# AGENDA CONTINUE AND LONING CONTINUES OF MELLING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS SEPTEMBER 14, 2021 IN THE CITY COUNCIL CHAMBE

NOTES ABOUT PUBLIC PARTICIPATION = RED

#### (I) CALL TO ORDER

#### (II)<u>APPOINTMENTS</u>

(1) Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

PLANNING AND ZONING COMMISSION MEETING

SEPTEMBER 14, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

#### **OPEN FORUM** (III)

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

#### (IV) **CONSENT AGENDA**

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

(2) Approval of Minutes for the August 31, 2021 Planning and Zoning Commission meetings.

#### (V) PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

#### (3) Z2021-032 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

#### (4) Z2021-033 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Zoning Change amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a Mixed-Use Development (i.e. Apartments, Retail/Restaurant, and Office land uses) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

#### (5) Z2021-034 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

#### (6) Z2021-035 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Robert LaCroix and Brian Berry of BNSBS, L. P. on behalf of Bradley Gideon for the approval of a Zoning Change from an Agricultural (AG) District to a Neighborhood Services (NS) District for a 2.751acre identified as Tract 1-04 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned

Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Quail Run Road, and take any action necessary.

#### (7) Z2021-036 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a <u>Zoning Change</u> to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, and take any action necessary.

#### (8) Z2021-037 (HENRY LEE)

Hold a public hearing to discuss and consider a request by James Best for the approval of a <u>Specific Use Permit (SUP)</u> for an accessory building on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

## (VI) ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

#### (9) SP2021-024 (DAVID GONZALES)

Discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a <u>Site Plan</u> for a warehouse/distribution center facility on a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [*FM-549*] and Capital Boulevard, and take any action necessary.

#### (VII) DISCUSSION ITEMS

These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission.

(10) *Director's Report* of post City Council meeting outcomes for development cases (RYAN MILLER).

- P2021-045: Replat for Lot 8, Block 1, Meadowcreek Business Center, Phase 2 Addition (APPROVED)
- MIS2021-011: Alternative Tree Mitigation Settlement Agreement for the REDC (APPROVED)
- Z2021-028: Text Amendment to Article 11, Development Applications and Review Procedures, of the UDC (APPROVED; 2<sup>ND</sup> READING)
- Z2021-029: SUP for a Residential Infill at 104 Reliance Court (APPROVED; 2<sup>ND</sup> READING)
- Z2021-030: SUP for a Residential Infill at 118 Mischief Lane (APPROVED; 2ND READING)
- Z2021-031: Zoning Change AG to SF-1 for 2075 Airport Road (APPROVED; 2ND READING)

#### (VIII) ADJOURNMENT

The City of Rockwall Planning and Zoning Commission reserves the right to adjourn into executive session at any time to discuss any matters listed on the agenda above, as authorized by Texas Government Code §551.071 (Consultation with City Attorney).

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) 772-6406 for further information.

I, Angelica Gamez, Planning and Zoning Coordinator 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 <u>September 10, 2021</u> at 5:00 PM, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

#### I. CALL TO ORDER

Chairman Chodun called the meeting to order at 6:01 PM. Commissioners present were Derek Deckard, Sedric Thomas, Mark Moeller, Jean Conway and Vice-Chairman Jerry Welch. Absent from the meeting was Commissioner John Womble. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planning and Zoning Coordinator Angelica Gamez, Planner Henry Lee, City Engineer Amy Williams, and Civil Engineers Jeremy White and Sarah Johnston.

**MINUTES** PLANNING AND ZONING COMMISSION WORK SESSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS <u>AUGUST 31, 2021</u> IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

#### II. APPOINTMENTS

1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the Architectural Review Board meeting.

III. OPEN FORUM

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.

Steve Curtis 2130 FM 1141 Rockwall, TX 75087

Mr. Curtis came forward and spoke in regards to the item number 1 on the agenda. He expressed his opposition to the request.

Jim Pruitt 209 Stonebridge Rockwall, TX 75087

Mr. Pruitt came forward and provided a brief history in regards to the development around item number 9 on the agenda.

Chairman Chodun asked if there was anyone else who wished to speak. There being no one coming forward, Chairman Chodun closed the open forum.

#### IV. CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do <u>not</u> involve discretionary approvals.

- 2. Approval of Minutes for the <u>August 10, 2021</u> Planning and Zoning Commission meeting.
- 3. P2021-045 (ANGELICA GAMEZ)

Discuss and consider a request by David Bond of Spiars Engineering on Andrew Melzer of Gingercrest Inc. for the approval of a <u>Replat</u> for Lot 8, Block 1, Meadowcreek Business Center, Phase 2 being a 8.240-acre tract of land identified as Lots 6 & 7, Block 1, Meadowcreek Business Center, Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District and the SH-276 Overlay (SH-276 OV) District, addressed as 2301 S. Goliad Street, and take any action necessary.

Commissioner Thomas made a motion to approve the consent agenda. Vice-Chairman Welch seconded the motion which passed by a vote of 6-0 with Commissioner Womble absent.

V. ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

4. MIS2021-009 (HENRY LEE)

Discuss and consider a request by Francisco Alvarez for the approval of an *Exception* to allow the construction of a front yard fence for an existing single-family home on a 0.628-acre parcel of land identified as Lot 61-R, Block A, Turtle Cove Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 2 (PD-2) for single-family detached land uses, addressed as 751 Turtle Cove Boulevard, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is proposing to install a 48-inch wrought iron fence with a gate along the southwestern property line. According to the Unified Development Code (UDC), no fence shall be constructed in the front yard of a residential property without being granted an exception by the Planning and Zoning Commission. Additionally, wrought iron fences shall not exceed 48-inches in height. In this case, the applicant is requesting to construct a wrought iron fence that does meet the requirements for a special exception request. However, front yard fences are a discretionary decision for the Planning and Zoning Commission.

Commissioner Conway asked wanted clarification as to what part of the property was owned by the residential association. Commissioner Deckard asked what reason was given to want to fence off the area.

Chairman Chodun asked the applicant to come forward.

Francisco Alvarez 751 Turtle Cove Blvd. Rockwall, TX 75087

Mr. Alvarez came forward and provided additional details in regards to the request. His main reason for wanting this is due to a safety issue.

Vice-Chairman Welch asked what the purpose was for just having a fence on one side. Commissioner Deckard wanted clarification in regards to the location of the floodplain.

Commissioner Thomas made a motion to deny item MIS2021-009. Commissioner Conway seconded the motion and the motion for denial passed by a vote of 6-0.

#### 5. MIS2021-010 (HENRY LEE)

Discuss and consider a request by James Best for the approval of an <u>Exception</u> to allow the construction of a front yard fence for a single-family home on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is proposing approval of an exception to allow the construction of an 8-foot cedar fence in the front yard, a 6-foot wrought iron fence in the front yard, and a 6-foot steel gate with 2 masonry columns. According to the Unified Development Code (UDC), wrought iron fences shall not exceed 48-inches in height and opaque fences are prohibited in front yard residential properties. Based on this, the applicant's request will require five variances to the fence requirements. Mr. Lee provided additional details to the characteristics of the request. According to the Unified Development Code (UDC), no fence shall be constructed in the front yard of a residential property without being granted an exception by the Planning and Zoning Commission. Staff should note that this request does not meet the requirements set forth by the UDC. This request is a discretionary decision for the Planning and Zoning Commission and it should be noted that the Commission can approve these variances individually.

Vice-Chairman Welch asked how many times the Commission has seen this property before.

Chairman Chodun asked the applicant to come forward.

Andrew Thomas 422 E. I-30, Suite F Royse City, TX 75189

Mr. Thomas came forward and provided additional details in regards to his request.

Commissioner Thomas asked if the neighboring wrought iron fence would stay or if it would it be removed. He also wanted clarification as to the use of the neighboring properties.

- Commissioner Deckard wanted clarification as to the placement of the fences.
- Commissioner Moeller stated he was not in agreement with the request.

Vice-Chairman Welch stated he found it hard to support the request.

Commissioner Thomas made a motion to deny item MIS2021-010. Commissioner Moeller seconded the motion to deny which passed by a vote of 5-1 with Chairman Chodun dissenting.

#### 6. MIS2021-011 (HENRY LEE)

Discuss and consider a request by Matt Waivering of the Rockwall Economic Development Corporation (REDC) for the approval of a <u>Treescape Plan</u> and an <u>Alternative Tree Mitigation Settlement Agreement</u> for a 137.448-acre tract of land identified as Tracts 5 & 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 (SH-276 OV) District, generally located at the northwest corner of the intersection of Springer Road and Rochelle Road, and take any action necessary.

133 agreement indicated that 2,198.5 caliper inches of trees would be removed from the site, 80-inches of trees would be planted in the future 134 right-of-way on Discovery Boulevard, and the franchise utilities would be relocated underground in lieu of paying a \$211,750 tree mitigation 135 fee. Based on the treescape plan, the total mitigation balance is 2,117.5 caliper inches. In lieu of the mitigation, which is calculated to be that 136 \$211,750, the applicant is requesting to put that money into undergrounding the existing utilities in accordance with the city ordinances at 137 an estimated cost of \$570,475. In this case, the applicant is proposing to do it thru an alternative tree mitigation settlement agreement. 138 According to the UDC, the City Council, upon recommendation from the Planning and Zoning Commission, may consider an alternative tree 139 mitigation settlement agreement. The alternative tree mitigation settlement agreement is a discretionary decision for the City Council pending 140 a recommendation from the Planning and Zoning Commission. In addition, the Planning and Zoning Commission has charged with acting 141 upon the Treescape Plan. 142 143 Chairman Chodun asked what the requirements are with the utilities being underground for building purposes. 144 Commissioner Deckard asked what they were gaining with regards of letting them put them in now. 145 146 After brief discussion with Director Ryan Miller, Chairman Chodun asked the applicant to come forward. 147 148 Matt Waivering 149 2610 Observation Trail 150 Rockwall, TX 75032 151 152 Mr. Waivering came forward and provided additional details in regards to the request. 153 154 Commissioner Deckard did not understand why the issues weren't going to the developers for cost issues. 155 156 Vice-Chairman Welch made a motion to approve item MIS2021-011 with staff recommendations. Commissioner Conway seconded the motion 157 which passed by a vote of 5-1 with Commissioner Deckard dissenting. 158 159 Hold an election to elect a Chairman and Vice-Chairman for the Planning and Zoning Commission in accordance with Subsection 03.03(B) of Article 7 160 02, Development Review Authority, of the Unified Development Code (UDC), and take any action necessary. 161 162 Planning and Zoning Director Ryan Miller explained how the Boards and Commissions are required to elect a Chair and a Vice-Chair every 163 August and how the process was. 164 165 Chairman Chodun made a motion to re-elect Commissioner Welch as Vice-Chairman. Commissioner Thomas seconded the motion which 166 passed by a vote of 5-1 with Commissioner Deckard dissenting. 167 168 Commissioner Welch made a motion to re-elect Eric Chodun as Chairman. Chairman Chodun seconded the motion which passed by a vote 169 of 4-2 with Commissioner Womble absent. 170 171 VI. **DISCUSSION ITEMS** 172 173 These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will 174 come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when 175 these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or 176 action date for the following cases is September 14, 2021. 177 178 Z2021-032 (HENRY LEE) 179 Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval 180 of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant 181 (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, 182 Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection 183 of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary. 184 185 Chairman Chodun asked the applicant to come forward. 186 187 Sam Moore 188 2505 Penshurst Court 189 Celina, TX 75009 190 191 Mr. Moore came forward and provided a brief summary in regards to the request. They are requesting to construct a 950-square foot drive 192 through and walkup service coffee shop. There will not be any indoor seating at all. 193 194 Commissioner Conway wanted clarification in regards to the location of the subject property. 195 Planner Henry Lee added that this request would need headlight screening along Ridge Road. Staff also asked that the drive-thru be located 196 behind the building due to the visibility by Ridge Road. 197 Commissioner Thomas asked what variances they would be requesting. 198 199 Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

Planner Henry Lee provided a brief summary in regards to the request. The proposed treescape plan and alternative tree mitigation settlement

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#### 9. Z2021-033 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a <u>Zoning Change</u> amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a <u>Mixed-Use Development</u> (*i.e. Apartments, Retail/Restaurant, and Office land uses*) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [*FM*-740], and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Josh Barton 111 Hillside Drive Lewisville. TX 75057

Mr. Barton came forward and provided a brief summary in regards to the request. The request is for a 700-unit complex with two sky top roof top restaurants that are 3.000 square-foot each overlooking Lake Ray Hubbard. There will also be 4,000 square-feet of retail on each building on Ridge Road.

Planning and Zoning Manager David Gonzales provided a brief summary in regards to the request. The project does not conform to the current planned development (PD) which is why they're requesting the amendment to allow for 700-units on the property. Director Ryan Miller also provided additional details in regards to the request.

Commissioner Thomas added that he would want the applicant to provide more information.

Commissioner Deckard asked how this change best fits the community and he looks forward to the presentation that the applicant will provide at the public hearing.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

#### 10. Z2021-034 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a <u>Zoning</u> <u>Change</u> from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Maxwell Fisher 2201 Main Street, #1280 Dallas, TX 75201

Mr. Fisher came forward and provided a brief summary in regards to the request.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

#### 11. Z2021-035 (DAVID GONZALES)

Hold a public hearing to discuss and consider a request by Robert LaCroix and Brian Berry of BNSBS, L. P. on behalf of Bradley Gideon for the approval of a <u>Zoning Change</u> from an Agricultural (AG) District to a Neighborhood Services (NS) District for a 2.751-acre identified as Tract 1-04 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Quail Run Road, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Robert LaCroix 4517 Scenic Drive Rowlett. TX 75088

Mr. LaCroix came forward and provided a PowerPoint presentation in regards to his request.

Chairman Chodun wanted further information as to what else would be required with the Neighborhood Services (NS) designation.

Brian Berry 2 Essex Court Heath, TX 75032

Mr. Berry came forward and provided additional details in regards to his request.

Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.

12. Z2021-036 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Adam Shiffer of the Skorburg Company on behalf of Gordon C. Fogg for the approval of a Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00-acre tract of land identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 505 Clem Road, and take any action necessary. Chairman Chodun asked the applicant to come forward. Adam Buczek 8214 Westchester Drive. Suite 900 Dallas TX 75225 Mr. Buczek came forward and provided a brief summary and PowerPoint presentation in regards to the request. Vice-Chairman Welch wanted clarification as to the amount of acres requested. Commissioner Conway added that she would like to see some more curvature to the main streets. Commissioner Moeller asked if drainage was a significant factor in this development. Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021. 13. Z2021-037 (HENRY LEE) Hold a public hearing to discuss and consider a request by James Best for the approval of a Specific Use Permit (SUP) for an accessory building on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary. Chairman Chodun asked the applicant to come forward. Planner Henry Lee added that they are requesting a 12x16 accessory building which is 192-square feet, exceeding the maximum square feet allowed. Other than that, this does meet all the density and dimensional requirements for accessory buildings. Andrew Thomas 422 E. I-30, Suite F Royse City, TX 75189 Mr. Thomas came forward and provided a brief summary in regards to the request. Vice-Chairman Welch asked if there was a reason as to why you are allowed a certain number of buildings on lots. Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021. 14. SP2021-024 (DAVID GONZALES) Discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a Site Plan for a warehouse/distribution center facility on a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [FM-549] and Capital Boulevard, and take any action necessary. Chairman Chodun asked the applicant to come forward. Dylan Adame 13445 Noel Road, Suite 700 Dallas, TX 75240 Mr. Adame came forward and provided a brief summary in regards to his request. He had additional questions to certain comments made by Staff. Planning and Zoning Manager David Gonzales added that the Architectural Review Board (ARB) made a few recommendations in regards to the project. After some discussion, Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021. <u>Director's Report</u> of post City Council meeting outcomes for development cases (RYAN MILLER) P2021-037: Final Plat for Lots 1 & 2, Block A, Isaac Addition [APPROVED] P2021-040: Final Plat for Lot 1, Block A, SWBC Rockwall Addition [APPROVED] P2021-041: Master Plat for the Homestead Subdivision [APPROVED] P2021-044: Preliminary Plat for the Homestead Subdivision [APPROVED] • Z2021-026: Amendment to Planned Development District 8 (PD-8) for Townhomes [APPROVED; 2ND READING] Z2021-028: Text Amendment to Article 11, Development Applications and Review Procedures, of the UDC [APPROVED; 1st READING]

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336 337 338 339	<ul> <li>Z2021-029: SUP for a Residential Infill at 104 Reliance Court [APPROVED; 1st READING]</li> <li>Z2021-030: SUP for a Residential Infill at 118 Mischief Lane [APPROVED; 1st READING]</li> <li>Z2021-031: Zoning Change AG to SF-1 for 2075 Airport Road [APPROVED; 1st READING]</li> </ul>			
340	Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council			
341	meeting.			
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	VII. ADJOURNMENT			
344 345	Chairman Chadup adjacement the masting of 9:40 D M			
345 346	Chairman Chodun adjourned the meeting at 8:10 P.M.			
347 348	PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCH , 2021.	D AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, thisday of		
349	, 2021.			
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351	Eric Chodun, Chairman			
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353	Attest:			
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355	Angelica Gamez, Planning and Zoning Coordinator			
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## CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

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

TO:	Planning and Zoning Commission
DATE:	September 14, 2021
APPLICANT:	Sam Moore; Main & Main
CASE NUMBER:	Z2021-032; Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In in a Commercial (C) District

## SUMMARY

Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In* for the purpose of constructing a restaurant (*i.e. Dutch Bros. Coffee*) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

## BACKGROUND

The subject property was originally annexed into the City of Rockwall on November 7, 1960 by Ordinance No. 60-04. According to the City's historic zoning maps, the subject property was zoned Commercial (C) District as of January 3, 1972. On January 20, 2015, the City Council approved a miscellaneous case [*Case No. MIS2014-018*] to allow an alternative Tree Mitigation Plan. On August 7, 2017, the City Council approved a final plat case [*Case No. P2017-037*] that established the subject property as Lot 1, Block A, Sky Ridge Addition. On January 26, 2021, the Planning and Zoning Commission approved a miscellaneous case [*Case No. MIS2017-037*] to allow for a variable width landscape buffer. Following this approval, the City Council approved a preliminary plat [*Case No. P2021-001*] proposing the creation of Lots 1-7, Block A, Sky Ridge Addition on March 1, 2021. On August 2, 2021, the City Council approved a replat [*Case No. P2021-038*] that established the subject property as Lot 5, Block A, Sky Ridge Addition.

#### **PURPOSE**

The applicant -- Sam Moore of Main & Main -- is requesting the approval of a Specific Use Permit (SUP) to allow for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In within the Commercial (C) District on the subject property.

#### ADJACENT LAND USES AND ACCESS

The subject property is generally located southeast of the intersection of Ridge Road [*FM*-740] and W. Yellow Jacket Lane. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is the right-of-way for the Union Pacific/Dallas Garland NE Railroad. Beyond this is a single-family residential subdivision (*i.e. Lakeridge Park*). This area is zoned Single-Family 10 (SF-10) District.
- <u>South</u>: Directly south of the subject property is Ridge Road [*FM* 740], which is identified as a M4D (*major collector, four* [4] *lane, divided roadway*) on the City's Master Thoroughfare Plan. Beyond this is an office building and several commercial businesses (*e.g. Big D Auto Care, Wal-Mart, etc.*) This area is zoned Commercial (C) District.
- <u>East</u>: Directly east of the subject property is a vacant tract of land followed by Ridge Road [FM-740], which is identified as a M4D (major collector, four [4] lane, divided roadway) on the City's Master Thoroughfare Plan. Beyond this

are several commercial businesses (e.g. Little Caesar's, Everybody Massage, etc.) These areas are zoned Commercial (C) District.

<u>West</u>: Directly west of the subject property is a house of worship (*i.e. Great Faith Church*) and several commercial businesses (*e.g. State Farm, Family Dental, etc.*) followed by the right-of-way for the Union Pacific/Dallas Garland NE Railroad. Beyond this is a single-family residential subdivision (*i.e. Turtle Cove Subdivision*). This area is zoned Planned Development District 2 (PD-2) for single-family land uses.

#### CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, letter, building elevations, drive-through stacking plan, and a concept plan requesting a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* for the purpose of establishing a Dutch Bros. Coffee in a Commercial (C) District. The applicant has stated that there will be no point of order, rather employees with tablets will take the orders from the drive-through line; however, the stacking plan shows capacity for approximately 20 vehicles. The applicant has also indicated that the bail-out lane is designed to allow smaller orders to be processed quickly, while larger orders will utilize the drive-through window.

#### CONFORMANCE WITH THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC), defines a *Restaurant with Drive Through or Drive-In* as "(a) place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises.." In this case, the applicant's proposed business -- *Dutch Bros. Coffee* -- falls under this classification. According to *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *Restaurant with Drive Through or Drive-In* requires a Specific Use Permit (SUP) in a Commercial (C) District. The purpose of this requirement is to acknowledge that not all *Restaurant* operations are appropriate within the City's Commercial areas, and that the City Council should have discretionary oversite with regard to the types of *Restaurant* operations and their impacts within these types of districts. In addition, Subsection 02.03(f)(9) places the following addition conditions on this land use:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles.

The applicant's request does appear to conform to the requirements stipulated by the Unified Development Code (UDC); however, staff has incorporated an additional condition that mature landscaping and trees shall be planted along the entire length of the proposed drive through to provide headlight screening from Ridge Road and the adjacent properties. In the Planning and Zoning Commission Work Session Meeting on August 31, 2021, the applicant did indicate that the drive-through lane would be located adjacent to a variable width wall; however, it was also indicated that this wall would be lower than three (3) feet in certain locations. The Unified Development Code (UDC) requires headlight screening to be a minimum of three (3) feet in height, which is why staff has included this as a operation condition in the Specific Use Permit (SUP) ordinance.

#### STAFF ANALYSIS

When reviewing this case, the proposed land use does appear to be appropriate for this location due to the non-residential adjacencies and access to Ridge Road [*FM*-740]. Staff did make the recommendation to the applicant that the drive-through lane should <u>not</u> be situated in front of the building; however, the applicant has chosen not to incorporate this into their site plan stating that given the site restrictions and their business model this would not be possible. The purpose of staff's recommendation was to further the goals of the Scenic Overlay (SOV) District, which state that "(t)he development requirements for non-residential uses are more restrictive than in other commercial classifications in order to encourage development that will protect and enhance the existing views, topography, landscape and <u>quality of development</u>." In this case, no other restaurant situated within the Scenic Overlay (SOV) District incorporates a drive-through lane in front of their building and all service windows (*i.e. or the point at which the food/beverage is delivered to the driver*) are located facing away

from public right-of-way. Staff is also obligated to point out that the proposed building elevations submitted by the applicant do not meet the requirements of the Scenic Overlay (SOV) District and are not being incorporated into this Specific Use Permit (SUP) ordinance. If approved, the building elevations will be revisited by the Architectural Review Board (ARB) and Planning and Zoning Commission through the site plan approval process. With this being said, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

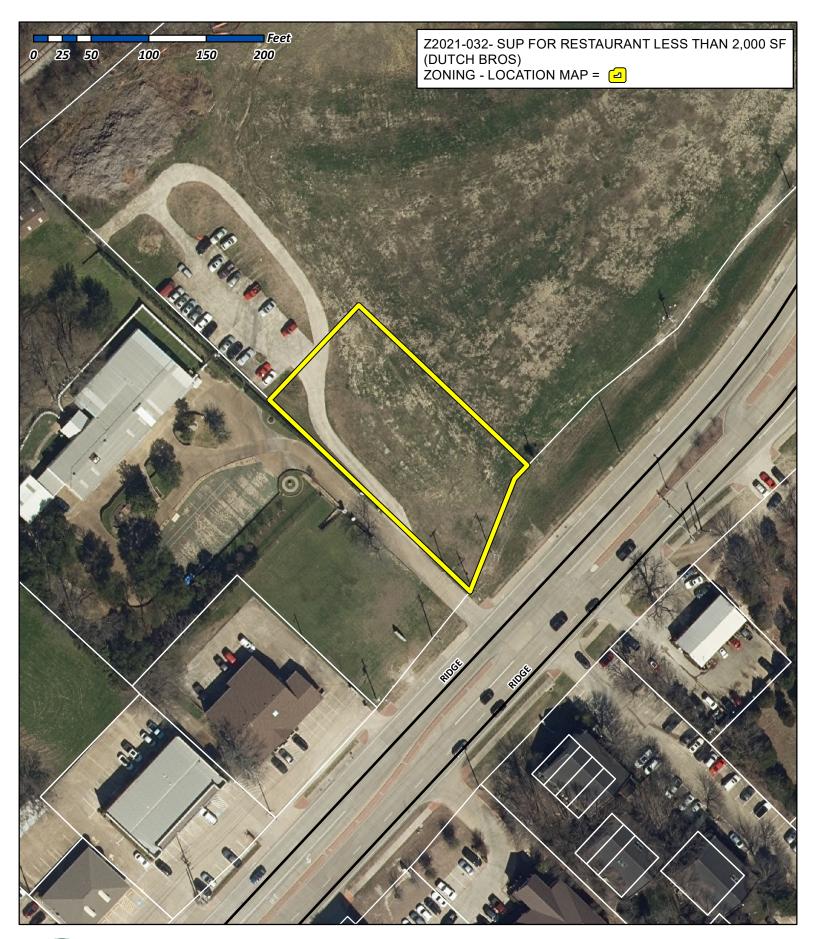
On August 20, 2021, staff mailed 46 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Turtle Cove Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had not received any notices.

#### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* within the Commercial (C) District, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The development of the *Subject Property* shall generally conform to the <u>Concept Plan</u> as depicted in Exhibit 'B' of this ordinance.
  - (b) Mature landscaping and additional trees shall be planted along the entire length of the proposed drive-through to provide headlight screening from Ridge Road [*FM*-740] and the adjacent property owners.
- (2) The Restaurant with less than 2,000 SF with Drive-Through or Drive-In shall be limited to the area depicted in Exhibit 'B' of the draft ordinance
- (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.

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         PAT REINSTATEMENT REQUEST (\$100.00)         SITE PLAN (\$200.00 + \$20.00 ACRE) 1         SITE PLAN APPLICATION FEES:         SITE PLAN (\$250.00 + \$20.00 ACRE) 1         AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)					
□ MASTER PLAT (\$100.00 + \$15.00 ACRE) 1         □ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) 1         □ FINAL PLAT (\$300.00 + \$20.00 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)					
PROPERTY INFORMATION [PLEASE PRINT]					
ADDRESS 2200 D: days D.d					
SUBDIVISION Vacant Land - Commercial LOT 1 BLOCK	А				
GENERAL LOCATION Property located at intersection of Ridge Rd and Yellow Jacket Ln, North of 2054 Ri	dge Rd				
ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]					
CURRENT ZONING     Commercial (C)     CURRENT USE     Undeveloped/Vacant					
PROPOSED ZONING Commercial (C) PROPOSED USE Drive-Thru Coffee Shop					
ACREAGE 0.57 Acres LOTS [CURRENT] 1 LOTS [PROPOSED] 1					
SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF <u>HB3167</u> 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 7.1 Ridge LLC □ APPLICANT Main & Main					
CONTACT PERSON Jason Claunch CONTACT PERSON Sam Moore					
ADDRESS 106 E Rusk Suite 200 ADDRESS 5750 Genesis Court Suite 103					
CITY, STATE & ZIP Rockwall, TX 75087 CITY, STATE & ZIP Frisco, TX 75034					
PHONE (817) 505-8117					
E-MAIL E-MAIL sm@maincg.com					
<b>NOTARY VERIFICATION [REQUIRED]</b> BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED <u>Sam Moore</u> [OWNER] THE UND 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 AP \$	DAY OF				
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF August 2021	State of Texas es 01-11-2023				
	131852235				





## 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.

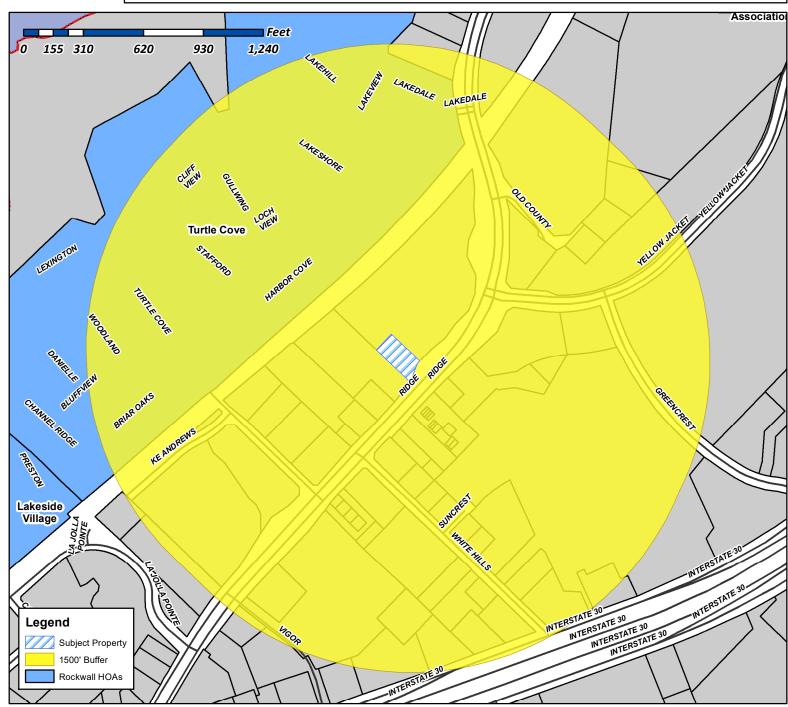


**City of Rockwall** 

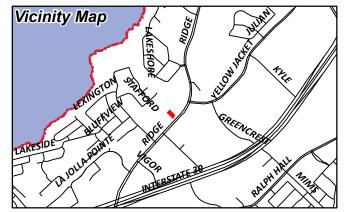


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Case Number:Z2021-032Case Name:SUP for RestaurantCase Type:ZoningZoning:Commercial (C) DistrictCase Address:Southeast of the Intersection of<br/>Ridge Road & W. Yellowjacket Road



Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745

## Lee, Henry

From:	Gamez, Angelica
Sent:	Thursday, August 26, 2021 3:19 PM
Cc:	Miller, Ryan; Gonzales, David; Lee, Henry
Subject:	Neighborhood Notification Program [Z2021-032]
Attachments:	Public Notice (08.26.2021).pdf; HOA Map Z2021-032.pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on <u>August 27, 2021</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September 14, 2021 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 20, 2021 at 6:00 PM</u>. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to <u>Planning@rockwall.com</u> 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.

#### Z2021-032 SUP for Restaurant w/ Drive Through

Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (*i.e. Dutch Bros. Coffee*) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [*FM-740*] and W. Yellow Jacket Lane, and take any action necessary.

Thank you,

## Angelíca Gamez

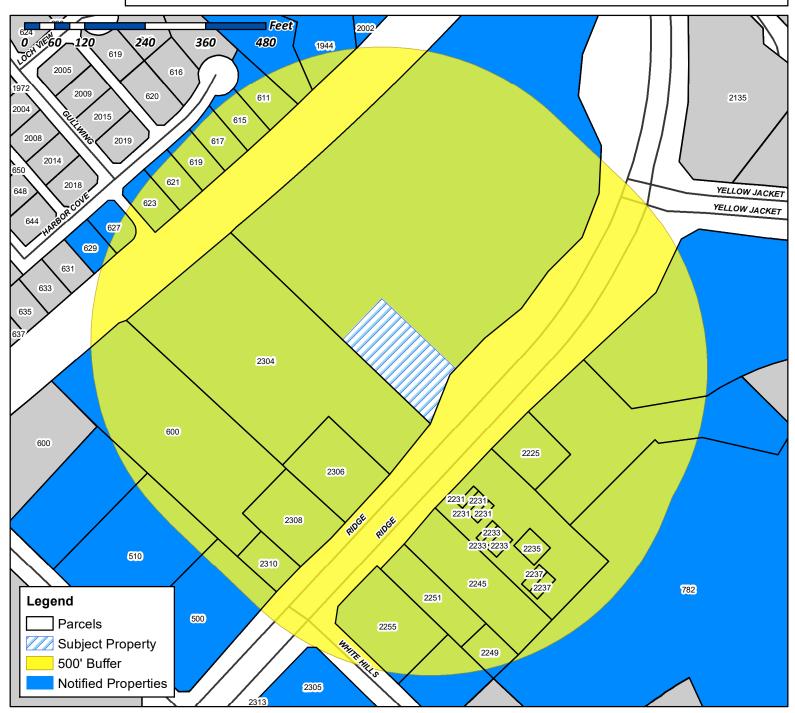
Planning & Zoning Coordinator City of Rockwall 972.771.7745 Office 972.772.6438 Direct http://www.rockwall.com/planning/

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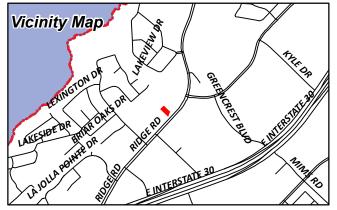
City of Rockwall

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





Case Number:Z2021-032Case Name:SUP for Restaurant w/Drive ThroughCase Type:ZoningZoning:Commercial (C) DistrictCase Address:Southeast of Intersection ofRidge Road & W. Yellowjacket Road



Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745 CHACKO & ABRAHAM INVESTMENTS LLC 1007 N. BLUFFVIEW DR LUCAS, TX 75002

RIDGECREST HOMEOWNERS ASSOCIATION INC 1024 S GREENVILLE AVE #230 ALLEN, TX 75002

> JARA PARTNERS LTD 1425 HUNTERS GLEN ROYSE CITY, TX 75189

**PORTELE MICHAEL & PAIGE 1944 LAKESHORE DRIVE** ROCKWALL, TX 75087

> JARA PARTNERS LTD 2231 RIDGE RD ROCKWALL, TX 75087

MEHL ROBERT F III & JOAN 2237 RIDGE RD ROCKWALL, TX 75087

2251 RIDGE ROAD LLC 2251 RIDGE RD ROCKWALL, TX 75087

DAIKER PARTNERS LTD. 2305 RIDGE RD ROCKWALL, TX 75087

ALMLAM REAL ESTATE LLC 2310 RIDGE RD ROCKWALL, TX 75087

DAIKER PARTNERS LTD **500 TURTLE COVE BLVD** ROCKWALL, TX 75087

CENTERS FOR PEACE AND MERCY, INC 600 TURTLE COVE BLVD ROCKWALL, TX 75087

MCKENNEY CARL K 2306 RIDGE RD STE 2 ROCKWALL, TX 75087

ALMLAM REAL ESTATE LLC 3051 N GOLIAD STREET ROCKWALL, TX 75087

PSB INDEMNITY FAMILY LTD PTRN 510 TURTLE COVE BLVD STE 200 ROCKWALL, TX 75087

MEHL ROBERT F III & JOAN 601 CARRIAGE TRL ROCKWALL, TX 75087

VANDERSLICE ROBERT 1408 S LAKESHORE DR ROCKWALL, TX 75087

DGR ASSOCIATES INC A MISSOURI CORP 1710 WEISKOPF DR HEATH, TX 75032

> 2225 RIDGE RD ROCKWALL, TX 75087

DOUPHRATE PROPERTIES INC 2235 RIDGE RD STE 200 ROCKWALL, TX 75087

CHACKO & ABRAHAM INVESTMENTS LLC 2249 RIDGE RD ROCKWALL, TX 75087

HUDSPETH FREDERICK WARD ESTATE NONA MAHAFFY HUDSPETH INDEPENDENT EXECUTOR 2304 RIDGE RD

> VANDERSLICE ROBERT 2308 RIDGE RD ROCKWALL, TX 75087

2251 RIDGE ROAD LLC 4131 N CENTRAL EXPRESSWAY SUITE 450 DALLAS, TX 75204

> RICE CARINE 545 BEDFORD FALLS ROCKWALL, TX 75087

ROCKWALL, TX 75087

LAYAN INVESTMENTS INC

LAKEWOOD PROPERTIES LLC 2245 RIDGE RD ROCKWALL, TX 75087

> MMF INVESTMENTS LLC 2255 RIDGE RD SUITE 333

ROCKWALL, TX 75087

DGR ASSOCIATES INC A MISSOURI CORP

2233 RIDGERD

ROCKWALL, TX 75087

**BENTO SERGIO** 

2002 S LAKESHORE DR

ROCKWALL, TX 75087

FRANK RUSSELL **15 PRINGLE LANE** ROCKWALL, TX 75087

106 E RUSK SUITE 200 ROCKWALL, TX 75087

7.1 RIDGE LLC

**BRUCE SCOTT L & CRISTINA V** 611 HARBOR COVE DR ROCKWALL, TX 75087

MARCUS MEGAN 619 HARBOR COVE DRIVE ROCKWALL, TX 75087

LITHERLAND LORILEE 627 HARBOR COVE DR ROCKWALL, TX 75087

WAL-MART REAL ESTATE BUSINESS TRUST 782 130 ROCKWALL, TX 75087

C/O TURTLE COVE HOA 14951 DALLAS PKWY STE 600 DALLAS, TX 75254

> LAKEWOOD PROPERTIES LLC PO BOX 2259 ROCKWALL, TX 75087

CENTERS FOR PEACE AND MERCY, INC P.O. BOX 615 ROCKWALL, TX 75087

> WAL-MART REAL ESTATE **BUSINESS TRUST** PO BOX 8050 **BENTONVILLE, AR 72712**

FLORENCIA HECTOR J 615 HARBOR COVE DR ROCKWALL, TX 75087

**ROTRAMEL CHRISTIE &** MISTY ROTRAMEL 621 HARBOR COVE DR ROCKWALL, TX 75087

629 HARBOR COVEDR ROCKWALL, TX 75087

TURTLE COVE RESIDENTIAL ASSOC

RICE CARINE

HANEY DYLAN K 617 HARBOR COVE DR ROCKWALL, TX 75087

SEAY KENNETH WAYNE & ELIZABETH CAUFIELD 623 HARBOR COVE DRIVE ROCKWALL, TX 75087

> LAYAN INVESTMENTS INC 6403 CRESTMOOR LN SACHSE, TX 75048

MOUNTAINPRIZE INC

P. O. BOX 2437

SMYRNA, GA 30081

DAIKER PARTNERS LTD. PO BOX 1059 ROCKWALL, TX 75087

# PUBLIC NOTICE 🕰

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

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

#### Case No. Z2021-032: SUP for Restaurant w/ Drive Through

Hold a public hearing to discuss and consider a request by Sam Moore of Main & Main on behalf of Jason Claunch of 7.1 Ridge LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant (i.e. Dutch Bros. Coffee) on a 0.57-acre portion of a larger 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow Jacket 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, September 14, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 20, 2021 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, September 20, 2021 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Rvan 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. Z2021-032: SUP for Restaurant w/ Drive-Through

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

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

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

Name:	
Address:	

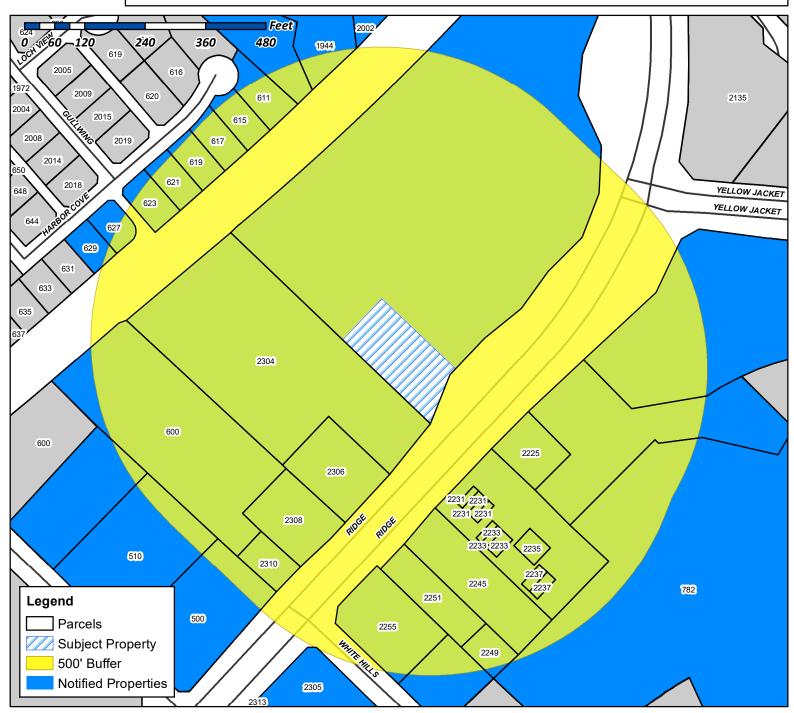
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written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

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

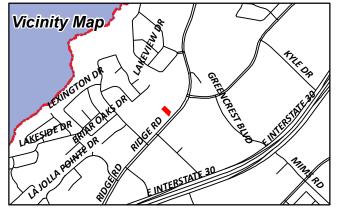
City of Rockwall

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





Case Number:Z2021-032Case Name:SUP for Restaurant w/Drive ThroughCase Type:ZoningZoning:Commercial (C) DistrictCase Address:Southeast of Intersection ofRidge Road & W. Yellowjacket Road



Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745



August 17, 2021

Re: Dutch Bros Coffee Specific Use Permit

The following is our application for a Specific Use Permit for the proposed Dutch Bros Coffee drive-thru coffee stand with walk-up services. The proposed coffee shop will be located in lot 5 of the Sky Ridge shopping center. We are excited to bring one of the first Dutch Bros in the DFW Metroplex to Rockwall, which is the largest privately held coffee company. The proposed building is a 950sf modular building which is proposed to have a combination of nichiha, cement plaster, and masonry. The hours anticipated at this location are 5am – 11pm Monday thru Sunday, which will include 3 shifts per day and 8 employees. The employees will be operating the kiosk by preparing and serving menu items and running orders to guests in the drive-thru, similar to how Chick-fil-A operates a double stack drive-thru.

Included in our submittal are the proposed concept plan and elevations for the Dutch Bros. This concept plan is intended to show the fit of the Dutch Bros into the overall development outside of our SUP request. The building will be used for the operation of the coffee stand and preparation of menu items; therefore, the building will not be open for public access. The Dutch Bros Coffee shop will serve beverages including coffee, tea, and energy drinks. The building is designed with both color and material to represent the brand effectively, while fitting within the City's standards.

Dutch Bros is known for their philanthropic engagement and efforts. Examples of their community involvement are included in our submittal for your review.

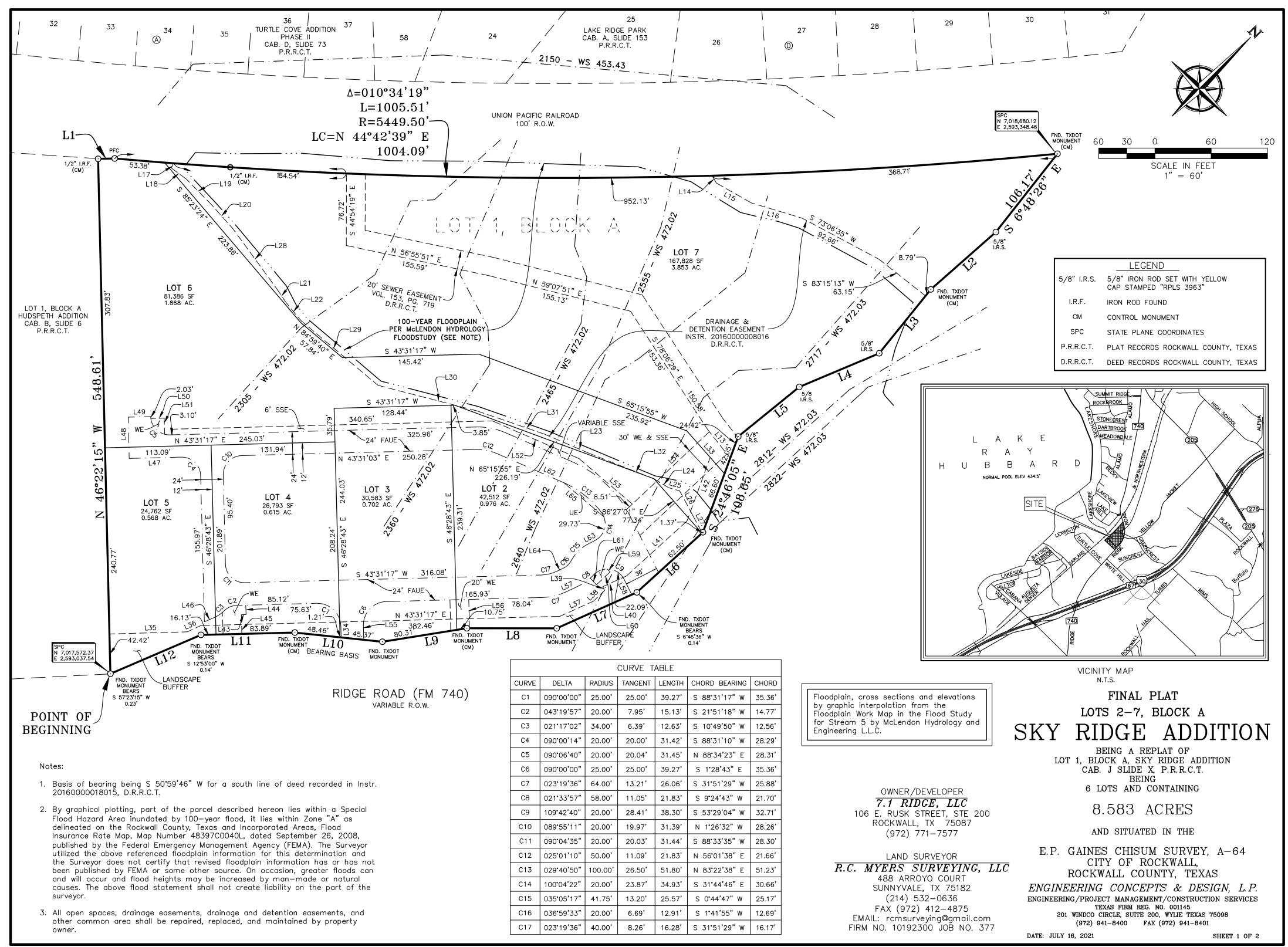
We are excited to help bring an amazing brand and organization to the City of Rockwall and look forward to working together to deliver a quality product.

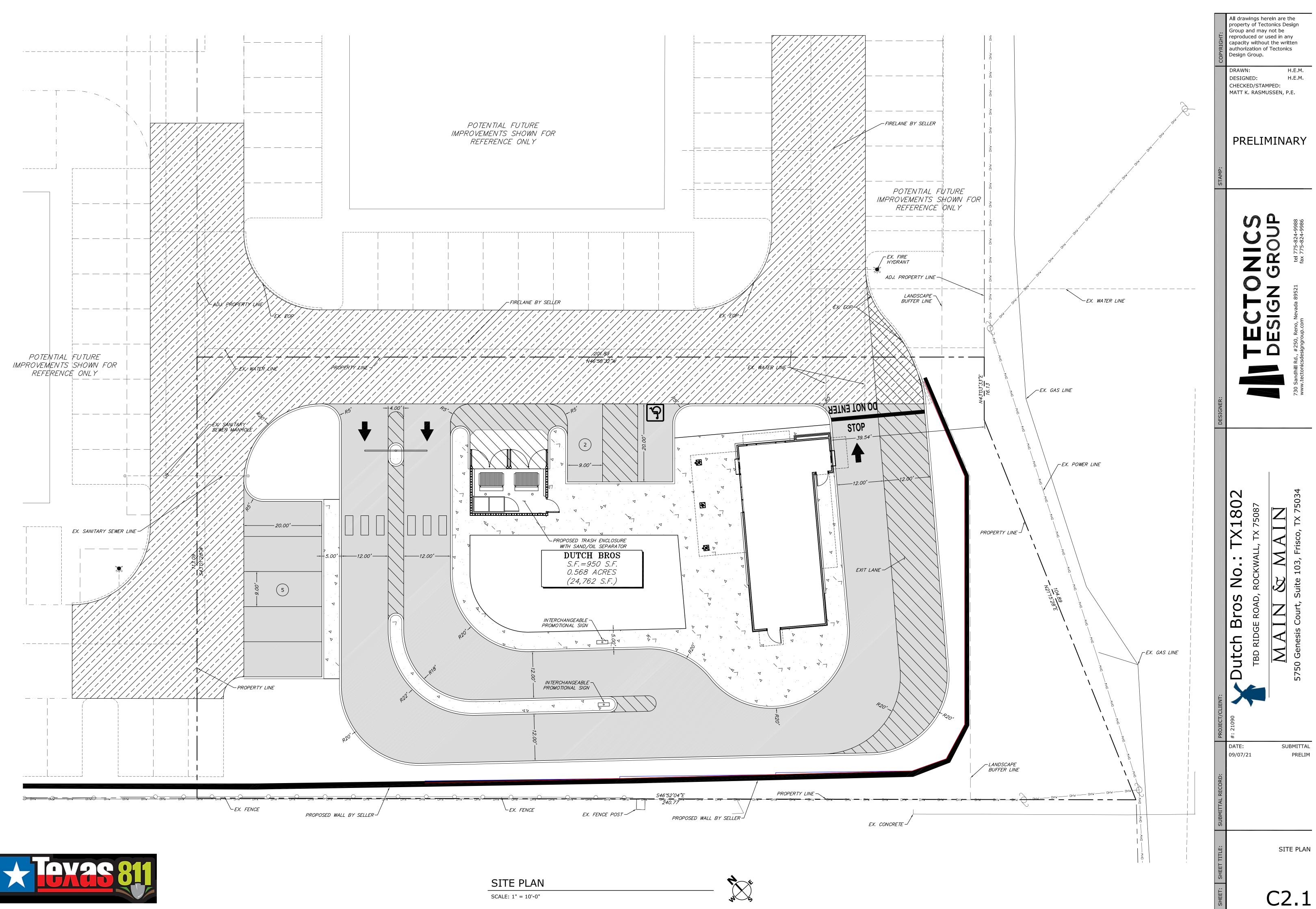
Thank you for your time, please let me know if you have any questions. We look forward to working together.

Sam Moore

Best,

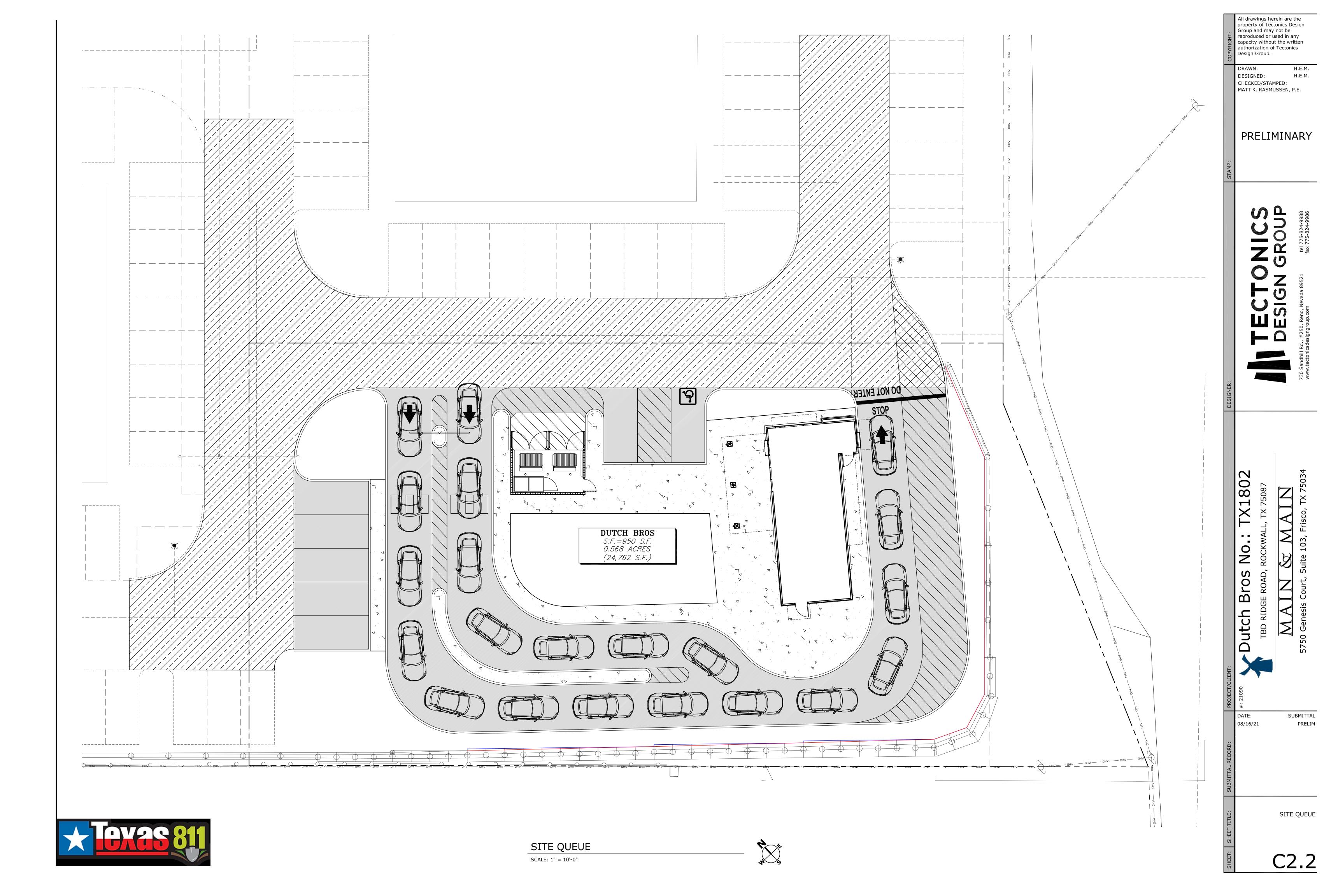
Sam Moore Main & Main Capital Group, LLC

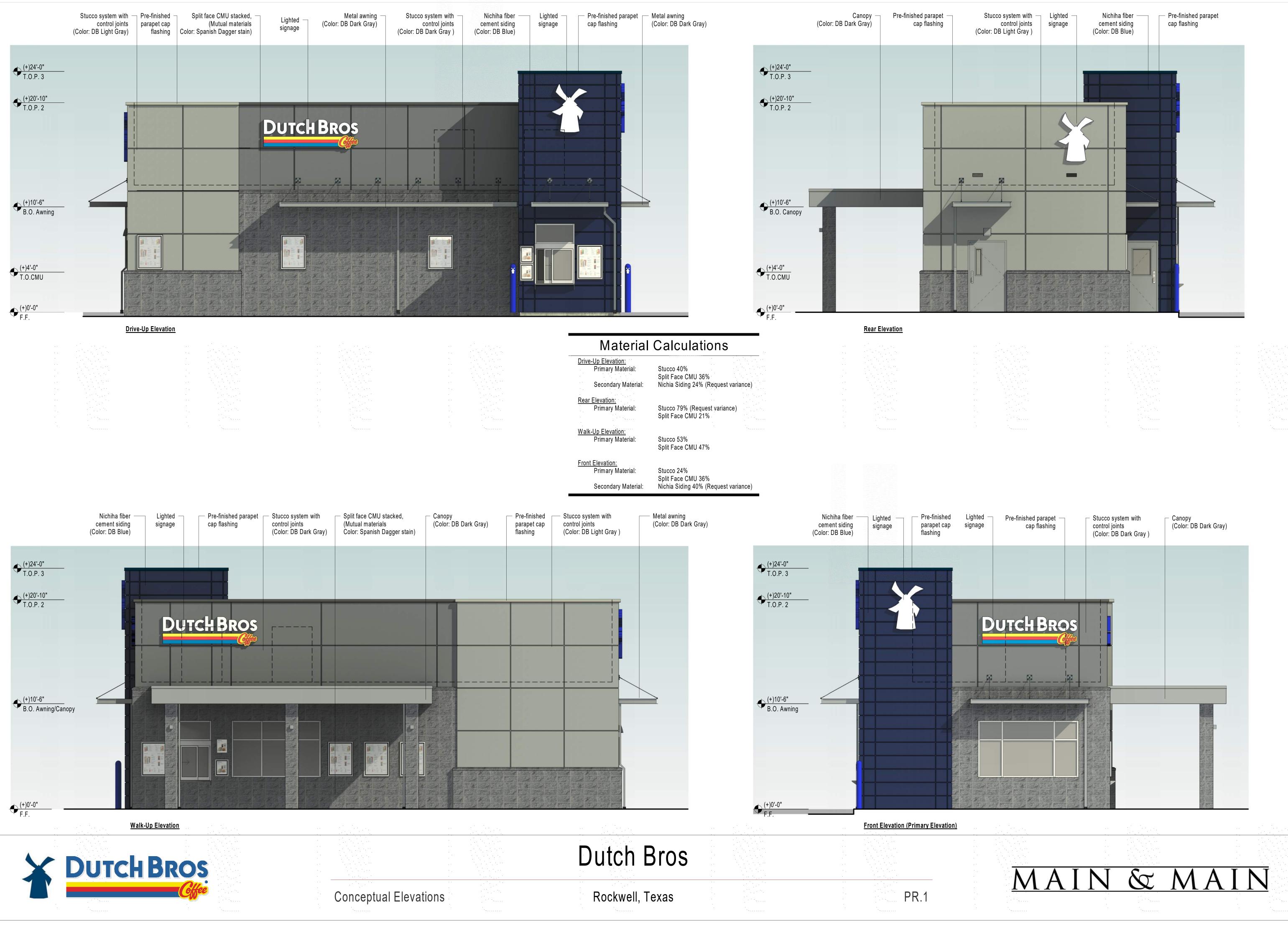




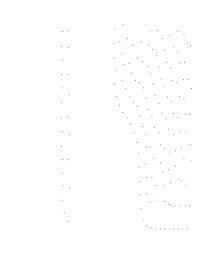










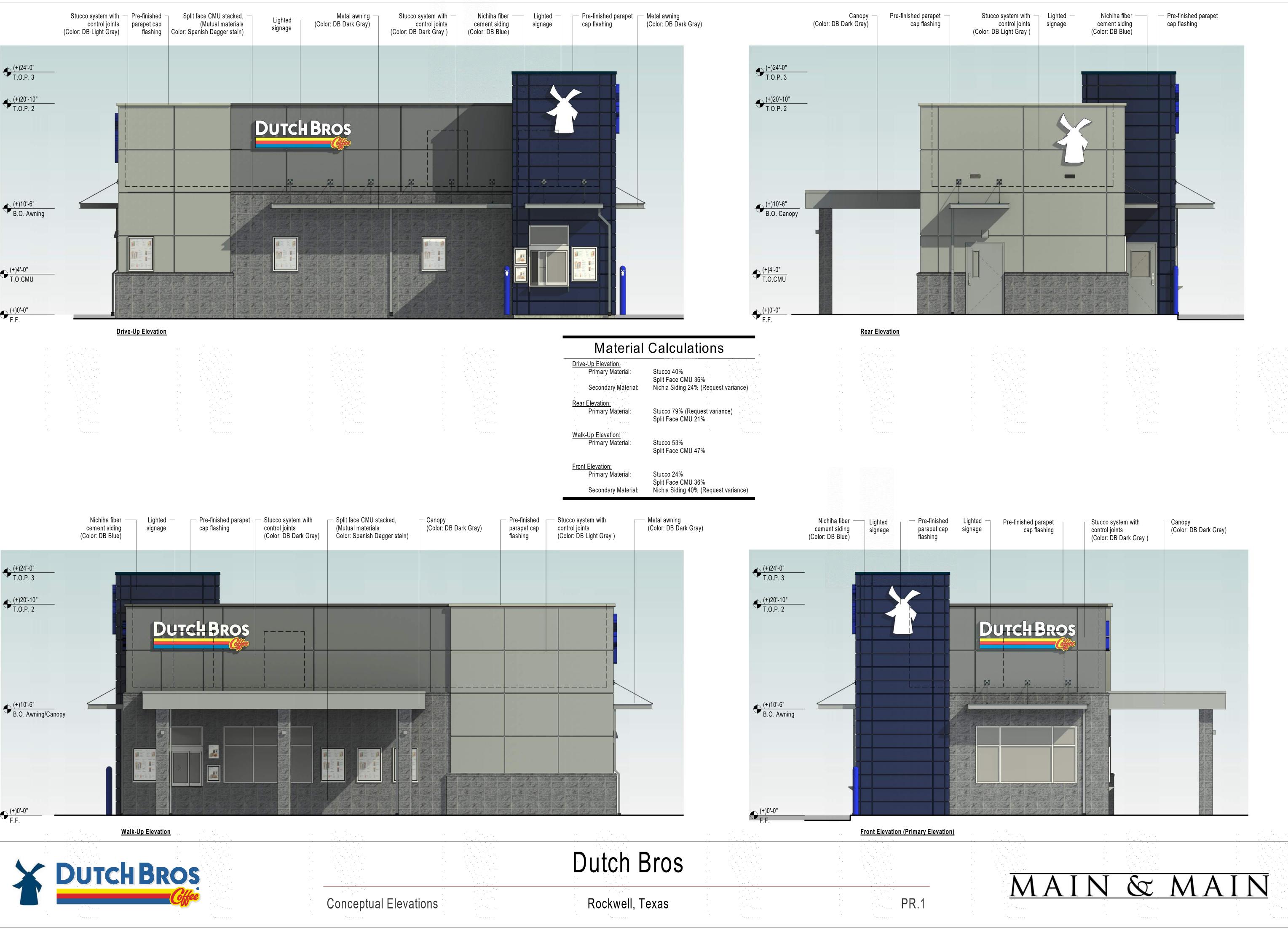






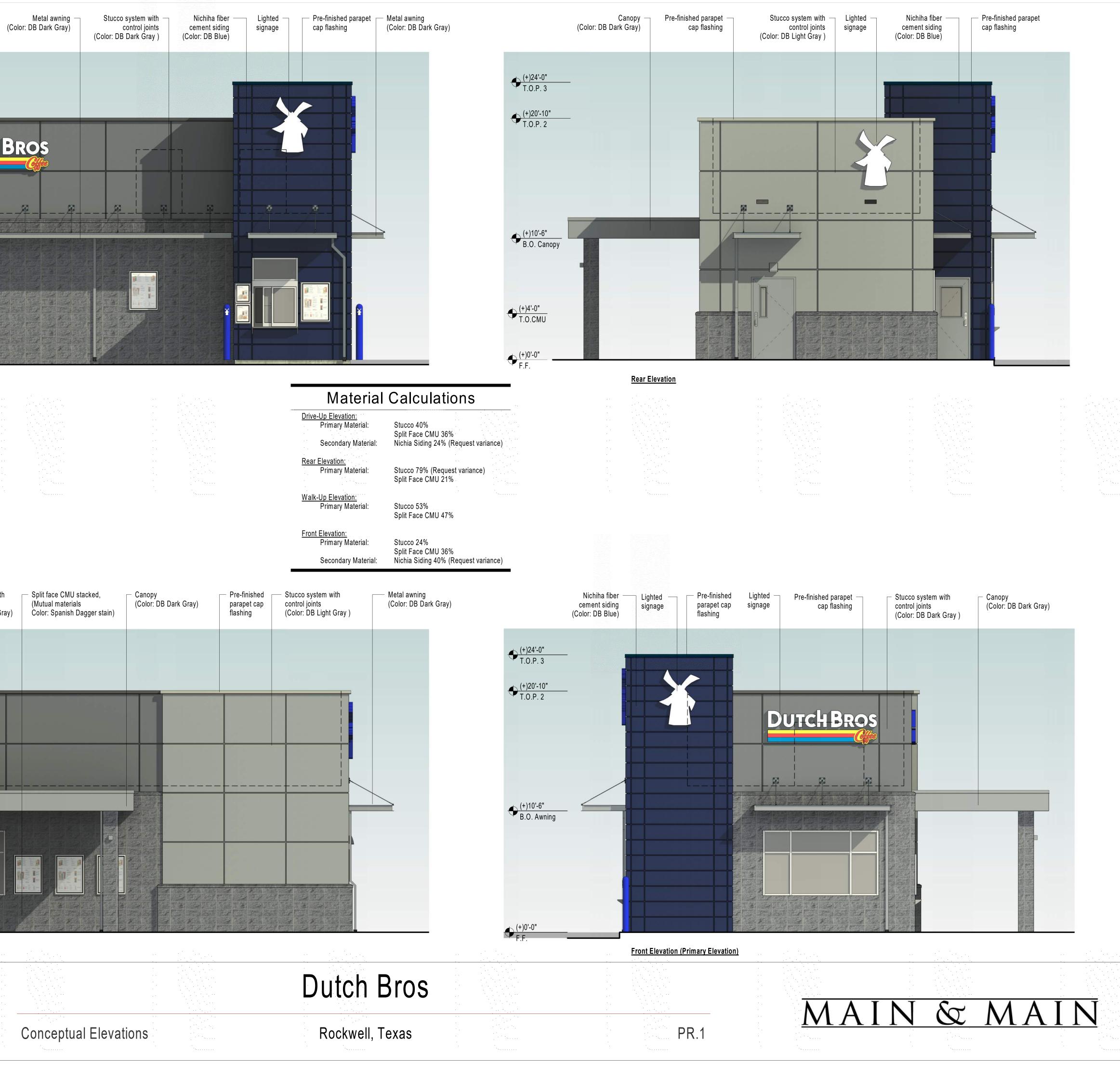














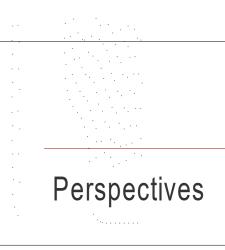


Front (Primary Elevation)/Drive-Thru



<u>Rear/Walk-Up</u>







Front (Primary Elevation)/Walk-Up





Rockwell, Texas













# DUTCH BROS COMMUNITY ENGAGEMENT



# **DUTCH BROS FOUNDATION**

- Includes several philanthropic focuses:
  - Be Aware
    - Support for the fight against breast cancer since 2014, with more than \$1.6 million in donations.
  - Drink One for Dane
    - Support and mission to find a cause and a cure for ALS.
    - Dane Boersma, Dutch Bros co-founder, battled with ALS.
    - One day in May is dedicated to raise funds for the Muscular Dystrophy Association.
  - Buck for Kids
    - One day in September, Dutch Bros donates \$1 from every drink sold to local youth organizations.
  - Dutch Luv
    - On February 14<sup>th</sup>, Dutch Bros donates \$1 from every drink sold to organizations to fight food insecurity.



# **RECENT FOCUSES**

- Wildfire Relief Efforts
  - Dutch Bros donated to various relief funds for the wildfires in 2020.
- Covid Relief
  - Donated to various organizations for the support of communities during the Covid-19 outbreak.
- #FirstRespondersFirst
  - 100% of Dutch Bros' profits in April 2020 were donated to support medical first responders.
- Buck for Kids
  - Increase of approximately 10% in contributions in 2020.



# SOURCES

- Dutch Bros foundation <u>https://www.dutchbros.com/dutch-bros-foundation/</u>
- Wildfire Relief <u>https://www.dutchbros.com/news-events/dutch-bros-foundation-</u> <u>donates-250000-to-wildfire-relief-efforts</u>
- First Responders First -

https://www.businesswire.com/news/home/20200403005548/en/Dutch-Bros-Coffee-Dedicates-100-of-April-Profits-to-FirstRespondersFirst

#### **CITY OF ROCKWALL**

## ORDINANCE NO. 21-XX

#### SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN ON A 0.57-ACRE PARCEL OF LAND. **IDENTIFIED AS LOT 1, BLOCK A, SKY RIDGE ADDITION, CITY** OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' THIS OF 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 Α REPEALER CLAUSE; **PROVIDING FOR AN EFFECTIVE DATE.** 

**WHEREAS**, the City has received a request from Sam Moore of Main & Main for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a *drive-through restaurant* on a 0.57-acre parcel of land described as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [*FM-740*] and W. Yellow Jacket Lane, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** The Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* in accordance with 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 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, and Subsection 06.08, *Scenic Overlay (SOV) District*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and with

the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the <u>Concept Plan</u> as depicted in *Exhibit 'B'* of this ordinance.
- 2) Mature landscaping and additional trees shall be planted along the entire length of the proposed drive-through to provide headlight screening from Ridge Road [*FM-740*] and the adjacent property owners.

## 2.2 COMPLIANCE

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

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4<sup>TH</sup> DAY OF OCTOBER, 2021.

ATTEST:

Kristy Cole, City Secretary

# APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>September 20, 2021</u>

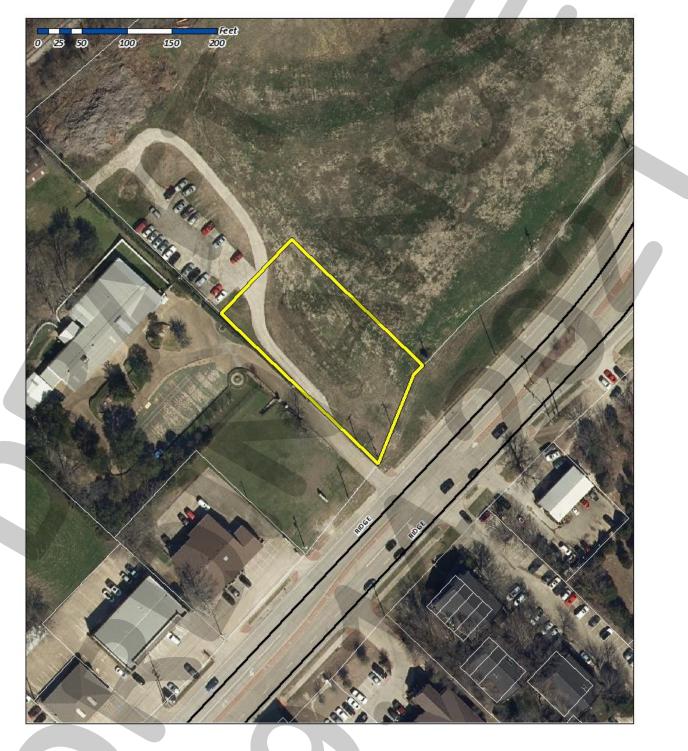
2<sup>nd</sup> Reading: October 4, 2021

Kevin Fowler, Mayor

# Exhibit 'A'

Location Map

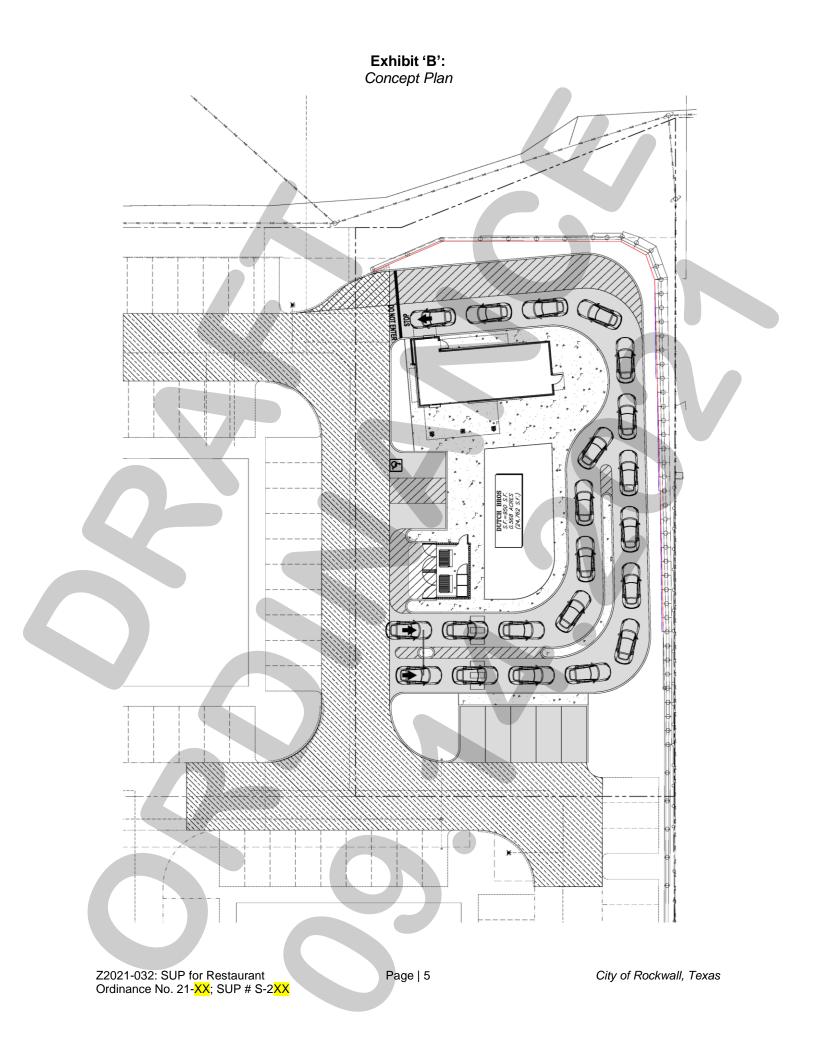
<u>Address:</u> Southeast of the intersection of Ridge Road and W. Yellow Jacket Lane <u>Legal Description:</u> Lot 1, Block A, Sky Ridge Addition



Z2021-032: SUP for Restaurant Ordinance No. 21-XX; SUP # S-2XX

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City of Rockwall, Texas





# CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

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

TO:	Planning and Zoning Commission
FROM:	David Gonzales, Planning and Zoning Manager
COPY:	Ryan Miller, Director of Planning and Zoning
DATE:	September 14, 2021
SUBJECT:	Z2021-033.; Amendment to Planned Development District 4 (PD-4) – The Rockwall Edge

It should be known that staff has been working with the applicant regarding the proposed amendment to Planned Development District 4 (PD-4) since the work session on August 31, 2021. Due to time constraints, and the requested changes to include more retail for the proposed mixed-use development, staff had received the revised concept plan and building elevations on Friday, September 10, 2021. Based on the limited amount of time to prepare the case memorandum, staff will re-review the project changes and provide you with an updated case memo prior to the meeting.



# CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

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

TO:	Planning and Zoning Commission
DATE:	September 14, 2021
APPLICANT:	Robert Weinstein; WB Companies
CASE NUMBER:	Z2021-033; Amendment to Planned Development District 4 (PD-4)

## **SUMMARY**

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a *Zoning Change* amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a *Mixed-Use Development (i.e. Apartments, Retail/Restaurant, and Office land uses*) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [*FM-740*], and take any action necessary.

# BACKGROUND

The City Council approved *Ordinance No. 60-02*, annexing the subject property into the City of Rockwall on September 5, 1960. On January 27, 1972, the City Council approved Planned Development District 4 (PD-4) [*Ordinance No. 72-03*] with an underlying zoning of Neighborhood Services (NS) District and General Retail (GR) District. In addition, the Planned Development District allowed *Shopping Center* land uses on the subject property. On June 18, 2001, the City Council approved an amendment to Planned Development District 4 (PD-4) establishing General Retail (GR) District land uses as the underlying zoning for the subject property and removing the Neighborhood Services (NS) District zoning classification from the Planned Development District. Currently, the subject property is a vacant 12.1148-acre tract of land.

# **PURPOSE**

The applicant -- Robert Weinstein of WB Companies -- is requesting to amend Planned Development District 4 (PD-4) to allow for a *Mixed-Use Development* (*i.e. Apartments, Retail/Restaurant, and Office land uses*) consisting of 600 multi-family units, 20,000 SF of retail/office space, and two (2) restaurants consisting of a total of 8,000 SF.

## ADJACENT LAND USES AND ACCESS

The subject property is located between Lakedale Drive and Becky Lane on the eastside of Ridge Road [*FM*-740]. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is Planned Development District 1 (PD-1), which is a mixed-use district containing multi-family/urban residential dwelling units (*i.e. maximum of 342 dwelling units*), general retail, restaurant, brewery or distillery, and general/medical office district land uses. Continuing north is a 7-Eleven convenience store located on a 0.48-acre parcel of land, and zoned Commercial (C) District. Beyond this is N. Goliad Street, which is identified as a *P6D (i.e. principle arterial, six [6] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- <u>South</u>: Directly south of the subject property is Ridge Road, which is identified as a *M4D (i.e. minor collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South east of Ridge Road is a strip retail facility (*i.e. Little Caesar's Pizza, Nail Lux, and etc.*) that is zoned for Commercial (C) District land uses. South west of Ridge Road is a vacant 8.583-acre tract

of land (*i.e. Sky Ridge Addition*) that consists of seven (7) lots that are zoned for Commercial (C) District land uses.

- <u>East</u>: Directly east of the subject property are two (2) vacant tracts of land (*i.e. Tract 9 [9.24-acres] & Tract 9-1 [7-acres], of the D. Atkins Survey, Abstract No. 1*) zoned for Commercial (C) District land uses. North of the two (2) vacant tracts, and adjacent to the subject property, is a 12.856-acre greenbelt for the Waterstone Estates Subdivision. The Waterstone Estates Subdivision consists of 123 single-family residential lots and is zoned Single-Family 7 (SF-7) District.
- <u>West</u>: Directly west of the subject property is Ridge Road, which is identified as a M4D (*i.e. minor collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Continuing west are several single-family residential subdivisions (*i.e. Lake Ray Hubbard Estates [65 lots], The Estates of Coast Royal 1 [four (4) lots], The Estates of Coast Royal 2 [13 lots], and Lakeridge Park [87 lots]*), which are zoned for Single-Family 10 (SF-10) District land uses. Beyond this is the City of Dallas Takeline, followed by Lake Ray Hubbard Recreational Lake.

# CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan, conceptual building elevations, and development standards for the proposed mixed-use development. The concept plan shows that the 12.1148-acre subject property will be developed in two (2) phases consisting of multi-family dwelling units, general retail/office and restaurant land uses. More specifically, the development will incorporate 600 multi-family dwelling units (*i.e.* 419, 700-750 SF, one (1) bedroom units & 181, 950-1,100 SF, two (2) bedroom units), ~10,000 SF of retail space on the lower level of each phase, and ~4,000 SF of restaurants that will be located on the upper level of each phase of the mixed-use development. It should be noted that the 600 multi-family dwelling units would translate to a density of <u>49.52</u> dwelling units per acre for the total development. The minimum dwelling unit size (*i.e. air-condition space*) will range from 700 SF to 1,100 SF. Staff has incorporated masonry standards into the proposed Planned Development District ordinance. Specifically, the ordinance will require a minimum of 90% masonry with a minimum of 20% natural stone to be located on each facade; however, the Planned Development District ordinance will also incorporate provisions that allow up to 50% cementitous fiberboard. The proposed amendment to Planned Development District 4 (PD-4) will be subject to the land uses, and density and dimensional requirements stipulated for properties within the General Retail (GR) District. The following is a summary of the lot dimensional requirements, unit composition, and parking and loading standards contained in the proposed Planned Development District ordinance is a summary of the lot dimensional requirements, unit composition, and parking and loading standards contained in the proposed Planned Development District ordinance:

Minimum Lot Width	60'
Minimum Lot Depth	100'
Minimum Lot Area	10,000 SF
Minimum Front Yard Setback	15'
Minimum Side Yard Setback	10'
Maximum Height	75'
Minimum Rear Yard Setback	10'
Maximum Lot Coverage	90%

Table 1: Lot Dimensional Requirements

## Table 2: Unit Composition

Unit Type	Minimum Unit Size (SF)	Phase #1	Phase #2	Total Units
A1 A2	700 SF 750 SF	70% or 227 Units	70% or 192 Units	419 Units
B1 B2 B3	950 SF 1,025 SF 1,100 SF	30% or 98 Units	30% or 83 Units	181 Units
	Maximum Units:	325 Units	275 Units	600 Units

Table 3: Parking Requirements

Unit/Land Use Types	Parking Space Requirements
A1	1.25 Parking Space/Unit
A2	1.25 Parking Space/Unit
B1	1.75 Parking Space/Unit
B2	1.75 Parking Space/Unit
B3	1.75 Parking Space/Unit
Restaurant	1 Parking Space/100 SF
Retail	1 Parking Space/250 SF
Office	1 Parking Space/300 SF

The proposed concept plan indicates that the proposed development will provide a five (5) foot walking trail along the frontage of Ridge Road that continues along the north side and rear of the development, and creating a connection for the adjacent property when developed. Situated adjacent to the 5-foot walking trail on the southeast portion of the development (i.e. Phase 1) are three (3) landscaped courtyards that creates additional greenspace for the site. All of these items have been included into the proposed Planned Development District ordinance and will be requirements of the proposed mixed-use development.

# **INFRASTRUCTURE**

Based on the applicant's submittal the following infrastructure is required:

- (1) <u>Water & Sewer Improvements</u>. The development will be required to provide all water and sewer improvements per the approved infrastructure study.
- (2) <u>Roadways</u>. Ridge Road is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*), which requires a minimum of an 85-foot right-of-way and a four (4) lane divided concrete street. If additional right-of-way is needed this will be required to be dedicated at the time of final plat. Additionally, all requirements approved by a Traffic Impact Analysis (TIA) will need to be installed.
- (3) <u>Drainage</u>. Detention will be required and sized per the Engineering Department's Standards of Design and Construction Manual.

# CONFORMANCE WITH 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 Scenic Overlay (SOV) District, the Unified Development Code (UDC), and the OURHometown Vision 2040 Comprehensive Plan in the following ways:

- (1) <u>Density</u>. The highest density for a residential use is identified as 14-dwelling units per acre for the Multi-Family 14 (MF-14) District per the Unified Development Code (UDC) [*i.e. Subsection 07.02, of Article 05, UDC*]. Additionally, the OURHometown Vision 2040 Comprehensive Plan identifies the *High Density Residential* land use as "...housing that exceed three and one-half (3½) units per gross acre." In this case, the applicant is requesting a total density of 49.52-dwelling units per acre.
- (2) <u>Parking Requirements</u>. For a multi-family residential use, the Unified Development Code (UDC) requires a minimum of 1.5 parking spaces per one (1) bedroom unit and 2.0 parking spaces for two (2) bedroom units. In this case, the applicant is requesting 1.25 parking spaces for the one (1) bedroom units and 1.75 parking spaces for the two (2) bedroom units. Based on the total number of dwelling units (*i.e.* 419 one [1] bedroom & 181 two [2] bedroom units) being requested, the Unified Development Code (UDC) would require 991 parking spaces for the multi-family use. The applicant is requesting a total of 841 parking spaces for the multi-family use. When looking at the overall parking requirements per the UDC, the development would require a total of 1,151 parking spaces (*i.e.* 991 dwelling units + 80 general retail + 80 restaurant = 1,151). The applicant is requesting a total of 995 parking spaces for the mixed-use development and would be deficient by 156 parking spaces per the City's requirements.

(3) <u>Maximum Building Height</u>. Under the Special Use Standards of the Scenic Overlay (SOV) District (Subsection 06.02, of Article 05, UDC) and the General Retail (GR) District (Subsection 07.03, of Article 05, UDC) of the Unified Development Code (UDC), structures that exceed a height 36-feet require approval of a Specific Use Permit (SUP). In this case, the applicant is requesting a five (5) story structure with an overall height of 72' 2 5/8" for the mixed-use development.

The proposed amendments to Planned Development District 4 (PD-4) as indicated above are discretionary to the City Council pending a recommendation from the Planning and Zoning Commission.

# CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is designated for Commercial/Retail land uses and is situated within the Scenic District. According to the Land Use Plan, the the Commercial/Retail land use designation "...is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and serve adjacent residential subdivisions ... (t)hese areas should be designed with the pedestrian in mind and provide connections between the commercial land use and the adjacent residential subdivisions." In this case, the applicant's proposed development of high density housing mixed with commercial, restaurant, and office land uses is more characteristic of the Mixed-Use land use designation, which is defined as "...developments that typically offer a mix of housing types and residential densities with integrated retail, personal services and/or office ... (t)he residential component can include single-family homes, townhouses, condominiums, urban housing, lofts, or multi-family." While the Mixed-Use land use designation does not stipulate a density, staff should note that the proposed 58 units per acre falls within the High Density Residential designation. This designation is defined as any development that exceeds 3<sup>1</sup>/<sub>2</sub> units per gross acre. Staff should also note, that at <u>58 units</u> per gross acre this would be one of the densest developments within the City of Rockwall. Looking at the District Strategies of the Scenic District, District Strategy #4 states that "(i)nfill development within this district should be compatible with the surrounding land uses or conform to the Land Use Plan Designations depicted on the district map." In this case, the applicant's proposed development appears to be far more intense of a land use than the existing mixed-use developments north of the subject property. Based on these facts the proposed development appears to be inconsistent with the area and therefore would not conform with the Land Use Plan; however, since zoning is discretionary to the City Council pending a recommendation from the Planning and Zoning Commission, staff has incorporated a condition of approval that would change the Future Land Use Map designation for the subject property from a Commercial/Retail designation to a Mixed-Use designation.

# **NOTIFICATIONS**

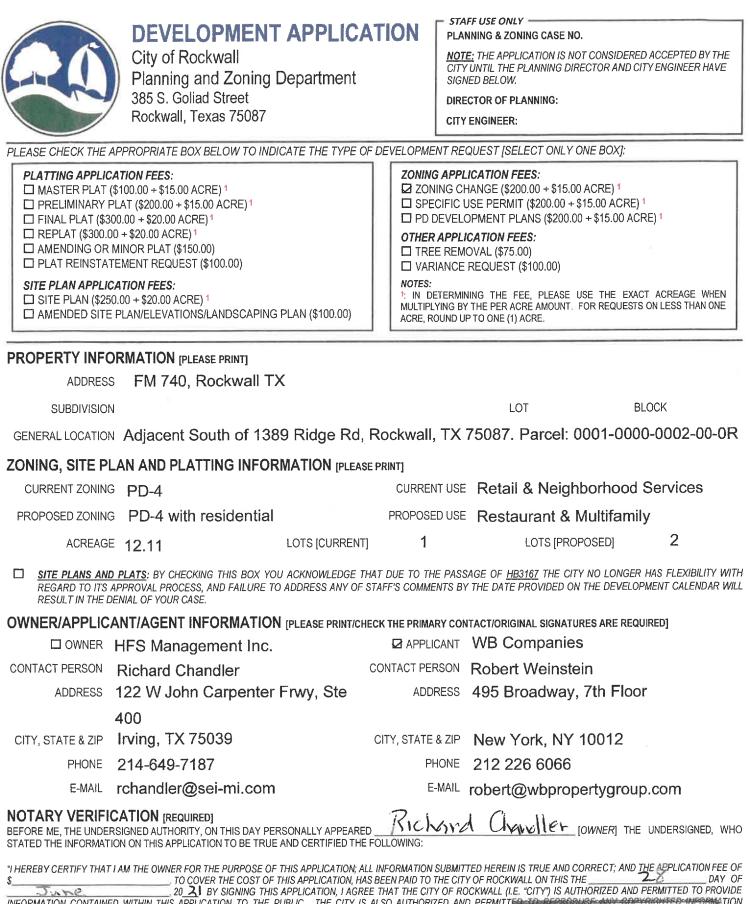
On August 26, 2021, staff mailed 80 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Turtle Cove and Waterstone Estates Homeowner's Association (HOA's), which are the only HOA's within 1,500-feet of the subject property participating in the Neighborhood 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 a total of eight (8) notices that are opposed to the applicants request and are as follows:

- (1) Two (2) property owner notifications representing three (3) properties (*i.e. Bobst*) from property owners within the notification area (*i.e. within the 500-foot buffer*) that are opposed to the applicant's request.
- (2) Three (3) email notifications from property owners that are not within the notification area (*i.e. outside of the 500-foot buffer*) that are opposed to applicant's request.
- (3) One (1) property owner notification representing two (2) properties (*i.e. Bobst*) from a property owner that is not within the notification area (*i.e. outside the 500-foot buffer*) that is opposed to the applicant's request.

# **CONDITIONS OF APPROVAL**

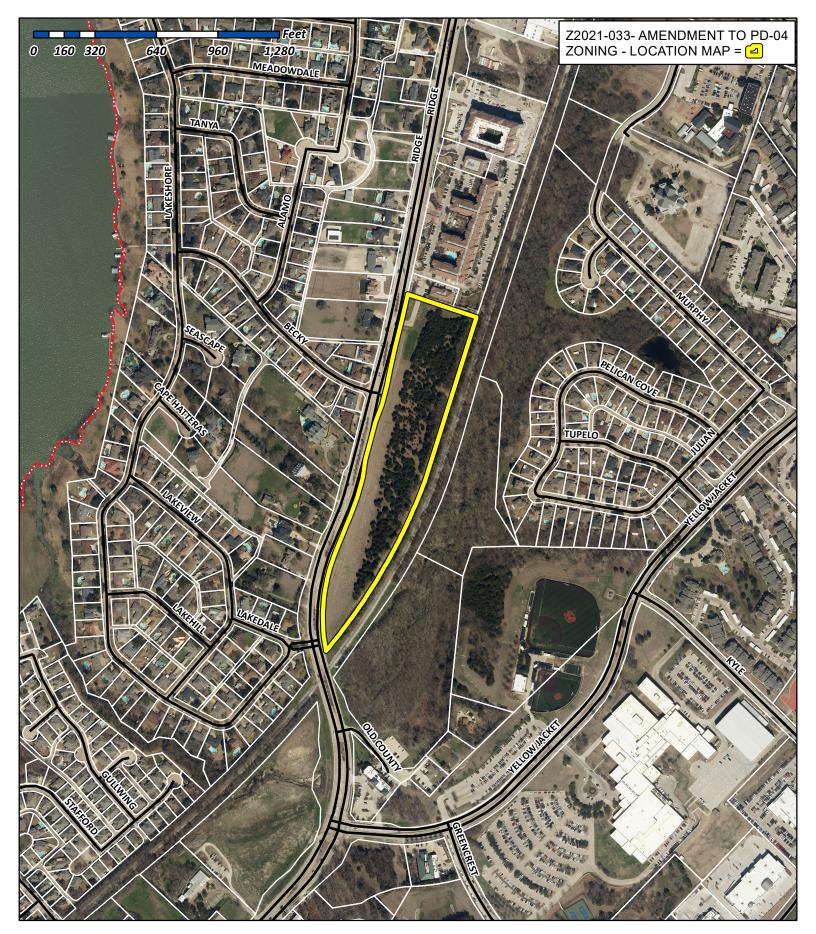
If the Planning and Zoning Commission chooses to recommend approval of the applicant's request then staff would propose the following conditions of approval:

 By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a <u>Commercial/Retail</u> designation to a <u>Mixed-Use</u> designation; and, 2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



INFORMATION CONTAINED WITHIN THIS APPLICATION	TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PER	RMITTED TO REPRODUCE ANY SOPYRIGHTED INFORMATIC
SUBMITTED IN CONJUNCTION WITH THIS APPLICATION,	IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO	A REQUEST SOLO UBLIC INEORMATION."
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON TH		NOTARY PUBLIC STATE OF TEXAS MY COMM. EXP. 06/17/2023
	Richard P. Cliendha	NOTARY ID 12586548-3
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS	Sherture Lags	MY COMMISSION EXPIRES $U/17/2003$

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# City of Rockwall

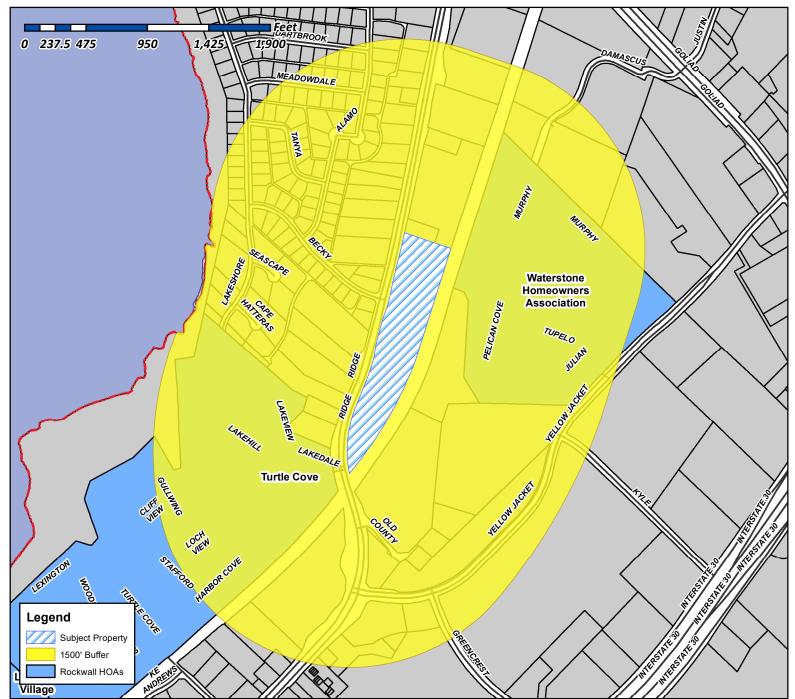
Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees.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



# **City of Rockwall**

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





Case Number: Z2021-033 Case Name: Amendment to PD-4 Case Type: Zoning Zoning: Planned Development District 4 (PD-4) Case Address: Between Lakedale Drive & Becky Lane on the East Side of Ridge Road

Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745

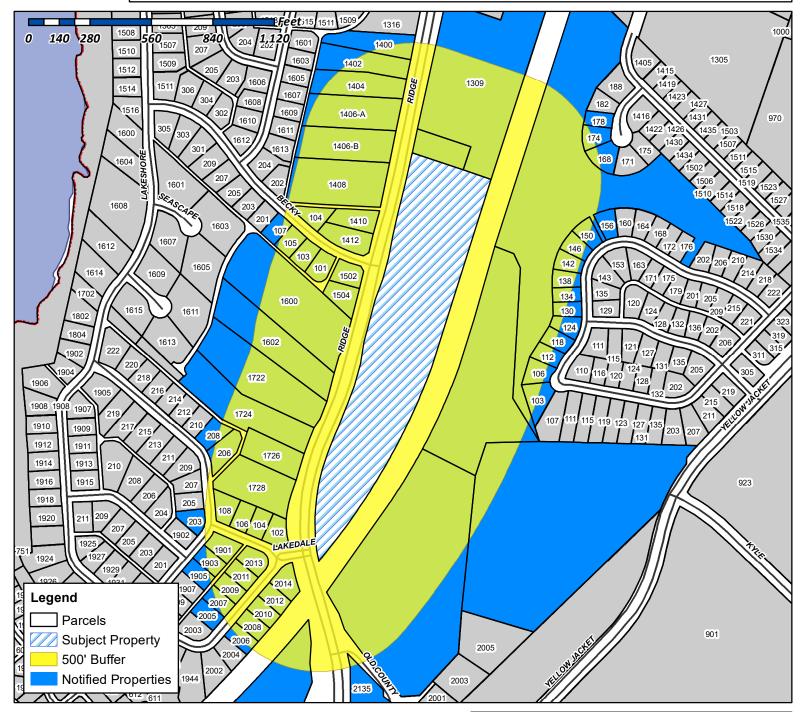


City of Rockwall



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





Case Number:Z2021-033Case Name:Amendment to PD-4Case Type:ZoningZoning:Planned Development District 4 (PD-4)Case Address:Between Lakedale Drive & Becky Lane<br/>on the East Side of Ridge Road

Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745



# PUBLIC NOTICE

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

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

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

### Case No. Z2021-033: Amendment to PD-4

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a <u>Zoning Change</u> amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a Mixed-Use Development (i.e. Apartments, Retail/Restaurant, and Office land uses) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September</u> <u>14, 2021 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 20, 2021 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by <u>Monday, September 20, 2021 at 4:00 PM</u> 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. Z2021-033: Amendment to PD-4

### 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



NEFF DARRYL LEE JR 101 BECKYLN ROCKWALL, TX 75087

STAVINOHA JIM L & MITZIE J 103 JULIAN DR ROCKWALL, TX 75087

> COX MARCUS D 105 BECKY LANE ROCKWALL, TX 75087

VILLASENOR HENRY ROBERT & HAYDY E VILLASENOR 106 PELICAN COVE DR ROCKWALL, TX 75087

ECKERT TRUST DAVID W & BONNIE L ECKERT 112 PELICAN COVE DRIVE ROCKWALL, TX 75087

HFS MANAGEMENT INC C/O HANNA SAHLIYEH 122 W JOHN CARPENTER FWY STE 400 IRVING, TX 75039

T ROCKWALL APARTMENTS TX LLC 1309 RIDGE RD ROCKWALL, TX 75087



BURKE CASEY JOE AND ANDREA GAYDEN 1406-A RIDGERD ROCKWALL, TX 75087

> WONG ERIK J & ELIZABETH M 1410 RIDGE RD ROCKWALL, TX 75087

KJT FLYING PROPERTIES LLC 102 LAKEDALE DR ROCKWALL, TX 75087

GARNER CASEY 104 BECKY LANE ROCKWALL, TX 75087

7.1 RIDGE LLC 106 E RUSK SUITE 200 ROCKWALL, TX 75087

HAMBRICK GARY/GRACE HAMBRICK 107 BECKY LN ROCKWALL, TX 75087

HAMPTON MATTHEW & CORINA 118 PELICAN COVE DR ROCKWALL, TX 75087

SHUGART WILLIAM E & MERIDITH JUNE 124 PELICAN COVE DR ROCKWALL, TX 75087

> WILLCOXEN R GENE & MARY F 134 PELICAN COVEDR ROCKWALL, TX 75087

MASON RONALD E & GLORIA M 1402 RIDGE RD ROCKWALL, TX 75087

> NORMAN LINDA 1406-B RIDGE RD ROCKWALL, TX 75087

NAJMABADI NATHAN R & JENNIFER N 1412 RIDGE ROAD ROCKWALL, TX 75087 MARSHALL RICHARD A AND KENNETH F WILSON 103 BECKY LN ROCKWALL, TX 75087

MCCULLAR EMILY JEAN 104 LAKEDALE DRIVE ROCKWALL, TX 75087

MARTINEZ GRACE & JESSE LEE III 106 LAKEDALE DR ROCKWALL, TX 75087

> PECK RUTH H 108 LAKEDALE DR ROCKWALL, TX 75087

HPA TEXAS SUB 2017-1 LLC 120 S RIVERSIDE PLZ STE 2000 CHICAGO, IL 60606

HALL STEPHANIE MCGARRY 130 PELICAN COVE DR ROCKWALL, TX 75087

ANDERSON JERRY C AND MELVA J 138 PELICAN COVE DR ROCKWALL, TX 75087

ROGERS FAMILY LIVING TRUST MICHAEL WAYNE ROGERS AND RELLA VILLASANA ROGERS, TRUSTEES 1404 RIDGE RD ROCKWALL, TX 75087

> JBR2 LLC 1408 RIDGE RD ROCKWALL, TX 75087

KROPKE JAMES & MARY 142 PELICAN COVE DR ROCKWALL, TX 75087

SHUGART WILLIAM E & MERIDIT

CRANE ADAM T 146 PELICAN COVE DR ROCKWALL, TX 75087

BARRON ENRIQUE JR & ELIZABETH 1504 RIDGE RD ROCKWALL, TX 75087

HENDRICKS JAMES & BARBARA 1602 RIDGE RD ROCKWALL, TX 75087

UNRUH CECIL J ESTATE TAMARA SUE HARRIS INDEPENDENT EXECUTRIX 1722 RIDGE RD ROCKWALL, TX 75087

> RICKERSON CHARLES AND VIRGINIA 1728 RIDGE RD ROCKWALL, TX 75087

> > KELLY TANNER B 178 MURPHY CT ROCKWALL, TX 75087

BALL DEREK AND AMANDA 1903 LAKEVIEW DR ROCKWALL, TX 75087

RUSSELL CURTIS J & JENNIFER J 2006 S LAKESHORE DR ROCKWALL, TX 75087

HIGGINS BYRON STEPHEN AND KIMBERLY LEE PETRIELLO 2009 S LAKESHORE DRIVE ROCKWALL, TX 75087

SALAZAR AARON AND OLGA 2012 LAKESHORE DR ROCKWALL, TX 75087 TEBBUTT BRIAN & MYLA 150 PELICAN COVE DRIVE ROCKWALL, TX 75087

TEBBUTT BRIAN C 156 PELICAN COVE DR ROCKWALL, TX 75087

T ROCKWALL APARTMENTS TX LLC 16600 DALLAS PARKWAY SUITE 300 DALLAS, TX 75248

> GREEN STEVEN T 1724 RIDGE RD ROCKWALL, TX 75087

AMERICAN RESIDENTIAL LEASING COMPANY LLC 174 MURPHY CT ROCKWALL, TX 75087

> THAMES HOLDING LLC 1887 ENGLISH RD ROCKWALL, TX 75032

VAUGHAN DANIEL J AND JESSICA 1905 LAKEVIEW DR ROCKWALL, TX 75087

FRITSCH TERYL W AND JANICE L 2007 S LAKESHORE ROCKWALL, TX 75087

STEBBINS ROBERT A ESTATE ROBERT A STEBBINS II INDEPENDENT EXECUTOR 2010 LAKESHORE DR ROCKWALL, TX 75087

> FREEMAN C L 2013 S LAKESHORE DR ROCKWALL, TX 75087

SCHWERDT JOSHUA MICHAEL 1502 RIDGE ROAD ROCKWALL, TX 75087

MCANALLY JOHN L & CINDY N 1600 RIDGE RD ROCKWALL, TX 75087

> UHLIG JANET KAY 168 MURPHY CT ROCKWALL, TX 75087

PALOS MICKEY SUE & CODY S & MARIA T LOWERY 1726 RIDGE RD ROCKWALL, TX 75087

UNRUH CECIL J ESTATE TAMARA SUE HARRIS INDEPENDENT EXECUTRIX 17627 CEDAR CREEK CANYON DALLAS, TX 75252

> PETTIGREW TERESA VIOLA 1901 LAKEVIEW DR ROCKWALL, TX 75087

PADILLA KRIS AND JOE 2005 LAKESHORE DRIVE ROCKWALL, TX 75087

CHARLES JACOB 2008 S LAKESHORE DR ROCKWALL, TX 75087

HPA TEXAS SUB 2017-1 LLC 2011 LAKESHORE DR ROCKWALL, TX 75087

> THAMES HOLDING LLC 2014 LAKESHORE DR ROCKWALL, TX 75087

RICKY LEE RIIS LIVING TRUST TRUSTEE RICKI LEE RIIS 203 LAKEVIEW DRIVE ROCKWALL, TX 75087

MFR PROPERTIES LLC AND YELLOW JACKET PLAZA LLC 2135 RIDGE RD ROCKWALL, TX 75087

MFR PROPERTIES LLC AND YELLOW JACKET PLAZA LLC 28632 ROADSIDE DR SUITE 270 AGOURA HILLS, CA 91301

SYVRUD JAMES P & MARY JEAN **519 E INTERSTATE 30** ROCKWALL, TX 75087

> NEFF DARRYL LEE JR 7214 BENNINGTON DR DALLAS, TX 75214

AMERICAN RESIDENTIAL LEASING COMPANY LLC ATTN: PROPERTY TAX DEPARTMENT 23975 PARK SORRENTO, SUITE 300 CALABASAS, CA 91302

> KJT FLYING PROPERTIES LLC PO BOX 1476

ROCKWALL, TX 75087

SIMS CHRISTOPHER P AND KRISTEN 206 LAKEVIEW DR ROCKWALL, TX 75087

BOBST DANIEL W AND JENNIFER L 2701 SUNSET RIDGE SUITE 610 ROCKWALL, TX 75032

**RPSC ROCKWALL PROPERTIES LLC** 3201 E PRESIDENT GEORGE BUSH HIGHWAY SUITE 101 RICHARDSON, TX 75082

> **HENDRICKS JAMES & BARBARA 5903 VOLUNTEER PL** ROCKWALL, TX 75032

> > **801 E WASHINGTON ST** ROCKWALL, TX 75087

HAMBRICK GARY/GRACE HAMBRICK P.O. BOX 907 BELMONT, TX 78604

BURKE CASEY JOE AND ANDREA GAYDEN

PO BOX 2514

ROCKWALL, TX 75087

STEBBINS ROBERT A ESTATE ROBERT A STEBBINS II INDEPENDENT EXECUTOR

PO BOX 101 DENTON, TX 76202

JBR2 LLC 2701 SUNSET RIDGE DR SUITE 610 ROCKWALL, TX 75032

> WILLCOXEN R GENE & MARY F 4820 SUTCLIFF AVE SAN JOSE, CA 95118

> > CHURCH ON THE ROCK

6005 DALROCK RD

ROWLETT, TX 75088

**KELLY TANNER B** 

9801 ROYAL LN APT 708

DALLAS, TX 75231

LAUREA ANTHONY BLAINE AND CHRISTINE LONG 208 LAKEVIEW DR ROCKWALL, TX 75087

**ROCKWALL I S D** 

#### Case No. Z2021-033: Amendment to PD-4

Please place a check mark on the appropriate line below:

DELOVYFORM

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

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

It will create more traffic on an adready busy street and will dominisch property values over time.

Charles Rickerson Name: 1728 Ridge Rd, Rockwall, TX 75087 Address:

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

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

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

# PUBLIC NOTICE

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

> USE THIS QR CODE TO GO DIRECTLY

TO THE WEBSITE

Aller

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

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

#### Case No. Z2021-033: Amendment to PD-4

Hold a public hearing to discuss and consider a request by Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a <u>Zoning Change</u> amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a Mixed-Use Development (i.e. Apartments, Retail/Restaurant, and Office land uses) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 4 (PD-4) for General Retail (GR) District land uses, situated within the Scenic Overlay (SOV) District, generally located in between Lakedale Drive and Becky Lane on the eastside of Ridge Road [FM-740], 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. Z2021-033: Amendment to PD-4

Please place a check mark on the appropriate line below:

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

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

I OWN 1312, 1316, 1400 à 1408 REDGE. THERE FS ALREADY 100+ CARS EACH DAY CONTRO FINTO THE MEDIAN TO GET ONTO REPGE. THES IS DANGEROUS W/ REDGE NOW HAVENE CARS GOING 60+ MPH. MORE APTS, DAN W. BOBST NOT WAN 1400 REDGE RD Name: NOT WANTED 1400 REDGE RD VNLESS TRAFFIC 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; 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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Good afternoon,

Not sure if this email will make its way to someone's eyes, but I thought I'd give it a try. I don't have much to say other than I wish this city would stop building more apartment complexes. I know I'm not the only Rockwallian that enjoys the small bits of nature around our small city, and I am truly saddened to see yet another plan for more complexes.

Please consider keeping trees, preserving what little open space Rockwall has, and listening to those that will actually be affected by it.

Kindest regards, Addison F.

This email was scanned by Bitdefender

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:	Nelda Gillilan
То:	<u>Planning</u>
Subject:	Zoning change
Date:	Wednesday, September 8, 2021 12:47:10 PM

Once again someone is wanting to change the zoning of the eastside of RidgeRoad between Lakedale and Becky Lane.

We have lived for 40 years this year in the west side neighborhood of this planned zoning change. We highly encourage the planning and zoning committee to deny this zoning change.

There are already apartment buildings just north of this area. We don't need more apartments in Rockwall.

Thanks. Nelda Gillilan 310 Stonecrest Drive Rockwall, TX 75087

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

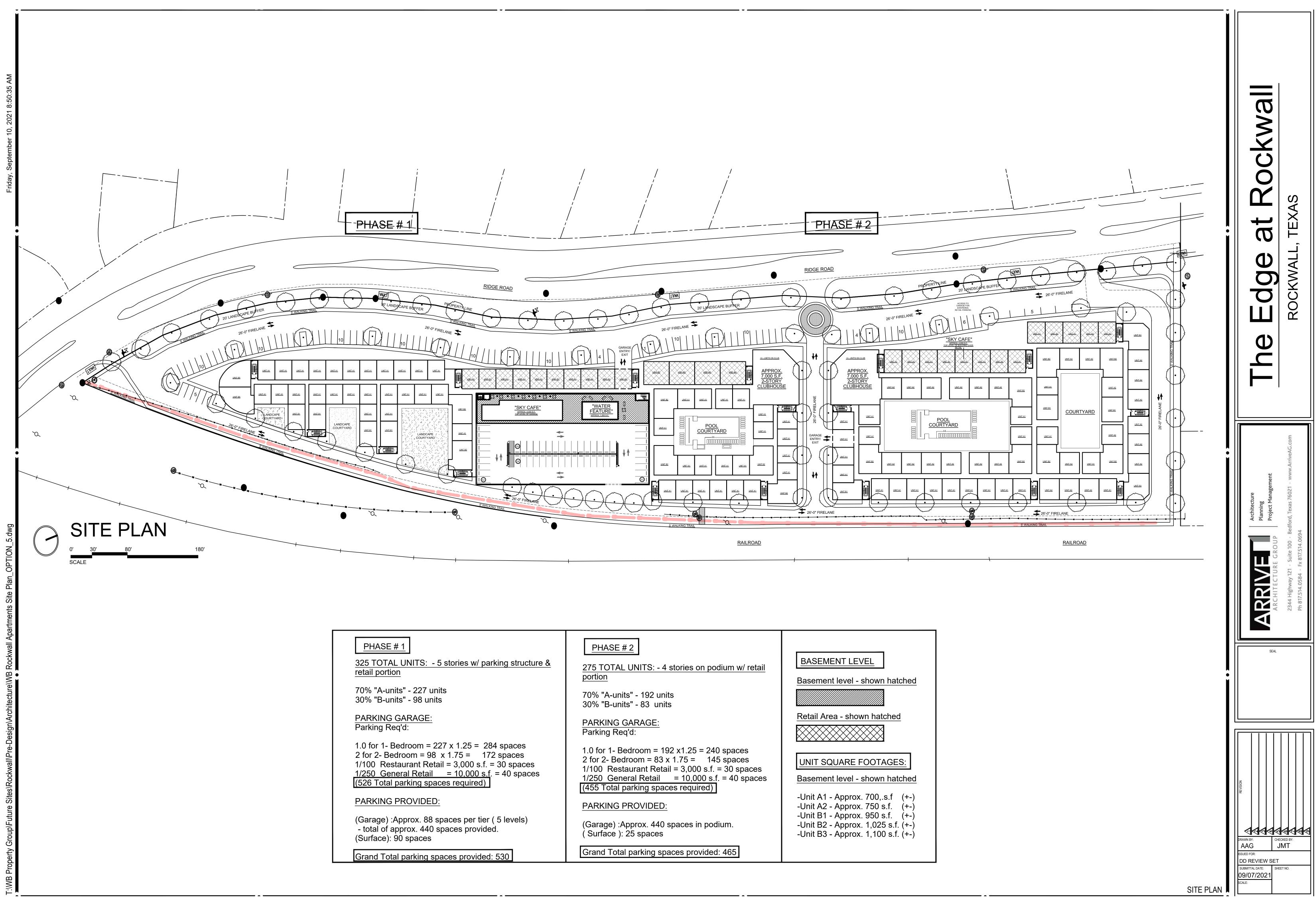
From:	Sarah Freed
То:	<u>Planning</u>
Subject:	Z2021-033
Date:	Tuesday, August 31, 2021 11:49:12 AM

I vehemently oppose rezoning this property to multi-family. Rockwall already has too many empty apartments in the area! Our city infrastructure cannot support the traffic, nor is this in the best interest of our community. No, no-Just NO!

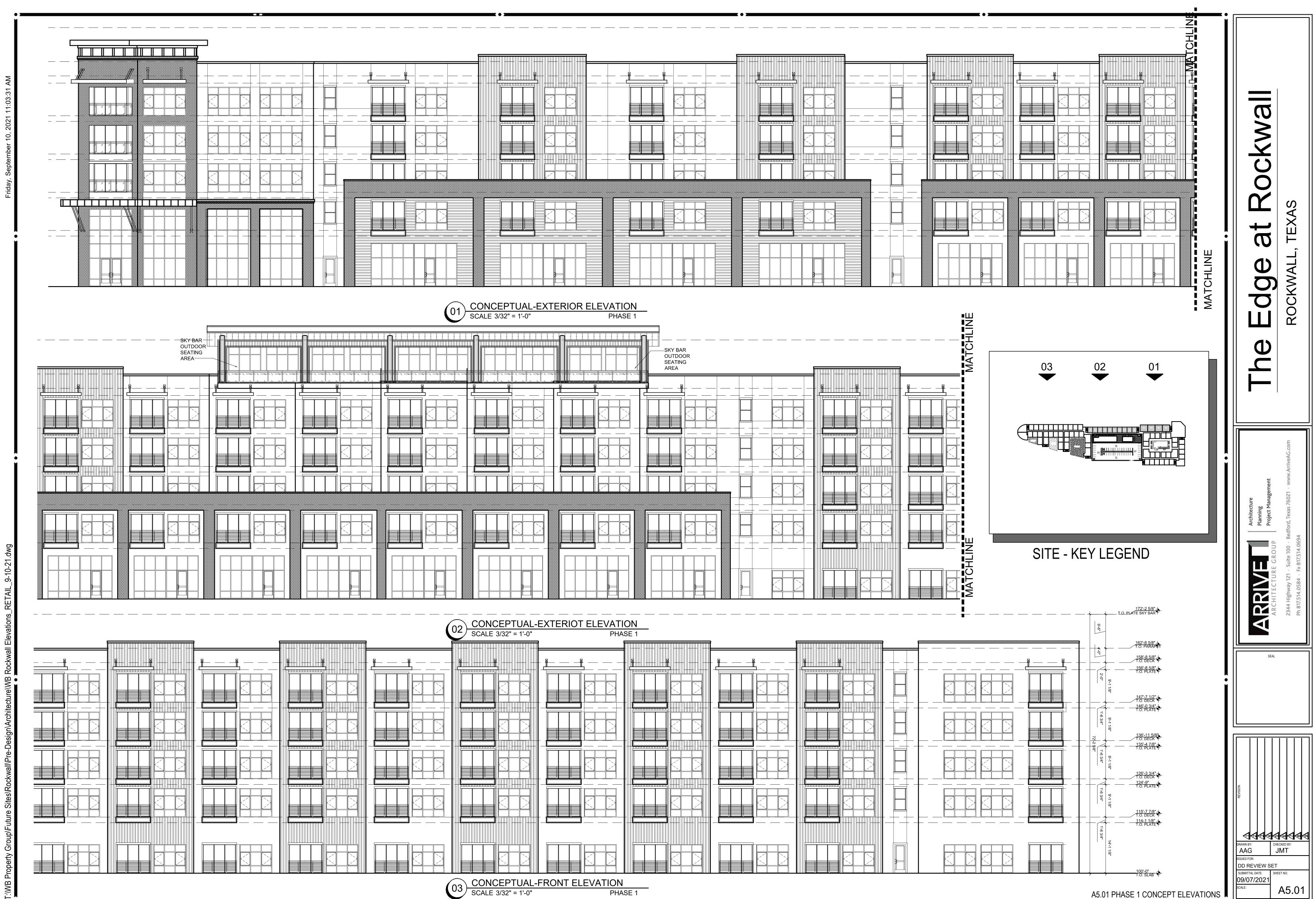
Sent from my iPhone

This email was scanned by Bitdefender

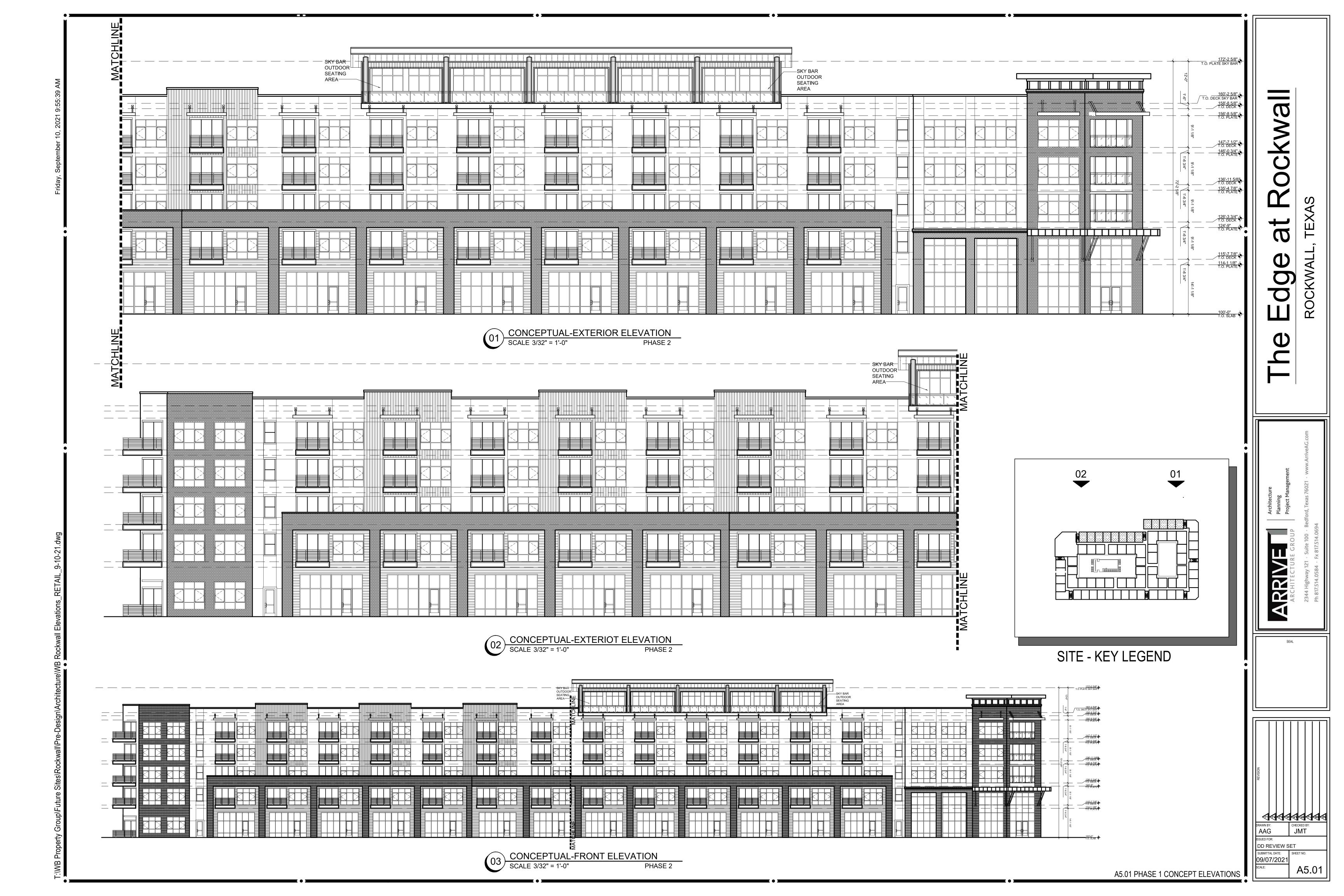
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

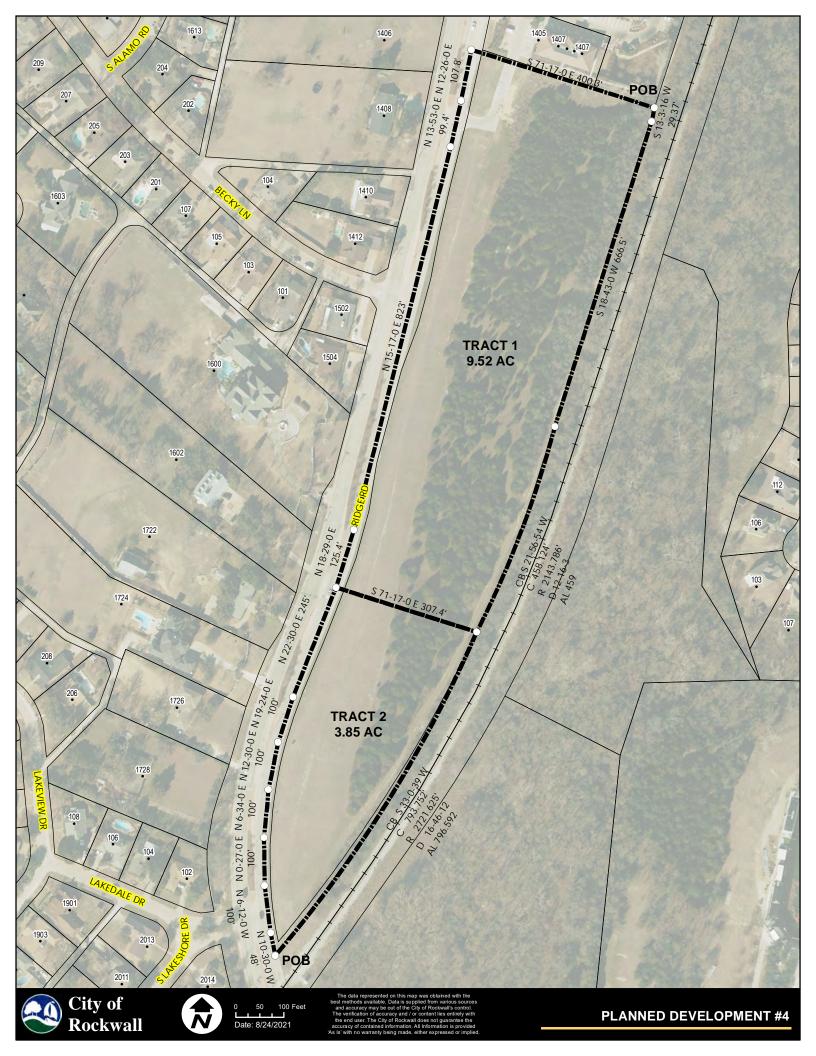


Tunits70% "A-units" - 192 units 30% "B-units" - 83 unitsRetail Area - shown hatched Marking Req'd:= 227 x 1.25 = 284 spaces 98 x 1.75 = 172 spaces Retail = 3,000 s.f. = 30 spaces ail = 10,000 s.f. = 40 spaces spaces required)1.0 for 1- Bedroom = 192 x1.25 = 240 spaces 2 for 2- Bedroom = 83 x 1.75 = 145 spaces 1/100 Restaurant Retail = 3,000 s.f. = 30 spaces 1/250 General Retail = 10,000 s.f. = 40 spaces (455 Total parking spaces required)UNIT SQUARE FOOTAGES Basement level - shown hatched WIT A1 - Approx. 700,.s.f			
-Unit A2 - Approx. 750 s.f. -Unit B1 - Approx. 950 s.f. -Unit B2 - Approx. 1,025 s.f. -Unit B2 - Approx. 1,025 s.f.	Tunits units =: = 227 x 1.25 = 284 spaces 98 x 1.75 = 172 spaces Retail = 3,000 s.f. = 30 spaces ail = 10,000 s.f. = 40 spaces spaces required) ED: 88 spaces per tier ( 5 levels) 40 spaces provided.	<ul> <li><u>275 TOTAL UNITS: - 4 stories on podium w/ retail portion</u></li> <li>70% "A-units" - 192 units</li> <li>30% "B-units" - 83 units</li> <li><u>PARKING GARAGE:</u> Parking Req'd:</li> <li>1.0 for 1- Bedroom = 192 x1.25 = 240 spaces</li> <li>2 for 2- Bedroom = 83 x 1.75 = 145 spaces</li> <li>1/100 Restaurant Retail = 3,000 s.f. = 30 spaces</li> <li>1/250 General Retail = 10,000 s.f. = 40 spaces</li> <li>(455 Total parking spaces required)</li> <li><u>PARKING PROVIDED:</u></li> <li>(Garage) :Approx. 440 spaces in podium.</li> </ul>	Basement level - shown hatche
Grand Total parking spaces provided: 465		Grand Total parking spaces provided: 465	
spaces provided: 530	spaces provided: 530		



A5.01 PHASE 1 CONCEPT ELEVATIONS





# WB Companies LLC Robert Weinstein 917-670-8267 Robert@wbpropertygroup.com 495 Broadway 7<sup>th</sup> Floor New York, NY 10012

August 18<sup>th</sup> 2021

Dear Mr. Miller,

Thank you for your time and your feedback. Please consider this my formal application letter to rezone from PD-4 General Retail to PD-4 with Mixed Use parcel number: 0001-0000-0002-00-0R

We propose building the first **Sky Restaurants with water features** in Rockwall on top of two phases of multifamily. Each 3,000 sq. ft. restaurant will be located on the 5<sup>th</sup> floor of the Parking structure. We also propose 4,000 sq. ft of retail located on the ground floor of each building.

The restaurants and water features will be open to the public and will have unobstructed views of Lake Ray Hubbard. The public will be able to enjoy roof time meals and relaxing time by our water features for generations to come. We are currently in talks with three restaurant owners, similar to Landry's, to lease the restaurant space.

**Phase I** 350 Units with 3,000 sq. ft. restaurant and water feature and 4,000 sq. ft. of retail on the ground floor

**Phase II** 350 Units 3,000 sq. ft. restaurant and water feature and 4,000 sq. ft. of retail on the ground floor

**Community Amenities** Pool on parking structure Meditation garden with water feature Rooftop restaurant Outdoor grilling area Running Trail Fitness Center Food Truck area & Picnic Tables Yoga & Spin classes

**Apartment Interiors** Large master bedroom suites Expansive walk-in closets Vinyl flooring in kitchen, living and dining areas Oversized soaking tubs Working kitchen island Modern slate GE appliances Washer and dryer in-unit Side-by-side refrigerators

Our development exceeds, parking requirements green space and setbacks and is in compliance with fire and storm water requirements.

Thank you for your time and consideration,

Robert Weinstein

# **14 SCENIC DISTRICT**

### DISTRICT DESCRIPTION

The Scenic District is situated between S. Goliad Street [SH-205] and Ridge Road [FM-740], which are two (2) of the City's major north/south arterials. This district is significantly developed and has residential land uses that range from medium to high density. The area adjacent to Ridge Road represents a mixed-use district and includes one of the City's larger mixed residential/office developments (*i.e. the Commons*). In addition, this district has a large percentage (~26.58%) of public and quasi-public land uses, which include Rockwall High School, Yellow Jacket Park, Heritage Christian Academy and Our Lady of the Lake Catholic Church. This district should continue to function as it does today, with the vacant areas -- designated for Commercial land uses -- adjacent to Ridge Road [FM-740] eventually developing with office or neighborhood/convenience center uses that will service the residential areas on the west side of Ridge Road.

### DISTRICT STRATEGIES

The *Scenic District* being significantly developed is not anticipated to change or transition in the future. As a result, the following are the strategies for this district:

- Live/Work. The properties designated for Live/Work land uses (*i.e.* at the end of Old County Road) have limited access and low visibility making the land not suitable for retail land uses. In addition, one of the three (3) properties has already transitioned to a non-residential land use and one (1) of the properties is currently vacant. The flexibility provided by the Live/Work designation allows these properties to establish unique land uses that are destination type uses.
- Mixed-Use. The mixed-use areas in this district are mostly established and are anticipated to continue to function as they do today. Any development of vacant land or redevelopment of these areas should generally conform to the existing land uses.
- Neighborhood/Convenience Centers. The commercial in this district is intended to support the existing and proposed residential developments in and adjacent to the district, and should be compatible in scale with the adjacent residential structures. In addition, these properties should use berms, landscaping and large buffers to transition uses.

Infill Development. Infill development within this district should be compatible with the surrounding land uses or conform to the Land Use Plan Designations depicted on the district map.

Future Neighborhood/

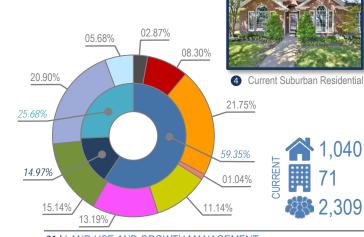
Convenience Center

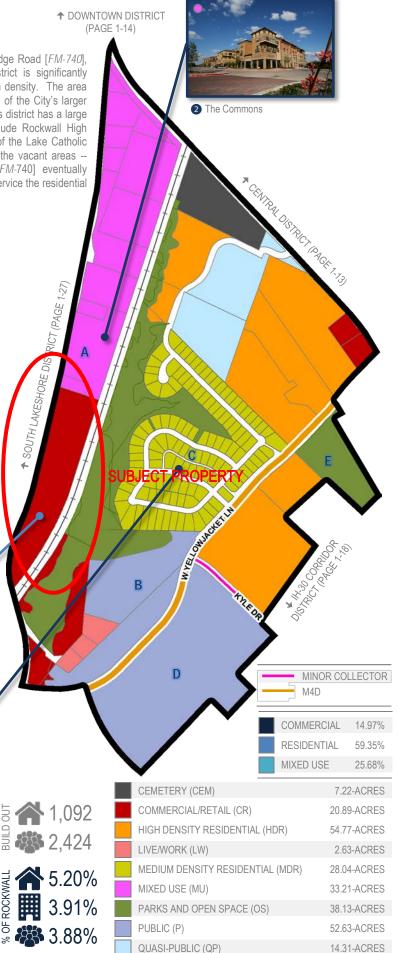
### POINTS OF REFERENCE

- A. Rockwall Commons
- B. Spring Sports Complex
- C. Waterstone Estates Subdivision
- D. Rockwall High School
- E. Yellow Jacket Park

### LAND USE PALETTES

Current Land Use
 Future Land Use





01 | LAND USE AND GROWTH MANAGEMENT

OURHOMETOWN2040 | CITY OF ROCKWALL

### **CITY OF ROCKWALL**

### ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. TEXAS AMENDING PLANNED DEVELOPMENT DISTRICT 4 (PD-4) [ORDINANCE NO.'S 72-03 & 01-26] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 4 (PD-4) TO ALLOW MIXED-USE DEVELOPMENT ON A 12.1148-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2 OF THE D. ATKINS SURVEY, ABSTRACT NO. 1, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF A 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 of Rockwall has received a request from Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of an amendment Planned Development District 4 (PD-4) [Ordinance No.'s 72-03 & 01-26] for the purpose of allowing a Mixed-Use Development (*i.e. Apartments, Retail/Restaurant, and Office land uses*) on a 12.1148-acre tract of land identified as Tract 2 of the D. Atkins Survey, Abstract No. 1, City of Rockwall, Rockwall County, Texas, which is more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, and 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 4 (PD-4) [*Ordinance No.'s 72-03 & 01-26*] 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.'s* 72-03 & 01-26;

**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 *Concept Building Elevations*, depicted 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 development of the *Subject Property* shall generally be in accordance with the *PD 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 6.** That the official zoning map of the City of Rockwall, Texas be corrected to reflect the change in zoning described here in.

**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 [Ordinance No. 04-38], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

**SECTION 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 [*Ordinance No. 04-38*] of 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 [*Ordinance No. 04-38*] (*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 4<sup>TH</sup> DAY OF OCTOBER, 2021.

ATTEST:	Kevin Fowler, <i>Mayor</i>
Kristy Cole, <i>City Secretary</i>	
Frank J. Garza, <i>City Attorney</i> 1 <sup>st</sup> Reading: <u>September 20, 2021</u> 2 <sup>nd</sup> Reading: <u>October 4, 2021</u>	

## EXHIBIT 'A':

Legal Description

**BEING** two (2) tracts out of that certain lot, tract or parcel of land lying in and situated in the City of Rockwall, Rockwall County, Texas, a part of the Daniel Atkins Survey, and being Tracts 4 & 5 out of a subdivision of that certain 49.56-acres of land in the B. J. T. Lewis and Daniel Atkins survey as subdivided by C. F. Rhoades and wife, and conveyed to Al I. Folsom and Arthur A. Folsom by five (5) separate deeds, being numbered in Tracts 1-5 inclusive, the above described two (2) tracts being Numbers 4 & 5 of said subdivision, and being the same property conveyed by Al I. Folsom and wife, Ita H. Folsom, and Arthur A. Folsom and wife, Betty S. Folsom, to the Folsom Company by deed dated May 2, 1953, of record in *Volume 49, Page 249*, Deed of Records of Rockwall County, Texas, less a strip off the west ride of said two (2) tracts conveyed to the State of Texas for right-of-way purposes for FM-740; said two (2) tracts described as follows:

### TRACT NO. 1:

**BEGINNING** at a stake in the west right-of-way of M.K.T. Railroad 1032-feet South 18 Degree 43' West of the northeast survey line of D. Atkins Survey;

THENCE South 13 Degrees 3' 16" West 29.37-feet for a point;

**THENCE** South 18 Degrees 43' West 666.5-feet to point of curve along Railroad Right-of-Way, following a curve having a radius of 2143.786 feet, a chord distance of 458.124 feet, chord bearing of S 21° 56' 54" for a corner;

THENCE North 71 Degrees 17' West 321-feet to a stake in the east margin of said FM-740;

**THENCE** along the east right-of-way line of said road as follows:

North 18 Degrees 29' East 125.4-feet; North 15 Degrees 17' East 825-feet; North 13 Degrees 53' East 99.4-feet;

North 12 Degrees 26' East 107.8-feet to a stake for a corner;

THENCE South 71 Degree 17' East 339.5-feet to the PLACE OF BEGINNING containing 9.52-acres.

### TRACT NO. 2:

**BEGINNING** at a stake in the southwest intersection of the M.K.T. Railroad right-of-way and the northeast intersection of FM-740;

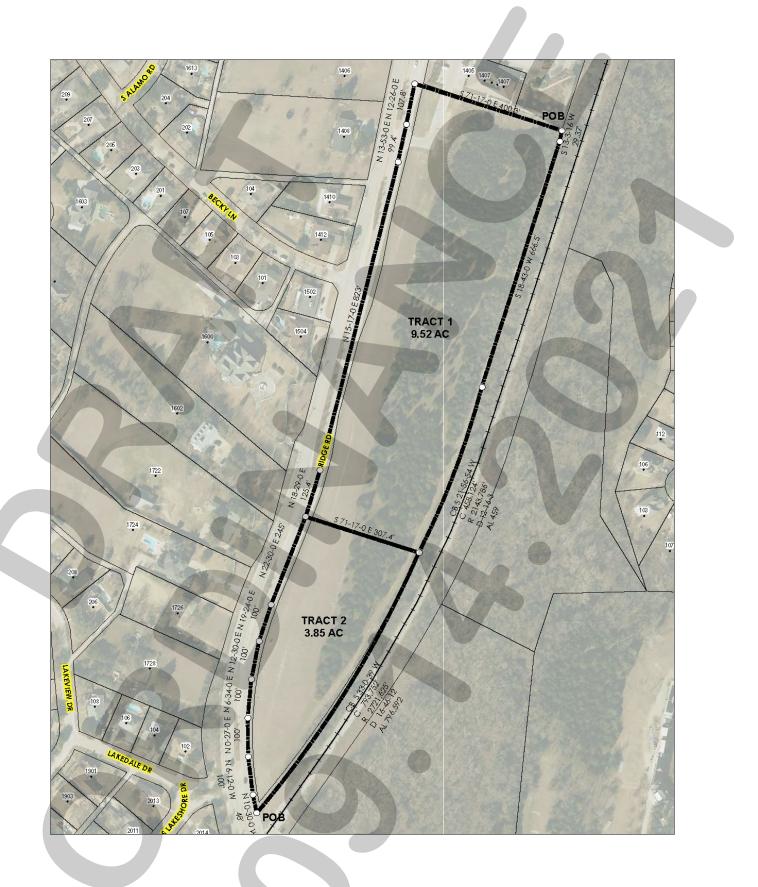
THENCE along the east right-of-way line of said road as follows:

North 10 Degrees 30' West 48-feet; North 6 Degrees 34' East 100-feet; North 12 Degrees 30' East 100-feet; North 19 Degrees 24' East 100 feet; North 22 Degrees 30' East 245-feet to a stake for a. corner;

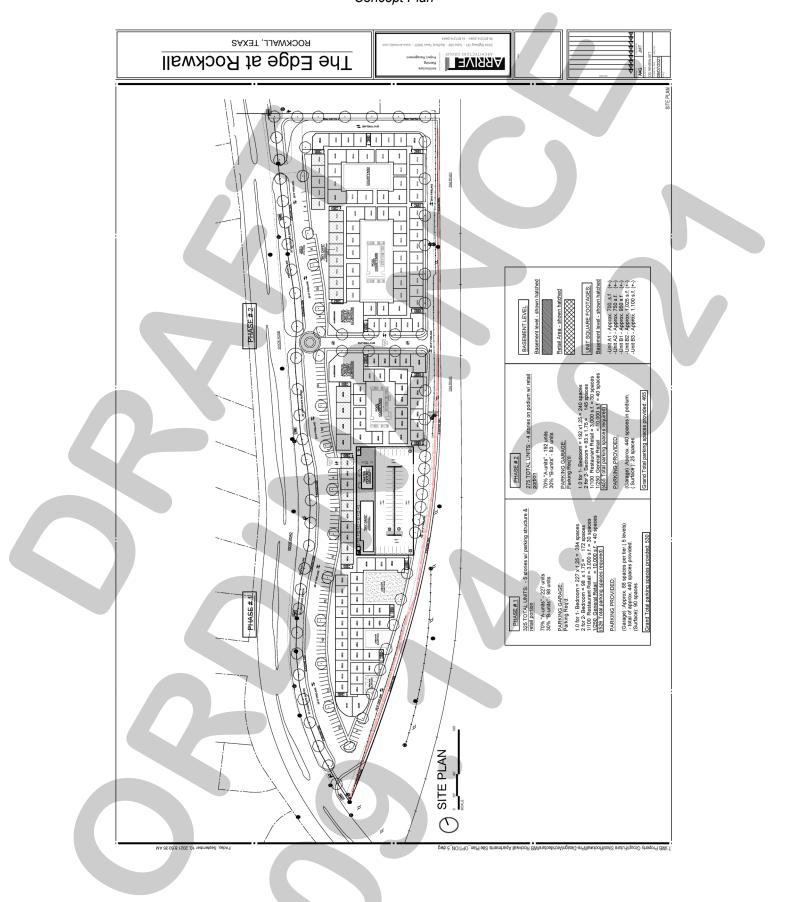
THENCE South 71 Degrees 17' East 321-feet to a stake in the west right-of-way of said railroad;

**THENCE** along the west right-of-way of said Railroad Right-of-Way, following a curve having a radius of 2,721.625 feet, a chord distance of 793.752 feet, chord bearing of S 33° 0' 39" W to the *PLACE OF BEGINNING* containing 3.85 acres.

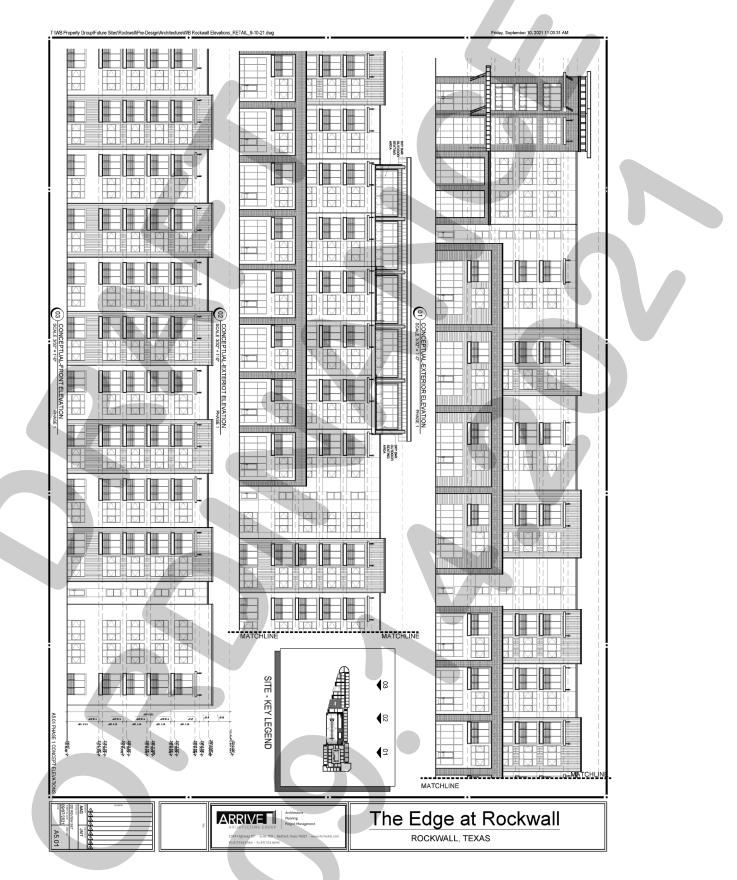
EXHIBIT 'B': Survey



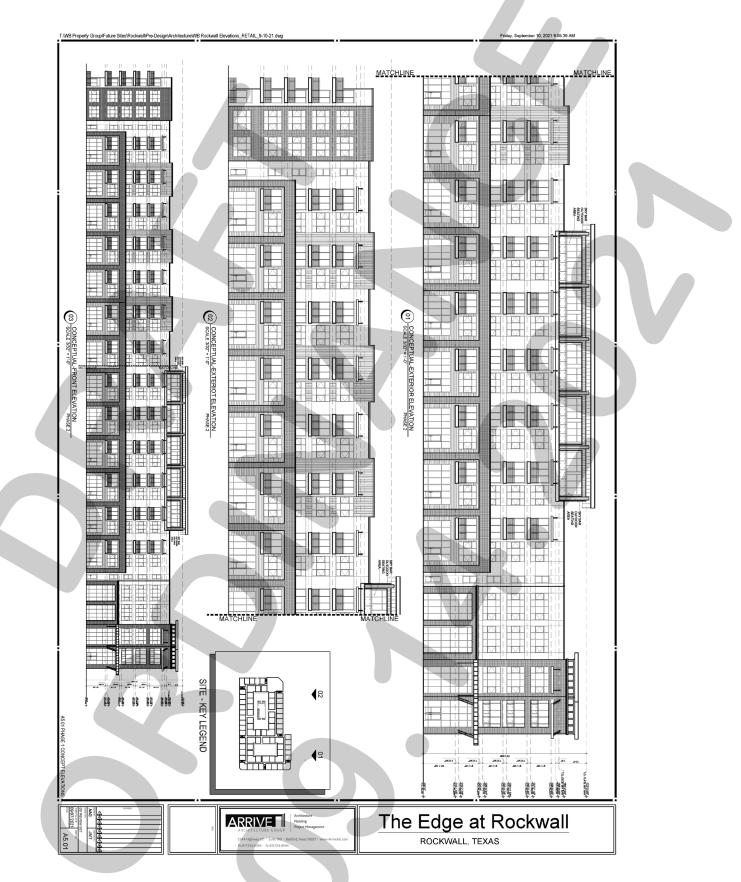
Z2020-033: Planned Development District 4 (PD-4) Page | 4 Ordinance No. 21-XX; PD-4 EXHIBIT 'C': Concept Plan



**EXHIBIT 'D':** Building Elevations



## **EXHIBIT 'D':** Building Elevations



# EXHIBIT 'E':

### PD Development Standards

(A) <u>Permitted Uses.</u> The Subject Property shall be subject to the land uses permitted in the General Retail (GR) District 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 maybe amended in the future, with the following additional land uses and restrictions:

Land Uses Permitted By-Right:

Multi-Family Development (as regulated by this Planned Development District Ordinance).

### Prohibited Land Uses:

- ☑ Animal Clinic for Small Animals without Outdoor Pens
- ☑ Animal Boarding/Kennel without Outside Pens
- ☑ Convent, Monastery, or Temple
- ☑ Hotel or Motel (i.e. Limited Service, Full Service, Residence)
- ☑ Hotel, Residence
- ☑ Caretakers Quarters/Domestic or Security Unit
- ☑ Convalescent Care Facility/Nursing Home
- ☑ Daycare with Seven (7) or More Children
- ☑ Emergency Ground Ambulance Service
- ☑ Group or Community Home
- ☑ Hospice
- ☑ Hospital
- ☑ Public Library, Art Gallery or Museum
- Local Post Office
- Public or Private Primary School
- Device or Private Secondary School
- Cemetery/Mausoleum
- Mortuary of Funeral Chapel
- ☑ Temporary Carnival, Circus, or Amusement Ride
- ☑ Outdoor Commercial Amusement/Recreation
- ☑ Indoor Gun Club with Skeet or Target
- Astrologer, Hypnotist, or Psychic
- ☑ Garden Supply/Plant Nursery
- Image: Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- ☑ Full Service Car Wash and Auto Detail
- ☑ Self Service Car Wash
- ☑ Service Station
- Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)
- ☑ Helipad
- Railroad Yard or Shop
- ☑ Transit Passenger Facility

### Land Uses that Require a Specific Use Permit (SUP):

- ☑ Animal Hospital, Clinic
- Social Service Provider
- (B) Retail/Restaurant Land Use Requirements
  - (1) <u>Restaurants.</u> One (1) restaurant with a minimum of 4,000 SF in area shall be constructed with each phase of the proposed development. These restaurants shall be situated on the highest floor level of each proposed building and generally conform with the *Concept Plan* and *Building Elevations* depicted in *Exhibits 'C' & 'D'*.
  - (2) <u>Retail.</u> A minimum of 10,000 SF of retail area shall be constructed with each phase of the proposed development and generally conform to the *Concept Plan* depicted in *Exhibit 'C'*.

### EXHIBIT 'E':

### PD Development Standards

- (C) <u>Development Standards</u>. The Subject Property shall be developed in accordance with the Concept Plan and Concept Building Elevations depicted in Exhibits 'C' & 'D' of this ordinance. In addition, development of the Subject Property shall adhere to the following requirements:
  - (1) <u>Density and Dimensional Requirements</u>. Unless specifically provided by this Planned Development District ordinance, any development of the *Subject Property* shall conform to the requirements stipulated for the General Retail (GR) District and the Scenic Overlay (SOV) District as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The *Multi-Family Development* land use shall be limited to a maximum permissible density of <u>50.00</u> dwelling units per gross acre of land; however, in no case should the total number of dwelling units exceed <u>600</u>. In addition, the development shall conform to the following standards:

### Table 1: Lot Dimensional Requirements

Minimum Lot Width	60'	
Minimum Lot Depth	100'	
Minimum Lot Area	10,000 SF	
Minimum Front Yard Setback	15'	
Minimum Side Yard Setback	10'	
Maximum Height	75'	
Minimum Rear Yard Setback	10'	
Maximum Lot Coverage	90%	

(2) <u>Unit Composition</u>. The unit composition shall conform to the Concept Plan depicted in Exhibit 'C' and stated in Table 2 below for the Multi-Family Development land use; however, in no case should the minimum unit size for any phase or building be less than 700 SF and the average unit area decrease below 805 SF.

Unit Type	Minimum Unit Size (SF)	Phase #1	Phase #2	Total Units
A1 A2	700 SF 750 SF	70% or 227 Units	70% or 192 Units	419 Units
B1 B2 B3	950 SF 1,025 SF 1,100 SF	30% or 98 Units	30% or 83 Units	181 Units
	Maximum Units:	325 Units	275 Units	600 Units

(3) Parking and Loading Standards. The minimum parking requirements shall be as follows:

### Table 3: Parking Requirements

Table 2<sup>-</sup> Unit Composition

U	nit/Land Use Types	Parking Space Requirements
	A1	1.25 Parking Space/Unit
	A2	1.25 Parking Space/Unit
	B1	1.75 Parking Space/Unit
	B2	1.75 Parking Space/Unit
	B3	1.75 Parking Space/Unit
	Restaurant	1 Parking Space/100 SF
	Retail	1 Parking Space/250 SF
	Office	1 Parking Space/300 SF

- (4) <u>Building Standards</u>. The building elevations shall generally conform to the Concept Building Elevations depicted in Exhibit 'D'; however, all development shall adhere to the following building standards:
  - (a) <u>Masonry Requirements</u>. The minimum masonry requirement for each exterior façade shall be 90%. For the purposes of this ordinance, the masonry shall be limited to full width brick, natural

### EXHIBIT 'E':

### PD Development Standards

stone, and cast stone. Cementaceous fiberboard horizontal lap-siding (*e.g. HardiBoard or Hardy Plank*) and stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may be used for up to 50% of the exterior of the building; however, stucco may not be used within the first four (4) feet above grade on a façade visible from a public street or open space. A minimum of 20% natural stone is required on all building façades.

(b) <u>Roof Design Requirements</u>. All buildings shall be designed such that no roof mounted mechanical equipment (*i.e. HVAC*, satellite, vents, etc.) shall be visible from any direction. <u>Note</u>: 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).

Screening of roof mounted mechanical equipment and/or other rooftop appurtenances shall be accomplished through the construction of an architectural feature, which is integral to the building's design and ensures that such equipment is not visible from adjacent public rights-of-way.

- (c) <u>Architectural Requirements</u>. All buildings shall be architecturally finished on all four (4) sides with the same materials, detailing and features. In addition, all buildings shall be subject to the architectural requirements of the Scenic Overlay (SOV) District contained in Section 06, *General Overlay Districts*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).
- (D) Landscaping and Hardscaping Standards.
  - (1) <u>Landscape Requirements</u>. Landscaping shall be reviewed and approved with the PD Site Plan. All Canopy/Shade Trees planted within this development shall be a minimum of four (4) caliper inches in size and all Accent/Ornamental/Under-Story Trees shall be a minimum of four (4) feet in height at the time of planting. The tree species for this project shall be in accordance with the trees permitted within the Scenic Overlay (SOV) District as specified in Appendix C, Landscaping Guidelines and Requirements, of the Unified Development Code (UDC).
  - (2) <u>Landscape Buffers</u>. A minimum of a 20-foot landscape buffer shall be provided along the frontage of Ridge Road. Each landscape buffer shall incorporate a minimum of three (3) canopy trees and four (4) accent trees per 100-feet linear feet of buffer area. To avoid conflict with utilities, the buffer trees along Ridge Road shall be located a minimum of ten (10) feet from the existing 16-inch water line and any proposed sanitary sewer and storm lines. The developer shall also be responsible for the construction of a five (5) sidewalk along Ridge Road located two (2) feet inside the right-of-way (*i.e. setback a minimum of two [2] from the back of curb*).
  - (3) <u>Irrigation Requirements</u>. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect.
  - (4) <u>Hardscape</u>. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan* and/or *Opens Space/Amenity Plan*.
- (E) <u>Trash Receptacles</u>. Trash and recycling receptacles shall be four (4) sided, with eight (8) foot walls constructed and cladded with materials matching the primary structures, and have a self-latching gate. All trash and recycling receptacles shall be internal to the site and not be situated within any established building setbacks or landscape buffers.
- (F) <u>Variances</u>. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.



### CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT 385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO:	Planning and Zoning Commission
DATE:	September 14, 2021
APPLICANT:	Maxwell Fisher; Masterplan
CASE NUMBER:	Z2021-034; Zoning Change from Agricultural (AG) District to Light Industrial (LI) District at the Intersection of Airport Road and John King Boulevard

### SUMMARY

Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a <u>Zoning Change</u> from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

### BACKGROUND

The City Council approved Ordinance No. 98-10, annexing the subject property into the City of Rockwall on March 16, 1998. At the time of annexation, the subject property was zoned as Agricultural (AG) District. No portion of the subject property has been rezoned or developed since the subject property was annexed, and the subject property is currently vacant.

### **PURPOSE**

On May 14, 2021, the applicant -- *Maxwell Fisher of Masterplan* -- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a Light Industrial (LI) District. The applicant has stated that the purpose of the zoning request is to facilitate the construction of a ~17,000 SF, one (1)-story facility for use by the Boys and Girls Club.

### ADJACENT LAND USES AND ACCESS

The subject property is generally located on the southeast corner of the intersection of John King Boulevard and Airport Road. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is Airport Road, which is identified as a M4U (*major collector, four* [4] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of Airport Road is a 47.89-acre parcel of land (*i.e. Lot 1, Rockwall Municipal Airport* Addition), which is owned by the City of Rockwall (*i.e. Ralph Hall Municipal Airport*). West of the airport and northwest of the subject property is a 31.93-acre vacant tract of land (*i.e. Tract 3, of the N. Butler Survey, Abstract No. 20*) that is bisected by John King Boulevard. Beyond this is SH-66, which is identified as a *TXDOT4D* (*i.e. a Texas Department* of *Transportation* [*TXDOT*], four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. All of these properties are zoned Agricultural (AG) District.
- <u>South</u>: Directly south of the subject property is the right-of-way for the Union Pacific Dallas/Garland Northeast Railroad. Continuing south, and adjacent to the Union Pacific Dallas/Garland Northeast Railroad, is a 4.108-acre vacant tract of land (*i.e. Tract 2-7, of the D. Harr Survey, Abstract No. 102*) that is owned by the City of Rockwall. Beyond this is John King Boulevard, which is identified as a *P6D (i.e. principle arterial, six [6] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

- *East*: Directly east of the subject property are three (3) vacant tracts of land (*i.e. Tract 2-03* [5.784-acres], *Tract 2-01* [6.177acres], and Tract 2 [6.177-acres] of the D. Harr Survey, Abstract No. 102). These tracts of land are zoned Agricultural (AG) District. Continuing east is a 17.923-acre tract of land (*i.e. Tract 4, D. Harr Survey, Abstract No. 102*) that was rezoned by the City Council to Light Industrial (LI) District on July 6, 2021. Continuing east are several properties zoned Agricultural (AG) District that have single-family homes situated on them. These properties are followed by a 3.128-acre tract of land zoned Single-Family Estate 1.5 (SF-1.5) District, which is occupied by a single-family home. Beyond this is N. Stodghill Road, which is identified as a *TXDOT4D (i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This thoroughfare is adjacent to the corporate limits of the City of Rockwall.
- <u>West</u>: Directly west of the subject property is John King Boulevard, which is identified as a P6D (*i.e. principle arterial, six* [6] *lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the City of Rockwall's Service Center (*i.e. Lot 1, Rockwall Service Center & Park Addition*) and Leon Tuttle Athletic Complex (*i.e. Lot 2, Rockwall Service Center & Park Addition*), which are zoned Light Industrial (LI) District.

### **INFRASTRUCTURE**

Based on the applicant's submittal the following infrastructure is required:

- <u>Water Improvements</u>. The development will be required to tie to the existing 12-inch waterline on the north side of Airport Road. Additionally, the development will require installing a 12-inch waterline along the western property line of John King Boulevard.
- (2) <u>Sewer Improvements</u>. The development will be required to tie to the existing 12-inch sanitary sewer line located southeast of the subject property on the south side of the railroad, which will require a railroad permit and off-site sewer easements.
- (3) <u>Roadways</u>. Airport Road is a M4U (*i.e. major collector, four [4] lane, undivided roadway*), which requires a minimum of a 65-foot right-of-way and a 45-foot back-to-back concrete street. In addition, the applicant will need to verify the right-of-way of Airport Road and ensure that the required right-of-way has been dedicated (*i.e. 30-feet as measured from the centerline of the roadway*). If additional right-of-way is needed this will be required to be dedicated at the time of final plat.
- (4) <u>Drainage</u>. Detention will be required and sized per the Engineering Department's Standards of Design and Construction Manual.

### CONFORMANCE WITH THE CITY'S CODES

According to Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses ... [and, in which] (I)imitations have been placed on the uses in this district to significantly restrict outside activities and the storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare and any other potentially adverse externalities." The Light Industrial (LI) District is also intended to facilitate the development of industrial parks and larger, cleaner types of industries. This section of the code goes on to state that "(s)ince this zoning district accommodates limited industrial activities that require substantial screening and buffering requirements, the Light Industrial (LI) District is a suitable zoning designation for high visibility locations (*e.g. IH-30 and SH-205*) or within a reasonable distance of residential areas as long as they are separated by an appropriate amount of open space." In this case, the applicant has indicated that the proposed land use will be a *Social Service Provider*, which is an allowed by-right land use in the Light Industrial (LI) District.

### CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located within the <u>Central District</u> and is designated for <u>Technology/Employment Center</u> land uses. According to the Comprehensive Plan, the <u>Central District</u> is "...composed of a wide range of uses that vary from single-family to industrial ... [and] (t)he <u>Central District</u> also incorporates a high volume of industrial land uses adjacent to the Union Pacific/Dallas Garland and Northeastern Railroad line that bisects the

district." The applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, is in conformance with the <u>Technology/Employment Center</u> land use designation and appears to be in conformance with the District Strategies for the <u>Central District</u>. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "...(p)reserve the City's current residential to non-residential land use ratio (*i.e.* 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ..." [Section 02.01; CH. 1; Page 1-1]. The Land Use Plan contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential land use balance. Since the proposed zoning change is in conformance to the Future Land Use Plan, the proposed zoning change does not change the mix of residential to non-residential land uses. This balance remains at 75.90% residential land uses to 24.10% non-residential land uses. With this being said, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

### **NOTIFICATIONS**

On August 26, 2021, staff mailed 12 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadow Estates Homeowner's Association (HOA), which is the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

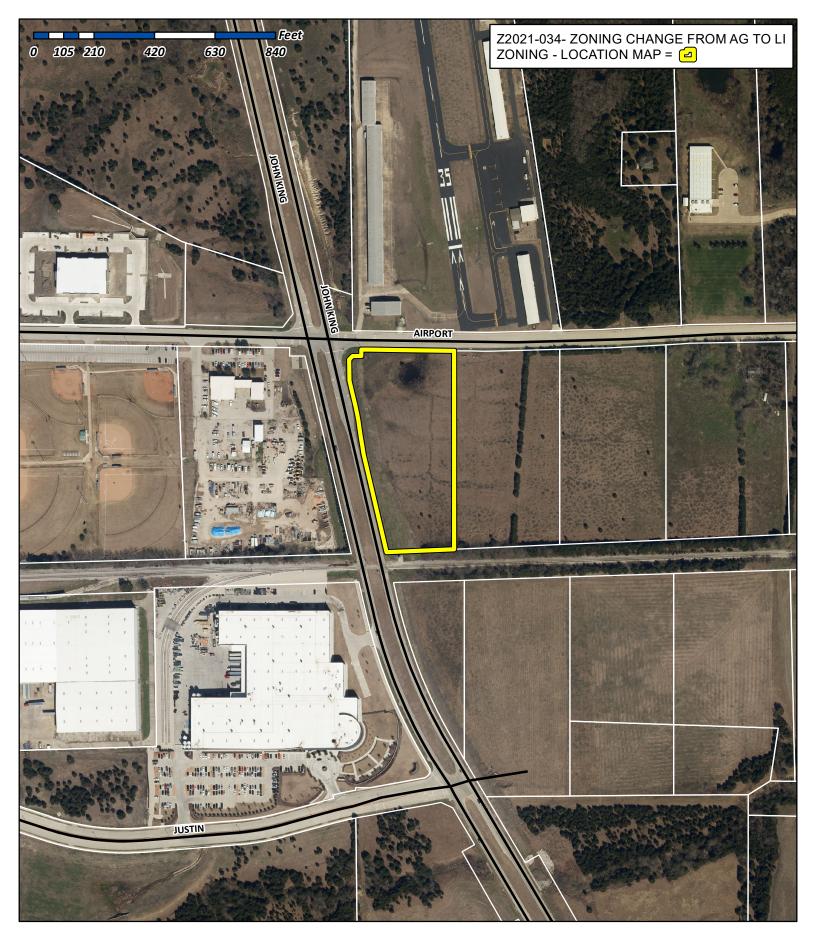
(1) One (1) email from a property owner that are not within the notification area (*i.e. outside of the 500-foot buffer*) that is opposed to the applicant's request.

### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, then staff would propose the following conditions of approval:

- Prior to the acceptance of an application for a site plan, the applicant will need to seek approval from the Federal Aviation Administration (FAA) [and TXDOT Aviation if necessary] to allow the parking lot to be located with the Runway Protection Zone (RPZ) of the Ralph Hall Municipal Airport;
- (2) If light poles are proposed to be located in the parking areas, the applicant will need to perform a sight obstruction study showing conformance with the City's *Clear Zone Easement* and the Runway Protection Zone (RPZ). This will be required to be submitted to the City concurrently with an application for a site plan;
- (3) No portion of any building, playground, or programmed space maybe located within the Runway Protection Zone (RPZ) of the Ralph Hall Municipal Airport; and,
- (4) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

	DEVELOPMENT APPLICATION City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087		PLANI NOTE CITY U SIGNE DIREC CITY E	STAFF USE ONLY         PLANNING & ZONING CASE NO.         72.2021-034 <u>NOTE:</u> THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.         DIRECTOR OF PLANNING:         CITY ENGINEER:			
PLATTING APPLIC MASTER PLAT PRELIMINARY I FINAL PLAT (\$3 REPLAT (\$300.0 AMENDING OR PLAT REINSTA SITE PLAN APPLIC SITE PLAN (\$25	(\$100.00 + \$15.00 ACRE) <sup>1</sup> PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup> 00.00 + \$20.00 ACRE) <sup>1</sup> 10 + \$20.00 ACRE) <sup>1</sup> MINOR PLAT (\$150.00) FEMENT REQUEST (\$100.00)		VING APPLI ZONING CH/ SPECIFIC US D DEVELOF IER APPLIC IREE REMO /ARIANCE R ES: 1 DETERMINIT IPLYING BY 1	UEST [SELECT ONL) CATION FEES: ANGE (\$200.00 + \$15. SE PERMIT (\$200.00 + PMENT PLANS (\$200. CATION FEES: VAL (\$75.00) EQUEST (\$100.00) NG THE FEE, PLEASE THE PER ACRE AMOUNT TO ONE (1) ACRE.	00 ACRE) + \$15.00 A .00 + \$15.0 USE THE	1 CRE) 1 10 ACRE) 1 EXACT_ACRE/	AGE WHEN THAN ONE
ADDRESS							
SUBDIVISION	ABO ACTOZ, D'HARR, HVACT 2-0				I/A	BLOCK	N/A
GENERAL LOCATION	Sedulodor comer of Allport Road C		Boulevar	d			
	AN AND PLATTING INFORMATION	[PLEASE PRINT]					
CURRENT ZONING	AG	CURI	RENT USE	Vacant			
PROPOSED ZONING	i Li	PROPO	DSED USE	Boys & Girls C	Club		
ACREAGE	5.07 LOTS [CU	RRENT] 0		LOTS [PRO	OPOSED]	1	
RESULT IN THE D	D PLATS: BY CHECKING THIS BOX YOU ACKNOWLE APPROVAL PROCESS, AND FAILURE TO ADDRESS A ENIAL OF YOUR CASE.	NY OF STAFF'S CON	IMENTS BY 1	THE DATE PROVIDED C	ON THE DEV	VELOPMENT CA	XIBILITY WITH ALENDAR WILL
OWNER/APPLIC	ANT/AGENT INFORMATION (PLEASE PR			ACT/ORIGINAL SIGNAT	URES ARE	REQUIRED]	
	Saro Partners LLC		PLICANT	Masterplan			
CONTACT PERSON	1450 TL T.	CONTACT		Maxwell Fisher			
ADDRESS	1450 T.L. Townsend	A	DDRESS	2595 Dallas	Parkw	ay	
CITY, STATE & ZIP	Rockwall, TX 75032	CITY, STA	TE & 710	Frisco TX 7	5034		
PHONE			PHONE	Frisco, TX 75034 (214) 470-3972			
E-MAIL			E-MAIL	maxwell@masterplantexas.com			com
NOTARY VERIFIC BEFORE ME, THE UNDER STATED THE INFORMATI	CATION [REQUIRED] ISIGNED AUTHORITY, ON THIS DAY PERSONALLY AP ON ON THIS APPLICATION TO BE TRUE AND CERTIFI	PPEARED SILOWING	AWN	VALIC		THE UNDERS	
INFORMATION CONTAINED SUBMITTED IN CONJUNCT GIVEN UNDER MY HAND NOTARY PUBLIC IN AND	AM THE OWNER FOR THE PURPOSE OF THIS APPLICA , TO COVER THE COST OF THIS APPLICATION 2021. BY SIGNING THIS APPLICATION D WITHIN THIS APPLICATION TO THE PUBLIC. THE ION WITH THIS APPLICATION, IF SUCH REPRODUCTION AND SEAL OF OFFICE ON THIS THE DAY OF OWNER'S SIGNATURE FOR THE STATE OF TEXAS AND ALSO OTS	ion, has been paid , i agree that the city is also autho is associated or in Aucust or	TO THE CITY OF CITY OF ROCI DRIZED AND I I RESPONSE T	DF ROCKWALL ON THIS T KWALL (I.E. "CITY) IS A PERMITTED TO REAL O A REQUEST OF BE O	THE UTHORIZED	AND PERMITTE OPPYRIMITE ATON: COPYRIMINE COP	DAY OF D TO PROVIDE INFORMATION
DEVELOPME	NT APPLICATION • CITY OF ROCKWALL • 385 SOUT	H GOLIAD STREET *	ROCKWALL,	TX 750874,10] (993 1 1111) 1111) 1111) 1111) 1111) 1111)	802×19 ES 5-7-20	19 (977) 771-7 23	727



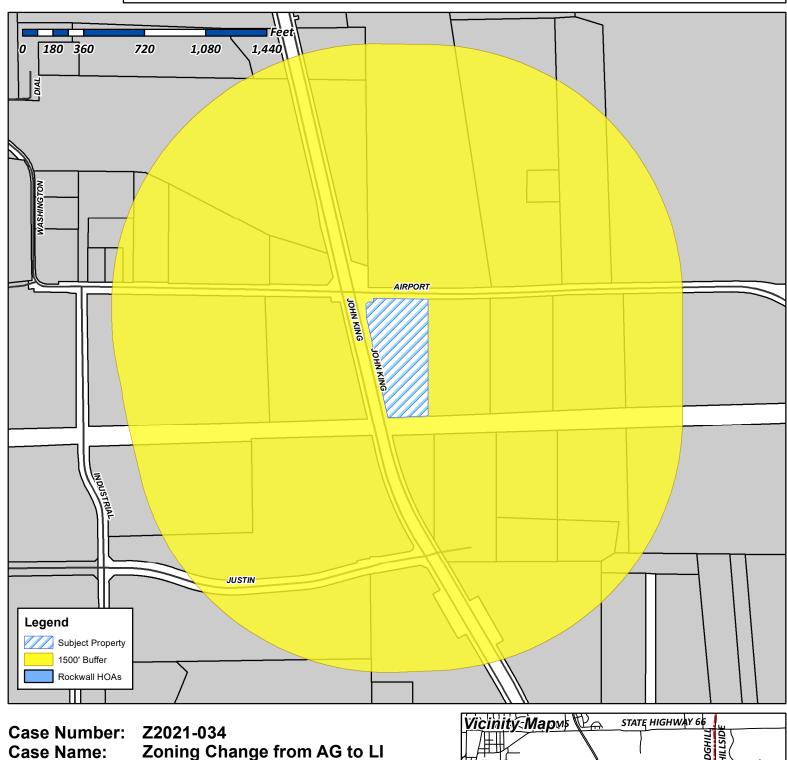


Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees.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



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Zoning: Agricultural (AG) District

Zoning

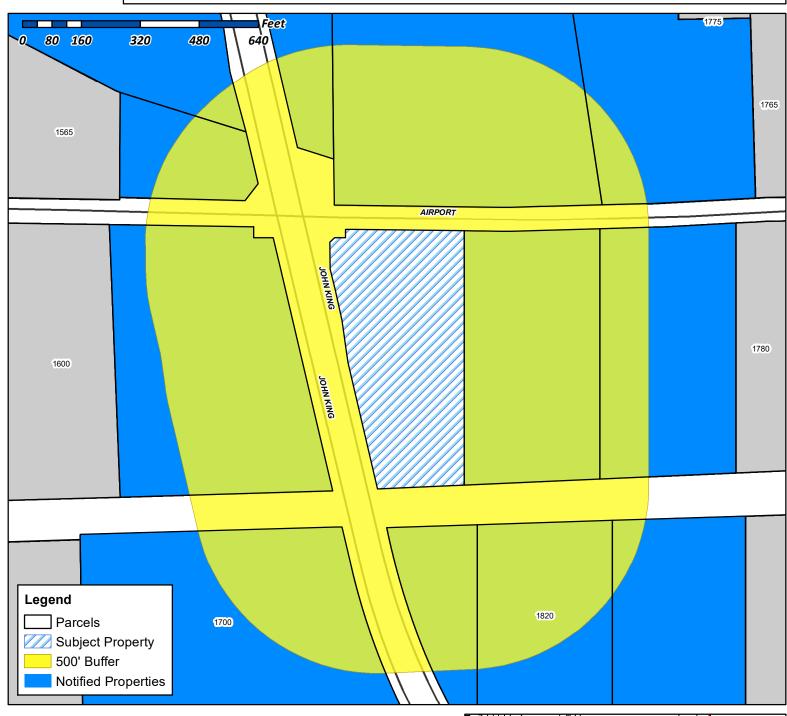
Case Type:





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





Case Number:Z2021-034Case Name:Zoning Change from AG to LICase Type:ZoningZoning:Agricultural (AG) DistrictCase Address:SEC of Airport Rd. & John King Blvd.



Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745 FUNK JOSEPH 11226 INDIAN TRAIL DALLAS, TX 75229

JCP JUSTIN LLC 1820 JUSTIN RD ROCKWALL, TX 75087

BACKWARDS L LLC 3333 MILLER PARK SOUTH GARLAND, TX 75042

> ATHEY JACK R P.O. BOX 219 LAVON, TX 75166

SARO PARTNERS LLC 1450 T L TOWNSEND ROCKWALL, TX 75032

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

> JCP JUSTIN LLC 3333 MILLER PARK SOUTH GARLAND, TX 75042

> > ATHEY JACKIE R P.O. BOX 219 LAVON, TX 75166

WILLCAR HOLDINGS LLC ATTN: WILLIAM H CHANNELL JR 1700 JUSTIN RD ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH 306 EAST RUSK ST ROCKWALL, TX 75087

WILLCAR HOLDINGS LLC ATTN: WILLIAM H CHANNELL JR P O BOX 9022 TEMECULA, CA 92589

# PUBLIC NOTICE

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

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

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

### Case No. Z2021-034: Zoning Change from AG to LI

Hold a public hearing to discuss and consider a request by Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for the approval of a <u>Zoning Change</u> from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Airport Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday. September</u> <u>14, 2021 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 20, 2021 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by <u>Monday, September 20, 2021 at 4:00 PM</u> 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. Z2021-034: Zoning Change from AG to LI

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

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

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

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; 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





David,

I am opposed to this building as it is too close to the flight path. There should not be any obstruction this close to the threshold and centerline of the runway. There are many student pilots who can easily drift on takeoff at a low altitude as well as on approach. Additionally there are larger aircraft that utilize a good bit of the full length of the runway during normal operations and land quite near the threshold. A gust could blow them into the structure. We have had a hazardous power line for years at the north end. It took 50 years to catch a plane, but it did. Adding a hazard on the south approach makes no sense.

I know this make the property largely useless, but the situation has existed for years. I get property owner rights, but not at the expense of public safety.

Thanks for reading.

Bill Bricker

Sent from my iPad

This email was scanned by Bitdefender

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- SITE NOTES: 1. THE PROPOSED BUILDINGS WILL BE FIRE SPRINKLERED.
- 2. ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT, FACE OF BUILDING OR AS OTHERWISE INDICATED.
- 3. ALL SIDEWALKS SHALL MAINTAIN A 2% MAXIMUM CROSS SLOPE AND 5% MAXIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL. ALL ADA SIDEWALKS SHOULD INCLUDE ALL LANDINGS, MARKINGS, ETC AS REQUIRED BY CODE.
- 4. ANY CONSTRUCTION OR BUILDING NECESSARY TO COMPLETE THIS SITE PLAN REQUEST MUST CONFORM TO THE REQUIREMENTS SET FORTH BY THE UNIFIED DEVELOPMENT CODE, THE 2015 INTERNATIONAL BUILDING CODE, THE ROCKWALL MUNICIPAL CODE OF ORDINANCES, CITY ADOPTED ENGINEERING AND FIRE CODES AND WITH ALL OTHER APPLICABLE REGULATORY REQUIREMENTS ADMINISTERED AND/OR ENFORCED BY THE STATE AND FEDERAL GOVERNMENT.
- 5. THE MECHANICAL EQUIPMENT SHALL BE ROOF MOUNTED AND BE SCREENED FROM PUBLIC VIEW.

SITE DAT	A TABLE
ZONING:	COMMMERCIAL
LAND USE:	OFFICE/WAREHOUSE BUILDINGS
SITE ACREAGE:	5.13 ACRES (223,607 SQ FT)
BUILDING FOOTPRINT:	17,000 SQUARE FEET
BUILDING AREA:	17,000 SQUARE FEET
OPEN SPACE:	133,982.4/223,607 : 59.9%
PAVED SURFACE AREA:	89,624.6/223,607 : 40.1%
BUILDING HEIGHT	1 STORY (22'-0" MAX)
PARKING REQUIRED:	85 PARKING SPACES
ACCESSIBLE PARKING REQUIRED:	4 PARKING SPACES
PARKING PROVIDED:	133 PARKING SPACES (6 ACCESSIBLE PARKING SPACES INCLUDED)
LOADING SPACE REQUIRED:	1 LOADING SPACE
LOADING SPACE PROVIDED:	1 LOADING SPACES

EXISTING FIRE ~ HYDRANT

EX. 36" RCP->

EX. 48" RCP->

EXISTING FIRE ~

HYDRANT

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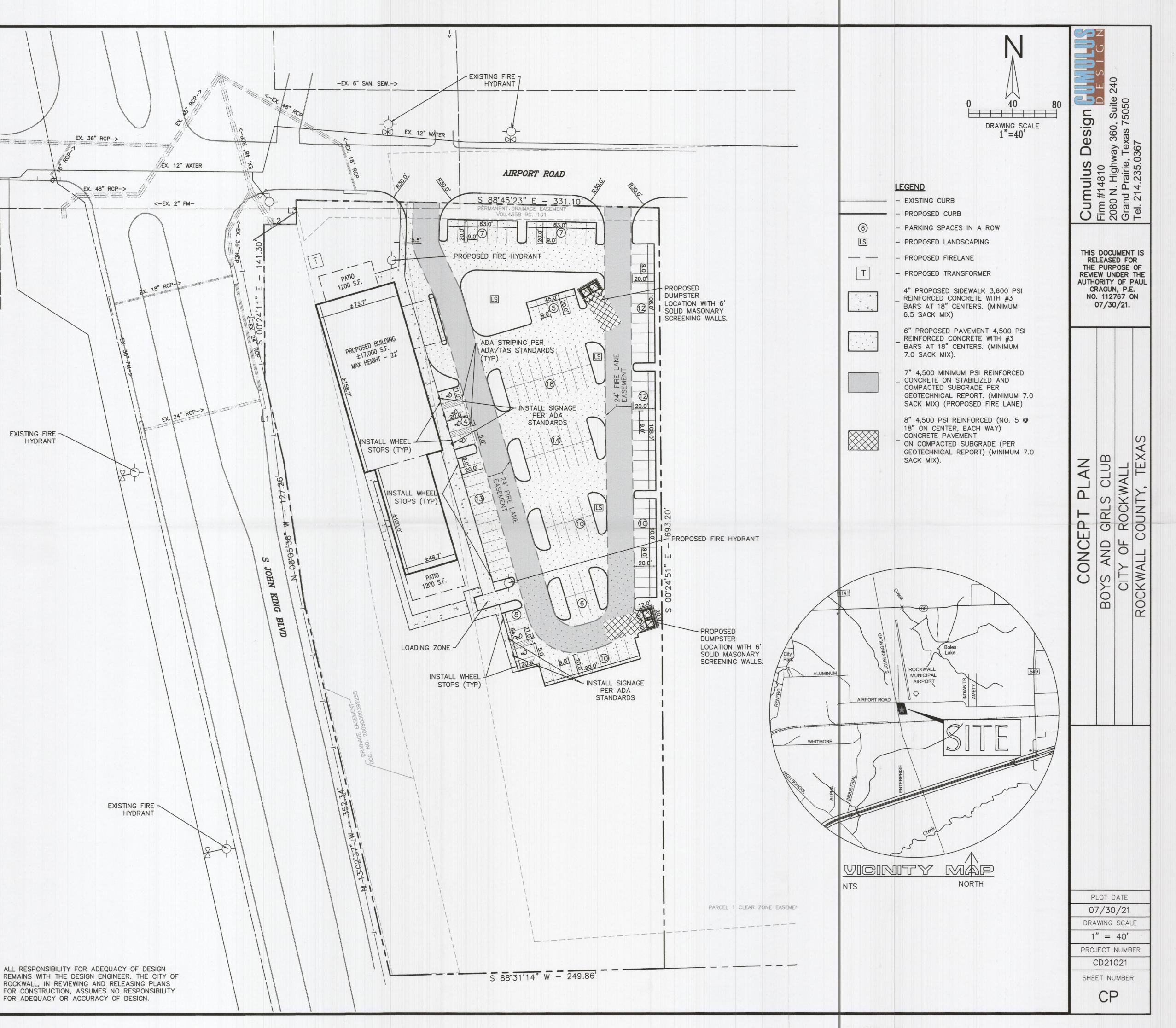


EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTALLY AND VERTICALLY LOCATION OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION, TO TAKE PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED AND NOTIFY THE ENGINEER OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION. ANY DAMAGE BY THE CONTRACTOR TO UTILITIES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THEIR OWN EXPENSE.

REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.

\\SERVER-PC\SERVER\2021 PROJECTS\CD21021 - BOYS AND GIRLS CLUB, ROCKWALL\PLANS\SITE PLAN CD21021.DWG



### Legal Description

All that, certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being a part of a 6.177 acres tract of land as described in a Special Warranty deed from Bobby Frank Athey, Jo An Athey and Jackie Ray Athey to Julie Catherine Marshall, Ann Elizabeth Holley and Billy H. Athey, Jr., dated December 22, 2006 and being recorded in Volume 4875, Page 125 of the Official Public Records of Rockwall County, Texas, and Being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found for corner in the north right-of-way line of M.K. & T. Railroad, a 100 foot right-of-way, said point being at the southeast corner of said 6.177 acres tract of land, said point also being at the southwest corner of a 6.177 acres tract of land as described in a Special Warranty deed from Bobby Frank Athey, Jo An Athey and Jackie Ray Athey to Bobby Frank Athey dated December 22, 2006 and being recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

**THENCE** S. 88 deg. 21 min. 10 sec. W. along said right-of-way line, a distance of 250.10 feet to a 1/2" iron rod found for corner in the east right-of-way line of John King Boulevard SH 205 bypass, a variable width right-of-way per deed recorded in Volume 5342. Page 256 of the Official Public Records of Rockwall County, Texas;

**THENCE** N. 13 deg. 13 min. 12 sec. W. along said right-of-way line, a distance of 351.97 feet to a 1/2" iron rod found for corner;

**THENCE** N. 08 deg. 15 min. 40 sec. W. along said right-of-way line, a distance of 127.26 feet to a 1/2" iron rod found for corner;

**THENCE** N. 13 deg. 09 min. 48 sec. W. along said right-of-way line, a distance of 76.52 feet to a 1/2" iron rod found for corner in the west boundary line of said Marshall 6.117 acres tract;

**THENCE** N. 00 deg. 34 min. 55 sec. W. along the west boundary line of said Marshall 6.117 acres tract, a distance of 141.41 feet to a 1/2" iron rod found for corner in the south right-of-way line of said Bypass;

**THENCE** EAST, along said right-of-way line, a distance of 29.85 feet to a 1/2" iron rod found for corner;

**THENCE** NORTH, along said right-of-way line, a distance of 3.54 feet to a 1/2" iron rod found for corner in the south right-of-way line of Airport Road per deed recorded in Volume 6002, Page 270 of the Official Public records of Rockwall County. Texas;

**THENCE** N. 87 deg. 51 min. 59 sec. E. along said right-of-way line, a distance of 330.97 feet to a 1/2" iron rod found for corner in the east boundary line of said Marshall 6.117 acres tract;

**THENCE** S 00 deg. 34 min. 55 sec. E. along the east line of said tract, a distance of 693.20 feet to the POINT OF BEGINNING and containing 220,722 square feet or 5.07 acres of land.

### Letter of Explanation

### **Boys & Girls Club**

On behalf of The Boys & Girls Club of America, Masterplan requests approval of a change of zoning from Agriculture District to Light Industrial District on the approximately 5-acre property located at the southeast corner of N. John King Boulevard and Airport Road. The Boys & Girls Club of Northeast Texas has plans to relocate from 915 N. Goliad Street in Rockwall to the new facility planned at the subject property. The re-location will allow for new and improved facility owned by the Boys & Girls Club.

The Boys & Girls Club focuses on engaging youth in a healthy learning environment to help them develop to become productive, caring and responsible citizens. This mission is based upon over a hundred years of providing an outlet for children to grow and be mentored by their local community. Services to youth that particularly fill a need include youth development during out of school time when some children are most vulnerable. Their mission includes five core programs: arts, sports and recreation, leadership and service, education and health and wellness. Although the request for a change of zoning is not formally tied to specific improvements, the improvement plans include building an approximately 17,000-square foot one-story building for activities, meeting rooms, offices and other uses to support the mission and goal of the Boys & Girls Club of America.

The change of zoning is necessary to enable development as the current zoning of Agriculture prohibits most use and development types. The Industrial District will accommodate the development while aligning with the Future Land Use Map of the Rowlett Comprehensive Plan. The Future Land Use Map calls for Technology and Employment Center for the subject property. Light Industrial zoning makes since near the airport and industrial and other employment center uses slated for this area.

### 01 CENTRAL DISTRICT

### 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.

02.20%

6

01.72%

10.32%

#### John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

27.46%

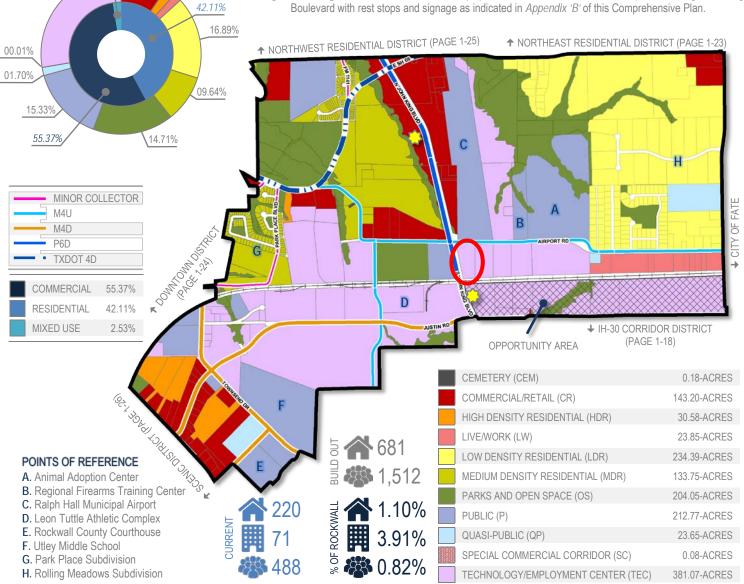
### DISTRICT STRATEGIES



The Central District still has some key vacant and underutilized tracts of land that are anticipated to shape the area moving forward. Taking these areas into consideration the following are the strategies for this district:

- 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.
- Suburban Residential. While many of the larger tracts in this area are not large enough to support a 2 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.
- B 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.
- Industrial/Special Commercial Corridor Opportunity Area. The area south of the railroad tracks that is 4 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.

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.



OURHOMETOWN2040 | CITY OF ROCKWALL

01 | LAND USE AND GROWTH MANAGEMENT

### PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> <u>Definitions]</u>	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <u>Permissible Uses</u> ]	LIGHT INDUSTRIAL (LI) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	(1)		Р
Animal Boarding/Kennel without Outside Pens	(2)	(2)	Р
Animal Clinic for Small Animals without Outdoor Pens	<u>(3)</u>	<u>(3)</u>	Р
Animal Hospital or Clinic	<u>(4)</u>		Р
Animal Shelter or Loafing Shed	<u>(6)</u>		Р
Community Garden	<u>(11)</u>	<u>(7)</u>	S
Urban Farm	<u>(12)</u>	<u>(8)</u>	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Caretakers Quarters/Domestic or Security Unit	<u>(3)</u>		Р
Commercial Parking Garage	<u>(6)</u>		А
Limited-Service Hotel	<u>(10)</u>		S
Full-Service Hotel	<u>(11)</u>	<u>(8)</u>	S
Residence Hotel	<u>(12)</u>		S
Motel	<u>(13)</u>		S
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	<u>(1)</u>	<u>(1)</u>	S
Blood Plasma Donor Center	<u>(2)</u>		Р
Cemetery/Mausoleum	<u>(3)</u>		Р
Church/House of Worship	<u>(4)</u>	<u>(2)</u>	S
College, University, or Seminary	<u>(5)</u>		Р
Convalescent Care Facility/Nursing Home	<u>(6)</u>		S
Congregate Care Facility/Elderly Housing	(7)	<u>(3)</u>	S
Crematorium	<u>(8)</u>		S
Daycare with Seven (7) or More Children	<u>(9)</u>	<u>(4)</u>	S
Emergency Ground Ambulance Services	<u>(10)</u>		Р
Government Facility	<u>(12)</u>		Р
Hospice	<u>(14)</u>		S
Hospital	<u>(15)</u>		Р
Public Library, Art Gallery or Museum	<u>(16)</u>		Р
Mortuary or Funeral Chapel	<u>(17)</u>		Р
Local Post Office	<u>(18)</u>		Р
Regional Post Office	<u>(19)</u>		Р
Prison/Custodial Institution	<u>(20)</u>		Р
Public or Private Primary School	<u>(21)</u>	<u>(7)</u>	Р
Public or Private Secondary School	<u>(22)</u>	<u>(8)</u>	Р
Rescue Mission or Shelter for the Homeless	<u>(24)</u>		Р
Social Service Provider (Except Rescue Mission or Homeless Shelter)	<u>(25)</u>		Р
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	(1)	<u>(1)</u>	Р

LEGEND:

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Land Use NOT Permitted

Land Use Permitted By-Right

Land Use Permitted with Conditions

Land Use Permitted Specific Use Permit (SUP) Land Use Prohibited by Overlay District

Land Use Permitted as an Accessory Use

#### LEGEND: Land Use NOT Permitted Ρ Land Use Permitted By-Right Land Use Permitted with Conditions S Land Use Permitted Specific Use Permit (SUP) Land Use Prohibited by Overlay District

A Land Use Permitted as an Accessory Use

Ρ

### PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

A Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> <u>Definitions]</u>	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <u>Permissible Uses</u> ]	LIGHT INDUSTRIAL (LI) DISTRICT
Financial Institution without Drive-Through	(1)		Р
Office Building less than 5,000 SF	(2)		Р
Office Building 5,000 SF or Greater	(2)		Р
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	<u>(1)</u>	<u>(1)</u>	Р
Indoor Commercial Amusement/Recreation	<u>(2)</u>	<u>(2)</u>	Р
Outdoor Commercial Amusement/Recreation	<u>(3)</u>	<u>(3)</u>	S
Public or Private Community or Recreation Club as an Accessory Use	<u>(4)</u>		Р
Private Country Club	(5)		Р
Golf Driving Range	(6)		Р
Temporary Fundraising Events by Non-Profit	(7)	<u>(4)</u>	Р
Indoor Gun Club with Skeet or Target Range	(8)	(5)	Р
Health Club or Gym	(9)		Р
Private Club, Lodge or Fraternal Organization	(10)	(6)	Р
Private Sports Arena, Stadium, and/or Track	(11)		Р
Public Park or Playground	<u>(12)</u>		Р
Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code]	<u>(13)</u>	<u>(7)</u>	S
Tennis Courts (i.e. Not Accessory to a Public or Private Country Club)	<u>(14)</u>		Р
Theater	<u>(15)</u>		Р
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Portable Beverage Service Facility	(4)	<u>(1)</u>	S
Brew Pub	(5)		Р
Business School	(6)		Р
Catering Service	(7)		Р
Temporary Christmas Tree Sales Lot and/or Similar Uses	<u>(8)</u>	<u>(2)</u>	Р
Copy Center	<u>(9)</u>		Р
Craft/Micro Brewery, Distillery and/or Winery	<u>(10)</u>	<u>(3)</u>	Р
Incidental Display	<u>(11)</u>	<u>(4)</u>	Р
Food Trucks/Trailers	<u>(12)</u>	<u>(5)</u>	Р
Garden Supply/Plant Nursery	<u>(13)</u>		Р
General Personal Service	<u>(14)</u>	<u>(6)</u>	S
General Retail Store	<u>(15)</u>		S
Hair Salon and/or Manicurist	<u>(16)</u>		S
Laundromat with Dropoff/Pickup Services	<u>(17)</u>		Р
Self Service Laundromat	<u>(18)</u>		Р
Private Museum or Art Gallery	<u>(20)</u>		Р
Night Club, Discotheque, or Dance Hall	<u>(21)</u>		S
Pawn Shop	(22)		Р
1 dwn oliop	(22)		Г

#### LEGEND:

А

Land Use <u>NOT</u> Permitted

P Land Use Permitted By-Right

P Land Use Permitted with Conditions

S Land Use Permitted Specific Use Permit (SUP)

Land Use Prohibited by Overlay District

Land Use Permitted as an Accessory Use

### PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> Definitions]	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <i>Permissible Uses</i> ]	LIGHT INDUSTRIAL (LI) DISTRICT
Temporary Real Estate Sales Office	(25)		Р
Rental Store without Outside Storage and/or Display	<u>(26)</u>	<u>(8)</u>	Р
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	<u>(27)</u>	<u>(9)</u>	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	<u>(28)</u>		Р
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	<u>(27)</u>	<u>(10)</u>	Р
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	<u>(28)</u>		Р
Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four</i> [4] Vehicles)	<u>(29)</u>		Р
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	<u>(29)</u>		Р
Secondhand Dealer	<u>(30)</u>		Р
Art, Photography, or Music Studio	<u>(31)</u>		Р
Taxidermist Shop	<u>(34)</u>		Р
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Bail Bond Service	<u>(1)</u>		Р
Building and Landscape Material with Outside Storage	<u>(2)</u>	<u>(1)</u>	Р
Building and Landscape Material with Limited Outside Storage	<u>(2)</u>	<u>(2)</u>	Р
Building Maintenance, Service, and Sales with Outside Storage	<u>(3)</u>	<u>(3)</u>	Р
Building Maintenance, Service, and Sales without Outside Storage	<u>(3)</u>		Р
Commercial Cleaners	<u>(4)</u>		Р
Custom and Craft Work	<u>(5)</u>		Р
Electrical, Watch, Clock, Jewelry and/or Similar Repair	<u>(6)</u>		Р
Feed Store or Ranch Supply	<u>(7)</u>		S
Furniture Upholstery/Refinishing and Resale	<u>(8)</u>	<u>(4)</u>	Р
Gunsmith Repair and Sales	<u>(9)</u>		Р
Rental, Sales and Service of Heavy Machinery and Equipment	<u>(10)</u>	<u>(5)</u>	S
Locksmith	<u>(11)</u>		Р
Machine Shop	<u>(12)</u>		Р
Medical or Scientific Research Lab	<u>(13)</u>		Р
Research and Technology or Light Assembly	<u>(15)</u>		Р
Trade School	<u>(17)</u>		Р
Temporary On-Site Construction Office	<u>(18)</u>	<u>(6)</u>	Р
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Major Auto Repair Garage	(1)	<u>(1)</u>	S
Minor Auto repair garage	(2)	(2)	S
Automobile Rental	<u>(3)</u>		S
New or Used Boat and Trailer Dealership	<u>(4)</u>	<u>(3)</u>	S
Full Service Car Wash and Auto Detail	<u>(5)</u>	<u>(4)</u>	Р
Self Service Car Wash	<u>(5)</u>	<u>(4)</u>	Р
New and/or Used Indoor Motor Vehicle Dealership/Showroom	<u>(6)</u>	<u>(5)</u>	S
New Motor Vehicle Dealership-for Cars and Light Trucks	(7)	<u>(6)</u>	S

### PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

Land ode i follibiled by evenal bistilet			
A Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> <u>Definitions]</u>	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <u>Permissible Uses</u> ]	LIGHT INDUSTRIAL (LI) DISTRICT
Used Motor Vehicle Dealership for Cars and Light Trucks)	<u>(7)</u>	<u>(7)</u>	A
Commercial Parking	<u>(8)</u>		Р
Non-Commercial Parking Lot	<u>(9)</u>		Р
Recreational Vehicle (RV) Sales and Service	<u>(10)</u>		S
Service Station	<u>(11)</u>	<u>(8)</u>	Р
Towing and Impound Yard	<u>(12)</u>	<u>(9)</u>	S
Towing Service without Storage	<u>(13)</u>	<u>(10)</u>	Р
Truck Rental	<u>(14)</u>		S
Truck Stop with Gasoline Sales and Accessory Services	<u>(15)</u>	<u>(11)</u>	S
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Asphalt or Concrete Batch Plant	<u>(1)</u>	<u>(1)</u>	S
Temporary Asphalt or Concrete Batch Plant	(2)	<u>(2)</u>	Р
Bottle Works for Milk or Soft Drinks	(3)		Р
Brewery or Distillery	<u>(4)</u>	<u>(3)</u>	Р
Carpet and Rug Cleaning	(5)		Р
Environmentally Hazardous Materials	(6)	<u>(4)</u>	S
Food Processing with No Animal Slaughtering	(7)		Р
Light Assembly and Fabrication	(8)		Р
Heavy Manufacturing	<u>(9)</u>		S
Light Manufacturing	<u>(10)</u>		Р
Metal Plating or Electroplating	<u>(11)</u>		S
Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)	<u>(12)</u>	<u>(5)</u>	S
Printing and Publishing	<u>(13)</u>		Р
Salvage or Reclamation of Products Indoors	<u>(14)</u>		Р
Salvage or Reclamation of Products Outdoors	<u>(15)</u>		S
Sheet Metal Shop	<u>(16)</u>		Р
Tool, Dye, Gauge and/or Machine Shop	<u>(17)</u>		Р
Welding Repair	<u>(18)</u>		Р
Winery	<u>(19)</u>	<u>(6)</u>	Р
WHOLESALE, DISTRIBUTION AND STORAGE LAND USES	2.02(J)	2.03(J)	
Cold Storage Plant	<u>(1)</u>		Р
Heavy Construction/Trade Yard	(2)		Р
Mini-Warehouse	(4)	<u>(1)</u>	Р
Outside Storage and/or Outside Display	(5)	(2)	Р
Recycling Collection Center	<u>(6)</u>		Р
Warehouse/Distribution Center	(7)		Р
Wholesale Showroom Facility	(8)		Р
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Airport, Heliport or Landing Field	<u>(1)</u>		S
Antenna, as an Accessory	(2)	<u>(1)</u>	Р

LEGEND:

Ρ

Ρ

S

Land Use NOT Permitted

Land Use Permitted By-Right

Land Use Permitted with Conditions

Land Use Permitted Specific Use Permit (SUP) Land Use Prohibited by Overlay District

#### LEGEND:

Land Use <u>NOT</u> Permitted

P Land Use Permitted By-Right

P Land Use Permitted with Conditions

S Land Use Permitted Specific Use Permit (SUP)

Land Use Prohibited by Overlay District

A Land Use Permitted as an Accessory Use

### PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

A Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> <u>Definitions]</u>	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <u>Permissible Uses</u> ]	LIGHT INDUSTRIAL (LI) DISTRICT
Commercial Antenna	<u>(3)</u>	<u>(2)</u>	S
Antenna, for an Amateur Radio	<u>(4)</u>	<u>(3)</u>	А
Antenna Dish	<u>(5)</u>	<u>(4)</u>	А
Commercial Freestanding Antenna	<u>(6)</u>	<u>(5)</u>	Р
Mounted Commercial Antenna	<u>(7)</u>	<u>(6)</u>	Р
Bus Charter Service and Service Facility	<u>(8)</u>		Р
Helipad	<u>(9)</u>		S
Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<u>(10)</u>		S
Municipally Owned or Controlled Facilities, Utilities and Uses	<u>(11)</u>		Р
Private Streets	<u>(12)</u>		S
Radio Broadcasting	<u>(13)</u>		Р
Railroad Yard or Shop	<u>(14)</u>		S
Recording Studio	<u>(15)</u>		Р
Satellite Dish	<u>(16)</u>		A
Solar Energy Collector Panels and Systems	<u>(17)</u>	<u>(7)</u>	A
Transit Passenger Facility	<u>(18)</u>		S
Trucking Company	<u>(19)</u>		Р
TV Broadcasting and Other Communication Service	<u>(20)</u>		Р
Utilities Holding a Franchise from the City of Rockwall	<u>(21)</u>		Р
Utility Installation Other than Listed	<u>(22)</u>		S
Utility/Transmission Lines	<u>(23)</u>		S
Wireless Communication Tower	<u>(24)</u>		S

### **CITY OF ROCKWALL**

### ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS. AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A LIGHT INDUSTRIAL (LI) DISTRICT FOR A 5.07-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-06 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; **PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A** PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; **PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR** A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Maxwell Fisher of Masterplan on behalf of Saro Partners, LLC for a change in zoning from an Agricultural (AG) District to a Light Industrial (LI) District for a 5.07-acre tract of land identified as Tract 2-06 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the southeast corner of the intersection of Airport 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 (UDC) [Ordinance No. 20-02] should be amended as follows:

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

**SECTION 1.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Light Industrial (LI) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*; Section 05.01, *General Industrial District Standards*; and Section 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

**SECTION 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense;

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4<sup>TH</sup> DAY OF OCTOBER, 2021.

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney* 

1<sup>st</sup> Reading: <u>September 20, 2021</u>

2<sup>nd</sup> Reading: October 4, 2021

Z2021-034: Zoning Change (AG to LI) Ordinance No. 21-XX; Page | 2

### Exhibit 'A'

### Legal Description

All that, certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being a part of a 6.177 acres tract of land as described in a Special Warranty deed from Bobby Frank Athey, Jo An Athey and Jackie Ray Athey to Julie Catherine Marshall, Ann Elizabeth Holley and Billy H. Athey, Jr., dated December 22, 2006 and being recorded in Volume 4875, Page 125 of the Official Public Records of Rockwall County, Texas, and Being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found for corner in the north right-of-way line of M.K. & T. Railroad, a 100 foot right-of-way, said point being at the southeast corner of said 6.177 acres tract of land, said point also being at the southwest corner of a 6.177 acres tract of land as described in a Special Warranty deed from Bobby Frank Athey, Jo An Athey and Jackie Ray Athey to Bobby Frank Athey dated December 22, 2006 and being recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

**THENCE** S. 88 deg. 21 min. 10 sec. W. along said right-of-way line, a distance of 250.10 feet to a 1/2" iron rod found for corner in the east right-of-way line of John King Boulevard SH 205 bypass, a variable width right-of-way per deed recorded in Volume 5342. Page 256 of the Official Public Records of Rockwall County, Texas;

**THENCE** N. 13 deg. 13 min. 12 sec. W. along said right-of-way line, a distance of 351.97 feet to a 1/2" iron rod found for corner;

**THENCE** N. 08 deg. 15 min. 40 sec. W. along said right-of-way line, a distance of 127.26 feet to a 1/2" iron rod found for corner;

**THENCE** N. 13 deg. 09 min. 48 sec. W. along said right-of-way line, a distance of 76.52 feet to a 1/2" iron rod found for corner in the west boundary line of said Marshall 6.117 acres tract;

**THENCE** N. 00 deg. 34 min. 55 sec. W. along the west boundary line of said Marshall 6.117 acres tract, a distance of 141.41 feet to a 1/2" iron rod found for corner in the south right-of-way line of said Bypass;

**THENCE** EAST, along said right-of-way line, a distance of 29.85 feet to a 1/2" iron rod found for corner;

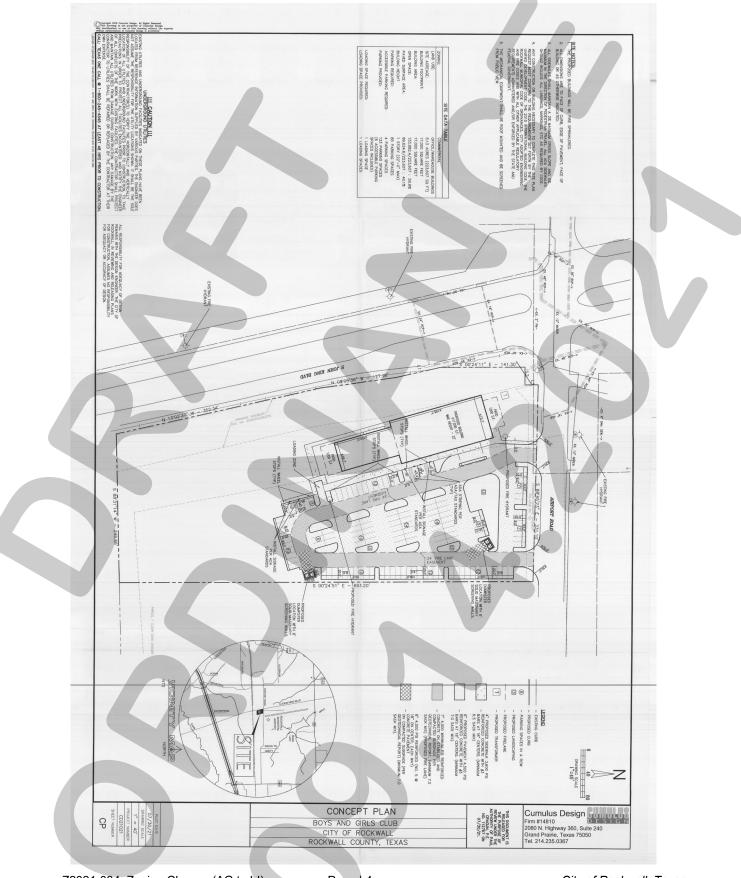
**THENCE** NORTH, along said right-of-way line, a distance of 3.54 feet to a 1/2" iron rod found for corner in the south right-of-way line of Airport Road per deed recorded in Volume 6002, Page 270 of the Official Public records of Rockwall County. Texas;

**THENCE** N. 87 deg. 51 min. 59 sec. E. along said right-of-way line, a distance of 330.97 feet to a 1/2" iron rod found for corner in the east boundary line of said Marshall 6.117 acres tract;

**THENCE** S 00 deg. 34 min. 55 sec. E. along the east line of said tract, a distance of 693.20 feet to the POINT OF BEGINNING and containing 220,722 square feet or 5.07 acres of land.

Z2021-034: Zoning Change (AG to LI) Ordinance No. 21-XX; Page | 3

Exhibit 'B' Zoning Exhibit



Z2021-034: Zoning Change (AG to LI) Ordinance No. 21-XX; City of Rockwall, Texas



### CITY OF ROCKWALL PLANNING AND ZONING COMMISSION CASE MEMO

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

TO:	Planning and Zoning Commission
DATE:	September 14, 2021
APPLICANT:	Robert LaCroix and Brian Berry; BNSBS LP
CASE NUMBER:	Z2021-035; Zoning Change Agricultural (AG) District to a Neighborhood Services (NS) District

### **SUMMARY**

Hold a public hearing to discuss and consider a request by Robert LaCroix and Brian Berry of BNSBS, L. P. on behalf of Bradley Gideon for the approval of a <u>Zoning Change</u> from an Agricultural (AG) District to a Neighborhood Services (NS) District for a 2.751-acre identified as Tract 1-04 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Quail Run Road, and take any action necessary.

### BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10*. At the time of annexation, the subject property was zoned Agricultural (AG) District. Currently, the subject property is a 2.751-acre vacant tract of land.

### <u>PURPOSE</u>

The applicants -- Robert LaCroix and Brian Berry of BNSBS, L. P. -- are requesting to change the zoning of the subject property from an Agricultural (AG) District to a Neighborhood Services (NS) District for the purpose of constructing a ~16,000 SF retail/office facility.

### ADJACENT LAND USES AND ACCESS

The subject property is located at the southeast corner of the intersection of John King Boulevard and Quail Run Road. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is E. Quail Run Road, which is identified as a *M4U (i.e. major collector, four* [4] *lane, undivided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Continuing north is Planned Development District 77 (PD-77) [*i.e. the Gideon Grove North Subdivision*] consisting of 72 single-family residential lots allowing for Single-Family 10 (SF-10) District land uses. Beyond this is a residential subdivision that is located outside of the corporate limits of the City of Rockwall.
- South: Directly south of the subject property is John King Boulevard, which is identified as a *P6D* (*i.e. principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Continuing south is Planned Development District 5 (PD-5) [*i.e. Phase 8A of the Caruth Lake Estates Subdivision*], which consists of 63 single-family residential lots allowing for Single-Family 10 (SF-10) District land uses.
- *East*: Directly east of the subject property is E. Old Quail Run Road, which is identified as a *R2* [*i.e. residential*, *two* (*2*) *lane, undivided roadway*] on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Continuing east are two (2) lots (*i.e. Lot 1* [*1.82-acres*], *and Lot 2* [*2.12-acres*], *Block A, Utley Addition*) zoned Single-Family Estate 1.5 (SFE-1.5) District. Beyond this is a 17.51-acre tract of land (*i.e. Lot 1, Block A, Cox Acres*), which has a single-family home situated on the property and is zoned Agricultural (AG) District.

<u>West</u>: Directly west of the subject property is John King Boulevard, which is identified as a *P6D* (*i.e. principle arterial, six* [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Continuing west is Planned Development District 84 (PD-84) [*i.e. the GideonGrove South Subdivision*], which consists of 84 single-family residential lots allowing for Single-Family 7 (SF-7) District land uses.

### CHARACTERISTICS OF THE REQUEST

If the zoning change is approved, the applicant is proposing to construct a ~16,000 SF single-story, *office/retail* building on the subject property. This development would then be subject to the land uses and requirements stipulated by Subsection 04.03, *Neighborhood Services (NS) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC). A summary of the proposed development is as follows:

Density and Dimensional Requirements for the Neighborhood Service (NS) District

Minimum Lot Width	60'
Minimum Lot Depth	100'
Minimum Lot Area	6,000 SF
Minimum Front Yard Setback <sup>(1)</sup>	15'
Minimum Side Yard Setback	0'/5'
Minimum Building Size (SF) <sup>(2)</sup>	5,000 SF
Maximum Height	36'
Minimum Rear Yard Setback	20'
Floor Area Ratio	N/A
Maximum Lot Coverage	40%
Minimum Distance Between Buildings <sup>(3)</sup>	0'/15'

#### General Notes:

<sup>1</sup>: Parking should not be located between the front façade and the property line.

<sup>2</sup>: A maximum building size of 5,000 SF in area, unless otherwise approved through a SUP by the Planning and Zoning Commission and City Council.

<sup>3</sup>: A minimum of a 15-foot separation between buildings without a fire rated wall shall be required.

### **INFRASTRUCTURE**

Based on the applicant's submittal the following infrastructure would be required to be constructed if this request is approved:

- (1) <u>Water Improvements</u>. The development will be required to tie into the existing 12-inch waterline on the west side of E. Old Quail Run Road.
- (2) <u>Sewer Improvements</u>. The development will be required to tie to the existing 10-inch sanitary sewer line located adjacent to and along the eastern property line of the subject property and along the west side of John King Boulevard. Additionally, the applicant will be required to pay pro-rata for sewer improvements in the amount of \$593.37/acre.
- (3) <u>Roadways</u>. E. Quail Run Road is a M4D (*i.e. major collector, four [4] lane, divided roadway*), which requires a minimum of an 85-foot right-of-way and a four (4) lane divided concrete street. Old E. Quail Run Road is identified as a R2U (*i.e. residential, two [2] lane, undivided roadway*), which requires a minimum of right-of-way width of 50-feet. The applicant will need to verify the right-of-way of both of these roadways and ensure the required right-of-way has been dedicated (*i.e. 42.5-feet as measured from the centerline of the roadway for E. Quail Run Road and 25-feet as measured from the centerline of the roadway for E. Quail Run Road and 25-feet as measured from the centerline for Old E. Quail Run Road*). If additional right-of-way is needed this will be required to be dedicated at the time of final plat.
- (4) <u>Drainage</u>. Detention will be required and sized per the Engineering Department's Standards of Design and Construction Manual.

### CONFORMANCE WITH THE CITY'S CODES

According to Subsection 04.03, Neighborhood Services (NS) District, of Section 04, Commercial Districts, of Article 05, District Development Standards, of the Unified Development Code (UDC), the Neighborhood Services (NS) District is "...a zoning district intended to provide limited retail land uses near neighborhoods for the purpose of supplying the day-to-day retail and personal service needs of residents. The Neighborhood Services (NS) District is typically located at limited corner locations on arterials in existing developments, and is intended to serve small service areas. The average site is from one-half (1/2) acres to a maximum of two (2) acres. Since these sites are typically small and surrounded by residential development they can appear to be spot zones; however, the Comprehensive Plan acknowledges the need to create neighborhood units, which involve the need for limited retail and service uses in close proximity to neighborhoods..." Additionally, the Unified Development Code (UDC) goes on to say that "(t)hese convenience centers should be constructed to a residential scale, and be visually and dimensionally compatible to adjacent residential developments. The Neighborhood Services (NS) District should not contain uses that create excessive amounts of traffic, noise, litter or that would not be conducive to residential adjacency. Due to the residential adjacency of this zoning district, increased landscaping and buffering requirements are necessary." In this case, the applicant is proposing to construct a ~16,000 SF office/retail building on the subject property. It should be noted that the Neighborhood Services (NS) District limits the size of buildings to a maximum of 5,000 SF. Structures over 5,000 SF in area require approval of a Specific Use Permit (SUP). Based on the concept plan submitted by the applicants, a Specific Use Permit (SUP) would be required if the zoning change was approved.

### CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is designated for <u>Low Density</u> <u>Residential</u> land uses and is situated within the <u>Northeast Residential District</u>. The <u>Northeast Residential District</u>, is "…characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density residential development." Currently, the subject property is designated for <u>Low Density Residential</u> land uses, which is defined as two (2) to two and one-half (2 ½) dwelling units per acre. If approved, the applicants' proposed request would require this designation to be changed from <u>Low Density Residential</u> to a <u>Commercial/Retail</u> designation. According to the <u>Land Use Designations</u> contained in the Comprehensive Plan, "(t)he <u>Commercial/Retail</u> land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and serve adjacent residential subdivisions … (t)hese areas should be designed with the pedestrian in mind and provide connections between the commercial land use and the adjacent residential subdivisions." The applicants' request does appear to be in line with the land use designation change.

When looking at the *District Strategies* for the *Northeast Residential District, District Strategy #4* does address the establishment of *Neighborhood/Convenience Centers* stating that "...commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures..." In addition, when examining strategies for existing residential developments, the *Housing* section of the Comprehensive Plan states that the City should "...(p)rotect existing single-family residential subdivisions from the negative effects of non-residential developments by requiring separation and screening using large berms, landscaping, and buffers to create a natural transition." [*Policy #3, Goal 01; Section 02.01, Chapter 08*] Based on this, staff should point out that the applicants' concept plan does <u>not</u> appear to provide sufficient space to properly buffer the proposed 16,000 SF office/retail building from the adjacent single-family homes that would front to the rear of the proposed building. In addition, the *Non-Residential* section of and uses, and mitigate any potential negative visual impacts of the commercial development." [*Policy 3, Goal 04; Chapter 09*] In this case, the proposed 16,000 SF office/retail building -- while being a single story -- would be larger than any other residential structure in the area, and would not be considered to be of residential scale.

In summary, the applicants' request does make a compelling argument to change the Future Land Use Map based on the definition of the <u>Commercial/Retail</u> land use; however, the concept plan provided by the applicants appears to propose a more intense development than what the goals and policies of the Comprehensive Plan call for when being located adjacent to existing residential developments. Based on this staff is of the opinion that the applicants' request does not meet the Comprehensive Plan, but this request does remain a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. The change from <u>Low Density Residential</u> to <u>Commercial/Retail</u> has been added as a condition of approval in the Conditions of Approval section of this case memo should this request be approved.

### STAFF ANALYSIS

Based on the size and scope of the applicants' concept plan, the Commercial (C) District -- or to a lesser degree the General *Retail (GR) District* -- appears to be the most appropriate zoning district for a 16,000 SF office/retail building; however, due to the proximity of existing residential land uses these zoning districts would not be appropriate for the subject property. With this being said, the subject property does appear to meet many of the characteristics called for in the Neighborhood Services (NS) District as outline in the Unified Development Code (UDC), and this district does provide the ability for the applicant to establish the requested 16,000 SF office/retail building through a Specific Use Permit (SUP); however, staff should point out that while the Neighborhood Services (NS) District does provide for a limited set of land uses and could act as a transition from the adjacent residential properties to John King Boulevard, it is not as restrictive in nature as the Residential Office (RO) District. The Residential Office (RO) District is the City's most restrictive non-residential zoning classification. In this case, this may be a more suitable zoning designation due to the proximity of the residential homes and the fact that it provides for the flexibility of establishing both single-family homes as well as low impact office (*and in certain cases retail*) land uses; however, this remains a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. To help in making this zoning decision, staff has provided the land use charts for both the Neighborhood Services (NS) District and the Residential Office (RO) District for the Planning and Zoning Commission and City Council's review.

### **NOTIFICATIONS**

On August 26, 2021, staff mailed 32 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Stoney Hollow and 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) Four (4) emails from property owners that are not within the notification area (*i.e. not within the 500-foot buffer*) that is opposed to the applicant's request.

### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request then staff would propose the following conditions of approval:

- By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a <u>Low Density</u> <u>Residential</u> designation to a <u>Commercial/Retail</u> designation; and,
- 2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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F

PLATTING APPLICATION FEES:

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

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

AMENDING OR MINOR PLAT (\$150.00)

SITE PLAN (\$250.00 + \$20.00 ACRE) 1

REPLAT (\$300.00 + \$20.00 ACRE)

SITE PLAN APPLICATION FEES:

PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)<sup>1</sup>

□ PLAT REINSTATEMENT REQUEST (\$100.00)

### DEVELOPMENT APPLICATION

City of Rockwall Planning and Zoning Department 85 S. Goliad Street Rockwall, Texas 75087

STAFF USE ONLY . PLANNING & ZONING CASE NO.

22021-035

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]

#### **ZONING APPLICATION FEES:**

ZONING CHANGE (\$200.00 + \$15.00 ACRE) 1 SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) D DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) 1

#### **OTHER APPLICATION FEES:**

TREE REMOVAL (\$75.00) □ VARIANCE REQUEST (\$100.00)

#### NOTES:

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

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	NORTHEAST	COR. OF	JOHN KING	BLVD. 4	QUAIL FUN R	D.
					LOT ID 88652	
IERAL LOCATION				/		

GEN

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

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

CURRENT ZONING	AG (AGEICULTURAL DIST.)	CURRENT USE	VACANT
PROPOSED ZONING	NS (HEIGHBREHOD SERVICE)	PROPOSED USE	RETAIL DELOPHIENT
ACREAGE	2-AC-275/pLOTS [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 IPLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED

12 OWNER	BRADLEY J. GIDEON		BNSBSL.P. BRILLI BERRY
CONTACT PERSON	BRAD GIDEON		ROBERT LACROIX
ADDRESS	114 Storecreekdr	ADDRESS	4517 SCENIC DR.
CITY, STATE & ZIP	Irving, TX 75063	CITY, STATE & ZIP	FailETT, TEXAS 75088
PHONE	713 306 6068	PHONE	972-754-9682
E-MAIL	Gbradley joe adi.co-	E-MAIL	RLACPOIX @ GMAIL. COM
NOTARY VERIFI	CATION [REQUIRED] RSIGNED AUTHORITY. ON THIS DAY PERSONALLY APPEAR ION ON THIS APPLICATION TO BE TRUE AND CERTIFIED TH	ED Bradley J	Gideon [OWNER] THE UNDERSIGNED, WHO
SALCUST		HAS BEEN PAID TO THE CITY REE THAT THE CITY OF RO IS ALSO AUTHORIZED AND	DCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE D PERMIT ED TO THE HOUSE ANY CONTRIBUTED INFORMATION TO A REPUEST CONTRIBLIC INFORMATION POWER
GIVEN UNDER MY HAND	AND SEAL OF OFFICE ON THIS THE	just 202	
	OWNER'S SIGNATURE		Notary ID 490185-0
NOTARY PUBLIC IN AND	FOR THE STATE OF TEXAS	NEQ	MY COMMISSION EXPIRES 5-3-25
DEVELOPM	ENT APPLICATION + CITY OF ROCKWALL + 385 SOUTH GO	LIAD STREET = ROCKWAL	I. TX 75087 + IPT (972) 771-7745.+ IFT (972) 771-7727





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.

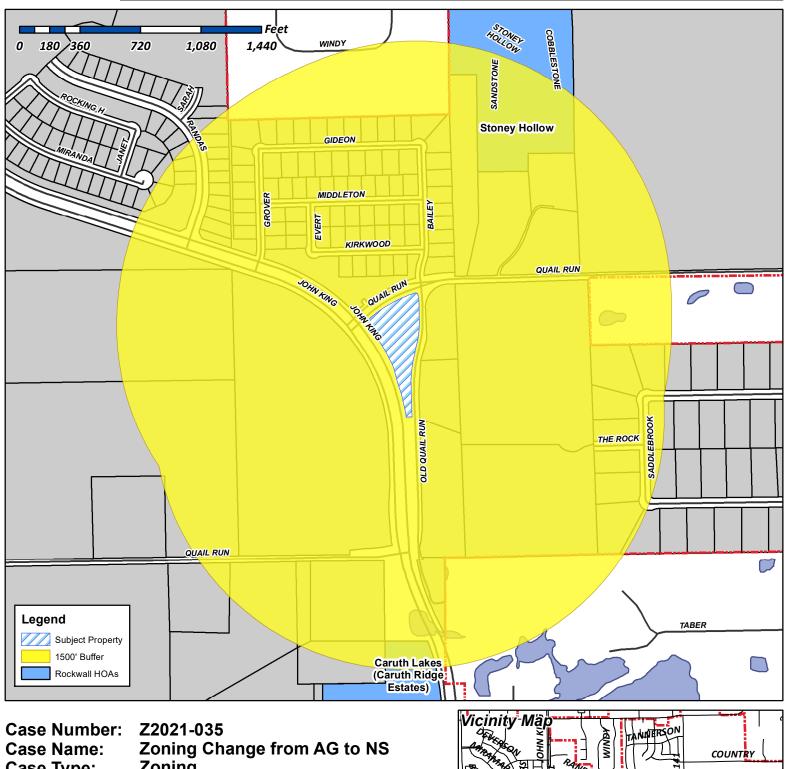




Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com

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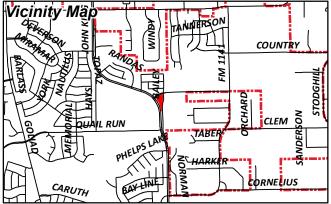


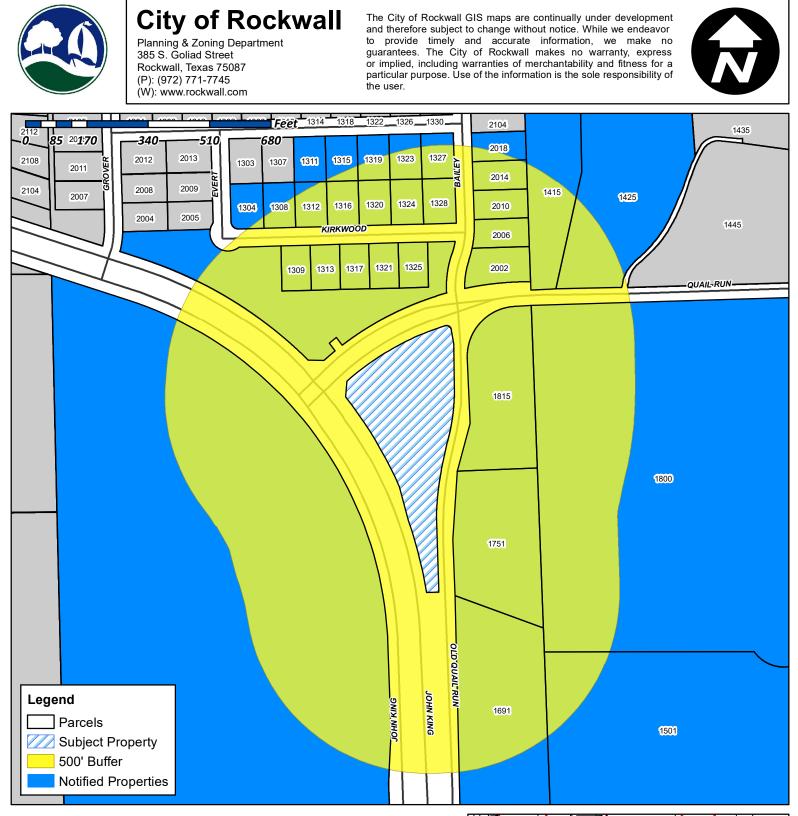


Case Type: Zoning:

Zoning Agricultural (AG) District Case Address: NEC of John King Blvd. & Quail Run Rd.

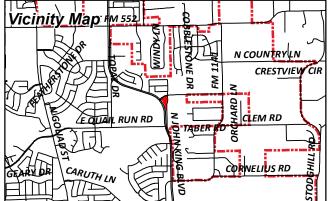
Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745





Case Number:Z2021-035Case Name:Zoning Change from AG to NSCase Type:ZoningZoning:Agricultural (AG) DistrictCase Address:NEC of John King Blvd &<br/>Quail Run Rd.

Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745



# PUBLIC NOTICE

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

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

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

### Case No. Z2021-035: Zoning Change from AG to NS

Hold a public hearing to discuss and consider a request by Robert LaCroix and Brian Berry of BNSBS, L. P. on behalf of Bradley Gideon for the approval of a <u>Zoning</u> <u>Change</u> from an Agricultural (AG) District to a Neighborhood Services (NS) District for a 2.751-acre identified as Tract 1-04 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located at the southeast corner of the intersection of John King Boulevard and Quail Run Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday. September</u> <u>14, 2021 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 20, 2021 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by <u>Monday, September 20, 2021 at 4:00 PM</u> 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. Z2021-035: Zoning Change from AG to NS

### 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; 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





GIDEON GROVE HOMEOWNERS ASSOCIATION INC 1024 S GREENVILLE AVE #230 ALLEN, TX 75002

> PACESETTER HOMES LLC 1309 KIRKWOOD ROAD ROCKWALL, TX 75087

> PACESETTER HOMES LLC 1313 KIRKWOOD ROAD ROCKWALL, TX 75087

> PACESETTER HOMES LLC 1317 KIRKWOOD ROAD ROCKWALL, TX 75087

> PACESETTER HOMES LLC 1321 KIRKWOOD ROAD ROCKWALL, TX 75087

> PACESETTER HOMES LLC 1325 KIRKWOOD ROAD ROCKWALL, TX 75087

KOUVELIS HILDA & PETER 1415 E QUAIL RUN RD ROCKWALL, TX 75087

TYLER WILLIAM L AND VANITA RAE 1501 THE ROCK ROCKWALL, TX 75087

COX GERALD GLEN AND ROSALBA CARRASCO 1800 E QUAIL RUN RD ROCKWALL, TX 75087

> GARDNER JAMES K JR AND KARIN B NEWELL 2006 BAILEY DRIVE ROCKWALL, TX 75087

PACESETTER HOMES LLC 1304 KIRKWOOD ROAD ROCKWALL, TX 75087

PACESETTER HOMES LLC 1311 MIDDLETON DRIVE ROCKWALL, TX 75087

PACESETTER HOMES LLC 1315 MIDDLETON DRIVE ROCKWALL, TX 75087

PACESETTER HOMES LLC 1319 MIDDLETON DRIVE ROCKWALL, TX 75087

JORDAN RAYSHAWN AND LANDRIA 1323 MIDDLETON DRIVE ROCKWALL, TX 75087

> PACESETTER HOMES LLC 1327 MIDDLETON DRIVE ROCKWALL, TX 75087

LARRIVIERE MICHAEL R & LISA J 1425 E QUAIL RUN RD ROCKWALL, TX 75087

LANKFORD BONNIE 1691 OLD E QUAIL RUN RD ROCKWALL, TX 75087

UTLEY HERMAN D 1815 E OLD QUAIL RUN RD ROCKWALL, TX 75087

DEAPEN RICHARD AND ALICIA 2010 BAILEY DRIVE ROCKWALL, TX 75087 PACESETTER HOMES LLC 1308 KIRKWOOD ROAD ROCKWALL, TX 75087

PACESETTER HOMES LLC 1312 KIRKWOOD ROAD ROCKWALL, TX 75087

PACESETTER HOMES LLC 1316 KIRKWOOD ROAD ROCKWALL, TX 75087

PACESETTER HOMES LLC 1320 KIRKWOOD ROAD ROCKWALL, TX 75087

PACESETTER HOMES LLC 1324 KIRKWOOD ROAD ROCKWALL, TX 75087

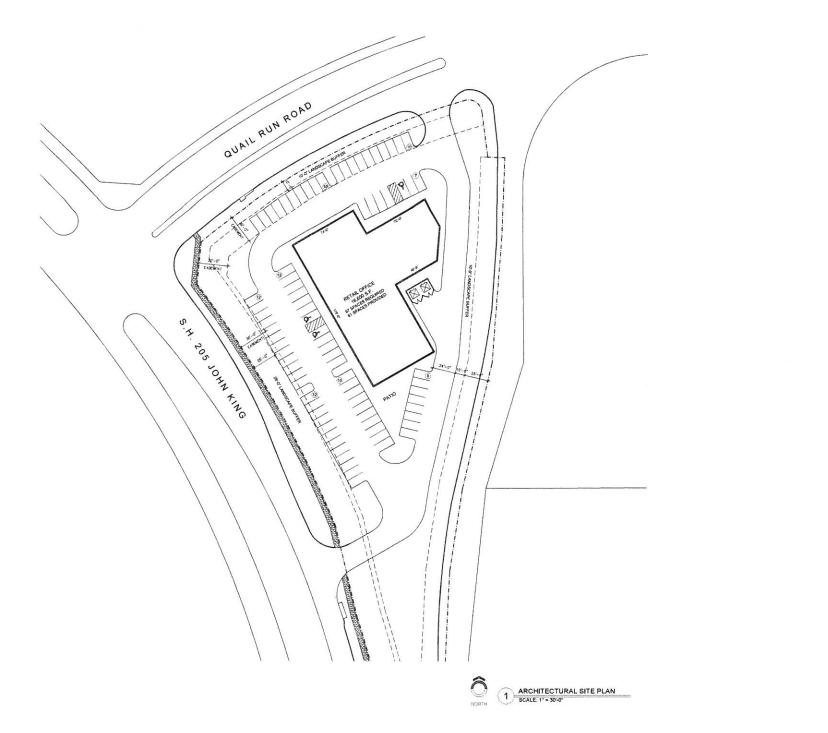
PACESETTER HOMES LLC 1328 KIRKWOOD ROAD ROCKWALL, TX 75087

PACESETTER HOMES LLC 14400 THE LAKES BLVD BUILDING C, SUITE 200 AUSTIN, TX 78660

> UTLEY HERMAN AND KRISTI 1751 E QUAIL RUN ROAD ROCKWALL, TX 75087

> > BERHE MERHAWI 2002 BAILEY DRIVE ROCKWALL, TX 75087

HARRIS ALBERT G AND JENNIFER O 2014 BAILEY DRIVE ROCKWALL, TX 75087 WIMPEE JAKE M AND REBECCA K 2018 BAILEY DRIVE ROCKWALL, TX 75087 COX GERALD GLEN AND ROSALBA CARRASCO 815 T.L. TOWNSEND SUITE 101 ROCKWALL, TX 75087





PROPOSED SITE PLAN FOR RETAIL OFFICE DEVELOPMENT SEC. SH 205 John King & Quail Run Rockwall, Texas 75087



ARCHITECTURAL SITE PLAN

DATE:	SHEET NO:	
	JULY 2021	
PROJECT N	0;	
	2021045	A 400
DRAWN BY.		A100
CHECKED 8	Y:	



#### Rezoning Request Project Northeast Corner of John King Blvd. & Quail Run Rd. Rockwall, Texas 75087

BNSBs. L.P. is currently contracting to purchase the property described as a 2 Acre tract of land situated in the S. R. Barnes Survey, Abstract No. 13, Tract 1-04, RCAD I.D. 88652, City of Rockwall, Rockwall County, Texas and being located at the northeast corner of John King Blvd. and Quail Run Rd. The current zoning on this tract is AG (Agricultural District) and the Future Land Use Map designates the property as "Low Density Residential". The property is a triangular shaped tract with street frontages on all three sides. John King Blvd. is a major thoroughfare north/south connector and the new Quail Run Rd. on the north side of the property is a collector roadway intended to connect to that section of Quail Run Rd. to the west and potentially extend to the east as a major collector roadway for this sector the City. These factors of major roadways abutting the property, in addition to the triangular shape of the tract, makes the property difficult to develop as residential and essentially makes it not a desirable residential tract. However, with the increase in housing density in the surrounding area and the substantial increase in traffic counts on John King Blvd., this tract can best serve the community as a small retail development with neighborhood services that fit into the needs of the nearby neighborhoods. John King Blvd. is a planned roadway that encourages walking, biking, trailheads that connect to the trail system and also requires higher levels of landscaping that makes it a great asset for the City. The location of a high quality well designed small neighbor service/retail development would greatly enhance the visual aesthetic of this northern portion of the roadway, especially at this ideal intersection. Our request is that the property be rezoned to NS (Neighborhood Service District) to accommodate those services associated to the local needs of the surrounding neighborhoods. This requested zoning change makes this property viable for development. Low density residential or even higher density residential is highly unlikely to occur with the expansion of John King Blvd. as the SH 205 Bypass and Quail Run Rd. becoming a primary east/west collector. This will only further prevent residential development from occurring on this tract.

Thank you for your attention to this matter and we look forward to bringing this rezoning request to the City of Rockwall for consideration.

Robert LaCroix R. LaCroix Consulting, LLC

# **11 NORTHEAST RESIDENTIAL DISTRICT**



 NORTHERN ESTATES DISTRICT (PAGE 1-24)

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-25)

DISTRICT (PAGE

RESIDENTIAL

NORTHWEST

#### DISTRICT DESCRIPTION

The Northeast Residential District is characterized by its established lowdensity residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

#### DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- Estate and Rural Residential. The maintenance of the Estate and Rural Residential housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- Suburban Residential. Any new Suburban Residential developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing Suburban Residential in this district.
- Infill Development. Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- A Neighborhood/Convenience Centers. The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- S John King Boulevard Trail Plan. A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in Appendix 'B' of this Comprehensive Plan.

#### POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home

#### LAND USE PALETTES

Current Land Use
 Future Land Use







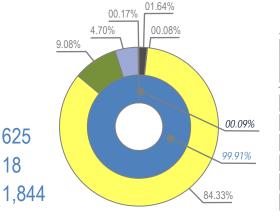


CITY OF FATE

1 Current Rural Residential

Е

CENTRAL DISTRICT (PAGE 1-13)



MINOR COLLECTOR M4U M4D M4D M4D M4D M4D M4D	%
	%
CEMETERY (CEM) 32.34-ACRE	S
COMMERCIAL/RETAIL (CR) 1.52-ACRE	ES
LOW DENSITY RESIDENTIAL (LDR) 1,658.33-ACRE	ES
PARKS AND OPEN SPACE (OS) 178.54-ACRE	ES
PUBLIC (P) 92.45-ACRE	ES
QUASI-PUBLIC (QP) 3.25-ACRE	ES

OURHOMETOWN2040 | CITY OF ROCKWALL

01 | LAND USE AND GROWTH MANAGEMENT

## PERMITTED LAND USES IN AN **NEIGHBORHOOD SERVICES (NS) DISTRICT**

A Lond Her Demitted as an Assessment las			
A Land Use Permitted as an Accessory Use	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> Definitions]	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <u>Permissible Uses</u> ]	NEIGHBORHOOD SERVICES (NS) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<u>(1)</u>		Р
Animal Boarding/Kennel without Outside Pens	(2)	<u>(2)</u>	S
Animal Clinic for Small Animals without Outdoor Pens	(3)	<u>(3)</u>	S
Community Garden	<u>(11)</u>	<u>(7)</u>	S
Urban Farm	(12)	<u>(8)</u>	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Bed and Breakfast	(2)	<u>(2)</u>	S
Commercial Parking Garage	(6)		A
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	(1)	<u>(1)</u>	S
Cemetery/Mausoleum	(3)		Р
Church/House of Worship	(4)	<u>(2)</u>	Р
Convalescent Care Facility/Nursing Home	(6)		Р
Congregate Care Facility/Elderly Housing	(7)	<u>(3)</u>	S
Daycare with Seven (7) or More Children	<u>(9)</u>	<u>(4)</u>	Р
Group or Community Home	<u>(11)</u>	<u>(5)</u>	Р
Hospice	<u>(14)</u>		Р
Public Library, Art Gallery or Museum	<u>(16)</u>		Р
Local Post Office	<u>(18)</u>		Р
Public or Private Primary School	<u>(21)</u>	<u>(7)</u>	Р
Public or Private Secondary School	(22)	<u>(8)</u>	Р
Temporary Education Building for a Public or Private School	<u>(23)</u>	<u>(9)</u>	S
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	<u>(1)</u>	<u>(1)</u>	S
Financial Institution without Drive-Through	<u>(1)</u>		Р
Office Building less than 5,000 SF	<u>(2)</u>		Р
Office Building 5,000 SF or Greater	(2)		S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Carnival, Circus, or Amusement Ride	<u>(1)</u>	<u>(1)</u>	S
Public or Private Community or Recreation Club as an Accessory Use	<u>(4)</u>		S
Private Country Club	(5)		S
Golf Driving Range	<u>(6)</u>		S
Temporary Fundraising Events by Non-Profit	(7)	<u>(4)</u>	Р
Health Club or Gym	(9)		S
Private Club, Lodge or Fraternal Organization	(10)	<u>(6)</u>	S
Public Park or Playground	(12)		Р
Tennis Courts (i.e. Not Accessory to a Public or Private Country Club)	(14)		S
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Antique/Collectible Store	<u>(1)</u>		S

LEGEND:

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Land Use NOT Permitted

Land Use Permitted By-Right

Land Use Permitted with Conditions

Land Use Permitted Specific Use Permit (SUP) Land Use Prohibited by Overlay District

### PERMITTED LAND USES IN AN Land Use Permitted with Conditions Land Use Permitted Specific Use Permit (SUP)

Х	Land Use Prohibited by Overlay District
А	Land Use Permitted as an Accessory Use

Land Use NOT Permitted

Land Use Permitted By-Right

LEGEND:

Ρ

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S

## NEIGHBORHOOD SERVICES (NS) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> Definitions]	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <i>Permissible Uses</i> ]	NEIGHBORHOOD SERVICES (NS) DISTRICT
Astrologer, Hypnotist, or Psychic	(2)		Р
Brew Pub	<u>(5)</u>		Р
Catering Service	<u>(7)</u>		S
Temporary Christmas Tree Sales Lot and/or Similar Uses	<u>(8)</u>	<u>(2)</u>	S
Copy Center	<u>(9)</u>		Р
Incidental Display	<u>(11)</u>	<u>(4)</u>	Р
Food Trucks/Trailers	<u>(12)</u>	<u>(5)</u>	S
Garden Supply/Plant Nursery	<u>(13)</u>		S
General Personal Service	<u>(14)</u>	<u>(6)</u>	Р
General Retail Store	<u>(15)</u>		Р
Hair Salon and/or Manicurist	<u>(16)</u>		Р
Laundromat with Dropoff/Pickup Services	<u>(17)</u>		Р
Self Service Laundromat	<u>(18)</u>		Р
Massage Therapist	<u>(19)</u>		Р
Private Museum or Art Gallery	<u>(20)</u>		S
Permanent Cosmetics	<u>(23)</u>	<u>(7)</u>	А
Pet Shop	<u>(24)</u>		Р
Temporary Real Estate Sales Office	<u>(25)</u>		Р
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	<u>(27)</u>	<u>(9)</u>	S
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	<u>(28)</u>		Р
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	<u>(27)</u>	<u>(10)</u>	S
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	<u>(28)</u>		S
Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four [4] Vehicles</i> )	<u>(29)</u>		S
Art, Photography, or Music Studio	<u>(31)</u>		Р
Tailor, Clothing, and/or Apparel Shop	<u>(32)</u>		Р
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Electrical, Watch, Clock, Jewelry and/or Similar Repair	<u>(6)</u>		S
Shoe and Boot Repair and Sales	<u>(16)</u>		Р
Temporary On-Site Construction Office	<u>(18)</u>	<u>(6)</u>	Р
AUTO AND MARINE RELATED LAND USES	2.02(H)	2.03(H)	
Full Service Car Wash and Auto Detail	<u>(5)</u>	<u>(4)</u>	S
Non-Commercial Parking Lot	<u>(9)</u>		S
Service Station	<u>(11)</u>	<u>(8)</u>	S
INDUSTRIAL AND MANUFACTURING LAND USES	2.02(I)	2.03(I)	
Temporary Asphalt or Concrete Batch Plant	(2)	<u>(2)</u>	Р
Mining and Extraction of <del>(</del> Sand, Gravel, Oil and/or Other Materials <del>)</del>	<u>(12)</u>	<u>(5)</u>	S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna <del>,</del> as an Accessory	(2)	<u>(1)</u>	Р
Antenna <del>,</del> for an Amateur Radio	<u>(4)</u>	<u>(3)</u>	А

#### LEGEND:

Land Use NOT Permitted

P Land Use Permitted By-Right

P Land Use Permitted with Conditions

S Land Use Permitted Specific Use Permit (SUP)

Land Use Prohibited by Overlay District

A Land Use Permitted as an Accessory Use

## PERMITTED LAND USES IN AN NEIGHBORHOOD SERVICES (NS) DISTRICT

A Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> <u>Definitions]</u>	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <u>Permissible Uses</u> ]	NEIGHBORHOOD SERVICES (NS) DISTRICT
Antenna Dish	<u>(5)</u>	<u>(4)</u>	А
Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<u>(10)</u>		S
Municipally Owned or Controlled Facilities, Utilities and Uses	<u>(11)</u>		Р
Private Streets	<u>(12)</u>		S
Railroad Yard or Shop	<u>(14)</u>		S
Satellite Dish	<u>(16)</u>		А
Solar Energy Collector Panels and Systems	<u>(17)</u>	<u>(7)</u>	А
Transit Passenger Facility	<u>(18)</u>		S
Utilities Holding a Franchise from the City of Rockwall	<u>(21)</u>		S
Utility Installation Other than Listed	<u>(22)</u>		S
Utility/Transmission Lines	<u>(23)</u>		S
Wireless Communication Tower	<u>(24)</u>		S

## PERMITTED LAND USES IN AN **RESIDENTIAL-OFFICE (RO) DISTRICT**

A Land Use Permitted as an Accessory Use	LAND USE DEFINITION	CONDITIONAL USE	
LAND USE SCHEDULE	REFERENCE [Reference <u>Article 13,</u> <u>Definitions]</u>	REFERENCE Reference [Article 04, Permissible Uses]	RESIDENTIAL-OFFICE (RO) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	2.02(A)	2.03(A)	
Agricultural Uses on Unplatted Land	<u>(1)</u>		Р
Community Garden	<u>(11)</u>	<u>(7)</u>	S
Urban Farm	<u>(12)</u>	<u>(8)</u>	S
RESIDENTIAL AND LODGING LAND USES	2.02(B)	2.03(B)	
Residential Accessory Building or Structure	<u>(1)</u>	<u>(1)</u>	Р
Bed and Breakfast	(2)	<u>(2)</u>	Р
Convent, Monastery, or Temple	<u>(4)</u>		Р
Residential Garage	(7)	<u>(4) &amp; (5)</u>	A
Home Occupation	<u>(9)</u>	<u>(7)</u>	Р
Residential Infill in an Established Subdivision	<u>(16)</u>	<u>(11)</u>	S
Single-Family Detached Structure	<u>(18)</u>	<u>(13)</u>	Р
Single-Family Zero Lot Line Structure	<u>(19)</u>	<u>(14)</u>	Р
Private Swimming Pool	(20)		A
Private Tennis Court	<u>(21)</u>		S
Townhouse	(22)	<u>(15)</u>	Р
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	2.02(C)	2.03(C)	
Assisted Living Facility	<u>(1)</u>	<u>(1)</u>	S
Convalescent Care Facility/Nursing Home	<u>(6)</u>		Р
Congregate Care Facility/Elderly Housing	(7)	<u>(3)</u>	S
Daycare with Seven (7) or More Children	<u>(9)</u>	<u>(4)</u>	S
Group or Community Home	<u>(11)</u>	<u>(5)</u>	Р
Halfway House	<u>(13)</u>	<u>(6)</u>	S
Public Library, Art Gallery or Museum	<u>(16)</u>		Р
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Office Building less than 5,000 SF	<u>(2)</u>		Р
Office Building 5,000 SF or Greater	<u>(2)</u>		S
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)	
Temporary Fundraising Events by Non-Profit	<u>(7)</u>	<u>(4)</u>	Р
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)	
Astrologer, Hypnotist, or Psychic	(2)		Р
Portable Beverage Service Facility	<u>(4)</u>	<u>(1)</u>	S
Food Trucks/Trailers	<u>(12)</u>	(5)	S
General Retail Store	(15)		S
Hair Salon and/or Manicurist	<u>(16)</u>		S
Massage Therapist	<u>(19)</u>		Р
Private Museum or Art Gallery	(20)		Р
Permanent Cosmetics	(23)	(7)	A
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	(28)		S
Art, Photography, or Music Studio	(31)		P

LEGEND:

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Land Use NOT Permitted

Land Use Permitted By-Right

Land Use Permitted with Conditions

Land Use Permitted Specific Use Permit (SUP) Land Use Prohibited by Overlay District

# PERMITTED LAND USES IN AN RESIDENTIAL-OFFICE (RO) DISTRICT

A Land Use Permitted as an Accessory Use			
LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference <u>Article 13,</u> <u>Definitions]</u>	CONDITIONAL USE REFERENCE Reference [ <u>Article 04,</u> <u>Permissible Uses</u> ]	RESIDENTIAL-OFFICE (RO) DISTRICT
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)	
Shoe and Boot Repair and Sales	<u>(16)</u>		S
UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES	2.02(K)	2.03(K)	
Antenna, as an Accessory	<u>(2)</u>	<u>(1)</u>	Р
Commercial Antenna	<u>(3)</u>	<u>(2)</u>	S
Antenna, for an Amateur Radio	<u>(4)</u>	<u>(3)</u>	А
Antenna Dish	<u>(5)</u>	<u>(4)</u>	А
Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	<u>(10)</u>		S
Municipally Owned or Controlled Facilities, Utilities and Uses	<u>(11)</u>		Р
Private Streets	<u>(12)</u>		S
Railroad Yard or Shop	<u>(14)</u>		S
Satellite Dish	<u>(16)</u>		A
Solar Energy Collector Panels and Systems	<u>(17)</u>	<u>(7)</u>	А
Transit Passenger Facility	<u>(18)</u>		S
Utilities Holding a Franchise from the City of Rockwall	<u>(21)</u>		S
Utility Installation Other than Listed	<u>(22)</u>		S
Utility/Transmission Lines	<u>(23)</u>		S
Wireless Communication Tower	<u>(24)</u>		S

LEGEND:

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Land Use NOT Permitted

Land Use Permitted By-Right

Land Use Permitted with Conditions

Land Use Permitted Specific Use Permit (SUP) Land Use Prohibited by Overlay District

#### **CITY OF ROCKWALL**

#### ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF **ROCKWALL.** TEXAS. AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A NEIGHBORHOOD SERVICES (NS) **DISTRICT FOR A 2.751-ACRE TRACT OF LAND IDENTIFIED AS** TRACT 1-04 OF THE S. R. BARNES SURVEY, ABSTRACT NO. 13. CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; **PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A** PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Robert LaCroix and Brian Berry of BNSBs, LP on behalf of Bradley Gideon for a change in zoning from an Agricultural (AG) District to a Neighborhood Services (NS) District for a 2.751-acre tract of land identified as Tract 1-04 of the S. R. Barnes Survey, Abstract No. 13, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the southeast corner of the intersection of John King Boulevard and Quail Run Road, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

**SECTION 1.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Neighborhood Services (NS) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Neighborhood Services (NS) District as stipulated in Section 01.01, *Use of Land and Buildings,* of Article 04, *Permissible Uses;* Section 04.01, *General Commercial District Standards;* and Section 04.03, *Neighborhood Services (NS) District,* of Article 05, *District Development Standards,* of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change,

and as maybe amended in the future;

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

**SECTION 4.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense;

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 4<sup>TH</sup> DAY OF OCTOBER, 2021.

Kevin Fowler, Mayor

ATTEST:

Kristy Cole, City Secretary

#### APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>September 20, 2021</u>

2<sup>nd</sup> Reading: October 4, 2021

Page | 2

#### STATE OF TEXAS COUNTY OF ELLIS

**BEING** all of a tract or parcel of land of the S. R. BARNES SURVEY, ABSTRACT NO. A-13, and being a tract of land conveyed to Joe. W. Gideon, as recorded in Volume 35, Page 591, of the Deed records of Rockwall County, Texas, as shown on this survey, and being more particularly described by metes and bounds as follows;

**COMMENCING** at a PK nail found for corner being the Southwest corner of a tract of land conveyed to Hilda & Peter Kouvelis, as recorded in Volume 1881, Page 115, of the Deed records of Rockwall County, Texas, and being the Northeast corner of a 25 foot right-of-way dedication, of a Lot 1, Block A, of Cox Acres, as recorded in Cabinet J, Slide 146, of the Deed records of Rockwall County, Texas, and being near the centerline of E. Quail Run Road;

**THENCE** South 54 degrees 37 minutes 50 seconds West, a distance of 238.03 feet to a PK nail found for corner, said point being the PLACE OF BEGINNING;

**THENCE** South 00 degrees 35 minutes 10 seconds West, a distance of 82.59 feet, to a PK nail found for corner being on the West right-of-way line of E. Old Quail Run Road;

**THENCE** South 03 degrees 01 minutes 04 seconds West, a distance of 130.01feet, to a PK nail found for corner being on the Southwest right-of-way line of said E. Old Quail Run Road;

**THENCE** South 11 degrees 48 minutes 41 seconds West, a distance of 134.53 feet, to a 1/2 inch iron rod found for corner;

**THENCE** South 07 degrees 18 minutes 24 seconds West, a distance of 86.44 feet, to a PK nail found for corner being on the West right-of-way line of said E. Old Quail Run Road;

**THENCE** South 01 degrees 24 minutes 23 seconds West, a distance of 103.15 feet, to a PK nail found for corner being on the West right-of-way line of said E. Old Quail Run Road;

**THENCE** South 01 degrees 57 minutes 19 seconds East, a distance of 143.82 feet, to a 60D nail found for corner being the Southeast corner of said Gideon tract;

**THENCE** South 88 degrees 04 minutes 14 seconds West, a distance of 48.28 feet, to a 1/2 inch red-capped iron rod found for corner being the Southwest corner of said Gideon tract, being in a curve to the left with a radius of 1160.00 feet;

**THENCE** continuing along said curve, a chord bearing of North 14 degrees 01 minutes 14 seconds West, a distance of 205.28 feet, a central angle of 10 degrees 09 minutes 10 seconds, an arc length of 205.55 feet, to a 1/2 inch red-capped iron rod found for corner, being on the Northeast right-of-way line of John King Boulevard;

**THENCE** North 14 degrees 55 minutes 19 seconds West, a distance of 96.58 feet, to a point for corner from which a 1/2 inch iron rod found for reference bears South 60 degrees 47 minutes 28 seconds West, being on the Northeast right-of-way of said John King Boulevard, said point being in a curve to the left with a radius of 1171.00 feet;

THENCE continuing along said curve, a chord bearing and distance of North 31 degrees 25

#### Exhibit 'A'

#### Legal Description

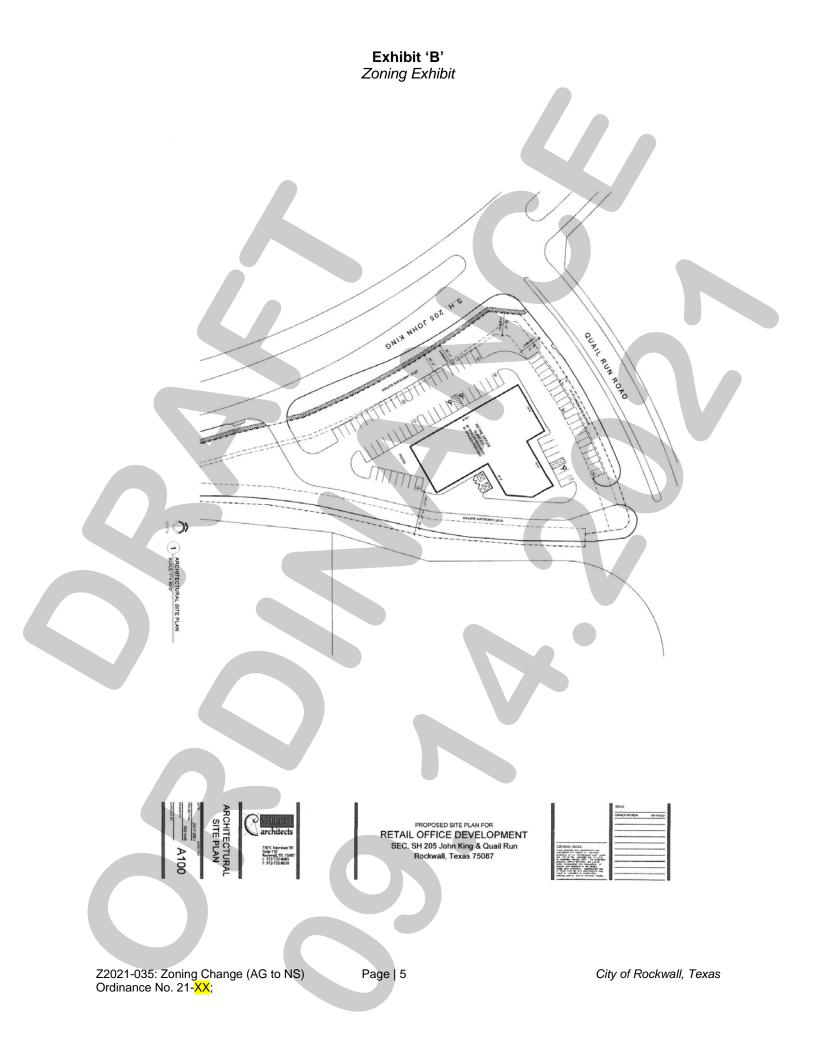
minutes 08 seconds West, a distance of 289.62 feet, a central angle of 14 degrees 12 minutes 26 seconds, an arc length of 290.36 feet to a 5/8 inch iron rod found for corner, being on the Northeast right-of-way line of said John King Boulevard;

**THENCE** North 04 degrees 19 minutes 10 seconds East, a distance of 43.89 feet, to a 1/2 inch red-capped iron rod found for corner being on the Southeast right-of-way line of E. Quail Run Road, and being on a curve to the right with a radius of 14.00 feet;

**THENCE** continuing along said curve, a chord bearing of North 58 degrees 21 minutes 34 seconds West, a distance of 21.21feet, a central angle of 98 degrees 29 minutes 19 seconds, an arc length of 24.07 feet to a point for corner;

**THENCE** South 09 degrees 06 minutes 04 seconds East, a distance of 47.64 feet to a 5/8 inch yellow- capped iron rod found for corner;

**THENCE** South 89 degrees 39 minutes 23 seconds East, a distance of 17.74 feet to the PLACE OF BEGINNING containing 119,892 square feet or 2.751 acres of land.





## CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

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

TO:	Planning and Zoning Commission
FROM:	Henry Lee, Planner
DATE:	September 14, 2021
SUBJECT:	Z2021-036; Amendment to Planned Development District 91 (PD-91)

On September 8, 2021, staff identified an error in the public notice for *Case No. Z2021-036*. Specifically, the location map utilized to create the public notice did not include the 20.00-acre tract of land (*i.e. identified as Tracts 22-04 & 22-05 of the W. M. Dalton Survey, Abstract No.* 72) the applicant is proposing to incorporate into Planned Development District 91 (PD-91). Due to this error, three (3) property owners were <u>not</u> notified. According to Subsection 02.03 (A), *Notice of Public Hearing*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(w)ritten notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners ... within a distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing date." In order to be in compliance with the notification requirements of the Unified Development Code (UDC), staff is requesting to postpone the public hearing for *Case No. Z2021-036* until September 28, 2021. Staff has informed the applicant, *Adam Buczek of Skorburg* Company, of the situation and they are prepared to be present on the new meeting dates (*see attached correspondence*). These dates are as follows:

Planning and Zoning Commission Public Hearing: September 28, 2021 City Council Public Hearing/1<sup>st</sup> Reading: October 4, 2021 City Council 2<sup>nd</sup> Reading: October 28, 2021

Staff should note that a new notice was mailed on September 9, 2021 and the new notice will satisfy the notification requirements of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the <u>September 28, 2021</u> Planning and Zoning Commission meeting.

#### Miller, Ryan

From:Adam Buczek <abuczek@skorburgcompany.com>Sent:Wednesday, September 8, 2021 5:58 PMTo:Miller, RyanCc:Lee, Henry; Gamez, AngelicaSubject:RE: Case No. Z2021-036 Notice Issue

Received. Thank you, Ryan. We agree with your process and revised dates ahead. Thanks.

Best Regards,

Adam J. Buczek Development Partner Skorburg Company 8214 Westchester Drive, Suite 900 Dallas, Texas 75225 Ph: (214) 888-8843 Cell: (817) 657-5548 Fax: (214) 888-8861

From: Miller, Ryan Sent: Wednesday, September 8, 2021 5:39 PM To: Adam Buczek Cc: Lee, Henry ; Gamez, Angelica Subject: Case No. Z2021-036 Notice Issue

Adam ... Per our conversation this afternoon, we have had an issue with the notice requirements for your zoning case. The notice we sent out to the property owners did not have the correct boundary and as a result two (2) property owners were omitted from original notice. We could send out an updated notice tomorrow and still be in compliance with the State notice requirements; however, according to the Unified Development Code (UDC), "(w)ritten notice of all public hearings for zoning changes and Specific Use Permits (SUP's) shall be sent to all property owners ... <u>within a</u> <u>distance of at least 500-feet from the boundaries of the subject property at least ten (10) days prior to the public hearing</u> <u>date</u>." Since the code does not state which public hearing date (*i.e. Planning and Zoning Commission and City Council*), we would like to play it safe and renotify this case. We will also ask the Planning and Zoning Commission to announce this at the September 14, 2021 meeting and take action to postpone the case. This means the updated schedule for your case would be as follows:

Planning and Zoning Commission Public Hearing: September 28, 2021 City Council Public Hearing/1<sup>st</sup> Reading: October 4, 2021 City Council 2<sup>nd</sup> Reading: October 18, 2021

Again, I apologize for this inconvenience; however, we want to make sure that we are following all of the requirements with your case so that there are no procedural questions moving forward. If you have any questions concerning this please feel free to give me a call. Thanks.



Ryan C. Miller, AICP DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL 972.772.6441 OFFICE helpful links | City of Rockwall Website | Planning & Zoning Division Website | Municipal Code Website GIS Division Website | City of Rockwall Interactive Maps | UNIFIED DEVELOPMENT CODE

#### <u>NOTES</u>

 <u>APPOINTED AND ELECTED OFFICIALS</u>: BY <u>REPLYING ALL</u> TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
 PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

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## CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

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

TO:	Planning and Zoning Commission
DATE:	September 14, 2021
APPLICANT:	Andrew Thomas
CASE NUMBER:	Z2021-037; Specific Use Permit for an Accessory Building at 54 Shadydale Lane

#### SUMMARY

Hold a public hearing to discuss and consider a request by James Best for the approval of a Specific Use Permit (SUP) for an accessory building on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

#### BACKGROUND

The subject property was platted on July 30, 1968 as Lots 1 & 2, Block B, Highland Acres Addition. In 1980, a 2,475 SF single-family home was constructed on Lot 1, Block B, Highland Acres Addition, which was addressed as 10 Shadydale Lane. On January 9, 1984, the City Council annexed a portion of the subject property (i.e. Lot 1, Block B, Highland Acres Addition) by approving Ordinance No. 84-05 [Case No. A1984-001]. At the time of annexation, this portion of the subject property was zoned Agricultural (AG) District. In 1986, a 4,068 SF single-family home was constructed on Lot 2, Block B, Highland Acres Addition, which was addressed as 3189 S. Ridge Road. On January 3, 1989, this portion of the subject property was annexed by the City Council through the adoption of Ordinance No. 88-67. At the time of annexation, this portion of the subject property was zoned Agricultural (AG) District. On May 15, 1989, the subject property -- along with the remaining properties in the Highland Acres Addition -- were rezoned from an Agricultural (AG) District to a Single-Family 16 (SF-16) District by Ordinance No. 89-13 [Case No. PZ1989-001]. The single-family home on Lot 2, Block B, Highland Acres Addition was demolished on April 30, 2007 by Permit No. DEM2007-0016. The subject property was replatted from Lots 1 & 2, Block B, Highland Acres Addition to Lot 1, Block A, Best Estates Addition by Case No. P2018-032. Following this plat, a permit [i.e. BLD2019-2107] to demolish the existing single-family home (i.e. the home on the previous Lot 1, Block B, Highland Acres Addition) was issued on August 8, 2019. On August 3, 2020, the City Council approved a Specific Use Permit (SUP) [Case No. Z2020-023; S228] to construct a single-family home on the subject property. After approval of the Specific Use Permit (SUP) the applicant received approval for three (3) separate Special Exceptions [Case No. MIS2020-013, Case No. MIS2021-003, and Case No. *MIS2021-006*] allowing a pre-cast concrete screening wall that exceeded the maximum permissible height.

#### <u>PURPOSE</u>

The applicant -- Andrew Thomas -- is requesting the approval of a Specific Use Permit (SUP) to allow for the construction of an accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC).

#### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 54 Shadydale Lane. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) parcels of land (*i.e. Lots 3 & 4, Block B, Highland Addition*) with two (2) single-family homes situated on them. These properties are zoned Single-Family 16 (SF-16) District. Beyond this is Phase 1 of the Fox Chase Subdivision, which was platted on January 16, 1989 and consists of 32 single-family homes. This subdivision is zoned Planned Development District 9 (PD-9) for Single-Family 10 (SF10) District land uses.

- <u>South</u>: Directly south of the subject property is Shadydale Lane, which is identified R2 (*i.e. residential, two* [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are two (2) tracts of land (*i.e. Tracts 35 & 54 of the E. Teal Survey, Abstract No. 207*) with two (2) single-family homes situated on them. These properties are zoned Single-Family 16 (SF-16) District. South of these properties is the Benton Woods Subdivision, which was platted on January 13, 1993 and consists of 34 single-family homes. This subdivision is zoned Planned Development District 40 (PD-40) for Single-Family 10 (SF-10) District land use.
- *East*: Directly east of the subject property is the Shadydale Estates Subdivision, which was platted on March 5, 2014 and consists of 14 single-family homes. This subdivision is zoned Planned Development District 9 (PD-9) for Single-Family 12.5 (SF-12.5) District land uses. Beyond this is Phase 4 of the Fox Chase Subdivision, which was platted on February 22, 1995 and consists of 40 single-family homes. This subdivision is zoned Planned Development District 9 (PD-9) for Single-Family 10 (SF-10) District land uses.
- <u>West</u>: Directly west of the subject property is Ridge Road [*FM*-740], which is identified as M4D (*i.e. minor collector, four* [4] lane, divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare is Phase 19 of the Chandler's Landing Subdivision, which was platted on June 27, 1985 and consists of 77 single-family residential lots. This property is zoned Planned Development District 8 (PD-8) for single-family residential land uses.

#### CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, survey, plot plan, example building elevations, and a letter of explanation requesting to permit a 12-foot by 16-foot (*or 192 SF*) accessory building that will be 11-feet, 1-inches in total height. The letter of explanation indicates that the accessory building will be a *Tuff Shed Premier Pro Tall Ranch*. The proposed accessory structure will have a roof pitch greater that the required 3:12 minimum and be constructed of composite shingles. The accessory structure will be situated at the rear of the subject property approximately 60-feet from the eastern property line and eight (8) feet from the northern property line.

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

According to Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC), the Single-Family 16 (SF-16) District allows a total of two (2) accessory structures. For accessory buildings, the Single-Family 16 (SF-16) District allows one (1) accessory building at 144 SF and one (1) detached garage at 625 SF. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum roof pitch of 3:12. The setbacks for accessory structures in a Single-Family 16 (SF-16) District are three (3) feet from the rear property line and eight (8) feet from the side property line. Accessory buildings are also required to have a minimum of six (6) feet of separation from any other primary or accessory structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)." In addition, the section states that "(a)ll accessory buildings that are not portable accessory buildings require a permanent concrete foundation."

#### STAFF ANALYSIS

In this case, the applicant's request conforms with all the density and dimensional requirements for accessory buildings; however, the accessory building does not adhere to the maximum size permitted for accessory building. The proposed accessory building exceeds the maximum permissible size by 48 SF. Staff performed a review of the homes in the surrounding subdivision using aerial imagery, and determined that there appears to be accessory buildings in the area similar in size as to what the applicant is proposing. Staff should note that eight (8) of the 17 homes surveyed had accessory structures, with the largest accessory structure observed being a detached garage that is 2,100 SF. The average size of all accessory structures analyzed was 748 SF. With all of this being said, the approval of a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

#### **NOTIFICATIONS**

On August 26, 2021, staff mailed 83 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Chandler's Landing, Fox Chase, and Benton Woods Homeowner's Associations (HOAs), which are the only HOA/Neighborhood Organizations that are 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 notices in regard to the applicant's request:

- (1) One (1) property owner notification from a property owner within the notification area (*i.e. within the 500-foot buffer*) in-favor of the applicant's request.
- (2) One (1) property owner notification from a property owner within the notification area (*i.e. within the 500-foot buffer*) opposed to the applicant's request.

#### **CONDITIONS OF APPROVAL**

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

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The Accessory Building shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B'* & 'C' of the Specific Use Permit (SUP) ordinance; and
  - (b) The Accessory Building shall not exceed a maximum size of 192 SF; and
  - (c) The Accessory Building shall not exceed a maximum height of 15-feet.
- (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.

DEVELOPMENT APPLICATION PLANNING & ZONING CASE NO. Z 2021-03	7
City of Rockwall Planning and Zoning Department	BY THE R HAVE
385 S. Goliad Street DIRECTOR OF PLANNING:	Sec. Sec.
Rockwall, Texas 75087 CITY ENGINEER:	
PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:	a company in
MASTER PLAT (\$100.00 + \$15.00 ACRE) 1	
□ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>	
REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>	
AMENDING OR MINOR PLAT (\$150.00)	
VARIANCE REQUEST (\$100.00)	
SITE PLAN APPLICATION FEES: SITE PLAN (\$250.00 + \$20.00 ACRE) 1 NOTES: NOTES: NOTES: NOTES: NOTES: NOTES:	
AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00) MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THACKE, ROUND UP TO ONE (1) ACRE.	AN ONE
NORE, NORE (I) ACKE.	
PROPERTY INFORMATION [PLEASE PRINT]	
ADDRESS 54 Shady Dale, Rockwall, Texas 75032	
SUBDIVISION Best Estate LOT BLOCK	
GENERAL LOCATION 2.6 acres located at the corner of Shady Dale and Ridge Road	
ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]	
CURRENT ZONING James Best CURRENT USE Same	
PROPOSED ZONING Special Use Permit - Axillary Building PROPOSED USE Same	
ACREAGE 2.6 acres LOTS [CURRENT] 1 LOTS [PROPOSED] 1	
SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF <u>HB3167</u> THE CITY NO LONGER HAS FLEXIBLE REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALEN RESULT IN THE DENIAL OF YOUR CASE.	LITY WITH DAR WILL
OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]	
CONTACT PERSON Andrew D. Thomas CONTACT PERSON Andrew D. Thomas CONTACT PERSON Andrew D. Thomas	

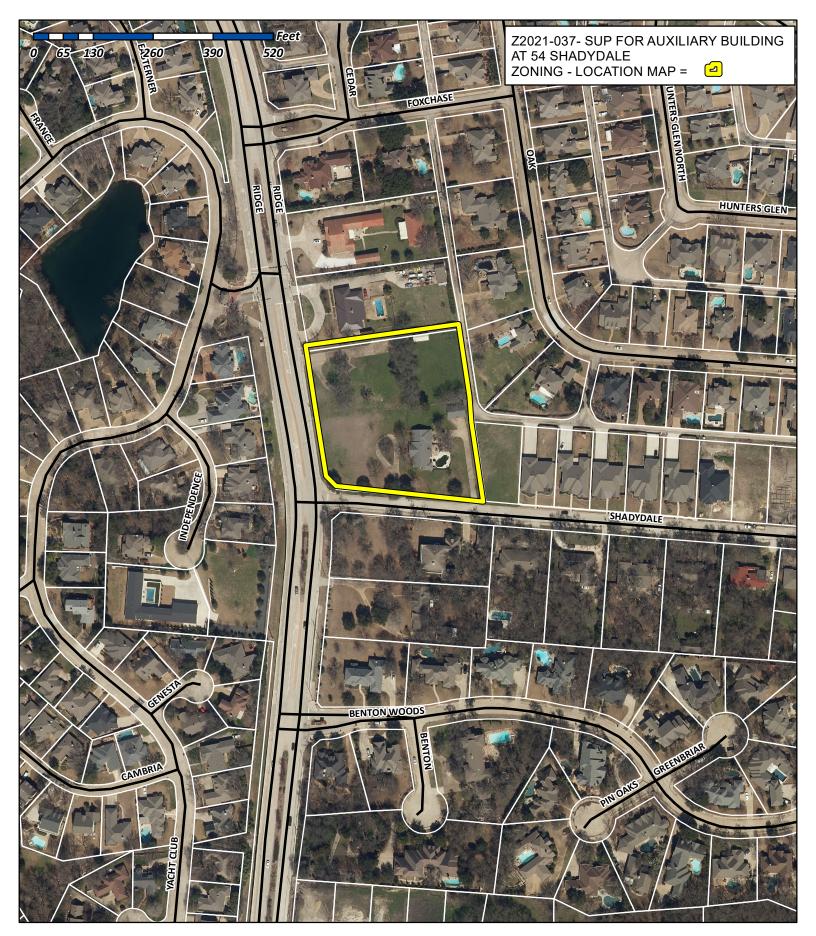
a second balance in the second of the second s		
CITY, STATE & ZIP	CITY, STATE & ZIP	Royse City, Texas 75189
PHONE	PHONE	(469) 965-4500
E-MAIL	E-MAIL	andrew@law-adt.com

#### NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE DAYOF a 20 **Barbara Jackson** OWNER'S SIGNATURE My Commission Expires 10/07/2024 1D No: 12451536 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Den XD de м 2 NC 10107 12020

home towner THE UNDERSIGNED, WHO





# City of Rockwall

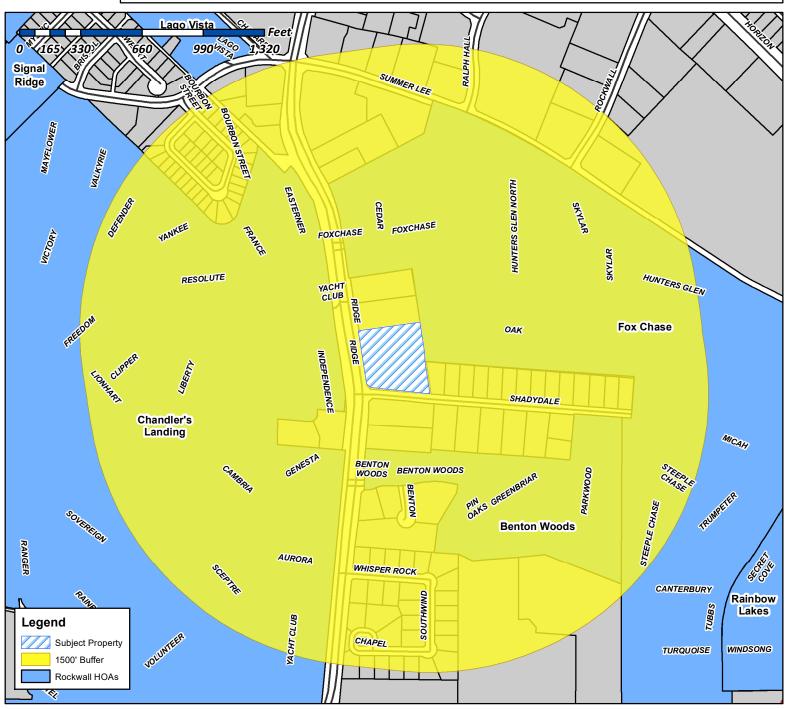
Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. 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

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





Case Number:Z2021-037Case Name:SUP for Auxiliary BuildingCase Type:ZoningZoning:Single-Family 16 (SF-16) DistrictCase Address:54 Shadydale Lane



Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745

#### Lee, Henry

From:	Gamez, Angelica
Sent:	Thursday, August 26, 2021 3:16 PM
Cc:	Miller, Ryan; Gonzales, David; Lee, Henry
Subject:	Neighborhood Notification Program [Z2021-037]
Attachments:	Public Notice (08.26.2021).pdf; HOA Map Z2021-037.pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on <u>August 27, 2021</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September 14, 2021 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 20, 2021 at 6:00 PM</u>. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to <u>Planning@rockwall.com</u> 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.

#### Z2021-037 SUP for Accessory Building

Hold a public hearing to discuss and consider a request by James Best for the approval of a <u>Specific Use Permit (SUP)</u> for an accessory building on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale Lane, and take any action necessary.

Thank you,

#### Angelica Gamez

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

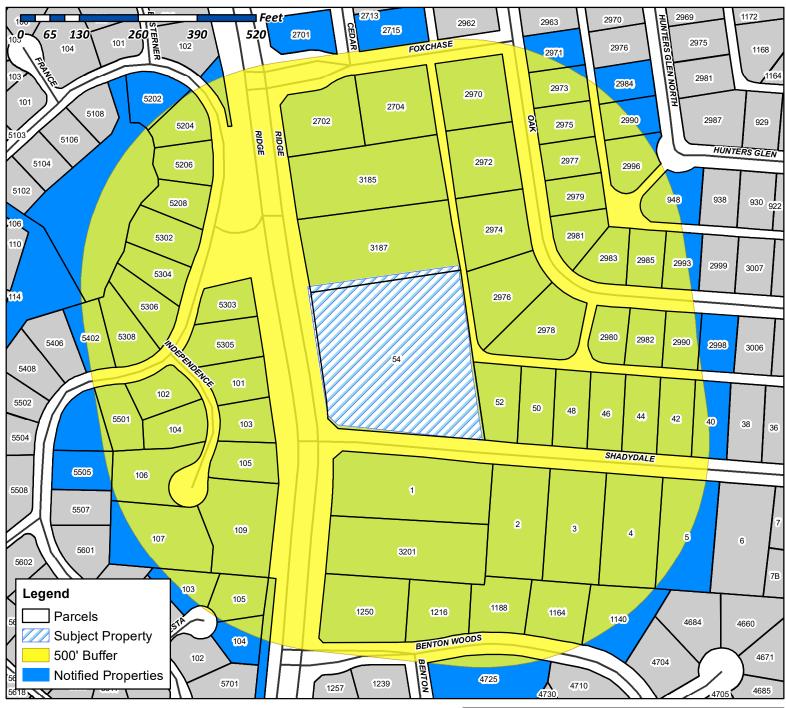
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**City of Rockwall** 

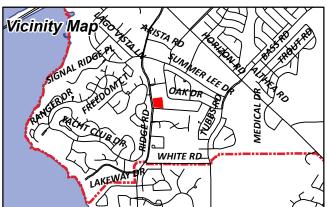


Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees.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





Case Number:Z2021-037Case Name:SUP for Auxiliary BuildingCase Type:ZoningZoning:Single-Family 16 (SF-16) DistrictCase Address:54 Shadydale Lane



Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745 HATFIELD CLAUDETTE 1 SHADY DALE LN ROCKWALL, TX 75032

RIDGECREST HOMEOWNERS ASSOCIATION INC 1024 S GREENVILLE AVE #230 ALLEN, TX 75002

> GARZA ROY A & DULCE R 104 GENESTA PLACE ROCKWALL, TX 75032

SHORT MELISSA HUDSON AND CORY WAYNE 105 INDEPENDENCE PL ROCKWALL, TX 75032

> LEAHOVCENCO ALEXANDR AND YULYIA NESTERENKO 109 INDEPENDENCE PL ROCKWALL, TX 75032

HARRIS WILLIAM JOSEPH AND JONNA R 1188 BENTON WOODS DRIVE ROCKWALL, TX 75032

> PATEL VIBHA & SATISH 1250 BENTON WOODSDR ROCKWALL, TX 75032

MUMPHREY SCHEDRICK RANDTEZ AND MELODY HOSKINS 2702 FOXCHASE LANE ROCKWALL, TX 75032

PREWITT CARROLL O JR AND MARY E 2970 OAK DR ROCKWALL, TX 75032

> BOURQUIN LAUREN 2973 OAK DRIVE ROCKWALL, TX 75032

BECKER CHRISTIANE AND JOSEPH WORRALL 101 INDEPENDENCE PLACE ROCKWALL, TX 75032

WEEKS MARY 103 GENESTA PL ROCKWALL, TX 75032

MCKIBBEN KATHLEEN D 104 INDEPENDENCE PL ROCKWALL, TX 75032

MURRAY DAVID T II & AMBER 106 INDEPENDENCE PLACE ROCKWALL, TX 75032

EDWARDS RICHARD J 1140 BENTON WOODS DR ROCKWALL, TX 75032

HAMILTON LARRY WAYNE & REBA DIANE 1216 BENTON WOODS DR ROCKWALL, TX 75032

BYBEE TERRY DON & CATHERINE DENISE 2 SHADYDALE LANE ROCKWALL, TX 75032

> HOUSTON RICHARD AND LINDSAY WEATHERREAD 2704 FOXCHASE LANE ROCKWALL, TX 75032

LANE PATRICIA A 2971 OAK DR ROCKWALL, TX 75032

BOWERMAN FAMILY TRUST JACK E AND HELEN R BOWERMAN TRUSTEES 2974 OAK DR ROCKWALL, TX 75032 GARDNER PAUL S AND CINDY 102 INDEPENDENCE PL ROCKWALL, TX 75032

UNDERHILL TERESA D AND STEPHEN 103 INDEPENDENCE PL ROCKWALL, TX 75032

> TURNER CATHERINE 105 GENESTA PL ROCKWALL, TX 75032

LEAHOVCENCO ALEXANDR AND YULYIA NESTERENKO 107 INDEPENDENCE PLACE ROCKWALL, TX 75032

TIMBES GARY R & ELIZABETH S 1164 BENTON WOODS DR ROCKWALL, TX 75032

> PATEL VIBHA & SATISH 125 AMBROSIA LANE HEATH, TX 75032

LE LINH 2701 CEDAR COURT ROCKWALL, TX 75032

KRUSZ WILLIAM C & EVELYN KAY 2715 CEDAR CT ROCKWALL, TX 75032

VARNER GLENN MERRILL & CARRIE G 2972 OAK DR ROCKWALL, TX 75032

> EVANS JENNIFER BEARD 2975 OAK DR ROCKWALL, TX 75032

RAMOS EMILIO & MARIA C 2976 OAK DR ROCKWALL, TX 75032

SEXTON CHRISTOPHER 2979 OAK DR ROCKWALL, TX 75032

COOKS LESTER L & DORIS M 2982 OAK DR ROCKWALL, TX 75032

**QUALLS CHARLES S & MARY K** 2985 OAK DR ROCKWALL, TX 75032

CHOATE RANDELL G & CAROLYN J 2993 OAK DR ROCKWALL, TX 75032

**MITCHELL RYAN PATTON & AMANDA NICOLE 3 SHADYDALE LANE** ROCKWALL, TX 75032

> **STOKES RICHARD & JULIE** 3185 S RIDGE RD ROCKWALL, TX 75032

RHUDY FAMILY REVOCABLE LIVING TRUST RHUDY THOMAS RICHARD AND LAURA MARIE-TRUSTEES 3923 POSTRIDGE TRAIL MELBOURNE, FL 32934

PITTMAN JAMES CHRISTOPHER AND AMY 42 SHADY DALE LANE ROCKWALL, TX 75032

VANHORN WILLIAM & PENNI JOSEPH HENRY & KRISTINE ELIZABETH ZYLKA 4725 BENTON CT ROCKWALL, TX 75032

FAULKNER DANICA J AND MATTHEW L JOHNS 48 SHADY DALE LN ROCKWALL, TX 75032

**KARLEN FRANK W & CHANDRA J** 2977 OAK DR ROCKWALL, TX 75032

> SALUCCI JOSEPH LILIA 2980 OAK DR ROCKWALL, TX 75032

ELWONGER MARLENA JOY AND JASON COLEMAN 2983 OAK DR ROCKWALL, TX 75032

> HENDRICKS MILLIE E 2990 HUNTERS GLEN ROCKWALL, TX 75032

THORNLEY JILL E & GERALD R 2996 HUNTERS GLN N ROCKWALL, TX 75032

JOSEPH HENRY & KRISTINE ELIZABETH ZYLKA 3021 RIDGE RD SUITE A-66 ROCKWALL, TX 75032

> LEWELLYN DARYL G & SARAH 3187 RIDGE RD ROCKWALL, TX 75032

**TASSET AUSTIN & KENNEDY 4 SHADY DALE LANE** ROCKWALL, TX 75032

BREWER ELIZABETH CAITLIN AND NICOLAS LUKASHEVICH 44 SHADY DALE LN ROCKWALL, TX 75032

> RHUDY FAMILY REVOCABLE LIVING TRUST RHUDY THOMAS RICHARD AND LAURA MARIE-TRUSTEES

**5 SHADYDALE LN** ROCKWALL, TX 75032

FOSTER JOHN CHRISTOPHER & DONNA 2978 OAK DR ROCKWALL, TX 75032

> FLORANCE JOSEPH V 2981 OAK DRIVE ROCKWALL, TX 75032

BLACK SHERYL NKA SHERYL L COMPTON AND WILLIAM D COMPTON 2984 HUNTERS GLEN NORTH ROCKWALL, TX 75032

CONNET STEPHEN R AND DONNA JEAN 2990 OAK DRIVE ROCKWALL, TX 75032

> FRISBY JOHN R & THERESA M 2998 OAK DR ROCKWALL, TX 75032

COOKS LESTER L & DORIS M 3026 ANDREW DR FARMERSVILLE, TX 75442

ST CLAIR PAUL M & GENEVIEVE J 3201 RIDGE RD ROCKWALL, TX 75032

CASTLEROCK CUSTOM BUILDERS LLC **40 SHADYDALE LN** ROCKWALL, TX 75032

> VITALE LINDA A 46 SHADY DALE LN ROCKWALL, TX 75032

VANHORN WILLIAM & PENNI

SLABAS KAREN AND JEFFREY 50 SHADY DALE LN ROCKWALL, TX 75032

THOMAS JERRY & MARSHA 5202 YACHT CLUB DR ROCKWALL, TX 75032

METRY GREGORY K 5208 YACHT CLUB DRIVE ROCKWALL, TX 75032

WILLIAMS VICTORIA L & DAVID B 5304 YACHT CLUB DR ROCKWALL, TX 75032

ADDISON MARAVIN G AND FAYE 5308 YACHT CLUB DR. ROCKWALL, TX 75033

CULLEN SETH LAWRENCE AND GABRIELLE 5501 YACHT CLUB DR ROCKWALL, TX 75032

> BEST JAMES AND KIMBERLY 870 W INTERSTATE SUITE 100 GARLAND, TX 75043

STOKES RICHARD & JULIE PO BOX 8 ROCKWALL, TX 75087 HAMMOND HUDDLE LIVING TRUST EUGENE WESLEY HUDDLE AND JANE HAMMOND, TRUSTEES 519 E I-30 #704 ROCKWALL, TX 75087

> BARRY JOYCE 5204 YACHT CLUB DR ROCKWALL, TX 75032

DAVIES DAVID B & HELEN J 5302 YACHT CLUB DR ROCKWALL, TX 75032

> MARTIN CAREN 5305 YACHT CLUB DR ROCKWALL, TX 75032

BEST JAMES AND KIMBERLY 54 SHADY DALE LN ROCKWALL, TX 75032

HAMMOND HUDDLE LIVING TRUST EUGENE WESLEY HUDDLE AND JANE HAMMOND, TRUSTEES 5505 YACHT CLUB DR ROCKWALL, TX 75032

> HERVEY GAIL 948 HUNTERS GLN ROCKWALL, TX 75032

CASTLEROCK CUSTOM BUILDERS LLC PO BOX 8333 GREENVILLE, TX 75404 SLABAS KAREN AND JEFFREY 52 SHADYDALELN ROCKWALL, TX 75032

ROCK SOUTH INVESTMENTS LTD. A TEXAS LIMITED PARTNERSHIP 5206 YACHT CLUB DR ROCKWALL, TX 75032

> NORTON JO ANN 5303 YACHT CLUB DR ROCKWALL, TX 75032

ADRIAN AMANDA C AND MICHAEL S 5306 YACHT CLUB DR ROCKWALL, TX 75032

ODOM JOSHUA D-WAYNE AND LACEY ALEXANDRA 5402 YACHT CLUB DRIVE ROCKWALL, TX 75032

ROCK SOUTH INVESTMENTS LTD. A TEXAS LIMITED PARTNERSHIP 756 RIDGE HOLLOW RD ROCKWALL, TX 75032

CHANDLERS LANDING COMMUNITY ASSOC PO BOX 638 ROCKWALL, TX 75087 PUBLIC NOTICE

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

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

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

#### Case No. Z2021-037: SUP for Accessory Building

Hold a public hearing to discuss and consider a request by James Best for the approval of a <u>Specific Use Permit (SUP)</u> for an accessory building on a 2.60-acre parcel of land identified as Lot 1, Block A, Best Estate Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale 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 <u>Tuesday, September</u> <u>14, 2021 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 20, 2021 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

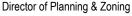
Henry Lee Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 20, 2021 at 4:00 PM</u> to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP



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. Z2021-037: SUP for 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

USE THIS OR CODE TO GO DIRECTLY TO THE WEBSITE

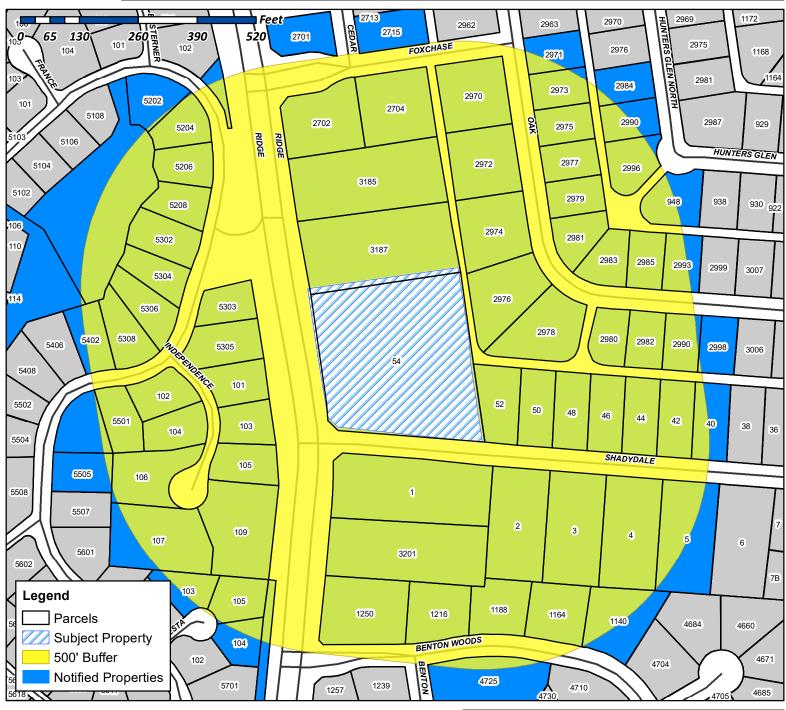


**City of Rockwall** 



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





Case Number:Z2021-037Case Name:SUP for Auxiliary BuildingCase Type:ZoningZoning:Single-Family 16 (SF-16) DistrictCase Address:54 Shadydale Lane



Date Created: 8/20/2021 For Questions on this Case Call (972) 771-7745

# PUBLIC NOTICE

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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. Z2021-037: SUP for 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.

OUT Blog IS SMALL & ProbABLY CONCERTED BEHIND FENCE

Name

Address:

Colenn VARNON Arive

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

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



#### Lee, Henry

From:	Melissa Short <mrshort@live.com></mrshort@live.com>
Sent:	Monday, August 30, 2021 11:11 AM
То:	Planning
Subject:	Case # z2021-037

P&Z

I am in favor of the request because 1 building is better than 2.

Cory & Melissa Short 105 Independence Pl. Rockwall, TX 75032 972-529-0129

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#### Lee, Henry

From:Joe Zylka <JZylka@DogwoodCommercial.com>Sent:Monday, August 30, 2021 7:16 AMTo:PlanningSubject:Case No. Z2021-037

I am opposed to the request due to the likelihood of the visibility of the structure to Ridge rd. They have done a poor job in my opinion of the visibility and sightliness of the project on all sides...

Thanks,

JOE ZYLKA, CPM<sup>®</sup> DIRECTOR OF OPERATIONS DOGWOOD COMMERCIAL

**O:** 972.354.8060 | **D:** 972.332.4400 | **C:** 214.476.1215 JZYLKA@DOGWOODCOMMERCIAL.COM WWW.DOGWOODCOMMERCIAL.COM





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ANDREW D. THOMAS F. DUNCAN THOMAS

LAW OFFICE OF ANDREW D. THOMAS 422 E I-30, SUITE F ROYSE CITY, TEXAS 75189

T: (469) 965-4500

	F: (469) 965-4550 andrew@law-adt.com
TO:	<b>City of Rockwall Planning &amp; Zoning Department</b>
FROM:	James Best c/o Andrew D. Thomas
RE:	Variance Request: Special Use Permit re: Auxiliary Building at 54 Shady Dale, Rockwall, Texas 75087
DATE:	August 18, 2021

#### Variance Request

The homeowners, James and Kimberly Best, request a special use permit authorizing them to construct a 12-foot by 16-foot storage shed with a total square footage of 192-feet on their property.

The subject property is a 2.6-acre tract located at the intersection of Ridge Road and Shady Dale Lane. The property is zoned single family 16 (SF-16) and subject to the General Residential District Standards and Residential District Development Standards. See §§ 05.03.06, 05.03.01, and 05.07.01.

#### **Building Code Requirements**

Pursuant to section 05.07.04, each SF-16 property is permitted:

ADT LAW

- one detached garage up to 625 square feet and one accessory building up to 144 (1)square feet, or
- (2)two accessory buildings up to 144 square feet each.

See § 05.07.04 and n. 6. If a property has an existing accessory building greater than 144 square feet, no additional accessory building or detached garage shall be allowed.

Accessory Building Variance – Special Use Permit August 18, 2021 Page 2

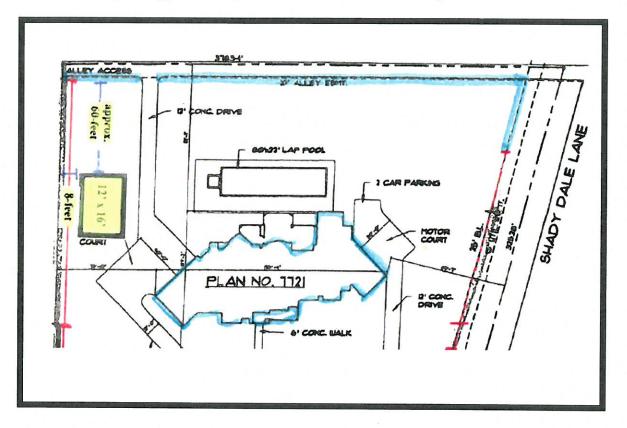
#### Discussion

Although the building code allows two accessory buildings of up to 144 square feet each (total 288 square feet), the homeowners would prefer to construct one accessory building with a total square footage of 192-feet, which exceeds the SF-16 square footage.

The proposed accessory building would be a Tuff Shed Premier Pro Tall Ranch measuring 12-feet x 16 feet x 11 feet, 1 inch, and be similar in appearance and style to the Tuff Shed pictured below:



See Exhibit A.



The building would be located between the rear driveway and the northern boundary, 8 feet from the north boundary and approximately 60 feet from the rear boundary.

The homeowners request this variance so they can store all the tools, equipment, and supplies necessary to maintain the property in one accessory building. The 2.6-acre lot has ample space to house the additional square footage. The 11-foot, 1-inch building height is within the 15-foot building height for SF-16, and the height and proposed location of the building will not impede any neighboring properties' view. The 192 square feet is significantly less than the 288 square foot maximum the homeowners are allowed if they construct two auxiliary buildings. The homeowners believe one larger auxiliary building, instead of two smaller auxiliary buildings, will be more aesthetically pleasing to the overall design of the property and more convenient for the day-to-day maintenance of the property.

8/18/2021 8' X 14' X 10'3"	Storage Shed Construction   Our Proc \$5,327.00	Jucts   Tuff Shed \$5,859.70
(https://www.auffshed.com)	\$5,755.00	\$6,330.50
10' x 10' x 10'8"	\$5,000.00	\$5,500.00
10' x 12' x 10'8"	\$5,536.00	\$6,089.60
10' x 14' x 10'8"	\$6,091.00	\$6,700.10
10' x 16' x 10'8"	\$6,559 <b>EXHIBIT</b>	7,214.90
10' x 18' x 10'8"	\$7,159	7,874.90
10' x 20' x 10'8"	\$7,676.00	\$8,443.60
10' x 24' x 10'8"	\$8,704.00	\$9,574.40
10' x 28' x 10'8"	\$9,796.00	\$10,775.60
10' x 32' x 10'8"	\$10,815.00	\$11,896.50
12' x 12' x 11'1"	\$6,227.00	\$6,849.70
12' x 16' x 11'1"	\$7,395.00	\$8,134.50
12' x 20' x 11'1"	\$8,672.00	\$9,539.20
12' x 24' x 11'1"	\$9,855.00	\$10,840.50
12' x 28' x 11'1"	\$11,106.00	\$12,216.60
12' x 32' x 11'1"	\$12,272.00	\$13,499.20
16' x 20' x 11'10"	\$11,456.00	\$12,601.60
16' x 24' x 11'10"	\$13,045.00	\$14,349.50

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## **CITY OF ROCKWALL**

## ORDINANCE NO. 21-XX

## SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 2.60-ACRE TRACT OF LAND, IDENTIFIED AS LOT 1, BLOCK A, **BEST ESTATE 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 Andrew Thomas on behalf of James Best for the approval of a Specific Use Permit (SUP) to allow an *Accessory Building* that exceeds the maximum allowable size on a 2.60-acre tract of land described as Lot 1, Block A, Best Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 54 Shadydale 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 Accessory Building as stipulated by Subsection 07.04, Accessory Structure Development Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the Subject Property; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- 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 *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The Accessory Building shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibit 'B & 'C'* of this ordinance.
- (2) The Accessory Building shall not exceed a maximum size of 192 SF.
- (3) The Accessory Building shall not exceed a maximum height of 15-feet.

## 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 4<sup>TH</sup> DAY OF OCTOBER, 2021.

## ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1<sup>st</sup> Reading: <u>September 20, 2021</u>
 2<sup>nd</sup> Reading: <u>October 4, 2021</u>

Z2021-037: SUP for Accessory Building Ordinance No. 21-XX; SUP # S-2XX Kevin Fowler, Mayor

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

<u>Address:</u> 54 Shadydale Lane <u>Legal Description:</u> Lot 1, Block A, Best Estates Addition

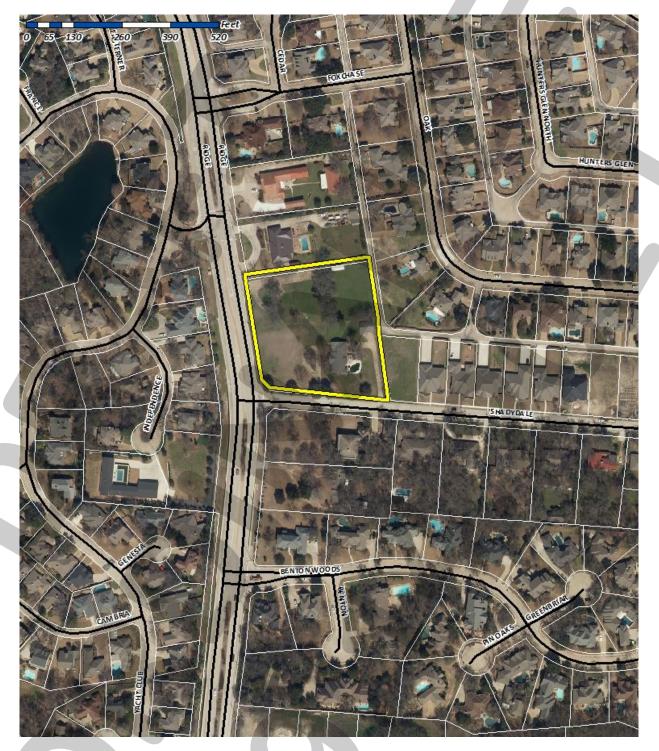


Exhibit 'B': Residential Plot Plan

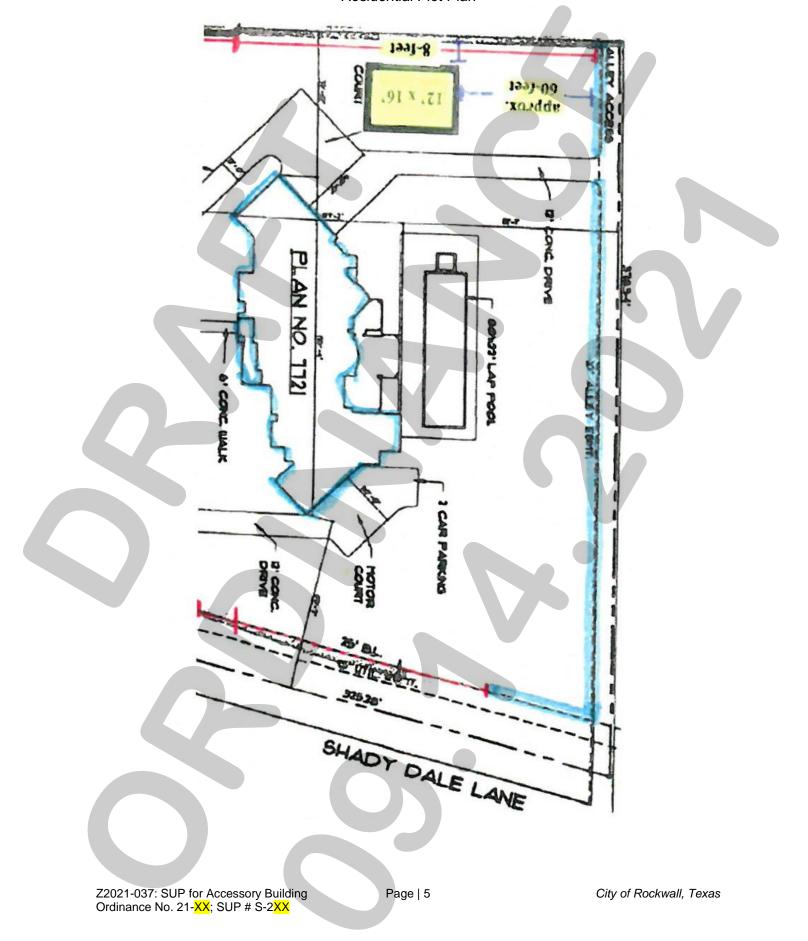


Exhibit 'C': Elevations



Z2021-037: SUP for Accessory Building Ordinance No. 21-XX; SUP # S-2XX Page | 6

City of Rockwall, Texas



## CITY OF ROCKWALL PLANNING AND ZONING COMMISSION CASE MEMO

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

TO:	Planning and Zoning Commission
DATE:	September 14, 2021
APPLICANT:	Dan Gallagher, PE; Kimley-Horn and Associates, Inc.
CASE NUMBER:	SP2021-024; Site Plan for a Warehouse/Distribution Center on Corporate Crossing [FM-549] & Capital Boulevard

## <u>SUMMARY</u>

Discuss and consider a request by Dan Gallagher, PE of Kimley-Horn and Associates, Inc. on behalf of L. R. Tipton of the Hitt Family, LP for the approval of a <u>Site Plan</u> for a warehouse/distribution center facility on a 43.237-acre tract of land identified as Tract 11 of the J. Lockhart Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, located east of the intersection of Corporate Crossing [*FM-549*] and Capital Boulevard, and take any action necessary.

## BACKGROUND

The City Council approved *Ordinance No.85-69* annexing the subject property on December 3, 1985. At the time of annexation, the subject property was zoned as Agricultural (AG) District. On July 6, 2021, the City Council approved *Ordinance No. 21-27* [*Case No. Z2021-018*] changing the zoning from an Agricultural (AG) District to a Light Industrial (LI) District for the purpose of developing the subject property.

### <u>PURPOSE</u>

On August 20, 2021, the applicant -- Dan Gallagher, PE of Kimley-Horn and Associates, Inc. -- submitted an application requesting the approval of a site plan for the purpose of developing a ~301,120 SF warehouse/distribution center on the subject property.

## ADJACENT LAND USES AND ACCESS

The subject property is located west of the intersection of Corporate Crossing [*FM-549*] and Capital Boulevard. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property are several properties zoned Agricultural (AG) District and Light Industrial (LI) District (*i.e. Service King, Rockwall Kia, Lakeside Auto Auction, Pro Soap, Cavender's Boot City, Love's, etc.*), which are adjacent to IH-30 Frontage Road. Beyond this are the eastbound frontage roads for IH-30, followed by the main lanes for IH-30, and the westbound frontage roads for IH-30.
- South: Directly south of the subject property is the Phase 1 of the Rockwall Technology Park Addition, which is zoned Light Industrial (LI) District. This area includes several existing industrial and manufacturing businesses (*e.g. Rockwall Economic Development Corporation [REDC], Pegasus Foods, Interstate Wire Company, Lime Media, L-3 Communications, and etc.*). Adjacent to this portion of the Phase 1 of the Rockwall Technology Park Addition is Discovery Boulevard, which is identified as a *M4U (i.e. major collector, four [4] lane, undivided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the continuation of the Phase 1 of the Rockwall Technology Park Addition, which includes several existing industrial and manufacturing businesses (*e.g. Fine Wire, Hatfield and Company, Specialty Products, and etc.*). Following this is SH-276, which is identified as a *TXDOT6D (i.e. a Texas Department of Transportation [TXDOT],*

*six [6] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

- *East*: Directly east of the subject property is Corporate Crossing [*FM-3549*], which is identified as a *TXDOT4D* (*i.e. a Texas Department of Transportation* [*TXDOT*], *four* [4] lane, *divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. East of and adjacent to Corporate Crossing [*FM-3594*] is Phase 4 of the Rockwall Technology Park Addition. This phase of the Technology Park includes a few tracts of vacant land and two (2) manufacturing businesses (*i.e. Lollicup and Pratt Industries*). These properties are zoned Light Industrial (LI) District. Beyond this are two (2) vacant tracts of land owned by the Rockwall Economic Development Corporation (*i.e. Tract 6* [77.148-acres] and Tract 5 [60.3-acres], of the J. H. B. Jones Survey, Abstract No. 125) zoned Light Industrial (LI) District.
- <u>West</u>: Directly west of the subject property is Rockwall Mini Storage (*9.90-acres*) and Park Place RV (*4.9784-acres*). Both properties are zoned Light Industrial (LI) District. Continuing east is Nissan of Rockwall (*14.70-acres*), which is zoned Commercial (C) District. Beyond this is John King Boulevard, which is identified as a *P6D (i.e. principle arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

## DENSITY AND DIMENSIONAL REQUIREMENTS

According to Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Warehouse/Distribution Center* is a permitted *by-right* land use in a Light Industrial (LI) District. The subject property proposes two (2) points of ingress and egress along Corporate Crossing [FM-549]. Other than the variances being requested, the submitted site plan, landscape plan, treescape plan, photometric plan, and building elevations generally conform to the technical requirements contained within the Unified Development Code (UDC) for a property located within a Light Industrial (LI) District and within the FM-549 Overlay (FM-549 OV) District. A summary of the density and dimensional requirements for the subject property are as follows:

Ordinance Provisions	Zoning District Standards	Conformance to the Standards
Minimum Lot Area	12,500 SF	x>43.3-acres; In Conformance
Minimum Lot frontage	100-Feet	x> 948-feet; In Conformance
Minimum Lot Depth	125-Feet	x>2,689-feet; In Conformance
Minimum Front Yard Setback	50-Feet [FM-549 OV]	x>106-feet; In Conformance
Minimum Rear Yard Setback	0-Feet + ½ H	x>650-feet; In Conformance
Minimum Side Yard Setback	0-Feet + ½ H	x=130-feet; In Conformance
Maximum Building Height	60-Feet	X=46-ft; In Conformance
Max Building/Lot Coverage	60%	x<16%; In Conformance
Minimum Masonry Requirement	90%	x>90%; Exception Required for Tilt-Wall
Minimum Number of Parking Spaces	1 Parking Space/1000 SF (302 Required)	x=311; In Conformance
Minimum Stone Requirement	20% Each Façade – Natural Stone	x>20%; Variance Required for Cultured Stone
Minimum Landscaping Percentage	15%	x=15%; In Conformance
Maximum Impervious Coverage	90-95%	x<90%; In Conformance

## TREESCAPE PLAN

The treescape plan provided by the applicant indicates a total of 715.9-caliper inches of trees are to be removed from the site, of which the majority are hackberry trees. The required tree mitigation for this site equals 422.85-caliper inches. The applicant is providing approximately 1,496 caliper inches of trees on site, which will satisfy the required tree mitigation.

## CONFORMANCE WITH THE CITY'S CODES

Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), states that the "*Light Industrial (LI) District* is a zoning district intended to create a limited industrial zone that provides

for modern types of industrial land uses." The proposed warehouse/distribution center is a permitted *by-right* land use in the Light Industrial (LI) District.

According to Subsection 05.02.(B), *Screening from Residential Uses*, of Article 08, *Landscape Standards*, of the Unified Development Code (UDC), non-residential developments that have a "...side or rear contiguous to any residential zoned or used property...shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve an alternative screening method that incorporates a wrought iron fence and three (3) tiered screening (*i.e.* [1] *small to mid-sized shrubs, large shrubs or accent trees, and canopy trees or* [2] evergreen trees and canopy trees) along the entire length of the adjacency... (t)he canopy trees shall be placed on 20-foot centers." In addition, Subsection 01.05.(E), *Outside Storage*, of Article 05, of the Unified Development Code (UDC), states that non-residential developments with outside storage of vehicles "...shall be screened...at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (*excluding tilt wall or concrete masonry units* [*CMU*] *unless otherwise approved by the Planning and Zoning Commission*) and Canopy Trees on 20-foot centers. As an alternative, the Planning and Zoning Commission may approve a screening method in accordance with Subsection 05.02, *Landscape Screening Standards*, of Article 08, *Landscape Standards*...along the entire length of the adjacency...(t)he canopy trees shall be placed on 20-foot centers."

In this case, all operations will be indoors with no outside storage of materials other than service vehicles. The vehicles will consist of large semi-trucks and trailers, which will be screened with three (3) tier screening and additional trees adjacent to the parking spaces. This should provide better screening of -- *and in a closer proximity to* -- the vehicle storage areas. In addition to the three (3) tiered screening -- *and within the 50-foot landscape buffer along Corporate Crossing* -- the applicant is providing two (2), four (4) inch caliper canopy trees, four (4) accent trees, and one (1) Cedar Tree per 100-feet of frontage. This should provide additional screening for the site. The proposed landscaping within these buffers are in compliance with the Unified Development Code (UDC). With all this being said, the proposed landscape screening is a discretionary approval for the Planning and Zoning Commission upon a determination that the provided screening will achieve the intent of the landscape ordinance. This has been included as a condition of approval in this case memo.

## EXCEPTIONS REQUESTED BY THE APPLICANT

Based on the information submitted by the applicant, staff has identified the following exceptions to the requirements of the Unified Development Code (UDC):

- (1) <u>Building Materials</u>.
  - (a) <u>Stone</u>. According to Subsection 06.02(C)(1)(a)(1), General Overlay District Standards, of Article 05, District Development Standards, of the UDC, a minimum of 20% natural or quarried stone is required on all building façades. In this case, the applicant is providing a cultured stone (*i.e. Coronado Ledgestone*) in lieu of natural or quarried stone on all facades. Staff should note that this is not an uncommon request with larger industrial buildings.
  - (b) <u>Tilt Wall</u>. According to Section 05.01(A)(1)(a)(2), General Industrial District Standards, of Article 05, District Development Standards, of the UDC, the use of concrete tilt-up walls may be permitted on a case-by-case basis by the Planning and Zoning Commission. The applicant is proposing the use of 100% tilt-up wall construction for the building. Staff should note that this exception request is typical of larger industrial buildings.
- (2) <u>Articulation</u>.
  - (a) <u>Building Facades</u>. According to Subsection 05.01(C)(1), General Industrial District Standards, of Article 05, District Development Standards, of the UDC, primary facades require projections associated with entryways, architectural elements and wall lengths. Specifically, primary architectural/entryway elements are required to extend a minimum of 25% above the top of the wall and a minimum of 25% from the walls surface. In addition, no wall should exceed a length of four (4) times the walls height without an architectural/entryway element. In this case, the proposed building does incorporate vertical and horizontal projections, but does not meet the standards established by the Unified Development Code (UDC).

According to Section 9, *Exceptions and Variances*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), unless otherwise specified by the UDC, "(a)n applicant may request the Planning and Zoning Commission grant an exception to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the...(UDC) would create an undue hardship. In cases where an exception or exceptions is/are being requested, the applicant shall provide compensatory measures that directly offset the requested exception." In this case, the applicant has provided a letter explaining the exceptions and offering compensatory measures in the form of additional landscaping. The Planning and Zoning Commission is tasked with determining if the compensatory measures properly off-set the requested exceptions. Despite the applicant's letter requesting compensatory measures and the comment response letter indicating staff has recommended the applicant make these changes, this remains a discretionary decision for the Planning and Zoning Commission. In addition, this approval will require approval by a super majority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval. In the event that the exception is denied, the applicant has the ability to appeal the Planning and Zoning Commission's decision to the City Council by filing a written request with the Planning and Zoning Department.

## CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The Future Land Use Plan adopted with the OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located in the <u>Technology District</u> which is... "primarily characterized as an employment heavy district containing all phases of the Rockwall Economic Development Corporation's (REDC's) Technology Park, which supports a wide range of clean industrial businesses that help to diversify the City's tax base." Additionally, the <u>District Strategies</u> for the <u>Technology</u> <u>District</u> state that the City desires to "...preserve the current residential to non-residential land use ratio, encroachment of incompatible land uses (*e.g. residential, commercial, etc.*) should be discouraged in areas designated for *Technology/Employment Center* land uses." Additionally, the <u>District Strategies</u> go on to state "(t)hese areas should be preserved for larger clean industrial businesses that can help to diversify the City's tax base."

According to the Comprehensive Plan, industrial developments should be adequately buffered and/or screened from residential land uses. In addition, the Comprehensive Plan states that "(b)uffers utilizing a combination of berms, landscaping and trees should be used for industrial properties that are adjacent to non-industrial land uses or agricultural land." While the adjacent properties north of the *subject property (i.e. 1810 E IH-30 and two [2]) tracts of land [Tract 9-07 & Tract 9-08, of the J. Lockhart Survey, Abstract No. 134]*) are zoned Agricultural (AG) District -- *which is considered to be a residential zoning district --* the properties are considered legal non-conforming, and are developed with a non-residential land uses (*i.e. Lakeside Auto Auction & a manufactured home sales lot*). Additionally, the SWBC Rockwall Addition [PD-83], which is located adjacent to the southwestern portion of the subject property, is zoned for multi-family residential land uses. These properties are naturally screened by the floodplain and trees that bisects these land uses from the proposed development. Based on these facts, the proposed operations of the warehouse/distribution center will have a minimal visual impact on adjacent properties.

## ARCHITECTURAL REVIEW BOARD (ARB) RECOMMENDATION

On August 31, 2021, the Architectural Review Board (ARB) reviewed the proposed building elevations for the warehouse/distribution facility and recommended the applicant extend the canopy for the east elevation, which is the primary entrance to the facility along Corporate Crossing [FM-549]. Additionally, the ARB requested the primary entrance incorporate revels above the canopy to provide an accent for the corner element. The ARB also requested the applicant increase the height of the wall elements creating symmetry with all of the taller wall elements of the facility. The applicant has provided updated elevations for the ARB to review. The ARB will provide a recommendation to the Planning and Zoning Commission at the <u>September 14, 2021</u> meeting.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's <u>Site Plan</u> for a warehouse/distribution center on the *subject property*, then staff would propose the following conditions of approval:

(1) All staff comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of engineering plans.

- (2) Three (3) tiered screening as depicted on the landscape plan shall be permitted in lieu of the required six (6) foot masonry wall;
- (3) Approval by the Planning and Zoning Commission of all exceptions requested as outlined in the exceptions listed in the *Exceptions Requested by the Applicant* section of this case memo; and,
- (4) Any construction resulting from the approval of this <u>Site Plan</u> shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

DEVELOPMENT APPLICA	NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE
City of Rockwall	CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE
Planning and Zoning Department	SIGNED BELOW.
385 S. Goliad Street	DIRECTOR OF PLANNING:
Rockwall, Texas 75087	CITY ENGINEER:
PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF         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)	DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]: ZONING APPLICATION FEES: ZONING CHANGE (\$200.00 + \$15.00 ACRE) 1 SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) 1 PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) 1 OTHER APPLICATION FEES: TREE REMOVAL (\$75.00) VARIANCE REQUEST (\$100.00) NOTES: 1: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	1515 Corporate Crossing				
SUBDIVISION	Unplatted - John Lockhard Survey Abstract No. 134	LOT	N/A (unplatted)	BLOCK	N/A
GENERAL LOCATION	West of intersection of Corporate Crossing and Capital Blvd				

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

CURRENT ZONING	U		CURRENT USE	Undeveloped	
PROPOSED ZONING			PROPOSED USE	Warehouse	
ACREAGE	43.237 AC	LOTS [CURRENT]	N/A	LOTS [PROPOSED]	1.

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF <u>HB3167</u> 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.

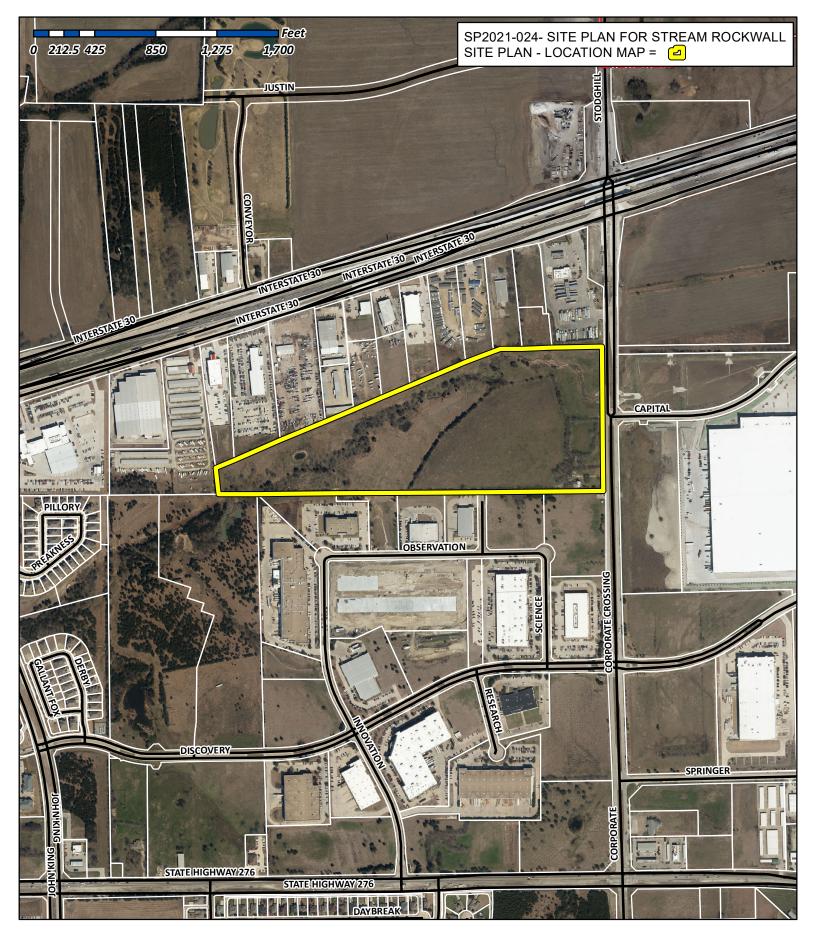
## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

	ACCESSION AND A REAL PROPERTY AND	A REAL PROPERTY AND	-
OWNER	Hitt Family, L.P.	APPLICANT	Kimley-Horn and Associates, Inc.
CONTACT PERSON	L.R. Tipton	CONTACT PERSON	Dan Gallagher, P.E.
ADDRESS	3412 S. FM 548	ADDRESS	13455 Noel Road
	A. 44 - 54 - 54 - 54 - 54 - 54 - 54 - 54		Suite 700
CITY, STATE & ZIP	Royse City, TX 75189	CITY, STATE & ZIP	Dallas, TX 75240
PHONE	214-213-5087	PHONE	972-776-1780
E-MAIL	Irtip@yahoo.com	E-MAIL	dan.gallagher@kimley-horn.com

#### NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED HAD A R TIPHON [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 22 DAY OF
A CAUST
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 3 Say of Angust 20 21 OWNER'S SIGNATURE OWNER'S SIGNATURE OWNER'S SIGNATURE
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
DEVELOPMENT APPLICATION . CITY OF ROCKWALL . 385 SOUTH GOLIAD STREET ROCKWALL, TX 75087 . [P] (972) 771-7745 . [F] (972) 771-7727

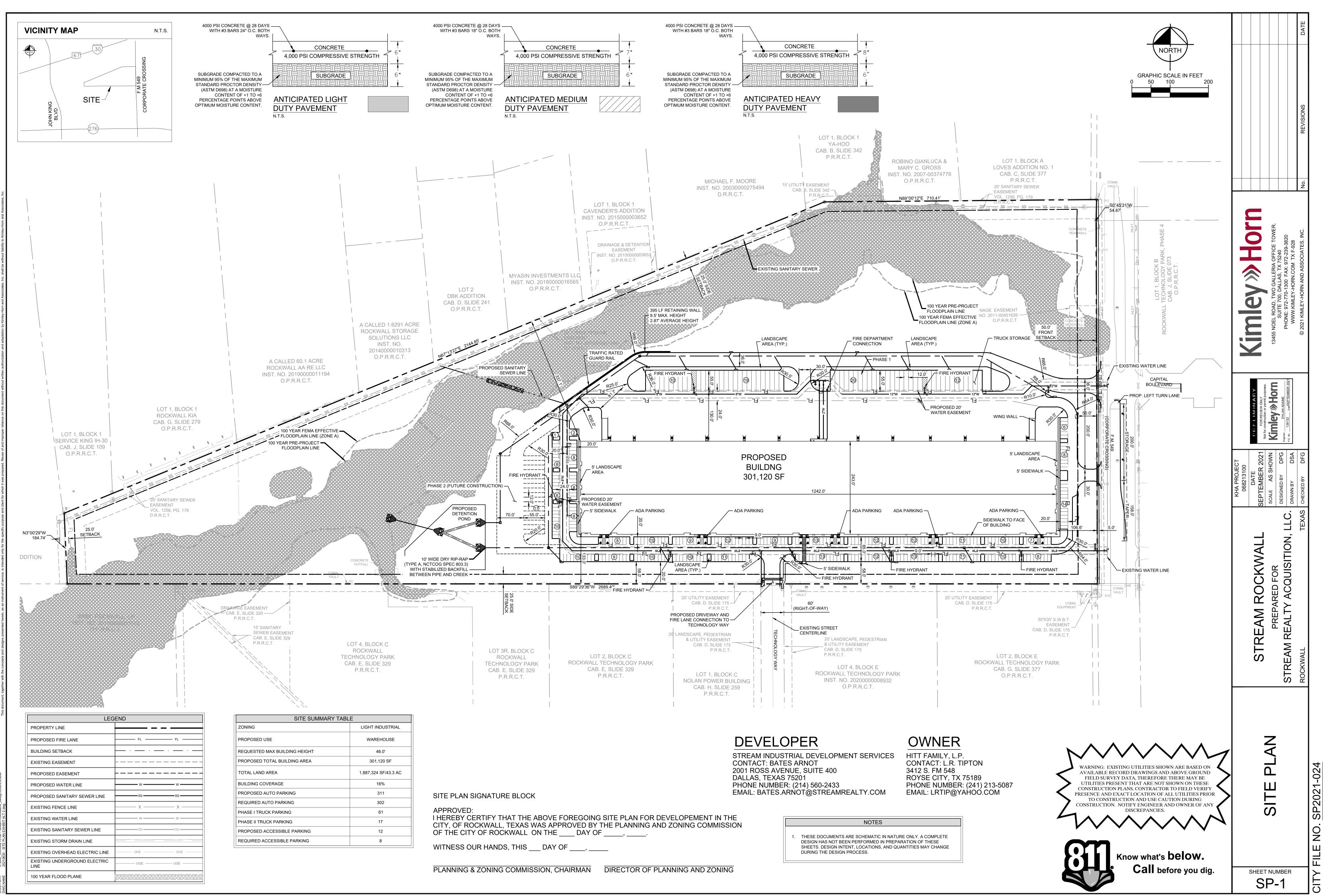


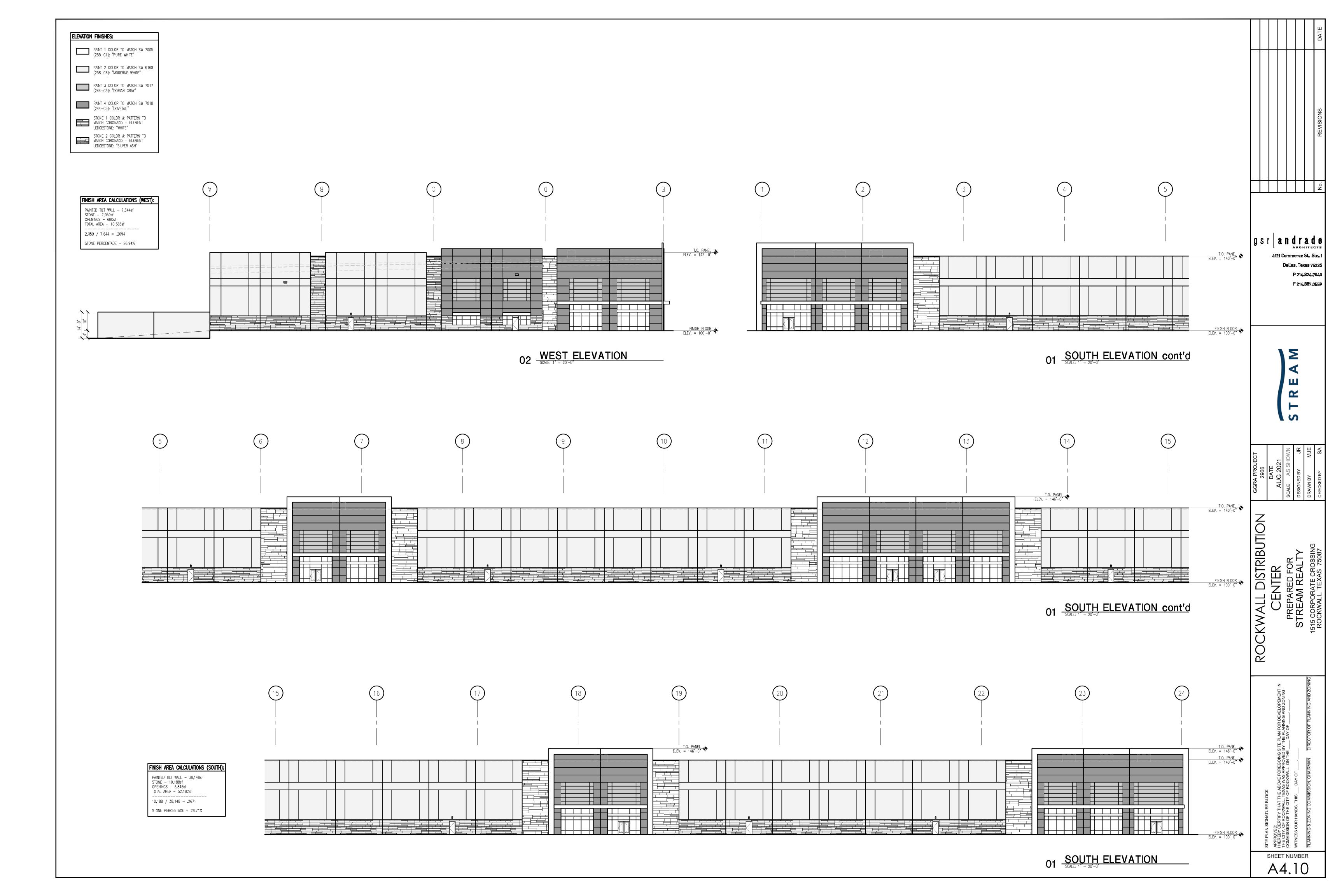


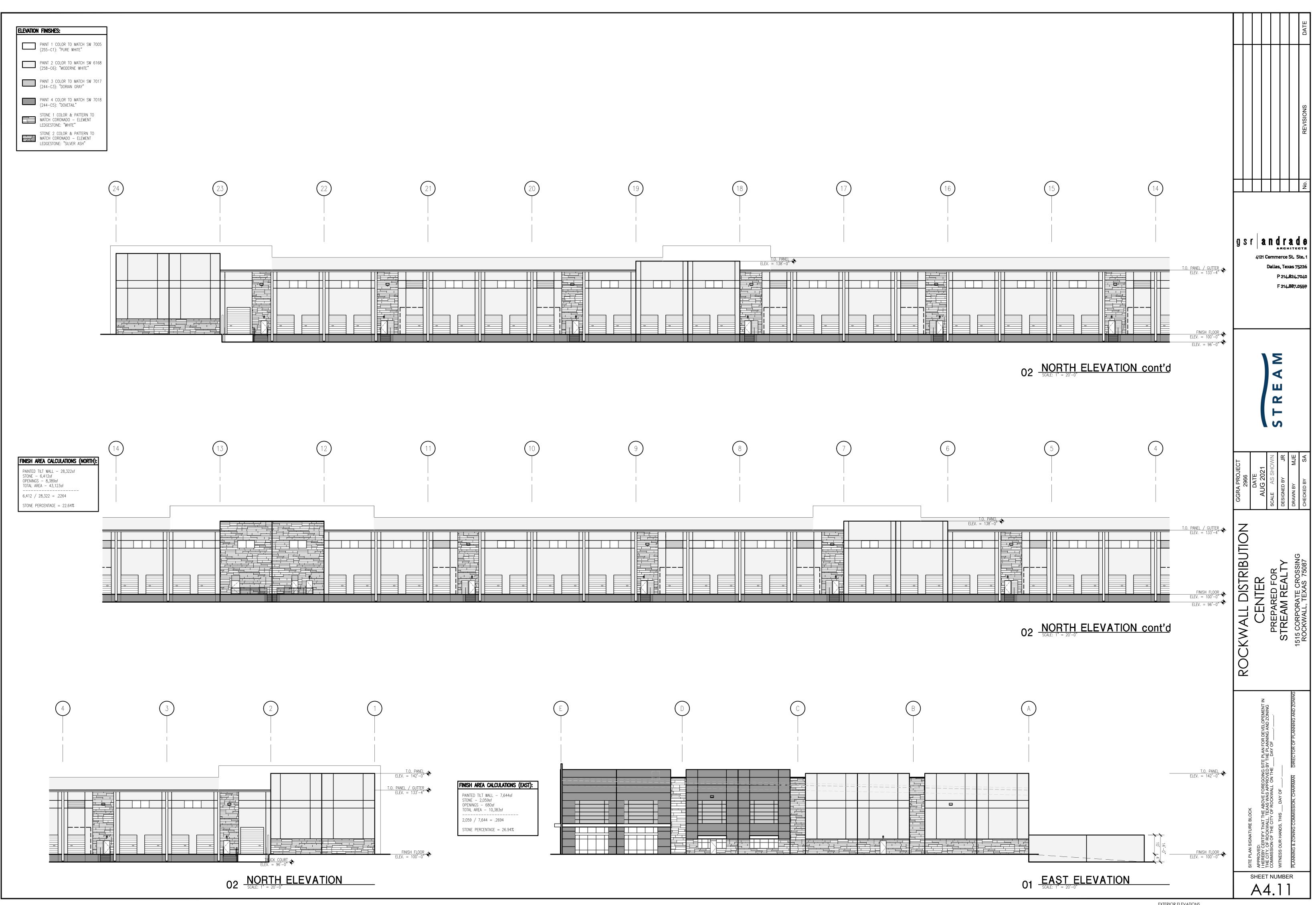
City of Rockwall Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com

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.









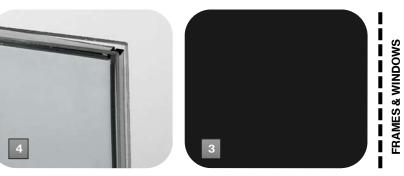
EXTERIOR ELEVATIONS







8 7 6 5



## **DIGITAL FINISHES LEGEND:**

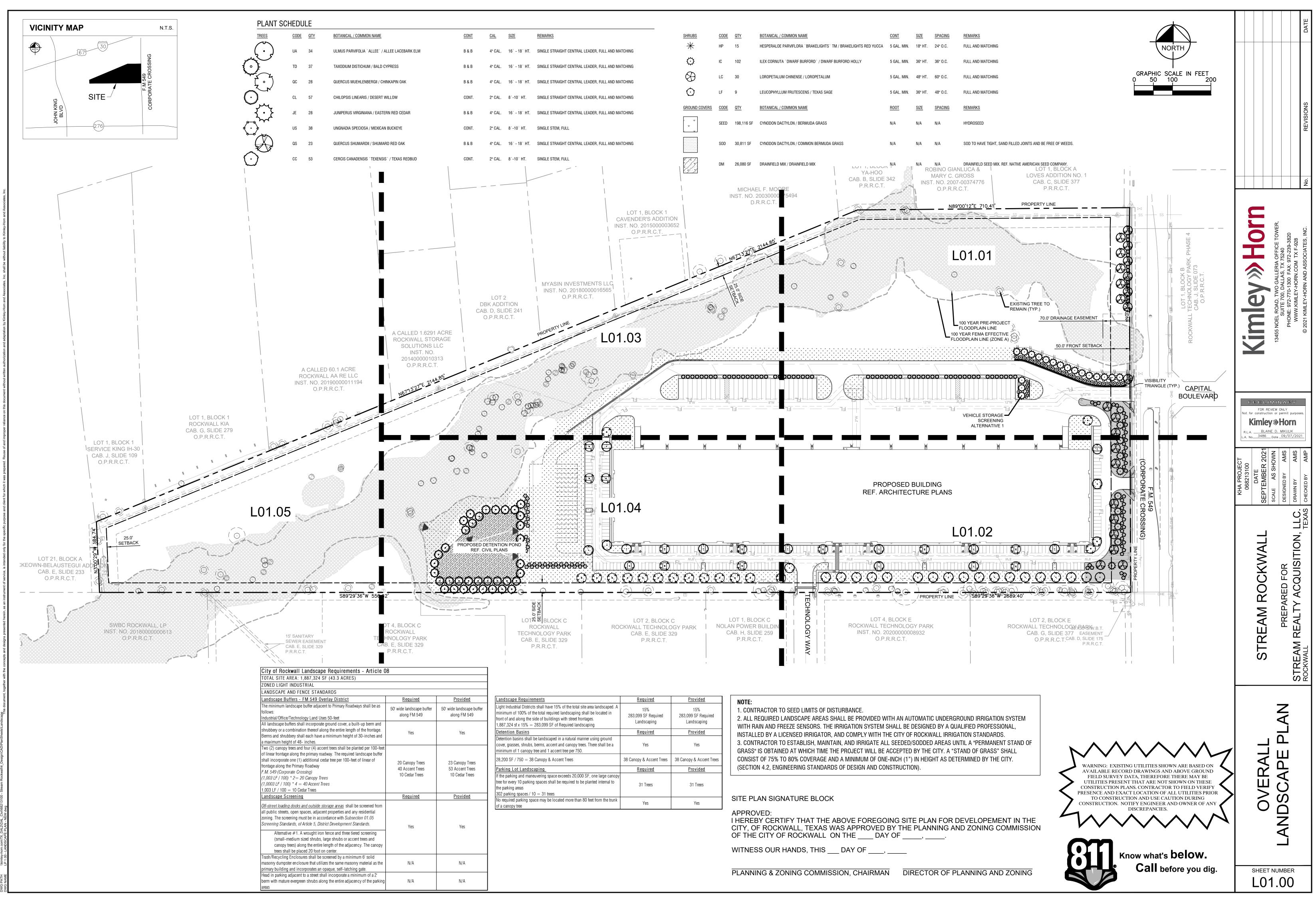
- 1. STONE ST-1: COLOR & PATTERN TO MATCH CORONADO – ELEMENT LEDGESTONE: WHITE
- 2. STONE ST-2: COLOR & PATTERN TO MATCH CORONADO – ELEMENT LEDGESTONE: SILVER ASH
- 3. FRAMES AS ALTERNATE: BLACK ANODIZED AL-2
- 4. VITRO SOLARGRAY GL-1
- 5. PAINT 1– FIELD COLOR TO MATCH SW 7005 (255-C1): PURE WHITE
- 6. PAINT 2– ACCENT COLOR TO MATCH SW 6168 (258-C6) MODERNE WHITE
- 7. PAINT 3– ACCENT COLOR TO MATCH SW 7017 (244-C3) DORIAN GRAY.
- 8. PAINT 4– ACCENT COLOR TO MATCH SW 7018 (244-C5) DOVETAIL



EXTERIOR



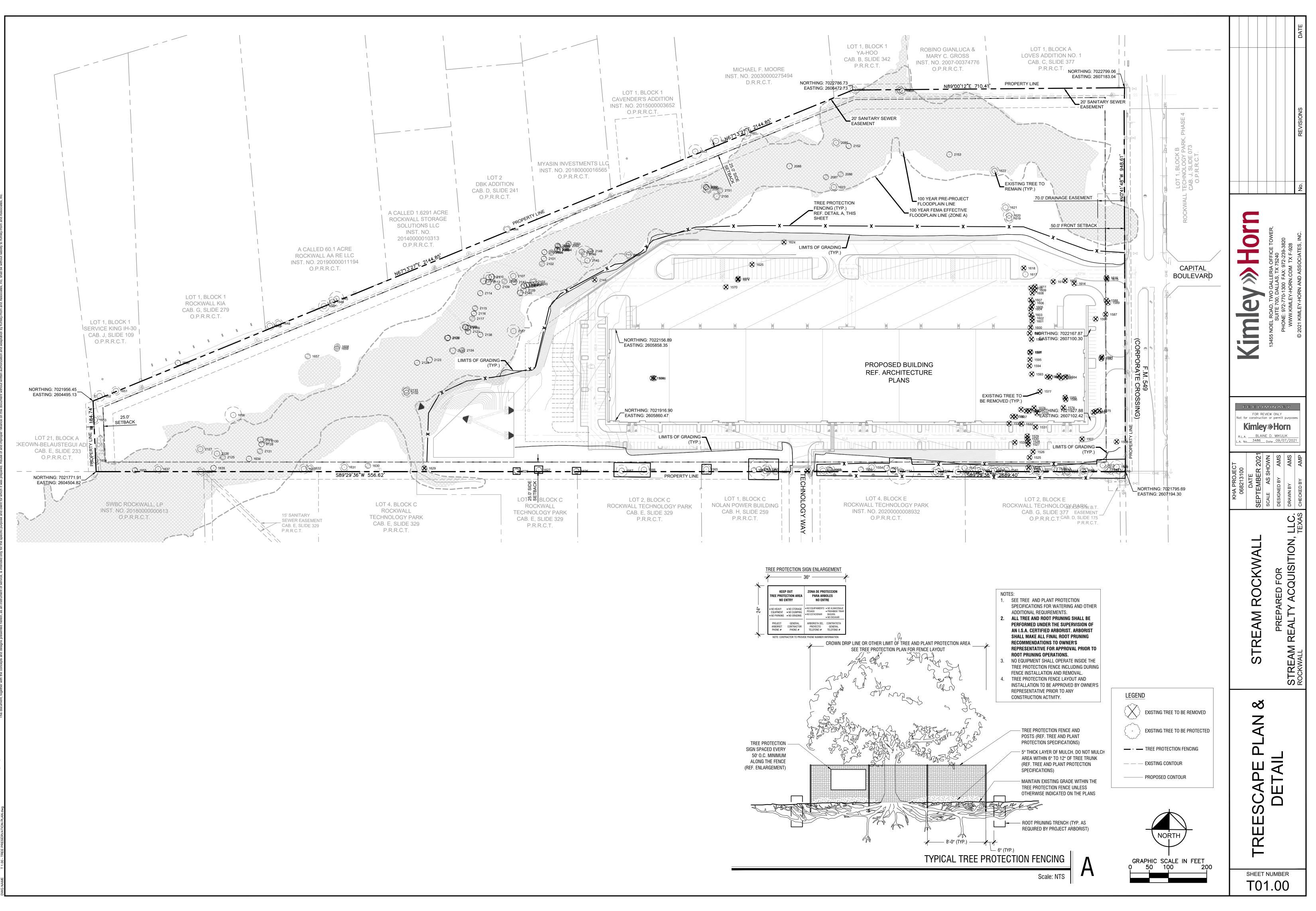




	<u>Provided</u>
er	50' wide landscape buffer along FM 549
	Yes
	23 Canopy Trees 53 Accent Trees 10 Cedar Trees
	Provided
	Yes
	N/A

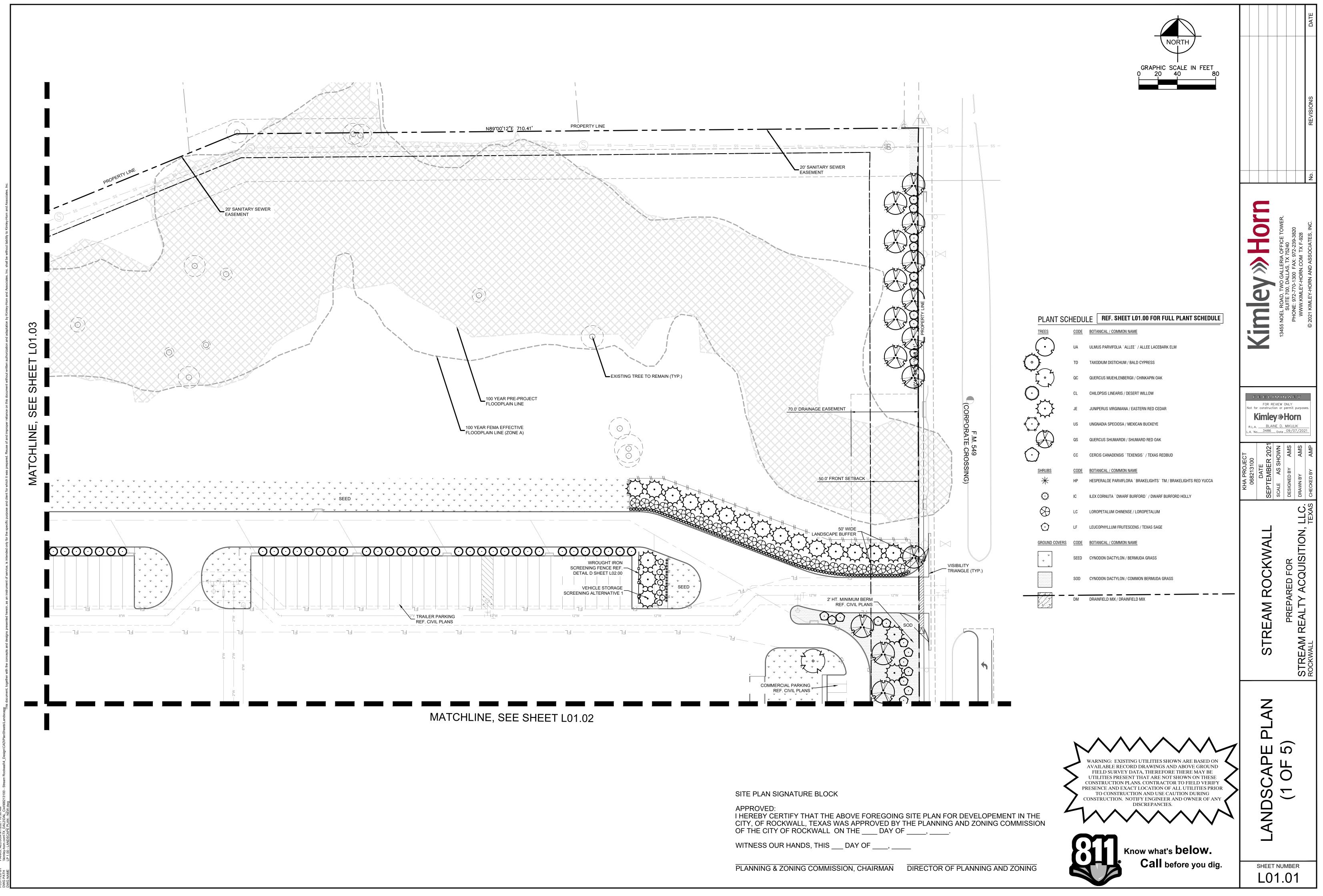
Landscape Requirements	<u>Required</u>	<u>Provided</u>
Light Industrial Districts shall have 15% of the total site area landscaped. A minimum of 100% of the total required landscaping shall be located in front of and along the side of buildings with street frontages. 1,887,324 sf x 15% = 283,099 SF of Required landscaping	15% 283,099 SF Required Landscaping	15% 283,099 SF Required Landscaping
Detention Basins	<u>Required</u>	<u>Provided</u>
Detention basins shall be landscaped in a natural manner using ground cover, grasses, shrubs, berms, accent and canopy trees. There shall be a minimum of 1 canopy tree and 1 accent tree per 750.	Yes	Yes
28,200 SF / 750 = 38 Canopy & Accent Trees	38 Canopy & Accent Trees	38 Canopy & Accent Trees
Parking Lot Landscaping	<u>Required</u>	<u>Provided</u>
If the parking and maneuvering space exceeds 20,000 SF, one large canopy tree for every 10 parking spaces shall be required to be planted internal to the parking areas 302 parking spaces / $10 = 31$ trees	31 Trees	31 Trees
No required parking space may be located more than 80 feet from the trunk of a canopy tree	Yes	Yes

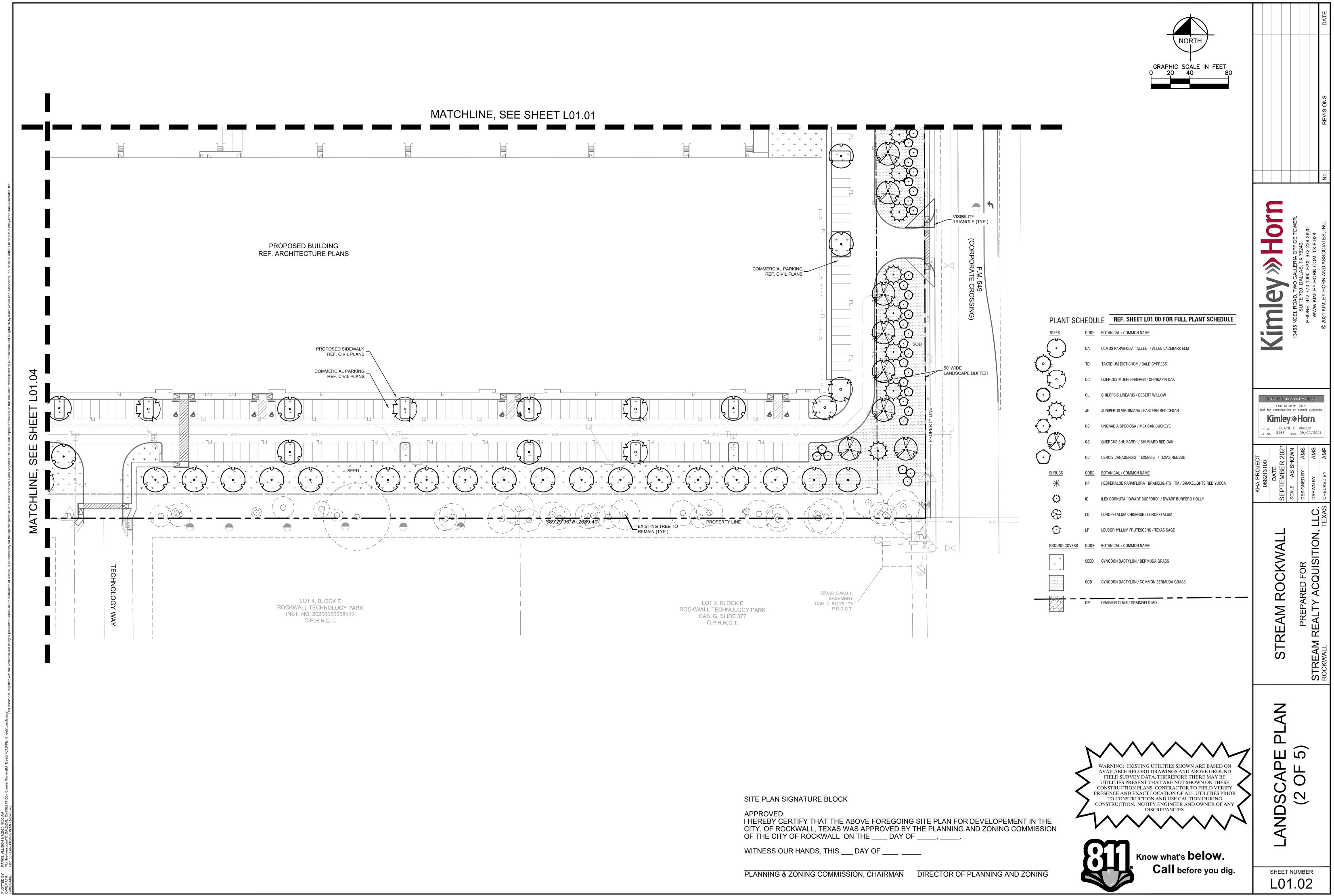


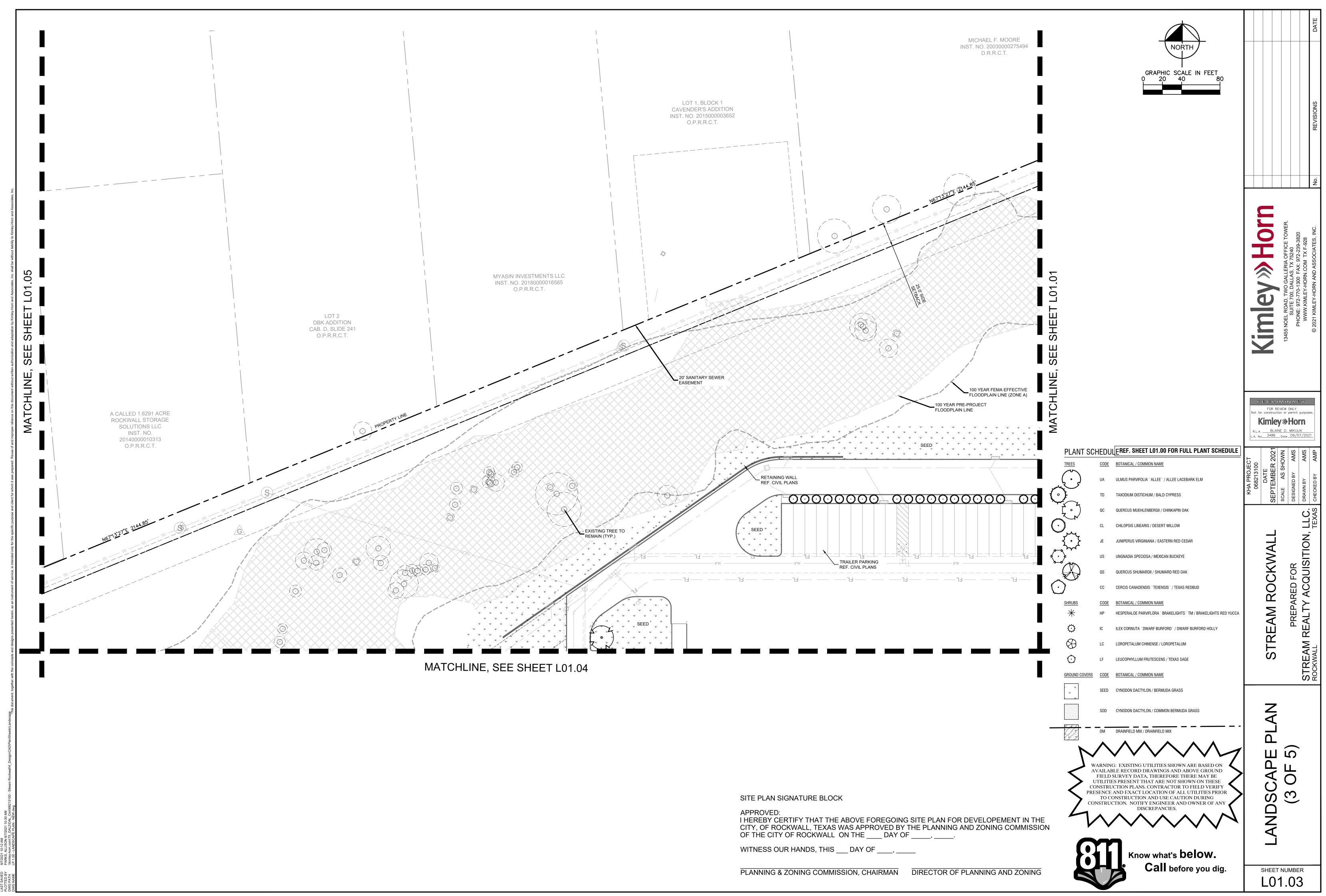


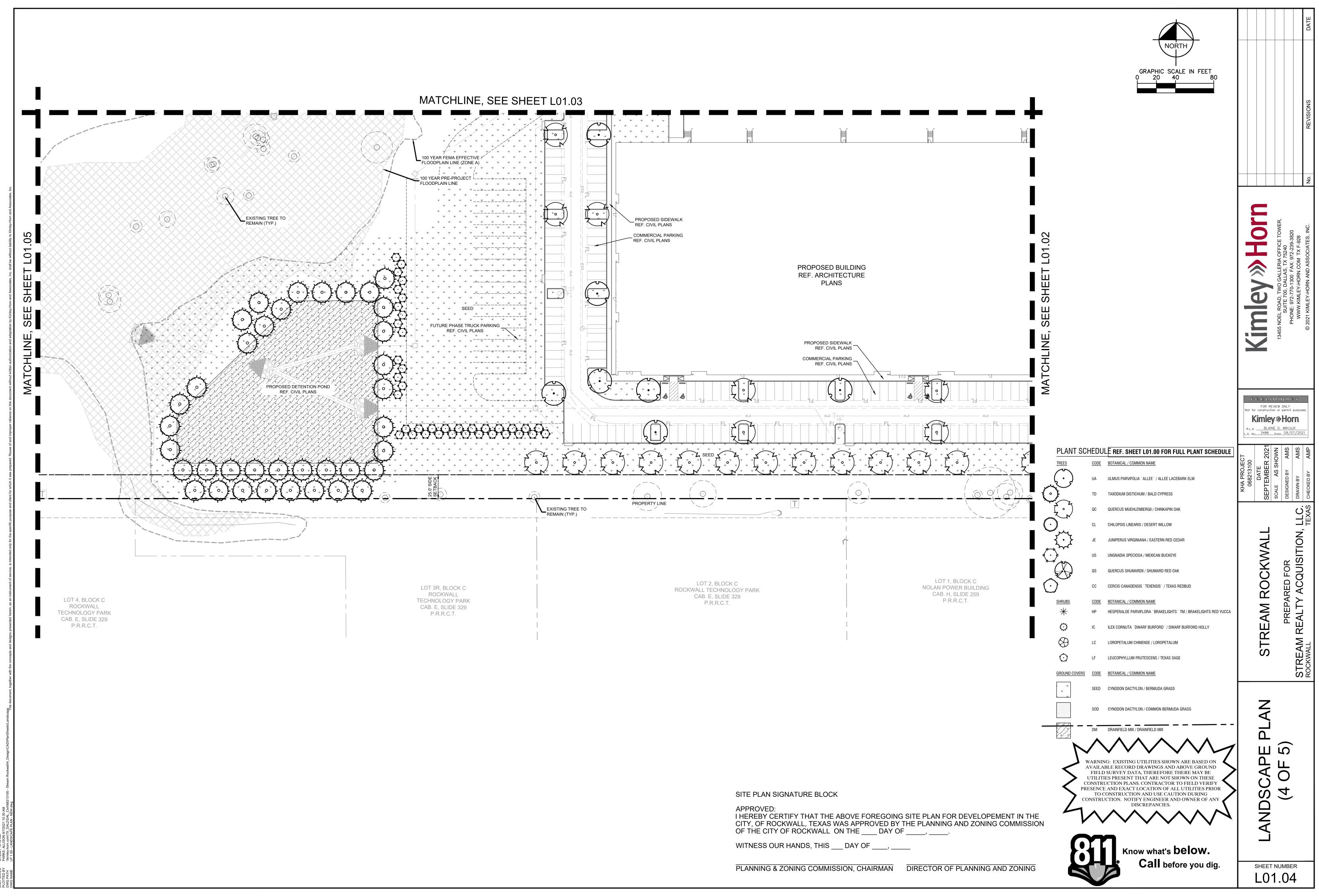
		Rock	wall Industrial - C	City of R	Rockwall						Roc	kwall Industrial - (	City of Rock	wall			Rockwall Industrial - City of Rockwall
Tag Number	Common	Scientific	Condition	Trui		Class	Replacement Ratio	Mitigation Required	Tag Number	DBH Common	Scientific	Condition	Trunk	Action Class	Replacement	t Mitigation Required	Tag Number     DBH     Common     Scientific     Condition     Trunk     Action     Class     Replacement     Mitigation       Ratio     Required     Image: Condition     Image: Condition </th
1507         23.1           1508         30.9	Cedar Elm Pecan	Ulmus crassifolia Carya illinoinensis	Healthy Declining	Sing Fork	gle Remove ked Remove	Primary Unprotected	1:1 N/A	23.1 N/A	1605 1606	15.9 Hackberry 11.9 Hackberry	Celtis laevigata	Healthy Declining	Single Single	Remove Secondar Remove Unprotect	.5:1	8.0 N/A	Number       Image: Constraint of the second s
1509         16.9           1510         17.8	Pecan Hackberry	Carya illinoinensis Celtis laevigata	Healthy Healthy	Fork	ked Preserve ked Preserve	Primary Secondary	<u>1:1</u> .5:1	N/A N/A	1607 1608	15.6Hackberry12.8Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Single Single	Remove Secondar Remove Secondar	· .5:1 · .5:1	7.8	2133       10.4       Green Ash       Fraxinus pennsylvanica       Healthy       Single       Preserve       Primary       1:1       N/A         2134       5.4       Green Ash       Fraxinus pennsylvanica       Healthy       Single       Preserve       Primary       1:1       N/A
151111.5151211.3	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy		gle Preserve gle Preserve	Secondary Secondary	.5:1 .5:1	N/A N/A	1609 1610	11.5Hackberry17.6Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Single Forked	Remove Secondar Remove Secondar	/ .5:1 / .5:1	5.8 8.8	2135       9.0       Green Ash       Fraxinus pennsylvanica       Healthy       Single       Preserve       Primary       1:1       N/A         2136       6.9       Green Ash       Fraxinus pennsylvanica       Declining       Single       Preserve       Unprotected       N/A       N/A
151315.5151418.4	Eastern Redcedar Hackberry	Juniperus virginiana Celtis laevigata	Hazard Healthy	Sing	gle Preserve ked Preserve	Unprotected Secondary	N/A .5:1	N/A N/A	1611 1612	11.0Hackberry21.4Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Single Single	RemoveSecondarRemoveSecondar	· .5:1 · .5:1	5.5 10.7	213716.4Eastern RedcedarJuniperus virginianaHealthyMultiPreserveSecondary.5:1N/A21386.0Hercules-ClubZanthoxylum clava-herculisHealthySinglePreservePrimary1:1N/A
151514.715164.7	Hackberry Cedar Elm	Celtis laevigata Ulmus crassifolia	Healthy Healthy	Sing Sing	gle Preserve gle Preserve	Secondary Primary	.5:1 1:1	N/A N/A	1613 1614	12.8Hackberry4.0Hercules-Club	Celtis laevigata Zanthoxylum clava-herculis	Healthy Healthy	Multi Single	RemoveSecondarRemovePrimary	· .5:1 1:1	6.4	2139       14.8       Hackberry       Celtis laevigata       Healthy       Single       Preserve       Secondary       .5:1       N/A         2140       8.3       Hercules-Club       Zanthoxylum clava-herculis       Healthy       Multi       Preserve       Primary       1:1       N/A
1517     12.7       1518     12.0	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Sing	-	Secondary Secondary	.5:1 .5:1	N/A N/A	1615 1616	11.0     Hackberry       8.4     Hercules-Club	Celtis laevigata Zanthoxylum clava-herculis	Healthy Healthy	Single Forked	Remove         Secondar           Remove         Primary	v .5:1 1:1	5.5	2141       7.9       Green Ash       Fraxinus pennsylvanica       Healthy       Single       Preserve       Primary       1:1       N/A         2142       6.5       Green Ash       Fraxinus pennsylvanica       Healthy       Single       Preserve       Primary       1:1       N/A         2143       4.4       Slippery Elm       Ulmus rubra       Healthy       Single       Preserve       Primary       1:1       N/A
1519     14.2       1520     4.0	Hackberry Hercules-Club	Celtis laevigata Zanthoxylum clava-herculis	Declining Healthy		ked Preserve	Unprotected Primary	N/A 1:1	N/A N/A	1617 1618	9.6Hercules-Club7.9Hercules-Club12.0Eastern Redcedar	Zanthoxylum clava-herculis Zanthoxylum clava-herculis	Healthy Healthy	Forked Forked	Remove Primary Remove Primary	1:1 1:1	9.6 7.9	2144     5.7     Hercules-Club     Zanthoxylum clava-herculis     Healthy     Single     Remove     Primary     1:1     5.7
1521         13.6           1522         11.0           1522         21.2	Hackberry Hackberry Hackberry	Celtis laevigata Celtis laevigata Celtis laevigata	Healthy Healthy	Sing	gle Preserve gle Preserve	Secondary Secondary	.5:1 .5:1 N/A	N/A N/A N/A	1619 1620 1621	12.0     Lastern Redcedar       14.8     Eastern Redcedar       11.2     Eastern Redcedar	Juniperus virginiana Juniperus virginiana Juniperus virginiana	Healthy Healthy Declining	Single Multi Forked	Preserve Secondar Preserve Secondar Preserve Unprotect		N/A N/A N/A	2145       17.8       Hackberry       Celtis laevigata       Declining       Single       Preserve       Unprotected       N/A       N/A         2146       22.0       Hackberry       Celtis laevigata       Declining       Single       Preserve       Unprotected       N/A       N/A         2147       4.5       Hercules-Club       Zanthoxylum clava-herculis       Healthy       Single       Preserve       Primary       1:1       N/A
1523     31.2       1524     12.9       1525     18.0	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Hazard Healthy Hazard	Mul Mul Sing	ulti Preserve	Unprotected Secondary Unprotected	.5:1 N/A	N/A N/A N/A	1621 1622 1623	11.2Edecision (coordination)11.6Hackberry11.2Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Single Single	Preserve Unprotect Preserve Secondar Preserve Secondar	, .5:1	N/A N/A N/A	2148       5.6       Hercules-Club       Zanthoxylum clava-herculis       Healthy       Forked       Preserve       Primary       1:1       N/A         2149       10.4       Cedar Elm       Ulmus crassifolia       Healthy       Single       Preserve       Primary       1:1       N/A
1525         16.0           1526         16.3           1527         15.7	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Declining Healthy	Sing Sing Sing	gle Remove	Unprotected Secondary	N/A .5:1	N/A 7.9	1624 1625	12.6Eastern Redcedar11.7Eastern Redcedar	Juniperus virginiana Juniperus virginiana	Healthy Healthy	Multi Single	Remove Secondar Remove Secondar	.5:1	6.3	2150       9.7       Slippery Elm       Ulmus rubra       Healthy       Single       Preserve       Primary       1:1       N/A         2151       4.2       Hercules-Club       Zanthoxylum clava-herculis       Healthy       Forked       Preserve       Primary       1:1       N/A
1528         18.3           1529         13.2	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Declining Healthy	Mul	ulti Remove	Unprotected Secondary	N/A .5:1	N/A 6.6	1626 1627	5.7Hercules-Club6.5Hercules-Club	Zanthoxylum clava-herculis Zanthoxylum clava-herculis	Healthy Healthy	Single Forked	Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	2152       6.3       Cedar Elm       Ulmus crassifolia       Healthy       Forked       Preserve       Primary       1:1       N/A         2153       7.1       Hercules-Club       Zanthoxylum clava-herculis       Healthy       Forked       Preserve       Primary       1:1       N/A
153012.5153120.9	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Declining	Sing	gle Remove	Secondary Unprotected	.5:1 N/A	6.3 N/A	1628 1629	5.4Hercules-Club5.0Hercules-Club	Zanthoxylum clava-herculis Zanthoxylum clava-herculis	Healthy Healthy	Forked Single	Preserve Primary Remove Primary	1:1 1:1	N/A 5.0	Kimley-Horn red tree tag series: 1507-1659; 2085-2153. Primary protected trees measuring 4-inches or larger at DBH and secondary protected trees measuring 11-inches or larger at DBH were tagged, in accordance with the City of Rockwall Tree Ordinance.
153218.1153315.7	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Declining Healthy	Sing		Unprotected Secondary	N/A .5:1	N/A 7.9	1630 1631	4.8Hercules-Club11.0Hackberry	Zanthoxylum clava-herculis Celtis laevigata	Healthy Healthy	Forked Single	PreservePrimaryPreserveSecondar	1:1 / .5:1	N/A N/A	Tree Inches Being Removed Tree Inches Mitigation Inches
153412.0153515.6	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Declining Declining		gle Remove	Unprotected Unprotected	N/A N/A	N/A N/A	1632 1633	10.4Hercules-Club12.5Hackberry	Zanthoxylum clava-herculis Celtis laevigata	Healthy Healthy	Multi Forked	Preserve Primary Preserve Secondar	1:1 / .5:1	N/A N/A	Total track inches being removed Drimony 1:1 120.9 120.9
1536         14.4           1537         11.5           1532         24.2	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Sing	gle Remove	Secondary Secondary	.5:1	7.2 5.8	1634 1635	7.3Chinese Tallow7.6Slippery Elm11.2Green Ash	Sapium sebiferum Ulmus rubra	Healthy Healthy	Single Single	Preserve Primary Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	Total tree inches being removed - Secondary - 0.5:1     129.8     129.8       Total tree inches being removed - Secondary - 0.5:1     586.1     293.1       Total tree inches being removed - Feature - 2:1     0     0.0
1538         24.2           1539         23.1           1540         15.7	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Declining	Sing	gle Remove gle Remove	Secondary Unprotected	.5:1 N/A	12.1 N/A	1636 1637 1638	11.2Green Ash11.6Slippery Elm11.6Eastern Redcedar	Fraxinus pennsylvanica Ulmus rubra Juniperus virginiana	Healthy Healthy Healthy	Single Forked	Preserve Primary Preserve Primary Preserve Secondar	1:1 1:1 , .5:1	N/A N/A N/A	Total tree inches being removed     715.9     422.85
1540         15.7           1541         12.1           1542         12.3	Hackberry Hackberry Hackberry	Celtis laevigata Celtis laevigata Celtis laevigata	Healthy Healthy Healthy	Sing	gle Preserve gle Preserve	Secondary Secondary	.5:1 .5:1 5·1	N/A N/A N/A	1638 1639 1640	11.6Eastern Reddedal11.0Hackberry11.1Hackberry	Celtis laevigata	Healthy Declining Healthy	Forked Single Single	Preserve Secondar Preserve Unprotect Preserve Secondar		N/A N/A N/A	Mitigation Inches 422.85
1542     12.3       1543     12.9       1544     11.7	Hackberry Hackberry Hackberry	Celtis laevigata Celtis laevigata Celtis laevigata	Healthy Healthy Healthy	Sing	gle Preserve gle Preserve ked Preserve	Secondary Secondary Secondary	.5:1 .5:1 .5:1	N/A N/A N/A	1640 1641 1642	11.1Hackberry16.5Eastern Redcedar14.8Hackberry	Juniperus virginiana Celtis laevigata	Healthy Healthy Healthy	Forked Multi	Preserve Secondar Preserve Secondar Preserve Secondar	.5:1	N/A N/A N/A	Proposed Tree Inches Per Planting Plan     1,496       NET TOTAL     (1,073)
1545         12.8           1546         11.6	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Fork		Secondary Secondary Secondary	.5:1	N/A N/A N/A	1643 1644	17.8Hackberry9.6Slippery Elm	Celtis laevigata Ulmus rubra	Healthy Healthy	Multi	Preserve Secondar Preserve Primary		N/A N/A	
1547         16.3           1548         14.4	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Fork	ked Preserve	Secondary Secondary	.5:1	N/A N/A	1645 1646	18.9Hackberry12.9Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Multi Forked	Preserve Secondar Preserve Secondar		N/A N/A	TREE INVENTORY CONDUCTED BY AND/OR UNDER THE SUPERVISION OF:
1549         13.8           1550         11.9	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy		gle Preserve	Secondary Secondary	.5:1	N/A N/A	1647 1648	14.3Hackberry11.1Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Multi Multi	Preserve Secondar Preserve Secondar		N/A N/A	Alex Brown ISA Certified Arborist TX-4383A
155134.715526.3	Hackberry Hercules-Club	Celtis laevigata Zanthoxylum clava-herculis	Hazard Healthy		gle Preserve	Unprotected Primary	N/A 1:1	N/A N/A	1649 1650	11.4Hackberry6.8Chinese elm	Celtis laevigata Ulmus parvifolia	Healthy Healthy	Multi Forked	PreserveSecondarPreservePrimary	· .5:1 1:1	N/A N/A	Kimley-Horn and Associates
15538.2155411.2	Hercules-Club Hackberry	Zanthoxylum clava-herculis Celtis laevigata	Healthy Healthy	Mul Fork		Primary Secondary	1:1 .5:1	N/A N/A	1651 1652	11.3Hackberry13.9Hackberry	Celtis laevigata Celtis laevigata	Healthy Declining	Single Single	Preserve Secondar Preserve Unprotect	d N/A	N/A N/A	NOTE:
15555.3155612.2	Hercules-Club Hackberry	Zanthoxylum clava-herculis Celtis laevigata	Healthy Healthy	Sing Mul	ulti Preserve	Primary Secondary	1:1 .5:1	N/A N/A	1653 1654	11.0Eastern Redcedar11.8Hackberry	Juniperus virginiana           Celtis laevigata	Healthy Healthy	Multi Single	Preserve Secondar Preserve Secondar		N/A N/A	THE FOLLOWING TREE HEALTH DESCRIPTIONS ARE BASED ON A RAPID VISUAL ASSESSMENT OF INDICATORS WHICH ARE EASILY IDENTIFIABLE FROM GROUND LEVEL AND WITH THE UNAIDED EYE. FOR TREE INVENTORY PURPOSES
1557         5.2           1558         11.3	Hercules-Club Hackberry	Zanthoxylum clava-herculis Celtis laevigata	Declining Declining		ked Preserve	Unprotected Unprotected	N/A N/A	N/A N/A	1655 1656 1657	5.9Slippery Elm21.6Hackberry4.7Green Ash	Ulmus rubra Celtis laevigata Fraxinus pennsylvanica	Healthy Healthy	Single Single	Preserve Primary Preserve Secondar	<u>1:1</u> / .5:1 1:1	N/A N/A	ONLY.
1559         13.3           1560         4.7	Hackberry Hercules-Club	Celtis laevigata Zanthoxylum clava-herculis	Declining Healthy	Sing	gle Remove gle Preserve	Unprotected Primary	N/A 1:1	N/A N/A	1657 1658 1659	4.1 Green Ash 5.0 Green Ash	Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy Healthy	Forked Single Forked	Preserve Primary Preserve Primary Preserve Primary	1:1 1:1 1:1	N/A N/A N/A	HEALTHY: TREE SHOW SIGNS OF GROWTH. INDICATORS OF DISEASE OR DIEBACK NOT OBSERVED.
1561         13.9           1562         13.2           1562         26.8	Hackberry Hackberry Hackberry	Celtis laevigata Celtis laevigata Celtis laevigata	Healthy Healthy	Sing	gle Preserve	Secondary Secondary	.5:1	N/A N/A	2085	11.0Eastern Redcedar4 5Hercules-Club	Juniperus virginiana Zanthoxylum clava-herculis	Healthy Healthy	Single	Preserve Secondar Preserve Primary		N/A N/A N/A	DECLINING: TREE SHOWS VISIBLE SIGNS OF DISEASE (SUCH AS FUNGUS, SLIME FLUX, OR BARK SLOUGHING) OR DIEBACK.
1563         26.8           1564         5.1           1565         11.3	Hercules-Club Hackberry	Zanthoxylum clava-herculis Celtis laevigata	Healthy Healthy Healthy	Sing Fork	ked Preserve	Feature Primary Secondary	<u> </u>	N/A N/A N/A	2087 2088	5.1         Slippery Elm           7.6         Slippery Elm	Ulmus rubra Ulmus rubra	Healthy Healthy	Single	Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	HAZARD: TREE SHOWS VISIBLE SIGNS OF DECAY, LIMB FAILURE AND/OR INSTABILITY.
1565         11.3           1566         13.1           1567         14.9	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Mul	ulti Preserve	Secondary Secondary Secondary	.5:1	N/A N/A	2089 2090	6.3Hercules-Club14.0Hackberry	Zanthoxylum clava-herculis Celtis laevigata	Healthy Healthy	Single Single	Preserve Primary Preserve Secondar	1:1 / .5:1	N/A N/A	
1568         14.2           1569         15.3	Eastern Redcedar Eastern Redcedar	Juniperus virginiana Juniperus virginiana	Declining Healthy	Mul	Ilti Remove	Unprotected Secondary	N/A .5:1	N/A 7.7	2091 2092	11.3Hackberry5.5Green Ash	Celtis laevigata Fraxinus pennsylvanica	Healthy Healthy	Single Single	Preserve Secondar Preserve Primary	· .5:1 1:1	N/A N/A	
157014.3157113.1	Eastern Redcedar Eastern Redcedar	Juniperus virginiana Juniperus virginiana	Healthy Healthy	Mul Sing		Secondary Secondary	.5:1 .5:1	7.2 6.6	2093 2094	5.5         Slippery Elm           9.1         Green Ash	Ulmus rubra Fraxinus pennsylvanica	Healthy Healthy	Single Single	PreservePrimaryPreservePrimary	<u> </u>	N/A N/A	
157211.415734.3	Eastern Redcedar Cedar Elm	Juniperus virginiana Ulmus crassifolia	Healthy Healthy	Sing	gle Remove gle Remove	Secondary Primary	.5:1 1:1	5.7 4.3	2095 2096	6.7Green Ash4.0Green Ash5.7Green Ash	Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy	Single Single	Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	
1574         10.5           1575         6.3	Hercules-Club Cedar Elm	Zanthoxylum clava-herculis Ulmus crassifolia	Healthy Healthy		gle Remove		1:1 1:1	10.5 6.3	2097 2098 2099	4.3Green Ash4.2Hercules-Club	Fraxinus pennsylvanica Fraxinus pennsylvanica Zanthoxylum clava-herculis	Healthy Healthy Healthy	Single Single	Preserve Primary Preserve Primary Preserve Primary	1:1	N/A N/A N/A	
1576         7.9           1577         23.7           1570         16.2	Hercules-Club Cedar Elm	Zanthoxylum clava-herculis Ulmus crassifolia	Healthy Healthy	Sing	gle Remove gle Remove	Primary Primary	<u> </u>	7.9	2100 2101	4.2Allocated on allocation6.4Green Ash5.9Green Ash	Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy	Single Single Single	· · · · · · · · · · · · · · · · · · ·	<u> </u>	N/A N/A N/A	
1578     16.2       1579     5.5       1580     13.3	Hackberry Cedar Elm Hackberry	Celtis laevigata Ulmus crassifolia Celtis laevigata	Healthy Healthy	Sing	gle Remove	Secondary Primary	.5:1 <u>1:1</u> 5:1	8.1 5.5 6.7	2102 2103	4.3Slippery Elm5.8Green Ash	Ulmus rubra Fraxinus pennsylvanica	Healthy Healthy	Single Single	Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	Ŏ
1580         13.3           1581         13.7           1582         12.6	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy Healthy	Sing	gle Remove	Secondary Secondary Secondary	.5:1	6.9 6.3	2104 2105	5.5Green Ash5.7Green Ash	Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy	Single Single	Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	
1582         12.0           1583         13.9           1584         12.9	Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Sing	gle Remove gle Remove	Secondary Secondary Secondary	.5:1	7.0	2106 2107	8.0Green Ash12.7Slippery Elm	Fraxinus pennsylvanica Ulmus rubra	Healthy Healthy	Single Single	Preserve Primary Preserve Primary	1:1	N/A N/A	
1585         16.5           1586         29.2	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Declining Hazard	Sing	gle Remove	Unprotected Unprotected	N/A N/A	N/A N/A	2108 2109	4.1Green Ash7.5Green Ash7.7Pocon	Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy	Single Single	Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	
158711.3158813.5	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Mul	-	Secondary Secondary	.5:1	5.7 6.8	2110 2111 2112	7.7Pecan13.4Green Ash7.8Green Ash	Carya illinoinensis Fraxinus pennsylvanica	Healthy Healthy	Single Forked	· · · · · · · · · · · · · · · · · · ·	1:1 1:1	N/A N/A	
158911.6159020.6	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Declining	Fork Fork	ked Remove ked Remove	Secondary Unprotected	.5:1 N/A	5.8 N/A	2112 2113 2114	7.8     Green Ash       8.9     Green Ash       6.3     Slippery Elm	Fraxinus pennsylvanica Fraxinus pennsylvanica Ulmus rubra	Healthy Healthy	Single Single	Preserve Primary Preserve Primary Procence Primary	<u> </u>	N/A N/A N/A	
1591     13.3       1592     11.1	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Declining	Sing	gle Remove gle Remove	Secondary Unprotected	.5:1 N/A	6.7 N/A	2114 2115 2116	5.3     Slippery Elm       5.9     Green Ash	Ulmus rubra Fraxinus pennsylvanica	Healthy Healthy Healthy	Single Single Single	Preserve Primary Preserve Primary Preserve Primary	1:1 1:1 1:1	N/A N/A N/A	
1593         27.7           1594         16.1           1505         12.6	Hackberry Hackberry Hackberry	Celtis laevigata Celtis laevigata Celtis laevigata	Declining Healthy	-	gle Remove	Unprotected Secondary	N/A .5:1	N/A 8.1	2117 2118	4.1Hercules-Club6.8Green Ash	Zanthoxylum clava-herculis Fraxinus pennsylvanica	Declining Healthy	Single Single	Preserve Unprotect Preserve Primary		N/A N/A	
1595     13.6       1596     13.4       1597     13.7	Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy Healthy	Sing	gle Remove gle Remove gle Remove	Secondary Secondary	.5:1	6.8 6.7 6.9	2119 2120	8.0Green Ash13.0Green Ash	Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy	Single Single		1:1 1:1	N/A N/A	
1557         15.7           1598         13.3           1599         18.2	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Fork	ked Remove	Secondary Secondary Secondary	.5:1	6.7 9.1	2121 2122	7.0Green Ash7.9Green Ash	Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy	Forked	Preserve Primary Preserve Primary	1:1 1:1	N/A N/A	
160011.6160122.9	Hackberry Hackberry	Celtis laevigata Celtis laevigata	Healthy Healthy	Sing	gle Remove	Secondary Secondary	.5:1 .5:1	5.8 11.5	2123 2124	8.6         Slippery Elm           6.3         Green Ash	Ulmus rubra Fraxinus pennsylvanica	Healthy Healthy	Single		1:1 1:1	N/A N/A	
160216.216037.9	Eastern Redcedar Hercules-Club	Juniperus virginiana Zanthoxylum clava-herculis	Declining Healthy	Sing Fork	gle Remove ked Remove	Unprotected Primary	N/A 1:1	N/A 7.9	2125 2126 2127	4.4 Green Ash 13.6 Eastern Redcedar	Fraxinus pennsylvanica Juniperus virginiana Celtis laevigata	Healthy Healthy Healthy		Preserve Secondar		N/A N/A	
1604 15.8	Hackberry	Celtis laevigata	Healthy		ked Remove		.5:1	7.9	2127 2128 2129	11.5Hackberry7.3Green Ash8.8Green Ash	Celtis laevigata Fraxinus pennsylvanica Fraxinus pennsylvanica	Healthy Healthy Healthy	Multi Forked Multi	· · · · · · · · · · · · · · · · · · ·	1:1	N/A N/A N/A	
									2129	4.0 Green Ash	Fraxinus pennsylvanica	Healthy		Preserve Primary Preserve Primary		N/A N/A	
																	Ц
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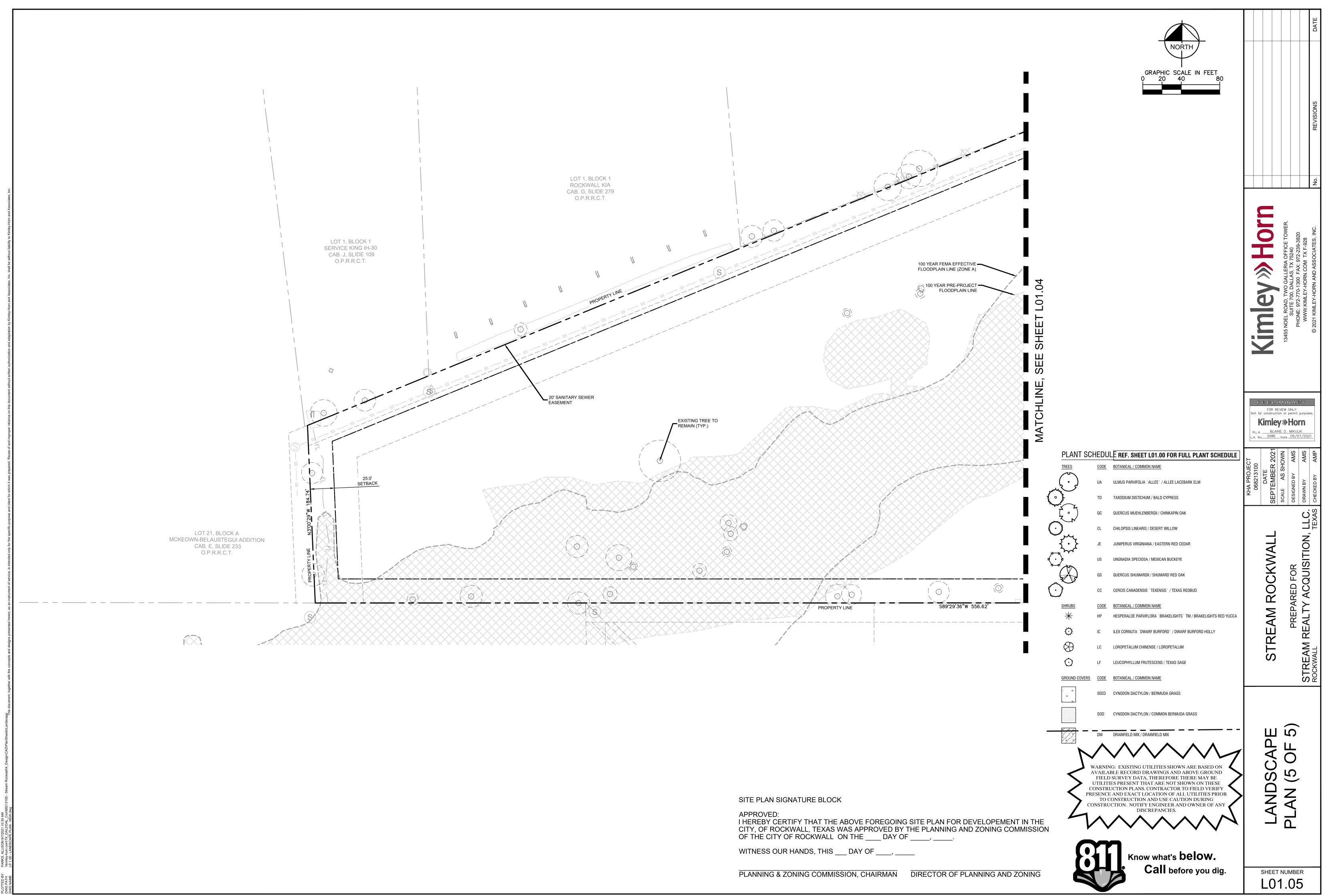
ES SAVED SAVED PATH PATH IMAGI XREF LAST PLOT

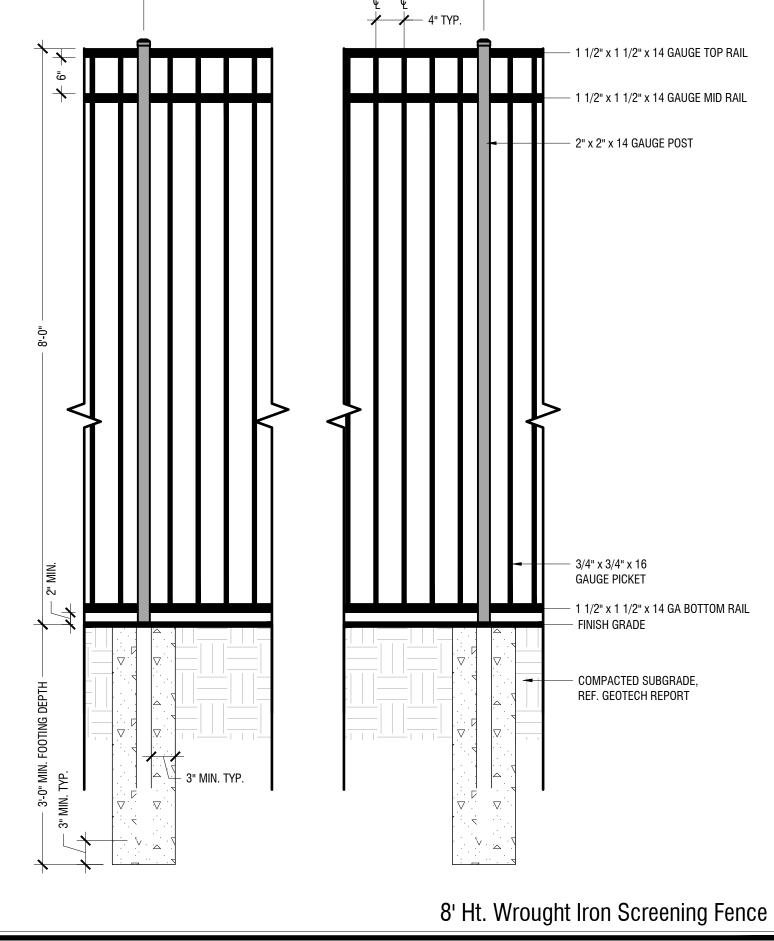










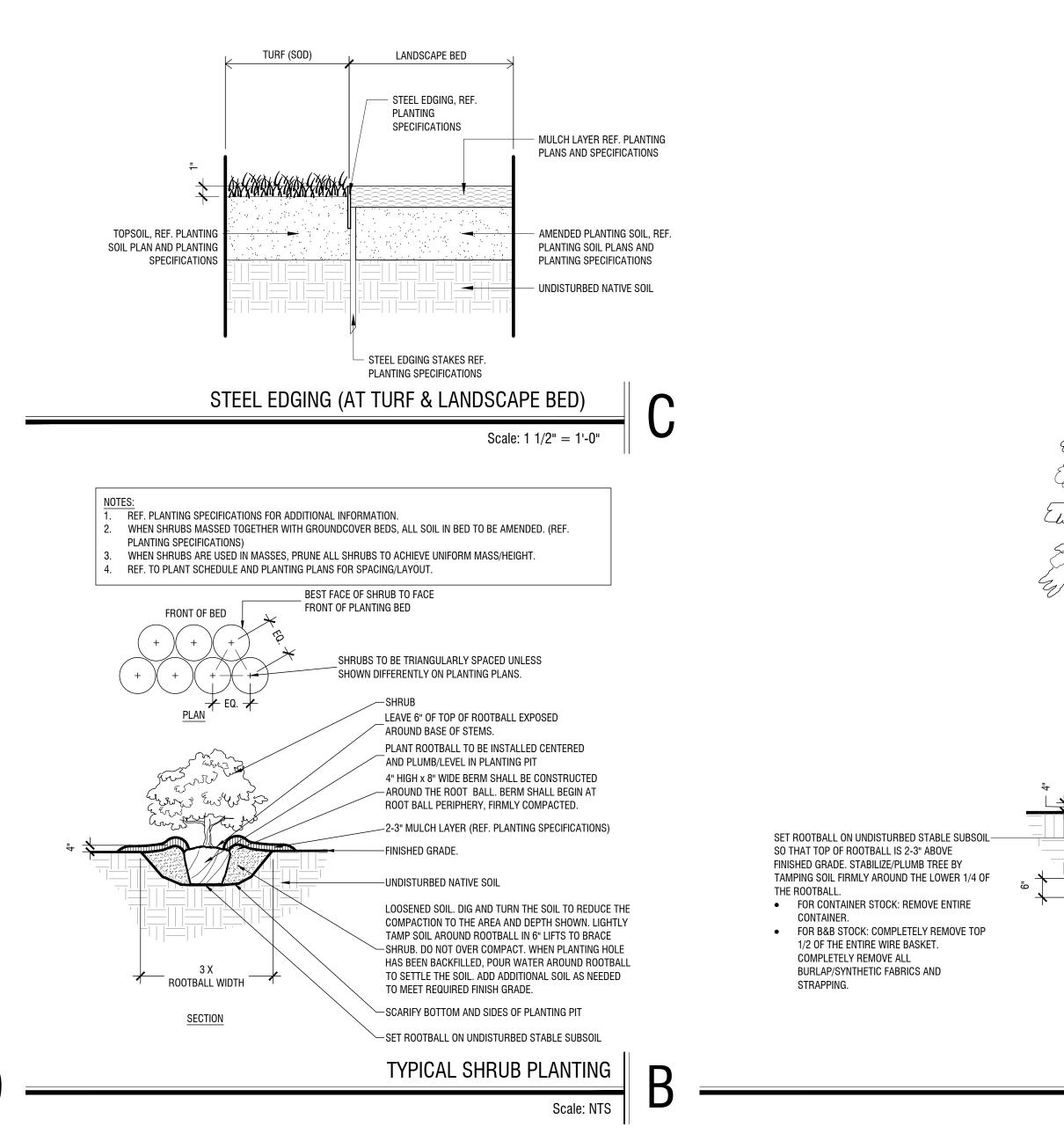


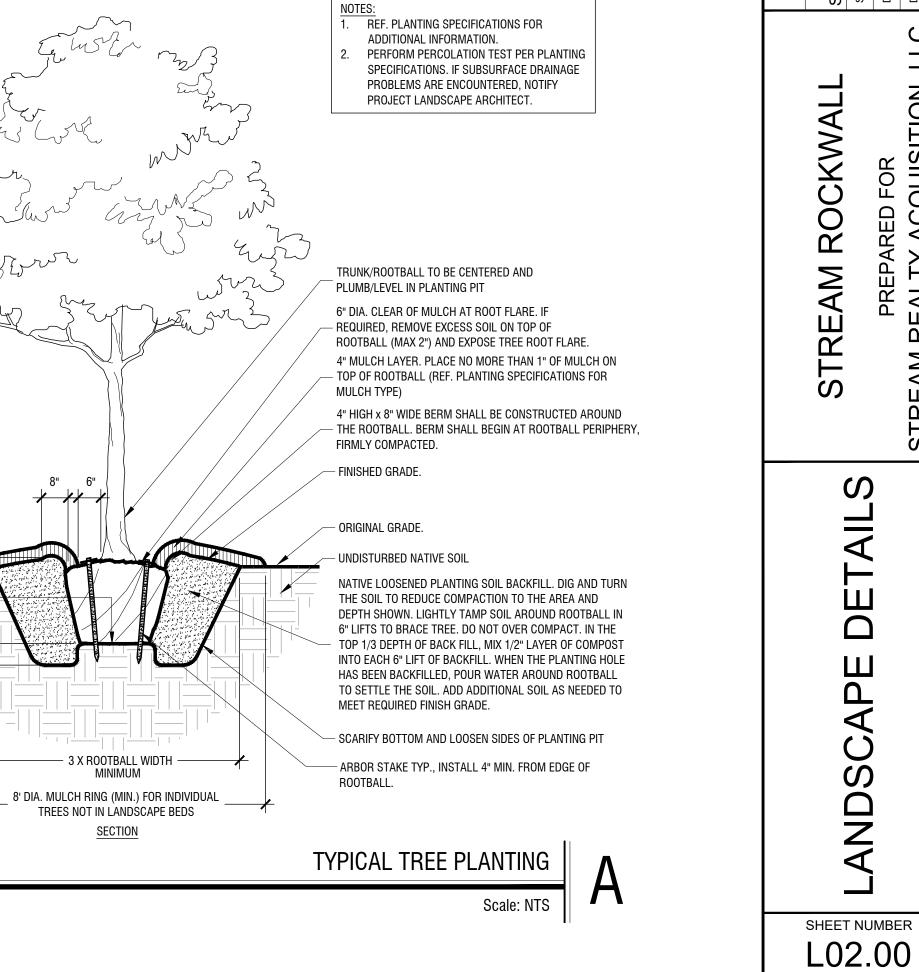
- 8'-0" O.C.

Scale: 3/4"=1'-0"

## PLANTING NOTES:

- 4. CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF DEBRIS PRIOR TO PLANTING IN ALL AREAS. TO PLANTING.
- AREAS AS SHOWN ON THE PLANS AND SPECIFIED IN THE PLANT SCHEDULE.
- 7. CONTRACTOR TO PROVIDE STEEL EDGING BETWEEN ALL PLANTING BEDS AND TURF AREAS UNLESS OTHERWISE INDICATED ON THE DRAWINGS. 8. ALL PLANT MATERIAL SHALL CONFORM TO THE SPECIFICATIONS GIVEN IN THE PLANT SCHEDULE, PLANTING DETAILS, AND PLANTING SPECIFICATIONS.
- 9. ALL PLANT MATERIAL SHALL MEET INDUSTRY STANDARDS AS INDICATED IN THE CURRENT EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1).
- 10. ALL PLANT MATERIAL SUBSTITUTIONS SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE. 11. CONTRACTOR IS RESPONSIBLE FOR ALL COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
- 12. ALL PLANTING AREAS SHALL RECEIVE SOIL AMENDMENTS.
- 13. PLANT MATERIAL SHALL BE PRUNED PER PLANTING DETAILS UNLESS OTHERWISE NOTED ON DRAWINGS. 14. PLANTING AREAS SHALL BE KEPT FREE OF TRASH, WEEDS, DEBRIS, AND DEAD PLANT MATERIAL.
- MATERIAL REMOVED WITH IMPORTED TOPSOIL.
- LIMBED TO A HEIGHT OF FOURTEEN FEET (14'). 17. TREES PLANTED NEXT TO ACCESSIBLE ROUTES AND ACCESSIBLE AREAS SHALL BE LIMBED TO 7'6" (80" MIN.) AFF.
- STRAPS, POSTS (METAL OR WOOD) SHALL BE ALLOWED UNLESS AUTHORIZED IN WRITING BY THE LANDSCAPE ARCHITECT.





## 3 STAKES FOR 3" CALIPER TREES 4 STAKES FOR 4" CALIPER TREES - ARBOR STAKE TYP., INSTALL 4" MIN. FROM EDGE OF ROOTBALL Ø - ROOTBALL - TREE TRUNK **B** - TREE CANOPY

18. ALL PROPOSED TREES SHALL BE STAKED WITH AN AT-GRADE ROOT BALL SECURING SYSTEM AS SHOWN IN THE PLANTING DETAILS AND SPECIFICATIONS. NO ABOVE-GROUND STAKING SYSTEMS, GUY WIRES/WIRES, HOSES,

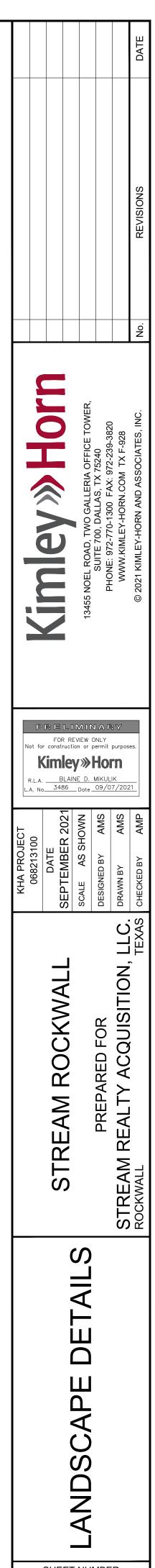
16. TREES OVERHANGING PEDESTRIAN WALKS AND WITHIN VISIBILITY TRIANGLES AS NOTED ON THE PLANS SHALL BE LIMBED TO A HEIGHT OF SEVEN FEET (7). TREE OVERHANGING PUBLIC STREETS AND FIRELANES SHALL BE

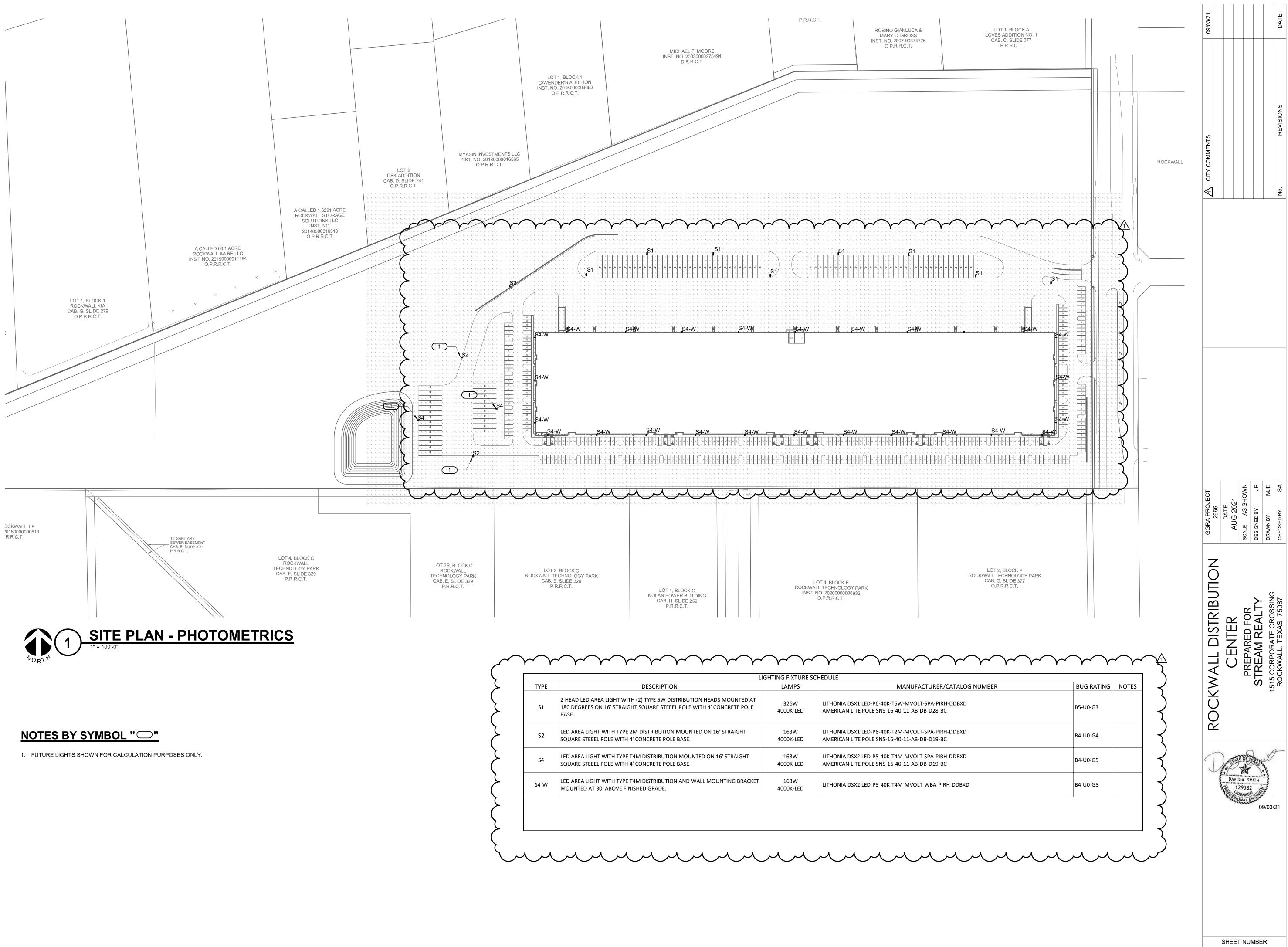
15. ALL LIME STABILIZED SOIL AND INORGANIC SELECT FILL FOR BUILDING OR PAVING CONSTRUCTION SHALL BE REMOVED FROM ALL PLANTING BEDS TO A MINIMUM DEPTH OF 24" UNLESS OTHERWISE NOTED. REPLACE

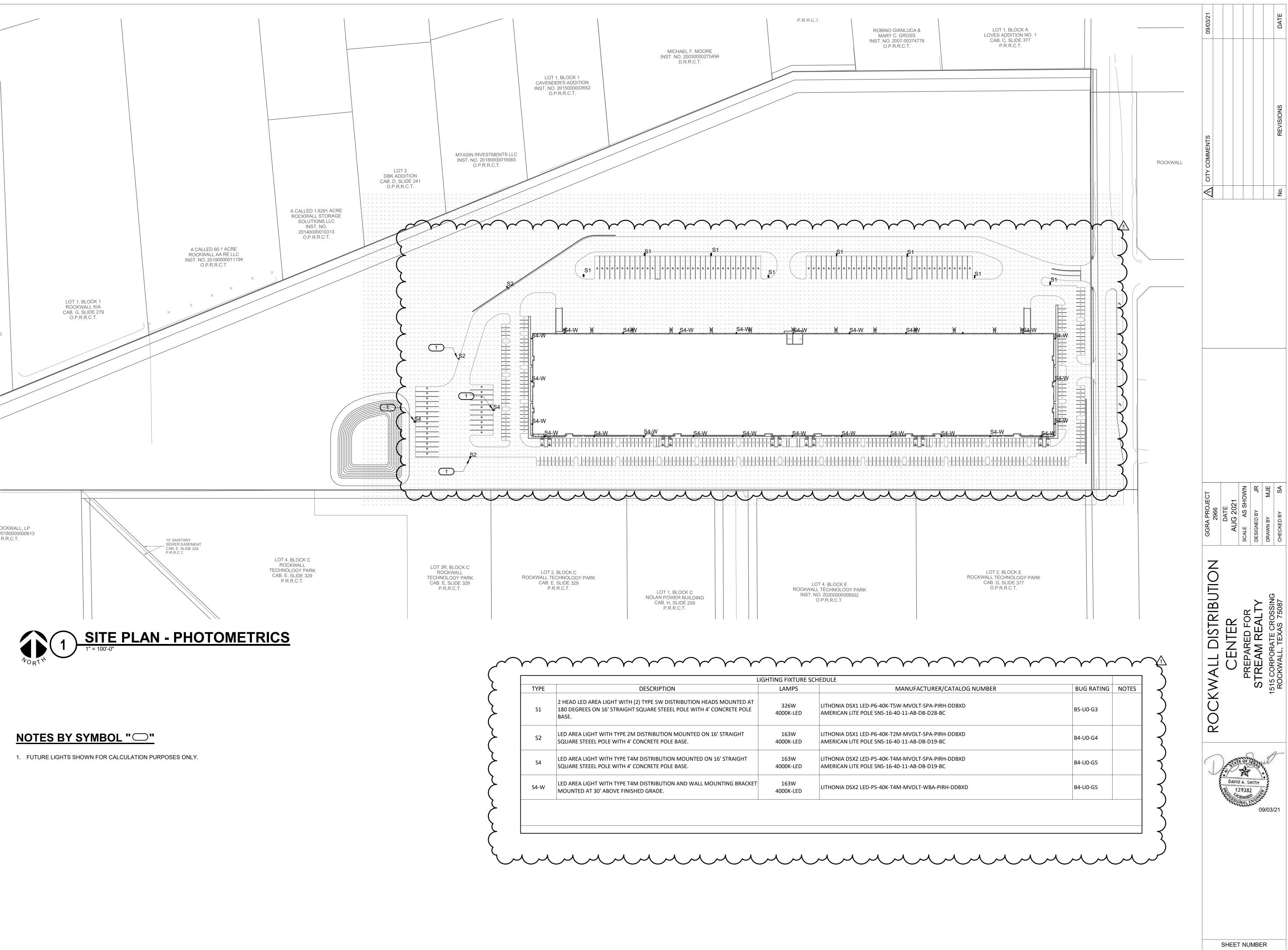
6. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES. ALL PLANT QUANTITIES ARE LISTED FOR INFORMATION PURPOSES ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE FULL COVERAGE IN ALL PLANTING

5. FINAL FINISH GRADING SHALL BE REVIEWED AND APPROVED BY THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A SMOOTH CONDITION PRIOR

1. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATIONS OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL. 2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE LANDSCAPE ARCHITECT OF ANY CONDITION FOUND ON SITE WHICH PERMITS INSTALLATION AS SHOWN ON THESE DRAWINGS. 3. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY, GROWING CONDITION AND MUST BE REPLACED WITHIN 30 DAYS WITH PLANT MATERIAL OF THE SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, OR REMOVED.







E100



(max):

# **D-Series Size 1**

LED Area Luminaire





**Buy American** 

Specificat	ions	
EPA:	1.01 ft <sup>2</sup> (0.09 m <sup>2</sup> )	
Length:	33" (83.8 cm)	
Width:	13" (33.0 cm)	
Height H1:	7-1/2" (19.0 cm)	
Height H2:	3-1/2"	H
Weight (max):	27 lbs (12.2 kg)	

Number			
Notes			
7			
Туре			

## Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 750W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

Orderin	ng Information		EXAMPLE: DSX1 LED P	7 40K T3M N	AVOLT SPA NLTAIR2 PIRHN DDBXD
DSX1 LED					
Series	LEDs	Color temperature	Distribution	Voltage	Mounting
DSX1 LED	Forward optics           P1         P41         P71           P2         P51         P8           P3         P61         P91           Rotated optics         P102         P122           P112         P1312         P1312	30K 3000 K 40K 4000 K 50K 5000 K	T1S       Type I short (Automotive)       T5VS       Type V very short <sup>3</sup> T2S       Type II short       T5M       Type V medium <sup>3</sup> T2M       Type II medium       T5W       Type V wide <sup>3</sup> T3S       Type III short       BLC       Backlight control <sup>4</sup> T3M       Type IV medium       LCCO       Left corner cutoff <sup>4</sup> T4M       Type IV medium       RCCO       Right corner cutoff <sup>4</sup> TFTM       Forward throw medium       How       Right corner cutoff <sup>4</sup>	MVOLT <sup>5</sup> XVOLT (277V-480V) <sup>67,8</sup> 120 <sup>9</sup> 208 <sup>9</sup> 240 <sup>9</sup> 277 <sup>9</sup> 347 <sup>9</sup> 480 <sup>9</sup>	Shipped include         SPA       Square pole mounting         RPA       Round pole mounting 10         WBA       Wall bracket 3         SPUMBA       Square pole universal mounting adaptor 11         RPUMBA       Round pole universal mounting adaptor 9         Shipped separately       KMA8 DDBXD U         KMA8 DDBXD U       Mast arm mounting bracket adaptor (specify finish) 12

Control options				Other options		
Shipped installedNLTAIR2n.Light AIR generation 2 enabled 13PIRHNNetwork, high/low motion/ambient sensor 14PERNEMA twist-lock receptacle only (controls ordered separate) 15PER5Five-pin receptacle only (controls ordered separate) 15,16PER7Seven-pin receptacle only (controls ordered separate) 15,16DMG0-10v dimming wires pulled outside fixture (for use with an external control, ordered separatel) 17DSDual switching 18,19,20	PIR PIRH PIR1FC3V PIRH1FC3V FAO	High/low, motion/ambient sensor, 8–15' mounting height, ambient sensor enabled at 5fc <sup>20,21</sup> High/low, motion/ambient sensor, 15–30' mounting height, ambient sensor enabled at 5fc <sup>20,21</sup> High/low, motion/ambient sensor, 8–15' mounting height, ambient sensor enabled at 1fc <sup>20,21</sup> Bi-level, motion/ambient sensor, 15–30' mounting height, ambient sensor enabled at 1fc <sup>20,21</sup> Field adjustable output <sup>20,21</sup>	HS SF DF L90 R90 HA BAA	ped installed House-side shield <sup>23</sup> Single fuse (120, 277, 347V) <sup>9</sup> Double fuse (208, 240, 480V) <sup>9</sup> Left rotated optics <sup>2</sup> Right rotated optics <sup>2</sup> 50°C ambient operations <sup>1</sup> Buy America(n) Act Compliant <b>ped separately</b> Bird spikes <sup>24</sup> External glare shield	DDBXD DBLXD DNAXD DWHXD DDBTXD DBLBXD DNATXD DWHGXD	Dark bronze Black Natural aluminum White Textured dark bronze Textured black Textured natural aluminum Textured white



## **Ordering Information**

#### Accessories

Orde	Ordered and shipped separately.							
DLL127F 1.5 JU	Photocell - SSL twist-lock (120-277V) 25							
DLL347F 1.5 CUL JU	Photocell - SSL twist-lock (347V) 25							
DLL480F 1.5 CUL JU	Photocell - SSL twist-lock (480V) 25							
DSHORT SBK U	Shorting cap <sup>25</sup>							
DSX1HS 30C U	House-side shield for P1, P2, P3, P4 and P5 <sup>23</sup>							
DSX1HS 40C U	House-side shield for P6 and P7 <sup>23</sup>							
DSX1HS 60C U	House-side shield for P8, P9, P10, P11 and P12 <sup>23</sup>							
PUMBA DDBXD U*	Square and round pole universal mounting bracket (specify finish) <sup>26</sup>							
KMA8 DDBXD U	Mast arm mounting bracket adaptor (specify finish) <sup>12</sup>							
DSX1EGS (FINISH) U	External glare shield							
For more contr	ol options, visit DTL and ROAM online.							

#### NOTES

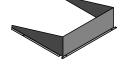
- HA not available with P4, P5, P6, P7, P9 and P13. P10, P11, P12 or P13 and rotated optics (L90, R90) only available together. 2
- Any Type 5 distribution with photocell, is not available Not available with HS. 3 with WBA.

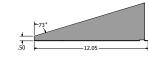
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
   XVOLT only suitable for use with P3, P5, P6, P7, P9 and P13.
- 6 7
- XVOLT works with any voltage between 277V and 480V.
   XVOLT not available with fusing (SF or DF) and not available with PIR, PIRH, PIR1FC3V, PIRH1FC3V.
- 9 Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V. XVOLT not available with fusing (SF or DF. 10 Suitable for mounting to round poles between 3.5" and 12" diameter.
- 11 Universal mounting brokening to rotating between statutes. 11 Universal mounting brokening to rotating between statutes. 12 Must order fixture with SPA option. Must be ordered as a separate accessory, see Accessories information. For use with 2-3/8" diameter mast arm (not included). 13 Must be ordered with PIRHN Sensor cover available only in dark bronze, black, white and natural aluminum colors. 14 Must be ordered with NLTAR2. For more information on nLight Air 2 visit this link.

- 15 Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Shorting cap included. 16 If ROAM® node required, it must be ordered and shipped as a separate line item from Acuity Brands Controls. Node with integral dimming. 17 DMG not available with PIRHN, PERS, PER7, PIR, PIRH, PIRHC3V or PIRH1FC3V, FAO.
- 19 Provides 50/50fixture operation via (2) independent drivers. Not available with PER, PER5, PER7, PIR or PIRH. Not available P1, P2, P3, P4 or P5. 19 Requires (2) separately switched circuits with isolated neutrol.
- 20 Reference Controls Option Default settings table on page 4. 21 Reference Motion Sensor table on page 4 to see functionality.
- 22 Not available with other dimming controls options. 23 Not available with BLC, LCCO and RCCO distribution. Also available as a separate accessory; see Accessories information.
- 24 Must be ordered with fixture for factory pre-drilling. 25 Requires luminaire to be specified with PER, PER5 or PER7 option. See Control Option Table on page 4.
- 26 For retrofit use only. Only usable when pole's drill pattern is NOT Lithonia template #8.

#### **Options**

#### **EGS - External Glare Shield**

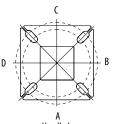




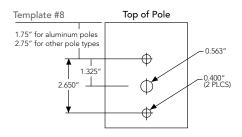


### Drilling

#### HANDHOLE ORIENTATION



Handhole



#### **Tenon Mounting Slipfitter**

Tenon O.D.	Mounting	Single Unit	2 @ 180	2 @ 90	3 @ 90	3 @120	4 @ 90
2-3/8"	RPA	AS3-5 190	AS3-5 280	AS3-5 290	AS3-5 390	AS3-5 320	AS3-5 490
2-7/8"	RPA	AST25-190	AST25-280	AST25-290	AST25-390	AST25-320	AST25-490
4"	RPA	AST35-190	AST35-280	AST35-290	AST35-390	AST35-320	AST35-490

		-8		۲.,	<b>.</b>	<b>*</b>	■
Mounting Option	Drilling Template	Single	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
Head Location		Side B	Side B & D	Side B & C	Side B, C & D	Round Pole Only	Side A, B, C & D
Drill Nomenclature	#8	DM19AS	DM28AS	DM29AS	DM39AS	DM32AS	DM49AS

#### **DSX1 Area Luminaire - EPA**

\*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

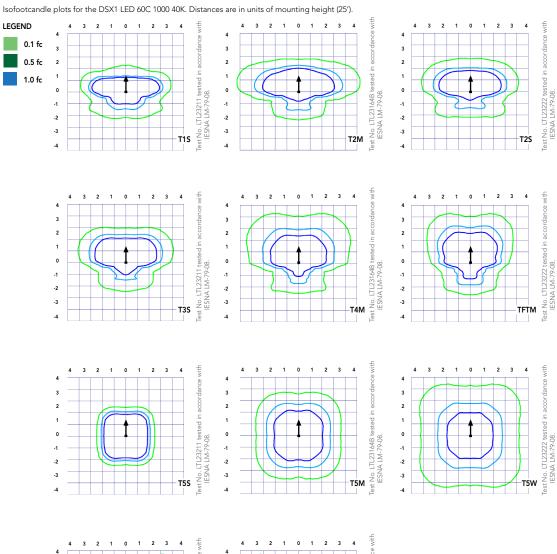
Fixture Quantity & Mounting Configuration	Single DM19	2 @ 180 DM28	2 @ 90 DM29	3 @ 90 DM39	3 @ 120 DM32	4 @ 90 DM49
Mounting Type	-		┖╼	∎ <sup>¶</sup> ∎	¥	<b>₽</b> <u></u> <b>1</b>
DSX1 LED	1.013	2.025	1.945	3.038	2.850	3.749

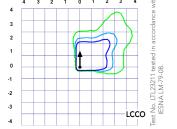
	Drilling Template		Minimum Acceptable Outside Pole Dimension								
SPA	#8	2-7/8″	2-7/8″	3.5″	3.5″	3″	3.5″				
RPA	#8	2-7/8″	2-7/8″	3.5″	3.5″	3″	3.5″				
SPUMBA	#5	2-7/8″	3″	4″	4″	3.5″	4″				
RPUMBA	#5	2-7/8″	3.5″	5″	5″	3.5″	5″				



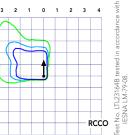


#### To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's D-Series Area Size 1 homepage.

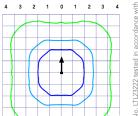


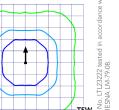
















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TestNo. LM.79-08.

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accordance

Test No. LTL22271 tested in acr IESNA LM-79-08.

Test No. LTL23271 tested in accordance IESNA LM-79-08.

BLC



#### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40  $^\circ C$  (32-104  $^\circ F).$ 

Amt	pient	Lumen Multiplier
0°C	32°F	1.04
5°C	41°F	1.04
10°C	50°F	1.03
15°C	50°F	1.02
20°C	68°F	1.01
25°C	77°F	1.00
30°C	86°F	0.99
35℃	95°F	0.98
40°C	104°F	0.97

#### **Projected LED Lumen Maintenance**

Data references the extrapolated performance projections for the platforms noted in a **25°C ambient**, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11). To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Lumen Maintenance Factor
1.00
0.96
0.92
0.85

Motion Sensor Default Settings										
Option	Dimmed State	High Level (when triggered)	Phototcell Operation	Dwell Time	Ramp-up Time	Ramp-down Time				
PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min				
*PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min				

							Curre	nt (A)		
	Performance Package	LED Count	Drive Current	Wattage	120	208	240	277	347	480
	P1	30	530	54	0.45	0.26	0.23	0.19	0.10	0.12
	P2	30	700	70	0.59	0.34	0.30	0.25	0.20	0.16
	P3	30	1050	102	0.86	0.50	0.44	0.38	0.30	0.22
	P4	30	1250	125	1.06	0.60	0.52	0.46	0.37	0.27
Forward Optics (Non-Rotated)	P5	30	1400	138	1.16	0.67	0.58	0.51	0.40	0.29
	P6	40	1250	163	1.36	0.78	0.68	0.59	0.47	0.34
	P7	40	1400	183	1.53	0.88	0.76	0.66	0.53	0.38
	P8	60	1050	207	1.74	0.98	0.87	0.76	0.64	0.49
	P9	60	1250	241	2.01	1.16	1.01	0.89	0.70	0.51
	P10	60	530	106	0.90	0.52	0.47	0.43	0.33	0.27
Rotated Optics	P11	60	700	137	1.15	0.67	0.60	0.53	0.42	0.32
(Requires L90 or R90)	P12	60	1050	207	1.74	0.99	0.87	0.76	0.60	0.46
	P13	60	1250	231	1.93	1.12	0.97	0.86	0.67	0.49

		Controls Options		
Nomenclature	Description	Functionality	Primary control device	Notes
FAO	Field adjustable output device installed inside the luminaire; wired to the driver dimming leads.	Allows the luminaire to be manually dimmed, effectively trimming the light output.	FAO device	Cannot be used with other controls options that need the 0-10V leads
DS	Drivers wired independently for 50/50 luminaire operation	The luminaire is wired to two separate circuits, allowing for 50/50 operation.	Independently wired drivers	Requires two separately switched circuits. Consider nLight AIR as a more cost effective alternative.
PER5 or PER7	Twist-lock photocell recepticle	Compatible with standard twist-lock photocells for dusk to dawn operation, or advanced control nodes that provide 0-10V dimming signals.	Twist-lock photocells such as DLL Elite or advanced control nodes such as ROAM.	Pins 4 & 5 to dimming leads on driver, Pins 6 & 7 are capped inside luminaire
PIR or PIRH	Motion sensors with integral photocell. PIR for 8-15' mounting; PIRH for 15-30' mounting	Luminaires dim when no occupancy is detected.	Acuity Controls SBGR	Also available with PIRH1FC3V when the sensor photocell is used for dusk-to-dawn operation.
NLTAIR2 PIRHN	nLight AIR enabled luminaire for motion sensing, photocell and wireless communication.	Motion and ambient light sensing with group response. Scheduled dimming with motion sensor over-ride when wirelessly connected to the nLight Eclypse.	nLight Air rSDGR	nLight AIR sensors can be programmed and commissioned from the ground using the CIAIRity Pro app.

**Electrical Load** 



#### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts Contact factory for performance data on any configurations not shown here.

Forward O	ptics																		
LED Count	Drive	Power	System	Dist.			30K K, 70 CRI					40K K, 70 CRI					50K K, 70 CRI		
LED Count	Current	Package	Watts	Туре	Lumens	В	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
				T1S	6,457	2	0	2	120	6,956	2	0	2	129	7,044	2	0	2	130
				T2S	6,450	2	0	2	119	6,949	2	0	2	129	7,037	2	0	2	130
				T2M	6,483	1	0	1	120	6,984	2	0	2	129	7,073	2	0	2	131
				T3S	6,279	2	0	2	116	6,764	2	0	2	125	6,850	2	0	2	127
				T3M	6,468	1	0	2	120	6,967	1	0	2	129	7,056	1	0	2	131
				T4M	6,327	1	0	2	117	6,816	1	0	2	126	6,902	1	0	2	128
30	530	P1	54W	TFTM	6,464	1	0	2	120	6,963	1	0	2	129	7,051	1	0	2	131
				T5VS T5S	6,722 6,728	2	0	0	124 125	7,242	3	0	0	134 134	7,334 7,340	3	0	0	136 136
				T5M	6,711	3	0	1	125	7,248	3	0	1	134	7,340	3	0	2	136
				T5W	6,667	3	0	2	124	7,182	3	0	2	133	7,273	3	0	2	135
				BLC	5,299	1	0	1	98	5,709	1	0	2	106	5,781	1	0	2	107
				LCCO	3,943	1	0	2	73	4,248	1	0	2	79	4,302	1	0	2	80
				RCCO	3,943	1	0	2	73	4,248	1	0	2	79	4,302	1	0	2	80
				T1S	8,249	2	0	2	118	8,886	2	0	2	127	8,999	2	0	2	129
				T2S	8,240	2	0	2	118	8,877	2	0	2	127	8,989	2	0	2	128
				T2M	8,283	2	0	2	118	8,923	2	0	2	127	9,036	2	0	2	129
				T35	8,021	2	0	2	115	8,641	2	0	2	123	8,751	2	0	2	125
				T3M	8,263	2	0	2	118	8,901	2	0	2	127	9,014	2	0	2	129
				T4M TFTM	8,083	2	0	2	115 118	8,708	2	0	2	124 127	8,818	2	0	2	126 129
30	700	P2	70W	T5VS	8,257 8,588	2	0	2	118	8,896 9,252	2	0	2	12/	9,008 9,369	3	0	2	129
				TSS	8,588	3	0	1	123	9,252	3	0	1	132	9,369	3	0	1	134
				T5M	8,573	3	0	2	123	9,235	3	0	2	132	9,353	3	0	2	134
				T5W	8,517	3	0	2	122	9,175	4	0	2	131	9,291	4	0	2	133
				BLC	6,770	1	0	2	97	7,293	1	0	2	104	7,386	1	0	2	106
				LCC0	5,038	1	0	2	72	5,427	1	0	2	78	5,496	1	0	2	79
				RCCO	5,038	1	0	2	72	5,427	1	0	2	78	5,496	1	0	2	79
				T1S	11,661	2	0	2	114	12,562	3	0	3	123	12,721	3	0	3	125
				T2S	11,648	2	0	2	114	12,548	3	0	3	123	12,707	3	0	3	125
				T2M	11,708	2	0	2	115	12,613	2	0	2	124	12,773	2	0	2	125
				T3S	11,339	2	0	2	111	12,215	3	0	3	120	12,370	3	0	3	121
				T3M T4M	11,680 11,426	2	0	2	115 112	12,582 12,309	2	0	2	123 121	12,742 12,465	2	0	2	125 122
				TFTM	11,420	2	0	2	112	12,509	2	0	3	121	12,403	2	0	3	122
30	1050	P3	P3 102W	TSVS	12,140	3	0	1	119	13,078	3	0	1	125	13,244	3	0	1	130
				TSS	12,150	3	0	1	119	13,089	3	0	1	128	13,254	3	0	1	130
				T5M	12,119	4	0	2	119	13,056	4	0	2	128	13,221	4	0	2	130
				T5W	12,040	4	0	3	118	12,970	4	0	3	127	13,134	4	0	3	129
				BLC	9,570	1	0	2	94	10,310	1	0	2	101	10,440	1	0	2	102
				LCC0	7,121	1	0	3	70	7,671	1	0	3	75	7,768	1	0	3	76
				RCCO	7,121	1	0	3	70	7,671	1	0	3	75	7,768	1	0	3	76
				TIS	13,435	3	0	3	107	14,473	3	0	3	116	14,657	3	0	3	117
		Dá		T2S	13,421	3	0	3	107	14,458	3	0	3	116	14,641	3	0	3	117
				T2M T3S	13,490 13,064	2	0	2	108 105	14,532 14,074	3	0	3	116 113	14,716 14,252	3	0	3	118 114
				T3M	13,064	2	0	2	105	14,074	2	0	2	113	14,252	2	0	2	114
				T4M	13,165	2	0	3	105	14,182	2	0	3	113	14,362	2	0	3	115
20	1250			TFTM	13,449	2	0	3	108	14,488	2	0	3	116	14,672	2	0	3	117
30	1250	r4		T5VS	13,987	4	0	1	112	15,068	4	0	1	121	15,259	4	0	1	122
				T5S	13,999	3	0	1	112	15,080	3	0	1	121	15,271	3	0	1	122
				T5M	13,963	4	0	2	112	15,042	4	0	2	120	15,233	4	0	2	122
				T5W	13,872	4	0	3	111	14,944	4	0	3	120	15,133	4	0	3	121
				BLC	11,027	1	0	2	88	11,879	1	0	2	95	12,029	1	0	2	96
				LCCO RCCO	8,205	1	0	3	66	8,839	1	0	3	71	8,951	1	0	3	72
				T1S	8,205 14,679	3	0	3	66 106	8,839 15,814	1	0	3	71	8,951 16,014	3	0	3	72 116
				T2S	14,679	3	0	3	106	15,814	3	0	3	115	15,997	3	0	3	116
				T2M	14,739	3	0	3	100	15,878	3	0	3	115	16,079	3	0	3	117
				T3S	14,274	3	0	3	107	15,377	3	0	3	111	15,572	3	0	3	113
				T3M	14,704	2	0	3	107	15,840	3	0	3	115	16,040	3	0	3	116
				T4M	14,384	2	0	3	104	15,496	3	0	3	112	15,692	3	0	3	114
30	1400	P5	138W	TFTM	14,695	2	0	3	106	15,830	3	0	3	115	16,030	3	0	3	116
50	1400	P5	1301	T5VS	15,283	4	0	1	111	16,464	4	0	1	119	16,672	4	0	1	121
				TSS	15,295	3	0	1	111	16,477	4	0	1	119	16,686	4	0	1	121
				T5M	15,257	4	0	2	111	16,435	4	0	2	119	16,644	4	0	2	121
				T5W	15,157	4	0	3	110 97	16,328	4	0	3	118	16,534	4	0	3	120
				BLC LCCO	12,048 8,965	1	0	2	87 65	12,979 9,657	1	0	2	94 70	13,143 9,780	1	0	2	95 71
				RCCO	8,965	1	0	3	65	9,657	1	0	3	70	9,780	1	0	3	71
			neco	0,705		v	5	05	1,031		v	, ,	70	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	1	v		1 71	



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#### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

I UIRRENT I PACKAGE I WATTS I IVDE																	50K			
LED Count					(3000 K, 70 CRI)										(5000 K, 70 CRI)					
	current	ruckuye	nuco		Lumens	В	U	G	LPW	Lumens	В	U	G	LPW	Lumens	В	U	G	LP	
				T1S	17,654	3	0	3	108	19,018	3	0	3	117	19,259	3	0	3	1	
				T2S	17,635	3	0	3	108	18,998	3	0	3	117	19,238	3	0	3	1	
				T2M	17,726	3	0	3	109	19,096	3	0	3	117	19,337	3	0	3	1	
				T3S	17,167	3	0	3	105	18,493	3	0	3	113	18,727	3	0	3	1	
				T3M	17,683	3	0	3	108	19,049	3	0	3	117	19,290	3	0	3	1	
				T4M	17,299	3	0	3	106	18,635	3	0	4	114	18,871	3	0	4	1	
40	1250	P6	163W	TFTM	17,672	3	0	3	108	19,038	3	0	4	117	19,279	3	0	4	1	
				T5VS	18,379		0		113	19,800	4	0		121	20,050	4	0	1	1	
				T5S T5M	18,394 18,348	4	0	2	113 113	19,816 19,766	4	0	2	122 121	20,066 20,016	4	0	2	1	
				T5W	18,228	5	0	3	112	19,700	5	0	3	121	19,885	5	0	3	1	
				BLC	14,489	2	0	2	89	15,609	2	0	3	96	15,806	2	0	3	9	
				LCCO	10,781	1	0	3	66	11,614	1	0	3	71	11,761	2	0	3	7	
				RCCO	10,781	1	0	3	66	11,614	1	0	3	71	11,761	2	0	3		
				T1S	19,227	3	0	3	105	20,712	3	0	3	113	20,975	3	0	3	1	
				T2S	19,206	3	0	3	105	20,690	3	0	3	113	20,952	3	0	3	1	
				T2M	19,305	3	0	3	105	20,797	3	0	3	114	21,060	3	0	3	1	
			183W	T3S	18,696	3	0	3	102	20,141	3	0	3	110	20,396	3	0	4	1	
		00 <b>P7</b>		T3M	19,258	3	0	3	105	20,746	3	0	3	113	21,009	3	0	3	1	
				T4M	18,840	3	0	4	103	20,296	3	0	4	111	20,553	3	0	4	1	
40	1400			TFTM	19,246	3	0	4	105	20,734	3	0	4	113	20,996	3	0	4	1	
40	1400			T5VS	20,017	4	0	1	109	21,564	4	0	1	118	21,837	4	0	1		
				T5S	20,033	4	0	2	109	21,581	4	0	2	118	21,854	4	0	2	1	
				T5M	19,983	4	0	2	109	21,527	5	0	3	118	21,799	5	0	3	1	
				T5W	19,852	5	0	3	108	21,386	5	0	3	117	21,656	5	0	3	1	
				BLC	15,780	2	0	3	86	16,999	2	0	3	93	17,214	2	0	3		
				LCC0	11,742	2	0	3	64	12,649	2	0	3	69	12,809	2	0	3		
				RCCO	11,742	2	0	3	64	12,649	2	0	3	69	12,809	2	0	3		
				T1S	22,490	3	0	3	109	24,228	3	0	3	117	24,535	3	0	3	1	
			207W	T2S	22,466	3	0	4	109	24,202	3	0	4	117	24,509	3	0	4	1	
				T2M	22,582	3	0	3	109	24,327	3	0	3	118	24,635	3	0	3	1	
				T3S	21,870	3	0	4	106	23,560	3	0	4	114	23,858	3	0	4	1	
				T3M	22,527	3	0	4	109	24,268	3	0	4	117	24,575	3	0	4	1	
		P8		T4M	22,038	3	0	4	106	23,741	3	0	4	115	24,041	3	0	4	1	
60	1050			TFTM	22,513	3	0	4	109	24,253	3	0	4	117	24,560	3	0	4	1	
				TSVS	23,415	5	0	1	113	25,224	5	0	1	122	25,543	5	0	1	1	
				TSS	23,434	4	0	2	113	25,244	4	0	2	122	25,564	4	0	2	1	
				T5M	23,374	5	0	3	113	25,181	5	0	3	122	25,499	5	0	3	1	
				T5W BLC	23,221	5	0	4	112 89	25,016	5 2	0	4	121	25,332	5	0	4	1	
				LCCO	18,458 13,735	2	0	3	66	19,885 14,796	2	0	4	96 71	20,136	2	0	4	9	
				RCCO	13,735	2	0	3	66	14,796	2	0	4	71	14,983 14,983	2	0	4		
				T1S	25,575	3	0	3	106	27,551	3	0	3	114	27,900	3	0	3	1	
				T2S	25,548	3	0	4	100	27,522	3	0	4	114	27,900	3	0	4	1	
				T25	25,680	3	0	3	100	27,664	3	0	3	115	28,014	3	0	3	1	
				T3S	24,870	3	0	4	107	26,791	3	0	4	111	27,130	3	0	4	1	
				T3M	25,617	3	0	4	105	27,597	3	0	4	115	27,946	3	0	4	1	
				T4M	25,017	3	0	4	100	26,997	3	0	4	112	27,339	3	0	4	1	
~	43			TFTM	25,602	3	0	4	104	27,580	3	0	4	114	27,929	3	0	4	1	
60	1250	P9	241W	T5VS	26,626	5	0	1	110	28,684	5	0	1	119	29,047	5	0	1	1	
				T5S	26,648	4	0	2	111	28,707	5	0	2	119	29,070	5	0	2		
				T5M	26,581	5	0	3	110	28,635	5	0	3	119	28,997	5	0	3	-	
				T5W	26,406	5	0	4	110	28,447	5	0	4	118	28,807	5	0	4	1	
				BLC	20,990	2	0	3	87	22,612	2	0	3	94	22,898	2	0	3		
				LCCO	15,619	2	0	4	65	16,825	2	0	4	70	17,038	2	0	4		
		1		RCCO	15,619	2	0	4	65	16,825	2	0	4	70	17,038	2	0	4	1	



#### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

I CHIPPENT I PACKAGE I WATTS I IVNE																				
	Current	Package	Watts	Туре	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPV	
		Ī		T1S	13,042	3	0	3	123	14,050	3	0	3	133	14,228	3	0	3	134	
				T2S	12,967	4	0	4	122	13,969	4	0	4	132	14,146	4	0	4	13	
				T2M	13,201	3	0	3	125	14,221	3	0	3	134	14,401	3	0	3	13	
				T3S	12,766	4	0	4	120	13,752	4	0	4	130	13,926	4	0	4	13	
				T3M	13,193	4	0	4	124	14,213	4	0	4	134	14,393	4	0	4	13	
				T4M	12,944	4	0	4	122	13,945	4	0	4	132	14,121	4	0	4	13	
60	530	P10	106W	TFTM	13,279	4	0	4	125	14,305	4	0	4	135	14,486	4	0	4	13	
				TSVS	13,372	3	0	1	126	14,405	4	0	1	136	14,588	4	0	1	13	
				T5S T5M	13,260 13,256	3	0	1	125 125	14,284 14,281	3	0	1	135 135	14,465	3	0	1	13	
				T5W	13,137	4	0	3	125	14,201	4	0	3	135	14,462 14,332	4	0	3	13	
				BLC	10,906	3	0	3	124	14,155	3	0	3	111	14,552	3	0	3	11	
				LCCO	7,789	1	0	3	73	8,391	1	0	3	79	8,497	1	0	3	8	
				RCCO	7,779	4	0	4	73	8,380	4	0	4	79	8,486	4	0	4	8	
				T1S	16,556	3	0	3	121	17,835	3	0	3	130	18,061	4	0	4	13	
				T2S	16,461	4	0	4	120	17,733	4	0	4	129	17,957	4	0	4	13	
				T2M	16,758	4	0	4	122	18,053	4	0	4	132	18,281	4	0	4	13	
				T3S	16,205	4	0	4	118	17,457	4	0	4	127	17,678	4	0	4	12	
		P11	137W	T3M	16,748	4	0	4	122	18,042	4	0	4	132	18,271	4	0	4	13	
				T4M	16,432	4	0	4	120	17,702	4	0	4	129	17,926	4	0	4	13	
60	700			TFTM	16,857	4	0	4	123	18,159	4	0	4	133	18,389	4	0	4	13	
00	700			T5VS	16,975	4	0	1	124	18,287	4	0	1	133	18,518	4	0	1	13	
				T5S	16,832	4	0	1	123	18,133	4	0	2	132	18,362	4	0	2	13	
				T5M	16,828	4	0	2	123	18,128	4	0	2	132	18,358	4	0	2	13	
				T5W	16,677	4	0	3	122	17,966	5	0	3	131	18,193	5	0	3	13	
				BLC	13,845	3	0	3	101	14,915	3	0	3	109	15,103	3	0	3	11	
				LCCO	9,888	1	0	3	72	10,652	2	0	3	78	10,787	2	0	3	7	
				RCCO T1S	9,875 22,996	4	0	4	72	10,638 24,773	4	0	4	78 120	10,773 25,087	4	0	4	12	
				T2S	22,996	4	0	4	110	24,775	4	0	5	119	23,087	5	0	5	12	
		050 <b>P12</b>	207W	T2M	22,804	4	0	4	112	24,031	4	0	4	121	24,943	4	0	4	12	
				T3S	22,509	4	0	4	109	24,248	5	0	5	117	24,555	5	0	5	11	
				T3M	23,263	4	0	4	112	25,061	4	0	4	121	25,378	4	0	4	12	
				T4M	22,824	5	0	5	110	24,588	5	0	5	119	24,899	5	0	5	12	
	4454			TFTM	23,414	5	0	5	113	25,223	5	0	5	122	25,543	5	0	5	12	
60	1050			T5VS	23,579	5	0	1	114	25,401	5	0	1	123	25,722	5	0	1	12	
				T5S	23,380	4	0	2	113	25,187	4	0	2	122	25,506	4	0	2	12	
				T5M	23,374	5	0	3	113	25,181	5	0	3	122	25,499	5	0	3	12	
				T5W	23,165	5	0	4	112	24,955	5	0	4	121	25,271	5	0	4	12	
				BLC	19,231	4	0	4	93	20,717	4	0	4	100	20,979	4	0	4	10	
				LCC0	13,734	2	0	3	66	14,796	2	0	4	71	14,983	2	0	4	7	
				RCCO	13,716	4	0	4	66	14,776	4	0	4	71	14,963	4	0	4	7	
				T1S	25,400	4	0	4	110	27,363	4	0	4	118	27,709	4	0	4	12	
				T2S	25,254	5	0	5	109	27,205	5	0	5	118	27,550	5	0	5	1	
				T2M	25,710	4	0	4	111	27,696	4	0	4	120	28,047	4	0	4	1	
				T3S T3M	24,862	5	0	5	108	26,783	5	0	5	116 120	27,122	5	0	5	1	
					25,695	-			111	27,680		0			28,031	-	0		12	
				T4M TFTM	25,210	5	0	5	109	27,158 27,860	5	0	5	118	27,502 28,212	5	0	5	11	
60	1250	P13	231W	T5VS	26,043	5	0	1	112	27,800	5	0	1	121	28,212	5	0	1	12	
				TSS	25,824	4	0	2	112	28,030	5	0	2	121	28,172	5	0	2	12	
				T5M	25,818	5	0	3	112	27,813	5	0	3	120	28,165	5	0	3	1	
				T5W	25,586	5	0	4	111	27,563	5	0	4	119	27,912	5	0	4	12	
				BLC	21,241	4	0	4	92	22,882	4	0	4	99	23,172	4	0	4	10	
				LCCO	15,170	2	0	4	66	16,342	2	0	4	71	16,549	2	0	4	7	
				RCCO	15,150	5	0	5	66	16,321	5	0	5	71	16,527	5	0	5		



#### **FEATURES & SPECIFICATIONS**

#### INTENDED USE

The sleek design of the D-Series Size 1 reflects the embedded high performance LED technology. It is ideal for many commercial and municipal applications, such as parking lots, plazas, campuses, and streetscapes.

#### CONSTRUCTION

Single-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance and future light engine upgrades. The LED drivers are mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (1.01 ft<sup>2</sup>) for optimized pole wind loading.

#### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in both textured and non-textured finishes.

#### OPTICS

Precision-molded proprietary acrylic lenses are engineered for superior area lighting distribution, uniformity, and pole spacing. Light engines are available in standard 3000 K, 4000 K and 5000 K (70 CR) configurations. The D-Series Size 1 has zero uplight and qualifies as a Nighttime Friendly<sup>™</sup> product, meaning it is consistent with the LEED<sup>®</sup> and Green Globes<sup>™</sup> criteria for eliminating wasteful uplight.

#### ELECTRICAL

Light engine configurations consist of high-efficacy LEDs mounted to metalcore circuit boards to maximize heat dissipation and promote long life (up to L85/100,000 hours at 25°C). Class 1 electronic drivers are designed to have a power factor >90%, THD <20%, and an expected life of 100,000 hours with <1% failure rate. Easily serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

#### STANDARD CONTROLS

The DSX1 LED area luminaire has a number of control options. DSX Size 1, comes standard with 0-10V dimming drivers. Dusk to dawn controls can be utilized via optional NEMA twist-lock photocell receptacles. Integrated motion sensors with on-board photocells feature field-adjustable programing and are suitable for mounting heights up to 30 feet.

#### nLIGHT AIR CONTROLS

The DSX1 LED area luminaire is also available with nLight® AIR for the ultimate in wireless control. This powerful controls platform provides out-of-the-box basic motion sensing and photocontrol functionality and is suitable for mounting heights up to 40 feet. Once commissioned using a smartphone and the easy-touse CLAIRITY app, nLight AIR equipped luminaries can be grouped, resulting in motion sensor and photocell group response without the need for additional equipment. Scheduled dimming with motion sensor over-ride can be achieved when used with the nLight Eclypse. Additional information about nLight Air can be found here.

#### INSTALLATION

Included mounting block and integral arm facilitate quick and easy installation. Stainless steel bolts fasten the mounting block securely to poles and walls, enabling the D-Series Size 1 to withstand up to a 3.0 G vibration load rating per ANSI C136.31. The D-Series Size 1 utilizes the AERIS<sup>™</sup> series pole drilling pattern (template #8). NEMA photocontrol receptacle are also available.

#### LISTINGS

UL listed to meet U.S. and Canadian standards. UL Listed for wet locations. Light engines are IP66 rated; luminaire is IP65 rated. Rated for -40°C minimum ambient. U.S. Patent No. D672,492 S. International patent pending.

DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/ QPL to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only.

#### **BUY AMERICAN**

Product with the BAA option is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT. Please refer to www.acuitybrands.com/buy-american for additional information.

#### WARRANTY

5-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/support/customer-support/terms-and-conditions

**Note:** Actual performance may differ as a result of end-user environment and application.

, All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.

