

AGENDA



PLANNING AND ZONING COMMISSION MEETING
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS
JANUARY 11, 2022 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = *RED*

(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 December 28, 2021 Planning and Zoning Commission meetings.

(3) **P2021-063 (HENRY LEE)**

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a Final Plat for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

(4) **P2021-064 (HENRY LEE)**

Discuss and consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.

(5) **P2021-067 (HENRY LEE)**

Discuss and consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Preliminary Plat for the Saddle Star Estates North Subdivision consisting of 92 single-family residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.

(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.

(6) **Z2021-050 (RYAN MILLER)**

Hold a public hearing to discuss and consider approval of a Text Amendment to Article 04, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of amending the Conditional Land Use Standards for the Bed and Breakfast land use, and take any action necessary.

- (7) **Z2021-051 (HENRY LEE)**
Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.
- (8) **Z2021-052 (RYAN MILLER)**
Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow Chickens on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.
- (9) **Z2021-053 (ANGELICA GAMEZ)**
Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.
- (10) **Z2021-054 (RYAN MILLER)**
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 Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in Height the Scenic Overlay (SOV) District 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.
- (11) **Z2021-055 (HENRY LEE)**
Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts 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/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.
- (12) **Z2021-056 (RYAN MILLER)**
Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.
- (13) **Z2021-057 (RYAN MILLER)**
Hold a public hearing to discuss and consider a request by Brian Cramer of Corson Cramer Development on behalf of Scott Asbury of Rockwall Highgate LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District and Commercial (C) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, 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.

- (14) **SP2021-035 (HENRY LEE)**
Discuss and consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a Site Plan for a Financial Institution with Drive-Through (i.e. Frost Bank) on a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, 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.

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

- P2021-065: Replat for Lot 7, Block A, Sharp Addition (APPROVED)
- P2021-066: Replat for Lot 13, Block C, Ridgcrest Addition (APPROVED)

(VIII) ADJOURNMENT

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

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 772-6406 for further information.

I, Angelica Gamez, Planning and Zoning Coordinator for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on January 7, 2022 at 5:00 PM, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

AGENDA



ARCHITECTURAL REVIEW BOARD MEETING

CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS

JANUARY 11, 2022 IN THE CITY COUNCIL CONFERENCE ROOM AT 5:00 PM

NOTES ABOUT PUBLIC PARTICIPATION = RED

(I) CALL TO ORDER

(II) OPEN FORUM

This is a time for anyone to address the Architectural Review Board (ARB) on any topic. 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 Architectural Review Board (ARB) is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

(III) ACTION ITEMS

(1) **SP2021-035 (HENRY LEE)**

Discuss and consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a Site Plan for a *Financial Institution with Drive-Through (i.e. Frost Bank)* on a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

(IV) ADJOURNMENT

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

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 772-6406 for further information.

I, Angelica Gamez, Planning and Zoning Coordinator for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on January 7, 2022 prior to 5:00 PM, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

MINUTES

PLANNING AND ZONING COMMISSION WORK SESSION MEETING CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS DECEMBER 28, 2021 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

2 **NOTES:** [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT
3 [HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development/development-cases), AND [2] TO PROVIDE INPUT ON A ZONING OR
4 SPECIFIC USE PERMIT CASE PLEASE [CLICK HERE](#) OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC USE PERMIT INPUT
5 FORM ON THE CITY'S WEBSITE.
6

I. CALL TO ORDER

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9 **Chairman Chodun called the meeting to order at 6:01 PM. Commissioners present were Derek Deckard, Sedric Thomas, Mark Moeller, and Jean**
10 **Conway. Absent from the meeting were Commissioners John Womble and Jerry Welch. Staff members present were Director of Planning and**
11 **Zoning Ryan Miller, Planning Coordinator Angelica Gamez, Assistant City Engineer Jeremy White and Civil Engineer Sarah Johnston. Absent**
12 **from the meeting were Planner Henry Lee and City Engineer Amy Williams.**
13

II. APPOINTMENTS

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16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items
17 on the agenda requiring architectural review.
18

19 **A representative from the Architectural Review Board gave a brief explanation concerning the agenda items that were discussed at the**
20 **Architectural Review Board meeting.**
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III. OPEN FORUM

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24 *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*
25 *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*
26 *OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas*
27 *Open Meetings Act.*
28

29 **Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no**
30 **one coming forward, Chairman Chodun closed the open forum.**
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IV. CONSENT AGENDA

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34 *These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code*
35 *(UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.*
36

- 37 2. Approval of Minutes for the December 14, 2021 Planning and Zoning Commission meeting.
38

3. P2021-065 (HENRY LEE)

39 Discuss and consider a request by Terri Bedford of A. J. Bedford Group, Inc. on behalf of Ray LaVigne of Agree L. P. for the approval of a Replat for Lot 7,
40 Block A, Sharp Addition being a 3.212-acre parcel of land identified as Lot 6, Block A, Sharp Addition, Rockwall County, Texas, zoned Planned Development
41 District 46 (PD-46) for Commercial (C) District land uses, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2582 SH-276, and take
42 any action necessary.
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4. P2021-066 (ANGELICA GAMEZ)

45 Discuss and consider a request by Corwin Finch of Corwin Engineering, Inc. on behalf of Christy & Willard Hester for the approval of a Replat for Lot 13,
46 Block C, Ridgecrest Addition being a 0.503-acre parcel of land identified as Lot 12, Block C, Ridgecrest Addition, Rockwall County, Texas, zoned Planned
47 Development District 81 (PD-81) for Single-Family 10 (SF-10) District land uses, addressed as 405 Fox Hollow Drive, and take any action necessary.
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49

50 **Commissioner Thomas made a motion to approve the consent agenda. Commissioner Moeller seconded the motion which passed by a vote of**
51 **5-0 with Commissioners Welch and Womble absent.**
52

ACTION ITEMS

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55 *These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and*
56 *special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.*
57

5. SP2021-033 (HENRY LEE)

58 Discuss and consider a request by Aaron Hawkins on behalf of Time Thompson of Metroplex Acquisitions for the approval of a Site Plan for a Restaurant
59 with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Salad and Go) on a 0.81-acre portion of a larger 5.96-acre parcel of land identified as Lot
60 11, Block A, Stone Creek Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for General Retail
61 (GR) District land uses, situated within North SH-205 Overlay (N. SH-205 OV) District, generally located northeast of the intersection of N. Goliad Street
62 [SH-205] and Bordeaux Drive, and take any action necessary.
63
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65 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is proposing a site plan for a
66 restaurant with less than 2,000 square feet with a drive through. This item had already been before the Planning and Zoning Commission thru
67 the Specific Use Permit (SUP) process where they were granted one. In reviewing the site plan, it does meet all of the technical requirements
68 with the exception of three (3) issues: masonry material composition, roof design, and the amount of natural stone on the facade. Staff is requiring
69 that the applicant provide an updated landscape plan showing conformance to the SUP requirements. Additionally, they're proposing to put
70 landscaping along the entire southern boundary and that is not currently shown on the landscape plans in the packet provided. As with all
71 variances, approval of this request does require a super majority vote for each of the variances requested. Mr. Miller added that that the ARB had
72 mentioned earlier that they are recommending denial of the cultured stone and denial of the increased cementitious material but are
73 recommending approval of the pitched roof variance. He then advised the Commission that the applicant and staff were present and available
74 for questions.

75
76 Chairman Chodun asked the applicant to come forward.

77
78 Matt Copenhaver
79 5555 E. Van Buren Street
80 Phoenix, AZ 85008

81
82 The applicant came forward and provided additional details in regards to the request.

83
84 Commissioner Thomas asked if the applicant was opposed to meeting the requirements set forth.
85 Commissioner Deckard added that the applicant should look into different thin cut natural stones.

86
87 Commissioner Thomas made a motion to approve the site plan and the variance for the pitched roof for SP2021-033 but deny the exceeding
88 masonry materials and need to include coronado stone. Commissioner Deckard seconded the motion which passed by a vote of 5-0.
89

90 6. MIS2021-016 (RYAN MILLER)

91 Discuss and consider a request by Trace Johannesen for the approval of an Exception to allow a *Fence in the Front Yard* on a 0.1909-acre parcel of land
92 identified as Lot 5, Block J, Stone Creek, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 70 (PD-70) for
93 Single-Family 10 (SF-10) District land uses, addressed as 213 Crestbrook Drive, and take any action necessary.

94
95 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval of an exception
96 to allow a fence in the front yard, which is already constructed. The applicant explained that the intent of the fence was to replace landscaping
97 that had died from the storm last winter and to provide seating at the front of the home. Also, the applicant did seek approval from the Stoney
98 Creek HOA prior to commencing work and obtained a letter of approval from the HOA. Mr. Miller explained that this was mistaken as a landscaping
99 aspect as opposed to a front yard fence. Any request for front yard fences are a discretionary decision for the Planning and Zoning Commission.
100 Mr. Miller then advised that the applicant and staff were present and available to answer questions.

101
102 Chairman Chodun asked the applicant to come forward.

103
104 Trace Johannesen
105 213 Crestbrook Drive
106 Rockwall, TX 75087

107
108 The applicant came forward and provided additional details in regards to the request.

109
110 Commissioners Deckard and Moeller both expressed this being in favor of the request.
111 Commissioner Conway asked what the difference was in what was built and a wing wall.
112 Chairman Chodun asked if this is coming before the board because it's a fence or do aesthetics come into play.

113
114 Commissioner Thomas made a motion to approve item MIS2021-016. Commissioner Moeller seconded the motion which passed by a vote of 5-
115 0.
116

117 7. MIS2021-017 (HENRY LEE)

118 Discuss and consider a request by Karen Roggenkamp for the approval of an Exception to allow a *Fence in the Front Yard* on a 0.189-acre parcel of land
119 identified as a portion of Lots 3, 4, 5, 6 & 11 and all of Lots 12, 13, 14, 15 & 16, Block B, Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned
120 Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 309 Star Street, and take any action necessary.

121
122 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an exception for a front
123 yard fence. The applicant was constructing the fence prior to being issued a fence permit due to the fact that her contractor was under the
124 impression that since she was replacing the fence then a permit was not required. Since the subject property is located in Old Town Rockwall
125 then staff was required to take it before the Historic Preservation Advisory Board for a Certificate of Appropriateness (COA) and recommendation
126 for the Planning and Zoning Commission. They did approve the COA with a vote of 5-0 and recommended approval to the Planning and Zoning
127 Commission. Mr. Miller then advised that the applicant and staff were present and available to answer questions.

128
129 Chairman Chodun asked the applicant to come forward.

130
131 Karen Roggenkamp
132 309 Star Street

133 Rockwall, TX 75087

134
135 The applicant came forward and provided additional details in regards to the request.

136
137 Commissioner Deckard made a motion to approve MIS2021-017. Commissioner Conway seconded the motion which passed by a vote of 5-0.

138
139 8. MIS2021-018 (HENRY LEE)

140 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 *Variance* to the *Material*
141 *Requirements of the General Overlay District Standards for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In (i.e. Dutch Bros. Coffee)*
142 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
143 Commercial (C) District, situated within Scenic Overlay (SOV) District, generally located southeast of the intersection of Ridge Road [FM-740] and W. Yellow
144 Jacket Lane, and take any action necessary.

145
146 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. At the last meeting, the Commission approved a
147 site plan and some variances associated with this project but denied variances associated with the material requirements. The applicant has
148 since come back and submitted new elevations using a thin brick and a stack stone product. However, the El Dorado stone they're proposing to
149 use is a cultured stone product and it does require an exception from the Commission to be approved. The ARB did review this and recommended
150 approval of the new stone. Mr. Miller advised that the applicant was present and available to answer questions.

151
152 Commissioner Conway asked what the difference was between this case and the previous site plan case on the use of cultured stone.

153
154 Chairman Chodun wanted clarification on the applicant's past requests.

155
156 Chairman Chodun asked the applicant to come forward.

157
158 Sam Moore
159 2505 Penuhurst Court
160 Celina, TX 75009

161
162 The applicant came forward and provided additional details in regards to the request.

163
164 Commissioner Thomas asked if there's any reason as to why they can't comply with the stone requirements.

165
166 Commissioner Thomas made a motion to deny MIS2021-018. Commissioner Conway seconded the motion to deny which passed by a vote of 5-
167 0.

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169 VI. DISCUSSION ITEMS

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171 *These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come*
172 *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*
173 *are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for*
174 *the following cases is January 11, 2022.*

175
176 9. Z2021-050 (RYAN MILLER)

177 Hold a public hearing to discuss and consider approval of a *Text Amendment* to Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
178 [*Ordinance No. 20-02*] for the purpose of amending the *Conditional Land Use Standards* for the *Bed and Breakfast* land use, and take any action necessary.

179
180 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. He explained how at the November HPAB meeting,
181 an appointment was made with a local resident of Old Town Rockwall Historic District who expressed some concern about a Bed and Breakfast
182 being allowed by right in the District. Back in 2003, there was a section of the code inserted under the requirements that allowed it by right in
183 this District. Based on the appointment with that resident, the Historic Board directed Staff to bring forward a proposal to remove that section of
184 the Code. Staff is now taking it forward as a text amendment.

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186 Commissioners Deckard and Conway expressed their opposition to the request.

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188 Chairman Chodun asked if maybe a representative could come to the next P&Z meeting.

189
190 Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

191
192 10. Z2021-051 (HENRY LEE)

193 Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an*
194 *Established Subdivision* on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall
195 County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action
196 necessary.

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198 Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The applicant is requesting an SUP for residential
199 infill in Chandlers Landing. The single-family home does meet all of the technical requirements with the exception of the garage orientation.

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Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

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11. **Z2021-052 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow Chickens on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. One of the requirements from the last meeting was that the applicant bring hid property into compliance. Currently, the Code does allow the Commission to grant an SUP to allow chickens on a property that meets the Agricultural (AG) District requirements of being 10 acres or greater with a single-family home on it. The chicken coop itself is portable and will have to be moved behind the front façade of the primary structure.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

12. **Z2021-053 (ANGELICA GAMEZ)**

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Javier Silva
58 Windsor Drive
Rockwall, TX 75087

Mr. Silva provided a brief summary in regards to the request.

Ms. Gamez added that the request does meet all of the zoning and technical requirements and does not require any variances.
Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

13. **Z2021-054 (RYAN MILLER)**

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 Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in Height the Scenic Overlay (SOV) District 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.

Robert Lacroix
4517 Scenic Drive
Rowlett, TX 75089

Mr. Lacroix came forward and provided a PowerPoint presentation in regards to the request.

Planning and Zoning Director Ryan Miller provided some additional details in regards to the request.

Commissioner Deckard asked if the units had kitchens or cooking facilities of any type inside them.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

14. **Z2021-055 (HENRY LEE)**

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts 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/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

John Gardner
5200 State Hwy 121
Colleyville, TX 76034

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

Mr. Miller provided additional details in regards to the request. Staff has requested that they provide additional headlight screening for the adjacent property to the north and along 205. As of right now, they are showing enough stacking to meet the City's requirements.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

15. **Z2021-056 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Planning and Zoning Director Ryan Miller provided a brief summary in regards to the request. The original plan showed a number of houses in Phase II being located within the runway protection zone (RPZ) of the airport so staff has asked the applicant to move those out of the RPZ and the applicant has complied. It does result in an overall number of homes from 122 to 117 along with a smaller lot product.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

16. **Z2021-057 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Brian Cramer of Brian Cramer Development on behalf of Scott Asbury of Rockwall Highgate LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District and Commercial (C) District land uses on a 264.510-acre tract of land identified as Tracts 17-13 [50.0-acres], 17-14 [26.452-acres], 17-15 [134.33-acres], 17-16 [43.6-acres], & 40-8 [8.79-acres] of the W. W. Ford Survey, Abstract No. 80, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, located on the east side of SH-205 (S. Goliad Street) south of the intersection of SH-205 and FM-549, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

Brian Cramer
3306 Bryn Mawr Drive
Dallas, TX 75225

Tom Dayton
830 Central Parkway East
Plano, TX 75074

The applicants came forward and provided a brief summary in regards to the request. The subject property is approximately 265 acres with 20 acres proposed as Commercial and the rest being low-density residential. Everything seems to be in conformance with the comprehensive plan for the Commercial area along 205.

Mr. Miller provided additional details in regards to the request.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

17. **P2021-063 (HENRY LEE)**

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a Final Plat for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this property was located in the ETJ and staff is required to send this to the County for comment before it can be brought to the Commission for action. However, it does appear to meet all of the technical requirements of the UDC and the Interlocal agreement.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

18. **P2021-064 (HENRY LEE)**

Discuss and consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [*SH-205*], and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this property was located in the ETJ and staff is required to send this to the County for comment before it can be brought to the Commission for action. However, it does appear to meet all of the technical requirements of the UDC.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

19. **P2021-067 (HENRY LEE)**

Discuss and consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Preliminary Plat for the Saddle Star Estates North Subdivision consisting of 92 single-family residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80)

for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM-552 and John King Boulevard, and take any action necessary.

Planning and Zoning Director Ryan Miller explained that this case needs to go before the Parks Board for recommendation concerning park fees but will return to the Commission for action. A check for meeting the technical requirements of the zoning and the subdivision ordinance will be submitted. The request does appear to conform to those documents and will return to Consent Agenda at the next meeting.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

20. **SP2021-035 (HENRY LEE)**

Discuss and consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a *Site Plan* for a *Financial Institution with Drive-Through (i.e. Frost Bank)* on a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

Chairman Chodun asked the applicant to come forward.

**Priya Acharya/ Michael Hoffer
2201 E. Lamar Blvd., Suite 200E
Arlington, TX 76006**

Ms. Acharya came forward and provided a brief summary in regards to the request.

Planning and Zoning Director Ryan Miller provided additional details along with the recommendations made by the ARB.

Commissioner Deckard wanted clarification in regards to the side wall along Ralph Hall.

Chairman Chodun advised that this item will come before the Planning and Zoning Commission for discussion or action on January 11, 2022.

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

- P2021-058: Final Plat for Lots 1-4, Block A, Kinsey Addition [APPROVED]
- P2021-060: Final Plat for Phase 3 of the Saddle Star South Subdivision [APPROVED]
- Z2021-048: PD Development Plan for a General Retail Development/Shopping Center [APPROVED; 1ST READING]
- Z2021-049: SUP for an Existing New Motor Vehicle Dealership [APPROVED; 1ST 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.

VII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:55 P.M.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this ____ day of _____, 2022.

Eric Chodun, Chairman

Attest:

Angelica Gamez, Planning and Zoning Coordinator



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: Bart Carroll
CASE NUMBER: P2021-063; *Final Plat for Phase 1 of the Landon Subdivision*

SUMMARY

Discuss and consider a request by Bart Carroll of Carroll Consulting Group, Inc. on behalf of Robert John Crowell for the approval of a Final Plat for the Landon Subdivision being a 126.903-acre tract of land identified as Tract 13 of the S. McFadgin Survey, Abstract No. 142, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located at the southwest corner of the intersection of S. Munson Street and Streetman Road, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting the approval of a Final Plat for Phase 1 of a single-family residential subdivision (*i.e. The Landon Addition*), which will be situated on a 126.903-acre tract of land located within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). According to the Final Plat, Phase 1 of the development will consist of 19 single-family residential lots that will be a minimum of 1½-acres in size. The development will be accessible via a 50-foot roadway (*i.e. Streetman Road*) that will connect to the existing S. Munson Road. The Final Plat also shows that an additional 30-feet of right-of-way will be dedicated for Streetman Road. This dedication conforms to the *Rockwall County Thoroughfare Plan*.
- The proposed Final Plat appears to be in conformance with the requirements of Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall* of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the Final Plat for *The Landon Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.

- (2) Any construction resulting from the approval of this *Final Plat* shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO. 12021-063
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.
DIRECTOR OF PLANNING: _____
CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

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

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

REPLAT (\$300.00 + \$20.00 ACRE) ¹

AMENDING OR MINOR PLAT (\$150.00)

PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

SITE PLAN (\$250.00 + \$20.00 ACRE) ¹

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

ZONING APPLICATION FEES:

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

SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹

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

OTHER APPLICATION FEES:

TREE REMOVAL (\$75.00)

VARIANCE REQUEST (\$100.00)

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **west intersection of Streetman Road and S. Munson Road**

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE **126.903**

LOTS [CURRENT] **0**

LOTS [PROPOSED] **20**

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

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

OWNER **Robert John Crowell**

APPLICANT **Carroll Consulting Group, Inc.**

CONTACT PERSON

CONTACT PERSON **James Bart Carroll**

ADDRESS **P.O. Box 466**

ADDRESS **P.O. Box 11**

CITY, STATE & ZIP **Royse City, TX 75189**

CITY, STATE & ZIP **Lavon, TX 75166**

PHONE **214-460-4444**

PHONE **972-742-4411**

E-MAIL **robertjcrowell@yahoo.com**

E-MAIL **bart.carroll@yahoo.com**

NOTARY VERIFICATION [REQUIRED]

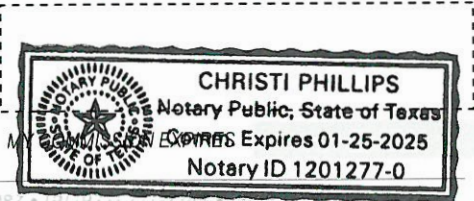
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Robert John Crowell [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 7th DAY OF December, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 7th DAY OF December, 2021.

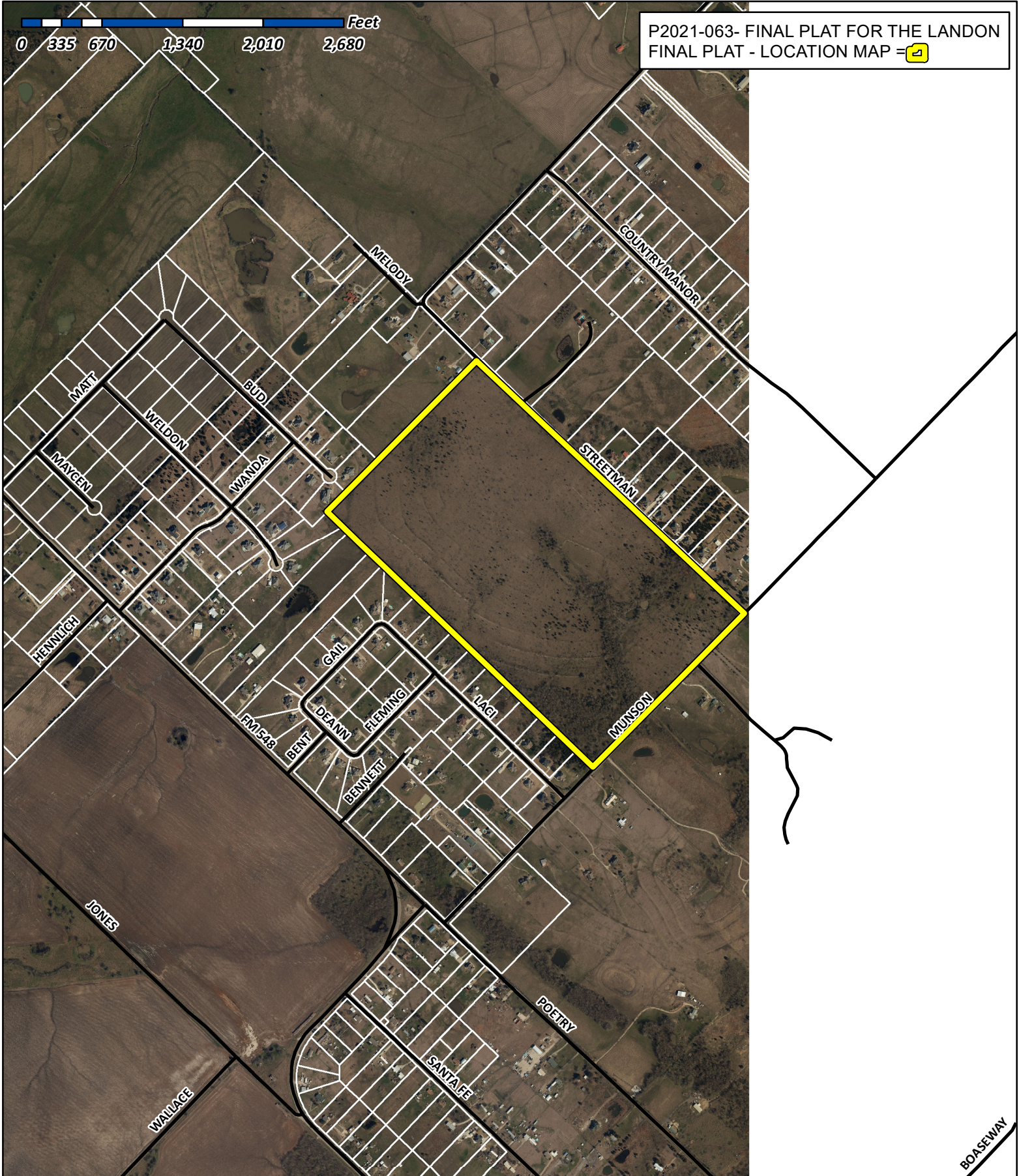
OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



0 335 670 1,340 2,010 2,680 Feet

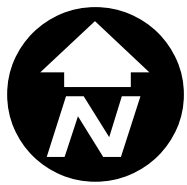
P2021-063- FINAL PLAT FOR THE LONDON
FINAL PLAT - LOCATION MAP 

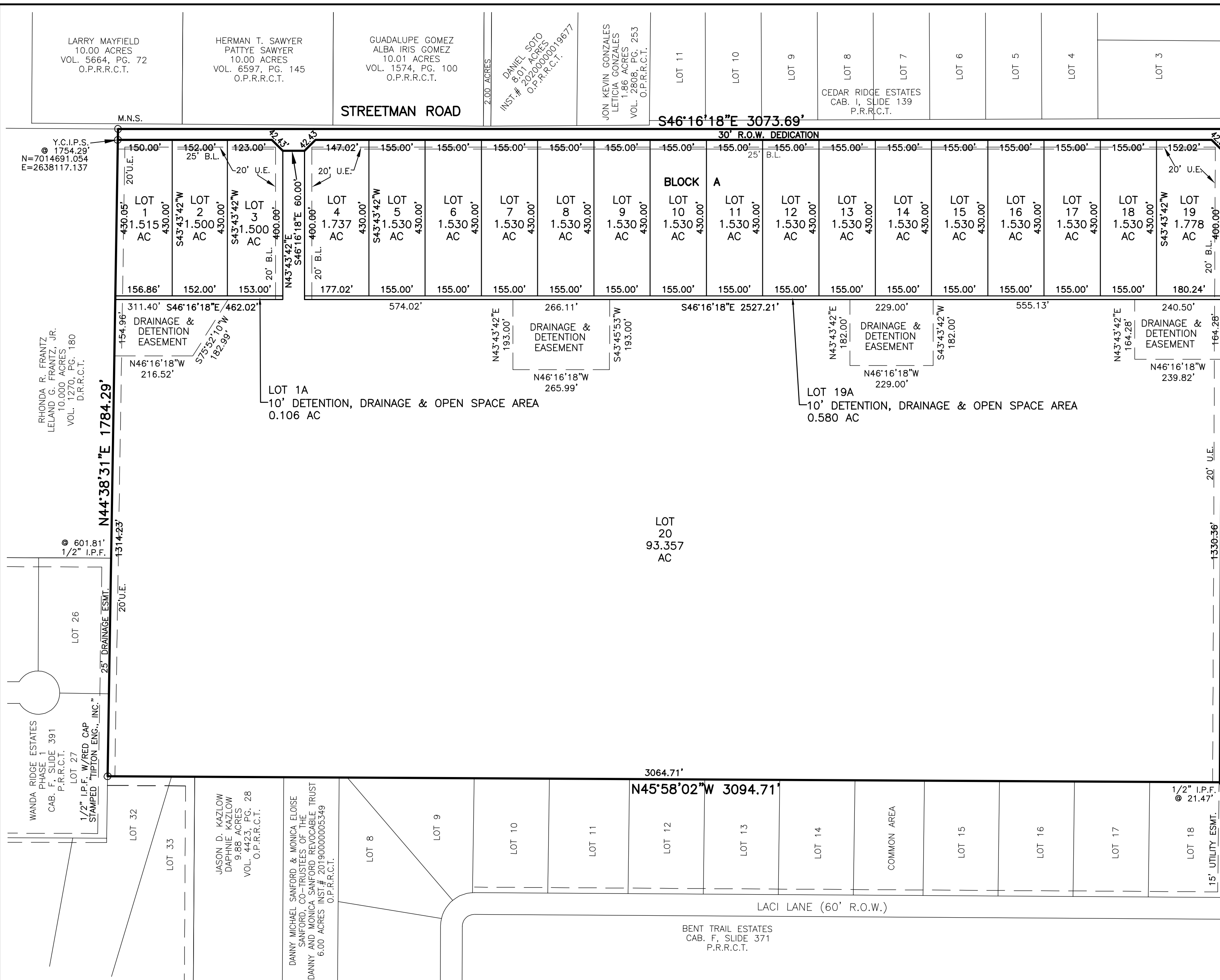


City of Rockwall

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

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





N=7012587.748
E=2640359.345
M.N.S.
Y.C.I.P.S.

RICHARD A. GRESCHAW
MARY J. GRESCHAW
5.500 ACRES
VOL. 1636 PG. 251
O.P.R.R.C.T.

LARRY CALDWELL 5.00 ACRES
VOL. 6028, PG. 287

RALPH MAXWELL BUTLER & KAY ANN BUTLER
24.32 ACRES INST.# 20170000021259

SUSAN P. DEWITT
6.50 ACRES
VOL. 6510, PG. 272
O.P.R.R.C.T.

FELIX DIAZ
10.000 ACRES
INST.# 20160000009790

JOHN D. BISHOP
AUDREY K. BISHOP
30.09 ACRES
VOL. 6742, PG. 25
O.P.R.R.C.T.

SUSAN J. DAHSE
WALTER D. DAYSE
12.000 ACRES
VOL. 5357, PG. 124
O.P.R.R.C.T.

WANDA RIDGE ESTATES
CAB. F. SLIDE 391
P.R.R.C.T.

LOT 26

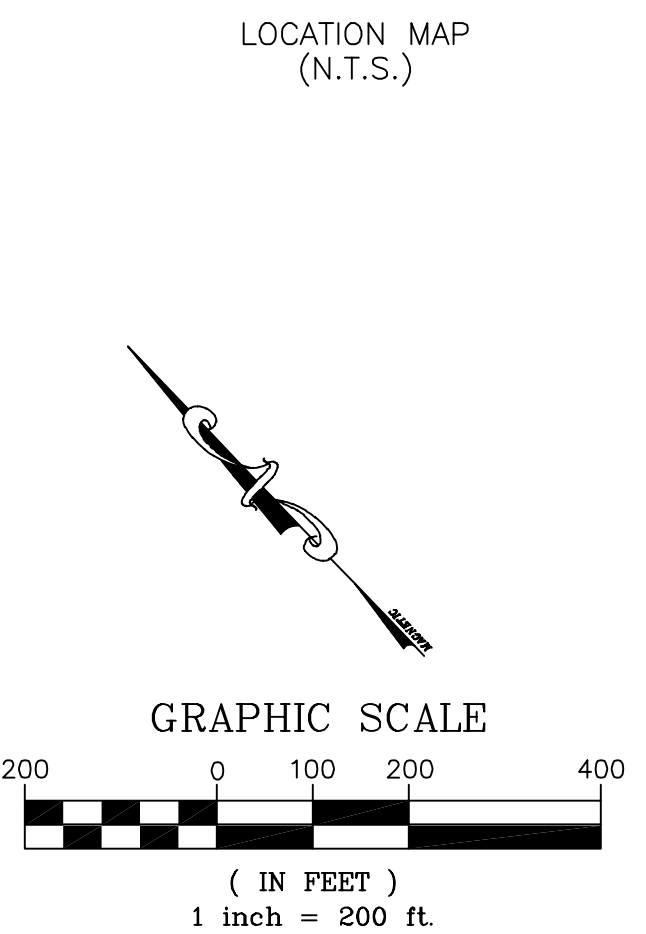
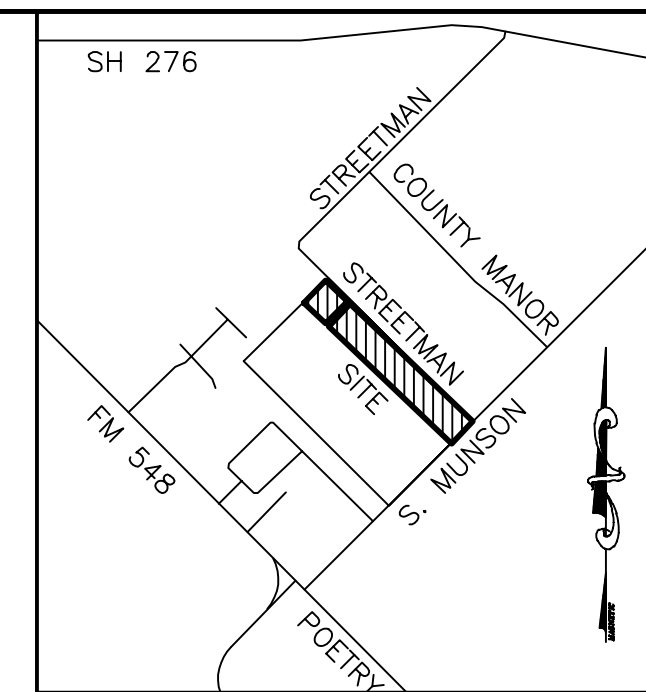
LOT 27

1/2" I.P.F. W/RED CAP
STAMPED "TIPTON ENG., INC."

25' DRAINAGE ESMT.

15' UTILITY ESMT.

1/2" I.P.F. @ 21.47'



NOTES:

1. Located in the City of Rockwall, Texas E.T.J.
2. Water supplied by Cash SUD.
3. State Plain Coordinates ties to City of Rockwall Geodetic Control Monument Station COR-20.
4. All drainage and detention easements shall be maintained, repaired, and replaced by the property owner.
5. All lots to use on-site sewage facilities. Rockwall County to review and approve the sewage disposal method. OSSF permits are required prior to construction.
6. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

Notice: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

LEGEND

I.P.F. - IRON PIN FOUND
D.R.R.C.T. - DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T. - OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
Y.C.I.P.S. - YELLOW CAPPED IRON PIN SET
STAMPED "CCG INC RPLS 5129"

Bearings based on the Texas State Plane Coordinate System NAD 83, North Central Zone (4202), North American Datum of 1983.

FLOOD NOTE:

ACCORDING TO MY INTERPRETATIONS OF COMMUNITY PANEL NO. 48397C0065L, DATED SEPTEMBER 26, 2008, OF THE NATIONAL FLOOD INSURANCE RATE MAPS FOR ROCKWALL COUNTY, TEXAS, THE SUBJECT PROPERTY LIES WITHIN ZONE "X" AND IS NOT SHOWN TO BE WITHIN A SPECIAL FLOOD HAZARD AREA. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

CARROLL CONSULTING GROUP, INC.
P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO.: F-21608
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2759-20	1"=200'	DECEMBER 22, 2021	CP

FINAL PLAT

THE LANDON

LOTS 1-19, LOT 1A, LOT 19A & LOT 20, BLOCK A
19 Residential Lots
Being 126.903 - Acres of Land
Samuel McFadgin Survey, Abstract No. 142
Situated within the
Extraterritorial Jurisdiction (ETJ)
of the City of Rockwall
Rockwall County, Texas
Case No.: P2021-063

OWNER:
ROBERT JOHN CROWELL
PO BOX 466
ROYSE CITY, TEXAS 75189
PHONE: (214) 460-4444

LEGAL DESCRIPTION

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas Robert J. Crowell and Bobby J. Crowell are the owners of a tract of land situated in the Samuel McFadgin Survey, Abstract No. 142, Rockwall County, Texas, and being the same 126.903 acre tract land as conveyed to Robert J. Crowell and Bobby J. Crowell by deed recorded in Instrument Number 20210000019392, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at a point for the south corner of said 126.903 acre tract and being in the center of S. Munson Road;

Thence, North 45°58'02" West, along the southwest line of said 126.903 acre tract, the northeast line of Bent Trail Estates, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet F, Slide 371, Plat Records, Rockwall County, Texas, the northeast line of a 6.00 acre tract of land conveyed to Danny Michael Sanford and Monica Eloise Sanford, Co-Trustees of the Danny and Monica Sanford Revocable Trust by deed recorded in Instrument No. 20190000005349, Official Public Records, Rockwall County, Texas, the northeast line of a 9.88 acre tract of land conveyed to Jason D. Kazlow and Daphnie Kazlow by deed recorded in Volume 4423, Page 28, Official Public Records, Rockwall County, Texas and an east line of Wanda Ridge Estates Phase 1, an addition to Rockwall County, Texas, according to the plat thereof recorded in Cabinet F, Slide 391, Plat Records, Rockwall County, Texas, passing at a distance of 21.47 feet a 1/2" iron pin found and for a total distance of 3094.71 feet to a 1/2" iron pin found with red cap stamped "TIPTON ENG. INC." for the west corner of said 126.903 acre tract and a re-entrant corner of said Wanda Ridge Estates Phase 1;

Thence, North 44°38'31" East, along the northwest line of said 126.903 acre tract, a southeast line of said Wanda Ridge Estates Phase 1 and the southeast line of a 10.000 acre tract of land conveyed to Rhonda R. Frantz and Leland G. Frantz, Jr. by deed recorded in Volume 1270, Page 180, Deed Records, Rockwall County, Texas, passing at a distance of 601.81 feet a 1/2" iron pin found and passing at a distance of 1754.29 a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for reference and for a total distance of 1784.29 feet to a point in the center of Streetman Road for the north corner of said 126.903 acre tract and the east corner of said Frantz tract;

Thence, South 46°16'18" East, along Streetman Road and the northeast line of said 126.903 acre tract, a distance of 3073.69 feet to a point for the east corner of said 126.903 acre tract and being the centerline intersection of Streetman Road and S. Munson Road;

Thence, South 43°57'58" West, along the southeast line of said 126.903 acre tract and the center of S. Munson Road, a distance of 1800.53 feet to the Point of Beginning and containing 5,527,877 square feet or 126.903 acres of land.

Planning & Zoning Commission, Chairman

Date

APPROVED:
I hereby certify that the above and foregoing plat of an addition to Rockwall County, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 20__ in accordance with the requirements of the Interlocal Cooperation Agreement for Subdivision Regulations in the Extraterritorial Jurisdiction (ETJ) of the City entered into by the City of Rockwall and Rockwall County.

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

WITNESS OUR HANDS, this ____ day of _____, 20____.

Mayor, City of Rockwall

City Secretary

City Engineer

Rockwall County Judge

Date

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

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

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

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

(3) The City and County of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

(4) The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

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

(6) No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivisions Rules and Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications required by the Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality entered into by the City and County of Rockwall; or

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

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

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

WITNESS, my hand, this the ____ day of _____, 2021.

Robert J. Crowell, Owner

Bobby J. Crowell, Owner

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Robert J. Crowell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2021.

Notary Public for the State of Texas
My Commission expires _____

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas on this date personally appeared Bobby J. Crowell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for purpose and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 2021.

Notary Public for the State of Texas
My Commission expires _____

SURVEYOR CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, James Bart Carroll, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon as set were properly placed under my personal supervision.

James Bart Carroll
Texas Registered Professional Land Surveyor No. 5129

FINAL PLAT

THE LANDON

LOTS 1-19, LOT 1A, LOT 19A & LOT 20, BLOCK A
19 Residential Lots
Being 126.903 - Acres of Land
Samuel McFadgin Survey, Abstract No. 142
Situated within the
Extraterritorial Jurisdiction (ETJ)

OWNER:
ROBERT JOHN CROWELL
PO BOX 466
ROYSE CITY, TEXAS 75189
PHONE: (214) 460-4444

of the City of Rockwall
Rockwall County, Texas
Case No.: P2021-063

CARROLL CONSULTING GROUP, INC.

P.O. BOX 11 972-742-4411 TBPELS REGISTRATION NO.: F-21608
LAVON, TEXAS 75166 TEXAS FIRM REGISTRATION NO.: 10007200

JOB No.	SCALE:	DATE PREPARED:	DRAWN BY:
2759-20	1"=200'	DECEMBER 22, 2021	CP

BOUNDARY CLOSURE REPORT
THE LONDON

North: 7011291.8159' East: 2639109.3613'

Segment #1 : Line

Course: N45° 58' 01.51"W Length: 3094.714'
North: 7013442.8633' East: 2636884.4456'

Segment #2 : Line

Course: N44° 38' 31.33"E Length: 1784.286'
North: 7014712.4019' East: 2638138.2193'

Segment #3 : Line

Course: S46° 16' 18.09"E Length: 3073.687'
North: 7012587.7480' East: 2640359.3445'

Segment #4 : Line

Course: S43° 57' 57.75"W Length: 1800.528'
North: 7011291.8154' East: 2639109.3605'

Perimeter: 9753.214' Area: 5527876.61 Sq.
Ft.

Error Closure: 0.0009 Course: S60° 35'
19.43"W

Error North: -0.00042 East: -0.00075

Precision 1: 10836905.556



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: Trey Braswell
CASE NUMBER: P2021-064; *Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition*

SUMMARY

Discuss and consider a request by Trey Braswell of Kimley-Horn on behalf of Jarrod Yates PS LPT Properties Investors for the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition being a 2.082-acre tract of land identified as Tract 25-03 of the J. Strickland Survey, Abstract No. 187, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 4000 N. Goliad Street [SH-205], and take any action necessary.

PLAT INFORMATION

- The applicant is requesting the approval of a Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition, which is a 2.082-acre tract of land located within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). The purpose of this plat is to identify the easements that will need to be established by a future final plat to facilitate the development of the subject property. According to the Preliminary Plat, the subject property will only be accessible via the property directly north of the subject property (i.e. Lot 1, Block A, Valk Rockwall Addition). This property is situated within the City's corporate limits and connects to N. Goliad Street [SH-205].
- The proposed Preliminary Plat appears to be in conformance with the requirements of Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A': Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall* of the Interim Interlocal Agreement between Rockwall County and the City of Rockwall.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the Preliminary Plat for Lot 1, Block A, PS Rockwall County Addition, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (i.e. *Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.

- (2) Any construction resulting from the approval of this Preliminary Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00)²

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **4000 N. Goliad Street, Rockwall, TX 75087**

SUBDIVISION **PS Rockwall County**

LOT **1** BLOCK **A**

GENERAL LOCATION **East of N. Goliad Street and North of Shennedoah Lane**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **N/A**

CURRENT USE **Residential**

PROPOSED ZONING **N/A**

PROPOSED USE **Self-Storage**

ACREAGE **2.1**

LOTS [CURRENT] **1**

LOTS [PROPOSED] **1**

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

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

OWNER **PS LPT Properties Investors**

APPLICANT **Kimley-Horn**

CONTACT PERSON **Jarrold Yates**

CONTACT PERSON **Trey Braswell**

ADDRESS **701 Western Ave**

ADDRESS **100 W. Oak Street, Suite 203**

CITY, STATE & ZIP **Glendale, CA 91201**

CITY, STATE & ZIP **Denton, TX 76201**

PHONE _____

PHONE **940.536.0175**

E-MAIL **jyates@publicstorage.com**

E-MAIL **trey.braswell@kimley-horn.com**

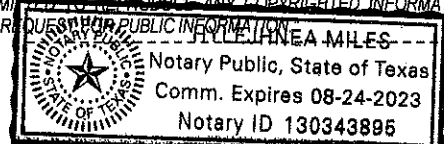
NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ **231.23** TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15th DAY OF December, 2021 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15th DAY OF Dec, 2021.

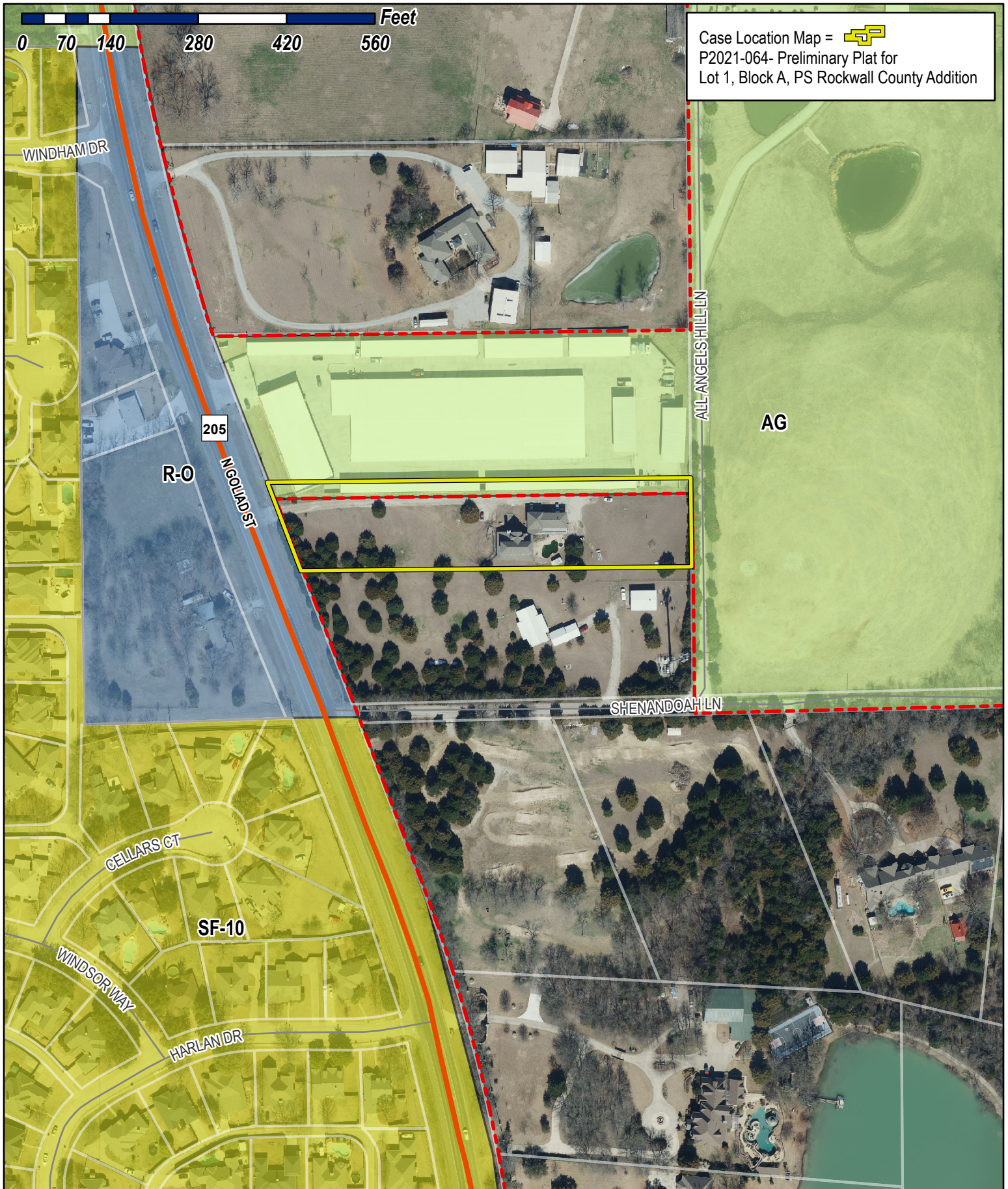
OWNER'S SIGNATURE




NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Hylehrea Miles

MY COMMISSION EXPIRES 8/24/2023



Case Location Map = 
 P2021-064- Preliminary Plat for
 Lot 1, Block A, PS Rockwall County Addition



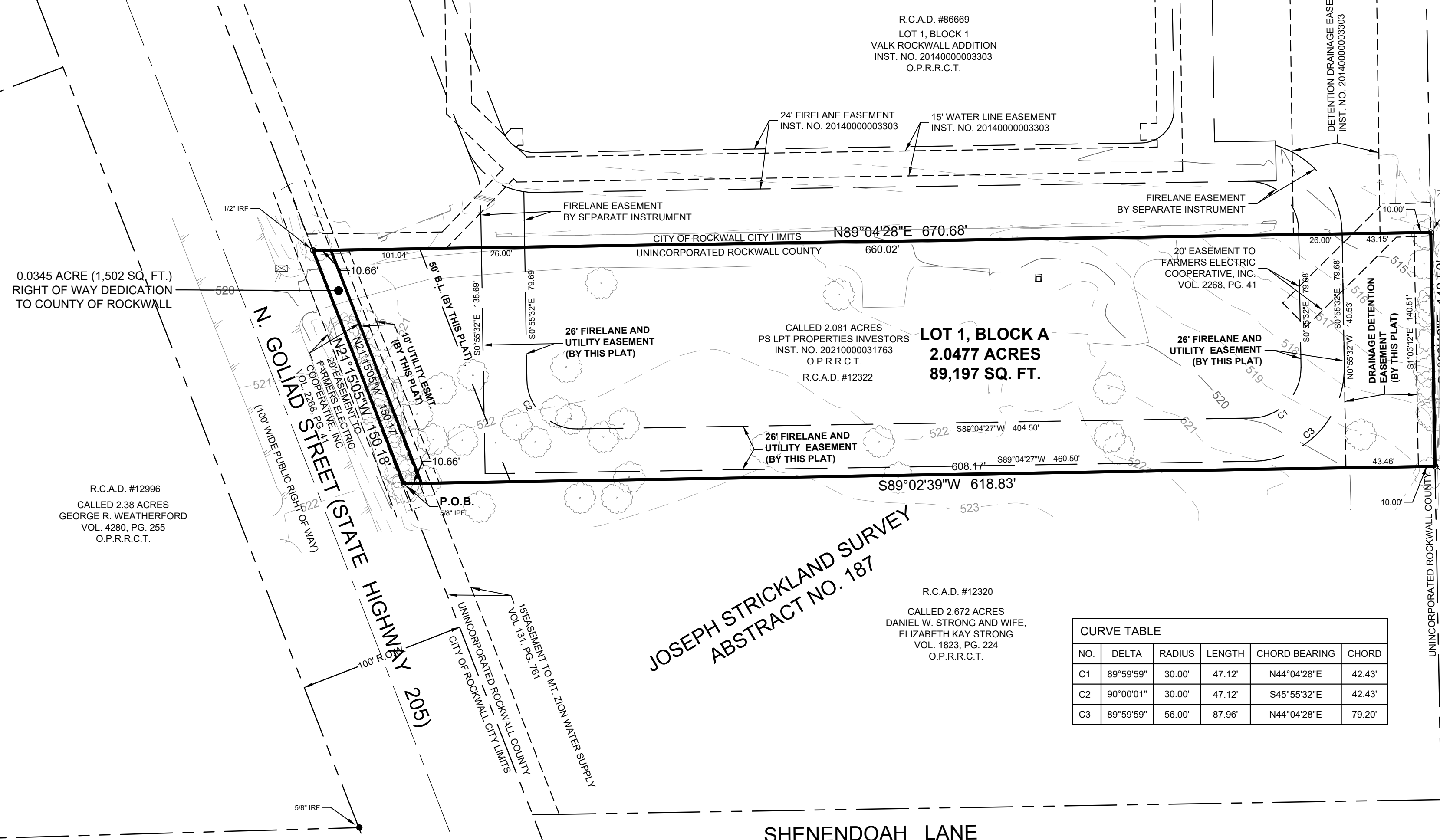
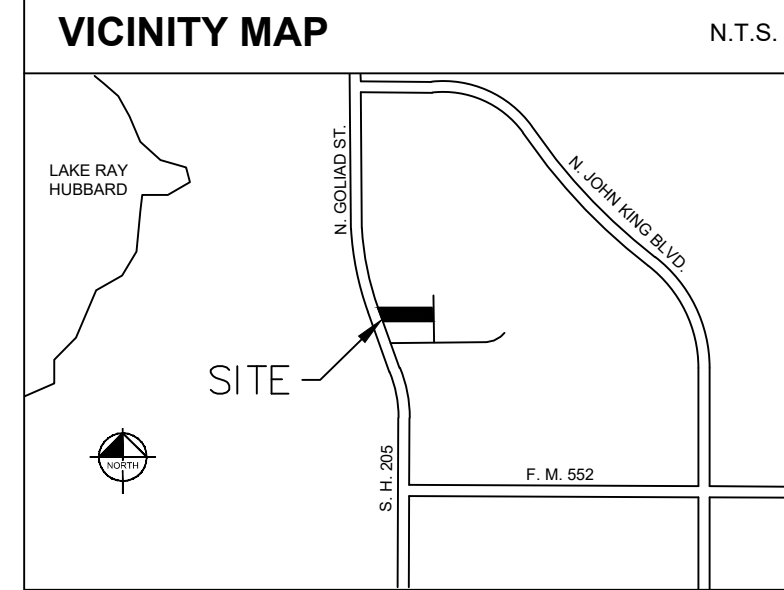
City of Rockwall

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

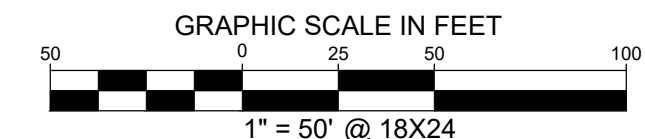
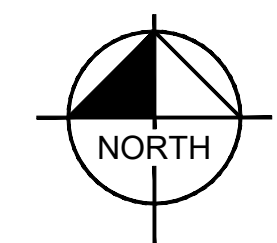
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



UNINCORPORATED ROCKWALL COUNTY
CITY OF ROCKWALL CITY LIMITS



R.C.A.D. #12305
CALLED 69.22 ACRES
SHENENDOAH REAL
ESTATE PARTNERS, L.P.
VOL. 3351, PG. 114
O.P.R.R.C.T.



CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	89°59'59"	30.00'	47.12'	N44°04'28"E	42.43'
C2	90°00'01"	30.00'	47.12'	S45°55'32"E	42.43'
C3	89°59'59"	56.00'	87.96'	N44°04'28"E	79.20'

0.0345 ACRE (1,502 SQ. FT.)
RIGHT OF WAY DEDICATION
TO COUNTY OF ROCKWALL

R.C.A.D. #12996
CALLED 2.38 ACRES
GEORGE R. WEATHERFORD
VOL. 4280, PG. 255
O.P.R.R.C.T.

JOSEPH STRICKLAND SURVEY
ABSTRACT NO. 187

SHENENDOAH LANE

PRELIMINARY PLAT
PS ROCKWALL COUNTY ADDITION
LOT 1, BLOCK A
2.082 ACRES
SITUATED IN THE
JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
CITY OF ROCKWALL E.T.J., ROCKWALL COUNTY, TEXAS
CASE NO. P2021-064

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48397C0030L, for Rockwall County, Texas and incorporated areas, dated September 26, 2008, this property is located within Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LEGEND:

- R.C.A.D. = ROCKWALL COUNTY APPRAISAL DISTRICT
- P.O.B. = POINT OF BEGINNING
- IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
- IRFC = IRON ROD W/CAP FOUND
- IRF = IRON ROD FOUND
- IPF = IRON PIPE FOUND
- O.P.R.R.C.T. = OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS

NOTES:

1. No building permit shall be issued nor permanent public utility service provided until a final plat is approved, filed of record, and public improvements accepted in accordance with the provisions of the Subdivision Ordinance of the City of Rockwall. Selling a portion of this property by metes and bounds, except as shown on an approved, filed, and accepted conveyance plat, final plat, or replat is a violation of the city ordinance and State law.
2. All Property Corners are 5/8-inch iron rod with plastic cap stamped "KHA" found unless otherwise noted here.
3. The Bearings and Coordinates shown hereon are grid values of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (2011).
REFERENCE DATUM: City of Rockwall Geodetic Control Monument 4
4. Property owner(s) shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements, if any.

OWNER:
PS LPT Properties Investors
701 Western Ave.
Glendale, California 91201
Phone: 972-546-0375
Contact: Jarrod Yates

APPLICANT:
Kimley-Horn and Associates, Inc.
100 W. Oak St., Suite 203
Denton, Texas 76201
Phone: 940-387-3620
Contact: Trey Braswell, P.E.

Kimley»Horn

6160 Warren Parkway, Suite 210 Tel. No. (972) 335-3580
Frisco, Texas 75034 FIRM # 10193822 Fax No. (972) 335-3779

Scale 1" = 50'	Drawn by MBM	Checked by KHA	Date 01/03/2022	Project No. 069319643	Sheet No. 1 OF 2
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OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF ROCKWALL §

WHEREAS PS LPT PROPERTIES INVESTORS is the owner of a tract of land situated in the Joseph Strickland Survey, Abstract No. 187, City of Rockwall E. T. J, Rockwall County, Texas and being all of a called 2.081-acre tract of land described in a Special Warranty Deed to PS LPT Properties Investors, recorded in Instrument No. 20210000031763 of the Official Public Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron pipe found for the southwest corner of said 2.081-acre tract, same being the northwest corner of a called 2.672-acre tract of land described in a Warranty Deed to Daniel W. Strong and wife, Elizabeth Kay Strong, recorded in Volume 1823, Page 224 of the Official Public Records of Rockwall County, Texas, same also being on the easterly right of way line of N. Goliad Street (State Highway 205), a 100' wide right of way;

THENCE North 21°15'05" West, along the westerly line of said 2.081-acre tract and the easterly right of way line of said N. Goliad Street (State Highway 205), a distance of 150.18 feet (called 150.00 feet) to a 1/2-inch iron rod found for the northwest corner of said 2.081-acre tract, same being the southwest corner of Lot 1, Block 1 of Valk Rockwall Addition, an addition to the City of Rockwall, according to the plat, recorded in Instrument No. 20140000003303 of the Official Public Records of Rockwall County, Texas;

THENCE North 89°04'28" East, departing the easterly right of way line of said N. Goliad Street (State Highway 205), along the northerly line of said 2.081-acre tract, a distance of 670.68 feet (called 670.22 feet) to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for the northeast corner of said 2.081-acre tract, same being on the westerly line of a called 69.22-acre tract of land described in a Warranty Deed to Shennendoah Real Estate Partners, L.P., recorded in Volume 3351, Page 114 of the Official Public Records of Rockwall County, Texas;

THENCE South 01°03'12" East, along the easterly line of said 2.081-acre tract and the westerly line of said 69.22-acre tract, a distance of 140.50 feet to a 1/2-inch iron pipe found for the southeast corner of said 2.081-acre tract, same being the northeast corner of aforesaid 2.672-acre tract;

THENCE South 89°02'39" West, along the southerly line of said 2.081-acre tract and the northerly line of said 2.672-acre tract, a distance of 618.83 feet (called 618.69 feet) to the POINT OF BEGINNING and containing 2.082 acres (90698 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We, PS LPT PROPERTIES INVESTORS, the undersigned owner of the land shown on this plat, and designated herein as the PS ROCKWALL COUNTY ADDITION to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown on the purpose and consideration therein expressed, except those created by separate instrument, which are governed by the terms of such separate instruments. We further certify that all other parties who have a mortgage or lien interest in the PS ROCKWALL COUNTY ADDITION have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same, except those created by separate instrument, which are governed by the terms of such separate instruments. We also understand the following;

- 1. No buildings shall be constructed or placed upon, over, or across the utility easements created hereby.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of the easement strips created hereby; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. The owners of the land dedicated by this plat reserve the right to use and enjoy the surface of all easement areas for all purposes that do not interfere with the use of said easement areas for utilities; including but not limited to the right to place surfacing materials over and across the easement areas and to use the same for parking areas, driveways, walkways, sidewalks, landscaping and/or lighting.
7. The location of easements shown hereon that are granted by separate instrument are approximate and such easements and their location are governed by the terms, provisions and conditions of the separate instrument.
8. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

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

Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

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

By: PS LPT PROPERTIES INVESTORS, a Maryland real estate investment trust

By: _____

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and under oath stated that the statements in the foregoing certificate are true.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____ 20__.

Notary Public in and for the State of _____

SURVEYOR'S STATEMENT

I, Michael B. Marx, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Engineers and Land Surveyors.

Dated this the ___ day of _____, 2021.

MICHAEL B. MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. (972) 335-3580
michael.marx@kimley-horn.com

APPROVED BY THE ROCKWALL COUNTY COMMISSIONERS COURT

ON THIS THE _____ DAY OF _____, 20__

COUNTY JUDGE

RECOMMENDED FOR FINAL APPROVAL

Planning & Zoning Commission, Chairman

Date

APPROVED:

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ___ day of ____, 2022.

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

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

Mayor, City of Rockwall

City Secretary

City Engineer

PRELIMINARY PLAT
PS ROCKWALL COUNTY ADDITION
LOT 1, BLOCK A
2.082 ACRES
SITUATED IN THE
JOSEPH STRICKLAND SURVEY, ABSTRACT NO. 187
CITY OF ROCKWALL E.T.J., ROCKWALL COUNTY, TEXAS
CASE NO. P2021-064

OWNER:
PS LPT Properties Investors
701 Western Ave.
Glendale, California 91201
Phone: 972-546-0375
Contact: Jarrod Yates

APPLICANT:
Kimley-Horn and Associates, Inc.
100 W. Oak St., Suite 203
Denton, Texas 76201
Phone: 940-387-3620
Contact: Trey Braswell, P.E.

Kimley»Horn
6160 Warren Parkway, Suite 210 Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580 Fax No. (972) 335-3779
Scale Drawn by Checked by Date Project No. Sheet No.
N/A MBM KHA 01/03/2022 069319643 2 OF 2

Parcel Map Check Report

Client:

Client

Kimley-Horn and Associates, Inc.

Address 1

Date: 12/16/2021 12:00:50 PM

Prepared by:

Preparer

Your Company Name

123 Main Street

Parcel Name: LOT 1, BLOCK A

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 7,043,377.6687'

East: 2,592,709.9814'

Segment# 1: Line

Course: N21°15'05"W

Length: 150.18'

North: 7,043,517.6363'

East: 2,592,655.5470'

Segment# 2: Line

Course: N89°04'28"E

Length: 670.68'

North: 7,043,528.4700'

East: 2,593,326.1395'

Segment# 3: Line

Course: S1°03'12"E

Length: 140.50'

North: 7,043,387.9937'

East: 2,593,328.7223'

Segment# 4: Line

Course: S89°02'39"W

Length: 618.83'

North: 7,043,377.6706'

East: 2,592,709.9785'

Perimeter: 1,936.88'

Area: 90,698.31Sq.Ft.

Error Closure: 0.0035

Course: N56°19'26"W

Error North : 0.00194

East: -0.00291

Precision 1: 451,482.86



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

DATE: January 11, 2022

APPLICANT: Ryan King; *Engineering Concepts and Design*

CASE NUMBER: P2021-067; *Preliminary Plat for the Saddle Star North Subdivision*

SUMMARY

Discuss and consider a request by Ryan King, PE of Engineering Concepts and Design on behalf of Jose Campos of Saddle Star South Holdings, LLC for the approval of a Preliminary Plat for the Saddle Star Estates North Subdivision consisting of 92 singlefamily residential lots on a 42.667-acre tract of land identified as Tract 3 of the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally located at the northwest corner of the intersection of FM552 and John King Boulevard, and take any action necessary.

PLAT INFORMATION

The purpose of the applicant's request is to Preliminary Plat the Saddle Star North Subdivision. This subdivision will be comprised of 92 single-family residential lots on a 42.667-acre tract of land. This development will be constructed in one (1) phase utilizing three (3) lot types that will consist of 49 *Type 'B' Lots (i.e. 80' x 125' or a minimum of 10,000 SF)*, 16 *Type 'D' Lots (i.e. 95' x 125' or a minimum of 11,875 SF)*, and 27 *Type 'C' Lots (i.e. 100' x 125' or a minimum of 12,500 SF)*. Staff should point out that the proposed Preliminary Plat reduces the number of lots allowed by *Ordinance No. 16-08 [Planned Development District 80 (PD-80)]* from 109 lots to 92 lots, and increases the overall average lot size. According to the ordinance, a total of 12 *Type 'A' Lots (i.e. 70' x 125' or a minimum of 8,750 SF)* were permitted, however, the proposed Preliminary Plat removes this lot type and replaces it with *Type 'D' Lots (i.e. 95' x 125' or a minimum of 11,875 SF)*. The Preliminary Plat also decreases the number of *Type 'B' Lots (i.e. the 80' x 125' lots)* from 79 to 49 and increases the number of *Type 'C' Lots (i.e. 100' x 125' lots)* from 18 lots to 27 lots. The total change in the lot count amounts to a net loss of 17 lots, which lowers the overall density of the development from 2.45 dwelling units per acre to 2.16 dwelling units per acre. Along with the Preliminary Plat, the applicant has also submitted preliminary drainage and utility plans demonstrating how the development can be adequately served. The following is the proposed lot composition of the Saddle Star North Subdivision:

TABLE 1: LOT MIX

<i>Lot Type</i>	<i>Minimum Lot Size (FT)</i>	<i>Minimum Lot Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units (%)</i>
<i>B</i>	80' x 125'	10,000 SF	49	53.26%
<i>D</i>	95' x 125'	11,875 SF	16	17.39%
<i>C</i>	100' x 125'	12,500 SF	27	29.35%
			92	100.00%

The subject property was annexed by the City Council on February 4, 2008 by *Ordinance No. 08-12 [Case No. A2004-003]*. On January 4, 2016, the City Council approved *Ordinance No. 16-08 [Case No. Z2015-035]* changing the zoning of the subject property from an Agricultural (AG) District to Planned Development District 80 (PD-80) for Single-Family 8.4 (SF-8.4) District land uses. On April 4, 2016, the City Council approved a master plat/open space plan [*Case No. P2019-011*] and a preliminary plat [*Case No. P2016-010*] for the Saddle Star North Subdivision. In accordance with Section 38-8(f)(2) of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinance, the applicant -- *on March 28, 2017* -- requested that the Planning and Zoning Commission approve an extension of the preliminary plat and master plat. This was granted and extended these plats to August 15, 2018; however, due to inactivity these plats expired on August 15, 2018 in

accordance with Section 38-8(f)(1) of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinance. On November 16, 2020, the City Council approved a preliminary plat [Case No. P2020-044] for the subject property. This preliminary plat expired on November 16, 2021.

- ☑ On January 4, 2022 the Parks and Recreation Board reviewed the Preliminary Plat and made the following recommendations concerning the proposed subdivision:
 - (1) The developer shall pay pro-rata equipment fees of \$39,744.00 (*i.e.* \$432.00 x 92 lots), which will be due at the time of final plat.
 - (2) The developer shall pay cash in lieu of land fees of \$41,952.00 (*i.e.* \$456.00 x 92 lots), which will be due at the time of final plat.
- ☑ The purpose of the Preliminary Plat is to provide sufficient information to evaluate and review the general design of the development ensuring compliance with Planned Development District 80 (PD-80) [Ordinance No. 16-08], the OURHometown Vision 2040 Comprehensive Plan, the Unified Development Code (UDC), the Master Thoroughfare Plan, and the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances. The proposed Preliminary Plat appears to meet the intent of these requirements.
- ☑ The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of a Preliminary Plat for the *Saddle Star North Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e.* *Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans;
- (2) The development shall adhere to the recommendations made by the Parks and Recreation Board;
- (3) Before a Final Plat is filed the applicant shall be required to pay the outstanding tree mitigation balance of \$37,000.00 in accordance with the requirements of Article 09, *Tree Preservation*, of the Unified Development Code (UDC); and
- (4) Any construction resulting from the approval of this Preliminary Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:
CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS Intersection of SH552 and John King Blvd
 SUBDIVISION Saddle Star Notrth LOT BLOCK
 GENERAL LOCATION Intersection of SH552 and John King Blvd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-80 CURRENT USE Agriculture
 PROPOSED ZONING PD-80 PROPOSED USE Single Family
 ACREAGE 42.667 LOTS [CURRENT] 1 LOTS [PROPOSED] 92

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

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

OWNER Saddle Star South Holdings, LLC APPLICANT Engineering Concepts and Design
 CONTACT PERSON Jose Campos CONTACT PERSON Ryan King, P.E.
 ADDRESS 609 Main Street, Suite 2400 ADDRESS 1600 N. Collins Blvd, Ste 3300
 CITY, STATE & ZIP Houston, TX 77051 CITY, STATE & ZIP Richardson, TX 75080
 PHONE 214-716-2900 PHONE 972-941-8400
 E-MAIL jose.campos@hines.com E-MAIL Ryan@ECDLP.com

NOTARY VERIFICATION [REQUIRED]

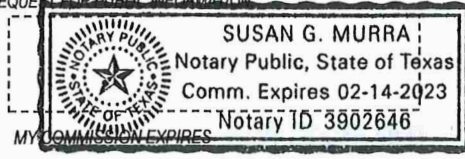
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Jose Campos [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

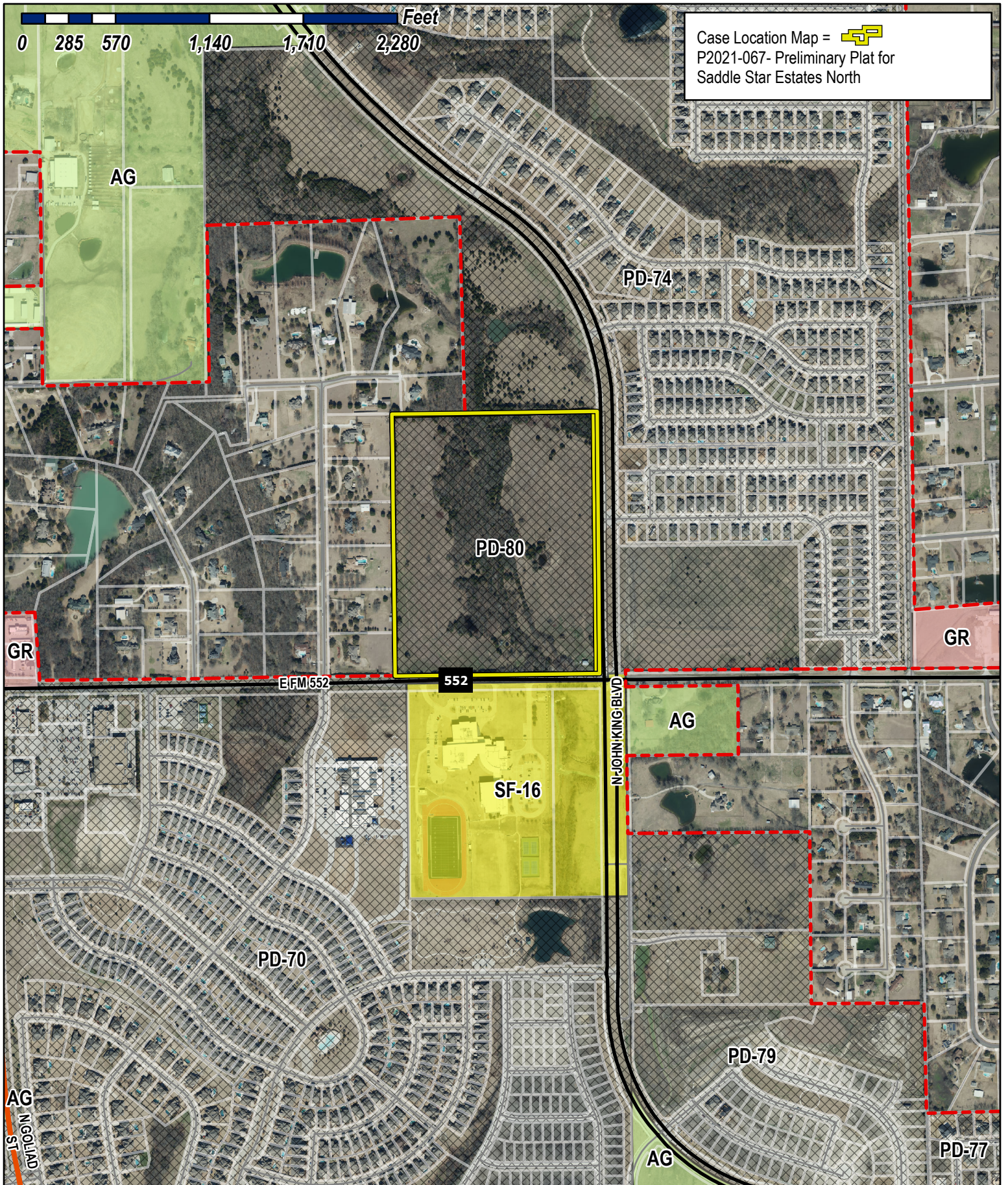
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 840.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16th DAY OF December, 2021 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16th DAY OF December, 2021.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





City of Rockwall

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

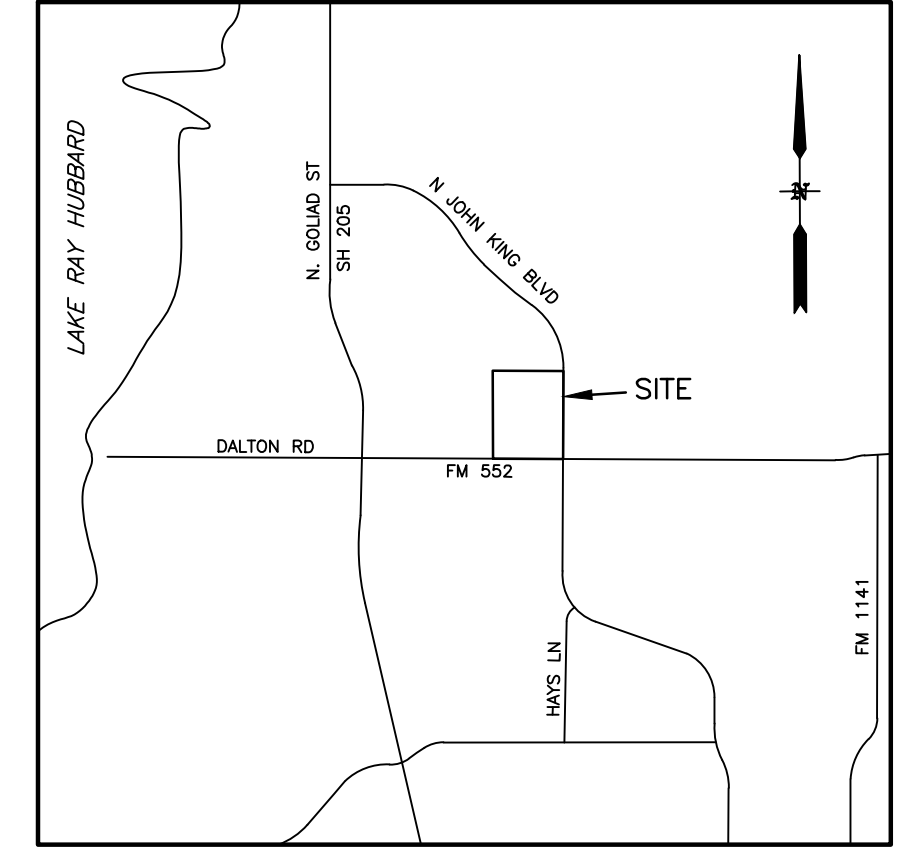
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



J. STRICKLAND SURVEY
A-187

CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	22°36'41"	250.00'	49.98'	98.66'	S 12°02'23" E	98.02'
C2	10°54'58"	250.00'	23.89'	47.63'	N 17°53'14" W	47.56'
C3	20°11'40"	250.00'	44.52'	88.12'	N 02°19'55" W	87.66'
C4	30°20'34"	250.00'	67.79'	132.40'	S 07°24'22" E	130.85'
C5	18°43'34"	250.00'	41.22'	81.71'	N 13°12'52" W	81.34'
C6	26°31'31"	225.00'	53.03'	104.16'	S 13°46'41" E	103.24'
C7	26°31'31"	250.00'	58.93'	115.74'	N 13°46'41" W	114.71'
C8	18°43'34"	275.00'	45.34'	89.88'	S 13°12'52" E	89.48'

LINE TABLE		
NO.	DIRECTION	DISTANCE
L1	S 39°28'06" W	31.48'
L2	N 89°29'05" E	22.34'
L3	N 44°22'31" E	31.88'
L4	S 45°40'04" E	31.78'
L5	S 42°46'24" W	32.76'
L6	N 49°58'36" E	35.53'
L7	N 00°44'02" W	35.47'
L8	N 07°45'55" E	47.61'
L9	N 45°37'29" W	31.76'
L10	S 44°29'05" W	31.82'
L11	N 44°18'11" E	28.29'
L12	S 54°34'41" E	20.00'
L13	N 61°16'41" E	36.06'
L14	S 27°04'49" E	22.36'
L15	S 40°08'33" E	19.04'
L16	S 48°50'50" E	42.42'
L17	S 44°29'31" W	42.42'
L18	S 45°30'29" E	42.44'
L19	N 41°09'10" E	42.43'
L20	N 39°28'06" E	20.11'

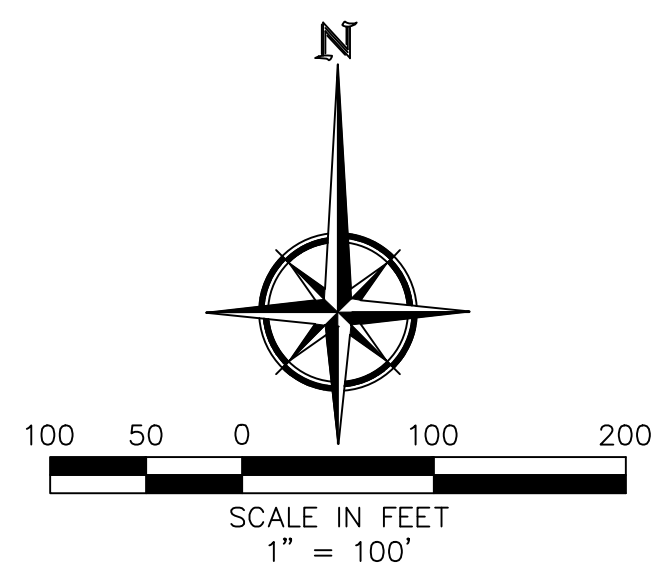


VICINITY MAP
N.T.S.

LEGEND

- 5/8" CIRS W/CAP
- CIRP
- IRF
- B.L.
- CM
- D.E.
- W.D.E.
- HOA
- S.V.E.
- W.M.E.
- U.E.
- P.R.R.C.T.
- D.R.R.C.T.
- 5/8" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 3963"
- IRON ROD FOUND WITH CAP
- IRON ROD FOUND
- BUILDING SETBACK LINE
- CONTROL MONUMENT
- DRAINAGE EASEMENT
- WALL MAINTENANCE & DRAINAGE EASEMENT
- HOMEOWNERS ASSOCIATION
- SIDEWALK AND VISIBILITY EASEMENT
- WALL MAINTENANCE EASEMENT
- UTILITY EASEMENT
- PLAT RECORDS ROCKWALL COUNTY, TEXAS
- DEED RECORDS ROCKWALL COUNTY, TEXAS
- INDICATES CHANGE IN STREET NAME

- Notes:
- Basis of Bearings = State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Adjustment Realization (CORS 2011).
 - A 5/8" iron rod with a yellow cap stamped "RPLS 3963" will be set at all lot corners and/or at reference points to lot corners, wherever possible, after the completion of all utilities and subdivision construction. Offsets to corners will be set in areas impeded by retainer walls or other obstacles lying on the actual lot corner.
 - By graphical plotting, no part of the parcel described herein lies within a Special Flood Hazard Area (SFHA) as delineated on the Rockwall County, Texas and Incorporated Areas, Flood Insurance Rate Map, Map Number 483970003CL, dated September 26, 2008. The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by FEMA or some other source. In addition, greater floods can and will occur and flood heights may be increased by man-made or natural causes. The above flood statement shall not create liability on the part of the surveyor.
 - All non-standard decorative street signs, poles/posts, hardware, attachments, foundations, etc. shall be owned, maintained, repaired and replaced by the HOA.
 - It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.
 - The Open Space Lots to be maintained by the Homeowners Association (HOA).
 - Drainage/Retention and floodplain on site to be maintained by the HOA.



SURVEYOR'S CERTIFICATE

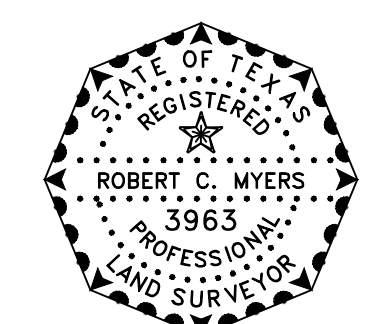
NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Robert C. Myers, do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF DECEMBER, 2021.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document. This preliminary plat is released on December 2021 for review by the City and other parties for comments and progression to an approved preliminary plat.

ROBERT C. MYERS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 3963



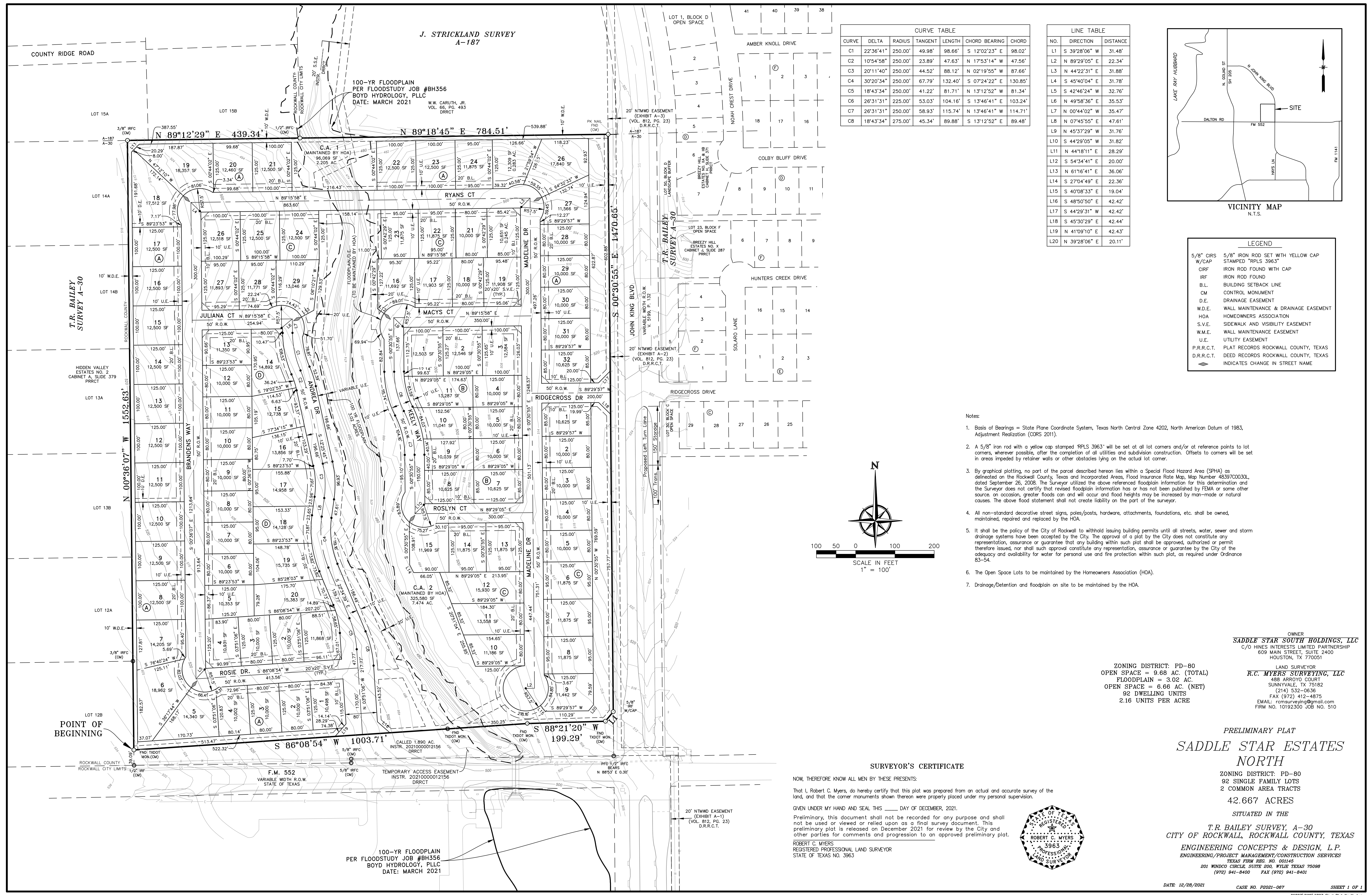
PRELIMINARY PLAT
SADDLE STAR ESTATES
NORTH

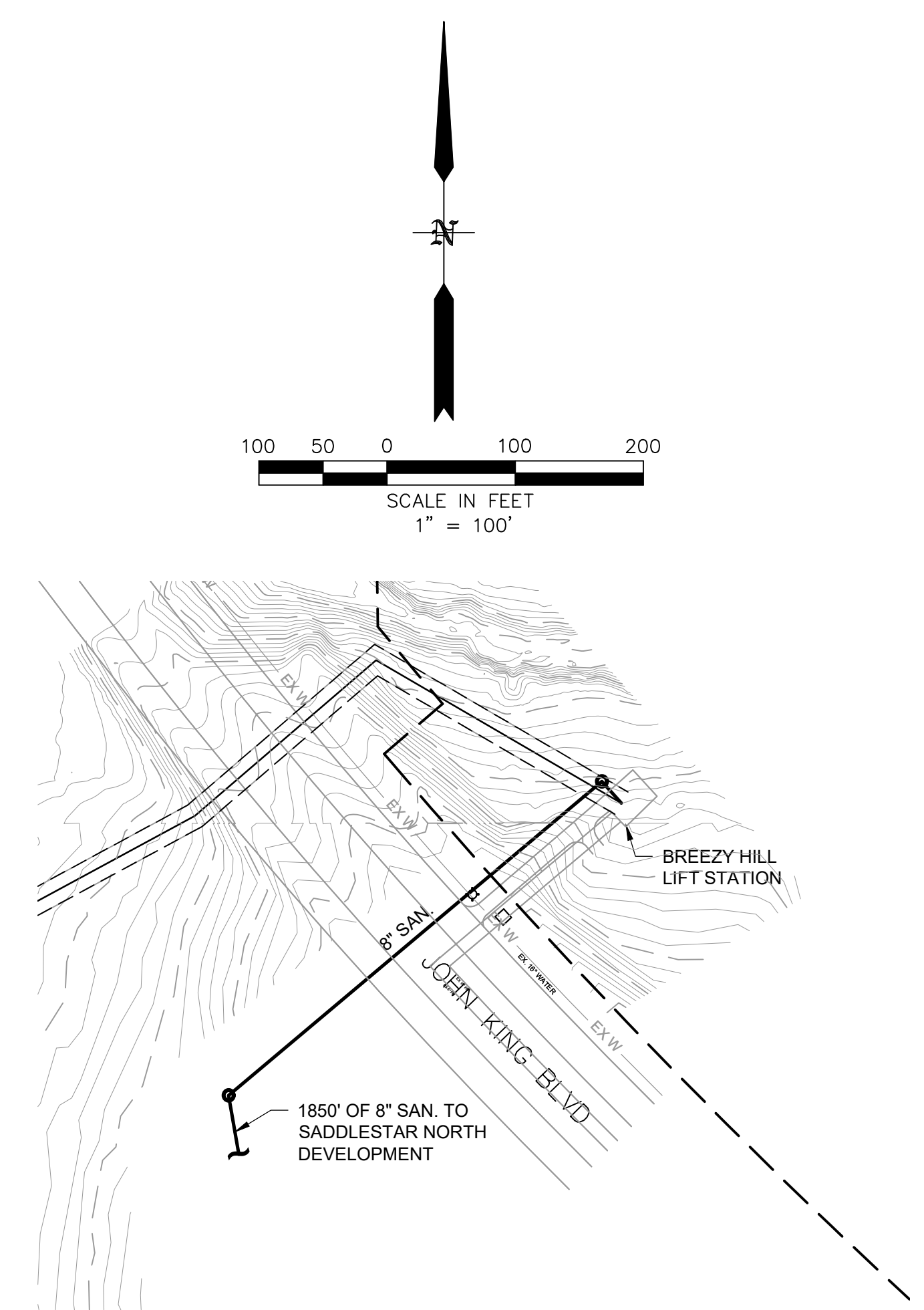
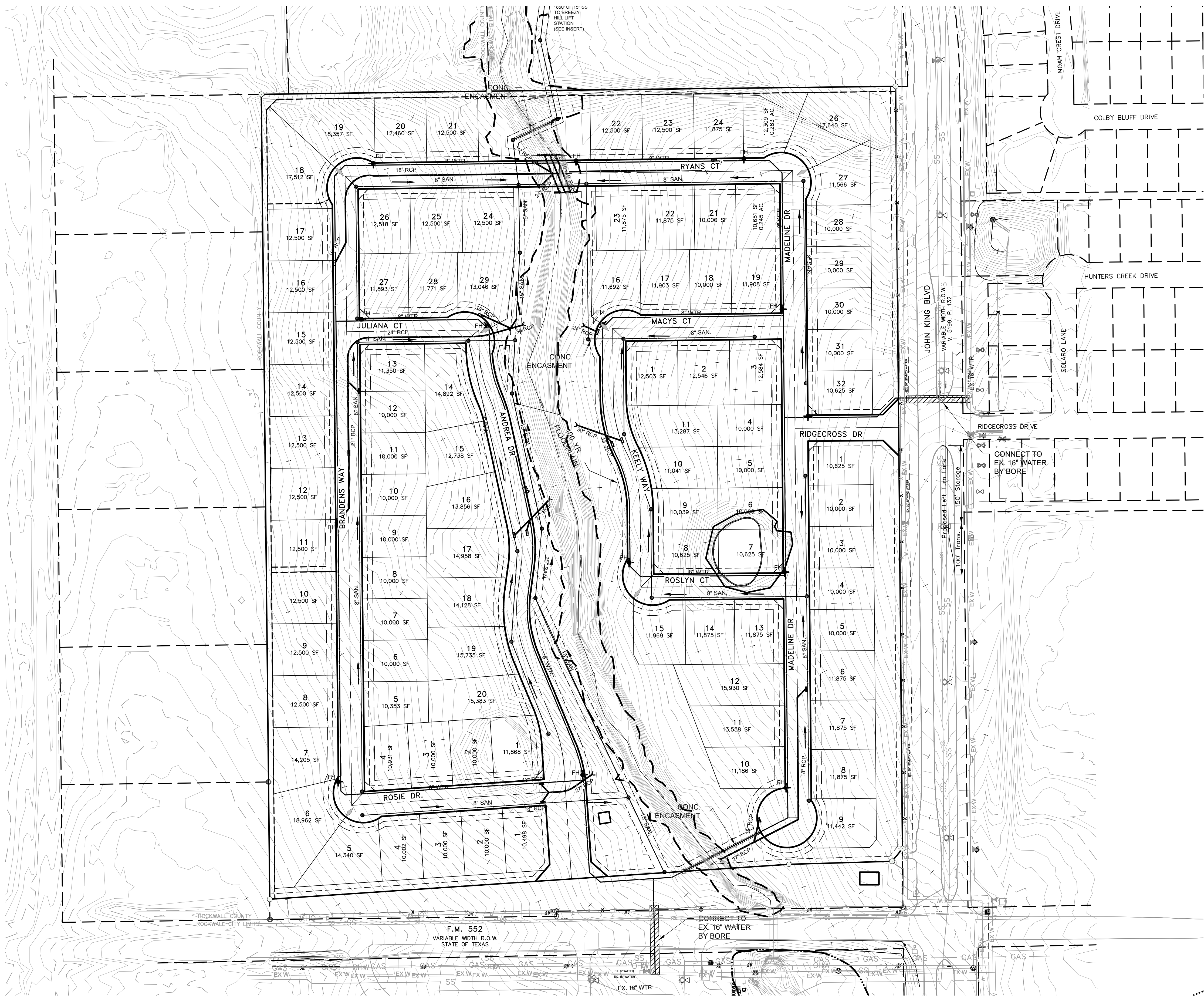
ZONING DISTRICT: PD-80
92 SINGLE FAMILY LOTS
2 COMMON AREA TRACTS
42.667 ACRES

SITUATED IN THE
T.R. BAILEY SURVEY, A-30
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
TEXAS FIRM NO. 001146
201 WINDCO CIRCLE, SUITE 200, WYLER, TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

100-YR FLOODPLAIN
PER FLOODSTUDY JOB #BH356
BOYD HYDROLOGY, PLLC
DATE: MARCH 2021

100-YR FLOODPLAIN
PER FLOODSTUDY JOB #BH356
BOYD HYDROLOGY, PLLC
DATE: MARCH 2021





BREEZY HILL LIFT STATION SITE

ZONING DISTRICT: PD-80
 OPEN SPACE = 6.508 AC.
 92 DWELLING UNITS
 2.06 UNITS PER ACRE

SADDLE STAR ESTATES NORTH

OWNER
SADDLE STAR SOUTH HOLDINGS, LLC
 2200 ROSS AVE., STE. 4200W
 DALLAS, TX 75201

DEVELOPER
SADDLE STAR DEVELOPMENT, LLC
 3076 HAYS LANE
 ROCKWALL, TX 75087

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
 488 ARROYO COURT
 SUNNYVALE, TX 75182
 (214) 532-0636
 FAX (972) 412-4875
 EMAIL: rcmysurveying@gmail.com
 FIRM NO. 10192300 JOB NO. 510

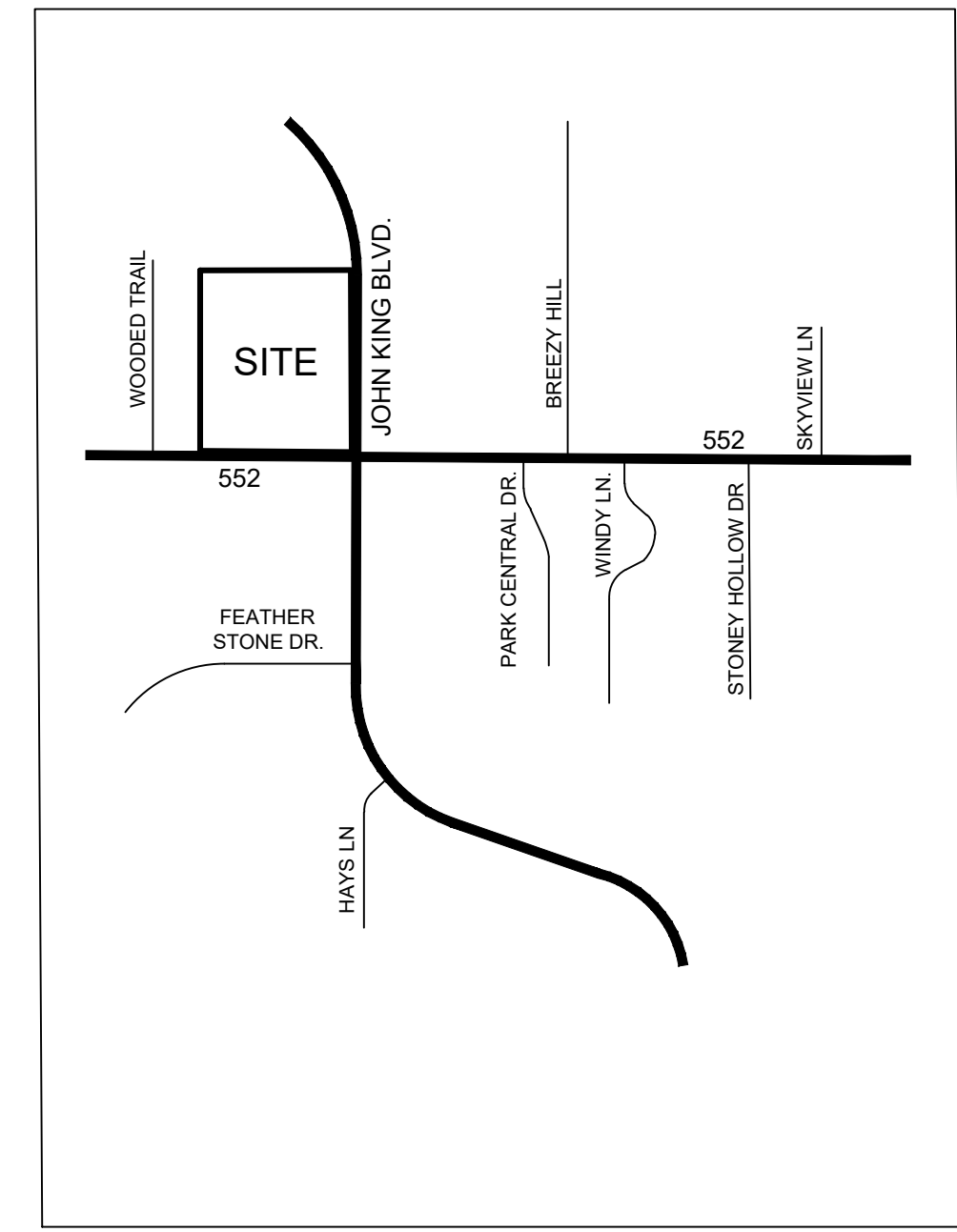
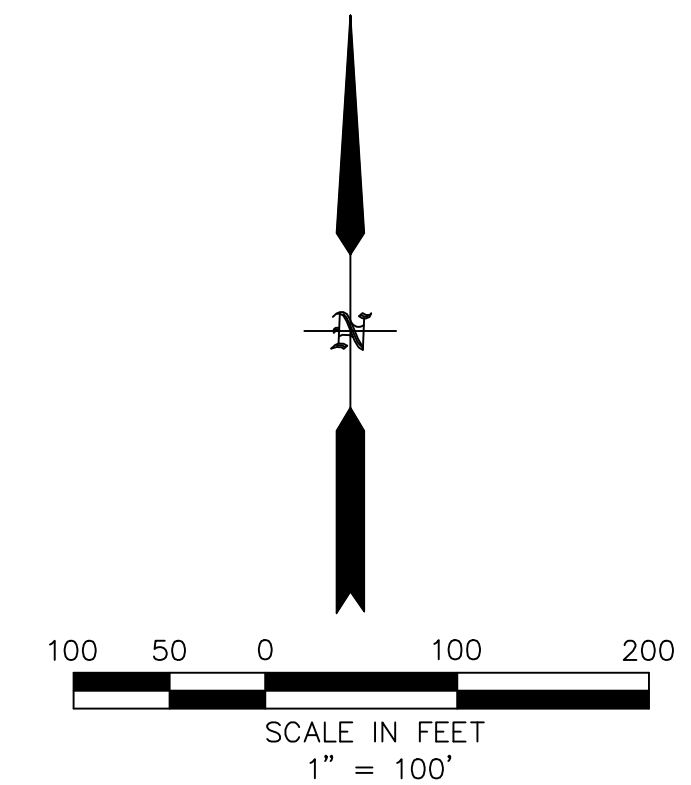
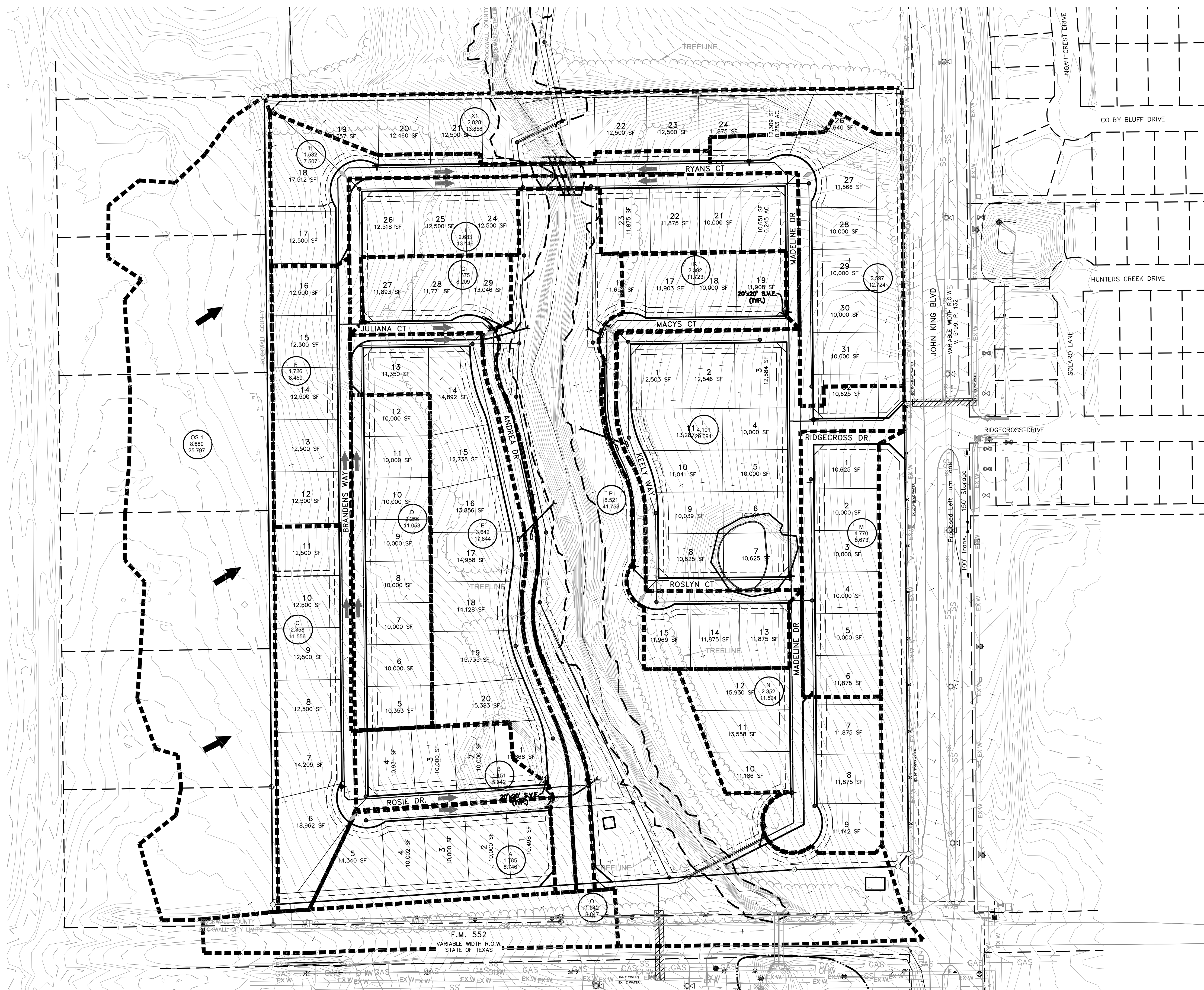
PRELIM UTILITIES
 Case No. PP2020-044
 92 SINGLE FAMILY LOTS
 4 COMMON AREA TRACTS
 44.56 ACRES
 SITUATED IN THE
 T.R. BAILEY SURVEY, A-30
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
ENGINEERING CONCEPTS & DESIGN, L.P.
 ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
 TEXAS FIRM REG. NO. 001145
 201 WINDCO CIRCLE, SUITE 200, WYLLIE TEXAS 75098
 (972) 941-8400 FAX (972) 941-8401
 DATE: DECEMBER 28, 2021 CASE NO. PP2021-067 SHEET 2 OF 3

REVIEWED FOR PRELIMINARY APPROVAL

 Planning and Zoning Commission Date _____

APPROVED FOR PREPARATION OF FINAL PLAT

 Mayor, City of Rockwall City Secretary City Engineer



----- DRAINAGE AREA BOUNDARY

○ Drainage Area
○ Drainage Area Acreage
○ Drainage Area "Q"

Q = CIA
C = 0.50
I = 9.80

NOTE:
STORM SEWER MAINS ARE TO BE LOCATED ON THE CL OF ROADS. IN PLACES WHERE STORM SEWER MAINS AND DRAINAGE AREA BOUNDARIES COINCIDED, THE STORM SEWER IS GRAPHICALLY SHOWN NEXT TO THE CL FOR CLARITY.

REVIEWED FOR PRELIMINARY APPROVAL

Planning and Zoning Commission Date _____

APPROVED FOR PREPARATION OF FINAL PLAT

Mayor, City of Rockwall City Secretary City Engineer

ZONING DISTRICT: PD-80
OPEN SPACE = 6.508 AC.
92 DWELLING UNITS
2.06 UNITS PER ACRE

OWNER
SADDLE STAR SOUTH HOLDINGS, LLC
2200 ROSS AVE., STE. 4200W
DALLAS, TX 75201

DEVELOPER
SADDLE STAR DEVELOPMENT, LLC
3076 HAYS LANE
ROCKWALL, TX 75087

LAND SURVEYOR
R.C. MYERS SURVEYING, LLC
488 ARROYO COURT
SUNNYVALE, TX 75182
(214) 532-0636
FAX (972) 412-4875
EMAIL: rcmysurveying@gmail.com
FIRM NO. 10192300 JOB NO. 510

PRELIM DRAINAGE
Case No. PP2020-044

SADDLE STAR ESTATES NORTH

92 SINGLE FAMILY LOTS
4 COMMON AREA TRACTS
44.56 ACRES

SITUATED IN THE
T.R. BAILEY SURVEY, A-30
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

ENGINEERING/PROJECT MANAGEMENT/CONSTRUCTION SERVICES
ENGINEERING CONCEPTS & DESIGN, L.P.
201 WINDCO CIRCLE, SUITE 200, WYLLIS TEXAS 75098
(972) 941-8400 FAX (972) 941-8401

DATE: DECEMBER 28, 2021 CASE NO. PP2021-067 SHEET 3 OF 3

Parcel Map Check Report
Prepared by:
Survey Department
Engineering Concepts & Design, LP
201 Windco Circle, Suite 200
Date: 12/17/2021 12:22:15 PM

Parcel Name: Overall Boundary
Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False
North:7,040,432.495' East:2,595,087.119'

Segment# 1: Line
Course: N 0°36'07" W Length: 1,552.63'
North: 7,041,985.039' East: 2,595,070.808'

Segment# 2: Line
Course: N 89°12'29" E Length: 439.34'
North: 7,041,991.111' East: 2,595,510.106'

Segment# 3: Line
Course: N 89°18'45" E Length: 784.51'
North: 7,042,000.524' East: 2,596,294.560'

Segment# 4: Line
Course: S 0°30'55" E Length: 1,470.65'
North: 7,040,529.934' East: 2,596,307.785'

Segment# 5: Line
Course: S 39°28'06" W Length: 31.48'
North: 7,040,505.632' East: 2,596,287.775'

Segment# 6: Line
Course: S 88°21'20" W Length: 199.29'
North: 7,040,499.913' East: 2,596,088.567'

Segment# 7: Line
Course: S 86°08'54" W Length: 1,003.71'
North: 7,040,432.490' East: 2,595,087.124'

Perimeter: 5,481.60' Area: 1,858,595Sq.Ft.
Error Closure: 0.006 Course: S 47°34'41" E
Error North : -0.0043 East: 0.0047

Precision 1: 913,601.67



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

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

DATE: January 11, 2022

SUBJECT: Z2021-050; *Amendment to Article 04, Permissible Uses, of the Unified Development Code (UDC) to Change the Requirements for Bed and Breakfast*

On November 18, 2021, the Historic Preservation Advisory Board (HPAB) directed staff to bring forward a text amendment to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) to request that the Planning and Zoning Commission and City Council consider changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use. Specifically, the HPAB, requested staff to change the land use from being permitted *by-right* in the Old Town Rockwall (OTR) Historic District to being permitted through a Specific Use Permit (SUP). This came in response to an appointment with Carol Crow -- a resident of the Old Town Rockwall (OTR) Historic District (i.e. 504 Williams Street) -- who expressed concern about a commercial land use being permitted *by-right* within the City's Historic District, which is primarily a residential district.

According to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) the following are the current *Conditional Land Use Standards* for the *Bed and Breakfast* land use:

Bed and Breakfast.

- (a) The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right.
- (b) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g) All applicable hotel/motel taxes shall be paid.
- (h) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.

After consideration by the HPAB, the board directed staff to bring forward a recommendation to the Planning and Zoning Commission and City Council proposing to change this section by removing condition (a), which states "(t)he Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by-right." Since the majority of the Old Town Rockwall (OTR) Historic District is zoned Single-Family 7 (SF-7) District, this means that a Specific Use Permit (SUP) would be required to establish a *Bed and Breakfast* in the district should the change be adopted.

In accordance with Subsection 02.01(C) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward the HPAB's proposed text amendment to the City Council for consideration, and -- *in accordance with Section 02.04(B) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC)* -- staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

Planning and Zoning Commission Work Session: December 28, 2021
Planning and Zoning Commission Public Hearing: January 11, 2022
City Council Public Hearing/First Reading: January 18, 2022 (*Tuesday*)

City Council Second Reading: February 7, 2022

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on January 11, 2022.

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 02.03, *CONDITIONAL LAND USE STANDARDS*, OF ARTICLE 04, *PERMISSIBLE USES*, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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, an amendment to the City of Rockwall's Unified Development Code [*Ordinance No. 20-02*] has been initiated by the Historic Preservation Advisory Board (HPAB) of the City of Rockwall to amend Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] for the purpose of changing the *Conditional Land Use Standards* for the *Bed and Breakfast* land use; 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 city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. 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 3. 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 4. 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Section 10, Fee Schedule, of
Article 11, Development Applications and Review Procedures, of the
Unified Development Code (UDC)

Additions: Highlighted

Deletions: Highlighted, Strikeout

Article 04, *Permissible Uses*, of the Unified Development Code (UDC)
Subsection 02.03, *Conditional Land Use Standards*

(B) Residential and Lodging Land Uses

(2) *Bed and Breakfast*.

- ~~(a)~~ The Bed and Breakfast land use is permitted in the Old Town Rockwall (OTR) Historic District by right.
- (b)(a) A Bed and Breakfast may only be established on an owner-occupied, single-family lot.
- (c)(b) In addition to the single-family parking requirements, one (1) parking space per bedroom shall be provided.
- (d)(c) No signage and/or outside advertising shall be permitted for a Bed and Breakfast unless located in a nonresidential zoning district or as permitted by a Specific Use Permit (SUP).
- (e)(d) Bed and Breakfast shall be required to meet all applicable City Fire Codes, including providing a smoke alarm system.
- (f)(e) A Bed and Breakfast shall be subject to an annual inspection by the Fire Department.
- (g)(f) All applicable hotel/motel taxes shall be paid.
- (h)(g) The maximum length of a guests stay is shall be limited to 14 consecutive days in any 30-day period.
- (i)(h) A Specific Use Permit (SUP) for a Bed and Breakfast shall be reviewed six (6) months after the adoption of the Specific Use Permit (SUP) and annually thereafter unless otherwise stipulated by the Specific Use Permit (SUP) ordinance.



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: Henok Fekadu
CASE NUMBER: Z2021-051; *Specific Use Permit (SUP) for a Residential Infill for 5108 Yacht Club Drive*

SUMMARY

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on October 29, 1973 by *Ordinance No. 73-42*, and rezoned to Planned Development District 8 (PD-8) by *Ordinance No. 73-48*. Phase 19 was later amended by *Ordinance No. 85-43* on August 26, 1985. A preliminary plat (*Case No. PZ1985-045-01*) and a final plat (*Case No. PZ1985-056-01*) for Phase 19 of the Chandler's Landing Subdivision were approved on July 2, 1985. This established the subject property as Lot 4, Block B, Chandler's Landing, Phase 19. The subject property remains zoned Planned Development District 8 (PD-8) and has been vacant since it was annexed.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 5108 Yacht Club Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are eight (8) properties (*i.e. 101, 103, 105, 107, 109, & 112 Easterner Place and 104 & 106 France Court*) developed with single-family homes and zoned Planned Development District 8 (PD-8). Beyond this is the Community Bank of Rockwall Addition, which consists of four (4) lots developed with office land uses, and zoned Planned Development District 18 (PD-18) for General Retail (GR) District land uses.

South: Directly south of the subject property is the remainder of the Chandler's Landing Phase 19 Subdivision, followed by the Chandler's Landing Phase 10 Subdivision, which was platted on August 1, 1975 and consists of 59 residential lots. Both subdivisions are zoned Planned Development District 8 (PD-8) for single-family land uses.

East: Directly east of the subject property are two (2) parcels of land (*i.e. 5202 & 5204 Yacht Club Drive*) developed with single-family homes and zoned Planned Development District 8 (PD-8). Beyond this is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is s Ridge Road [*FM-740*], which is identified as M4D (*i.e. major collector*,

four [4] lane, divided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are two (2) parcels of land (i.e. 5106 & 5104 Yacht Club Drive) developed with single-family homes and zoned Planned Development District 8 (PD-8). Beyond this is Yacht Club Drive, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land developed with single-family homes and zoned Planned Development District 8 (PD-8) for single-family land uses.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the Phase 19 of the Chandler’s Landing Subdivision, which has been in existence since 1985 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Planned Development District for single-family land uses, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. *Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...” The following is a summary of observations concerning the housing on France Court and Yacht Club Drive compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on France Court and Yacht Club Drive	Proposed Housing
Building Height	One (1) & Two (2) Story.	Two (2) Story
Building Orientation	All of the homes are oriented towards their front property line.	The front elevation of the home will face onto Yacht Club Drive.
Year Built	1988-2016	N/A
Building SF on Property	2,090 SF – 3,390 SF	4,454 SF (3,924 Air-Conditioned)
Building Architecture	Traditional Brick Suburban Residential	Comparable Architecture to the Existing Homes
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot front yard setback.	25-Feet
Side	The side yard setbacks appear to conform to the required five (5) foot side yard setback.	5-Feet
Rear	The rear yard setbacks appear conform to the required ten (10) feet rear yard setback.	20-Feet
Building Materials	Brick and HardiBoard/HardiePlank.	Combination of Brick, HardiBoard Siding, and Stone
Paint and Color	White, Cream, Red, and Brown	White
Roofs	Composite Shingles	Composite Shingle
Driveways	Driveways are all in the front with the orientations being <i>flat front entry</i> , <i>side entry</i> , and <i>'J' or traditional swing entry</i> .	The garage will be situated five (5) feet to 6½ -feet in front of the front façade of the home.

According to Section 04, *Residential Parking*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), “(i)n single-family or duplex districts, parking garages must be located at least 20-feet behind the front façade for front entry garages ...” In this case, the applicants proposed garage has two (2) single car doors, which are oriented so that they project in front of the front façade of the single-family home by five (5) feet to 6½-feet. Staff should point out that since the construction range for housing in this area extends from 1988-2016, the houses already have several garage configurations

that would be deemed to be legally non-conforming (*i.e. they were conforming when they were constructed; however, due to changes in the code they are no longer conforming and would not be permitted to be built in this configuration today*). A waiver to the garage orientation is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If approved as part of the Specific Use Permit (SUP) request, the City Council, upon recommendation by the Planning and Zoning Commission, will be waiving the garage orientation requirement. With this being said, staff should point out -- *that with the exception of the garage orientation* -- the proposed single-family home meets all of the density and dimensional requirements stipulated by Planned Development District 8 [*Ordinance No. 85-43*] and the Unified Development Code (UDC).

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along France Court and Yacht Club Drive and the proposed building elevations in the attached packet.

NOTIFICATIONS

On December 21, 2021, staff mailed 90 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Signal Ridge, Lago Vista, Fox Chase, Benton Woods, and Chandler's Landing Homeowner's Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any returned 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) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
 - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
 - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-051

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1&2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 5108 Yacht Club Drive, Rockwall, TX

SUBDIVISION Chandlers Landing Addition LOT 4 BLOCK B

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Single Family Residential CURRENT USE Empty Lot

PROPOSED ZONING Single Family Residential PROPOSED USE Single Family Residential

ACREAGE 0.18 LOTS [CURRENT] LOTS [PROPOSED]

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB316Z THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

OWNER Henok Fekadu APPLICANT

CONTACT PERSON Henok Fekadu CONTACT PERSON

ADDRESS 5402 Onset Bay Dr ADDRESS

CITY, STATE & ZIP Rowlett TX 75089 CITY, STATE & ZIP

PHONE 214-554-1078 PHONE

E-MAIL Info@openspacebuild.com E-MAIL

NOTARY VERIFICATION [REQUIRED]

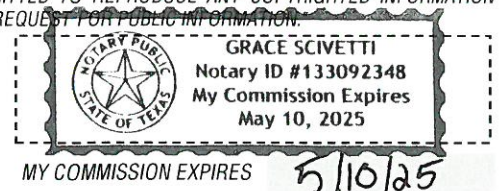
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Henok Fekadu [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 13 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 13 DAY OF December, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

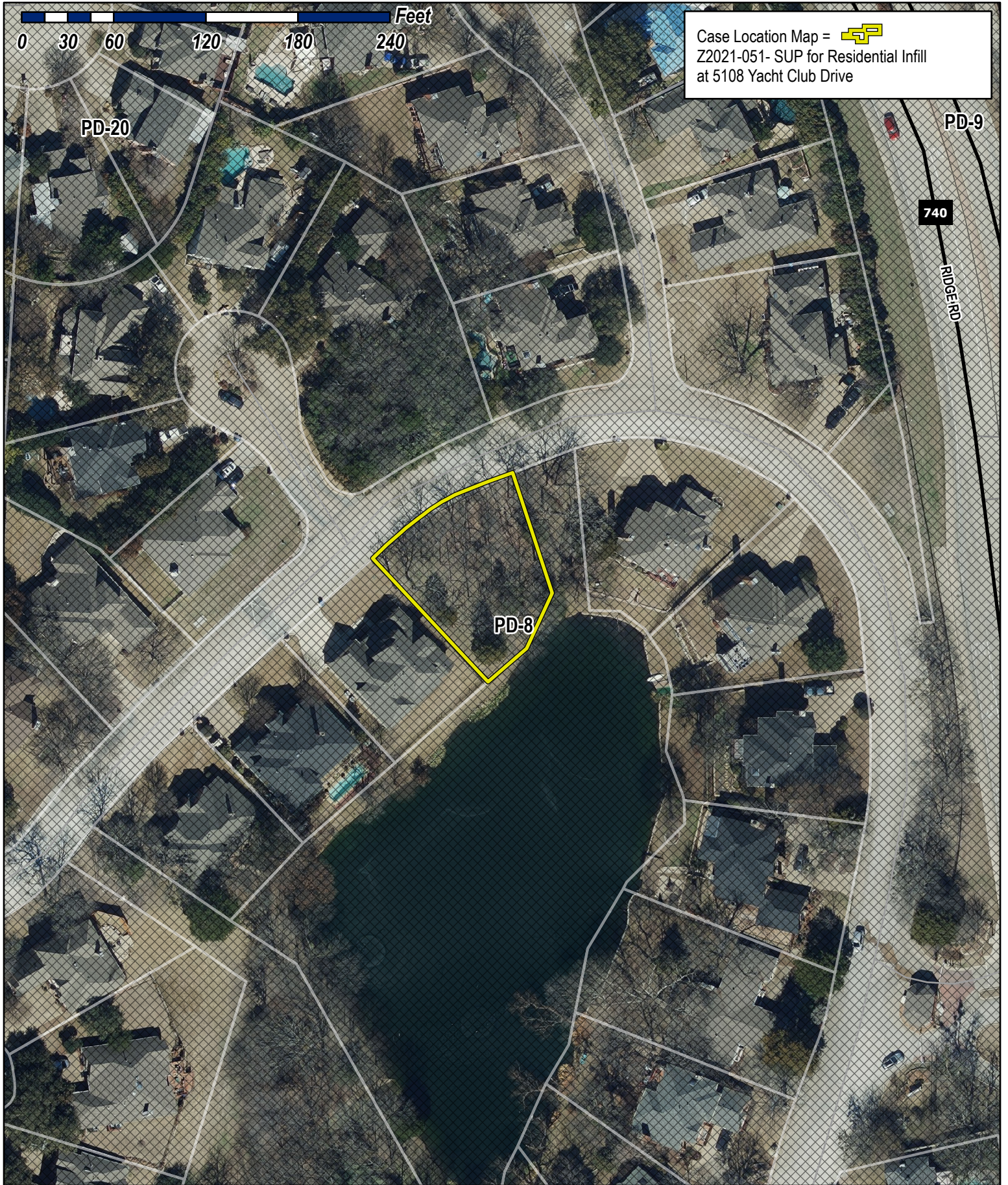
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 13 DAY OF December, 2021.


OWNER'S SIGNATURE Henok Fekadu

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Gracie Scivetti



MY COMMISSION EXPIRES 5/10/25



Case Location Map = 
 Z2021-051- SUP for Residential Infill
 at 5108 Yacht Club Drive



City of Rockwall

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

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

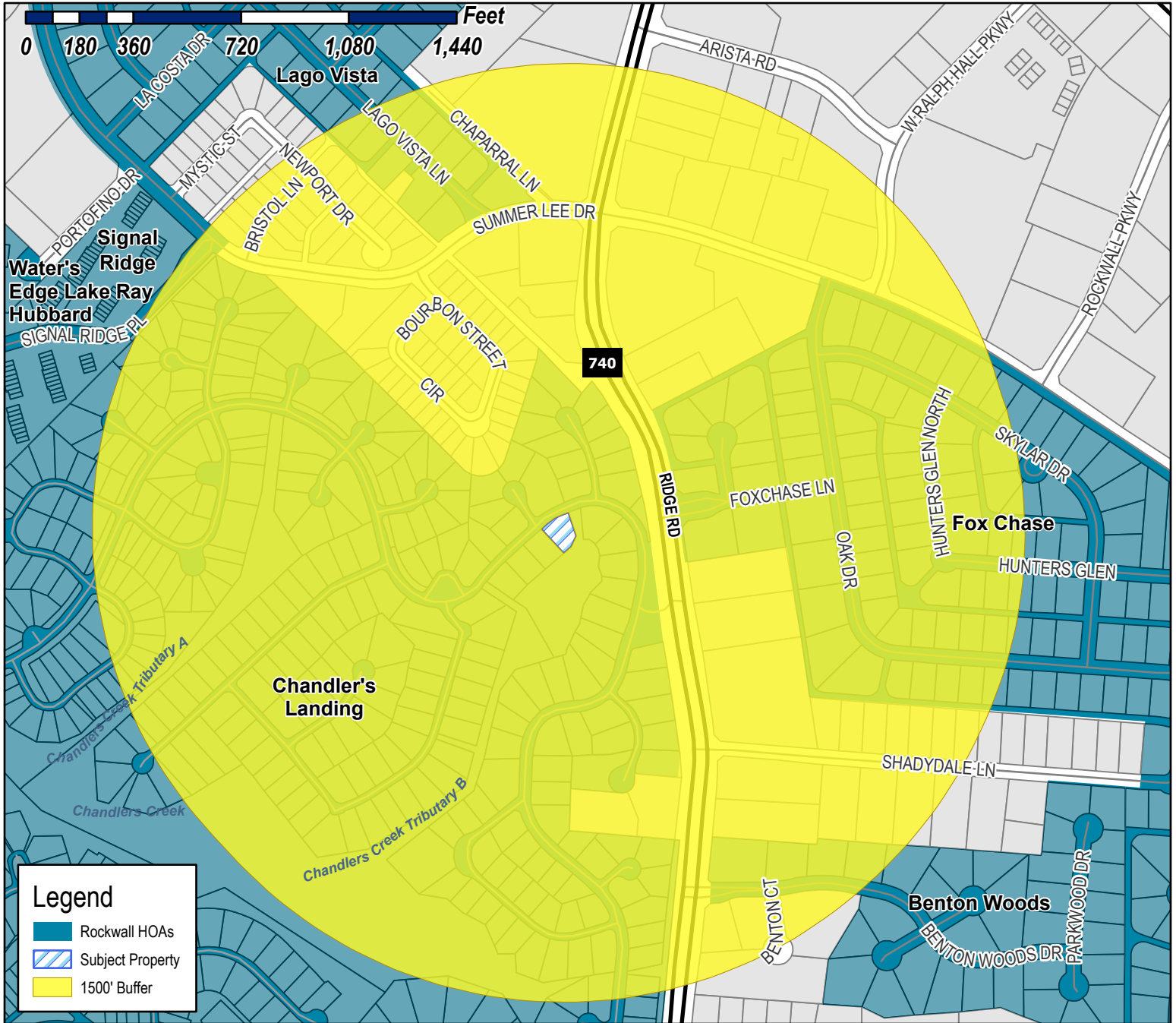
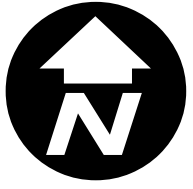




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Case Number: Z2021-051
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: 5108 Yacht Club Drive

Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-051]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).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 December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2021-051: SUP for Residential Infill at 5108 Yacht Club Drive

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, 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/>

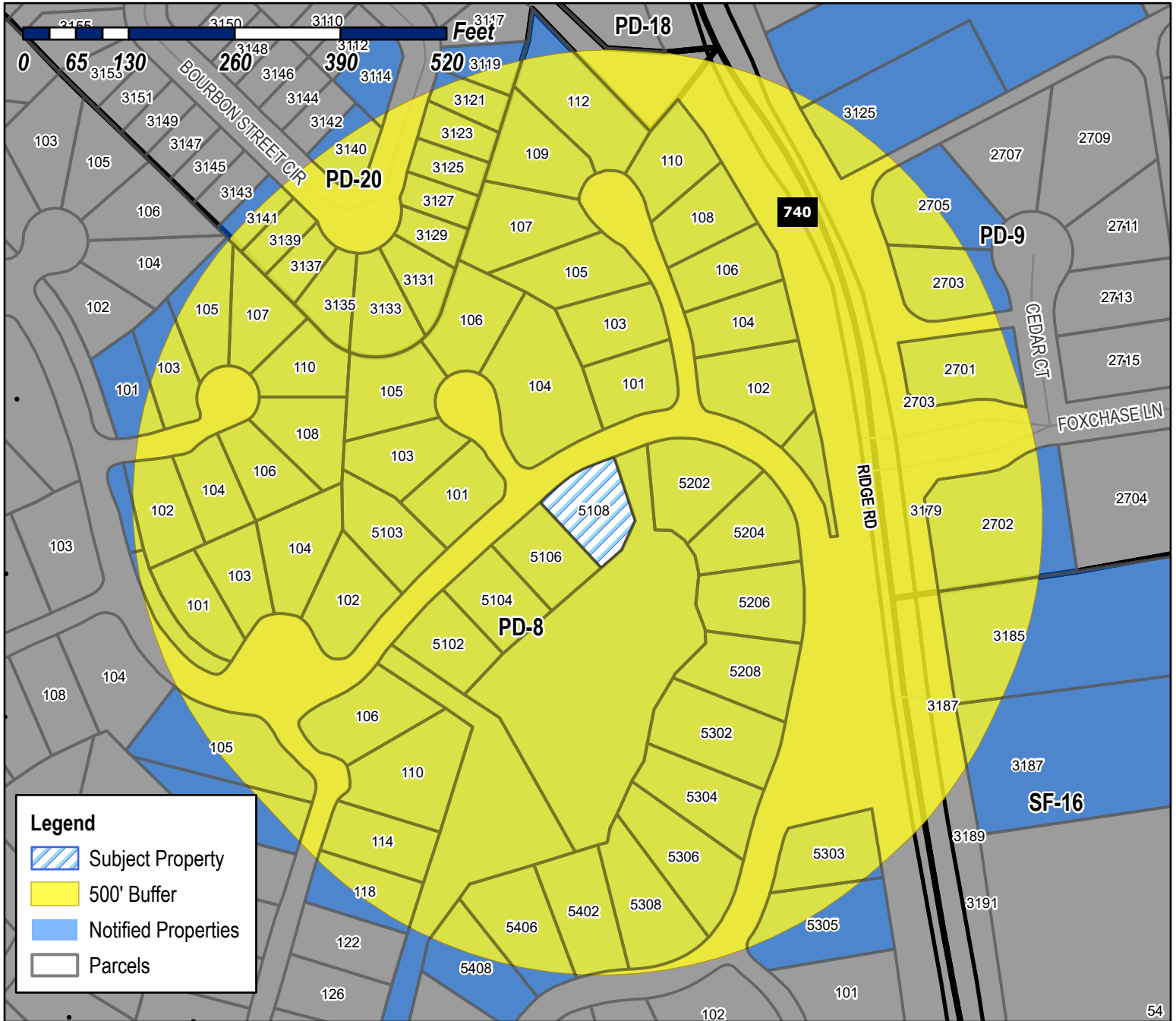
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

City of Rockwall

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Legend

-  Subject Property
-  500' Buffer
-  Notified Properties
-  Parcels

Case Number: Z2021-051
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: 5108 Yacht Club Drive

Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



MCHARGUE SCOTT W & PATRICIA L
101 RESOLUTE LN
ROCKWALL, TX 75032

ROTH JEFFREY STEPHEN
10-10 166 ST
WHITESTONE, NY 11357

ROTH JEFFREY STEPHEN
101 EASTERNER PL
ROCKWALL, TX 75032

FRANCE COURT PROPERTIES LLC
101 FRANCE CT
ROCKWALL, TX 75032

KJT FLYING PROPERTIES LLC
101 YANKEE CT
ROCKWALL, TX 75032

BRIGHT WILLIAM MARK AND SHERRYL J
102 EASTERNER PLACE
ROCKWALL, TX 75032

GALLAGHER CHRISTOPHER
102 YANKEE CT
ROCKWALL, TX 75032

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

SRP SUB, LLC
102 RESOLUTE LN
ROCKWALL, TX 75032

MORENO SUSAN C
103 EASTERNER PL
ROCKWALL, TX 75032

BARR JOHNATHAN & CHRISTY
103 FRANCE COURT
ROCKWALL, TX 75032

HARPER DANIEL
103 RESOLUTE LN
ROCKWALL, TX 75032

GARELIS AARON D AND VICKIE
103 YANKEE CT
ROCKWALL, TX 75032

RANEY CURT AND
BRENDA GAIL SMITH
104 EASTERNER PLACE
ROCKWALL, TX 75032

NEWMAN DONALD T
104 FRANCES CT
ROCKWALL, TX 75032

TODD HOLLY J
104 RESOLUTE LN
ROCKWALL, TX 75032

HOWARD KATALIN J
104 YANKEE CT
ROCKWALL, TX 75032

SCHUBERT LAURIE LEE
105 EASTERNER PLACE
ROCKWALL, TX 75032

CROOKS JOHN O & PATRICIA K
105 FRANCE CT
ROCKWALL, TX 75032

WILLIAMS WILLIAM BROCK AND MARIA
CRISTINA
105 LIBERTY LANE
ROCKWALL, TX 75032

ROGERS RYAN J
105 YANKEE CT
ROCKWALL, TX 75032

HOVAGUIMIAN MICHAEL GREGORY AND LARA
10526 RHODESIA AVENUE
SUNLAND, CA 91040

AZORES ROBERT AND KELLEY
106 EASTERNER PLACE
ROCKWALL, TX 75032

DUGAN ADAM TL AND WHITNEY C
106 FRANCE CT
ROCKWALL, TX 75032

THACKER IKE AND MARY
106 LIBERTY LANE
ROCKWALL, TX 75032

HENSON KIM A & REBECCA H
106 YANKEE CT
ROCKWALL, TX 75032

ALVARENGA OSWALDO JR & JUDITH
107 EASTERNER PL
ROCKWALL, TX 75032

WASSERMAN JENNIFER CLAIRE
107 YANKEE CT
ROCKWALL, TX 75032

HUMBLE BRIAN
108 EASTERNER PLACE
ROCKWALL, TX 75032

SAATCI YESIM
108 YANKEE CT
ROCKWALL, TX 75032

HAKOPIAN GEORGE AND ANNIE B
10858 WOODWARD AVENUE
LOS ANGELES, CA 91040

ANDREWS LEWIS E AND LINDA
109 EASTERNER PL
ROCKWALL, TX 75032

THOMAS CARLA RENE AND BRIAN ALLEN
109 LIBERTY LANE
ROCKWALL, TX 75032

MAXWELL CAROLE AND GARY
110 EASTERNER PL
ROCKWALL, TX 75032

SOLOMONS DONALD B
110 LIBERTY LN
ROCKWALL, TX 75032

CARRUCCI ANTHONY JR
110 YANKEE CT
ROCKWALL, TX 75032

HARMON JIMMY R
112 EASTERNER PL
ROCKWALL, TX 75032

SRP SUB, LLC
1131 W WARNER RD STE 102
SCOTTSDALE, AZ 85284

BENSON CARROLL AND GLENDA
114 LIBERTY LANE
ROCKWALL, TX 75032

WEBSTER KATHLEEN ANN
118 LIBERTY LN
ROCKWALL, TX 75032

RIAZ SUMERA
1385 RIDGE ROAD APT 484
ROCKWALL, TX 75087

BROWN WALTER R & MARJORIE C
196 WILLOW OAK WAY
PALM COAST, FL 32137

LE LINH
2701 CEDAR COURT
ROCKWALL, TX 75032

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

ESTES JACK D & DELORES E
2703 CEDAR CT
ROCKWALL, TX 75032

BOSWELL ROBERT L & AMY S
2705 CEDAR CT
ROCKWALL, TX 75032

SORRELL PATRICIA
3109 BOURBON ST
ROCKWALL, TX 75032

RIBAIL RICHARD CHARLES
3114 BOURBON STREET CIRCLE
ROCKWALL, TX 75032

RIDGE ROAD REAL ESTATE LLC
3115 RIDGE RD
ROCKWALL, TX 75032

KELBERT ERIC R
3119 BOURBON STREET CIR
ROCKWALL, TX 75032

IMAN SUE ROFFEE LIVING TRUST
IMAN SUE ROFFEE AND JOSEPH MICHAEL AL-
KIRWI
3121 BOURBON STREET CIRCLE
ROCKWALL, TX 75032

BROWN WALTER R & MARJORIE C
3123 BOURBON ST CIR
ROCKWALL, TX 75032

SORRELL PATRICIA
3125 BOURBON ST CIR
ROCKWALL, TX 75032

LANCE A HOLLAND FAMILY TRUST
SAUNDRA G HOLLAND TRUSTEE
3125 RIDGE RD
ROCKWALL, TX 75032

SLAUGHTER CATHY
3127 BOURBON STREET CIR
ROCKWALL, TX 75032

HOUSE CHRISTOPHER W
3129 BOURBON STREET CIR
ROCKWALL, TX 75032

HOVAGUIMIAN MICHAEL GREGORY AND LARA
3131 BOURBON ST CIR
ROCKWALL, TX 75032

HALL KEVIN A & MICHELLE D
3133 BOURBON STREET CIR
ROCKWALL, TX 75032

JOLLEY VICTORIA
3135 BOURBON STREET CIR
ROCKWALL, TX 75032

ANDERSON JO S & G EMORY
3137 BOURBON STREET CIR
ROCKWALL, TX 75032

KING DEBRAH ANN
3139 BOURBON STREET CIRCLE
ROCKWALL, TX 75032

GARZA ERIC ISAAC AND KARINA RUBIO
3140 BOURBON STREET CIR
ROCKWALL, TX 75032

HAKOPIAN GEORGE AND ANNIE B
3141 BOURBON ST CIR
ROCKWALL, TX 75032

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

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

HONEYCUTT WELDON & LINDA
5102 YACHT CLUB DR
ROCKWALL, TX 75032

BUSS LARRY D & KAREN K
5103 YACHT CLUB DR
ROCKWALL, TX 75032

BOUGHTON JANENE
MARK STUERTZ
5104 YACHT CLUB DR
ROCKWALL, TX 75032

SOUTHAM THOMAS & MELISSA
5106 YACHT CLUB DRIVE
ROCKWALL, TX 75032

RIAZ SUMERA
5108 YACHT CLUBDR
ROCKWALL, TX 75032

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

BARRY JOYCE
5204 YACHT CLUB DR
ROCKWALL, TX 75032

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

METRY GREGORY K
5208 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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

NORTON JO ANN
5303 YACHT CLUB DR
ROCKWALL, TX 75032

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

MARTIN CAREN
5305 YACHT CLUB DR
ROCKWALL, TX 75032

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

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

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

MONTGOMERY WILLIAM C & DIANE
5406 YACHT CLUB DR
ROCKWALL, TX 75032

COLEMAN WILL
5408 YACHT CLUB DR
ROCKWALL, TX 75032

FRANCE COURT PROPERTIES LLC
5720 SOUTHERN CROSS DR
ROCKWALL, TX 75032

RIDGE ROAD REAL ESTATE LLC
6245 RYEWORTH DR
FRISCO, TX 75035

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

LANCE A HOLLAND FAMILY TRUST
SAUNDRA G HOLLAND TRUSTEE
909 CULLINS ROAD
ROCKWALL, TX 75032

KJT FLYING PROPERTIES LLC
PO BOX 1476
ROCKWALL, TX 75087

CHANDLERS LANDING COMMUNITY ASSOC
PO BOX 638
ROCKWALL, TX 75087

STOKES RICHARD & JULIE
PO BOX 8
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2021-051: SUP for Residential Infill at 5108 Yacht Club Drive

Hold a public hearing to discuss and consider a request by Henok Fekadu for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.189-acre parcel of land identified as Lot 4, Block B, Chandlers Landing, Phase 19 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family land uses, addressed as 5108 Yacht Club Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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 Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

Case No. Z2021-051: SUP for Residential Infill at 5108 Yacht Club Drive

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

THESE PLANS ARE THE PROPERTY OF RYAN JACOBSON DESIGN LLC AND ARE NOT TO BE REPRODUCED, TRACED, OR REUSED FOR CONSTRUCTION WITHOUT THE WRITTEN PERMISSION OF RYAN JACOBSON DESIGN LLC. THESE PLANS ARE INTENDED TO PROVIDE ALL PROSPECTIVE CONTRACTORS, AND/OR BUILDING MANUFACTURERS THE NECESSARY INFORMATION NEEDED TO DESIGN, BID, AND CONSTRUCT THIS BUILDING. OWNER SHALL VERIFY AND CHECK ALL ASPECTS PRIOR TO ANY CONSTRUCTION. ANY JOBSITE CHANGES WILL VOID DESIGNER'S LIABILITY. DESIGNER'S LIABILITY NOT TO EXCEED FEE PAID FOR PLANS.

No.	Description	Date
1	PERMIT SET	12-09-2021

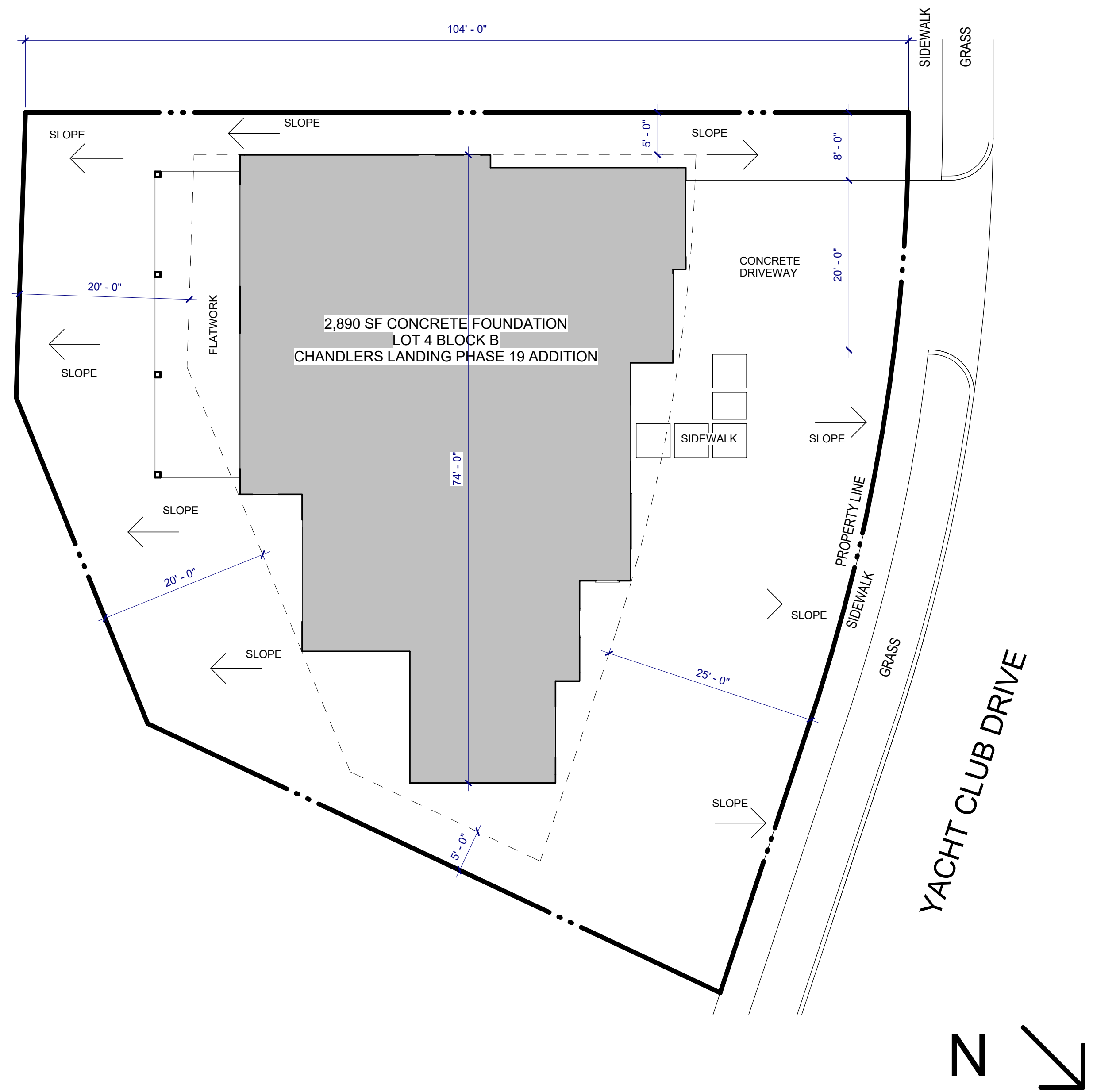
RYAN JACOBSON
DESIGN LLC
SINGLE FAMILY

SITE PLAN

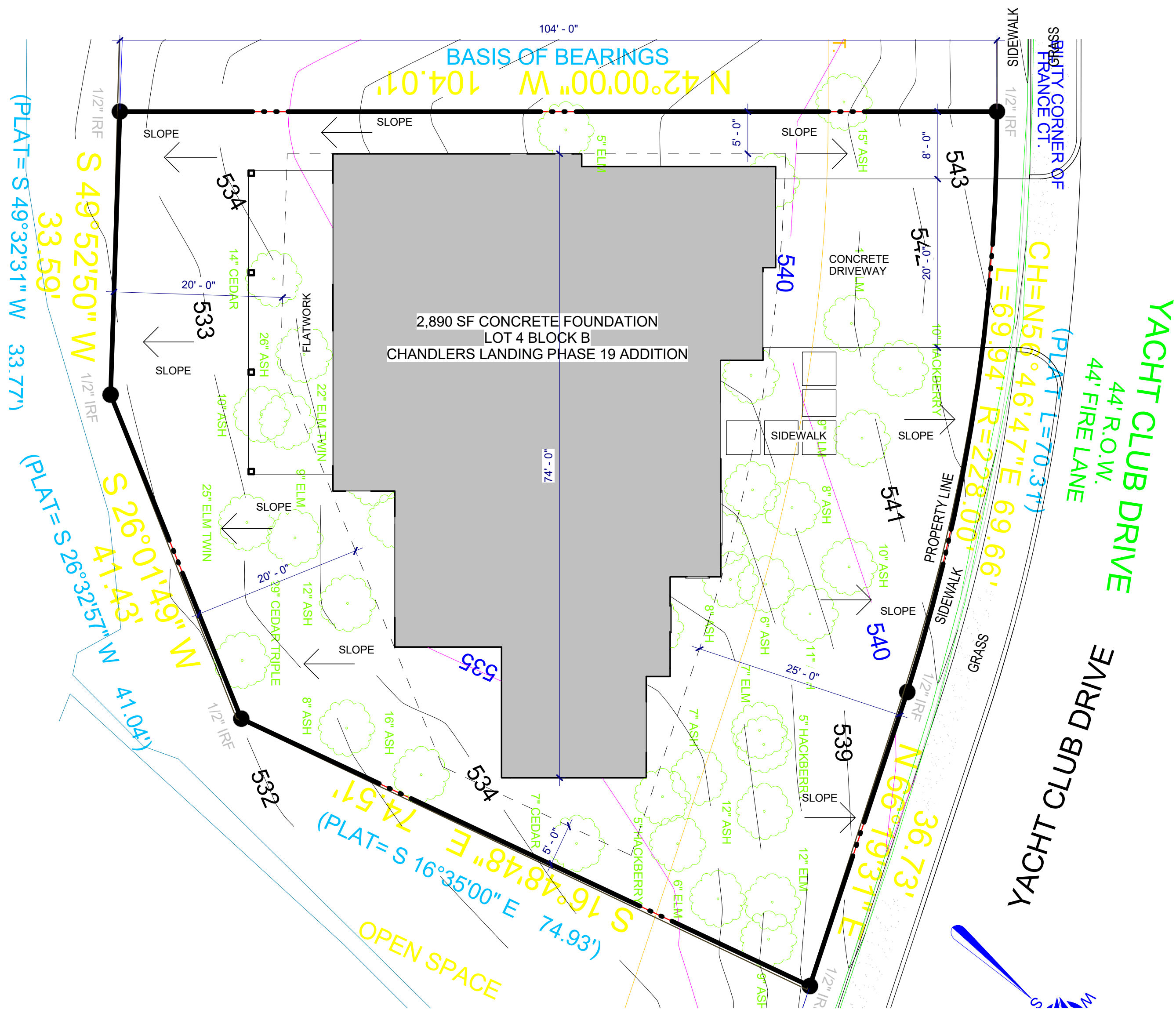
Project number YACHT CLUB
Date 12/09/2021

A01.00

Scale 1" = 10'-0"



SITE PLAN
SCALE: 1" = 10'-0"

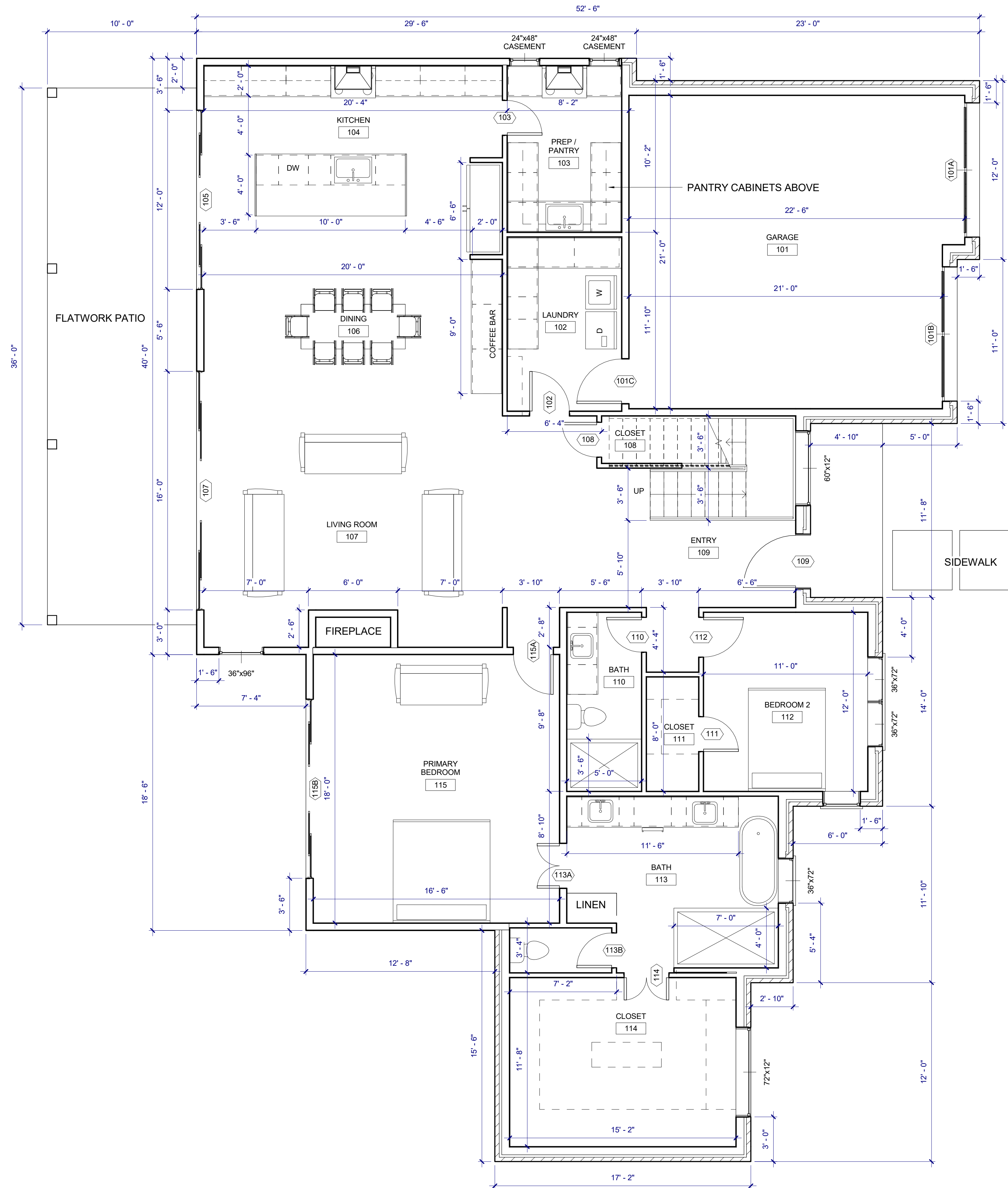


SITE PLAN
SCALE: 1" = 10'-0"

Window Schedule			
Mark	Type	Sill Height	Head Height
103A	24" x 48" CASEMENT	4' - 0"	8' - 0"
103B	24" x 48" CASEMENT	4' - 0"	8' - 0"
107	36" x 96"	0"	8' - 0"
109	60" x 12"	7' - 0"	8' - 0"
112A	3 Panel 36"x72"	2' - 0"	8' - 0"
112B	3 Panel 36"x72"	2' - 0"	8' - 0"
112C	30" x 72" CASEMENT	2' - 0"	8' - 0"
113	3 Panel 36"x72"	2' - 0"	8' - 0"
114	72" x 12"	7' - 0"	8' - 0"
201A	3 Panel 36"x72"	2' - 0"	8' - 0"
201B	30" x 60" CASEMENT	3' - 0"	8' - 0"
203	60" x 12"	7' - 0"	8' - 0"
205A	3 Panel 36"x72"	2' - 0"	8' - 0"
205B	3 Panel 36"x72"	2' - 0"	8' - 0"
205C	30" x 72" CASEMENT	2' - 0"	8' - 0"
206A	3 Panel 36"x72"	2' - 0"	8' - 0"
206B	3 Panel 36"x72"	2' - 0"	8' - 0"
206C	3 Panel 36"x72"	2' - 0"	8' - 0"
208A	36" x 72"	2' - 0"	8' - 0"
208B	48" x 72"	2' - 0"	8' - 0"
208C	48" x 72"	2' - 0"	8' - 0"
208D	48" x 72"	2' - 0"	8' - 0"
208E	48" x 72"	2' - 0"	8' - 0"
209A	30" x 72"	2' - 0"	8' - 0"
209B	30" x 72"	2' - 0"	8' - 0"
209C	30" x 72" CASEMENT	2' - 0"	8' - 0"
210	60" x 12"	7' - 0"	8' - 0"
212A	3 Panel 36"x72"	2' - 0"	8' - 0"
212B	3 Panel 36"x72"	2' - 0"	8' - 0"
212C	3 Panel 36"x72"	2' - 0"	8' - 0"
212D	3 Panel 36"x72"	2' - 0"	8' - 0"
212E	3 Panel 36"x72"	2' - 0"	8' - 0"
212F	3 Panel 36"x72"	2' - 0"	8' - 0"

Door Schedule		
Mark	Type	DOORS Material
101A	9' x 8'	
101B	9' x 8'	
101C	36" x 96"	WOOD
102	32" x 96"	WOOD
103	28" x 96"	WOOD
105	12' x 8' Sliding Glass Door	GLASS
107	16' x 8' Sliding Glass Door	GLASS
108	28" x 96"	WOOD
109	42 x 96	
110	28" x 96"	WOOD
111	28" x 96"	WOOD
112	32" x 96"	WOOD
113A	36" x 96"	WOOD
113B	28" x 96"	WOOD
114	36" x 96"	WOOD
115A	32" x 96"	WOOD
115B	12' x 8' Sliding Glass Door	GLASS
201	32" x 96"	WOOD
202	28" x 96"	WOOD
203	28" x 96"	WOOD
204	28" x 96"	WOOD
205	32" x 96"	WOOD
209	32" x 96"	WOOD
210	28" x 96"	WOOD
211	28" x 96"	WOOD
212	60" x 96"	GLASS

SQUARE FOOTAGE:	
5108 YACHT CLUB DRIVE	
FIRST FLOOR SF:	2,305 SF
SECOND FLOOR SF:	1,619 SF
TOTAL LIVABLE SF:	3,924 SF
GARAGE SF:	530 SF
TOTAL SF:	4,454 SF



LEVEL 1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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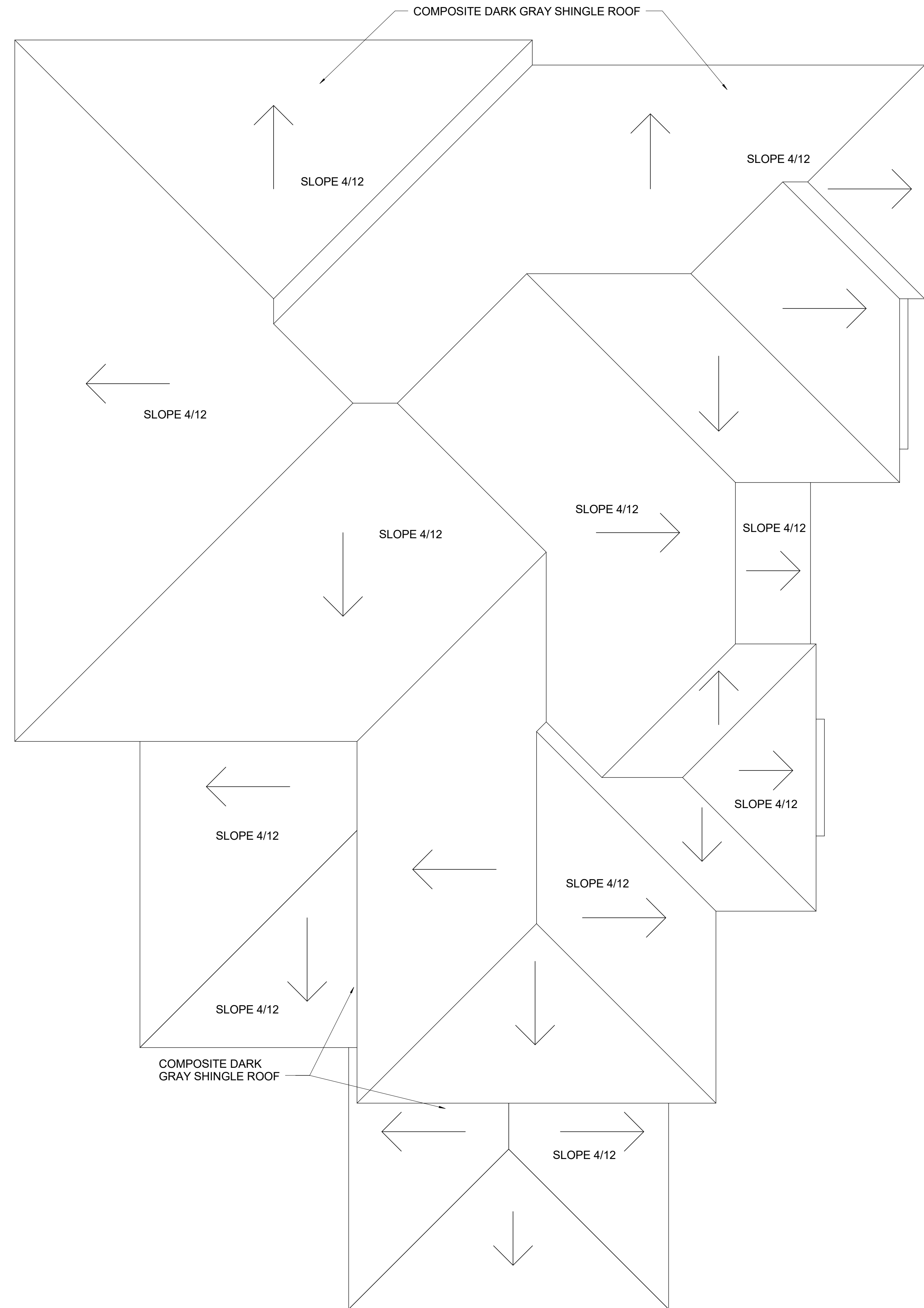
RYAN JACOBSON
DESIGN LLC
SINGLE FAMILY

LEVEL 1 FLOOR PLAN

Project number YACHT CLUB
Date 12/09/2021

A02.01

Scale 1/4" = 1'-0"



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC
SINGLE FAMILY

ROOF PLAN

Project number YACHT CLUB
Date 12/09/2021

A02.03

Scale 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

2

WHITE BRICK	=	165 SF	16.4 %
WHITE BOARD & BATT	=	841 SF	83.6 %



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

1

WHITE BRICK	=	902 SF	84.7 %
STONE	=	163 SF	15.3 %

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ROCKWALL, TX 75032

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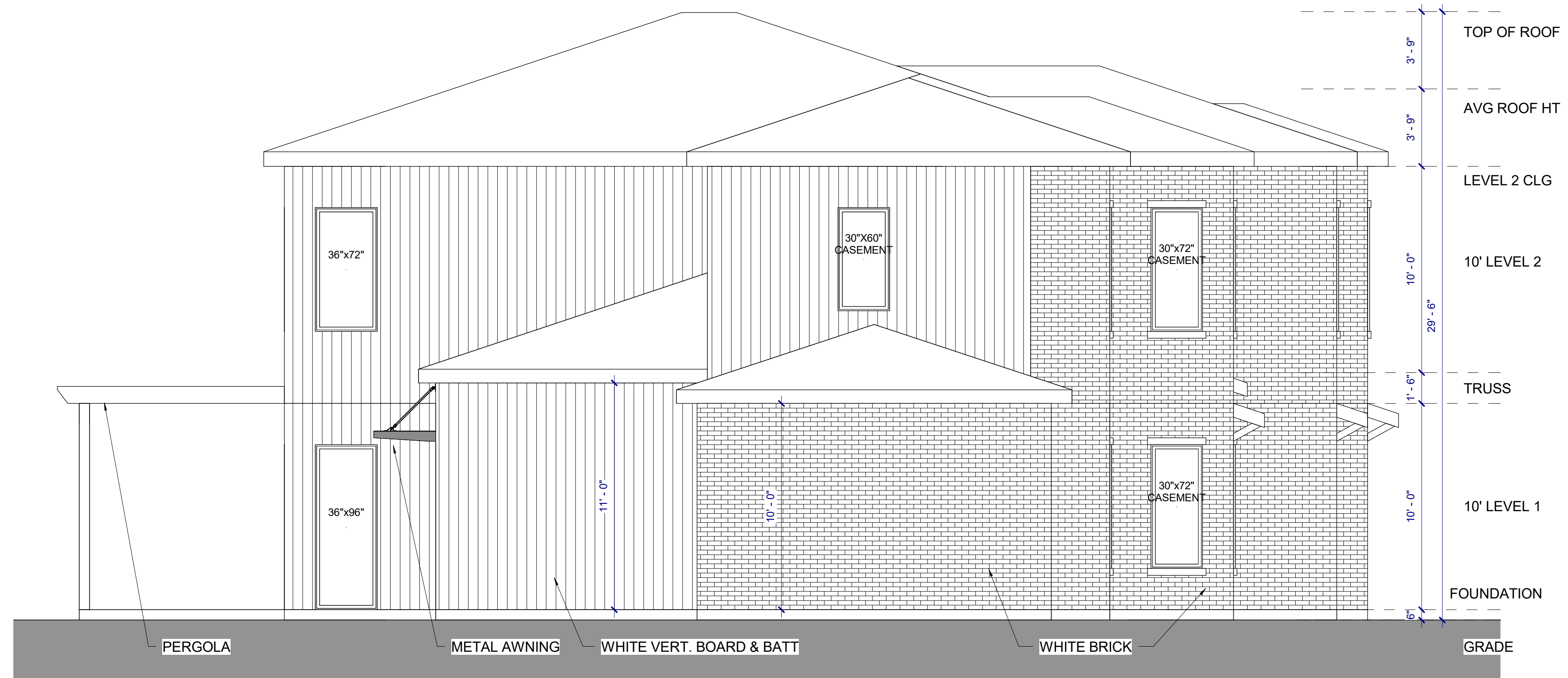
RYAN JACOBSON
DESIGN LLC
SINGLE FAMILY

ELEVATIONS

Project number YACHT CLUB
Date 12/09/2021

A03.01

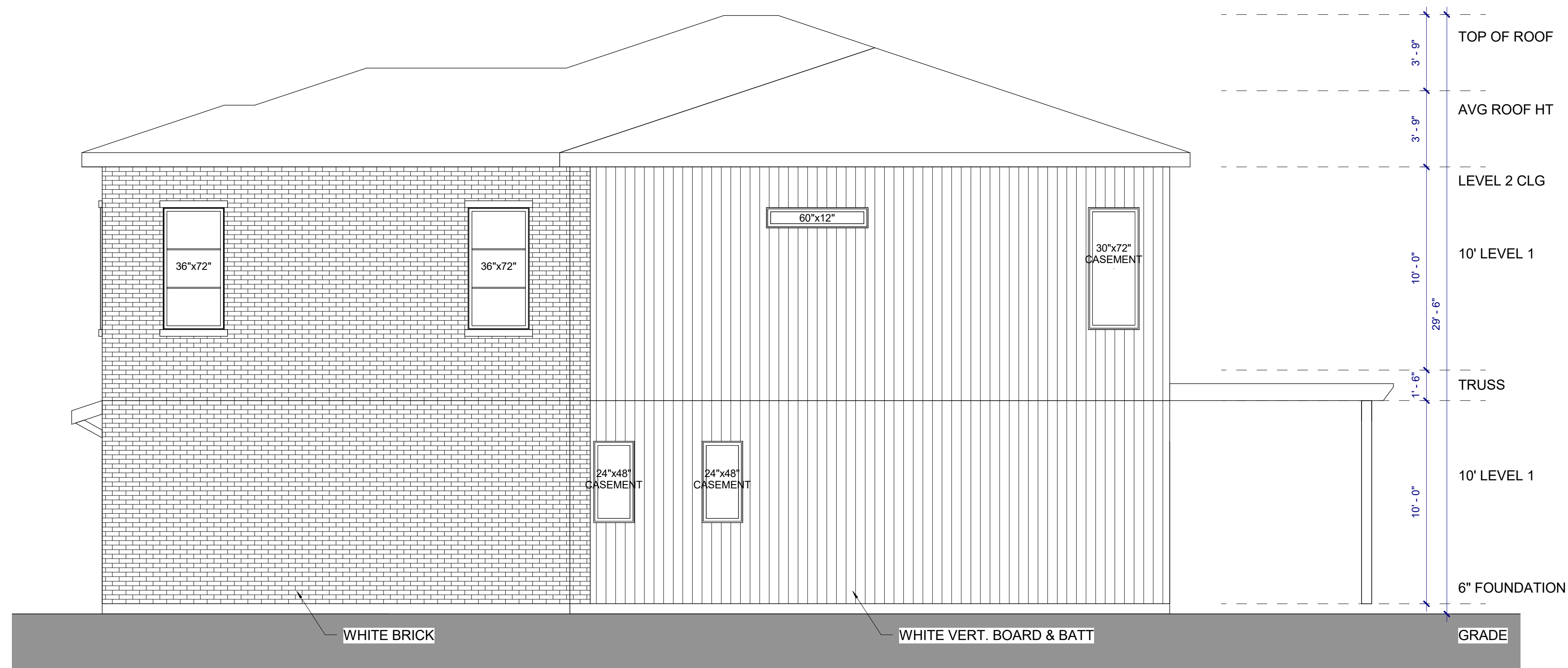
Scale 1/4" = 1'-0"



WHITE BRICK	=	630 SF	56.9 %
WHITE BOARD & BATT	=	478 SF	43.1 %

LEFT ELEVATION
SCALE: 1/4" = 1'-0"

2



WHITE BRICK	=	467 SF	44.7 %
WHITE BOARD & BATT	=	578 SF	55.3 %

RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

1

5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC
SINGLE FAMILY

ELEVATIONS

Project number YACHT CLUB
Date 12/09/2021

A03.02

Scale 1/4" = 1'-0"



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

RENDERINGS

Project number YACHT CLUB
Date 12/09/2021

A09.01

Scale



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

RENDERINGS

Project number YACHT CLUB
Date 12/09/2021

A09.02

Scale



5108 YACHT CLUB DRIVE
ROCKWALL, TX 75032

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No.	Description	Date
1	PERMIT SET	12-09-2021

RYAN JACOBSON
DESIGN LLC

SINGLE FAMILY

RENDERINGS

Project number YACHT CLUB
Date 12/09/2021

A09.03

Scale

Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
101 France Court	Single-Family Home	1999	2,090	N/A	Brick
103 France Court	Single-Family Home	1994	2,701	N/A	Brick
104 France Court	Single-Family Home	1988	2,819	N/A	Brick
105 France Court	Single-Family Home	1993	2,503	N/A	Brick
106 France Court	Single-Family Home	1993	2,256	N/A	Brick
5102 Yacht Club Drive	Single-Family Home	2000	2,738	N/A	Brick
5104 Yacht Club Drive	Single-Family Home	1992	2,803	N/A	Brick
5106 Yacht Club Drive	Single-Family Home	2016	3,390	N/A	Brick
5108 Yacht Club Drive	Subject Property			N/A	
5202 Yacht Club Drive	Single-Family Home	1990	2,559	N/A	Brick
5204 Yacht Club Drive	Single-Family Home	1990	2,287	N/A	Brick
5206 Yacht Club Drive	Single-Family Home	1990	2,583	N/A	Brick
Averages:		1995	2,612		



101 France Court



103 France Court



104 France Court



105 France Court



106 France Court



5102 Yacht Club Drive



5104 Yacht Club Drive



5106 Yacht Club Drive



5202 Yacht Club Drive



5204 Yacht Club Drive



5206 Yacht Club Drive

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.189-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 4, BLOCK B, CHANDLER'S LANDING, PHASE 19, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Henok Fekadu for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.189-acre parcel of land being described as Lot 4, Block B, Chandler's Landing, Phase 19, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family residential land uses, addressed as 5108 Yacht Club Drive, 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*] and Planned Development District 8 (PD-8) 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*] and Planned Development District 8 (PD-8) 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 *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Subsection 03.01, *General Residential District Standards*, and Subsection 03.07, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and to the requirements set forth in Planned Development District 8 (PD-8) -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

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

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

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full 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 7TH DAY OF FEBRUARY, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map and Survey

Address: 5108 Yacht Club Drive

Legal Description: Lot 4, Block B, Chandler's Landing, Phase 19

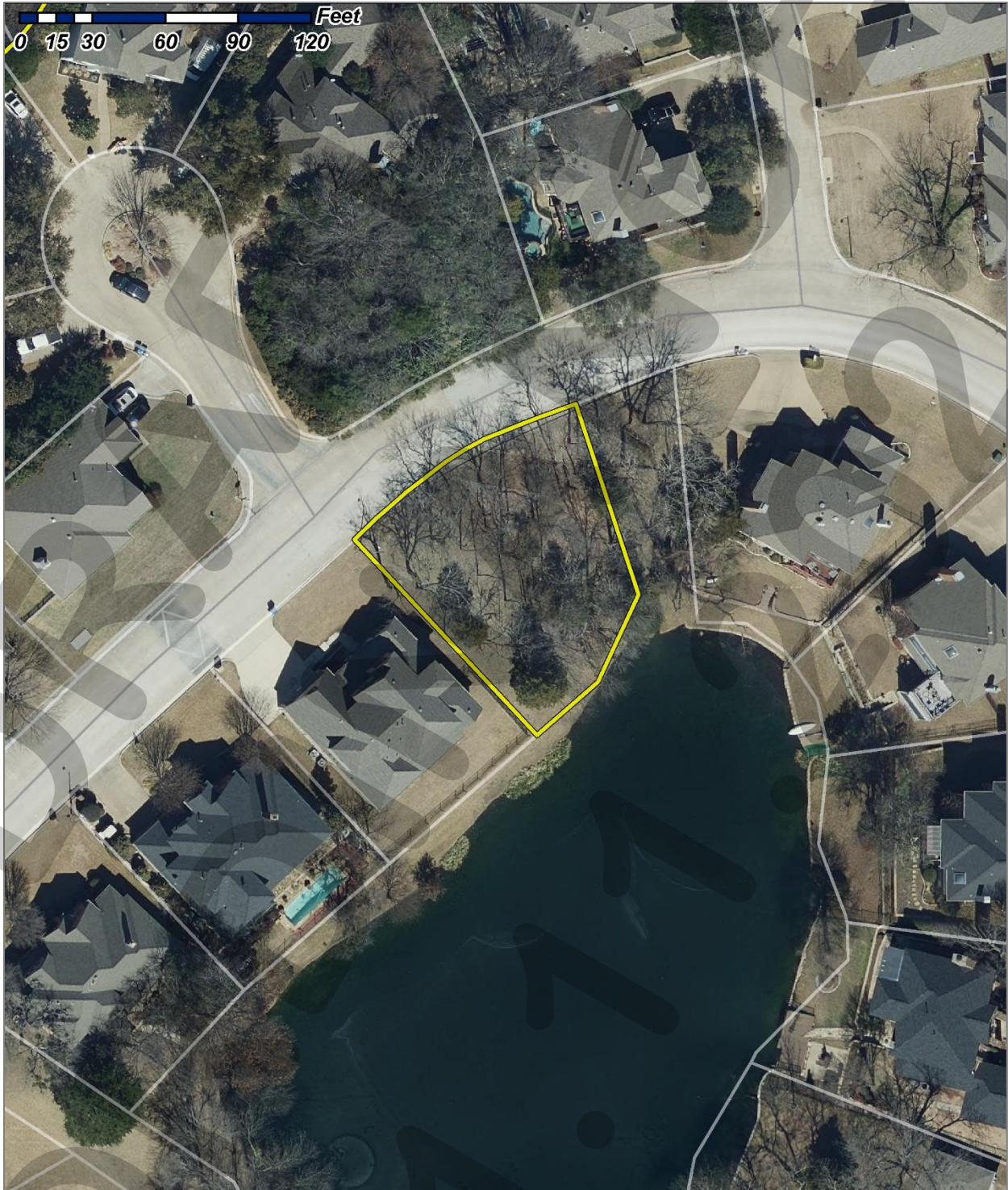


Exhibit 'B':
Residential Plot Plan

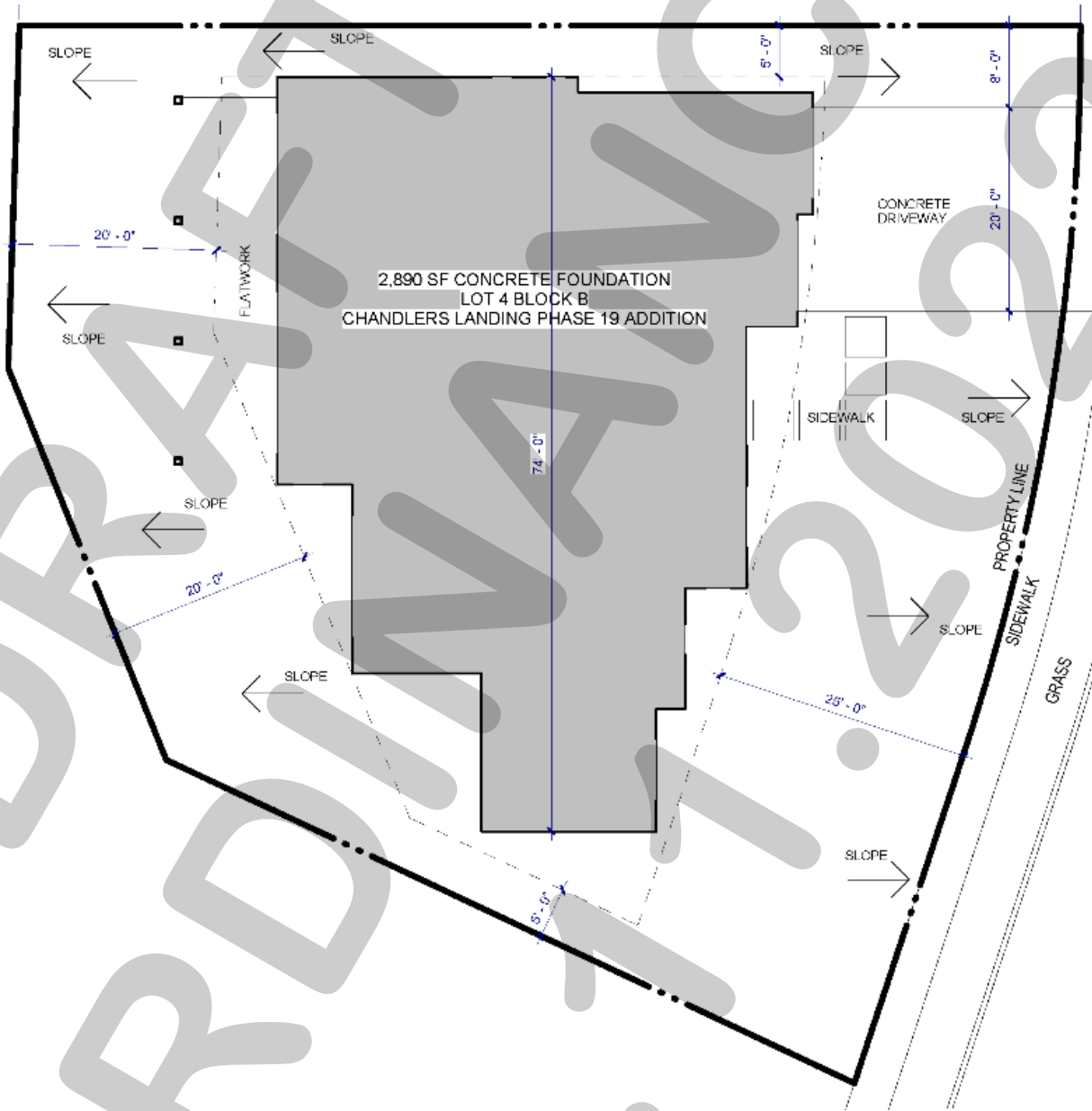
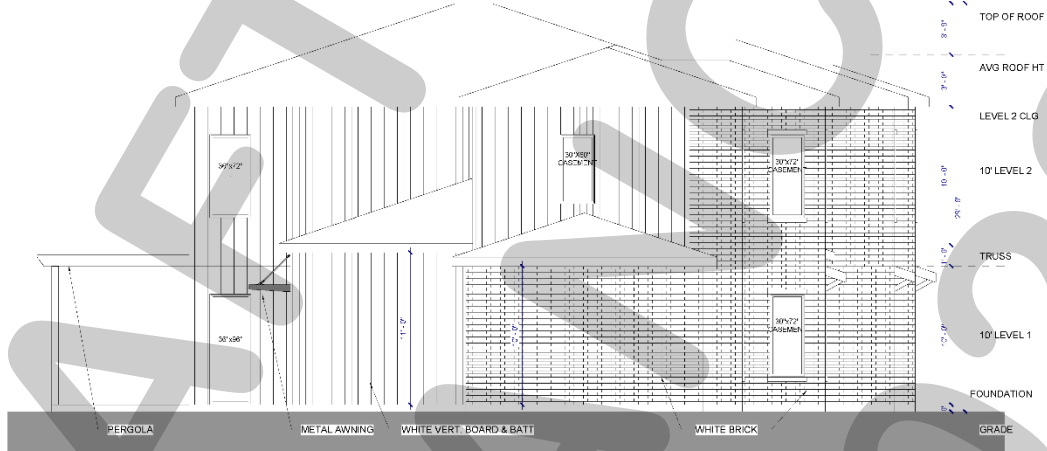
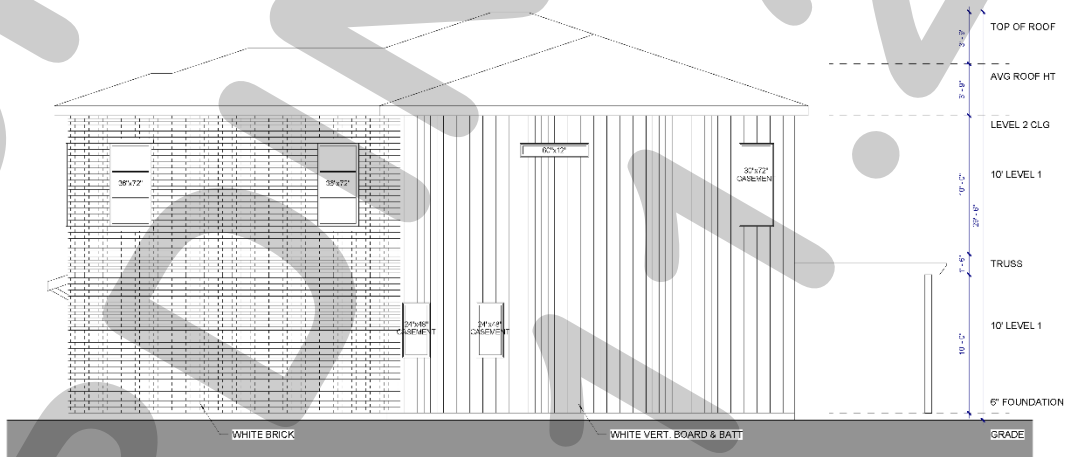


Exhibit 'C':
Building Elevations



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

2



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

1



TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: Mike Peoples
CASE NUMBER: Z2021-052; *Specific Use Permit (SUP) to Allow Chickens on 1700 E. SH-66*

SUMMARY

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow *Chickens* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. This zoning designation has not changed since its adoption in 1998. According to the Rockwall Central Appraisal District (RCAD) currently situated on the subject property is: [1] a 3,836.50 SF single-family home that was constructed in 2010, [2] a ~2,500 SF barn that was constructed in 2017, [3] a ~4,000 SF barn constructed in 2017, and [4] a swimming pool constructed in 2019. In addition, there are two (2) other accessory structures on the subject property: [1] an ~1,800 SF agricultural accessory building, and [2] a 300 SF chicken coop.

On January 22, 2019, the City Council approved *Ordinance No.19-06 [Case No. Z2018-049; S-204]* allowing an *Animal Loafing Shed* and two (2) *Agricultural Accessory Buildings* on the subject property. In the process of preparing this case, staff realized that the applicant had constructed an unpermitted *Chicken Coop* on the subject property between September 2019 and November 2020 (see *Images 1-3*) and was actively keeping *Chickens* in the structure. As a result, staff included a condition of approval for this case that required the applicant to apply for a *Specific Use Permit (SUP)* to allow *Chickens* in accordance with the requirements of the Unified Development Code (UDC). The applicant made this application on December 14, 2021.

PURPOSE

The applicant -- *Mike Peoples* -- is requesting the approval of a *Specific Use Permit (SUP)* to allow *Chickens* on the subject property in accordance with Subsection 03.01(B), *Other Animals*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).



IMAGE 1: CHICKEN COOP



IMAGE 2: SEPTEMBER 2019



IMAGE 3: NOVEMBER 2020

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1700 E. SH-66. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) according to the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 4.479-acre tract of land (*i.e. Tract 25-2 of the W. M. Dalton Survey, Abstract No 72*) with several legally non-conforming buildings that have multiple businesses in them (*e.g. Classic Rock Stone Yard, Auto Glass by Jerry, Special D Automotive, and etc.*). North of this is an 11.965-acre tract of vacant land (*i.e. Tract 25 of the W. M. Dalton Survey, Abstract No. 72*). All of these properties are zoned Agricultural (AG) District.

South: Directly south of the subject property is a 12.00-acre tract of vacant land (*i.e. a portion of Tract 21 of the D. Harr Survey, Abstract No. 102*), which is also owned by the applicant. South of this tract is a 5.96-acre tract of vacant land (*i.e. a portion of Tract 21 of the D. Harr Survey, Abstract No. 102*) and a one (1) acre tract of land (*i.e. Tract 21-01 of the D. Harr Survey, Abstract No. 102*) with a single-family home situated on it. Beyond this is Airport Road, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property are 14 single-family homes situated on 15 tracts of land (*i.e. Tracts 1, 3, 8, 10, 11, 11-01, 11-03, 11-4, 11-5, 12, 13, 16, 17, & 19 of the D. Harr Survey, Abstract No. 102 and Lot 1, Block A, Widboom Addition*). Also, east of the subject property is a 64.514-acre tract of land (*i.e. Tract 15 of the D. Harr Survey, Abstract No. 102*) that is owned by the City of Rockwall. All of these properties are zoned Agricultural (AG) District.

West: Directly west of the subject property is the Ralph Hall Municipal Airport, which is situated on a 47.89-acre parcel of land (*i.e. Lot 1 of the Rockwall Municipal Airport*) zoned Agricultural (AG) District. Beyond this are two (2) vacant tracts of land (*i.e. Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183*) zoned Planned Development District 71 (PD-71) for Commercial (C) District land uses. West of these tracts is John King Boulevard, which is identified as a P6D (*i.e. principal arterials, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

CHARACTERISTICS OF THE REQUEST

The applicant has constructed a 15-foot by 20-foot (*or 300 SF*) *Chicken Coop* behind the existing single-family home. The proposed *Chicken Coop* stands an estimated eight (8) feet in height and is clad in corrugated metal (*see Image 1 above*). The applicant has indicated to staff that the existing structure is portable and will be moved around the property in the future.

CONFORMANCE WITH THE CITY'S CODES

According to Section 6-162, *Keeping, Confining and Breeding Regulations*, of the Municipal Code of Ordinances, "(i)t shall be unlawful to own or keep chickens, ducks, turkeys, geese, peacocks, or guinea hens within the corporate limits of the city except in agricultural zone districts." The subject property is a 42.66-acre tract of land that is currently zoned Agricultural (AG) District and is being used for single-family and agricultural purposes. In addition, Subsection 03.01(B), *Other Animals*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), states that "(a)n SUP is required for other farm animals, including chickens ...". This section goes on to layout the following conditions: [1] ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals, [2] fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal, and [3] in the Agricultural (AG) District or on unplatted tracts of land of five (5) acres or more, standards for animals are found in Chapter 6, *Animals*, of the Municipal Code Ordinances; of which this section states "(c)hickens or ducklings younger than eight [8] weeks of age may not be sold in quantities of less than ten [10] to a single purchaser." In reviewing a Specific Use Permit (SUP) for *Other Animals* the Unified Development Code (UDC) states, "(t)he City shall not grant a SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor."

STAFF ANALYSIS

The applicant's request appears to be in conformance with the majority of the City's requirements regarding *Chickens* and *Chicken Coops*; however, the Unified Development Code (UDC) does not provide many regulations regarding this land use. Based on this, staff has limited the number of *Chickens* the applicant is permitted to have on the subject property to ten (10), and provided additional regulations stipulating that the subject property may not operate as a commercial animal establishment or offer for sale the animals or their by-products (*i.e. eggs, chicken manure etc.*). In addition, staff has incorporated a regulating plan that limits the *Chicken Coop* from being located [1] in front of the front façade of the existing home, or [2] within 20-feet of an existing property line (*see Image 4 below*). This will limit visibility of the *Chicken Coop* from the Ralph Hall Municipal Airport and the adjacent properties to the east of the subject property. With all this being said the approval of a Specific Use Permit (SUP) and the operational conditions contained in the Specific Use Permit (SUP) ordinance is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.



IMAGE 4: LIMITS OF OPERATION FOR THE PORTABLE CHICKEN COOP

NOTIFICATIONS

On December 16, 2021, staff mailed 33 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Homeowner's Association (HOA), which was the only Homeowner's Association (HOA)/Neighborhood Organization within 1,500-feet 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 responses concerning this case.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) to allow *Chickens* on the subject property, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:

- (a) *Chickens* shall be allowed on the subject property as an ancillary use to the existing single-family home. Should the subject property be conveyed, sold, or subdivided the City Council reserves the right to review this Specific Use Permit (SUP); however, in no case shall the subject property be subdivided in a way that would separate the *Chicken Coop* from the existing single-family home or where the *Chicken Coop* would exist on a property that is less than ten (10) acres in size.
 - (b) The *Chicken Coop* shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
 - (c) The *Chickens* shall be kept in an enclosed area within a *Chicken Coop* that provides for the free movement of *Chickens*, and are not permitted to be free range. The *Chicken Coop* shall conform to the *Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
 - (d) If the applicant moves the *Chicken Coop* it shall be moved to a location that is behind the front façade of the primary structure and that is a minimum of 20-feet from all property lines as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance. In addition, the *Chicken Coop* shall be screened from view of adjoining properties.
 - (e) The number of chickens permitted on the subject property shall be limited to no more than ten (10), and no ducks, geese, pigeons, turkeys, roosters, or any other poultry or fowl are permitted on the subject property.
 - (f) The *Chickens* shall be kept for personal use only and the applicant shall be prohibited from selling or operating a commercial animal establishment on the subject property (*i.e. the offering of animal byproducts -- e.g. eggs, chicken manure, etc. -- or chickens for sale on the subject property shall be prohibited*).
 - (g) The *Chickens* shall be sheltered or confined in such a fashion as to prevent them from coming into contact with wild fowl or their excrement.
 - (h) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans or animals.
- (2) The applicant shall be required to apply for and be approved for a building permit for the existing *Chicken Coop*.
- (3) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-052

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1&2} - 215'-0"
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1700 East 66 Rockwall TX 75087
 SUBDIVISION - 54 acres LOT BLOCK
 GENERAL LOCATION along Ralph Had Airport (Eastside)

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Ag CURRENT USE Ag
 PROPOSED ZONING Ag PROPOSED USE Ag
 ACREAGE 56 LOTS [CURRENT] LOTS [PROPOSED]

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

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

OWNER Mike Peoples APPLICANT
 CONTACT PERSON u CONTACT PERSON same
 ADDRESS 1700 East 66 ADDRESS
 CITY, STATE & ZIP Rockwall TX 75087 CITY, STATE & ZIP
 PHONE 214-957-0807 PHONE
 E-MAIL E-MAIL

NOTARY VERIFICATION [REQUIRED]

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

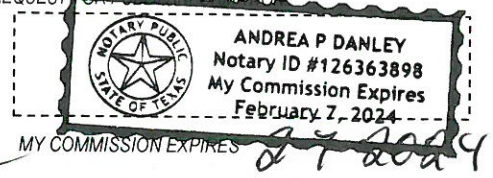
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF December, 2021 BY SIGNING THIS APPLICATION. I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION. IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

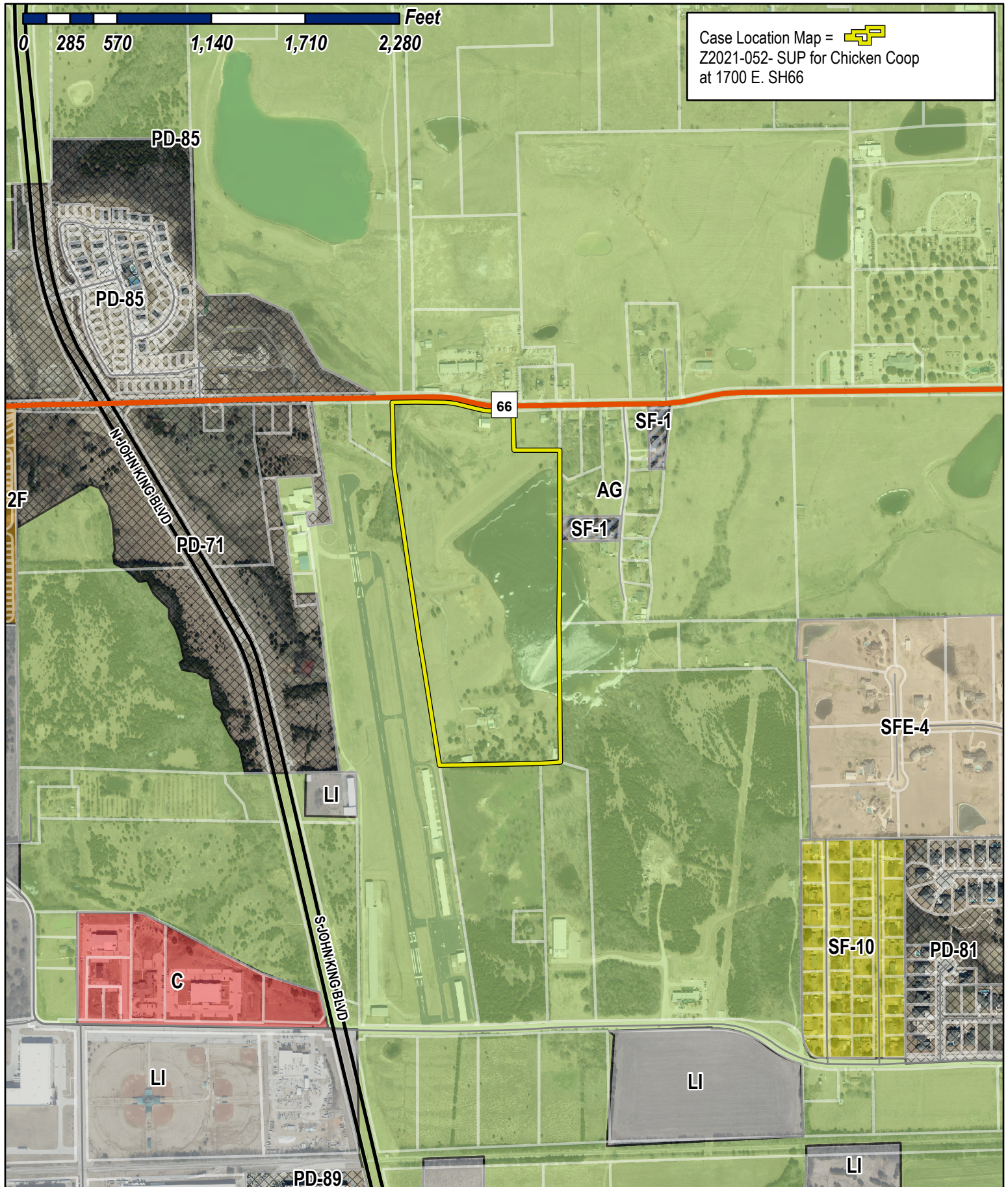
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14th DAY OF December, 2021


OWNER'S SIGNATURE

Mike Peoples
Andrea P. Danley

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





Case Location Map = 
 Z2021-052- SUP for Chicken Coop
 at 1700 E. SH66



City of Rockwall

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

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

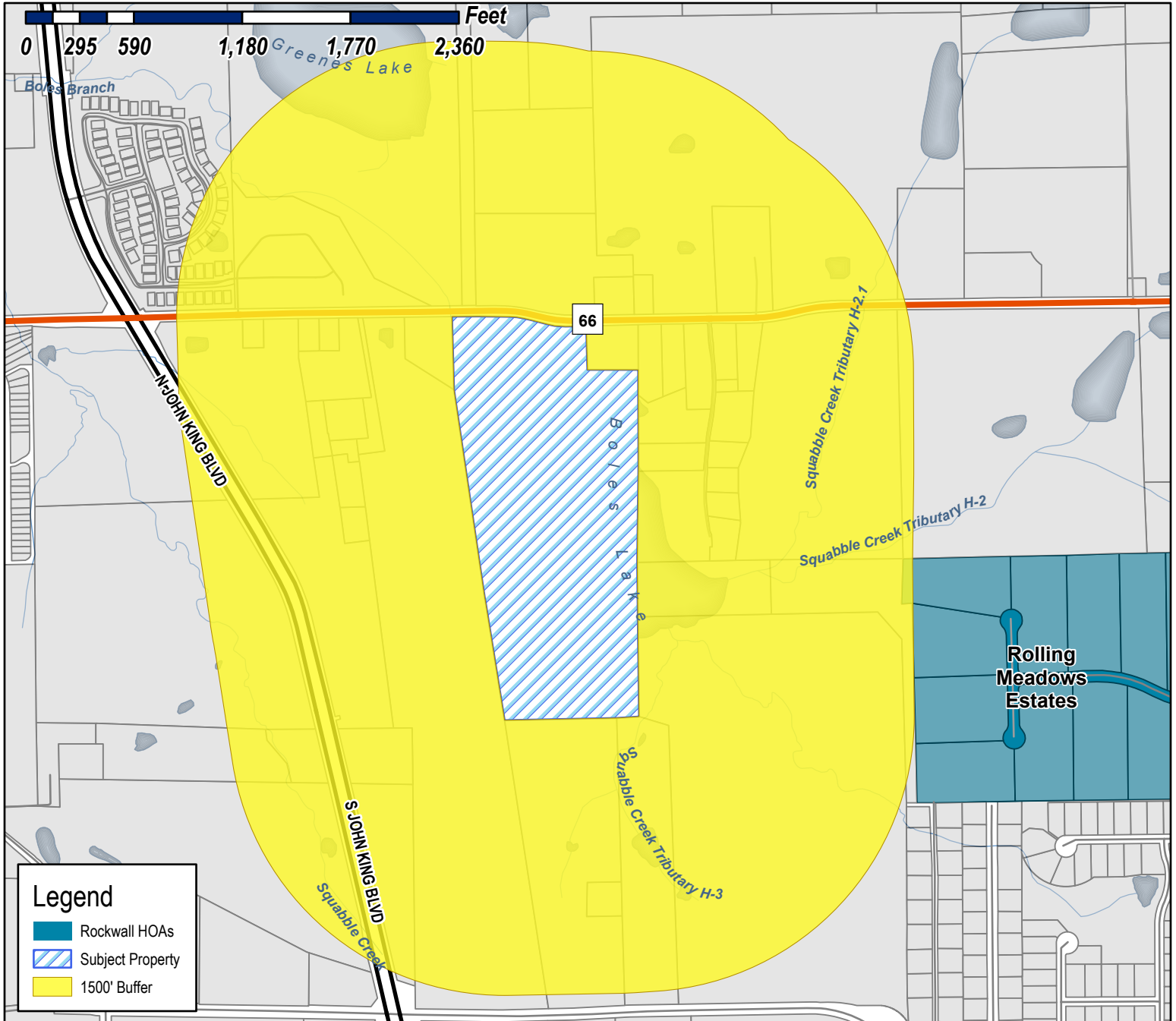




City of Rockwall

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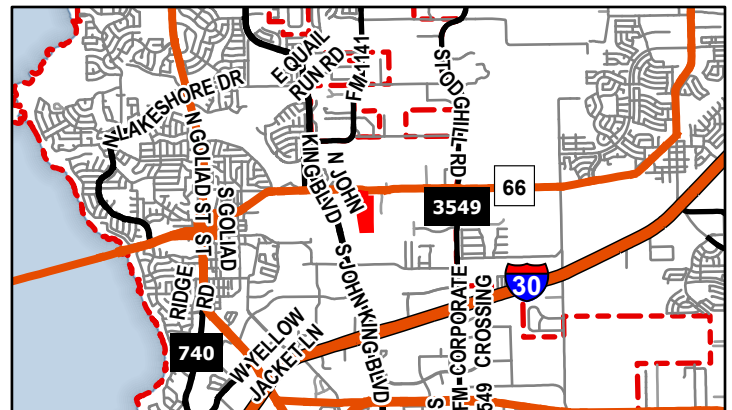


Legend

- Rockwall HOAs
- Subject Property
- 1500' Buffer

Case Number: Z2021-052
Case Name: SUP for Chicken Coop
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 1700 E. SH66

Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-052]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).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 *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2021-052: SUP to allow Chickens

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a *Specific Use Permit (SUP)* to allow *Chickens* on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, 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/>

This email was scanned by Bitdefender

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
1770 E HWY 66
ROCKWALL, TX 75087

COLLIER JUDY KAY AND
THERESA ROBBINS
1780 WILLIAMS ST
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
1790 WILLIAMS ST
ROCKWALL, TX 75087

RYAN BILL K
1800 WILLIAMS ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
1815 AIRPORT RD
ROCKWALL, TX 75087

PEOPLES MIKE L
1936 HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L
2026 HWY 66
ROCKWALL, TX 75087

SALINAS HILSE S
2068 STATE HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
2075 WILLIAMS
ROCKWALL, TX 75087

GILLILAND TOMMY JOE
2098 WILLIAMS
ROCKWALL, TX 75087

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

CAIN FAMILY PARTNERSHIP LTD
305 STONEBRIDGE DR
ROCKWALL, TX 75087

CUMMINGS JOHN & LORI
308 STONEBRIDGE DR
ROCKWALL, TX 75087

RYAN BILL K
330 VZ CR 2207
CANTON, TX 75103

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

MCILRATH PROPERTIES LLC
636 GRISHAM DR
ROCKWALL, TX 75087

SELLERS DONYA BEATRICE
700 DAVIS DR
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
710 DAVIS DR
ROCKWALL, TX 75087

MOCK ALYSSA
720 DAVIS DR
ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE
725 DAVIS DR
ROCKWALL, TX 75087

DAILEY MARK L
730 DAVIS DR
ROCKWALL, TX 75087

BANUELOS SHERRI L
735 DAVIS DR
ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST
JOSEPH W RINKEVICH- TRUSTEE
740 DAVIS DR
ROCKWALL, TX 75087

RAINES SHERYL
745 DAVIS DR
ROCKWALL, TX 75087

COOK SHERRY LYNN
760 DAVIS DRIVE
ROCKWALL, TX 75087

DIMISSEW SAMUEL
956 S WEATHERRED DR
RICHARDSON, TX 75080

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

PEOPLES MIKE L
PO BOX 41
ROCKWALL, TX 75087

RAINES SHERYL
PO BOX 412
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2021-052: SUP to allow Chickens

Hold a public hearing to discuss and consider a request by Mike Peoples for the approval of a Specific Use Permit (SUP) to allow Chickens on a 42.66-acre tract of land identified as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, 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, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

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

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2021-052: SUP to allow Chickens

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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



CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW CHICKENS ON A 42.66-ACRE TRACT OF LAND, IDENTIFIED AS TRACT 7 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Mike Peoples for the approval of a Specific Use Permit (SUP) to allow Chickens on a 42.66-acre tract of land described as Tract 7 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 1700 E. SH-66, and being more specifically depicted and described in Exhibit 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (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 Chickens as stipulated by Subsection 03.01, *Farm Animals and Horses*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *Farm Animals and Horses*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and Chapter 6, *Animals*, of the Municipal Code of Ordinances -- as heretofore amended and as may be amended in the future --, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to having *Chickens* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) *Chickens* shall be allowed on the subject property as an ancillary use to the existing single-family home. Should the subject property be conveyed, sold, or subdivided the City Council reserves the right to review this Specific Use Permit (SUP); however, in no case shall the subject property be subdivided in a way that would separate the *Chicken Coop* from the existing single-family home or where the *Chicken Coop* would exist on a property that is less than ten (10) acres in size.
- (2) The *Chicken Coop* shall generally conform to the *Site Plan* depicted in *Exhibit 'B'* of this ordinance.
- (3) The *Chickens* shall be kept in an enclosed area within a *Chicken Coop* that provides for the free movement of *Chickens*, and are not permitted to be free range. The *Chicken Coop* shall conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- (4) If the applicant moves the *Chicken Coop* it shall be moved to a location that is behind the front façade of the primary structure and that is a minimum of 20-feet from all property lines as depicted in *Exhibit 'B'* of this ordinance. In addition, the *Chicken Coop* shall be screened from view of adjoining properties.
- (5) The number of chickens permitted on the subject property shall be limited to no more than ten (10), and no ducks, geese, pigeons, turkeys, roosters, or any other poultry or fowl are permitted on the subject property.
- (6) The *Chickens* shall be kept for personal use only and the applicant shall be prohibited from selling or operating a commercial animal establishment on the subject property (*i.e. the offering of animal byproducts -- e.g. eggs, chicken manure, etc. -- or chickens for sale on the subject property shall be prohibited*).
- (7) The *Chickens* shall be sheltered or confined in such a fashion as to prevent them from coming into contact with wild fowl or their excrement.
- (8) Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans or animals.

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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Zoning Exhibit

Address: 1700 E. SH-66

Legal Description: Tract 7 of the D. Harr Survey, Abstract No. 102

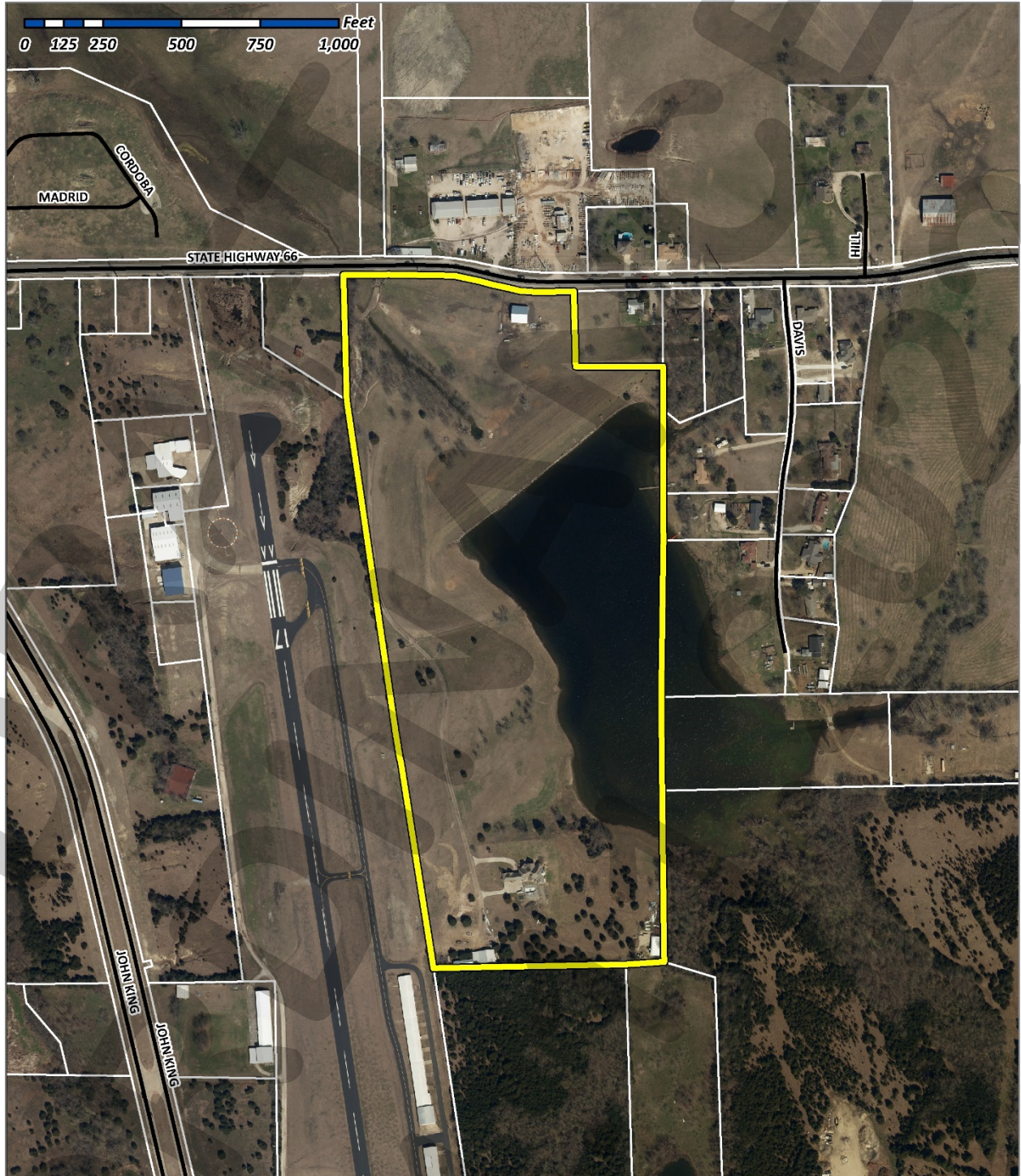


Exhibit 'B':
Site Plan



RED CROSS HATCHED AREA: AREA THE CHICKEN COOP CAN BE LOCATED

Exhibit 'C':
Building Elevations





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 14, 2022
APPLICANT: Javier Silva; *JMS Custom Homes*
CASE NUMBER: Z2021-053; *Specific Use Permit (SUP) for a Residential Infill for 803 Austin Street*

SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1934 based on the August 25, 1934 Sanborn Map. On September 15, 1896, the subject property was platted with the F & M Addition, and is currently identified as a portion of Block 9 of the F&M Addition. According to the City's historic zoning maps, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. This designation changed between January 4, 1972 and May 15, 1983 to a Single-Family 7 (SF-7) District based on the May 16, 1983 zoning map. According to the Rockwall Central Appraisal District (RCAD), a 1,000 SF single-family home constructed in 1985 is currently situated on the subject property.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), *Residential Infill in or Adjacent to an Established Subdivision*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 803 Austin Street. 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.* 809 & 811 Kernodle Street) that are developed with single-family homes and zoned Single-Family 7 (SF-7) District. Beyond this is Heath Street, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is Austin Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this there are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Parks Avenue, which is classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is Cornelia Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan. This is followed by multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes. Beyond this is Lillian Street, which is

classified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Kernodle Street, which is classified as a R2U (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are multiple single-family residential lots zoned Single-Family 7 (SF-7) District. These properties are developed with single-family homes.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is part of the F&M Addition, which has been in existence since prior to 1896, consists of approximately 64 lots, and is more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Single-Family 7 (SF-7) District requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC states that, “...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [*i.e. Residential Infill in or Adjacent to an Established Subdivision*] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ...” The following is a summary of observations concerning the housing on Austin Street, Cornelia Street, E. Heath Street and Kernodle Street compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Austin Street, E. Heath Street and Kernodle Street	Proposed Housing
Building Height	One (1) Story	Two (2) Story
Building Orientation	Most of the homes located along Austin Street and Kernodle Street are oriented towards the street	The front elevation of the home will face onto Austin Street.
Year Built	1914-1995	N/A
Building SF on Property	1,080 SF – 2,358 SF	3,670 SF
Building Architecture	Single-Family Homes	Comparable Architecture to Newer Single-Family Homes in the Area
Building Setbacks:		
Front	Estimated Between 15-Feet and 20-Feet	25-Feet along Austin Street
Side	The side yard setbacks appear to be between zero (0) and greater than six (6) feet.	6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	10-Feet
Building Materials	Hardie Board Siding and Brick.	Combination of Board & Batten Hardie Board Siding with Wood Columns, Wood Gable Brackets, and Wood Shutters
Paint and Color	Yellow, Tan, Brown, White, Blue, Green, and Red	<i>Undefined by the Applicant</i>
Roofs	Asphalt Composite Shingles	Asphalt Composite Shingle
Driveways/Garages	The majority of the driveways are in the front of the home and visible from Austin Street; however, a few of the homes have driveways located in the rear yard. Only a few of the homes have enclosed garages.	The proposed home will have a j-swing three (3) car garage on the east side of the home.

The proposed single-family home meets all of the zoning requirements for a property located in a Single Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC). For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the *subject property*, staff has provided photos of the properties along Austin Street, Cornelia Street, E. Heath Street and Kernodle Street and the proposed building elevations in

the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On December 21, 2021, staff mailed 100 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes Homeowner's Association (HOA) as it was the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices in regards 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) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
 - (b) Construction of a single-family home on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the draft ordinance; and,
 - (c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-053

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1&2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 803 Austin Street, Rockwall, Texas 75032

SUBDIVISION F and M Addition LOT 9 BLOCK PT

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING _____ CURRENT USE _____

PROPOSED ZONING _____ PROPOSED USE _____

ACREAGE _____ LOTS [CURRENT] _____ LOTS [PROPOSED] _____

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

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

OWNER Javier Silva JMS Custom Homes APPLICANT

CONTACT PERSON Javier Silva (JMS Custom Homes) CONTACT PERSON

ADDRESS 58 Windsor Dr. ADDRESS

CITY, STATE & ZIP Rockwall, TX, 75032 CITY, STATE & ZIP

PHONE 972-814-9462 PHONE

E-MAIL support@jmscustomhomes.net E-MAIL

NOTARY VERIFICATION [REQUIRED]

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

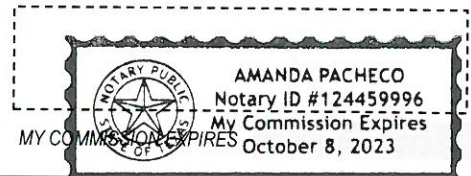
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15th DAY OF Dec., 2022.


OWNER'S SIGNATURE

[Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





Case Location Map = 
Z2021-053- SUP for Residential Infill
at 803 Austin Street



City of Rockwall

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

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

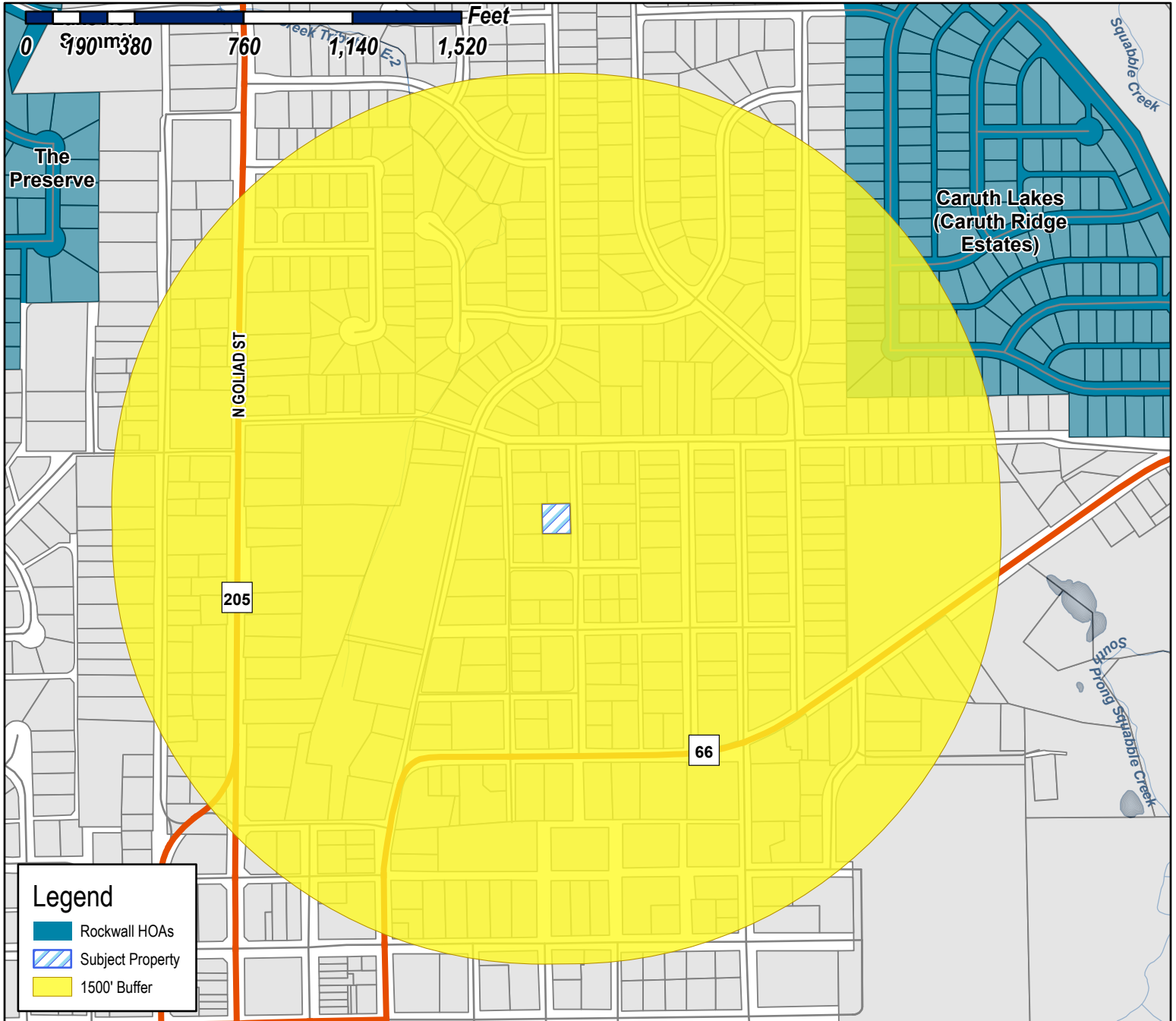




City of Rockwall

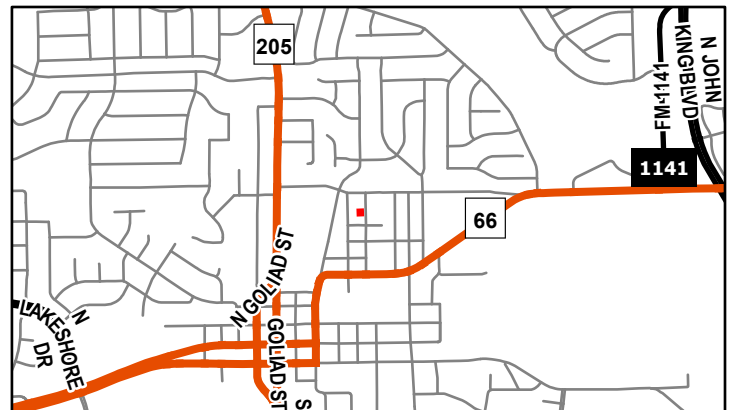
Planning & Zoning Department
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Case Number: Z2021-053
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single-Family 7 (SF-7) District
Case Address: 803 Austin Street

Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-053]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).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 *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2021-053: SUP for Residential Infill at 803 Austin Street

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

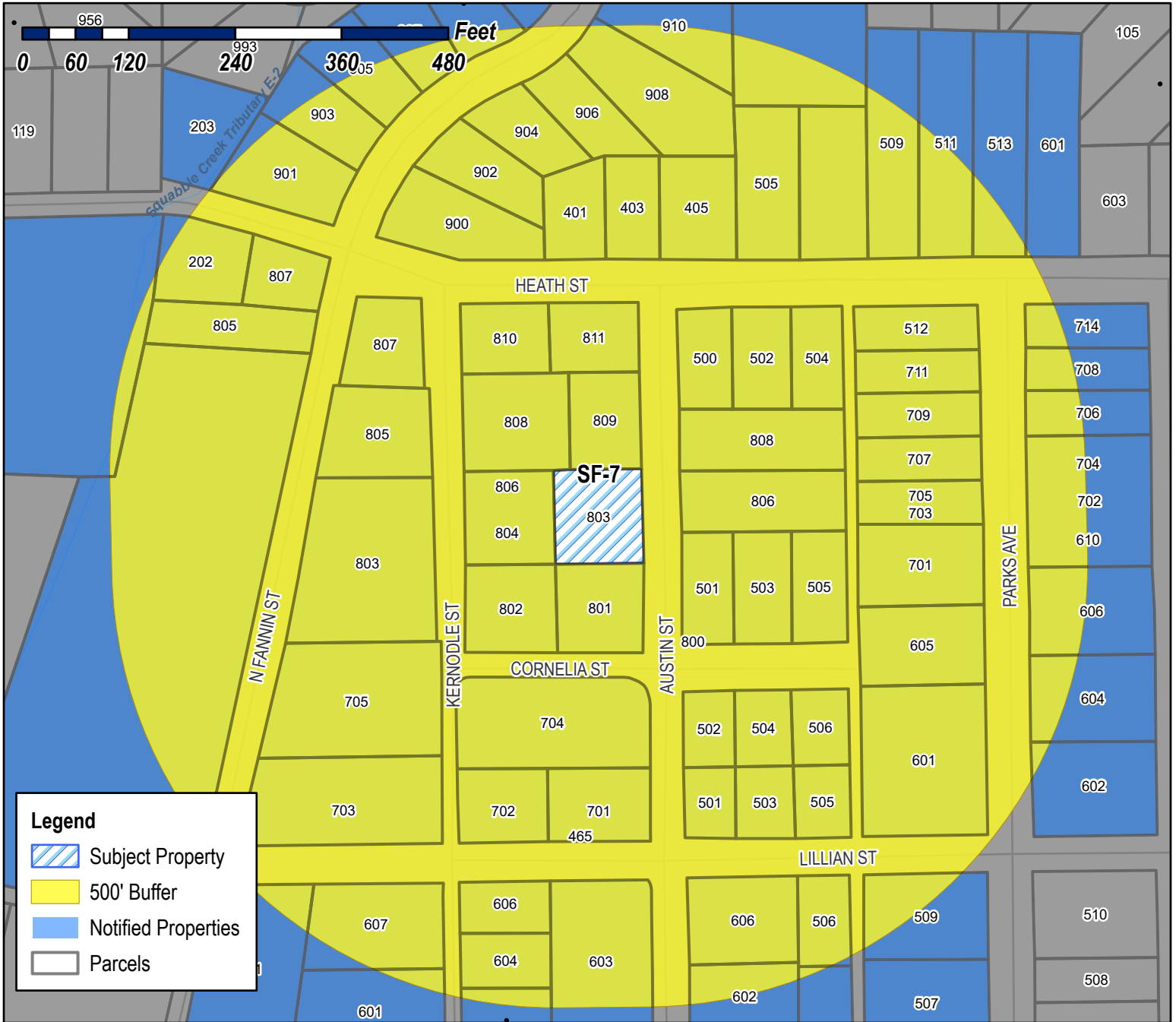
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City of Rockwall

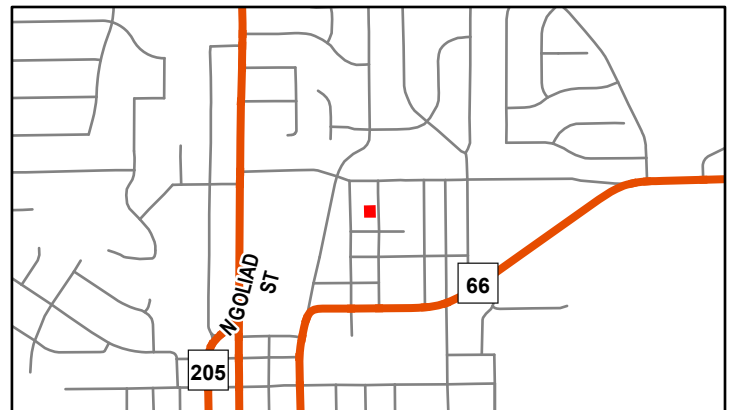
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2021-053
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single-Family 7 (SF-7) District
Case Address: 803 Austin Street

Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



SILVA MANUEL
1041 E FM 552
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC
1215 THOMASVILLE COURT
GARLAND, TX 75044

KINSEY DONALD H & TARI L
2 MANOR COURT
HEATH, TX 75032

VANILLA BEAN PROPERTIES SERIES 10 LLC
2 MANOR COURT
HEATH, TX 75032

RICE GARRETT R AND JAMIE B
202 E HEATH ST
ROCKWALL, TX 75087

BLANKENSHIP JAMES WISE & LISA
203 E HEATH ST
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES
213 SOVEREIGN CT
ROCKWALL, TX 75032

PARK STUFF LLC
2301 LAFAYETTE DR
HEATH, TX 75032

ORTAMOND DONALD J & JANA R
301 MARGARET ST
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING
TRUST
WILLIAM H AND HANNA H MIGNEAULT-
TRUSTEES
3625 SIERRA RD
SAN JOSE, CA 95132

TIPPING VIVIAN E AND
EARNEST TIPPING
401 EAST HEATH STREET
ROCKWALL, TX 75087

DOLLINS ROBIN KAY AND GEORGE OEN
403 E HEATH
ROCKWALL, TX 75087

PARK STUFF LLC
405 E HEATH ST
ROCKWALL, TX 75087

KIRKPATRICK DAVID S & RHONDA D
500 E HEATH ST
ROCKWALL, TX 75087

HOLZHEIMER THOMAS R AND NICOLE M
501 CORNELIA ST
ROCKWALL, TX 75087

GREENAWALT PATRICK ALAN
501 LILLIAN ST
ROCKWALL, TX 75087

BARNETT GEORGE S
502 CORNELIA ST
ROCKWALL, TX 75087

MCINTIRE J M & ERLINDA
502 E HEATH ST
ROCKWALL, TX 75087

PARTNER UP HOMES LLC
503 LILLIAN ST
ROCKWALL, TX 75087

TANTON MELVIN V JR
504 E HEATH ST
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR
504 CORNELIA
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR
505 CARRIAGE TR
ROCKWALL, TX 75087

WILLIAMS JULI ANN AND JOH CHRISTOPHER
AND
MICHAEL ANTHONY BOSMA AND LAURA L
BOSMA
505 CORNELIA ST
ROCKWALL, TX 75087

ZYLKA PROPERTIES LLC
505 EHEATH ST
ROCKWALL, TX 75087

CONRAD CCC DEVELOPMENT LLC
505 LILLIAN ST
ROCKWALL, TX 75087

UC RUBEN & EDITH CORTE DE
506 LILLIAN ST
ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR
506 CORNELIA
ROCKWALL, TX 75087

YOUNG MOLLIE AND JAY CHANCE
507 PARKS AVENUE
ROCKWALL, TX 75087

DOROTIK DAVID W
509 PARKS AVE
ROCKWALL, TX 75087

REDDEN POLLY PEOPLES
509 E HEATH ST
ROCKWALL, TX 75087

RICHARDSON PATRICE
510 COVE RIDGE RD
HEATH, TX 75032

RICHARDSON PATRICE
511 E HEATH ST
ROCKWALL, TX 75087

COATS LOIS LOUISE
512 E HEATH ST
ROCKWALL, TX 75087

GREENAWALT PATRICK AND COURTNEY
513 E HEATH ST
ROCKWALL, TX 75087

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

EICH CHRIS AND ELENA
601 PARKS AVENUE
ROCKWALL, TX 75087

STARK ROBERT C
601 E HEATH ST
ROCKWALL, TX 75087

BROWN JONATHAN R & CHRISTY A
601 KERNODLE ST
ROCKWALL, TX 75087

GASKIN STEVE AND
MICHAEL FLANARY
602 KERNODLE STREET
ROCKWALL, TX 75087

MURPHY MICHAEL
602 PARKS AVE
ROCKWALL, TX 75087

PEOPLES MICHAEL L &
LINDA CAUBLE
602 AUSTIN ST
ROCKWALL, TX 75087

LOFLAND JANA J
603 AUSTIN ST
ROCKWALL, TX 75087

FUNK TED FREDRICK AND REBECCA LYNN
604 KERNODLE
ROCKWALL, TX 75087

FUQUA MATTHEW
604 PARKS AVE
ROCKWALL, TX 75087

DINGWELL MARGUERITE NASH & ADAM
605 PARKS AVE
ROCKWALL, TX 75087

DANIEL RODNEY
606 AUSTIN ST
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS
606 KERNODLE ST
ROCKWALL, TX 75087

WILLIAM AND HANNA MIGNEAULT LIVING
TRUST
WILLIAM H AND HANNA H MIGNEAULT-
TRUSTEES
606 PARKS AVE
ROCKWALL, TX 75087

MULLINS CHRISTOPHER CHARLES AND ARYN
ELISE
607 KERNODLE ST
ROCKWALL, TX 75087

CASTRO RENE & BETSY
700 WINDSONG LN
ROCKWALL, TX 75032

ESTATE OF BEULAH CHRISTINE MOONEY
701 AUSTIN ST
ROCKWALL, TX 75087

CASTILLO AGAPITO & ESTELA
701 PARKS AVE
ROCKWALL, TX 75087

HENRY AMANDA A
702 PARKS AVE
ROCKWALL, TX 75087

KINSEY TARI L AND DONALD H
702 KERNODLE ST
ROCKWALL, TX 75087

TIBBETTS ELAINE
703 KERNODLE ST
ROCKWALL, TX 75087

HANSON BRANDON R
703 PARKS AVE
ROCKWALL, TX 75087

FRASIER MICHAEL & MARY GRACE
704 JACKSON ST
ROCKWALL, TX 75087

THOMAS TRACY
704 KERNODLE ST
ROCKWALL, TX 75087

ZIMMERMAN CAROLYN
705 KERNODLE ST
ROCKWALL, TX 75087

PECINA JOE & LORETHIA ANN
706 PARKS AVE
ROCKWALL, TX 75087

BELANGER CORKY
707 PARKS AVE
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D
708 PARKS AVE
ROCKWALL, TX 75087

BARRON ARMANDO
709 PARKS AVE
ROCKWALL, TX 75087

PARTNER UP HOMES LLC
709 W RUSK SUITE B #905
ROCKWALL, TX 75087

STARK ROBERT C
710 AGAPE ST
ROCKWALL, TX 75087

NIXON LINDA LOUISE
711 PARKS AVENUE
ROCKWALL, TX 75087

MEINECKE JEFFREY AND ANGELA
714 PARKS AVE
ROCKWALL, TX 75087

MATA JAIME AND TRINA THOMAS
752 WINDSONG LN
ROCKWALL, TX 75032

BROWN JONATHAN R & CHRISTY A
7814 KILLARNEY LANE
ROWLETT, TX 75089

BEASLEY GEORGE
801 AUSTIN ST
ROCKWALL, TX 75087

KINSEY DONALD H AND TARI L
802 KERNODLE ST
ROCKWALL, TX 75087

JOHNSON BRADLEY K AND GINGER M
803 KERNODLE ST
ROCKWALL, TX 75087

SILVA MANUEL
803 AUSTIN ST
ROCKWALL, TX 75087

BUSHNELL MICHAEL S & TIFFANIE C
805 KERNODLE ST
ROCKWALL, TX 75087

ORTIZ ENRIQUE AROZLA
805 N FANNIN ST
ROCKWALL, TX 75087

AUSTIN TRENTON C
806 AUSTIN ST
ROCKWALL, TX 75087

VANILLA BEAN PROPERTIES SERIES 10 LLC
806 KERNODLE ST
ROCKWALL, TX 75087

DEL BOSQUE MARIO ETUX
807 KERNODLE ST
ROCKWALL, TX 75087

MEJIA JULIO & MARIA R
807 N FANNIN ST
ROCKWALL, TX 75087

CASTRO RENE & BETSY
808 AUSTIN ST
ROCKWALL, TX 75087

KINSEY DONALD H & TARI L
808 KERNODLE ST
ROCKWALL, TX 75087

KINDRED ROBERT M
809 AUSTIN ST
ROCKWALL, TX 75087

JOSEY BROOKE
810 KERNODLE ST
ROCKWALL, TX 75087

JENNINGS AMANDA L
811 AUSTIN ST
ROCKWALL, TX 75087

WIEHE JOHN THOMAS
900 N FANNIN ST
ROCKWALL, TX 75087

CROWDER GERALDINE
901 N FANNIN ST
ROCKWALL, TX 75087

FINK BEVERLY A & ROYCE G
902 N FANNIN STREET
ROCKWALL, TX 75087

HEMPHILL REBECCA
903 N FANNIN ST
ROCKWALL, TX 75087

HALL WYNNE &
JOANN CAMPBELL
904 N FANNIN ST
ROCKWALL, TX 75087

ROSS THOMAS II & LACY
905 N FANNIN ST
ROCKWALL, TX 75087

WILLIAMS BROOKS
906 FANNIN STREET
ROCKWALL, TX 75087

ROE JOHN A AND PATRICIA K
907 N FANNIN ST
ROCKWALL, TX 75087

MCKNIGHT DOROTHY
908 N FANNIN
ROCKWALL, TX 75087

J J M B INVESTMENT LP
909 FANNIN ST
ROCKWALL, TX 75087

DAVID JESSEE AND A JANE JESSEE FAMILY
LIVING TRUST
DAVID JESSEE AND A JANE JESSEE- TRUSTEES
910 N FANNIN STREET
ROCKWALL, TX 75087

HUME LINDA L
911 N FANNIN ST
ROCKWALL, TX 75087

BELANGER CORKY
921 N ALAMO RD
ROCKWALL, TX 75087

KINDRED ROBERT M
P.O. BOX 261638
PLANO, TX 75026

PEOPLES MICHAEL L &
LINDA CAUBLE
PO BOX 41
ROCKWALL, TX 75087

J J M B INVESTMENT LP
PO BOX 460247
GARLAND, TX 75046

PUBLIC NOTICE



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

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

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

Case No. Z2021-053: SUP for Residential Infill at 803 Austin Street

Hold a public hearing to discuss and consider a request by Javier Silva of JMS Custom Homes for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.23-acre tract of land identified as a portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Angelica Gamez
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 Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2021-053: SUP for Residential Infill at 803 Austin Street

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

NEW RESIDENCE
AT
803 AUSTIN
STREET
ROCKWALL, TX

ISSUE LOG

DATE	DESCRIPTION
11/10/21	ISSUE FOR PERMIT

REVISION LOG

DATE	DESCRIPTION	REV. NO.
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ISSUED FOR:

- PRELIMINARY - NOT FOR CONSTRUCTION
- BIDDING / PERMIT
- REVISION / ADDENDUM
- FOR CONSTRUCTION

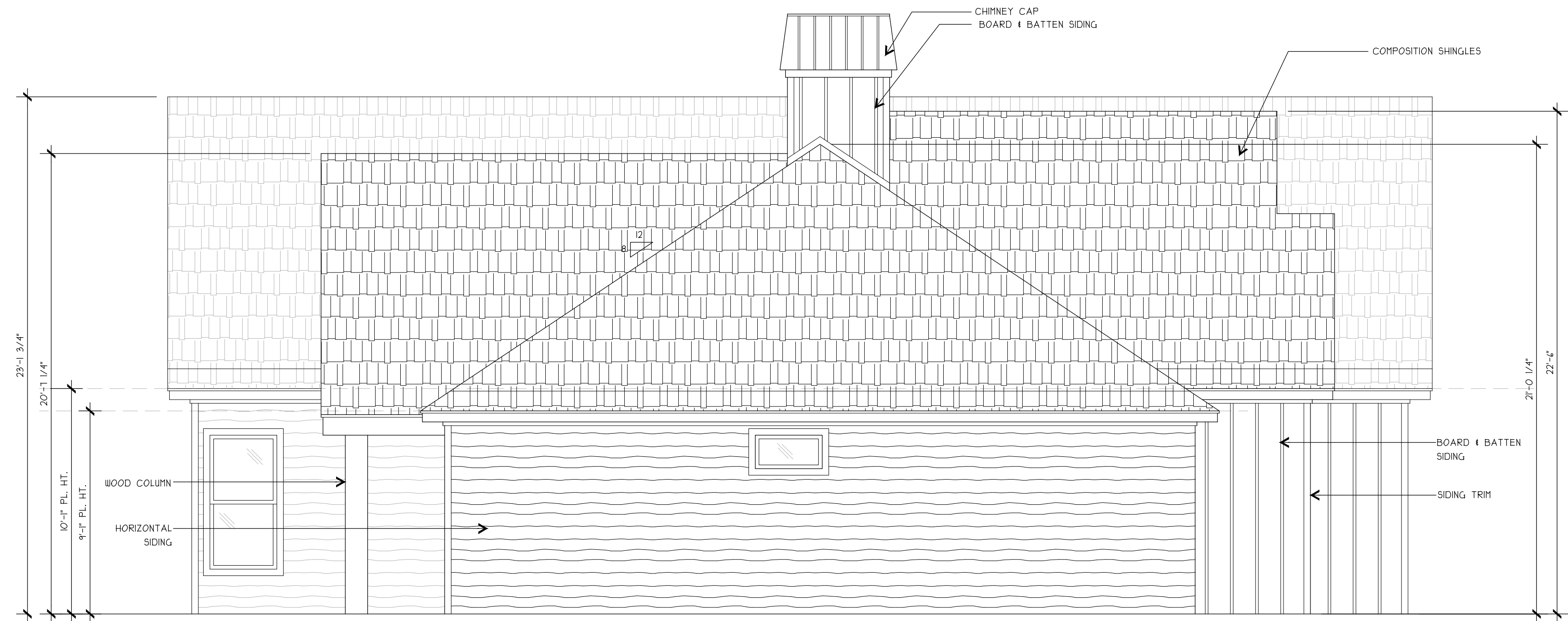


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21921	REF. DRAWING

SHEET NO.

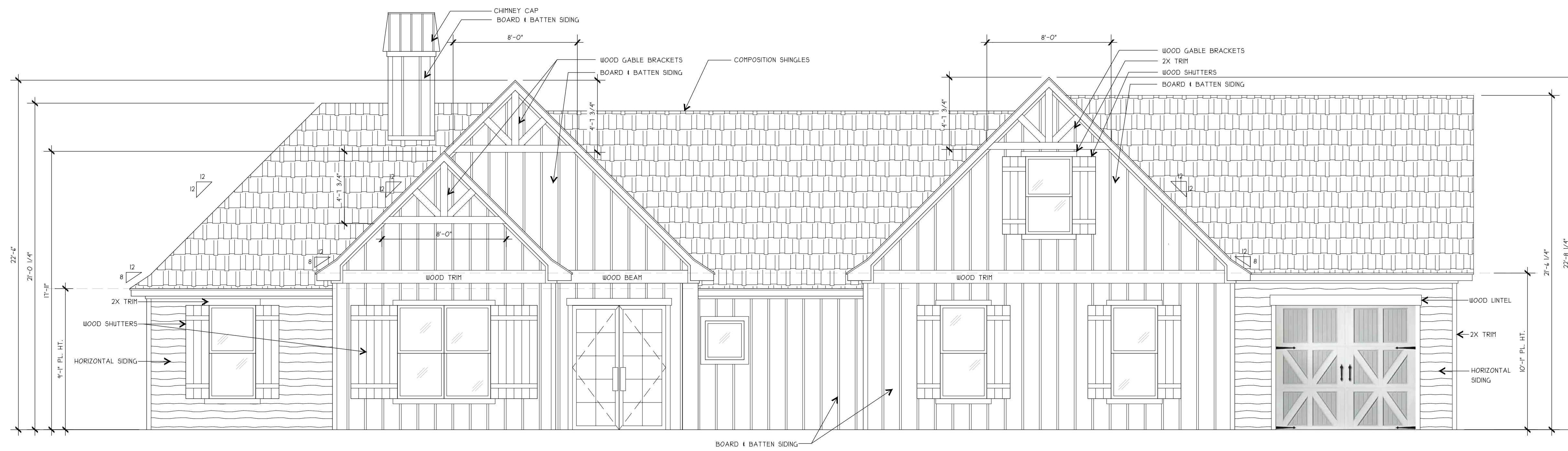
A5.1

ELEVATIONS



02 SOUTH ELEVATION

SCALE: 1/4"=1'-0"



01 EAST ELEVATION

SCALE: 1/4"=1'-0"

Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
501 Cornelia	Single-Family Home	1975	1440	100	Siding
806 Austin	Single-Family Home	1952	1214	480	Siding
808 Austin	Single-Family Home	1959	1388		Siding
500 E. Heath	Single-Family Home	1995	1144	840	Brick
809 Austin	Single-Family Home	1991	1351		Siding
811 Austin	Single-Family Home	1985	1080		Siding
810 Kernodle	Single-Family Home	1986	1435	80	Brick
808 Kernodle	Single-Family Home	1914	2358	100	Siding
806 Kernodle	Vacant	N/A	N/A	N/A	N/A
802 Kernodle	Single-Family Home	1939	1554	80	Siding
801 Austin	Single-Family Home	1980	2256		Brick
Averages:		1967.6	1522	280	



501 Cornelia



806 Austin



808 Austin



500 E. Heath



809 Austin



811 Austin



810 Kernodle



808 Kernodle



806 Kernodle



802 Kernodle



801 Austin

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.23-ACRE PARCEL OF LAND, IDENTIFIED AS PORTION OF BLOCK 9 OF THE F&M ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Javier Silva for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.23-acre parcel of land being described as portion of Block 9 of the F&M Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 803 Austin Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, *Permissible Uses*, the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

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

with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of the *Subject Property* shall generally conform to the *Residential Plot Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a single-family home on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- 3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

2.2 COMPLIANCE

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

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

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

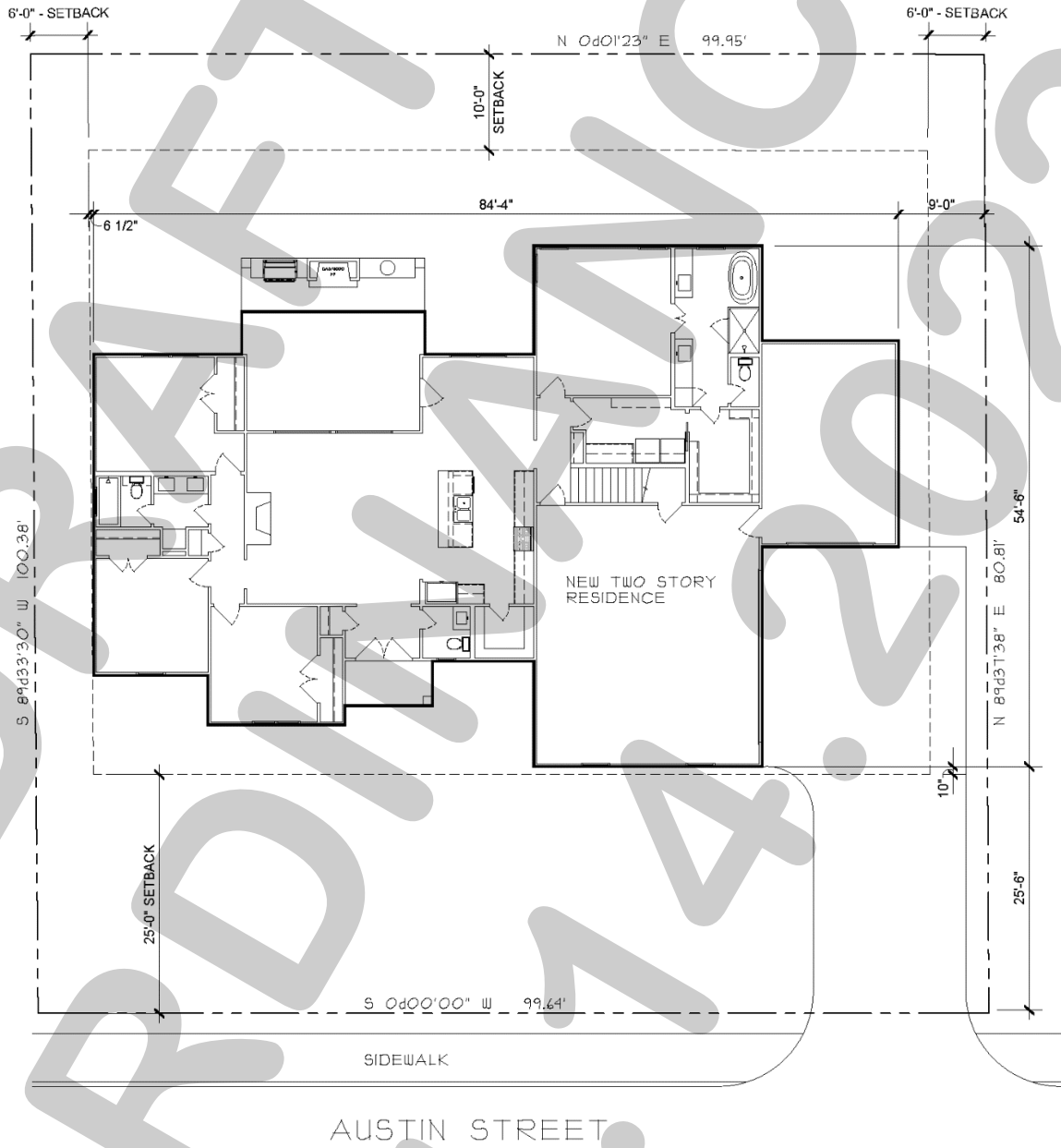
Exhibit 'A'
Location Map and Survey

Address: 803 Austin Street

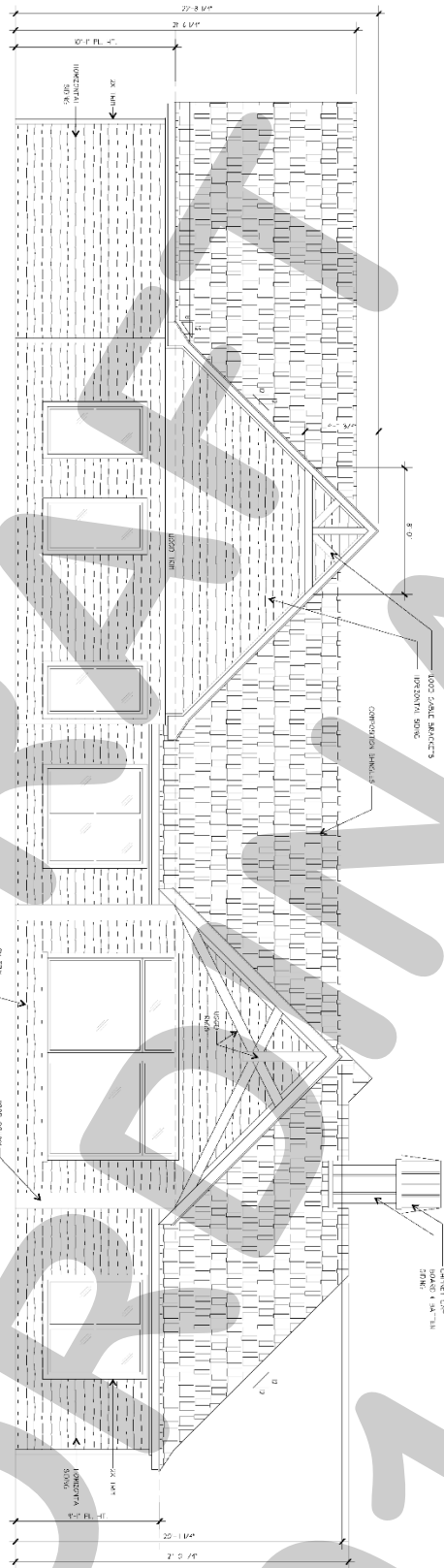
Legal Description: A Portion of Block 9 of the F&M Addition



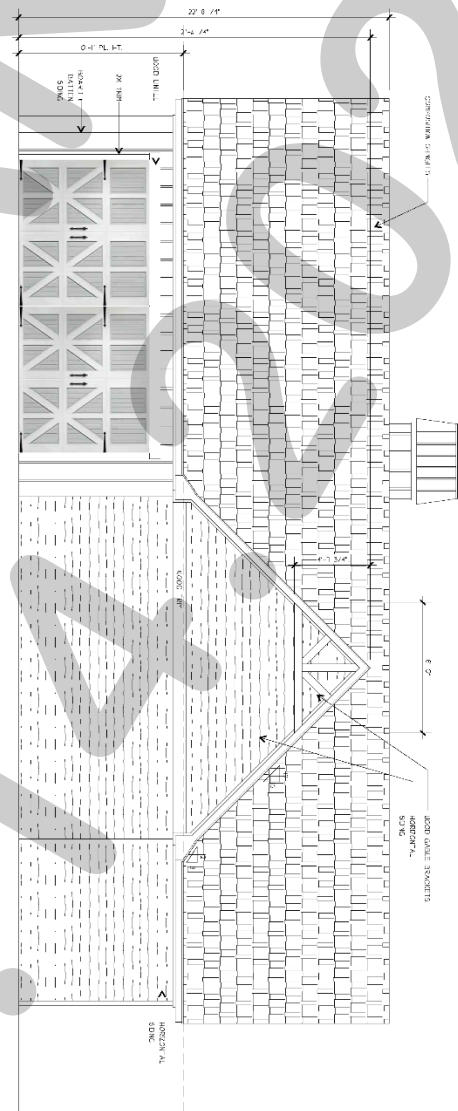
Exhibit 'B':
Residential Plot Plan



**Exhibit 'C':
Building Elevations**



01 WEST ELEVATION
SCALE: 1/4\"/>



02 NORTH ELEVATION
SCALE: 1/4\"/>



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: Robert Weinstein; *WB Companies*
CASE NUMBER: Z2021-054; *Specific Use Permit (SUP) for a Congregate Care Facility*

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 Specific Use Permit (SUP) for a *Congregate Care Facility that Exceeds 36-Feet in Height the Scenic Overlay (SOV) District* 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

On September 5, 1960, the City Council annexed the subject property by adopting *Ordinance No. 60-02 [Case No. A1960-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On January 27, 1972, the City Council approved *Ordinance No. 72-03*, which rezoned the subject property from an Agricultural (AG) District to Planned Development District 4 (PD-4) for Neighborhood Services (NS) District and General Retail (GR) District land uses. In addition, the Planned Development District ordinance also allowed *Shopping Center* land uses on the subject property. On June 18, 2001, the City Council approved a City initiated amendment to Planned Development District 4 (PD-4) [*Case No. PZ2001-053-01*], removing the Neighborhood Services (NS) District land uses from the base zoning. This changed the Planned Development District to only allow General Retail (GR) District land uses. The subject property is currently vacant and no changes have been made to it since it was annexed in 1960.

On August 18, 2021, the applicant submitted a development application requesting to amend Planned Development District 4 (PD-4) to allow for a *Mixed-Use Development (i.e. Apartments, Retail/Restaurant, and Office land uses)* consisting of 600 multi-family units, 20,000 SF of retail/office space, and two (2) restaurants consisting of a total of 6,000 SF. This application was ultimately denied by the City Council by a vote of 6-0 (*with Council Member Johannesen absent*) after the Planning and Zoning Commission failed to approve a motion. Following this denial, the applicant submitted a subsequent development application on December 18, 2021 requesting a Specific Use Permit (SUP) for a *Congregate Care Facility/Elderly Housing*.

PURPOSE

The applicant -- *Robert Weinstein of WB Companies* -- is requesting the approval of a Specific Use Permit (SUP) to allow the construction of a 300-unit *Congregate Care Facility* on a portion of the subject property.

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 are three (3) parcels of land (*i.e. Lots 2-4, Block A, Rockwall Commons Addition*) consisting of 8.0896-acres of land. Situated on these parcels of land is a mixed-use development (*i.e. Rockwall Commons*), which contains 202 *Urban Residential* units and multiple office/retail land uses. Beyond this is a 3.802-acre parcel of land (*i.e. Lot 6, Block A, Rockwall Commons Addition*), which has a mixed-use

development situated on it. Contained within this development are 140 *Urban Residential* units and multiple office/retail land uses. All of these properties are zoned Planned Development District 1 (PD-1) for General Retail (GR) District and Multi-Family 14 (MF-14) District land uses.

South: Directly south of the subject property is Ridge Road, which is identified as a *M4D (i.e. major collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. In addition, there is a 100-foot right-of-way owned by the *M. K. & T. Railroad* with railroad tracks. South of these rights-of-way, is an 8.583-acre vacant tract of land (*i.e. Lot 1, Block A, Sky Ridge Addition*) that is zoned Commercial (C) District.

East: Directly east of the subject is a 100-foot right-of-way owned by the *M. K. & T. Railroad* with railroad tracks. Beyond this are two (2) vacant tracts of land (*i.e. Tract 9 [9.24-acres] & Tract 9-1 [7.00-acres] of the D. Atkins Survey, Abstract No. 1*), which are situated within the 100-year floodplain and are zoned Commercial (C) District. East of these tracts of land is the Waterstone Estates Subdivision, which was platted on November 30, 1994 and consists of 123 residential lots. This subdivision 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. major collector, four [4] lane, divided roadway)* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the following subdivisions: [1] The Estates of Coast Royale, which was platted on September 9, 1985 and consists of 13 residential lots; [2] Lakeridge Park, which was platted on September 29, 1972 and consists of 87 residential lots; and [3] Lake Ray Hubbard Estates, which was platted on December 10, 1973 and consists of 65 residential lots. All of these subdivisions are zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and conceptual building elevations for a proposed *Congregate Care Facility*. The concept plan shows that the 12.1148-acre tract of land will be developed in a single phase consisting of 300 dwelling units, a four (4) story parking garage, a rooftop restaurant, and various amenities. An estimated 3.82-acres of the subject property will be reserved for future General Retail (GR) District land uses. This means that the proposed *Congregate Care Facility* will have an estimated residential density of 36.17 dwelling units per acre (*i.e. 300-units/[12.1148-acres - 3.82-acres]*). The proposed 300 dwelling units will be broken down into 180 *Type 'A'* or one (1) bedroom units and 120 *Type 'B'* or two (2) bedroom units. This equates to a 60%/40% one (1) bedroom to two (2) bedroom unit mix. In addition, the proposed development will incorporate 205 garage parking spaces and 116 surface parking spaces for a total of 321 parking spaces. The concept plan indicates that the proposed development will incorporate 20% open space and amenities that include a dog park, pool, and two (2) pickle ball courts. The applicant has indicated that the proposed rooftop restaurant -- *which will serve all of the residents' meals since the proposed dwelling units will not incorporate kitchen facilities* -- will be closed to the general public. The conceptual building elevations show that the building will be four (4) stories adjacent to Ridge Road and extend back to five (5) stories at the rear of the subject property. This is to accommodate the slope of the property, which has a significant grade change from the western property line (*adjacent to Ridge Road*) to the eastern property line (*adjacent to the railroad*). The overall height of the building will be 60-feet along Ridge Road. Staff should note that while the conceptual building elevations are being incorporated into the Specific Use Permit (SUP) ordinance, they do not appear to meet the minimum standards of the Unified Development Code (UDC). This incorporation does not grant any variances to the requirements of the Unified Development Code (UDC), and the applicant will be required to amend the elevations to bring them into conformance with the code prior to site plan approval.

CONFORMANCE WITH THE CITY'S CODES

According to Article 13, *Definitions*, of the Unified Development Code (UDC), a *Congregate Care Facility/Elderly Housing* is defined as "(a) facility for long-term residence -- *exclusively for persons 62 years of age or older* -- who may need limited assistance with daily living activities, and which includes at a minimum each of the following amenities and personal services: [1] private living quarters that are designed for a maximum of double occupancy and which no full kitchen facilities are permitted (*i.e. no dishwasher or oven*); [2] daily prepared meals in a common dining area; [3] housekeeping, laundry service, and private bus transportation service; [4] dedicated areas for social activities; and [5] dedicated areas for indoor and outdoor recreation activities." According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified

Development Code (UDC), these types of facilities are only permitted *by-right* in the Multi-Family 14 (MF-14) District and require a Specific Use Permit (SUP) in the General Retail (GR) District. This section of the Unified Development Code (UDC) also stipulates the following *Conditional Land Use Standards* for a *Congregate Care Facility/Elderly Housing*:

- (1) A *Congregate Care Facility/Elderly Housing Facility* may have up to two (2) units for on-site managers, which contain full kitchen facilities.
- (2) Full-time medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (e.g. *visiting nurse or home health care*).
- (3) These facilities shall incorporate special safety, accessibility and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.

Staff has incorporated these *Conditional Land Use Standards* into the proposed draft ordinance; however, staff should point out that the following aspects of the applicant's request deviate from the requirements of the Unified Development Code (UDC):

- (1) *Density*. The highest density zoning district permitted by the Unified Development Code (UDC) is the Multi-Family 14 (MF-14) District, which allows for a maximum of 14 dwelling units per acre [*i.e. Subsection 07.02, of Article 05, UDC*]. In this case, the applicant is requesting a total density of 36.17 dwelling units per acre, which exceeds the 14 dwelling units per acre by more than two 2½ times the amount. In addition, staff should point out that the Rockwall Commons has a density of 24.97 dwelling units per acre (*i.e. 202-units/8.0896-acres*) and the Lakeview Apartments has a density of 36.82 dwelling units per acre (*i.e. 140-units/3.802-acres*); however, these unit counts were based on the entirety of Planned Development District 1 (PD-1), which is 39.6443-acres and equates to a total density of only 8.63 dwelling units per acre (*i.e. [202-units + 140-units]/39.6443-acres*).
- (2) *Parking*. According to Article 06, *Parking and Loading Standards*, of the Unified Development Code (UDC), the minimum parking requirement for a *Multi-Family Unit with One (1) Bedroom* is 1½ parking spaces per unit and the minimum parking requirement for a *Multi-Family Unit with Two (2) Bedrooms* is two (2) parking spaces per unit. Based on the applicant's submittal this would equate to 510 parking spaces (*i.e. 270 parking spaces for the Type 'A' units and 240 parking spaces for the Type 'B' units*). Currently, the applicant is showing a total of 321 parking spaces, which is an overall deficiency of 189 parking spaces. Staff should note that a restaurant typically carries a parking requirement of one (1) parking space per 100 SF; however, in this case since the restaurant is not open to the general public no additional parking is required for the restaurant.
- (3) *Maximum Building Height*. According to Article 05, *District Development Standards*, of the Unified Development Code (UDC) the General Retail (GR) District and the Scenic Overlay (SOV) District stipulate a maximum height of 36-feet for all structures; however, the code allows the City Council to consider buildings up to a maximum of 60-feet through a Specific Use Permit (SUP). In this case, the proposed building is four (4) stories and has an overall height of 60-feet along Ridge Road.

The approval of the applicant's request would effectively waive these requirements. Therefore, this aspect of the applicant's request remains a discretionary decision for 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 situated within the *Scenic District* and is designated for *Commercial/Retail* land uses. The *Land Use Plan* states that 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 proposed *Congregate Care Facility* does not appear to conform with the intent of the *Commercial/Retail* land use designation, and -- *based on the proposed density of 36.17 residential dwelling*

units per acre -- is more characteristic of the High Density Residential land use designation. This designation "...consists of single-family residential homes, duplexes, townhomes, apartments, lofts, condominiums or other forms of housing that exceed three and one-half (3½) units per gross acre." Based on this staff is required to point out that this request does not conform to the OURHometown Vision 2040 Comprehensive Plan. With this being said, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Should the City Council choose to approve the Specific Use Permit (SUP), 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 High Density Residential designation.

INFRASTRUCTURE

Based on the applicant's submittal the following infrastructure is required to adequately serve this development:

- (1) Water. A minimum of an eight (8) inch water line must be looped through the site. An infrastructure study will be required to determine the water improvements necessary to serve this development.
- (2) Sewer Improvements. The capacity of eight (8) inch gravity sewer line and lift station under and along on the westside of Ridge Road will need to be increased to serve this development. The extent of the improvements will be determined by the required infrastructure study.
- (3) Roadways. A Traffic Impact Analysis (TIA) will be required to be submitted and approved with the civil engineering plans.
- (4) Drainage. Detention will be required and sized in accordance with per the Engineering Department's *Standards of Design and Construction Manual*.

STAFF ANALYSIS

With the exception of the proposed density, building height, and parking requirements, the applicant's request does appear to conform to the majority of the requirements of the Unified Development Code (UDC). Specifically, the applicant's request appears to meet the definition of the *Congregate Care Facility/Elderly Housing* land use and the *Conditional Land Use Standards* associated with this use. In presenting this case at the Planning and Zoning Commission Work Session, the applicant compared this project to the City's only other *Congregate Care Facility* (i.e. *Liberty Heights Retirement Residences*). Since this comparison was used, staff is obligated to point out that there are many similarities between the two (2) projects, but there are also some key differences:

- (1) Density. The *Liberty Heights Retirement Residences* consists of 118 residential dwelling units on a 4.279-acre tract of land. This translates to an overall residential density of 27.58 dwelling units per acre. The proposed density of the applicant's project is 36.17 dwelling units per acre or 8.59 dwelling units per acre more dense than the *Liberty Heights Retirement Residences*.
- (2) Unit Count/Mix. The applicant is proposing 300 dwelling units, which is 182 dwelling units greater than the *Liberty Heights Retirement Residences*. In addition, while both projects consist of one (1) and two (2) bedroom units, the applicant's project is proposing a 60%/40% unit mix of one (1) bedroom units to two (2) bedroom units (*or 180, one [1] bedroom units to 120, two [2] bedroom units*); whereas, *Liberty Heights Retirement Residences* has a 76%/24% unit mix of one (1) bedroom units to two (2) bedroom units (*or 113, one [1] bedroom units to five [5], two [2] bedroom units*).
- (3) Open Space. The Specific Use Permit (SUP) for *Liberty Heights Retirement Residences* stipulated a minimum of 40% open space while the applicant's project is only proposing 20%; however, staff should point out that with multi-family projects both the Unified Development Code (UDC) and OURHometown Vision 2040 Comprehensive Plan only call for 20%.
- (4) Parking. The applicant is proposing both surface parking and a parking garage for the proposed project. Based on the unit count and the number of parking spaces being proposed, the applicant is requesting to utilize a parking ratio of 1.07 parking spaces per unit. The *Liberty Heights Retirement Residences* is entirely surface parked and was granted a parking ratio of 0.75 parking spaces per unit.

- (5) Land Use Designation. As stated above, the subject property is designated for Commercial/Retail land uses on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, and that this land use is not compatible with this designation. The *Liberty Heights Retirement Residences* is designated for High Density Residential land uses on the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, which is consistent with the *Congregate Care Facility/Elderly Housing* land use.

With all this being said, the fact that this case is a Specific Use Permit (SUP) and that the applicant's request does not conform to all the requirements of the Unified Development Code (UDC) or the Future Land Use Plan contained in the OURHometown Vision 2040 Comprehensive Plan, makes this a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 16, 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 not one (1) response from the City's online *Zoning and Specific Use Input Form* in opposition 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 a *Congregate Care Facility* on the subject property, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The proposed development of a *Congregate Care Facility* on the subject property shall generally adhere to the *Concept Plan* contained in *Exhibit 'C'* and the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
 - (b) The height of the proposed *Congregate Care Facility* shall be less than 60-feet in total height and conform to the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
 - (c) The proposed *Congregate Care Facility* shall be limited to a maximum of 300-units.
 - (d) All amenities depicted in the *Concept Plan* contained in *Exhibit 'C'* of this ordinance shall be provided generally as depicted. The exact size and location of these amenities shall be provided with the site plan.
 - (e) A maximum of two (2) units shall be permitted to have full kitchen facilities and shall be used for on-site managers only. All other units shall not incorporate kitchen facilities (*e.g. dishwasher, oven, etc.*) in any capacity.
 - (f) All units shall be designed to have a maximum occupancy of two (2) adults.
 - (g) Fulltime medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (*e.g. visiting nurse or home health care professional*).
 - (h) This facility shall incorporate special safety, accessibility, and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.
 - (i) The restaurant shall not be open to the general public; however, guests that are visiting a resident of the facility shall be permitted to use the restaurant.

- (j) The *Congregate Care Facility* shall be a non-smoking facility.
- (2) By approving this Specific Use Permit (SUP), 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 High Density Residential designation; and,
- (3) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-054

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 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 PRINT]

CURRENT ZONING PD-4

CURRENT USE Retail & Neighborhood Services

PROPOSED ZONING _____

PROPOSED USE Congregate Care: 300 rooms

ACREAGE 12.11

LOTS [CURRENT] 1

LOTS [PROPOSED] 2

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

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

OWNER HFS Management Inc.

APPLICANT WB Companies LLC

CONTACT PERSON Richard Chandler

CONTACT PERSON Robert Weinstein

ADDRESS 122 W John Carpenter Fwy, Ste 400

ADDRESS 495 Broadway, 7th Floor

CITY, STATE & ZIP Irving, TX 75039

CITY, STATE & ZIP New York, NY 10012

PHONE 214-649-7187

PHONE 212 226 6066

E-MAIL rchandler@sei-mi.com

E-MAIL robert@wbpropertygroup.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ 381.65 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 11/29/21 DAY OF 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

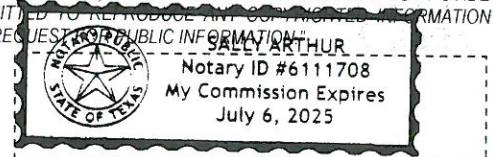
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 29 DAY OF November, 20 21.

OWNER'S SIGNATURE

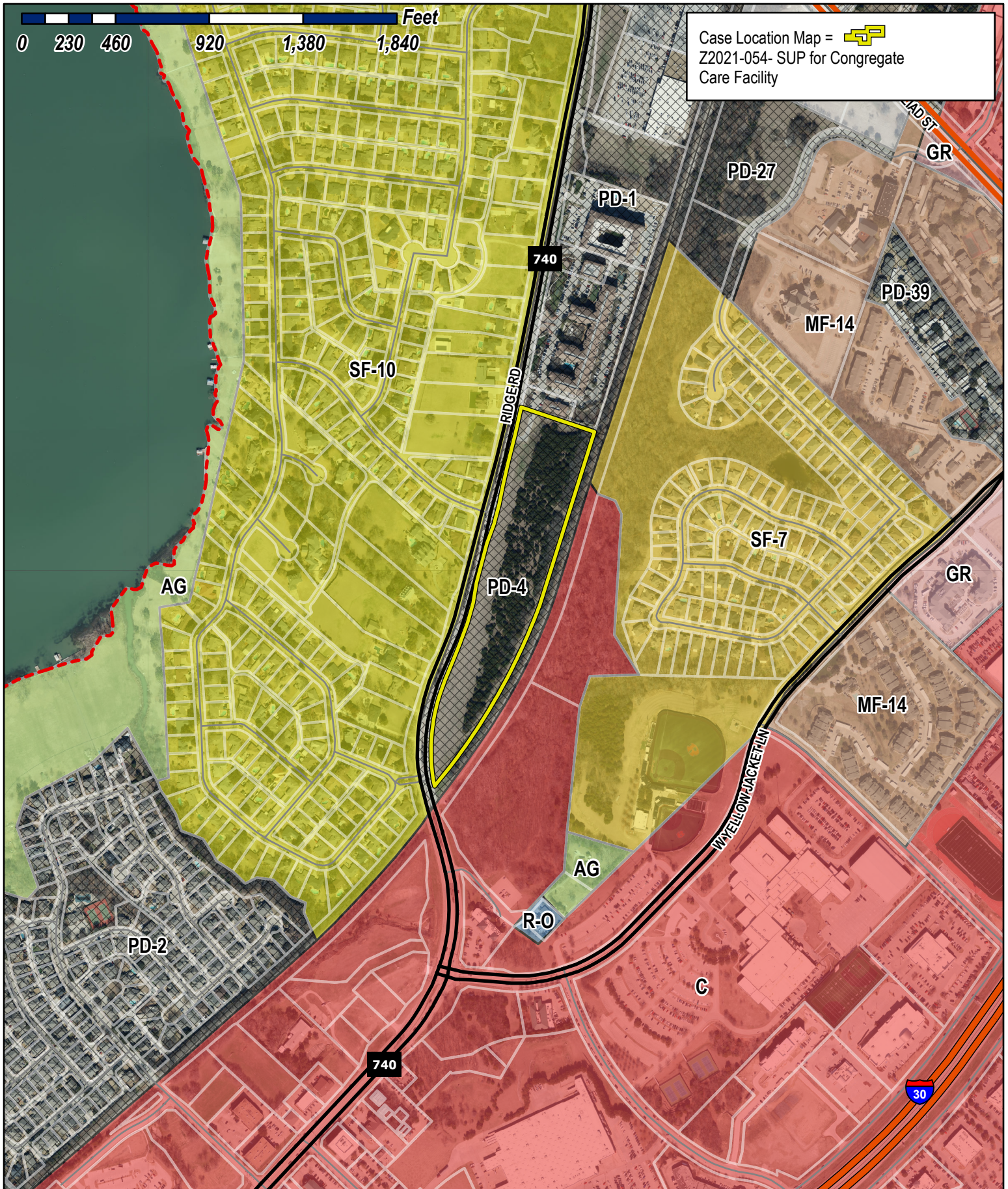
Hanna F Sakliyah


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Sally Arthur



MY COMMISSION EXPIRES 7-6-2025



Case Location Map = 
 Z2021-054- SUP for Congregate
 Care Facility



City of Rockwall

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

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

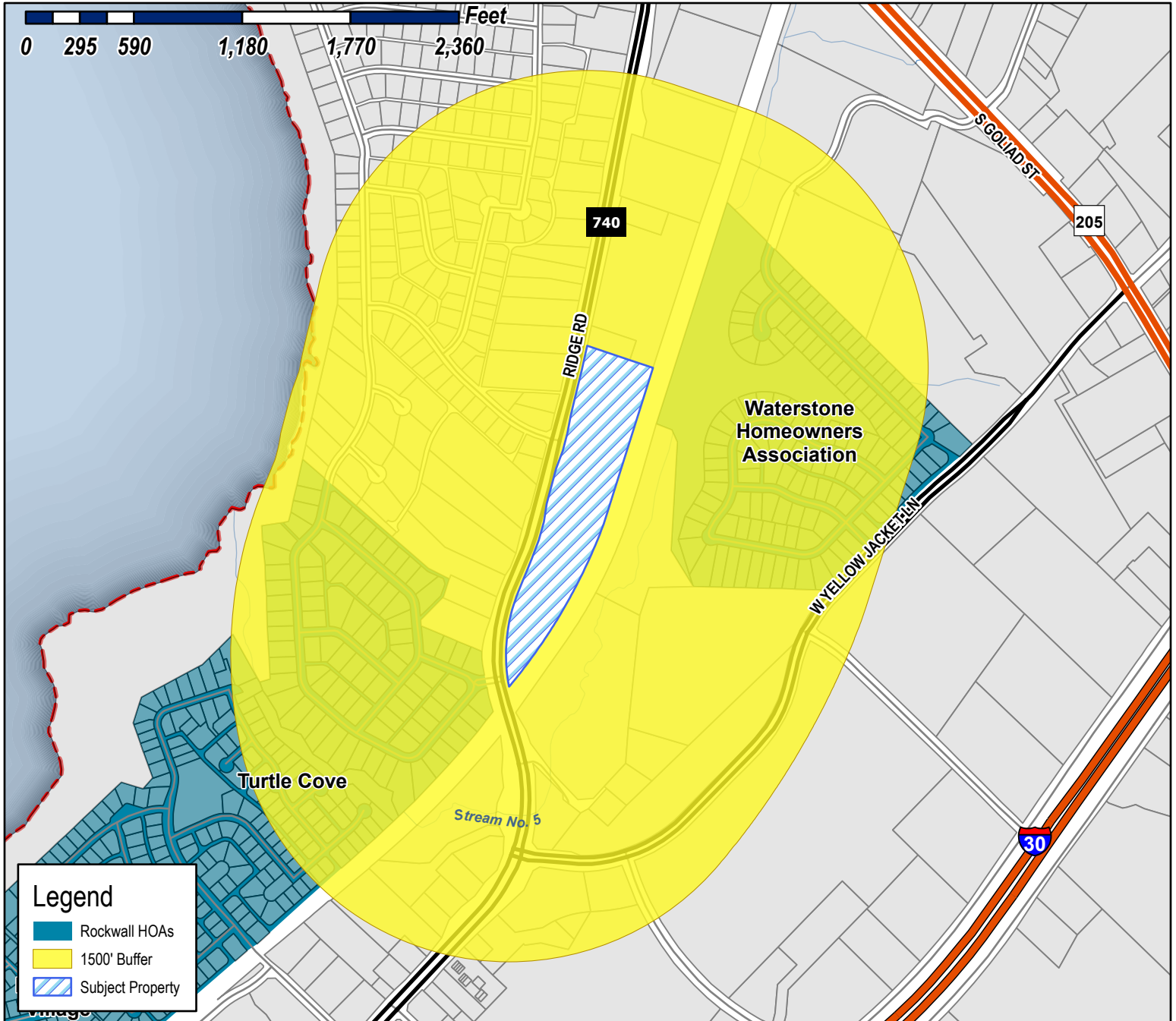




City of Rockwall

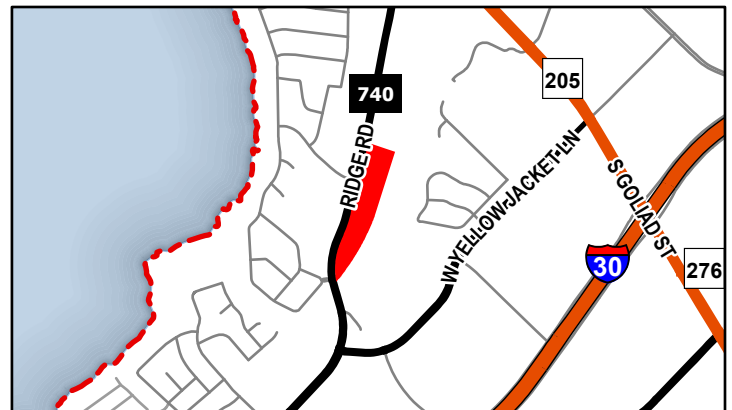
Planning & Zoning Department
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Rockwall, Texas 75087
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Case Number: Z2021-054
Case Name: SUP for Congregate Care Facility
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: Adjacent South of 1389 Ridge Road

Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-054]
Attachments: Public Notice (12.20.2021).pdf; HOA Map Z2021-054.png

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 *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2021-054: SUP for Congregate Care Facility

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 Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in Height the Scenic Overlay (SOV) District 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.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

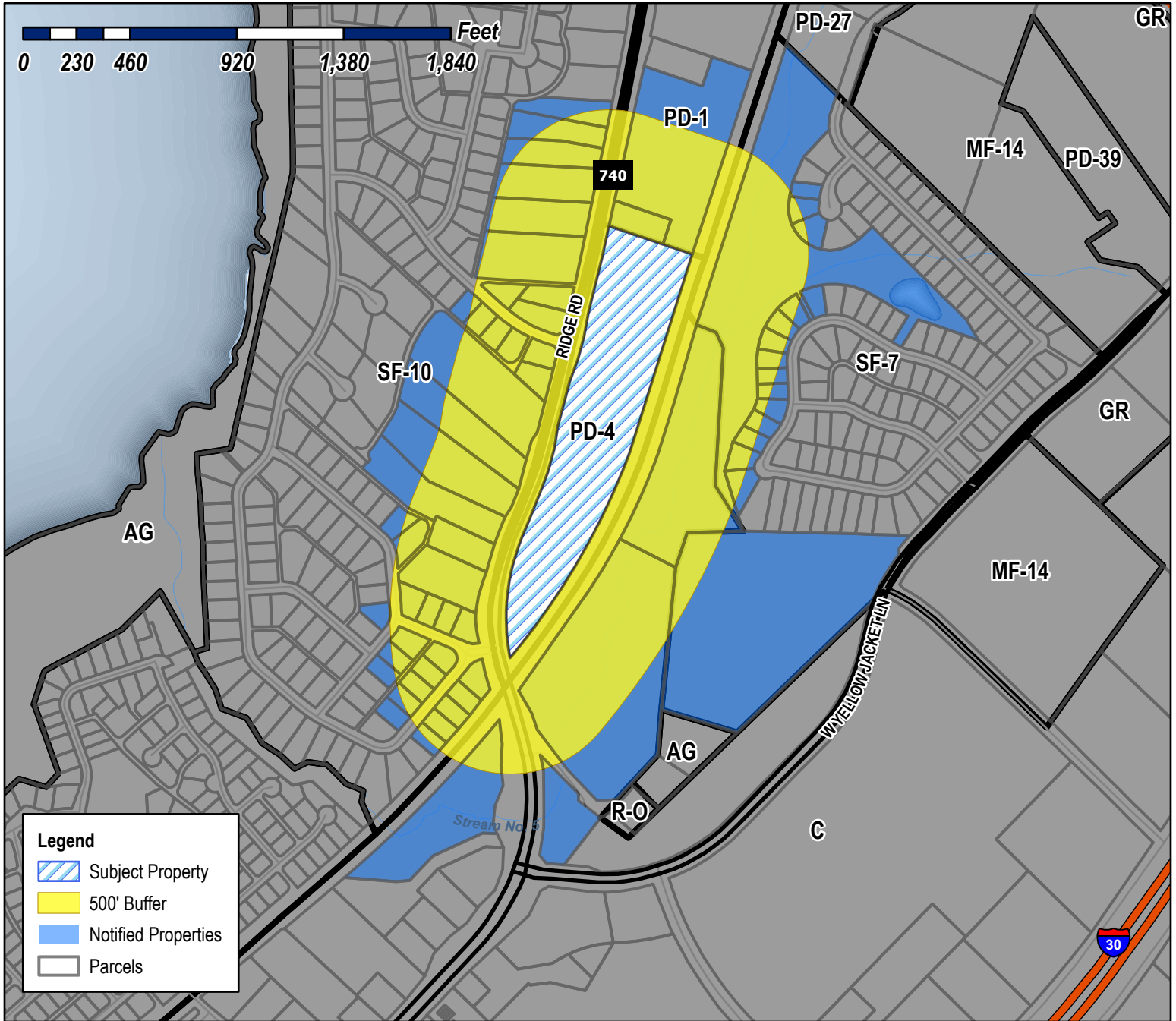
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City of Rockwall

Planning & Zoning Department
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Case Number: Z2021-054
Case Name: SUP for Congregate Care Facility
Case Type: Zoning
Zoning: Planned Development District 8 (PD-8)
Case Address: Adjacent South of 1389 Ridge Road

Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



NEFF DARRYL LEE JR
101 BECKY LN
ROCKWALL, TX 75087

KJT FLYING PROPERTIES LLC
102 LAKEDALE DR
ROCKWALL, TX 75087

MARSHALL RICHARD A AND
KENNETH F WILSON
103 BECKY LN
ROCKWALL, TX 75087

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

GARNER CASEY
104 BECKY LANE
ROCKWALL, TX 75087

MCCULLAR EMILY JEAN
104 LAKEDALE DRIVE
ROCKWALL, TX 75087

COX MARCUS D
105 BECKY LANE
ROCKWALL, TX 75087

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

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

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

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

PECK RUTH H
108 LAKEDALE DR
ROCKWALL, TX 75087

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

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

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

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

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

HALL STEPHANIE MCGARRY
130 PELICAN COVE DR
ROCKWALL, TX 75087

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

WILLCOXEN R GENE & MARY F
134 PELICAN COVE DR
ROCKWALL, TX 75087

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

BOBST DANIEL W AND JENNIFER L
1400 RIDGE RD
ROCKWALL, TX 75087

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

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

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

NORMAN LINDA
1406-B RIDGE RD
ROCKWALL, TX 75087

JBR2 LLC
1408 RIDGE RD
ROCKWALL, TX 75087

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

NAJMABADI NATHAN R & JENNIFER N
1412 RIDGE ROAD
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 C
150 PELICAN COVE DR
ROCKWALL, TX 75087

SCHWERDT JOSHUA MICHAEL
1502 RIDGE ROAD
ROCKWALL, TX 75087

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

TEBBUTT BRIAN C
156 PELICAN COVE DR
ROCKWALL, TX 75087

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

HENDRICKS JAMES & BARBARA
1602 RIDGE RD
ROCKWALL, TX 75087

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

UHLIG JANET KAY
168 MURPHY CT
ROCKWALL, TX 75087

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

GREEN STEVEN T
1724 RIDGE RD
ROCKWALL, TX 75087

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

RICKERSON CHARLES AND VIRGINIA
1728 RIDGE RD
ROCKWALL, TX 75087

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

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

KELLY TANNER B
178 MURPHY CT
ROCKWALL, TX 75087

THAMES HOLDING LLC
1887 ENGLISH RD
ROCKWALL, TX 75032

PETTIGREW TERESA VIOLA
1901 LAKEVIEW DR
ROCKWALL, TX 75087

BALL DEREK AND AMANDA
1903 LAKEVIEW DR
ROCKWALL, TX 75087

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

PADILLA KRIS AND JOE
2005 LAKESHORE DRIVE
ROCKWALL, TX 75087

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

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

CHARLES JACOB
2008 S LAKESHORE DR
ROCKWALL, TX 75087

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

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

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

SALAZAR AARON AND OLGA
2012 LAKESHORE DR
ROCKWALL, TX 75087

FREEMAN C L
2013 S LAKESHORE DR
ROCKWALL, TX 75087

THAMES HOLDING LLC
2014 LAKESHORE DR
ROCKWALL, TX 75087

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

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

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

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

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

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

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

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

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

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

HENDRICKS JAMES & BARBARA
5903 VOLUNTEER PL
ROCKWALL, TX 75032

CHURCH ON THE ROCK
6005 DALROCK RD
ROWLETT, TX 75088

NEFF DARRYL LEE JR
7214 BENNINGTON DR
DALLAS, TX 75214

ROCKWALL I S D
801 E WASHINGTON ST
ROCKWALL, TX 75087

KELLY TANNER B
9801 ROYAL LN APT 708
DALLAS, TX 75231

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

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

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

KJT FLYING PROPERTIES LLC
PO BOX 1476
ROCKWALL, TX 75087

BURKE CASEY JOE AND ANDREA GAYDEN
PO BOX 2514
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2021-054: SUP for a Congregate Care Facility

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 Specific Use Permit (SUP) for a Congregate Care Facility that Exceeds 36-Feet in height in the Scenic Overlay (SOV) District 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, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

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

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2021-054: SUP for a Congregate Care Facility

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

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

December 8th 2021

Dear Mr. Miller,

Please consider this my formal application letter to request for a special use permit for Congregate Care for PD-4.

We propose a best in class 300 room congregate care facility that will provide daily prepared meals. Residents will be 62 and over and will have unobstructed views of Lake Ray Hubbard and a full package indoor and outdoor communal amenities and experiences. We will comply with all the Rockwall UDC requirements for Congregate care facility. **Max height of the building will be 60ft size from the highest elevation along Ridge Road, any individual building will not to exceed 320,000 sq. ft. and we will provide 20% of open space.**

Our Congregate Care Facility will foster a close sense of community where our elderly residents can be surrounded by friends where they can come together for planned experiences and use our exceptional amenities.

Demand In 2021 the average age of baby boomers is 57-75. With the continued increase of the size of the population over the age of 62 there is a large need to increase availability of Congregate Care/Elderly Housing. Many older adults no longer want the burden of living in an oversized home, many times isolated from their loved ones, while having all the headaches of house maintenance.

Security and Care Loved ones can rest at ease that their parents and grand parents will be looked after by our staff and monitored using our best in class emergency monitoring systems.

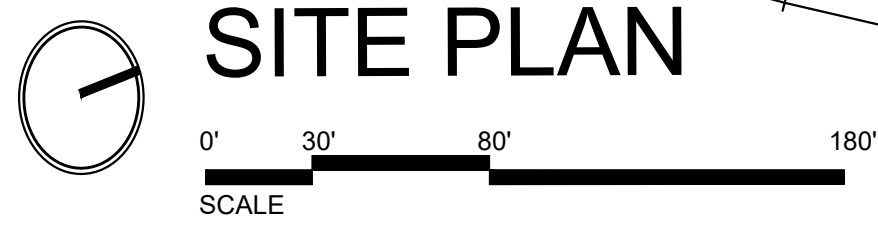
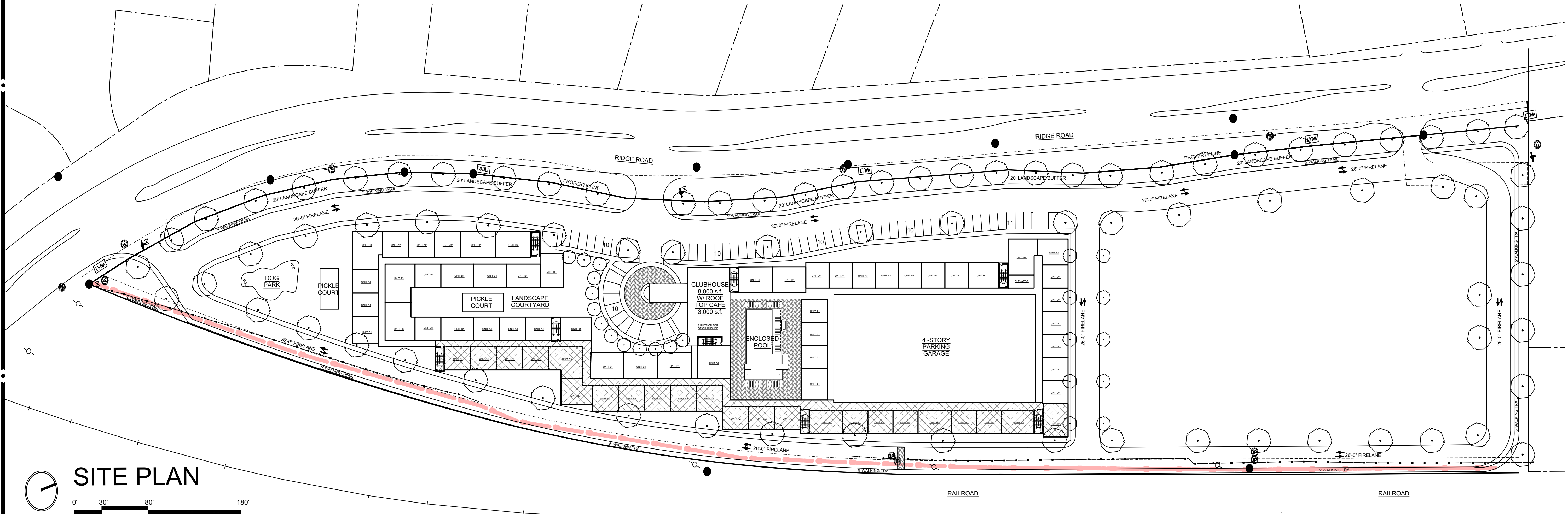
Dedicated Areas for Indoor and Outdoor Recreation and Activities Our amenities will include Pool, Meditation garden, Outdoor grilling area Walking Trail, Fitness Center, Food Truck area, Picnic Tables Yoga, Community Room, Kitchen, Rooftop deck.

Apartment Amenities Large master bedroom suites Expansive walk-in closets Vinyl flooring. Oversized soaking tubs. Modern slate GE appliances.

Thank you for your time and consideration,

Robert Weinstein





PROJECT DATA FOR PHASE # 1

300 TOTAL UNITS: - 4 / 5 split stories
 Approx. 60% "A-units" - 180 units
 Approx. 40% "B-units" - 120 units

PARKING REQUIRED:

1 for 1- Bedroom = 180 x 1 = 180 spaces
 1 for 2- Bedroom = 120 x 1 = 120 spaces
 Restaurant = 1/300 = 10 spaces
 (310 Total parking spaces required)

PARKING PROVIDED:

Parking Garage - 51 spaces per tier / 4 stories
 (Approx. 205 spaces)
 (Surface) = 116 spaces
 Total Spaces provided : 320

SITE AMENITIES:

Landscaped Pool courtyard
 Roof top restaurant - Residents Only
 - Approx. 13,000 s.f.
 Open Space - Approx. 20%
 Community Dog Park
 (2) Sport Courts - Pickle Ball

The Edge at Rockwall

ACTIVE SENIOR LIVING APARTMENTS
 ROCKWALL, TEXAS

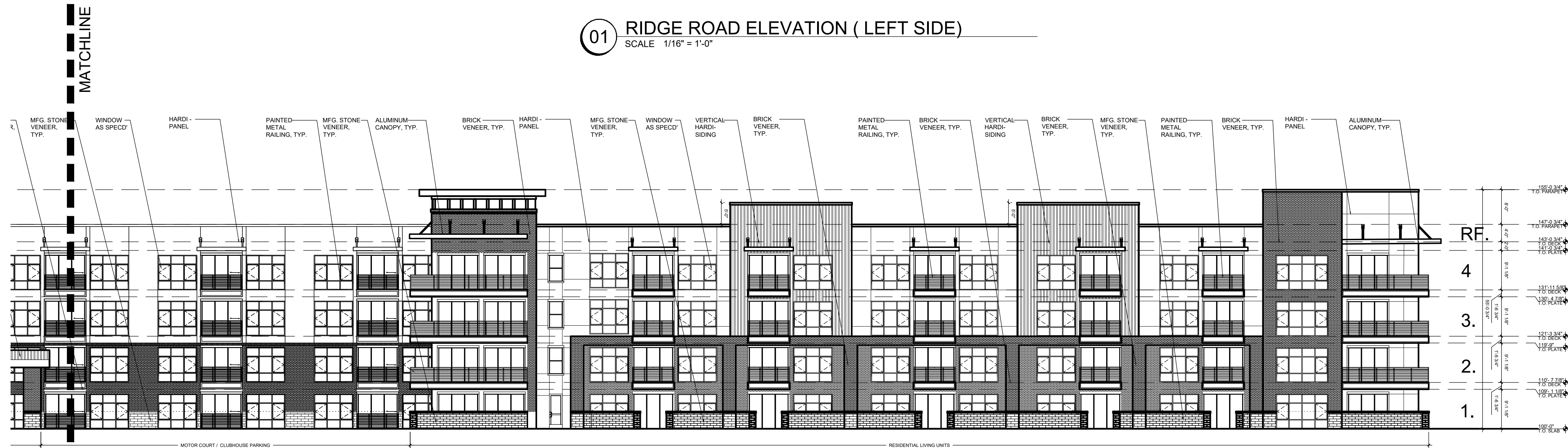
ARRIVE1
 ARCHITECTURE GROUP
 Architecture
 Planning
 Project Management
 2344 Highway 121 - Suite 100 - Bedford, Texas 76021 - www.ArriveAG.com
 Ph: 817.514.0584 - Fx: 817.514.0694

SEAL

DRAWN BY AAG		CHECKED BY JMT	
ISSUED FOR CONCEPT PLAN		SHEET NO.	
SUBMITTAL DATE 12/06/21		SCALE	

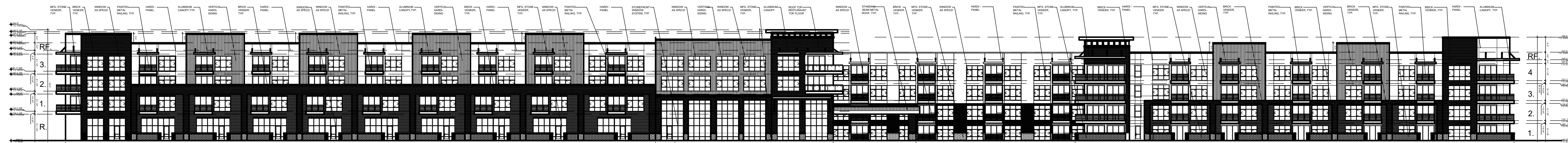


01 RIDGE ROAD ELEVATION (LEFT SIDE)
SCALE 1/16" = 1'-0"



02 RIDGE ROAD ELEVATION (RIGHT SIDE)
SCALE 1/16" = 1'-0"

ELEVATION MATERIALS	
STOREFRONT	8%
STONE VENEER	20%
BRICK VENEER	22%
HARDI-SIDING/ PANEL	50%
TOTAL	100%



01

02

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 4 (PD-4) [ORDINANCE NO.'S 72-03 & 01-26] AND 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 CONGREGATE CARE FACILITY THAT EXCEEDS 36-FEET IN HEIGHT IN THE SCENIC OVERLAY (SOV) DISTRICT 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 SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Robert Weinstein of WB Companies on behalf of Richard Chandler of HFS Management, Inc. for the approval of a Specific Use Permit (SUP) for a *Congregate Care Facility that Exceeds 36-Feet in Height in the Scenic Overlay (SOV) District* on a 12.1148-acre tract of land described 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 being more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* 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 Planned Development District 4 (PD-4) [*Ordinance No.'s 72-03 & 01-26*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Congregate Care Facility that Exceeds 36-Feet in Height in the Scenic Overlay (SOV) District* as stipulated by Subsection 01.02, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 06.02, *General Overlay District 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 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 4 (PD-4) [Ordinance No.'s 72-03 & 01-26] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Congregate Care Facility* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The proposed development of a *Congregate Care Facility* on the subject property shall generally adhere to the *Concept Plan* contained in *Exhibit 'C'* and the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
- (2) The height of the proposed *Congregate Care Facility* shall be less than 60-feet in total height and conform to the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance.
- (3) The proposed *Congregate Care Facility* shall be limited to a maximum of 300-units.
- (4) All amenities depicted in the *Concept Plan* contained in *Exhibit 'C'* of this ordinance shall be provided generally as depicted. The exact size and location of these amenities shall be provided with the site plan.
- (5) A maximum of two (2) units shall be permitted to have full kitchen facilities and shall be used for on-site managers only. All other units shall not incorporate kitchen facilities (e.g. *dishwasher, oven, etc.*) in any capacity.
- (6) All units shall be designed to have a maximum occupancy of two (2) adults.
- (7) Fulltime medical or nursing care shall not be provided by the facility; however, medical and nursing care may be privately arranged for individual residents on a part-time or temporary basis (e.g. *visiting nurse or home health care professional*).
- (8) This facility shall incorporate special safety, accessibility, and convenience features that may include but are not limited to emergency call systems, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.
- (9) The restaurant shall not be open to the general public; however, guests that are visiting an resident of the facility shall be permitted to use the restaurant.
- (10) The *Congregate Care Facility* shall be a non-smoking facility.

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 *Certificate of Occupancy*, should the property owner 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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

DRAFT
ORDINANCE
01.11.2022

EXHIBIT 'A':
Legal Description

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

TRACT NO. 1:

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

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

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

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

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

North 18 Degrees 29' East 125.4-feet;

North 15 Degrees 17' East 825-feet;

North 13 Degrees 53' East 99.4-feet;

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

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

TRACT NO. 2:

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

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

North 10 Degrees 30' West 48-feet;

North 6 Degrees 34' East 100-feet;

North 12 Degrees 30' East 100-feet;

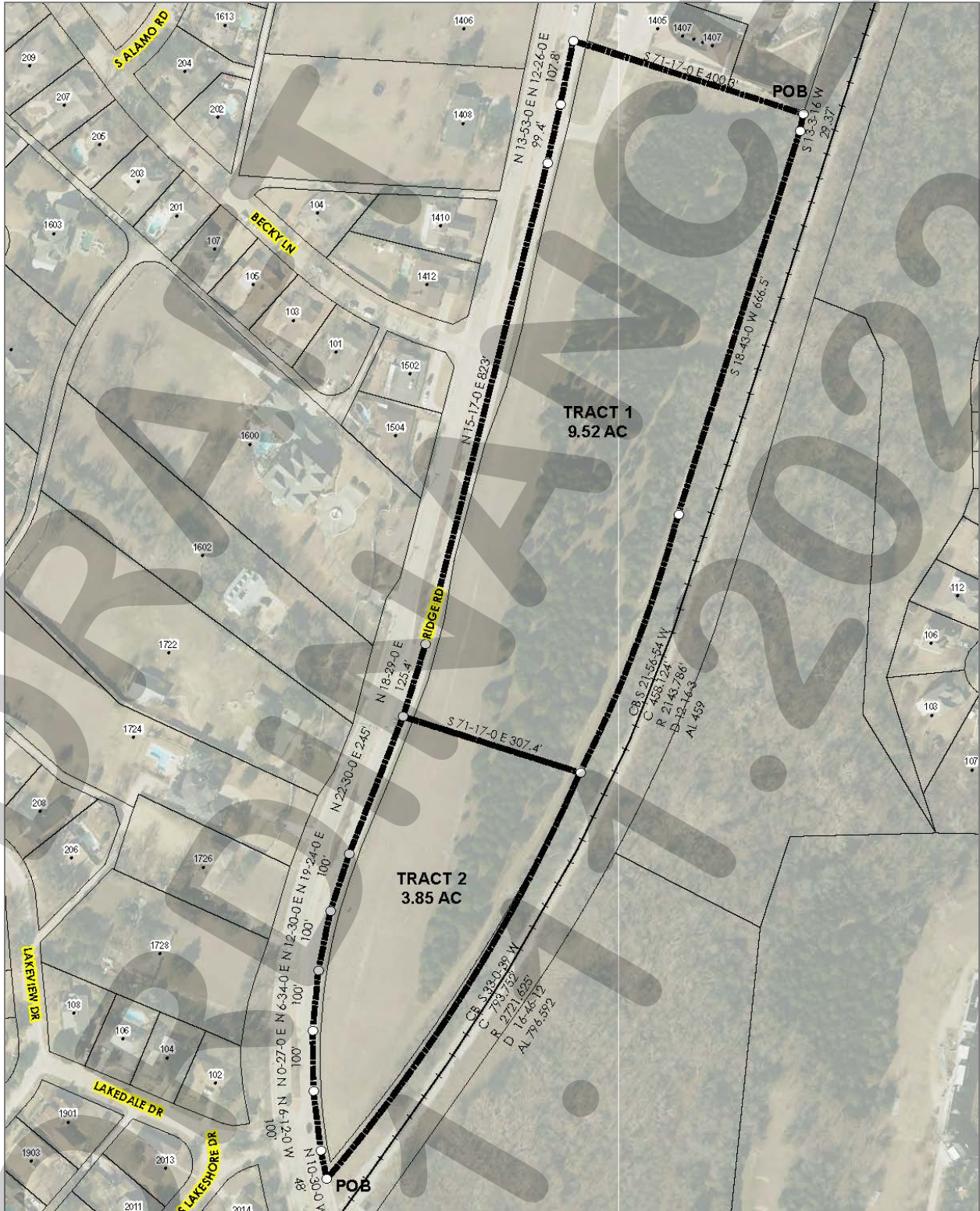
North 19 Degrees 24' East 100 feet;

North 22 Degrees 30' East 245-feet to a stake for a corner;

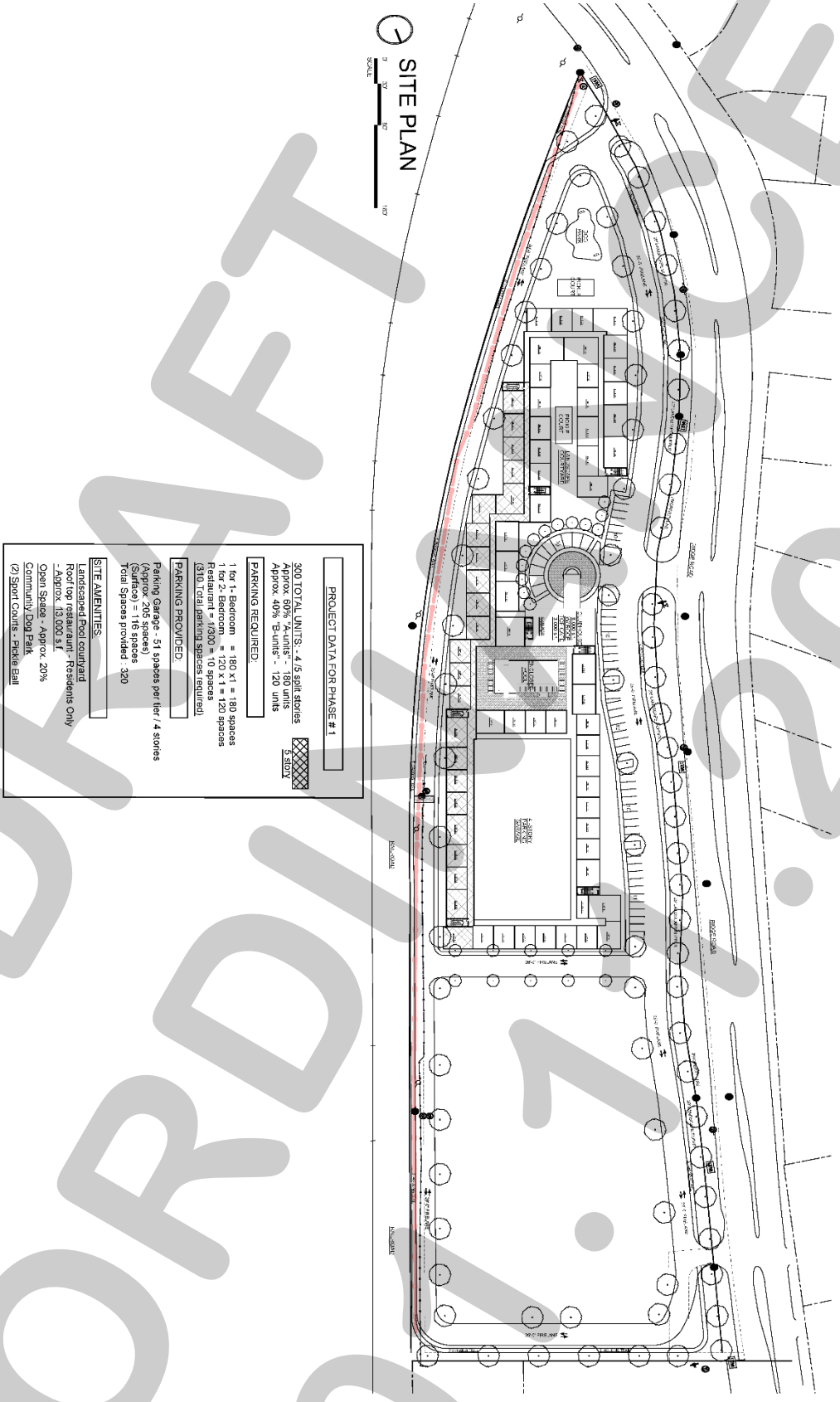
THENCE South 71 Degrees 17' East 321-feet to a stake in the west right-of-way of said railroad;

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

EXHIBIT 'B':
Survey

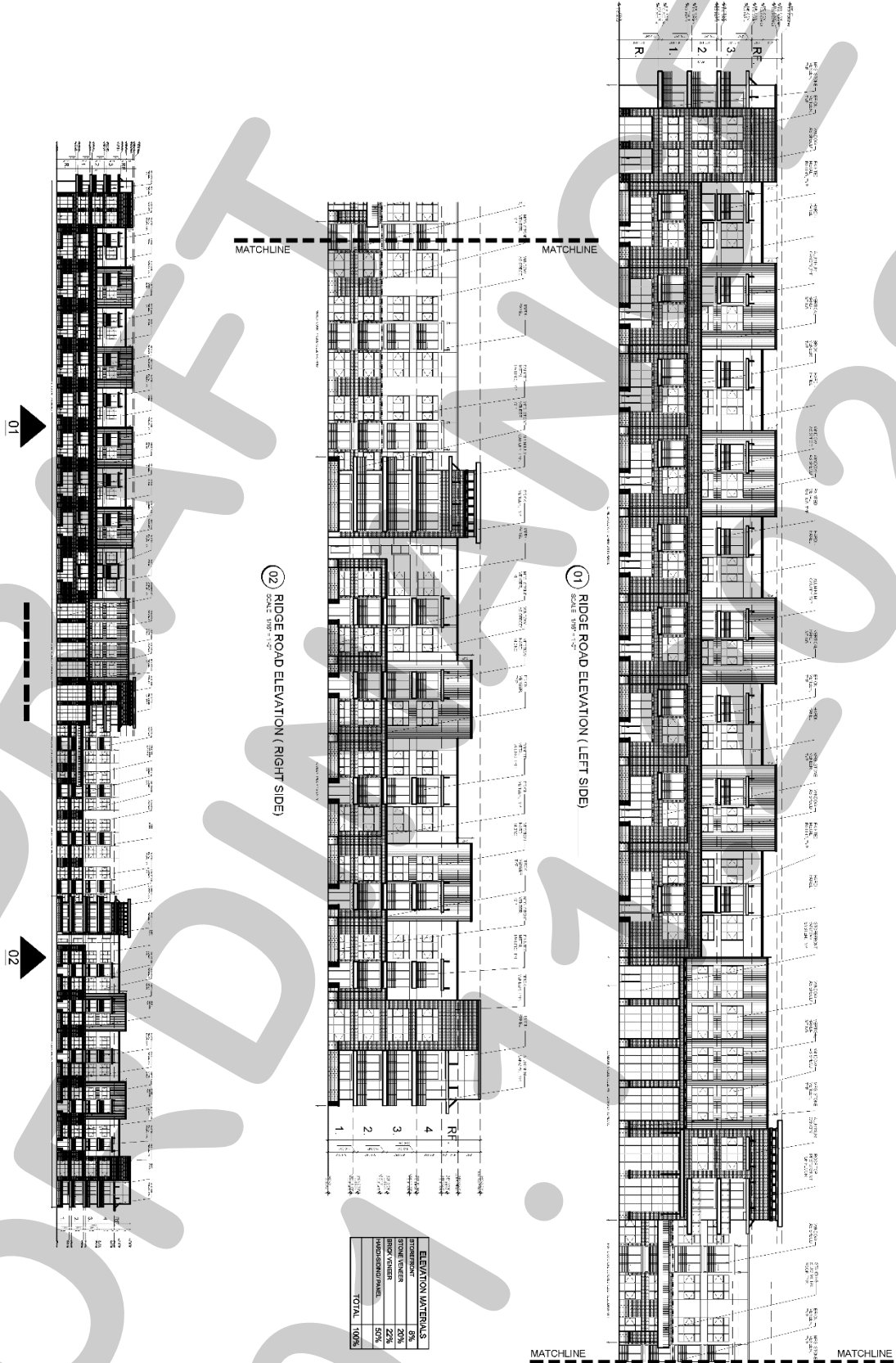


**EXHIBIT 'C':
Concept Plan**



PROJECT DATA FOR PHASE # 1	
300 TOTAL UNITS - 4 1/2 story	APPROX. 60% 2-Units - 180 units
APPROX. 40% 4-Units - 120 units	
PARKING REQUIRED:	
1 for 1-Bedroom = 180 x 1 = 180 spaces	1 for 2-Bedroom = 180 x 2 = 360 spaces
1 for 3-Bedroom = 180 x 3 = 540 spaces	1 for 4-Bedroom = 180 x 4 = 720 spaces
1 for 5-Bedroom = 180 x 5 = 900 spaces	1 for 6-Bedroom = 180 x 6 = 1080 spaces
1 for 7-Bedroom = 180 x 7 = 1260 spaces	1 for 8-Bedroom = 180 x 8 = 1440 spaces
1 for 9-Bedroom = 180 x 9 = 1620 spaces	1 for 10-Bedroom = 180 x 10 = 1800 spaces
1 for 11-Bedroom = 180 x 11 = 1980 spaces	1 for 12-Bedroom = 180 x 12 = 2160 spaces
1 for 13-Bedroom = 180 x 13 = 2340 spaces	1 for 14-Bedroom = 180 x 14 = 2520 spaces
1 for 15-Bedroom = 180 x 15 = 2700 spaces	1 for 16-Bedroom = 180 x 16 = 2880 spaces
1 for 17-Bedroom = 180 x 17 = 3060 spaces	1 for 18-Bedroom = 180 x 18 = 3240 spaces
1 for 19-Bedroom = 180 x 19 = 3420 spaces	1 for 20-Bedroom = 180 x 20 = 3600 spaces
1 for 21-Bedroom = 180 x 21 = 3780 spaces	1 for 22-Bedroom = 180 x 22 = 3960 spaces
1 for 23-Bedroom = 180 x 23 = 4140 spaces	1 for 24-Bedroom = 180 x 24 = 4320 spaces
1 for 25-Bedroom = 180 x 25 = 4500 spaces	1 for 26-Bedroom = 180 x 26 = 4680 spaces
1 for 27-Bedroom = 180 x 27 = 4860 spaces	1 for 28-Bedroom = 180 x 28 = 5040 spaces
1 for 29-Bedroom = 180 x 29 = 5220 spaces	1 for 30-Bedroom = 180 x 30 = 5400 spaces
1 for 31-Bedroom = 180 x 31 = 5580 spaces	1 for 32-Bedroom = 180 x 32 = 5760 spaces
1 for 33-Bedroom = 180 x 33 = 5940 spaces	1 for 34-Bedroom = 180 x 34 = 6120 spaces
1 for 35-Bedroom = 180 x 35 = 6300 spaces	1 for 36-Bedroom = 180 x 36 = 6480 spaces
1 for 37-Bedroom = 180 x 37 = 6660 spaces	1 for 38-Bedroom = 180 x 38 = 6840 spaces
1 for 39-Bedroom = 180 x 39 = 7020 spaces	1 for 40-Bedroom = 180 x 40 = 7200 spaces
1 for 41-Bedroom = 180 x 41 = 7380 spaces	1 for 42-Bedroom = 180 x 42 = 7560 spaces
1 for 43-Bedroom = 180 x 43 = 7740 spaces	1 for 44-Bedroom = 180 x 44 = 7920 spaces
1 for 45-Bedroom = 180 x 45 = 8100 spaces	1 for 46-Bedroom = 180 x 46 = 8280 spaces
1 for 47-Bedroom = 180 x 47 = 8460 spaces	1 for 48-Bedroom = 180 x 48 = 8640 spaces
1 for 49-Bedroom = 180 x 49 = 8820 spaces	1 for 50-Bedroom = 180 x 50 = 9000 spaces
1 for 51-Bedroom = 180 x 51 = 9180 spaces	1 for 52-Bedroom = 180 x 52 = 9360 spaces
1 for 53-Bedroom = 180 x 53 = 9540 spaces	1 for 54-Bedroom = 180 x 54 = 9720 spaces
1 for 55-Bedroom = 180 x 55 = 9900 spaces	1 for 56-Bedroom = 180 x 56 = 10080 spaces
1 for 57-Bedroom = 180 x 57 = 10260 spaces	1 for 58-Bedroom = 180 x 58 = 10440 spaces
1 for 59-Bedroom = 180 x 59 = 10620 spaces	1 for 60-Bedroom = 180 x 60 = 10800 spaces
1 for 61-Bedroom = 180 x 61 = 10980 spaces	1 for 62-Bedroom = 180 x 62 = 11160 spaces
1 for 63-Bedroom = 180 x 63 = 11340 spaces	1 for 64-Bedroom = 180 x 64 = 11520 spaces
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1 for 87-Bedroom = 180 x 87 = 15660 spaces	1 for 88-Bedroom = 180 x 88 = 15840 spaces
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1 for 91-Bedroom = 180 x 91 = 16380 spaces	1 for 92-Bedroom = 180 x 92 = 16560 spaces
1 for 93-Bedroom = 180 x 93 = 16740 spaces	1 for 94-Bedroom = 180 x 94 = 16920 spaces
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1 for 97-Bedroom = 180 x 97 = 17460 spaces	1 for 98-Bedroom = 180 x 98 = 17640 spaces
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1 for 103-Bedroom = 180 x 103 = 18540 spaces	1 for 104-Bedroom = 180 x 104 = 18720 spaces
1 for 105-Bedroom = 180 x 105 = 18900 spaces	1 for 106-Bedroom = 180 x 106 = 19080 spaces
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1 for 109-Bedroom = 180 x 109 = 19620 spaces	1 for 110-Bedroom = 180 x 110 = 19800 spaces
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1 for 125-Bedroom = 180 x 125 = 22500 spaces	1 for 126-Bedroom = 180 x 126 = 22680 spaces
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1 for 141-Bedroom = 180 x 141 = 25380 spaces	1 for 142-Bedroom = 180 x 142 = 25560 spaces
1 for 143-Bedroom = 180 x 143 = 25740 spaces	1 for 144-Bedroom = 180 x 144 = 25920 spaces
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1 for 163-Bedroom = 180 x 163 = 29340 spaces	1 for 164-Bedroom = 180 x 164 = 29520 spaces
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EXHIBIT 'D':
Concept Building Elevations





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: Patrick Filson; *Kirkman Engineering*
CASE NUMBER: Z2021-055; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In*

SUMMARY

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts 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/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on September 16, 1974 by *Ordinance No. 74-22 [Case No. A1974-002]*. The City's historic zoning map indicates the subject property was zoned Office (OF) District as of May 16, 1983. Sometime between May 16, 1983 and April 5, 2005 the zoning of the subject property was changed from an Office (OF) District to a Commercial (C) District. On December 27, 2005, the City Council approved a final plat [*Case No. P2005-047*] that established the subject property as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition. The subject property has remained vacant since it was annexed in 1974.

PURPOSE

The applicant -- *Patrick Filson of Kirkman Engineering* -- 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* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject are two (2) parcels of land zoned Commercial (C) District and developed with commercial land uses (*i.e. Your Cleaners, PPG Paints, Carnation Nail Spa, Donut Station, Bad Ace Vapor Lounge, and RaceTrak Gas Station*). Beyond this is the old alignment of SH-276 (*unofficially Caddo Ridge Road*), which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 20.2904-acre parcel, zoned Commercial (C) District, that is currently developed with a Costco Wholesale.

South: Directly south of the subject property is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is are two (2) parcels of land, zoned Commercial (C) District, that are developed with commercial land uses (*i.e. Mathnasium, Embroidery and More, Cute Nails and Spa, Rockwall Foot Spa, McNew Dentistry, Hacienda Car Wash, and The Vault Self Storage*).

East: Directly east of the subject property a vacant eight (8) acre parcel of land located entirely within the floodplain and zoned Commercial (C) District. Beyond this is the Meadowcreek Park, which is situated on a 17.1937-acre parcel of land. Beyond this is Phases 1 & 2 of the Meadowcreek Estates Subdivision. This subdivision is zoned Planned Development District 10 (PD-10) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. S. Goliad Street [SH-205] is identified as a P6D (i.e. principal arterial, six [6] lane, divided roadway) and Ralph Hall Parkway is identified as a M4D (i.e. major collector, four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land zoned Commercial (C) District that are developed with commercial land uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, letter, 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*. The proposed concept plan depicts a 5,130 SF restaurant/retail building that faces onto S. Goliad Street [SH-205]. The applicant has indicated that the drive through restaurant is less than 2,000 SF, which is the purpose for requesting the Specific Use Permit (SUP). The concept plan indicates that the drive through for the restaurant will wrap around the building, extending from the northeast side of the building to the northwest side of the building, and incorporate a maximum stacking capacity of seven (7) vehicles. The proposed concept plan also shows that a bail out lane, running parallel to the drive through, will be included. In addition, headlight screening will be provided adjacent to the northwest property line.

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 concept plan falls under this classification. According to *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *Restaurant with less than 2,000 SF 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 *Restaurants* of this size are appropriate within all of the City's commercial areas, and that the City Council should have discretionary oversight with regard to the types of *Restaurants* and their impacts on adjacent land uses within these areas. In addition, Subsection 02.03(f)(9) places the following additional 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).

STAFF ANALYSIS

The Commercial (C) District zoning classification allows for most types of commercial development, which includes most types of office and retail activity; however, the Commercial (C) District limits land uses that are not compatible with retail shopping, particularly uses that generate high traffic not associated with retail land uses. Given this, the land use for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* is not a permitted *by-right* land use and requires a Specific Use Permit (SUP). With this being said the subject property is located along a major roadway (i.e. SH-205) that is capable of carrying the additional traffic generated by the proposed land use. Based on this, the proposed land use does appear to be appropriate for this location; however, the 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 December 21, 2021, staff mailed 18 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Meadowcreek Estates Homeowner's Associations (HOAs), which is the only HOAs/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had 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, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The development of the Subject Property shall generally conform to the Concept Plan as depicted in Exhibit 'B' of the SUP ordinance.
 - (b) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-055

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2325 S Goliad Street

SUBDIVISION Meadowcreek Business Park Center LOT 2 BLOCK 1

GENERAL LOCATION The intersection of S Goliad Street and Ralph Hall Parkway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING C-Commercial CURRENT USE Undeveloped

PROPOSED ZONING C-Commercial - SUP PROPOSED USE Multi Tenant Retail / Restaurant with DT

ACREAGE 0.799ac LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

<input type="checkbox"/> OWNER	Marlyn Roberts	<input checked="" type="checkbox"/> APPLICANT	Kirkman Engineering
CONTACT PERSON		CONTACT PERSON	Patrick Filson
ADDRESS	323 Julian Drive	ADDRESS	5200 State Highway 121
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Colleyville, TX 76034
PHONE		PHONE	817-488-4960
E-MAIL		E-MAIL	patrick.filson@trustke.com

NOTARY VERIFICATION [REQUIRED]

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

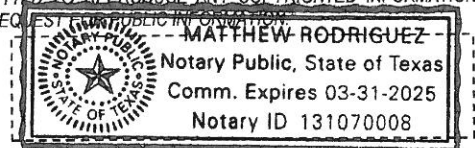
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 200 + 15.00 Acre TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF November, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF November, 2021.

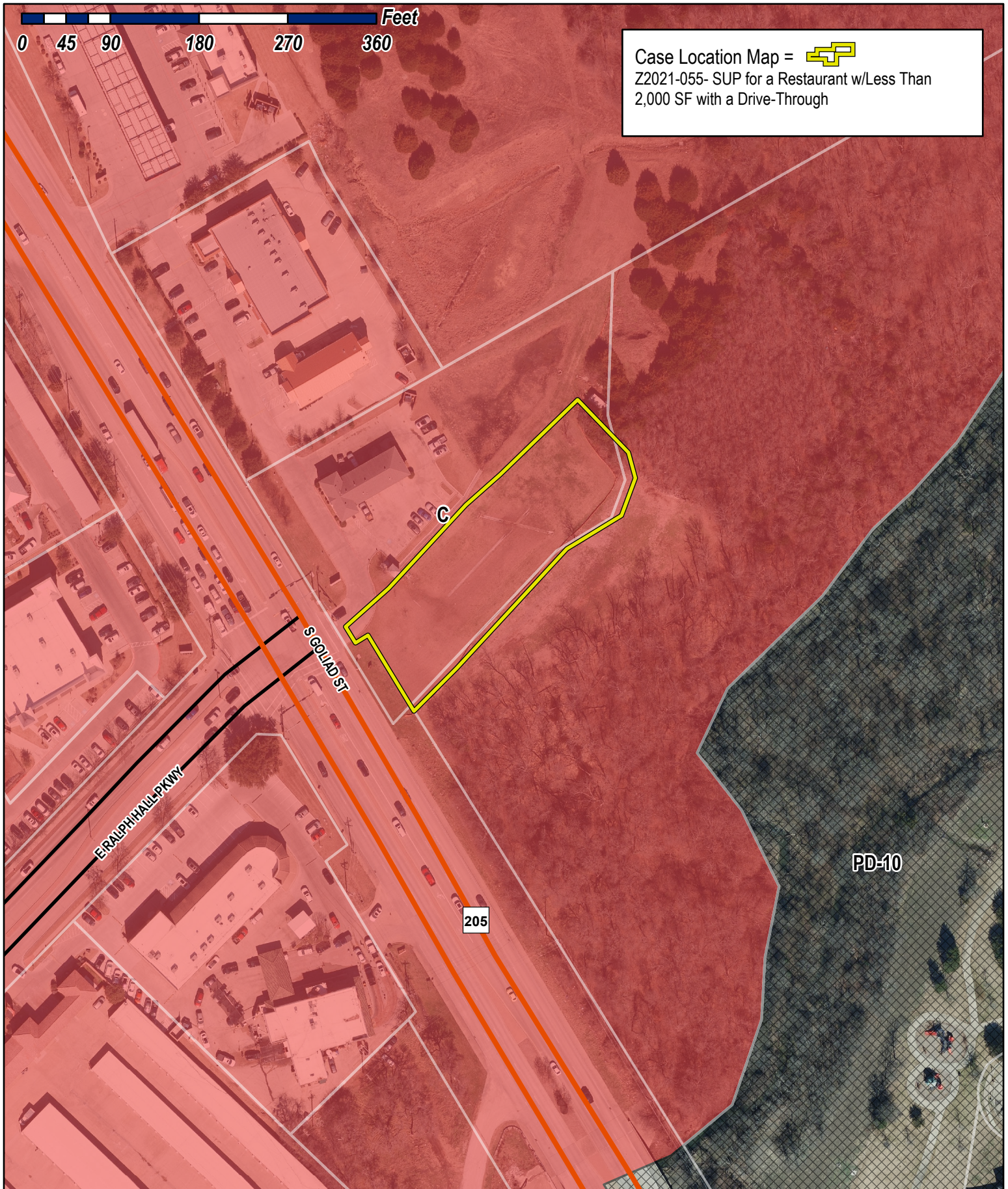
OWNER'S SIGNATURE


Marlyn R. Roberts
Rockwall, Texas Matthew

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 3-31-25



Case Location Map = 
 Z2021-055- SUP for a Restaurant w/Less Than
 2,000 SF with a Drive-Through



City of Rockwall

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

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

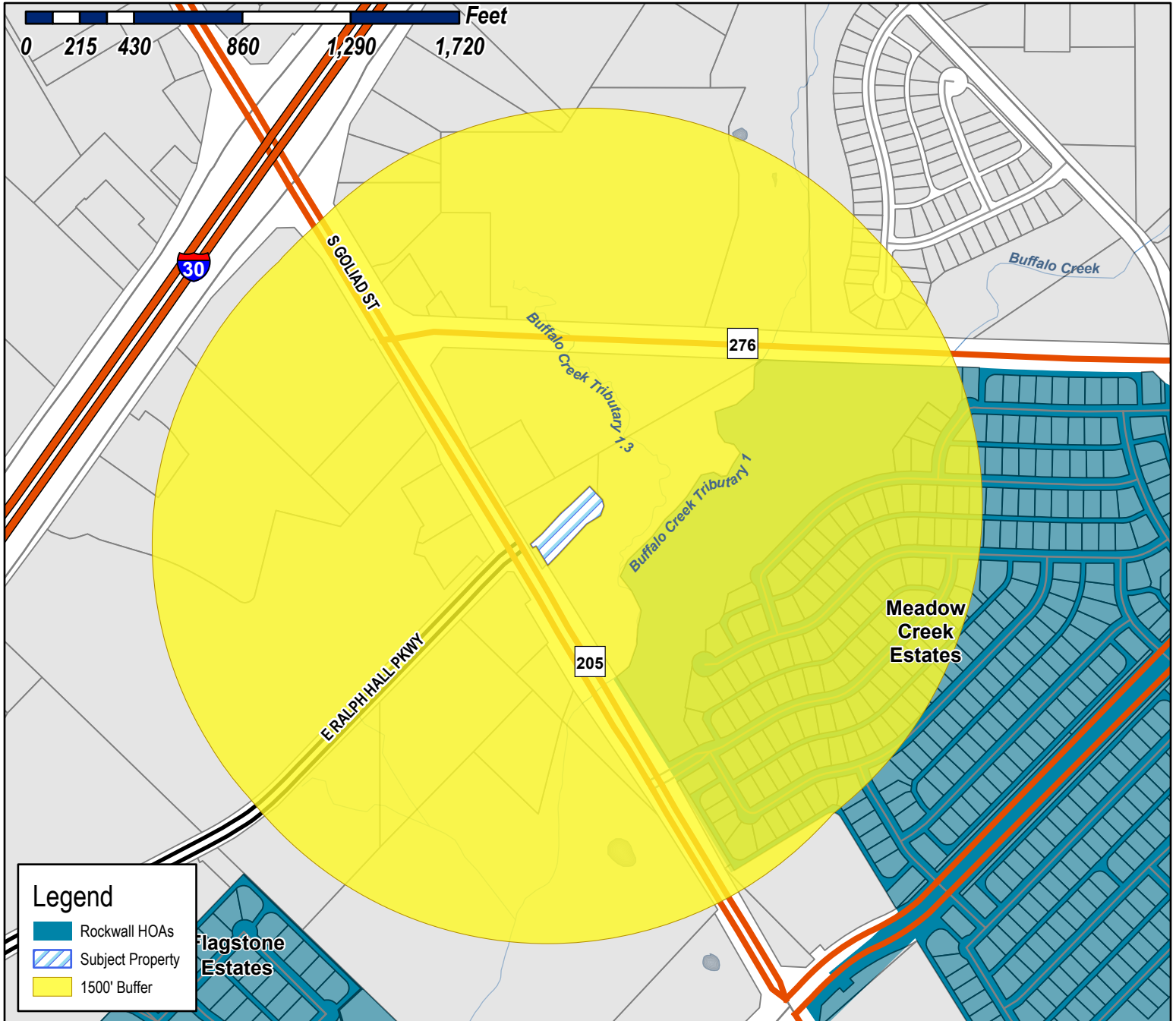




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2021-05
Case Name: SUP for Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-055]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.17.2021).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 December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts 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/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, 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/>

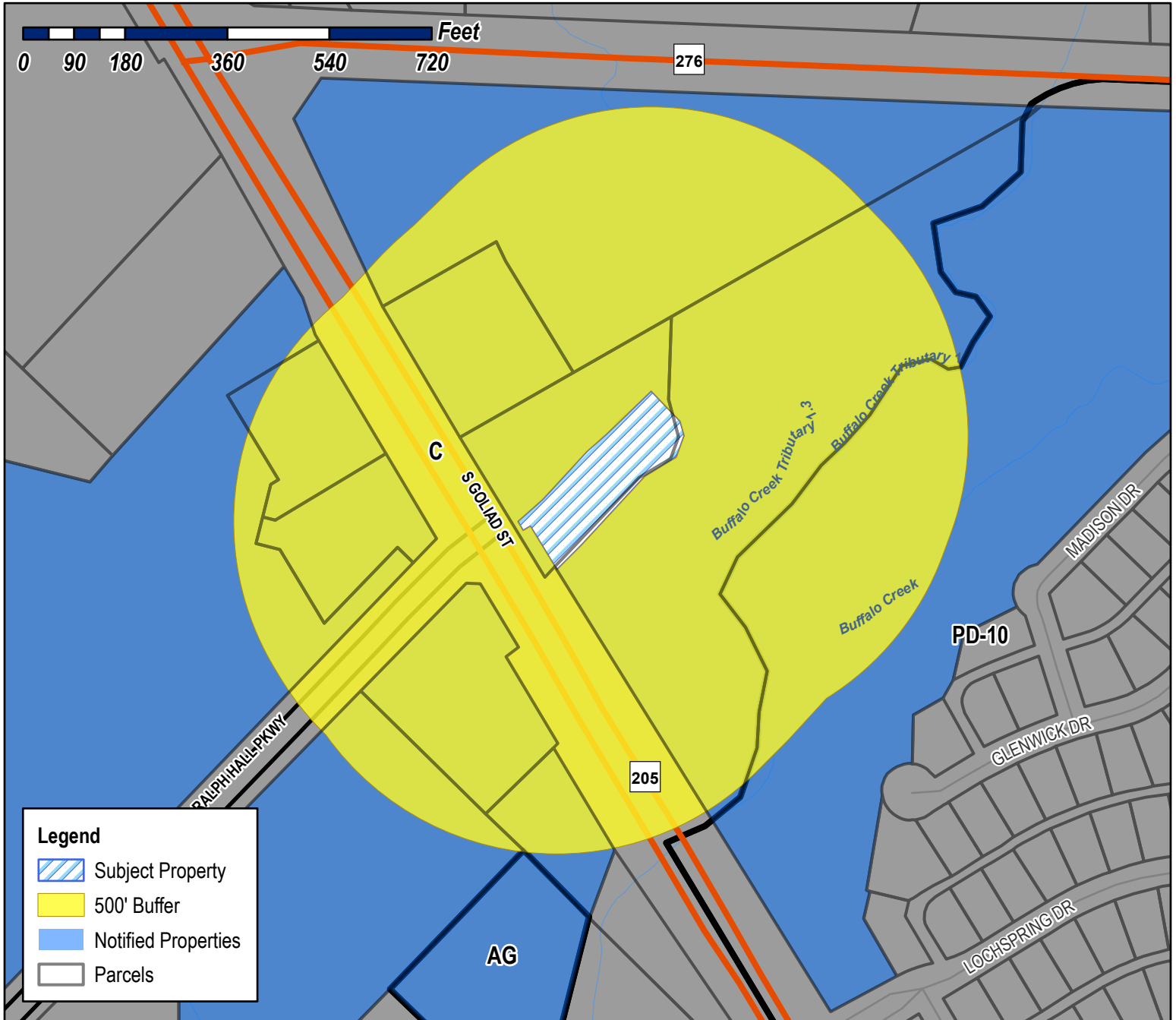
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City of Rockwall

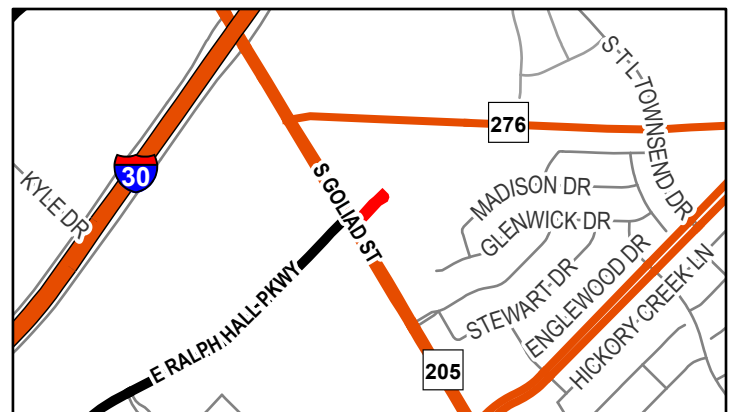
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2021-055
Case Name: SUP for a Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021
 For Questions on this Case Call (972) 771-7745



EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
10920 VIA FRONTERA SUITE 220
SAN DIEGO, CA 92127

LEVO GROUP LLC
11 HAWTHORNE CIR
ALLEN, TX 75002

DALLAS EAST
ATTN; JIM VAUDAGNA
1280 E RALPH HALL PKWY
ROCKWALL, TX 75032

CITY OF ROCKWALL
1430 MADISON DR
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
1445 W SAN CARLOS ST
SAN JOSE, CA 95126

GINGERCREST INC
2301 S GOLIAD
ROCKWALL, TX 75032

LEVO GROUP LLC
2309 S GOLIAD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
2325 S GOLIAD
ROCKWALL, TX 75032

GOLIAD EXPRESS LLC
2360 S.GOLIAD
ROCKWALL, TX 75032

REA-TRA LLC
2380 S GOLIAD SUITE 100
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
2400 S GOLIAD
ROCKWALL, TX 75032

STROTHER, CATHY
2410 S GOLIAD
ROCKWALL, TX 75032

BACKUS WAYNE E
278 CORNSTALK RD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
323 JULIAN DRIVE
ROCKWALL, TX 75087

GOLIAD EXPRESS LLC
700 PARKER SQUARE SUITE 145
FLOWER MOUND, TX 75028

STROTHER, CATHY
8935 CR 589
NEVADA, TX 75173

EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
991-1027EI-30
ROCKWALL, TX 75032

GINGERCREST INC
P.O. BOX 2437
SMYRNA, GA 30081

PUBLIC NOTICE



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

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

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

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts 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/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, 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, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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 Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Please place a check mark on the appropriate line below:

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

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

Name: [Grey box]
Address: [Grey box]

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

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

Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034
817.488.4960



11/17/2021

City of Rockwall
385 S Goliad Street

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal SUP submittal for the project Victory at Rockwall. This lot is a total of 0.7992 acres. This development's proposed land use will be for restaurant and retail. The building is 5,130 square feet total. Retail will be 2,600 square feet and restaurant will be 2,200 square feet in floor space. There will be a total of 25 parking spaces provided for this development. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely, *Patrick Filson*

Patrick Filson
O: (817) 488-4960

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN ON A 2.02-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK 1, MEADOWCREEK BUSINESS CENTER PHASE 1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Patrick Filson for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a restaurant with drive-through on a 2.02-acre parcel of land described as Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and being more specifically depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. The Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.05, *Commercial (C) District*, and Subsection 06.07, *SH-205 Overlay (SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC)

[Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the 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 shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.

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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map

Location: East of the Intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway
Legal Description: Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition

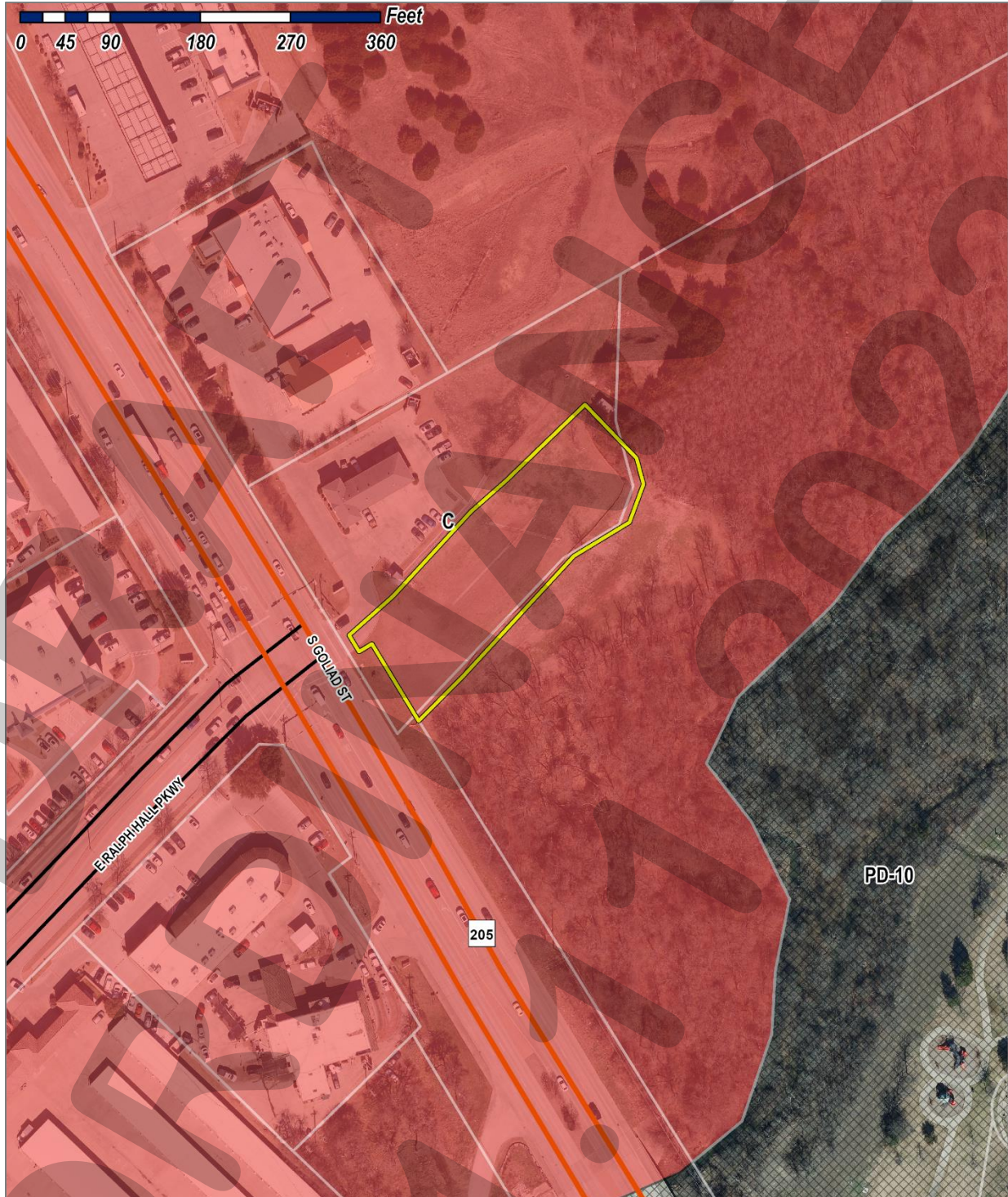
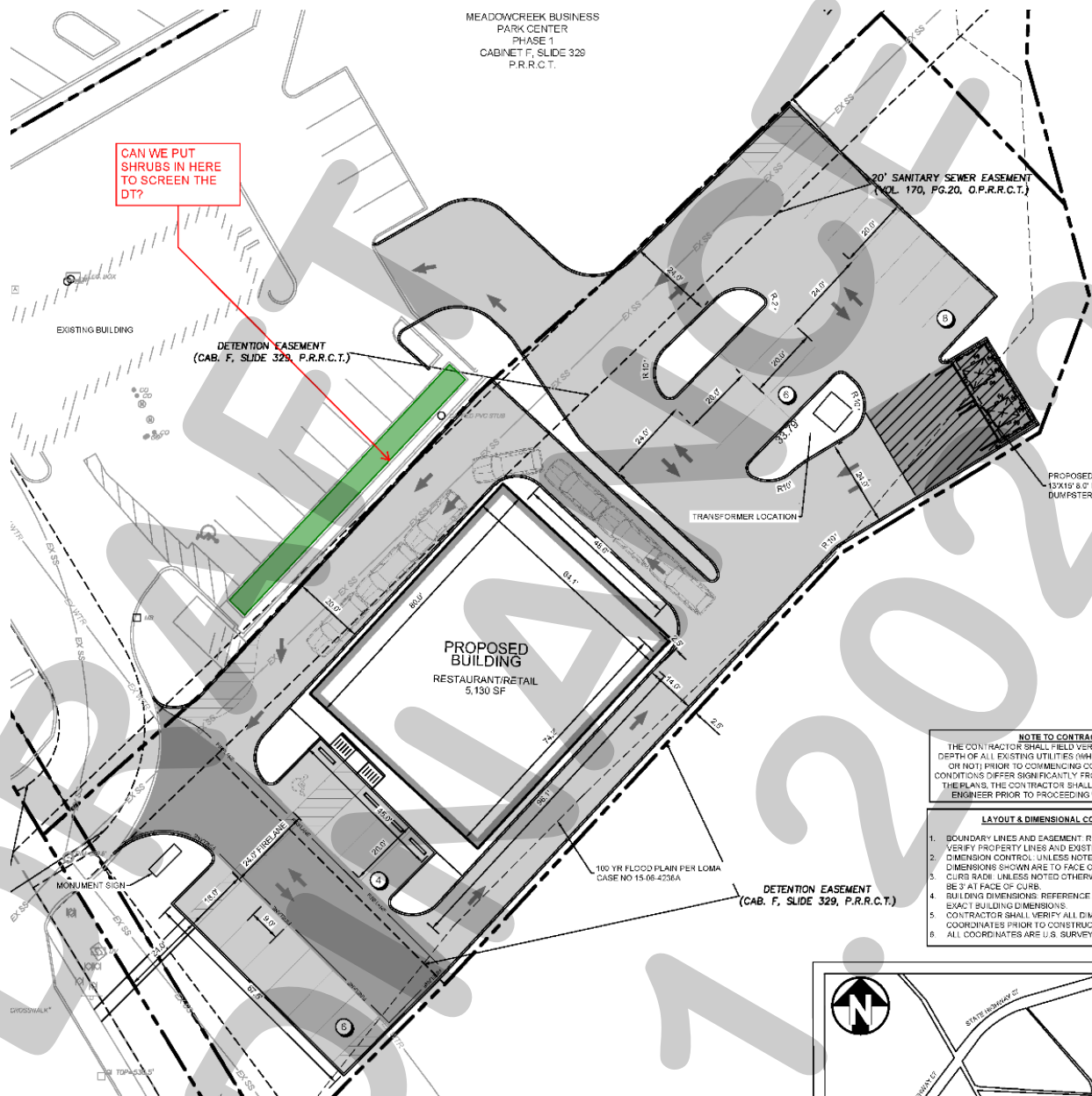


Exhibit 'B': Concept Plan

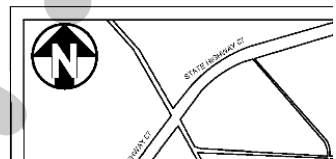
MEADOWCREEK BUSINESS
PARK CENTER
PHASE 1
CABINET F, SLIDE 329
P.R.R.C.T.



NOTE TO CONTRACTOR
THE CONTRACTOR SHALL FIELD VERIFY DEPTH OF ALL EXISTING UTILITIES (W/E OR NOT) PRIOR TO COMMENCING CONSTRUCTION. IF CONDITIONS DIFFER SIGNIFICANTLY FROM THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO PROCEEDING.

LAYOUT & DIMENSIONAL CONTROL

- BOUNDARY LINES AND EASEMENT: RE-VERIFY PROPERTY LINES AND EXISTING DIMENSION CONTROL. UNLESS NOTED OTHERWISE, DIMENSIONS SHOWN ARE TO FACE OF CURB RADIUS. UNLESS NOTED OTHERWISE, BE SET AT FACE OF CURB.
- BUILDING DIMENSIONS: REFERENCE TO EXACT BUILDING DIMENSIONS.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONAL COORDINATES PRIOR TO CONSTRUCTION. ALL COORDINATES ARE U.S. SURVEY.





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: John Delin; *Integrity Group, LLC*
CASE NUMBER: Z2021-056; *Amendment to Planned Development District 85 (PD-85)*

SUMMARY

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

BACKGROUND

The majority of the subject property was annexed into the City of Rockwall and zoned Agricultural (AG) District on March 16, 1998 by *Case No. A1998-001 (Ordinance No. 98-10)*. The remainder of the property was annexed on March 2, 1960 by *Case No. A1960-001 (Ordinance No. 60-01)*. In 2007-2008, the City of Rockwall acquired a portion of the property for the future right-of-way for John King Boulevard. This divided the property into two (2) tracts of land, a 9.894-acre tract of land on the west side of John King Boulevard (*i.e. Tract 1*) and a 28.011-acre tract of land on the east side of John King Boulevard (*i.e. Tract 2*).

On October 16, 2017, the City Council approved Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] establishing limited General Retail (GR) District land uses on *Tract 1*, and Single-Family 7 (SF-7) District land uses on *Tract 2*. As part of this approval, *Tract 2* was approved for an age restricted, senior living community that consisted of 84-89 single-family homes setup in a condominium regime (*i.e. the single-family homes were individually owned but were situated on a single lot owned and maintained by the homeowner's association*). This plan also laid out 12.80-acres of open space, and provided for a ten (10) foot hike/bike trail along John King Boulevard and an intersection enhancement at the corner of John King Boulevard and SH-66 in accordance with the *John King Boulevard Design Concept Plan*.

After receiving approval for the Planned Development District, the applicant -- *John Delin of Integrity Group, LLC* -- contacted staff to notify them that the title company had missed locating a 30' North Texas Municipal Water District (NTMWD) easement on the survey that runs parallel to SH-66. This inhibited the applicant's ability to provide the required landscape and hardscape elements required by *Ordinance No. 17-55*. In response to this, the applicant filed an application requesting a variance to these requirements and proposing an alternative landscape plan. This was approved by the City Council on February 19, 2018.

On June 15, 2018, the applicant submitted an application proposing to amend Planned Development District 85 (PD-85) for the purpose of incorporating an additional 9.789-acre tract of land into *Tract 2* and expanding the total single-family lot count to a maximum of 122 single-family homes. This was approved by the City Council on August 6, 2018 through the adoption of *Ordinance No. 18-32*.

In November of 2021, staff contacted the applicant to inform him that a portion of the lots proposed for Phase 2 of the Ladera Subdivision were situated within the Runway Protection Zone of the Ralph Hall Municipal Airport. This was discovered by staff when working with Aviation Division of the Texas Department of Transportation (TXDOT) on a proposed project in the southern RPZ. To remedy this issue, staff and the applicant have been working with the TXDOT Aviation Division to revise the concept plan to conform to the Federal Aviation Administration's (FAA's) guidelines.

PURPOSE

On December 18, 2021, the applicant -- *John Delin of Integrity Group, LLC* -- submitted an application requesting to amend Planned Development District 85 (PD-85) to incorporate a new concept plan that would reduce the number of lots from 122 to 117 and remove all proposed units from the Runway Protection Zone of the Ralph Hall Municipal Airport.

ADJACENT LAND USES AND ACCESS

The subject property is located on both sides of John King Boulevard north of SH-66. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property on the east side of John King Boulevard is a vacant, 15.935-acre parcel of land zoned Agricultural (AG) District. Beyond this is FM-1141, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's *Master Thoroughfare Plan* contained in the OURHometown Vision 2040 Comprehensive Plan. North of this thoroughfare is a single-family subdivision, which is situated outside the corporate limits of the City of Rockwall. On the east side of John King Boulevard north of the subject property is a 1.837-acre tract of land zoned Agricultural (AG) District. Beyond this parcel is a one (1) acre tract of land followed by a 5.702-acre tract of land. Both of these tracts of land are owned by the City of Rockwall and zoned Agricultural (AG) District.

South: Directly south of the subject property is Williams Street (*i.e. the current alignment of SH-66*), which is identified as a *Minor Collector* on the City's *Master Thoroughfare Plan* contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this thoroughfare is a portion of a 28.8836-acre tract of land, which is vacant and zoned Planned Development District 71 (PD-71) for limited Commercial (C) District land uses. Adjacent to this property and south of the western boundary of the subject property is a vacant 17.861-acre tract of land that was subdivided into 78 duplex lots in 1984. This property is zoned Two-Family (2F) District. Adjacent to this property is an undefined portion of Planned Development District 71 (PD-71), which allows for limited Commercial (C) District land uses.

East: Directly east of the subject property is the remainder of the 65.274-acre tract of land (*i.e. less the 9.789-acres of land being incorporated into Planned Development District 85 [PD-85]*) that is a portion of a larger 148.825-acre tract of land that is zoned Agricultural (AG) District. Situated on the property is an accessory building. Beyond this are various tracts of land zoned Agricultural (AG) District.

West: Directly west of the subject property is FM-1141, which is identified as a *Minor Collector* on the City's *Master Thoroughfare Plan* contained within the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Highlands Subdivision, which consists of 36 single-family lots on 11.00-acres. This subdivision is zoned Planned Development District 5 (PD-5) for Zero Lot Line (ZL-5) District uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an updated concept plan and Planned Development District ordinance detailing the proposed changes to *Tract 1*. Currently, Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] allows the following lot mix on *Tract 1*:

TABLE 2: PROPOSED LOT MIX

<i>Unit Type</i>	<i>Unit Dimensions</i>	<i>Minimum Unit Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units</i>
1	44.5' x 80'	1,600 SF	20	16.39%
2	42' x 77'	1,600 SF	29	23.77%
3	42' x 72'	1,600 SF	2	01.64%
4	42' x 70'	1,600 SF	41	33.61%
5	54' x 60'	1,600 SF	24	19.67%
6	64' x 50'	2,100 SF	6	04.92%
<i>Total Units:</i>			122	

Under the proposed ordinance the lot mix would be changed as following:

TABLE 2: PROPOSED LOT MIX

Unit Type	Unit Dimensions	Minimum Unit Size (SF)	Dwelling Units (#)	Dwelling Units
1	44.5' x 80'	1,600 SF	11	09.40%
2	42' x 77'	1,600 SF	27	23.07%
3	42' x 72'	1,600 SF	10	08.55%
4	42' x 70'	1,600 SF	26	22.22%
5	54' x 60'	1,600 SF	21	17.95%
6	64' x 50'	2,100 SF	6	05.13%
7	36' x 59'	1,325 SF	16	13.68%
<i>Total Units:</i>			117	

This new lot mix and the updated concept plan show that the total number of homes will be reduced from 122 to 117. This reduces the density of the development from 3.20 dwelling units per acre to 3.10 dwelling units per acre, and increases the open space from 47.88% to 52.19%. Staff should point out that the applicant is proposing to incorporate a new lot product (*i.e. Unit Type 7*) that will include a unit dimension of 36' x 59' and require a minimum unit size of 1,325 SF. All other aspects of the proposed development including the dimensional requirements will remain the same as to what was approved under *Ordinance No. 18-32*.

INFRASTRUCTURE

Since the applicant's request decreases the residential and the proposed building footprint of the development, no additional infrastructure improvements -- beyond was approved with *Ordinance No. 18-32* -- are necessary to adequately serve the development.

CONFORMANCE TO THE CITY'S CODES

Since the applicant's request does *not* change the *Development Standards* contained within Planned Development District 85 (PD-85), the amendment does not change the plans conformance to the City's codes.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northeast Residential District and is designated for High Density Residential land uses. The High Density Residential land use designation "...consists of single-family residential homes, duplexes, townhomes, apartments, lofts, condominiums *or other forms of housing* that exceed three and one-half (3½) units per gross acre." Prior to the OURHometown Vision 2040 Comprehensive Plan, the OURHometown 2000 Comprehensive Plan -- *which this development was adopted under* -- defined High Density Residential as any development that exceeded three (3) units per gross acre. Based on the applicants request to decrease residential density from 3.20 dwelling units per acre to 3.10 dwelling units per acre, the subject property can be reclassified as Medium Density Residential. This land use designation "...consists of residential subdivisions greater than two and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In this case, Planned Development District 85 (PD-85) already incorporates limited General Retail (GR) District land uses and Single-Family 7 (SF-7) District land uses, and amenities that include: [1] an amenities center, [2] pickle ball courts, [3] a swimming pool, and [4] open space in excess of 20%. Based on this staff has included a condition of approval that would change the designation of the subject property from High Density Residential to Medium Density Residential should the City Council choose to grant the applicant's request.

Since the proposed amendment [1] increases the open space from 47.88% to 52.19%, [2] decreases the residential density from 3.20 dwelling units per acre to 3.10 dwelling units per acre, and [3] provides the ability to change the land use designation of the subject property from High Density Residential to Medium Density Residential, the applicant's request to amend Planned Development District 85 (PD-85) brings the development in to better compliance with the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On December 16, 2021, staff mailed 84 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowner's Association (HOA), which is the only HOA within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices concerning this case.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to amend Planned Development District 85 (PD-85) [*Ordinance No. 18-32*], then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance; and,
- (2) By approving this Zoning Amendment, 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 High Density Residential designation to a Medium Density Residential designation; and,
- (3) Any construction resulting from the approval of this Zoning Amendment 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:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS NE CORNER OF SH-66 AND N JOHN KING BLVD

SUBDIVISION LADERA ROCKWALL

LOT 1 BLOCK A

GENERAL LOCATION NE CORNER OF SH-66 AND N JOHN KING BLVD

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD CURRENT USE SINGLE FAMILY RESIDENTIAL

PROPOSED ZONING PD PROPOSED USE SINGLE FAMILY RESIDENTIAL

ACREAGE 37.8 LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

OWNER **RW LADERA, LLC**

APPLICANT **McADAMS CO.**

CONTACT PERSON **JOHN DELIN**

CONTACT PERSON **ALEC BIDWELL**

ADDRESS **361 W. BYRON NELSON BLVD. STE 104**

ADDRESS **201 COUNTRY VIEW DR.**

CITY, STATE & ZIP **ROCKWALL, TX 76262**

CITY, STATE & ZIP **ROCKWALL, TX 76262**

PHONE **817-430-3318**

PHONE **469-496-2043**

E-MAIL **JOHN@INTEGRITYGROUPS.COM**

E-MAIL **ABIDWELL@MCADAMSCO.COM**

NOTARY VERIFICATION [REQUIRED]

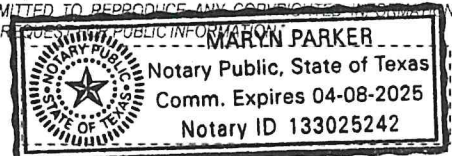
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN DELIN [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE sixteenth DAY OF December, 2021 BY SIGNING THIS APPLICATION. I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPIES OF INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

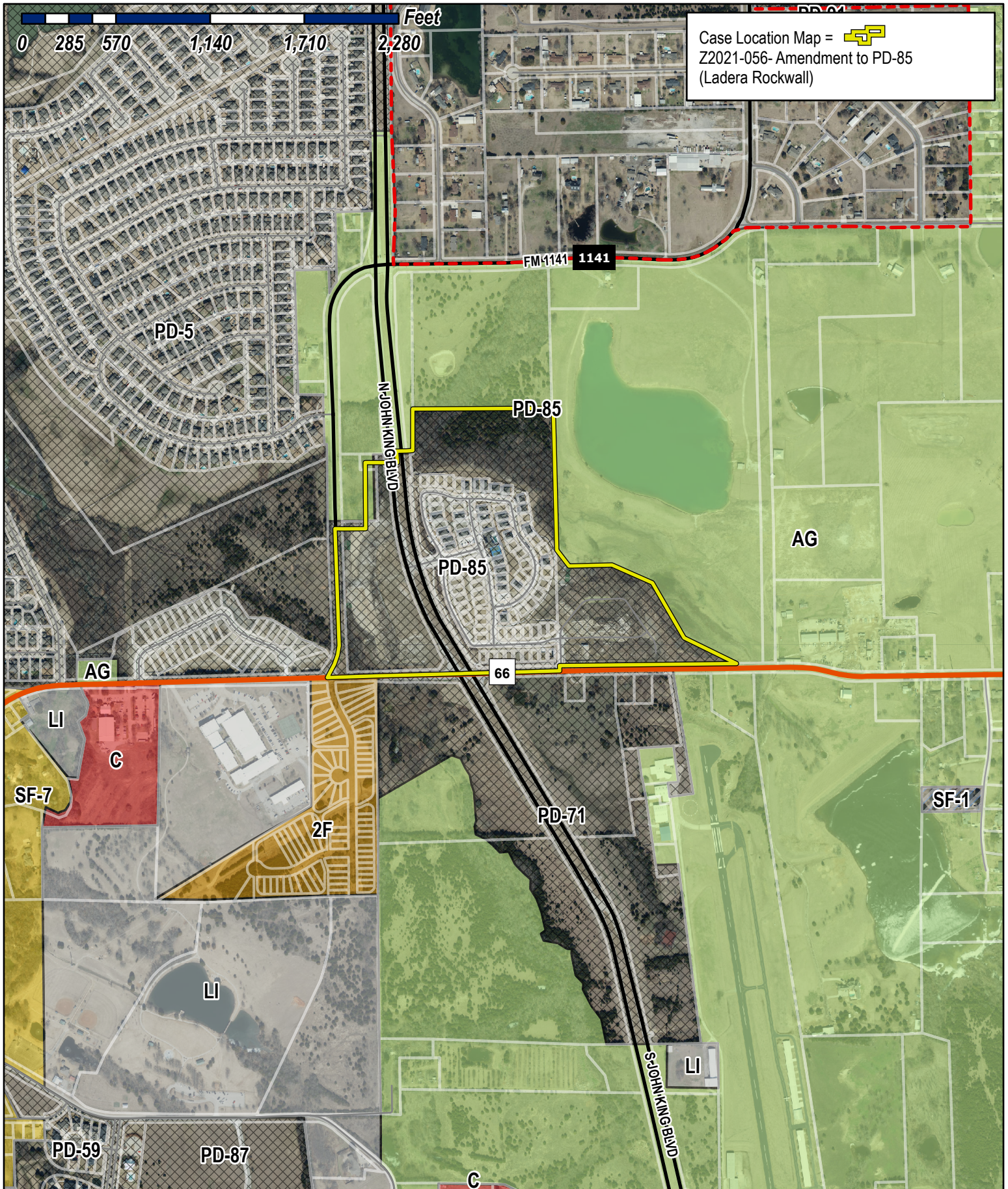
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16th DAY OF December, 2021.


OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.



MY COMMISSION EXPIRES



Case Location Map = 
 Z2021-056- Amendment to PD-85
 (Ladera Rockwall)



City of Rockwall

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

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

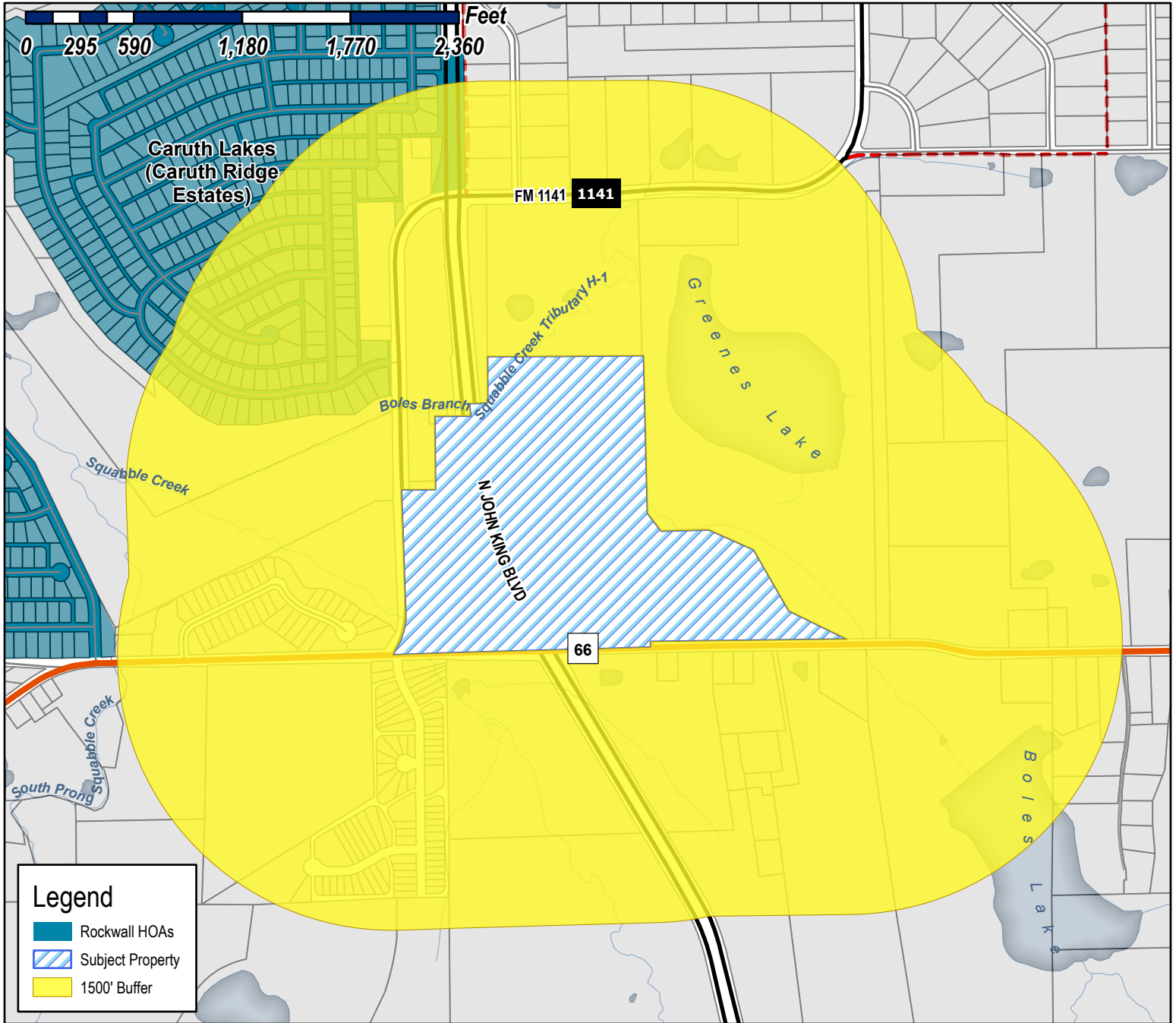




City of Rockwall

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

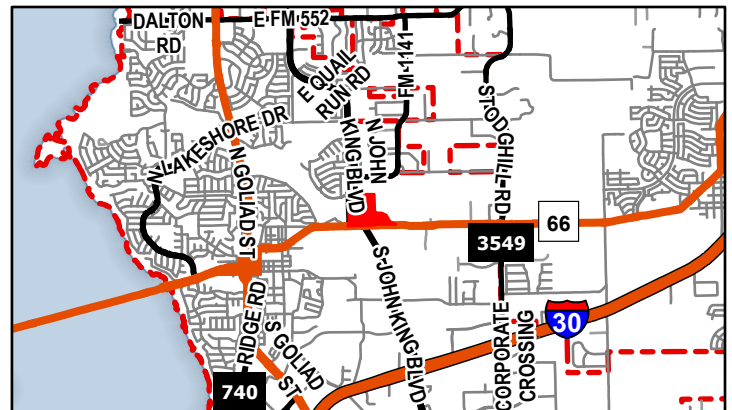
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Legend

- Rockwall HOAs
- Subject Property
- 1500' Buffer

Case Number: Z2021-056
Case Name: Amendment to PD-85
 (Ladera Rockwall)
Case Type: Zoning
Zoning: Planned Development District 85
 (PD-85)
Case Address: Corner of N. John King & SH66
Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



Miller, Ryan

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-056]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.16.2021).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 *December 24, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 11, 2022 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 18, 2022 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2021-056: Zoning Amendment to PD-85

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an *Zoning Amendment* to Planned Development District 85 (PD-85) [*Ordinance No. 18-32*] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

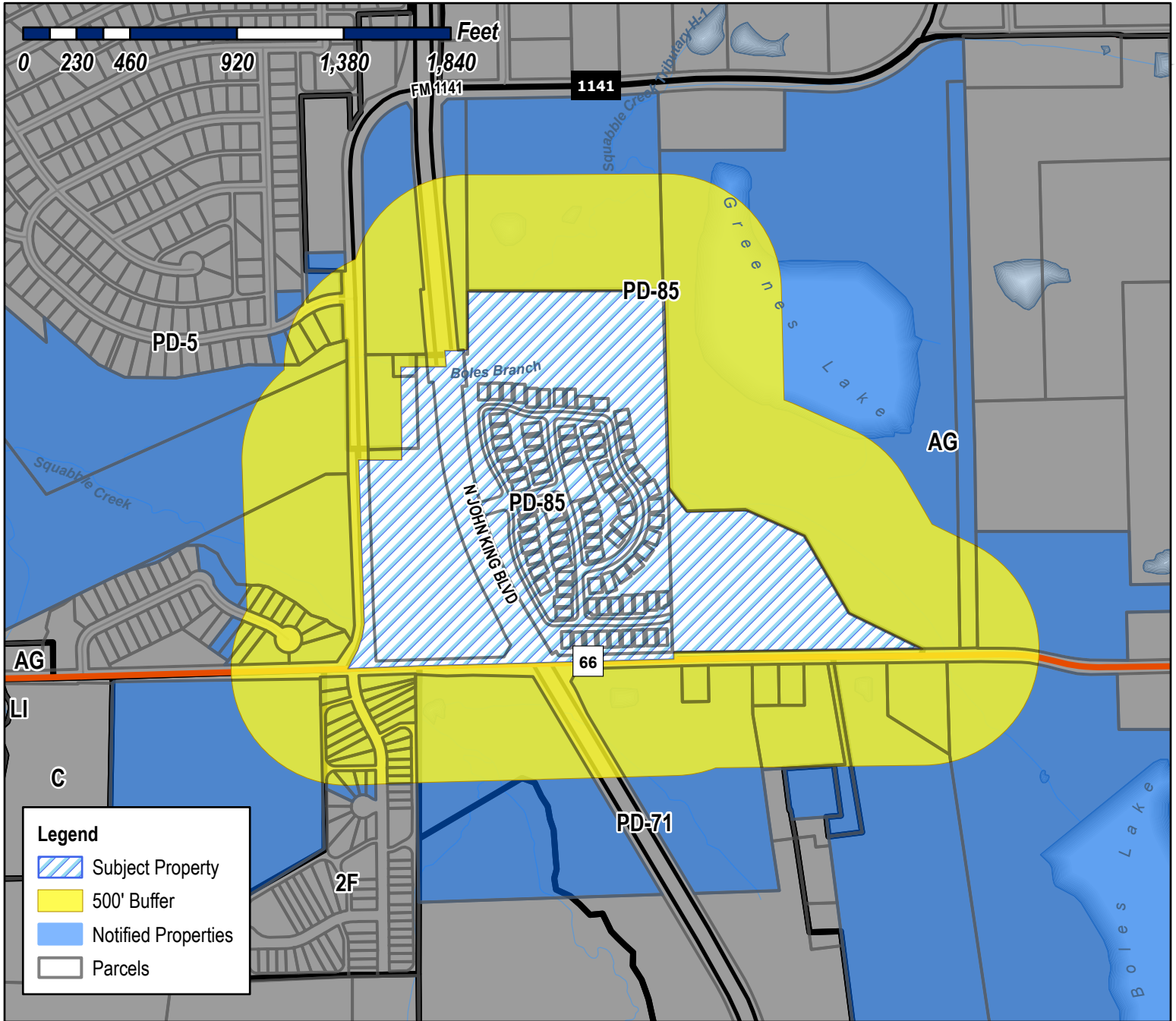
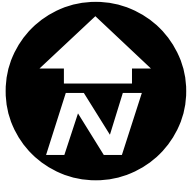
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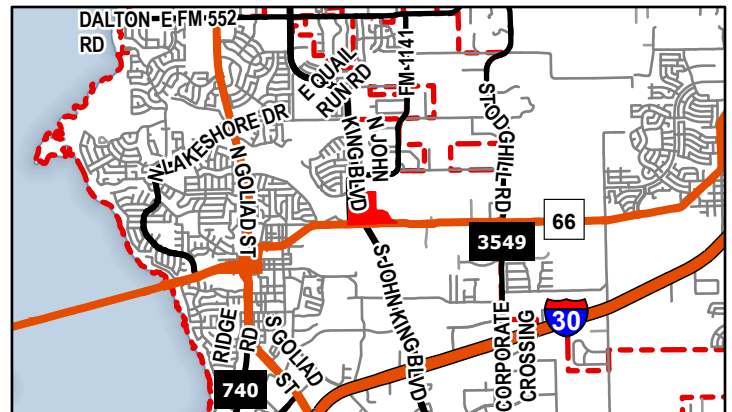
City of Rockwall

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

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Case Number: Z2021-056
Case Name: Amendment to PD-85 (Ladera Rockwall)
Case Type: Zoning
Zoning: Planned Development District 85 (PD-85)
Case Address: Corner of N. John King & SH66
Date Saved: 12/16/2021
 For Questions on this Case Call (972) 771-7745



KEHM NATALIE & DONAVON
1050 HIDDEN LAKES WAY
ROCKWALL, TX 75087

ROCKWALL I S D
1050 WILLIAMS
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

RYDER HEATH JAMES AND MELANIE ANN
1383 WATER EDGE DRIVE
ROCKWALL, TX 75087

WOODUL GREG C AND NETA J
1389 WATERS EDGE DR
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R
1395 WATERS EDGE DRIVE
ROCKWALL, TX 75087

GROGAN DANIEL R
1405 WATERS EDGE DRIVE
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
150 TURTLE CREEK SUITE 104-E
DALLAS, TX 75207

RW LADERA LLC
1605 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1609 MADRID WAY
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1612 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1613 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1616 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1617 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1620 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1621 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1624 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1625 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1628 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1629 MADRID WAY
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
1630 WILLIAMS
ROCKWALL, TX 75087

RW LADERA LLC
1632 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1633 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1636 MADRID WAY
ROCKWALL, TX 75087

RW LADERA LLC
1637 MADRID WAY
ROCKWALL, TX 75087

ROCKWALL PROPERTY CORPORATION
ATTN BILL BRICKER
1673 HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L JR AND
SHERYL NEWMAN PEOPLES
1700 STATE HIGHWAY 66
ROCKWALL, TX 75087

PEOPLES MIKE L
1936 HWY 66
ROCKWALL, TX 75087

PEOPLES MICHAEL L
2026 HWY 66
ROCKWALL, TX 75087

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

CTDIGLAND LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RWLADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

HONZELL DAVID AND PATRICIA
414 E. COACHLIGHT TRAIL
ROCKWALL, TX 75087

DAVIS WILLIAM PAUL JR
510 TURTLE COVE BLVD STE 200
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

STONEFIELD HOMES LLC
802 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
804 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
806 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
806 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
809 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
809 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
810 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
810 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
811 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
814 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
814 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
815 BELLA CT
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
815 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
816 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
817 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
817 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
818 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
818 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
819 RIO VISTA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
820 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
820 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
821 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
821 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
822 MARATHON CT
ROCKWALL, TX 75087

RW LADERA LLC
822 RIO VISTA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
824 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
825 BELLA CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
825 MARATHON CT
ROCKWALL, TX 75087

STONEFIELD HOMES LLC
826 MARATHON CT
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
826 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
828 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
829 BELLA CT
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
830 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
831 RIO VISTA LN
ROCKWALL, TX 75087

RW LADERA LLC
832 SENDERA LN
ROCKWALL, TX 75087

RW LADERA LLC
833 BELLA CT
ROCKWALL, TX 75087

RW LADERA LLC
836 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
837 BELLA CT
ROCKWALL, TX 75087

RW LADERA LLC
840 SENDERA LN
ROCKWALL, TX 75087

SEE BETTY
880 FM 1141
ROCKWALL, TX 75087

DIMISSEW SAMUEL
956 S WEATHERRED DR
RICHARDSON, TX 75080

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

WHITTLE HIGHLANDS, LLC
PO BOX 369
ROCKWALL, TX 75087

PEOPLES MIKE L
PO BOX 41
ROCKWALL, TX 75087

RW LADERA LLC
361 W BYRON NELSON BLVD
SUITE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
361 W BYRON NELSON BLVD
SUITE 104
ROANOKE, TX 76262

RILEY RODNEY H & JANET E
802 RIO VISTA LN
ROCKWALL, TX 75087

WALLACE MARTHA G
826 BELLA DRIVE
ROCKWALL, TX 75087

HOPKINS TEENA
834 BELLA DR
ROCKWALL, TX 76262

PUBLIC NOTICE



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

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

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

Case No. Z2021-056: Zoning Amendment to PD-85

Hold a public hearing to discuss and consider a request by John Delin of Integrity Group, LLC for the approval of an Zoning Amendment to Planned Development District 85 (PD-85) [Ordinance No. 18-32] for a 47.694-acre tract of land identified as Lot 1, Block A, and Lot 1, Block B, Ladera Rockwall Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 85 (PD-85), situated within the 205 By-Pass Overlay (205 BY-OV) and the East SH-66 Overlay (E SH-66 OV) District, located at the northeast corner of the intersection of SH-66 and John King Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

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

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2021-056: Zoning Amendment to PD-85

Please place a check mark on the appropriate line below:

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

Four horizontal grey bars for providing reasons for the response.

Name: [Grey box]
Address: [Grey box]

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

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

CITY OF ROCKWALL

ORDINANCE NO. 18-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 85 (PD-85) [ORDINANCE NO. 17-55] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO INCORPORATE A 9.762-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT INTO PLANNED DEVELOPMENT DISTRICT 85 (PD-85) CREATING A 47.694-ACRE PLANNED DEVELOPMENT DISTRICT IDENTIFIED AS TRACTS 4-01 & 5 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the John Delin of Integrity Group, LLC for the approval of a zoning change amending Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] for the purpose of incorporating a 9.762-acre tract of land zoned Agricultural (AG) District into Planned Development District (PD-85), allowing limited General Retail (GR) District and Single Family 7 (SF-7) District land uses on a 47.694-acre tract of land identified as Tract 4-01 & 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 85 (PD-85) [*Ordinance No. 17-55*] and the Unified Development Code [*Ordinance No. 04-38*] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall superseded all requirements stipulated in *Ordinance No. 17-55*; and,

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

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

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

SECTION 5. That development of *Tract 1* of the *Subject Property* -- as described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance -- shall be in conformance with the schedule listed below (except as set forth below with regard to simultaneous processing and approvals).

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

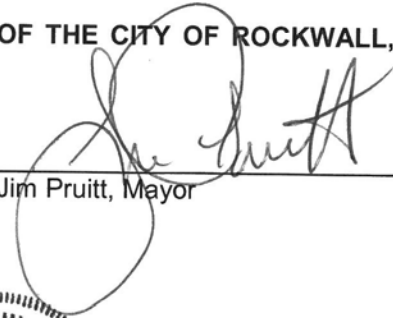
SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such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

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

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

SECTION 9. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF AUGUST, 2018.



Jim Pruitt, Mayor

ATTEST:



Kristy Cole, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: July 16, 2018

2nd Reading: August 6, 2018

Exhibit 'A':
Legal Description

Legal Description for Tract 1:

Tract 1 9.894 acres M. B. Jones Survey, Abstract No. 122 B. Jones Survey, Abstract No. 122 City of Rockwall Rockwall County, Texas

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the north line of U. G&A CONSULTANTS", being in the north line of U. , being in the north line of U. S. Highway 66, from which a 1/2 inch rebar found at the southeast corner of said 41.921 acres bears N 88°18'19" E, a distance 724.55 feet; E, a distance 724.55 feet;

THENCE S 88°18'19" W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden right-of-way monument found at the southwest corner of said 41.921 acre tract, and being in the east line of F. M. 1141;

THENCE N 02°39'30" W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar found;

THENCE N 01°20'56" W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a called 1.837 G&A CONSULTANTS", being the southwest corner of a called 1.837 , being the southwest corner of a called 1.837 acre tract of land described as Tract 1 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Denton County, Texas;

THENCE N 89°26'01" E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof, and being at G&A CONSULTANTS", being the southeast corner thereof, and being at , being the southeast corner thereof, and being at an inner ell corner of said 41.921 acre tract;

THENCE N 01°20'56" W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of a 10.942 acre tract of G&A CONSULTANTS", being in the south line of a 10.942 acre tract of , being in the south line of a 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most northwesterly corner of a called G&A CONSULTANTS", being the most northwesterly corner of a called , being the most northwesterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins

Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Southeasterly with the west line of said 3.989 acre tract and John King Boulevard, the following eight (8) calls:

S 05°14'42" E, a distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A E, a

Exhibit 'A':
Legal Description

distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 05°14'42" E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 2060.00 feet, a central angle of 23°19'48", and , and an arc length of 838.80 feet, whose chord bears S 16°54'36" E, a distance of 833.02 feet to a 1/2 E, a distance of 833.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the right having a radius of 586.00 feet, a central angle of 07°34'10", and an arc length of 77.42 feet, whose chord bears S 24°47'26" E, a distance of 77.36 feet to a 1/2 E, a distance of 77.36 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 314.00 feet, a central angle of 09°39'36", and , and an arc length of 52.94 feet, whose chord bears S 25°50'09" E, a distance of 52.88 feet to a 1/2 inch E, a distance of 52.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

S 30°39'57" E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 28°49'11" W, a distance of 32.25 feet to the *POINT OF BEGINNING* and containing approximately 9.894 acres of land.

Exhibit 'A':
Legal Description

Legal Description for Tract 2:

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being part of a called 73.2744 acre tract of land described in deed to Mike L. People, recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar found at the southeast corner of said 41.921 acre tract, and the southwest corner of said 73.2744 acre tract and being in the north line of U. S. Highway 66;

THENCE S 88°18'19"W, with the north line of U. S. Highway 66, a distance of 490.46 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most southeasterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Northwestery with the east line of said 3.989 acre tract and John King Boulevard, the following seven (7) calls:

N 30°39'57" W, a distance of 19.44 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 59°20'03" W, a distance of 21.30 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 30°39'57" W, a distance of 211.63 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

Northwesterly with a curve to the right having a radius of 1940.00 feet, a central angle of 25°25'15", and an arc length of 860.73 feet, whose chord bears N 17°57'20" W, a distance of 853.69 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 158.73 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 136.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS" in the south line of a called 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942 acre tract, a distance of 15.52 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof;

THENCE N 00°10'47" W, with the east line of said 10.942 acre tract, a distance of 271.63 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a 16.000 acre tract of land described as Tract 2 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Rockwall County, Texas;

THENCE N 89°54'11" E, with the south line of said 16.000 acres, a distance of 842.15 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof and being in the west line of said 73.2744 acre tract;

Exhibit 'A':
Legal Description

THENCE S 01°28'09" E, with the west line of said 73.2744 acre tract of land, a distance of 845.72 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

THENCE over, across, and through said 73.2744 acre tract the following five (5) courses and distances:

S 37°47'00" E, a distance of 135.09 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

N 88°31'51" E, a distance of 259.75 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 66°00'00" E, a distance of 266.78 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 30°00'00" R, a distance of 384.58 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

S 64°00'00" E, a distance of 352.92 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of said 73.2744 acre tract and the north line of U.S. Highway 66;

THENCE S 89°18'14" W, with the south line of said 73.2744 acre tract, and the north line of U.S. Highway 66, a distance of 1077.53 feet to the *POINT OF BEGINNING* and containing approximately 37.800 acres of land.

Exhibit 'C':
PD Development Standards

PD Development Standards.

Tract 1: 9.894-Acres of Non-Residential Property

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 1* of the *Subject Property*; however, the following additions and conditions shall apply:

The following land uses shall be expressly prohibited on the *Subject Property*:

- Convent or Monastery
- Hotel or Motel
- Hotel, Residence
- Cemetery/Mausoleum
- Mortuary or Funeral Chapel
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Gun Club, Skeet or Target Range (*Indoor*)
- Astrologer, Hypnotist, or Psychic Art and Science
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Car Wash, Self Service
- Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
- Service Station
- Mining and Extraction (*Sand, Gravel, Oil & Other*)
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

The following additional use shall be permitted through a Specific Use Permit (SUP) on the *Subject Property*:

- Garden Supply/Plant Nursery
- (2) *Density and Dimensional Requirements.* Any development on *Tract 1* of the *Subject Property* shall be subject to the development standards required for properties in a General Retail (GR) District as stipulated by Article V, *District Development Standards*, of the Unified Development Code [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.
- (3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall adhere to the following:
- (a) *Landscape Buffer (SH-66).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to SH-66.

Exhibit 'C':
PD Development Standards

- (b) *Landscape Buffer and Sidewalks (John King Boulevard)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 15-foot landscape buffer adjacent to John King Boulevard.
- (c) *Landscape Buffer (FM-1141)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to FM-1141.
- (4) *Intersection Enhancements*. In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide an intersection enhancement at the corner of the intersection of Williams Street (SH-66) and John King Boulevard that generally conforms to the following design:

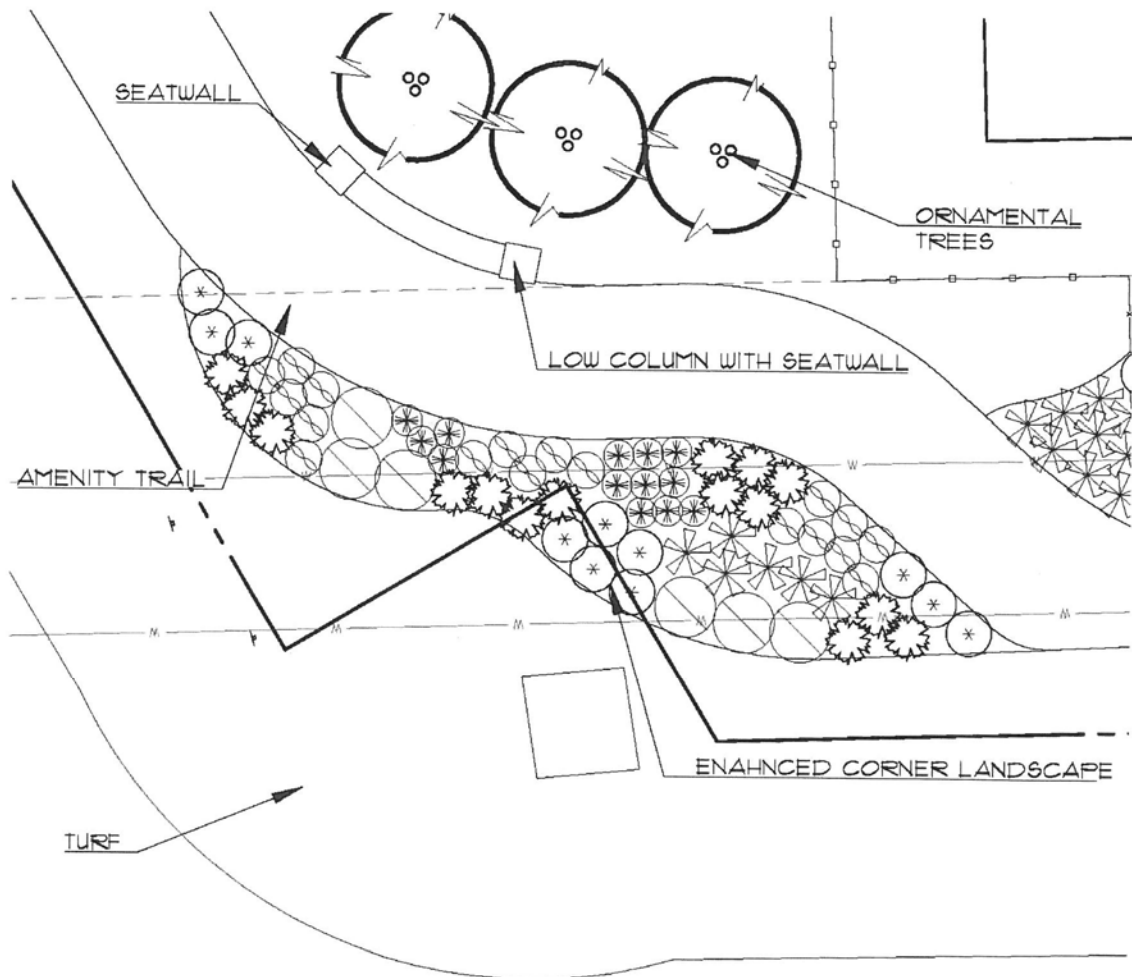


Exhibit 'C':
PD Development Standards

Tract 2: 28.011-Acres of Residential Property

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 7 (SF-7) District, as stipulated by the *Permissible Use Charts* contained in Article IV, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 04-38] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 2* of the *Subject Property*; however, the following additional land uses shall be permitted *by-right*:

- Activity Center
- Community Pool
- Gazebos/Pavilions
- Sports Courts

- (2) *Unit Composition and Layout.* The unit composition and layout shall generally conform to the *Concept Plan* for *Tract 2* depicted in *Exhibit 'B'* and stated as follows:

<i>Unit Type</i>	<i>Unit Dimensions</i>	<i>Minimum Unit Size (SF)</i>	<i>Dwelling Units (#)</i>	<i>Dwelling Units</i>
1	44.5' x 80'	1,600 SF	20	15.48%
2 & 3	42' x 77'	1,600 SF	31	59.52%
4	54' x 60'	1,600 SF	41	16.67%
5	64' x 50'	2,100 SF	6	08.33%
<i>Total Units:</i>			122	

- (3) *Density and Dimensional Requirements.* The maximum permissible density for the *Subject Property* shall not exceed 3.2-units/acre; however, in no case should the proposed development exceed 122 single-family, residential units. The *Subject Property* shall maintain conformance with the following requirements:

(a) *Condominium Requirement.* The property shall be established as a condominium development pursuant to the requirements of *Chapter 82* of the *Texas Property Code*, and platted as a single lot.

(b) *Lot Dimensional Requirements.* The proposed condominium lot shall adhere to the following setbacks:

<i>Minimum Lot Width</i>	1,500'
<i>Minimum Lot Depth</i>	490'
<i>Minimum Lot Area</i>	28.0-Acres
<i>Minimum Setback Adjacent to John King Boulevard</i>	95'
<i>Minimum Setback Adjacent to SH-66</i>	20'
<i>Minimum Setback Adjacent to the Eastern & Northern Property Lines</i>	10'

Continued on next page ...

Exhibit 'C':
PD Development Standards

- (c) *Internal Artificial Lot Requirements.* The units constructed on the proposed condominium lot shall adhere to the following dimensional requirements for artificial lots:

<i>Minimum Setback from a Private Street</i> ^{(1) (2) (3)}	15'
<i>Minimum Side Yard Distance Between Units</i>	6'
<i>Minimum Side Yard Setback from a Private Street</i> ^{(1) (2)}	10'
<i>Minimum Rear Yard Distance Between Units</i>	20'
<i>Maximum Height</i>	35'

General Notes:

- ¹: This setback shall be measured from the back of curb.
²: Variances of up to five (5) feet may be granted by the Director of Planning and Zoning on a case-by-case basis for artificial lots on curve-linear streets.
³: The minimum length of a driveway shall be 20-feet as measured from the edge of the approach to the garage door.

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

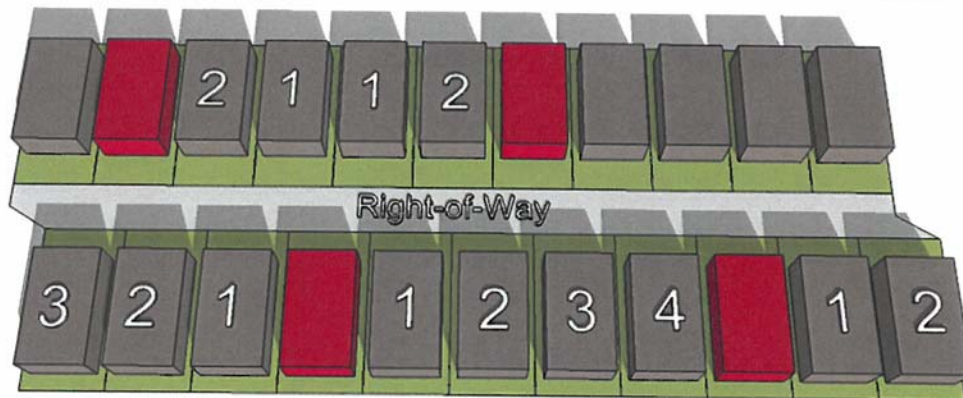
- (A) *Masonry Requirement.* The minimum masonry requirement for the exterior façades -- excluding doors and windows -- of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted to be used to meet up to 40% of the masonry requirement.
- (B) *Roof Pitch.* A minimum of an 8:12 roof pitch is required on the front elevation of all structures. Porches and rear elevations shall have a minimum of a 4:12 roof pitch.
- (C) *Garage Orientation.* Garages shall oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized it shall face the street and shall be located even with the front building façade of the primary structure. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.
- (D) *Anti-Monotony Restrictions.* The development shall adhere to the following Anti-Monotony requirements (for spacing requirements see the illustration on the following page):
- (1) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.
 - (2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - (a) Number of Stories
 - (b) Brick Color
 - (c) Roof Type and Layout
 - (d) Articulation of the Front Façade
 - (3) All roof shingles shall be an architectural or dimensional shingle, and have a 30-year rating. (*3-Tab Roofing Shingles are prohibited*).

Exhibit 'C':
PD Development Standards

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



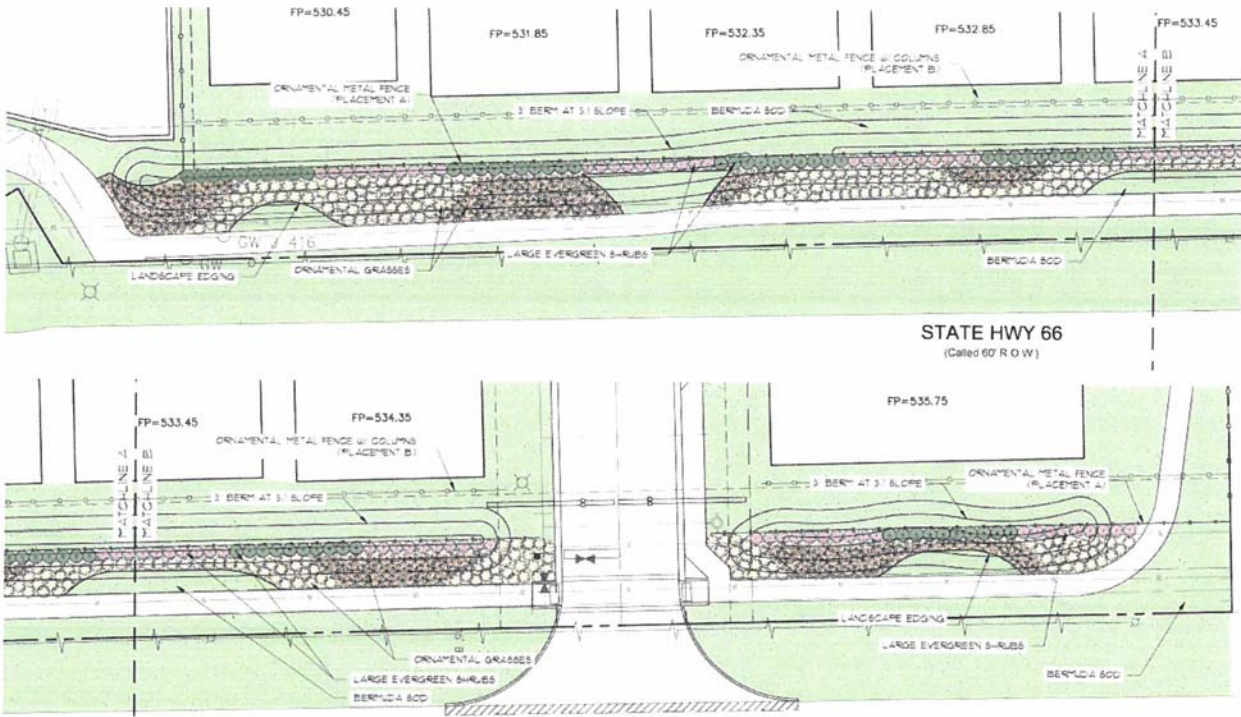
Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



- (E) *Fencing Standards.* All residential privacy fencing shall be six (6) foot wrought iron/tubular steel fencing for transparent fencing and six (6) foot Simtek (or a similar product) fencing for non-transparent fencing. Fencing located along the exterior of the condominium lot shall be a minimum of six (6) foot wrought iron/tubular steel fencing with masonry columns a maximum of 45-feet on center. The masonry columns shall only be required adjacent to John King Boulevard and SH-66.
- (F) *Landscape and Hardscape Standards.*
- (1) *Residential Landscape.* All canopy trees planted within the condominium lot and not situated within a required landscape buffer shall be a minimum of three (3) inches in caliper and accent trees shall be a minimum of four (4) feet in height. All tree plantings shall conform to the City's tree planting guidelines and requirements stipulated in Appendix F, *Landscaping Guidelines and Requirements*, of the Unified Development Code.
 - (2) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA) and shall conform to the following:
 - (a) *Landscape Buffer (SH-66).* A minimum of a 20-foot landscape buffer shall be provided along the frontage of SH-66 (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. The landscaping shall be generally as depicted below. The developer shall also be

Exhibit 'C':
PD Development Standards

responsible for the construction of a five (5) foot sidewalk situated within the 20-foot landscape buffer adjacent to SH-66.



(b) *Landscape Buffer and Sidewalks (John King Boulevard)*. A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard. The required wrought iron fence along John King Boulevard may be situated within 40-feet of the right-of-way line. In addition, the design of the buffer shall generally conform to the following cross section:

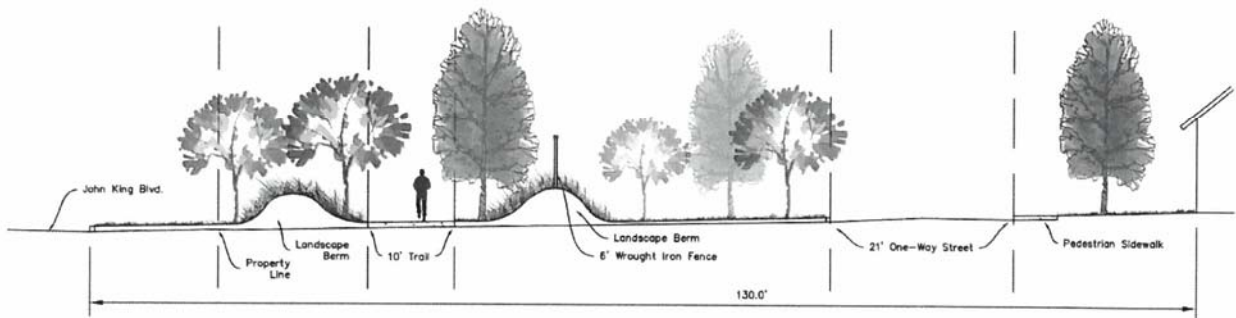
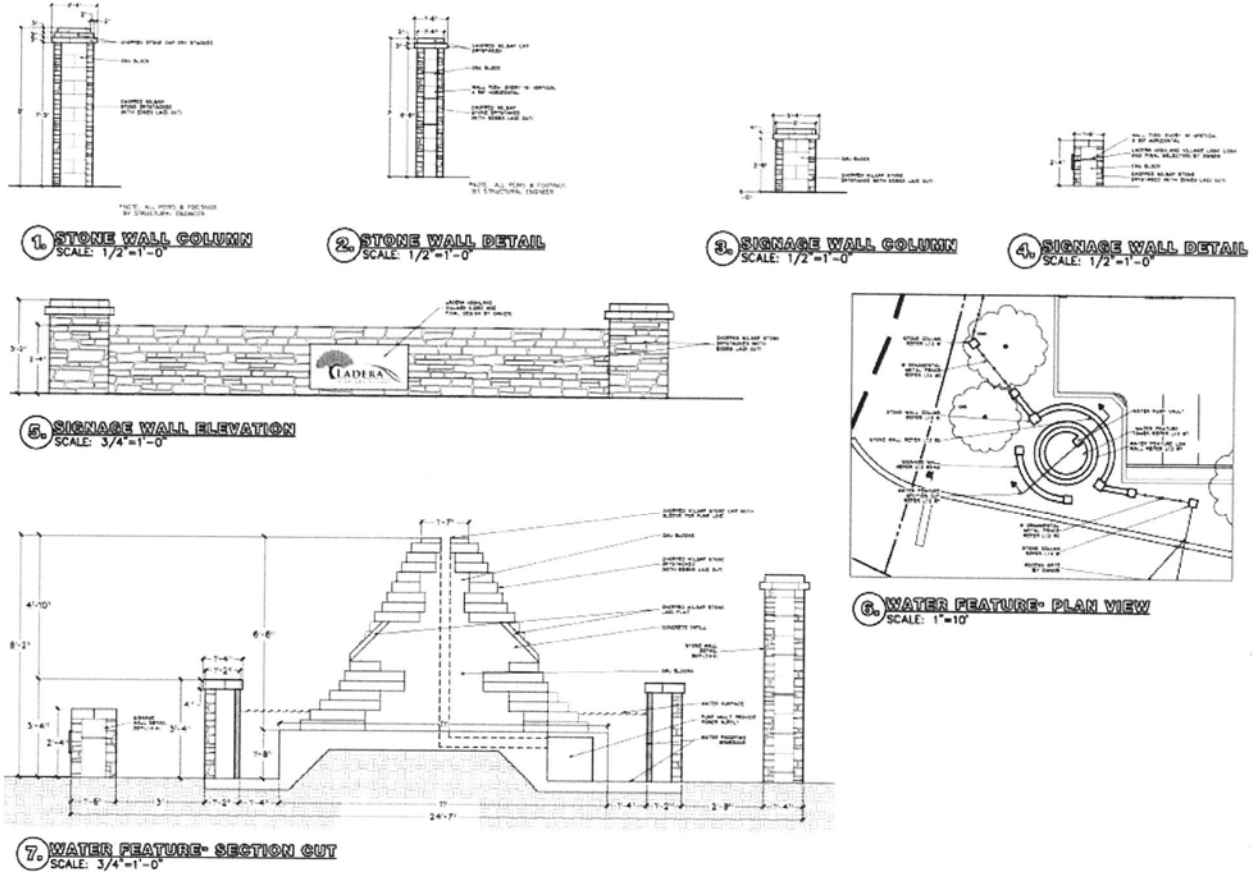


Exhibit 'C':
PD Development Standards

- (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 and shall be maintained by the Homeowner's Association (HOA).
- (4) *Hardscape.* Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (G) *Trail Enhancements.* In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide a trail enhancement element that generally conforms to the following design:

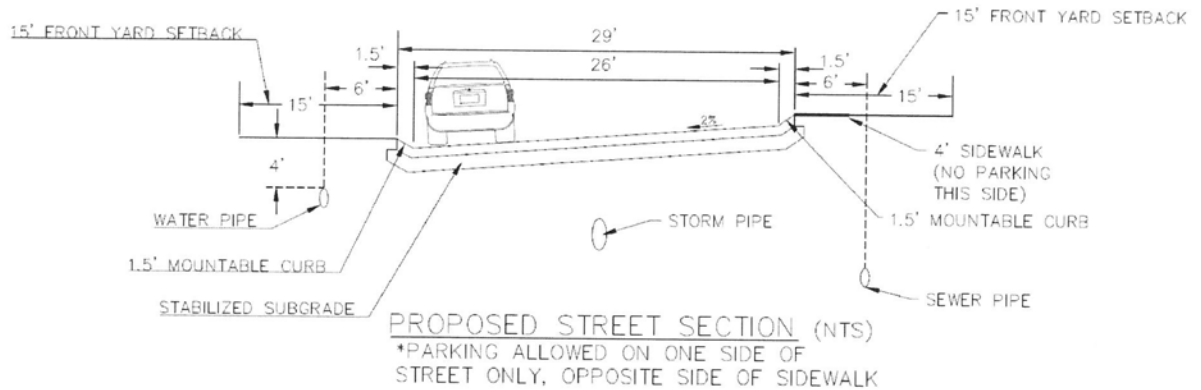


- (H) *Lighting.* Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to concentrate light within the development area.

Continued on next page ...

Exhibit 'C':
PD Development Standards

- (I) *Private Streets.* With the exception of the 21-foot, one-way street situated adjacent to John King Boulevard the street cross sections for this development should conform to the following cross section:



- (J) *Open Space.* The development shall consist of a minimum of 47.88% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. The Homeowner's Association (HOA) shall maintain all common open space areas. For the purposes of this Planned Development District open space shall include all front yards, rear yards, common areas, buffers and floodplain installed by the developer, but does not include any landscaping, trees, patios and other improvements installed by the homeowner. Floodplain shall be calculated at a rate of 50% (e.g. 1/2-acre for every acre provided).
- (K) *Neighborhood Signage.* Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
- (L) *Condominium Owner's Association (COA).* A Condominium Owner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Chapter 82, Uniform Condominium Act, of the Texas Property Code*. The COA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, and screening fences associated with this development, but it is not required to maintain additional landscaping or improvements added by the homeowner.
- (M) *Buried Utilities.* New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

Exhibit 'C':
PD Development Standards

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

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 85 (PD-85) [ORDINANCE NO. 18-32] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO INCORPORATE A 9.762-ACRE TRACT OF LAND ZONED AGRICULTURAL (AG) DISTRICT INTO PLANNED DEVELOPMENT DISTRICT 85 (PD-85) CREATING A 47.694-ACRE PLANNED DEVELOPMENT DISTRICT IDENTIFIED AS TRACTS 4-01 & 5 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by the John Delin of Integrity Group, LLC for the approval of a zoning change amending Planned Development District 85 (PD-85) [Ordinance No. 18-32] for the purpose of changing the *Concept Plan* for the *Subject Property* being a 47.694-acre tract of land identified as Tract 4-01 & 5 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 85 (PD-85) [Ordinance No. 18-32] 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 superseded all requirements stipulated in *Ordinance No. 18-32*; and,

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 be in accordance with the *Planned Development Concept Plans*, contained in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of

approval of the amended zoning classification for the *Subject Property*;

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

SECTION 5. That development of *Tract 1* of the *Subject Property* -- as described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance -- shall be in conformance with the schedule listed below (except as set forth below with regard to simultaneous processing and approvals).

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A':
Legal Description

Legal Description for Tract 1:

Tract 1 9.894 acres M. B. Jones Survey, Abstract No. 122 B. Jones Survey, Abstract No. 122 City of Rockwall Rockwall County, Texas

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921 acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the north line of U. G&A CONSULTANTS", being in the north line of U. S. Highway 66, from which a 1/2 inch rebar found at the southeast corner of said 41.921 acres bears N 88°18'19" E, a distance 724.55 feet; E, a distance 724.55 feet;

THENCE S 88°18'19" W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden W, with the north line of U. S. Highway 66, a distance of 553.89 feet to a wooden right-of-way monument found at the southwest corner of said 41.921 acre tract, and being in the east line of F. M. 1141;

THENCE N 02°39'30" W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar W, with the east line of F. M. 1141, a distance of 601.94 to a 1/2 inch rebar found;

THENCE N 01°20'56" W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 W, continuing with the east line of F. M. 1141, a distance of 314.19 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a called 1.837 G&A CONSULTANTS", being the southwest corner of a called 1.837 , being the southwest corner of a called 1.837 acre tract of land described as Tract 1 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Denton County, Texas;

THENCE N 89°26'01" E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 E, with the south line of said 1.837 acre tract, a distance of 200.01 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof, and being at G&A CONSULTANTS", being the southeast corner thereof, and being at , being the southeast corner thereof, and being at an inner ell corner of said 41.921 acre tract;

THENCE N 01°20'56" W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 W, with the east line of said 1.837 acre tract, a distance of 400.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of a 10.942 acre tract of G&A CONSULTANTS", being in the south line of a 10.942 acre tract of , being in the south line of a 10.942 acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 E, with the south line of said 10.942 acre tract, a distance of 65.39 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most northwesterly corner of a called G&A CONSULTANTS", being the most northwesterly corner of a called , being the most northwesterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins

Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Southeasterly with the west line of said 3.989 acre tract and John King Boulevard, the following eight (8) calls:

S 05°14'42" E, a distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A E, a

Exhibit 'A':
Legal Description

distance of 119.42 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 20.00 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 05°14'42" E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 189.30 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 2060.00 feet, a central angle of 23°19'48", and , and an arc length of 838.80 feet, whose chord bears S 16°54'36" E, a distance of 833.02 feet to a 1/2 E, a distance of 833.02 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the right having a radius of 586.00 feet, a central angle of 07°34'10", and an arc length of 77.42 feet, whose chord bears S 24°47'26" E, a distance of 77.36 feet to a 1/2 E, a distance of 77.36 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

Southeasterly with a curve to the left having a radius of 314.00 feet, a central angle of 09°39'36", and , and an arc length of 52.94 feet, whose chord bears S 25°50'09" E, a distance of 52.88 feet to a 1/2 inch E, a distance of 52.88 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS"; G&A CONSULTANTS";

S 30°39'57" E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A E, a distance of 32.25 feet to a 1/2 inch rebar set with cap stamped "G&A G&A CONSULTANTS";

S 28°49'11" W, a distance of 32.25 feet to the *POINT OF BEGINNING* and containing approximately 9.894 acres of land.

Exhibit 'A':
Legal Description

Legal Description for Tract 2:

BEING all that certain lot, tract or parcel of land situated in the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being a portion of a called 41.921-acre tract of land described as Tract 3, in deed to John H. Cullins, recorded in Instrument No. 2008-00396743, Deed Records, Rockwall County, Texas, and being part of a called 73.2744-acre tract of land described in deed to Mike L. People, recorded in Volume 850, Page 15, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch rebar found at the southeast corner of said 41.921-acre tract, and the southwest corner of said 73.2744-acre tract and being in the north line of U. S. Highway 66;

THENCE S 88°18'19"W, with the north line of U. S. Highway 66, a distance of 490.46 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS", being the most southeasterly corner of a called 3.989 acre tract of land being titled as "Highway 205 Bypass R.O.W." in City of Rockwall vs. John Cullins and Burks T. Payne, Jr., Cause No. 180-633, recorded in Instrument No. 2009-00410863, Deed Records, Rockwall County, Texas, also known as John King Boulevard;

THENCE Northwesterly with the east line of said 3.989-acre tract and John King Boulevard, the following seven (7) calls:

N 30°39'57" W, a distance of 19.44-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 59°20'03" W, a distance of 21.30-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 30°39'57" W, a distance of 211.63 feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

Northwesterly with a curve to the right having a radius of 1940.00 feet, a central angle of 25°25'15", and an arc length of 860.73-feet, whose chord bears N 17°57'20" W, a distance of 853.69 feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 158.73-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 84°45'18" E, a distance of 20.00-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 05°14'42" W, a distance of 136.88-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS" in the south line of a called 10.942-acre tract of land described in deed to City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE N 89°26'01" E, with the south line of said 10.942-acre tract, a distance of 15.52-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof;

THENCE N 00°10'47" W, with the east line of said 10.942-acre tract, a distance of 271.63-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being the southwest corner of a 16.000-acre tract of land described as Tract 2 in deed to Betty Bogard, recorded in Instrument No. 2008-00396742, Deed Records, Rockwall County, Texas;

THENCE N 89°54'11" E, with the south line of said 16.000-acres, a distance of 842.15 feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being the southeast corner thereof and being in the west line of said 73.2744-acre tract;

Exhibit 'A':
Legal Description

THENCE S 01°28'09" E, with the west line of said 73.2744 acre tract of land, a distance of 845.72 feet to a 1/2 inch rebar set with cap stamped "G&A CONSULTANTS";

THENCE over, across, and through said 73.2744-acre tract the following five (5) courses and distances:

S 37°47'00" E, a distance of 135.09-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

N 88°31'51" E, a distance of 259.75-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 66°00'00" E, a distance of 266.78-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 30°00'00" R, a distance of 384.58-feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS";

S 64°00'00" E, a distance of 352.92 feet to a ½-inch rebar set with cap stamped "G&A CONSULTANTS", being in the south line of said 73.2744-acre tract and the north line of U.S. Highway 66;

THENCE S 89°18'14" W, with the south line of said 73.2744-acre tract, and the north line of U.S. Highway 66, a distance of 1077.53-feet to the *POINT OF BEGINNING* and containing approximately 37.800-acres of land.

Exhibit 'B': Concept Plan: Tract 2



Exhibit 'C':
PD Development Standards

PD Development Standards.

Tract 1: 9.894-Acres of Non-Residential Property

- (1) *Permitted Uses.* Unless specifically provided by this Planned Development ordinance, only those uses permitted within the General Retail (GR) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 1* of the *Subject Property*; however, the following additions and conditions shall apply:

The following land uses shall be expressly prohibited on the *Subject Property*:

- Convent or Monastery
- Hotel or Motel
- Hotel, Residence
- Cemetery/Mausoleum
- Mortuary or Funeral Chapel
- Social Service Provider
- Billiard Parlor or Pool Hall
- Carnival, Circus, or Amusement Ride
- Commercial Amusement/Recreation (*Outside*)
- Gun Club, Skeet or Target Range (*Indoor*)
- Astrologer, Hypnotist, or Psychic Art and Science
- Night Club, Discotheque, or Dance Hall
- Secondhand Dealer
- Car Wash, Self Service
- Retail Store with Gasoline Product Sales (*Any Amount of Dispensers*)
- Service Station
- Mining and Extraction (*Sand, Gravel, Oil & Other*)
- Helipad
- Railroad Yard or Shop
- Transit Passenger Facility

The following additional use shall be permitted through a Specific Use Permit (SUP) on the *Subject Property*:

- Garden Supply/Plant Nursery

- (2) *Density and Dimensional Requirements.* Any development on *Tract 1* of the *Subject Property* shall be subject to the development standards required for properties in a General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.

- (3) *Landscape Buffers.* All landscape buffers and plantings located within the buffers shall adhere to the following:

- (a) *Landscape Buffer (SH-66).* A minimum of a 15-foot landscape buffer shall be provided along the frontage of SH-66 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to SH-66.

Exhibit 'C':
PD Development Standards

- (b) *Landscape Buffer and Sidewalks (John King Boulevard)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 15-foot landscape buffer adjacent to John King Boulevard.

- (c) *Landscape Buffer (FM-1141)*. A minimum of a 15-foot landscape buffer shall be provided along the frontage of FM-1141 (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a five (5) foot sidewalk situated within the 15-foot landscape buffer adjacent to FM-1141.

- (4) *Intersection Enhancements*. In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide an intersection enhancement at the corner of the intersection of Williams Street (SH-66) and John King Boulevard that generally conforms to the following design:

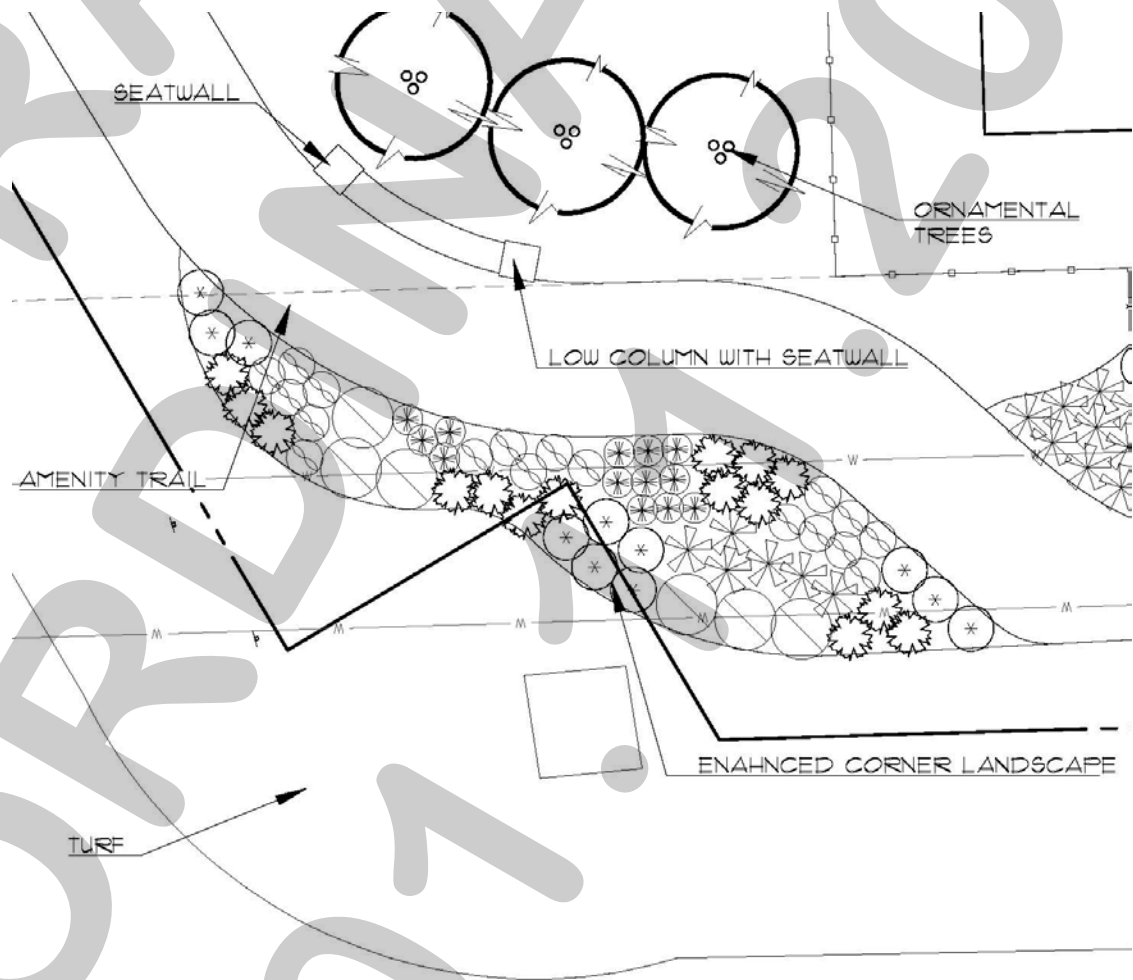


Exhibit 'C':
PD Development Standards

Tract 2: 28.011-Acres of Residential Property

- (1) Permitted Uses. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Single Family 7 (SF-7) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on *Tract 2* of the *Subject Property*; however, the following additional land uses shall be permitted *by-right*:

- Activity Center
- Community Pool
- Gazebos/Pavilions
- Sports Courts

- (2) Unit Composition and Layout. The unit composition and layout shall generally conform to the *Concept Plan* for *Tract 2* depicted in *Exhibit 'B'* and stated as follows:

Unit Type	Unit Dimensions	Minimum Unit Size (SF)	Dwelling Units (#)	Dwelling Units
1	44.5' x 80'	1,600 SF	11	09.40%
2	42' x 77'	1,600 SF	27	23.07%
3	42' x 72'	1,600 SF	10	08.55%
4	42' x 70'	1,600 SF	26	22.22%
5	54' x 60'	1,600 SF	21	17.95%
6	64' x 50'	2,100 SF	6	05.13%
7	36' x 59'	1,325 SF	16	13.68%
<i>Total Units:</i>			117	

NOTES REGARDING LOT VARIATIONS TO THE UNIT COMPOSITION:
Regardless of the above unit mix the following variations shall be permitted:

- (1) Lot 1 as depicted on the concept plan in *Exhibit 'B'* of this ordinance may be developed with interchange *Unit Types* 2, 3 & 4.
 - (2) Lot 2 as depicted on the concept plan in *Exhibit 'B'* of this ordinance may be developed with interchange *Unit Types* 3 & 4.
 - (3) Lot 3 as depicted on the concept plan in *Exhibit 'B'* of this ordinance may be developed with interchange *Unit Types* 3 & 4.
- (3) Density and Dimensional Requirements. The maximum permissible density for the *Subject Property* shall not exceed 3.1-units/acre; however, in no case should the proposed development exceed 117 single-family, residential units. The *Subject Property* shall maintain conformance with the following requirements:

- (a) Condominium Requirement. The property shall be established as a condominium development pursuant to the requirements of *Chapter 82* of the *Texas Property Code*, and platted as a single lot.
- (b) Lot Dimensional Requirements. The proposed condominium lot shall adhere to the following setbacks:

Minimum Lot Width	1,000'
Minimum Lot Depth	490'
Minimum Lot Area	37.80-Acres
Minimum Setback Adjacent to John King Boulevard	95'
Minimum Setback Adjacent to SH-66	20'
Minimum Setback Adjacent to the Eastern & Northern Property Lines	10'
Minimum Setback Adjacent to the RPZ	0'
Minimum Lot Setback for the Eastern Property Adjacent to the RPZ	5'

Exhibit 'C':
PD Development Standards

- (c) Internal Artificial Lot Requirements. The units constructed on the proposed condominium lot shall adhere to the following dimensional requirements for artificial lots:

<i>Minimum Setback from a Private Street</i> ^{(1), (2) & (3)}	15'
<i>Minimum Side Yard Distance Between Units</i>	6'
<i>Minimum Side Yard Setback from a Private Street</i> ^{(1) & (2)}	10'
<i>Minimum Rear Yard Distance Between Units</i>	20'
<i>Maximum Height</i>	35'

General Notes:

- ¹: This setback shall be measured from the back of curb.
- ²: Variances of up to five (5) feet may be granted by the Director of Planning and Zoning on a case-by-case basis for artificial lots on curve-linear streets.
- ³: The minimum length of a driveway shall be 20-feet as measured from the edge of the approach to the garage door.

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

(A) Masonry Requirement. The minimum masonry requirement for the exterior façades -- *excluding doors and windows* -- of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone, and cultured stone. Cementaceous fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and/or stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted to be used to meet up to 40% of the masonry requirement.

(B) Roof Pitch. A minimum of an 8:12 roof pitch is required on the front elevation of all structures. Porches and rear elevations shall have a minimum of a 4:12 roof pitch.

(C) Garage Orientation. Garages shall be oriented in a *traditional swing* (or *j-swing*) or in a front entry configuration. If a front entry garage configuration is utilized it shall face the street and shall be located even with the front building façade of the primary structure. On *traditional swing* (or *j-swing*) garages a second single garage door facing the street is permitted if it is located behind the width of the double garage door.

(D) Anti-Monotony Restrictions. The development shall adhere to the following Anti-Monotony requirements (for spacing requirements see the illustration on the following page):

(1) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent property and two (2) intervening homes of differing materials on the opposite side of the street.

(2) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

- (a) Number of Stories
- (b) Brick Color
- (c) Roof Type and Layout
- (d) Articulation of the Front Façade

(3) All roof shingles shall be an architectural or dimensional shingle, and have a 30-year rating. (*3-Tab Roofing Shingles are prohibited*).

Exhibit 'C':
PD Development Standards

Illustration 1: Properties line up on the opposite side of the street. Where RED are the same.



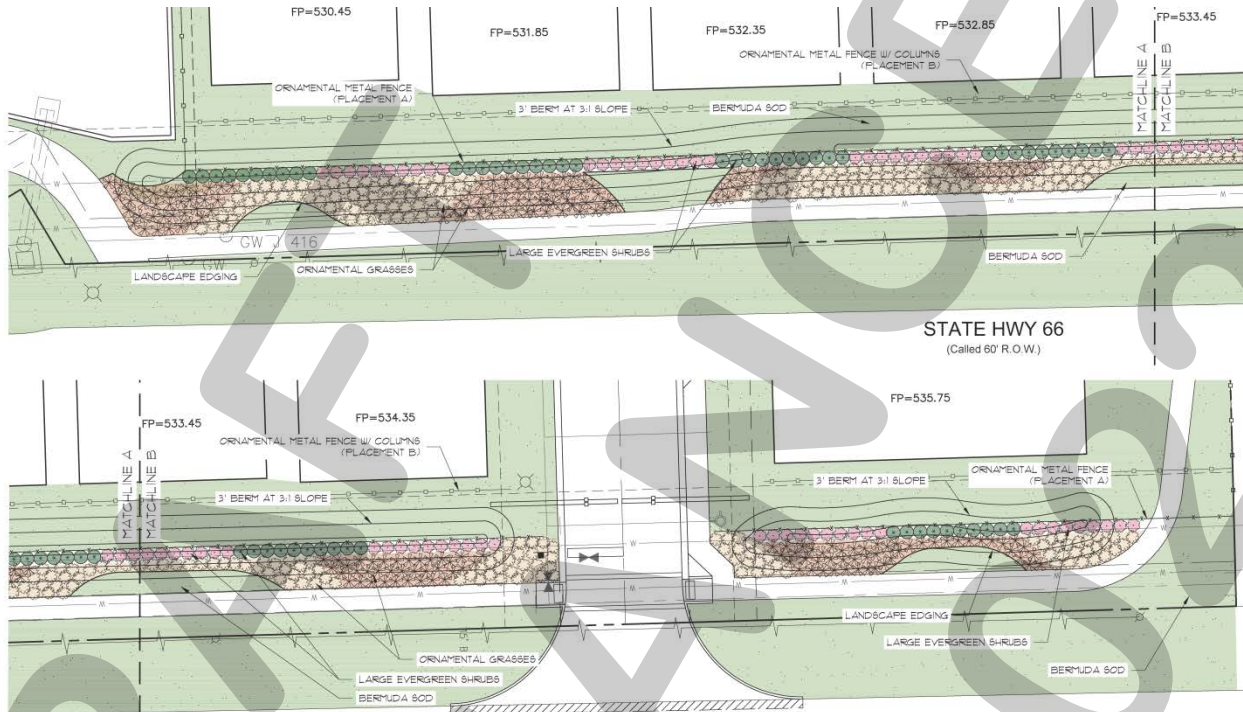
Illustration 2: Properties do not line up on opposite side of the street. Where RED are the same.



- (E) Fencing Standards. All residential privacy fencing shall be six (6) foot wrought iron/tubular steel fencing for transparent fencing and six (6) foot Simtek (or a similar product) fencing for non-transparent fencing. Fencing located along the exterior of the condominium lot shall be a minimum of six (6) foot wrought iron/tubular steel fencing with masonry columns a maximum of 45-feet on center. The masonry columns shall only be required adjacent to John King Boulevard and SH-66.
- (F) Landscape and Hardscape Standards.
- (1) Residential Landscape. All canopy trees planted within the condominium lot and not situated within a required landscape buffer shall be a minimum of three (3) inches in caliper and accent trees shall be a minimum of four (4) feet in height. All tree plantings shall conform to the City's tree planting guidelines and requirements stipulated in Appendix F, *Landscaping Guidelines and Requirements*, of the Unified Development Code.
- (2) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA) and shall conform to the following:
- (a) Landscape Buffer (SH-66). A minimum of a 20-foot landscape buffer shall be provided along the frontage of SH-66 (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. The landscaping shall be generally as depicted below. The developer shall also be

Exhibit 'C':
PD Development Standards

responsible for the construction of a five (5) foot sidewalk situated within the 20-foot landscape buffer adjacent to SH-66.



(b) Landscape Buffer and Sidewalks (John King Boulevard). A minimum of a 50-foot landscape buffer shall be provided along the frontage of John King Boulevard (outside of and beyond any required right-of-way dedication), and shall incorporate ground cover, a built-up berm and/or shrubbery or a combination thereof along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. The developer shall also be responsible for the construction of a ten (10) foot sidewalk situated within the 50-foot landscape buffer adjacent to John King Boulevard. The required wrought iron fence along John King Boulevard may be situated within 40-feet of the right-of-way line. In addition, the design of the buffer shall generally conform to the following cross section:

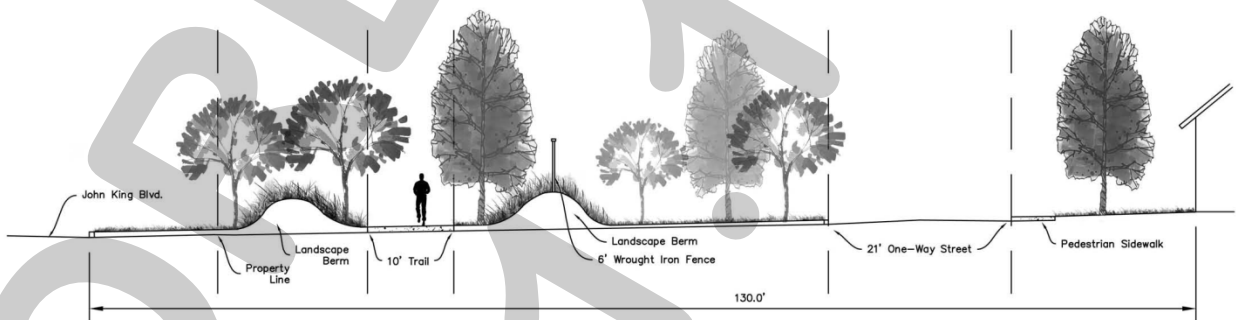
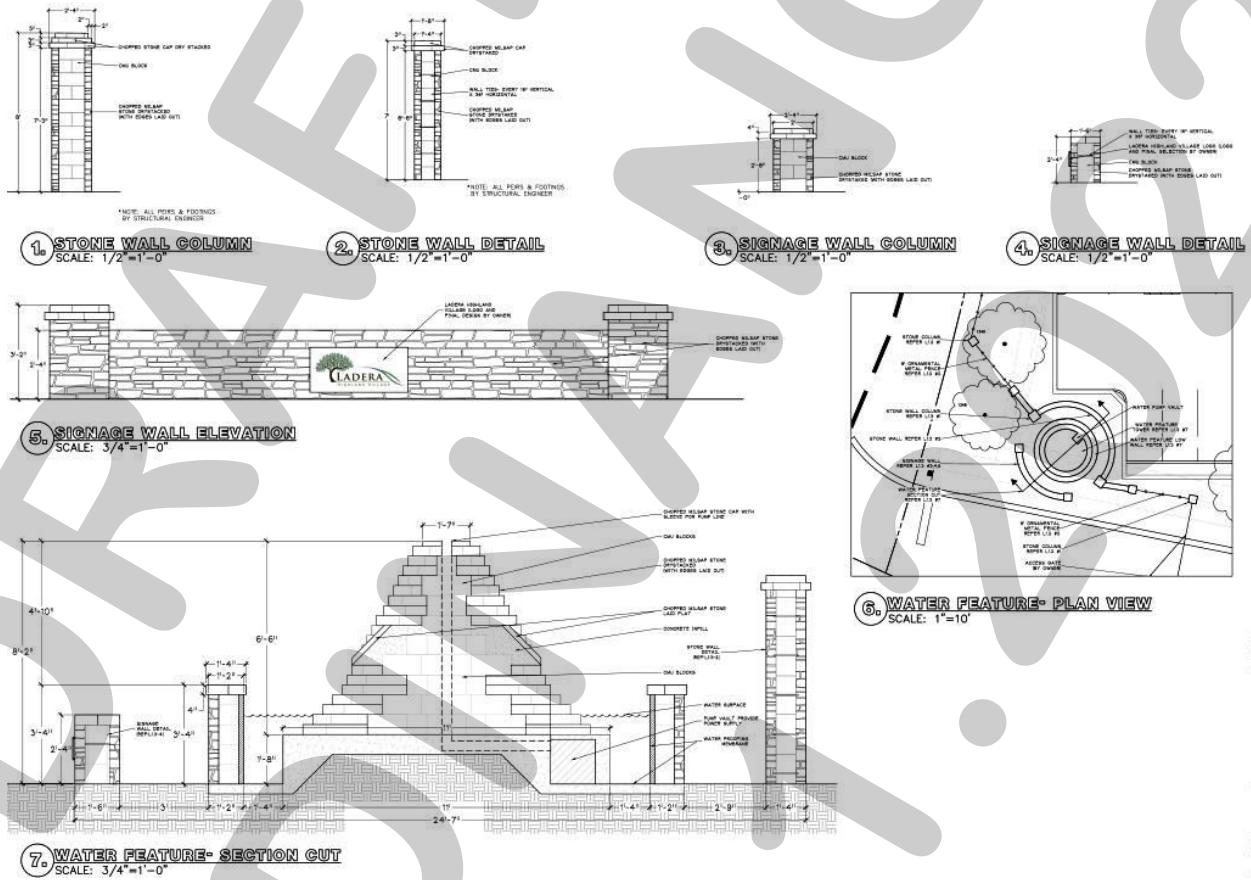


Exhibit 'C':
PD Development Standards

- (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 and shall be maintained by the Homeowner's Association (HOA).
- (4) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (G) Trail Enhancements. In accordance with the *John King Boulevard Design Concept Plan* the applicant shall be required to provide a trail enhancement element that generally conforms to the following design:

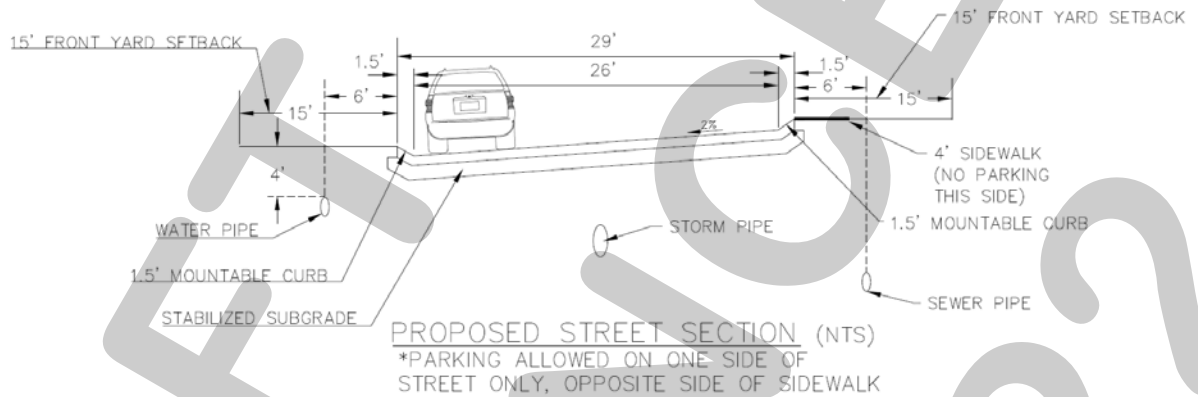


- (H) Lighting. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to concentrate light within the development area.

Continued on next page ...

Exhibit 'C':
PD Development Standards

- (I) Private Streets. With the exception of the 21-foot, one-way street situated adjacent to John King Boulevard the street cross sections for this development should conform to the following cross section:



- (J) Open Space. The development shall consist of a minimum of 38.00% open space as calculated from the gross land area, and generally conform to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. The Homeowner's Association (HOA) shall maintain all common open space areas. For the purposes of this Planned Development District open space shall include all front yards, rear yards, common areas, buffers and floodplain installed by the developer, but does not include any landscaping, trees, patios and other improvements installed by the homeowner. Floodplain shall be calculated at a rate of 50% (e.g. ½-acre for every acre provided).
- (K) Neighborhood Signage. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*.
- (L) Condominium Owner's Association (COA). A Condominium Owner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Chapter 82, Uniform Condominium Act*, of the *Texas Property Code*. The COA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, and screening fences associated with this development, but it is not required to maintain additional landscaping or improvements added by the homeowner.
- (M) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. New transmission power-lines, or distribution lines of a size not typically or cost effectively placed underground (*3-phase lines*), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the *Subject Property*. The *Developer* shall not be required to re-locate existing overhead power-lines along the perimeter of the *Subject Property*. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

Exhibit 'C':
PD Development Standards

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

DRAFT
ORDINANCE
01.11.2022



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: January 11, 2022
SUBJECT: Z2021-057; *Zoning Change (AG to PD) for the Highgate Subdivision*

The applicant -- *Brian Cramer of Corson Cramer Development* -- has requested that the Planning and Zoning Commission postpone the public hearing for *Case No. Z2021-057* to the January 25, 2022 Planning and Zoning Commission Work Session meeting (see *attached applicant's letter*). The purpose of this request is to allow the applicant time to meet with the Oaks of Buffalo Way Homeowner's Association (HOA). In addition, the applicant is still working with staff concerning entry monumentation signage along SH-205 and the timing and construction of the public park amenities for the proposed public park. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a) public hearing that was noticed in the manner prescribed by Subsection 02.03(A) [Article 11; UDC] may be postponed by announcing the postponement at the time and place of the noticed public hearing. The postponement of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A postponed public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a postponement at a public hearing shall be sufficient notice and no additional notice is required." Should the Planning and Zoning Commission have any questions staff and the applicant will be available at the January 11, 2022 Planning and Zoning Commission meeting.

CORSON  CRAMER
DEVELOPMENT

January 7, 2022

Mr. Ryan Miller
385 S. Golid
Rockwall, TX 75087

Re: Highgate zoning

Dear Mr. Miller:

Corson Cramer Development is scheduled to have a Planning and Zoning Commission public hearing on January 11, 2022, regarding the zoning of approximately 265 acres located near the intersection of Hwy 205 and FM 549. We are in the process of reaching out to our neighbors to present and discuss our concept plan. However, due to the holidays we were not able to schedule a meeting with the Oaks of Buffalo Way HOA until January 18, 2022. As a result, we would like to request that our application be tabled until the January 25th P&Z meeting to allow time to complete our community outreach.

Sincerely,

Corson Cramer Development



Brian Cramer
MANAGING MEMBER



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: January 11, 2022
APPLICANT: Priya Acharya; *Weir & Associates, Inc.*
CASE NUMBER: SP2021-035; *Site Plan for Frost Bank*

SUMMARY

Discuss and consider a request by Priya Acharya of Wier & Associates, Inc. on behalf of Ross Wood of Frost Bank for the approval of a Site Plan for a *Financial Institution with Drive-Through (i.e. Frost Bank)* on a 1.198-acre parcel of land identified as Lot 2, Block A, Allen Anderson Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses, located at the southwest corner of the intersection of Horizon Road and Rockwall Parkway, and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on November 7, 1960 by *Ordinance No. 60-03 [Case No. A1960-003]*. On November 12, 1973 the City Council approved *Ordinance No. 73-49* rezoning the subject property from an Agricultural (AG) District to Planned Development District 9 (PD-9) for General Retail (GR) District land uses. On November 16, 2007, the City Council approved a final plat [*Case No. P2007-031*] establishing the subject property as Lot 2, Block A, Allen Anderson Addition. Since the time of annexation, the subject property has remained vacant. Since the original approval of Planned Development District 9 (PD-9), *Ordinance No. 73-49* has been amended nine (9) times (*Ordinance No.'s 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43*), with the most recent being approved by City Council on November 4, 2013. That being said the land uses permitted on the subject property (*i.e. General Retail (GR) District land uses*) have not changed since the original approval of Planned Development District 9 (PD-9).

PURPOSE

On December 17, 2021, the applicant -- *Priya Acharya of Weir & Associates, Inc.* -- submitted an application requesting the approval of a site plan for the purpose of constructing a bank building on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located southwest corner of the intersection of Horizon Road and Rockwall Parkway. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Horizon Road [*FM-3097*], which is identified as a TxDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 4.0152-acre parcel of land zoned Planned Development District 13 (PD-13) and developed with a *House of Worship (i.e. Our Savior Lutheran Church)*. Beyond this is W. Ralph Hall Parkway, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is Rockwall Parkway, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several developed parcels of land zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses.

East: Directly east of the subject property is the intersection of Horizon Road [FM-3097] and Rockwall Parkway. Horizon Road [FM-3097] is identified as a TxDOT4D (i.e. Texas Department of Transportation, four [4] lane, divided roadway) and Rockwall Parkway is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Windmill Ridge and Windmill Ridge Estates 2A Subdivisions, which are zoned Planned Development District 13 (PD-13) for Single-Family 7 (SF-7) District land uses.

West: Directly west of the subject property are four (4) parcels of land, three (3) developed and one (1) vacant. All of these parcels are zoned Planned Development District 9 (PD-9) for General Retail (GR) District land uses. Beyond this is W. Ralph Hall Parkway, which is designated as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land developed with non-residential land uses that are zoned Planned development District 9 (PD-9) for General Retail (GR) District land uses.

DENSITY AND DIMENSIONAL REQUIREMENTS

According to Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Financial Institution with Drive-Through* is permitted *by-right* in a Commercial (C) District. The submitted site plan, landscape plan, treescap 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 Commercial (C) District. A summary of the density and dimensional requirements for the subject property are as follows:

<i>Ordinance Provisions</i>	<i>Zoning District Standards</i>	<i>Conformance to the Standards</i>
<i>Minimum Lot Area</i>	6,000 SF	X=1.198-acres; In Conformance
<i>Minimum Lot frontage</i>	60-Feet	X= 191.42-feet; In Conformance
<i>Minimum Lot Depth</i>	100-Feet	X=240.01-feet; In Conformance
<i>Minimum Front Yard Setback</i>	20-Feet	X>20-feet; In Conformance
<i>Minimum Rear Yard Setback</i>	20-Feet	X>20-feet; In Conformance
<i>Minimum Side Yard Setback</i>	15-Feet	X>15-feet; In Conformance
<i>Maximum Building Height</i>	120-Feet	X<120-feet; In Conformance
<i>Max Building/Lot Coverage</i>	40%	X=7.98%; In Conformance
<i>Minimum Number of Parking Spaces</i>	1 Parking Space/300 SF (14 Required)	x=30; In-Conformance
<i>Minimum Landscaping Percentage</i>	10%	In Conformance
<i>Maximum Impervious Coverage</i>	90%	x<90%; In Conformance

TREESCAPE PLAN

The treescap plan provided by the applicant indicates that the total mitigation balance is 44.50 caliper inches of tree, which will be mitigated for on an inch-for-inch basis by trees being planted as part of the proposed landscape plan for the subject property.

CONFORMANCE WITH THE CITY’S CODES

According to Subsection 02.02(D)(2), *Financial Institution*, of Article 13, *Definitions*, of the Unified Development Code (UDC), a financial institution is defined as “(a) facility that is open to the public for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds and that is licensed by the appropriate state or federal agency as a bank, savings and loan association, or credit union.” In this case the applicant is requesting a *Financial Institution with Drive-Through*, which conforms to the *Financial Institution with Drive-Through* land use listed in Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC). In addition, according to Subsection 02.03 (D)(1), *Financial Institution with Drive-Through*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the following additional conditions shall be placed on the proposed land use:

- (1) Drive-throughs shall not be located on a property adjacent to a residentially zoned or used property. Drive-throughs shall be separated from residentially zoned or used properties by an intervening building or parcel of land.
- (2) Drive-throughs shall not have access to local residential streets.

- (3) Stacking lanes for drive-through service windows shall accommodate at least six (6) standard sized motor vehicles per lane, unless specifically approved by the Planning and Zoning Commission.

The proposed site plan generally conforms to the *General Overlay District Standards* and the *General Commercial District Standards* as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC), with the exception of the variances being requested as outlined in the *Variances and Exceptions Requested by the Applicant* section of this case memo.

VARIANCES AND EXCEPTIONS BY THE APPLICANT

As stated above, the applicant's request conforms to the majority of the City's codes; however, staff has identified the following exceptions:

- (1) *Building Materials*. According to the building material requirements contained in *Ordinance No. 87-55*, properties in a General Retail (GR) District shall utilize 90% masonry material on all building facades. In addition, according to the definition of *Masonry* as specified in Subsection 02.01 of Article 13, *Definitions*, of the Unified Development Code (UDC), stucco is not a listed masonry material for properties outside of an overlay district. In this case, the applicant is proposing the use of Stone, Aluminum Composite Metal (ACM) Panels, and Stucco; however, the proposed elevations do not meet the minimum 90% masonry requirement stipulated by Planned Development District 9 (PD-9).
- (2) *Non-Residential Lighting Standards*. According to Subsection 03.03 (C), *Light at Non-Residential Property Line*, of Article 07, *Environmental Performance*, of the Unified Development Code (UDC), "(t)he allowable maximum light intensity measured at the property line of any non-residentially zoned lot shall be 0.2 of one (1) footcandle or 0.2 FC." In this case the proposed Photometric Plan exceeds the 0.2 FC requirement on each property line of the subject property.

According to Subsection 09.01, *Exceptions to the General Standards*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "...an 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 Unified Development Code would create an undue hardship." In addition, the code requires that applicants provide compensatory measures that directly offset the requested exception. In this case, as a compensatory measure the applicant is proposing to plant one (1) additional canopy tree and one (1) additional accent tree. Requests for exceptions to the general standards are discretionary decisions for the Planning and Zoning Commission. Staff should note that a supermajority vote (*e.g. six [6] out of the seven [7] commissioners*) -- *with a minimum of four (4) votes in the affirmative* -- is required for the approval of an exception.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The Future Land Use Plan adopted with the OURHometown Vision 2040 Comprehensive Plan identifies the subject property as being situated in the *Medical District*. The *Medical District* is a "...highly specialized district that is characterized by the medical and professional offices, which line Horizon Road [FM-3097], Rockwall Parkway, and Tubbs Road." Within the district the subject property is located within a transitional area that is shifting land uses from "...medical and professional office uses to the commercial/retail land uses that are more typical of the uses found along Ridge Road." Within the *Medical District District Strategies*, it specifically states that financial services are required to support the district and the residential subdivisions surrounding this area. Based on this, the applicant's request appears to conform with the goals and policies of the OURHometown Vision 2040 Comprehensive Plan.

ARCHITECTURAL REVIEW BOARD (ARB) RECOMMENDATION

The Architectural Review Board (ARB) reviewed the building elevations provided by the applicant on December 28, 2021. The ARB made the following recommendations concerning the proposed elevations: [1] provide more masonry materials, [2] raise the main building parapet and shrink the canopy parapet, [3] remove the louvers from the building, and [4] face the dumpster enclosure with a similar materials at similar percentages as the primary building.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's Site Plan for the Bank 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) The subject property will be required to be replatted prior to the issuance of a building permit.
- (3) 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.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. SP2021-035

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS Address not available

SUBDIVISION Allen Anderson Addition

LOT 2 BLOCK 2

GENERAL LOCATION Northwest corner of Rockwall Parkway and FM 3097

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-009

CURRENT USE Vacant

PROPOSED ZONING N/A

PROPOSED USE Financial Institution with Drive-Through

ACREAGE 1.198

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

OWNER Frost Bank

APPLICANT Wier & Associates, Inc.

CONTACT PERSON Ross Wood

CONTACT PERSON Priya Acharya

ADDRESS 3833 Roger Road

ADDRESS 2201 E. Lamar Blvd. Suite 200E

CITY, STATE & ZIP San Antonio, Texas, 78251

CITY, STATE & ZIP Arlington, Texas, 76006

PHONE (210) 220-5842

PHONE (817) 467-7700

E-MAIL ross.wood@frostbank.com

E-MAIL priyaa@wierassociates.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION, ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ 19 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 19th DAY OF December, 2021 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY UNPUBLISHED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 19 DAY OF December, 2021

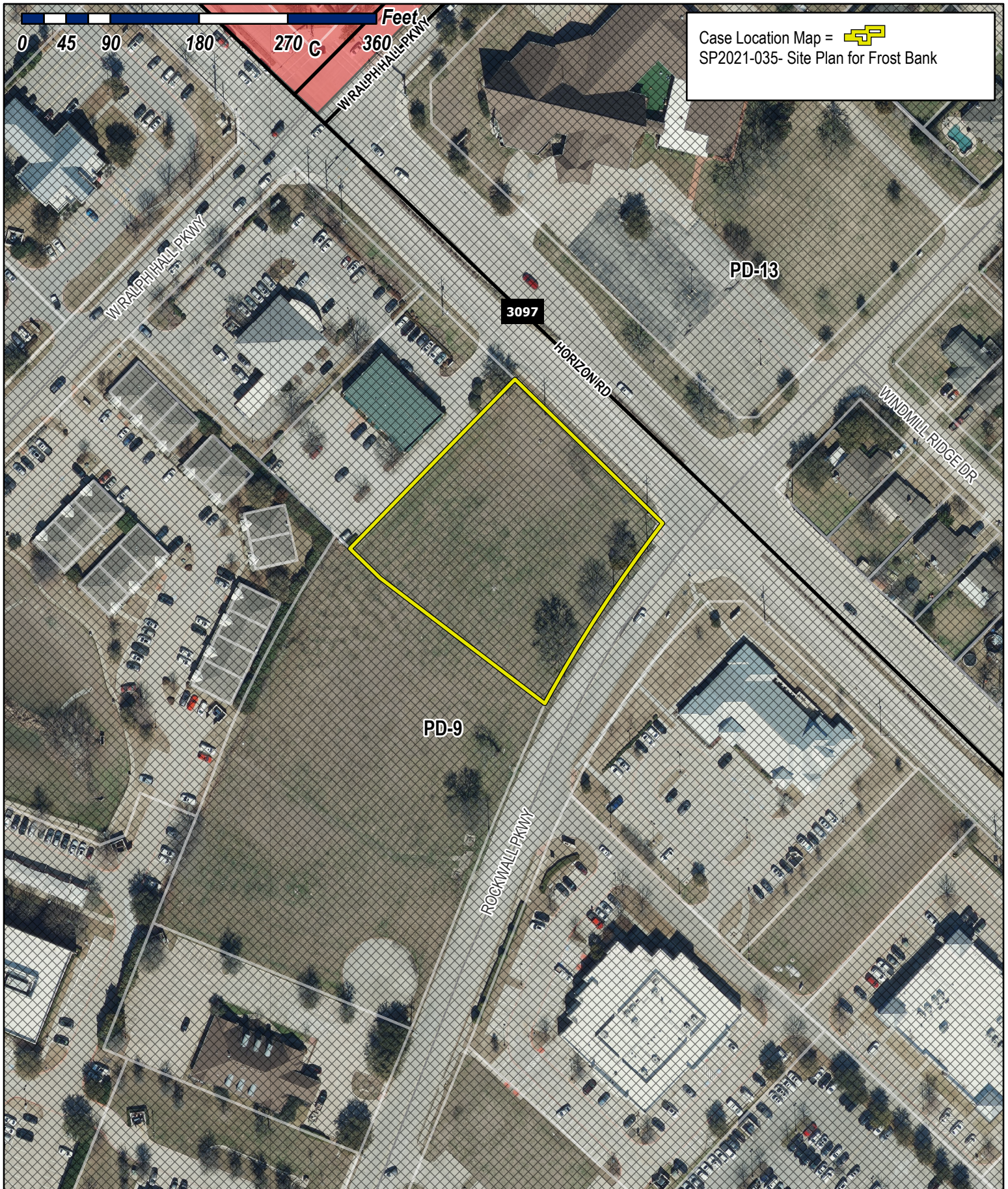
OWNER'S SIGNATURE


Ross Wood

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

[Signature]





Case Location Map = 
 SP2021-035- Site Plan for Frost Bank



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.



January 5, 2022

City of Rockwall
Attn: Mr. Harry Lee
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

**Re: Site Plan SP2021-035
Frost Bank @ NWC of Horizon Road & Rockwall Parkway**

Dear Mr. Lee:

In response to your comments about the exterior elevations for the above referenced bank project, we respectfully request a variance from the 90% masonry requirement in order to use exterior stucco on the motor bank canopy which occurs on the southside of the building. The main building will have honed 1'-0" x 1'-6" Alamo Ivory stone veneer that meets ASTM C568 – Standards for Dimensional Stone. It is distributed by Upchurch Kimbrough, contact Laura Langley, laura@upchurchkimbrough.com, and cell number 512.560.7988. This product is Frost Bank's standard for exterior stone veneer on all projects.

The ACM product is equal to Alucobond, a 1/4" thick aluminum composite wall panel with a clear anodic finish, mounted to a 1-1/2" extruded aluminum furring system. This is not a corrugated metal panel product! It is a highly finished, contemporary building material being used for canopies above windows and main entrance door.

The exterior stucco only occurs at the vertical walls and soffit of the motor bank. It will be a hardrock stucco over metal lathe. City of Rockwall, Section 4 Commercial District Standards, A. Construction Materials, states that "All exterior walls shall be constructed of stone, brick, glass and a combination of other materials. The use of other cementaceous products (e.g., stucco, Hardy Plank, or other similar materials approved by Building Official) shall be limited to 50% of the building exterior where deemed important as a design feature and where it will be applied under the highest standard for quality and durability. However, stucco may not be located in the first 8 feet above grade on a façade visible from a street."

The stucco we are proposing will only occur 10'-0" above finish floor on the motor bank canopy walls and soffit. We believe this exception to the 90% masonry rule should be allowed. In our opinion, this building exterior design is going well beyond Frost Bank's standard design since we have added honed stone on all walls and by deleting stucco to meet your requirements.

Thank you for your consideration of this variance to use hardrock stucco at the motor bank canopy.

If you need to clarify any part of this request, please advise.

Sincerely,

HAHNFELD HOFFER STANFORD
architects planners interiors


Michael J. Hoffer, AIA
Principal



BIG STATE ELECTRIC POWER DISTRIBUTION ENGINEERING
8923 Aero St.
SAN ANTONIO TX 78217
TBPE FIRM REGISTRATION #16549

VARIANCE REQUEST

DATE: January 5, 2022
PROJECT: SITE PLAN FOR FROST BANK ROCKWALL FINANCIAL CENTER
PROJECT NO.: SP2021-035

To, Henry Lee Planning and Zoning Department of Rockwall, TX;

A code variance is requested regarding UDC Subsection 03.03. G, of Article 7 due to conflicts with Texas Finance Code Title 3, Subtitle A, Chapter 59, Subchapter D. for Unmanned Teller Machines. This state law governs lighting for unmanned ATM's with 24/7 access to have a minimum 2.0fc within a radius of 60ft. Frost Bank – Rockwall Location will have (2) of these conditions that can be approached by pedestrian access at all hours. Reference lighting photometric drawing “FB-2118 - Frost Rockwall Financial Center - EMP1” for further information.

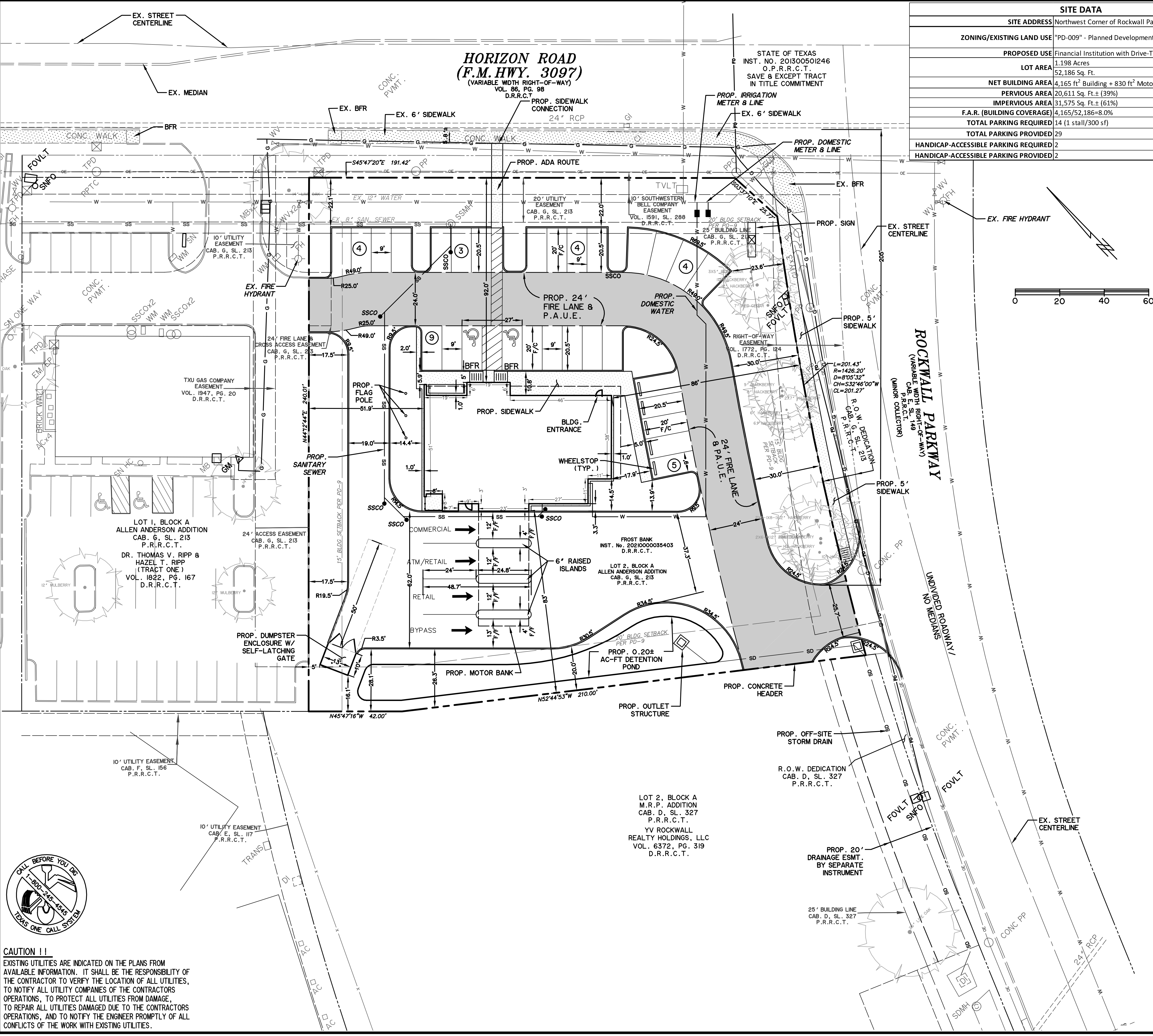
The referenced provisions of the Texas Finance Code are in conflict with the referenced Rockwall UDC provisions in several locations on our site, where lighting crosses property lines and for maximum lighting allowed within the site. In order to meet the Texas Finance code and provide maximum safety for patrons of Frost Bank.

Compensatory Measures to account for this variance include the addition of landscaping in the amount of (1) canopy, and (1) accent tree in addition to the minimum UDC requirements, reference landscaping plans for further information.

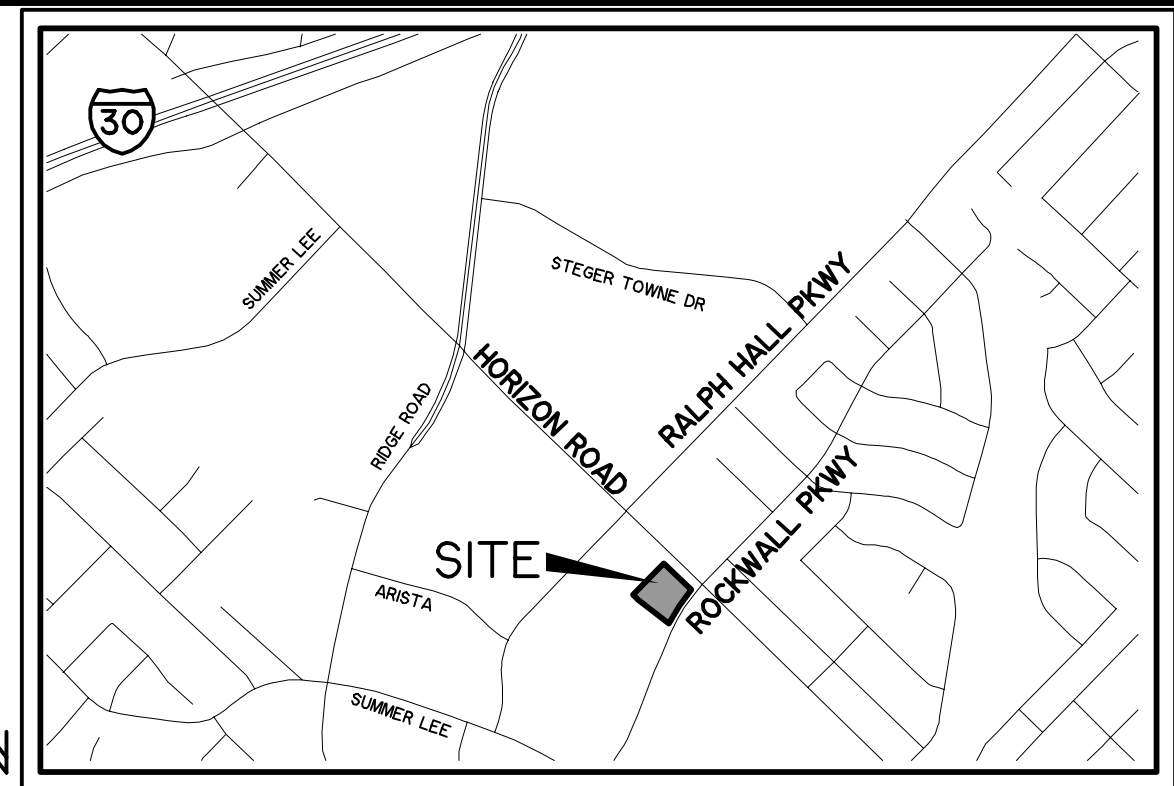
Shane Custer, P.E.

Big State Electric, Ltd.
(210) 735-1051

PRINTED: 1/5/2022 5TB FILE: WIER-PAVING-STB LAST SAVED: 1/5/2022 3:21 PM FILE: CITY-SITE-PLAN-21089.DWG



SITE DATA	
SITE ADDRESS	Northwest Corner of Rockwall Parkway and FM 3097
ZONING/EXISTING LAND USE	PD-009 - Planned Development; Vacant
PROPOSED USE	Financial Institution with Drive-Through
LOT AREA	1.198 Acres
NET BUILDING AREA	4,165 sq. ft. Building + 830 sq. ft. Motor Bank
PERVIOUS AREA	20,611 Sq. Ft. ± (39%)
IMPERVIOUS AREA	31,575 Sq. Ft. ± (61%)
F.A.R. (BUILDING COVERAGE)	4,165/52,186=8.0%
TOTAL PARKING REQUIRED	14 (1 stall/300 sf)
TOTAL PARKING PROVIDED	29
HANDICAP-ACCESSIBLE PARKING REQUIRED	2
HANDICAP-ACCESSIBLE PARKING PROVIDED	2



VICINITY MAP NOT TO SCALE

TOPOGRAPHIC LEGEND	
BOL	BOLLARD
CI	CURB INLET
EB	ELECTRIC BOX
EM	ELECTRIC METER
FB	FIBER OPTIC VAULT
FOVLT	FIBER OPTIC VAULT
GM	GAS METER
GTS	GAS TEST STATION
GUY	GUY WIRE
HWL	CONCRETE HEADWALL
ICV	IRRIGATION CONTROL VALVE
IRF	IRON ROD FOUND
LP	LIGHT POLE
PP	POWER POLE W/CONDUIT
PPC	POWER POLE W/LIGHT POLE
PPT	POWER POLE W/TRANSFORMER
RPC	CONCRETE STORM DRAIN PIPE
RPTC	POWER POLE W/CONDUIT AND TRANSFORMER
SDMH	STORM DRAIN MANHOLE
SN	SIGN
SNT	UNDERGROUND TELEPHONE SIGN
SP	GAS PIPELINE MARKER
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEANOUT
TPO	TELEPHONE PEDESTAL
TSP	TELEPHONE SIGNAL BOX
TMB	TELEPHONE MANHOLE
TRM	TRANSFORMER
TRM	TRANSFORMER PAD
TSP	TRAFFIC SIGNAL POLE
TVLT	TRAFFIC SIGNAL VAULT
WM	WATER METER
WMH	WATER MANHOLE
WV	WATER VALVE
WVLT	WATER VAULT
WVLT	OVERHEAD ELECTRIC LINE
WVLT	UNDERGROUND ELECTRIC LINE
WVLT	WATER LINE
WVLT	SANITARY SEWER LINE
WVLT	FIBER OPTIC LINE
WVLT	UNDERGROUND GAS
WVLT	UNDERGROUND TELEPHONE

SITE LEGEND	
[Symbol]	PROP. FIRE LANE, PUBLIC ACCESS, AND UTILITY EASEMENT
[Symbol]	PROP. SIDEWALK
[Symbol]	PROPOSED 12" OR SMALLER WATER MAIN
[Symbol]	PROPOSED GATE VALVE
[Symbol]	PROPOSED WATER METER
[Symbol]	PROPOSED FIRE HYDRANT
[Symbol]	PROPOSED 12" OR SMALLER SANITARY SEWER
[Symbol]	PROPOSED SANITARY SEWER MANHOLE
[Symbol]	PROPOSED STORM SEWER
[Symbol]	PROPOSED GRATE INLET
[Symbol]	PROPOSED CURB INLET
[Symbol]	HANDICAP-ACCESSIBLE PARKING STALL
[Symbol]	BARRIER FREE RAMP
[Symbol]	PROPERTY LINE
[Symbol]	LIGHT POLE
[Symbol]	MEASUREMENT TO BACK OF CURB
[Symbol]	PROPOSED DROP INLET
[Symbol]	PROPOSED JUNCTION BOX
[Symbol]	PROPOSED SANITARY SEWER CLEANOUT
[Symbol]	P.A.U.E.

- NOTE:
- ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
 - ALL RADII WITHIN PROPERTY ARE 2.5' B/C UNLESS SPECIFIED OTHERWISE.
 - ALL PARKING AREAS AND FIRE LANES SHALL BE CONSTRUCTED OF CONCRETE.

ON-SITE PAVEMENT SHALL BE:

PARKING	5' REINFORCED CONCRETE PAVEMENT
FIRE LANE	6' REINFORCED CONCRETE PAVEMENT
DUMPSTER	7' REINFORCED CONCRETE PAVEMENT

DEVELOPER/OWNER: FROST BANK, 3833 ROGER ROAD, SAN ANTONIO, TEXAS 78251, PHONE: (210)-220-5842, CONTACT: ROSS WOOD

ENGINEER: WIER & ASSOCIATES, INC., 2201 E. LAMAR BLVD., STE 200E, ARLINGTON, TEXAS 76006, PHONE: (817) 467-7700, CONTACT: PRIYA ACHARYA, P.E., PriyaA@WierAssociates.com

APPROVED: I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SITE PLAN FOR A DEVELOPMENT IN THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL ON THE ___ DAY OF ____.

WITNESS OUR HANDS, THIS ___ OF ____.

PLANNING & ZONING COMMISSION, CHAIRMAN DIRECTOR OF PLANNING AND ZONING

SITE PLAN
FROST BANK

SOUTHWEST CORNER OF HORIZON RD. AND ROCKWALL PKWY.
LOT 2, BLOCK A
ALLEN ANDERSON ADDITION
CITY OF ROCKWALL, TEXAS

CASE # SP2021-035
EXISTING ZONING: PD-009
PROPOSED LAND USE: FINANCIAL INSTITUTION W/ DRIVE-THRU

PREPARED BY:
WIA WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS

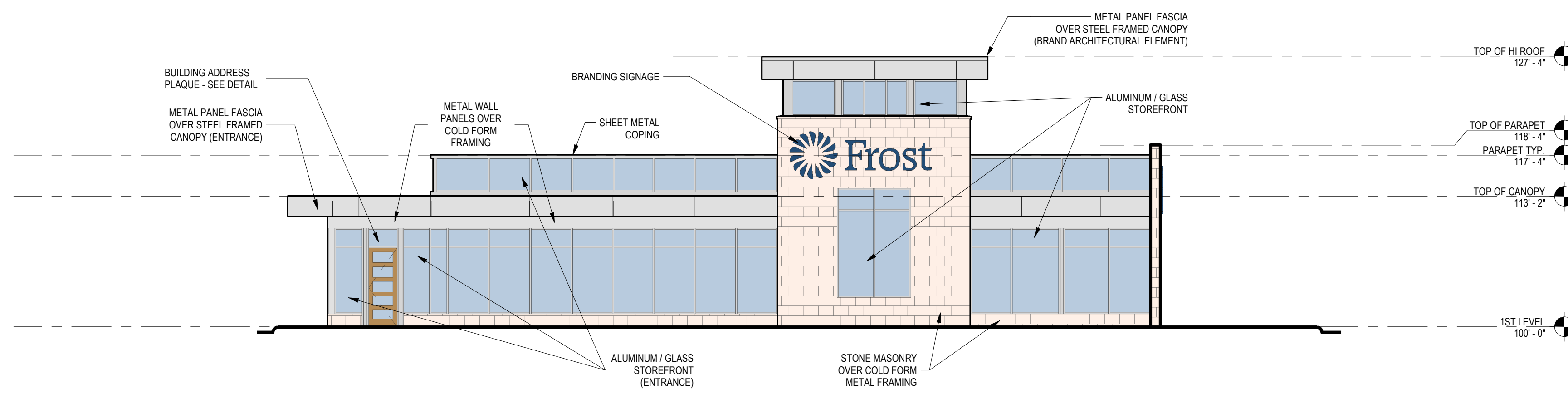
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com

PRELIMINARY PLANS FOR PROJECT REVIEW. NOT FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
Prepared By/Or Under Direct Supervision Of Priya Acharya, PE
Texas Registration No. 110146 On Date Shown Below.

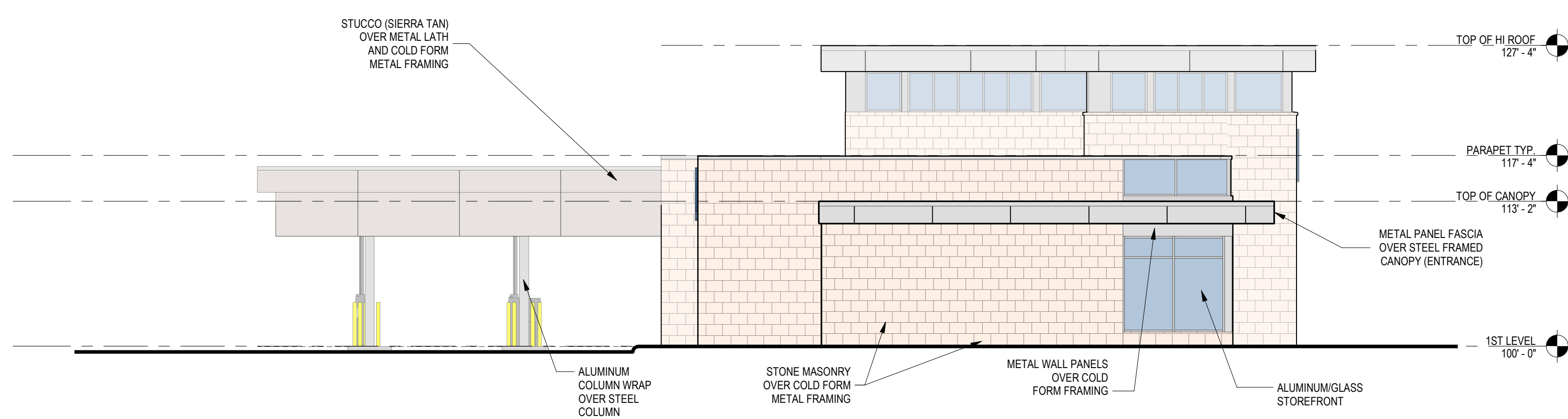
DATE: 1/5/2022
W.A. No. 21089

CAUTION !!
EXISTING UTILITIES ARE INDICATED ON THE PLANS FROM AVAILABLE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF ALL UTILITIES, TO NOTIFY ALL UTILITY COMPANIES OF THE CONTRACTORS OPERATIONS, TO PROTECT ALL UTILITIES FROM DAMAGE, TO REPAIR ALL UTILITIES DAMAGED DUE TO THE CONTRACTORS OPERATIONS, AND TO NOTIFY THE ENGINEER PROMPTLY OF ALL CONFLICTS OF THE WORK WITH EXISTING UTILITIES.

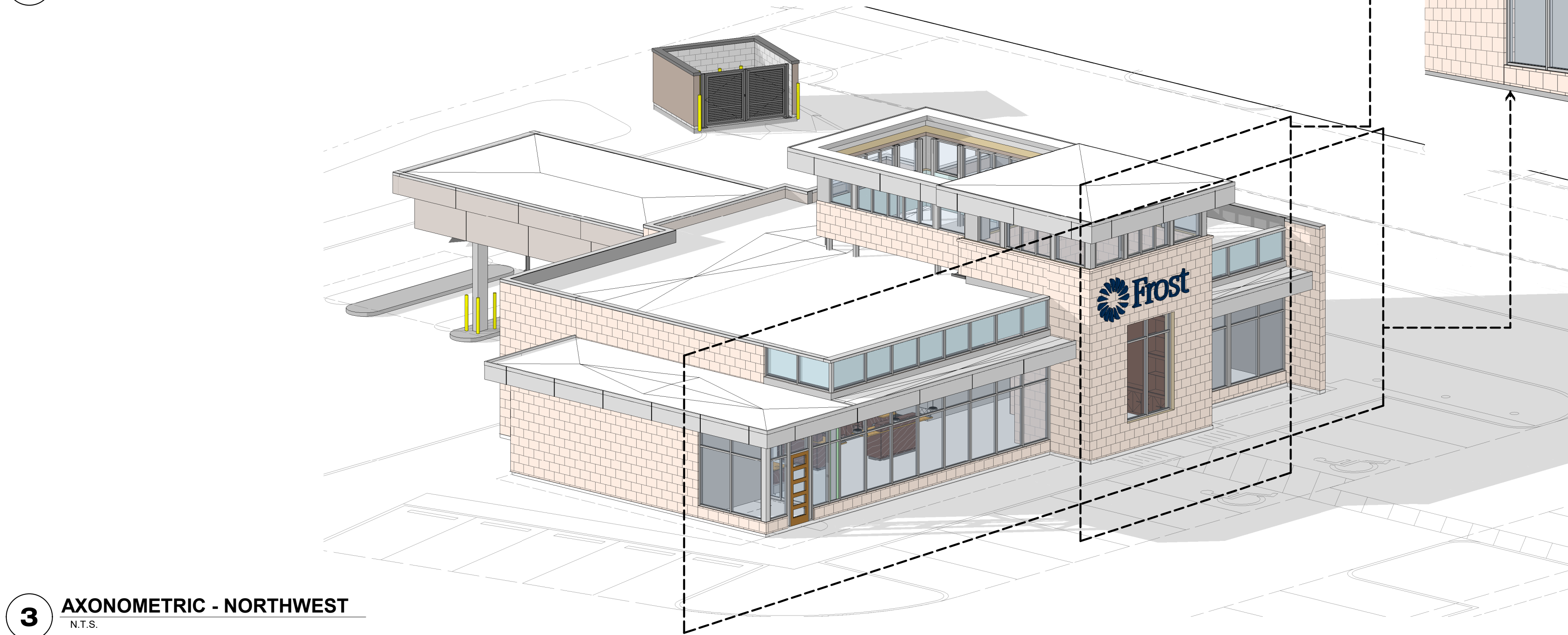
CALL BEFORE YOU DIG
800-4-A-S-5454
TEXAS ONE CALL SYSTEM



1 NORTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



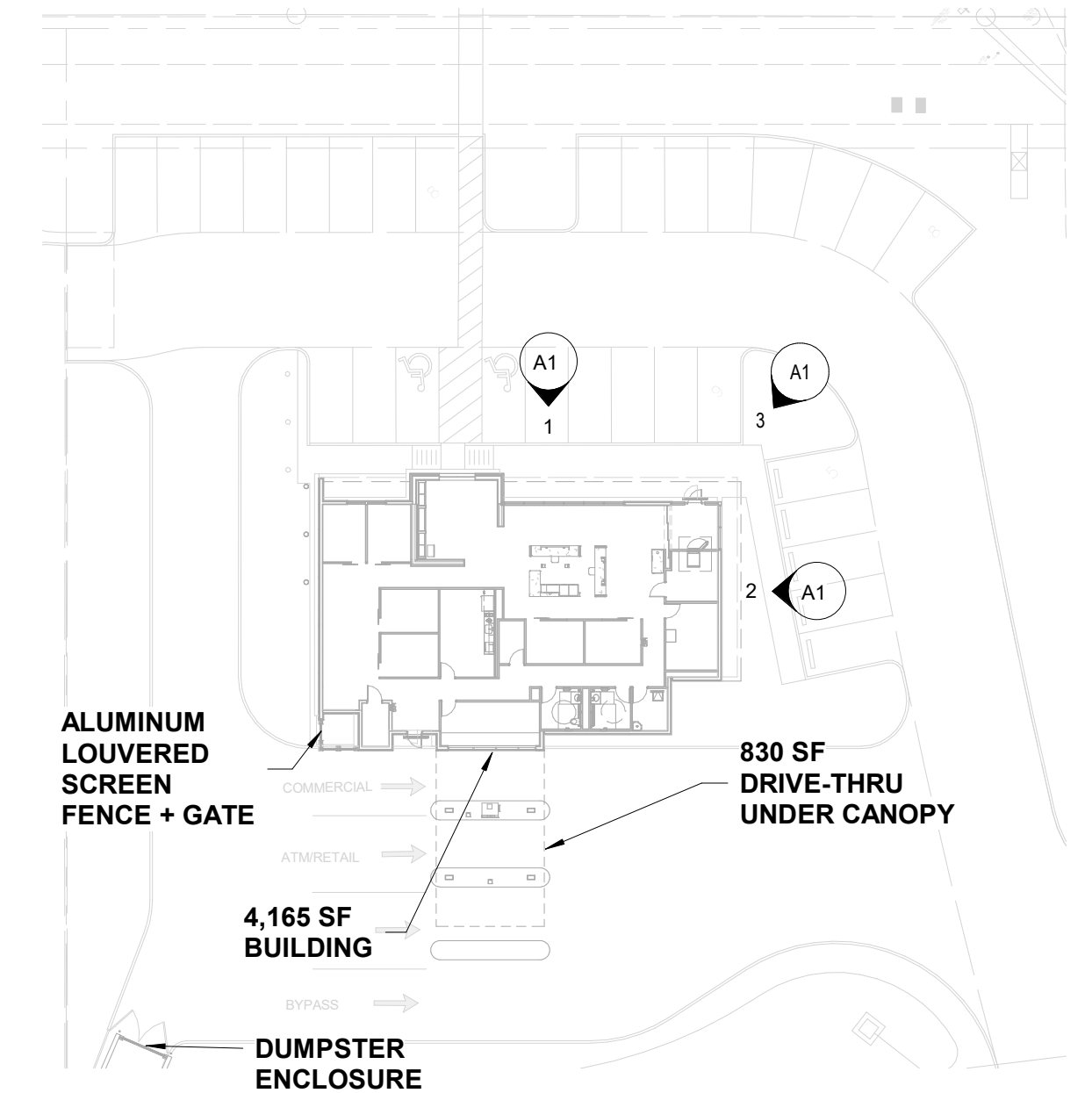
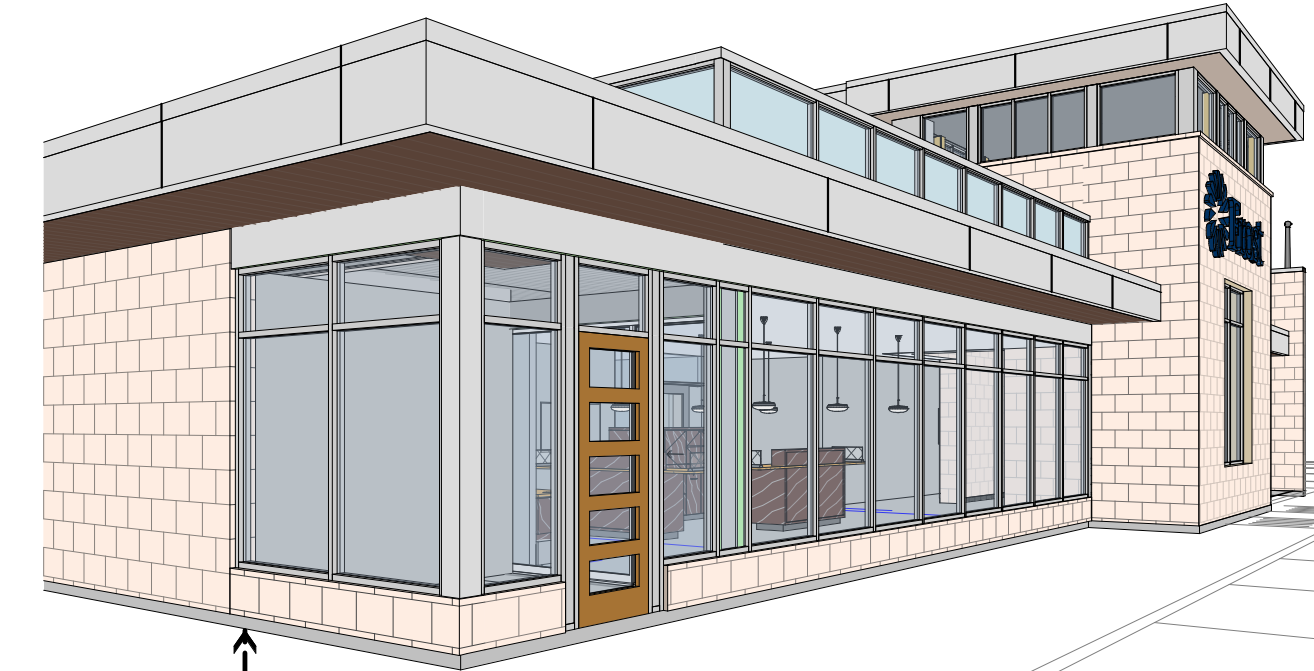
3 AXONOMETRIC - NORTHWEST
N.T.S.

MATERIALS DESCRIPTION

MATERIALS DESCRIPTION
STONE MASONRY:
Alamo Ivory stone veneer (1'-0" x 1'-6") meeting ASTM C568 - standards for Dimensional Stone
ACM (METAL PANEL):
Manufactured by Alucobond or equal; 1/4" thick aluminum composite wall panel with a clear anodic finish, mounted to 1-1/2" extruded aluminum furring system.

EXTERIOR MATERIALS SCHEDULE

	Stone	ACM	Stucco
North Elevation	429sf (85%)	15sf (03%)	0sf (0%)
East Elevation	939sf (81%)	12sf (01%)	214sf (19%)
Total	1368sf (82%)	27sf (02%)	214sf (13%)



ELEVATIONS - KEY PLAN
TRUE NORTH PLAN NORTH

PROJECT DESCRIPTION

GROSS BUILDING FLOOR AREA:
Building 4,165 SF
Canopy 830 SF
HEIGHT:
27'-4" above grade line
NUMBER OF FLOORS:
1

GRAPHIC SCALE



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WITNESS OUR HANDS, THIS ___ OF _____.
PLANNING & ZONING COMMISSION, CHAIRMAN DIRECTOR OF PLANNING AND ZONING

DATE: 12/17/2021

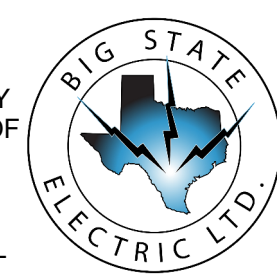
ELEVATIONS

**FROST BANK
ROCKWALL FINANCIAL
CENTER**

A1



THIS DOCUMENT IS RELEASED FOR PRELIMINARY DESIGN REVIEW PURPOSES ONLY UNDER THE AUTHORITY OF SHANE CUSTER, P.E. 115593. NOT FOR CONSTRUCTION REGULATORY APPROVAL OR PERMIT.
DATE: 12/17/2021



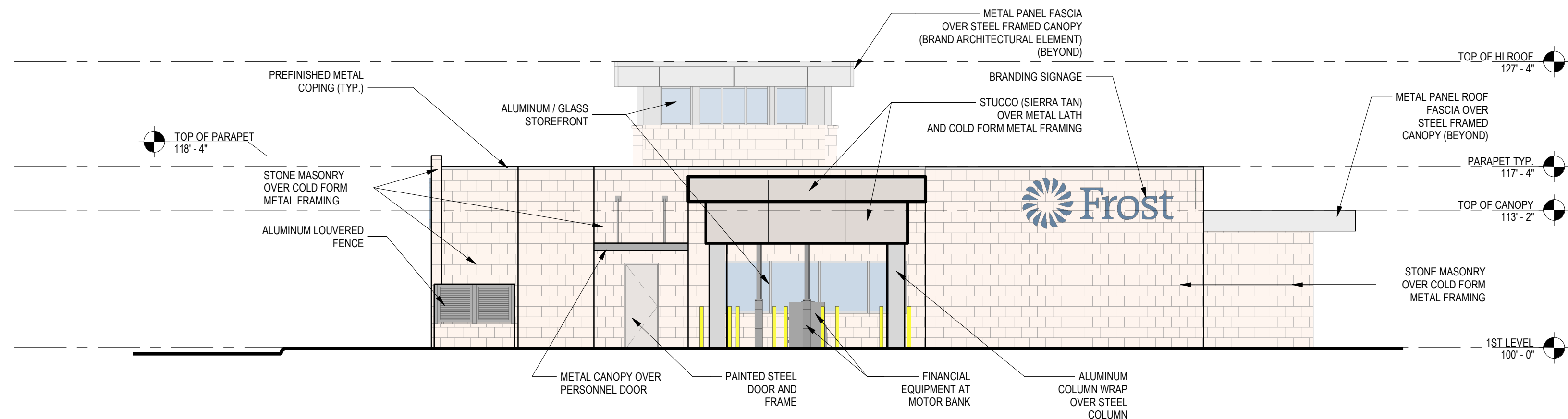
BIG STATE ELECTRIC LTD.
8923 Aero Street San Antonio, TX 78217
Voice (210)735-1051 Web www.bigstateelectric.com Firm Reg. #F-16549



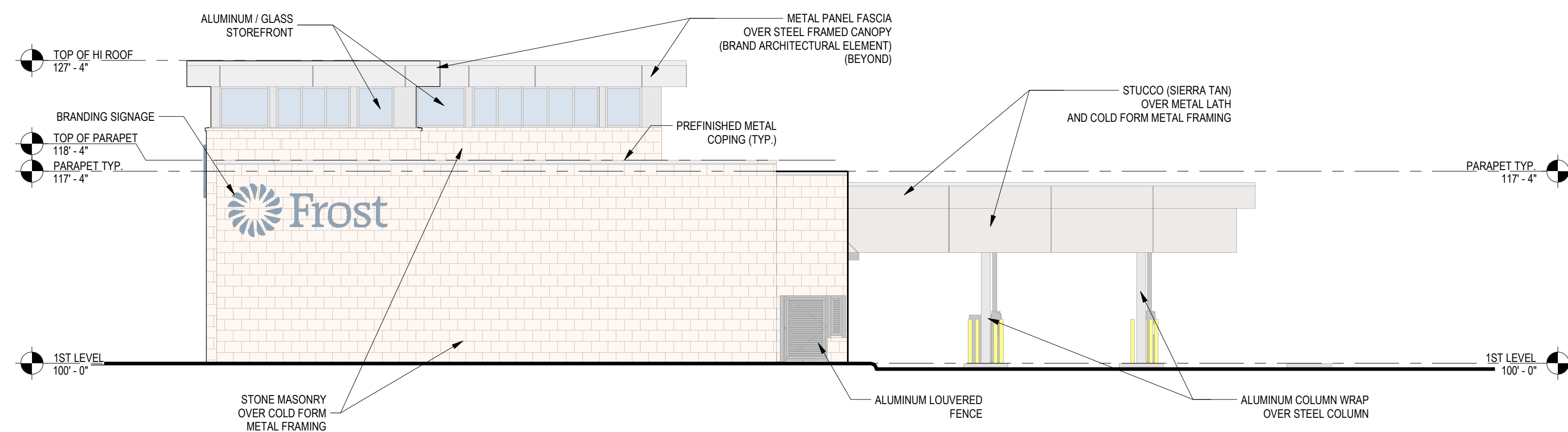
Hahnfeld Hoffer Stanford

architects planners interiors

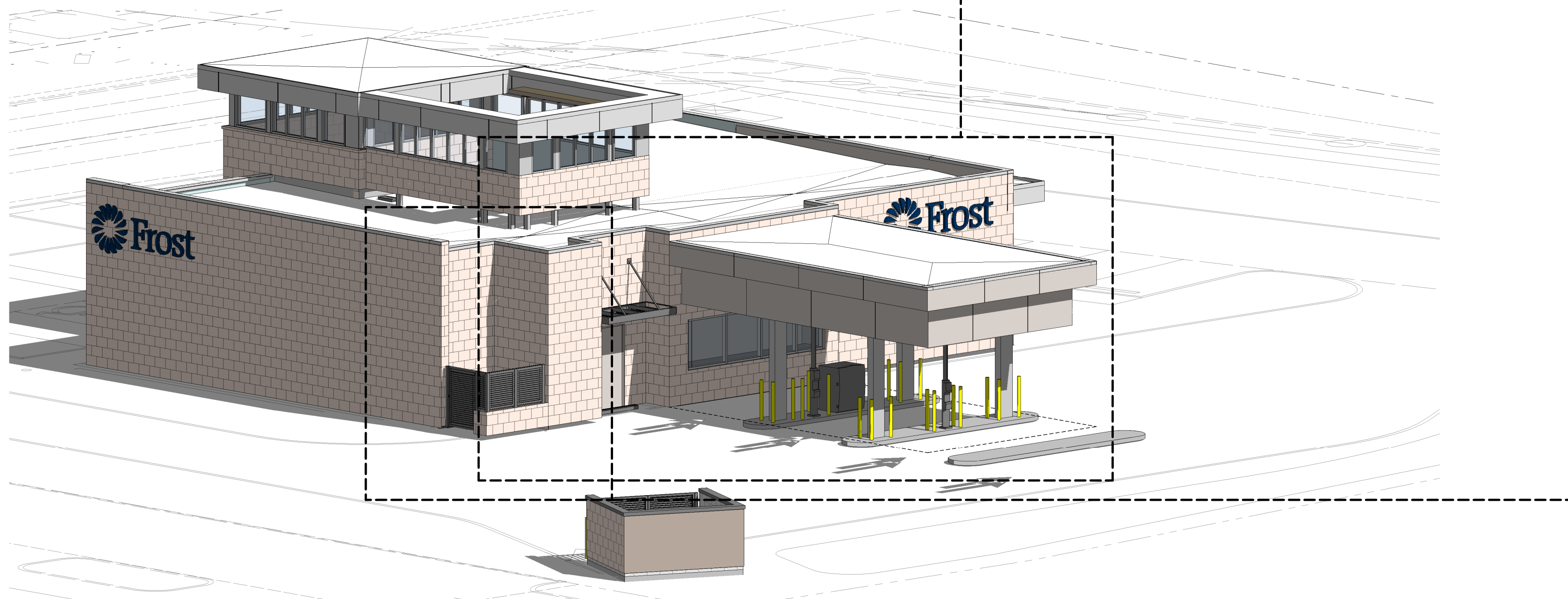




1 SOUTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"



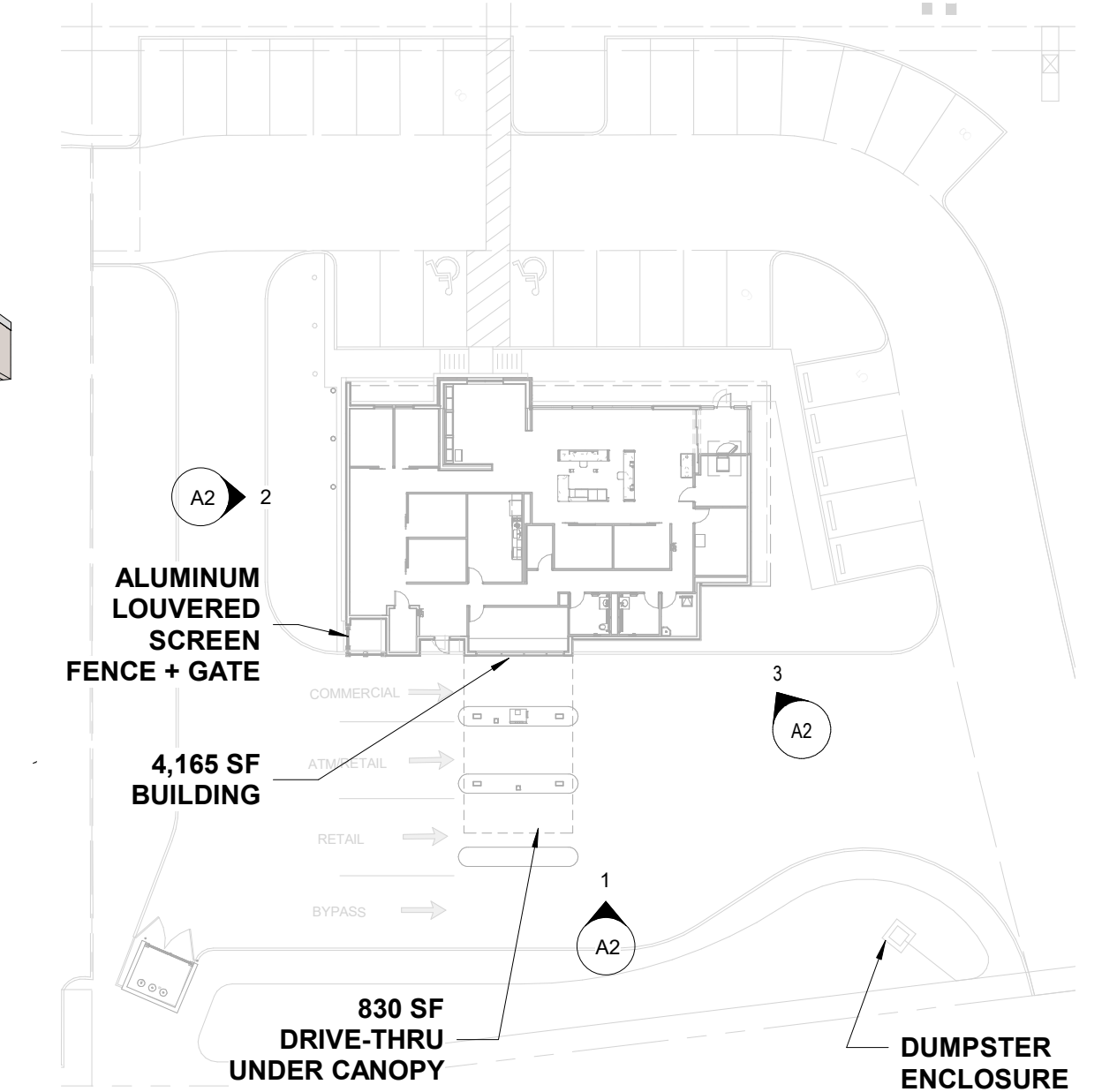
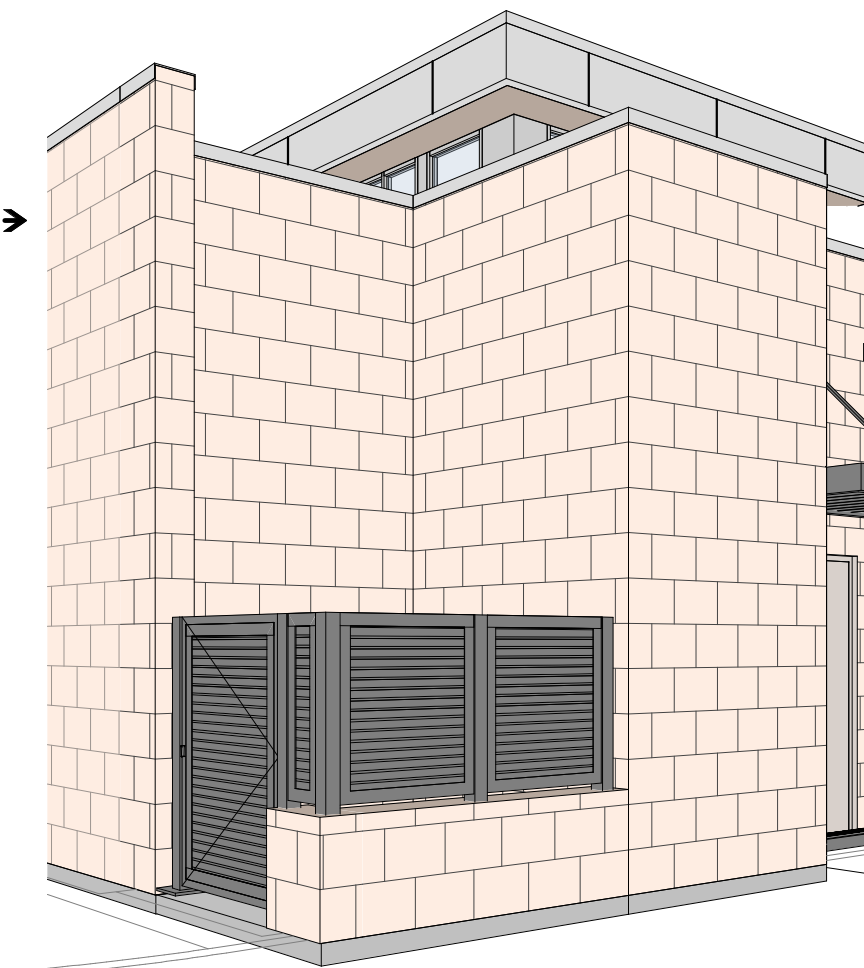
3 AXONOMETRIC -SOUTHWEST

MATERIALS DESCRIPTION

MATERIALS DESCRIPTION
STONE MASONRY:
Alamo Ivory stone veneer (1'-0" x 1'-6" meeting ASTM C568 – standards for Dimensional Stone)
ACM (METAL PANEL):
Manufactured by Alucobond or equal; 1/4" thick aluminum composite wall panel with a clear anodic finish, mounted to 1-1/2" extruded aluminum furring system.

EXTERIOR MATERIALS SCHEDULE

	Stone	ACM	Stucco
South Elevation	1195sf (91%)	0sf (0%)	122sf (09%)
West Elevation	1172sf (84%)	0sf (0%)	215sf (16%)
Total	2367sf (88%)	0sf (07%)	337sf (12%)



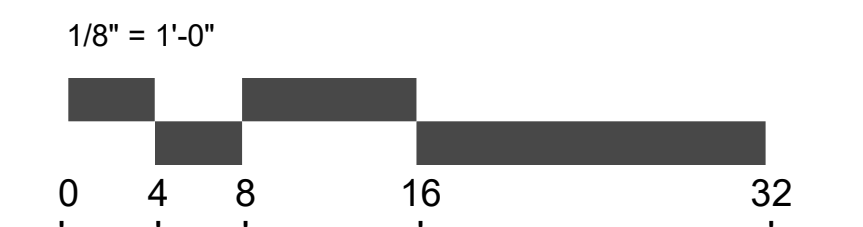
PROJECT DESCRIPTION

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Building 4,165 SF
Canopy 830 SF

HEIGHT :
27'-4" above grade line

NUMBER OF FLOORS:
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GRAPHIC SCALE



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DATE: 12/17/2021

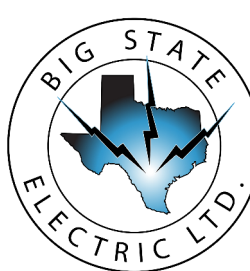
ELEVATIONS

**FROST BANK
ROCKWALL FINANCIAL
CENTER**

A2



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DATE: 12/17/2021



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- 1 METAL WALL PANELS:
ZINC COTE
- 2 LIMESTONE VENEER:
IVORY
- 3 PORTLAND CEMENT PLASTER:
SHAKER BEIGE
- 4 PORTLAND CEMENT PLASTER:
BUCKHORN
- 5 METAL COPING:
SIERRA TAN
- 6 METAL COPING:
BUCKSKIN



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Dartmouth, VT 05741
www.bigstateelectric.com
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ARCHITECTURE
WIER & ASSOCIATES, INC.
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Hahnfeld
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Frost

FROST BANK
ROCKWALL FINANCIAL
CENTER

MATERIAL FINISH BOARD

HORIZON ROAD (F.M. HWY. 3097)

(VARIABLE WIDTH RIGHT-OF-WAY)
VOL. 86, PG. 98
D.R.R.C.T.

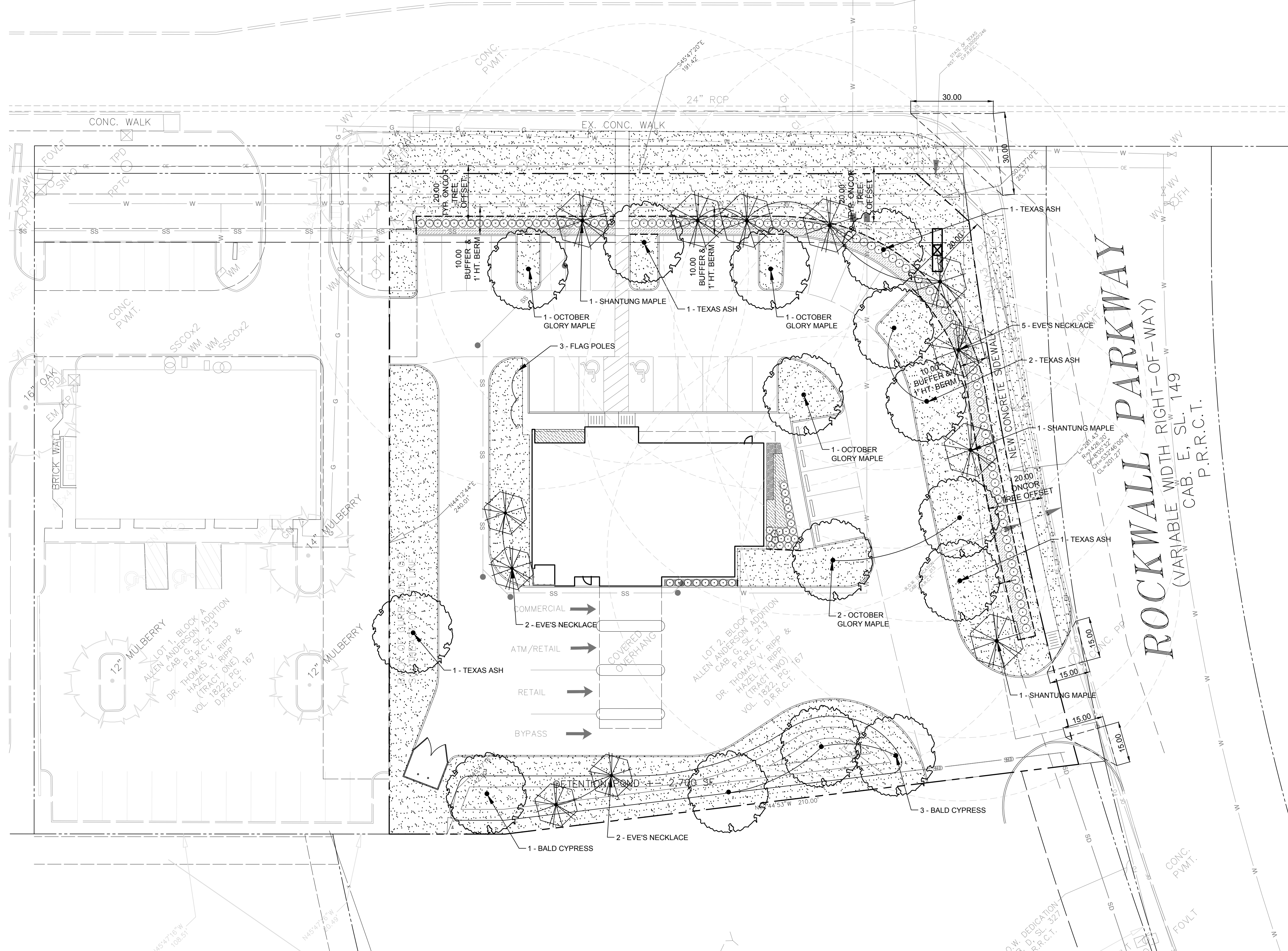
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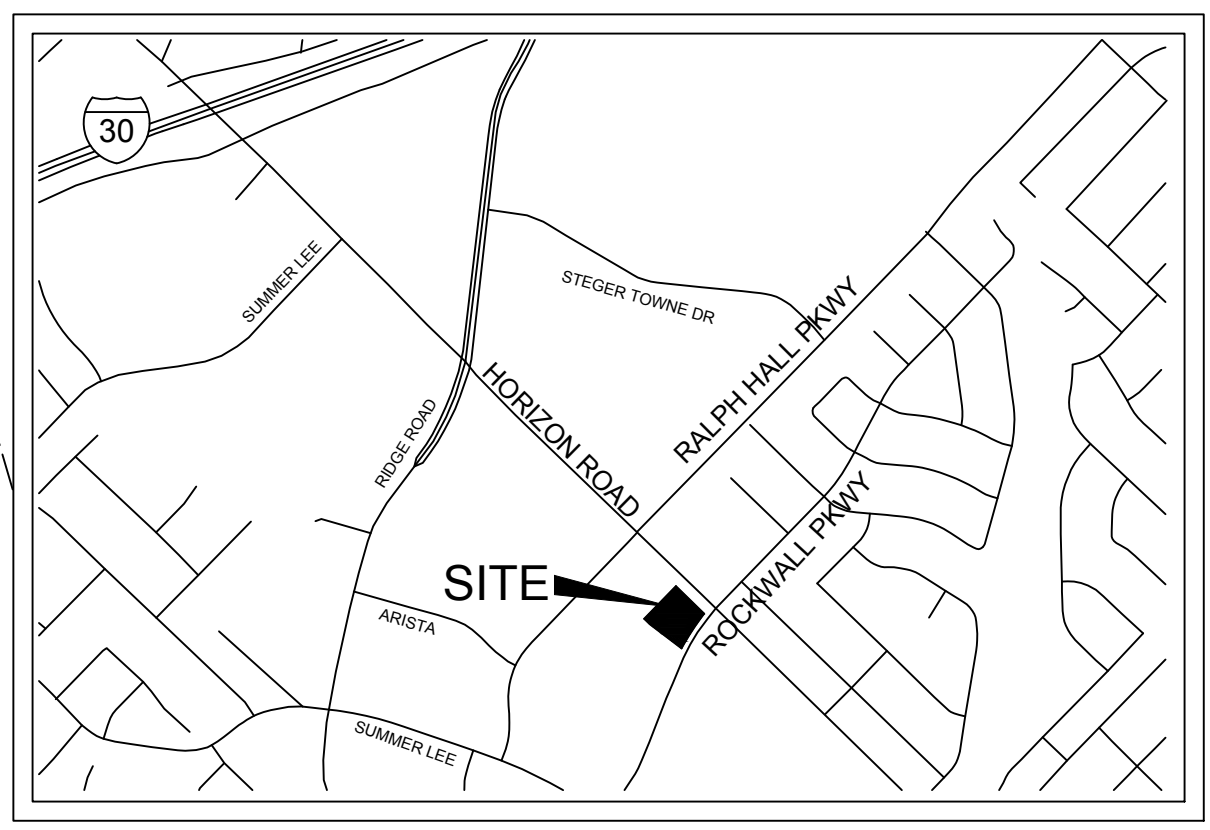
PLANT AND MATERIAL SCHEDULE - Preliminary Selection List

TREES	CODE	COMMON NAME / BOTANICAL NAME	CONT.	SIZE	REMARKS	QTY
EN	EN	EVE'S NECKLACE / SOPHORA AFFINIS	CONT. OR BAB	4" CAL. MIN.	10'-12" H X 5' W MIN. FULL, WELL BRANCHED, VERTICAL GROWTH HABIT, MULTY TRUNK, NO CROSSING OR RUBBING BRANCHES	9
SM	SM	SHANTUNG MAPLE / ACER TRUNCATUM	CONT. OR BAB	4" CAL. MIN.	10'-12" H X 5' W MIN. FULL, WELL BRANCHED, VERTICAL GROWTH HABIT, SINGLE TRUNK, CENTRAL LEADER	3
CANOPY TREE OPTIONS:						
TA	TA	TEXAS ASH / FRAXINUS TEXENSIS	CONT. OR BAB	4" CAL. MIN.	12'-15" H X 5'-6" W MIN. FULL, WELL BRANCHED, VERTICAL GROWTH HABIT, STRAIGHT CENTRAL LEADER, NO CROSSING BRANCHES	6
OGM	OGM	OCTOBER GLORY MAPLE / ACER RUBRUM 'OCTOBER GLORY'	CONT. OR BAB	4" CAL. MIN.	12'-15" H X 5'-6" W MIN. FULL, WELL BRANCHED, VERTICAL GROWTH HABIT, STRAIGHT CENTRAL LEADER, NO CROSSING BRANCHES	5
BC	BC	BALD CYPRESS / TAXODIUM DISTICHUM	CONT. OR BAB	4" CAL. MIN.	12'-15" H X 5'-6" W MIN. FULL, WELL BRANCHED, VERTICAL GROWTH HABIT, STRAIGHT CENTRAL LEADER, NO CROSSING BRANCHES	4
GROUNDCOVERS / SPREAD GRASSES:						
CODE	COMMON NAME / BOTANICAL NAME	SIZE	REMARKS	SPACING	QTY	
DRY	'DESERT DUSK' RED YUCCA / HESPERALOE PARVIFLORA 'DESERT DUSK'	5 GAL	FULL TO BASE, HEAVILY ROOTED	TRIANGULAR SPACING AT 28" O.C. - 0.21 PLANTS / SF	43	
RCA	'ROSE CREEK ABELIA' ABELIA X GRANDIFLORA 'ROSE CREEK'	5 GAL	FULL TO BASE, HEAVILY ROOTED	SINGLE ROW AT 36" O.C. MIN. 24" HT. AT INSTALLATION	30	
DBH	'DWARF BURFORD HOLLY' ILEX CORNUTA 'DWARF BURFORD'	5 GAL	FULL TO BASE, HEAVILY ROOTED	SINGLE ROW AT 36" O.C. MIN. 24" HT. AT INSTALLATION	68	
LS	'BIG BLUE LIRIOPE' LIRIOPE MUCCSARI 'BIG BLUE' (DEEP SHADE AT OVERHANGS OF BUILDING ON NORTH)	1 GAL	FULL TO BASE, HEAVILY ROOTED	TRIANGULAR SPACING AT 12" O.C. - 1.15 PLANTS / SF	X	
GRASSES / TURF:						
CODE	COMMON NAME / BOTANICAL NAME	CONT.	REMARKS	QTY		
BS	BERMUDA GRASS / CYNODON DACTYLON 'TIFFINWAY 419'	SOD	SOLID SOD, REF. SPEC 32200	FIELD VERIFY		
MATERIALS:						
ITEM	DEPTH	REMARKS	QTY			
AGGREGATE	3" DEPTH	WASHED RIVER ROCK OR AGGREGATE OVER DOUBLE LAYER OF FILTER FABRIC	X			
LANDSCAPE EDGING		BETWEEN PLANTING & TURF, OR AGG & PLANTING, ALUMINUM EDGING, REF. SPEC 32 9300	X			
MULCH - TOPDRESSING	3" DEPTH	RUSTIC CUT HARDWOOD OR APPROVED EQUIVALENT, COMPACTED DEPTH, REF. SPEC 32 9300	FIELD VERIFY			
MANUFACTURED TOPSOIL	2" DEPTH	MANUFACTURED TOPSOIL, SUPPLIED BY SOIL BUILDING SYSTEMS OR APPROVED EQ. REF. SPEC 32 9200 AND 32 9300	FIELD VERIFY			
COMPOST - PLANTING BEDS	3" DEPTH	ORGANIC, WELL-DECOMPOSED, REF. SPEC 32 9300	FIELD VERIFY			
WEED BARRIER - NEWSPRINT	8 LAYERS	1 ITEM: 8 LAYERS OF NEWSPRINT AT PLANTING BEDS, REF. DETAILS AND SPEC 32 9300	FIELD VERIFY			
EXPANDED SHALE	3" DEPTH	PLANTING BEDS, SUPPLIED BY SOIL BUILDING SYSTEMS OR APPROVED EQUAL, REF. SPEC 32 9300	FIELD VERIFY			
ORGANIC BIOLOGICAL FERTILIZER		REF. SPEC 32 9200 FOR MATERIAL AND APPLICATION RATE	FIELD VERIFY			
LAWN / TURF GRASS: NOTE: FIELD VERIFY ALL QUANTITIES. ALL DISTURBED AREAS TO BE GRASSED. REFER TO DETAILS AND SPECS.						
TOPSOIL - LAWN / TURF GRASS	1 1/2" DEPTH AT TURF/LAWN AREAS -	REF. DETAILS AND SPECS	FIELD VERIFY			
COMPOST - LAWN / TURF GRASS	1 1/2" DEPTH AT TURF/LAWN AREAS -	ORGANIC, WELL-DECOMPOSED, REF. DETAILS AND SPECS SUPPLIED BY SOIL SYSTEMS OR APPROVED EQUAL, REF. SPEC 32 9300	FIELD VERIFY			
ORGANIC BIOLOGICAL FERTILIZER		REF. SPEC 32 9200 FOR MATERIAL AND APPLICATION RATE	FIELD VERIFY			



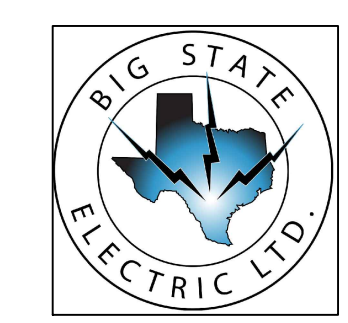
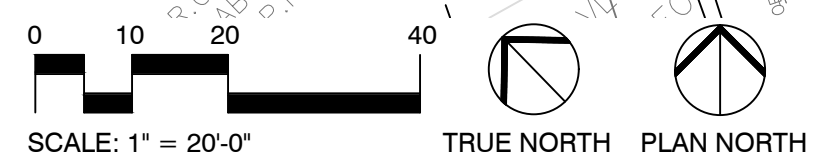
SITE DATA

Site Address	Northwest Corner of Rockwall Parkway and FM 3097
Zoning/Existing Land Use	PD-9 - Planned Development, vacant
Proposed Use	Bank
Building	4,165.00 SF
Lot Area	1.20 Acres
Landscaping / Open Space Area	58,186.00 SF
	Required per PD-9 - Whittle Development - Exhibit "C" - 10% Min. 20,400.16 SF 35% Provided
Pervious Area	20,400.16 SF
Impervious Area	37,785.84 SF
Parking Lot Landscaping	10' Buffer on 1' Berm (determine if allowed in utility easement along FM 3097)
Parking Spaces	18 (1 stall / 300 SF)
Landscape Buffer - Street Trees	418.62 LF Frontage
	Four (4) canopy trees and Four (4) accent trees provided along Rockwall Parkway
	Four (4) canopy trees and Four (4) accent trees provided along Horizon Road
Tree Locations	One tree located min. 80' from parking spaces
	Trees set back min. 5' from head-in parking
Detention Pond Trees	2,700.00 SF +/-
	4 Canopy trees - 1 tree per 750 SF
	2 Accent trees - 1 tree per 1,500 SF
Visibility Triangles	As reflected on plan per the UDC
Irrigation	Shall meet all requirements per the UDC
Rights-of-Way & Landscape Buffers	Shall meet all requirements per the UDC - improved with grass (sod)



VICINITY MAP NOT TO SCALE
DATE: 1/5/2022

1 LANDSCAPE PLAN
1" = 20'-0"



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8923 Aero Street
San Antonio, TX 78217
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Web: www.bigstateelectric.com
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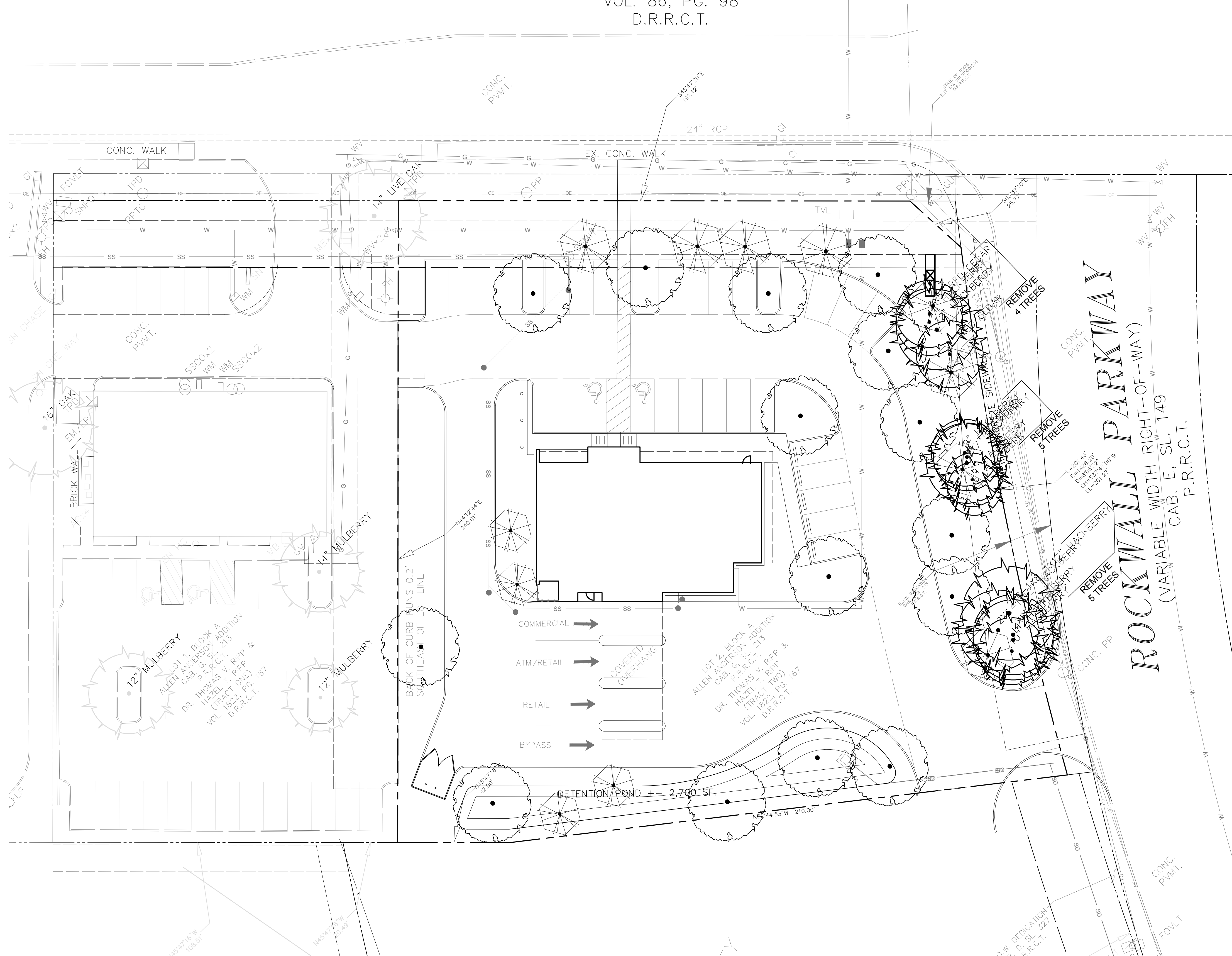


**FROST BANK
ROCKWALL FINANCIAL
CENTER**

L1

HORIZON ROAD (F.M. HWY. 3097)

(VARIABLE WIDTH RIGHT-OF-WAY)
VOL. 86, PG. 98
D.R.R.C.T.



APPROVED:
I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SITE PLAN FOR A DEVELOPMENT IN THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL ON THE ____ DAY OF ____.

WITNESS OUR HANDS, THIS ____ OF ____.

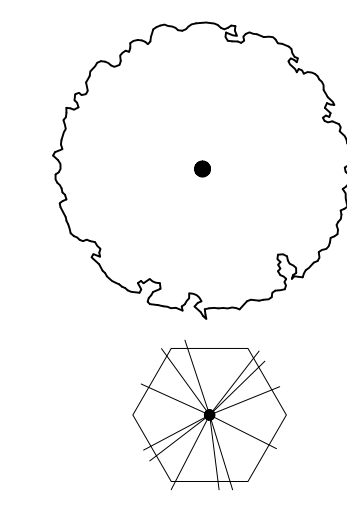
PLANNING & ZONING COMMISSION, CHAIRMAN DIRECTOR OF PLANNING AND ZONING

EXISTING TREE LEGEND

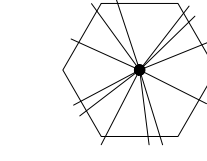


EXISTING TREES ON SITE TO BE REMOVED

TREE REPLACEMENT LEGEND



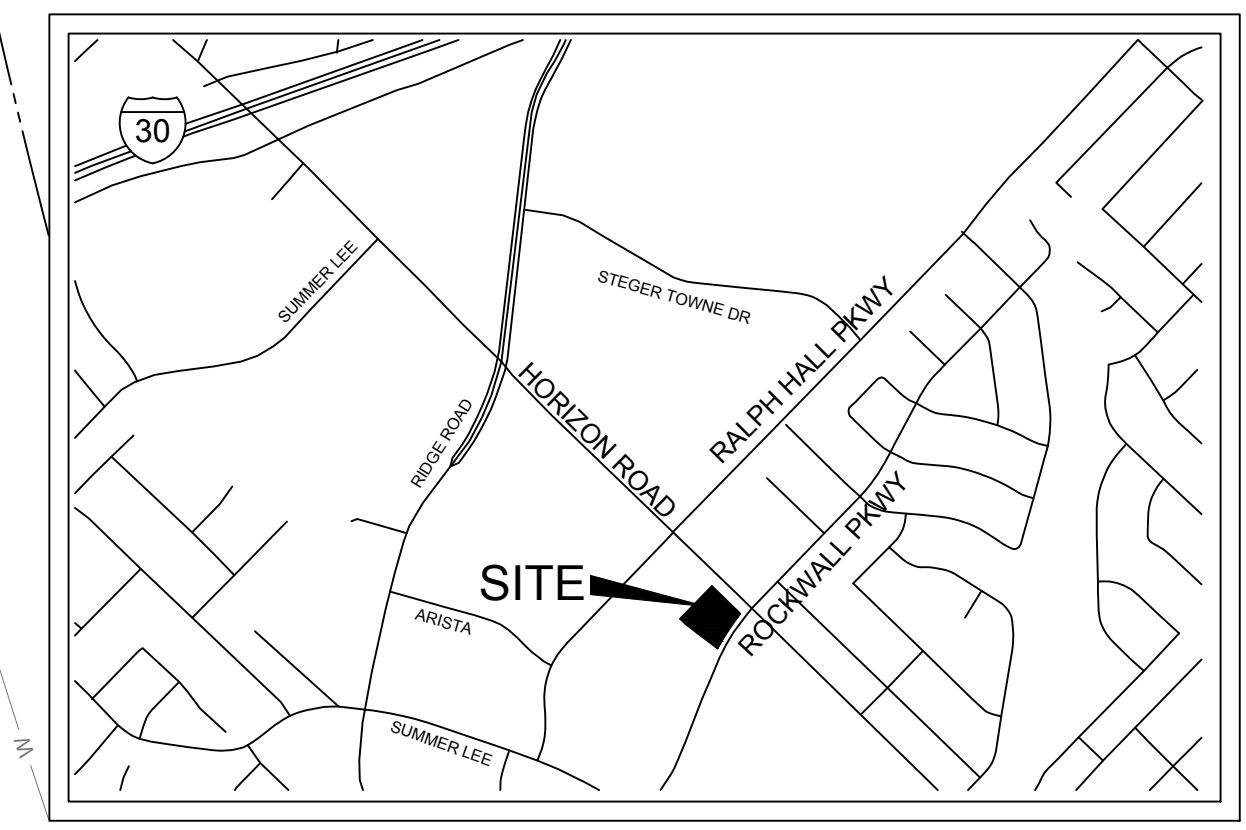
CANOPY TREE - FINAL QUANTITY PENDING UTILITY CONFLICTS



ACCENT TREE - FINAL QUANTITY PENDING

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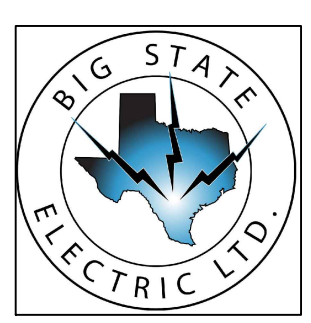
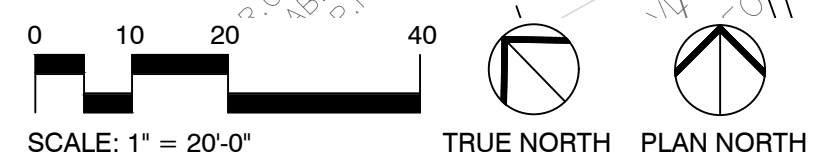


VICINITY MAP
NOT TO SCALE

DATE: 1/5/2022

TREESCAPE PLAN

1 TREESCAPE PLAN
1" = 20'-0"



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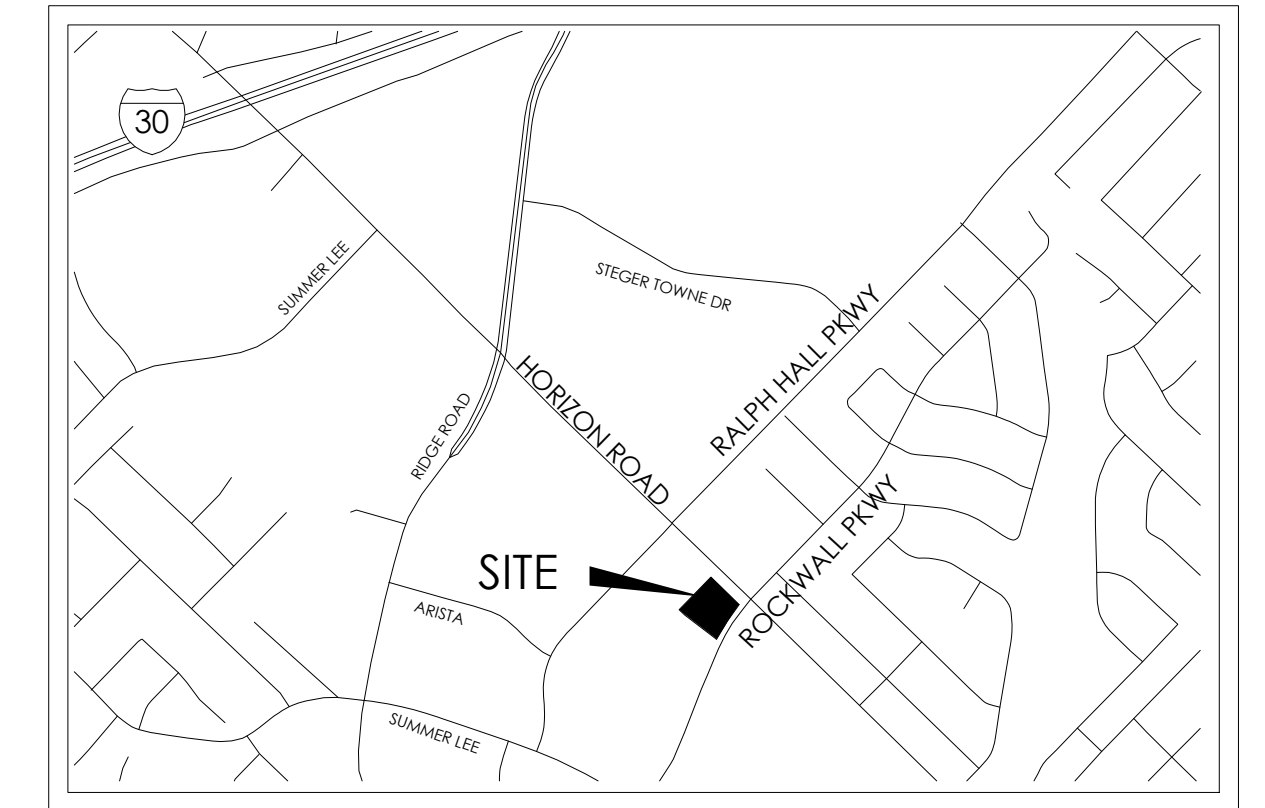
**FROST BANK
ROCKWALL FINANCIAL
CENTER**

T1

HORIZON ROAD (F.M.HWY. 3097)

(VARIABLE WIDTH RIGHT-OF-WAY)
VOL. 86, PG. 98
D.R.R.C.T.

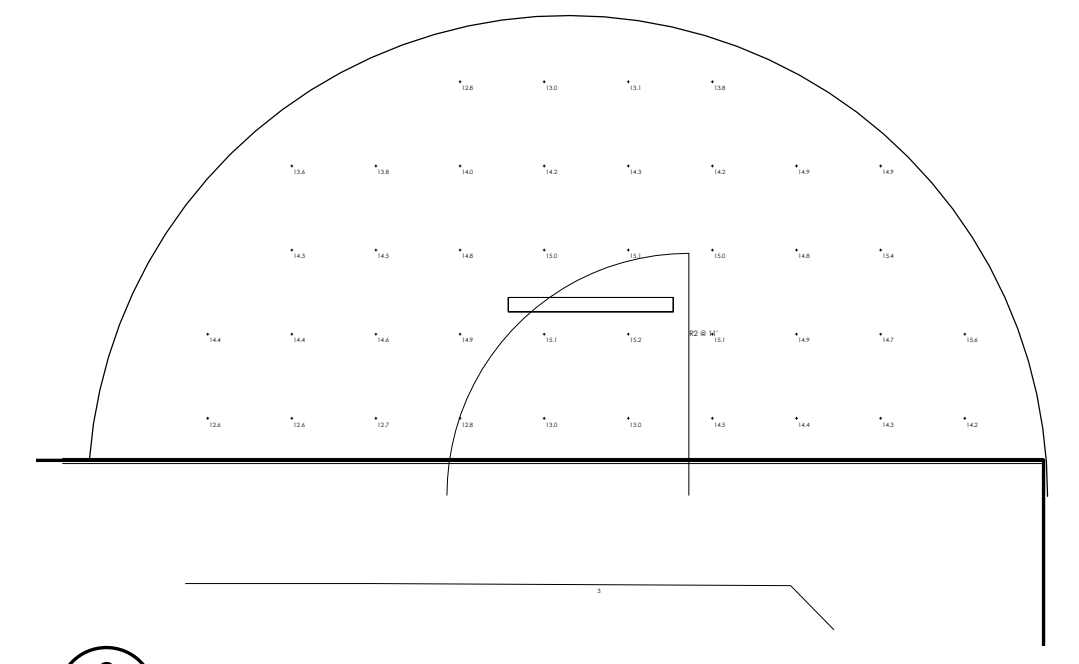
STATE OF TEXAS
INST. NO. 201300501246
O.P.R.R.C.T.



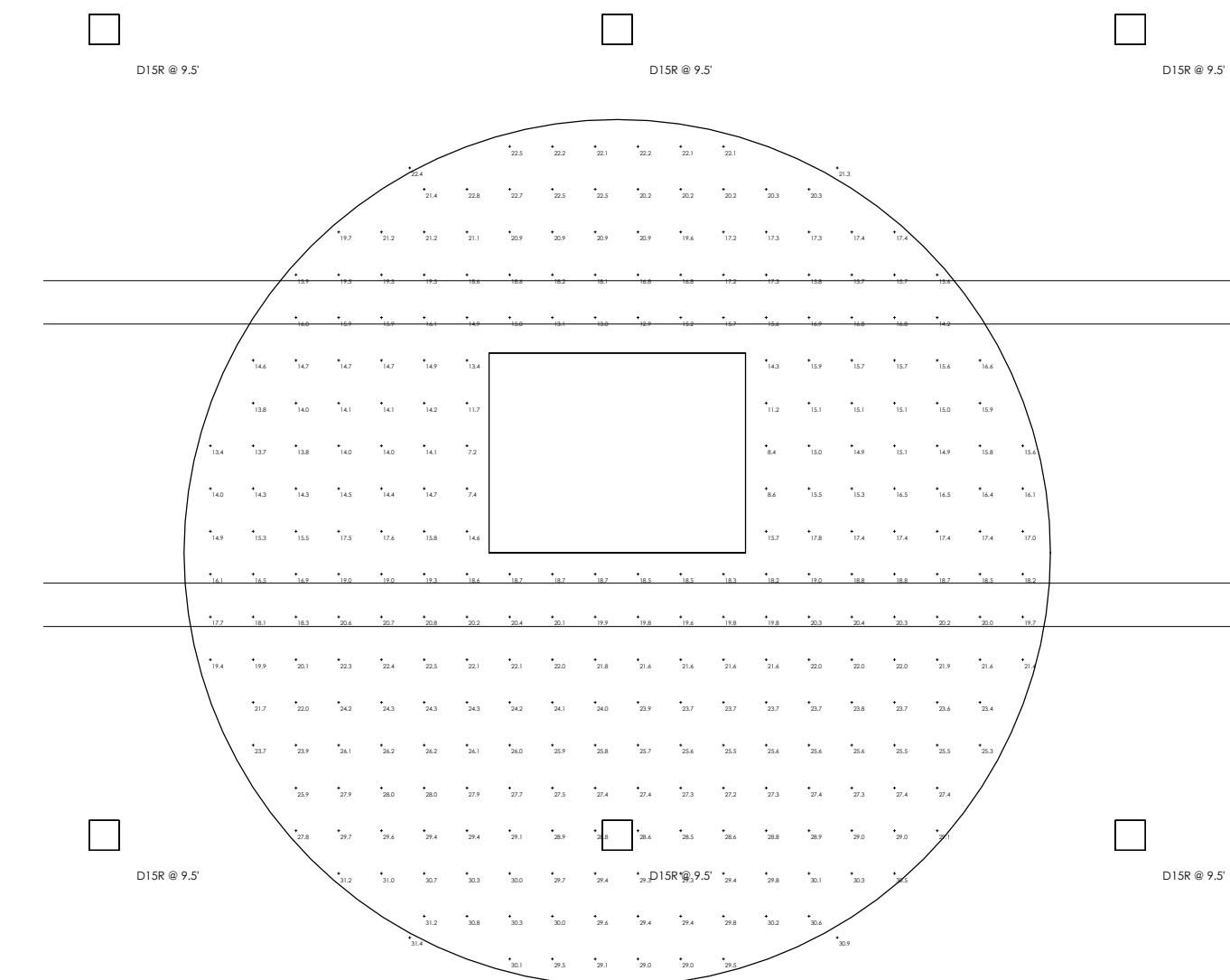
VICINITY MAP
NOT TO SCALE

SITE DATA	
SITE ADDRESS	NORTHWEST CORNER OF ROCKWALL PARKWAY AND FM 3097
PROPOSED USE	FINANCIAL INSTITUTION WITH DRIVE-THRU
LOT AREA	1.198 ACRES
	52,189 SQFT
NET BUILDING AREA	4,167 SQFT BUILDING + 830 SQFT MOTOR BANK

COMPLIANCE NOTE:
ALL CONTENTS WITHIN THIS SHEET ARE NOT FOR CONSTRUCTION. THIS SHEET AND THE CONTENT WITHIN ARE FOR THE SOLE PURPOSE OF LIGHTING COORDINATION REQUIREMENTS PER THE CITY OF ROCKWALL AND ATM LIGHTING TEXAS FINANCE CODE SECTION 59.307 IN ORDER TO ENSURE PATRON SAFETY AND SECURITY.



2 PHOTOMETRICS - ENTRANCE ATM
1/2" = 1'-0"



3 PHOTOMETRICS - MOTOR BANK ATM
1/2" = 1'-0"

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
DRIVE-THRU ATM 5'	+	21.0 fc	31.2 fc	7.2 fc	4.3:1	2.9:1
FRONT ATM 5'	+	14.2 fc	15.6 fc	12.6 fc	1.2:1	1.1:1
FRONT ATM 60'	+	7.6 fc	16.7 fc	1.9 fc	8.8:1	4.0:1
PROPERTY LINE	+	0.5 fc	5.2 fc	0.0 fc	N/A	N/A
SITE	+	2.8 fc	12.2 fc	0.0 fc	N/A	N/A
60' DRIVE-THRU ATM	+	8.5 fc	31.4 fc	1.8 fc	17.4:1	4.7:1

Schedule									
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
⋮	R2	14	Mark Architectural Lighting	SL2L 2 FLP 80CRI 40K 600LMF	Slot 2 LED, 2ft Length, Flushed Lens Position, 80CRI, 4000K LED boards, 600LMF	1	2192	0.45	23.3
□	STFT-HS	5	Lithonia Lighting	DSX2 LED P5 40K TFM MVOLT HS	DSX2 LED P5 40K TFM MVOLT with houside shield	1	29630	0.9	321
▭	WP2	3	Lithonia Lighting	DSXW1 LED 20C 1000 40K T3M MVOLT	DSXW1 LED WITH (2) 10 LED LIGHT ENGINES, TYPE T3M OPTIC, 4000K, @ 1000mA.	1	7572	0.9	73.2
□	SP1	2	Lithonia Lighting	MRP LED 42C 530 40K SRS MVOLT	MRP POST TOP LIGHT 42 Leds 530 mA DRIVE CURRENT 40K COLOR TEMP TYPE 5 DISTRIBUTION	1	6959	0.9	75
□	SBLC	1	Lithonia Lighting	DSX2 LED P5 40K BLC MVOLT	DSX2 LED P5 40K BLC MVOLT	1	31114	0.9	321
▭	EM	1	SIGNTEX, INC	MUE10X-1	EXTRUDED ALUMINIUM HOUSING, FROSTED PLASTIC ENCLOSURE.	1	494	0.9	10.7
□	D15R	14	Lithonia Lighting	LDN4SQ 40/15 L54AR LSS	4IN LDN SQUARE, 4000K, 1500LM, CLEAR, SEMI-SPECULAR REFLECTOR, CR180	1	1267	0.9	17.5
□	SLCCO	3	Lithonia Lighting	DSX2 LED P5 40K LCCO MVOLT	DSX2 LED P5 40K LCCO MVOLT	1	23152	0.9	321

CALCULATION NOTES:
1. ALL EXTERIOR CALCULATIONS ARE ASSUMED ON EVEN OR FLAT TERRAIN.
2. ALL EXTERIOR CALCULATIONS ARE TAKEN AT 0'-0" AFG.
3. ATM CALCULATIONS ARE TAKEN AT 3'-0" AFG.
4. VALUE NEXT TO LUMINAIRE LABEL ON DRAWING REPRESENTS OVERALL MOUNTING HEIGHT.
5. TREES REFLECTANCE/TRANSMITTANCE VALUES ARE ASSUMED BASED ON ROUGH ESTIMATIONS OF TREE TYPES.
6. PHOTOMETRY ANALYSIS WAS DONE USING VISUAL LIGHTING 2020 R2 SOFTWARE

1 SITE PLAN - PHOTOMETRICS
EPM1
1" = 20'-0"

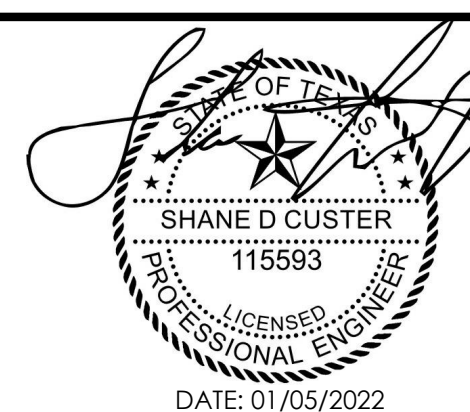


DATE: 01/05/2022

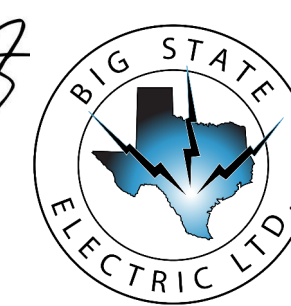
SITE PLAN - PHOTOMETRICS

**FROST BANK
ROCKWALL FINANCIAL EPM1
CENTER**

CASE NUMBER: SP2021-035



DATE: 01/05/2022



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WMA WIER & ASSOCIATES, INC.
CONSULTING ENGINEERS | LAND SURVEYORS | LAND PLANNERS



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architects
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FEATURES & SPECIFICATIONS

INTENDED USE — Typical applications include corridors, lobbies, conference rooms and private offices.

CONSTRUCTION — Durable square metal reflectors retained by torsion springs. Galvanized steel mounting/plaster frame; galvanized steel junction box with bottom-hinged access covers and spring latches. Vertically adjustable mounting brackets with commercial bar hangers provide 3-3/4" total adjustment. Two combination 1/2"-3/4" and four 1/2" knockouts for straight-through conduit runs. Capacity: 8 (4 in, 4 out). No. 12 AWG conductors, rated for 90°C. Accommodates 12"-24" joist spacing. Passive cooling thermal management for 25°C standard; high ambient (40°C) option available. Light engine and drivers are accessible from above or below ceiling. Max ceiling thickness 1-1/2".

OPTICS — LEDs are binned to a 3-step SDCM; 80 CRI minimum. 90 CRI optional. LED light source concealed with diffusing optical lens. General illumination lighting with 1.0 S/MH and 55° cutoff to source and source image. Self-flanged anodized reflectors in specular, semi-specular, or matte diffuse finishes. Also available in white and black painted reflectors. Self-flanged anodized reflectors in specular, semi-specular, or matte diffuse finishes.

ELECTRICAL — Multi-volt (120-277V, 50/60Hz) 0-10V dimming drivers mounted to junction box, 10% or 1% minimum dimming level available. 0-10V dimming fixture requires two (2) additional low-voltage wires to be pulled. 70% lumen maintenance at 60,000 hours.

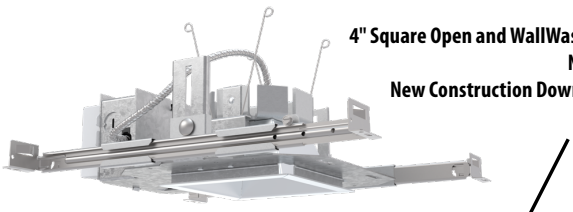
LISTINGS — Certified to US and Canadian safety standards. Wet location standard (covered ceiling). IP55 rated. ENERGY STAR® certified product.

WARRANTY — 5-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/support/warranty/terms-and-conditions

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.

LDN4SQ

4" Square Open and WallWash LED Non-IC New Construction Downlight



A+ Capable options indicated by this color background.

ORDERING INFORMATION Lead times will vary depending on options selected. Consult with your sales representative. **Example:** LDN4SQ 35/15 LS4AR LSS MVOLT EZ1

LDN4SQ	40/30	LS4AR	LSS	MVOLT	
Series	Color temperature	Lumens ¹	Aperture/Trim Color	Finish	
LDN4SQ 4" square	27/ 2700K 30/ 3000K 35/ 3500K 40/ 4000K 50/ 5000K	05 500 lumens 07 750 lumens 10 1000 lumens 15 1500 lumens	20 2000 lumens 25 2500 lumens 30 3000 lumens 40 4000 lumens	LS4 Downlight LSW4 Wallwash	AR Clear WR? White BR? Black
				LSS Semi-specular LD Matte diffuse LS Specular	MVOLT Multi-volt 120 120V 277 277V 347 ³ 347V

EZ10		WL	
Driver	Options		
GZ10 0-10V driver dims to 10%	SF ⁴ Single fuse	NPS80EZ ⁷ nLight® dimming pack controls 0-10V eldoLED drivers (EZ10, EZ1).	
GZ1 0-10V driver dims to 1%	TRW ⁵ White painted flange	NPS80EZER ⁷ nLight® dimming pack controls 0-10V eldoLED drivers (EZ10, EZ1). ER controls fixtures on emergency circuit.	
D10 Minimum dimming 10% driver for use with JOT	TRBL ⁵ Black painted flange	NLTAIR2 ^{8,10} nLight® Air enabled	
D1 Minimum dimming 1% driver for use with JOT	EL ⁶ Emergency battery pack with integral test switch. 10W Constant Power, Not Certified in CA Title 20 MAEDBS	NLTAIRER2 ^{8,10} nLight® AIR Dimming Pack Wireless Controls. Controls fixtures on emergency circuit, not available with battery pack options	
EZ10 0-10V eldoLED driver with smooth and flicker-free deep dimming performance down to 10%	ELR ⁶ Emergency battery pack with remote test switch. 10W Constant Power, Not Certified in CA Title 20 MAEDBS	NLTAIREM2 ^{8,10} nLight® AIR Dimming Pack Wireless Controls. UL924 Emergency Operation, via power interrupt detection. Available with battery pack options.	
EZ1 0-10V eldoLED driver with smooth and flicker-free deep dimming performance down to 1%	ELSD ⁶ Emergency battery pack with self-diagnostics, 10W Constant Power, integral test switch. Not Certified in CA Title 20 MAEDBS	N80 ⁹ nLight™ Lumen Compensation	
EDAB eldoLED DALI SOLDRIVE dim to dark	ELRSD ⁶ Emergency battery pack with self-diagnostics, 10W Constant Power, remote test switch. Not Certified in CA Title 20 MAEDBS	JOT ¹³ Wireless room control with "Just One Touch" pairing	
	E10WCP ⁶ Emergency battery pack, 10W Constant Power with integral test switch. Certified in CA Title 20 MAEDB	HAO ¹¹ High ambient option (40°C)	
	E10WCPR ⁶ Emergency battery pack, 10W Constant Power with remote test switch. Certified in CA Title 20 MAEDB	CP ¹² Chicago Plenum	
	NPP16D ⁷ nLight® network power/relay pack with 0-10V dimming for non-eldoLED drivers (GZ10, GZ1).	RRL__ RELOC®-ready luminaire connectors enable a simple and consistent factory installed option across all ABL luminaire brands. Refer to RRL for complete nomenclature. Available only in RRLA, RRLB, RRLAE, and RRLC12S.	
	NPP16DER ⁷ nLight® network power/relay pack with 0-10V dimming for non-eldoLED drivers (GZ10, GZ1). ER controls fixtures on emergency circuit.	USPOM US point of manufacture	
		90CRI High CRI (90+)	

- Notes**
- Overall height varies based on lumen package; refer to dimensional chart on page 3.
 - Not available with finishes.
 - Not available with emergency options.
 - Must specify voltage 120V or 277V.
 - Available with clear (AR) reflector only.
 - 12.5" of plenum depth or top access required for battery pack maintenance.
 - Specify voltage. ER for use with generator supply EM power. Will require an emergency hot feed and normal hot feed.
 - NLTAIR2, NLTAIRER2 and NLTAIREM2 not recommended for metal ceiling installations.
 - Fixture begins at 80% light level. Must be specified with NPS80EZ or NPS80EZ ER. Only available with EZ10 and EZ1 drivers.
 - Not available with CP, NPS80EZ, NPS80EZER, NPP16D, NPP16DER or N80 options.
 - Fixture height is 5-11/16" for all lumen packages with HAO.
 - Must specify voltage for 3000lm. Not available with emergency battery pack option.
 - Must specify D10 or D1 driver. Not available with nLight options. Not available with CP. Not recommended for metal ceiling installation. Not for use with emergency backup power systems other than battery packs.

Mullion Mount Outdoor Emergency Egress Lighting

Series MUE
REV #: MUE.11.20.17

PROJECT: _____

TYPE: _____

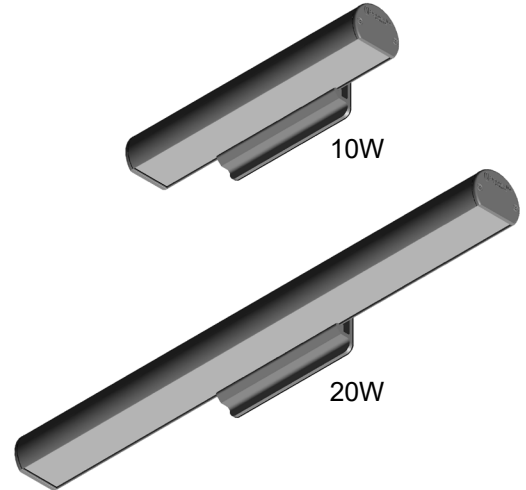
CATALOG #: _____

OVERVIEW

Linear LED outdoor egress with both emergency lighting and night lighting function. The MUE series is designed to mount directly on mullion frames used in typical glass panel entrance structures, with vertical mounting surface as small as 2". High efficiency LEDs and full 90° cut-off provide uniform emergency and night lighting on the extended egress pathway. All models are outdoor rated, UL wet location, ADA compliant, and exceed requirements of UL Standard 924 and NFPA 101. Designed and manufactured in the USA, complies with ARRA (American Recovery and Reinvestment Act) and Buy American requirements.

SPECIAL FEATURES

- Very low profile extruded aluminum housing and mount bracket blend seamlessly with structural metal frames
- Remote power supply for 10W and 20W BB and AC model single fixtures, or Central Battery System power for RE model multiple fixtures.
- Option for 20 watt models to operate for 2 hours in emergency mode
- Options for mount bracket height, from 2" to 5"
- Standard finishes include Brushed Aluminum, Satin White, Bronze or Black. Custom colors available on request
- Custom satin finishes for extended outdoor use are available to match any surface
- IP66 housing seals against heavy water spray and fine dust
- Universal side or top mount
- Wide lighting distribution designed for entrance walkways
- 10W or 20W emergency power models
- Optional normal-on switch allows timed control of night lighting
- Self-Test Diagnostics is standard for central battery models and optional for integral battery models.
- Certified IP66 housing withstands multi direction water spray and fine dust ingress
- Wall mount version available (see Series MAE)
- Standard CRI 5000K, with optional color corrections filters for 2900K, 3200K and 3800K.
- Code compliant emergency lighting layouts provided



FIXTURE ORDERING INFORMATION EXAMPLE: MUEBB10AW-DG

MODEL SERIES		OPERATION	POWER	HOUSING COLOR	MOUNT	OPTIONS
MUE	RE	Central Battery	10 10 Watts emergency and normal on power	W Satin White	T Top	DG Self-test diagnostics (BB models only)
	BB	Battery backup (includes RPS)	20 20 Watts emergency and normal on power	A Aluminum	W Wall	SD Night Lighting Control Switch for models with DG option (120/277VAC)
	AC	No battery (includes RPS)		B Dark Bronze		SB120 Night Lighting Control Switch for standard BB models (120VAC)
				X Custom		SB277 Night Lighting Control Switch for standard BB models (277VAC)
						REC 20W RPS panel recessed mount
						2EM 2 hrs emergency operation for BB models
						CW1 Color temp. - 3800K
						CW2 Color temp. - 3200K
						CW3 Color temp. - 2900K
						DAC Dual AC input
						2HT 2" Mount Bracket height
						5HT 5" Mount Bracket height

Mullion Mount Outdoor Emergency Egress Lighting

CONSTRUCTION

- Extruded aluminum lamp housing 2" diameter, with gasketed mount bracket only 2 1/2"Ht that includes a waterproof compression seal for universal wall or top mount.
- Available models include:
 - RE: Multiple fixtures powered from a Central Battery System
 - BB and AC: Single fixtures powered from a Remote Power Supply
 - AC: 120/277 VAC input, with or without battery
- Wet location listed, UL924 and certified IP66
- Gasketed, molded end caps and Sealed acrylic lens
- Stainless steel hardware

LIGHTING

- Lamps connected in parallel allow continuous lighting after failure of one lamp, meeting NEC and NFPA requirements.
- Standard output color 5000K. Optional outputs available 2900K, 3200K and 3800K.
- Dual function available for emergency or normally -on operation.
- Standard Operating Temperature
 - RE: -40C to 50C (-40F to 120F)
 - BB: -20C to 40C (-4F to 104F)
 - AC: -20C to 40C (-4F to 104F)

ELECTRONICS

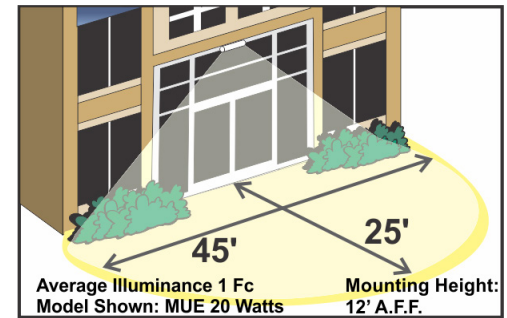
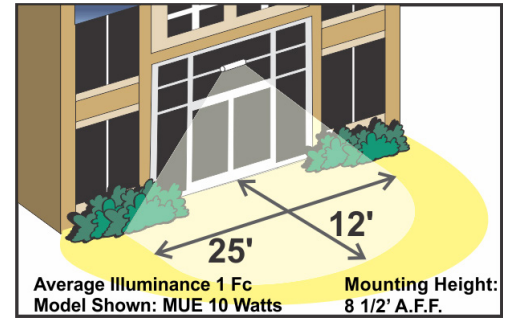
- Self-Test/Self-Diagnostic operation is standard for all RE models, and optional for BB models with the Remote Power Supply.
- Line latch circuit prevents unwanted emergency activation at installation.
- Low Voltage Disconnect prevents deep battery discharge

CODES

- Manufactured and tested to UL Standard 924, NFPA Life Safety Code 101, and certified to IP66.

WARRANTY

- 10 year total customer satisfaction warranty. For details see Signtex product catalog technical data section.



NOTE: FOR REFERENCE ONLY. STANDARD REFLECTANCES 80/50/20. SIGNTEX IS NOT RESPONSIBLE FOR SPECIFIC CONDITIONS THAT MAY ALTER THE RESULTS.



Self-test Diagnostic Functions (BB models)

STATUS	LED DISPLAY
Normal Full Charge	● GREEN ON
Normal Fast Charge	● ORANGE ON
Failed Battery	● ● RED FLASH FAST
Failed Lamp	● ● GREEN FLASH
Failed Transfer	● ● ORANGE FLASH
Failed Charger	● ● RED FLASH SLOW



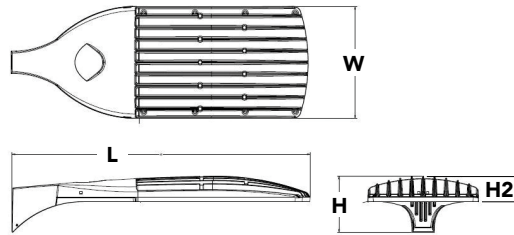
D-Series Size 2

LED Area Luminaire

d^{series}



- Specifications**
- EPA:** 1.1 ft² (0.10 m²)
 - Length:** 40" (101.6 cm)
 - Width:** 15" (38.1 cm)
 - Height 1:** 7-1/4" (18.4 cm)
 - Height 2: (max):** 3.5"
 - Weight:** 36lbs



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. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

Ordering Information

EXAMPLE: DSX2 LED P7 40K T3M MVOLT SPA NLTAIR2 PIRHN DDBXD

DSX2 LED	P5	40K	T5W	MVOLT	SPA	
Series	LEDs	Color temperature	Distribution	Voltage	Mounting	
DSX2 LED	Forward optics	30K 3000 K	T1S Type I Short (Automotive) T2S Type II Short T2M Type II Medium T3S Type III Short T3M Type III Medium T4M Type IV Medium TFTM Forward Throw Medium	T5VS Type V Very Short ³ T5S Type V Short ³ T5M Type V Medium ³ T5W Type V Wide ³ BLC Backlight control ⁴ LCCO Left corner cutoff ⁴ RCCO Right corner cutoff ⁴	MVOLT ⁵ XVOLT (277V-480V) ^{6,7,8} 120 ⁹ 208 ⁹ 240 ⁹ 277 ⁹ 347 ⁹ 480 ⁹	Shipped included SPA Square pole mounting RPA Round pole mounting ¹⁰ WBA Wall bracket ³ SPUMBA Square pole universal mounting adaptor ¹¹ RPUMBA Round pole universal mounting adaptor ¹¹ Shipped separately KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish) ¹⁰
	P1 → P5 ¹	40K 4000 K				
	P2 → P6	50K 5000 K				
	P3 P7 ¹					
	P4 P8 ¹					
	Rotated optics					
	P10 ² P13 ^{1,2}					
	P11 ² P14 ^{1,2}					
	P12 ²					

Control options	Other options	Finish (required)
Shipped installed NLTAIR2 nLight AIR generation 2 enabled ¹³ PIRHN Network, Bi-Level motion/ambient sensor ¹⁴ PER NEMA twist-lock receptacle only (no controls) ¹⁵ PER5 Five-wire receptacle only (no controls) ^{15,16} PER7 Seven-wire receptacle only (no controls) ^{15,16} DMG 0-10V dimming extend out back of housing for external control (no controls) ¹⁷ DS Dual switching ^{18,19}	Shipped installed HS House-side shield ²² SF Single fuse (120, 277, 347V) ⁹ DF Double fuse (208, 240, 480V) ⁹ L90 Left rotated optics ² R90 Right rotated optics ² HA 50°C ambient operations ¹ Shipped separately BS Bird spikes ²¹ EGS External glare shield	DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white
PIRH Bi-level, motion/ambient sensor, 15-30" mounting height, ambient sensor enable at 5fc ²⁰ PIRH1FC3V High/low, motion/ambient sensor, 15-30" mounting height, ambient sensor enable at 1fc ²⁰ FAO Field Adjustable Output ²³		

S3: DSX2 LED P5 40K T3M MVOLT
S5W: DSX2 LED P5 40K T5W MVOLT
STFT: DSX2 LED P5 40K TFTM MVOLT
STFT-2180: (2@180DEGREES)DSX2 LED P5 40K TFTM MVOLT
STFT-290: (2@90DEGREES) DSX2 LED P5 40K TFTM MVOLT

S3
S5W
STFT
STFT-2180
STFT-290

Ordering Information

Accessories

Ordered and shipped separately.

DLL127F 1.5 JU	Photocell - SSL twist-lock (120-277V) ²⁴
DLL347F 1.5 CUL JU	Photocell - SSL twist-lock (347V) ²⁴
DLL480F 1.5 CUL JU	Photocell - SSL twist-lock (480V) ²⁴
DSHORT SBK U	Shorting cap ²⁴
DSX2HS 80C U	House-side shield for 80 LED unit ²²
DSX2HS 90C U	House-side shield for 90 LED unit ²²
DSX2HS 100C U	House-side shield for 100 LED unit ²²
PUMBA DDBXD U*	Square and round pole universal mounting bracket (specify finish) ²⁵
KMA8 DDBXD U	Most arm mounting bracket adaptor (specify finish) ¹²
DSX2EGS (FINISH) U	External glare shield

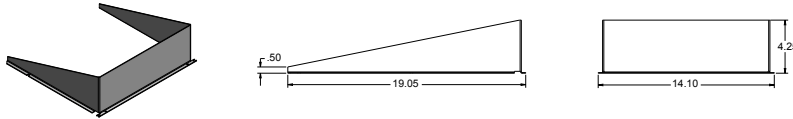
For more control options, visit [DTL](#) and [ROAM](#) online.

NOTES

- HA not available with P5, P7, P8, P13, and P14.
- P10, P11, P12, P13 or P14 and rotated optics (L90, R90) only available together.
- Any Type 5 distribution with photocell, is not available with WBA.
- Not available with HS.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- XVOLT is only suitable for use with P5, P6, P7, P8, P13 and P14.
- XVOLT works with any voltage between 277V and 480V.
- XVOLT not available with fusing (SF or DF) and not available with PIRH or PIRH1FC3V.
- Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
- Suitable for mounting to round poles between 3.5" and 12" diameter.
- Universal mounting bracket intended for retrofit on existing pre-drilled poles only. 1.5 G vibration load rating per ANCI C136.31. Only usable when pole's drill pattern is NOT Lithonia template #8.
- Must order fixture with SPA option. Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" diameter mast arm (not included).
- Must be ordered with PIRHN. Sensor cover only available in dark bronze, black, white or natural aluminum color.
- Must be ordered with NLTAIR2. For more information on nLight Air 2 visit [this link](#).
- Photocell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Not available with DS option. Shorting Cap included.
- If ROAM® node required, it must be ordered and shipped as a separate line item from Acuity Brands Controls. Node with integral dimming. .
- DMG not available with PIRHN, PER5, PER7, PIR, PIRH, PIR1FC3V or PIRH1FC3V, FAO.
- Requires (2) separately switched circuits with isolated neutrals.
- Provides 50/50 fixture operation via (2) independent drivers. Not available with PER, PER5, PER7, PIR or PIRH. Not available with P1, P2, P10.
- Reference Controls Options table settings table on page 4. Reference Motion Sensor Default table on page 4 to see functionality.
- Reference controls options table on page 4.
- Not available with BLC, LCCO and RCCO distribution. Also available as a separate accessories; see Accessories information.
- Must be ordered with fixture for factory pre-drilling.
- Requires luminaire to be specified with PER, PER5 and PER7 option. Ordered and shipped as a separate line item from Acuity Brands Controls.
- For retrofit use only. Only usable when pole's drill pattern is NOT Lithonia template #8.

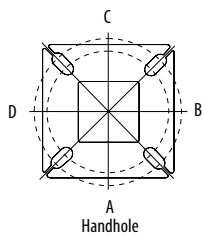
Options

EGS - External Glare Shield



Drilling

HANDHOLE ORIENTATION



Tenon Mounting Slipfitter

Tenon O.D.	Mounting	Single Unit	2 @ 180	2 @ 90	3 @ 90	3 @ 120	4 @ 90
2-3/8"	RPA	AS3-5 190	AS3-5 280	AS3-5 290	AS3-5 390	AS3-5 320	AS3-5 490
2-7/8"	RPA	AST25-190	AST25-280	AST25-290	AST25-390	AST25-320	AST25-490
4"	RPA	AST35-190	AST35-280	AST35-290	AST35-390	AST35-320	AST35-490

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

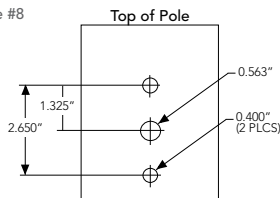
DSX2 Area Luminaire - EPA

*Includes luminaire and integral mounting arm. Other tenons, arms, brackets or other accessories are not included in this EPA data.

Fixture Quantity & Mounting Configuration	Single DM19	2 @ 180 DM28	2 @ 90 DM29	3 @ 90 DM39	3 @ 120 DM32	4 @ 90 DM49
Mounting Type						
DSX2 LED	1.100	2.200	2.120	3.300	2.850	4.064

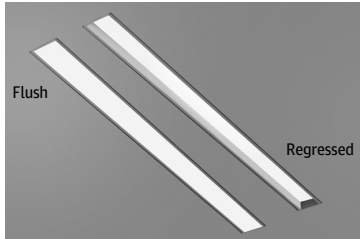
	Drilling Template	Minimum Acceptable Outside Pole Dimension					
SPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
RPA	#8	2-7/8"	2-7/8"	3.5"	3.5"	3"	3.5"
SPUMBA	#5	2-7/8"	3"	4"	4"	3.5"	4"
RPUMBA	#5	2-7/8"	3.5"	5"	5"	3.5"	5"

Template #8



MARK ARCHITECTURAL LIGHTING™

Slot 2 LED Recessed Linear



Slot 2 LED takes both form and function a step further with increased efficacy and integral controls creating a digitally addressable luminaire that is perfect where visually harmonious illumination and energy efficiency are desired.

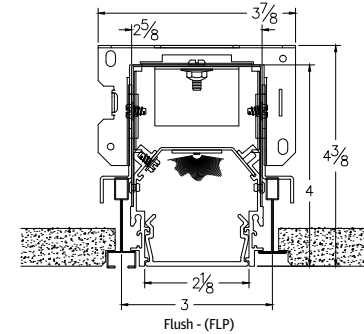
Slot 2 LED is the ideal choice for spaces that emphasize lines and clean contemporary design. It is a perfect fit for Armstrong TechZone™ ceiling systems. A regressed lens option provides added dimension to the sleek, slender design and the flush lens now has a Wet Label option.

Specification Features (continued on page 2)

- Housing**
Nominal 2" x 2', 3', 4', 5', 6', 7', 8' and continuous rows in 1" increments as standard, upper housing fabricated from cold-rolled steel with extruded aluminum ceiling trim.
- Finish**
Painted high reflectance matte white powder coat.
- Reflector**
Precision-formed steel; high reflectance matte white powder coat; 93% reflectivity.
- Shielding**
Flush Lens: Snap-in 90% transmissive satin acrylic lens.
Regressed Lens: Lay-in 90% transmissive satin acrylic lens.

- Mounting**
Recessed. Available for sheetrock, 9/16" slot grid or 15/16" inverted tee ceilings, or 9/16" inverted tee.
- Certification**
CSA tested to UL 1598 standards. Optional Damp or Wet location listings available, see ordering tree. This product is IC rated.
- Warranty**
5-year limited warranty. Complete warranty terms located at:
www.acuitybrands.com/support/warranty/terms-and-conditions
Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.

Technical Drawing



Fixture Performance - SL2L*

Lumens Output	400 LMF		600 LMF**		800LMF**		1000LMF	
	RLP	FLP	RLP	FLP	RLP	FLP	RLP	FLP
Delivered Lumens/FT	234	308	404	533	534	705	654	862
Input Watts/FT	4	4	6	6	8	8	11	11
Lumen/Watt	68	89	69	91	67	88	62	82

* CCT (35K)
* Consult factory for customized lumen output and wattage
**Based on calculated values



LED Components

Linear: Nichia® - 757 Series LED chips (available in 80 or 90 CRI)

LED Life

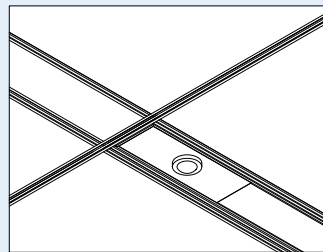
Rated 65,000 hours (L80) at 25 °C ambient temperature.

Color Consistency

The Acuity Brands circuit boards for the linear LED components use a precise binning algorithm which creates a consistent color temperature from board to board. Color variation is no greater than a 2.5 Step MacAdam (2.5SDCM) along the black body locus from board to board.

Driver

eldoLED constant current driver options delivers ultra-smooth dimming resolution from 100% to 0.1%, while assuring flicker free, low current inrush, 89% efficiency and low EMI.



Occupancy Sensor (PDT) and/or Photocell (ADC)

Integrated Controls

Optional nLight® embedded controls make luminaire addressable- allowing it to digitally communicate with other nLight enabled controls such as dimmers, switches, occupancy sensors and photocontrols. Simply connect all the nLight enabled control devices using standard CAT5 Cabling. (Input option: NLIGHT)

Photometry

For photometric information refer to www.marklighting.com.



D-Series Size 1 LED Wall Luminaire



d"series

Specifications Luminaire

Width:	13-3/4" (34.9 cm)	Weight:	12 lbs (5.4 kg)
Depth:	10" (25.4 cm)		
Height:	6-3/8" (16.2 cm)		

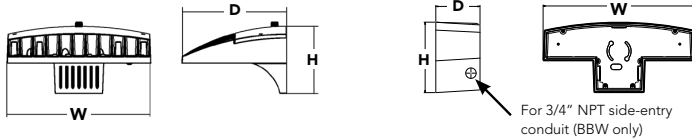
Back Box (BBW, ELCW)

Width:	13-3/4" (34.9 cm)	BBW Weight:	5 lbs (2.3 kg)
Depth:	4" (10.2 cm)	ELCW Weight:	10 lbs (4.5 kg)
Height:	6-3/8" (16.2 cm)		

Introduction

The D-Series Wall luminaire is a stylish, fully integrated LED solution for building-mount applications. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 74% in energy savings over comparable 250W metal halide luminaires, the D-Series Wall is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.



Ordering Information

EXAMPLE: DSXW1 LED 20C 1000 40K T3M MVOLT DBBXTD

DSXW1 LED	20C	1000	40K	T3M	MVOLT		
Series	LEDs	Drive Current	Color temperature	Distribution	Voltage	Mounting	Control Options
DSXW1 LED	10C 10 LEDs (one engine)	350 350 mA 530 530 mA 700 700 mA 1000 1000 mA (1 A) ¹	30K 3000 K 40K 4000 K 50K 5000 K AMBPC Amber phosphor converted	T2S Type II Short T2M Type II Medium T3S Type III Short T3M Type III Medium T4M Type IV Medium TFTM Forward Throw Medium	MVOLT ² 120 ³ 208 ³ 240 ³ 277 ³ 347 ^{3,4} 480 ^{3,4}	Shipped included (blank) Surface mounting bracket BBW Surface-mounted back box (for conduit entry) ⁵	Shipped installed PE Photoelectric cell, button type ⁶ DMG 0-10v dimming wires pulled outside fixture (for use with an external control, ordered separately) PIR 180° motion/ambient light sensor, <15' mtg ht ^{1,7} PIRH 180° motion/ambient light sensor, 15-30' mtg ht ^{1,7} PIR1FC3V Motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc ^{1,7} PIRH1FC3V Motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc ^{1,7} ELCW Emergency battery backup (includes external component enclosure), CA Title 20 Noncompliant ^{8,9}

Other Options		DNAXD	
		Finish (required)	
Shipped installed	Shipped separately ¹¹	DBBXTD Dark bronze	DSSXD Sandstone
SF Single fuse (120, 277 or 347V) ^{3,10}	BSW Bird-deterrent spikes	DBLXDD Black	DBBXTD Textured dark bronze
DF Double fuse (208, 240 or 480V) ^{3,10}	VG Vandal guard	DNAXD Natural aluminum	DBLBXD Textured black
HS House-side shield ¹¹	DDL Diffused drop lens	DWHXD White	DNATXD Textured natural aluminum
SPD Separate surge protection ¹²			

Accessories

Ordered and shipped separately.

DSXWHS U	House-side shield (one per light engine)
DSXWBSW U	Bird-deterrent spikes
DSXW1VG U	Vandal guard accessory

NOTES

- 20C 1000 is not available with PIR, PIRH, PIR1FC3V or PIRH1FC3V.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.
- Only available with 20C, 700mA or 1000mA. Not available with PIR or PIRH.
- Back box ships installed on fixture. Cannot be field installed. Cannot be ordered as an accessory.
- Photocontrol (PE) requires 120, 208, 240, 277 or 347 voltage option. Not available with motion/ambient light sensors (PIR or PIRH).
- Reference Motion Sensor table on page 3.
- Cold weather (-20C) rated. Not compatible with conduit entry applications. Not available with BBW mounting option. Not available with fusing. Not available with 347 or 480 voltage options. Emergency components located in back box housing. Emergency mode IES files located on product page at www.lithonia.com
- Not available with SPD.
- Not available with ELCW.
- Also available as a separate accessory; see Accessories information.
- Not available with ELCW.



TEXAS FINANCE CODE

TITLE 3. FINANCIAL INSTITUTIONS AND BUSINESSES

SUBTITLE A. BANKS

CHAPTER 59. MISCELLANEOUS PROVISIONS

Subchapter D. Safety at Unmanned Teller Machines³

Sec. 59.301. Definitions. In this subchapter:

(1) "Access area" means a paved walkway or sidewalk that is within 50 feet of an unmanned teller machine. The term does not include a public right-of-way or any structure, sidewalk, facility, or appurtenance incidental to the right-of-way.

(2) "Access device" has the meaning assigned by Regulation E (12 C.F.R. Section 205.2), as amended, adopted under the Electronic Fund Transfer Act (15 U.S.C. Section 1693 et seq.), as amended.

(3) "Candlefoot power" means the light intensity of candles on a horizontal plane at 36 inches above ground level and five feet in front of the area to be measured.

(4) "Control" means the authority to determine how, when, and by whom an access area or defined parking area may be used, maintained, lighted, and landscaped.

(5) "Customer" means an individual to whom an access device is issued for personal, family, or household use.

(6) "Defined parking area" means the portion of a parking area open for unmanned teller machine customer parking that is contiguous to an access area, is regularly, principally, and lawfully used during the period beginning 30 minutes after sunset and ending 30 minutes before sunrise for parking by customers using the machine, and is owned or leased by the owner or operator of the machine or owned or controlled by a person leasing the machine site to the owner or operator of the machine. The term does not include:

(A) a parking area that is physically closed or on which one or more conspicuous signs indicate that the area is closed; or

(B) a level of a multiple-level parking area other than the level considered by the operator of the unmanned teller machine to be the most directly accessible to a customer.

(7) "Financial institution" has the meaning assigned by Section 201.101.

(8) "Operator" means the person primarily responsible for the operation of an unmanned teller machine.

(9) "Owner" means a person having the right to determine which financial institutions are permitted to use or participate in the use of an unmanned teller machine.

(10) "Unmanned teller machine" means a machine, other than a telephone, capable of being operated solely by a customer to communicate to a financial institution:

(A) a request to withdraw money from the customer's account directly or under a line of credit previously authorized by the financial institution for the customer;

(B) an instruction to deposit money in the customer's account with the financial institution;

(C) an instruction to transfer money between one or more accounts maintained by the customer with the financial institution;

(D) an instruction to apply money against an indebtedness of the customer to the financial institution; or

(E) a request for information concerning the balance of the account of the customer with the financial institution.

Sec. 59.302. Exception for Certain Unmanned Teller Machines. This subchapter does not apply to an unmanned teller machine:

(1) by which:

(A) a customer of a financial institution can authorize and effect the electronic transfer of money from the customer's account at the financial institution to a merchant's account at a financial institution in the county or municipality in which the terminal is located to obtain cash or to purchase, rent, or pay for goods or services; and

(B) the merchant can ascertain that the transaction has been completed and the money has been or will be transferred to the merchant's account at the merchant's financial institution in the county or municipality in which the terminal is located; or

(2) located:

(A) inside a building:

(i) unless the building is a freestanding installation existing solely to provide an enclosure for the machine; or

(ii) except to the extent a transaction can be conducted from outside the building; or

(B) in an area not controlled by the owner or operator of the machine.

Sec. 59.303. Applicability to Certain Persons Who Are Not Owners or Operators. (a) A person is not an owner or operator solely because the person's primary function is to provide for the exchange, transfer, or dissemination of electronic fund transfer data.

(b) A person whose primary function is to provide for the exchange, transfer, or dissemination of electronic fund transfer data and who is not an owner or operator is not liable to a customer or user of an unmanned teller machine for a claim arising out of or in connection with a use or attempted use of the machine.

Sec. 59.304. Construction of Subchapter. (a) This subchapter does not require the relocation or modification of an unmanned teller machine on the occurrence of a particular event or circumstance.

(b) A violation of this subchapter or a rule adopted under this subchapter is not negligence per se. Substantial compliance with this subchapter and each rule adopted under this subchapter is prima facie evidence that a person has provided adequate safety protection measures relating to an unmanned teller machine under this subchapter.

Sec. 59.305. Lighting Required. During the period beginning 30 minutes after sunset and ending 30 minutes before sunrise, lighting shall be provided for:

- (1) an unmanned teller machine;
- (2) the machine's access area and defined parking area; and
- (3) the exterior of the machine's enclosure, if the machine is located in an enclosure.

Sec. 59.306. Persons Required to Provide Lighting. (a) Except as provided by Subsection (b), the owner or operator shall provide the lighting required by this subchapter.

(b) A person who leases the site where an unmanned teller machine is located shall provide the lighting required by this subchapter if the person controls the access area or defined parking area for the machine and the owner or operator does not control the access area or defined parking area.

Sec. 59.307. Standards for Lighting. The lighting must be at least:

- (1) 10 candlefoot power at the face of the unmanned teller machine and extending in an unobstructed direction outward five feet;
- (2) two candlefoot power within 50 feet from any unobstructed direction from the face of the machine, except as provided by Subdivision (3);
- (3) if the machine is located within 10 feet of the corner of a building and is generally accessible from the adjacent side, two candlefoot power along the first 40 unobstructed feet of the adjacent side of the building; and
- (4) two candlefoot power in the part of the defined parking area within 60 feet of the unmanned teller machine.

Sec. 59.308. Safety Evaluation. (a) An owner or operator shall in good faith evaluate the safety of each unmanned teller machine that the person owns or operates.

(b) In making the evaluation, the owner or operator shall consider:

- (1) the extent to which the lighting for the machine complies with Section 59.307;
- (2) the presence of obstructions, including landscaping and vegetation, in the area of the machine and the access area and defined parking area for the machine; and

(3) the incidence of violent crimes in the immediate neighborhood of the machine as shown by local law enforcement records and of which the owner or operator has actual knowledge.

Sec. 59.309. Notice of Safety Precautions. (a) An issuer of an access device shall give the customer a notice of basic safety precautions that the customer should follow while using an unmanned teller machine.

(b) The issuer shall personally deliver or mail the notice to each customer whose mailing address is in this state according to records for the account to which the access device relates. If the issuer furnishes an access device to more than one customer on the same account, the issuer is required to furnish a notice to only one of the customers.

(c) The issuer may furnish information under this section with other disclosures related to the access device, including an initial or periodic disclosure statement furnished under the Electronic Fund Transfer Act (15 U.S.C. Section 1693 et seq.).

Sec. 59.310. Enforcement and Rules. (a) The finance commission and the Credit Union Commission shall enforce this subchapter and adopt rules to implement this subchapter.⁴

(b) The rules must establish security requirements to be implemented by a financial institution for the operation of an unmanned teller machine. The rules may require the financial institution to install and maintain security devices in addition to those required by this subchapter to be operated in conjunction with the machine for the protection of customers using the machine, including:

(1) video surveillance equipment that is maintained in working order and operated continuously during the hours of operation of the machine; and

(2) adequate lighting around the premises that contain the machine.

(c) A financial institution that violates a rule adopted under this section is subject to a civil penalty of not less than \$50 or more than \$1,000 for each day of violation and each act of violation.