



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # M152020-017 P&Z DATE 12/8/20 CC DATE \_\_\_\_\_ APPROVED/DENIED \_\_\_\_\_  
ARCHITECTURAL REVIEW BOARD 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 checked="" type="checkbox"/> APPLICATIONS
<input checked="" type="checkbox"/> RECEIPT
<input checked="" 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> _____
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<b>ZONING MAP UPDATED</b> _____



# 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)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
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- Plat Reinstatement Request (\$100.00)

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- Specific Use Permit (\$200.00 + \$15.00 Acre)<sup>1</sup>
- PD Development Plans (\$200.00 + \$15.00 Acre)<sup>1</sup>

### Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

### Notes:

<sup>1</sup>: 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: 2600 Lakefront Trail

Subdivision: Harbor-Rockwall Addition Lot: // Block: A

General Location: SW Corner IH 30 and Lakefront Trail

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

Current Zoning: PD # 32 Current Use: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Acreage: 1.064 Ac 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: Ablon AT Harbor Village LP  Applicant: \_\_\_\_\_

Contact Person: James Ziegler Contact Person: \_\_\_\_\_

Address: 8222 Douglas Ave Address: \_\_\_\_\_  
Suite 390

City, State & Zip: Dallas, TX 75225 City, State & Zip: \_\_\_\_\_

Phone: 214 389 6195 Phone: \_\_\_\_\_

E-Mail: jziegler@pegasus@ablon.com E-Mail: \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared James Ziegler [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 13 day of November, 20 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 13<sup>th</sup> day of November, 20 20.

Owner's Signature

[Signature]

Notary Public in and for the State of Texas

[Signature]



## Miller, Ryan

---

**From:** Jim Ziegler <JZiegler@PegasusAblon.com>  
**Sent:** Friday, November 13, 2020 1:57 PM  
**To:** Miller, Ryan  
**Subject:** Harbor Power Pole  
**Attachments:** Rockwall Variance.pdf

Ryan,

Attached is the Zoning Application for the variance needed so that we can set a pole to supply power the retail parking garage we currently have under construction at The Harbor.

As we discussed this variance is necessary due to the fact that site conditions do not allow for a transformer to be set next to the structure where the power currently enters the property. There exists two side by side 48" RCBs that cut across the property and there is not enough room between them and the Lakefront Trail right of way to allow for a ground mounted transformer. The new pole will be added in line next to an existing pole. Power will drop down from the new pole and run under ground to the new parking structure.

Please let me know if everything is in order with the attached application.

Thanks

Jim

Jim Ziegler

Managing Director of Retail Investments

//



**PegasusAblon** [pegasusablon.com](http://pegasusablon.com)

P (214) 389-6195 // F (214) 871-2799 // M (214) 384-8389  
O 8222 Douglas Avenue, Suite 390 Dallas, TX 75225

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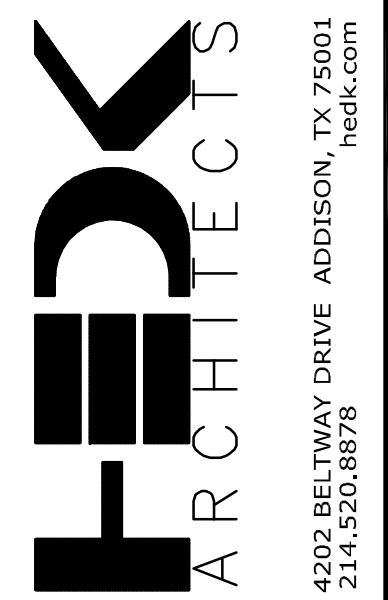


REVISIONS

1	Permit Submittal	04-21-2020
2	Power Pole	11-18-2020

HARBOR VILLAGE  
OVERFLOW PARKING GARAGE  
DWELLING UNITS IN ROCKWALL, TEXAS FOR  
PEGASUS ABLON  
2600 LAKEFRONT TRAIL

CONSTRUCTION SET  
ISSUED ON 05-29-2020



DATE

12-17-19

PROJECT

17126

SHEET NUMBER

L2.01

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PLANT LIST:

TREES	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
	19	Bald Cypress	Taxodium distichum	4" cal.	container grown, 15' ht., 5' spread min.
	20	Live Oak	Quercus virginiana	4" cal.	container grown, 15' ht., 5' spread min.
SHRUBS	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
	25	Nellie R. Stevens Holly	Ilex sp. 'Nellie R. Stevens'	8' ht.	container, full plant, 5' o.c.
	121	Nellie R. Stevens Holly	Ilex sp. 'Nellie R. Stevens'	36" ht.	container, full plant, 36" o.c.
	54	Gulf Muhly	Muhlenbergia capillaris	3 gal.	container, full top of container, 36" o.c.
GROUNDCOVERS	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
	180	Berkeley Sedge	Carex divisa	4" pots	container, full top of container, 12" o.c.
	512	Mexican Feathergrass	Nassella tenuissima	1 gal.	container, full top of container, 12" o.c.
	1559	Wintercreeper	Euonymus fortunei coloratus	4" pots	container, (3) 12" runners min. 12" o.c.
		Common Bermudagrass	Cynodon dactylon	roll sod	solid sod, refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

SOLID SOD NOTES

1. Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
5. Plant sod by hand to cover indicated area completely. Insure edges of sod are touching. Top dress joints by hand with topsoil to fill voids.
6. Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
7. Water sod thoroughly as sod operation progresses.
8. Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
9. Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
10. If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Ryegrass, at a rate of (4) pounds per one thousand (1000) square feet.

LAWN REPAIR NOTES: IF NEEDED FOR ANY OFF-SITE REPAIRS

1. All lawn areas damaged during construction to be repaired with solid sod and raked free of debris.
2. Adjust damaged areas to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All areas to be repaired must be planted by hand to cover area completely. Insure edges of sod are touching. Top dress joints by hand with compost to fill voids.
4. Roll repaired areas to achieve a smooth, even surface, free from unnatural undulations.

IRRIGATION REPAIR SPECIFICATIONS: IF NEEDED FOR ANY OFF-SITE REPAIRS

1. Contractor shall perform site visit prior to bidding and construction, to review extent of existing irrigation system.
2. Contractor shall be responsible for verifying conditions of existing irrigation system. Contractor shall be responsible for maintaining the integrity of existing irrigation where possible, and if not, repair as needed, including but not limited to irrigation controller, meter, sieving, etc.

LANDSCAPE NOTES

1. Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
2. Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
3. Contractor is responsible for obtaining all required landscape and irrigation permits.
4. Contractor to provide a minimum 2% slope away from all structures.
5. All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
6. All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
7. All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

GENERAL LAWN NOTES

1. Fine grade areas to achieve final contours indicated on civil plans.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
5. All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
6. All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation.
7. Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

LANDSCAPE TABULATIONS: PD-32

SITE REQUIREMENTS (site area 270,065 s.f.)  
Requirements: 15% site area to be landscaped

Required	Provided
40,059 s.f. (15%)	55,414 s.f. (20.5%)

STREET REQUIREMENTS:  
Requirements: (2) canopy trees and (4) accent trees per 100 l.f. of IH 30 Frontage

IH 30 FRONTAGE ROAD (411.30 l.f. / IH 30 OVERLAY)  
Required  
(8) canopy trees, 4" cal.  
(32) accent trees, 8' ht. / 10' ht.

Requirements: (1) canopy tree, Live Oak; per 30 l.f. in 4' x 8' leave-out of frontage; PD 32

LAKE FRONT TRAIL (707.73 l.f.)  
Required  
(24) canopy trees

Provided  
(24) canopy trees

PARKING LOT: N/A TWO STORY PARKING GARAGE

ALL TREES TO BE LOCATED 5' FROM WATER, SEWER AND STORM SEWER LINES

ALL TREES AND SHRUBS TO BE SETBACK 4' FROM ALL HEAD-IN PARKING

IRRIGATION WILL BE PROVIDED AND MEET UDC REQUIREMENTS

OVERFLOW PARKING LOT: 180 SPACES:  
Required: (1) tree, 3" cal. 65 gallon per (8) spaces

REQUIRED  
(23) trees, 3" cal. 65 gallon

PROVIDED:  
(25) trees, 3" cal. 65 gallon INDICATED ON-SITE WITH

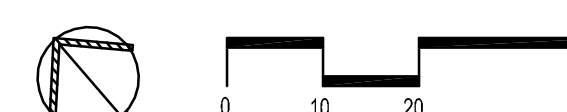
GRAPHIC PLANT LEGEND

- BALD CYPRESS
- LIVE OAK
- NELLIE R. STEVENS HOLLY, 8' ht.
- NELLIE R. STEVENS HOLLY
- GULF MUHLY
- MEXICAN FEATHER GRASS
- BERKELEY SEDGE
- WINTERCREEPER
- LAWN, SOLID SOD

smr  
landscape architects, inc.  
1708 N. Griffin Street  
Dallas, Texas 75202  
Tel 214.871.0363  
Fax 214.871.0545  
Email smr@smr-ls.com



01 LANDSCAPE PLAN  
SCALE: 1" = 20'-0"



CASE NO. SP2018-043



# DEVELOPMENT APPLICATION

City of Rockwall  
Planning and Zoning Department  
385 S. Goliad Street  
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STAFF USE ONLY

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Given under my hand and seal of office on this the 13<sup>th</sup> day of November, 20 20.

Owner's Signature

[Signature]

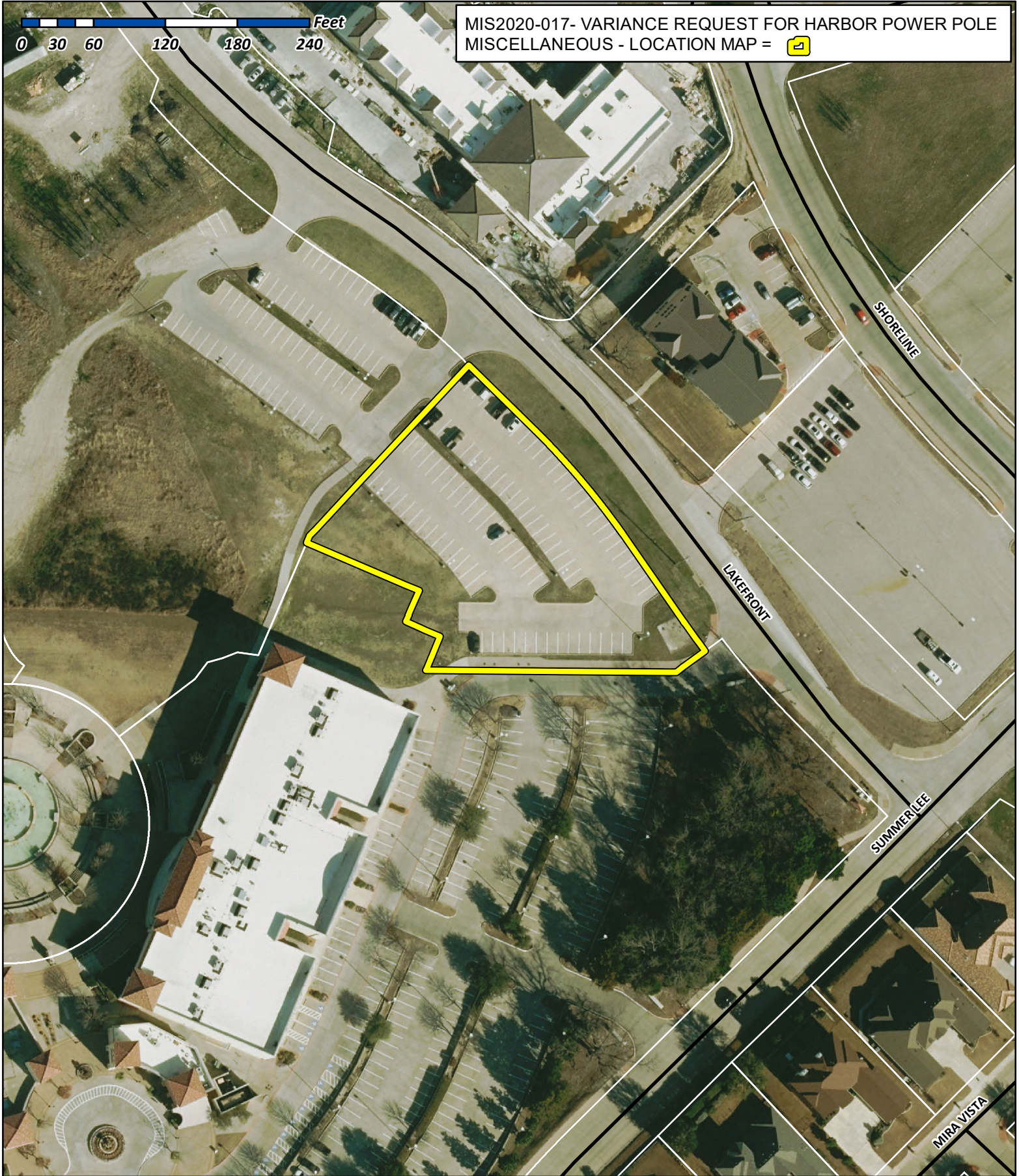
Notary Public in and for the State of Texas

[Signature]





MIS2020-017- VARIANCE REQUEST FOR HARBOR POWER POLE  
MISCELLANEOUS - LOCATION MAP =



# City of Rockwall

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



## Miller, Ryan

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**Sent:** Friday, November 13, 2020 1:57 PM  
**To:** Miller, Ryan  
**Subject:** Harbor Power Pole  
**Attachments:** Rockwall Variance.pdf

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Thanks

Jim

Jim Ziegler

Managing Director of Retail Investments

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P (214) 389-6195 // F (214) 871-2799 // M (214) 384-8389  
O 8222 Douglas Avenue, Suite 390 Dallas, TX 75225

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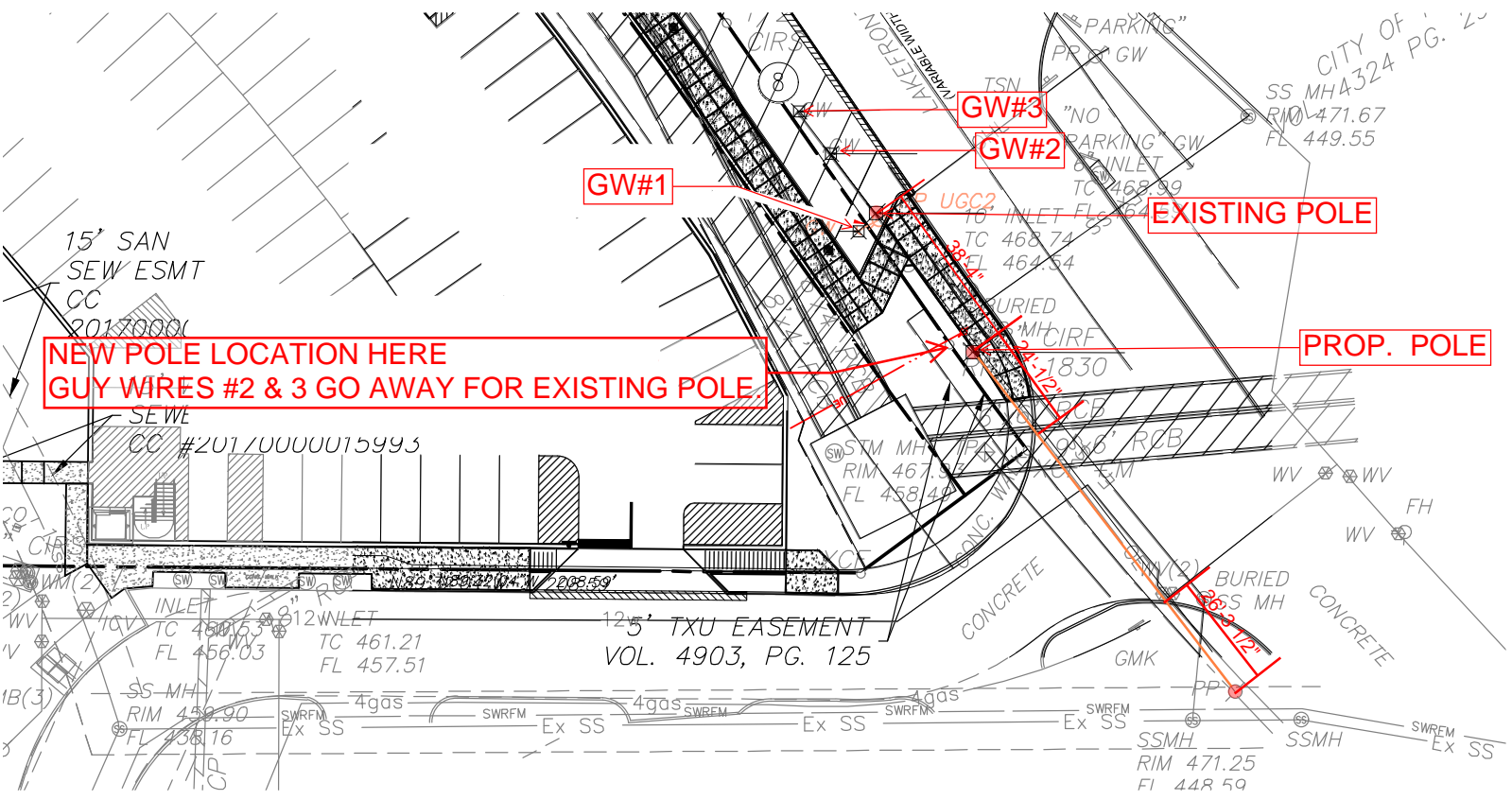
GW#3  
GW#2

GW#1

EXISTING POLE

PROP. POLE

NEW POLE LOCATION HERE  
GUY WIRES #2 & 3 GO AWAY FOR EXISTING POLE





# 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:** November 24, 2020

**SUBJECT:** MIS2020-017; *Variance Request for Harbor Heights Condominiums*

---

On January 15, 2019, the Planning and Zoning Commission approved a site plan [Case No. SP2018-043] for a 375-unit condominium building at 2600 Lakefront Trail. In conjunction with this request and approval, the applicant also proposed the construction of a public parking garage at 2800 Lakefront Trail. Since this approval, the applicant has received approval of the civil engineering plans [Case No. E2020-002], a final plat [Case No. P2020-011], and building permits [Case No.'s BLD2020-0564 & COM2020-1515] for the 375-unit condominium and the public parking garage. Both of these projects are currently under construction.

Extending along Lakefront Trail from IH-30 toward Summer Lee Drive there are existing overhead powerlines situated within the right-of-way. These powerlines are located on the eastside of the right-of-way of Lakefront Trail, cross Lakefront Trail behind 2850 Shoreline Trail, continue to run toward Summer Lee Drive on the westside of the right-of-way of Lakefront Trail, and terminate approximately 120-feet from the intersection of Lakefront Trail and Summer Lee Drive. The termination point is located in front of the surface parking areas for the *Harbor Retail Shopping Center*, approximately in front of the *Cinemark 14 Rockwall and XD* building. Recently, the applicant approached staff with an issue concerning the ability to underground the overhead electrical lines on the parcel where the parking garage is currently being constructed. Specifically, there are two (2) reinforced concrete boxes running parallel to each other that are located underground, adjacent to the existing electrical pole that supports the lines that cross Lakefront Trail, at the southeast corner of the property. According to applicant, the location of the existing concrete boxes do not provide sufficient space to underground the existing overhead electrical lines. According to Section 03.03, *Utility Distribution Lines*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), "(a)ll utility distribution lines shall be placed underground. Utility distribution lines placed above-ground shall require special approval of the City Council based upon a recommendation from the Planning and Zoning Commission." This requirement is also stipulated by the IH-30 Overlay (IH-30 OV) District requirements [Subsection 06.02, *General Overlay District Standards*, by Article 05, *District Development Standards*, of the UDC] and in Section 38-15 of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances. Both of which are requirements for the subject property.

Staff did work with the applicant to try and identify solutions to correct this problem before choosing to bring this forward to the Planning and Zoning Commission and City Council. These solutions included multiple different attempts to reroute the undergrounding of the overhead lines and the incorporation of decorative poles (*i.e. steel or concrete*) as opposed to the creosote poles that currently exist; however, after meeting with representatives from Oncor and listening to the hurdles, costs and timelines they associated with these solutions it was determined that the best course of action may be to bring this request forward for a variance to the undergrounding requirements (*see email from Oncor in the attached packet*). Staff should note, that the location of the existing pole would necessitate a loss of four (4) public parking spaces from the plan. Since the public parking spaces along Lakefront Trail were required by Planned Development District 32 (PD-32) and Ordinance No. 19-21 [*i.e. the PD Development Plan for the site*], staff and the applicant determined that an alternative plan proposing to add an additional pole -- *southeast of the existing pole* -- to reduce the loss of public parking down to a single space would be more preferable. Under this plan the additional pole would allow for two (2) of the guywires to be removed, which allows the three (3) public parking spaces to be added back to the plan; however, this option and the approval of this request are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission. As compensatory measures for the requested variance the applicant has agreed to [1] relocated the lost public parking space to another location in the development and [2] provide enhanced landscaping in the areas were the existing and proposed poles are/will be situated. Attached to this packet is the updated *Landscape Plan* provided by the applicant, and a requirement for the applicant to provide an updated site plan showing the relocation of the effected parking space has been added as a condition of approval below.

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

- (1) The applicant shall provide an updated site plan showing the proposed location of the relocated parking space. This site plan will require administrative approval by the Director of Planning and Zoning.

Should the Planning and Zoning Commission have any questions concerning this request staff and the applicant will be available at the November 24, 2020 meeting.



# DEVELOPMENT APPLICATION

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### Other Application Fees:

- Tree Removal (\$75.00)
- Variance Request (\$100.00)

### Notes:

<sup>1</sup>: 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: 2600 Lakefront Trail

Subdivision: Harbor-Rockwall Addition Lot: // Block: A

General Location: SW Corner IH 30 and Lakefront Trail

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

Current Zoning: PD # 32 Current Use: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Acreage: 1.064 Ac 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: Ablon AT Harbor Village LP  Applicant: \_\_\_\_\_

Contact Person: James Ziegler Contact Person: \_\_\_\_\_

Address: 8222 Douglas Ave Suite 390 Address: \_\_\_\_\_

City, State & Zip: Dallas, TX 75225 City, State & Zip: \_\_\_\_\_

Phone: 214 389 6195 Phone: \_\_\_\_\_

E-Mail: jziegler@pegasus@ablon.com E-Mail: \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared James Ziegler [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 13 day of November, 20 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 13<sup>th</sup> day of November, 20 20.

Owner's Signature

[Signature]

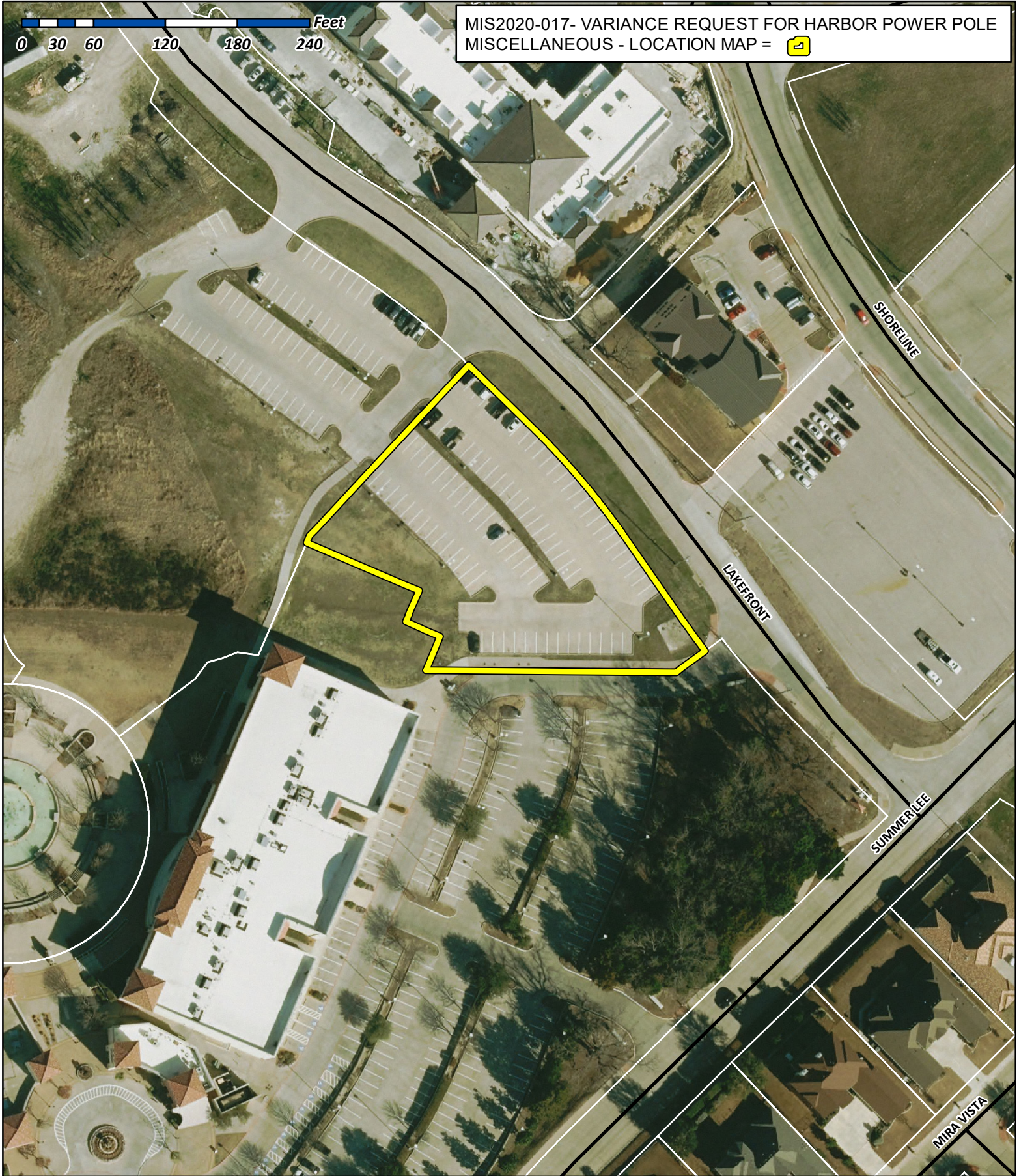
Notary Public in and for the State of Texas

[Signature]





MIS2020-017- VARIANCE REQUEST FOR HARBOR POWER POLE  
MISCELLANEOUS - LOCATION MAP =



# City of Rockwall

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

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## Miller, Ryan

---

**From:** Jim Ziegler <JZiegler@PegasusAblon.com>  
**Sent:** Friday, November 13, 2020 1:57 PM  
**To:** Miller, Ryan  
**Subject:** Harbor Power Pole  
**Attachments:** Rockwall Variance.pdf

Ryan,

Attached is the Zoning Application for the variance needed so that we can set a pole to supply power the retail parking garage we currently have under construction at The Harbor.

As we discussed this variance is necessary due to the fact that site conditions do not allow for a transformer to be set next to the structure where the power currently enters the property. There exists two side by side 48" RCBs that cut across the property and there is not enough room between them and the Lakefront Trail right of way to allow for a ground mounted transformer. The new pole will be added in line next to an existing pole. Power will drop down from the new pole and run under ground to the new parking structure.

Please let me know if everything is in order with the attached application.

Thanks

Jim

Jim Ziegler

Managing Director of Retail Investments

//



**PegasusAblon** [pegasusablon.com](http://pegasusablon.com)

P (214) 389-6195 // F (214) 871-2799 // M (214) 384-8389

O 8222 Douglas Avenue, Suite 390 Dallas, TX 75225

//



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RIM 471.67  
FL 449.55

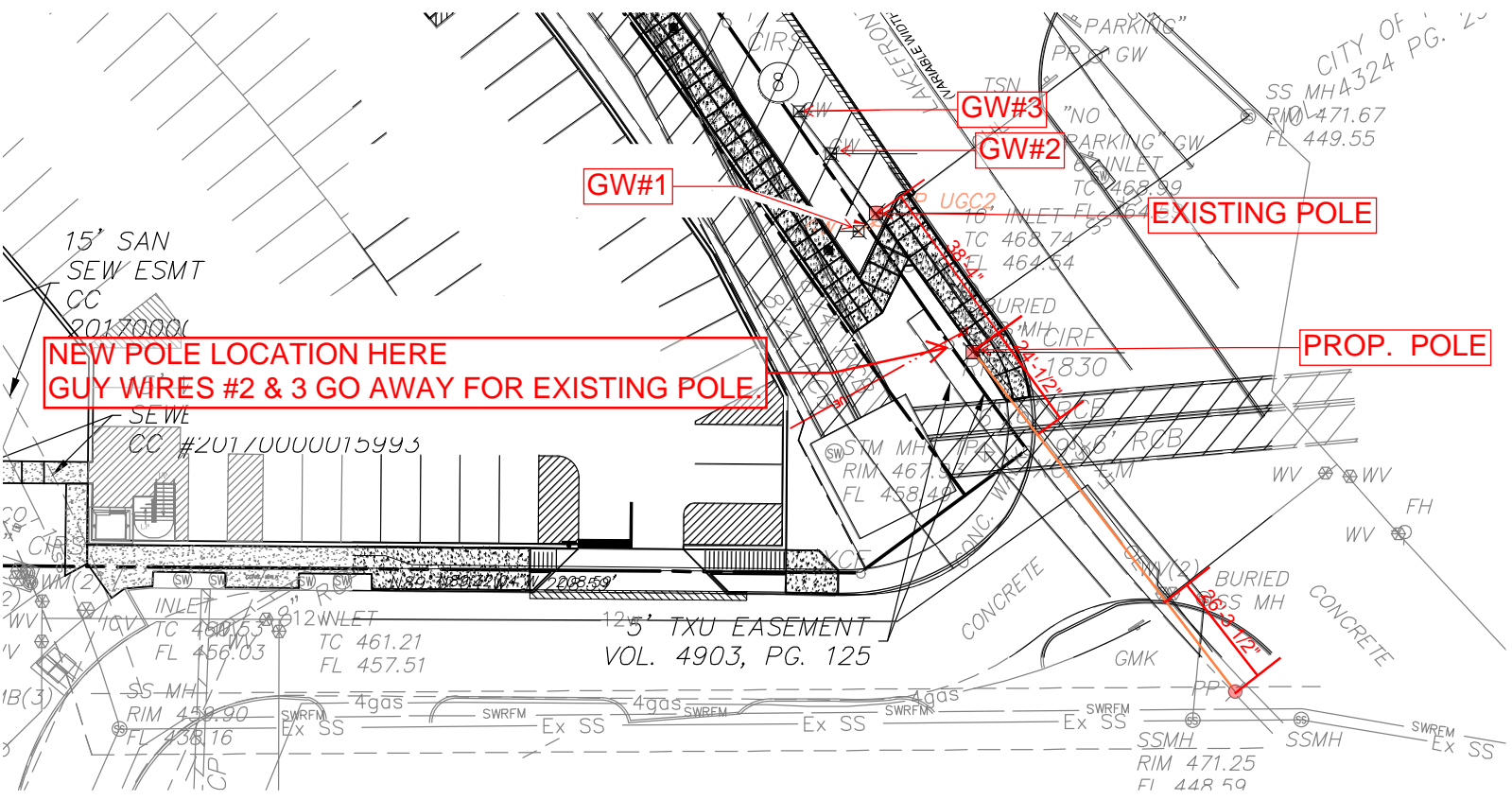
GW#3  
GW#2

GW#1

EXISTING POLE

PROP. POLE

NEW POLE LOCATION HERE  
GUY WIRES #2 & 3 GO AWAY FOR EXISTING POLE









## Miller, Ryan

---

**From:** Collins, Bryan <Bryan.Collins@oncor.com>  
**Sent:** Tuesday, October 27, 2020 4:45 PM  
**To:** Miller, Ryan  
**Cc:** Tayem, Cindy  
**Subject:** Harbor Village Pole location in Proposed parking spots  
**Attachments:** Harbor Village Parking Garage.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ryan,

Good afternoon, Thank You for your time meeting with Cindy and I. Per our discussion on Monday, I have researched every option in getting this project completed within the City's Ordinance. In this case I am unable to remove the pole located at the parking space due to the location of the down guys that are holding the pole line going across the street. If this pole is to be relocated to the other side of the sidewalk the down guys on both sides would change angles and would conflict with the sidewalk and the Storm water inlet, if I changed to a concrete pole and removed the down guys there is not sufficient space for a deadend concrete pole being 3ft in diameter. If the existing pole could stay in place losing one parking space and installing one pole in lead to the south of the inlet would enable us to place to down guys on the new pole and removing the guys from the existing pole only losing one parking space and would allow Oncor able to back up the existing pole going south. This pole line going south along Lakefront Trail is a feeder which is heavy wire requiring the line to be guyed at both ends. I have attached a drawing to indicate this.

I have looked at all options and this is they only one that I see that works for all. Because facilities at this corner Storm Manhole, easements, RCB Pipe and side walk there is no location to place electrical facilities Underground. If I place the facilities across the street then the pole line will need to be extended to house the new transformer and the existing transformer that is serving AT&T. All of our UG facilities require easements and sufficient property to place equipment to place all of these facilities underground, on site there is no location to place these facilities or easements, if placed offsite, because of the voltage drop to serve the elevator would be beyond the allowable voltage drop.

Please contact me if with question or concerns.

Thank You Sir, Bryan

Bryan Collins  
Regional Designer  
Oncor | PMDS  
1545 High Point Dr  
Mesquite TX 75149  
[bryan.collins@oncor.com](mailto:bryan.collins@oncor.com)  
C: 214 232 2239  
O: 972 216 8989  
Oncor.com

My Supervisor: Michael Seiler  
Cell: 214 930 9289 Email: [Michael.seiler@oncor.com](mailto:Michael.seiler@oncor.com)

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**CITY OF ROCKWALL**  
CITY COUNCIL 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

**CC:** Rick Crowley, *City Manager*  
Mary Smith, *Assistant City Manager*  
Joey Boyd, *Assistant City Manager*

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

**DATE:** December 7, 2020

**SUBJECT:** MIS2020-017; *Variance Request for 2800 Lakefront Trail*

---

On January 15, 2019, the Planning and Zoning Commission approved a site plan [Case No. SP2018-043] for a 375-unit condominium building at 2600 Lakefront Trail. In conjunction with this request and approval, the applicant also proposed the construction of a public parking garage at 2800 Lakefront Trail. Since this approval, the applicant has received approval of the civil engineering plans [Case No. E2020-002], a final plat [Case No. P2020-011], and building permits [Case No.'s BLD2020-0564 & COM2020-1515] for the 375-unit condominium building and the public parking garage. Both of these projects are currently under construction.

Extending along Lakefront Trail, from IH-30 toward Summer Lee Drive, there are existing overhead powerlines situated within the right-of-way. These powerlines are located on the eastside of the right-of-way of Lakefront Trail, cross Lakefront Trail behind 2850 Shoreline Trail, continue to run toward Summer Lee Drive on the westside of the right-of-way of Lakefront Trail, and terminate approximately 120-feet from the intersection of Lakefront Trail and Summer Lee Drive. The termination point is located in front of the surface parking areas for the *Harbor Retail Shopping Center*, approximately in front of the *Cinemark 14 Rockwall and XD* building. Recently, the applicant approached staff with an issue concerning the ability to underground the overhead electrical lines on the parcel where the parking garage is currently being constructed. Specifically, there are two (2) reinforced concrete boxes running parallel to each other that are located underground, adjacent to the existing electrical pole that supports the lines that cross Lakefront Trail, at the southeast corner of the property. According to applicant, the location of the existing concrete boxes does not provide sufficient space to underground the existing overhead electrical lines. According to Section 03.03, *Utility Distribution Lines*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), "(a)ll utility distribution lines shall be placed underground. Utility distribution lines placed above-ground shall require special approval of the City Council based upon a recommendation from the Planning and Zoning Commission." This requirement is also stipulated by the IH-30 Overlay (IH-30 OV) District requirements [Subsection 06.02, *General Overlay District Standards*, by Article 05, *District Development Standards*, of the UDC] and in Section 38-15 of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances. Both of which are requirements for the subject property.

Staff did work with the applicant to try and identify solutions to correct this problem before choosing to bring this forward to the Planning and Zoning Commission and City Council. These solutions included multiple different attempts to reroute the undergrounding of the overhead lines and the incorporation of decorative poles (*i.e. steel or concrete*) as opposed to the creosote poles that currently exist; however, after meeting with representatives from Oncor and listening to the hurdles, costs and timelines they associated with these solutions it was determined that the best course of action may be to bring this request forward for a variance to the undergrounding requirements (*see email from Oncor in the attached packet*). Staff should note, that the location of the existing pole would necessitate a loss of four (4) public parking spaces from the approved plan. Since the public parking spaces along Lakefront Trail were required by Planned Development District 32 (PD-32) and Ordinance No. 19-21 [*i.e. the PD Development Plan for the site*], staff and the applicant determined that an alternative plan proposing to add an additional pole -- *southeast of the existing pole* -- to reduce the loss of public parking down to a single space would be more preferable. Under this plan the additional pole would allow for two (2) of the guywires to be removed, which allows the three (3) public parking spaces to be added back to the plan; however, this option and the approval of this request are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission. As compensatory measures for the requested variance the applicant has agreed to [1] relocate the lost public parking space to another location in the development and [2] provide enhanced landscaping in the areas where the existing

and proposed poles are/will be situated. Attached to this packet is the updated *Landscape Plan* provided by the applicant, and a requirement for the applicant to provide an updated site plan showing the relocation of the affected parking space has been added as a condition of approval below.

If the City Council chooses to approve the applicant's request, staff would propose the following condition of approval:

- (1) The applicant shall provide an updated site plan showing the proposed location of the relocated parking space. This site plan will require administrative approval by the Director of Planning and Zoning.

On November 24, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request by a vote of 4-0, with Commissioners Chodun, Thomas and Deckard absent. Should the City Council have any questions concerning this request, staff and the applicant will be available at the December 7, 2020 meeting.



# 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)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
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- Plat Reinstatement Request (\$100.00)

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- Tree Removal (\$75.00)
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### Notes:

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## PROPERTY INFORMATION [PLEASE PRINT]

Address: 2600 Lakefront Trail

Subdivision: Harbor-Rockwall Addition Lot: // Block: A

General Location: SW Corner IH 30 and Lakefront Trail

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Proposed Zoning: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

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Owner: Ablon AT Harbor Village LP  Applicant: \_\_\_\_\_

Contact Person: James Ziegler Contact Person: \_\_\_\_\_

Address: 8222 Douglas Ave Address: \_\_\_\_\_  
Suite 390

City, State & Zip: Dallas, TX 75225 City, State & Zip: \_\_\_\_\_

Phone: 214 389 6195 Phone: \_\_\_\_\_

E-Mail: jziegler@pegasus@ablon.com E-Mail: \_\_\_\_\_

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared James Ziegler [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 13 day of November, 20 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 13<sup>th</sup> day of November, 20 20.

Owner's Signature

[Signature]

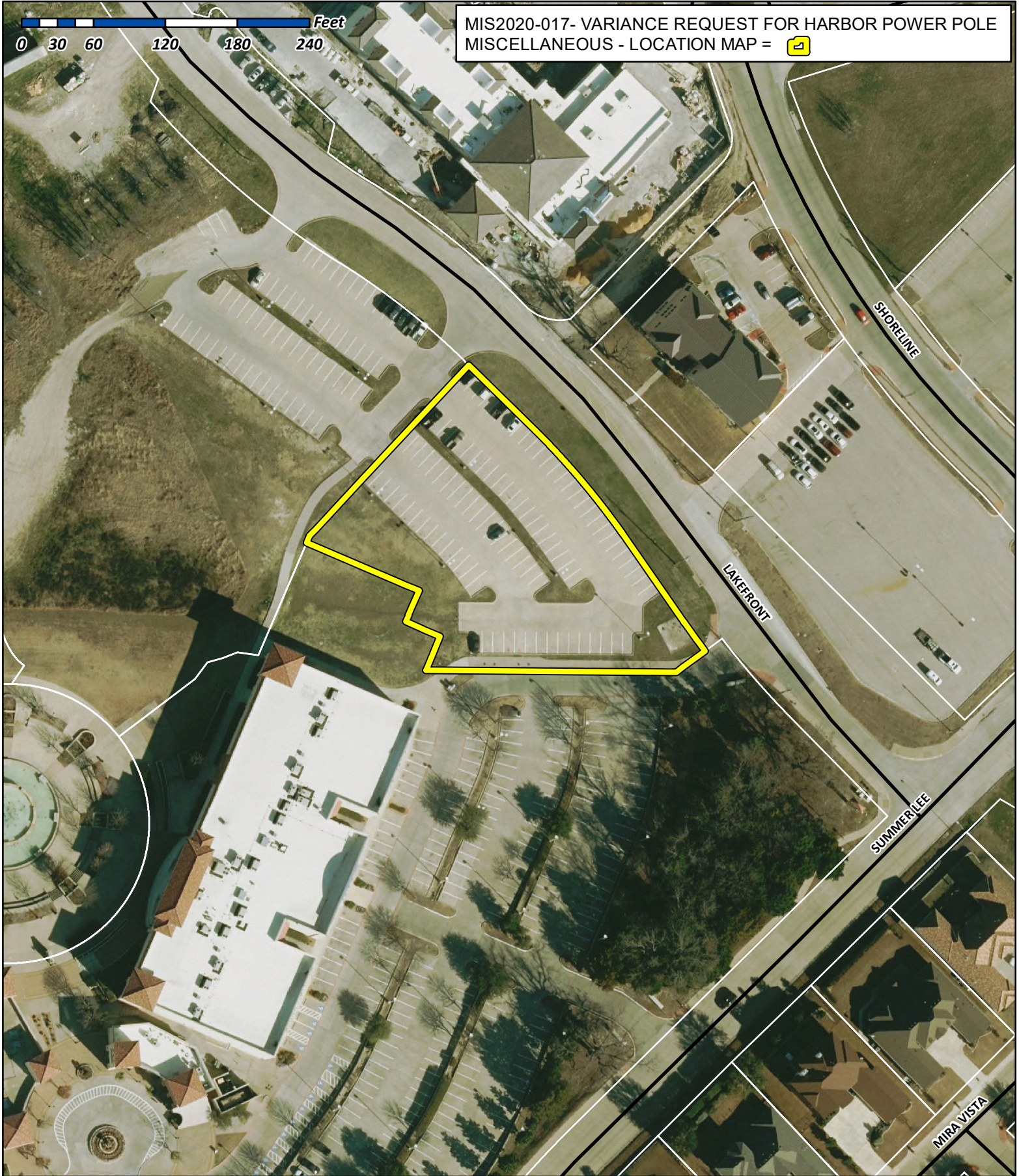
Notary Public in and for the State of Texas

[Signature]





MIS2020-017- VARIANCE REQUEST FOR HARBOR POWER POLE  
MISCELLANEOUS - LOCATION MAP =



# City of Rockwall

Planning & Zoning Department  
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## Miller, Ryan

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**To:** Miller, Ryan  
**Subject:** Harbor Power Pole  
**Attachments:** Rockwall Variance.pdf

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Jim

Jim Ziegler

Managing Director of Retail Investments

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O 8222 Douglas Avenue, Suite 390 Dallas, TX 75225

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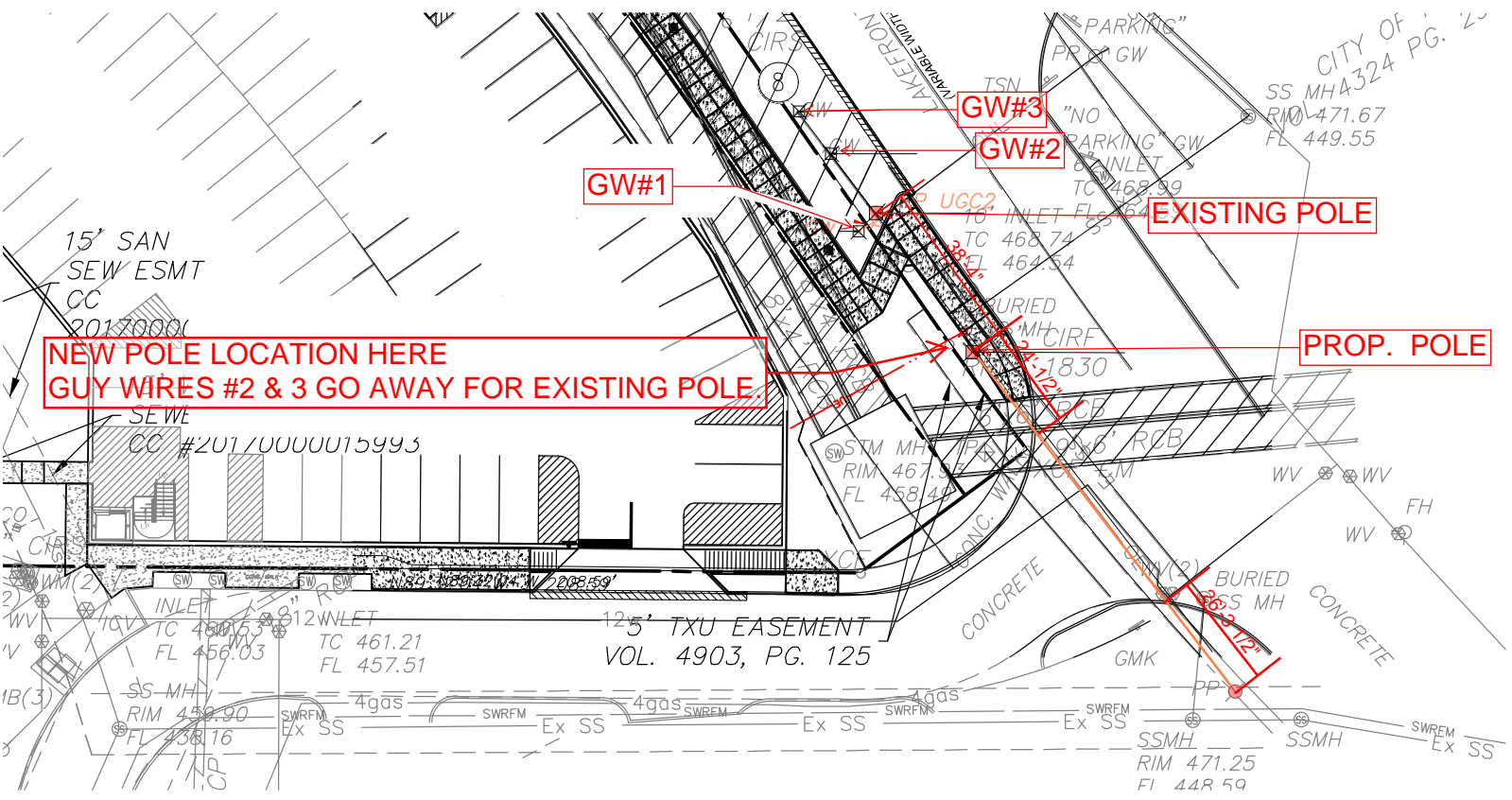
GW#3  
GW#2

GW#1

EXISTING POLE

PROP. POLE

NEW POLE LOCATION HERE  
GUY WIRES #2 & 3 GO AWAY FOR EXISTING POLE







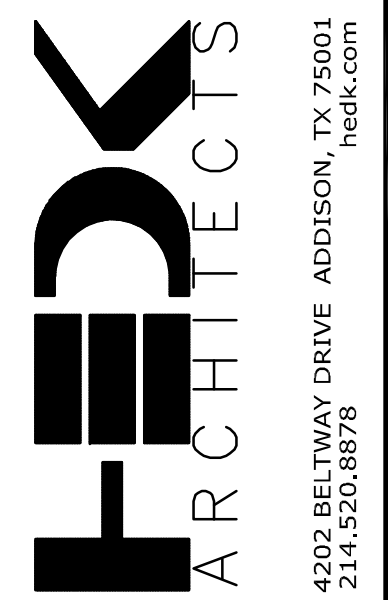


REVISIONS

1	Permit Submittal	04-21-2020
2	Power Pole	11-18-2020

HARBOR VILLAGE  
OVERFLOW PARKING GARAGE  
DWELLING UNITS IN ROCKWALL, TEXAS FOR  
PEGASUS ABLON  
2600 LAKEFRONT TRAIL

CONSTRUCTION SET  
ISSUED ON 05-29-2020



DATE

12-17-19

PROJECT

17126

SHEET NUMBER

L2.01

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PLANT LIST:

TREES	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
	19	Bald Cypress	Taxodium distichum	4" cal.	container grown, 15' ht., 5' spread min.
	20	Live Oak	Quercus virginiana	4" cal.	container grown, 15' ht., 5' spread min.

SHRUBS	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
	25	Nellie R. Stevens Holly	Ilex sp. 'Nellie R. Stevens'	8' ht.	container, full plant, 5' o.c.
	121	Nellie R. Stevens Holly	Ilex sp. 'Nellie R. Stevens'	36" ht.	container, full plant, 36" o.c.
	54	Gulf Muhly	Muhlenbergia capillaris	3 gal.	container, full top of container, 36" o.c.

GROUNDCOVERS	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
	180	Berkeley Sedge	Carex divulsa	4" pots	container, full top of container, 12" o.c.
	512	Mexican Feathergrass	Nassella tenuissima	1 gal.	container, full top of container, 12" o.c.
	1559	Wintercreeper	Euonymus fortunei coloratus	4" pots	container, (3) 12" runners min. 12" o.c.
		Common Bermudagrass	Cynodon dactylon	roll sod	solid sod, refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

SOLID SOD NOTES

1. Fine grade areas to achieve final contours indicated. Leave areas to receive topsoil 3" below final desired grade in planting areas and 1" below final grade in turf areas.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Contractor to coordinate with on-site Construction Manager for availability of existing topsoil.
5. Plant sod by hand to cover indicated area completely. Insure edges of sod are touching. Top dress joints by hand with topsoil to fill voids.
6. Roll grass areas to achieve a smooth, even surface, free from unnatural undulations.
7. Water sod thoroughly as sod operation progresses.
8. Contractor shall maintain all lawn areas until final acceptance. This shall include, but not limited to: mowing, watering, weeding, cultivating, cleaning and replacing dead or bare areas to keep plants in a vigorous, healthy condition.
9. Contractor shall guarantee establishment of an acceptable turf area and shall provide replacement from local supply if necessary.
10. If installation occurs between September 1 and March 1, all sod areas to be over-seeded with Winter Ryegrass, at a rate of (4) pounds per one thousand (1000) square feet.

LAWN REPAIR NOTES: IF NEEDED FOR ANY OFF-SITE REPAIRS

1. All lawn areas damaged during construction to be repaired with solid sod and raked free of debris.
2. Adjust damaged areas to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All areas to be repaired must be planted by hand to cover area completely. Insure edges of sod are touching. Top dress joints by hand with compost to fill voids.
4. Roll repaired areas to achieve a smooth, even surface, free from unnatural undulations.

IRRIGATION REPAIR SPECIFICATIONS: IF NEEDED FOR ANY OFF-SITE REPAIRS

1. Contractor shall perform site visit prior to bidding and construction, to review extent of existing irrigation system.
2. Contractor shall be responsible for verifying conditions of existing irrigation system. Contractor shall be responsible for maintaining the integrity of existing irrigation where possible, and if not, repair as needed, including but not limited to irrigation controller, meter, sieving, etc.

LANDSCAPE NOTES

1. Contractor shall verify all existing and proposed site elements and notify Architect of any discrepancies. Survey data of existing conditions was supplied by others.
2. Contractor shall locate all existing underground utilities and notify Architect of any conflicts. Contractor shall exercise caution when working in the vicinity of underground utilities.
3. Contractor is responsible for obtaining all required landscape and irrigation permits.
4. Contractor to provide a minimum 2% slope away from all structures.
5. All planting beds and lawn areas to be separated by steel edging. No steel to be installed adjacent to sidewalks or curbs.
6. All landscape areas to be 100% irrigated with an underground automatic irrigation system and shall include rain and freeze sensors.
7. All lawn areas to be Solid Sod Bermudagrass, unless otherwise noted on the drawings.

GENERAL LAWN NOTES

1. Fine grade areas to achieve final contours indicated on civil plans.
2. Adjust contours to achieve positive drainage away from buildings. Provide uniform rounding at top and bottom of slopes and other breaks in grade. Correct irregularities and areas where water may stand.
3. All lawn areas to receive solid sod shall be left in a maximum of 1" below final finish grade. Contractor to coordinate operations with on-site Construction Manager.
4. Imported topsoil shall be natural, friable soil from the region, known as bottom and soil, free from lumps, clay, toxic substances, roots, debris, vegetation, stones, containing no salt and black to brown in color.
5. All lawn areas to be fine graded, irrigation trenches completely settled, and finish grade approved by the Owner's Construction Manager or Architect prior to installation.
6. All rocks 3/4" diameter and larger, dirt clods, sticks, concrete spoils, etc. shall be removed prior to placing topsoil and any lawn installation.
7. Contractor shall provide (1") one inch of imported topsoil on all areas to receive lawn.

LANDSCAPE TABULATIONS: PD-32

SITE REQUIREMENTS (site area 270,065 s.f.)  
Requirements: 15% site area to be landscaped

Required	Provided
40,059 s.f. (15%)	55,414 s.f. (20.5%)

STREET REQUIREMENTS:

Requirements: (2) canopy trees and (4) accent trees per 100 l.f. of IH 30 Frontage

IH 30 FRONTAGE ROAD (411.30 l.f. / IH 30 OVERLAY)

Required	Provided
(8) canopy trees, 4" cal.	(8) canopy trees, 4" cal.
(32) accent trees, 4" ht.	(32) accent trees, 8' ht. / 10' ht.

Requirements: (1) canopy tree, Live Oak; per 30 l.f. in 4' x 8' leave-out of frontage: PD 32

LAKE FRONT TRAIL (707.73 l.f.)

Required	Provided
(24) canopy trees	(24) canopy trees

PARKING LOT: N/A TWO STORY PARKING GARAGE

ALL TREES TO BE LOCATED 5' FROM WATER, SEWER AND STORM SEWER LINES

ALL TREES AND SHRUBS TO BE SETBACK 4' FROM ALL HEAD-IN PARKING

IRRIGATION WILL BE PROVIDED AND MEET UDC REQUIREMENTS

OVERFLOW PARKING LOT: 180 SPACES:

Required: (1) tree, 3" cal. 65 gallon per (8) spaces

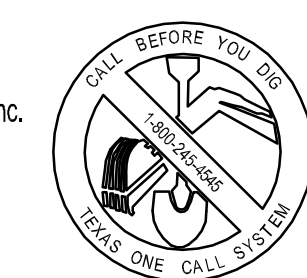
REQUIRED (23) trees, 3" cal. 65 gallon

PROVIDED: (25) trees, 3" cal. 65 gallon INDICATED ON-SITE WITH

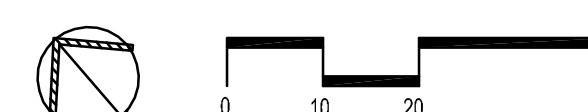
GRAPHIC PLANT LEGEND

- BALD CYPRESS
- LIVE OAK
- NELLIE R. STEVENS HOLLY, 8' ht.
- NELLIE R. STEVENS HOLLY
- GULF MUHLY
- MEXICAN FEATHER GRASS
- BERKELEY SEDGE
- WINTERCREEPER
- LAWN, SOLID SOD

smr  
landscape architects, inc.  
1708 N. Griffin Street  
Dallas, Texas 75202  
Tel 214.871.0363  
Fax 214.871.0545  
Email smr@smr-ls.com



01 LANDSCAPE PLAN  
SCALE: 1" = 20'-0"



CASE NO. SP2018-043

## Miller, Ryan

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**From:** Collins, Bryan <Bryan.Collins@oncor.com>  
**Sent:** Tuesday, October 27, 2020 4:45 PM  
**To:** Miller, Ryan  
**Cc:** Tayem, Cindy  
**Subject:** Harbor Village Pole location in Proposed parking spots  
**Attachments:** Harbor Village Parking Garage.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ryan,

Good afternoon, Thank You for your time meeting with Cindy and I. Per our discussion on Monday, I have researched every option in getting this project completed within the City's Ordinance. In this case I am unable to remove the pole located at the parking space due to the location of the down guys that are holding the pole line going across the street. If this pole is to be relocated to the other side of the sidewalk the down guys on both sides would change angles and would conflict with the sidewalk and the Storm water inlet, if I changed to a concrete pole and removed the down guys there is not sufficient space for a deadend concrete pole being 3ft in diameter. If the existing pole could stay in place losing one parking space and installing one pole in lead to the south of the inlet would enable us to place to down guys on the new pole and removing the guys from the existing pole only losing one parking space and would allow Oncor able to back up the existing pole going south. This pole line going south along Lakefront Trail is a feeder which is heavy wire requiring the line to be guyed at both ends. I have attached a drawing to indicate this.

I have looked at all options and this is they only one that I see that works for all. Because facilities at this corner Storm Manhole, easements, RCB Pipe and side walk there is no location to place electrical facilities Underground. If I place the facilities across the street then the pole line will need to be extended to house the new transformer and the existing transformer that is serving AT&T. All of our UG facilities require easements and sufficient property to place equipment to place all of these facilities underground, on site there is no location to place these facilities or easements, if placed offsite, because of the voltage drop to serve the elevator would be beyond the allowable voltage drop.

Please contact me if with question or concerns.

Thank You Sir, Bryan

Bryan Collins  
Regional Designer  
Oncor | PMDS  
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Mesquite TX 75149  
[bryan.collins@oncor.com](mailto:bryan.collins@oncor.com)  
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My Supervisor: Michael Seiler  
Cell: 214 930 9289 Email: [Michael.seiler@oncor.com](mailto:Michael.seiler@oncor.com)

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December 9, 2020

TO: James Ziegler  
Ablon at Harbor Village, LLP  
8222 Douglas Avenue, Suite 390  
Dallas, Texas 75225

FROM: Ryan Miller, AICP  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75087

SUBJECT: MIS2020-017; Variance Request for Harbor Power Pole

Mr. Ziegler:

This letter serves to notify you that the above referenced case, that you submitted for consideration by the City of Rockwall, was approved by the City Council on December 7, 2020. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

The applicant shall provide an updated site plan showing the proposed location of the relocated parking space. This site plan will require administrative approval by the Director of Planning and Zoning.

Planning and Zoning Commission

On November 24, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the variance by a vote of 4-0, with Commissioners Chodun, Thomas, and Deckard absent.

City Council

On December 7, 2020, the City Council approved the variance request by a vote of 6-0, with Council Member Campbell absent.

Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,

A handwritten signature in black ink, appearing to read 'R Miller'.

Ryan Miller, AICP  
Director of Planning and Zoning