



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # MIS 2018 004 P&Z DATE \_\_\_\_\_ CC DATE \_\_\_\_\_

APPROVED/DENIED ARB DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

ZONING APPLICATION
<input type="checkbox"/> SPECIFIC USE PERMIT
<input type="checkbox"/> ZONING CHANGE
<input type="checkbox"/> PD CONCEPT PLAN
<input type="checkbox"/> PD DEVELOPMENT PLAN

SITE PLAN APPLICATION
<input type="checkbox"/> SITE PLAN
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN
<input type="checkbox"/> PHOTOMETRIC PLAN
<input type="checkbox"/> BUILDING ELEVATIONS
<input type="checkbox"/> MATERIAL SAMPLES
<input type="checkbox"/> COLOR RENDERING

PLATTING APPLICATION
<input type="checkbox"/> MASTER PLAT
<input type="checkbox"/> PRELIMINARY PLAT
<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REPLAT
<input type="checkbox"/> ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/> VACATION PLAT
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN

<input type="checkbox"/> COPY OF ORDINANCE (ORD.# _____)
<input type="checkbox"/> APPLICATIONS
<input type="checkbox"/> RECIEPT
<input type="checkbox"/> LOCATION MAP
<input type="checkbox"/> HOA MAP
<input type="checkbox"/> PON MAP
<input type="checkbox"/> FLU MAP
<input type="checkbox"/> NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/> 500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/> PROJECT REVIEW
<input type="checkbox"/> STAFF REPORT
<input type="checkbox"/> CORRESPONDENCE
<input type="checkbox"/> COPY-ALL PLANS REQUIRED
<input type="checkbox"/> COPY-MARK-UPS
<input type="checkbox"/> CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/> MINUTES-LASERFICHE
<input type="checkbox"/> PLAT FILED DATE _____
<input type="checkbox"/> CABINET # _____
<input type="checkbox"/> SLIDE # _____
<b>NOTES:</b> _____
_____
_____
_____
_____
<b>ZONING MAP UPDATED</b> _____



February 5, 2018

Mr. Ryan C. Miller, AICP  
Director of Planning & Zoning  
Planning & Zoning Division  
City of Rockwall  
385 S. Goliad Street  
Rockwall, Texas 75087

Re: Ordinance No. 17-07; Special Use Permit No. S-161 ("SUP")

Dear Ryan,

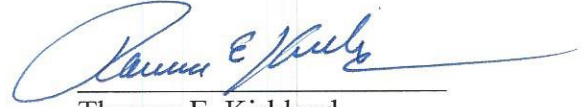
I understand that the above referenced SUP has an expiration date of one (1) year from issuance as the result of an ordinance passed by the City Council following the issuance of our SUP. That being the case, I would request a one-time extension of one (1) year to allow us time to continue the development process for this site. Although I have confidence we will not need the full year, I am requesting that amount of time to cover any unforeseen issues.

Please know that we have been actively working on this development over the past year, including going through the Marriott franchise process which takes time. I am happy to report that the franchise has been approved and that we have paid the \$50,000 franchise fee. In addition, we have signed up our architectural design team, including FC Cuny Company, to prepare the necessary civil plans and assist us through the various applications and filings with the City.

At TEKMAK we have a history of developing first rate hotel projects, as I hope you have seen firsthand with our Springhill Suites by Marriott on Lakefront Trail. As a Company we pride ourselves on our attention to detail with custom finishes and features that set apart our developments and make them award winning and successful.

We welcome the opportunity to meet with you, Planning & Zoning and City Council concerning this request. Thank you for your consideration.

Very truly yours,

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---

Thomas E. Kirkland  
President/CEO



# CITY OF ROCKWALL, TEXAS

## MEMORANDUM

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**TO:** Planning and Zoning Commission

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

**FROM:** David Gonzales, *Senior Planner*

**DATE:** February 13, 2018

**SUBJECT:** **MIS2018-004**; *Extension of Specific Use Permit No. 161 [Ordinance No. 17-07]*

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On February 6, 2017, the City Council approved a request for a Specific Use Permit [Ord. No. 17-07; SUP No. S-161] to allow a residence hotel on a three (3)-acre tract of land located at the northeast corner of the intersection of Greencrest Blvd. and the IH-30 Frontage Road [Case No. Z2016-045]. On March 20, 2017, the City Council approved a text amendment to Section 4, *Specific Use Permits (SUP)*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC). The text amendment established requirements and procedures for Specific Use Permits (SUP) to prevent future inactive entitlements from accruing throughout the city once the SUP was approved. This has been accomplished by establishing abandonment, expiration, and revocation procedures of the SUP for certain conditions as outlined in Section 4.4, of Article IV, of the UDC. The text amendment also established the ability of a property owner to request a one (1) time extension of the SUP for a period not to exceed one (1) year.

The applicant, Thomas E. Kirkland of *TEKMAK Development*, is requesting a one (1) time extension of the SUP [Ord. No. 17-07; SUP No. S-161], after learning of the impending expiration of his current SUP. Accordingly, Sec. 4.5, of Article IV, *Permissible Uses*, of the *Unified Development Code* states:

*Sec. 4.5. - Extension of a specific use permit (SUP).*

*Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.*

The applicant has provided a letter of request outlining the purpose for the extension of the SUP. It should be noted that approval of a one (1) time extension of a time period up to one (1) year for an SUP is discretionary upon the City Council. Staff will be available to answer questions at the meeting.



February 5, 2018

Mr. Ryan C. Miller, AICP  
Director of Planning & Zoning  
Planning & Zoning Division  
City of Rockwall  
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Rockwall, Texas 75087

Re: Ordinance No. 17-07; Special Use Permit No. S-161 ("SUP")

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Please know that we have been actively working on this development over the past year, including going through the Marriott franchise process which takes time. I am happy to report that the franchise has been approved and that we have paid the \$50,000 franchise fee. In addition, we have signed up our architectural design team, including FC Cuny Company, to prepare the necessary civil plans and assist us through the various applications and filings with the City.

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[www.tekmakdevelopment.com](http://www.tekmakdevelopment.com)

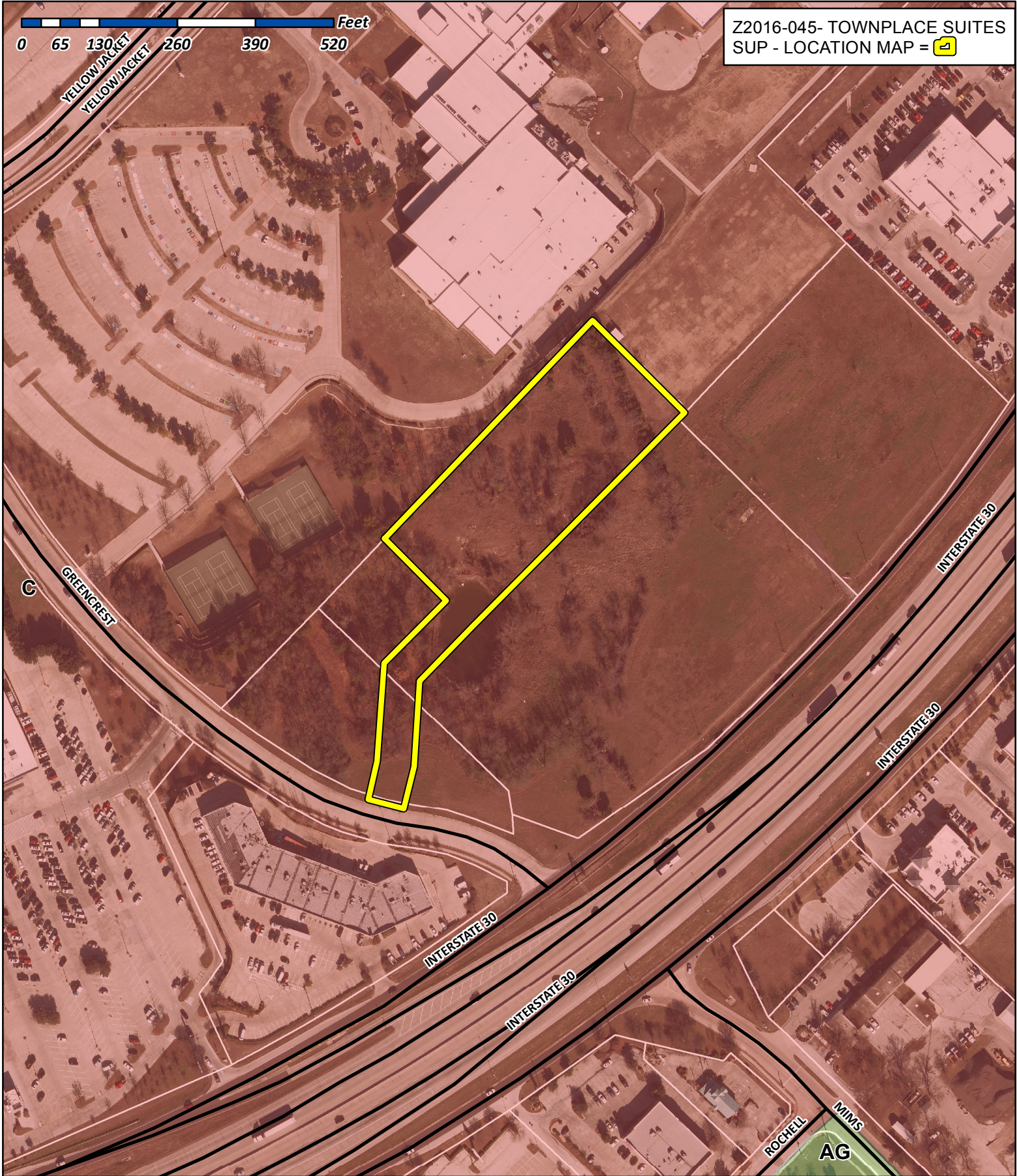
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Thomas E. Kirkland  
President/CEO





# 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

ORDINANCE NO. 17-07

SPECIFIC USE PERMIT NO. S-161

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RESIDENCE HOTEL IN A COMMERCIAL (C) DISTRICT WITHIN THE IH-30 OVERLAY (IH-30 OV) DISTRICT, ON A 3.0-ACRE PORTION OF A LARGER 8.613-ACRE TRACT OF LAND BEING IDENTIFIED AS TRACT 4 OF THE J. D. MCFARLAND SURVEY, ABSTRACT NO. 145, AND LOT 1, BLOCK B, GOLDENCREST ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City has received a request from Tom Kirkland of TEKMAK Development on behalf of the owner Randall Noe of Rockwall Rental Properties for the approval of a Specific Use Permit (SUP) to allow for a *Residence Hotel* in a Commercial (C) District on a 3-acre tract of land of a larger 8.613-acre tract of land being described as tract 4 of the J.D. McFarland Survey Abstract No. 145 and Lot 1, Block B, Goldencrest Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, which herein after shall be referred to as the *Subject Property* and incorporated reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] 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 [*Ordinance No. 04-38*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing a *residence hotel* within a Commercial (C) District as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 04-38*] on the *Subject Property*; and

**Section 2.** That the Specific Use Permit (SUP) shall be subject to the conditions set forth in *Section 4.5, Commercial District; Section 6.6, IH-30 Overlay (IH-30 OV) District of Article V, District Development Standards*, Unified Development Code [*Ordinance No. 04-38*] as heretofore amended and as may be amended in the future, and shall be subject to the additional following additions:



- 1) The building shall generally conform to the concept plan and building elevations, depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance.
- 2) The building shall not exceed 60-feet in height;
- 3) The Specific Use Permit (SUP) is subject to review by the City Council upon change of ownership.

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

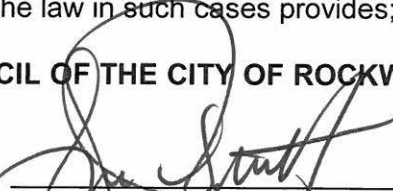
**Section 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict

**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.

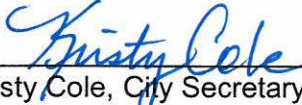
**Section 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application 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 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 6<sup>TH</sup> DAY OF FEBRUARY, 2017.**

  
\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: 01-17-2017

2<sup>nd</sup> Reading: 02-06-2017

**Exhibit 'A':**  
*Legal Description*

DESCRIPTION

Being a part of the 14.45 acre tract of land as described in a warranty deed from Bayoud Family Trust Limited Partnership to Rockwall Rental Properties, LP. dated June 27, 2005 and being recorded in Volume 4076, page 48 of the Real Property Records of Rockwall County, Texas and being more particularly described as follows:

**BEGINNING** at an iron rod for corner at the West corner of a 1.79 acre tract of land as described in a warranty deed from Bayoud Family Limited Partnership to Rockwall Independent School District, as recorded in Volume 1865, Page 95 of the Real Property Records of Rockwall County, Texas;

Thence South 44 degrees 16 minutes 15 seconds East a distance of 200.00 feet to a ½" iron rod found for corner;

Thence South 45 degrees 22 minutes 14 seconds West a distance of 636.74 feet to a point for corner;

Thence South 06 degrees 32 minutes 30 section West a distance of 130.97 feet to a point for corner in the curving Northwest right of way line of Greencrest Boulevard;

Thence along the curving right of way line of Greencrest Boulevard a central angle of 23 degrees 57 minutes 39 seconds a radius of 415 feet, a tangent of 88.06 feet a chord of North 70 degrees 00 minutes 09 seconds West 60.01 feet, an arc distance of 60.09 feet to a point founds for corner;

Thence North 15 degrees 53 minutes 23 seconds East a distance of 66.59 feet to a point for corner;

Thence North 06 degrees 32 minutes 30 seconds East a distance of 147.21 feet to a point for corner;

Thence North 45 degrees 22 minutes 14 seconds East a distance of 157.96 feet to a point for corner;

Thence North 44 degrees 37 minutes 46 seconds West a distance of 141.45 feet to a point for corner along the Southern boundary of the Rockwall High School Addition, an addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slides 147 and 148 of the Plat Records of Rockwall County, Texas;

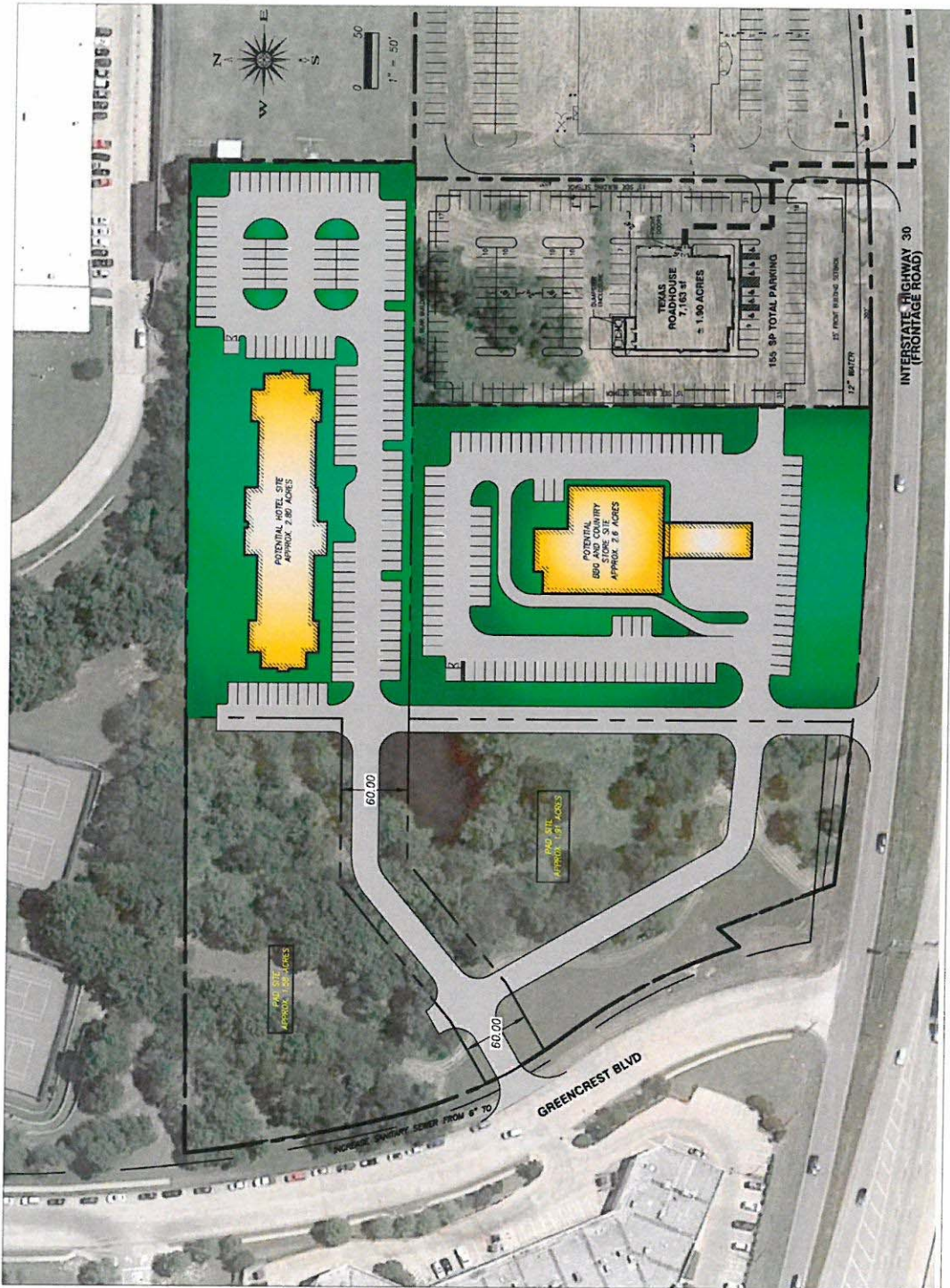
Thence North 45 degrees 11 minutes 57 seconds East a distance of 124.73 feet to a point for corner;

Thence North 45 degrees 32 minutes 05 seconds East a distance of 374.14 feet to a point for corner;

Thence North 63 degrees 26 minutes 35 seconds East a distance of 2.42 feet to the **POINT OF BEGINNING** and containing 122,145 square feet or 2.80 acres of land.



Exhibit 'B':  
Site Plan





**Exhibit 'C':**  
*Building Elevations*





# CITY OF ROCKWALL, TEXAS

## MEMORANDUM

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**TO:** Mayor and City Council

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

**FROM:** David Gonzales, *Senior Planner*

**DATE:** February 19, 2018

**SUBJECT:** **MIS2018-004**; *Extension of Specific Use Permit No. 161 [Ordinance No. 17-07]*

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At the Planning and Zoning Commission meeting on February 13, 2018, the Planning and Zoning Commission reviewed the applicant's request for a one (1) year, one (1) time extension of S-161 [*Ordinance No. 17-07*]. This Specific Use Permit (SUP) allows for a residence hotel on the subject property, which is a three (3)-acre tract of land located at the northeast corner of the intersection of Greencrest Boulevard and the IH-30 Frontage Road. This motion passed by a vote of 5-0 with Commissioners Fishman and Chodun absent. The SUP was originally approved by the City Council on February 6, 2017 [*Case No. Z2016-045*].

On March 20, 2017, the City Council approved a text amendment to Section 4, *Specific Use Permits (SUP)*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC). The text amendment established requirements and procedures for Specific Use Permits (SUP) to prevent future inactive entitlements from accruing throughout the city once the SUP was approved. This has been accomplished by establishing abandonment, expiration, and revocation procedures of the SUP for certain conditions as outlined in Section 4.4, of Article IV, of the UDC. The text amendment also established the ability of a property owner to request a one (1) time extension of the SUP for a period not to exceed one (1) year.

The applicant, Thomas E. Kirkland of *TEKMAK Development*, is requesting a one (1) time extension of the SUP [*Ord. No. 17-07; SUP No. S-161*], after learning of the impending expiration of his current SUP. Accordingly, *Sec. 4.5, of Article IV, Permissible Uses*, of the *Unified Development Code* states:

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*Upon recommendation from the Planning and Zoning Commission, the City Council may grant a one (1) time extension to the expiration requirements stated above for a period not to exceed one (1) year. To apply for an extension a property owner shall file a written request with the Director of Planning or his designee at least ninety (90) days prior to the expiration date. Extension requests shall not require a public hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a SUP.*

The applicant has provided a letter of request outlining the purpose for the extension of the SUP. It should be noted that approval of a one (1) time extension of a time period up to one (1) year for a SUP is discretionary upon the City Council. Staff will be available to answer questions at the meeting.



February 5, 2018

Mr. Ryan C. Miller, AICP  
Director of Planning & Zoning  
Planning & Zoning Division  
City of Rockwall  
385 S. Goliad Street  
Rockwall, Texas 75087

Re: Ordinance No. 17-07; Special Use Permit No. S-161 ("SUP")

Dear Ryan,

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Thomas E. Kirkland  
President/CEO

CITY OF ROCKWALL

ORDINANCE NO. 17-07

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**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 04-38*] of the City of Rockwall should be amended as follows:

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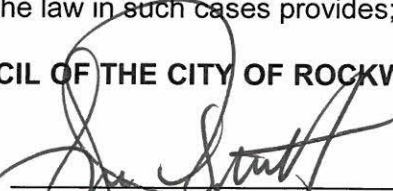
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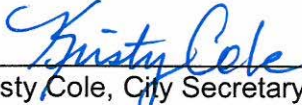
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**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6<sup>TH</sup> DAY OF FEBRUARY, 2017.**

  
\_\_\_\_\_  
Jim Pruitt, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kristy Cole, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Frank J. Garza, City Attorney



1<sup>st</sup> Reading: 01-17-2017

2<sup>nd</sup> Reading: 02-06-2017



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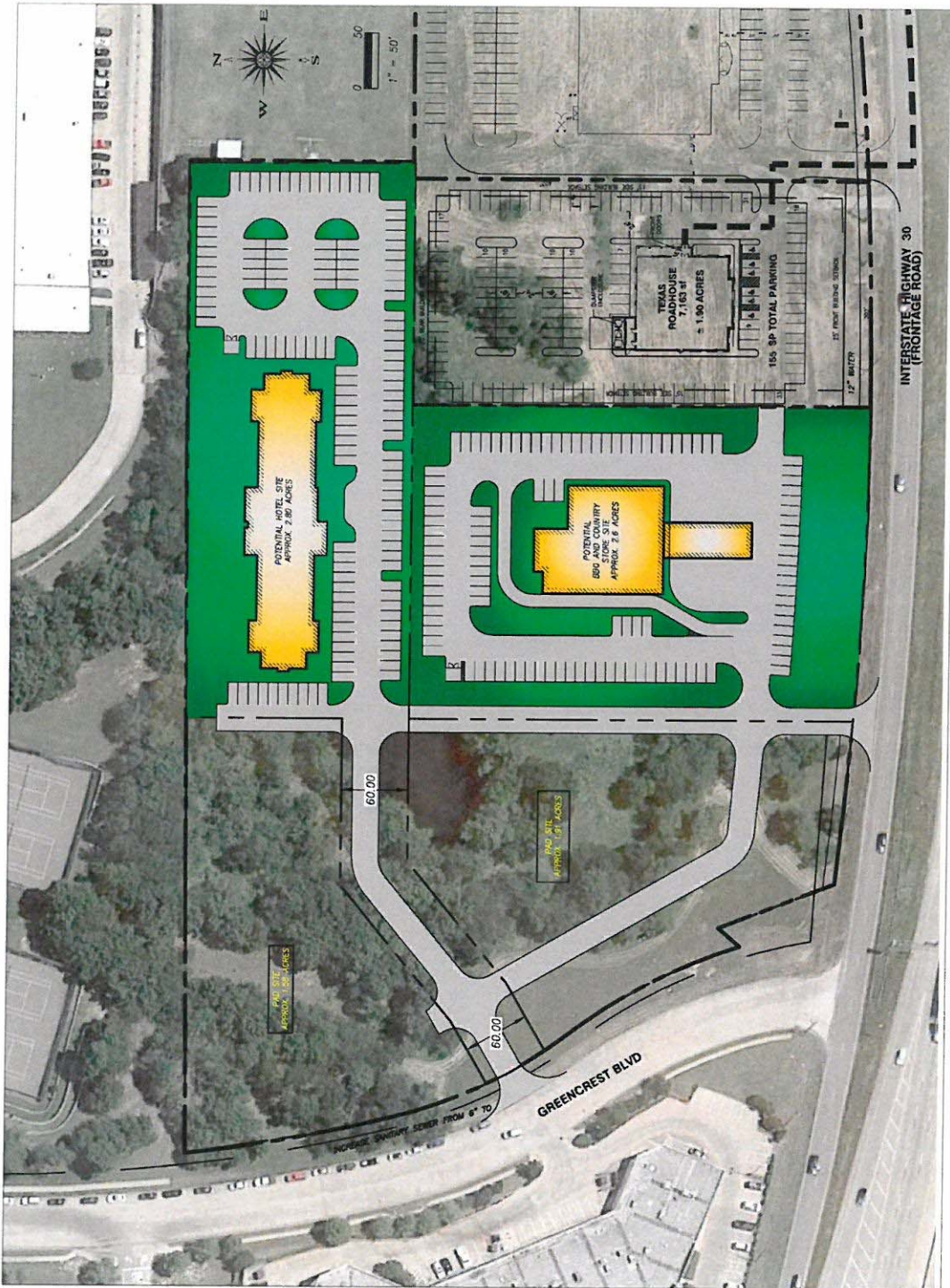
Thence North 44 degrees 37 minutes 46 seconds West a distance of 141.45 feet to a point for corner along the Southern boundary of the Rockwall High School Addition, an addition to the City of Rockwall, Texas, according to the Plat thereof recorded in Cabinet C, Slides 147 and 148 of the Plat Records of Rockwall County, Texas;

Thence North 45 degrees 11 minutes 57 seconds East a distance of 124.73 feet to a point for corner;

Thence North 45 degrees 32 minutes 05 seconds East a distance of 374.14 feet to a point for corner;

Thence North 63 degrees 26 minutes 35 seconds East a distance of 2.42 feet to the **POINT OF BEGINNING** and containing 122,145 square feet or 2.80 acres of land.

Exhibit 'B':  
Site Plan





**Exhibit 'C':**  
*Building Elevations*

