutes 31 seconds West, a distance of 128.78 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found in the west line of said Mike L. Peoples tract recorded in Volume 850, Page 15 for an interior ell corner of said Lot 1;

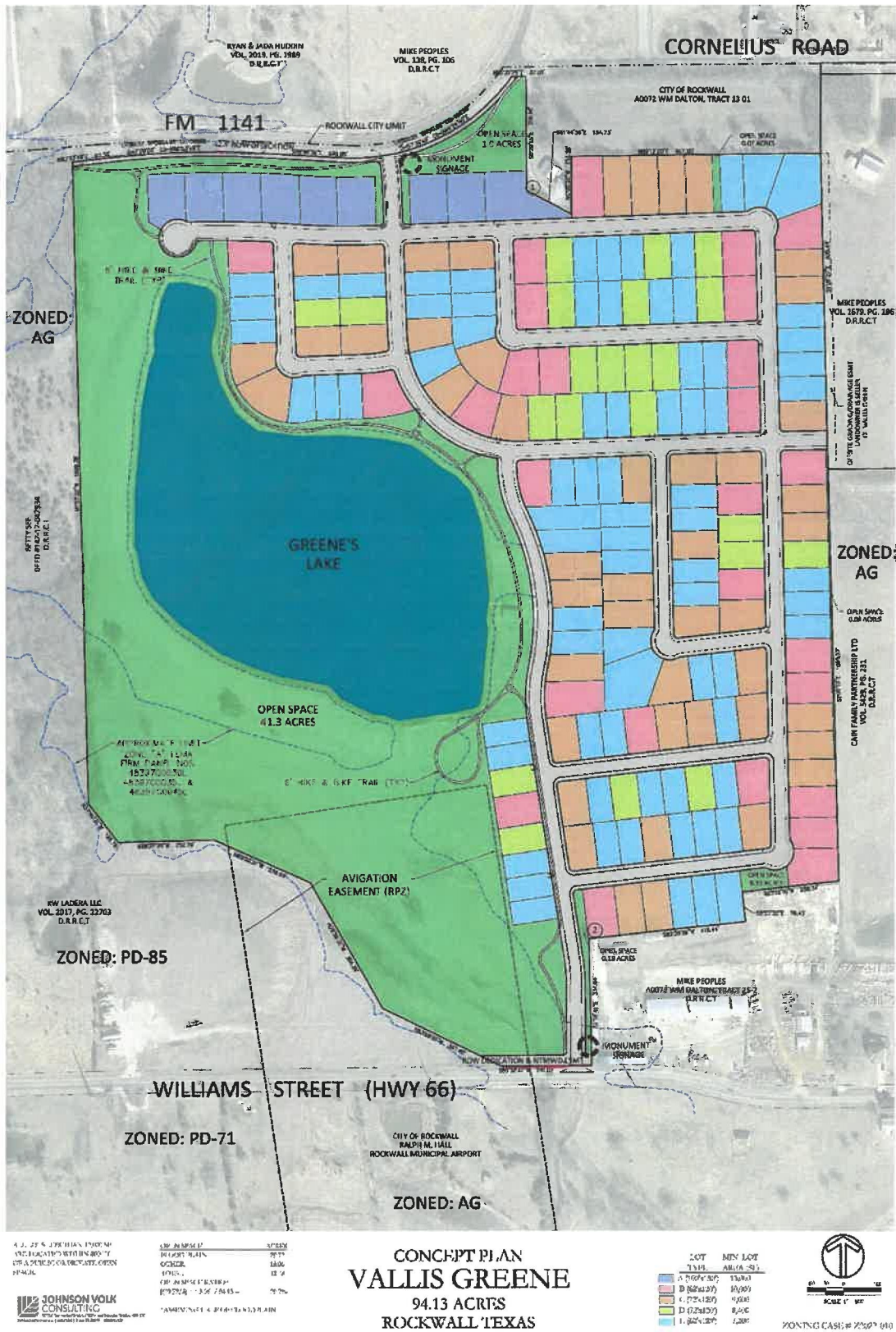
THENCE North 01 degrees 27 minutes 52 seconds West, with said west line, a distance of 1,699.38 feet to the *POINT OF BEGINNING* and containing 94.133 acres of land, more or less.

Exhibit 'B': Survey



	<p>LAND TITLE SURVEY 54.133 ACRES CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS</p>	<p>WILLIAM DALTON SURVEY, ABSTRACT NO. 72 M.R. JONES SURVEY, ABSTRACT NO. 122</p>	
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Exhibit 'C': Concept Plan



**Exhibit 'D':
Density and Development Standards**

DENSITY AND DEVELOPMENT STANDARDS.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single-Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

TABLE 1: LOT COMPOSITION

<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	100' x 130'	13,000 SF	9	04.95%
B	82' x 120'	10,000 SF	29	15.93%
C	72' x 110'	9,000 SF	45	24.73%
D	72' x 110'	8,400 SF	22	12.09%
E	62' x 110'	7,200 SF	77	42.31%
<i>Maximum Permitted Units:</i>			182	100.00%

- (3) Variation in Residential Lot Composition. The allocation of single-family residential lot types may deviate from the that in Subsection (2), *Residential Lot Composition and Layout*, of this ordinance provided that the maximum allowed total dwelling units does not exceed 182 units provided [1] a minimum of 57.69% of the total lot count be comprised of *Lot Types 'A', 'B', 'C' & 'D'*, [2] a minimum of nine (9) *Lot Type 'A'* and 30 *Lot Type 'B'* lots are provided, and [3] a maximum of 42.30% *Lot Type 'E'* lots can be provided.
- (4) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 10 (SF-10) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 1.93 dwelling units per gross acre of land; however, in no case should the proposed development exceed 182 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

<i>Lot Type (see Concept Plan) ▶</i>	A	B	C	D	E
<i>Minimum Lot Width</i> ⁽¹⁾	100'	82'	72'	72'	62'
<i>Minimum Lot Depth</i>	130'	120'	115'	110'	110'
<i>Minimum Lot Area</i>	13,000 SF	10,000 SF	9,000 SF	8,400 SF	7,200 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	25'	20'	20'	20'	20'
<i>Minimum Side Yard Setback</i>	15'	6'	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2), (5) & (7)}	15'	15'	15'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	35'	35'	35'	35'	35'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	25'	20'	20'	20'	20'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,400 SF	2,200 SF	2,200 SF	2,200 SF	2,000 SF
<i>Maximum Lot Coverage</i>	45'	45'	45'	65'	65'

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ²: The location of the *Front Yard Building Setback* as measured from the front property line.
- ³: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ⁴: The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ⁵: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features

Exhibit 'D':
Density and Development Standards

may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

- 6: *J-Swing or Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- 7: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (i.e. a *Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

(5) **Building Standards.** All development shall adhere to the following building standards:

- (a) **Masonry Requirement.** The minimum masonry requirement for the exterior façade of all buildings shall be 90% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (e.g. *HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 80% of the masonry requirement; however, administrative from the Director of Planning and Zoning approval may be requested for housing plans that utilize cementitious fiberboard in excess of 80% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN



FIGURE 3: EXAMPLES OF HORIZONTAL LAP

Exhibit 'D':
Density and Development Standards



- (b) Roof Pitch. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) Garage Orientation and Garage Doors. A total of 20.33% or 37 of the 182 garages may be oriented toward the street in a *Front Entry* garage configuration; however, the front façade of the garage must be situated a minimum of five (5) feet behind the front façade of the primary structure. The remaining 79.67% or 145 garages shall be oriented in a *J-Swing (or Traditional Swing)* configuration or be situated a minimum of 20-feet behind the front façade of the home. In addition, all garage configurations shall have upgraded finishes that consist of the following architectural elements: [1] coach lighting, [2] decorative wood doors or wood overlays on insulated metal doors, and [3] driveways that are constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished [see Figures 4-6 for examples of upgraded or enhanced finishes].

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



FIGURE 5: EXAMPLES OF UPGRADED FINISHES

**Exhibit 'D':
Density and Development Standards**

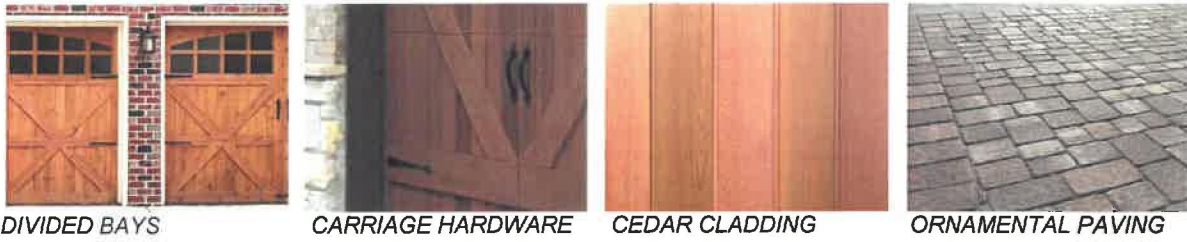


FIGURE 6: EXAMPLES OF UPGRADED GARAGES



- (6) ***Anti-Monotony Restrictions.*** The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (for spacing requirements see *Figures 7 & 8* below).

TABLE 3: ANTI-MONOTONY MATRIX

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	13,000 SF	(1), (2), (3), (4)
B	10,000 SF	(1), (2), (3), (4)
C	9,000 SF	(1), (2), (3), (4)
D	8,400 SF	(1), (2), (3), (4)
E	7,200 SF	(1), (2), (3), (4)

Exhibit 'D':
Density and Development Standards

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open space, Cornelius Road, FM-1141, or SH-66 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Permitted Encroachment Type and Layout
 - (3) Roof Type and Layout
 - (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

FIGURE 7: Properties line up on the opposite side of the street. Where RED is the subject property.



FIGURE 8: Properties do not line up on opposite side of the street. Where RED is the subject property.

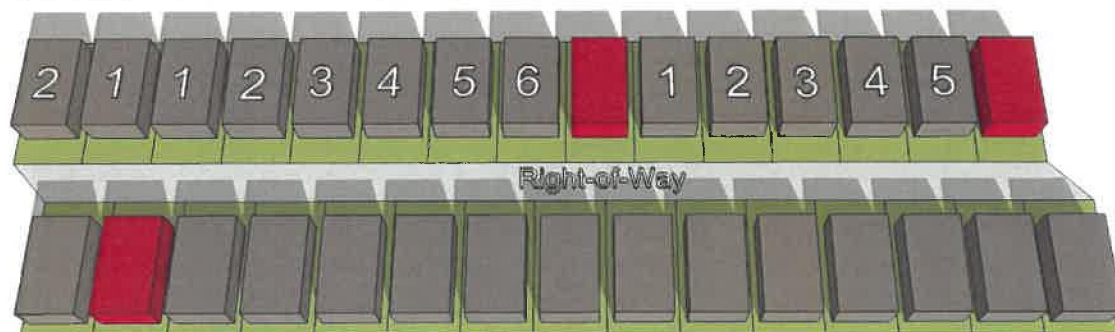


Exhibit 'D':
Density and Development Standards

- (7) Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) Front Yard Fences. Front yard fences shall be prohibited.
 - (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.
 - (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. FM-1141, Cornelius Road, and SH-66*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height. The *Lot Type 'A'* lots shall be required to utilize wrought iron/tubular steel fencing.
 - (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
 - (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
 - (f) Fence in Easements. No fencing shall be constructed in or across a North Texas Municipal Water District (NTMWD) easement and/or an easement of the City of Rockwall.
 - (g) Additional Fence Requirements. In addition to the abovementioned fence requirements the following additional requirements will need to be met for *Locations ① & ②* as depicted on *Exhibit 'C'* of this ordinance.
 - (1) Location ①. In Location ①, where the *Lot Types 'A' & 'B'* lots abut an existing single-family home that has an existing six (6) foot or greater wood fence, the wood fence shall be permitted to remain on the shared property line and serve both lots.
 - (2) Location ②. In Location ②, where the lots abut a non-residential land use along the southern property line, a minimum of an eight (8) foot wood fence meeting the requirements of Subsection (b), *Wood Fences*, and Subsection (e), *Solid Fences (including Woods Fences)*, above shall be constructed. In addition, one (1) row of a

Exhibit 'D':
Density and Development Standards

minimum of four (4), four (4) inch caliper Eastern Red Cedar or Leland Cypress trees shall be planted along the rear property line of each property.

(8) Landscape and Hardscape Standards.

- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
- (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
- (1) Landscape Buffer and Sidewalks (FM-1141). A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (2) Landscape Buffer and Sidewalks (SH-66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (Adjacent to Open Space). A minimum of a ten (10) foot landscape buffer shall be provided along streets that have frontage on open space. This landscape buffer shall incorporate one (1) canopy tree and one (1) accent tree per 50-feet of linear frontage.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In addition,

Exhibit 'D':
Density and Development Standards

corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the side yard facing the street.

- (e) *Irrigation Requirements.* Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (f) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (9) *Street.* All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
- (10) *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (11) *Sidewalks.* All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (12) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (13) *Open Space/Public Park.* The development shall consist of a minimum of 20% open space (*or a minimum of 18.794-acres -- as calculated using the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. In addition, the developer shall be required to use the pro-rata equipment and cash-in-lieu of land fees -- *in the amounts stipulated by the Parkland Dedication Ordinance* -- to establish a public park with amenities on the four (4) acre tract of land (*i.e. Tract 13-01 of the W. M. Dalton Survey, Abstract 72*) owned by the City of Rockwall adjacent to Cornelius Road. Amenities for this public park shall include irrigation, parking, a playground, walking trails, and benches. All equipment and improvements within the public park shall be built to the specifications stipulated by the Director of Parks and Recreation, and shall be provided by the developer in conjunction with the development of the proposed subdivision. Funds provided by the developer shall not be required to exceed the fees required through the *Parkland Dedication Ordinance*. Plans for the proposed public park shall be reviewed and recommended by the Parks and Recreation Board and approved by the City Council with the Preliminary Plat/Master Parks and Open Space Plan. In the event that the design of the public park cannot be agreed up by the *Developer* and the City of Rockwall, the *Developer* shall have the ability to satisfy the fees through the normal payment method dictated by the *Parkland Dedication Ordinance*.

Exhibit 'D':
Density and Development Standards

- (14) Trails. A minimum of a six (6) foot concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance.
- (15) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*; however, the signage should be equal to or better than the representative signage depicted in *Exhibit 'C'*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (16) Homeowner's Association (HOA). A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.
- (17) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.

CITY OF ROCKWALL

ORDINANCE NO. ~~22-XX~~

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [~~ORDINANCE NO. 20-02~~] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND PLANNED DEVELOPMENT DISTRICT 93 (PD-93) [~~ORDINANCE NO. 22-22~~], BEING A 115.80-ACRE TRACT OF LAND IDENTIFIED AS TRACT 4-01 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, AND TRACTS 13 & 25 AND A PORTION OF TRACTS 10-02, 10-03, 25-1, & 26 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of the Michael Joyce Properties on behalf of Mike Peoples for the approval of a zoning change amending Planned Development District 93 (PD-93) [~~Ordinance No. 22-22~~] to incorporate a 21.83-acre tract of land into the existing 93.97-acre tract of land being identified as Tract 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 & 25 and a portion of Tracts 10-02, 10-03, 25-1 & 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (DF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 93 (PD-93) [~~Ordinance No. 22-22~~] and the Unified Development Code [~~Ordinance No. 20-02~~] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 19-08*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [~~Ordinance No. 20-02~~] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

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

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 5. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 6. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan*. A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat*. A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat*. A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.

- (f) PD Site Plan. A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) Final Plat. Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

SECTION 7. 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 8. 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 9. 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 10. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF SEPTEMBER, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: August 15, 2022

DRAFT
ORDINANCE
08.15.2022

Exhibit 'A':
Legal Description

BEING a tract of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72 and the M.B. JONES SURVEY, ABSTRACT NO. 122, City of Rockwall, Rockwall County, Texas and being part of that tract of land described in Deed to Mike L. Peoples, as recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas and being part of that tract of land described as 0.64 Acre Tract in Deed to Mike Peoples, as recorded in Volume 138, Page 106, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 190, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Mike Peoples, as recorded in Volume 1679, Page 196, Deed Records, Rockwall County, Texas and being part of that tract of land described in Deed to Michael L. Peoples, as recorded in Volume 1081, Page 151, Deed Records, Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found in the south line of Farm to Market Road No. 1141, an 80-foot right-of-way, for the northwest corner of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE Easterly, with said south line, the following four (4) courses and distances:

North 83 degrees 33 minutes 49 seconds East, a distance of 62.35 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the right having a central angle of 07 degrees 20 minutes, a radius of 2,824.93 feet and a chord bearing and distance of North 86 degrees 53 minutes 49 seconds East, 361.32 feet;

Easterly, with said curve to the right, an arc distance of 361.57 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

South 86 degrees 46 minutes 56 seconds East, a distance of 289.88 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the beginning of a curve to the left having a central angle of 57 degrees 36 minutes 49 seconds, a radius of 517.68 feet and a chord bearing and distance of North 64 degrees 24 minutes 40 seconds East, 498.90 feet;

Northeasterly, with said curve to the left, an arc distance of 520.55 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner at the intersection of said south line with the south line of Cornelius Road, a 60-foot right-of-way;

THENCE North 89 degrees 31 minutes 25 seconds East, leaving said south line of Farm to Market Road No. 1141 and with said south line of Cornelius Road, a distance of 37.01 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 00 degrees 29 minutes 15 seconds East, leaving said south line and generally with an existing fence, a distance of 300.96 feet to a fence corner post found for corner;

THENCE South 61 degrees 44 minutes 36 seconds East, generally with an existing fence, a distance of 134.73 feet to a fence corner post found for corner;

THENCE North 00 degrees 05 minutes 20 seconds West, generally with an existing fence, a distance of 152.26 feet to a fence corner post found for an exterior ell corner of that tract of land described in Deed to City of Rockwall, Texas, as recorded in Volume 58, Page 191, Deed Records, Rockwall County, Texas;

THENCE North 89 degrees 12 minutes 20 seconds East, with the south line of said City of Rockwall, Texas tract and generally with an existing fence, a distance of 657.00 feet to a fence corner post found for the southeast corner of said City of Rockwall, Texas tract;

THENCE South 01 degrees 28 minutes 22 seconds East, a distance of 835.49 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the common northwest corner of that tract of land described in Deed to Cain Family Partnership Ltd., as recorded in Document No. 2008-00396788, Deed Records, Rockwall County, Texas and an interior ell corner of said Mike Peoples tract recorded in Volume 1679, Page 196;

Exhibit 'A':
Legal Description

THENCE South 01 degrees 35 minutes 19 seconds East, a distance of 1,090.27 feet to a fence corner post found for corner in the common east line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and west line of said Cain Family Partnership Ltd. tract;

THENCE South 83 degrees 16 minutes 15 seconds West, leaving said common line and generally with an existing fence, a distance of 258.34 feet to a fence corner post found for corner;

THENCE South 05 degrees 53 minutes 32 seconds East, generally with an existing fence, a distance of 78.43 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 83 degrees 38 minutes 06 seconds West, a distance of 415.44 feet to a fence corner post found for corner in the common west line of said Michael L. Peoples tract recorded in Volume 1081, Page 151 and east line of said Mike L. Peoples tract recorded in Volume 850, Page 15;

THENCE South 01 degrees 18 minutes 41 seconds East, with said common line, a distance of 334.84 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set in the north line of State Highway No. 66, a variable width right-of-way, for the common southeast corner of said Mike L. Peoples tract recorded in Volume 850, Page 15 and southwest corner of said Michael L. Peoples tract recorded in Volume 1081, Page 151;

THENCE South 89 degrees 38 minutes 42 seconds West, with said north line, a distance of 241.04 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for the southeast corner of Lot 1, Block A of LADERA ROCKWALL, an Addition to the City of Rockwall, Rockwall County, Texas according to the Plat thereof recorded in Document No. 20190000016594, Plat Records, Rockwall County, Texas;

THENCE Northwesterly, with the north line of said Lot 1, the following five (5) courses and distances:

North 63 degrees 59 minutes 31 seconds West, leaving said north line of State Highway No. 66, a distance of 347.40 feet to a ½-inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

North 29 degrees 59 minutes 31 seconds West, a distance of 384.58 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

North 65 degrees 59 minutes 31 seconds West, a distance of 278.64 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

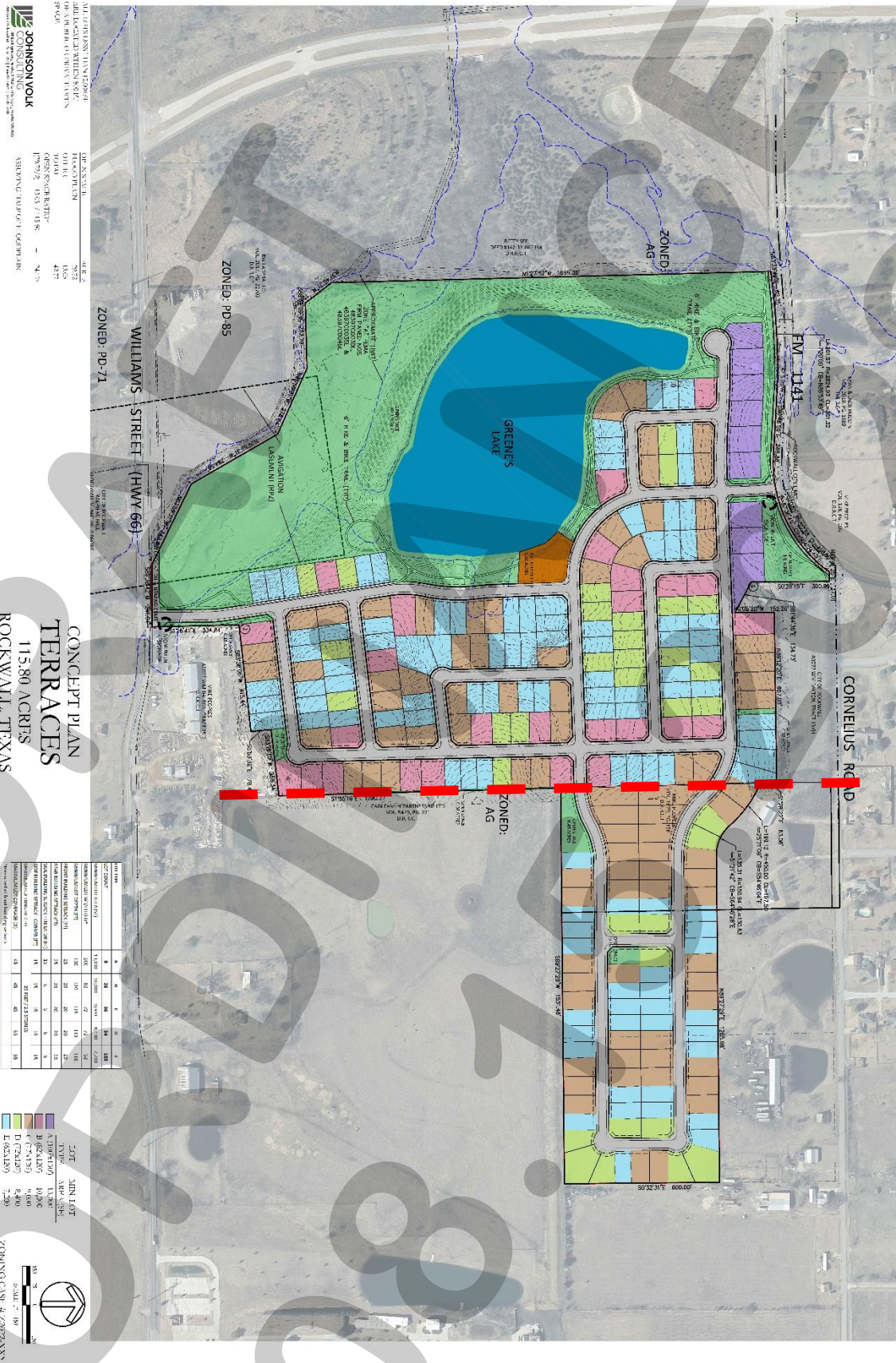
South 88 degrees 32 minutes 20 seconds West, a distance of 252.79 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found for corner;

North 37 degrees 46 minutes 31 seconds West, a distance of 128.78 feet to a 1-inch red boundary marker stamped "G&A MCADAMS CO" found in the west line of said Mike L. Peoples tract recorded in Volume 850, Page 15 for an interior ell corner of said Lot 1;

THENCE North 01 degrees 27 minutes 52 seconds West, with said west line, a distance of 1,699.38 feet to the *POINT OF BEGINNING* and containing 94.133 acres of land, more or less.

DRAFT
ORDINANCE
08.15.2022

**Exhibit 'C':
Concept Plan**



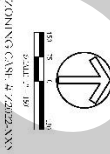
JOHNSON YOUNG
 14800 DALLAS AVENUE SUITE 200
 ROCKWALL, TEXAS 75087
 (972) 969-9000
 www.johnsonyoung.com

PREPARED BY: JOHNSON YOUNG
 DATE: 12/15/2022
 PROJECT NO: 22-038

**CONCEPT PLAN
 TERRACES
 115.80 ACRES
 ROCKWALL, TEXAS**

ZONE	AREA (AC)	PERCENT
L	1.38	1.2
T1	1.38	1.2
T2	1.38	1.2
T3	1.38	1.2
T4	1.38	1.2
T5	1.38	1.2
T6	1.38	1.2
T7	1.38	1.2
T8	1.38	1.2
T9	1.38	1.2
T10	1.38	1.2
T11	1.38	1.2
T12	1.38	1.2
T13	1.38	1.2
T14	1.38	1.2
T15	1.38	1.2
T16	1.38	1.2
T17	1.38	1.2
T18	1.38	1.2
T19	1.38	1.2
T20	1.38	1.2

LOT	MIN LOT
L (2.50 AC)	1.38 AC
T1 (2.50 AC)	1.38 AC
T2 (2.50 AC)	1.38 AC
T3 (2.50 AC)	1.38 AC
T4 (2.50 AC)	1.38 AC
T5 (2.50 AC)	1.38 AC
T6 (2.50 AC)	1.38 AC
T7 (2.50 AC)	1.38 AC
T8 (2.50 AC)	1.38 AC
T9 (2.50 AC)	1.38 AC
T10 (2.50 AC)	1.38 AC
T11 (2.50 AC)	1.38 AC
T12 (2.50 AC)	1.38 AC
T13 (2.50 AC)	1.38 AC
T14 (2.50 AC)	1.38 AC
T15 (2.50 AC)	1.38 AC
T16 (2.50 AC)	1.38 AC
T17 (2.50 AC)	1.38 AC
T18 (2.50 AC)	1.38 AC
T19 (2.50 AC)	1.38 AC
T20 (2.50 AC)	1.38 AC



**Exhibit 'D':
Density and Development Standards**

DENSITY AND DEVELOPMENT STANDARDS.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single-Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

TABLE 1: LOT COMPOSITION

Lot Type	Minimum Lot Size (FT)	Minimum Lot Size (SF)	Dwelling Units (#)	Dwelling Units (%)
A	100' x 130'	13,000 SF	9	03.42%
B	82' x 120'	10,000 SF	26	09.98%
C	72' x 110'	9,000 SF	86	32.70%
D	72' x 110'	8,400 SF	34	12.93%
E	62' x 110'	7,200 SF	108	41.06%
<i>Maximum Permitted Units:</i>			263	100.00%

- (3) Variation in Residential Lot Composition. The allocation of single-family residential lot types may deviate from the that in Subsection (2), *Residential Lot Composition and Layout*, of this ordinance provided that the maximum allowed total dwelling units does not exceed 263 units provided [1] a minimum of 58.94% of the total lot count be comprised of *Lot Types 'A', 'B', 'C' & 'D'*, [2] a minimum of nine (9) *Lot Type 'A'* and 26 *Lot Type 'B'* lots are provided, and [3] a maximum of 41.06% *Lot Type 'E'* lots can be provided.
- (4) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single-Family 10 (SF-10) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 2.27 dwelling units per gross acre of land; however, in no case should the proposed development exceed 263 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ▶	A	B	C	D	E
<i>Minimum Lot Width</i> ⁽¹⁾	100'	82'	72'	72'	62'
<i>Minimum Lot Depth</i>	130'	120'	115'	110'	110'
<i>Minimum Lot Area</i>	13,000 SF	10,000 SF	9,000 SF	8,400 SF	7,200 SF
<i>Minimum Front Yard Setback</i> ^{(2), (5) & (6)}	25'	20'	20'	20'	20'
<i>Minimum Side Yard Setback</i>	15'	6'	6'	6'	6'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2), (5) & (7)}	15'	15'	15'	15'	15'
<i>Minimum Length of Driveway Pavement</i>	20'	20'	20'	20'	20'
<i>Maximum Height</i> ⁽³⁾	35'	35'	35'	35'	35'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	25'	20'	20'	20'	20'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i>	2,400 SF	2,200 SF	2,200 SF	2,200 SF	2,000 SF
<i>Maximum Lot Coverage</i>	45'	45'	45'	65'	65'

General Notes:

- ^{1:} Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.
- ^{2:} The location of the *Front Yard Building Setback* as measured from the front property line.
- ^{3:} The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.
- ^{4:} The location of the *Rear Yard Building Setback* as measured from the rear property line.
- ^{5:} Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features

**Exhibit 'D':
Density and Development Standards**

may encroach beyond the *Front Yard Building Setback* and *Side Yard Building Setback* by up to five (5) feet for any property. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

- 6: *J-Swing or Traditional Swing Garages* are permitted to encroach into the front yard building setback a minimum of five (5) feet.
- 7: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (i.e. a *Keystone Lot*), shall have a setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

(5) **Building Standards.** All development shall adhere to the following building standards:

- (a) **Masonry Requirement.** The minimum masonry requirement for the exterior façade of all buildings shall be 90% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (e.g. *HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 80% of the masonry requirement; however, administrative from the Director of Planning and Zoning approval may be requested for housing plans that utilize cementitious fiberboard in excess of 80% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD



FIGURE 2: EXAMPLES OF BOARD AND BATTEN

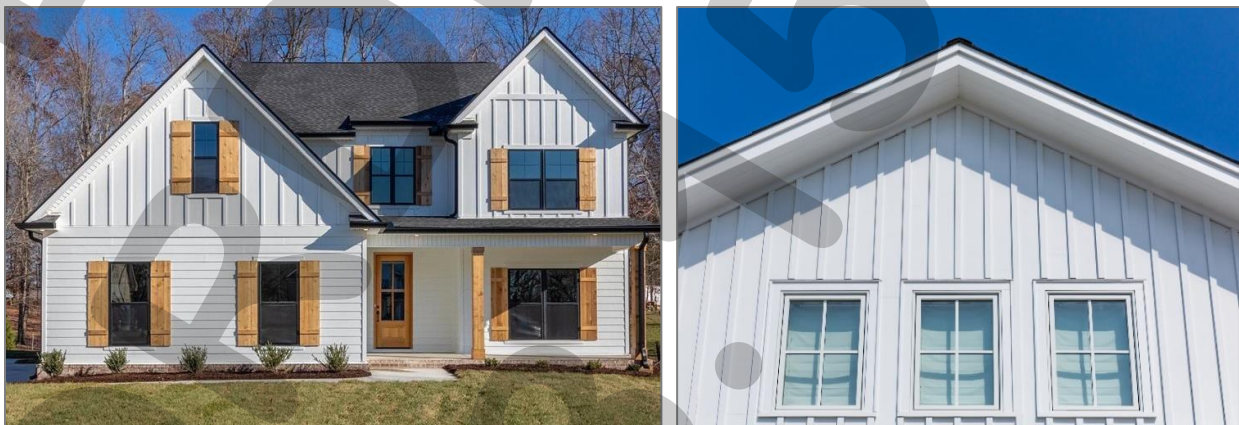


FIGURE 3: EXAMPLES OF HORIZONTAL LAP

Exhibit 'D':
Density and Development Standards



- (b) Roof Pitch. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) Garage Orientation and Garage Doors. A total of 20.15% or 53 of the 263 garages may be oriented toward the street in a *Front Entry* garage configuration; however, the front façade of the garage must be situated a minimum of five (5) feet behind the front façade of the primary structure. The remaining 79.85% or 210 garages shall be oriented in a *J-Swing (or Traditional Swing)* configuration or be situated a minimum of 20-feet behind the front façade of the home. In addition, all garage configurations shall have upgraded finishes that consist of the following architectural elements: [1] coach lighting, [2] decorative wood doors or wood overlays on insulated metal doors, and [3] driveways that are constructed with ornamental stamped concrete brick pavers, stained finished, or salt finished [see *Figures 4-6* for examples of upgraded or enhanced finishes].

FIGURE 4: EXAMPLES OF ENHANCED WOOD GARAGE DOOR



**Exhibit 'D':
Density and Development Standards**

FIGURE 5: EXAMPLES OF UPGRADED FINISHES



FIGURE 6: EXAMPLES OF UPGRADED GARAGES



- (6) Anti-Monotony Restrictions. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (for spacing requirements see *Figures 7 & 8* below).

TABLE 3: ANTI-MONOTONY MATRIX

<i>Lot Type</i>	<i>Minimum Lot Size</i>	<i>Elevation Features</i>
A	13,000 SF	(1), (2), (3), (4)
B	10,000 SF	(1), (2), (3), (4)
C	9,000 SF	(1), (2), (3), (4)
D	8,400 SF	(1), (2), (3), (4)
E	7,200 SF	(1), (2), (3), (4)

Exhibit 'D':
Density and Development Standards

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.
- (b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open space, Cornelius Road, FM-1141, or SH-66 shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (1) Number of Stories
 - (2) Permitted Encroachment Type and Layout
 - (3) Roof Type and Layout
 - (4) Articulation of the Front Façade
- (c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.
- (d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

FIGURE 7: Properties line up on the opposite side of the street. Where RED is the subject property.



FIGURE 8: Properties do not line up on opposite side of the street. Where RED is the subject property.



Exhibit 'D':
Density and Development Standards

- (7) Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) Front Yard Fences. Front yard fences shall be prohibited.
 - (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.
 - (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. FM-1141, Cornelius Road, and SH-66*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height. The *Lot Type 'A'* lots shall be required to utilize wrought iron/tubular steel fencing.
 - (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
 - (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
 - (f) Fence in Easements. No fencing shall be constructed in or across a North Texas Municipal Water District (NTMWD) easement and/or an easement of the City of Rockwall.
 - (g) Additional Fence Requirements. In addition to the abovementioned fence requirements the following additional requirements will need to be met for *Locations ① & ②* as depicted on *Exhibit 'C'* of this ordinance.
 - (1) Location ①. In Location ①, where the *Lot Types 'A' & 'B'* lots abut an existing single-family home that has an existing six (6) foot or greater wood fence, the wood fence shall be permitted to remain on the shared property line and serve both lots.
 - (2) Location ②. In Location ②, where the lots abut a non-residential land use along the southern property line, a minimum of an eight (8) foot wood fence meeting the requirements of Subsection (b), *Wood Fences*, and Subsection (e), *Solid Fences (including Woods Fences)*, above shall be constructed. In addition, one (1) row of a

Exhibit 'D':
Density and Development Standards

minimum of four (4), four (4) inch caliper Eastern Red Cedar or Leland Cypress trees shall be planted along the rear property line of each property.

(8) Landscape and Hardscape Standards.

- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. All shrubs shall be a minimum of five (5) gallons in size. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall be required to plant an additional row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
- (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
- (1) Landscape Buffer and Sidewalks (FM-1141). A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (2) Landscape Buffer and Sidewalks (SH-66). A minimum of a 30-foot landscape buffer shall be provided along SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot trail shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (Adjacent to Open Space). A minimum of a ten (10) foot landscape buffer shall be provided along streets that have frontage on open space. This landscape buffer shall incorporate one (1) canopy tree and one (1) accent tree per 50-feet of linear frontage.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Residential Lot Landscaping. Prior to the issuance of a Certificate of Occupancy (CO), all residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In addition,

Exhibit 'D':
Density and Development Standards

corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]) within the side yard facing the street.

- (e) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (f) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (9) Street. All streets (excluding drives, fire lanes and private parking areas) shall be built according to City street standards.
- (10) Lighting. Light poles shall not exceed 20-feet in total height (i.e. base and lighting standard). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (11) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (12) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.
- (13) Open Space/Public Park. The development shall consist of a minimum of 20% open space (or a minimum of 23.16-acres -- as calculated using the formula stipulated in the *Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. For the 182 lots associated with *Phase 1* of the subdivision (i.e. the portion of the subdivision shown east of the redline dashed in *Exhibit 'C'*), the developer shall be required to use the pro-rata equipment and cash-in-lieu of land fees -- in the amounts stipulated by the *Parkland Dedication Ordinance* -- to establish a public park with amenities on the four (4) acre tract of land (i.e. *Tract 13-01 of the W. M. Dalton Survey, Abstract 72*) owned by the City of Rockwall adjacent to Cornelius Road. Amenities for this public park shall include irrigation, parking, a playground, walking trails, and benches. All equipment and improvements within the public park shall be built to the specifications stipulated by the Director of Parks and Recreation, and shall be provided by the developer in conjunction with the development of the proposed subdivision. Funds provided by the developer shall not be required to exceed the fees required through the *Parkland Dedication Ordinance*. Plans for the proposed public park shall be reviewed and recommended by the Parks and Recreation Board and approved by the City Council with the Preliminary Plat/Master Parks and Open Space Plan. In the event that the design of the public park cannot be agreed up by the *Developer* and the City of Rockwall, the *Developer* shall have the ability to satisfy the fees through the normal payment method dictated by the *Parkland Dedication Ordinance*.

Exhibit 'D':
Density and Development Standards

For the lots on *Phase 2* of the subdivision (*i.e. the portion of the subdivision shown west of the redline dashed in Exhibit 'C'*), the *Developer* shall satisfy the fees through the normal payment method dictated by the *Parkland Dedication Ordinance*.

- (14) *Trails*. A minimum of a six (6) foot concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'C'* of this ordinance.
- (15) *Neighborhood Signage and Enhancements*. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*; however, the signage should be equal to or better than the representative signage depicted in *Exhibit 'C'*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (16) *Homeowner's Association (HOA)*. A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.
- (17) *Variances*. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

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

DATE: August 15, 2022

SUBJECT: **BOARDS & COMMISSIONS (RE)APPOINTMENTS**

Attachments

Summary/Background Information

The following information details the current status of each of these boards/commissions, as of this month (Aug. 2022) -

- Animal Board – two reappointments needed (Dr. Steve Albers + Gary Freedman)
- Board of Adjustments – two reappointments (Shannon Bennett + Daniel Simmons) needed + one brand new board member (G. David Smith has ‘termed out’)
- Historic Board – two reappointments needed (Tiffany Miller + Alma McClintock)
- P&Z Commission – three reappointments needed (Brian Llewellyn, Sedric Thomas + John Womble) + one new appointment (replacing E. Chodun - partial term thru Aug. of 2023)
- Airport Board – two new appointees needed (Brad Bassett + Matt Murphy have ‘termed out’)
- Comprehensive Plan Advisory Committee (CPAC) - two new appointees needed

Action Needed

Reappointments and New appointments needed, as detailed above



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mary Smith, City Manager
Joey Boyd, Assistant City Manager

FROM: Travis Sales, Parks, Recreation and Animal Services Director

DATE: August 15, 2022

SUBJECT: 2022 RIB RUB RUN AND ROLL

The 2022 City of Rockwall Rib Rub Run and Roll will be held at Harry Myers Park on Saturday, October 1st beginning at 10:00 am and concluding around 5:00 pm. The BBQ Competition team will begin to check in on-site after lunch on Friday, September 30th.

In 2014, the City Council amended sec. 30-2, Regulated Activities in Parks, which permitted the possession and consumption of alcohol in Harry Myers Park for City-sponsored events as designated by the City Council. Since the Rib Rub Run and Roll was held on the square prior to the 2022 event, patrons have been permitted to bring their own alcoholic beverages to the event. The venue location changed in 2022, the City Council has the ability to consider this matter this year as to allow alcohol in Myers Park on the evening and the day of the event.

With the 2022 event just several weeks away, the City Council has the discretion to designate the event as a City-sponsored event where the possession and consumption of alcohol would be permitted. The designation must be granted annually, expires at the event's conclusion, and be limited to all or a portion of Harry Myers Park. As with all previous Rib Rub Run and Roll, coordination and planning have already begun with the police and fire departments.