## (I) CALL TO ORDER

## (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.

## (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.
(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. 0126] 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 Zoning Change to amend Planned Development District 91 (PD-91) [Ordinance No. 21-36] to incorporate a 20.00acre 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 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.
(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 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.
(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; 2ND READING)
- Z2021-029: SUP for a Residential Infill at 104 Reliance Court (APPROVED; $2^{\text {ND }}$ READING)
- Z2021-030: SUP for a Residential Infill at 118 Mischief Lane (APPROVED; ${ }^{\text {ND }}$ 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 $\S 551.071$ (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 September 10, 2021 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.

## 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 not involve discretionary approvals.
2. Approval of Minutes for the August 10, 2021 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 Replat 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 Exception 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 (SF16) 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 Treescape Plan and an Alternative Tree Mitigation Settlement Agreement 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.

Planner Henry Lee provided a brief summary in regards to the request. The proposed treescape plan and alternative tree mitigation settlement 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 right-of-way on Discovery Boulevard, and the franchise utilities would be relocated underground in lieu of paying a $\$ 211,750$ tree mitigation 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 $\$ 211,750$, the applicant is requesting to put that money into undergrounding the existing utilities in accordance with the city ordinances at an estimated cost of $\$ 570,475$. In this case, the applicant is proposing to do it thru an alternative tree mitigation settlement agreement. According to the UDC, the City Council, upon recommendation from the Planning and Zoning Commission, may consider an alternative tree mitigation settlement agreement. The alternative tree mitigation settlement agreement is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. In addition, the Planning and Zoning Commission has charged with acting upon the Treescape Plan.

Chairman Chodun asked what the requirements are with the utilities being underground for building purposes.
Commissioner Deckard asked what they were gaining with regards of letting them put them in now.
After brief discussion with Director Ryan Miller, Chairman Chodun asked the applicant to come forward.
Matt Waivering
2610 Observation Trail
Rockwall, TX 75032
Mr. Waivering came forward and provided additional details in regards to the request.
Commissioner Deckard did not understand why the issues weren't going to the developers for cost issues.
Vice-Chairman Welch made a motion to approve item MIS2021-011 with staff recommendations. Commissioner Conway seconded the motion which passed by a vote of $5-1$ with Commissioner Deckard dissenting.
7. 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 02, Development Review Authority, of the Unified Development Code (UDC), and take any action necessary.

Planning and Zoning Director Ryan Miller explained how the Boards and Commissions are required to elect a Chair and a Vice-Chair every August and how the process was.

Chairman Chodun made a motion to re-elect Commissioner Welch as Vice-Chairman. Commissioner Thomas seconded the motion which passed by a vote of 5-1 with Commissioner Deckard dissenting.

Commissioner Welch made a motion to re-elect Eric Chodun as Chairman. Chairman Chodun seconded the motion which passed by a vote of 4-2 with Commissioner Womble absent.
VI. 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. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is September 14, 2021.
8. 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.

Chairman Chodun asked the applicant to come forward.

## Sam Moore

2505 Penshurst Court
Celina, TX 75009
Mr. Moore came forward and provided a brief summary in regards to the request. They are requesting to construct a 950 -square foot drive through and walkup service coffee shop. There will not be any indoor seating at all.

Commissioner Conway wanted clarification in regards to the location of the subject property.
Planner Henry Lee added that this request would need headlight screening along Ridge Road. Staff also asked that the drive-thru be located behind the building due to the visibility by Ridge Road.
Commissioner Thomas asked what variances they would be requesting.
Chairman Chodun advised this item will be brought back to the Commission for discussion or action on September 14, 2021.
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 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.

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 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.
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 Zoning Change 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 $12 \times 16$ 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.
15. Director's Report 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; $2^{N D}$ READING]
- Z2021-028: Text Amendment to Article 11, Development Applications and Review Procedures, of the UDC [APPROVED; 1st READING]
- Z2021-029: SUP for a Residential Infill at 104 Reliance Court [APPROVED; 1st READING]
- Z2021-030: SUP for a Residential Infill at 118 Mischief Lane [APPROVED; 1st READING]
- Z2021-031: Zoning Change AG to SF-1 for 2075 Airport Road [APPROVED; 1 ${ }^{\text {st }}$ READING]

Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.

ADJOURNMENT
Chairman Chodun adjourned the meeting at 8:10 P.M.
PASSED AND APPROVED BY THE PLANNING \& ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this $\qquad$ day of $\qquad$ _ 2021.

Eric Chodun, Chairman
Attest:
Angelica Gamez, Planning and Zoning Coordinator

TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
September 14, 2021
Sam Moore; Main \& Main
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 [FM740] 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. MIS2021-001] 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:

North: 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.

South: 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.

East: 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.

West: 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 not 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 quality of development." 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 Concept Plan 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.

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

## STAFF USE ONLY

PLANNING \& ZONING CASE NO.
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

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

```
PLATTING APPLICATION FEES:
\square MASTER PLAT ($100.00 + $15.00 ACRE)
PRELIMINARY PLAT ($200.00 + $15.00 ACRE)1
    FINAL PLAT ($300.00 + $20.00 ACRE) }\mp@subsup{}{}{1
    REPLAT ($300.00 + $20.00 ACRE) }\mp@subsup{}{}{1
    AMENDING OR MINOR PLAT ($150.00)
    PLAT REINSTATEMENT REQUEST ($100.00)
SITE PLAN APPLICATION FEES:
\square SITE PLAN ($250.00 + $20.00 ACRE) }\mp@subsup{}{}{1
    AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)
```

ZONING APPLICATION FEES:
$\square$ ZONING CHANGE $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ SPECIFIC USE PERMIT ( $\$ 200.00+\$ 15.00$ ACRE $)^{1}$
$\square$ PD DEVELOPMENT PLANS $\left(\$ 200.00+\$ 15.00\right.$ ACRE) ${ }^{1}$
OTHER APPLICATION FEES:
$\square$ 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 2200 Ridge Rd
SUBDIVISION Vacant Land - Commercial
LOT 1 BLOCK
A
GENERAL LOCATION Property located at intersection of Ridge Rd and Yellow Jacket Ln, North of 2054 Ridge Rd ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING
PROPOSED ZONING
ACREAGE

Commercial (C)
Commercial (C)
0.57 Acres

LOTS [CURRENT]

Undeveloped/Vacant
Drive-Thru Coffee Shop
LOTS [PROPOSED] 1
$\square$ SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.
OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACTIORIGINAL SIGNATURES ARE REQUIRED]
CONTACT PERSON
ADDRESS

CITY, STATE \& ZIP
PHONE
EMAIL
7.1 Ridge LLC

Jason Claunch
106 E Rusk Suite 200

Rockwall, TX 75087

## VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED $\qquad$ SAM Plootz

CITY, STATE \& ZIP Frisco, TX 75034
PHONE
EMAIL
(817) 505-8117
sm@maincg.com

Main \& Main

## Sam Moore

5750 Genesis Court Suite 103 STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:



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

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

## City of Rockwall

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

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Case Number: Z2021-032<br>Case Name: SUP for Restaurant<br>Case Type:<br>Zoning:<br>Case Address: Southeast of the Intersection of Ridge Road \& W. Yellowjacket Road



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

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

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

## 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.

Thank you,

Angelica Gamez<br>Planning \& Zoning Coordinator<br>City of Rockwall<br>972.771.7745 Office<br>972.772.6438 Direct<br>http://www.rockwall.com/planning/

## City of Rockwall

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

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Case Number: Z2021-032
Case Name: SUP for Restaurant w/Drive Through

Case Type:
Zoning:
Case Address: Southeast of Intersection of
Ridge Road \& W. Yellowjacket Road


CHACKO \& ABRAHAM INVESTMENTS LLC
1007 N. BLUFFVIEW DR LUCAS, TX 75002

VANDERSLICE ROBERT 1408 S LAKESHORE DR ROCKWALL, TX 75087

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

LAYAN INVESTMENTS INC
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
ROCKWALL, TX 75087

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

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<br>2237 RIDGE RD<br>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
7.1 RIDGE LLC 106 E RUSK SUITE 200 ROCKWALL, TX 75087

FRANK RUSSELL
15 PRINGLE LANE
ROCKWALL, TX 75087

BENTO SERGIO 2002 S LAKESHORE DR ROCKWALL, TX 75087

DGR ASSOCIATES INC A MISSOURI CORP
2233 RIDGERD ROCKWALL, TX 75087

LAKEWOOD PROPERTIES LLC<br>2245 RIDGE RD ROCKWALL, TX 75087

MMF INVESTMENTS LLC
2255 RIDGE RD SUITE 333 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

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 782130 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

HANEY DYLAN K 617 HARBOR COVE DR ROCKWALL, TX 75087

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

RICE CARINE 629 HARBOR COVEDR ROCKWALL, TX 75087

TURTLE COVE RESIDENTIAL ASSOC C/O TURTLE COVE HOA 14951 DALLAS PKWY STE

## 600

DALLAS, TX 75254

DAIKER PARTNERS LTD.
PO BOX 1059
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

LAKEWOOD PROPERTIES LLC PO BOX 2259 ROCKWALL, TX 75087

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

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

## Case No. 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<br>Rockwall Planning and Zoning Dept.<br>385 S. Goliad Street<br>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,
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


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

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

$\square \mathrm{I}$ am in favor of the request for the reasons listed below.
$\square$ 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.

## City of Rockwall

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

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Case Number: Z2021-032
Case Name: SUP for Restaurant w/Drive Through

Case Type:
Zoning:
Case Address: Southeast of Intersection of
Ridge Road \& W. Yellowjacket Road


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 950 sf modular building which is proposed to have a combination of nichiha, cement plaster, and masonry. The hours anticipated at this location are $5 \mathrm{am}-$ 11 pm 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<br>Main \& Main Capital Group, LLC








Front Primary Elevation|Orive:Thru


RearWalk.ve


Front Primary Eleation|Walk.Up


Rearorive:Thru





## 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 \$I from every drink sold to local youth organizations.
- Dutch Luv
- On February $14^{\text {th }}$, 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-I9 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 - https://www.dutchbros.com/dutch-bros-foundation/
- Wildfire Relief - https://www.dutchbros.com/news-events/dutch-bros-foundation-donates-250000-to-wildfire-relief-efforts
- 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


#### Abstract

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 DRIVETHROUGH 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' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS $\mathbf{( \$ 2 , 0 0 0 . 0 0 )}$ 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 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 DriveIn 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. 2002] 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 Concept Plan 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:

1) Upon obtaining a Certificate of Occupancy (CO), should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), Revocation, of Article 11, Development Applications and 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 $4^{\text {TH }}$ DAY OF OCTOBER, 2021.


Exhibit 'A'
Location Map
Address: Southeast of the intersection of Ridge Road and W. Yellow Jacket Lane Legal Description: Lot 1, Block A, Sky Ridge Addition



| 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.

TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
September 14, 2021
Robert Weinstein; WB Companies
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, $20,000 \mathrm{SF}$ of retail/office space, and two (2) restaurants consisting of a total of $8,000 \mathrm{SF}$.

## 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:

North: 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.

South: 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.

East: $\quad$ Directly east of the subject property are two (2) vacant tracts of land (i.e. Tract 9 [9.24-acres] \& Tract 9-1 [7acres], 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.

West: 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), $\sim 10,000 \mathrm{SF}$ of retail space on the lower level of each phase, and $\sim 4,000 \mathrm{SF}$ 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 49.52 dwelling units per acre for the total development. The minimum dwelling unit size (i.e. air-condition space) will range from 700 SF to $1,100 \mathrm{SF}$. 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:

Table 1: Lot Dimensional Requirements

| Minimum Lot Width | $60^{\prime}$ |
| :--- | ---: |
| Minimum Lot Depth | $100^{\prime}$ |
| Minimum Lot Area | $10,000 \mathrm{SF}$ |
| Minimum Front Yard Setback | $15^{\prime}$ |
| Minimum Side Yard Setback | $10^{\prime}$ |
| Maximum Height | $75^{\prime}$ |
| Minimum Rear Yard Setback | $10^{\prime}$ |
| Maximum Lot Coverage | $90 \%$ |

Table 2: Unit Composition

| Unit Type | Minimum Unit Size (SF) | Phase \#1 | Phase \#2 | Total Units |
| :---: | :---: | :---: | :---: | :--- |
| A1 | 700 SF | $70 \%$ or | $70 \%$ or | 419 Units |
| A2 | 750 SF | 227 Units | 192 Units |  |
| B1 | 950 SF | $30 \%$ or | $30 \%$ or | 181 Units |
| B2 | 1,025 SF | 98 Units | 83 Units |  |
| B3 | 1,100 SF | 325 Units | 275 Units | 600 Units |
|  | Maximum 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) Water \& Sewer Improvements. The development will be required to provide all water and sewer improvements per the approved infrastructure study.
(2) Roadways. 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) Drainage. 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) Density. 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 ( $31 / 2$ ) units per gross acre." In this case, the applicant is requesting a total density of 49.52dwelling units per acre.
(2) Parking Requirements. 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) Maximum Building Height. 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 $72^{\prime} 25 / 8^{\prime \prime}$ 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 $31 / 2$ units per gross acre. Staff should also note, that at 58 units 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:

1) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a Commercial/Retail designation to a Mixed-Use 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.

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

STAFF USE ONLY
PLANNING \& ZONING CASE NO.
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:
CITY ENGINEER:

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

## PLATTING APPLICATION FEES:

$\square$ MASTER PLAT $(\$ 100.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ${ }^{1}$
$\square$ FINAL PLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ REPLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ AMENDING OR MINOR PLAT (\$150.00)
$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )

## SITE PLAN APPLICATION FEES:

$\square$ SITE PLAN $(\$ 250.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

## ZONING APPLICATION FEES:

$\square$ ZONING CHANGE ( $\$ 200.00+\$ 15.00$ ACRE) ${ }^{1}$
$\square$ SPECIFIC USE PERMIT ( $\$ 200.00+\$ 15.00$ ACRE) ${ }^{1}$
$\square$ PD DEVELOPMENT PLANS $\left(\$ 200.00+\$ 15.00\right.$ ACRE) ${ }^{1}$
OTHER APPLICATION FEES:
$\square$ TREE REMOVAL (\$75.00)
$\square$ VARIANCE REQUEST ( $\$ 100.00$ )

## NOTES:

!: $\mathbb{N}$ 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 FM 740, Rockwall TX
SUBDIVISION
LOT
BLOCK
general location Adjacent South of 1389 Ridge Rd, Rockwall, TX 75087. Parcel: 0001-0000-0002-00-0R ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRITT]

CURRENT ZONING PD-4
PROPOSED ZONING PD-4 with residential

CURRENT USE Retail \& Neighborhood Services
PROPOSEDUSE Restaurant \& Multifamily
LOTS [CURRENT]
$\square$ 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.

OWNERIAPPLICANT/AGENT INFORMATION [PLEASE PRINTICHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQURED] $\square O W N E R$ HFS Management Inc.
$\square$ applicant WB Companies
CONTACT PERSON Richard Chandler
CONTACT PERSON Robert Weinstein
AdDRESS 122 W John Carpenter Frwy, Ste
ADDRESS 495 Broadway, 7th Floor
400
CITY, STATE \& ZIP Irving, TX 75039
CITY, STATE \& ZIP New York, NY 10012
PHONE 214-649-7187
PHONE 2122266066
E-MAiL rchandler@sei-mi.com
E-MALL robert@wbpropertygroup.com
NOTARY VERIFICATION [REQUIRED]
 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 ID PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITT SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQ EST FQAR RUBLIC INEQRMATON."



City of Rockwall

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

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

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

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## 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 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.

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:

David Gonzales<br>Rockwall Planning and Zoning Dept.<br>385 S. Goliad Street<br>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,
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:
$\square$ I am in favor of the request for the reasons listed below.
$\square \mathrm{I}$ 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.

NEFF DARRYL LEE JR 101 BECKYLN
ROCKWALL, TX 75087

KJT FLYING PROPERTIES LLC<br>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<br>106 LAKEDALE DR<br>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


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

CRANE ADAM T
146 PELICAN COVE DR
ROCKWALL, TX 75087

TEBBUTT BRIAN \& MYLA 150 PELICAN COVE DRIVE ROCKWALL, TX 75087

SCHWERDT JOSHUA MICHAEL 1502 RIDGE ROAD ROCKWALL, TX 75087

TEBBUTT BRIAN C 156 PELICAN COVE DR ROCKWALL, TX 75087

T ROCKWALL APARTMENTS TX LLC<br>16600 DALLAS PARKWAY SUITE 300<br>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
HIGGINS BYRON STEPHEN AND KIMBERLY LEE PETRIELLO 2009 S LAKESHORE DRIVE ROCKWALL, TX 75087

SALAZAR AARON AND OLGA
2012 LAKESHORE DR ROCKWALL, TX 75087

FREEMAN C L 2013 S LAKESHORE DR 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

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


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

HENDRICKS JAMES \& BARBARA 5903 VOLUNTEER PL ROCKWALL, TX 75032

ROCKWALLISD 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

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


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

STEBBINS ROBERT A ESTATE
ROBERT A STEBBINS II INDEPENDENT EXECUTOR
PO BOX 101
DENTON, TX 76202

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



Tex. Loo. 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

[^0]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 Zoning Change amending Planned Development District 4 (PD-4) [Ordinance No. 01-26] to allow a Mixed-Use Development (ie. 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 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:
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 Monday, September 20, 2021 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,


Ryan Miller, AICP
Director of Planning \& Zoning


MORE HFORMATION 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.
II am opposed to the request for the reasons listed below.

$$
\begin{aligned}
& \text { I OWN } 1312,1316,1400 \text { à } 1408 \text { RIDGE. THERE IS } \\
& \text { ALREADY } 100 \text { T CARS EACH DAY COMING INTO THE } \\
& \text { MEDIAN TO GET ONTO RFAGE. THIS IS DANGEROUS w/ } \\
& \text { RIDGE NOW HAVING CARS GOING } 60^{+} \text {MPH. MORE ARTS. }
\end{aligned}
$$

Name:
DAN W. BOAST

Address: 1400 RIDGE RD
Tex. Loo. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

| From: | Addison Ferullo |
| :--- | :--- |
| To: | Planning |
| Subject: | Rockwall: The New Downtown Dallas |
| Date: | Tuesday, August 31, 2021 2:45:42 PM |

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

[^1]| From:  <br> To $:$ Nelda Gillilan <br> Subject: Planning <br> Date: Zoning change <br>  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

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: | Sarah Freed |
| :--- | :--- |
| To: | Planning |
| 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

[^2]


## ॥емуэоу ґセ әбрヨ әчц






WB Companies LLC<br>Robert Weinstein<br>917-670-8267<br>Robert@wbpropertygroup.com<br>495 Broadway $7^{\text {th }}$ Floor<br>New York, NY 10012

August $18^{\text {th }} 2021$

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 $5^{\text {th }}$ 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 ( $\sim 26.58 \%$ ) 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:
(1) 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.
(2) 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.
(3) 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.
(4) 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.

## 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


[^3]




#### Abstract

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 $P D$ 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 $4^{\text {TH }}$ DAY OF OCTOBER, 2021.

## ATTEST:



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 AI 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 AI 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 $\mathrm{S} 21^{\circ} 56^{\prime} 54^{\prime \prime}$ 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 $S 33^{\circ} 0^{\prime} 39^{\prime \prime} \mathrm{W}$ to the PLACE OF BEGINNING containing 3.85 acres.



## EXHIBIT 'C':

 Concept Plan

EXHIBIT 'D':
Building Elevations


EXHIBIT 'D':
Building Elevations

(A) Permitted Uses. 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
$\square$ Animal Boarding/Kennel without Outside Pens
■ Convent, Monastery, or Temple
$\square$ Hotel or Motel (i.e. Limited Service, Full Service, Residence)
$\square$ Hotel, Residence
■ Caretakers Quarters/Domestic or Security Unit
$\square$ Convalescent Care Facility/Nursing Home
■ Daycare with Seven (7) or More Children
■ Emergency Ground Ambulance Service
$\square$ Group or Community Home
$\square$ Hospice
Hospital
■ Public Library, Art Gallery or Museum
■ Local Post Office
■ Public or Private Primary School
■ Public or Private Secondary School
■ Cemetery/Mausoleum
■ Mortuary of Funeral Chapel
■ Temporary Carnival, Circus, or Amusement Ride
$\square$ Outdoor Commercial Amusement/Recreation
$\square$ Indoor Gun Club with Skeet or Target
$\square$ Astrologer, Hypnotist, or Psychic

- Garden Supply/Plant Nursery

ஏ Night Club, Discotheque, or Dance Hall
■ Secondhand Dealer
V Full Service Car Wash and Auto Detail
$\square$ Self Service Car Wash
$\square$ Service Station

- Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials)
- Helipad
$\square$ Railroad Yard or Shop
■ Transit Passenger Facility
Land Uses that Require a Specific Use Permit (SUP):
$\square$ Animal Hospital, Clinic
■ Social Service Provider
(B) Retail/Restaurant Land Use Requirements
(1) Restaurants. One (1) restaurant with a minimum of $4,000 \mathrm{SF}$ 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) Retail. 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 ' $C$ '.
(C) Development Standards. 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) Density and Dimensional Requirements. 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 MultiFamily Development land use shall be limited to a maximum permissible density of 50.00 dwelling units per gross acre of land; however, in no case should the total number of dwelling units exceed 600. In addition, the development shall conform to the following standards:

Table 1: Lot Dimensional Requirements

| Minimum Lot Width | $60^{\prime}$ |
| :--- | ---: |
| Minimum Lot Depth | $100^{\prime}$ |
| Minimum Lot Area | 10,000 SF |
| Minimum Front Yard Setback | $15^{\prime}$ |
| Minimum Side Yard Setback | $10^{\prime}$ |
| Maximum Height | $75^{\prime}$ |
| Minimum Rear Yard Setback | $10^{\prime}$ |
| Maximum Lot Coverage | $90 \%$ |

(2) Unit Composition. 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.

Table 2: Unit Composition

| Unit Type |  | Minimum Unit Size (SF) | Phase \#1 | Phase \#2 |
| :---: | :---: | :---: | :---: | :---: |

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

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 |

(4) Building Standards. 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) Masonry Requirements. 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
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) Roof Design Requirements. All buildings shall be designed such that no roof mounted mechanical equipment (i.e. HVAC, satellite, vents, etc.) shall be visible from any direction. Note: Screening of mechanical equipment is necessary for all equipment regardless of location (i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site).

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-ofway.
(c) Architectural Requirements. 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) Landscape Requirements. 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) Landscape Buffers. 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) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect.
(4) Hardscape. 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) Trash Receptacles. 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) Variances. The variance procedures and standards for approval that are set forth in the Unified Development Code shall apply to any application for variances to this ordinance.

TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
September 14, 2021
Maxwell Fisher; Masterplan
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 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.

## 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 $\sim 17,000 \mathrm{SF}$, 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:

North: 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.

South: 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: $\quad$ 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.

West: 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:
(1) Water Improvements. 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) Sewer Improvements. 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) Roadways. 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-ofway 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) Drainage. 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 Central District and is designated for Technology/Employment Center land uses. According to the Comprehensive Plan, the Central District is "...composed of a wide range of uses that vary from single-family to industrial ... [and] (t)he Central District 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 Technology/Employment Center land use designation and appears to be in conformance with the District Strategies for the Central District. 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:
(1) 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
STAFF USE ONLY
PLANNING \& ZONING CASE NO. $\quad 22021-034$
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

## DIRECTOR OF PLANNING:

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

```
PLATTING APPLICATION FEES:
\square MASTER PLAT ($100.00 + $15.00 ACRE) }\mp@subsup{}{}{1
\square PRELIMINARY PLAT ($200.00 + $15.00 ACRE) }\mp@subsup{}{}{1
\square FINAL PLAT ($300.00 + $20.00 ACRE) }\mp@subsup{}{}{1
\square REPLAT ($300.00 + $20.00 ACRE) }\mp@subsup{}{}{1
\squareAMENDING OR MINOR PLAT ($150.00)
\square PLAT REINSTATEMENT REQUEST ($100.00)
SITE PLAN APPLICATION FEES:
|ITE PLAN ($250.00 + $20.00 ACRE) }\mp@subsup{}{}{+
\squareAMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN ($100.00)
```

ZONING APPLICATION FEES:
$\square$ ZONING CHANGE $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ SPECIFIC USE PERMIT ( $\$ 200.00+\$ 15.00$ ACRE $)^{1}$
OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
$\square$ VARIANCE REQUEST ( $\$ 100.00$ )
NOTES:

PROPERTY INFORMATION [PLEASE PRINT]

| SUDDRESS | N/A |  |  |  |  |
| ---: | :--- | :--- | :--- | :--- | :--- |
| SUBDIVISION | ABS A0102, D HARR, TRACT 2-06 | LOT | N/A | BLOCK | N/A |
| GENERAL LOCATION | Southeast corner of Airport Road \& N. John King Boulevard |  |  |  |  |

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

| CURRENT ZONING | AG | CURRENT USE | Vacant |  |
| ---: | :---: | :---: | :---: | :---: |
| PROPOSED ZONING | LI |  | PROPOSED USE | Boys \& Girls Club |
| ACREAGE | 5.07 | LOTS [CURRENT] | 0 | LOTS [PROPOSED] |

$\square$ SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH RESULTIN THE DENIAL OF YOUR CASE


NOTARY VERIFICATION [REQUIRED]
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED
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
$\qquad$ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 19 th DAY OF AUGUSt 2021 . BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (IIE. "CITY') IS AUTH ORIZED AND PERMITTED TO PROVIDE SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUESTO RGAROPNE MNGOQPYRIGHTED INFORMATION

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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

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

Case Number: Z2021-034
Case Name: Zoning Change from AG to LI Case Type: Zoning
Zoning: Agricultural (AG) District Case Address: SEC of Airport Road \& John King Blvd


## 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: Z2021-034
Case Name: Zoning Change from AG to LI Case Type: Zoning Zoning: Agricultural (AG) District Case Address: SEC of Airport Rd. \& John King Blvd.


FUNK JOSEPH
11226 INDIAN TRAIL
DALLAS, TX 75229

JCP JUSTIN LLC 1820 JUSTIN RD ROCKWALL, TX 75087

BACKWARDS LLLC
3333 MILLER PARK SOUTH GARLAND, TX 75042

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

WILLCAR HOLDINGS LLC ATTN: WILLIAM H CHANNELL JR

1700 JUSTIN RD ROCKWALL, TX 75087

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

## 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 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.

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:

## 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 Monday, September 20, 2021 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,


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:
$\square \mathrm{I}$ am in favor of the request for the reasons listed below.
$\square$ 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.

| From: | Bill Bricker |
| :--- | :--- |
| To: | Gonzales, David |
| Subject: | Concerns on B\&G Club location |
| Date: | Tuesday, August 31, 2021 7:19:27 PM |

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.


## 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 $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ iron rod found for corner;

THENCE NORTH, along said right-of-way line, a distance of 3.54 feet to a $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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 5acre 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.

John King Boulevard Trail Plan
Rest Stop/Trailblazer Pylon


## POINTS OF REFERENCE

A. Animal Adoption Center
B. Regional Firearms Training Center
C. Ralph Hall Municipal Airport
D. Leon Tuttle Athletic Complex
E. Rockwall County Courthouse
F. Utley Middle School
G. Park Place Subdivision
H. Rolling Meadows Subdivision


| CEMETERY (CEM) | $0.18-A C R E S$ |
| :--- | ---: |
| COMMERCIALIRETAIL (CR) | $143.20-A C R E S$ |
| HIGH DENSITY RESIDENTIAL (HDR) | $30.58-A C R E S$ |
| LIVE/WORK (LW) | $23.85-A C R E S$ |
| LOW DENSITY RESIDENTIAL (LDR) | $234.39-A C R E S$ |
| MEDIUM DENSITY RESIDENTIAL (MDR) | $133.75-A C R E S$ |
| PARKS AND OPEN SPACE (OS) | $204.05-A C R E S$ |
| PUBLIC (P) | $212.77-A C R E S$ |
| QUASI-PUBLIC (QP) | $23.65-A C R E S$ |
| SPECIAL COMMERCIAL CORRIDOR (SC) | $0.08-A C R E S$ |
| TECHNOLOGYIEMPLOYMENT CENTER (TEC) | $381.07-A C R E S$ |


| LEGEND: | PERMITTED LAND USES IN AN |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| P Land Use Permitted By-Right |  |  |  |
| P Land Use Permitted with Conditions |  |  |  |
| S Land Use Permitted Specific Use Permit (SUP) | LIGHT INDUSTRIAL (LI) DISTRICT |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE <br> [Reference Article 13, Definitions] | CONDITIONAL USE REFERENCE Reference [Article 04, Permissible Uses] | LIGHT INDUSTRIAL (LI) DISTRICT |
| AGRICULTURAL AND ANIMAL RELATED LAND USES | 2.02(A) | $2.03(\mathrm{~A})$ |  |
| Agricultural Uses on Unplatted Land | (1) |  | P |
| Animal Boarding/Kennel without Outside Pens | (2) | (2) | P |
| Animal Clinic for Small Animals without Outdoor Pens | (3) | (3) | P |
| Animal Hospital or Clinic | (4) |  | P |
| Animal Shelter or Loafing Shed | (6) |  | P |
| Community Garden | (11) | (7) | S |
| Urban Farm | (12) | (8) | S |
| RESIDENTIAL AND LODGING LAND USES | 2.02(B) | 2.03(B) |  |
| Caretakers Quarters/Domestic or Security Unit | (3) |  | P |
| Commercial Parking Garage | (6) |  | A |
| Limited-Service Hotel | (10) |  | S |
| Full-Service Hotel | (11) | (8) | S |
| Residence Hotel | (12) |  | S |
| Motel | (13) |  | S |
| INSTITUTIONAL AND COMMUNITY SERVICE LAND USES | 2.02(C) | 2.03(C) |  |
| Assisted Living Facility | (1) | (1) | S |
| Blood Plasma Donor Center | (2) |  | P |
| Cemetery/Mausoleum | (3) |  | P |
| Church/House of Worship | (4) | (2) | S |
| College, University, or Seminary | (5) |  | P |
| Convalescent Care Facility/Nursing Home | (6) |  | S |
| Congregate Care Facility/Elderly Housing | (7) | (3) | S |
| Crematorium | (8) |  | S |
| Daycare with Seven (7) or More Children | (9) | (4) | S |
| Emergency Ground Ambulance Services | (10) |  | P |
| Government Facility | (12) |  | P |
| Hospice | (14) |  | S |
| Hospital | (15) |  | P |
| Public Library, Art Gallery or Museum | (16) |  | P |
| Mortuary or Funeral Chapel | (17) |  | P |
| Local Post Office | (18) |  | P |
| Regional Post Office | (19) |  | P |
| Prison/Custodial Institution | (20) |  | P |
| Public or Private Primary School | (21) | (7) | P |
| Public or Private Secondary School | (22) | (8) | P |
| Rescue Mission or Shelter for the Homeless | (24) |  | P |
| Social Service Provider (Except Rescue Mission or Homeless Shelter) | (25) |  | P |
| OFFICE AND PROFESSIONAL LAND USES | 2.02(D) | 2.03(D) |  |
| Financial Institution with Drive-Through | (1) | (1) | P |


| LEGEND: | PERMITTED LAND USES IN AN |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| P Land Use Permitted By-Right |  |  |  |
| P Land Use Permitted with Conditions |  |  |  |
| S Land Use Permitted Specific Use Permit (SUP) |  |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE [Reference Atticle 13, Definitions | CONDITIONAL USE REFERENCE Reference [Article 04 Permissible Uses | LIGHT INDUSTRIAL (LI) DISTRICT |
| Financial Institution without Drive-Through | (1) |  | P |
| Office Building less than 5,000 SF | (2) |  | P |
| Office Building 5,000 SF or Greater | (2) |  | P |
| RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES | 2.02(E) | 2.03(E) |  |
| Temporary Carnival, Circus, or Amusement Ride | (1) | (1) | P |
| Indoor Commercial Amusement/Recreation | (2) | (2) | P |
| Outdoor Commercial Amusement/Recreation | (3) | (3) | S |
| Public or Private Community or Recreation Club as an Accessory Use | (4) |  | P |
| Private Country Club | (5) |  | P |
| Golf Driving Range | (6) |  | P |
| Temporary Fundraising Events by Non-Profit | (7) | (4) | P |
| Indoor Gun Club with Skeet or Target Range | (8) | (5) | P |
| Health Club or Gym | (9) |  | P |
| Private Club, Lodge or Fraternal Organization | (10) | (6) | P |
| Private Sports Arena, Stadium, and/or Track | (11) |  | P |
| Public Park or Playground | (12) |  | P |
| Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code] | (13) | (7) | S |
| Tennis Courts (i.e. Not Accessory to a Public or Private Country Club) | (14) |  | P |
| Theater | (15) |  | P |
| RETAIL AND PERSONAL SERVICES LAND USES | 2.02(F) | 2.03(F) |  |
| Portable Beverage Service Facility | (4) | (1) | S |
| Brew Pub | (5) |  | P |
| Business School | (6) |  | P |
| Catering Service | (7) |  | P |
| Temporary Christmas Tree Sales Lot and/or Similar Uses | (8) | (2) | P |
| Copy Center | (9) |  | P |
| Craft/Micro Brewery, Distillery and/or Winery | (10) | (3) | P |
| Incidental Display | (11) | (4) | P |
| Food Trucks/Trailers | (12) | (5) | P |
| Garden Supply/Plant Nursery | (13) |  | P |
| General Personal Service | (14) | (6) | S |
| General Retail Store | (15) |  | S |
| Hair Salon and/or Manicurist | (16) |  | S |
| Laundromat with Dropoff/Pickup Services | (17) |  | P |
| Self Service Laundromat | (18) |  | P |
| Private Museum or Art Gallery | (20) |  | P |
| Night Club, Discotheque, or Dance Hall | (21) |  | S |
| Pawn Shop | (22) |  | P |
| Permanent Cosmetics | (23) | (7) | A |


| LEGEND: |  |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| P Land Use Permitted By-Right | PERMITTED LAND USES IN AN |  |  |
| P Land Use Permitted with Conditions | LIGHT INDUSTRIAL (LI) DISTRICT |  |  |
| S Land Use Permitted Specific Use Permit (SUP) |  |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions | CONDITIONAL USE REFERENCE Reference [Article 04 Permissible Uses] | LIGHT INDUSTRIAL (LI) DISTRICT |
| Temporary Real Estate Sales Office | (25) |  | P |
| Rental Store without Outside Storage and/or Display | (26) | (8) | P |
| Restaurant with less than 2,000 SF with Drive-Through or Drive-In | (27) | (9) | S |
| Restaurant with less than 2,000 SF without Drive-Through or Drive-In | (28) |  | P |
| Restaurant with 2,000 SF or more with Drive-Through or Drive-In | (27) | (10) | P |
| Restaurant with 2,000 SF or more without Drive-Through or Drive-In | (28) |  | P |
| Retail Store with Gasoline Sales that has Two (2) or less Dispensers (i.e. a Maximum of Four [4] Vehicles) | (29) |  | P |
| Retail Store with Gasoline Sales that has more than Two (2) Dispensers | (29) |  | P |
| Secondhand Dealer | (30) |  | P |
| Art, Photography, or Music Studio | (31) |  | P |
| Taxidermist Shop | (34) |  | P |
| COMMERCIAL AND BUSINESS SERVICES LAND USES | 2.02(G) | 2.03(G) |  |
| Bail Bond Service | (1) |  | P |
| Building and Landscape Material with Outside Storage | (2) | (1) | P |
| Building and Landscape Material with Limited Outside Storage | (2) | (2) | P |
| Building Maintenance, Service, and Sales with Outside Storage | (3) | (3) | P |
| Building Maintenance, Service, and Sales without Outside Storage | (3) |  | P |
| Commercial Cleaners | (4) |  | P |
| Custom and Craft Work | (5) |  | P |
| Electrical, Watch, Clock, Jewelry and/or Similar Repair | (6) |  | P |
| Feed Store or Ranch Supply | (7) |  | S |
| Furniture Upholstery/Refinishing and Resale | (8) | (4) | P |
| Gunsmith Repair and Sales | (9) |  | P |
| Rental, Sales and Service of Heavy Machinery and Equipment | (10) | (5) | S |
| Locksmith | (11) |  | P |
| Machine Shop | (12) |  | P |
| Medical or Scientific Research Lab | (13) |  | P |
| Research and Technology or Light Assembly | (15) |  | P |
| Trade School | (17) |  | P |
| Temporary On-Site Construction Office | (18) | (6) | P |
| AUTO AND MARINE RELATED LAND USES | 2.02(H) | 2.03(H) |  |
| Major Auto Repair Garage | (1) | (1) | S |
| Minor Auto repair garage | (2) | (2) | S |
| Automobile Rental | (3) |  | S |
| New or Used Boat and Trailer Dealership | (4) | (3) | S |
| Full Service Car Wash and Auto Detail | (5) | (4) | P |
| Self Service Car Wash | (5) | (4) | P |
| New and/or Used Indoor Motor Vehicle Dealership/Showroom | (6) | (5) | S |
| New Motor Vehicle Dealership-for Cars and Light Trucks | (7) | (6) | S |


| LEGEND: | PERMITTED LAND USES IN AN |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| P Land Use Permitted By-Right |  |  |  |
| P Land Use Permitted with Conditions | LIGHT INDUSTRIAL (LI) DISTRICT |  |  |
| S Land Use Permitted Specific Use Permit (SUP) |  |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE [Reference Atticle 13, Definitions | CONDITIONAL USE REFERENCE Reference [Article 04. Permissible Uses | LIGHT INDUSTRIAL (LI) DISTRICT |
| Used Motor Vehicle Dealership for Cars and Light Trucksł | (7) | (7) | A |
| Commercial Parking | (8) |  | P |
| Non-Commercial Parking Lot | (9) |  | P |
| Recreational Vehicle (RV) Sales and Service | (10) |  | S |
| Service Station | (11) | (8) | P |
| Towing and Impound Yard | (12) | (9) | S |
| Towing Service without Storage | (13) | (10) | P |
| Truck Rental | (14) |  | S |
| Truck Stop with Gasoline Sales and Accessory Services | (15) | (11) | S |
| INDUSTRIAL AND MANUFACTURING LAND USES | $2.02(1)$ | $2.03(1)$ |  |
| Asphalt or Concrete Batch Plant | (1) | (1) | S |
| Temporary Asphalt or Concrete Batch Plant | (2) | (2) | P |
| Bottle Works for Milk or Soft Drinks | (3) |  | P |
| Brewery or Distillery | (4) | (3) | P |
| Carpet and Rug Cleaning | (5) |  | P |
| Environmentally Hazardous Materials | (6) | (4) | S |
| Food Processing with No Animal Slaughtering | (7) |  | P |
| Light Assembly and Fabrication | (8) |  | P |
| Heavy Manufacturing | (9) |  | S |
| Light Manufacturing | (10) |  | P |
| Metal Plating or Electroplating | (11) |  | S |
| Mining and Extraction of S Sand, Gravel, Oil and/or Other Materialsł | (12) | (5) | S |
| Printing and Publishing | (13) |  | P |
| Salvage or Reclamation of Products Indoors | (14) |  | P |
| Salvage or Reclamation of Products Outdoors | (15) |  | S |
| Sheet Metal Shop | (16) |  | P |
| Tool, Dye, Gauge and/or Machine Shop | (17) |  | P |
| Welding Repair | (18) |  | P |
| Winery | (19) | (6) | P |
| WHOLESALE, DISTRIBUTION AND STORAGE LAND USES | 2.02(J) | 2.03(J) |  |
| Cold Storage Plant | (1) |  | P |
| Heavy Construction/Trade Yard | (2) |  | P |
| Mini-Warehouse | (4) | (1) | P |
| Outside Storage and/or Outside Display | (5) | (2) | P |
| Recycling Collection Center | (6) |  | P |
| Warehouse/Distribution Center | (7) |  | P |
| Wholesale Showroom Facility | (8) |  | P |
| UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES | 2.02(K) | 2.03(K) |  |
| Airport, Heliport or Landing Field | (1) |  | S |
| Antenna, as an Accessory | (2) | (1) | P |


| LEGEND: | PERMITTED LAND USES IN AN |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| P Land Use Permitted By-Right |  |  |  |
| P Land Use Permitted with Conditions |  |  |  |
| S Land Use Permitted Specific Use Permit (SUP) | LIGHT INDUSTRIAL (LI) DISTRICT |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions] | CONDITIONAL USE REFERENCE Reference [Article 04, Permissible Uses] | LIGHT INDUSTRIAL (LI) DISTRICT |
| Commercial Antenna | (3) | (2) | S |
| Antenna; for an Amateur Radio | (4) | (3) | A |
| Antenna Dish | (5) | (4) | A |
| Commercial Freestanding Antenna | (6) | (5) | P |
| Mounted Commercial Antenna | (7) | (6) | P |
| Bus Charter Service and Service Facility | (8) |  | P |
| Helipad | (9) |  | S |
| Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment | (10) |  | S |
| Municipally Owned or Controlled Facilities, Utilities and Uses | (11) |  | P |
| Private Streets | (12) |  | S |
| Radio Broadcasting | (13) |  | P |
| Railroad Yard or Shop | (14) |  | S |
| Recording Studio | (15) |  | P |
| Satellite Dish | (16) |  | A |
| Solar Energy Collector Panels and Systems | (17) | (7) | A |
| Transit Passenger Facility | (18) |  | S |
| Trucking Company | (19) |  | P |
| TV Broadcasting and Other Communication Service | (20) |  | P |
| Utilities Holding a Franchise from the City of Rockwall | (21) |  | P |
| Utility Installation Other than Listed | (22) |  | S |
| Utility/Transmission Lines | (23) |  | S |
| Wireless Communication Tower | (24) |  | S |

## CITY OF ROCKWALL

ORDINANCE NO. 21-XX


#### Abstract

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 $4^{\text {TH }}$ DAY OF OCTOBER, 2021.

## ATTEST:

## APPROVED AS TO FORM:

Frank J. Garza, City Attorney
Kevin Fowler, Mayor


## $1^{\text {st }}$ Reading: September 20, 2021

$2^{\text {nd }}$ Reading: October 4, 2021


## 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 $1 / 2^{2}$ 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 $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ iron rod found for corner;

THENCE NORTH, along said right-of-way line, a distance of 3.54 feet to a $1 / 2^{\prime \prime}$ 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 $1 / 2^{\prime \prime}$ 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.


Exhibit 'B'
Zoning Exhibit


| 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 Zoning Change 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.

## PURPOSE

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 $\sim 16,000$ 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:

North: 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: $\quad$ 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.

West: $\quad$ 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 $\sim 16,000 \mathrm{SF}$ 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 | $60^{\prime}$ |
| :--- | :---: |
| Minimum Lot Depth | $100^{\prime}$ |
| Minimum Lot Area | $6,000 \mathrm{SF}$ |
| Minimum Front Yard Setback (1) | $15^{\prime}$ |
| Minimum Side Yard Setback | $0^{\prime} / 5^{\prime}$ |
| Minimum Building Size (SF) ${ }^{(2)}$ | $5,000 \mathrm{SF}$ |
| Maximum Height | $36^{\prime}$ |
| Minimum Rear Yard Setback | $20^{\prime}$ |
| Floor Area Ratio | $\mathrm{N} / \mathrm{A}$ |
| Maximum Lot Coverage | $40 \%$ |
| Minimum Distance Between Buildings(3) | $0^{\prime} / 15^{\prime}$ |
| General Notes: |  |
| 1: Parking should not be located between the front façade and the property line. |  |
| 2: 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. |  |
| 3: 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) Water Improvements. The development will be required to tie into the existing 12 -inch waterline on the west side of E . Old Quail Run Road.
(2) Sewer Improvements. 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 $\$ 593.37 / a c r e$.
(3) Roadways. 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 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) Drainage. 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 $\sim 16,000 \mathrm{SF}$ 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 $5,000 \mathrm{SF}$. 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 Low Density Residential land uses and is situated within the Northeast Residential District. The Northeast Residential District, is "...characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density residential development." Currently, the subject property is designated for Low Density Residential land uses, which is defined as two (2) to two and one-half $(21 / 2)$ dwelling units per acre. If approved, the applicants' proposed request would require this designation to be changed from Low Density Residential to a Commercial/Retail designation. According to the Land Use Designations contained in the Comprehensive Plan, "(t)he Commercial/Retail land use category is characterized by single to multi-tenant commercial retail centers along major arterials at key intersections. These areas are typically considered to be convenience shopping centers and 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 not appear to provide sufficient space to properly buffer the proposed $16,000 \mathrm{SF}$ 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 the Comprehensive Plan states that "( $n$ )on-residential buildings adjacent to residential properties should be designed to a residential scale to assist the transition of land 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 Commercial/Retail 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 Low Density Residential to Commercial/Retail 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 $16,000 \mathrm{SF}$ 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:

1) By approving this zoning change, the City Council will effectively be approving changes to the Comprehensive Plan and Future Land Use Map. Specifically, this will change the designation of the subject property from a Low Density Residential designation to a Commercial/Retail 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.

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

## PLATTING APPLICATION FEES:

$\square$ MASTER PLAT $(\$ 100.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ PRELIMINARY PLAT $(\$ 200.00+\$ 15.00$ ACRE $)$
$\square$ FINAL PLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ REPEAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDING OR MINOR PLAT ( $\$ 150.00$ )

- PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )

SITE PLAN APPLICATION FEES:
$\square$ SITE PLAN $(\$ 250.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

```
ZOMING APPLICATION FEES:
$'ZONING CHANGE ($200.00 + $15.00 ACRE) }\mp@subsup{}{}{1
\square SPECIFIC USE PERMIT ($200.00 + $15.00 ACRE) }\mp@subsup{}{}{1
\square PD DEVELOPMENT PLANS ($200.00 + $15.00 ACRE) '
OTHER APPLICATION FEES:
\square TREE REMOVAL ($75.00)
\squareVARIANCE 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]

 subdision Mir. Barnes guevey, ABri. B, Tratt-O4 RCAD lot ID. 88652 block GENERAL LOCATION

## ZONING, SITE PLAN AND PLATTING INFORMATION PLEASE PRINT

CURRENT ZONING
CURRENT USE vACANT
proposed zoning NS (HELGRBRHKOD SERVICE) proposed use Retail DELOpmenti
ACREAGE $2.751_{\text {It lots [CURRENT] }}$
LOTS [PROPOSED]

- SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFFS COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.
OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINTICHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]




## NOTARY VERIFICATION [REQUIRED]

 STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:



## 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: Z2021-035
Case Name: Zoning Change from AG to NS Case Type: Zoning
Zoning: Agricultural (AG) District Case Address: NEC of John King Blvd. \& Quail Run Rd.

## Date Created: 8/20/2021



City of Rockwall
Planning \& Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745
(W): www.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 Zoning Change 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 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:

## 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 Monday, September 20, 2021 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,


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:
$\square \mathrm{I}$ am in favor of the request for the reasons listed below.
$\square I$ 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.

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

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

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

PACESETTER HOMES LLC
1304 KIRKWOOD ROAD
ROCKWAL TX 75087
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<br>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



Rezoning Request Project Northeast Corner of John King Blvd. \& Quail Rum $\mathbb{R d}$. 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

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

## POINTS OF REFERENCE

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

LAND USE PALETTES

- Current Land Use
- Future Land Use


John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon


2 Future Suburban Residential


| LEGEND: |  |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| P Land Use Permitted By-Right | PERMITTED LAND USES IN AN |  |  |
| P Land Use Permitted with Conditions |  |  |  |
| S Land Use Permitted Specific Use Permit (SUP) | NEIGHBORHOOD SERVICES (NS) DISTRICT |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFIIITION REFERENCE [Reference Article 13, Definitions | CONDITIONAL USE REFERENCE Reference :Article 04 Permissible Uses] | NEIGHBORHOOD SERVICES (NS) DISTRICT |
| AGRICULTURAL AND ANIMAL RELATED LAND USES | 2.02(A) | $2.03(\mathrm{~A})$ |  |
| Agricultural Uses on Unplatted Land | (1) |  | P |
| Animal Boarding/Kennel without Outside Pens | (2) | (2) | S |
| Animal Clinic for Small Animals without Outdoor Pens | (3) | (3) | S |
| Community Garden | (11) | (7) | S |
| Urban Farm | (12) | (8) | S |
| RESIDENTIAL AND LODGING LAND USES | 2.02(B) | 2.03(B) |  |
| Bed and Breakfast | (2) | (2) | S |
| Commercial Parking Garage | (6) |  | A |
| INSTITUTIONAL AND COMMUNITY SERVICE LAND USES | 2.02(C) | 2.03(C) |  |
| Assisted Living Facility | (1) | (1) | S |
| Cemetery/Mausoleum | (3) |  | P |
| Church/House of Worship | (4) | (2) | P |
| Convalescent Care Facility/Nursing Home | (6) |  | P |
| Congregate Care Facility/Elderly Housing | (7) | (3) | S |
| Daycare with Seven (7) or More Children | (9) | (4) | P |
| Group or Community Home | (11) | (5) | P |
| Hospice | (14) |  | P |
| Public Library, Art Gallery or Museum | (16) |  | P |
| Local Post Office | (18) |  | P |
| Public or Private Primary School | (21) | (7) | P |
| Public or Private Secondary School | (22) | (8) | P |
| Temporary Education Building for a Public or Private School | (23) | (9) | S |
| OFFICE AND PROFESSIONAL LAND USES | 2.02(D) | 2.03(D) |  |
| Financial Institution with Drive-Through | (1) | (1) | S |
| Financial Institution without Drive-Through | (1) |  | P |
| Office Building less than 5,000 SF | (2) |  | P |
| 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 | (1) | (1) | S |
| Public or Private Community or Recreation Club as an Accessory Use | (4) |  | S |
| Private Country Club | (5) |  | S |
| Golf Driving Range | (6) |  | S |
| Temporary Fundraising Events by Non-Profit | (7) | (4) | P |
| Health Club or Gym | (9) |  | S |
| Private Club, Lodge or Fraternal Organization | (10) | (6) | S |
| Public Park or Playground | (12) |  | P |
| 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 | (1) |  | S |


| LEGEND: |  |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| Land Use Permitted By-Right | PERMITTED LAND USES IN AN |  |  |
| P Land Use Permitted with Conditions |  |  |  |
| Land Use Permitted Specific Use Permit (SUP) | NEIGHBORHOOD SERVICES (NS) DISTRICT |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions] | CONDITIONAL USE REFERENCE Reference [Article 04. Permissible Uses] | NEIGHBORHOOD SERVICES (NS) DISTRICT |
| Astrologer, Hypnotist, or Psychic | (2) |  | P |
| Brew Pub | (5) |  | P |
| Catering Service | (7) |  | S |
| Temporary Christmas Tree Sales Lot and/or Similar Uses | (8) | (2) | S |
| Copy Center | (9) |  | P |
| Incidental Display | (11) | (4) | P |
| Food Trucks/Trailers | (12) | (5) | S |
| Garden Supply/Plant Nursery | (13) |  | S |
| General Personal Service | (14) | (6) | P |
| General Retail Store | (15) |  | P |
| Hair Salon and/or Manicurist | (16) |  | P |
| Laundromat with Dropoff/Pickup Services | (17) |  | P |
| Self Service Laundromat | (18) |  | P |
| Massage Therapist | (19) |  | P |
| Private Museum or Art Gallery | (20) |  | S |
| Permanent Cosmetics | (23) | (7) | A |
| Pet Shop | (24) |  | P |
| Temporary Real Estate Sales Office | (25) |  | P |
| Restaurant with less than 2,000 SF with Drive-Through or Drive-In | (27) | (9) | S |
| Restaurant with less than $2,000 \mathrm{SF}$ without Drive-Through or Drive-In | (28) |  | P |
| Restaurant with 2,000 SF or more with Drive-Through or Drive-In | (27) | (10) | S |
| Restaurant with 2,000 SF or more without Drive-Through or Drive-In | (28) |  | S |
| Retail Store with Gasoline Sales that has Two (2) or less Dispensers (i.e. a Maximum of Four [4] Vehicles) | (29) |  | S |
| Art, Photography, or Music Studio | (31) |  | P |
| Tailor, Clothing, and/or Apparel Shop | (32) |  | P |
| COMMERCIAL AND BUSINESS SERVICES LAND USES | 2.02(G) | 2.03(G) |  |
| Electrical, Watch, Clock, Jewelry and/or Similar Repair | (6) |  | S |
| Shoe and Boot Repair and Sales | (16) |  | P |
| Temporary On-Site Construction Office | (18) | (6) | P |
| AUTO AND MARINE RELATED LAND USES | 2.02(H) | 2.03(H) |  |
| Full Service Car Wash and Auto Detail | (5) | (4) | S |
| Non-Commercial Parking Lot | (9) |  | S |
| Service Station | (11) | (8) | S |
| INDUSTRIAL AND MANUFACTURING LAND USES | 2.02(1) | 2.03 (1) |  |
| Temporary Asphalt or Concrete Batch Plant | (2) | (2) | P |
| Mining and Extraction of \&Sand, Gravel, Oil and/or Other Materialsł | (12) | (5) | S |
| UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES | 2.02(K) | 2.03(K) |  |
| Antenna; as an Accessory | (2) | (1) | P |
| Antenna; for an Amateur Radio | (4) | (3) | A |


| LEGEND: |  |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| Land Use Permitted By-Right | PERMITTED LAND USES IN AN |  |  |
| P Land Use Permitted with Conditions |  |  |  |
| S Land Use Permitted Specific Use Permit (SUP) | NEIGHBORHOOD SERVICES (NS) DISTRICT |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions | CONDITIONAL USE REFERENCE Reference [Articte 04. Permissible Uses] | NEIGHBORHOOD SERVICES (NS) DISTRICT |
| Antenna Dish | (5) | (4) | A |
| Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment | (10) |  | S |
| Municipally Owned or Controlled Facilities, Utilities and Uses | (11) |  | P |
| Private Streets | (12) |  | S |
| Railroad Yard or Shop | (14) |  | S |
| Satellite Dish | (16) |  | A |
| Solar Energy Collector Panels and Systems | (17) | (7) | A |
| Transit Passenger Facility | (18) |  | S |
| Utilities Holding a Franchise from the City of Rockwall | (21) |  | S |
| Utility Installation Other than Listed | (22) |  | S |
| Utility/Transmission Lines | (23) |  | S |
| Wireless Communication Tower | (24) |  | S |



| LEGEND: |  |  |  |
| :---: | :---: | :---: | :---: |
| Land Use NOT Permitted |  |  |  |
| P Land Use Permitted By-Right | PERMITTED LAND USES IN AN |  |  |
| P Land Use Permitted with Conditions |  |  |  |
| S Land Use Permitted Specific Use Permit (SUP) | RESIDENTIAL-OFFICE (RO) DISTRICT |  |  |
| X Land Use Prohibited by Overlay District |  |  |  |
| A Land Use Permitted as an Accessory Use |  |  |  |
| LAND USE SCHEDULE | LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions] | $\begin{aligned} & \text { CONDITIONAL USE } \\ & \text { REFERENCE } \\ & \text { Reference [article 04, } \\ & \text { Permissible Uses] } \end{aligned}$ | RESIDENTIAL-OFFICE (RO) DISTRICT |
| COMMERCIAL AND BUSINESS SERVICES LAND USES | 2.02(G) | 2.03(G) |  |
| Shoe and Boot Repair and Sales | (16) |  | S |
| UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES | 2.02(K) | 2.03(K) |  |
| Antenna; as an Accessory | (2) | (1) | P |
| Commercial Antenna | (3) | (2) | S |
| Antenna; for an Amateur Radio | (4) | (3) | A |
| Antenna Dish | (5) | (4) | A |
| Utilities (Non-Municipally Owned or Controlled), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment | (10) |  | S |
| Municipally Owned or Controlled Facilities, Utilities and Uses | (11) |  | P |
| Private Streets | (12) |  | S |
| Railroad Yard or Shop | (14) |  | S |
| Satellite Dish | (16) |  | A |
| Solar Energy Collector Panels and Systems | (17) | (7) | A |
| Transit Passenger Facility | (18) |  | S |
| Utilities Holding a Franchise from the City of Rockwall | (21) |  | S |
| Utility Installation Other than Listed | (22) |  | S |
| Utility/Transmission Lines | (23) |  | S |
| Wireless Communication Tower | (24) |  | S |

## CITY OF ROCKWALL

ORDINANCE NO. 21-XX


#### Abstract

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 $4^{\text {TH }}$ DAY OF OCTOBER, 2021.

## ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney
Kevin Fowler, Mayor
$1^{\text {st }}$ Reading: September 20, 2021
$2^{\text {nd }}$ Reading: October 4, 2021

## 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 130.01 feet, 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



| 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 not 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/1st Reading: October 4, 2021
City Council $2^{\text {nd }}$ 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 September 28, 2021 Planning and Zoning Commission meeting.

## Miller, Ryan

From: Adam Buczek [abuczek@skorburgcompany.com](mailto:abuczek@skorburgcompany.com)
Sent: Wednesday, September 8, 2021 5:58 PM
To: Miller, Ryan
Cc: Lee, Henry; Gamez, Angelica
Subject: 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 ... 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." 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 ${ }^{\text {st }}$ Reading: October 4, 2021
City Council ${ }^{\text {nd }}$ 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

NOTES

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

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TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
September 14, 2021
Andrew Thomas
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.

## PURPOSE

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.

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 SingleFamily 10 (SF-10) District land use.

East: $\quad$ 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.

West: 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 $192 S F$ ) 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 $2,100 \mathrm{SF}$. 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
City of Rockwall
Planning and Zoning Department 385 S. Goliad Street
Rockwall, Texas 75087

PLANNING \& ZONING CASE NO. Z $2021-037$
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTLL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:
CITY ENGINEER:

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

## PLATTING APPLICATION FEES:

$\square$ MASTER PLAT $(\$ 100.00+\$ 15.00 \text { ACRE })^{1}$
PRELIMINARY PLAT $\left(\$ 200.00+\$ 15.00\right.$ ACRE) ${ }^{1}$
FINAL PLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ REPLAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDING OR MINOR PLAT ( $\$ 150.00$ )
$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )
SITE PLAN APPLICATION FEES:
$\square$ SITE PLAN $\left(\$ 250.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

## ZONING APPLICATION FEES:

$\square$ ZONING CHANGE $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ SPECIFIC USE PERMIT $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
PD DEVELOPMENT PLANS $(\$ 200.00+\$ 15.00$ ACRE $)$
OTHER APPLICATION FEES:
$\square$ 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 $\quad 54$ 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 PRITT]

CURRENT ZONING
PROPOSED ZONING
ACREAGE
James Best
CURRENT USE
PROPOSED USE
1
LOTS [PROPOSED]
Special Use Permit - Axillary Building
LOTS [CURRENT]

XITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBLITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL
RESULTIN THE DENIAL OF YOUR CASE.
OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]
$\square$ OWNER
CONTACT PERSON James Best
Andrew D. Thomas
ADDRESS

CITY, STATE \& ZIP
PHONE
E-MAIL

CITY, STATE \& ZIP
PHONE
E-MAIL

Andrew D. Thomas
Andrew D. Thomas
422 E I-30, Suite F

A APPLICANT
CONTACT PERSON
ADDRESS

NOTARY VERIFICATION [REQUIRED]
 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
$\$ 100.00$
TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE



## 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: Z2021-037
Case Name: SUP for Auxiliary Building Case Type: Zoning Zoning: $\quad$ Single-Family 16 (SF-16) District Case Address: 54 Shadydale Lane

## Date Created: 8/20/2021



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

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

## Z2021-037 SUP for Accessory Building

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.

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.
(100

Case Number: Z2021-037
Case Name: SUP for Auxiliary Building Case Type: Zoning Zoning: Single-Family 16 (SF-16) District Case Address: 54 Shadydale Lane

## Date Created: 8/20/2021



HATFIELD CLAUDETTE
1 SHADY DALE LN
ROCKWALL, TX 75032

GARZA ROY A \& DULCE R<br>104 GENESTA PLACE<br>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

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

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

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GARDNER PAUL S AND CINDY
    102 INDEPENDENCE PL
    ROCKWALL, TX }7503
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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 <br> 2972 OAK DR ROCKWALL, TX 75032

EVANS JENNIFER BEARD
2975 OAK DR ROCKWALL, TX 75032

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RAMOS EMILIO & MARIA C
2976 OAK DR ROCKWALL, TX 75032
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SEXTON CHRISTOPHER
            2 9 7 9 ~ O A K ~ D R ~
ROCKWALL, TX 75032
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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 MARIETRUSTEES
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

## KARLEN FRANK W \& CHANDRA J

2977 OAK DR ROCKWALL, TX 75032

SALUCCI JOSEPH LILIA<br>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

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

LEWELLYN DARYL G \& SARAH<br>3187 RIDGE RD<br>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

FAULKNER DANICA J AND MATTHEW L JOHNS 48 SHADY DALE 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 75442ST 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

RHUDY FAMILY REVOCABLE LIVING TRUST RHUDY THOMAS RICHARD AND LAURA MARIETRUSTEES 5 SHADYDALE LN ROCKWALL, TX 75032

|  | HAMMOND HUDDLE LIVING TRUST |  |
| :---: | :---: | :---: |
| SLABAS KAREN AND JEFFREY | EUGENE WESLEY HUDDLE AND JANE | SLABAS KAREN AND JEFFREY |
| 50 SHADY DALE LN | HAMMOND, TRUSTEES | 52 SHADYDALELN |
| ROCKWALL, TX 75032 | 519 E I-30 \#704 | ROCKWALL, TX 75032 |
|  | ROCKWALL, TX 75087 |  |
| THOMAS JERRY \& MARSHA | BARRY JOYCE | ROCK SOUTH INVESTMENTS LTD. A TEXAS |
| 5202 YACHT CLUB DR | 5204 YACHT CLUB DR | MITED PARTNERSH |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| METRY GREGORY K | DAVIES DAVID B \& HELEN J | NORTON JO ANN |
| 5208 YACHT CLUB DRIVE | 5302 YACHT CLUB DR | 5303 YACHT CLUB DR |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| WILLIAMS VICTORIA L \& DAVID B | MARTIN CAREN | ADRIAN AMANDA C AND MICHAEL S |
| 5304 YACHT CLUB DR | 5305 YACHT CLUB DR | 5306 YACHT CLUB DR |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| ADDISON MARAVIN G AND FAYE | BEST JAMES AND KIMBERLY | ODOM JOSHUA D-WAYNE AND LACEY ALEXANDRA |
| 5308 YACHT CLUB DR. | 54 SHADY DALE LN | 5402 YACHT CLUB DRIVE |
| ROCKWALL, TX 75033 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| CULLEN SETH LAWRENCE AND GABRIELLE | HAMMOND HUDDLE LIVING TRUST EUGENE WESLEY HUDDLE AND JANE |  |
| 5501 YACHT CLUB DR | HAMMOND, TRUSTEES | LIMITED PARTNERSHIP |
| ROCKWALL, TX 75032 | 5505 YACHT CLUB DR | ROCKWALL, TX 75032 |
|  | ROCKWALL, TX 75032 | ROCKWALL, $1 \times 75032$ |
| BEST JAMES AND KIMBERLY | HERVEY GAIL | CHANDLERS LANDING COMMUNITY ASSOC |
| 870 W INTERSTATE SUITE 100 | 948 HUNTERS GLN | PO BOX 638 |
| GARLAND, TX 75043 | ROCKWALL, TX 75032 | ROCKWALL, TX 75087 |
| STOKES RICHARD \& JULIE | CASTLEROCK CUSTOM BUILDERS LLC |  |
| PO BOX 8 | PO BOX 8333 |  |
| ROCKWALL, TX 75087 | GREENVILLE, TX 75404 |  |

## 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 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.

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,
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:
$\square \mathrm{I}$ am in favor of the request for the reasons listed below.
$\square I$ 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.

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

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(100

Case Number: Z2021-037
Case Name: SUP for Auxiliary Building
Case Type: Zoning
Zoning: Single-Family 16 (SF-16) District
Case Address: 54 Shadydale Lane

## Date Created: 8/20/2021



## 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 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.

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<br>Rockwall Planning and Zoning Dept.<br>385 S. Goliad Street<br>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,
USE THIS QR CODE
Ryan Miller, AICP
TO GO DIRECTLY
Director of Planning \& Zoning
TO THE WEBSITE

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

## - - PLEASE RETURN THE BELOW FORM

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

Please place a check mark on the appropriate line below:
W 1 am in favor of the request for the reasons listed below.
$\square$ I am opposed to the request for the reasons listed below.


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

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

Lee, Henry
From:
Melissa Short [mrshort@live.com](mailto:mrshort@live.com)
Sent: Monday, August 30, 2021 11:11 AM
To:
Planning
Case \# z2021-037

P\&Z

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

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

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| From: | Joe Zylka [JZylka@DogwoodCommercial.com](mailto:JZylka@DogwoodCommercial.com) |
| :--- | :--- |
| Sent: | Monday, August 30, 2021 7:16 AM |
| To: | Planning |
| Subject: | 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 ${ }^{\circ}$
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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DATE: $\quad$ August 18, 2021

TO:<br>FROM: James Best c/o Andrew D. Thomas<br>RE: Variance Request: Special Use Permit re: Auxiliary Building at 54 Shady Dale, Rockwall, Texas 75087<br>City of Rockwall Planning \& Zoning Department

RE:

## 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:
(1) one detached garage up to 625 square feet and one accessory building up to 144 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.

## 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 $\times 11$ 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.

| 10' x 10' x 10'8" | \$5,000.00 | \$5,500.00 |
| :---: | :---: | :---: |
| $10^{\prime} \times 12^{\prime} \times 10^{\prime \prime}$ | \$5,536.00 | \$6,089.60 |
| $10^{\prime} \times 14^{\prime} \times 10^{\prime \prime}{ }^{\prime \prime}$ | \$6,091.00 | \$6,700.10 |
| $10^{\prime} \times 16^{\prime} \times 10^{\prime \prime}{ }^{\prime \prime}$ $10^{\prime} \times 18^{\prime} \times 10^{\prime \prime} 8^{\prime \prime}$ | $\$ 6,55$ | $7,214.90$ |
| $10^{\prime} \times 20^{\prime} \times 10^{\prime \prime}$ | \$7,676.00 | \$8,443.60 |
| $10^{\prime} \times 24^{\prime} \times 10^{\prime \prime}$ | \$8,704.00 | \$9,574.40 |
| $10^{\prime} \times 28^{\prime} \times 10^{\prime \prime}$ | \$9,796.00 | \$10,775.60 |
| $10^{\prime} \times 32 \mathrm{l} \times 10^{\prime \prime}$ | \$10,815.00 | \$11,896.50 |
| $12^{\prime} \times 12^{\prime} \times 11^{\prime \prime}$ | \$6,227.00 | \$6,849.70 |
| $12^{\prime} \times 16^{\prime} \times 11^{\prime \prime}{ }^{\prime \prime}$ | \$7,395.00 | \$8,134.50 |
| $12^{\prime} \times 20^{\prime} \times 11^{\prime \prime}$ | \$8,672.00 | \$9,539.20 |
| $12^{\prime} \times 24^{\prime} \times 11^{\prime \prime}$ | \$9,855.00 | \$10,840.50 |
| $12^{\prime} \times 28^{\prime} \times 11^{\prime \prime}{ }^{\prime \prime}$ | \$11,106.00 | \$12,216.60 |
| $12^{\prime} \times 32 \mathrm{x} \times 11^{\prime \prime}$ | \$12,272.00 | \$13,499.20 |
| $16^{\prime} \times 20^{\prime} \times 11^{\prime \prime} 10^{\prime \prime}$ | \$11,456.00 | \$12,601.60 |
| $16^{\prime} \times 24^{\prime} \times 11^{\prime} 10{ }^{\prime \prime}$ | \$13,045.00 | \$14,349.50 |

## CITY OF ROCKWALL

ORDINANCE NO. $\underline{\text { 21-XX }}$
SPECIFIC USE PERMIT NO. S-XXX


#### Abstract

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 2.60ACRE 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. OPERATIONALCONDITIONS

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 $4^{\text {TH }}$ DAY OF OCTOBER, 2021.

## ATTEST:

APPROVED AS TO FORM:


Frank J. Garza, City Attorney
$1^{\text {st }}$ Reading: September 20, 2021
$2^{\text {nd }}$ Reading: October 4, 2021

Exhibit ' $A$ '
Zoning Exhibit
Address: 54 Shadydale Lane
Legal Description: Lot 1, Block A, Best Estates Addition


Exhibit ' B ':
Residential Plot Plan


Exhibit ' $C$ ':


TO:
DATE:
APPLICANT:
CASE NUMBER:

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

## SUMMARY

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 [FM549] 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.

## PURPOSE

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 $\sim 301,120 \mathrm{SF}$ 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:

North: 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 $\mathrm{IH}-30$ Frontage Road. Beyond this are the eastbound frontage roads for $\mathrm{IH}-30$, followed by the main lanes for $\mathrm{IH}-30$, and the westbound frontage roads for $\mathrm{IH}-30$.

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, L3 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.

West: 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 | $x>2,689-f e e t ;$ In Conformance |
| Minimum Front Yard Setback | 50-Feet [FM-549 OV] | $x>106$-feet; In Conformance |
| Minimum Rear Yard Setback | 0 -Feet $+1 / 2 \mathrm{H}$ | $x>650$-feet; In Conformance |
| Minimum Side Yard Setback | 0 -Feet $+1 / 2 \mathrm{H}$ | $x=130$-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 20foot 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) Building Materials.
(a) Stone. 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) Tilt Wall. 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) Articulation.
(a) Building Façades. 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 Technology District 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 District Strategies for the Technology District 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 District Strategies 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 September 14, 2021 meeting.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's Site Plan 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 Site Plan 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.

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

## STAFF USE ONLY

PLANNING \& ZONING CASE NO. SP2021*024
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

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

PLATTING APPLICATION FEES:
$\square$ MASTER PLAT $(\$ 100.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ PRELIMINARY PLAT $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ FINAL PLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ REPLAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDING OR MINOR PLAT ( $\$ 150.00$ )
$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )
SITE PLAN APPLICATION FEES:
圆 SITE PLAN $(\$ 250.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

## ZONING APPLICATION FEES:

$\square$ ZONING CHANGE $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ SPECIFIC USE PERMIT ( $\$ 200.00+\$ 15.00$ ACRE $)$
$\square$ PD DEVELOPMENT PLANS $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
$\square$ VARIANCE REQUEST ( $\$ 100.00$ )
NOTES:
!: $\operatorname{IN}$ 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
general location West of intersection of Corporate Crossing and Capital Blvd
ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

| CURRENT ZONING | LI |  | CURRENT USE | Undeveloped |  |
| ---: | :--- | :---: | :--- | :--- | :--- |
| PROPOSED ZONING |  |  | PROPOSED USE | Warehouse |  |
| ACREAGE | 43.237 AC | LOTS [CURRENT] | N/A | LOTS [PROPOSED] | 1 |

$\square$ 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 RESULTIN THE DENIAL OF YOUR CASE

OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINTICHECK THE PRIMARY CONTACTIORIGINAL SIGNATURES ARE REQUIRED]

| $\square$ OWNER | Hitt Family, L.P. | $\square$ 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 |
|  |  |  | 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 Lyadel 1 ipror STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

IHEREBY 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



City of Rockwall


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## DIGITAL FINISHES LEGEND:

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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.
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| 204 |  |  | Is smms | teathy |  | Presene | mav | ${ }_{11}$ |  |
| ${ }^{205}$ | 5.7 | Gieen Ash | Faxams ememsmencea | Heathr | Sinde | Presene | Pimar | ${ }_{11}^{11}$ | N／A |
| $\stackrel{\substack{206 \\ 207}}{207}$ | ${ }^{827}$ |  | Umsmber |  |  | ${ }_{\text {Prease }}^{\text {Prese }}$ | ${ }_{\text {Primar }}^{\text {Pimar }}$ | ${ }_{\text {lit }}^{\text {lit }}$ |  |
| 208 | 4. |  | Framus emsmemam | Heathy | Sinde | Esene | may | ${ }^{11}$ |  |
| 2209 |  | amant | Frams memens | Heathy | ${ }_{\text {Singe }}$ | Presene | Prmar |  |  |
| ${ }_{2111}^{211}$ | ${ }^{134}$ | Siemash | manca | Heathy | Sorsed | Presene | Pmiman | ${ }_{1}$ |  |
|  |  | Stem |  |  | Singe |  |  |  |  |
|  | ${ }^{63}$ | meq Em | Umus moma | ${ }_{\text {coenthy }}$ Heathy | Sinde | Presene | Primar | ${ }_{1.1}^{1.1}$ | $\stackrel{\mathrm{NA}}{ }$ |
|  |  |  | Umus sube | Heathy | Smate | Presen | Pimar | ${ }^{11}$ |  |
| ${ }_{2117}^{217}$ | ${ }_{4}{ }^{1}$ | Hecruss cue |  | Deceling | Smine |  |  | N／A | N／A |
| ${ }^{2118}$ |  |  | asman | leathy |  | Resene | emar | ．11 |  |
| 2199 <br> 2120 <br> 2 | ${ }^{80}$ |  | fremems emswence |  | cine | ${ }_{\text {Prease }}{ }^{\text {Presese }}$ | ${ }_{\text {Primar }}^{\text {Primar }}$ | ${ }_{\text {H11 }}^{\text {H1，}}$ | $\stackrel{\text { N／}}{\text { N／}}$ |
| 221 |  |  |  | Heattry | fored | Presene | Pinar | ${ }^{11}$ |  |
| 2122 <br> 203 <br> 1 | ${ }_{8.6}$ |  | Unsememe | $\substack{\text { Healihy } \\ \text { Healty }}$ | ${ }_{\text {S }}$ | ${ }_{\text {Prease }}^{\text {Presene }}$ |  | ${ }_{11}^{11}$ | N／A |
| ${ }^{225}$ |  | Geem Ash | ars | Heathy | cin | deeme |  |  |  |
| $\frac{2025}{22025}$ | ${ }^{13}$ | Reacem |  | Heathr | Matil | ${ }^{\text {resenve }}$ | seocond | ${ }_{\text {si }}^{51}$ |  |
| 2128 |  | dem | Smsemmsmonca | teeathy | ded | （resene |  |  |  |
| 229 | ${ }^{88}$ | Sien anc |  |  | $\substack{\text { mut } \\ \text { Sind }}$ |  |  |  | N／A |











## 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 750 W metal halide in pedestrian and area lighting applications with typical energy savings of $65 \%$ and expected service life of over 100,000 hours.

## Ordering Information

EXAMPLE: DSX1 LED P7 40K T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

## DSX1 LED



## Ordering Information



## Options

## EGS - External Glare Shield



## Drilling

HANDHOLE ORIENTATION


A
Handhole

Tenon Mounting Slipfitter

| Tenon 0.D. | Mounting | Single Unit | 2 @ 180 | 2 @ 90 | 3 @ 90 | 3 @120 | 4 @ 90 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $2-3 / 8^{\prime \prime}$ | RPA | AS3-5 190 | AS3-5 280 | AS3-5 290 | AS3-5 390 | AS3-5320 | AS3-5 490 |
| $2-7 / 8^{\prime \prime}$ | 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 |


|  |  |  |  |  |  |  |  |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 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 <br> Configuration | Single DM19 | 2 @ 180 DM28 | 2@90 DM29 | 3@90 DM39 | 3@120 DM32 | 4 @90 DM49 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Mounting Type | $\square$ |  |  |  |  |  |
| DSX1 LED | 1.013 | 2.025 | 1.945 | 3.038 | 2.850 | 3.749 |


|  | Drilling Template | Minimum Acceptable Outside Pole Dimension |  |  |  |  |  |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| SPA | $\# 8$ | $2-7 / 8^{\prime \prime}$ | $2-7 / 8^{\prime \prime}$ | $3.55^{\prime \prime}$ | $3.5^{\prime \prime}$ | $3^{\prime \prime}$ | $3.5^{\prime \prime}$ |
| RPA | $\# 8$ | $2-78^{\prime \prime}$ | $2-7 / 8^{\prime \prime}$ | $3.5^{\prime \prime}$ | $3.5^{\prime \prime}$ | $3^{\prime \prime}$ | $3.5^{\prime \prime}$ |
| SPUMBA | $\# 5$ | $2-7 / 8^{\prime \prime}$ | $3^{\prime \prime}$ | $4^{\prime \prime}$ | $4^{\prime \prime}$ | $3.5^{\prime \prime}$ | $4^{\prime \prime}$ |
| RPUMBA | $\# 5$ | $2-7 / 8^{\prime \prime}$ | $3.5^{\prime \prime}$ | $5^{\prime \prime}$ | $5^{\prime \prime}$ | $3.5^{\prime \prime}$ | $5^{\prime \prime}$ |

Isofootcandle plots for the DSX1 LED 60C 1000 40K. Distances are in units of mounting height ( $25^{\prime}$ ).


















## Performance Data

## Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from $0-40^{\circ} \mathrm{C}\left(32-104^{\circ} \mathrm{F}\right)$.

| Ambient |  | Lumen Multiplier |
| :---: | :---: | :---: |
| $0^{\circ} \mathrm{C}$ | $32^{\circ} \mathrm{F}$ | 1.04 |
| $5^{\circ} \mathrm{C}$ | $41^{\circ} \mathrm{F}$ | 1.04 |
| $10^{\circ} \mathrm{C}$ | $50^{\circ} \mathrm{F}$ | 1.03 |
| $15^{\circ} \mathrm{C}$ | $50^{\circ} \mathrm{F}$ | 1.02 |
| $20^{\circ} \mathrm{C}$ | $68^{\circ} \mathrm{F}$ | 1.01 |
| $\mathbf{2 5 ^ { \circ } \mathrm { C }}$ | $\mathbf{7 7 ^ { \circ } \mathbf { F }}$ | $\mathbf{1 . 0 0}$ |
| $30^{\circ} \mathrm{C}$ | $86^{\circ} \mathrm{F}$ | 0.99 |
| $35^{\circ} \mathrm{C}$ | $95^{\circ} \mathrm{F}$ | 0.98 |
| $40^{\circ} \mathrm{C}$ | $104^{\circ} \mathrm{F}$ | 0.97 |

## Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a $25^{\circ} \mathbf{C}$ 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.

| Operating Hours | Lumen Maintenance Factor |
| :---: | :---: |
| 0 | 1.00 |
| 25,000 | 0.96 |
| 50,000 | 0.92 |
| 100,000 | 0.85 |


| Motion Sensor Default Settings |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Option | Dimmed <br> State | High Level <br> (when <br> triggered) | Phototcell <br> Operation | Dwell <br> Time | Ramp-up <br> Time | Ramp-down <br> Time |
| PIR or PIRH | $3 V(37 \%)$ <br> Output | $10 \mathrm{~V}(100 \%)$ <br> Output | Enabled @ 5FC | 5 min | 3 sec | 5 min |
| *PIR1FC3V or <br> PIRH1FC3V | $3 V$ <br> (37\%) <br> Output | $10 \mathrm{~V}(100 \%)$ <br> Output | Enabled @ 1FC | 5 min | 3 sec | 5 min |
| *for use when motion sensor is used as dusk to dawn control. |  |  |  |  |  |  |

Electrical Load

|  |  |  |  |  | Current (A) |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Performance Package | LED Count | Drive Current | Wattage | 120 | 208 | 240 | 277 | 347 | 480 |
| Forward Optics (Non-Rotated) | 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 |
|  | 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 |
| Rotated Optics (Requires L90 or R90) | P10 | 60 | 530 | 106 | 0.90 | 0.52 | 0.47 | 0.43 | 0.33 | 0.27 |
|  | P11 | 60 | 700 | 137 | 1.15 | 0.67 | 0.60 | 0.53 | 0.42 | 0.32 |
|  | 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 Iuminaire; 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 $0-10 \mathrm{~V}$ 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 $0-10 \mathrm{~V}$ 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 Edypse. | nLight Air rSDGR | nLight AlR sensors can be programmed and commissioned from the ground using the CIAIRity Pro app. |

Lumen Output
 performance data on any configurations not shown here

| Forward Optics |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| LED Count | Drive Current | Power Package | System Watts | Dist. Type | 30 K$(3000 \mathrm{~K}, 70 \mathrm{CRI})$ |  |  |  |  | 40 K$(4000 \mathrm{~K}, 70 \mathrm{CRI})$ |  |  |  |  | 50 K$(5000 \mathrm{~K}, 70 \mathrm{CRI})$ |  |  |  |  |
|  |  |  |  |  | Lumens | B | U | G | LPW | Lumens | B | 0 | c | LPW | Lumens | B | U | 6 | LPW |
| 30 | 530 | P1 | 54W | T15 | 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 |  | 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 |
|  |  |  |  | TFTM | 6,464 | 1 | 0 | 2 | 120 | 6,963 | 1 | 0 | 2 | 129 | 7,051 | 1 | 0 | 2 | 131 |
|  |  |  |  | T5VS | 6,722 | 2 | 0 | 0 | 124 | 7,242 | 3 | 0 | 0 | 134 | 7,334 | 3 | 0 | 0 | 136 |
|  |  |  |  | T5S | 6,728 | 2 | 0 | 1 | 125 | 7,248 | 2 | 0 |  | 134 | 7,340 | 2 | 0 | 1 | 136 |
|  |  |  |  | T5M | 6,711 | 3 | 0 | 1 | 124 | 7,229 | 3 | 0 | 1 | 134 | 7,321 | 3 | 0 | 2 | 136 |
|  |  |  |  | T5W | 6,667 | 3 | 0 | 2 | 123 | 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 |
| 30 | 700 | P2 | 70W | T15 | 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 |
|  |  |  |  | T3S | 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 | 8,083 | 2 | 0 | 2 | 115 | 8,708 | 2 | 0 | 2 | 124 | 8,818 | 2 | 0 | 2 | 126 |
|  |  |  |  | TFTM | 8,257 | 2 | 0 | 2 | 118 | 8,896 | 2 | 0 | 2 | 127 | 9,008 | 2 | 0 | 2 | 129 |
|  |  |  |  | T5VS | 8,588 | 3 | 0 | 0 | 123 | 9,252 | 3 | 0 | 0 | 132 | 9,369 | 3 | 0 | 0 | 134 |
|  |  |  |  | T5S | 8,595 | 3 | 0 | 1 | 123 | 9,259 | 3 | 0 | 1 | 132 | 9,376 | 3 | 0 | 1 | 134 |
|  |  |  |  | T5M | 8,573 | 3 | 0 | 2 | 122 | 9,236 | 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 |
|  |  |  |  | LCCO | 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 |
| 30 | 1050 | P3 | 102W | T15 | 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 | 11,680 | 2 | 0 | 2 | 115 | 12,582 | 2 | 0 | 2 | 123 | 12,742 | 2 | 0 | 2 | 125 |
|  |  |  |  | T4M | 11,426 | 2 | 0 | 3 | 112 | 12,309 | 2 | 0 | 3 | 121 | 12,465 | 2 | 0 | 3 | 122 |
|  |  |  |  | TFTM | 11,673 | 2 | 0 | 2 | 114 | 12,575 | 2 | 0 | 3 | 123 | 12,734 | 2 | 0 | 3 | 125 |
|  |  |  |  | T5VS | 12,140 | 3 | 0 | 1 | 119 | 13,078 | 3 | 0 | 1 | 128 | 13,244 | 3 | 0 | 1 | 130 |
|  |  |  |  | T5S | 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 |
|  |  |  |  | LCCO | 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 |
| 30 | 1250 | P4 | 125W | T15 | 13,435 | 3 | 0 | 3 | 107 | 14,473 | 3 | 0 | 3 | 116 | 14,657 | 3 | 0 | 3 | 117 |
|  |  |  |  | T2S | 13,421 | 3 | 0 | 3 | 107 | 14,458 | 3 | 0 | 3 | 116 | 14,641 | 3 | 0 | 3 | 117 |
|  |  |  |  | T2M | 13,490 | 2 | 0 | 2 | 108 | 14,532 | 3 | 0 | 3 | 116 | 14,716 | 3 | 0 | 3 | 118 |
|  |  |  |  | T3S | 13,064 | 3 | 0 | 3 | 105 | 14,074 | 3 | 0 | 3 | 113 | 14,252 | 3 | 0 | 3 | 114 |
|  |  |  |  | T3M | 13,457 | 2 | 0 | 2 | 108 | 14,497 | 2 | 0 | 2 | 116 | 14,681 | 2 | 0 | 2 | 117 |
|  |  |  |  | T4M | 13,165 | 2 | 0 | 3 | 105 | 14,182 | 2 | 0 | 3 | 113 | 14,362 | 2 | 0 | 3 | 115 |
|  |  |  |  | TFTM | 13,449 | 2 | 0 | 3 | 108 | 14,488 | 2 | 0 | 3 | 116 | 14,672 | 2 | 0 | 3 | 117 |
|  |  |  |  | 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 |  | 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 | 8,205 | 1 | 0 | 3 | 66 | 8,839 | 1 | 0 | 3 | 71 | 8,951 | 1 | 0 | 3 | 72 |
|  |  |  |  | RCCO | 8,205 | 1 | 0 | 3 | 66 | 8,839 | 1 | 0 | 3 | 71 | 8,951 | 1 | 0 | 3 | 72 |
| 30 | 1400 | P5 | 138W | T15 | 14,679 | 3 | 0 | 3 | 106 | 15,814 | 3 | 0 | 3 | 115 | 16,014 | 3 | 0 | 3 | 116 |
|  |  |  |  | T2S | 14,664 | 3 | 0 | 3 | 106 | 15,797 | 3 | 0 | 3 | 114 | 15,997 | 3 | 0 | 3 | 116 |
|  |  |  |  | T2M | 14,739 | 3 | 0 | 3 | 107 | 15,878 | 3 | 0 | 3 | 115 | 16,079 | 3 | 0 | 3 | 117 |
|  |  |  |  | T3S | 14,274 | 3 | 0 | 3 | 103 | 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 |
|  |  |  |  | TFTM | 14,695 | 2 | 0 | 3 | 106 | 15,830 | 3 | 0 | 3 | 115 | 16,030 | 3 | 0 | 3 | 116 |
|  |  |  |  | T5VS | 15,283 | 4 | 0 | 1 | 111 | 16,464 | 4 | 0 | 1 | 119 | 16,672 | 4 | 0 | 1 | 121 |
|  |  |  |  | T5S | 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 | 16,328 | 4 | 0 | 3 | 118 | 16,534 | 4 | 0 | 3 | 120 |
|  |  |  |  | BLC | 12,048 | 1 | 0 | 2 | 87 | 12,979 | 1 | 0 | 2 | 94 | 13,143 | 1 | 0 | 2 | 95 |
|  |  |  |  | LCCO | 8,965 | 1 | 0 | 3 | 65 | 9,657 | 1 | 0 | 3 | 70 | 9,780 | 1 | 0 | 3 | 71 |
|  |  |  |  | RCCO | 8,965 | 1 | 0 | 3 | 65 | 9,657 | 1 | 0 | 3 | 70 | 9,780 | 1 | 0 | 3 | 71 |

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## Performance Data

## Lumen Output

 performance data on any configurations not shown here.

| Forward 0 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| LED Count | Drive Current | Power Package | System <br> Watts | Dist. <br> Type | $\begin{gathered} 30 \mathrm{~K} \\ (3000 \mathrm{~K}, 70 \mathrm{CRI}) \end{gathered}$ |  |  |  |  | $\begin{gathered} 40 \mathrm{~K} \\ (4000 \mathrm{~K}, 70 \mathrm{CRI}) \end{gathered}$ |  |  |  |  | $\begin{gathered} 50 \mathrm{~K} \\ (5000 \mathrm{~K}, 70 \mathrm{CRI}) \\ \hline \end{gathered}$ |  |  |  |  |
|  |  |  |  |  | Lumens | B | U | G | LPW | Lumens | B | U | G | LPW | Lumens | B | U | G | LPW |
| 40 | 1250 | P6 | 163W | T1S | 17,654 | 3 | 0 | 3 | 108 | 19,018 | 3 | 0 | 3 | 117 | 19,259 | 3 | 0 | 3 | 118 |
|  |  |  |  | T2S | 17,635 | 3 | 0 | 3 | 108 | 18,998 | 3 | 0 | 3 | 117 | 19,238 | 3 | 0 | 3 | 118 |
|  |  |  |  | T2M | 17,726 | 3 | 0 | 3 | 109 | 19,096 | 3 | 0 | 3 | 117 | 19,337 | 3 | 0 | 3 | 119 |
|  |  |  |  | T3S | 17,167 | 3 | 0 | 3 | 105 | 18,493 | 3 | 0 | 3 | 113 | 18,727 | 3 | 0 | 3 | 115 |
|  |  |  |  | T3M | 17,683 | 3 | 0 | 3 | 108 | 19,049 | 3 | 0 | 3 | 117 | 19,290 | 3 | 0 | 3 | 118 |
|  |  |  |  | T4M | 17,299 | 3 | 0 | 3 | 106 | 18,635 | 3 | 0 | 4 | 114 | 18,871 | 3 | 0 | 4 | 116 |
|  |  |  |  | TFTM | 17,672 | 3 | 0 | 3 | 108 | 19,038 | 3 | 0 | 4 | 117 | 19,279 | 3 | 0 | 4 | 118 |
|  |  |  |  | T5VS | 18,379 | 4 | 0 | 1 | 113 | 19,800 | 4 | 0 | 1 | 121 | 20,050 | 4 | 0 | 1 | 123 |
|  |  |  |  | T5S | 18,394 | 4 | 0 | 2 | 113 | 19,816 | 4 | 0 | 2 | 122 | 20,066 | 4 | 0 | 2 | 123 |
|  |  |  |  | T5M | 18,348 | 4 | 0 | 2 | 113 | 19,766 | 4 | 0 | 2 | 121 | 20,016 | 4 | 0 | 2 | 123 |
|  |  |  |  | T5W | 18,228 | 5 | 0 | 3 | 112 | 19,636 | 5 | 0 | 3 | 120 | 19,885 | 5 | 0 | 3 | 122 |
|  |  |  |  | BLC | 14,489 | 2 | 0 | 2 | 89 | 15,609 | 2 | 0 | 3 | 96 | 15,806 | 2 | 0 | 3 | 97 |
|  |  |  |  | LCCO | 10,781 | 1 | 0 | 3 | 66 | 11,614 | 1 | 0 | 3 | 71 | 11,761 | 2 | 0 | 3 | 72 |
|  |  |  |  | RCCO | 10,781 | 1 | 0 | 3 | 66 | 11,614 | 1 | 0 | 3 | 71 | 11,761 | 2 | 0 | 3 | 72 |
| 40 | 1400 | P7 | 183W | T1S | 19,227 | 3 | 0 | 3 | 105 | 20,712 | 3 | 0 | 3 | 113 | 20,975 | 3 | 0 | 3 | 115 |
|  |  |  |  | T2S | 19,206 | 3 | 0 | 3 | 105 | 20,690 | 3 | 0 | 3 | 113 | 20,952 | 3 | 0 | 3 | 114 |
|  |  |  |  | T2M | 19,305 | 3 | 0 | 3 | 105 | 20,797 | 3 | 0 | 3 | 114 | 21,060 | 3 | 0 | 3 | 115 |
|  |  |  |  | T3S | 18,696 | 3 | 0 | 3 | 102 | 20,141 | 3 | 0 | 3 | 110 | 20,396 | 3 | 0 | 4 | 111 |
|  |  |  |  | T3M | 19,258 | 3 | 0 | 3 | 105 | 20,746 | 3 | 0 | 3 | 113 | 21,009 | 3 | 0 | 3 | 115 |
|  |  |  |  | T4M | 18,840 | 3 | 0 | 4 | 103 | 20,296 | 3 | 0 | 4 | 111 | 20,553 | 3 | 0 | 4 | 112 |
|  |  |  |  | TFTM | 19,246 | 3 | 0 | 4 | 105 | 20,734 | 3 | 0 | 4 | 113 | 20,996 | 3 | 0 | 4 | 115 |
|  |  |  |  | T5VS | 20,017 | 4 | 0 | 1 | 109 | 21,564 | 4 | 0 | 1 | 118 | 21,837 | 4 | 0 | 1 | 119 |
|  |  |  |  | T5S | 20,033 | 4 | 0 | 2 | 109 | 21,581 | 4 | 0 | 2 | 118 | 21,854 | 4 | 0 | 2 | 119 |
|  |  |  |  | T5M | 19,983 | 4 | 0 | 2 | 109 | 21,527 | 5 | 0 | 3 | 118 | 21,799 | 5 | 0 | 3 | 119 |
|  |  |  |  | T5W | 19,852 | 5 | 0 | 3 | 108 | 21,386 | 5 | 0 | 3 | 117 | 21,656 | 5 | 0 | 3 | 118 |
|  |  |  |  | BLC | 15,780 | 2 | 0 | 3 | 86 | 16,999 | 2 | 0 | 3 | 93 | 17,214 | 2 | 0 | 3 | 94 |
|  |  |  |  | LCCO | 11,742 | 2 | 0 | 3 | 64 | 12,649 | 2 | 0 | 3 | 69 | 12,809 | 2 | 0 | 3 | 70 |
|  |  |  |  | RCCO | 11,742 | 2 | 0 | 3 | 64 | 12,649 | 2 | 0 | 3 | 69 | 12,809 | 2 | 0 | 3 | 70 |
| 60 | 1050 | P8 | 207W | T1S | 22,490 | 3 | 0 | 3 | 109 | 24,228 | 3 | 0 | 3 | 117 | 24,535 | 3 | 0 | 3 | 119 |
|  |  |  |  | T2S | 22,466 | 3 | 0 | 4 | 109 | 24,202 | 3 | 0 | 4 | 117 | 24,509 | 3 | 0 | 4 | 118 |
|  |  |  |  | T2M | 22,582 | 3 | 0 | 3 | 109 | 24,327 | 3 | 0 | 3 | 118 | 24,635 | 3 | 0 | 3 | 119 |
|  |  |  |  | T3S | 21,870 | 3 | 0 | 4 | 106 | 23,560 | 3 | 0 | 4 | 114 | 23,858 | 3 | 0 | 4 | 115 |
|  |  |  |  | T3M | 22,527 | 3 | 0 | 4 | 109 | 24,268 | 3 | 0 | 4 | 117 | 24,575 | 3 | 0 | 4 | 119 |
|  |  |  |  | T4M | 22,038 | 3 | 0 | 4 | 106 | 23,741 | 3 | 0 | 4 | 115 | 24,041 | 3 | 0 | 4 | 116 |
|  |  |  |  | TFTM | 22,513 | 3 | 0 | 4 | 109 | 24,253 | 3 | 0 | 4 | 117 | 24,560 | 3 | 0 | 4 | 119 |
|  |  |  |  | T5VS | 23,415 | 5 | 0 | 1 | 113 | 25,224 | 5 | 0 | 1 | 122 | 25,543 | 5 | 0 | 1 | 123 |
|  |  |  |  | T5S | 23,434 | 4 | 0 | 2 | 113 | 25,244 | 4 | 0 | 2 | 122 | 25,564 | 4 | 0 | 2 | 123 |
|  |  |  |  | T5M | 23,374 | 5 | 0 | 3 | 113 | 25,181 | 5 | 0 | 3 | 122 | 25,499 | 5 | 0 | 3 | 123 |
|  |  |  |  | T5W | 23,221 | 5 | 0 | 4 | 112 | 25,016 | 5 | 0 | 4 | 121 | 25,332 | 5 | 0 | 4 | 122 |
|  |  |  |  | BLC | 18,458 | 2 | 0 | 3 | 89 | 19,885 | 2 | 0 | 3 | 96 | 20,136 | 2 | 0 | 3 | 97 |
|  |  |  |  | LCCO | 13,735 | 2 | 0 | 3 | 66 | 14,796 | 2 | 0 | 4 | 71 | 14,983 | 2 | 0 | 4 | 72 |
|  |  |  |  | RCCO | 13,735 | 2 | 0 | 3 | 66 | 14,796 | 2 | 0 | 4 | 71 | 14,983 | 2 | 0 | 4 | 72 |
| 60 | 1250 | P9 | 241W | T1S | 25,575 | 3 | 0 | 3 | 106 | 27,551 | 3 | 0 | 3 | 114 | 27,900 | 3 | 0 | 3 | 116 |
|  |  |  |  | T2S | 25,548 | 3 | 0 | 4 | 106 | 27,522 | 3 | 0 | 4 | 114 | 27,871 | 3 | 0 | 4 | 116 |
|  |  |  |  | T2M | 25,680 | 3 | 0 | 3 | 107 | 27,664 | 3 | 0 | 3 | 115 | 28,014 | 3 | 0 | 3 | 116 |
|  |  |  |  | T3S | 24,870 | 3 | 0 | 4 | 103 | 26,791 | 3 | 0 | 4 | 111 | 27,130 | 3 | 0 | 4 | 113 |
|  |  |  |  | T3M | 25,617 | 3 | 0 | 4 | 106 | 27,597 | 3 | 0 | 4 | 115 | 27,946 | 3 | 0 | 4 | 116 |
|  |  |  |  | T4M | 25,061 | 3 | 0 | 4 | 104 | 26,997 | 3 | 0 | 4 | 112 | 27,339 | 3 | 0 | 4 | 113 |
|  |  |  |  | TFTM | 25,602 | 3 | 0 | 4 | 106 | 27,580 | 3 | 0 | 4 | 114 | 27,929 | 3 | 0 | 4 | 116 |
|  |  |  |  | T5VS | 26,626 | 5 | 0 | 1 | 110 | 28,684 | 5 | 0 | 1 | 119 | 29,047 | 5 | 0 | 1 | 121 |
|  |  |  |  | T5S | 26,648 | 4 | 0 | 2 | 111 | 28,707 | 5 | 0 | 2 | 119 | 29,070 | 5 | 0 | 2 | 121 |
|  |  |  |  | T5M | 26,581 | 5 | 0 | 3 | 110 | 28,635 | 5 | 0 | 3 | 119 | 28,997 | 5 | 0 | 3 | 120 |
|  |  |  |  | T5W | 26,406 | 5 | 0 | 4 | 110 | 28,447 | 5 | 0 | 4 | 118 | 28,807 | 5 | 0 | 4 | 120 |
|  |  |  |  | BLC | 20,990 | 2 | 0 | 3 | 87 | 22,612 | 2 | 0 | 3 | 94 | 22,898 | 2 | 0 | 3 | 95 |
|  |  |  |  | LCCO | 15,619 | 2 | 0 | 4 | 65 | 16,825 | 2 | 0 | 4 | 70 | 17,038 | 2 | 0 | 4 | 71 |
|  |  |  |  | RCCO | 15,619 | 2 | 0 | 4 | 65 | 16,825 | 2 | 0 | 4 | 70 | 17,038 | 2 | 0 | 4 | 71 |

## Lumen Output

 performance data on any configurations not shown here.


## 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 ( $1.01 \mathrm{ft}^{2}$ ) 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 $5000 \mathrm{~K}(70 \mathrm{CRI})$ configurations. The D-Series Size 1 has zero uplight and qualifies as a Nighttime Friendly ${ }^{\text {TM }}$ product, meaning it is consistent with the LEED ${ }^{\circledR}$ and Green Globes ${ }^{\top \mathrm{TM}}$ 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 $25^{\circ} \mathrm{C}$ ). 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 10 kV 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 ${ }^{\text {TM }}$ 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 $-40^{\circ} \mathrm{C}$ 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 $25^{\circ} \mathrm{C}$.
Specifications subject to change without notice.


[^0]:    CITY OF ROCKWALL • PLANNING AND ZONING DEPARTMENT • 385 S . GOLIAD STREET • ROCKWALL, TEXAS 75087 • P: ( 972 ) 771 - 7745 • E: PLANNIŃG@ROCKWALL.COM

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