

PLANNING AND ZONING CASE CHECKLIST

PLANNING AND ZONING DEPARTMENT 385 S. GOLIAD STREET ROCKWALL, TX 75087

P&Z CASE # <u>MIS2022-011</u>	_P&Z DATE 07/12/2022	CC D/	ATE 07/18/2022	Approved/Denied
ARCHITECTURAL REVIEW BO	DARD DATE	HPAB DATE_	PARK BO/	ARD DATE
Zoning Application Specific Use Permit Zoning Change PD Concept Plan PD Development Plan Site Plan Landscape Plan Photometric Plan Photometric Plan Building Elevations Material Samples Color Rendering Platting Application Master Plat Preliminary Plat Final Plat Replat Administrative/Minor Plat Landscape Plan Treescape Plat Wacation Plat Exhibit		x	Copy of Ordinance ((Applications Receipt Location Map HOA Map PON Map FLU Map Newspaper Public Ne 500-foot Buffer Public Project Review Staff Report Correspondence Copy-all Plans Requi Copy-Mark-Ups City Council Minutes Minutes-Laserfiche Plat Filled Date □ Cabinet # □ Slide #	otice c Notice ired – Laserfiche

	DEVELOPMENT APPLICA City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087		PLAN NOTE CITY C SIGNE DIREC CITY E	INTIL THE PLANNING DIRECT D BELOW. TOR OF PLANNING: ENGINEER:	ONSIDERED ACCEPTED BY THE OR AND CITY ENGINEER HAVE
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•	Rockwall Economic Development Corporation	DN 🗖 APPLI	CANT	same	
CONTACT PERSON	Matt Wavering	CONTACT PE			
ADDRESS	2610 Observation Trl, Suite 104	ADD	RESS		
CITY, STATE & ZIP	Rockwall, TX 75032	ockwall, TX 75032 CITY, STATE			
PHONE	972-772-0025	Pł	IONE		
E-MAIL	mwavering@rockwalledc.com		-MAIL		
NOTARY VERIFICATION [REQUIRED] BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MATHUM UNDERSIGNED, [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:					
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NOTARY PUBLIC IN AND	FOR THE STATE OF TEXAS	onds		A COMPLETENCE	Somm. Exp. 01-06-2024

DEVELOPMENT APPLICATION • CI 4 OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745



June 17, 2022

Mr. Ryan Miller Planning Director City of Rockwall 385 S. Goliad Rockwall, TX 75087

Re: Overhead Utility Variance - Rockwall Technology Park

Mr. Miller:

The Rockwall Economic Development Corporation (REDC) is the developer of the Rockwall Technology Park, and owns eight light industrial lots impacted by existing overhead (OH) utility lines on Corporate Crossing and State Highway 276. The attached aerial map shows the OH utilities in red and the impacted lots owned by the REDC in gold. The utility poles are owned by Oncor Electric Delivery and support major feeders for the company. Additional franchise utility providers also lease space on Oncor's utility poles.

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The REDC requests a variance to the City of Rockwall's ordinance to allow the REDC the time necessary to coordinate with the utility companies. Specifically, the variance request is for a period of five years. The REDC plans to underground all OH utilities impacting lots in the Rockwall Technology Park, including the undeveloped lots and the lots currently scheduled for development. Additionally, the REDC will cooperate with third party property owners with adjacent land who wish to benefit from the cost-savings associated with a single utility relocation project. The extended time frame will allow the REDC time to coordinate the regional project and complete the undergrounding in the most cost-effective manner.

We respectfully ask that the Planning & Zoning Commission and the Rockwall City Council consider approval of our variance request.

Sincerely,

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Matt Wavering Director of Project Development

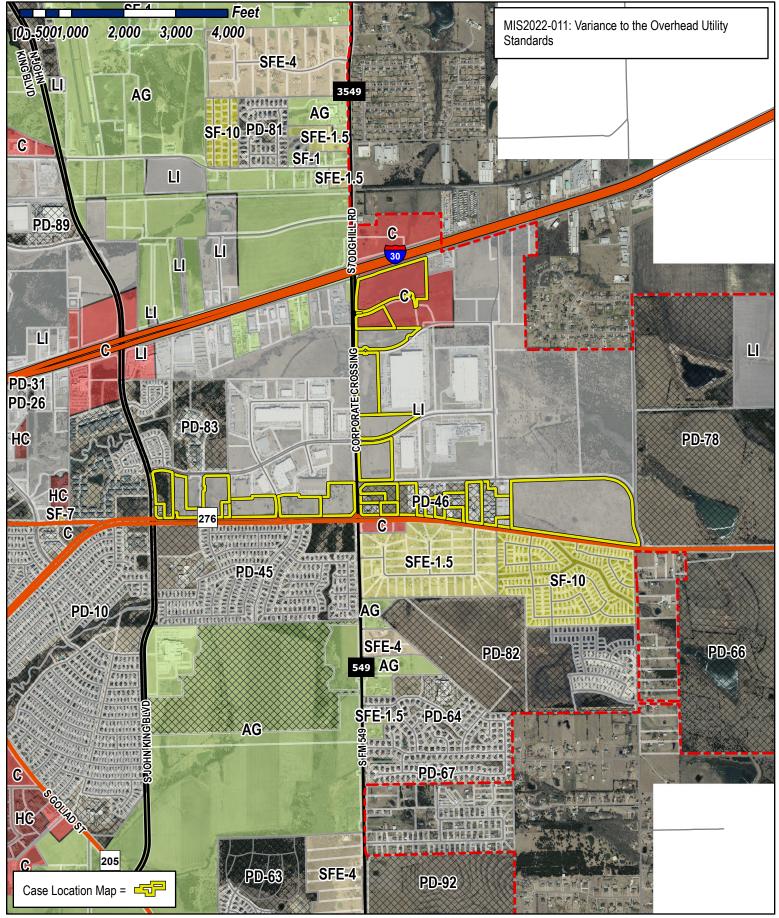
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City of Rockwall

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.





June 17, 2022

Mr. Ryan Miller Planning Director City of Rockwall 385 S. Goliad Rockwall, TX 75087

Re: Overhead Utility Variance - Rockwall Technology Park

Mr. Miller:

The Rockwall Economic Development Corporation (REDC) is the developer of the Rockwall Technology Park, and owns eight light industrial lots impacted by existing overhead (OH) utility lines on Corporate Crossing and State Highway 276. The attached aerial map shows the OH utilities in red and the impacted lots owned by the REDC in gold. The utility poles are owned by Oncor Electric Delivery and support major feeders for the company. Additional franchise utility providers also lease space on Oncor's utility poles.

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We respectfully ask that the Planning & Zoning Commission and the Rockwall City Council consider approval of our variance request.

Sincerely,

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Matt Wavering Director of Project Development

attachment







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:	June 28, 2022
SUBJECT:	MIS2022-011; Variance Request to the Utility Standards Along Corporate Crossing and SH-276

On June 17, 2022, the applicant -- *Matt Wavering of the Rockwall Economic Development Corporation* -- submitted a development application requesting a variance to allow overhead powerlines to remain along Corporate Crossing and SH-276. According to the applicant's letter "(t)he REDC has four [4] projects and two [2] regional detention ponds in the development pipeline that will be impacted by these existing OH [*overhead*] utilities [*i.e. the powerlines located adjacent to Corporate Crossing and SH-276*]." Under the City's requirements each of these projects would be required to underground the powerlines at the time of development. This requirement is stipulated in several sections of the Unified Development Code (UDC) and Municipal Code of Ordinances. Specifically, the sections relevant to these projects 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.

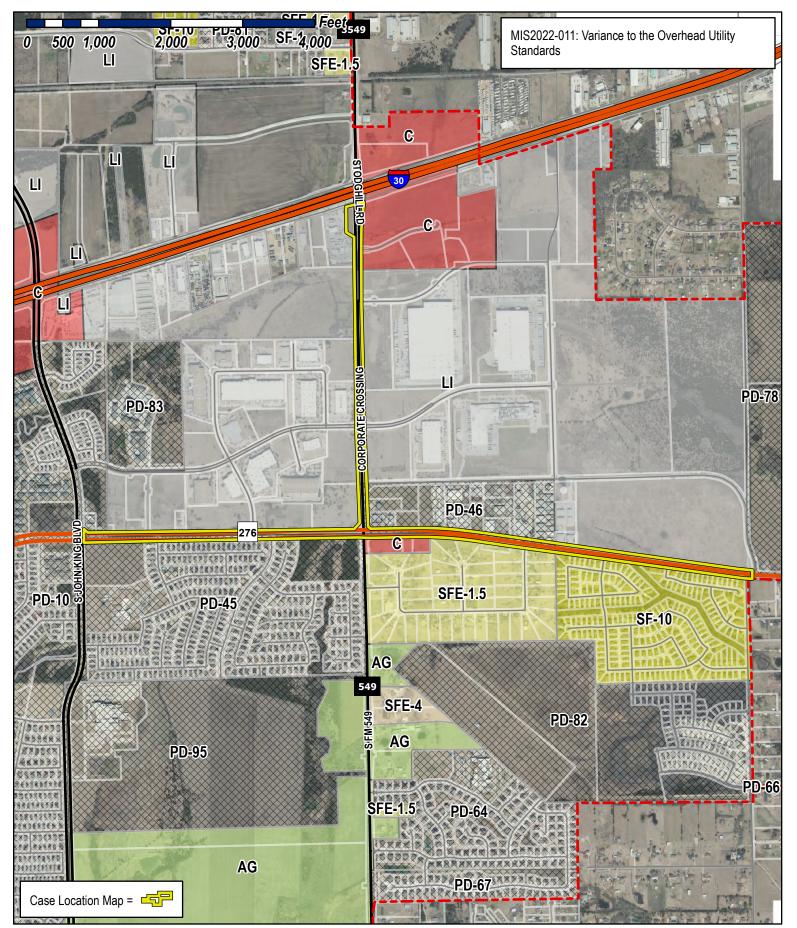
The applicant's letter goes on to state, that "(m)any utility companies are experiencing material and labor shortages which are driving up costs and extending project timelines ... [and] (r)ather than burdening each individual project with the costs and delays associated with the utility undergrounding, the REDC plans to coordinate a more efficient regional effort to take on the costs of undergrounding these utilities at one [1] time." In addition, the REDC plans to coordinate with third-party property owners along Corporate Crossing and SH-276 to allow these properties to participate in the project. This will significantly reduce the costs associated with undergrounding utilities on these properties. In order to achieve this goal, the REDC is requesting that a variance be granted allowing the overhead powerlines to remain in place for a period of five (5) years from the approval of the variance (*i.e. July 5, 2027*). This will allow the REDC time to coordinate this project with ONCOR and third-party property owners, and to allow supply chains and labor shortages to resolve.

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." In addition, the Unified Development Code (UDC) also tasks the City Council with approving a variance to Undergrounding Utility Distribution Lines pending a recommendation from the Planning and Zoning Commission. Staff should point out that this appears to have benefits to all property owners along these roadways; however, variances to the unground utility requirements are discretionary decisions that are considered on a case-by-case basis by the City Council and Planning and Zoning Commission.

In the attached packet staff has included a map showing the project scope and the applicant's letter. Should the Planning and Zoning Commission have any questions, staff and a representative for the applicant will be available at the <u>June 28, 2022</u> Planning and Zoning Commission Work Session meeting.

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CITY OF ROCKWALL CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT 385 S. GOLIAD STREET • ROCKWALL, TX 75087 PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO:	Mayor and City Council
CC:	Mary Smith, <i>City Manager</i> Joey Boyd, <i>Assistant City Manager</i>
FROM:	Ryan Miller, Director of Planning and Zoning
DATE:	July 5, 2022
SUBJECT:	MIS2022-011; Variance Request to the Utility Standards Along Corporate Crossing and SH-276

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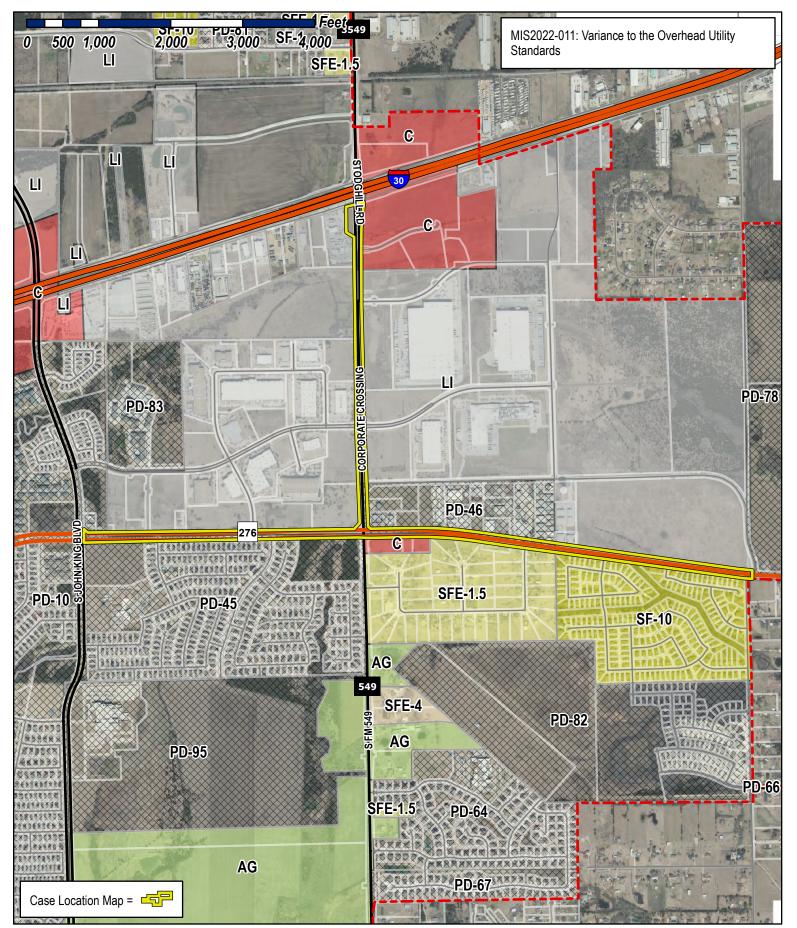
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property owners along these roadways; however, variances to the unground utility requirements are discretionary decisions that are considered on a *case-by-case basis* by the City Council.

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	DEVELOPMENT APPLICA City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087		PLAN NOTE CITY C SIGNE DIREC CITY E	INTIL THE PLANNING DIRECT D BELOW. TOR OF PLANNING: ENGINEER:	ONSIDERED ACCEPTED BY THE OR AND CITY ENGINEER HAVE
	APPROPRIATE BOX BELOW TO INDICATE THE TYPE O				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 (\$250.00 + \$20.00 ACRE) 1 SITE PLAN (\$250.00 + \$20.00 ACRE) 1 AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)		□ ZON □ SPEc □ PD D OTHER □ TREE ▼ VARI NOTES: 1 IN DETES 2 A \$1,000	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. A: <u>\$1,000.00</u> EE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING		
PROPERTY INFO	ORMATION [PLEASE PRINT]				
ADDRES	s State Highway 276 and Corporate Crossi	ng			
SUBDIVISIO	N Rockwall Technology Park			LOT	BLOCK
GENERAL LOCATIO	N North side of SH-276, East side of Corpo	rate Crossir	g		
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PROPOSED ZONING		PROPOSE	ED USE	Light Industrial	
ACREAG	E LOTS [CURRENT	1		LOTS [PROPOS	ED]
SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF <u>HB3167</u> 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.					
	ANT/AGENT INFORMATION [PLEASE PRINT/CH		RY CONT.	ACT/ORIGINAL SIGNATURES	ARE REQUIRED]
•	Rockwall Economic Development Corporation	DN 🗖 APPLI	CANT	same	
CONTACT PERSON	Matt Wavering	CONTACT PE			
ADDRESS	2610 Observation Trl, Suite 104	ADD	RESS		
CITY, STATE & ZIP	Rockwall, TX 75032	CITY, STATE	& ZIP		
PHONE	972-772-0025	Pł	IONE		
E-MAIL	mwavering@rockwalledc.com		-MAIL		
NOTARY VERIFICATION [REQUIRED] BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MATHUM UNDERSIGNED, [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:					
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."					
GIVEN UNDER MY HAND	AND SEAL OF OFFICE ON THIS THE UT DAY OF	une	. 20 <u>2</u>		NIFER L. HAMMONDS ary Public, State of Texas iD # 13230083-8
NOTARY PUBLIC IN AND	FOR THE STATE OF TEXAS	onds		A COMPLEX AND A	Somm. Exp. 01-06-2024

DEVELOPMENT APPLICATION • CI 4 OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745





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.





June 17, 2022

Mr. Ryan Miller Planning Director City of Rockwall 385 S. Goliad Rockwall, TX 75087

Re: Overhead Utility Variance - Rockwall Technology Park

Mr. Miller:

The Rockwall Economic Development Corporation (REDC) is the developer of the Rockwall Technology Park, and owns eight light industrial lots impacted by existing overhead (OH) utility lines on Corporate Crossing and State Highway 276. The attached aerial map shows the OH utilities in red and the impacted lots owned by the REDC in gold. The utility poles are owned by Oncor Electric Delivery and support major feeders for the company. Additional franchise utility providers also lease space on Oncor's utility poles.

The REDC has four projects and two regional detention ponds in the development pipeline that will be impacted by these existing OH utilities. Each project is required to contract with the franchise utility companies and pay for the cost to underground those utility lines at the time of lot development, per City of Rockwall ordinance. Many utility companies are experiencing material and labor shortages which are driving up costs and extending project timelines. Rather than burdening each individual project with the costs and delays associated with utility undergrounding, the REDC plans to coordinate a more efficient regional effort to take on the costs of undergrounding these utilities at one time.

The REDC requests a variance to the City of Rockwall's ordinance to allow the REDC the time necessary to coordinate with the utility companies. Specifically, the variance request is for a period of five years. The REDC plans to underground all OH utilities impacting lots in the Rockwall Technology Park, including the undeveloped lots and the lots currently scheduled for development. Additionally, the REDC will cooperate with third party property owners with adjacent land who wish to benefit from the cost-savings associated with a single utility relocation project. The extended time frame will allow the REDC time to coordinate the regional project and complete the undergrounding in the most cost-effective manner.

We respectfully ask that the Planning & Zoning Commission and the Rockwall City Council consider approval of our variance request.

Sincerely,

1

Matt Wavering Director of Project Development

attachment







August 8, 2022

- TO: Matt Wavering Rockwall Economic Development Corporation 2610 Observation Trail, Suite 104 Rockwall, TX 75032
- FROM: Ryan Miller, AICP City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, TX 75087

SUBJECT: MIS2022-011; Variance Request to the Utility Standards

Mr. Wavering:

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 June 28, 2022, the Planning and Zoning Commission reviewed the applicant's request and approved a motion to recommend approval by a vote of 7-0.

City Council

On July 5, 2022, the City Council made a motion to approve the Variance to the Overhead Utilities Standards with a vote of 6-0, with Mayor Fowler absent.

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