



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # Z2021-012 P&Z DATE 05/11/21 CC DATE 05/17/21 APPROVED/DENIED

ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

ZONING APPLICATION
<input checked="" 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 checked="" type="checkbox"/> HOA MAP
<input checked="" 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 # _____
NOTES: _____
_____
_____
_____
_____
ZONING MAP UPDATED _____



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-012

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>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

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- SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
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- 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 2740 Hwy 276

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION

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

CURRENT ZONING LI

CURRENT USE OFFICE

PROPOSED ZONING SUP

PROPOSED USE RETAIL - CIGARS

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB2167 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 LYN STAR LLC

APPLICANT

CONTACT PERSON GERALD HOUSER

CONTACT PERSON AHMAD MAKTARI

ADDRESS P.O. Box 847

ADDRESS 319 - Chamley Rd  
GARLAND TX 75044

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP 75044

PHONE 214-789-1890

PHONE 469-222-6782

E-MAIL ghouser@cgh-engineering.com

E-MAIL AHMADMAKTARI18@GMAIL.COM

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Gerald Houser (OWNER) THE UNDERSIGNED WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

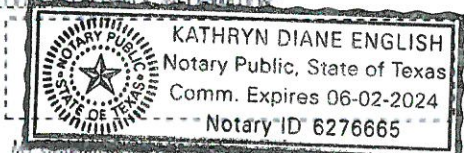
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY 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 CONNECTION 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 16<sup>th</sup> DAY OF APRIL, 2021

OWNER'S SIGNATURE

Gerald Houser

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



# Cigars store

To whom it may concern i m willing to lease the space 20740 state why 276 unite 400 Rockwall as smoke shop with cigar/and tobacco product and tobacco accessories, and there will be no smoking inside the building.

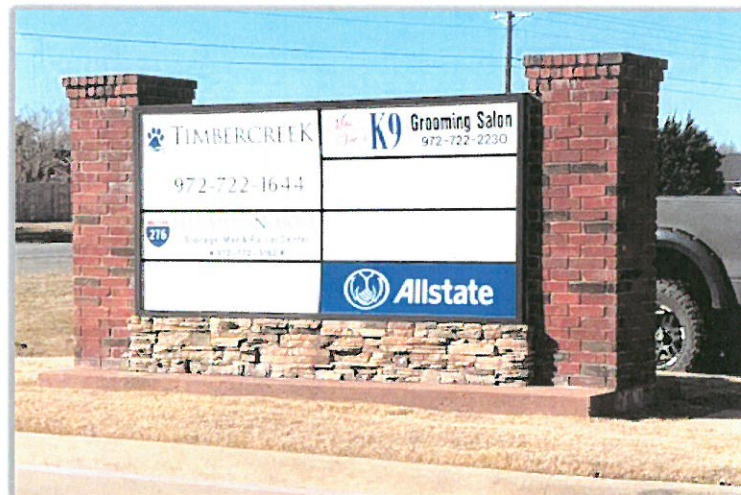
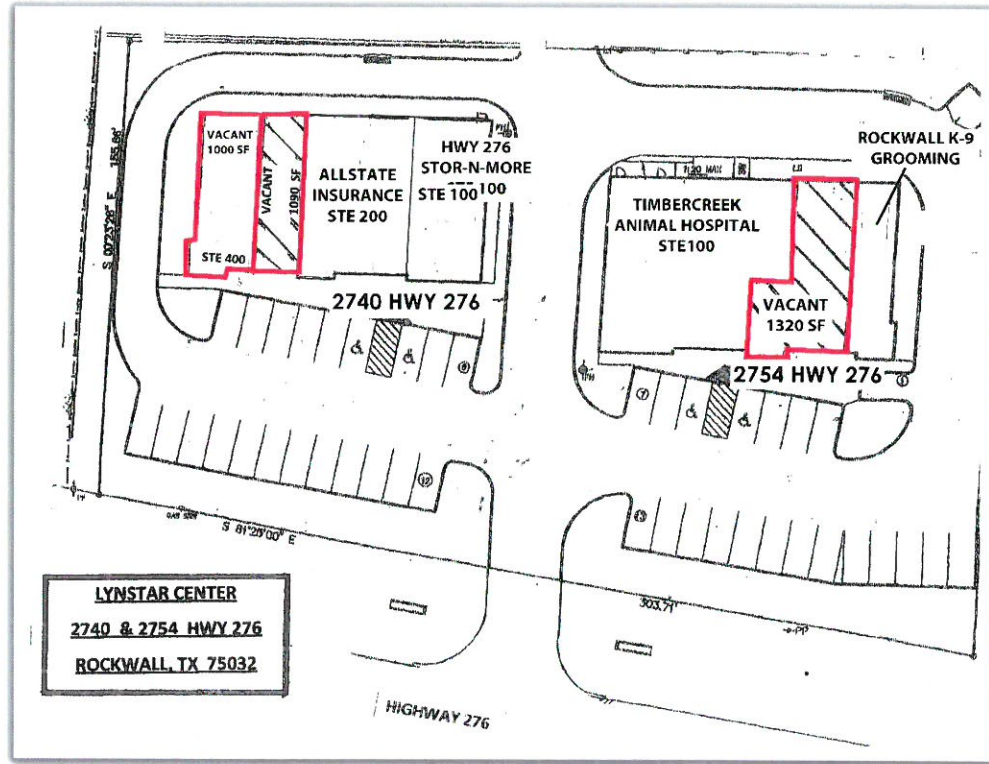
Ahmad Maktabi

# RIDGE POINTE commercial real estate

FOR LEASE

2740 & 2754 Hwy 276, Rockwall, TX 75032

## SITE PLAN



for more information, please contact David English or Grant English · 972-961-8532 (o)  
214-676-6424 (c) · [denglish@ridgepcr.com](mailto:denglish@ridgepcr.com) · 214-577-8627 · [genglish@ridgepcr.com](mailto:genglish@ridgepcr.com)  
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2754 HWY 276 – 6,000 SF BLDG

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2754 HWY 276  
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RATE: CALL BROKER

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CURRENT TENANTS: STOR-N-MORE, ALLSTATE,  
TIMBERCREEK ANIMAL HOSPITAL, K-9 SALON

TRAFFIC COUNTS: HWY 276: 19,416 VPD  
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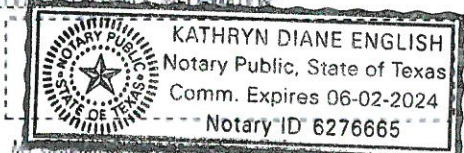
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Gerald Houser

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





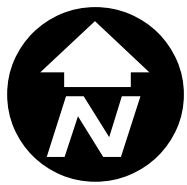
Z2021-012- SUP FOR A GENERAL RETAIL STORE  
ZONING - LOCATION MAP = 



# 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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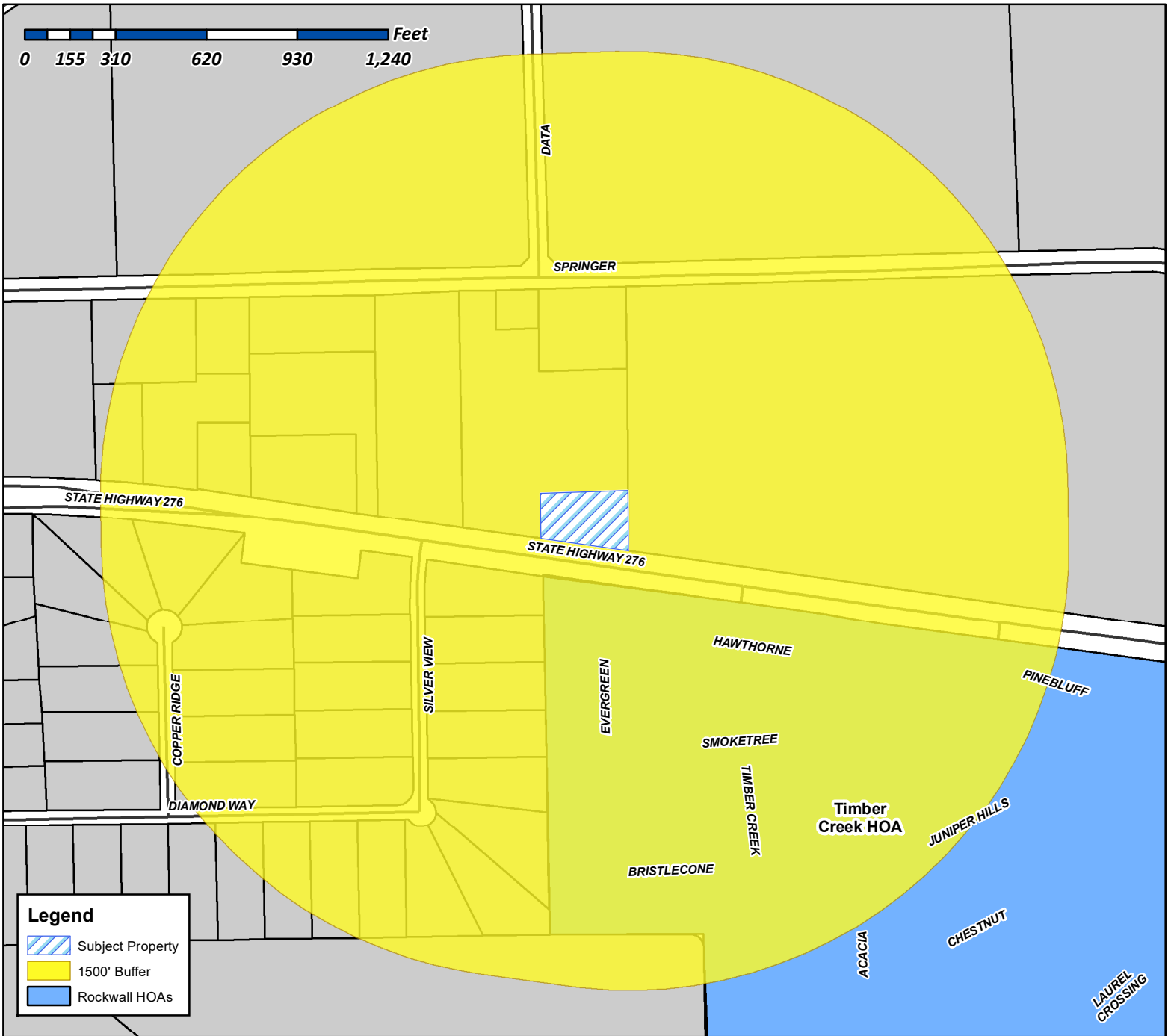




# City of Rockwall

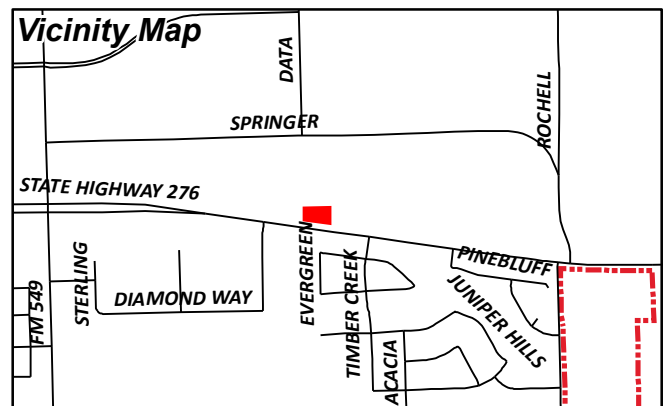
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**Case Number:** Z2021-012  
**Case Name:** SUP for A General Retail Store  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2740 SH-276

**Date Created:** 4/19/2021  
 For Questions on this Case Call (972) 771-7745



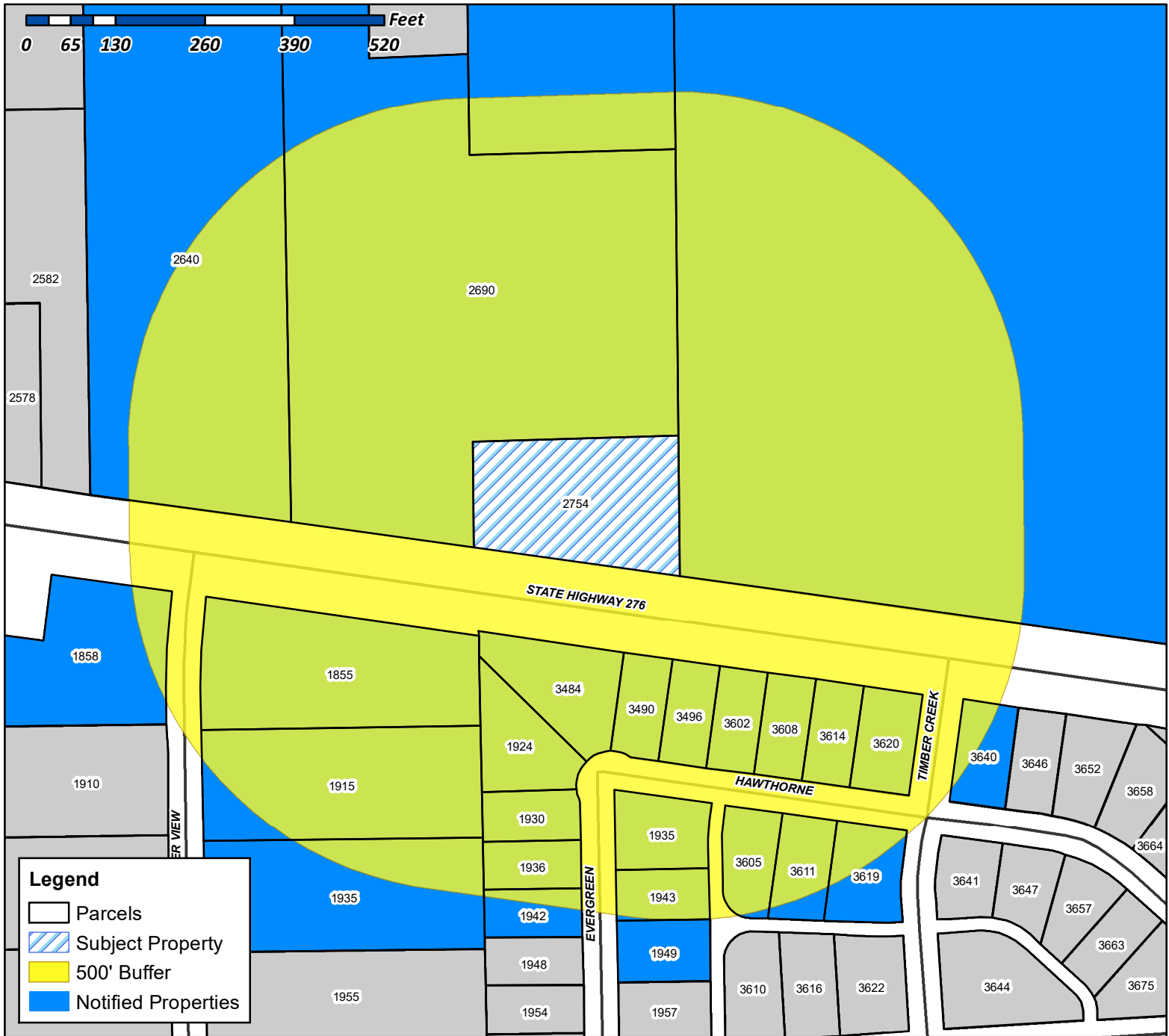
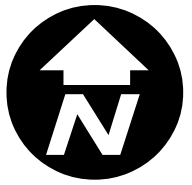




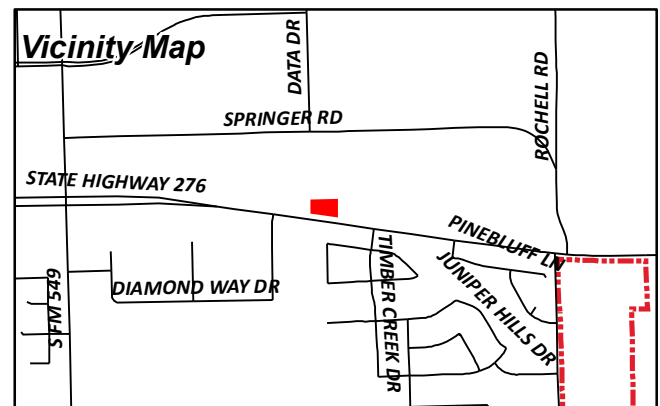
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# Cigars store

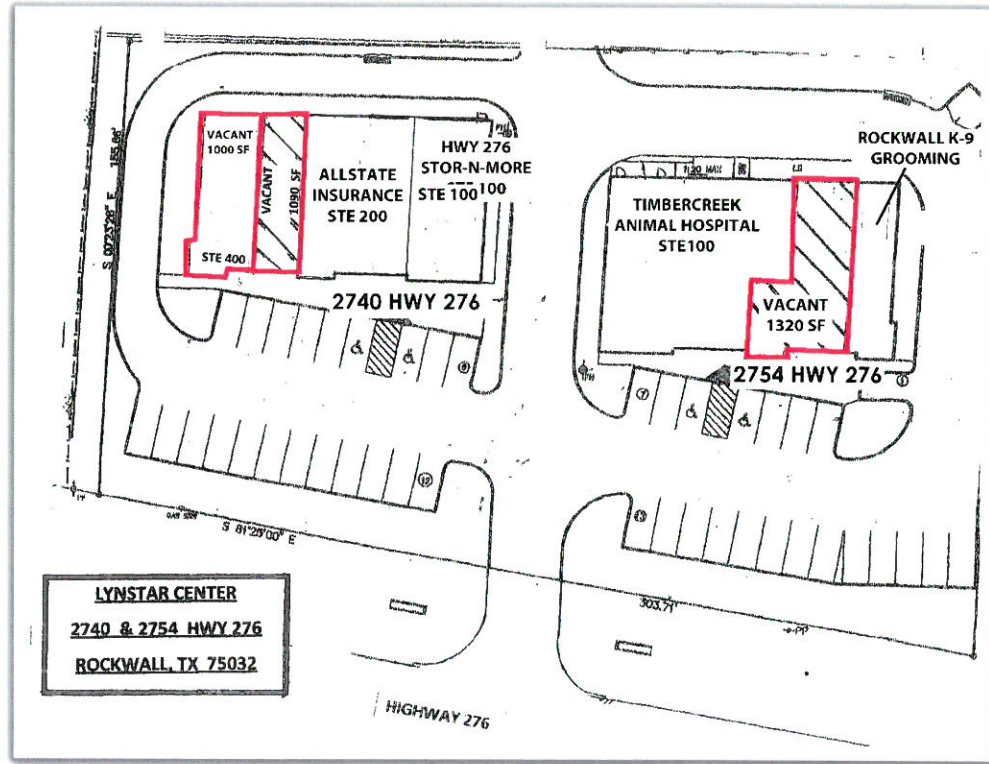
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Ahmad Maktabi

FOR LEASE

2740 & 2754 Hwy 276, Rockwall, TX 75032

SITE PLAN



for more information, please contact David English or Grant English · 972-961-8532 (o)  
 214-676-6424 (c) · denglish@ridgepcr.com · 214-577-8627 · genglish@ridgepcr.com  
 ridgepcr.com

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FOR LEASE

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# PROJECT COMMENTS



CITY OF ROCKWALL  
385 S. GOLIAD STREET  
ROCKWALL, TEXAS 75087  
PHONE: (972) 771-7700

DATE: 4/23/2021

PROJECT NUMBER: Z2021-012  
PROJECT NAME: SUP for Cigar Shop at 2740 Hwy 276  
SITE ADDRESS/LOCATIONS: 2740 STATE HIGHWAY 276, ROCKWALL, 75032

CASE MANAGER: Angelica Gamez  
CASE MANAGER PHONE: 972-772-6438  
CASE MANAGER EMAIL: [agamez@rockwall.com](mailto:agamez@rockwall.com)

CASE CAPTION: Hold a public hearing to discuss and consider a request by Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a Specific Use Permit (SUP) for a General Retail Store in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	David Gonzales	04/21/2021	Needs Review

04/21/2021: Z2021-012; Specific Use Permit for General Retail Store – 2740 SH-276  
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Specific Use Permit (SUP) for a General Retail Store in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276.

I.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email [dgonzales@rockwall.com](mailto:dgonzales@rockwall.com).

I.3 This project is subject to all requirements stipulated by the Unified Development Code (UDC), the standards established by the Specific Use Permit, and the Development Standards of Article 05 that are applicable to the subject property.

M.4 Please review and provide red-lined mark-ups of any changes to the Specific Use Permit (SUP) [i.e. Draft Ordinance] you feel may be necessary for your proposed project and return to staff no later than May 4, 2021 for review and consideration.

(A) Proposed operational conditions of the SUP Ordinance:

The following conditions pertain to the operation of a General Retail Store on the Subject Property and conformance to these conditions is required for continued operation:

- 1) The subject property shall generally conform to the zoning exhibit contained in Exhibit 'B' of this ordinance; and,
- 2) The sale of alcoholic beverages shall be prohibited.

I.5 Please note the scheduled meetings for this case:

- (1) Planning & Zoning work session meeting will be held on April 27, 2021.

(2) Planning & Zoning Public Hearing will be held on May 11, 2021.

(3) City Council Public Hearing will be held on May 17, 2021. [1st Reading of Ordinance]

(4) City Council regular meeting will be held on June 7, 2021. [1st Reading of Ordinance]

I.6 All meetings will be held in person in the City's Council Chambers and are scheduled to begin at 6:00 PM. The City requires that a representative(s) be present for all scheduled meetings.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	04/22/2021	Approved w/ Comments

04/22/2021: I - If food is available for sale or consumption inside this business, a oil/water separator will be required at the dumpster to drain into the storm system

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	04/22/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	04/21/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	04/19/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	David Gonzales	04/23/2021	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	04/19/2021	Approved

04/19/2021: No comments



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CITY ENGINEER:

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SUBDIVISION

LOT

BLOCK

GENERAL LOCATION

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

CURRENT ZONING LI

CURRENT USE OFFICE

PROPOSED ZONING SUP

PROPOSED USE RETAIL - CIGARS

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

**SITE PLANS AND PLATS:** BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB2167 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 LYN STAR LLC

APPLICANT

CONTACT PERSON GERALD HOUSER

CONTACT PERSON AHMAD MAKTARI

ADDRESS P.O. Box 847

ADDRESS 319 - Chamley Rd  
GARLAND TX 75044

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP 75044

PHONE 214-789-1890

PHONE 469-222-6782

E-MAIL ghouser@cgh-engineering.com

E-MAIL AHMADMAKTARI18@GMAIL.COM

## NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Gerald Houser (OWNER) THE UNDERSIGNED WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

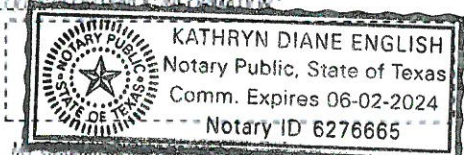
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY 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 CONNECTION 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 16<sup>th</sup> DAY OF APRIL, 2021


OWNER'S SIGNATURE

Gerald Houser

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



0 25 50 100 150 200 Feet

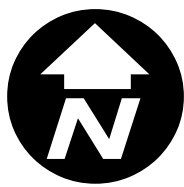
Z2021-012- SUP FOR A GENERAL RETAIL STORE  
ZONING - LOCATION MAP = 



## 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.



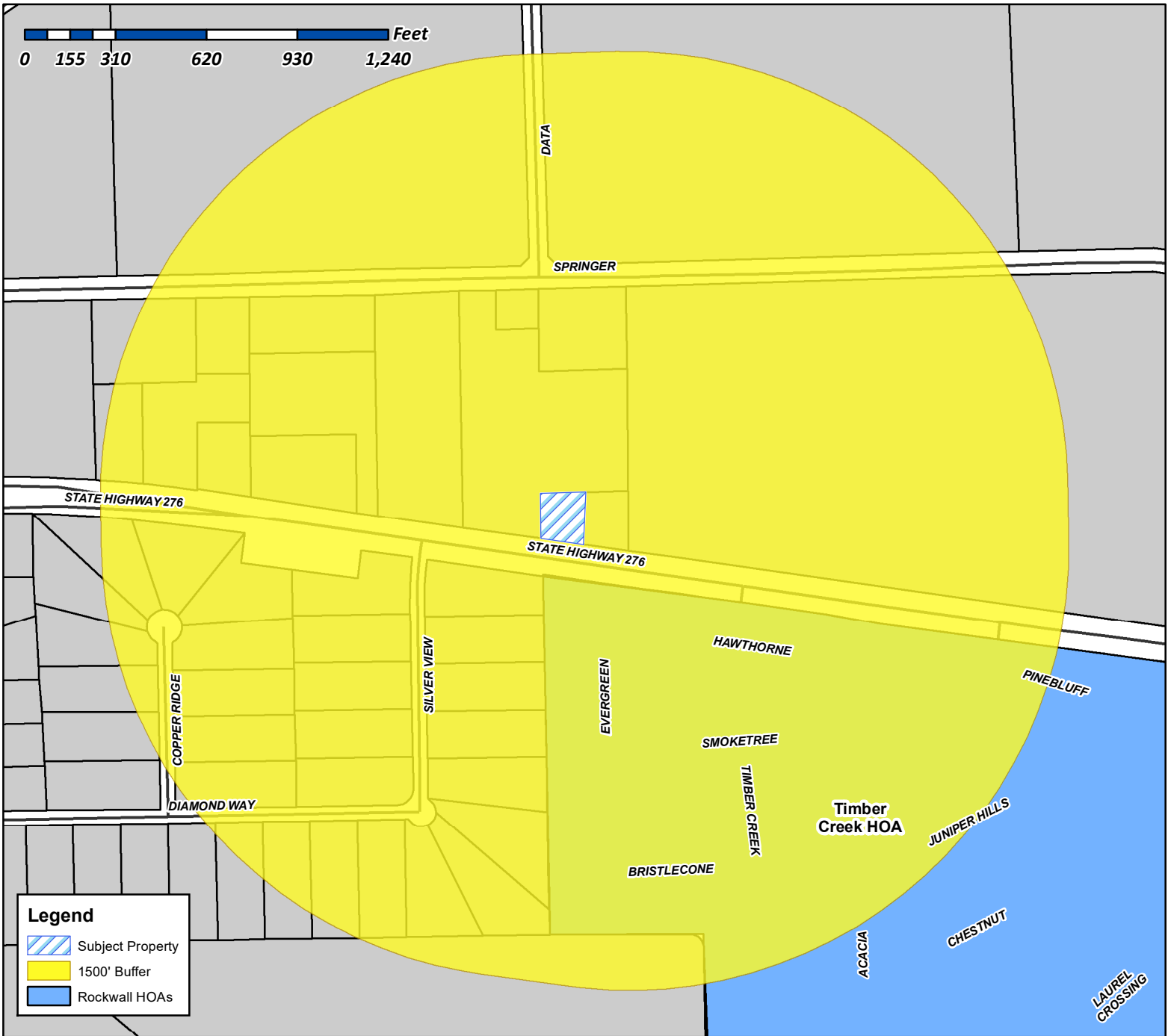
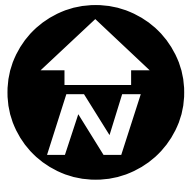




# City of Rockwall

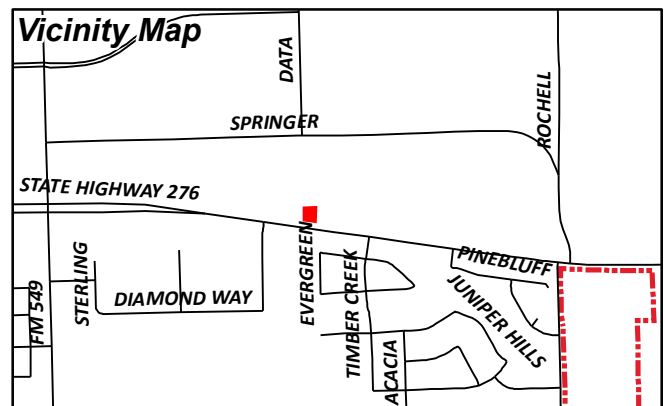
Planning & Zoning Department  
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**Case Number:** Z2021-012  
**Case Name:** SUP for A General Retail Store  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2740 SH-276

**Date Created:** 4/23/2021  
 For Questions on this Case Call (972) 771-7745





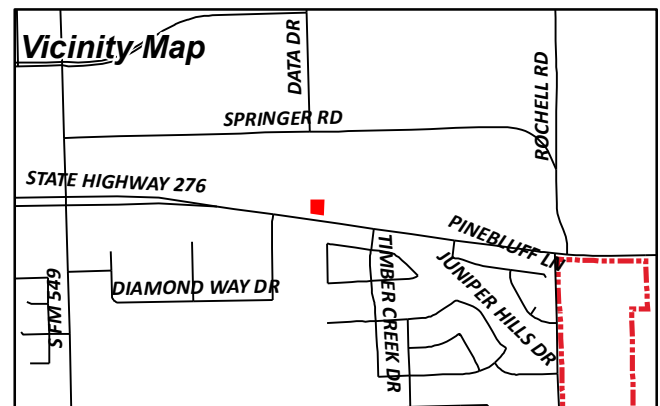
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**Case Address:** 2740 SH-276



**Date Created:** 4/23/2021

**For Questions on this Case Call (972) 771-7745**

HUDACK STEVE V AND AILEEN J  
1090 VINTAGE COURT  
VACAVILLE, CA 95688

ABLES NORRIS BRADLEY  
1855 SILVER VIEW LN  
ROCKWALL, TX 75032

RAMIREZ JUAN  
1858 SILVER VIEW LN  
ROCKWALL, TX 75032

BRYANT DAWN  
1915 SILVER VIEW LN  
ROCKWALL, TX 75032

BARENOS CYNTHIA  
1924 EVERGREEN DR  
ROCKWALL, TX 75032

PRADO JESSE E & CYNTHIA G  
1930 EVERGREEN DRIVE  
ROCKWALL, TX 75032

LOZANO OSCAR & DIANA  
1935 EVERGREEN DR  
ROCKWALL, TX 75032

QUINTON JAMES D  
1935 SILVER VIEW LN  
ROCKWALL, TX 75032

MOLINA RICHARD  
1936 EVERGREENDR  
ROCKWALL, TX 75032

SCHMIESING ALBERT W & BERTHA N  
1942 EVERGREEN DRIVE  
ROCKWALL, TX 75032

WELCH KEITH F & DEBORAH A  
1943 EVERGREEN DR  
ROCKWALL, TX 75032

MCBREEN GREGORY A & BELINDA  
1949 EVERGREEN DR  
ROCKWALL, TX 75032

SMITH MICHAEL W & STACY R  
2021 KINGS PASS  
HEATH, TX 75032

VALENZUELA MOISES BENEDICTO AND MARIA  
ANTONIETA  
2445 DORRINGTON DR  
DALLAS, TX 75228

ROCKWALL ECONOMIC DEVELOPMENT  
CORPORATION  
2610 OBSERVATION TRAIL SUITE 104  
ROCKWALL, TX 75032

LATTIMORE MATERIALS COMPANY LP  
2640 HWY276  
ROCKWALL, TX 75032

COLIN-G PROPERTIES INC  
2690 HWY276  
ROCKWALL, TX 75032

LYNSTAR LLC  
2754 HWY276  
ROCKWALL, TX 75032

VILLALPANDO URIEL AND DIANNE  
3414 BERMUDA DRIVE  
ROWLETT, TX 75088

SKIPPER JOSEPH AND  
STEPHANIE BREANNE SKIPPER  
3484 HAWTHORNE TRAIL  
ROCKWALL, TX 75032

HUDACK STEVE V AND AILEEN J  
3490 HAWTHORNETR  
ROCKWALL, TX 75032

URBINA MARIPAZ  
3496 HAWTHORNE TRL  
ROCKWALL, TX 75032

VILLALPANDO URIEL AND DIANNE  
3602 HAWTHORNETR  
ROCKWALL, TX 75032

ZHANG WEIGANG & SONGYAN WU  
3605 HAWTHORNETR  
ROCKWALL, TX 75032

VALENZUELA MOISES BENEDICTO AND MARIA  
ANTONIETA  
3608 HAWTHORNETR  
ROCKWALL, TX 75032

SEYBERT JACOB  
3611 HAWTHORNE TRAIL  
ROCKWALL, TX 75032

WHITE BRENT C &  
KIMBERLY ANN WORTELBOER WHITE  
3614 HAWTHORNE TRL  
ROCKWALL, TX 75032

BUCHANAN DANIEL L  
3619 HAWTHORNE TR  
ROCKWALL, TX 75032

LOPEZ YOLANDA MAYORGA & RAUL  
3620 HAWTHORNE TRL  
ROCKWALL, TX 75032

SMITH MICHAEL W & STACY R  
3640 HAWTHORNETR  
ROCKWALL, TX 75032

MOLINA RICHARD  
3694 HAWTHORNE TRAIL  
ROCKWALL, TX 75032

ZHANG WEIGANG & SONGYAN WU  
854 LILY AVE  
CUPERTINO, CA 95014

LATTIMORE MATERIALS COMPANY LP  
PO BOX 2469  
ADDISON, TX 75001

LYNSTAR LLC  
PO BOX 847  
ROCKWALL, TX 75087

COLIN-G PROPERTIES INC  
PO BOX 847  
ROCKWALL, TX 75087

S 00°23'28" E 185.86'

VACANT  
1000 SF

VACANT  
1090 SF

ALLSTATE  
INSURANCE  
STE 200

HWY 276  
STOR-N-MORE  
STE 100 100

STE 400

2740 HWY 276

TIMBERC  
ANIMAL HO  
STE 10

048.50'

S 81°25'00" E

303.71'

**LYNSTAR CENTER**

**2740 & 2754 HWY 276**

**ROCKWALL, TX 75032**

HIGHWAY 276



# Cigars store

To whom it may concern i m willing to lease the space 20740 state why 276 unite 400 Rockwall as smoke shop with cigar/and tobacco product and tobacco accessories, and there will be no smoking inside the building.

Ahmad Maktabi

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE* IN A LIGHT INDUSTRIAL (LI) DISTRICT ON A 1.243-ACRE PARCEL OF LAND, ZONED LIGHT INDUSTRIAL (LI) DISTRICT, IDENTIFIED AS LOT 3, BLOCK 1, HIGHWAY 276 SELF STORAGE 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 Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a Specific Use Permit (SUP) for a *General Retail Store* in a Light Industrial (LI) District on a 1.243-acre parcel of land being described as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, 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 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 *General Retail Store* in a Light Industrial (LI) District 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 05.01, *General Industrial District Standards*; Subsection 05.02, *Light Industrial (LI) District*; and Subsection 06.02, *General Overlay Districts Standards*, 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 the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *General Retail Store* in a Light Industrial (LI) District on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The *General Retail Store* shall be limited to the area depicted in *Exhibit 'B'* of this ordinance.

## 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 7<sup>TH</sup> DAY OF JUNE, 2021.**

---

Kevin Fowler, *Mayor*

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: May 17, 2021

2<sup>nd</sup> Reading: June 7, 2021

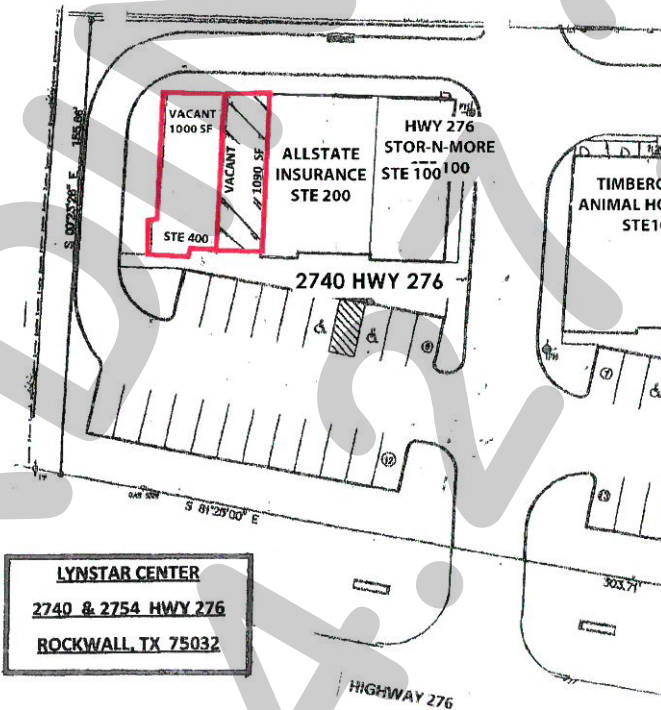
**Exhibit 'A'**  
*Location Map*

Address: 2740 SH-276

Legal Description: Lot 3, Block 1, Highway 276 Self Storage Addition



**Exhibit 'B':**  
*Zoning Exhibit*  
2740 Hwy 276, Suite 400





# 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:** May 11, 2021  
**APPLICANT:** Ahmad Maktabi  
**CASE NUMBER:** Z2021-012; *Specific Use Permit for a General Retail Store in a Light Industrial (LI) District*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a Specific Use Permit (SUP) for a *General Retail Store* in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, and take any action necessary.

### BACKGROUND

The subject property was originally annexed into the City of Rockwall on July 21, 1997 by *Ordinance No. 97-14*. On August 6, 2001, the City Council approved a zoning change [Case No. PZ2001-063-01] from an Agricultural (AG) District to a Light Industrial (LI) District for the subject property. On November 21, 2005, the City Council approved a site plan [Case No. SP2005-023] for two (2) office/retail buildings (*i.e. one [1] being 5,500 SF and one [1] being 6,000 SF*). This approval was followed by a replat [Case No. P2005-035] establishing Lot 3, Block 1, Highway 276 Self Storage Addition, which was approved on December 5, 2005. A building permit [BLD2006-1141] for these buildings was issued in June 2006. No additional changes have been made to the subject property since the two (2) office/retail buildings were constructed.

### PURPOSE

The applicant -- *Ahmad Maktabi* -- is requesting the approval of a Specific Use Permit (SUP) to allow for a *General Retail Store* within the Light Industrial (LI) District on the subject property.

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 2740 SH-276. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 7.571-acre tract of land (*i.e. Lot 1, Block 1, Highway 276 Self Storage Addition*), which is partially zoned Light Industrial (LI) District and Planned Development District 46 (PD-46) and currently has a mini-warehouse facility constructed on it (*i.e. Highway 276 Self-Storage*). Continuing north and adjacent to the mini-warehouse facility is a City of Rockwall water tower that abuts Springer Road. Springer Road 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 are two (2) vacant tracts of land (*i.e. Tract 6 [77.148-acres] and Tract 5 [60.3-acres] of the J. H. B. Jones Survey, Abstract No. 125*) that are currently owned by the Rockwall Economic Development Corporation (REDC), and are zoned Light Industrial (LI) District.

South: Directly south of the subject property is SH-276, which is identified as a TXDOT6D (*i.e. Texas Department of Transportation, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Timber Creek Estates Subdivision, which consists of 235 single-family residential lots that are zoned Single-Family 10 (SF-10) District.

East: Directly east of the subject property is a 57.461-acre vacant tract of land (*i.e. Tract 10-1 of the J. A. Ramsey Survey, Abstract No. 186*) that is currently owned by the Rockwall Economic Development Corporation (REDC), and is zoned Light Industrial (LI) District. Beyond this is Rochelle 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.

West: Directly west of the subject property is Planned Development District 46 (PD-46), which includes zoning for various commercial and industrial land uses. Beyond this is Corporate Crossing, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and a zoning exhibit requesting a Specific Use Permit (SUP) for a *General Retail Store* for one of the lease spaces for the purpose of establishing a smoke shop with cigar and tobacco products and accessories. The applicant has stated that there will be no smoking inside the building; staff should point out that the City does not prohibit smoking in this type of an establishment, and that it is the applicant's choice of whether to allow or not allow smoking within the establishment.

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

Article 13, *Definitions*, of the Unified Development Code (UDC), defines a *General Retail Store* as "(a) facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationary; pets; drugs; hardware; and similar consumer goods." In this case, the applicant's proposed business -- *which will sell tobacco products and accessories* -- falls under this classification. According to *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *General Retail Store* requires a Specific Use Permit (SUP) in a Light Industrial (LI) District. The purpose of this requirement is to acknowledge that not all retail operations are appropriate within the City's industrial areas, and that the City Council should have discretionary oversight with regard to the types of retail operations and their impacts within these types of districts.

## **STAFF ANALYSIS**

In this case, the existing buildings appear to be designed to accommodate this type of land use and the vehicular access to the subject property does not negatively impact any of the adjacent industrial properties. This is because of the adjacency/frontage on SH-276, which is designed to handle the higher volumes of traffic generated by retail land uses. With this being said, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On April 27, 2021, staff mailed 35 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Timer Creek Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

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

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a *General Retail Store* within a Light Industrial (LI) District, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The *General Retail Store* shall be limited to the area depicted in *Exhibit 'B'* of the draft ordinance
- (2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-012

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>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- 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 2740 Hwy 276

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION

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

CURRENT ZONING LI

CURRENT USE OFFICE

PROPOSED ZONING SUP

PROPOSED USE RETAIL - CIGARS

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Gerald Houser (OWNER) THE UNDERSIGNED WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

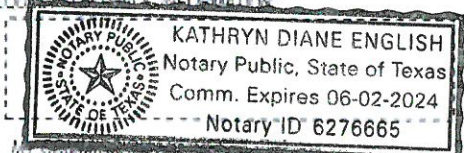
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY 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 CONNECTION 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 16<sup>th</sup> DAY OF APRIL, 2021

OWNER'S SIGNATURE


Gerald Houser

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





0 25 50 100 150 200 Feet

Z2021-012- SUP FOR A GENERAL RETAIL STORE  
ZONING - 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.

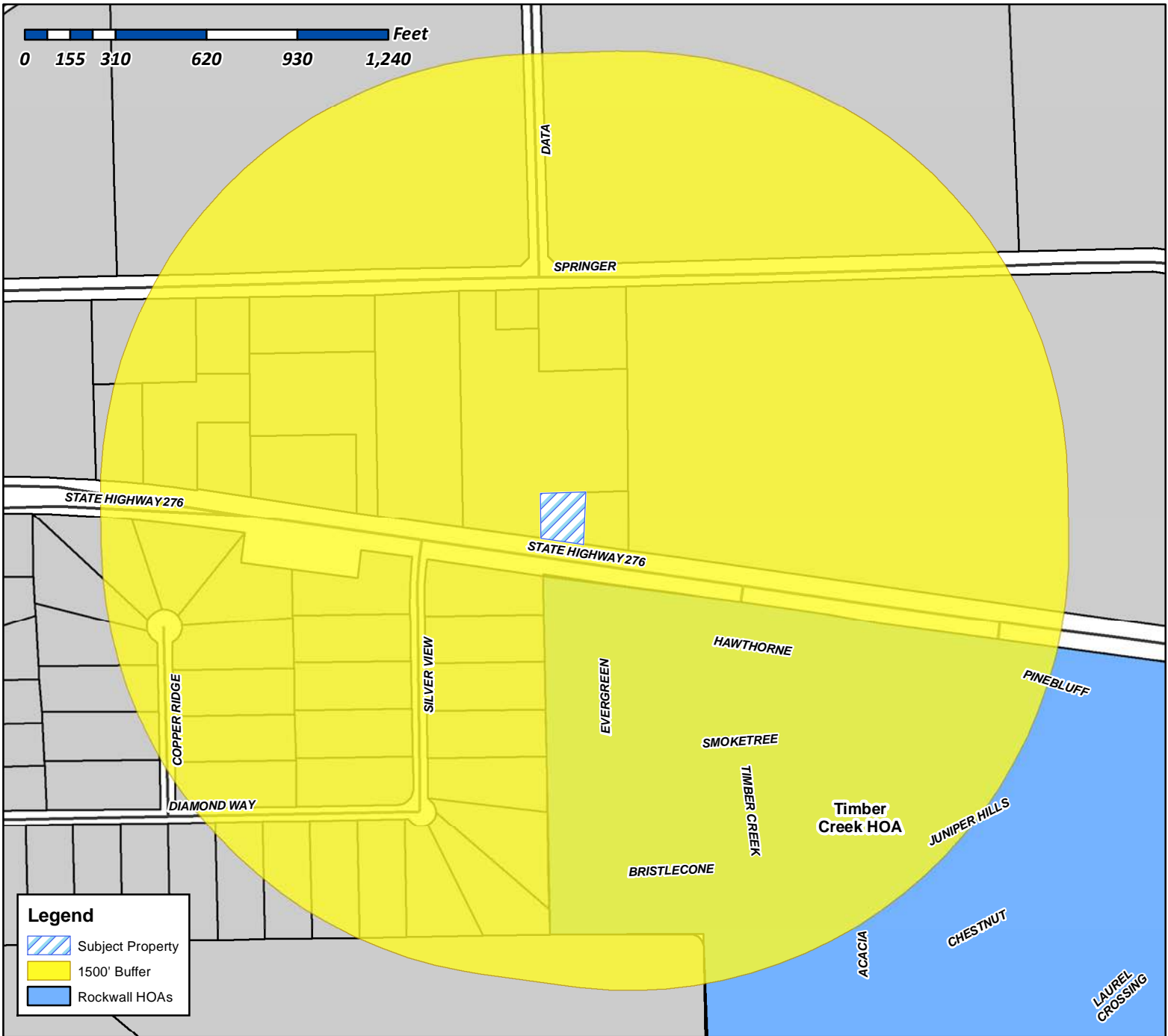




# City of Rockwall

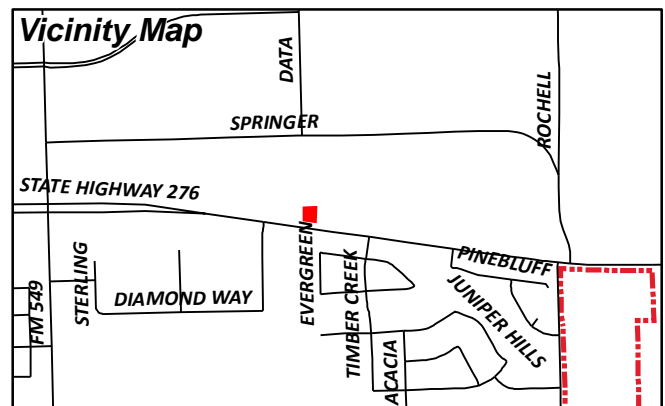
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2021-012  
**Case Name:** SUP for A General Retail Store  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2740 SH-276

**Date Created:** 4/23/2021  
**For Questions on this Case Call** (972) 771-7745



## Gonzales, David

---

**From:** Gamez, Angelica  
**Sent:** Friday, April 23, 2021 3:35 PM  
**Cc:** Miller, Ryan; Gonzales, David; Lee, Henry  
**Subject:** Neighborhood Notification Map [Z2021-012]  
**Attachments:** Public Notice (04.27.2021).pdf; HOA Map Z2021-012.pdf

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

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 *April 23, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, May 11, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, May 17, 2021 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto: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>.

### **Z2021-012 SUP for a General Retail Store**

Hold a public hearing to discuss and consider a request by Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a *Specific Use Permit (SUP)* for a *General Retail Store* in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, 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/>



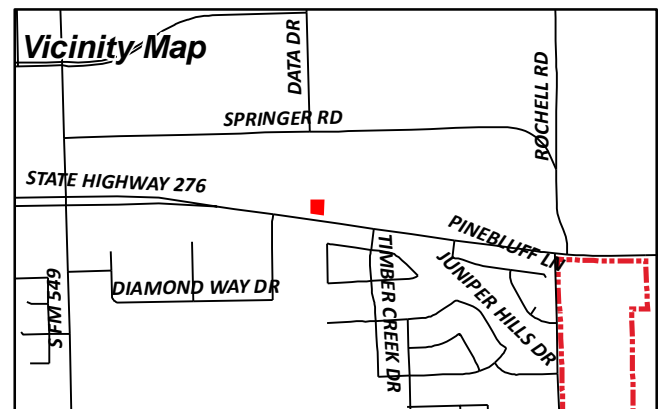
# City of Rockwall

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

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**Case Number:** Z2021-012  
**Case Name:** SUP for a General Retail Store  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 2740 SH-276



**Date Created:** 4/23/2021  
**For Questions on this Case Call (972) 771-7745**

# PUBLIC NOTICE



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

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

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

**Case No. Z2021-012: Specific Use Permit for a General Retail Store**

*Hold a public hearing to discuss and consider a request by Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a Specific Use Permit (SUP) for a General Retail Store in a Light Industrial (LI) District on a 1.243-acre parcel of land identified as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, 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, May 11, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, May 17, 2021 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, May 17, 2021 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2021-012: Specific Use Permit for a General Retail Store**

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

 = RESPONSE RECEIVED

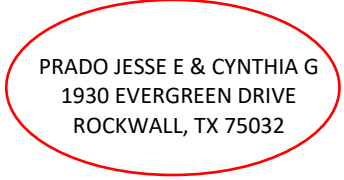
HUDACK STEVE V AND AILEEN J  
1090 VINTAGE COURT  
VACAVILLE, CA 95688

ABLES NORRIS BRADLEY  
1855 SILVER VIEW LN  
ROCKWALL, TX 75032

RAMIREZ JUAN  
1858 SILVER VIEW LN  
ROCKWALL, TX 75032

BRYANT DAWN  
1915 SILVER VIEW LN  
ROCKWALL, TX 75032

BARENOS CYNTHIA  
1924 EVERGREEN DR  
ROCKWALL, TX 75032

 PRADO JESSE E & CYNTHIA G  
1930 EVERGREEN DRIVE  
ROCKWALL, TX 75032

LOZANO OSCAR & DIANA  
1935 EVERGREEN DR  
ROCKWALL, TX 75032

QUINTON JAMES D  
1935 SILVER VIEW LN  
ROCKWALL, TX 75032

MOLINA RICHARD  
1936 EVERGREENDR  
ROCKWALL, TX 75032

SCHMIESING ALBERT W & BERTHA N  
1942 EVERGREEN DRIVE  
ROCKWALL, TX 75032

WELCH KEITH F & DEBORAH A  
1943 EVERGREEN DR  
ROCKWALL, TX 75032

MCBREEN GREGORY A & BELINDA  
1949 EVERGREEN DR  
ROCKWALL, TX 75032

SMITH MICHAEL W & STACY R  
2021 KINGS PASS  
HEATH, TX 75032

VALENZUELA MOISES BENEDICTO AND MARIA  
ANTONIETA  
2445 DORRINGTON DR  
DALLAS, TX 75228

ROCKWALL ECONOMIC DEVELOPMENT  
CORPORATION  
2610 OBSERVATION TRAIL SUITE 104  
ROCKWALL, TX 75032

LATTIMORE MATERIALS COMPANY LP  
2640 HWY276  
ROCKWALL, TX 75032

COLIN-G PROPERTIES INC  
2690 HWY276  
ROCKWALL, TX 75032

LYNSTAR LLC  
2754 HWY276  
ROCKWALL, TX 75032

VILLALPANDO URIEL AND DIANNE  
3414 BERMUDA DRIVE  
ROWLETT, TX 75088

SKIPPER JOSEPH AND  
STEPHANIE BREANNE SKIPPER  
3484 HAWTHORNE TRAIL  
ROCKWALL, TX 75032

HUDACK STEVE V AND AILEEN J  
3490 HAWTHORNETR  
ROCKWALL, TX 75032

URBINA MARIPAZ  
3496 HAWTHORNE TRL  
ROCKWALL, TX 75032

VILLALPANDO URIEL AND DIANNE  
3602 HAWTHORNETR  
ROCKWALL, TX 75032

ZHANG WEIGANG & SONGYAN WU  
3605 HAWTHORNETR  
ROCKWALL, TX 75032

VALENZUELA MOISES BENEDICTO AND MARIA  
ANTONIETA  
3608 HAWTHORNETR  
ROCKWALL, TX 75032

SEYBERT JACOB  
3611 HAWTHORNE TRAIL  
ROCKWALL, TX 75032

WHITE BRENT C &  
KIMBERLY ANN WORTELBOER WHITE  
3614 HAWTHORNE TRL  
ROCKWALL, TX 75032

BUCHANAN DANIEL L  
3619 HAWTHORNE TR  
ROCKWALL, TX 75032

LOPEZ YOLANDA MAYORGA & RAUL  
3620 HAWTHORNE TRL  
ROCKWALL, TX 75032

SMITH MICHAEL W & STACY R  
3640 HAWTHORNETR  
ROCKWALL, TX 75032

MOLINA RICHARD  
3694 HAWTHORNE TRAIL  
ROCKWALL, TX 75032

ZHANG WEIGANG & SONGYAN WU  
854 LILY AVE  
CUPERTINO, CA 95014

LATTIMORE MATERIALS COMPANY LP  
PO BOX 2469  
ADDISON, TX 75001

LYNSTAR LLC  
PO BOX 847  
ROCKWALL, TX 75087

COLIN-G PROPERTIES INC  
PO BOX 847  
ROCKWALL, TX 75087

PLEASE RETURN THE BELOW FORM

**Case No. Z2021-012: Specific Use Permit for a General Retail Store**

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

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

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

I am all for new business in Rockwall but not by our neighborhood/residential area. I have seen too many wrecks on 276 1/2 Timbercreek Drive. Speed limit is 55 degrees people usually drive 60-65 mph, Hard getting out of neighborhood.

Name: Jesse Prado

Address: 1930 EVERGREEN DRIVE, Rockwall, TX 75082

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





S 00°23'28" E 185.86'

VACANT  
1000 SF

VACANT  
1090 SF

ALLSTATE  
INSURANCE  
STE 200

HWY 276  
STOR-N-MORE  
STE 100 100

STE 400

2740 HWY 276

TIMBERC  
ANIMAL HO  
STE 10

048.50'

S 81°25'00" E

303.71'

**LYNSTAR CENTER**

**2740 & 2754 HWY 276**

**ROCKWALL, TX 75032**

HIGHWAY 276



# Cigars store

To whom it may concern i m willing to lease the space 20740 state why 276 unite 400 Rockwall as smoke shop with cigar/and tobacco product and tobacco accessories, and there will be no smoking inside the building.

Ahmad Maktabi

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *GENERAL RETAIL STORE* IN A LIGHT INDUSTRIAL (LI) DISTRICT ON A 1.243-ACRE PARCEL OF LAND, ZONED LIGHT INDUSTRIAL (LI) DISTRICT, IDENTIFIED AS LOT 3, BLOCK 1, HIGHWAY 276 SELF STORAGE 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 Ahmad Maktabi on behalf of Gerald Houser of Lynstar, LLC for the approval of a Specific Use Permit (SUP) for a *General Retail Store* in a Light Industrial (LI) District on a 1.243-acre parcel of land being described as Lot 3, Block 1, Highway 276 Self Storage Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 2740 SH-276, 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 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 *General Retail Store* in a Light Industrial (LI) District 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 05.01, *General Industrial District Standards*; Subsection 05.02, *Light Industrial (LI) District*; and Subsection 06.02, *General Overlay Districts Standards*, 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 the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *General Retail Store* in a Light Industrial (LI) District on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The *General Retail Store* shall be limited to the area depicted in *Exhibit 'B'* of this ordinance.

## 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 7<sup>TH</sup> DAY OF JUNE, 2021.**

---

Kevin Fowler, *Mayor*

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

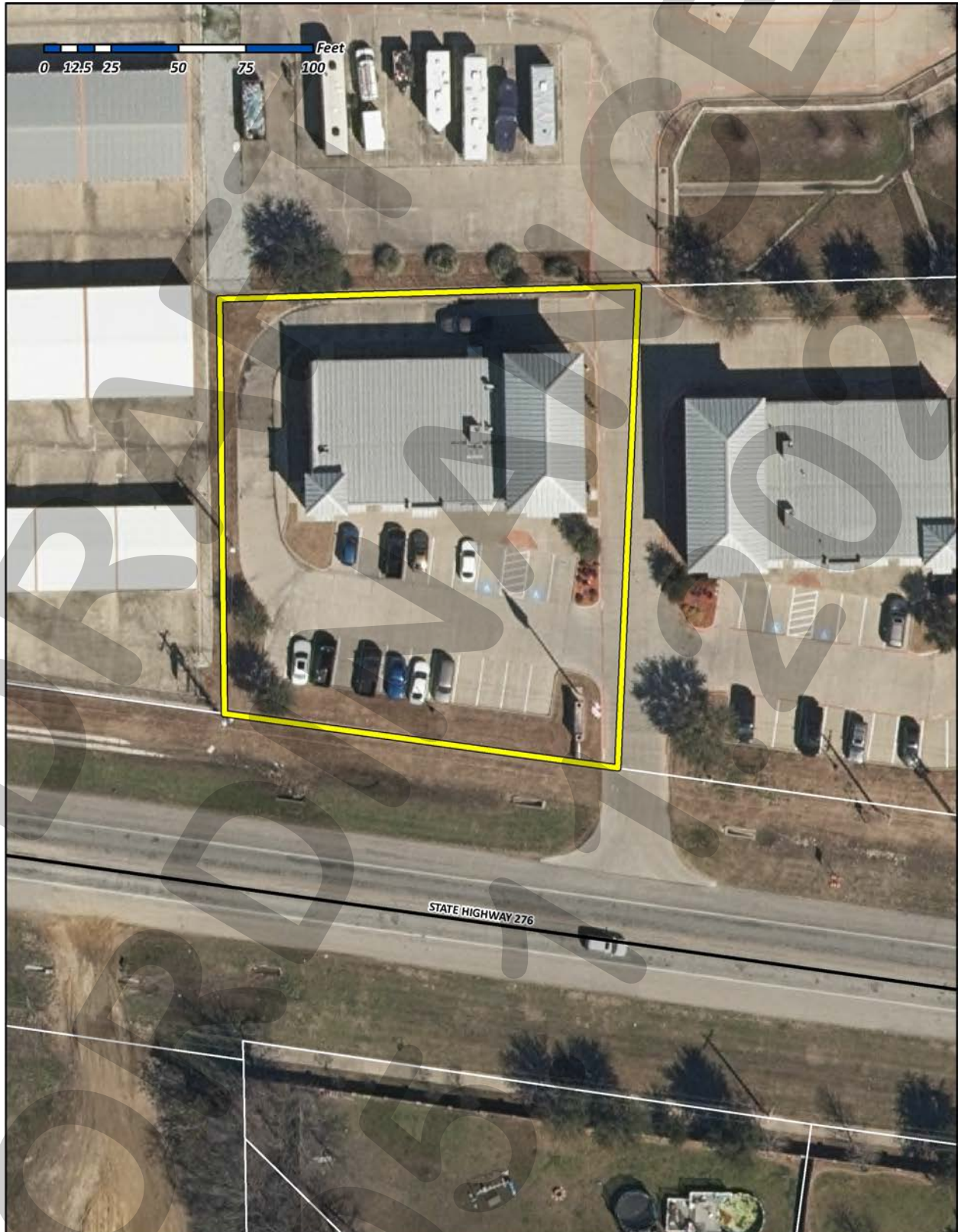
1<sup>st</sup> Reading: May 17, 2021

2<sup>nd</sup> Reading: June 7, 2021

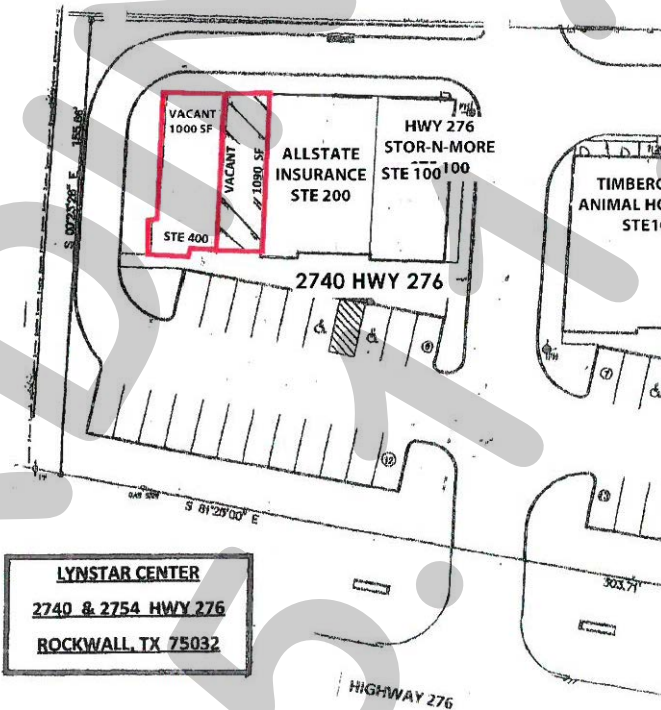
**Exhibit 'A'**  
*Location Map*

Address: 2740 SH-276

Legal Description: Lot 3, Block 1, Highway 276 Self Storage Addition



**Exhibit 'B':**  
*Zoning Exhibit*  
2740 Hwy 276, Suite 400





**From:** [Gerald Houser](#)  
**To:** [Gonzales, David](#)  
**Subject:** RE: P&Z Public Hearing Next Week  
**Date:** Monday, May 10, 2021 9:00:04 AM  
**Attachments:** [image006.png](#)  
[image007.png](#)

---

To David Gonzales:

I wish to withdraw the request regarding "a Special Use Permit" for Lynstar LLC, 2740 HWY 276, Suite 400, Rockwall, TX 75032.

If you have any questions please contact me.

THNAK YOU,  
Gerald Houser  
Owner, LYNSTAR, LLC  
Cell 214-789-1880

---

**From:** Gonzales, David <DGonzales@rockwall.com>  
**Sent:** Friday, May 7, 2021 5:01 PM  
**To:** [REDACTED] <[REDACTED]>  
**Cc:** 'ghouser@gh-engineering.com' <ghouser@gh-engineering.com>  
**Subject:** P&Z Public Hearing Next Week

Mr. Maktabi,

Please find attached staff's report regarding your zoning request. The Planning Commission will be conducting a Public Hearing next week on Tuesday, May 11, 2021. The Planning and Zoning Commission meeting is scheduled to begin at 6:00 p.m. in the City's Council Chambers. Please be sure that you and/or your representative(s) are present to answer any questions the Commission may have regarding your request.

The public hearing before the City Council is scheduled for May 17, 2021 (*1<sup>st</sup> Reading of the Ordinance*). You will need to be present for this meeting also.

Do not hesitate to contact me should you have any questions.

Thank you,

**DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER  
PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6488 OFFICE  
[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)  
385 S. GOLIAD STREET • ROCKWALL, TX 75087

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