



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

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

MASTER PLAT
PRELIMINARY PLAT
FINAL PLAT
REPLAT
AMENDING OR MINOR PLAT
PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

SITE PLAN
AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

ZONING CHANGE
SPECIFIC USE PERMIT
PD DEVELOPMENT PLAN

OTHER APPLICATION

TREE REMOVAL
VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) 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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 880 FM 1141 Rockwall TX 75087

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING AG CURRENT USE Empty
 PROPOSED ZONING Commercial I PROPOSED USE OFFICE spaces
 ACREAGE 1.83 LOTS [CURRENT] _____ LOTS [PROPOSED] _____

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB316Z 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 JMS Custom Homes LLC APPLICANT
 CONTACT PERSON Javier Silva CONTACT PERSON _____
 ADDRESS 58 windsor DR. ADDRESS _____
 CITY, STATE & ZIP Rockwall TX 75032 CITY, STATE & ZIP _____
 PHONE 972-8149462 PHONE _____
 E-MAIL Support@JmsCustomHomes.net E-MAIL _____

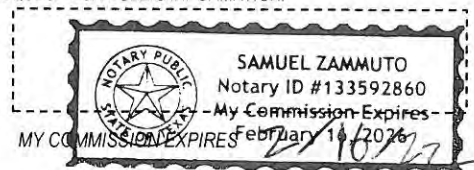
NOTARY VERIFICATION [REQUIRED]

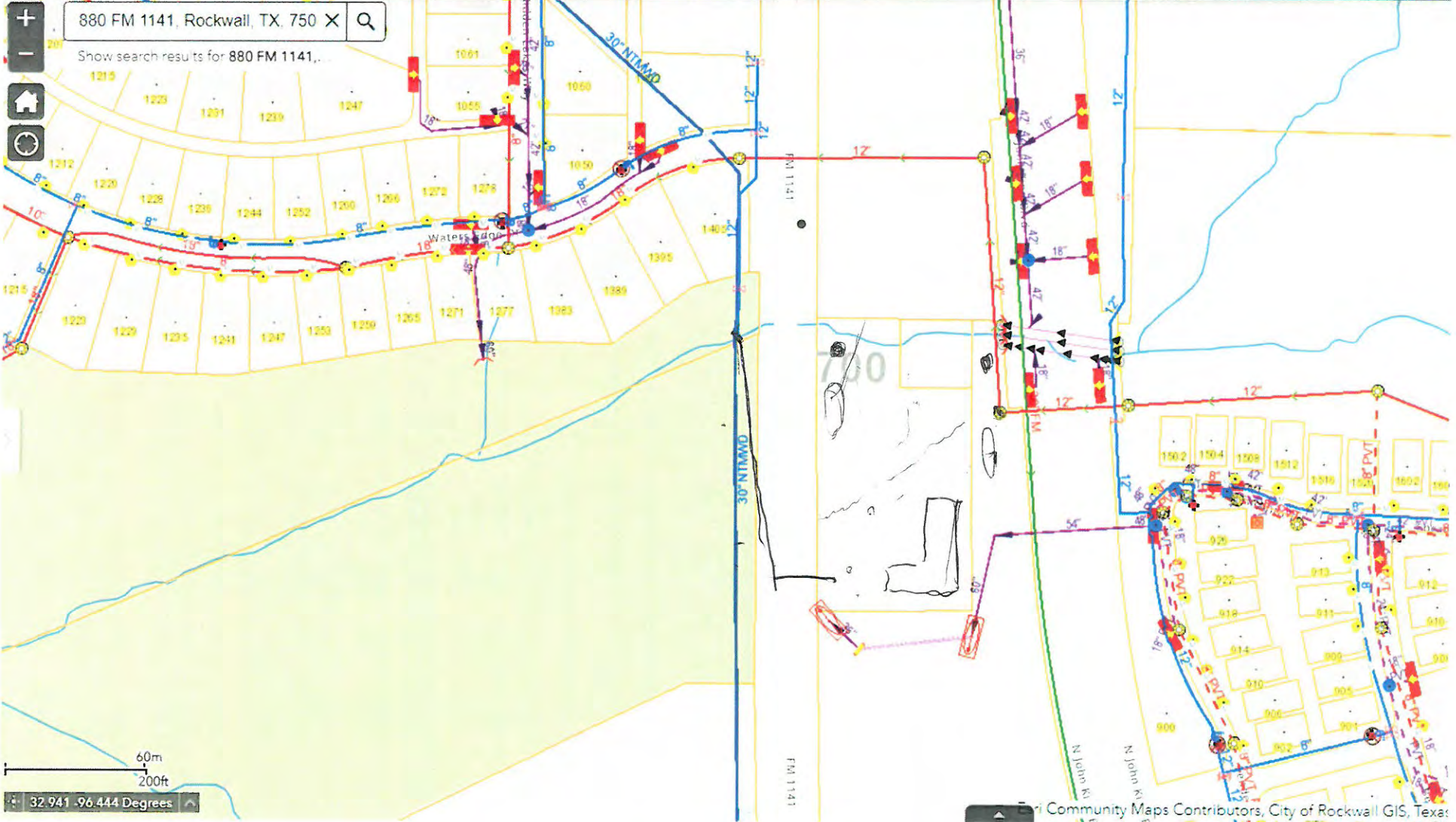
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN 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 30 DAY OF September, 2022
OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____





\$ 227.45.
13. october.



Property ID# 11247

[View Detailed Property Information](#)

Property Information
GEO ID: 0122-0000-0000-00-0R
Legal Description: AES A0122 M/B JONES TRACT 6 1.637 ACRES

Property Location
880 FM1141 TX

Ownership Information
SEE BETTY
110 WESTMINSTER
ROCKWALL TX 75082

[Zoom to](#) ...

100m
96.444 32.940 Degrees



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
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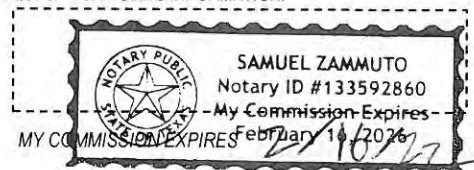
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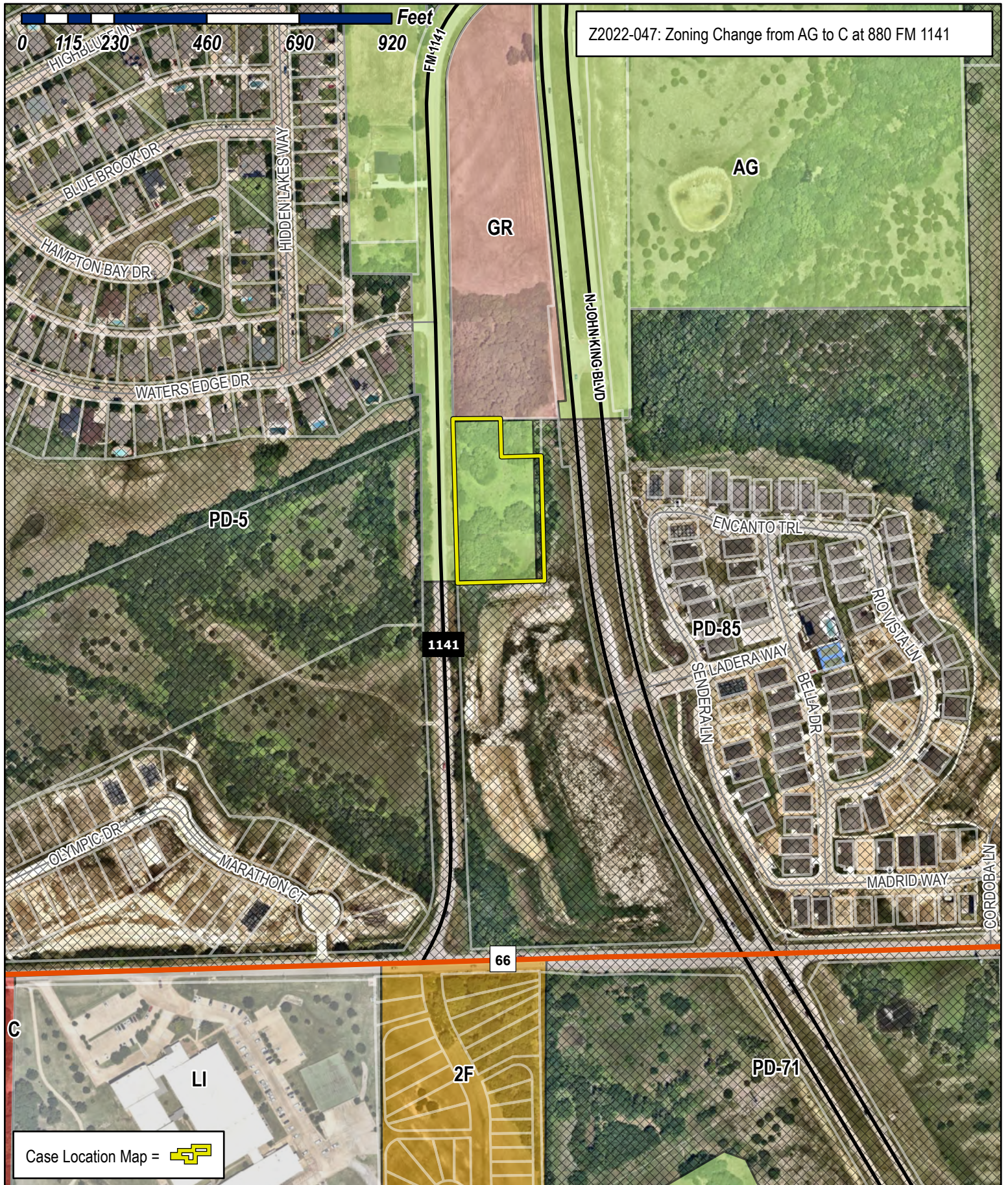
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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____





Z2022-047: Zoning Change from AG to C at 880 FM 1141

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.

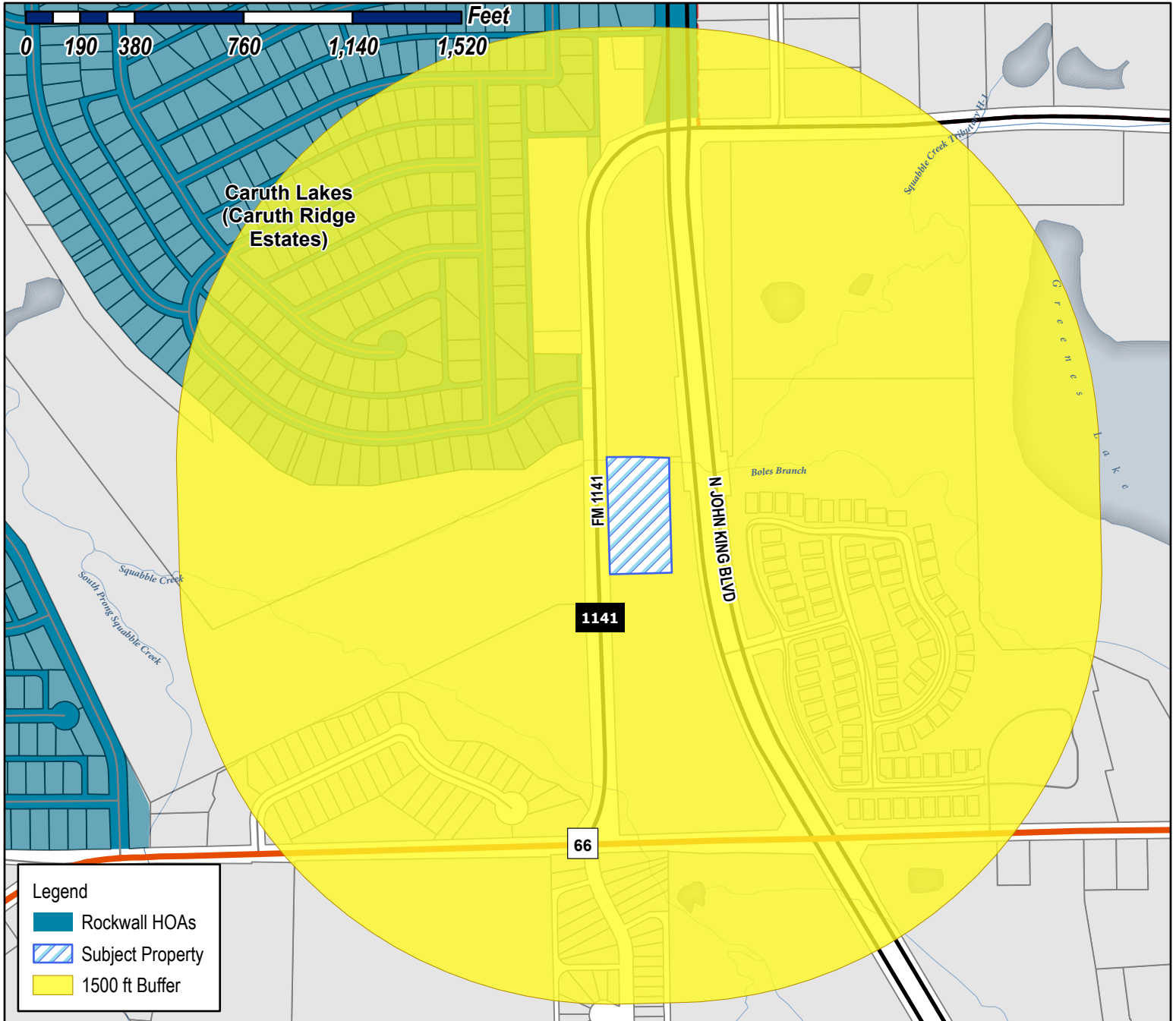







City of Rockwall

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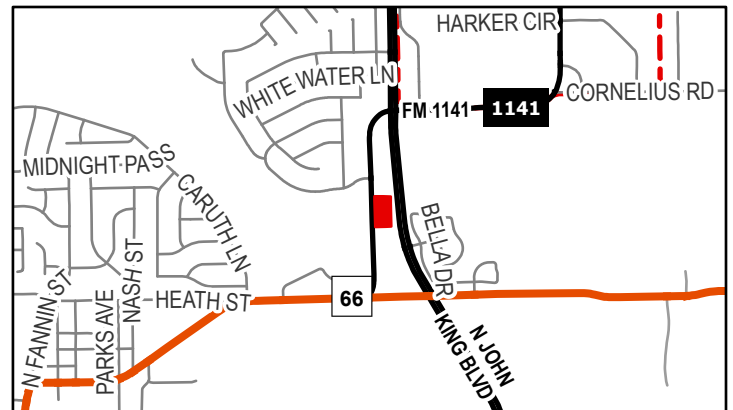
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Legend

-  Rockwall HOAs
-  Subject Property
-  1500 ft Buffer

Case Number: Z2022-047
Case Name: Zoning Change from AG to GR
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141



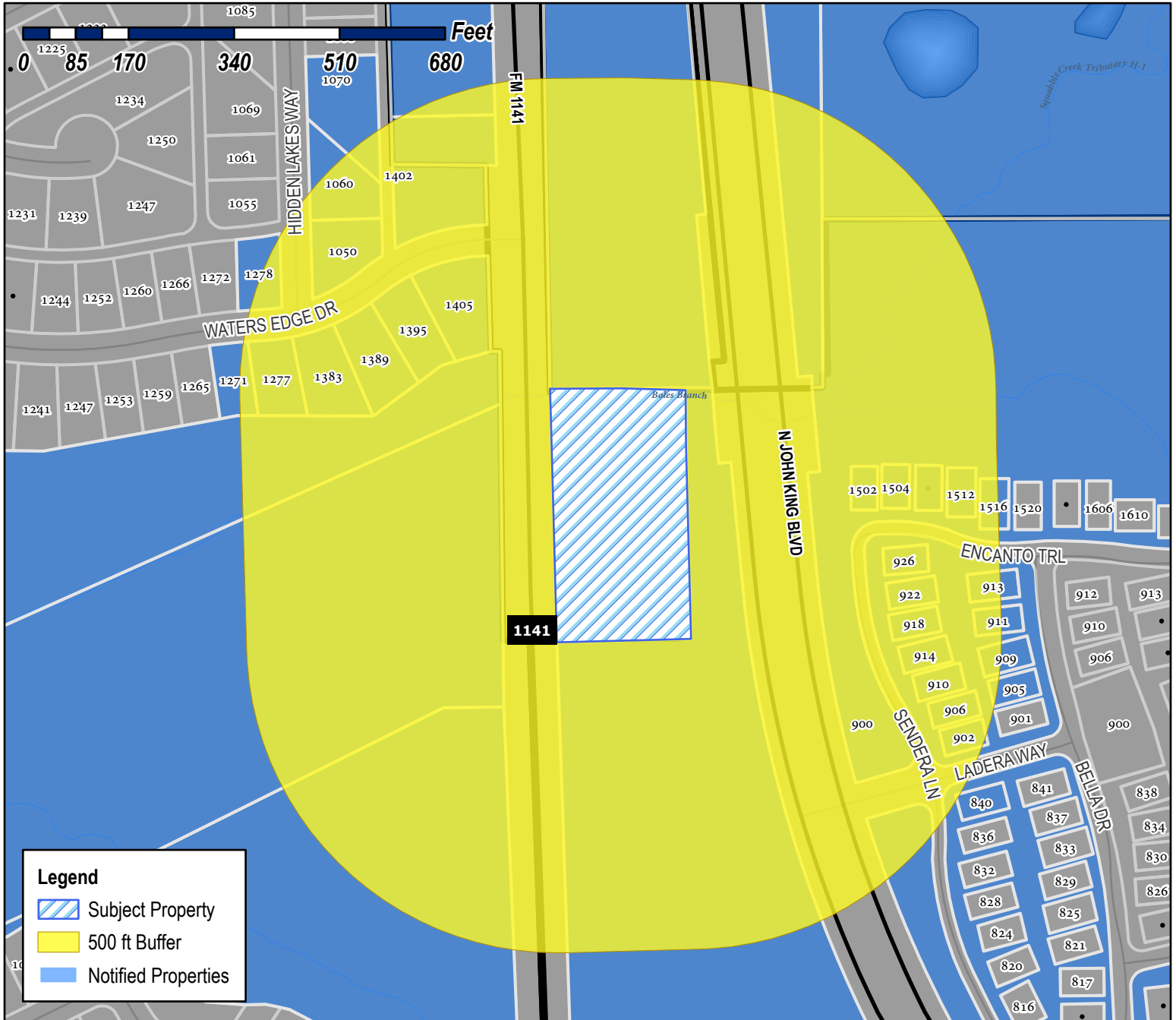
Date Saved: 10/14/2022
 For Questions on this Case Call (972) 771-7745



City of Rockwall

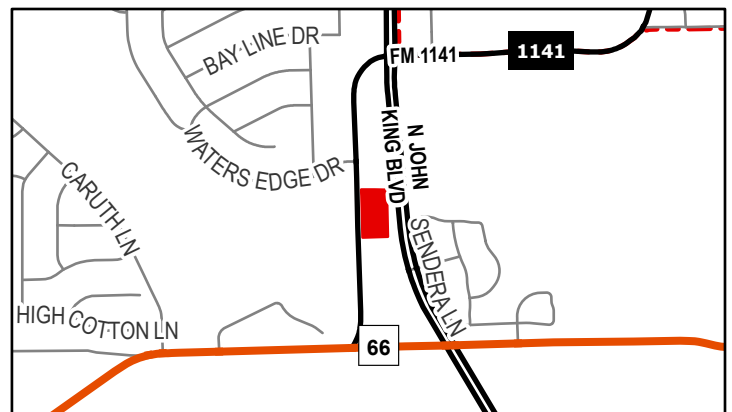
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Case Number: Z2022-047
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Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141

Date Saved: 10/14/2022
 For Questions on this Case Call (972) 771-7745



KEHM NATALIE & DONAVON
1050 HIDDEN LAKES WAY
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA
1060 HIDDEN LAKES WAY
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A
1070 HIDDEN LAKES WAY
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

HUNTER JAMES DARL & SUSAN BAILEY
1271 WATERS EDGE DRIVE
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA
1277 WATERS EDGE
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
1278 WATERS EDGE DR
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN
1383 WATER EDGE DRIVE
ROCKWALL, TX 75087

WOODUL NETA J
1389 WATERS EDGE DR
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R
1395 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
1402 WATERS EDGE DR
ROCKWALL, TX 75087

GROGAN DANIEL R
1405 WATERS EDGE DRIVE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1502 ENCANTO TRL
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
1504 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1508 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1512 ENCANTO TRL
ROCKWALL, TX 75087

JENSEN JOYCE
1516 ENCANTO TRAIL
ROCKWALL, TX 75087

CTDIGLAND LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

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361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
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ROANOKE, TX 76262

RW LADERA LLC
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361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

HONZELL DAVID AND PATRICIA
414 E. COACHLIGHT TRAIL
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
5035 PINE DR
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

RW LADERA LLC
840 SENDERA LN
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

CAMPBELL EDWARD E
902 SENDERA LANE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
905 BELLA DR
ROCKWALL, TX 75087

MOORE MARVI AND MARIE B AND
DEANNE PHILLIPS MOORE
906 SENDERA LN
FATE, TX 75132

RW LADERA LLC
909 BELLA DR
ROCKWALL, TX 75087

LANDERS NANCY
910 SENDERA LN
ROCKWALL, TX 75087

SMITH JOHN AND CATHERINE AND
CHRISTINE WILSON
911 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
913 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
914 SENDERA LN
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG
918 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
922 SENDERA LN
ROCKWALL, TX 75087

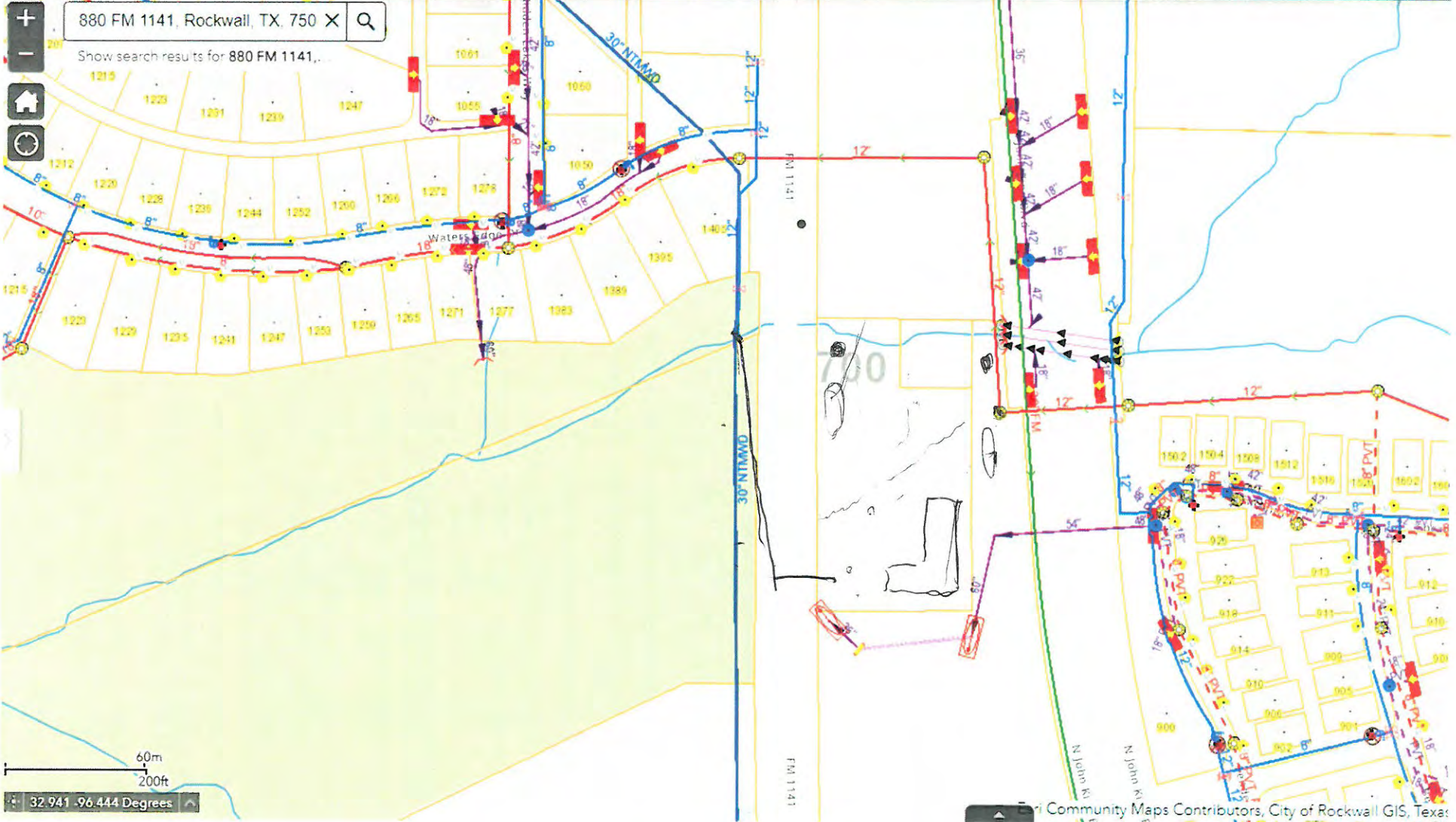
INTEGRITY RETIREMENT GROUP LLC
926 SENDERA LN
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
927 FM1141
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
9600 NE COUNTY LINE RD
COSBY, MO 64436

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
ROCKWALL, TX 75087



\$ 227.45.
13. october.



Property ID# 11247

[View Detailed Property Information](#)

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Property Location
880 FM1141 TX

Ownership Information
SEE BETTY
110 WESTMINSTER
ROCKWALL TX 75082

[Zoom to](#) ...

100m
96.444 32.940 Degrees

PROJECT COMMENTS



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

DATE: 10/20/2022

PROJECT NUMBER: Z2022-047
 PROJECT NAME: Zoning Change from AG to GR
 SITE ADDRESS/LOCATIONS:

CASE MANAGER: Angelica Gamez
 CASE MANAGER PHONE: 972-772-6438
 CASE MANAGER EMAIL: agamez@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Angelica Gamez	10/19/2022	Approved w/ Comments

10/19/2022: Z2022-047; Zoning Change from AG to GR at 883 FM-1141
 Please address the following comments (M= Mandatory Comments; I = Informational Comments)

- I.1 This request is for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.
- I.2 For questions or comments concerning this case please contact Angelica Guevara in the Planning Department at (972) 772-6438 or email aguevara@rockwall.com.
- M.3 For reference, include the case number (Z2022-047) in the lower right-hand corner of all pages on future submittals.
- I.4 According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northwest Residential District and is scheduled for Commercial/Retail land uses. The proposed change in zoning -- from Agricultural (AG) District to a General Retail (GR) District -- is consistent with the OURHometown Vision 2040 Comprehensive Plan.
- M.5 Please review the attached Draft Ordinance prior to the October 25, 2022 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than November 1, 2022. In reviewing the Draft Ordinance, please pay close attention to staff's suggestions.
- I.6 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on November 1, 2022; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the November 15, 2022 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on October 25, 2022.
- I.7 The projected City Council meeting dates for this case will be November 21, 2022 (1st Reading) and December 5, 2022 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	10/19/2022	Needs Review

- 10/19/2022: General Items:
- Additional comments may come with submittal of concept plan or site plan.
 - Must meet City Standards of Design and Construction
 - 4% Engineering Inspection Fees
 - Impact Fees (Water, Wastewater & Roadway)
 - Minimum easement width is 20' for new easements. No structures allowed in easements.

- Retaining walls 3' and over must be engineered.
- All retaining walls must be rock or stone face. No smooth concrete walls.

Drainage Items:

- Detention is required. No detention allowed in the floodplain.
- Areas of 20 acres or more draining to a single detention pond must use the unit hydrograph method. Review fees apply.
- Manning's C-value is per zoning type.
- Flood Study is required if you "touch" the floodplain. See the City Standards of Design for flood study requirements.
- Must delineate the Erosion Hazard Setback according to the Standards of Design.
- Dumpster areas to drain to oil/water separator and then to the storm lines.
- No vertical walls allowed in detention.

Water and Wastewater Items:

- Must loop 8" water line on site.
- Only one "use" off a dead-end line (domestic, irrigation, fire sprinkler, fire hydrant, etc.)
- Minimum public sewer is 8".
- Offsite water and sewer work is required since you need to get water and sewer to the site, including easements.

Roadway Paving Items:

- Parking to be 20'x9' facing the building or nose-to-nose.
- No dead-end parking allowed.
- Drive isles to be 24' wide.
- Fire lane to have 20' min radius if buildings are less than 30' tall. If any of the buildings are 30' or more, the fire lane will be 30' radius minimum.
- Fire lane to be in a platted easement.
- TxDOT Traffic Impact Analysis is required.

TxDOT permits are required.

- ROW dedication of 60' from centerline of FM1141 will be required.

Landscaping:

- No trees to be with 10' of any public water, sewer or storm line that is 10" in diameter or larger.
- No trees to be with 5' of any public water, sewer, or storm line that is less than 10".

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	10/18/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	10/20/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	10/17/2022	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	10/14/2022	Approved

No Comments

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PARKS	Travis Sales	10/17/2022	Approved

No Comments



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Planning and Zoning Department
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- 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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 880 FM 1141 Rockwall TX 75087

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING AG CURRENT USE Empty
 PROPOSED ZONING Commercial I PROPOSED USE OFFICE spaces
 ACREAGE 1.83 LOTS [CURRENT] _____ LOTS [PROPOSED] _____

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB316Z 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 JMS Custom Homes LLC APPLICANT
 CONTACT PERSON Javier Silva CONTACT PERSON _____
 ADDRESS 58 windsor DR. ADDRESS _____
 CITY, STATE & ZIP Rockwall TX 75032 CITY, STATE & ZIP _____
 PHONE 972-8149462 PHONE _____
 E-MAIL Support@JmsCustomHomes.net E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

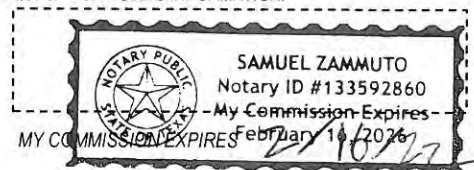
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN 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 30 DAY OF September, 2022


OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____





Z2022-047: Zoning Change from AG to GR at 880 FM 1141

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.

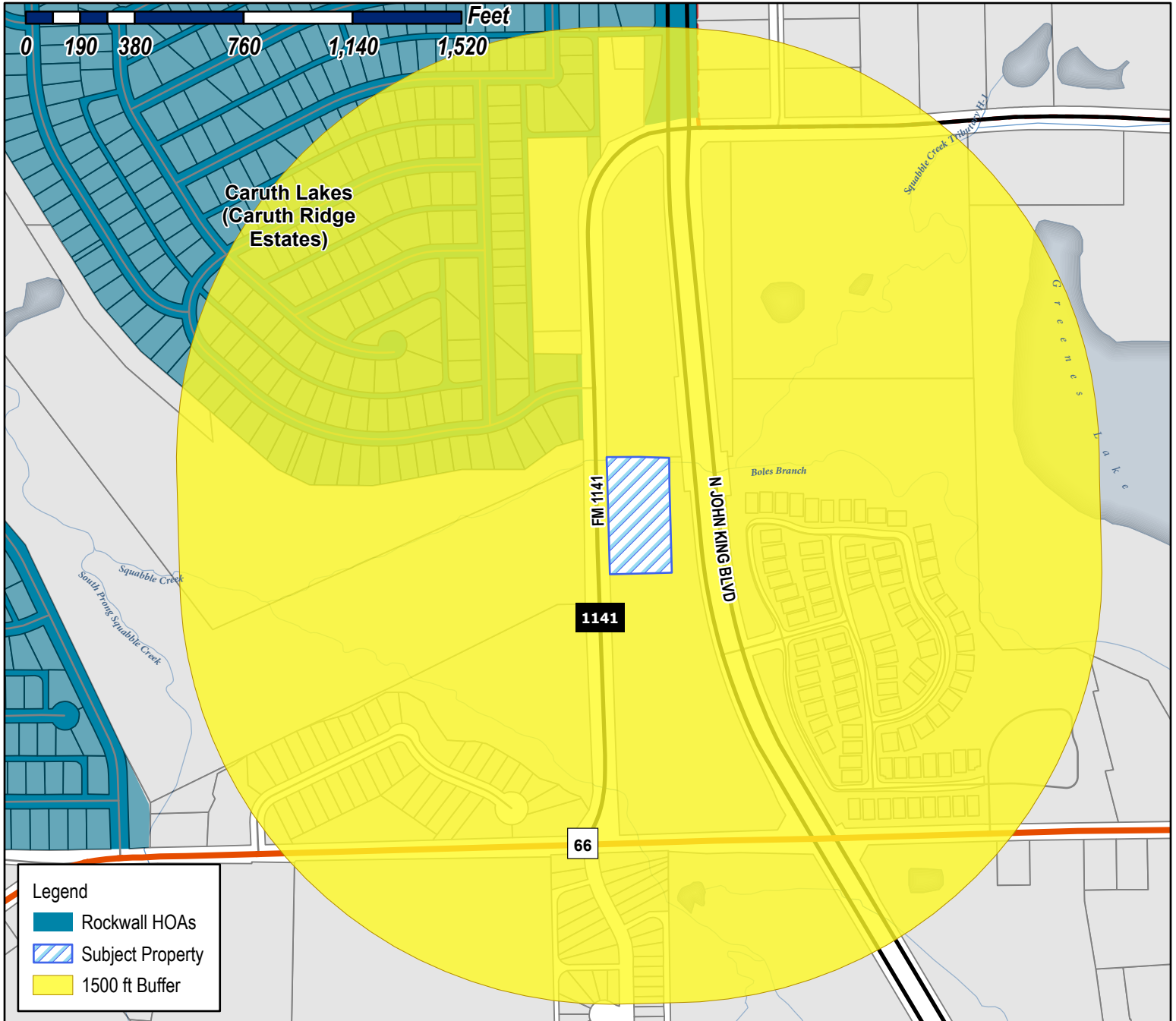




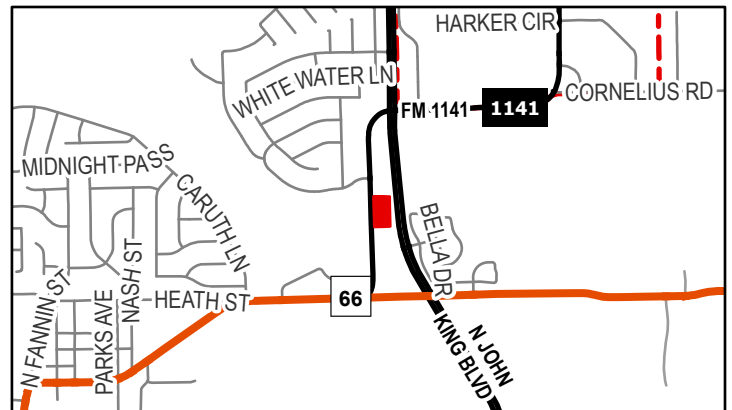
City of Rockwall

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

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Case Number: Z2022-047
Case Name: Zoning Change from AG to GR
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141



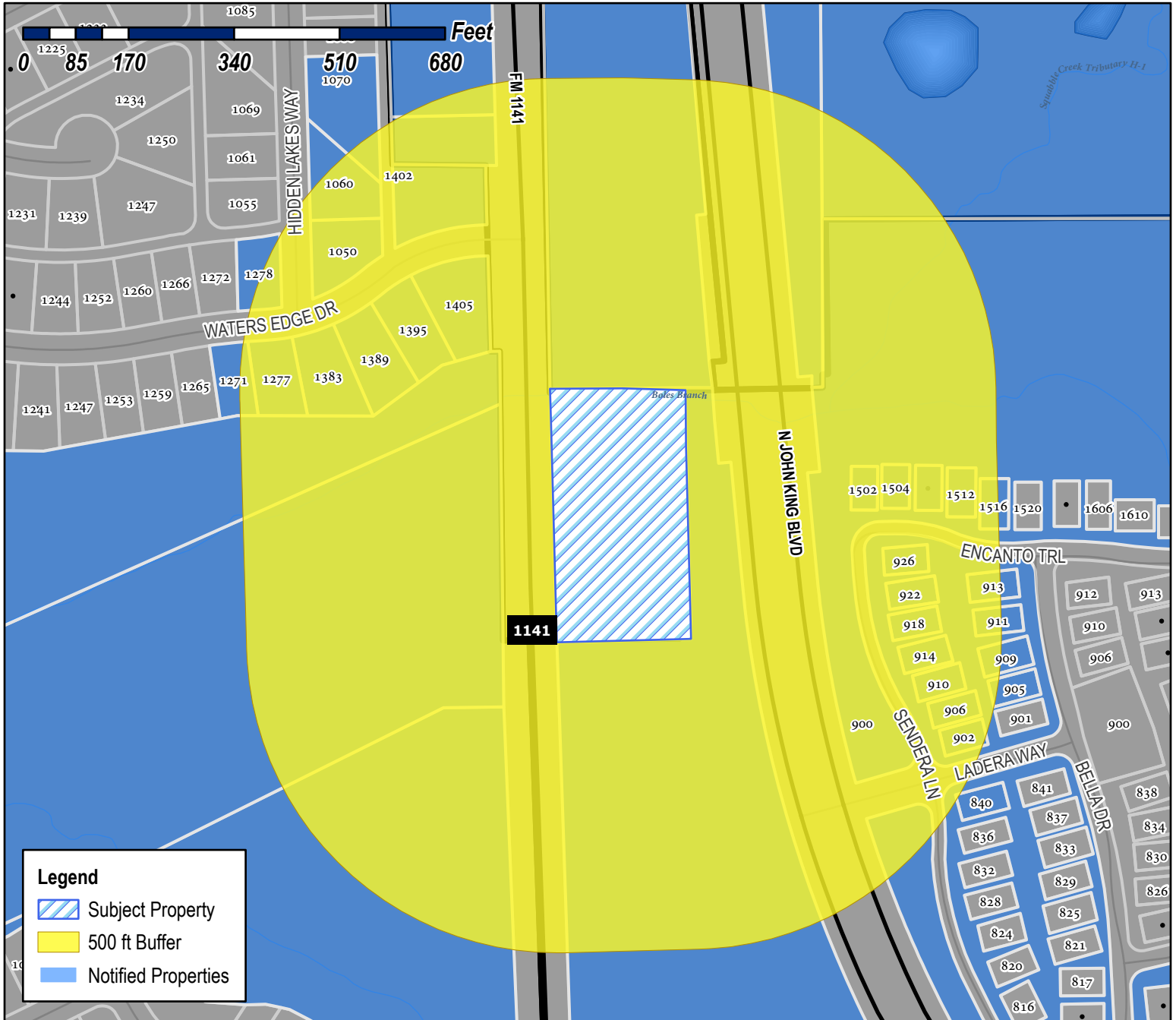
Date Saved: 10/14/2022
 For Questions on this Case Call (972) 771-7745



City of Rockwall

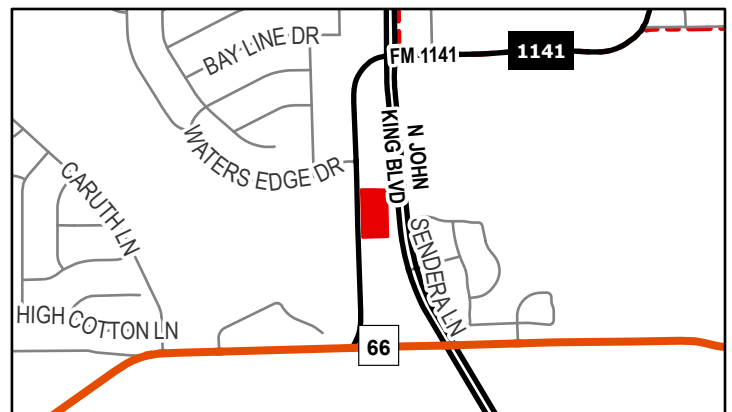
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2022-047
Case Name: Zoning Change from AG to GR
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141

Date Saved: 10/14/2022
 For Questions on this Case Call (972) 771-7745



KEHM NATALIE & DONAVON
1050 HIDDEN LAKES WAY
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA
1060 HIDDEN LAKES WAY
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A
1070 HIDDEN LAKES WAY
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

HUNTER JAMES DARL & SUSAN BAILEY
1271 WATERS EDGE DRIVE
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA
1277 WATERS EDGE
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
1278 WATERS EDGE DR
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN
1383 WATER EDGE DRIVE
ROCKWALL, TX 75087

WOODUL NETA J
1389 WATERS EDGE DR
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R
1395 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
1402 WATERS EDGE DR
ROCKWALL, TX 75087

GROGAN DANIEL R
1405 WATERS EDGE DRIVE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1502 ENCANTO TRL
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
1504 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1508 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1512 ENCANTO TRL
ROCKWALL, TX 75087

JENSEN JOYCE
1516 ENCANTO TRAIL
ROCKWALL, TX 75087

CTDIGLAND LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
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ROANOKE, TX 76262

RW LADERA LLC
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ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

HONZELL DAVID AND PATRICIA
414 E. COACHLIGHT TRAIL
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
5035 PINE DR
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

RW LADERA LLC
840 SENDERA LN
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

CAMPBELL EDWARD E
902 SENDERA LANE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
905 BELLA DR
ROCKWALL, TX 75087

MOORE MARVI AND MARIE B AND
DEANNE PHILLIPS MOORE
906 SENDERA LN
FATE, TX 75132

RW LADERA LLC
909 BELLA DR
ROCKWALL, TX 75087

LANDERS NANCY
910 SENDERA LN
ROCKWALL, TX 75087

SMITH JOHN AND CATHERINE AND
CHRISTINE WILSON
911 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
913 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
914 SENDERA LN
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG
918 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
922 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
926 SENDERA LN
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
927 FM1141
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
9600 NE COUNTY LINE RD
COSBY, MO 64436

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, November 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, November 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Angelica Guevara
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Monday, November 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Please place a check mark on the appropriate line below:

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

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

The City of Rockwall, Texas

Called 10.942 Acres

2007-00389123

"DRAINAGE ESMT." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 0.151 ACRES INST. NO. 2009-00410863

"DRAINAGE ESMT." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 0.302 ACRES INST. NO. 2009-00410863

BETTY BOSARD TRACT 1 CALLED 1.837 ACRES INST. NO. 2005-00396742

RE LADERA, LLC CALLED 26.011 ACRES 2017000022704

JOHN KING BLVD. (VETERAN ROAD) vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 3.983 ACRES INST. NO. 2009-00410863

"HIGHWAY 205 BYPASS R.O.W." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 3.983 ACRES INST. NO. 2009-00410863

CTDIG Land, LLC CALLED 9.894 Acres 2017000022708

LEGAL DESCRIPTION 1.837 Acres M. Jones Survey, Abstract No. 122 City of Rockwall Rockwall County, Texas

BEING all that certain lot, tract or parcel of land situated in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being all of that called 1.837 acres of land described on Tract 1, it being duly surveyed and returned to Instrument No. 2005-00396742, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

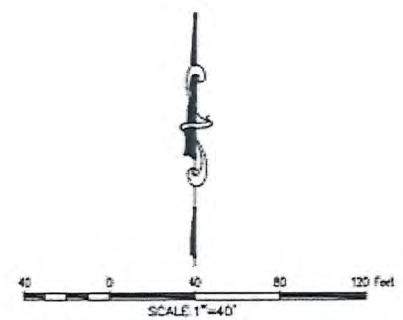
BEGINNING at the northeast corner of said Tract 1, same being the southeast corner of a called 10.942 acres tract of land described to and in the City of Rockwall, named by instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE S 89°26'01" E, with the south line of said 10.942 acre tract a distance of 200.01 feet to a 1/2" metal nail set with cap stamped "G&A/Adams" and being the most northerly northeast corner of the called 9.894 acre tract of land described in deed to CTDIG Land, LLC recorded by instrument No. 2017000022708, Deed Records, Rockwall County, Texas;

THENCE S 01°20'58" E, with the east line of said 9.894 acre tract a distance of 455.02 feet to a 1/2" metal nail set with cap stamped "G&A/Adams", being the lower left corner of said 9.894 acre tract;

THENCE S 89°26'01" E, a distance of 200.01 feet to a 1/2" inch metal nail set with cap stamped "G&A/Adams" at the most westerly northeast corner of said 9.894 acre tract from which a 1/2" metal nail set with cap (dimple) bears S 89°26' E, a distance of 4.55 feet;

THENCE N 01°20'58" E, with the east line of F.M. 1141 a distance of 455.02 feet to the POINT OF BEGINNING and containing approximately 1.837 acres of land.



SURVEYOR'S STATEMENT
I, R. Todd Murley II, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents the survey made by me or under my supervision.
PRELIMINARY DOCUMENT:
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR REFERRED TO AS A PUBLIC SURVEY DOCUMENT.
BY: R. TODD MURLEY II, RPLS 0006 44849
R. Todd Murley II, RPLS
Texas Registration No. 58202

SURVEY PLAT
1.837 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

The John R. McAdams Company, Inc. (DBA: G&A | McAdams)
111 HISSOLA Drive
Lawrenceville, Texas 75067
972.436.5712
201 Country View Drive
Rockwall, Texas 75087
940.240.1012
TSP# 10162 TEP#02 10194440
www.gandm.com
www.mcadams.com

DRAWN BY: SW DATE: 04/11/2019 SCALE: 1"=40' JOB. No. SPEC-19090

- NOTES:**
1. Bearings based on Texas Coordinate System, North Central Zone, (4222), NAD 83.
 2. This survey was prepared in connection with the Real Estate transaction related to Clarify National Title Insurance Company, Op 7552222. Commitment effective March 27, 2018. G&A/Adams shall not be held liable for any unauthorized use hereof.
 3. Description is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners. G&A/Adams and the Surveyor shall not be liable for any unauthorized use hereof.
 4. Surveyor has made no investigation or independent search for easements of record, restrictive covenants, ownership title evidence, or any other facts that would accurately abstract of this map or plat.
 5. According to Community/Parish No. 4839700030, effective September 26, 2008, of the FLOOD INSURANCE RATE MAP for Rockwall County, Texas & Incorporated Areas, by graphic platting acts, this property appears to be within Flood Zone "X" (area of minimal flooding), and Flood Zone A (areas determined to be in the 1-percent-annual-chance flood event. Because detailed hydraulic analysis have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown.) This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes.
 6. No flood zone and analysis has been performed by G&A/Adams on the subject property.
 7. All original copies of survey maps and descriptions by the surveyor and firm whose name appear hereon all contain an unredacted surveyor's seal. Any map or description copy without that unredacted seal is a copy not prepared in the office of the surveyor and may contain alterations or omissions made without the knowledge or oversight of the surveyor.
 8. Easement encumbered by B.T. Payne Jr. to Dwyer Electric Delivery Company, recorded in Volume 3522, Page 325, Real Property Records, Rockwall County, Texas, does not include subject property.

- LEGEND**
- REBAR FOUND
 - CARPENTERS MARK SET
 - BUILDING LINE
 - UTILITY EASEMENT
 - CARPENTERS MARK FOUND
 - POINT OF BEGINNING
 - MUTUAL ACCESS EASEMENT
 - SANITARY SEWER EASEMENT
 - WATER LINE EASEMENT
 - POWER POLE
 - L.P. LINE
 - WATER VALVE
 - SEWER MANHOLE
 - FIRE HYDRANT
 - SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - TRAFFIC SIGNAL VAULT
 - TELEPHONE ROCKWALL
 - ROAD SIGN
 - THE WARNER CABLE VAULT

BY: R. TODD MURLEY II, RPLS 0006 44849
DATE: 04/11/2019
SCALE: 1"=40'



Property ID# 11247

[View Detailed Property Information](#)

Property Information
GEO ID: 0122-0000-0000-00-0R
Legal Description: AES A0122 M/B JONES TRACT 6 1.637 ACRES

Property Location
880 FM1141 TX

Ownership Information
SEE BETTY
110 WESTMINSTER
ROCKWALL TX 75082

[Zoom to](#) ...

100m
96.444 32.940 Degrees

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 1.837-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Javier Silva for the approval of a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 883 FM-1141, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a General Retail (GR) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *General Retail (GR) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein;

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect;

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 5TH DAY OF DECEMBER, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

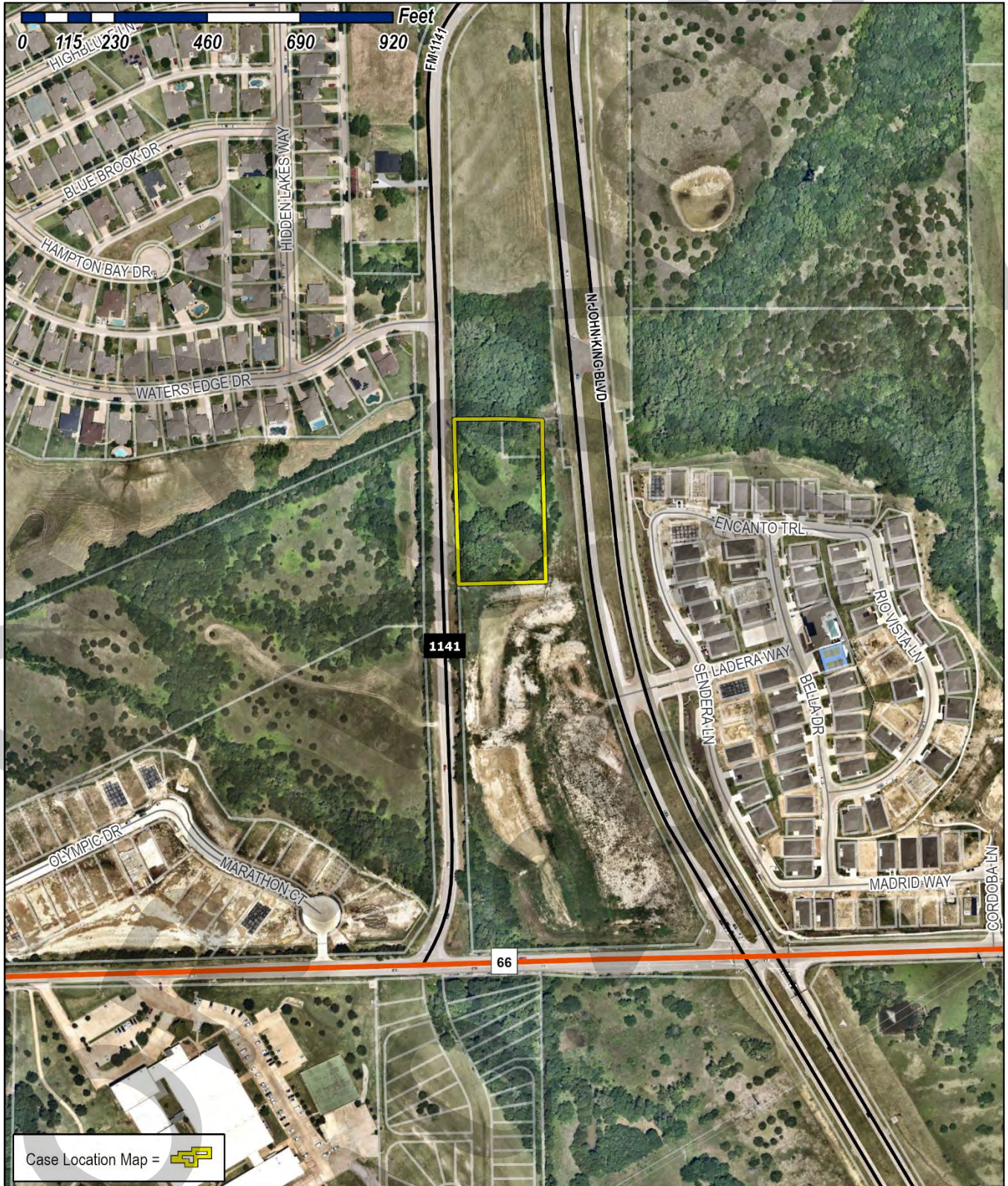
Frank J. Garza, *City Attorney*

1st Reading: November 21, 2022

2nd Reading: December 5, 2022

Exhibit 'B'
Survey

Legal Description: A 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122
Addressed As: 883 FM-1141





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Planning and Zoning Commission
DATE: November 15, 2022
APPLICANT: Javier Silva; *JMS Custom Homes, LLC*
CASE NUMBER: Z2022-047; *Zoning Change from Agricultural (AG) District to General Retail (GR) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 86-37* annexing part of the subject property into the City on May 19, 1986 [Case No. A1986-005]. The remainder of the property was annexed into the City on March 16, 1998 by *Ordinance No. 98-10* [Case No. A1998-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. No changes have occurred on the subject property since it was annexed and rezoned in 1998.

PURPOSE

On October 14, 2022, the applicant -- *Javier Silva with JMS Custom Homes, LLC* -- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a General Retail (GR) District. The purpose of this request is to accommodate the future construction of a commercial office on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 880 FM-1141. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is one (1) lot zoned General Retail (GR) District (*i.e. Tract 9 of the M. B. Jones Survey, Abstract No. 122*). North of this FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are two (2) tracts of land (*i.e. Tracts 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146*), zoned Agricultural (AG) District. Situated on one (1) of the tracts of land is an existing single-family home. North of this is Phase 6 of the Caruth Lakes Subdivision, which is zoned Planned Development District 5 (PD-5) and consists of 158 single-family residential lots on 47.93 acres. Beyond this is Phase 7B of the Caruth Lakes Subdivision, which is zoned Planned Development District 5 (PD-5) and consists of 66 residential lots on 17.13-acres.

South: Directly east of the subject property is one (1) lot, which is part of a 9.894-acre tract of land (*i.e. Lot 1, Block B, Ladera Rockwall Addition*) zoned Planned Development District 85 (PD-85) for General Retail (GR) District land uses. Beyond this is SH-66, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is one (1) lot which is part of a 9.894-acre tract of land (*i.e. Lot 1, Block A, Ladera Rockwall Addition*) zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses.

Beyond this is N. John King Boulevard., which is identified as a P6D (i.e. principal arterial, six (6) lane, divided roadway) on the City’s Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is a 60.277-acre tract of land (i.e. Tract 2-3 of the M. B. Jones Survey, Abstract No. 122 and S. S. McCurry Survey, Abstract No. 146) zoned Planned Development District 5 (PD-5). Beyond this is Phase 5 of the Caruth Lakes Subdivision, which is zoned Planned Development District 5 (PD-5) and consists of 137 residential lots on 37.53-acres.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 1.837-acre parcel of land from an Agricultural (AG) District to a General Retail (GR) District for the purpose of constructing a commercial office on the subject property.

CONFORMANCE WITH THE CITY’S CODES

According to Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), “(t)he General Retail (GR) District is a zoning district intended to provide limited retail and service uses ... [that] include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares.” This section goes on to state that “(s)ince the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development ...” These standards are defined in Subsection 07.03, *Non-Residential District Development Standards*, of the Unified Development Code (UDC) and are summarized as follows:

TABLE 1: GENERAL RETAIL (GR) DISTRICT STANDARDS

<i>Minimum Lot Area</i>	6,000 SF
<i>Minimum Lot Width</i>	60’
<i>Minimum Lot Depth</i>	100’
<i>Minimum Front Yard Setback</i> ^{(1) & (2)}	15’
<i>Minimum Side Yard Setback</i> ⁽³⁾	10’
<i>Minimum Rear Yard Setback</i> ⁽³⁾	10’
<i>Minimum Between Buildings</i> ⁽³⁾	10’
<i>Maximum Building Height</i> ⁽⁴⁾	36’
<i>Maximum Building Size</i> ⁽⁵⁾	25,000 SF
<i>Maximum Lot Coverage</i>	40%
<i>Minimum Landscaping</i>	20%

General Notes:

- 1: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- 2: Parking should not be located between the front façade and the property line.
- 3: The setback can be reduced to zero (0) feet with a fire rated wall.
- 4: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
- 5: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

Based on this, the requested zoning change does appear to conform to the surrounding area. In addition, both the properties to the north and south of the subject property are zoned for General Retail (GR) District land uses. If this zoning change is approved and when the subject property is developed, the development will be required to conform to all the requirements of the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, and any other applicable local, state or federal requirements.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northwest Residential District and is designated for Commercial/Retail land uses. The *Land Use Designations* section of the plan states that, “(t)he Commercial/Retail land use category is characterized by single to multi-tenant commercial retail centers along major

arterials at key intersection ...". Additionally, the General Retail (GR) District is one (1) of the permitted zoning designations for the Commercial/Retail designation. Based on this the proposed zoning change meets the intent of the Comprehensive Plan.

NOTIFICATIONS

On October 20, 2022, staff notified 56 property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowners Association (HOA), which is the only Homeowner's Association (HOA) or Neighborhood Group within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had received one (1) notice from one (1) property owner opposed to the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a General Retail (GR) District, then staff would propose the following conditions of approval:

- (1) Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 880 FM 1141 Rockwall TX 75087

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING AG CURRENT USE Empty
 PROPOSED ZONING Commercial I PROPOSED USE OFFICE spaces
 ACREAGE 1.83 LOTS [CURRENT] _____ LOTS [PROPOSED] _____

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB316Z 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 JMS Custom Homes LLC APPLICANT
 CONTACT PERSON Javier Silva CONTACT PERSON _____
 ADDRESS 58 windsor DR. ADDRESS _____
 CITY, STATE & ZIP Rockwall TX 75032 CITY, STATE & ZIP _____
 PHONE 972-8149462 PHONE _____
 E-MAIL Support@JmsCustomHomes.net E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

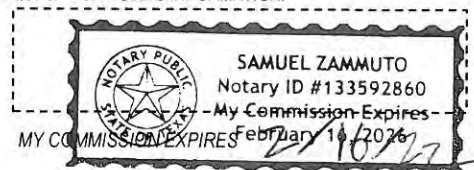
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN 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 30 DAY OF September, 2022

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____





Z2022-047: Zoning Change from AG to GR at 880 FM 1141

1141

PD-85

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.

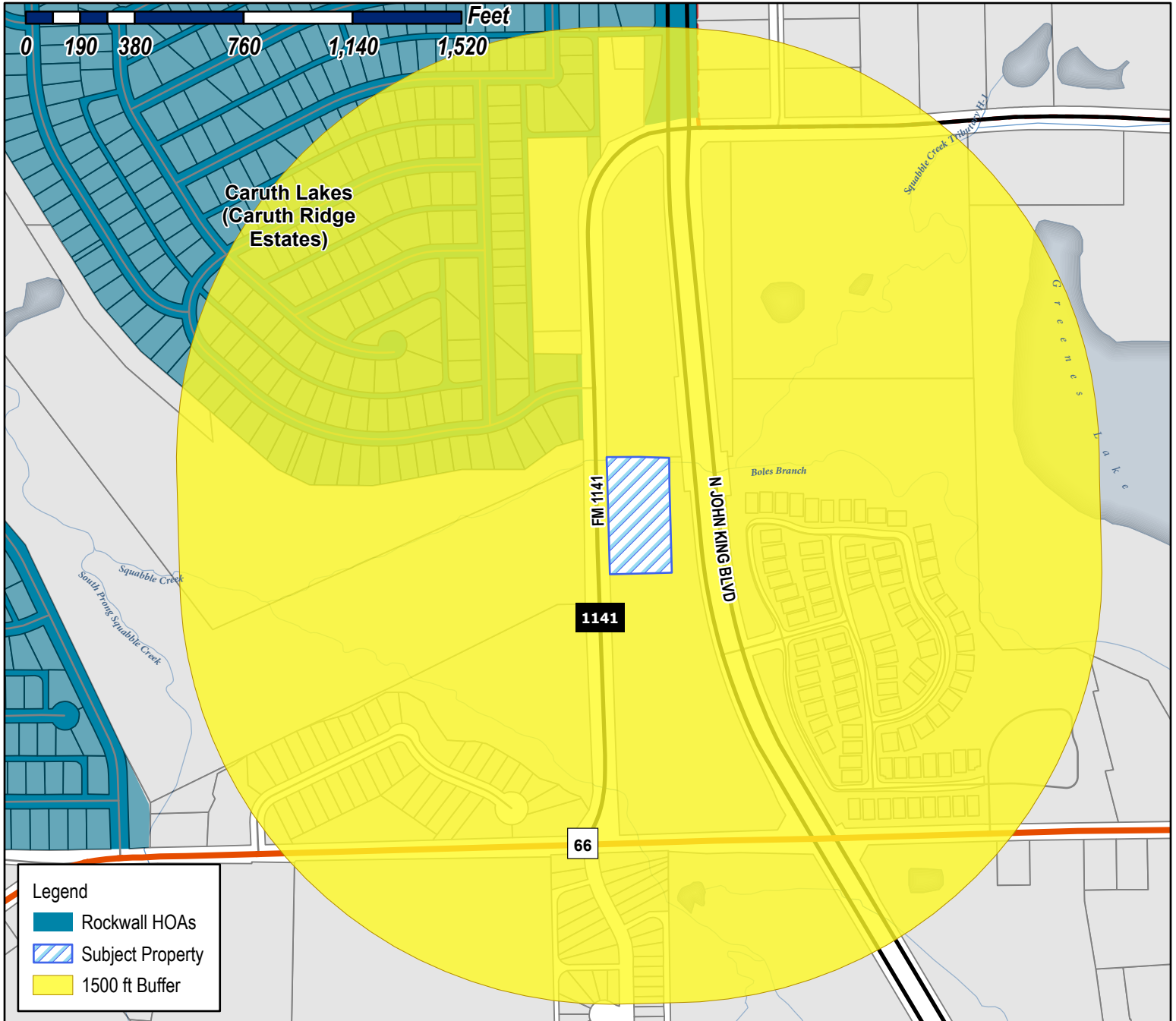




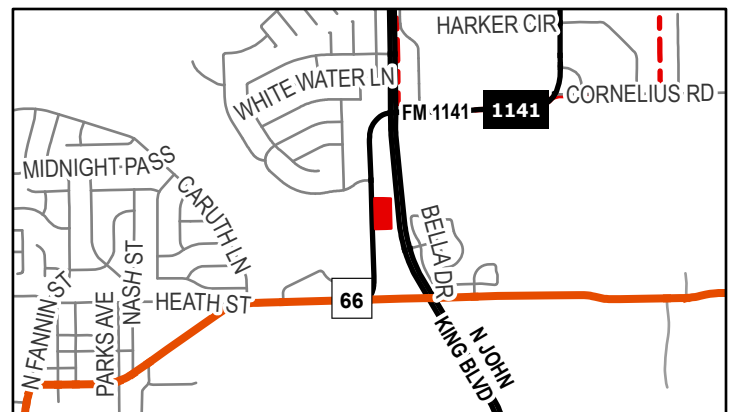
City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2022-047
Case Name: Zoning Change from AG to GR
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141



Date Saved: 10/14/2022

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

From: [Guevara, Angelica](#)
Cc: [Miller, Ryan](#); [Ross, Bethany](#); [Lee, Henry](#)
Bcc: [REDACTED]
Subject: Neighborhood Notification Program [Z2022-047]
Date: Thursday, October 20, 2022 9:05:12 AM
Attachments: [HOA Map \(10.14.2022\).pdf](#)
[Public Notice \(Z2022-047\).pdf](#)

HOA/Neighborhood Association Representative:

Per your participation in the [Neighborhood Notification Program](#), you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on October 21, 2022. The Planning and Zoning Commission will hold a public hearing on Tuesday, November 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, November 21, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District
Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

Thank you,

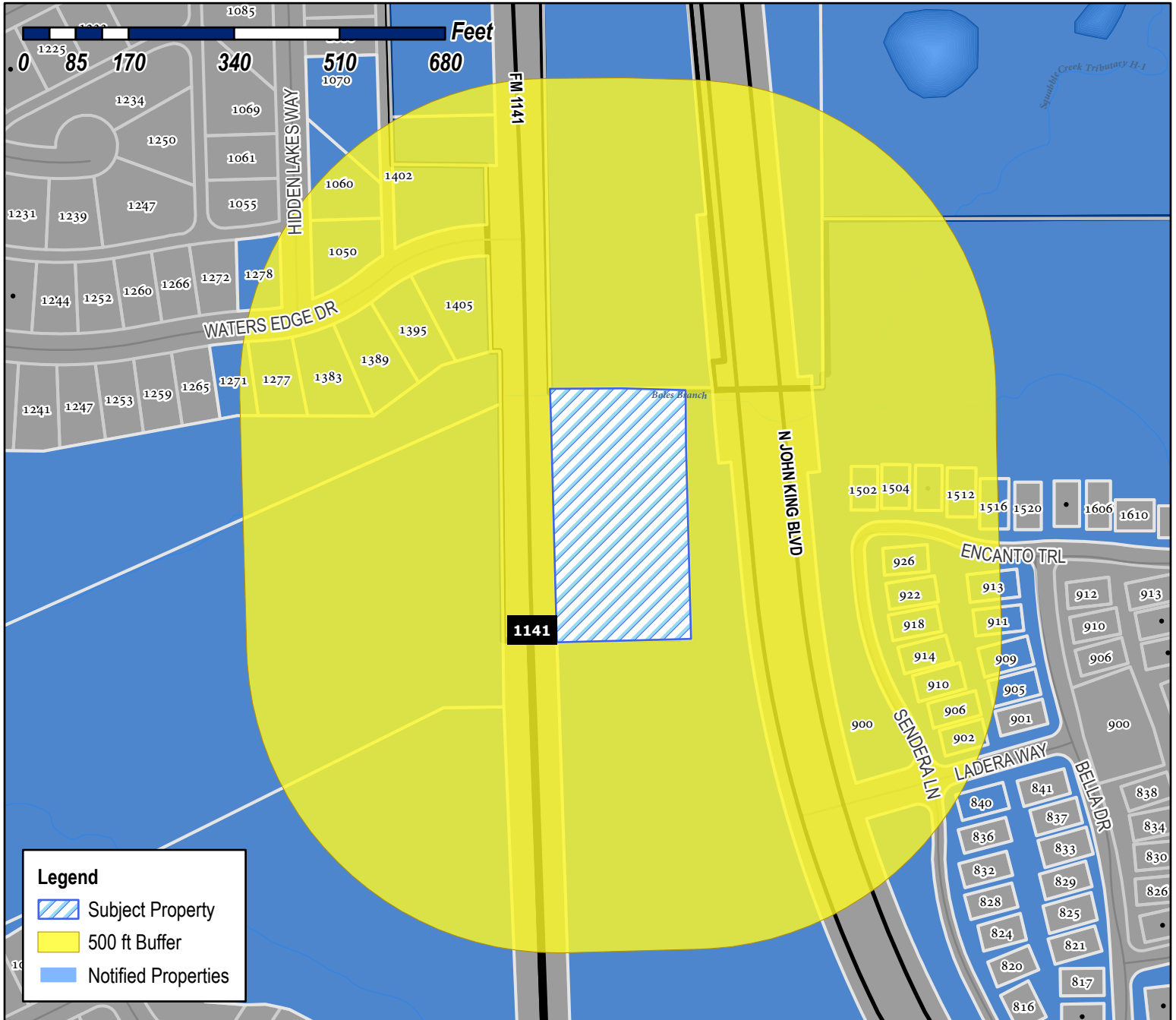
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



City of Rockwall

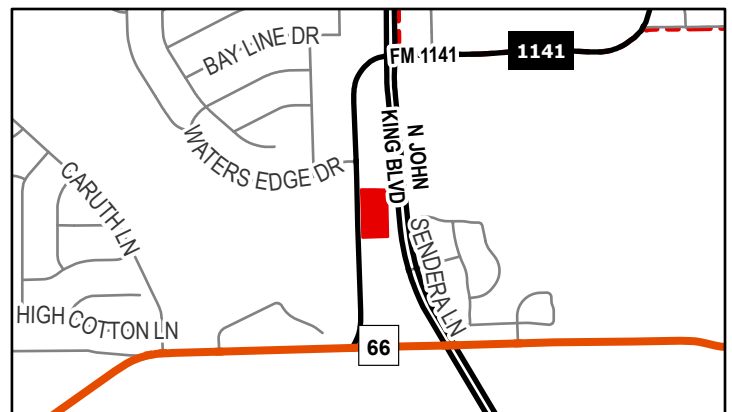
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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Case Number: Z2022-047
Case Name: Zoning Change from AG to GR
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141

Date Saved: 10/14/2022
 For Questions on this Case Call (972) 771-7745



KEHM NATALIE & DONAVON
1050 HIDDEN LAKES WAY
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA
1060 HIDDEN LAKES WAY
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A
1070 HIDDEN LAKES WAY
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

HUNTER JAMES DARL & SUSAN BAILEY
1271 WATERS EDGE DRIVE
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA
1277 WATERS EDGE
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
1278 WATERS EDGE DR
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN
1383 WATER EDGE DRIVE
ROCKWALL, TX 75087

WOODUL NETA J
1389 WATERS EDGE DR
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R
1395 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
1402 WATERS EDGE DR
ROCKWALL, TX 75087

GROGAN DANIEL R
1405 WATERS EDGE DRIVE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1502 ENCANTO TRL
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
1504 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1508 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1512 ENCANTO TRL
ROCKWALL, TX 75087

JENSEN JOYCE
1516 ENCANTO TRAIL
ROCKWALL, TX 75087

CTDIGLAND LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
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ROANOKE, TX 76262

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INTEGRITY RETIREMENT GROUP LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

HONZELL DAVID AND PATRICIA
414 E. COACHLIGHT TRAIL
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
5035 PINE DR
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

RW LADERA LLC
840 SENDERA LN
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

CAMPBELL EDWARD E
902 SENDERA LANE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
905 BELLA DR
ROCKWALL, TX 75087

MOORE MARVI AND MARIE B AND
DEANNE PHILLIPS MOORE
906 SENDERA LN
FATE, TX 75132

RW LADERA LLC
909 BELLA DR
ROCKWALL, TX 75087

LANDERS NANCY
910 SENDERA LN
ROCKWALL, TX 75087

SMITH JOHN AND CATHERINE AND
CHRISTINE WILSON
911 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
913 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
914 SENDERA LN
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG
918 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
922 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
926 SENDERA LN
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
927 FM1141
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
9600 NE COUNTY LINE RD
COSBY, MO 64436

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, November 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, November 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Angelica Guevara
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Monday, November 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

— . . . PLEASE RETURN THE BELOW FORM — . . .

Case No. Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Please place a check mark on the appropriate line below:

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

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Please place a check mark on the appropriate line below:

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

When I bought my home, I thought it would be in a quiet & single family neighborhood. I do not want commercial or retail in my neighborhood. It will add more traffic & noise. Thanks

Name: Neta Woodul

Address: 1389 WATERS EDGE DR. ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

Neta Woodul

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

The City of Rockwall, Texas

Called 10.942 Acres

2007-00389123

"DRAINAGE ESMT." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 0.131 ACRES INST. NO. 2009-00410863

"DRAINAGE ESMT." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 0.302 ACRES INST. NO. 2009-00410863

BETTY BOSARD TRACT 1 CALLED 1.837 ACRES INST. NO. 2005-00396742

RE LADERA, LLC CALLED 26.011 ACRES 2017000022704

JOHN KING BLVD. (VETERAN ROAD) vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 3.983 ACRES INST. NO. 2009-00410863

"HIGHWAY 205 BYPASS R.O.W." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 3.983 ACRES INST. NO. 2009-00410863

CTDIG Land, LLC CALLED 9.894 Acres 2017000022708

LEGAL DESCRIPTION 1.837 Acres M. Jones Survey, Abstract No. 122 City of Rockwall, Rockwall County, Texas

BEING all that certain lot, tract or parcel of land situated in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being all of that called 1.837 acres of land described on Tract 1, it being duly surveyed and recorded in Instrument No. 2005-00396742, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

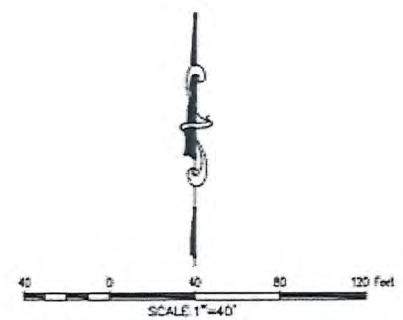
BEGINNING at the northeast corner of said Tract 1, same being the southeast corner of a called 10.942 acres tract of land described in deed in the City of Rockwall, recorded in Instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE S 89°26'01" E, with the south line of said 10.942 acre tract a distance of 200.01 feet to a 1/2" metal nail set with cap stamped "G&A/Adams" and being the most northerly northeast corner of the called 9.894 acre tract of land described in deed to CTDIG Land, LLC recorded in Instrument No. 2017000022708, Deed Records, Rockwall County, Texas;

THENCE S 01°20'58" E, with the east line of said 9.894 acre tract a distance of 400.02 feet to a 1/2" metal nail set with cap stamped "G&A/Adams", being the lower left corner of said 9.894 acre tract;

THENCE S 89°26'01" E, a distance of 200.01 feet to a 1/2" inch metal nail set with cap stamped "G&A/Adams" at the most westerly northeast corner of said 9.894 acre tract from which a 1/2" metal nail set with cap (dimple) bears S 89°26' E, a distance of 4.00 feet;

THENCE N 01°20'58" E, with the east line of F.M. 1141 a distance of 453.02 feet to the POINT OF BEGINNING and containing approximately 1.837 acres of land.



SURVEYOR'S STATEMENT
I, R. Todd Murley II, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents the survey made by me or under my supervision.
PRELIMINARY DOCUMENT:
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR REFERRED TO AS A PUBLIC SURVEY DOCUMENT.
BY: R. TODD MURLEY II, RPLS 0002 44849
R. Todd Murley II, RPLS
Texas Registration No. 5002

SURVEY PLAT
1837 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

The John R. McAdams Company, Inc. (DBA: G&A | McAdams)
111 HISSOLA Drive
Lawrenceville, Texas 75067
972.436.3712
201 Country View Drive
Rockwall, Texas 75087
940.240.1012
TSP# 10162 TEP#02 10194440
www.gandm.com
www.mcadams.com

DRAWN BY: SW DATE: 04/11/2019 SCALE: 1"=40' JOB. No. SPEC-19090

- NOTES:**
1. Bearings based on Texas Coordinate System, North Central Zone, (4222), NAD 83.
 2. This survey was prepared in connection with the Real Estate transaction related to Clarify National Title Insurance Company, Op 7552222. Commitment effective March 27, 2018. G&A/Adams shall not be held liable for any unauthorized use hereof.
 3. Description is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners. G&A/Adams and the Surveyor shall not be liable for any unauthorized use hereof.
 4. Surveyor has made no investigation or independent search for easements of record, restrictive covenants, ownership title evidence, or any other facts that would affect the accuracy of this plat.
 5. According to Community/Parish No. 4839700030, effective September 26, 2008, of the FLOOD INSURANCE RATE MAP for Rockwall County, Texas & Incorporated Areas, by graphic platting only, this property appears to be within Flood Zone "X" (area of minimal flooding), and Flood Zone A (areas determined to be in the 1-percent-annual-chance flood event. Because detailed hydraulic analysis have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown.) This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes.
 6. No flood zone area analysis has been performed by G&A/Adams on the subject property.
 7. All original copies of survey maps and descriptions by the surveyor and firm whose name appear hereon, all contain an unredacted surveyor's seal. Any map or description copy without that unredacted seal is truly copy not prepared in the office of the surveyor and may contain alterations or omissions made without the knowledge or oversight of the surveyor.
 8. Easement encumbered by B.T. Payne Jr. to Dwyer Electric Delivery Company, recorded in Volume 3522, Page 325, Real Property Records, Rockwall County, Texas, does not include subject property.

- LEGEND**
- REBAR FOUND
 - CARPENTERS MARK SET
 - BUILDING LINE
 - UTILITY EASEMENT
 - CARPENTERS MARK FOUND
 - POINT OF BEGINNING
 - MUTUAL ACCESS EASEMENT
 - SANITARY SEWER EASEMENT
 - WATER LINE EASEMENT
 - POWER POLE
 - L.P. LINE
 - WATER VALVE
 - SEWER MANHOLE
 - FIRE HYDRANT
 - SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - TRAFFIC SIGNAL VAULT
 - TELEPHONE ROCKWALL
 - ROAD SIGN
 - THE WARNER CABLE VAULT

BY: R. TODD MURLEY II, RPLS 0002 44849
DATE: 04/11/2019
SCALE: 1"=40'



Property ID# 11247

[View Detailed Property Information](#)

Property Information
GEO ID: 0122-0000-0000-00-0R
Legal Description: AES A0122 M/B JONES TRACT 6 1.637 ACRES

Property Location
880 FM1141 TX

Ownership Information
SEE BETTY
110 WESTMINSTER
ROCKWALL TX 75082

[Zoom to](#) ...

100m
96.444 32.940 Degrees

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 1.837-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Javier Silva for the approval of a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 883 FM-1141, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a General Retail (GR) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *General Retail (GR) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein;

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect;

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5TH DAY OF DECEMBER, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 21, 2022

2nd Reading: December 5, 2022

Exhibit 'B'
Survey

Legal Description: A 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122
Addressed As: 883 FM-1141

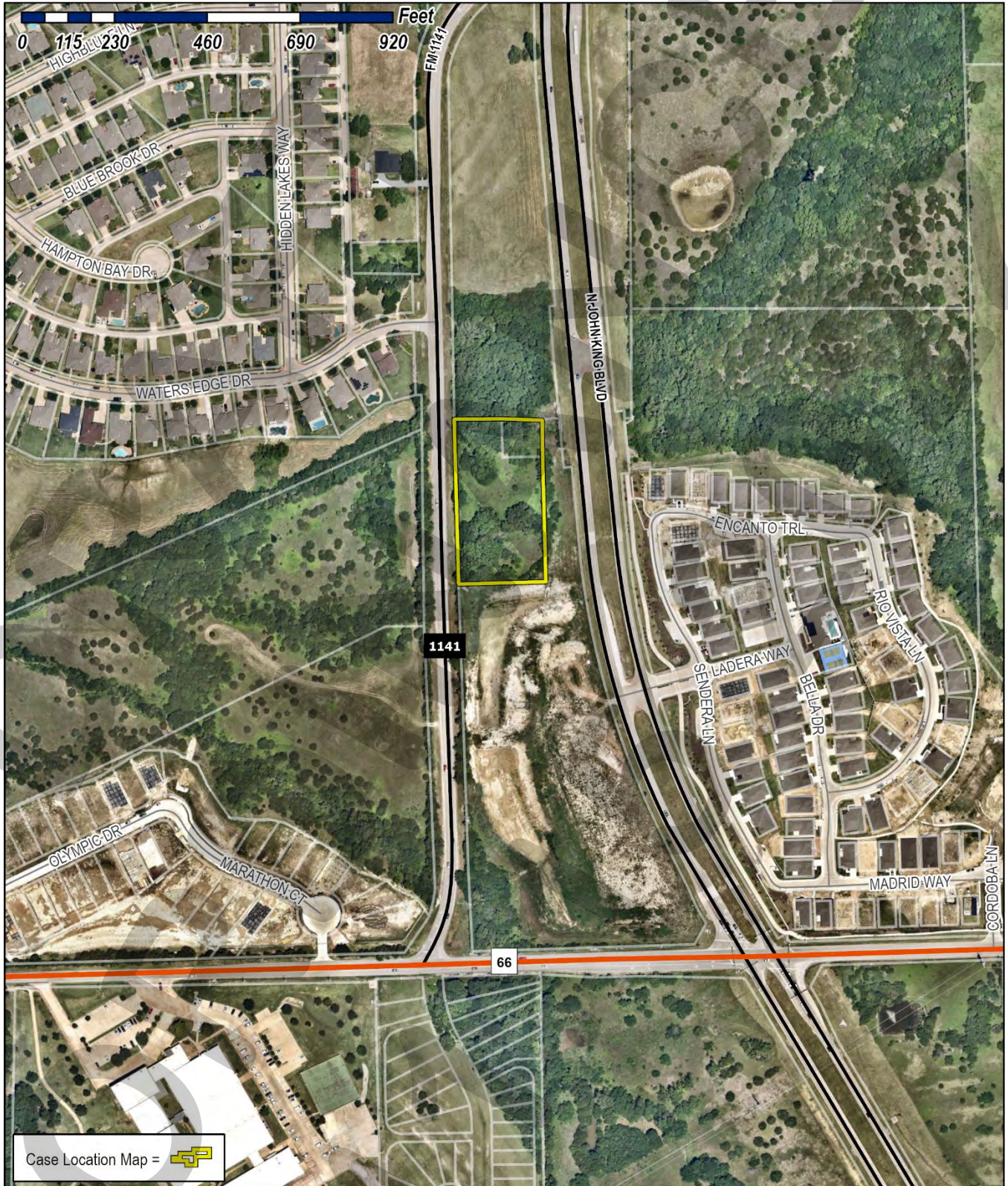
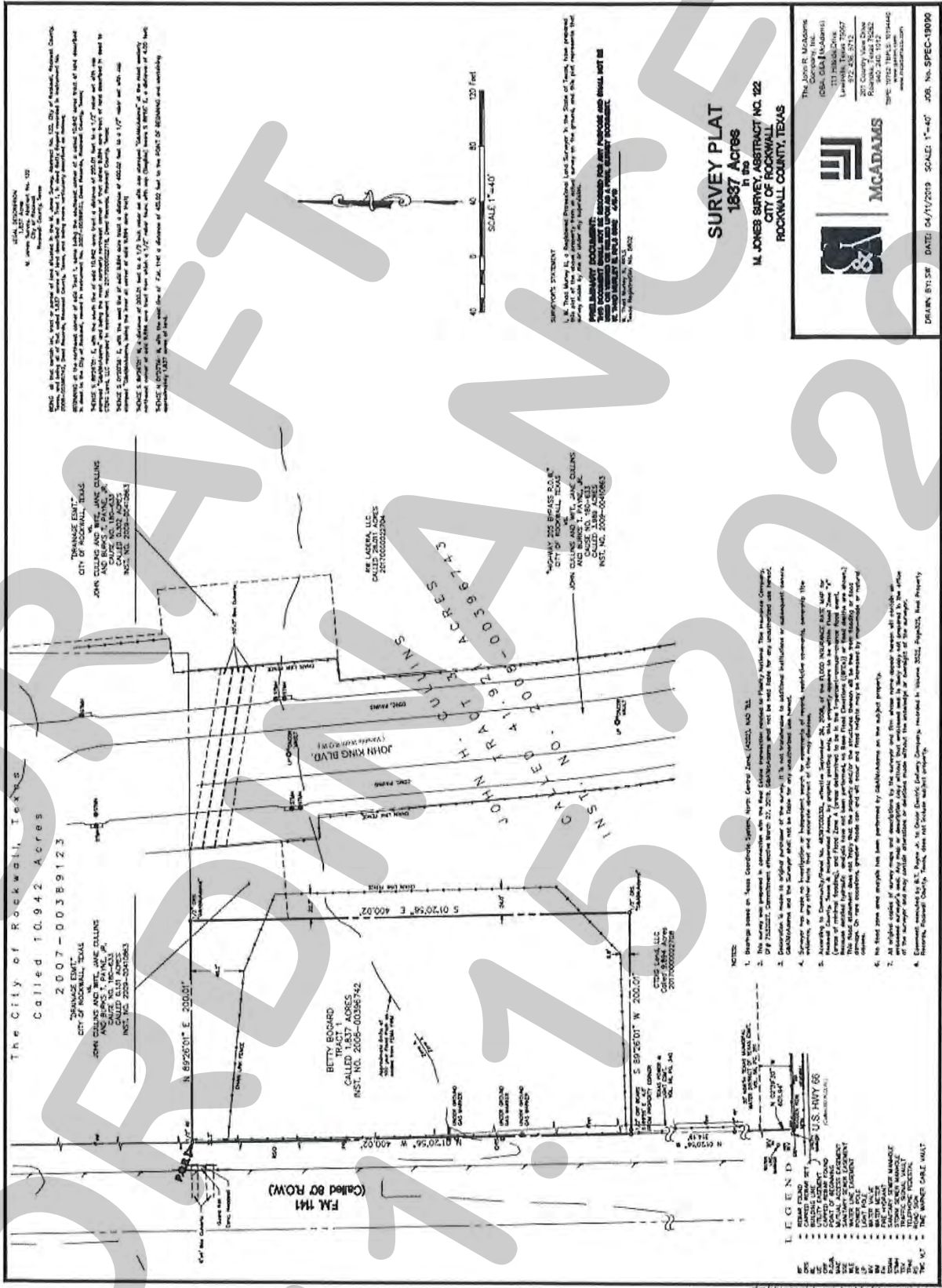


Exhibit 'B'
Survey





CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
DATE: November 21, 2022
APPLICANT: Javier Silva; *JMS Custom Homes, LLC*
CASE NUMBER: Z2022-047; *Zoning Change from Agricultural (AG) District to General Retail (GR) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

BACKGROUND

The City Council approved *Ordinance No. 86-37* annexing part of the subject property into the City on May 19, 1986 [Case No. A1986-005]. The remainder of the property was annexed into the City on March 16, 1998 by *Ordinance No. 98-10* [Case No. A1998-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. No changes have occurred on the subject property since it was annexed and rezoned in 1998.

PURPOSE

On October 14, 2022, the applicant -- *Javier Silva with JMS Custom Homes, LLC* -- submitted an application requesting to change the zoning of the *subject property* from an Agricultural (AG) District to a General Retail (GR) District. The purpose of this request is to accommodate the future construction of a commercial office on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 880 FM-1141. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is one (1) lot zoned General Retail (GR) District (*i.e. Tract 9 of the M. B. Jones Survey, Abstract No. 122*). North of this FM-1141, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are two (2) tracts of land (*i.e. Tracts 29 & 29-1 of the S. S. McCurry Survey, Abstract No. 146*), zoned Agricultural (AG) District. Situated on one (1) of the tracts of land is an existing single-family home. North of this is Phase 6 of the Caruth Lakes Subdivision, which is zoned Planned Development District 5 (PD-5) and consists of 158 single-family residential lots on 47.93 acres. Beyond this is Phase 7B of the Caruth Lakes Subdivision, which is zoned Planned Development District 5 (PD-5) and consists of 66 residential lots on 17.13-acres.

South: Directly east of the subject property is one (1) lot, which is part of a 9.894-acre tract of land (*i.e. Lot 1, Block B, Ladera Rockwall Addition*) zoned Planned Development District 85 (PD-85) for General Retail (GR) District land uses. Beyond this is SH-66, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is one (1) lot which is part of a 9.894-acre tract of land (*i.e. Lot 1, Block A, Ladera Rockwall Addition*) zoned Planned Development District 85 (PD-85) for Single-Family 7 (SF-7) District land uses.

Beyond this is N. John King Boulevard., which is identified as a P6D (i.e. principal arterial, six (6) lane, divided roadway) on the City’s Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is a 60.277-acre tract of land (i.e. Tract 2-3 of the M. B. Jones Survey, Abstract No. 122 and S. S. McCurry Survey, Abstract No. 146) zoned Planned Development District 5 (PD-5). Beyond this is Phase 5 of the Caruth Lakes Subdivision, which is zoned Planned Development District 5 (PD-5) and consists of 137 residential lots on 37.53-acres.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 1.837-acre parcel of land from an Agricultural (AG) District to a General Retail (GR) District for the purpose of constructing a commercial office on the subject property.

CONFORMANCE WITH THE CITY’S CODES

According to Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), “(t)he General Retail (GR) District is a zoning district intended to provide limited retail and service uses ... [that] include most types of retail and office activity, and are typically located on/at the intersections of major thoroughfares.” This section goes on to state that “(s)ince the General Retail (GR) District will be located close to residential areas, the development standards are stringent and require high standards of development ...” These standards are defined in Subsection 07.03, *Non-Residential District Development Standards*, of the Unified Development Code (UDC) and are summarized as follows:

TABLE 1: GENERAL RETAIL (GR) DISTRICT STANDARDS

<i>Minimum Lot Area</i>	6,000 SF
<i>Minimum Lot Width</i>	60’
<i>Minimum Lot Depth</i>	100’
<i>Minimum Front Yard Setback</i> ^{(1) & (2)}	15’
<i>Minimum Side Yard Setback</i> ⁽³⁾	10’
<i>Minimum Rear Yard Setback</i> ⁽³⁾	10’
<i>Minimum Between Buildings</i> ⁽³⁾	10’
<i>Maximum Building Height</i> ⁽⁴⁾	36’
<i>Maximum Building Size</i> ⁽⁵⁾	25,000 SF
<i>Maximum Lot Coverage</i>	40%
<i>Minimum Landscaping</i>	20%

General Notes:

- 1: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- 2: Parking should not be located between the front façade and the property line.
- 3: The setback can be reduced to zero (0) feet with a fire rated wall.
- 4: Building height may be increased up to 60-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.
- 5: A maximum building size of 25,000 SF in area, unless otherwise approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

Based on this, the requested zoning change does appear to conform to the surrounding area. In addition, both the properties to the north and south of the subject property are zoned for General Retail (GR) District land uses. If this zoning change is approved and when the subject property is developed, the development will be required to conform to all the requirements of the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, and any other applicable local, state or federal requirements.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northwest Residential District and is designated for Commercial/Retail land uses. The *Land Use Designations* section of the plan states that, “(t)he Commercial/Retail land use category is characterized by single to multi-tenant commercial retail centers along major

arterials at key intersection ...". Additionally, the General Retail (GR) District is one (1) of the permitted zoning designations for the Commercial/Retail designation. Based on this the proposed zoning change meets the intent of the Comprehensive Plan.

NOTIFICATIONS

On October 20, 2022, staff notified 56 property owners and occupants within 500-feet of the subject property. Staff also notified the Caruth Lakes (*Caruth Ridge Estates*) Homeowners Association (HOA), which is the only Homeowner's Association (HOA) or Neighborhood Group within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had received two (2) notices from two (2) property owners opposed to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve of the applicant's request to rezone the subject property from an Agricultural (AG) District to a General Retail (GR) District, then staff would propose the following conditions of approval:

- (1) Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On November 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 5-0, with Commissioners Conway and Llewelyn absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) 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 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

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.
² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 880 FM 1141 Rockwall TX 75087

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING AG CURRENT USE Empty
 PROPOSED ZONING Commercial I PROPOSED USE OFFICE spaces
 ACREAGE 1.83 LOTS [CURRENT] _____ LOTS [PROPOSED] _____

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB316Z 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 JMS Custom Homes LLC APPLICANT
 CONTACT PERSON Javier Silva CONTACT PERSON _____
 ADDRESS 58 windsor DR. ADDRESS _____
 CITY, STATE & ZIP Rockwall TX 75032 CITY, STATE & ZIP _____
 PHONE 972-8149462 PHONE _____
 E-MAIL Support@JmsCustomHomes.net E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

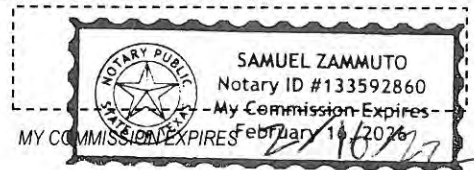
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN 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 30 DAY OF September, 2022

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____





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.

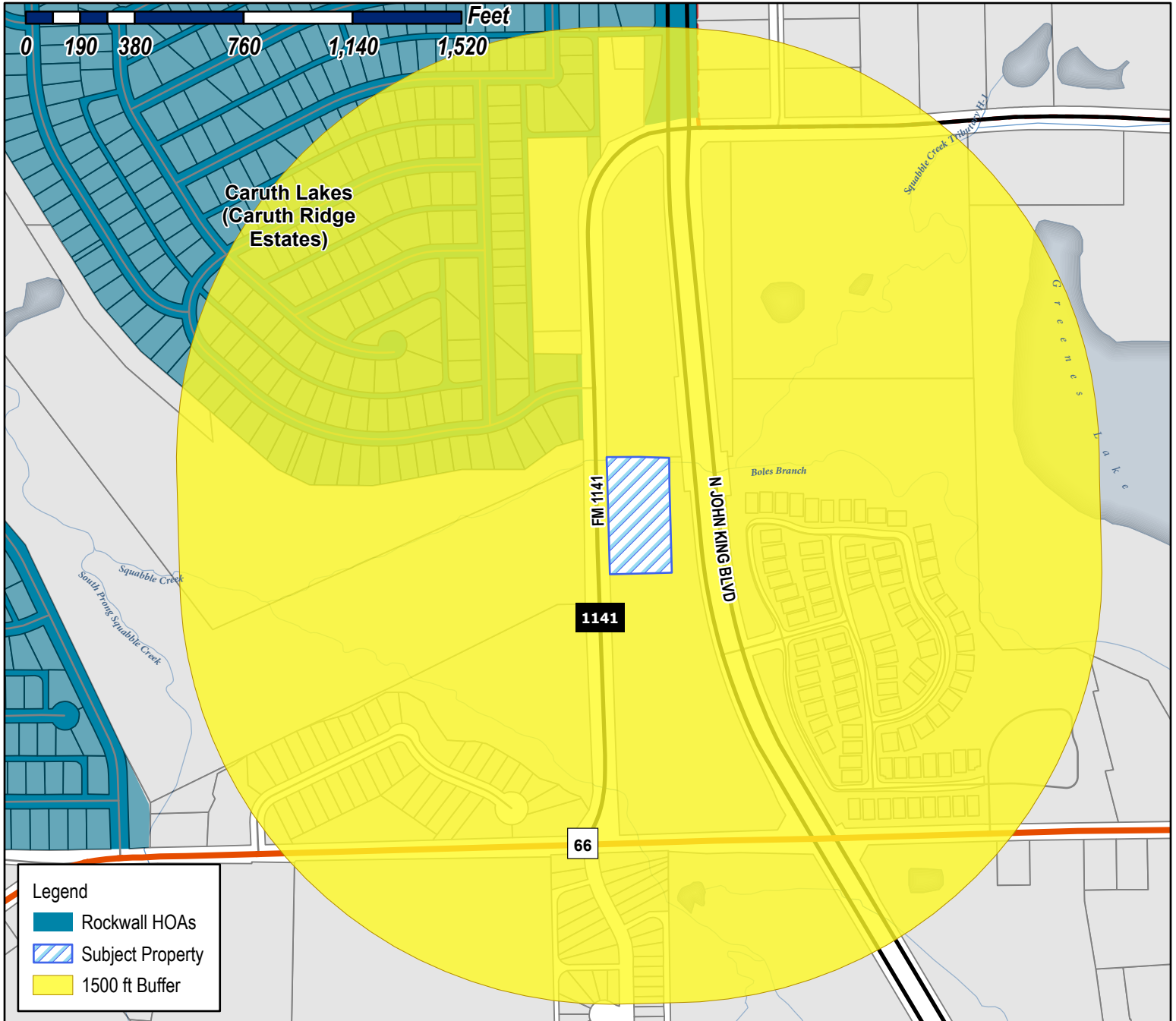




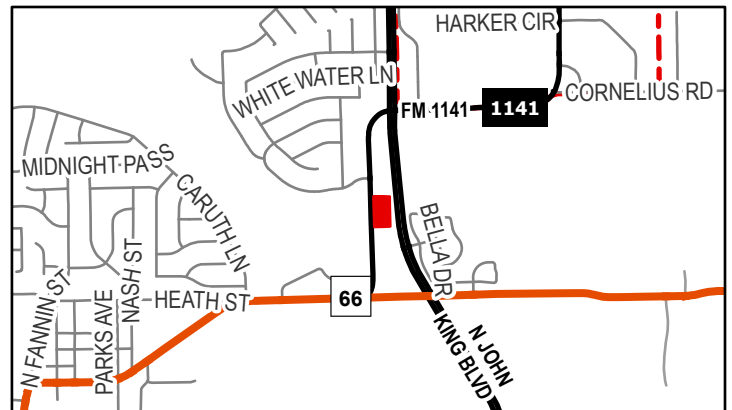
City of Rockwall

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

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Case Number: Z2022-047
Case Name: Zoning Change from AG to GR
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141



Date Saved: 10/14/2022
 For Questions on this Case Call (972) 771-7745

From: [Guevara, Angelica](#)
Cc: [Miller, Ryan](#); [Ross, Bethany](#); [Lee, Henry](#)
Bcc: [REDACTED]
Subject: Neighborhood Notification Program [Z2022-047]
Date: Thursday, October 20, 2022 9:05:12 AM
Attachments: [HOA Map \(10.14.2022\).pdf](#)
[Public Notice \(Z2022-047\).pdf](#)

HOA/Neighborhood Association Representative:

Per your participation in the [Neighborhood Notification Program](#), you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on [October 21, 2022](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, November 15, 2022 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, November 21, 2022 at 6:00 PM](#). Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to Planning@rockwall.com at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website: <https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District
Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a [Zoning Change](#) from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

Thank you,

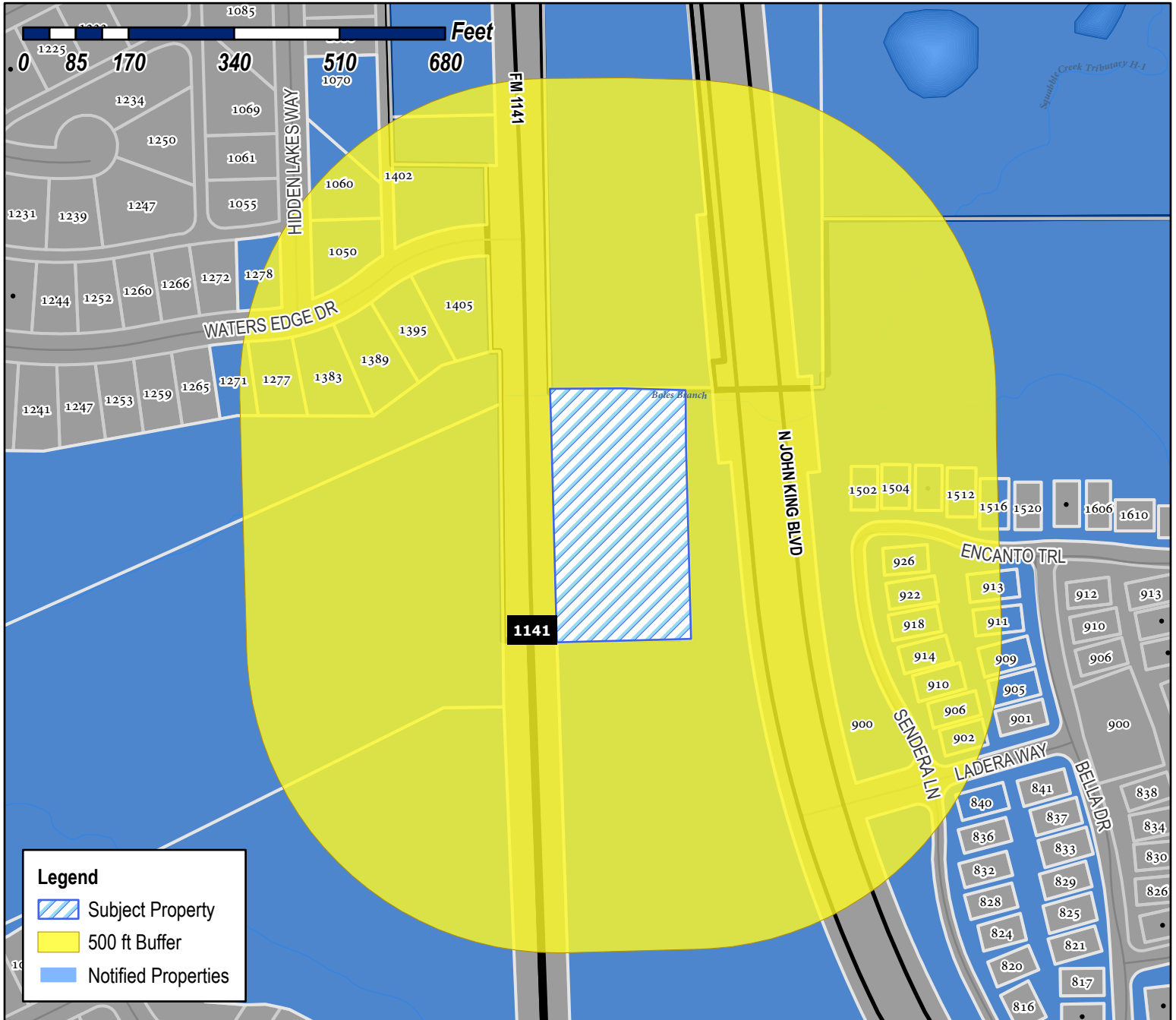
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



City of Rockwall

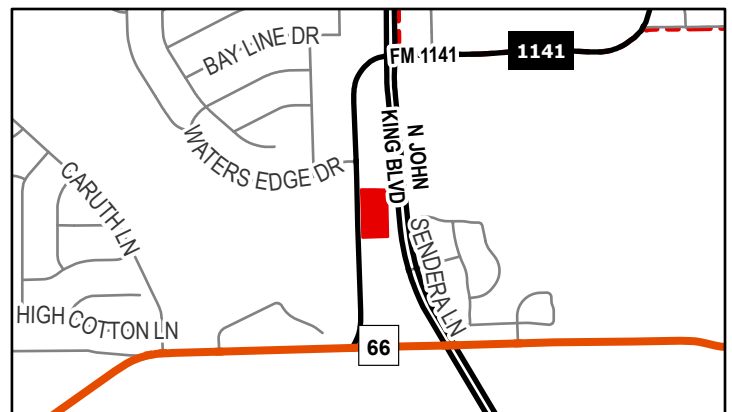
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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.



Case Number: Z2022-047
Case Name: Zoning Change from AG to GR
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 883 FM 1141

Date Saved: 10/14/2022
 For Questions on this Case Call (972) 771-7745



KEHM NATALIE & DONAVON
1050 HIDDEN LAKES WAY
ROCKWALL, TX 75087

TAYLOR STEVEN MURRY & ANITA
1060 HIDDEN LAKES WAY
ROCKWALL, TX 75087

LEAHY ANDERSON C AND KAITLIN A
1070 HIDDEN LAKES WAY
ROCKWALL, TX 75087

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

SEE BETTY
110 WESTMINISTER
ROCKWALL, TX 75032

HUNTER JAMES DARL & SUSAN BAILEY
1271 WATERS EDGE DRIVE
ROCKWALL, TX 75087

JACKSON BEAU MICHAEL AND AMANDA
1277 WATERS EDGE
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
1278 WATERS EDGE DR
ROCKWALL, TX 75087

RYDER HEATH JAMES AND MELANIE ANN
1383 WATER EDGE DRIVE
ROCKWALL, TX 75087

WOODUL NETA J
1389 WATERS EDGE DR
ROCKWALL, TX 75087

ELLIOTT CHRISTOPHER ANDREW & HEATHER R
1395 WATERS EDGE DRIVE
ROCKWALL, TX 75087

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
1402 WATERS EDGE DR
ROCKWALL, TX 75087

GROGAN DANIEL R
1405 WATERS EDGE DRIVE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1502 ENCANTO TRL
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
1504 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1508 ENCANTO TRL
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
1512 ENCANTO TRL
ROCKWALL, TX 75087

JENSEN JOYCE
1516 ENCANTO TRAIL
ROCKWALL, TX 75087

CTDIGLAND LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

RW LADERA LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
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INTEGRITY RETIREMENT GROUP LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

INTEGRITY RETIREMENT GROUP LLC
361 W BYRON NELSON BLVD SUITE 104
ROANOKE, TX 76262

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

HONZELL DAVID AND PATRICIA
414 E. COACHLIGHT TRAIL
ROCKWALL, TX 75087

BUCHHOLZ RON AND PENNY FAMILY
REVOCABLE TRUST
5035 PINE DR
BOYNTON BEACH, FL 33437

CARUTH RIDGE ESTATES HOMEOWNERS
ASSOCIATION INC
C/O VISION COMMUNITIES MANAGEMENT INC
5757 ALPHA RD STE 680
DALLAS, TX 75240

RW LADERA LLC
840 SENDERA LN
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

SEE BETTY
880 FM1141
ROCKWALL, TX 75087

CAMPBELL EDWARD E
902 SENDERA LANE
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
905 BELLA DR
ROCKWALL, TX 75087

MOORE MARVI AND MARIE B AND
DEANNE PHILLIPS MOORE
906 SENDERA LN
FATE, TX 75132

RW LADERA LLC
909 BELLA DR
ROCKWALL, TX 75087

LANDERS NANCY
910 SENDERA LN
ROCKWALL, TX 75087

SMITH JOHN AND CATHERINE AND
CHRISTINE WILSON
911 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
913 BELLA DR
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
914 SENDERA LN
ROCKWALL, TX 75087

LILYHORN PAULA AND GREG
918 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
922 SENDERA LN
ROCKWALL, TX 75087

INTEGRITY RETIREMENT GROUP LLC
926 SENDERA LN
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
927 FM1141
ROCKWALL, TX 75087

DANIEL M YOUNG & TERYL H YOUNG JOINT
DECLARATION OF TRUST
DANIEL M YOUNG & TERYL H YOUNG AS
TRUSTEES
9600 NE COUNTY LINE RD
COSBY, MO 64436

WHITTLE ROBERT S
PO BOX 369
ROCKWALL, TX 75087

FOERSTER ELWYNNE ANN
323 ELM DR
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Hold a public hearing to discuss and consider a request by Javier Silva and JMS Custom Homes, LLC for the approval of a Zoning Change from Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east side of FM-1141 south of the intersection of Waters Edge Drive and FM-1141, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, November 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, November 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Angelica Guevara
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Monday, November 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Please place a check mark on the appropriate line below:

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

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Please place a check mark on the appropriate line below:

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

When I bought my home, I thought it would be in a quiet & single family neighborhood. I do not want commercial or retail in my neighborhood. It will add more traffic & noise. Thanks

Name: Neta Woodul

Address: 1389 WATERS EDGE DR. ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

Neta Woodul

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Case No. Z2022-047: Zoning Change from Agricultural (AG) District to General Retail (GR) District

Please place a check mark on the appropriate line below:

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

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

Too much traffic congestion in this area.

This change would not be beneficial to the community.

Name: Joyce Jensen

Address: 1516 Encanto Trail Rockwall TX 57087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

The City of Rockwall, Texas

Called 10.942 Acres

2007-00389123

"DRAINAGE ESMT." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 0.151 ACRES INST. NO. 2009-00410863

"DRAINAGE ESMT." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 0.302 ACRES INST. NO. 2009-00410863

BETTY BOSARD TRACT 1 CALLED 1.837 ACRES INST. NO. 2005-00396742

RE LADERA, LLC CALLED 26.011 ACRES 2017000022704

JOHN KING BLVD. (VETERAN ROAD) vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 3.983 ACRES INST. NO. 2009-00410863

"HIGHWAY 205 BYPASS R.O.W." CITY OF ROCKWALL, TEXAS vs. JOHN CULLINS AND WIFE, JANE CULLINS AND BURNS T. PAYNE, JR. CAUSE NO. 180-633 CALLED 3.983 ACRES INST. NO. 2009-00410863

CTDIG Land, LLC CALLED 9.894 Acres 2017000022708

LEGAL DESCRIPTION 1.837 Acres M. Jones Survey, Abstract No. 122 City of Rockwall Rockwall County, Texas

BEING all that certain lot, tract or parcel of land situated in the M. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, and being all of that called 1.837 acres of land described on Tract 1, it being duly defined and bounded by instrument No. 2009-00389123, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

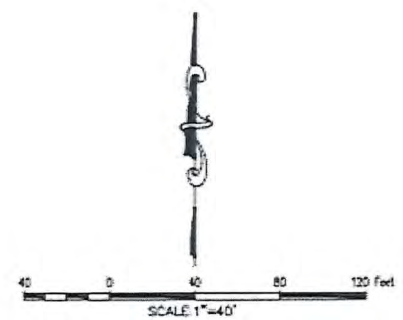
BEGINNING at the northeast corner of said Tract 1, same being the southeast corner of a called 10.942 acres tract of land described in deed to the City of Rockwall, recorded by instrument No. 2007-00389123, Deed Records, Rockwall County, Texas;

THENCE S 89°26'01" E, with the south line of said 10.942 acre tract a distance of 200.01 feet to a 1/2" metal nail set with cap stamped "G&A/Adams" and being the most northerly northeast corner of the called 9.894 acre tract of land described in deed to CTDIG Land, LLC recorded by instrument No. 2017000022708, Deed Records, Rockwall County, Texas;

THENCE S 01°20'58" E, with the east line of said 9.894 acre tract a distance of 455.02 feet to a 1/2" metal nail set with cap stamped "G&A/Adams", being the lower left corner of said 9.894 acre tract;

THENCE S 89°26'01" E, a distance of 200.01 feet to a 1/2" inch metal nail set with cap stamped "G&A/Adams" at the most westerly northeast corner of said 9.894 acre tract from which a 1/2" metal nail set with cap (dimple) bears S 89°56' E, a distance of 4.55 feet;

THENCE N 01°20'58" E, with the east line of F.M. 1141 a distance of 455.02 feet to the POINT OF BEGINNING and containing approximately 1.837 acres of land.



SURVEYOR'S STATEMENT
I, R. Todd Murley II, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents the survey made by me or under my supervision.
PRELIMINARY DOCUMENT:
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR REFERRED TO AS A PUBLIC SURVEY DOCUMENT.
BY: R. TODD MURLEY II, RPLS 0006 44849
R. Todd Murley II, RPLS
Texas Registration No. 58202

SURVEY PLAT
1837 Acres
in the
M. JONES SURVEY, ABSTRACT NO. 122
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

The John R. McAdams Company, Inc. (DBA: G&A | McAdams)
117 HISSOLA Drive
Lawrenceville, Texas 75067
972.436.5712
201 Country View Drive
Rockwall, Texas 75087
940.240.1012
TSP# 10162 TEP#02 10194440
www.gam.com
www.mcadams.com

DRAWN BY: SW DATE: 04/11/2019 SCALE: 1"=40' JOB. No. SPEC-19090

- NOTES:**
1. Bearings based on Texas Coordinate System, North Central Zone, (4222), NAD 83.
 2. This survey was prepared in connection with the Real Estate transaction related to Clarify National Title Insurance Company, Op 7552222. Commitment effective March 27, 2018. G&A/Adams shall not be held liable for any unauthorized use hereof.
 3. Description is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners. G&A/Adams and the Surveyor shall not be liable for any unauthorized use hereof.
 4. Surveyor has made no investigation or independent search for easements of record, restrictive covenants, ownership title evidence, or any other facts that would accurately describe the map or plat.
 5. According to Community/Parish No. 4839700030, effective September 26, 2008, of the FLOOD INSURANCE RATE MAP for Rockwall County, Texas & Incorporated Areas, by graphic platting only, this property appears to be within Flood Zone "X" (area of minimal flooding), and Flood Zone A (areas determined to be in the 1-percent-annual-chance flood event. Because detailed hydraulic analysis have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown.) This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes.
 6. No flood zone and analysis has been performed by G&A/Adams on the subject property.
 7. All original copies of survey maps and descriptions by the surveyor and firm whose name appear hereon, all contain an unrecorded surveyor's seal. Any map or description copy without that unrecorded seal is truly copy not prepared in the office of the surveyor and may contain alterations or omissions made without the knowledge or oversight of the surveyor.
 8. Easement encumbered by B.T. Payne Jr. to Dwyer Electric Delivery Company, recorded in Volume 3522, Page 325, Real Property Records, Rockwall County, Texas, does not include subject property.

- LEGEND**
- REBAR FOUND
 - CARPENTERS MARK SET
 - BUILDING LINE
 - UTILITY EASEMENT
 - CARPENTERS MARK FOUND
 - POINT OF BEGINNING
 - MUTUAL ACCESS EASEMENT
 - SANITARY SEWER EASEMENT
 - WATER LINE EASEMENT
 - POWER POLE
 - L.P. LINE
 - WATER VALVE
 - SEWER MANHOLE
 - FIRE HYDRANT
 - SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - TRAFFIC SIGNAL VAULT
 - TELEPHONE ROCKWALL
 - ROAD SIGN
 - THE WARNER CABLE VAULT

BY: R. TODD MURLEY II, RPLS 0006 44849
DATE: 04/11/2019
SCALE: 1"=40'
JOB. No. SPEC-19090



Property ID# 11247

[View Detailed Property Information](#)

Property Information
GEO ID: 0122-0000-0000-00-0R
Legal Description: AES A0122 M/B JONES TRACT 6 1.637 ACRES

Property Location
880 FM1141 TX

Ownership Information
SEE BETTY
110 WESTMINSTER
ROCKWALL TX 75082

[Zoom to](#) ...

100m
96.444 32.940 Degrees

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 1.837-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Javier Silva for the approval of a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 883 FM-1141, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a General Retail (GR) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *General Retail (GR) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein;

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect;

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 5TH DAY OF DECEMBER, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 21, 2022

2nd Reading: December 5, 2022

Exhibit 'B'
Survey

Legal Description: A 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122
Addressed As: 883 FM-1141

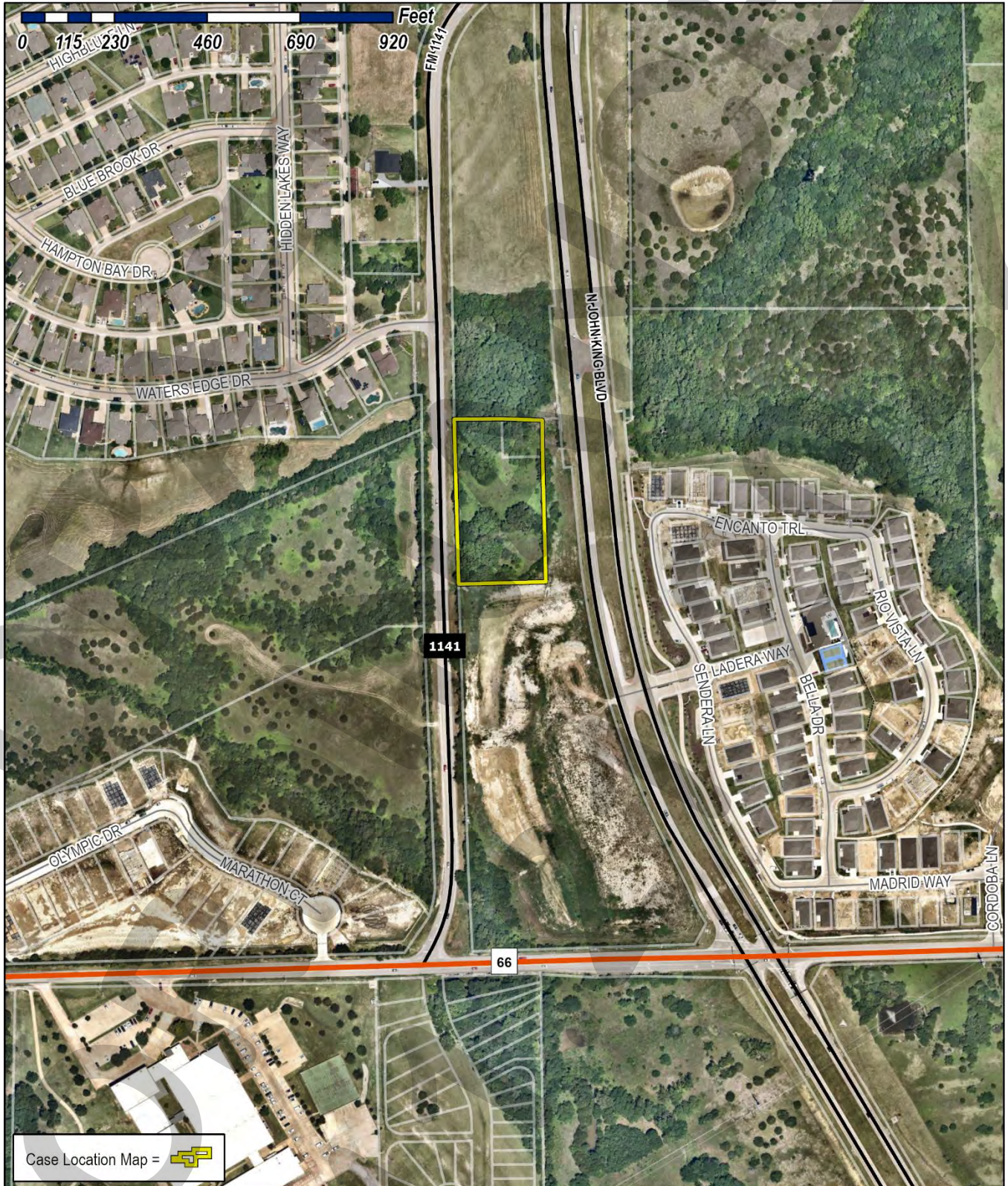
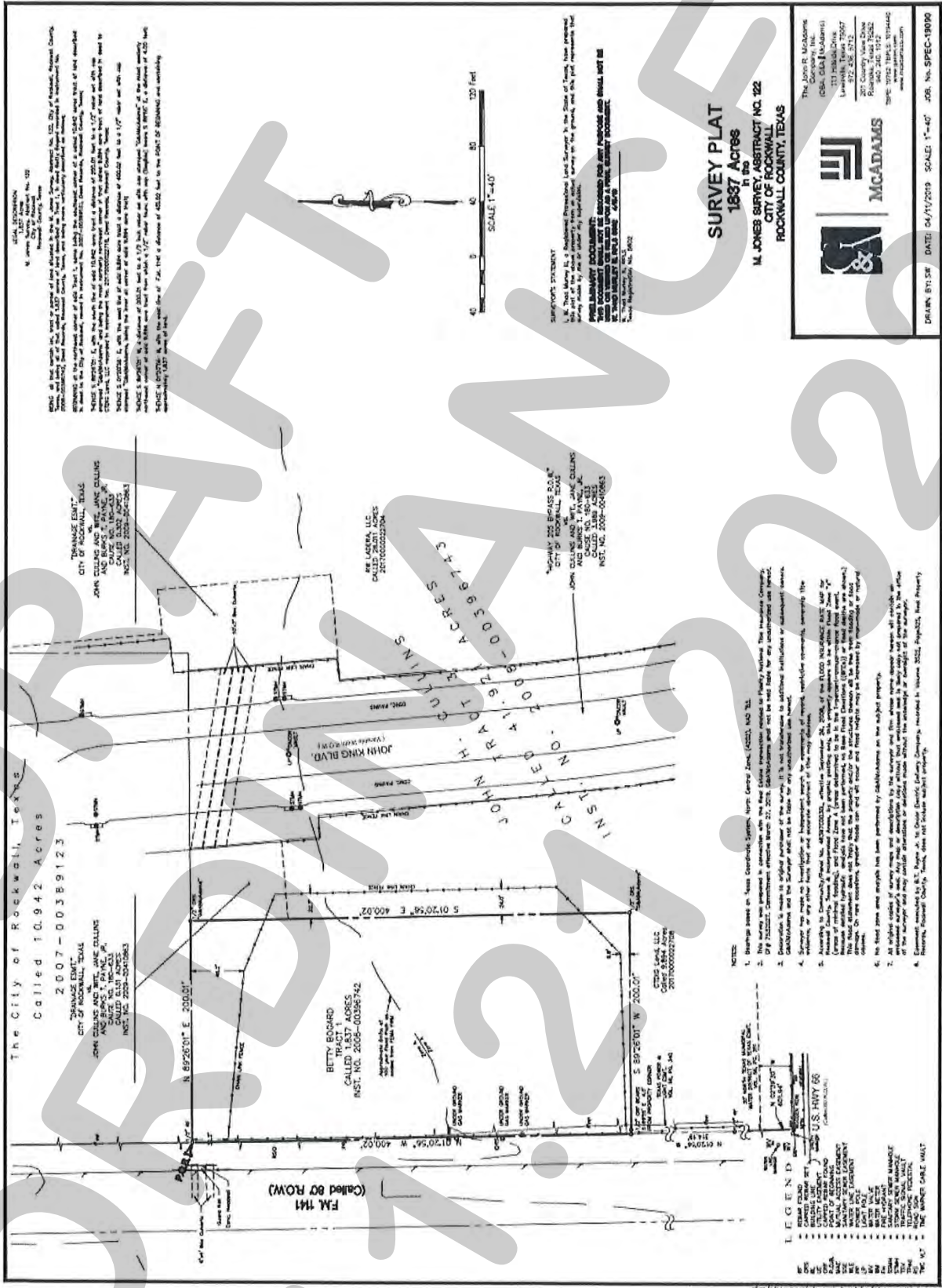


Exhibit 'B'
Survey





December 20, 2022

TO: Javier Silva
JMS Custom Homes, LLC.
58 Windsor Drive
Rockwall, TX 75032

FROM: Bethany Ross
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Z2022-047; *Zoning Change from an Agricultural (AG) District to a General Retail (GR) District*

Mr. Silva:

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall was approved by the City Council on December 5, 2022. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

Any construction resulting from the approval of this Zoning Change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On November 15, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 5-0, with Commissioners Conway and Llewelyn absent.

City Council

On November 21, 2022, the City Council approved a motion to approve the Zoning Change by a vote of 7-0.

On December 5, 2022, the City Council approved a motion to approve the Zoning Change by a vote of 7-0.

Included with this letter is a copy of Ordinance No.22-60, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 772-6488.

Sincerely,

Bethany Ross, *Planner*
Planning and Zoning Department

CITY OF ROCKWALL

ORDINANCE NO. 22-60

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A GENERAL RETAIL (GR) DISTRICT FOR A 1.837-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE M. B. JONES SURVEY, ABSTRACT NO. 122, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Javier Silva for the approval of a *Zoning Change* from an Agricultural (AG) District to a General Retail (GR) District for a 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 883 FM-1141, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a General Retail (GR) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *General Retail (GR) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the

zoning described herein;

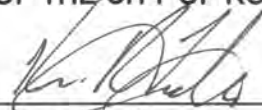
SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect;

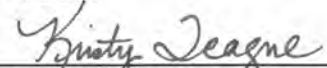
SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5TH DAY OF DECEMBER, 2022.



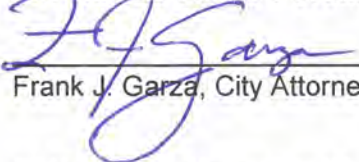
Kevin Fowler, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: November 21, 2022

2nd Reading: December 5, 2022

Exhibit 'B'
Survey

Legal Description: A 1.837-acre tract of land identified as Tract 6 of the M. B. Jones Survey, Abstract No. 122
Addressed As: 883 FM-1141

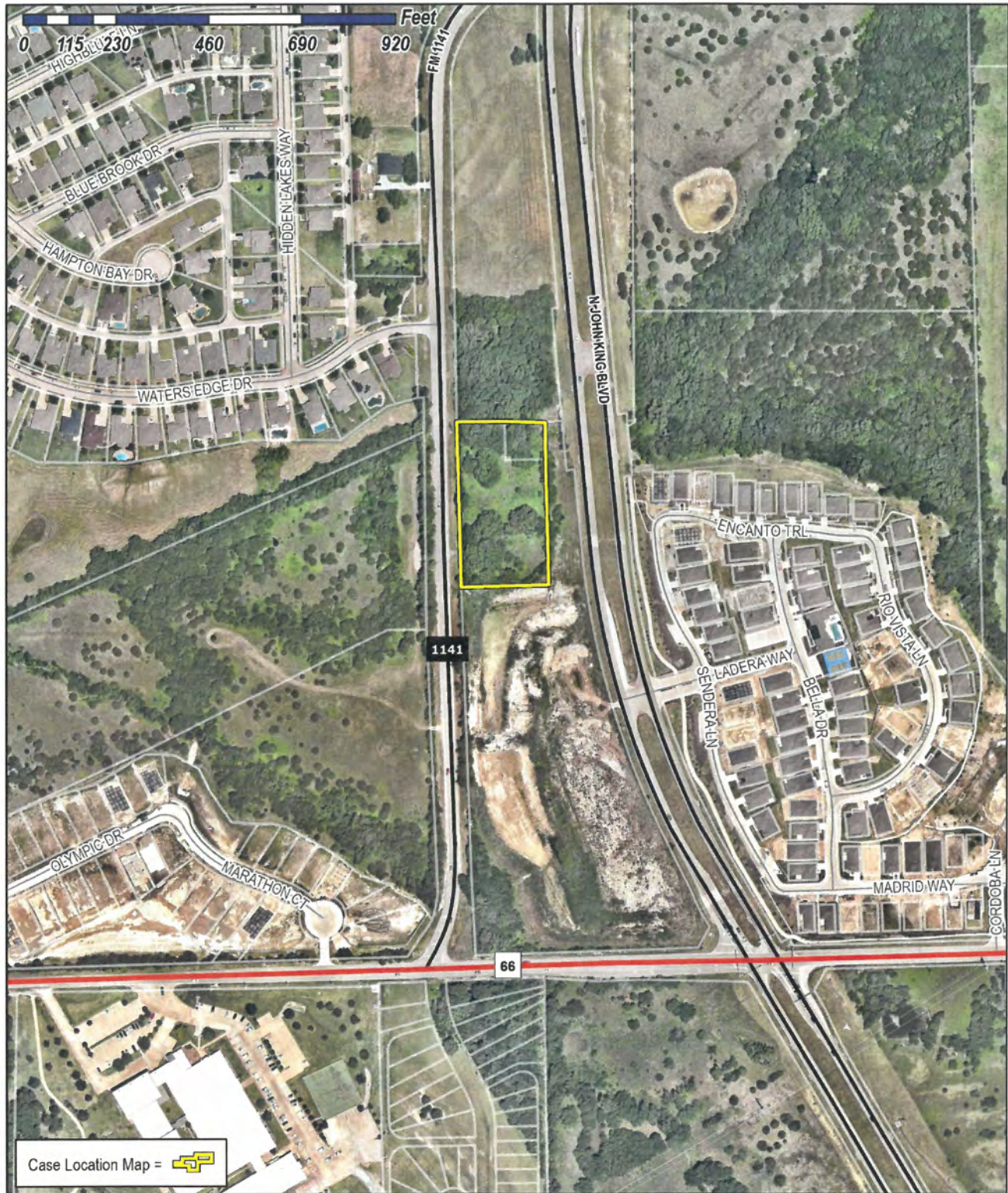


Exhibit 'B' Survey

