

PLANNING AND ZONING CASE CHECKLIST

City of Rockwall

Planning and Zoning Department

385 S. Goliad Street

Rockwall, Texas 75087

P&Z CASE # M152022-010

P&Z DATE 05/10/22

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 # _____
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.

M152022-010

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

SUBDIVISION Creekside Commons LOT 1-14 BLOCK A

GENERAL LOCATION NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Commercial (C) CURRENT USE Undeveloped

PROPOSED ZONING Commercial (C) PROPOSED USE Various retail/office/commercial uses

ACREAGE 34.484 LOTS [CURRENT] N/A LOTS [PROPOSED] 14

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 Rockwall 205 Investors, LLC APPLICANT 549 Crossing, LP

CONTACT PERSON Justin Webb + Russell Phillips CONTACT PERSON Michael Hampton

ADDRESS 5763 S SH 205, Suite 100 ADDRESS 10755 Sandhill Rd

CITY, STATE & ZIP Rockwall, TX 75032 CITY, STATE & ZIP Dallas, TX 75238

PHONE 214-729-7885 PHONE 469-500-5204

E-MAIL Justinw@alturahomes.com E-MAIL mhampton@prudentdevelopment.com

NOTARY VERIFICATION [REQUIRED]

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

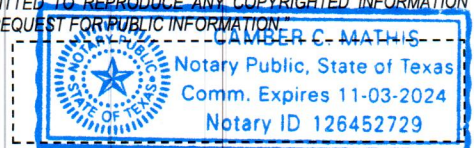
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \$100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF April, 2023 BY SIGNING THIS APPLICATION. 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 14 DAY OF April, 2023

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Justin Webb
Camber C. Mathis



MY COMMISSION EXPIRES

11/3/24



April 14, 2022

To: City of Rockwall
Planning & Zoning Commission
385 S. Goliad Street
Rockwall, TX 75087

Re: Creekside Commons Addition (Lots 1-14, Block A)
NEQ + SEQ of SH 205 and future FM 549
Rockwall, TX 75032
Exception Request Letter

On behalf of the Rockwall 205 Investors, LLC and 549 Crossing, LP, please accept this letter as a formal request for approval of an exception to the following provision found in Section 6.02(H) of the City of Rockwall Unified Development Code:

- *Utility Placement - All overhead utilities within any overlay district shall be placed underground.*

Over the past several months, both parties have been working with TXDOT, the utility provider (Farmers Electric Co-Op, or "FEC") and the City to identify the requirements and opportunities to comply with the above ordinance provision.

Attached is the latest cost proposal and design plan from FEC that is the minimum work required to achieve compliance for Lot 1, Block A only (i.e. "7-Eleven site"). FEC has also provided a supplemental email (*see attached*) relative to the projected cost and complexity for burying existing lines along the entire western and northern boundaries of the Creekside Commons development, but to date has not been able or willing to provide additional details or design, but intends to be present at the upcoming Planning Commission and Council meetings to answer questions.

Existing conditions are as follows:

- 1) TXDOT has already acquired the Right-of-Way from Rockwall 205 Investors for both the future SH 205 widening and future FM 549 re-alignment/widening projects.
- 2) Existing overhead utility lines are located approximately 65-ft into the existing TXDOT ROW. *We do not believe the existing regulations require us to bury power lines that are located so far from our property as to not reasonably be considered abutting.*
- 3) FEC has stated they already have a permit from TXDOT to relocate the existing overhead lines to the new ROW line
- 4) According to FEC, the existing overhead lines are "radial feed" lines that serve a large area of south Rockwall County, including both sides of SH 205 and FM 549.
- 5) In order to properly bury one or more individual pad sites in this area, FEC has stated the developer(s) must also relocate, bury and tie into existing facilities on the west side of SH 205, which requires two (2) highway crossings and at least one offsite easement from a 3rd party landowner. *As such, strict compliance with the requirement to bury overhead utility lines could be impossible.*

According to FEC, while service disruptions tend to be less frequent when underground lines are deployed, the time required to diagnose and restore a disruption is significantly higher. Therefore, if the existing lines must be buried FEC wants to convert these radial lines to a dual/redundant feed system that simultaneously costs much more to construct and requires more land area (easements) to accommodate various manholes, switchgear and other facilities. Further, in order to prevent disruption or damage to the utilities when the SH 205 and FM 549 construction is started, FEC will require these

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214.271.4630 Fax 214.271.4631



new lines to be entirely within private property in the form of a 15-ft easement. These are in addition to “private” electric easements required to serve each individual lot, which the applicant has always understood and agreed to place underground.

Another challenge for this development is the unusual circumstance of attempting to relocate and bury the overhead facilities prior to the ultimate relocation and reconfiguration of not one, but two, TXDOT highway improvement projects. The requirements to bury the line across both SH 205 and future FM 549 rights-of-way (as depicted on the 7-Eleven proposal/exhibit) is by itself driving the costs of complying with the ordinance to a level that will make it difficult/economically infeasible to develop any individual lots.

Last but not least, it is no secret that the ordinance requiring the burial of overhead utilities has been in place for many years, but has been quite commonly excepted. In fact, if one travels southbound along either SH 205 or FM 549 from Interstate 30 to the subject site, it is evident not one single commercial or residential development project has been required to bury lines on either side of those roadways despite plenty of new development over the years. It is the applicant’s opinion that only enforcing this now, and on this development, results in a disproportionate burden being placed on this development that, given the existing overhead lines in all directions that will likely remain in place for the foreseeable future, will do little to achieve the resiliency or reliability of these lines in severe weather events. In fact, immediately south of the subject property the Overlay and City limits both terminate, so it’s quite possible that if enforced this section of utility lines (along the east side of SH 205 only) will be the only lines in this section of the County that will be buried.

Compensatory Measures (Lot 1, Block A)

As it relates specifically to Lot 1 (i.e. “7-Eleven site” located at 4949 S. Goliad Street), it should be noted that this same variance was originally requested as part the applicant’s site plan approval application (i.e. case SP21-0021). At the same time, one other exception to the Overlay standards (i.e pitched roof design requirement for a building under 6,000-sf) was requested by the applicant and approved by the Commission; however, immediately prior to the Commission meeting in September 2021 the exception to the utility placement standards was pulled out for consideration by staff, and staff instructed the applicant it would need to submit a separate exception application later. *(This was subsequently attempted and withdrawn in November 2021, and since then 549 Crossing, LP has been working in good faith to determine the requirements to meet the ordinance).* **Having said all that, the applicant had proposed a combination of compensatory measures variances with the original SP21-0021 application that was intended to offset BOTH exceptions proposed, including:**

1. Increased landscape buffer along FM 549 from 10-feet to 20-feet per ARB recommendation.
2. Increased parking lot landscaping to nine (9) percent (5 percent minimum).
3. Increased natural stone on exterior elevations to 35% of total area.
4. Increased awnings provided on building façade.
5. Increased glazing area (windows on rear elevation).

Application of Legal Standard

As demonstrated by the above information, the legal standard for granting an exception to this requirement has been met. With respect to each of the below enumerated criteria from this standard, we offer the following responses:

- (A) If the proposed compensatory measures sufficiently offset the requested variance or exception.
Response: The five listed compensatory measures above offset the impact of granting this exception.
- (B) If such a request will substantially or permanently injure the appropriate use of adjacent property.



Response: As noted above, this would be the only property in the area with buried utility lines, and as such, it cannot be reasonably argued that adjacent properties (with overhead power utility lines) are injured.

(C) If such a request will adversely affect the health, safety, and/or general welfare of the public.

Response: As noted above, it is our understanding from the utility provider that the burying of these lines can make outages last long due to the difficulty of accessing the lines for maintenance.

(D) If such a request will be contrary to the public interest.

Response: We are unaware of objections from any surrounding property owners, particular given that their properties currently have above ground utility lines.

(E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.

Response: The granting of this exception will not change any of the allowed uses of the property.

(F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.

Response: The proposed compensatory measures coupled with the other explanations in this request align with city policy and practice to date.

(G) If such a request will alter the essential character of the district in which the subject property is located.

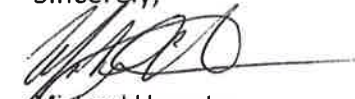
Response: As noted already, this would be the only property in the general vicinity to bury overhead utility lines.

(H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.

Response: If granted, this exception would not affect any of the zoning regulations applicable to the property.

Thank you for your consideration and we appreciate your assistance with this matter.

Sincerely,


Michael Hampton
Vice President
Prudent Development, LLC
(dba "549 Crossing, LP")

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214.271.4630 Fax 214.271.4631



2000 I-30 E - Greenville, TX 75402
(903) 455-1715

March 25, 2022

Keaton Mai, P.E.
Director of Civil Engineering
The Dimension Group

Re: 7-11 Hwy 205/FM 549 Rockwall, TX

Keaton,

At your request, and to satisfy The City of Rockwall's ordinance, Farmers' engineering has prepared a design and cost estimate for the burial of our existing overhead powerline that resides in the Hwy 205 ROW at the proposed 7-11 development. This design will require additional easements on the northeast and southwest corners of Hwy 205 and FM 549. The cost of this project is \$464,074.15 plus tax which includes all permitting and construction. This does not include easement acquisitions which will be the responsibility of the developer. This cost is valid for 30 days from the date on this letter and is contingent on Farmers' receiving an electric service application for the project. Upon your acceptance in writing, we can go over the design details including the additional easements that will be required. In addition, we can go over the design of the 7-11 electric facilities which are included in the project pricing above.

Please don't hesitate to contact me directly with any questions.

Sincerely,

Frank Spataro

Frank Spataro
Senior Project Coordinator
903-461-2452
fspataro@fecelectric.com

Michael Hampton

From: Shaun Chronister <schronister@farmerselectric.coop>
Sent: Thursday, April 14, 2022 2:44 PM
To: Michael Hampton
Subject: RE: 7-11 proposal letter (205 & 549)

Hey Michael,

I spent a couple hours yesterday reviewing your request for design and pricing to bury Farmers' overhead powerlines located in the state ROW in front of Parcel 30851 (Rockwall 205 Investors) and 113123 (7-11). As discussed, it is Farmers' design standard and practice to loop underground primary feeder lines. There is a couple reason for this.

1. Outage restoration – primary cable failures are difficult to and time consuming to troubleshoot. Once found the cable must be isolated removed from the conduit and replaced. In order to restore power to our members, we need to have the ability to leverage a loop to isolate the failed section of cable. This limits outage times considerably. Without looped facilities, outages depending on field conditions, could go on for hours or even days.
2. New services/load - Adding new load to underground electric feeder lines can be problematic as well. The manholes and switchgear required to add load are costly and can't be added to an existing system without de-energizing, cutting in the equipment, and often times repulling cable on at least one side of the run. In areas like this where there is no significant master plan, a loop is required so that section can be de-energized while no members are left without electric service. Installations of this sort take weeks.

In short, the quote that Farmers provided for burying the overhead facilities in front of the proposed 7-11 is a fair estimate and will be honored per the terms outlined in the letter.

The design and cost estimates requested for the properties adjacent to the proposed 7-11 have not been designed. As a courtesy, Farmers is providing ballpark estimates for the burial of the overhead facilities along on 205 north of the proposed 7-11 (\$550,000-\$700,000). Also, from the intersection of 205 & 1139 east to the intersection of 1139 and the new 549 extension (\$1,175,000 - \$1,300,000). Lastly, going south from the proposed underground facilities for 7-11 to the south edge of parcel 30851 along 205 (\$375,000 - \$450,000).

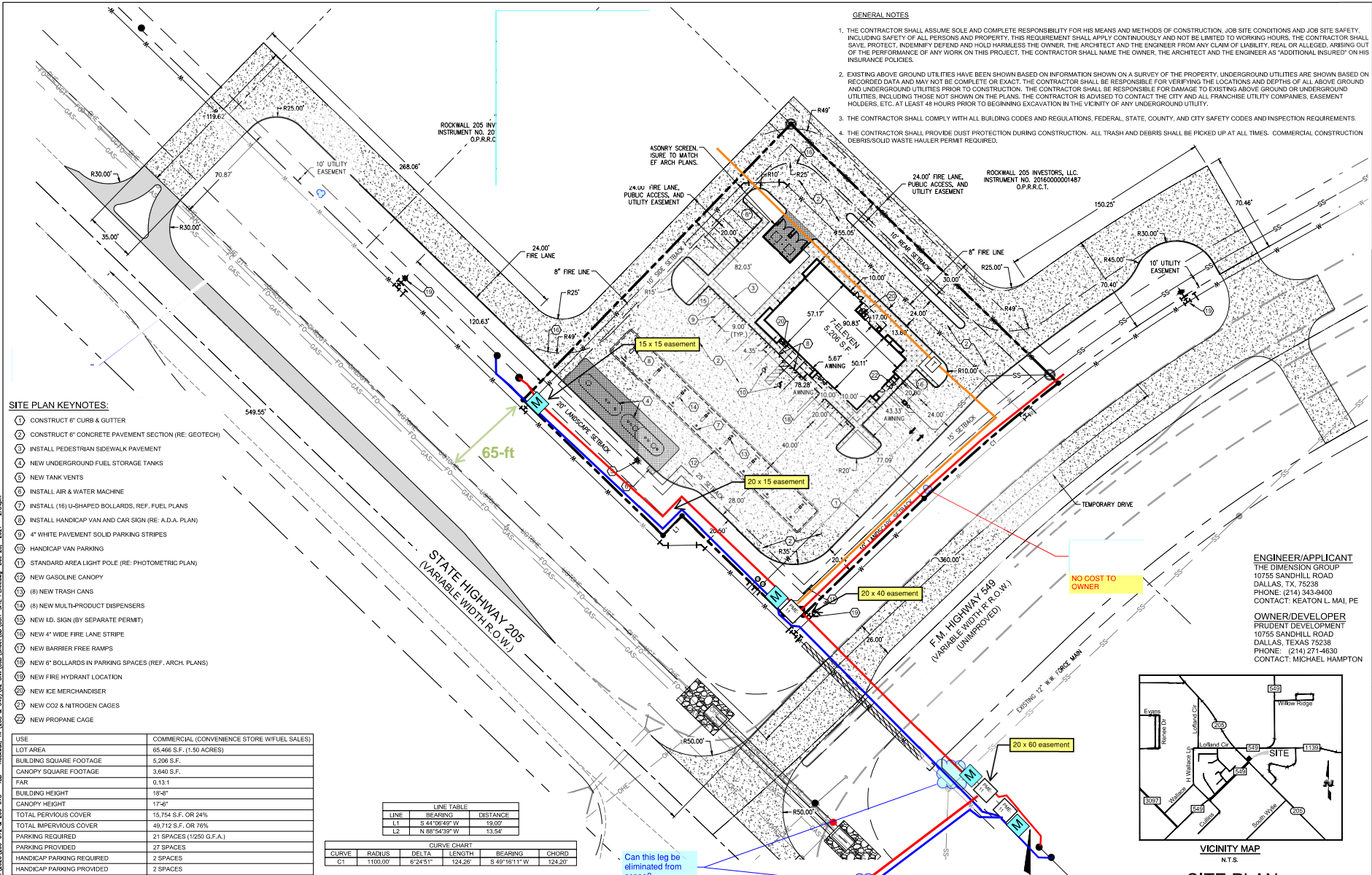
Again, these are very preliminary estimates. The ultimate design and costs are dependent on several factors such as easements, allowable ending location for overhead lines, the order in which these projects would be constructed, existing services, equipment needs (transformers, switchgear, manholes, junction boxes, and etc), bores, encasement requirements, other/existing underground utilities, and the list goes on.

I hope this helps to quantify things a bit. Please don't hesitate to reach out if I can be of further assistance.

Shaun Chronister

From: Michael Hampton <mhampton@prudentdevelopment.com>
Sent: Wednesday, April 13, 2022 5:47 PM
To: Shaun Chronister <schronister@farmerselectric.coop>
Cc: Keaton Mai <kmai@dimensiongroup.com>
Subject: RE: 7-11 proposal letter (205 & 549)

Ok, thanks for the update Shaun.



GENERAL NOTES

1. THE CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR HIS MEANS AND METHODS OF CONSTRUCTION, JOB SITE CONDITIONS AND JOB SITE SAFETY, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO WORKING HOURS. THE CONTRACTOR SHALL SAVE, PROTECT, INDEMNIFY DEFEND AND HOLD HARMLESS THE OWNER, THE ARCHITECT AND THE ENGINEER FROM ANY CLAIM OF LIABILITY, REAL OR ALLEGED, ARISING OUT OF THE PERFORMANCE OF ANY WORK ON THIS PROJECT. THE CONTRACTOR SHALL NAME THE OWNER, THE ARCHITECT AND THE ENGINEER AS "ADDITIONAL INSURED" ON HIS INSURANCE POLICIES.
2. EXISTING ABOVE-GROUND UTILITIES HAVE BEEN SHOWN BASED ON INFORMATION SHOWN ON A SURVEY OF THE PROPERTY. UNDERGROUND UTILITIES ARE SHOWN BASED ON RECORDED DATA AND MAY NOT BE COMPLETE OR EXACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATIONS AND DEPTHS OF ALL ABOVE-GROUND AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO EXISTING ABOVE-GROUND OR UNDERGROUND UTILITIES, INCLUDING THOSE NOT SHOWN ON THE PLANS. THE CONTRACTOR IS ADVISED TO CONTACT THE CITY AND ALL FRANCHISE UTILITY COMPANIES, EASEMENT HOLDERS, ETC. AT LEAST 48 HOURS PRIOR TO BEGINNING EXCAVATION IN THE VICINITY OF ANY UNDERGROUND UTILITY.
3. THE CONTRACTOR SHALL COMPLY WITH ALL BUILDING CODES AND REGULATIONS, FEDERAL, STATE, COUNTY, AND CITY SAFETY CODES AND INSPECTION REQUIREMENTS.
4. THE CONTRACTOR SHALL PROVIDE DUST PROTECTION DURING CONSTRUCTION. ALL TRASH AND DEBRIS SHALL BE PICKED UP AT ALL TIMES. COMMERCIAL CONSTRUCTION DEBRIS/SOLID WASTE HAULER PERMIT REQUIRED.

SITE PLAN KEYNOTES:

1. CONSTRUCT 6" CURB & GUTTER
2. CONSTRUCT 6" CONCRETE PAVEMENT SECTION (RE: GEOTECH)
3. INSTALL PEDESTRIAN SIDEWALK PAVEMENT
4. NEW UNDERGROUND FUEL STORAGE TANKS
5. NEW TANK VENTS
6. INSTALL AIR & WATER MACHINE
7. INSTALL (16) U-SHAPED BOLLARDS, REF. FUEL PLANS
8. INSTALL HANDICAP VAN AND CAR SIGN (RE: A.D.A. PLAN)
9. 4" WHITE PAVEMENT SOLID PARKING STRIPES
10. HANDICAP VAN PARKING
11. STANDARD AREA LIGHT POLE (RE: PHOTOMETRIC PLAN)
12. NEW GASOLINE CANOPY
13. (8) NEW TRASH CANS
14. (8) NEW MULTI-PRODUCT DISPENSERS
15. NEW I.D. SIGN (BY SEPARATE PERMIT)
16. NEW 4" WIDE FIRE LANE STRIPE
17. NEW BARRIER FREE RAMPS
18. NEW 6" BOLLARDS IN PARKING SPACES (REF. ARCH. PLANS)
19. NEW FIRE HYDRANT LOCATION
20. NEW ICE MERCHANDISER
21. NEW CO2 & NITROGEN CAGES
22. NEW PROPANE CAGE

USE	COMMERCIAL (CONVENIENCE STORE/WFUEL SALES)
LOT AREA	65,466 S.F. (1.50 ACRES)
BUILDING SQUARE FOOTAGE	5,206 S.F.
CANOPY SQUARE FOOTAGE	3,640 S.F.
FAR	0.13-1
BUILDING HEIGHT	18'-8"
CANOPY HEIGHT	17'-6"
TOTAL PERVIOUS COVER	15,754 S.F. OR 24%
TOTAL IMPERVIOUS COVER	49,712 S.F. OR 76%
PARKING REQUIRED	21 SPACES (1250 G.F.A.)
PARKING PROVIDED	27 SPACES
HANDICAP PARKING REQUIRED	2 SPACES
HANDICAP PARKING PROVIDED	2 SPACES

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 44°08'49" W	19.07
L2	N 65°54'39" W	13.67

CURVE CHART			
CURVE	RADIUS	DELTA	CHORD
C1	1100.00'	6°24'51"	124.26'

CITY OF ROCKWALL MONUMENTS:

GEODETIC CONTROL MONUMENTS - NORTH AMERICAN DATUM - 1983 (2011) TEXAS NORTH CENTRAL ZONE (4202).

CO#8- ALUMINUM DISK STAMPED "CITY OF ROCKWALL SURVEY MONUMENT" AT THE NORTHERLY INTERSECTION OF SILVER VIEW LANE AND BIRKWOOD WAY DRIVE #1 FOOT NORTH OF CURB LINE IN CENTER OF CURVE. N: 7018063.113, E: 2609533.882 ELEVATION: 600.49'

CO#9- BRASS DISK STAMPED "CITY OF ROCKWALL SURVEY MONUMENT" ON THE SOUTH SIDE OF DISCOVERY BOULEVARD AT THE SOUTHEAST CORNER OF CURB INLET #190 FOOT EAST INTERSECTION OF DISCOVERY CORPORATE. N: 7020550.132, E: 2607463.893 ELEVATION: 595.63'

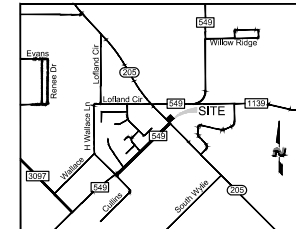
PAVING LEGEND

- PARKING AREA & FIRE LANE: 6" THICK 4000 P.S.I. #4 REBAR AT 18" O.C.E.W. (6.5 SACK MIX)
- DUMPSTER PAD & TANK PAD: 7" THICK 4000 P.S.I. #4 REBAR AT 18" O.C.E.W. (6.5 SACK MIX)
- R.O.W. PAVEMENT: 8" THICK 4000 P.S.I. #3 REBAR AT 18" O.C.E.W. (5.5 SACK MIX)
- SIDEWALK: 4" THICK 3000 P.S.I. #3 REBAR AT 18" O.C.E.W. (5.5 SACK MIX)

10 x 40 easement on 101 Hubbard Dr LLC property.

CAUTION NOTICE TO CONTRACTORS

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL 811 AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.



SITE PLAN
N.T.S.

LOT 1, BLOCK A, CREEKSIDE COMMONS ADDITION
NWC STATE HIGHWAY 205 & F.M. 549
A 1.50 ACRE TRACT OF LAND IN THE
WILLIAM W. FORD SURVEY, ABST. NO 80
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CITY PROJECT #SP2021-021
August 3, 2021

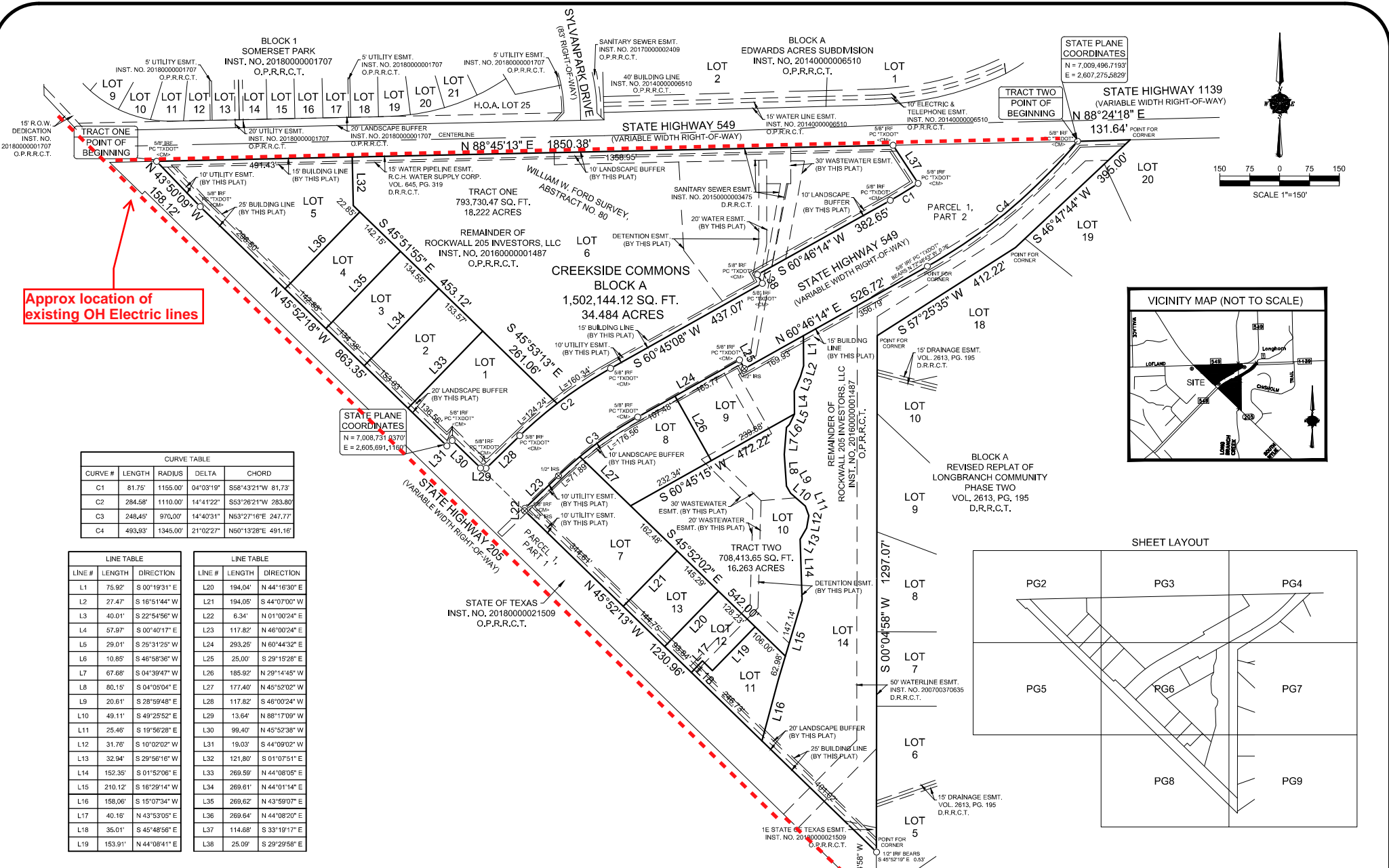


THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF PRELIMINARY REVIEW UNDER THE AUTHORITY OF KEATON L. MAI, P.E. (13677) ON 10/23/2021 IF BEADY TO BE USED FOR CONSTRUCTION PURPOSES.

DATE	REVISION DESCRIPTION	BY	DATE	DESIGNED BY	APPROVED BY
12/23/2020					

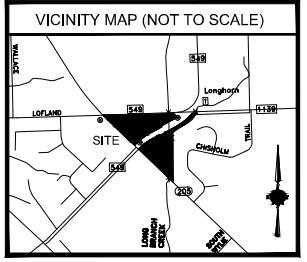
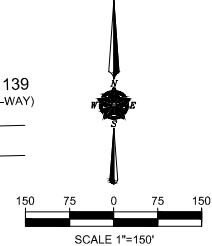
SITE PLAN
7-ELEVEN STORE
NWC STATE HIGHWAY 205 & FM 549
ROCKWALL, TEXAS

SHEET
C3.1



Approx location of existing OH Electric lines

STATE PLANE COORDINATES
N = 7,009,496.7193
E = 2,607,275.5829



CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	81.75'	1155.00'	04°03'19"	S58°43'21"W 81.73'
C2	284.58'	1110.00'	14°41'22"	S53°26'21"W 283.80'
C3	248.45'	970.00'	14°40'31"	N63°27'16"E 247.17'
C4	493.93'	1345.00'	21°02'27"	N50°13'28"E 491.16'

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	75.92'	S 00°19'31" E
L2	27.47'	S 16°51'44" W
L3	40.01'	S 22°54'56" W
L4	57.97'	S 00°40'17" E
L5	29.01'	S 29°31'25" W
L6	10.85'	S 46°58'36" W
L7	67.68'	S 04°39'47" W
L8	80.15'	S 04°05'04" E
L9	20.61'	S 28°59'48" E
L10	49.11'	S 49°25'52" E
L11	25.46'	S 19°56'28" E
L12	31.76'	S 10°02'02" W
L13	32.94'	S 29°56'16" W
L14	152.35'	S 01°52'06" E
L15	210.12'	S 16°29'14" W
L16	158.06'	S 15°07'34" W
L17	40.16'	N 43°53'05" E
L18	35.01'	S 45°48'56" E
L19	153.91'	N 44°08'41" E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L20	194.04'	N 44°16'30" E
L21	194.05'	S 44°07'00" W
L22	6.34'	N 01°00'24" E
L23	117.82'	N 46°00'24" E
L24	293.25'	N 60°44'32" E
L25	25.00'	S 29°15'28" E
L26	185.92'	N 29°14'45" W
L27	177.40'	N 45°52'02" W
L28	117.82'	S 46°00'24" W
L29	13.64'	N 88°17'09" W
L30	98.40'	N 45°52'38" W
L31	19.03'	S 44°09'02" W
L32	121.80'	S 01°07'51" E
L33	269.59'	N 44°08'05" E
L34	269.61'	N 44°01'14" E
L35	269.62'	N 43°59'07" E
L36	269.64'	N 44°08'20" E
L37	114.68'	S 33°19'17" E
L38	25.09'	S 29°29'58" E

LEGEND:
 IRF IRON ROD FOUND
 PC "TXDOT" IRON ROD FOUND WITH PINK CAP STAMPED "TXDOT"
 IRS IRON ROD SET WITH YELLOW CAP STAMPED "TXHS"
 C&M CONTROLLING MONUMENT
 D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
 M.R.R.C.T. MAP RECORDS, ROCKWALL COUNTY, TEXAS
 O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
 INST. NO. INSTRUMENT NUMBER
 VOL., PG. EASEMENT PAGE
 ESMT. EASEMENT
 L= LENGTH

ENGINEER THE DIMENSION GROUP
 10755 SANDILL ROAD
 DALLAS, TEXAS 75238
 attn: KEATON MAI

OWNER ROCKWALL 205 INVESTORS, LLC
 1 CANDELITE TRAIL
 HEATH, TEXAS 75032



TEXAS HERITAGE SURVEYING, LLC

10610 Metric Drive, Suite 124, Dallas, TX 75243
 Office 214-340-9700 Fax 214-340-9710
 txheritage.com
 Firm No. 10169300

PRELIMINARY PLAT
CREEKSIDE COMMONS
 LOTS 1-14, BLOCK A
 BEING TRACTS OF LAND SITUATED IN THE
 WILLIAM W. FORD SURVEY, ABSTRACT NO. 80
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
 1,502,144.12 SQUARE FEET / 34.484 ACRES
 CASE NO.

PAGE 1 OF 10
 DATE: 5/12/2021 / JOB # 2002727-2 / SCALE = 1" = 150' / DRAWN: JACOB



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

M152022-010

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

SUBDIVISION Creekside Commons LOT 1-14 BLOCK A

GENERAL LOCATION NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Commercial (C) CURRENT USE Undeveloped

PROPOSED ZONING Commercial (C) PROPOSED USE Various retail/office/commercial uses

ACREAGE 34.484 LOTS [CURRENT] N/A LOTS [PROPOSED] 14

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 Rockwall 205 Investors, LLC APPLICANT 549 Crossing, LP

CONTACT PERSON Justin Webb + Russell Phillips CONTACT PERSON Michael Hampton

ADDRESS 5763 S SH 205, Suite 100 ADDRESS 10755 Sandhill Rd

CITY, STATE & ZIP Rockwall, TX 75032 CITY, STATE & ZIP Dallas, TX 75238

PHONE 214-729-7885 PHONE 469-500-5204

E-MAIL Justinw@alturahomes.com E-MAIL mhampton@prudentdevelopment.com

NOTARY VERIFICATION [REQUIRED]

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

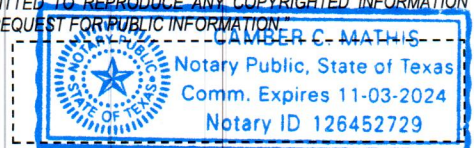
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \$100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF April, 2023 BY SIGNING THIS APPLICATION. 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 14 DAY OF April, 2023

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Justin Webb
Camber C. Mathis



MY COMMISSION EXPIRES

11/3/24



April 14, 2022

To: City of Rockwall
Planning & Zoning Commission
385 S. Goliad Street
Rockwall, TX 75087

Re: Creekside Commons Addition (Lots 1-14, Block A)
NEQ + SEQ of SH 205 and future FM 549
Rockwall, TX 75032
Exception Request Letter

On behalf of the Rockwall 205 Investors, LLC and 549 Crossing, LP, please accept this letter as a formal request for approval of an exception to the following provision found in Section 6.02(H) of the City of Rockwall Unified Development Code:

- *Utility Placement - All overhead utilities within any overlay district shall be placed underground.*

Over the past several months, both parties have been working with TXDOT, the utility provider (Farmers Electric Co-Op, or "FEC") and the City to identify the requirements and opportunities to comply with the above ordinance provision.

Attached is the latest cost proposal and design plan from FEC that is the minimum work required to achieve compliance for Lot 1, Block A only (i.e. "7-Eleven site"). FEC has also provided a supplemental email (*see attached*) relative to the projected cost and complexity for burying existing lines along the entire western and northern boundaries of the Creekside Commons development, but to date has not been able or willing to provide additional details or design, but intends to be present at the upcoming Planning Commission and Council meetings to answer questions.

Existing conditions are as follows:

- 1) TXDOT has already acquired the Right-of-Way from Rockwall 205 Investors for both the future SH 205 widening and future FM 549 re-alignment/widening projects.
- 2) Existing overhead utility lines are located approximately 65-ft into the existing TXDOT ROW. *We do not believe the existing regulations require us to bury power lines that are located so far from our property as to not reasonably be considered abutting.*
- 3) FEC has stated they already have a permit from TXDOT to relocate the existing overhead lines to the new ROW line
- 4) According to FEC, the existing overhead lines are "radial feed" lines that serve a large area of south Rockwall County, including both sides of SH 205 and FM 549.
- 5) In order to properly bury one or more individual pad sites in this area, FEC has stated the developer(s) must also relocate, bury and tie into existing facilities on the west side of SH 205, which requires two (2) highway crossings and at least one offsite easement from a 3rd party landowner. *As such, strict compliance with the requirement to bury overhead utility lines could be impossible.*

According to FEC, while service disruptions tend to be less frequent when underground lines are deployed, the time required to diagnose and restore a disruption is significantly higher. Therefore, if the existing lines must be buried FEC wants to convert these radial lines to a dual/redundant feed system that simultaneously costs much more to construct and requires more land area (easements) to accommodate various manholes, switchgear and other facilities. Further, in order to prevent disruption or damage to the utilities when the SH 205 and FM 549 construction is started, FEC will require these

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214.271.4630 Fax 214.271.4631



new lines to be entirely within private property in the form of a 15-ft easement. These are in addition to “private” electric easements required to serve each individual lot, which the applicant has always understood and agreed to place underground.

Another challenge for this development is the unusual circumstance of attempting to relocate and bury the overhead facilities prior to the ultimate relocation and reconfiguration of not one, but two, TXDOT highway improvement projects. The requirements to bury the line across both SH 205 and future FM 549 rights-of-way (as depicted on the 7-Eleven proposal/exhibit) is by itself driving the costs of complying with the ordinance to a level that will make it difficult/economically infeasible to develop any individual lots.

Last but not least, it is no secret that the ordinance requiring the burial of overhead utilities has been in place for many years, but has been quite commonly excepted. In fact, if one travels southbound along either SH 205 or FM 549 from Interstate 30 to the subject site, it is evident not one single commercial or residential development project has been required to bury lines on either side of those roadways despite plenty of new development over the years. It is the applicant’s opinion that only enforcing this now, and on this development, results in a disproportionate burden being placed on this development that, given the existing overhead lines in all directions that will likely remain in place for the foreseeable future, will do little to achieve the resiliency or reliability of these lines in severe weather events. In fact, immediately south of the subject property the Overlay and City limits both terminate, so it’s quite possible that if enforced this section of utility lines (along the east side of SH 205 only) will be the only lines in this section of the County that will be buried.

Compensatory Measures (Lot 1, Block A)

As it relates specifically to Lot 1 (i.e. “7-Eleven site” located at 4949 S. Goliad Street), it should be noted that this same variance was originally requested as part the applicant’s site plan approval application (i.e. case SP21-0021). At the same time, one other exception to the Overlay standards (i.e pitched roof design requirement for a building under 6,000-sf) was requested by the applicant and approved by the Commission; however, immediately prior to the Commission meeting in September 2021 the exception to the utility placement standards was pulled out for consideration by staff, and staff instructed the applicant it would need to submit a separate exception application later. *(This was subsequently attempted and withdrawn in November 2021, and since then 549 Crossing, LP has been working in good faith to determine the requirements to meet the ordinance).* **Having said all that, the applicant had proposed a combination of compensatory measures variances with the original SP21-0021 application that was intended to offset BOTH exceptions proposed, including:**

1. Increased landscape buffer along FM 549 from 10-feet to 20-feet per ARB recommendation.
2. Increased parking lot landscaping to nine (9) percent (5 percent minimum).
3. Increased natural stone on exterior elevations to 35% of total area.
4. Increased awnings provided on building façade.
5. Increased glazing area (windows on rear elevation).

Application of Legal Standard

As demonstrated by the above information, the legal standard for granting an exception to this requirement has been met. With respect to each of the below enumerated criteria from this standard, we offer the following responses:

- (A) If the proposed compensatory measures sufficiently offset the requested variance or exception.
Response: The five listed compensatory measures above offset the impact of granting this exception.
- (B) If such a request will substantially or permanently injure the appropriate use of adjacent property.



Response: As noted above, this would be the only property in the area with buried utility lines, and as such, it cannot be reasonably argued that adjacent properties (with overhead power utility lines) are injured.

(C) If such a request will adversely affect the health, safety, and/or general welfare of the public.

Response: As noted above, it is our understanding from the utility provider that the burying of these lines can make outages last long due to the difficulty of accessing the lines for maintenance.

(D) If such a request will be contrary to the public interest.

Response: We are unaware of objections from any surrounding property owners, particular given that their properties currently have above ground utility lines.

(E) If such a request will authorize the operation of a use other than those uses specifically authorized for the district in which the subject property is located.

Response: The granting of this exception will not change any of the allowed uses of the property.

(F) If such a request will be in harmony with the spirit and intent of the Unified Development Code (UDC), Comprehensive Plan, and/or other City policies.

Response: The proposed compensatory measures coupled with the other explanations in this request align with city policy and practice to date.

(G) If such a request will alter the essential character of the district in which the subject property is located.

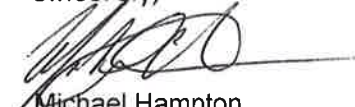
Response: As noted already, this would be the only property in the general vicinity to bury overhead utility lines.

(H) If such a request will substantially weaken the general purpose of the zoning requirements established for the district in which the subject property is located.

Response: If granted, this exception would not affect any of the zoning regulations applicable to the property.

Thank you for your consideration and we appreciate your assistance with this matter.

Sincerely,


Michael Hampton
Vice President
Prudent Development, LLC
(dba "549 Crossing, LP")

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214.271.4630 Fax 214.271.4631



2000 I-30 E - Greenville, TX 75402
(903) 455-1715

March 25, 2022

Keaton Mai, P.E.
Director of Civil Engineering
The Dimension Group

Re: 7-11 Hwy 205/FM 549 Rockwall, TX

Keaton,

At your request, and to satisfy The City of Rockwall's ordinance, Farmers' engineering has prepared a design and cost estimate for the burial of our existing overhead powerline that resides in the Hwy 205 ROW at the proposed 7-11 development. This design will require additional easements on the northeast and southwest corners of Hwy 205 and FM 549. The cost of this project is \$464,074.15 plus tax which includes all permitting and construction. This does not include easement acquisitions which will be the responsibility of the developer. This cost is valid for 30 days from the date on this letter and is contingent on Farmers' receiving an electric service application for the project. Upon your acceptance in writing, we can go over the design details including the additional easements that will be required. In addition, we can go over the design of the 7-11 electric facilities which are included in the project pricing above.

Please don't hesitate to contact me directly with any questions.

Sincerely,

Frank Spataro

Frank Spataro
Senior Project Coordinator
903-461-2452
fspataro@fecelectric.com

Michael Hampton

From: Shaun Chronister <schronister@farmerselectric.coop>
Sent: Thursday, April 14, 2022 2:44 PM
To: Michael Hampton
Subject: RE: 7-11 proposal letter (205 & 549)

Hey Michael,

I spent a couple hours yesterday reviewing your request for design and pricing to bury Farmers' overhead powerlines located in the state ROW in front of Parcel 30851 (Rockwall 205 Investors) and 113123 (7-11). As discussed, it is Farmers' design standard and practice to loop underground primary feeder lines. There is a couple reason for this.

1. Outage restoration – primary cable failures are difficult to and time consuming to troubleshoot. Once found the cable must be isolated removed from the conduit and replaced. In order to restore power to our members, we need to have the ability to leverage a loop to isolate the failed section of cable. This limits outage times considerably. Without looped facilities, outages depending on field conditions, could go on for hours or even days.
2. New services/load - Adding new load to underground electric feeder lines can be problematic as well. The manholes and switchgear required to add load are costly and can't be added to an existing system without de-energizing, cutting in the equipment, and often times repulling cable on at least one side of the run. In areas like this where there is no significant master plan, a loop is required so that section can be de-energized while no members are left without electric service. Installations of this sort take weeks.

In short, the quote that Farmers provided for burying the overhead facilities in front of the proposed 7-11 is a fair estimate and will be honored per the terms outlined in the letter.

The design and cost estimates requested for the properties adjacent to the proposed 7-11 have not been designed. As a courtesy, Farmers is providing ballpark estimates for the burial of the overhead facilities along on 205 north of the proposed 7-11 (\$550,000-\$700,000). Also, from the intersection of 205 & 1139 east to the intersection of 1139 and the new 549 extension (\$1,175,000 - \$1,300,000). Lastly, going south from the proposed underground facilities for 7-11 to the south edge of parcel 30851 along 205 (\$375,000 - \$450,000).

Again, these are very preliminary estimates. The ultimate design and costs are dependent on several factors such as easements, allowable ending location for overhead lines, the order in which these projects would be constructed, existing services, equipment needs (transformers, switchgear, manholes, junction boxes, and etc), bores, encasement requirements, other/existing underground utilities, and the list goes on.

I hope this helps to quantify things a bit. Please don't hesitate to reach out if I can be of further assistance.

Shaun Chronister

From: Michael Hampton <mhampton@prudentdevelopment.com>
Sent: Wednesday, April 13, 2022 5:47 PM
To: Shaun Chronister <schronister@farmerselectric.coop>
Cc: Keaton Mai <kmai@dimensiongroup.com>
Subject: RE: 7-11 proposal letter (205 & 549)

Ok, thanks for the update Shaun.

CAUTION NOTICE TO CONTRACTORS
 RECORDS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE UTILITY COMPANIES AND WHERE NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF UTILITIES BY EXCAVATING AT THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.

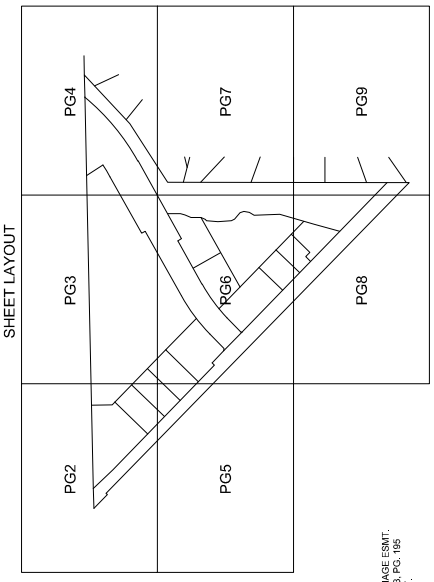
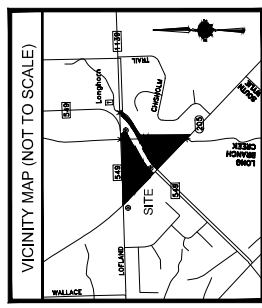
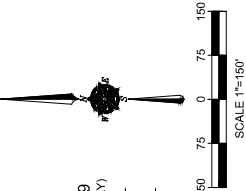
ITEM	DESCRIPTION	QUANTITY
1	CONSTRUCT 1" CONCRETE PAVEMENT SECTION (SEE DETAIL)	1
2	INSTALL REINFORCED CONCRETE PAVEMENT	1
3	NEW UNDERGROUND FUEL STORAGE TANKS	1
4	NEW PARK TENTS	1
5	INSTALL AIR & WATER MACHINE	1
6	INSTALL (8) UNPAVED BOLLARDS PER FIRE PLANS	8
7	INSTALL HANDICAP VANWAY CROSS (SEE ADA PLAN)	1
8	WHITE PAVEMENT SOLID PARKING STRIPES	1
9	HANDICAP VAN PARKING	1
10	STANDARD VEHICLE LIGHT POLE (PHOTOGRAPHIC PLAN)	1
11	NEW GASOLINE CANNOPY	1
12	NEW TRASH CANS	1
13	NEW MULTIPHASE DEPENDERS	1
14	NEW ID. SIGN (BY SEPARATE PERMIT)	1
15	NEW 4" WIDE FIRE LINE STRIPS	1
16	NEW BARRIER FREE RAMP	1
17	NEW BOLLARDS IN PARKING SPACES (PER ARCH. PLANS)	1
18	NEW FIRE HOUSING LOCATION	1
19	NEW FIRE HOUSING	1
20	NEW CO2 & NITROGEN CANS	1
21	NEW PROPANE CANE	1

TYPE	COMMERCIAL CONCERNANCE STORE (VINYL SALES)
LOT AREA	62,486 S.F. (1.43 ACRES)
BUILDING SQUARE FOOTAGE	5,208 S.F.
CANOPY SQUARE FOOTAGE	3,840 S.F.
FAR	0.131
BUILDING HEIGHT	18'-0"
CANOPY HEIGHT	11'-0"
TOTAL PERVIOUS COVER	10,742 S.F. OR 24%
TOTAL IMPERVIOUS COVER	48,712 S.F. OR 76%
PARKING REQUIRED	27 SPACES (1,920 S.F.A.)
MINIMUM PARKING REQUIRED	27 SPACES
MINIMUM PARKING PROVIDED	29 SPACES

LINE	BEARING	DISTANCE
1	S 89° 02' 00" W	13.00'
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100	S 89° 02' 00" W	13.00'

CITY OF ROCKWALL MONUMENTS
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 TEXAS NORTH CENTRAL ZONE (NAD 83)
 CORNER ALUMINUM DISK STAMPED CITY OF ROCKWALL SURVEY MONUMENT
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 10719863.13 E 2098533.88 ELEVATION 690.8
 CORNER BRASS DISK STAMPED CITY OF ROCKWALL SURVEY MONUMENT ON
 OF CORNER 1.180 FOOT EAST INTERSECTION OF DISCOVERY/COMPOSITE
 N 705560.12 E 2097428.88 ELEVATION 596.67

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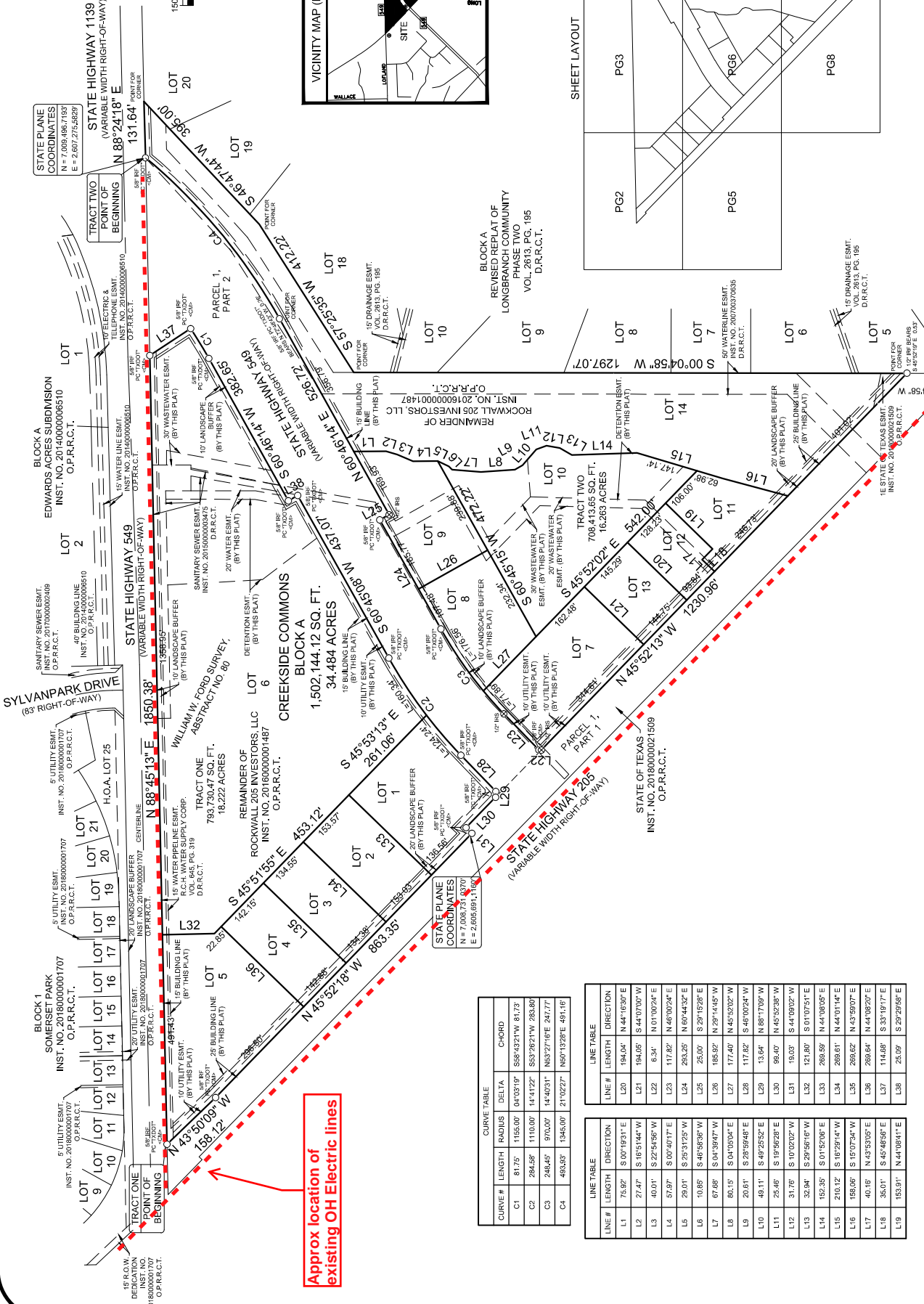
PRELIMINARY PLAT
CREEKSIDE COMMONS
 LOTS 1-14, BLOCK A
 BEING TRACTS OF LAND SITUATED IN THE
 WILLIAM W. FORD SURVEY, ABSTRACT NO. 80
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
 1,502,144.12 SQUARE FEET / 34.484 ACRES
 CASE NO.

TEXAS HERITAGE
SURVEYING, LLC
 SURVEYOR
 10610 Metric Drive, Suite 124, Dallas, TX 75243
 Office 214-340-9700 Fax 214-340-9710
 txheritage.com
 Firm No. 10169300



OWNER
 ROCKWALL 205 INVESTORS, LLC
 1 LANDVILLE TRAIL
 HEATH, TEXAS 75032

ENGINEER
 THE DIMENSION GROUP
 10000 W. PARKWAY
 DALLAS, TEXAS 75238
 attn: KEATON MAI



Approx location of existing OH Electric lines

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	81.75'	1155.00'	04°09'19"	586.43217W 81.73'
C2	264.58'	1110.00'	14°41'22"	552.26211W 263.60'
C3	288.45'	970.00'	14°40'31"	585.27167E 281.77'
C4	493.35'	1345.00'	21°02'27"	560.12287E 491.16'

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	75.92'	S 00°19'31" E
L2	27.47'	S 16°51'44" W
L3	40.01'	S 22°51'56" W
L4	57.97'	S 00°40'17" E
L5	29.91'	S 25°31'25" W
L6	10.85'	S 46°58'56" W
L7	67.68'	S 04°39'47" W
L8	80.15'	S 04°50'04" E
L9	20.91'	S 29°59'48" E
L10	49.11'	S 49°25'52" E
L11	25.46'	S 19°56'28" E
L12	31.76'	S 10°02'02" W
L13	32.94'	S 29°56'16" W
L14	192.35'	S 01°52'06" E
L15	210.12'	S 16°29'14" W
L16	193.06'	S 15°07'34" W
L17	40.16'	S 43°53'05" E
L18	36.01'	S 45°48'56" E
L19	153.91'	N 44°08'41" E

LINE TABLE

LINE #	LENGTH	DIRECTION
L20	194.04'	N 44°16'30" E
L21	194.05'	S 44°07'00" W
L22	6.34'	N 01°00'24" E
L23	117.82'	N 46°00'24" E
L24	293.25'	N 89°44'32" E
L25	25.00'	S 29°19'28" E
L26	185.92'	N 29°14'45" W
L27	177.40'	N 45°52'02" W
L28	117.82'	S 46°00'24" W
L29	13.64'	N 89°17'09" W
L30	99.40'	N 45°52'38" W
L31	19.03'	S 44°08'02" W
L32	263.59'	N 44°01'14" E
L33	269.67'	N 43°59'07" E
L34	269.64'	N 44°09'20" E
L35	114.68'	S 31°19'17" E
L36	25.09'	S 29°29'58" E

LEGEND:
 IRF IRON ROD FOUND
 IRON ROD FOUND WITH PINK CAP STAMPED "TADOT"
 IRON ROD SET WITH YELLOW CAP STAMPED "THIS"
 IRS IRON ROD SET
 D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
 A.R.R.C.T. ABSTRACT RECORDS, ROCKWALL COUNTY, TEXAS
 INST. NO. INSTRUMENT NUMBER
 VOL. PG. VOLUME PAGE
 C.M.T. COUNTY MAP TITLED
 L' LENGTH



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: April 26, 2022
SUBJECT: MIS2022-010; *Variance Request to the Utility Standards*

On August 10, 2021 the Planning and Zoning Commission approved a site plan for a retail store with gasoline sales (*i.e. 7-Eleven*) on a 1.503-acre tract of land located east of the intersection of S. Goliad Street [SH-205] and S. FM-549. As part of this approval, the Planning and Zoning Commission granted a variance to the pitched roof requirements allowing a flat roof design on a building that was less than 5,000 SF. As part of this request, the applicant offered compensatory measures in the form of additional landscaping, increased natural stone, and increased architectural elements (*i.e. decorative canopies, articulated accents, etc.*). Following this approval, the applicant -- *Keaton Mai of the Dimension Group* -- submitted a subsequent variance request (*Case No. MIS2021-015*) seeking to allow the overhead powerlines to remain above ground as opposed to being underground in accordance with the City's Municipal Code of Ordinances and the Unified Development Code (UDC). The Planning and Zoning Commission reviewed the applicant's request on November 30, 2021 and approved a motion to recommend denial of the applicant's request by a vote of 5-0, with Commissioners Chodun and Moeller absent. Based on this denial, the applicant submitted a request to withdraw the case on December 1, 2021 prior to the City Council's review on December 6, 2021.

More recently, the applicant has submitted a subsequent application requesting the same variance as was previously requested (*i.e. to allow the powerlines to remain above ground as opposed to being underground*); however, in the new request, the applicant -- *Michael Hampton of Prudent Development/549 Crossing LP (the owner of the 7-Eleven property)* -- has included the 32.981-acre tract of land surrounding the 1.503-acre property from the previous case, and is requesting that the overhead powerlines remain for all 34.484-acres. Staff should point out that the 34.484-acre tract of land was recently preliminary platted (*Case No. P2021-027*) showing that the subject property will be subdivided into 14 lots to facilitate the future development of the subject property, and to dedicate right-of-way for the future alignment of FM-549. According to the City's ordinances, all relocations of existing overhead powerlines are required to be installed underground. This requirement is stipulated in several sections of the Unified Development Code (UDC) and Municipal Code of Ordinances. Specifically, the sections relevant to the subject property are as follows:

- ☑ Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the UDC:

H. Utility Placement. All overhead utilities within any overlay district shall be placed underground.

- ☑ Section 03.03, *Utility Distribution Lines*, of Article 04, *Permissible Uses*, of the UDC:

All 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 of the Planning and Zoning Commission.

- ☑ Section 38-15, *Miscellaneous Requirements*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances:

(e) Underground utilities. All power and telephone service shall be underground. No overhead service will be allowed without special permission being given by the city council.

The applicant is requesting the City Council grant a variance to the underground requirements to allow overhead powerlines along SH-205 and the current alignment of FM-549. In the applicant's letter, the applicant has stated that Farmers Electric Cooperative would need to relocate these lines in the future. Staff has requested that the applicant provide additional information from Farmers Electric Cooperative showing an itemization of how the costs in the letter were calculated; however,

the applicant has stated that Farmers Electric Cooperative has not been able or willing to provide additional details on how the costs were calculated. Staff requested this information from the applicant to try and ascertain if the improvements being required by Farmers Electric Cooperative were simply related to the burial of the lines or if they were requiring the applicant to make system wide improvements effecting properties not associated with the burial of the lines for this project.

According to Section 09.02, *Variances to the General Overlay District Standards*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "...an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in Section 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship." Variances to the unground utility requirements are discretionary decisions that are considered on a *case-by-case basis* by the City Council pending a recommendation from the Planning and Zoning Commission.

In the attached packet staff has included a proposed utility plan showing the current and proposed location of the powerlines, and the applicant's letter. Staff should note that the approval of any variance in an established overlay district would require a ¾-majority vote of the City Council (*i.e. members present at the meeting*) for approval. Should the Planning and Zoning Commission have any questions, staff and a representative for the applicant will be available at the April 26, 2021 Planning and Zoning Commission Work Session meeting.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

M152022-010

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

SUBDIVISION Creekside Commons LOT 1-14 BLOCK A

GENERAL LOCATION NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Commercial (C) CURRENT USE Undeveloped

PROPOSED ZONING Commercial (C) PROPOSED USE Various retail/office/commercial uses

ACREAGE 34.484 LOTS [CURRENT] N/A LOTS [PROPOSED] 14

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 Rockwall 205 Investors, LLC APPLICANT 549 Crossing, LP

CONTACT PERSON Justin Webb + Russell Phillips CONTACT PERSON Michael Hampton

ADDRESS 5763 S SH 205, Suite 100 ADDRESS 10755 Sandhill Rd

CITY, STATE & ZIP Rockwall, TX 75032 CITY, STATE & ZIP Dallas, TX 75238

PHONE 214-729-7885 PHONE 469-500-5204

E-MAIL Justinw@alturahomes.com E-MAIL mhampton@prudentdevelopment.com

NOTARY VERIFICATION [REQUIRED]

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

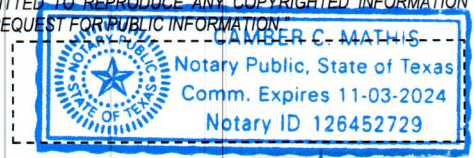
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \$100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF April, 2023 BY SIGNING THIS APPLICATION. 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 14 DAY OF April, 2023

OWNER'S SIGNATURE

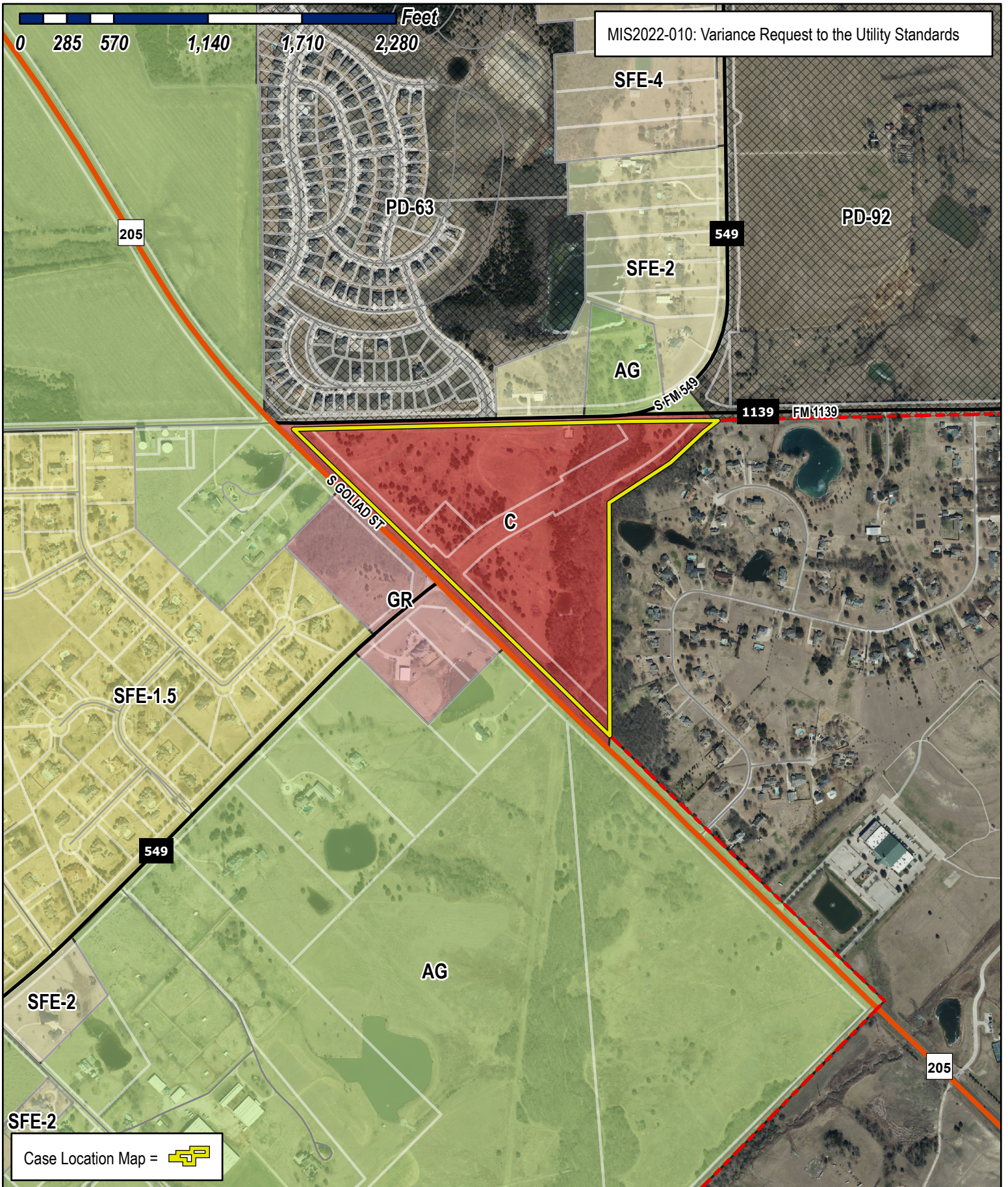
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Justin Webb
Camber C. Mathis



MY COMMISSION EXPIRES

11/3/24



MIS2022-010: Variance Request to the Utility Standards

0 285 570 1,140 1,710 2,280 Feet

205

549

1139


549

205

S GOLIAD ST

SFM 549

FM 1139

Case Location Map = 



City of Rockwall

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

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





April 21, 2022

To: City of Rockwall
Planning & Zoning Commission
385 S. Goliad Street
Rockwall, TX 75087

Re: Creekside Commons Addition (Lots 1-14, Block A)
NEQ + SEQ of SH 205 and future FM 549
Rockwall, TX 75032
Exception Request Letter

On behalf of the Rockwall 205 Investors, LLC and 549 Crossing, LP, please accept this letter as a formal request for approval of an exception to the following provision found in Section 6.02(H) of the City of Rockwall Unified Development Code:

- *Utility Placement - All overhead utilities within any overlay district shall be placed underground.*

Over the past several months, both parties have been working with TXDOT, the utility provider (Farmers Electric Co-Op, or "FEC") and the City to identify the requirements and opportunities to comply with the above ordinance provision.

Attached is the latest cost proposal and design plan from FEC that is the minimum work required to achieve compliance for Lot 1, Block A only (i.e. "7-Eleven site"). FEC has also provided a supplemental email (*see attached*) relative to the projected cost and complexity for burying existing lines along the entire western and northern boundaries of the Creekside Commons development.

Existing conditions are as follows:

- 1) TXDOT has already acquired the Right-of-Way from Rockwall 205 Investors for both the future SH 205 widening and future FM 549 re-alignment/widening projects.
- 2) Existing overhead utility lines are located approximately 65-ft into the existing TXDOT ROW. *We do not believe the existing regulations require us to bury power lines that are located so far from our property as to not reasonably be considered abutting.*
- 3) FEC has stated they already have a permit from TXDOT to relocate the existing overhead lines to the new ROW line
- 4) According to FEC, the existing overhead lines are "radial feed" lines that serve a large area of south Rockwall County, including both sides of SH 205 and FM 549.
- 5) In order to properly bury one or more individual pad sites in this area, FEC has stated the developer(s) must also relocate, bury and tie into existing facilities on the west side of SH 205, which requires two (2) highway crossings and at least one offsite easement from a 3rd party landowner. *As such, strict compliance with the requirement to bury overhead utility lines could be impossible.*

According to FEC, while service disruptions tend to be less frequent when underground lines are deployed, the time required to diagnose and restore a disruption is significantly higher. Therefore, if the existing lines must be buried FEC wants to convert these radial lines to a dual/redundant feed system that simultaneously costs much more to construct and requires more land area (easements) to accommodate various manholes, switchgear and other facilities. Further, in order to prevent disruption or damage to the utilities when the SH 205 and FM 549 construction is started, FEC will require these new lines to be entirely within private property in the form of a 15-ft easement. These are in addition to "private" electric easements required to serve each individual lot, which the applicant has always

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214 271 4630 Fax 214 271 4631



understood and agreed to place underground.

Another challenge for this development is the unusual circumstance of attempting to relocate and bury the overhead facilities prior to the ultimate relocation and reconfiguration of not one, but two, TXDOT highway improvement projects. The requirements to bury the line across both SH 205 and future FM 549 rights-of-way (as depicted on the 7-Eleven proposal/exhibit) is by itself driving the costs of complying with the ordinance to a level that will make it difficult/economically infeasible to develop any individual lots.

We will be present at the upcoming Planning & Zoning Commission and City Council hearings prepared to discuss the request in more detail, and answer any concerns or questions.

Thank you for your consideration and assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Hampton", written over a faint, illegible typed name.

Michael Hampton, AICP
Vice President
Prudent Development, LLC
(dba "549 Crossing, LP")

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214.271.4630 Fax 214.271.4631



2000 I-30 E - Greenville, TX 75402
(903) 455-1715

March 25, 2022

Keaton Mai, P.E.
Director of Civil Engineering
The Dimension Group

Re: 7-11 Hwy 205/FM 549 Rockwall, TX

Keaton,

At your request, and to satisfy The City of Rockwall's ordinance, Farmers' engineering has prepared a design and cost estimate for the burial of our existing overhead powerline that resides in the Hwy 205 ROW at the proposed 7-11 development. This design will require additional easements on the northeast and southwest corners of Hwy 205 and FM 549. The cost of this project is \$464,074.15 plus tax which includes all permitting and construction. This does not include easement acquisitions which will be the responsibility of the developer. This cost is valid for 30 days from the date on this letter and is contingent on Farmers' receiving an electric service application for the project. Upon your acceptance in writing, we can go over the design details including the additional easements that will be required. In addition, we can go over the design of the 7-11 electric facilities which are included in the project pricing above.

Please don't hesitate to contact me directly with any questions.

Sincerely,

Frank Spataro

Frank Spataro
Senior Project Coordinator
903-461-2452
fspataro@fecelectric.com

Michael Hampton

From: Shaun Chronister <schronister@farmerselectric.coop>
Sent: Thursday, April 14, 2022 2:44 PM
To: Michael Hampton
Subject: RE: 7-11 proposal letter (205 & 549)

Hey Michael,

I spent a couple hours yesterday reviewing your request for design and pricing to bury Farmers' overhead powerlines located in the state ROW in front of Parcel 30851 (Rockwall 205 Investors) and 113123 (7-11). As discussed, it is Farmers' design standard and practice to loop underground primary feeder lines. There is a couple reason for this.

1. Outage restoration – primary cable failures are difficult to and time consuming to troubleshoot. Once found the cable must be isolated removed from the conduit and replaced. In order to restore power to our members, we need to have the ability to leverage a loop to isolate the failed section of cable. This limits outage times considerably. Without looped facilities, outages depending on field conditions, could go on for hours or even days.
2. New services/load - Adding new load to underground electric feeder lines can be problematic as well. The manholes and switchgear required to add load are costly and can't be added to an existing system without de-energizing, cutting in the equipment, and often times repulling cable on at least one side of the run. In areas like this where there is no significant master plan, a loop is required so that section can be de-energized while no members are left without electric service. Installations of this sort take weeks.

In short, the quote that Farmers provided for burying the overhead facilities in front of the proposed 7-11 is a fair estimate and will be honored per the terms outlined in the letter.

The design and cost estimates requested for the properties adjacent to the proposed 7-11 have not been designed. As a courtesy, Farmers is providing ballpark estimates for the burial of the overhead facilities along on 205 north of the proposed 7-11 (\$550,000-\$700,000). Also, from the intersection of 205 & 1139 east to the intersection of 1139 and the new 549 extension (\$1,175,000 - \$1,300,000). Lastly, going south from the proposed underground facilities for 7-11 to the south edge of parcel 30851 along 205 (\$375,000 - \$450,000).

Again, these are very preliminary estimates. The ultimate design and costs are dependent on several factors such as easements, allowable ending location for overhead lines, the order in which these projects would be constructed, existing services, equipment needs (transformers, switchgear, manholes, junction boxes, and etc), bores, encasement requirements, other/existing underground utilities, and the list goes on.

I hope this helps to quantify things a bit. Please don't hesitate to reach out if I can be of further assistance.

Shaun Chronister

From: Michael Hampton <mhampton@prudentdevelopment.com>
Sent: Wednesday, April 13, 2022 5:47 PM
To: Shaun Chronister <schronister@farmerselectric.coop>
Cc: Keaton Mai <kmai@dimensiongroup.com>
Subject: RE: 7-11 proposal letter (205 & 549)

Ok, thanks for the update Shaun.

[Seal/Stamp] [Scale/Date] [Title/Sheet] [Project Name] [Location] [Date] [Scale] [Sheet]



CALLOUT NOTICE TO CONTRACTORS

THE CONTRACTORS IS RESPONSIBLE FOR THE LOCATION ANDOR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON POSSIBLE MEASUREMENT TAKEN IN THE FIELD. THE INFORMATION MAY VARY A FOOT NORTH OF CURB LINE IN CENTER OF CURVE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES BY EXCAVATION TO VERIFY EXACT FIELD LOCATION OF THE UTILITIES. EXCAVATION TO VERIFY EXACT FIELD LOCATION OF THE UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.

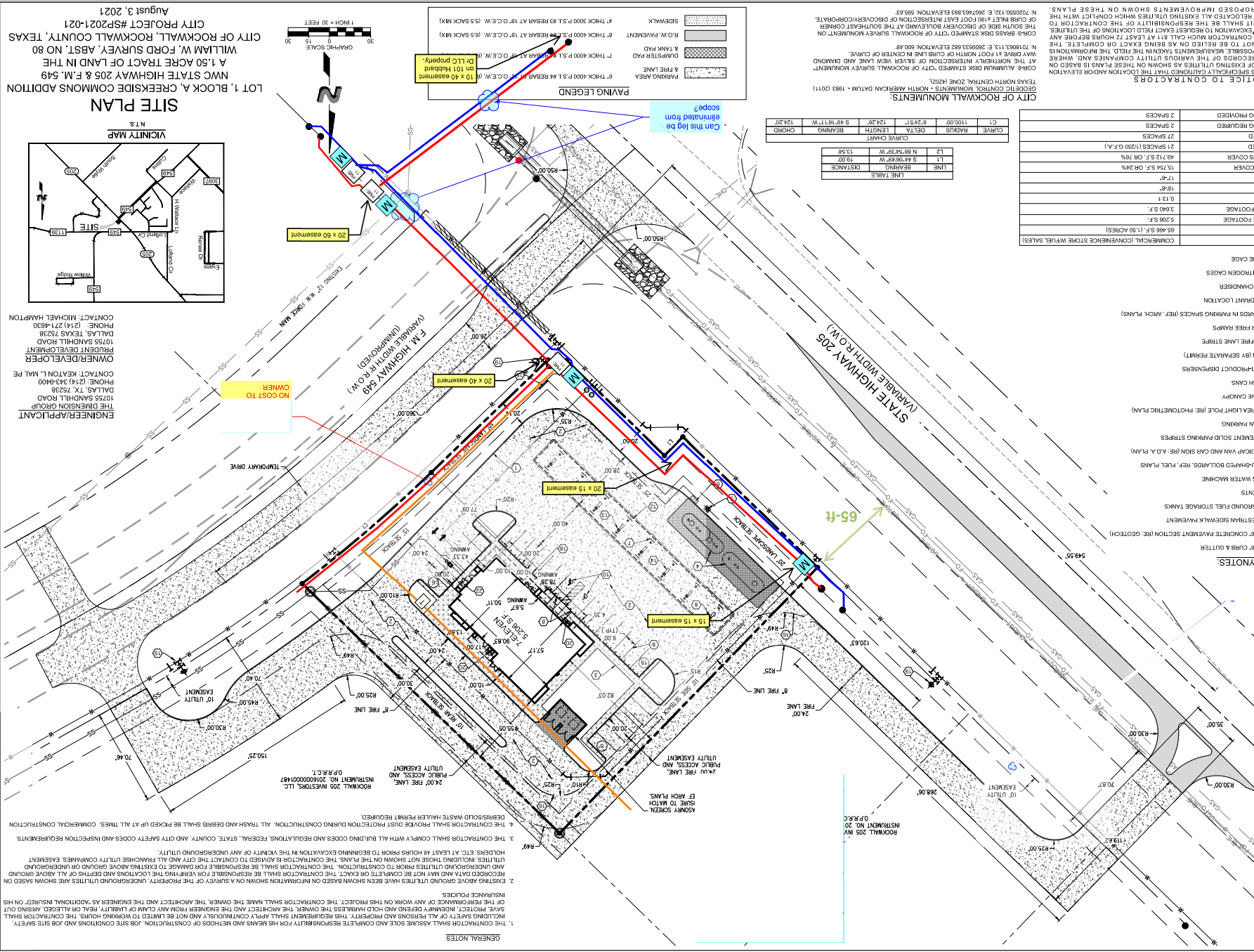
USE	LOT AREA	BUILDING SQUARE FOOTAGE	COMPOUND SQUARE FOOTAGE	FAR	BUILDING HEIGHT	COMPOUND HEIGHT	TOTAL PERVIOUS COVER	TOTAL PERVIOUS COVER	COMPOUND PERVIOUS COVER	COMPOUND PERVIOUS COVER	PARKING PROVIDED	HANDICAP PARKING PROVIDED	Z SPACES
COMMERCIAL (CONVENIENCE STORE WHOLE SALES)	66,466 S.F. (1.50 ACRES)	5,206 S.F.	3,640 S.F.	0.131	17'-0"	17'-0"	49.712 S.F. OR 78%	49.712 S.F. OR 78%	27 SPACES	27 SPACES	2 SPACES	2 SPACES	2 SPACES

LINE	BEARING	DISTANCE
L1	N 88°59'29" W	13.00'
L2	N 88°59'29" W	13.00'

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	1100.00'	6°24'51"	124.80'	S 49°18'11" W	124.20'

- #### SITE PLAN KEYNOTES:
1. CONSTRUCT CURB & GUTTER
 2. CONSTRUCT CONCRETE PAVEMENT SECTION (SEE GEOTECH)
 3. INSTALL PEDESTRIAN SIDEWALK PAVEMENT
 4. NEW UNDERGROUND FUEL STORAGE TANKS
 5. INSTALL FIRE EXTINGUISHER
 6. NEW TANK VENTS
 7. NEW WALKWAY
 8. NEW FRESH AIR INTAKE
 9. NEW FRESH AIR INTAKE
 10. NEW ICE MERCHANT SIGNAGE
 11. NEW ICE MERCHANT SIGNAGE
 12. NEW COOL & SHADY CANOPIES
 13. NEW PROPANE GAGE
 14. STANDARD AREA LIGHT POLE (SEE PHOTOMETRIC PLAN)
 15. NEW GASOLINE CANOPY
 16. NEW TRASH CANS
 17. NEW MULTIPRODUCT DISPENSERS
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CITY OF ROCKWALL MONUMENTS - NORTH AMERISIAN, 1988 (1981)
 TEXAS NORTH CENTRAL ZONE (2002)
 GEODESIC CONTROL MONUMENTS - NORTH AMERISIAN, 1988 (1981)



SITE PLAN
 N.T.S.
 VICINITY MAP
 742/EVEN STORE
 NWC STATE HIGHWAY 205 & FM 549
 ROCKWALL, TEXAS

DATE	REVISION DESCRIPTION	BY
12/23/2021	2.34 pm	DESIGNED BY
12/23/2021	2.34 pm	APPROVED BY



THE DIMENSION GROUP
 12507
 12507
 12507

SHEET C3.1
 AUGUST 3, 2021



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: Mayor and City Council
CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: May 2, 2022
SUBJECT: MIS2022-010; *Variance Request to the Utility Standards*

On August 10, 2021 the Planning and Zoning Commission approved a site plan for a retail store with gasoline sales (*i.e. 7-Eleven*) on a 1.503-acre tract of land located east of the intersection of S. Goliad Street [SH-205] and S. FM-549. As part of this approval, the Planning and Zoning Commission granted a variance to the pitched roof requirements allowing a flat roof design on a building that was less than 5,000 SF. As part of this request, the applicant offered compensatory measures in the form of additional landscaping, increased natural stone, and increased architectural elements (*i.e. decorative canopies, articulated accents, etc.*). Following this approval, the applicant -- *Keaton Mai of the Dimension Group* -- submitted a subsequent variance request (*Case No. MIS2021-015*) seeking to allow the overhead powerlines to remain above ground as opposed to being undergrounded in accordance with the City's Municipal Code of Ordinances and the Unified Development Code (UDC). The Planning and Zoning Commission reviewed the applicant's request on November 30, 2021 and approved a motion to recommend denial of the applicant's request by a vote of 5-0, with Commissioners Chodun and Moeller absent. Based on this denial, the applicant submitted a request to withdraw the case on December 1, 2021 prior to the City Council's review on December 6, 2021.

More recently, the applicant has submitted a subsequent application requesting the same variance as was previously requested (*i.e. to allow the powerlines to remain above ground as opposed to being undergrounded*); however, in the new request, the applicant -- *Michael Hampton of Prudent Development/549 Crossing LP (the owner of the 7-Eleven property)* -- has included the 32.981-acre tract of land surrounding the 1.503-acre property from the previous case, and is requesting that the overhead powerlines remain for all 34.484-acres. Staff should point out that the 34.484-acre tract of land was recently preliminary platted (*Case No. P2021-027*) showing that the subject property will be subdivided into 14 lots to facilitate the future development of the subject property, and to dedicate right-of-way for the future alignment of FM-549. According to the City's ordinances, all relocations of existing overhead powerlines are required to be installed underground. This requirement is stipulated in several sections of the Unified Development Code (UDC) and Municipal Code of Ordinances. Specifically, the sections relevant to the subject property are as follows:

- ☑ Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the UDC:

H. Utility Placement. All overhead utilities within any overlay district shall be placed underground.

- ☑ Section 03.03, *Utility Distribution Lines*, of Article 04, *Permissible Uses*, of the UDC:

All 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 of the Planning and Zoning Commission.

- ☑ Section 38-15, *Miscellaneous Requirements*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances:

(e) Underground utilities. All power and telephone service shall be underground. No overhead service will be allowed without special permission being given by the city council.

The applicant is requesting the City Council grant a variance to the underground requirements to allow overhead powerlines along SH-205 and the current alignment of FM-549. In the applicant's letter, the applicant has stated that Farmers Electric

Cooperative would need to relocate these lines in the future. Staff has requested that the applicant provide additional information from Farmers Electric Cooperative showing an itemization of how the costs in the letter were calculated; however, the applicant has stated that Farmers Electric Cooperative has not been able or willing to provide additional details on how the costs were calculated. Staff requested this information from the applicant to try and ascertain if the improvements being required by Farmers Electric Cooperative were simply related to the burial of the lines or if they were requiring the applicant to make system wide improvements effecting properties not associated with the burial of the lines for this project.

According to Section 09.02, *Variances to the General Overlay District Standards*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "...an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in Section 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship." Variances to the unground utility requirements are discretionary decisions that are considered on a *case-by-case basis* by the City Council pending a recommendation from the Planning and Zoning Commission. On April 26, 2022, the Planning and Zoning Commission reviewed the applicant's request and approved a motion to recommend denial by a vote of 5-1, with Commissioner Welch dissenting and Commissioner Womble absent.

In the attached packet staff has included a proposed utility plan showing the current and proposed location of the powerlines, and the applicant's letter. Staff should note that the approval of any variance in an established overlay district would require a $\frac{3}{4}$ -majority vote of the City Council (*i.e. members present at the meeting*) for approval. Should the City Council have any questions, staff and a representative for the applicant will be available at the May 2, 2022 City Council meeting.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

M152022-010

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

SUBDIVISION Creekside Commons LOT 1-14 BLOCK A

GENERAL LOCATION NEQ + SEQ of HWY 205 and FM 549, Rockwall, TX 75032

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Commercial (C) CURRENT USE Undeveloped

PROPOSED ZONING Commercial (C) PROPOSED USE Various retail/office/commercial uses

ACREAGE 34.484 LOTS [CURRENT] N/A LOTS [PROPOSED] 14

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 Rockwall 205 Investors, LLC APPLICANT 549 Crossing, LP

CONTACT PERSON Justin Webb + Russell Phillips CONTACT PERSON Michael Hampton

ADDRESS 5763 S SH 205, Suite 100 ADDRESS 10755 Sandhill Rd

CITY, STATE & ZIP Rockwall, TX 75032 CITY, STATE & ZIP Dallas, TX 75238

PHONE 214-729-7885 PHONE 469-500-5204

E-MAIL Justinw@alturahomes.com E-MAIL mhampton@prudentdevelopment.com

NOTARY VERIFICATION [REQUIRED]

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

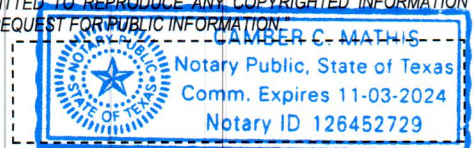
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ \$100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF April, 2023 BY SIGNING THIS APPLICATION. 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 14 DAY OF April, 2023

OWNER'S SIGNATURE

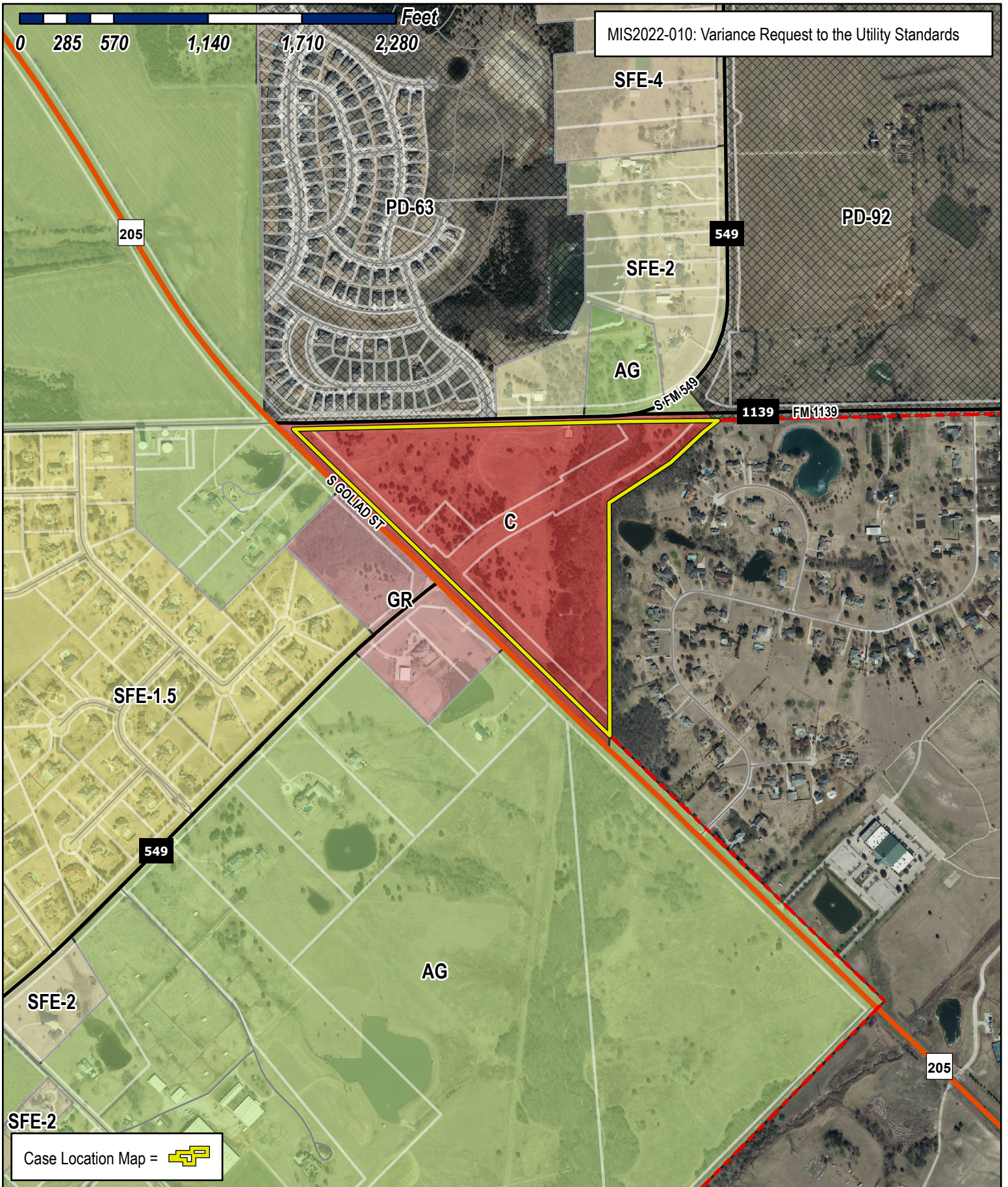
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Justin Webb
Camber C. Mathis



MY COMMISSION EXPIRES

11/3/24



MIS2022-010: Variance Request to the Utility Standards

0 285 570 1,140 1,710 2,280 Feet

205

549

1139

549

205

S GOLIAD ST

FM1139

SFE-1.5

GR

C

AG

SFE-2

SFE-2

Case Location Map = 



City of Rockwall

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

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





April 21, 2022

To: City of Rockwall
Planning & Zoning Commission
385 S. Goliad Street
Rockwall, TX 75087

Re: Creekside Commons Addition (Lots 1-14, Block A)
NEQ + SEQ of SH 205 and future FM 549
Rockwall, TX 75032
Exception Request Letter

On behalf of the Rockwall 205 Investors, LLC and 549 Crossing, LP, please accept this letter as a formal request for approval of an exception to the following provision found in Section 6.02(H) of the City of Rockwall Unified Development Code:

- *Utility Placement - All overhead utilities within any overlay district shall be placed underground.*

Over the past several months, both parties have been working with TXDOT, the utility provider (Farmers Electric Co-Op, or "FEC") and the City to identify the requirements and opportunities to comply with the above ordinance provision.

Attached is the latest cost proposal and design plan from FEC that is the minimum work required to achieve compliance for Lot 1, Block A only (i.e. "7-Eleven site"). FEC has also provided a supplemental email (*see attached*) relative to the projected cost and complexity for burying existing lines along the entire western and northern boundaries of the Creekside Commons development.

Existing conditions are as follows:

- 1) TXDOT has already acquired the Right-of-Way from Rockwall 205 Investors for both the future SH 205 widening and future FM 549 re-alignment/widening projects.
- 2) Existing overhead utility lines are located approximately 65-ft into the existing TXDOT ROW. *We do not believe the existing regulations require us to bury power lines that are located so far from our property as to not reasonably be considered abutting.*
- 3) FEC has stated they already have a permit from TXDOT to relocate the existing overhead lines to the new ROW line
- 4) According to FEC, the existing overhead lines are "radial feed" lines that serve a large area of south Rockwall County, including both sides of SH 205 and FM 549.
- 5) In order to properly bury one or more individual pad sites in this area, FEC has stated the developer(s) must also relocate, bury and tie into existing facilities on the west side of SH 205, which requires two (2) highway crossings and at least one offsite easement from a 3rd party landowner. *As such, strict compliance with the requirement to bury overhead utility lines could be impossible.*

According to FEC, while service disruptions tend to be less frequent when underground lines are deployed, the time required to diagnose and restore a disruption is significantly higher. Therefore, if the existing lines must be buried FEC wants to convert these radial lines to a dual/redundant feed system that simultaneously costs much more to construct and requires more land area (easements) to accommodate various manholes, switchgear and other facilities. Further, in order to prevent disruption or damage to the utilities when the SH 205 and FM 549 construction is started, FEC will require these new lines to be entirely within private property in the form of a 15-ft easement. These are in addition to "private" electric easements required to serve each individual lot, which the applicant has always

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214 271 4630 Fax 214 271 4631



understood and agreed to place underground.

Another challenge for this development is the unusual circumstance of attempting to relocate and bury the overhead facilities prior to the ultimate relocation and reconfiguration of not one, but two, TXDOT highway improvement projects. The requirements to bury the line across both SH 205 and future FM 549 rights-of-way (as depicted on the 7-Eleven proposal/exhibit) is by itself driving the costs of complying with the ordinance to a level that will make it difficult/economically infeasible to develop any individual lots.

We will be present at the upcoming Planning & Zoning Commission and City Council hearings prepared to discuss the request in more detail, and answer any concerns or questions.

Thank you for your consideration and assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Hampton", written over a faint, illegible typed name.

Michael Hampton, AICP
Vice President
Prudent Development, LLC
(dba "549 Crossing, LP")

Prudent Development

10755 Sandhill Road Dallas, Texas 75238
Phone 214.271.4630 Fax 214.271.4631



2000 I-30 E - Greenville, TX 75402
(903) 455-1715

March 25, 2022

Keaton Mai, P.E.
Director of Civil Engineering
The Dimension Group

Re: 7-11 Hwy 205/FM 549 Rockwall, TX

Keaton,

At your request, and to satisfy The City of Rockwall's ordinance, Farmers' engineering has prepared a design and cost estimate for the burial of our existing overhead powerline that resides in the Hwy 205 ROW at the proposed 7-11 development. This design will require additional easements on the northeast and southwest corners of Hwy 205 and FM 549. The cost of this project is \$464,074.15 plus tax which includes all permitting and construction. This does not include easement acquisitions which will be the responsibility of the developer. This cost is valid for 30 days from the date on this letter and is contingent on Farmers' receiving an electric service application for the project. Upon your acceptance in writing, we can go over the design details including the additional easements that will be required. In addition, we can go over the design of the 7-11 electric facilities which are included in the project pricing above.

Please don't hesitate to contact me directly with any questions.

Sincerely,

Frank Spataro

Frank Spataro
Senior Project Coordinator
903-461-2452
fspataro@fecelectric.com

Michael Hampton

From: Shaun Chronister <schronister@farmerselectric.coop>
Sent: Thursday, April 14, 2022 2:44 PM
To: Michael Hampton
Subject: RE: 7-11 proposal letter (205 & 549)

Hey Michael,

I spent a couple hours yesterday reviewing your request for design and pricing to bury Farmers' overhead powerlines located in the state ROW in front of Parcel 30851 (Rockwall 205 Investors) and 113123 (7-11). As discussed, it is Farmers' design standard and practice to loop underground primary feeder lines. There is a couple reason for this.

1. Outage restoration – primary cable failures are difficult to and time consuming to troubleshoot. Once found the cable must be isolated removed from the conduit and replaced. In order to restore power to our members, we need to have the ability to leverage a loop to isolate the failed section of cable. This limits outage times considerably. Without looped facilities, outages depending on field conditions, could go on for hours or even days.
2. New services/load - Adding new load to underground electric feeder lines can be problematic as well. The manholes and switchgear required to add load are costly and can't be added to an existing system without de-energizing, cutting in the equipment, and often times repulling cable on at least one side of the run. In areas like this where there is no significant master plan, a loop is required so that section can be de-energized while no members are left without electric service. Installations of this sort take weeks.

In short, the quote that Farmers provided for burying the overhead facilities in front of the proposed 7-11 is a fair estimate and will be honored per the terms outlined in the letter.

The design and cost estimates requested for the properties adjacent to the proposed 7-11 have not been designed. As a courtesy, Farmers is providing ballpark estimates for the burial of the overhead facilities along on 205 north of the proposed 7-11 (\$550,000-\$700,000). Also, from the intersection of 205 & 1139 east to the intersection of 1139 and the new 549 extension (\$1,175,000 - \$1,300,000). Lastly, going south from the proposed underground facilities for 7-11 to the south edge of parcel 30851 along 205 (\$375,000 - \$450,000).

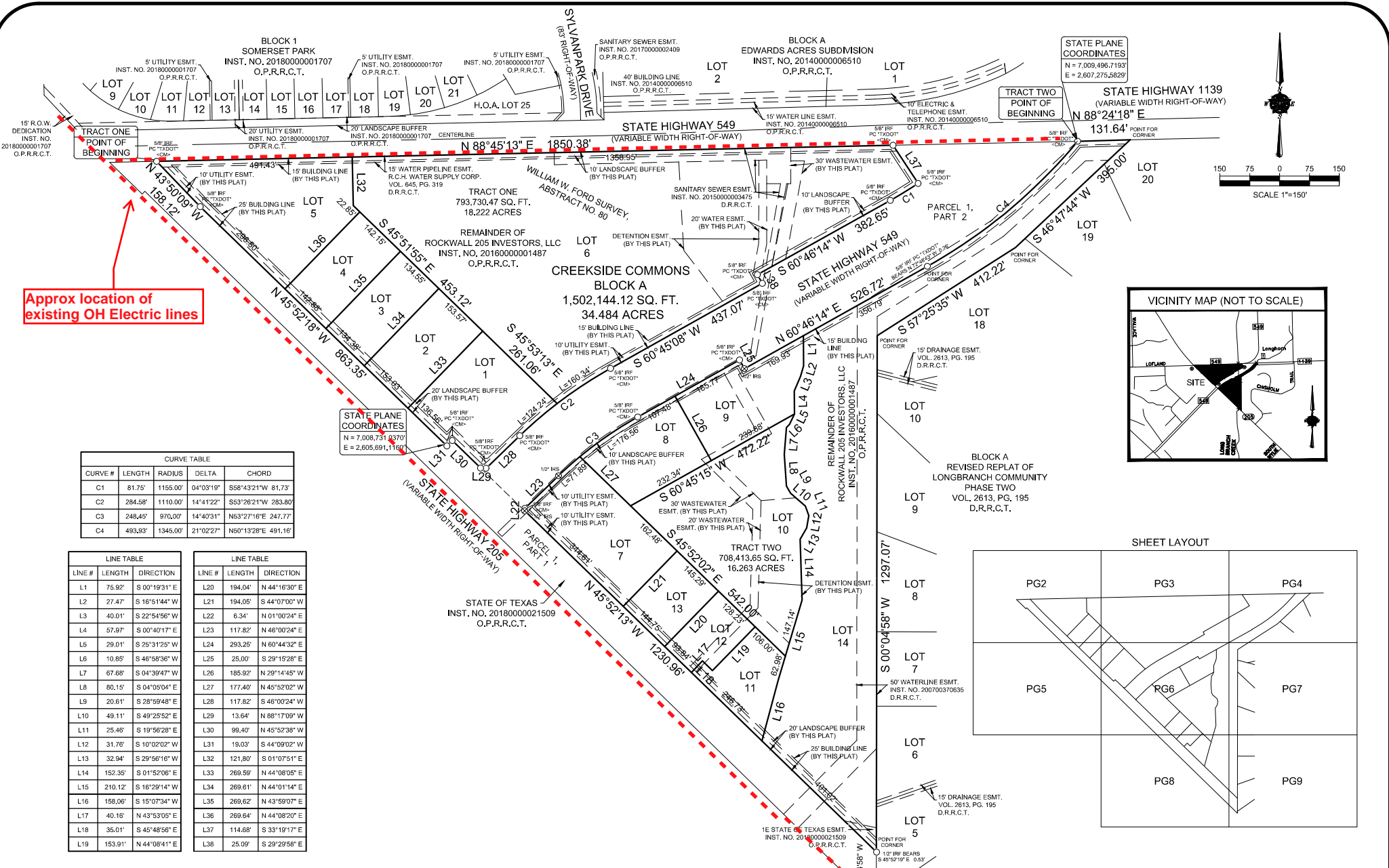
Again, these are very preliminary estimates. The ultimate design and costs are dependent on several factors such as easements, allowable ending location for overhead lines, the order in which these projects would be constructed, existing services, equipment needs (transformers, switchgear, manholes, junction boxes, and etc), bores, encasement requirements, other/existing underground utilities, and the list goes on.

I hope this helps to quantify things a bit. Please don't hesitate to reach out if I can be of further assistance.

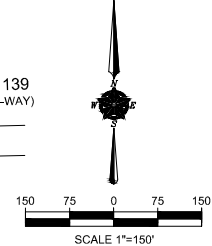
Shaun Chronister

From: Michael Hampton <mhampton@prudentdevelopment.com>
Sent: Wednesday, April 13, 2022 5:47 PM
To: Shaun Chronister <schronister@farmerselectric.coop>
Cc: Keaton Mai <kmai@dimensiongroup.com>
Subject: RE: 7-11 proposal letter (205 & 549)

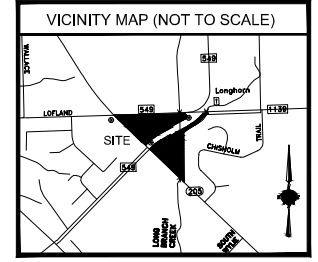
Ok, thanks for the update Shaun.



STATE PLANE COORDINATES
N = 7,009,496.7193'
E = 2,607,275.5829'



Approx location of existing OH Electric lines



CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	81.75'	1155.00'	04°03'19"	S58°43'21"W 81.73'
C2	284.58'	1110.00'	14°41'22"	S53°26'21"W 283.80'
C3	248.45'	970.00'	14°40'31"	N63°27'16"E 247.17'
C4	493.93'	1345.00'	21°02'27"	N50°13'28"E 491.16'

LINE TABLE			LINE TABLE		
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L1	75.92'	S 00°19'31" E	L20	194.04'	N 44°16'30" E
L2	27.47'	S 16°51'44" W	L21	194.05'	S 44°07'00" W
L3	40.01'	S 22°54'56" W	L22	6.34'	N 01°00'24" E
L4	57.97'	S 00°40'17" E	L23	117.82'	N 46°00'24" E
L5	29.01'	S 29°31'25" W	L24	293.25'	N 60°44'32" E
L6	10.85'	S 46°58'36" W	L25	25.00'	S 29°15'28" E
L7	67.68'	S 04°39'47" W	L26	185.92'	N 29°14'45" W
L8	80.15'	S 04°05'04" E	L27	177.40'	N 45°52'02" W
L9	20.61'	S 28°59'48" E	L28	117.82'	S 46°00'24" W
L10	49.11'	S 49°25'52" E	L29	13.64'	N 88°17'09" W
L11	25.46'	S 19°56'28" E	L30	98.40'	N 45°52'38" W
L12	31.76'	S 10°02'02" W	L31	19.03'	S 44°09'02" W
L13	32.94'	S 29°56'16" W	L32	121.80'	S 01°07'51" E
L14	152.35'	S 01°52'06" E	L33	269.59'	N 44°08'05" E
L15	210.12'	S 16°29'14" W	L34	269.61'	N 44°01'14" E
L16	158.06'	S 15°07'34" W	L35	269.62'	N 43°59'07" E
L17	40.16'	N 43°53'05" E	L36	269.64'	N 44°08'20" E
L18	35.01'	S 45°48'56" E	L37	114.68'	S 33°19'17" E
L19	153.91'	N 44°08'41" E	L38	25.09'	S 29°29'58" E

LEGEND:
 IRF IRON ROD FOUND
 PC "TXDOT" IRON ROD FOUND WITH PINK CAP STAMPED "TXDOT"
 IRS IRON ROD SET WITH YELLOW CAP STAMPED "TXHS"
 C&M CONTROLLING MONUMENT
 D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
 M.R.R.C.T. MAP RECORDS, ROCKWALL COUNTY, TEXAS
 O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
 INST. NO. INSTRUMENT NUMBER
 VOL., PG. EASEMENT PAGE
 ESMT. EASEMENT
 L= LENGTH

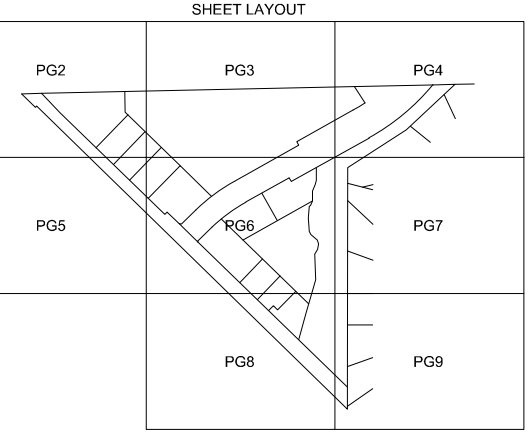
ENGINEER THE DIMENSION GROUP
 10755 SANDILL ROAD
 DALLAS, TEXAS 75238
 attn: KEATON MAI

OWNER ROCKWALL 205 INVESTORS, LLC
 1 CANDELITE TRAIL
 HEATH, TEXAS 75032

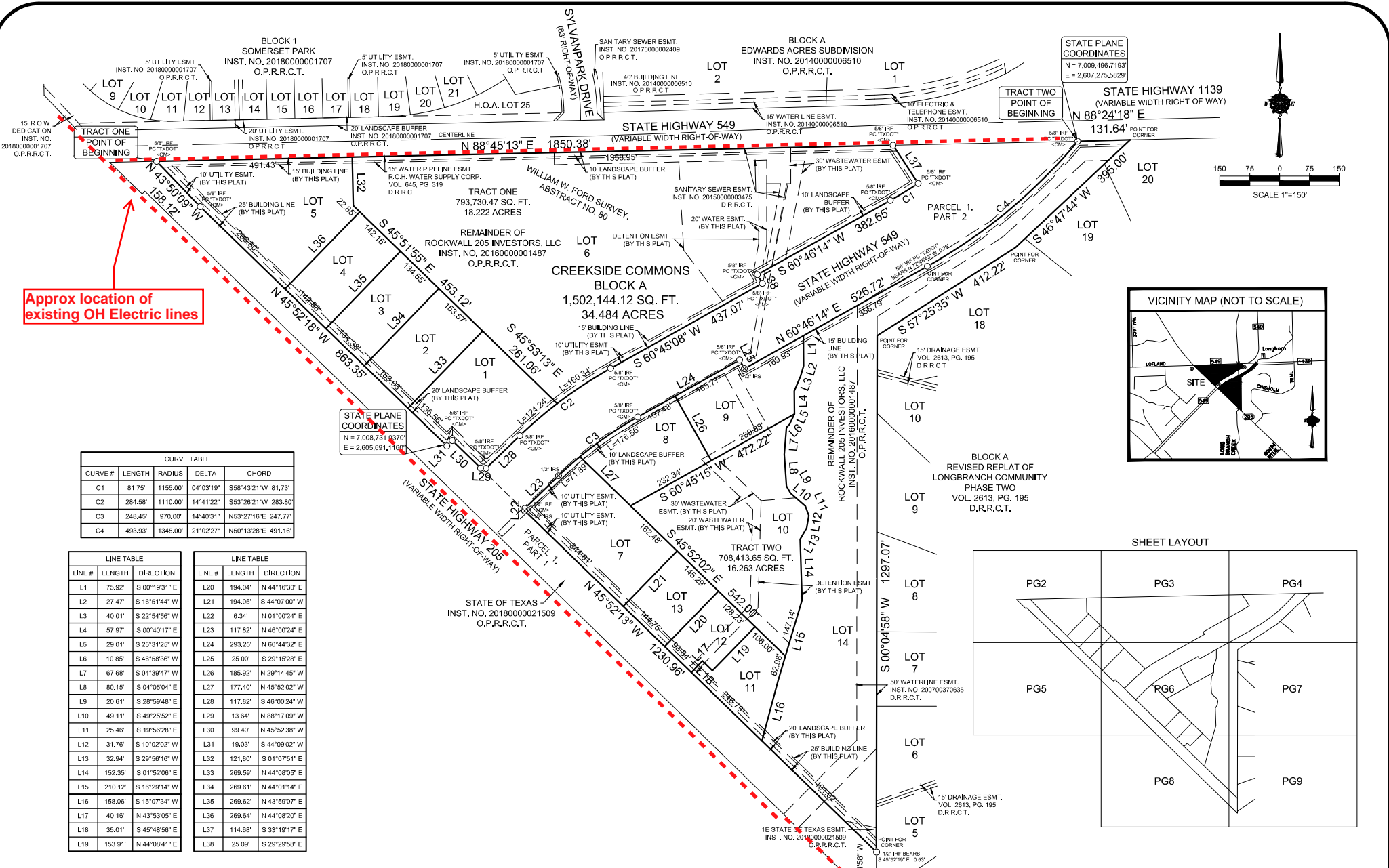


TEXAS HERITAGE SURVEYING, LLC

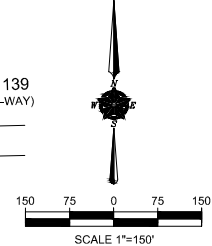
10610 Metric Drive, Suite 124, Dallas, TX 75243
 Office 214-340-9700 Fax 214-340-9710
 txheritage.com
 Firm No. 10169300



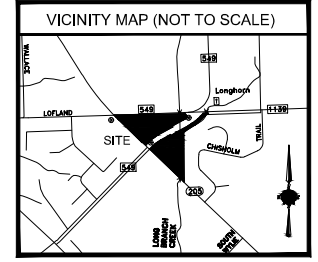
PRELIMINARY PLAT
CREEKSIDE COMMONS
 LOTS 1-14, BLOCK A
 BEING TRACTS OF LAND SITUATED IN THE
 WILLIAM W. FORD SURVEY, ABSTRACT NO. 80
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
 1,502,144.12 SQUARE FEET / 34.484 ACRES
 CASE NO.



STATE PLANE COORDINATES
N = 7,009,496.7193'
E = 2,607,275.5829'



Approx location of existing OH Electric lines



CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	81.75'	1155.00'	04°03'19"	S58°43'21"W 81.73'
C2	284.58'	1110.00'	14°41'22"	S53°26'21"W 283.80'
C3	248.45'	970.00'	14°40'31"	N63°27'16"E 247.17'
C4	493.93'	1345.00'	21°02'27"	N50°13'28"E 491.16'

LINE TABLE			LINE TABLE		
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L1	75.92'	S 00°19'31" E	L20	194.04'	N 44°16'30" E
L2	27.47'	S 16°51'44" W	L21	194.05'	S 44°07'00" W
L3	40.01'	S 22°54'56" W	L22	6.34'	N 01°00'24" E
L4	57.97'	S 00°40'17" E	L23	117.82'	N 46°00'24" E
L5	29.01'	S 29°31'25" W	L24	293.25'	N 60°44'32" E
L6	10.85'	S 46°58'36" W	L25	25.00'	S 29°15'28" E
L7	67.68'	S 04°39'47" W	L26	185.92'	N 29°14'45" W
L8	80.15'	S 04°05'04" E	L27	177.40'	N 45°52'02" W
L9	20.61'	S 28°59'48" E	L28	117.82'	S 46°00'24" W
L10	49.11'	S 49°25'52" E	L29	13.64'	N 88°17'09" W
L11	25.46'	S 19°56'28" E	L30	98.40'	N 45°52'38" W
L12	31.76'	S 10°02'02" W	L31	19.03'	S 44°09'02" W
L13	32.94'	S 29°56'16" W	L32	121.80'	S 01°07'51" E
L14	152.35'	S 01°52'06" E	L33	269.59'	N 44°08'05" E
L15	210.12'	S 16°29'14" W	L34	269.61'	N 44°01'14" E
L16	158.06'	S 15°07'34" W	L35	269.62'	N 43°59'07" E
L17	40.16'	N 43°53'05" E	L36	269.64'	N 44°08'20" E
L18	35.01'	S 45°48'56" E	L37	114.68'	S 33°19'17" E
L19	153.91'	N 44°08'41" E	L38	25.09'	S 29°29'58" E

LEGEND:
 IRF IRON ROD FOUND
 PC "TXDOT" IRON ROD FOUND WITH PINK CAP STAMPED "TXDOT"
 IRS IRON ROD SET WITH YELLOW CAP STAMPED "TXHS"
 C&M CONTROLLING MONUMENT
 D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
 M.R.R.C.T. MAP RECORDS, ROCKWALL COUNTY, TEXAS
 O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
 INST. NO. INSTRUMENT NUMBER
 VOL., PG. EASEMENT PAGE
 ESMT. EASEMENT
 L= LENGTH

ENGINEER THE DIMENSION GROUP
 10755 SANDILL ROAD
 DALLAS, TEXAS 75238
 attn: KEATON MAI

OWNER ROCKWALL 205 INVESTORS, LLC
 1 CANDELITE TRAIL
 HEATH, TEXAS 75032



TEXAS HERITAGE SURVEYING, LLC

10610 Metric Drive, Suite 124, Dallas, TX 75243
 Office 214-340-9700 Fax 214-340-9710
 txheritage.com
 Firm No. 10169300

PRELIMINARY PLAT
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 CASE NO.

PAGE 1 OF 10
 DATE: 5/12/2021 / JOB # 2002727-2 / SCALE = 1" = 150' / DRAWN: JACOB

Miller, Ryan

From: Michael Hampton <mhampton@prudentdevelopment.com>
Sent: Thursday, April 21, 2022 2:16 PM
To: Miller, Ryan
Cc: Russell Phillips
Subject: RE: Creekside Commons - Exception Request by Rockwall 205 Investors, LLC + 549 Crossing, LP
Attachments: Exception Letter_Revised and Final (executed).pdf

Importance: High

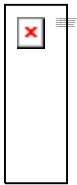
Ryan,

Good afternoon. After speaking with Russell earlier today, it was recommended that we submit a revised and more concise cover letter for our exception request. Please see attached and let me know if it is possible to replace the letter at this juncture, for the upcoming meetings and staff packets?

We will be prepared at next week's meeting to address any other questions/concerns, and also should plan to have with us some additional photos (e.g. aerial/drone shots of the intersection) that we think will help give the P&Z and Council a better perspective of the site and unique challenges of the development.

Thank you for your help, and let Russell and I know if we can provide any additional detail.

Best regards,
Michael



Michael Hampton, Vice President

Prudent Development

O: 214.271.4630 **M:** 469.500.5204

E: mhampton@prudentdevelopment.com **W:** prudentdevelopment.com

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From: Michael Hampton <mhampton@prudentdevelopment.com>
Sent: Thursday, April 14, 2022 4:56 PM
To: Gamez, Angelica <AGamez@rockwall.com>
Cc: Russell Phillips <rphil404@aol.com>; Justin Webb <justinw@alturahomes.com>; Keaton Mai <kmai@dimensiongroup.com>
Subject: Creekside Commons - Exception Request by Rockwall 205 Investors, LLC + 549 Crossing, LP

Angelica,

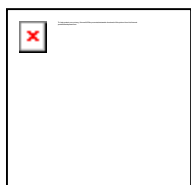
Nice to see you a moment ago. As promised, attached are PDF versions of the various documents that I submitted earlier this afternoon.

- 1) Application
- 2) Explanation letter
- 3) Markup of preliminary plat showing approx. location of existing Overhead electric lines
- 4) Farmers Electric Proposal (Lot 1, Block A only – 7-Eleven property)
- 5) Farmers Electric Design plan (Lot 1, Block A only – 7-Eleven property)
- 6) Farmers Electric supplemental email re: estimated costs of remaining Creekside Commons Addition

I've copied the owners – Justin Webb & Russell Phillips of Rockwall 205 Investors - as well as the engineer (Keaton at Dimension Group) who is working on behalf of both parties, if you can please add all of us to the distribution for the upcoming agenda(s).

Thank you and enjoy the long weekend!

-Michael Hampton, VP
Prudent Development
DBA "549 Crossing, LP"



Michael Hampton, Vice President

[Prudent Development](#)

O: 214.271.4630 **M:** [469.500.5204](tel:469.500.5204)

E: mhampton@prudentdevelopment.com **W:** prudentdevelopment.com

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May 17, 2022

TO: Michael Hampton
549 Crossing, LP
10755 Sandhill Road
Dallas, TX 75238

CC: Justin Webb and Russell Phillips
Rockwall 205 Investors, LLC
5763 S. SH-205, Suite 100
Rockwall, TX 75032

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

SUBJECT: MIS2022-010; Variance Request to the Utility Standards

Mr. Hampton:

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 May 2, 2022. The following is a record of all recommendations, voting records and conditions of approval:

Planning and Zoning Commission

On April 26, 2022, the Planning and Zoning Commission reviewed the applicant's request and approved a motion to recommend denial by a vote of 5-1, with Commissioner Welch dissenting and Commissioner Womble absent.

City Council

On May 2, 2022, the City Council approved a motion to approve the variance with the conditions of approval by a vote of 7-0.

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

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning