



**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)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
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### Zoning Application Fees:

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

### Other Application Fees:

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

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address **1760 AIRPORT ROAD**

Subdivision **ABST. 0102, TRACT 2-01**

Lot

Block

General Location **AIRPORT ROAD, 1,100' EAST OF JOHN KING**

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

Current Zoning **NONE, AG**

Current Use **UNIMPROVED PASTURE**

Proposed Zoning **LIGHT INDUSTRIAL**

Proposed Use **OFFICE/ WAREHOUSE**

Acreage **6.17**

Lots [Current]

**NONE**

Lots [Proposed]

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner **REDEEMER (FORMERLY ROCKWALL PRES)**  Applicant **CHERRYL**

Contact Person **DUANE PIERCEY**

Contact Person

Address **306 E. RUSK ST**

Address

City, State & Zip **ROCKWALL, TX 75087**

City, State & Zip

Phone **214 293 3730**

Phone

E-Mail **DUANE.PIERCEY@GMAIL.COM**

E-Mail

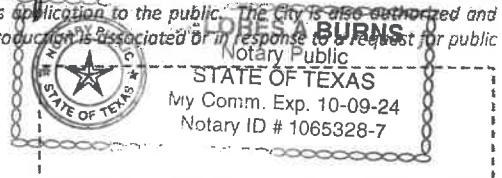
## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Duane Piercey [Owner] the undersigned, who stated the information on this application to be true and certified the following:

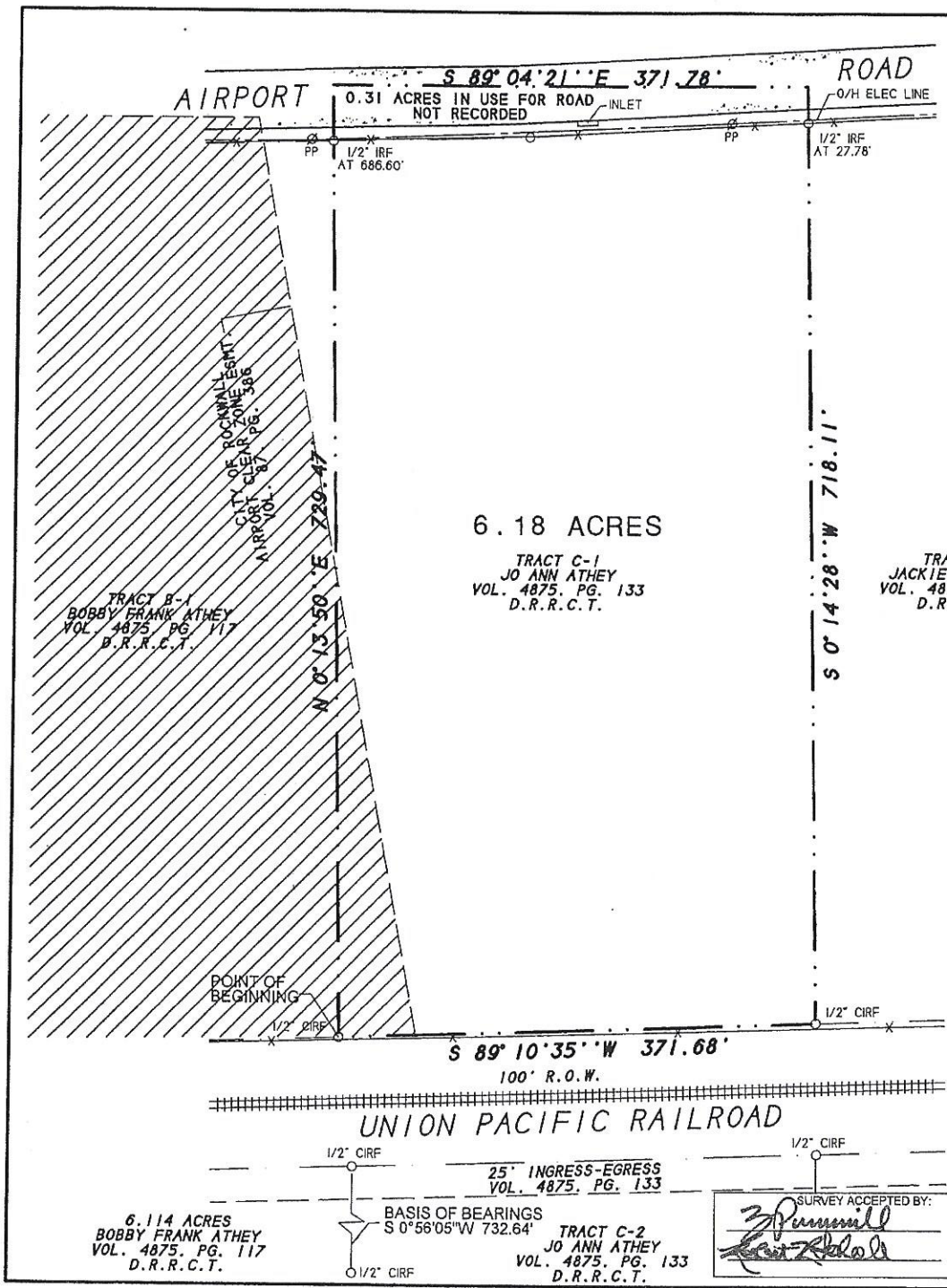
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$       ; to cover the cost of this application, has been paid to the City of Rockwall on this the 10 day of February, 2023. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 10 day of February, 2023.

Notary Public in and for the State of Texas



My Commission Expires October 9, 2024



DESCRIPTION

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 1987, in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of the 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract D-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 13 min. 50 sec. E. along the common line between said tracts to a 1/2" iron rod found for witness and continuing for a total distance of 729.47 feet to a point of beginning;

THENCE S. 89 deg. 04 min. 21 sec. E. along the north line of Tract C-1 and in the north right-of-way line of Airport Road a distance of 371.78 feet to a point for corner at the northeast corner of Tract C-1 and at the northeast corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 14 min. 28 sec. W. along the common line between said tracts to a 1/2" iron rod found for witness and continuing for a total distance of 718.11 feet to a point of beginning at the southeast corner of said Tract C-1 and in the north right-of-way line of Airport Road;

THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to a 1/2" iron rod found for witness and continuing for a total distance of 718.11 feet to the POINT OF BEGINNING and containing 6.18 acres of land.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 483-0001-0100, dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to be in a flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 930, PG. 188, D.R.R.C.T.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) THE FOLLOWING EASEMENTS DO NOT APPEAR TO AFFECT THIS LOT: (i) V. 254, P. 916 (ii) V. 4875, P. 133

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that this is a true and correct plat of the property surveyed for Ranger Title Company, Chicago Title Insurance Company, Presbyterian Church at Airport Road, Rockwall, Rockwall County, Texas, is the best evidence available to me and my opinion is based on the facts as shown to me. This survey meets the requirements of the Minimum Standards of Practice as set forth in the Texas Board of Professional Land Surveying, effective September 1, 1992, and the same was surveyed under my supervision on the ground this the 11th day of December, 2019.

*[Signature]*  
Harold D. Fetty III, R.P.L.S. No. 5034

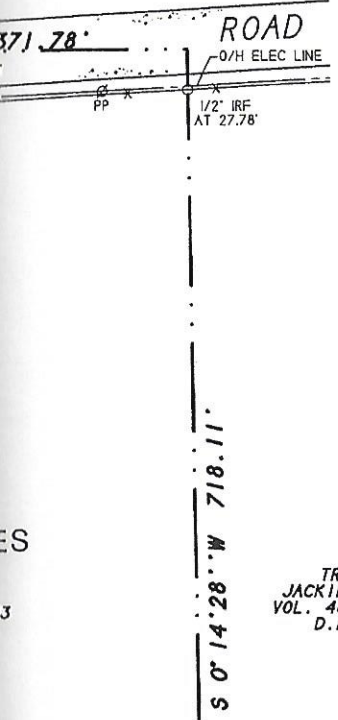


SURVEY ACCEPTED BY:  
*[Signature]* DATE 10/23/19  
*[Signature]* DATE 11/23/19

**H.D. Fetty Land Surveyor, LLC**  
Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PH

6.114 ACRES  
BOBBY FRANK ATHEY  
VOL. 4875, PG. 117  
D.R.R.C.T.

TRACT C-2  
JO ANN ATHEY  
VOL. 4875, PG. 133  
D.R.R.C.T.



TRACT D-1  
 JACKIE RAY ATHEY  
 VOL. 4875, PG. 140  
 D.R.R.C.T.

**DESCRIPTION**

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 13 min. 50 sec. E. along the common line between said tracts, at 686.60 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 729.47 feet to a point in Airport Road;

THENCE S. 89 deg. 04 min. 21 sec. E. along the north line of Tract C-1 and in Airport road, a distance of 371.78 feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 14 min. 28 sec. W. along the common line between said tracts, at 27.78 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 718.11 feet to a 1/2" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of Union Pacific Railroad;


THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.

**NOTES**

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0045 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 930, PG. 188, D.R.R.C.T.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) THE FOLLOWING EASEMENTS DO NOT APPEAR TO AFFECT THIS LOT: (i) V. 254, P. 919 (ii) V. 254, P. 916 (iii) V. 4875, P. 133

**SURVEYOR'S CERTIFICATE**

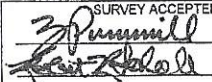
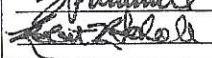
I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Ranger Title Company, Chicago Title Insurance Company and Rockwall Presbyterian Church at Airport Road, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 11th day of February, 2019.

  
 Harold D. Fetty III, R.P.L.S. No. 5034



|                          |                  |                           |                                  |
|--------------------------|------------------|---------------------------|----------------------------------|
| ⊙ TELEPHONE CABLE MARKER | ⊙ GAS METER      | ⊙ TEL. PHONE MARKER       | ⊙ FRI. HYDRO. POWER POLES        |
| ⊙ ELEC. METER            | ⊙ ELEC. BOX      | ⊙ SUBSURFACE JUNCTION BOX | ⊙ 1/2" IRON ROD FOUND FOR CORNER |
| ⊙ LIGHT POLE             | ⊙ AIR COND. UNIT | ⊙ FIRE TANK               |                                  |
| — EASEMENT LINE          | — PROPERTY LINE  |                           |                                  |

SURVEY DATE FEBRUARY 11, 2019  
 SCALE 1" = 100' FILE # 20190039  
 CLIENT RPC GF# R181579R

SURVEY ACCEPTED BY:  
  
 DATE 10/23/19  
  
 DATE 2/23/19

**H.D. Fetty Land Surveyor, LLC**  
 Firm Registration no. 101509-00  
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com



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Planning and Zoning Department  
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STAFF USE ONLY

PLANNING ZONING CASE NO.

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CITY ENGINEER:

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### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address **1760 AIRPORT ROAD**

Subdivision **ABST. 0102, TRACT 2-01**

Lot

Block

General Location **AIRPORT ROAD, 1,100' EAST OF JOHN KING**

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

Current Zoning **NONE, AG**

Current Use **UNIMPROVED PASTURE**

Proposed Zoning **LIGHT INDUSTRIAL**

Proposed Use **OFFICE/ WAREHOUSE**

Acreage **6.17**

Lots [Current]

**NONE**

Lots [Proposed]

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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Owner **REDEEMER (FORMERLY ROCKWALL PRES)**  Applicant **CHERRIE**

Contact Person **DUANE PIERCEY**

Contact Person

Address **306 E. RUSK ST**

Address

City, State & Zip **ROCKWALL, TX 75087**

City, State & Zip

Phone **214 293 3730**

Phone

E-Mail **DUANE.PIERCEY@GMAIL.COM**

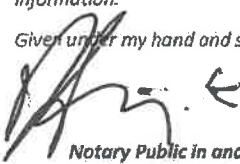
E-Mail

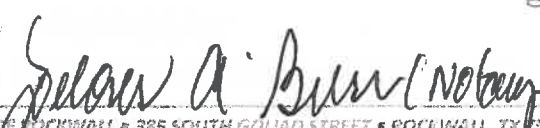
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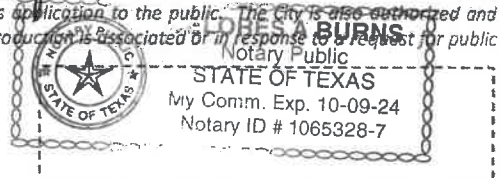
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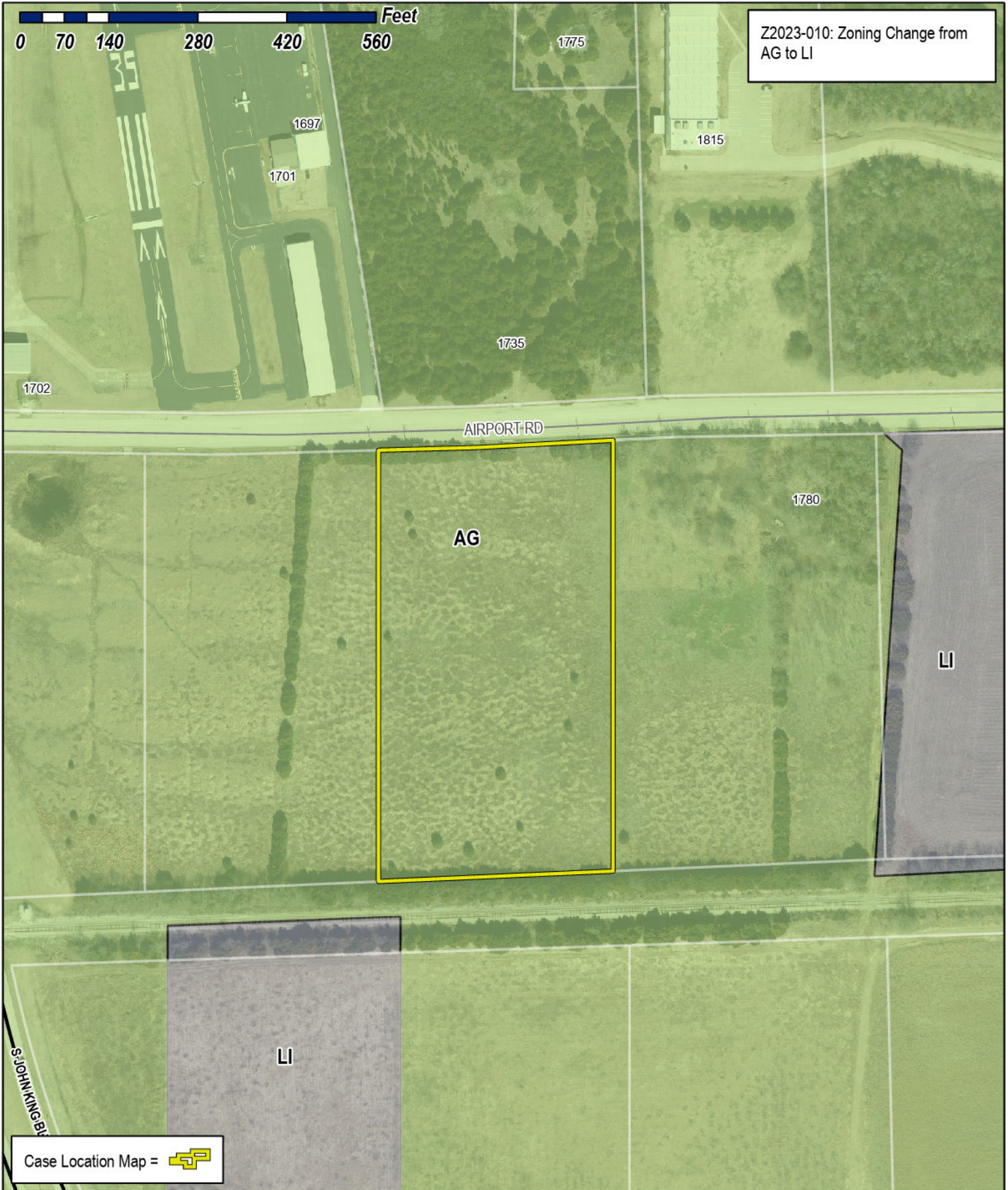
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Notary Public in and for the State of Texas

  
My Commission Expires October 9, 2024





# 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.

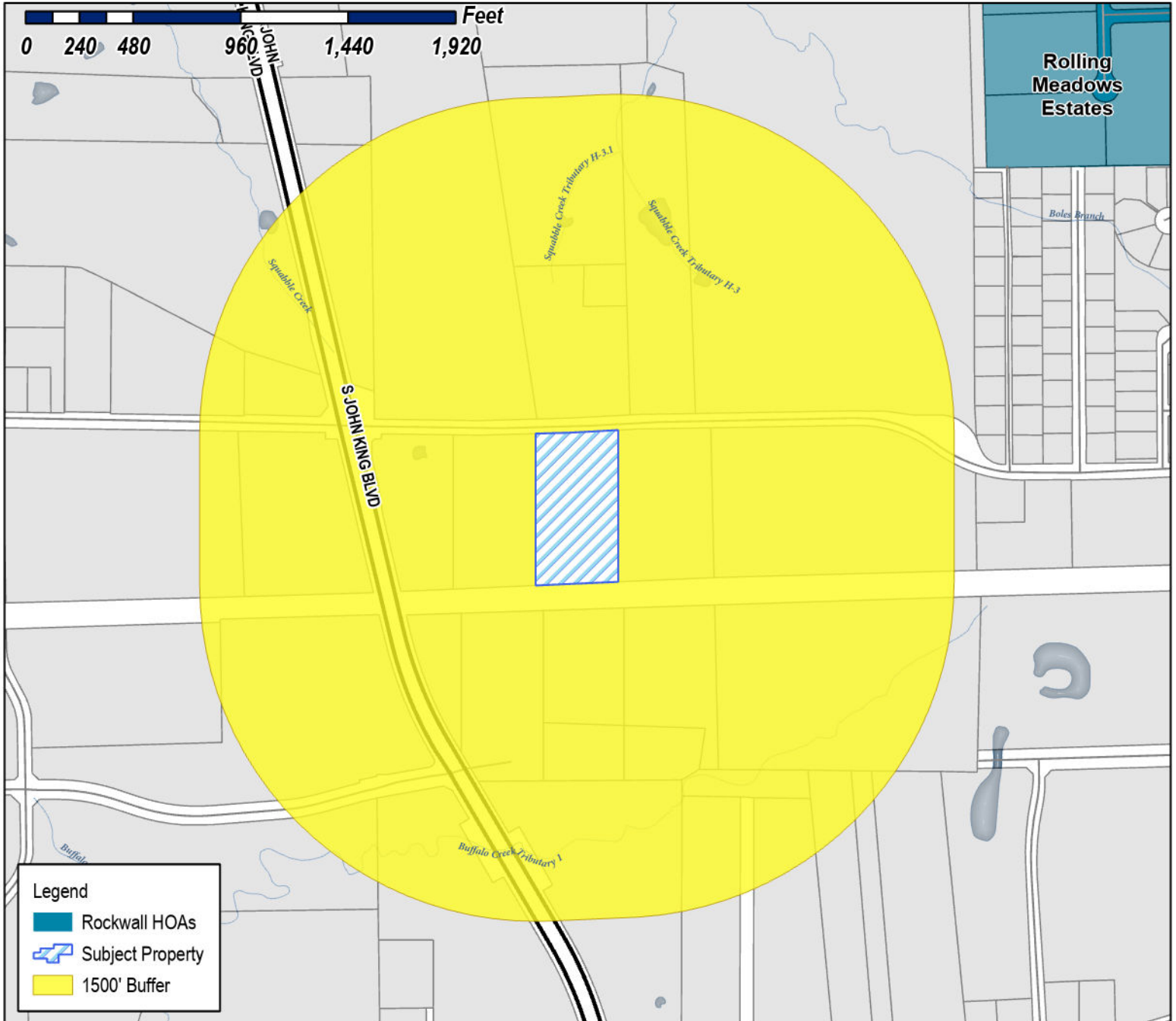




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**Case Number:** Z2023-010  
**Case Name:** Zoning Change from AG to LI  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 1760 Airport Road

**Date Saved:** 2/14/2023  
 For Questions on this Case Call (972) 771-7745



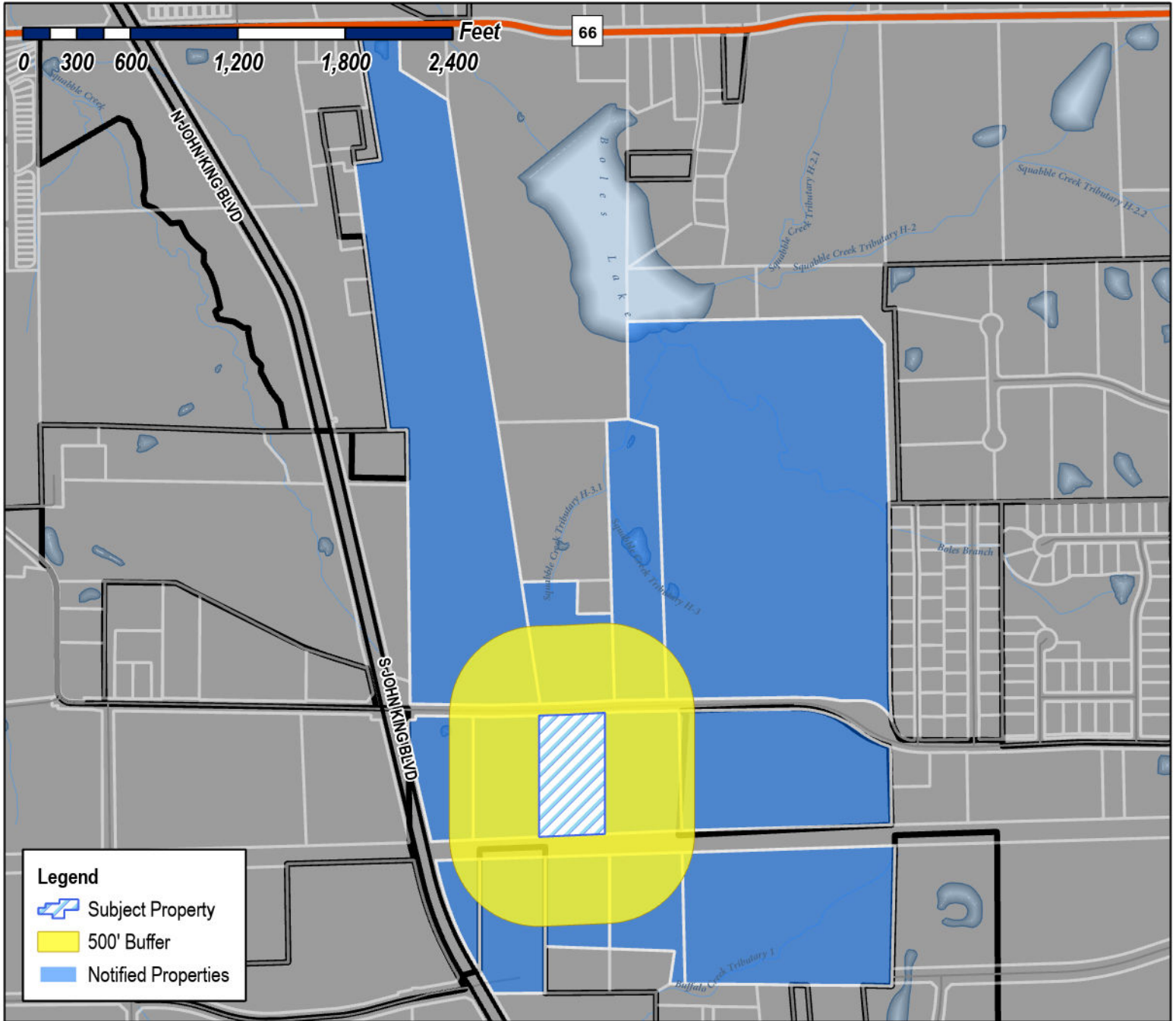







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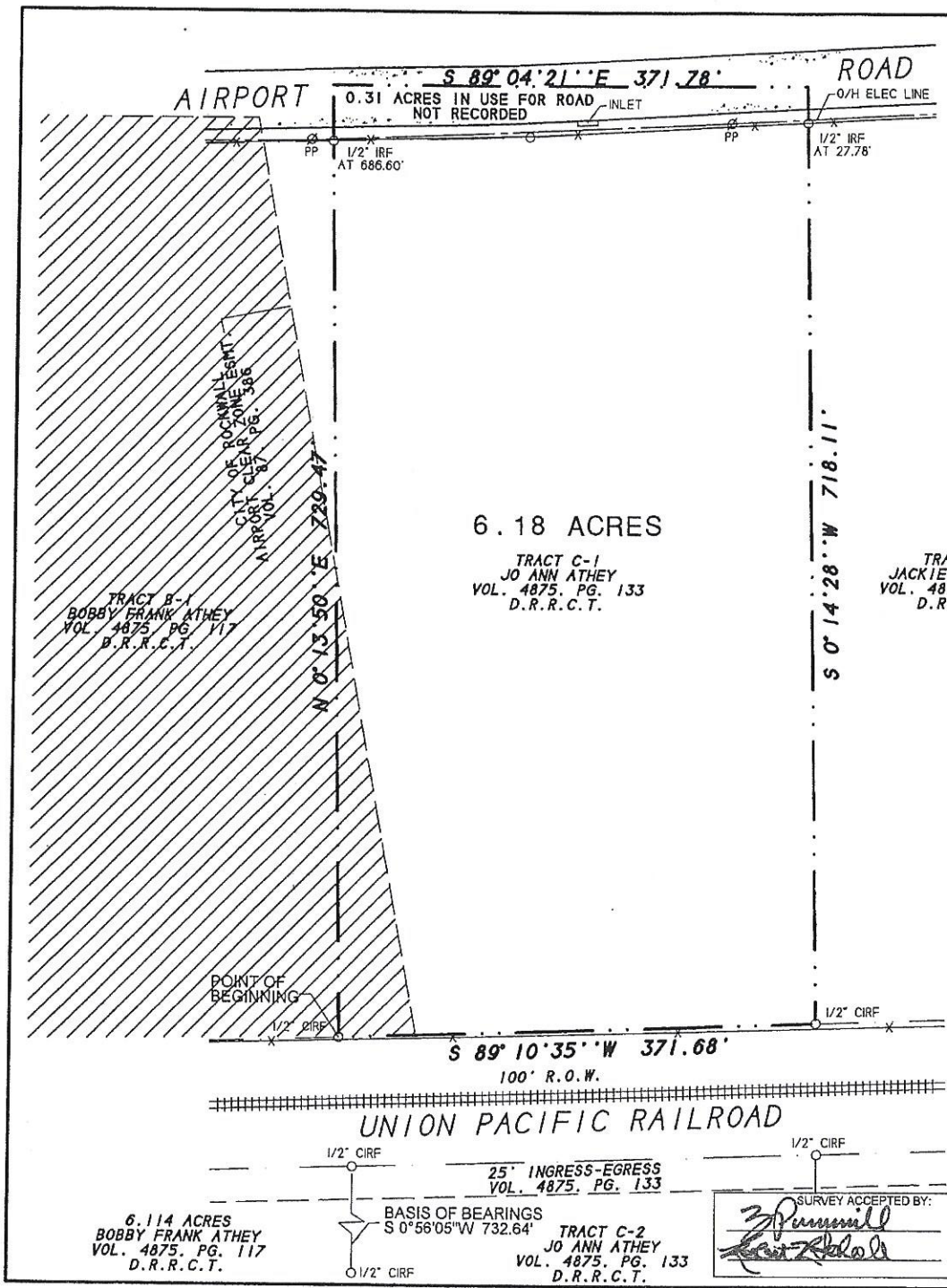
**Legend**

-  Subject Property
-  500' Buffer
-  Notified Properties

**Case Number:** Z2023-010  
**Case Name:** Zoning Change from AG to LI  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 1760 Airport Road

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THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to a 1/2" iron rod found for witness and continuing for a total distance of 371.68 feet to a 1/2" iron rod found for corner at the southwest corner of said Tract C-1 and in the north right-of-way line of the 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract D-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

POINT OF BEGINNING and containing 6.18 acres of land.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 483, dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to be in a flood plain.
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SURVEYOR'S CERTIFICATE

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*[Signature]*  
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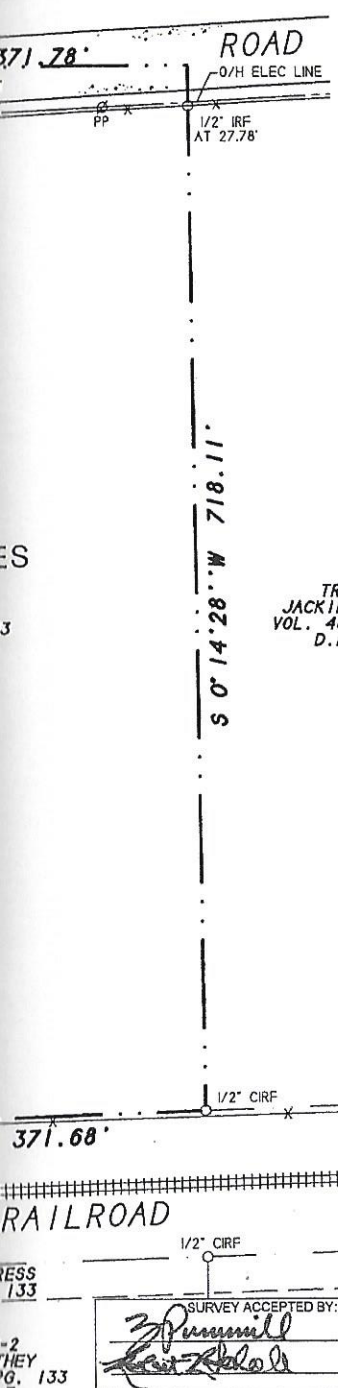


SURVEY ACCEPTED BY:  
*[Signature]* DATE 10/23/19  
*[Signature]* DATE 10/23/19

**H.D. Fetty Land Surveyor, LLC**  
Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PH

6.114 ACRES  
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D.R.R.C.T.

TRACT C-2  
JO ANN ATHEY  
VOL. 4875, PG. 133  
D.R.R.C.T.



DESCRIPTION

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 13 min. 50 sec. E. along the common line between said tracts, at 686.60 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 729.47 feet to a point in Airport Road;

THENCE S. 89 deg. 04 min. 21 sec. E. along the north line of Tract C-1 and in Airport road, a distance of 371.78 feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 14 min. 28 sec. W. along the common line between said tracts, at 27.78 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 718.11 feet to a 1/2" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of Union Pacific Railroad;

THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.

TRACT D-1  
JACKIE RAY ATHEY  
VOL. 4875, PG. 140  
D. R. R. C. T.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0045 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 930, PG. 188, D.R.R.C.T.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) THE FOLLOWING EASEMENTS DO NOT APPEAR TO AFFECT THIS LOT: (i) V. 254, P. 919 (ii) V. 254, P. 916 (iii) V. 4875, P. 133

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Ranger Title Company, Chicago Title Insurance Company and Rockwall Presbyterian Church at Airport Road, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 11th day of February, 2019.

*[Signature]*  
Harold D. Fetty III, R.P.L.S. No. 5034



| SYMBOL LEGEND            |                 |                           |                           |              |                                 |
|--------------------------|-----------------|---------------------------|---------------------------|--------------|---------------------------------|
| ⊙ TELEPHONE CABLE MARKER | ⊙ GAS METER     | ⊙ TEL. PHONE MARKER       | ⊙ FRI. HYDRO. POWER POLES | ⊙ PP         | ⊙                               |
| ⊙ ELEC. METER            | ⊙ ELEC. BOX     | ⊙ SUBSURFACE JUNCTION BOX | ⊙ WATER METER             | ⊙ LIGHT POLE | ⊙ 1/2" IRF FOR ROD FOUND CORNER |
| ⊙ FENCE                  | ⊙ EASEMENT LINE | ⊙ PROPERTY LINE           | ⊙ A/C AIR COND. UNIT      | ⊙ FIRE TANK  | ⊙                               |

SURVEY DATE FEBRUARY 11, 2019  
SCALE 1" = 100' FILE # 20190039  
CLIENT RPC GF# R181579R

SURVEY ACCEPTED BY:  
*[Signature]* DATE 10/23/19  
*[Signature]* DATE 10/23/19

H.D. Fetty Land Surveyor, LLC  
Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

# PROJECT COMMENTS



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

DATE: 2/23/2023

PROJECT NUMBER: Z2023-010  
PROJECT NAME: Zoning Change from AG to LI  
SITE ADDRESS/LOCATIONS: 1760 AIRPORT RD

CASE CAPTION: Hold a public hearing to discuss and consider a request by Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road, and take any action necessary.

| DEPARTMENT | REVIEWER    | DATE OF REVIEW | STATUS OF PROJECT    |
|------------|-------------|----------------|----------------------|
|            | Ryan Miller | 02/20/2023     | Approved w/ Comments |

02/20/2023: Z2023-010; Zoning Change (AG to LI)

Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This request is for the approval of approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road.

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

I.3 According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is scheduled for Technology/Employment Center land uses. The proposed change in zoning -- from Agricultural (AG) District to a Light Industrial (LI) District -- is consistent with the OURHometown Vision 2040 Comprehensive Plan.

I.4 Please note that regardless of the submitted request -- if this zoning case is approved -- any development on the subject property will be required to adhere to all applicable requirements of the Unified Development Code (UDC) for a property that is zoned Light Industrial (LI) District and is situated within the Airport Overlay (AP OV) District.

M.5 Please review the attached Draft Ordinance prior to the February 28, 2023 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than March 7, 2023.

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 March 7, 2023; 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 March 14, 2022 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on February 28, 2023.

I.7 The projected City Council meeting dates for this case will be March 20, 2023 (1st Reading) and April 3, 2023 (2nd Reading).

| DEPARTMENT  | REVIEWER       | DATE OF REVIEW | STATUS OF PROJECT    |
|-------------|----------------|----------------|----------------------|
| ENGINEERING | Sarah Johnston | 02/22/2023     | Approved w/ Comments |

02/22/2023: General Items:

- Concept plan required.
- 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 including walls allowed in easements.
- Retaining walls 3' and over must be engineered.
- All retaining walls 18" and taller) must be rock or stone face. No smooth concrete walls.

Drainage Items:

- Detention is required. Use the Modified Rational Method for acreages less than 20 acres.
- Dumpster areas to drain to oil/water separator and then to the storm lines. Need to show dumpster area.
- No vertical walls allowed in detention easement
- No public water or sanitary sewer allowed in detention easement
- All detained water must drain to following existing drainage patterns.
- Must have a 20' drainage easement adjacent to Airport.

Water and Wastewater Items:

- Must loop minimum 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". Must connect to the sewer line to the southeast. Will need a Railroad permit to cross their ROW and off-site sewer easement(s).
- Water and sewer must be 10' apart.
- Will need a utility crossing permit from the railroad
- To connect to existing water full panel concrete replacement will be required.
- Possible ex. water line easement on property

Roadway Paving Items:

- Parking to be 20'x9' facing the building or nose-to-nose.
- No dead-end parking allowed without an City approved turnaround.
- 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.
- Install 5' sidewalk along Airport
- Driveway spacing is 100'. Need to check verify Meals on Wheels driveway location.

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 | 02/23/2023     | Approved          |

No Comments

| DEPARTMENT | REVIEWER       | DATE OF REVIEW | STATUS OF PROJECT |
|------------|----------------|----------------|-------------------|
| FIRE       | Ariana Kistner | 02/23/2023     | Approved          |

No Comments

| DEPARTMENT | REVIEWER        | DATE OF REVIEW | STATUS OF PROJECT |
|------------|-----------------|----------------|-------------------|
| GIS        | Lance Singleton | 02/21/2023     | Approved          |

No Comments

| DEPARTMENT | REVIEWER        | DATE OF REVIEW | STATUS OF PROJECT |
|------------|-----------------|----------------|-------------------|
| POLICE     | Chris Cleveland | 02/22/2023     | Approved          |

No Comments

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| DEPARTMENT | REVIEWER     | DATE OF REVIEW | STATUS OF PROJECT |
|------------|--------------|----------------|-------------------|
| PARKS      | Travis Sales | 02/21/2023     | Approved          |

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No Comments



# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

### Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

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

### Other Application Fees:

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

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address **1760 AIRPORT ROAD**

Subdivision **ABST. 0102, TRACT 2-01**

Lot

Block

General Location **AIRPORT ROAD, 1,100' EAST OF JOHN KING**

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

Current Zoning **NONE, AG**

Current Use **UNIMPROVED PASTURE**

Proposed Zoning **LIGHT INDUSTRIAL**

Proposed Use **OFFICE/ WAREHOUSE**

Acreage **6.17**

Lots [Current]

**NONE**

Lots [Proposed]

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner **REDEEMER (FORMERLY ROCKWALL PRES)**  Applicant **CHERRIE**

Contact Person **DUANE PIERCEY**

Contact Person

Address **306 E. RUSK ST**

Address

City, State & Zip **ROCKWALL, TX 75087**

City, State & Zip

Phone **214 293 3730**

Phone

E-Mail **DUANE.PIERCEY@GMAIL.COM**

E-Mail

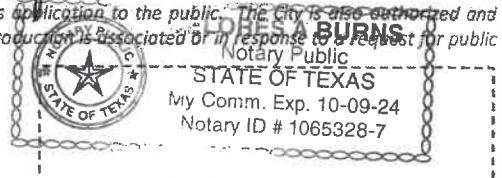
## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Duane Piercey [Owner] the undersigned, who stated the information on this application to be true and certified the following:

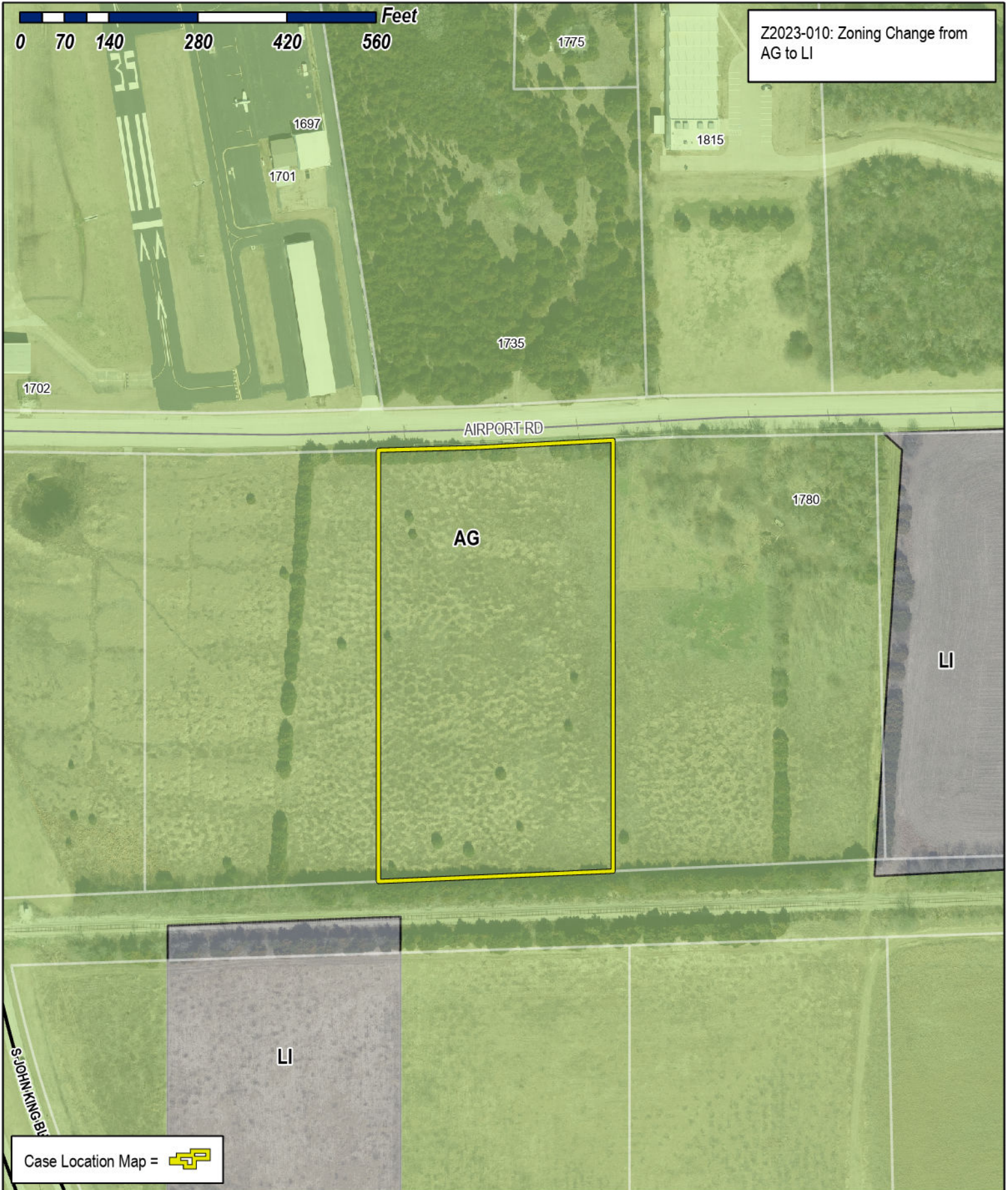
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$         ; to cover the cost of this application, has been paid to the City of Rockwall on this the 10 day of February, 2023. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 10 day of February, 2023.

Notary Public in and for the State of Texas



Dora A. Burns (Notary)  
My Commission Expires October 9, 2024



# 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.



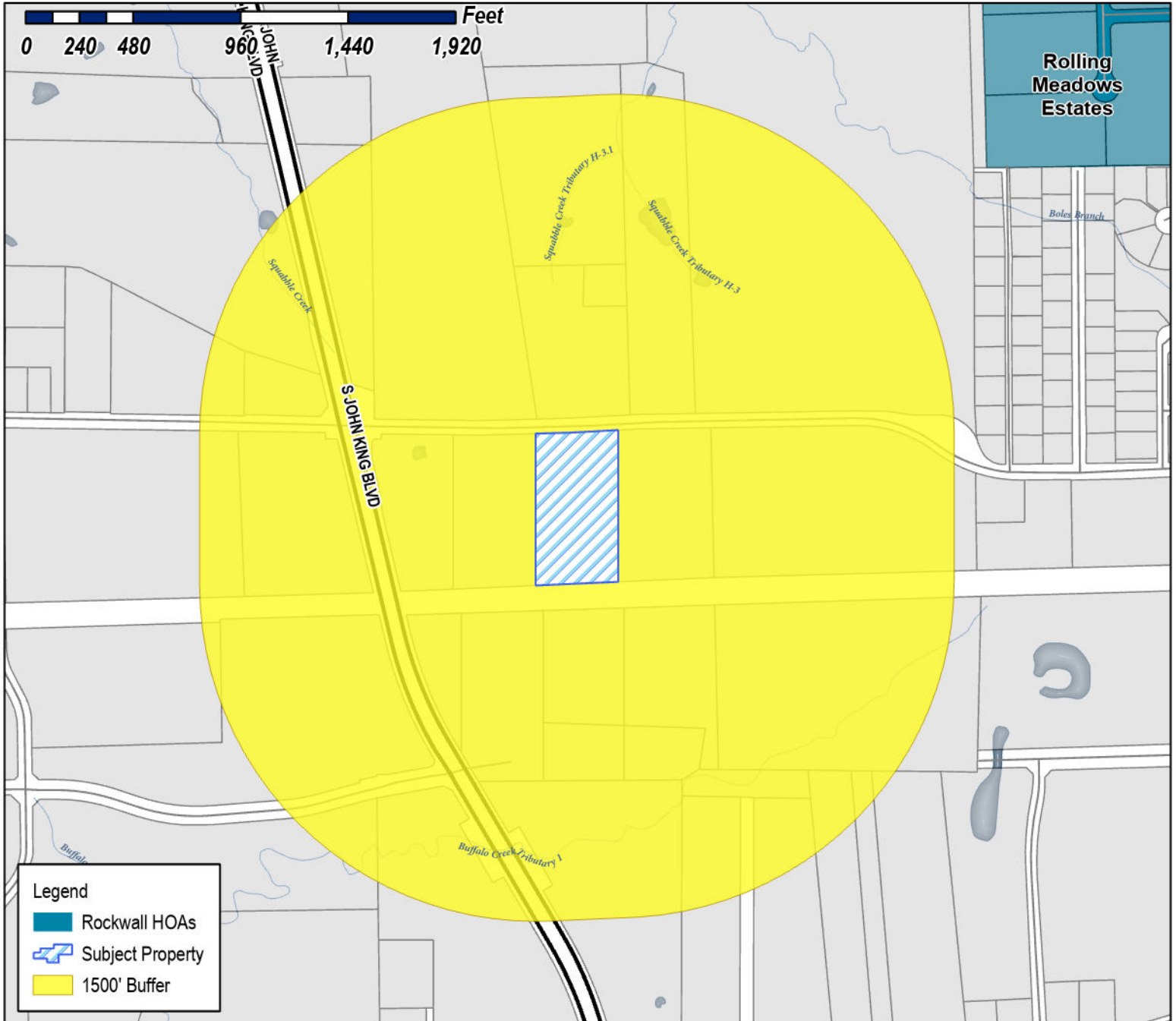




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
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**Case Number:** Z2023-010  
**Case Name:** Zoning Change from AG to LI  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 1760 Airport Road

**Date Saved:** 2/14/2023  
 For Questions on this Case Call (972) 771-7745

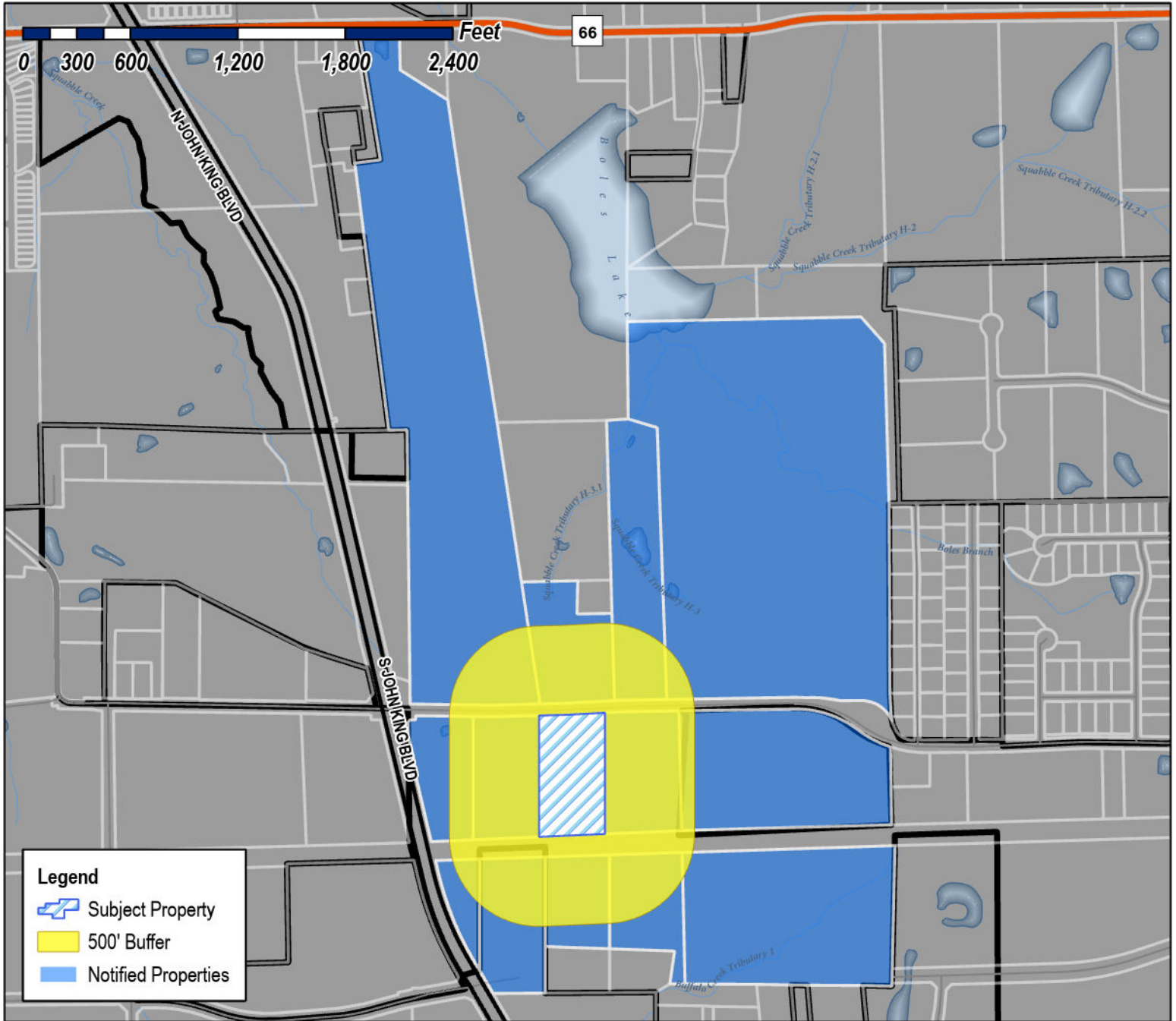




# City of Rockwall

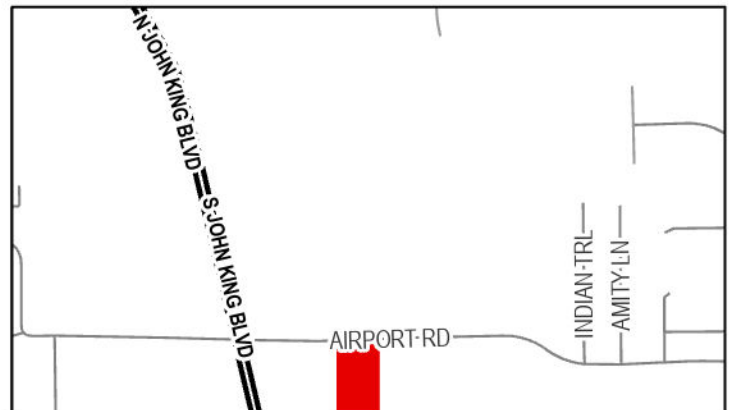
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BACKWARDS L LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

JAMES COLLIER PROPERTIES INC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

JAMES COLLIER PROPERTIES INC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

OCCUPANT  
1820 JUSTIN RD  
ROCKWALL, TX 75087

JCP JUSTIN LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

SARO PARTNERS LLC  
1450 T L TOWNSEND  
ROCKWALL, TX 75032

OCCUPANT  
1815 AIRPORT RD  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
205 W RUSK ST  
ROCKWALL, TX 75087

OCCUPANT  
1765 AIRPORT RD  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
1701 AIRPORT RD  
ROCKWALL, TX 75087

OCCUPANT  
1780 AIRPORT RD  
ROCKWALL, TX 75087

MEALS ON WHEELS SENIOR SERVICES OF  
ROCKWALL COUNTY  
PO BOX 910  
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH  
306 EAST RUSK ST  
ROCKWALL, TX 75087

ATHEY JACKIE R  
212 JOE WHITE  
ROCKWALL, TX 75087

OCCUPANT  
1824 AIRPORT RD  
ROCKWALL, TX 75087

PLATFORM ROCKWALL LP ATTN JUSTIN T DAY  
4131 SPICEWOOD SPRINGS RD SUITE E4  
AUSTIN, TX 78759

ADD REAL ESTATE LTD  
PO BOX 679  
KELLER, TX 76248

# 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:

## Z2023-010: Zoning Change of an Agricultural (AG) District to a Light Industrial (LI) District

Hold a public hearing to discuss and consider a request by Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road, 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, March 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 20, 2023 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:

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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

Your comments must be received by Monday, March 20, 2023 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. Z2023-010: Zoning Change of an Agricultural (AG) District to a Light Industrial (LI) 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.

Four horizontal grey bars for providing reasons for support or opposition.

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

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

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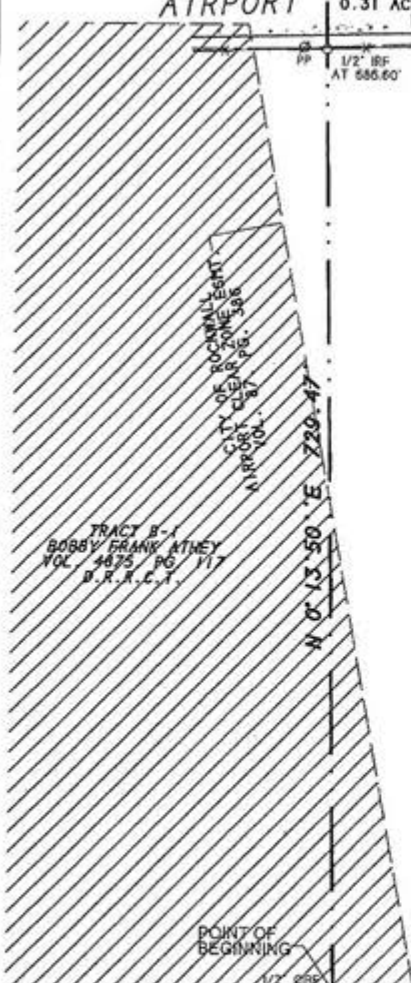
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THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.

AIRPORT ROAD  
 S 89° 04' 21" E 371.78'  
 0.31 ACRES IN USE FOR ROAD NOT RECORDED



6.18 ACRES

TRACT C-1  
 JO ANN ATHEY  
 VOL. 4875, PG. 133  
 D.R.R.C.T.

TRACT B-1  
 BOBBY FRANK ATHEY  
 VOL. 4875, PG. 117  
 D.R.R.C.T.

TRACT D-1  
 JACKIE RAY ATHEY  
 VOL. 4875, PG. 140  
 D.R.R.C.T.

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- 2) BEARING SOURCE: RECORDED DEED IN VOL. 930, PG. 188, D.R.R.C.T.
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- 4) THE FOLLOWING EASEMENTS DO NOT APPEAR TO AFFECT THIS LOT: (i) V. 254, P. 919 (ii) V. 254, P. 916 (iii) V. 4875, P. 133

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Ranger Title Company, Chicago Title Insurance Company and Rockwall Presbyterian Church at Airport Road, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 11th day of February, 2019.

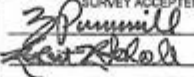
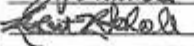
  
 Harold D. Fetty III, R.P.L.S. No. 5034



| SYMBOL LEGEND |                        |
|---------------|------------------------|
|               | 1/2" IRON ROD          |
|               | 1/2" IRON ROD WITH CAP |
|               | SURVEY LINE            |
|               | BOUNDARY LINE          |
|               | RIGHT-OF-WAY LINE      |
|               | EASEMENT LINE          |
|               | RAILROAD RIGHT-OF-WAY  |
|               | ROAD RIGHT-OF-WAY      |

6.114 ACRES  
 BOBBY FRANK ATHEY  
 VOL. 4875, PG. 117  
 D.R.R.C.T.

25" INGRESS-EGRESS  
 VOL. 4875, PG. 133  
 BASIS OF BEARINGS  
 S 0° 56' 05" W 732.64'  
 TRACT C-2  
 JO ANN ATHEY  
 VOL. 4875, PG. 133  
 D.R.R.C.T.

SURVEY ACCEPTED BY:  
  
 DATE 10/23/19  
  
 DATE 11/29/19

H.D. Fetty Land Surveyor, LLC  
 Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE FEBRUARY 11, 2019  
 SCALE 1" = 100' FILE # 20190039  
 CLIENT R/C OF # 81815298

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|---|--|--|--------------------------------|
| <b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>                    | 2.02(A)  | 2.03(A)  |                                |
| Agricultural Uses on Unplatted Land                                 | <a href="#">(1)</a>  |  | P                              |
| Animal Boarding/Kennel without Outside Pens                         | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Animal Clinic for Small Animals without Outdoor Pens                | <a href="#">(3)</a>  | <a href="#">(3)</a>  | P                              |
| Animal Hospital or Clinic   | <a href="#">(4)</a>  |  | P                              |
| Animal Shelter or Loafing Shed                                      | <a href="#">(6)</a>  |  | P                              |
| Community Garden  | <a href="#">(11)</a>   | <a href="#">(7)</a>  | S                              |
| Urban Farm  | <a href="#">(12)</a>   | <a href="#">(8)</a>  | S                              |
| <b>RESIDENTIAL AND LODGING LAND USES</b>                            | 2.02(B)  | 2.03(B)  |                                |
| Caretakers Quarters/Domestic or Security Unit                       | <a href="#">(3)</a>  |  | P                              |
| Commercial Parking Garage   | <a href="#">(6)</a>  |  | A                              |
| Limited-Service Hotel   | <a href="#">(10)</a>   |  | S                              |
| Full-Service Hotel  | <a href="#">(11)</a>   | <a href="#">(8)</a>  | S                              |
| Residence Hotel   | <a href="#">(12)</a>   |  | S                              |
| Motel   | <a href="#">(13)</a>   |  | S                              |
| <b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>                | 2.02(C)  | 2.03(C)  |                                |
| Assisted Living Facility  | <a href="#">(1)</a>  | <a href="#">(1)</a>  | S                              |
| Blood Plasma Donor Center   | <a href="#">(2)</a>  |  | P                              |
| Cemetery/Mausoleum  | <a href="#">(3)</a>  |  | P                              |
| Church/House of Worship   | <a href="#">(4)</a>  | <a href="#">(2)</a>  | S                              |
| College, University, or Seminary                                    | <a href="#">(5)</a>  |  | P                              |
| Convalescent Care Facility/Nursing Home                             | <a href="#">(6)</a>  |  | S                              |
| Congregate Care Facility/Elderly Housing                            | <a href="#">(7)</a>  | <a href="#">(3)</a>  | S                              |
| Crematorium   | <a href="#">(8)</a>  |  | S                              |
| Daycare with Seven (7) or More Children                             | <a href="#">(9)</a>  | <a href="#">(4)</a>  | S                              |
| Emergency Ground Ambulance Services                                 | <a href="#">(10)</a>   |  | P                              |
| Government Facility   | <a href="#">(12)</a>   |  | P                              |
| Hospice   | <a href="#">(14)</a>   |  | S                              |
| Hospital  | <a href="#">(15)</a>   |  | P                              |
| Public Library, Art Gallery or Museum                               | <a href="#">(16)</a>   |  | P                              |
| Mortuary or Funeral Chapel  | <a href="#">(17)</a>   |  | P                              |
| Local Post Office   | <a href="#">(18)</a>   |  | P                              |
| Regional Post Office  | <a href="#">(19)</a>   |  | P                              |
| Prison/Custodial Institution  | <a href="#">(20)</a>   |  | P                              |
| Public or Private Primary School                                    | <a href="#">(21)</a>   | <a href="#">(7)</a>  | P                              |
| Public or Private Secondary School                                  | <a href="#">(22)</a>   | <a href="#">(8)</a>  | P                              |
| Rescue Mission or Shelter for the Homeless                          | <a href="#">(24)</a>   |  | P                              |
| Social Service Provider (Except Rescue Mission or Homeless Shelter) | <a href="#">(25)</a>   |  | P                              |
| <b>OFFICE AND PROFESSIONAL LAND USES</b>                            | 2.02(D)  | 2.03(D)  |                                |
| Financial Institution with Drive-Through                            | <a href="#">(1)</a>  | <a href="#">(1)</a>  | P                              |

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|---|--|--|--------------------------------|
| Financial Institution without Drive-Through                                     | <a href="#">(1)</a>  |  | P                              |
| Office Building less than 5,000 SF  | <a href="#">(2)</a>  |  | P                              |
| Office Building 5,000 SF or Greater   | <a href="#">(2)</a>  |  | P                              |
| <b>RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES</b>                        | <b>2.02(E)</b>   | <b>2.03(E)</b>   |                                |
| Temporary Carnival, Circus, or Amusement Ride                                   | <a href="#">(1)</a>  | <a href="#">(1)</a>  | P                              |
| Indoor Commercial Amusement/Recreation  | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Outdoor Commercial Amusement/Recreation   | <a href="#">(3)</a>  | <a href="#">(3)</a>  | S                              |
| Public or Private Community or Recreation Club as an Accessory Use              | <a href="#">(4)</a>  |  | P                              |
| Private Country Club  | <a href="#">(5)</a>  |  | P                              |
| Golf Driving Range  | <a href="#">(6)</a>  |  | P                              |
| Temporary Fundraising Events by Non-Profit                                      | <a href="#">(7)</a>  | <a href="#">(4)</a>  | P                              |
| Indoor Gun Club with Skeet or Target Range                                      | <a href="#">(8)</a>  | <a href="#">(5)</a>  | P                              |
| Health Club or Gym  | <a href="#">(9)</a>  |  | P                              |
| Private Club, Lodge or Fraternal Organization                                   | <a href="#">(10)</a>   | <a href="#">(6)</a>  | P                              |
| Private Sports Arena, Stadium, and/or Track                                     | <a href="#">(11)</a>   |  | P                              |
| Public Park or Playground   | <a href="#">(12)</a>   |  | P                              |
| Sexually Oriented Businesses <a href="#">[Art. XI; CH. 12; Municipal Code]</a>  | <a href="#">(13)</a>   | <a href="#">(7)</a>  | S                              |
| Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> ) | <a href="#">(14)</a>   |  | P                              |
| Theater   | <a href="#">(15)</a>   |  | P                              |
| <b>RETAIL AND PERSONAL SERVICES LAND USES</b>                                   | <b>2.02(F)</b>   | <b>2.03(F)</b>   |                                |
| Portable Beverage Service Facility  | <a href="#">(4)</a>  | <a href="#">(1)</a>  | S                              |
| Brew Pub  | <a href="#">(5)</a>  |  | P                              |
| Business School   | <a href="#">(6)</a>  |  | P                              |
| Catering Service  | <a href="#">(7)</a>  |  | P                              |
| Temporary Christmas Tree Sales Lot and/or Similar Uses                          | <a href="#">(8)</a>  | <a href="#">(2)</a>  | P                              |
| Copy Center   | <a href="#">(9)</a>  |  | P                              |
| Craft/Micro Brewery, Distillery and/or Winery                                   | <a href="#">(10)</a>   | <a href="#">(3)</a>  | P                              |
| Incidental Display  | <a href="#">(11)</a>   | <a href="#">(4)</a>  | P                              |
| Food Trucks/Trailers  | <a href="#">(12)</a>   | <a href="#">(5)</a>  | P                              |
| Garden Supply/Plant Nursery   | <a href="#">(13)</a>   |  | P                              |
| General Personal Service  | <a href="#">(14)</a>   | <a href="#">(6)</a>  | S                              |
| General Retail Store  | <a href="#">(15)</a>   |  | S                              |
| Hair Salon and/or Manicurist  | <a href="#">(16)</a>   |  | S                              |
| Laundromat with Dropoff/Pickup Services   | <a href="#">(17)</a>   |  | P                              |
| Self Service Laundromat   | <a href="#">(18)</a>   |  | P                              |
| Private Museum or Art Gallery   | <a href="#">(20)</a>   |  | P                              |
| Night Club, Discotheque, or Dance Hall  | <a href="#">(21)</a>   |  | S                              |
| Pawn Shop   | <a href="#">(22)</a>   |  | P                              |
| Permanent Cosmetics   | <a href="#">(23)</a>   | <a href="#">(7)</a>  | A                              |



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|---|--|--|--------------------------------|
| Temporary Real Estate Sales Office  | <a href="#">(25)</a>   |  | P                              |
| Rental Store without Outside Storage and/or Display   | <a href="#">(26)</a>   | <a href="#">(8)</a>  | P                              |
| Restaurant with less than 2,000 SF with Drive-Through or Drive-In   | <a href="#">(27)</a>   | <a href="#">(9)</a>  | S                              |
| Restaurant with less than 2,000 SF without Drive-Through or Drive-In  | <a href="#">(28)</a>   |  | P                              |
| Restaurant with 2,000 SF or more with Drive-Through or Drive-In   | <a href="#">(27)</a>   | <a href="#">(10)</a>   | P                              |
| Restaurant with 2,000 SF or more without Drive-Through or Drive-In  | <a href="#">(28)</a>   |  | P                              |
| Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four [4] Vehicles</i> ) | <a href="#">(29)</a>   |  | P                              |
| Retail Store with Gasoline Sales that has more than Two (2) Dispensers  | <a href="#">(29)</a>   |  | P                              |
| Secondhand Dealer   | <a href="#">(30)</a>   |  | P                              |
| Art, Photography, or Music Studio   | <a href="#">(31)</a>   |  | P                              |
| Taxidermist Shop  | <a href="#">(34)</a>   |  | P                              |
| <b>COMMERCIAL AND BUSINESS SERVICES LAND USES</b>   | 2.02(G)  | 2.03(G)  |                                |
| Bail Bond Service   | <a href="#">(1)</a>  |  | P                              |
| Building and Landscape Material with Outside Storage  | <a href="#">(2)</a>  | <a href="#">(1)</a>  | P                              |
| Building and Landscape Material with Limited Outside Storage  | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Building Maintenance, Service, and Sales with Outside Storage   | <a href="#">(3)</a>  | <a href="#">(3)</a>  | P                              |
| Building Maintenance, Service, and Sales without Outside Storage  | <a href="#">(3)</a>  |  | P                              |
| Commercial Cleaners   | <a href="#">(4)</a>  |  | P                              |
| Custom and Craft Work   | <a href="#">(5)</a>  |  | P                              |
| Electrical, Watch, Clock, Jewelry and/or Similar Repair   | <a href="#">(6)</a>  |  | P                              |
| Feed Store or Ranch Supply  | <a href="#">(7)</a>  |  | S                              |
| Furniture Upholstery/Refinishing and Resale   | <a href="#">(8)</a>  | <a href="#">(4)</a>  | P                              |
| Gunsmith Repair and Sales   | <a href="#">(9)</a>  |  | P                              |
| Rental, Sales and Service of Heavy Machinery and Equipment  | <a href="#">(10)</a>   | <a href="#">(5)</a>  | S                              |
| Locksmith   | <a href="#">(11)</a>   |  | P                              |
| Machine Shop  | <a href="#">(12)</a>   |  | P                              |
| Medical or Scientific Research Lab  | <a href="#">(13)</a>   |  | P                              |
| Research and Technology or Light Assembly   | <a href="#">(15)</a>   |  | P                              |
| Trade School  | <a href="#">(17)</a>   |  | P                              |
| Temporary On-Site Construction Office   | <a href="#">(18)</a>   | <a href="#">(6)</a>  | P                              |
| <b>AUTO AND MARINE RELATED LAND USES</b>  | 2.02(H)  | 2.03(H)  |                                |
| Major Auto Repair Garage  | <a href="#">(1)</a>  | <a href="#">(1)</a>  | S                              |
| Minor Auto repair garage  | <a href="#">(2)</a>  | <a href="#">(2)</a>  | S                              |
| Automobile Rental   | <a href="#">(3)</a>  |  | S                              |
| New or Used Boat and Trailer Dealership   | <a href="#">(4)</a>  | <a href="#">(3)</a>  | S                              |
| Full Service Car Wash and Auto Detail   | <a href="#">(5)</a>  | <a href="#">(4)</a>  | P                              |
| Self Service Car Wash   | <a href="#">(5)</a>  | <a href="#">(4)</a>  | P                              |
| New and/or Used Indoor Motor Vehicle Dealership/Showroom  | <a href="#">(6)</a>  | <a href="#">(5)</a>  | S                              |
| New Motor Vehicle Dealership-for Cars and Light Trucks  | <a href="#">(7)</a>  | <a href="#">(6)</a>  | S                              |

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|---|---|---|--------------------------------|
| Used Motor Vehicle Dealership for Cars and Light Trucks}            | <a href="#">(7)</a>   | <a href="#">(7)</a>   | A                              |
| Commercial Parking  | <a href="#">(8)</a>   |   | P                              |
| Non-Commercial Parking Lot  | <a href="#">(9)</a>   |   | P                              |
| Recreational Vehicle (RV) Sales and Service                         | <a href="#">(10)</a>  |   | S                              |
| Service Station   | <a href="#">(11)</a>  | <a href="#">(8)</a>   | P                              |
| Towing and Impound Yard   | <a href="#">(12)</a>  | <a href="#">(9)</a>   | S                              |
| Towing Service without Storage                                      | <a href="#">(13)</a>  | <a href="#">(10)</a>  | P                              |
| Truck Rental  | <a href="#">(14)</a>  |   | S                              |
| Truck Stop with Gasoline Sales and Accessory Services               | <a href="#">(15)</a>  | <a href="#">(11)</a>  | S                              |
| <b>INDUSTRIAL AND MANUFACTURING LAND USES</b>                       | 2.02(I)   | 2.03(I)   |                                |
| Asphalt or Concrete Batch Plant                                     | <a href="#">(1)</a>   | <a href="#">(1)</a>   | S                              |
| Temporary Asphalt or Concrete Batch Plant                           | <a href="#">(2)</a>   | <a href="#">(2)</a>   | P                              |
| Bottle Works for Milk or Soft Drinks                                | <a href="#">(3)</a>   |   | P                              |
| Brewery or Distillery   | <a href="#">(4)</a>   | <a href="#">(3)</a>   | P                              |
| Carpet and Rug Cleaning   | <a href="#">(5)</a>   |   | P                              |
| Environmentally Hazardous Materials                                 | <a href="#">(6)</a>   | <a href="#">(4)</a>   | S                              |
| Food Processing with No Animal Slaughtering                         | <a href="#">(7)</a>   |   | P                              |
| Light Assembly and Fabrication                                      | <a href="#">(8)</a>   |   | P                              |
| Heavy Manufacturing   | <a href="#">(9)</a>   |   | S                              |
| Light Manufacturing   | <a href="#">(10)</a>  |   | P                              |
| Metal Plating or Electroplating                                     | <a href="#">(11)</a>  |   | S                              |
| Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials) | <a href="#">(12)</a>  | <a href="#">(5)</a>   | S                              |
| Printing and Publishing   | <a href="#">(13)</a>  |   | P                              |
| Salvage or Reclamation of Products Indoors                          | <a href="#">(14)</a>  |   | P                              |
| Salvage or Reclamation of Products Outdoors                         | <a href="#">(15)</a>  |   | S                              |
| Sheet Metal Shop  | <a href="#">(16)</a>  |   | P                              |
| Tool, Dye, Gauge and/or Machine Shop                                | <a href="#">(17)</a>  |   | P                              |
| Welding Repair  | <a href="#">(18)</a>  |   | P                              |
| Winery  | <a href="#">(19)</a>  | <a href="#">(6)</a>   | P                              |
| <b>WHOLESALE, DISTRIBUTION AND STORAGE LAND USES</b>                | 2.02(J)   | 2.03(J)   |                                |
| Cold Storage Plant  | <a href="#">(1)</a>   |   | P                              |
| Heavy Construction/Trade Yard                                       | <a href="#">(2)</a>   |   | P                              |
| Mini-Warehouse  | <a href="#">(4)</a>   | <a href="#">(1)</a>   | P                              |
| Outside Storage and/or Outside Display                              | <a href="#">(5)</a>   | <a href="#">(2)</a>   | P                              |
| Recycling Collection Center   | <a href="#">(6)</a>   |   | P                              |
| Warehouse/Distribution Center                                       | <a href="#">(7)</a>   |   | P                              |
| Wholesale Showroom Facility   | <a href="#">(8)</a>   |   | P                              |
| <b>UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES</b>       | 2.02(K)   | 2.03(K)   |                                |
| Airport, Heliport or Landing Field                                  | <a href="#">(1)</a>   |   | S                              |
| Antenna, as an Accessory  | <a href="#">(2)</a>   | <a href="#">(1)</a>   | P                              |

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|--|---|---|--------------------------------|
| Commercial Antenna   | <a href="#">(3)</a>   | <a href="#">(2)</a>   | S                              |
| Antenna, for an Amateur Radio  | <a href="#">(4)</a>   | <a href="#">(3)</a>   | A                              |
| Antenna Dish   | <a href="#">(5)</a>   | <a href="#">(4)</a>   | A                              |
| Commercial Freestanding Antenna  | <a href="#">(6)</a>   | <a href="#">(5)</a>   | P                              |
| Mounted Commercial Antenna   | <a href="#">(7)</a>   | <a href="#">(6)</a>   | P                              |
| Bus Charter Service and Service Facility   | <a href="#">(8)</a>   |   | P                              |
| Helipad  | <a href="#">(9)</a>   |   | S                              |
| Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment | <a href="#">(10)</a>  |   | S                              |
| Municipally Owned or Controlled Facilities, Utilities and Uses   | <a href="#">(11)</a>  |   | P                              |
| Private Streets  | <a href="#">(12)</a>  |   | S                              |
| Radio Broadcasting   | <a href="#">(13)</a>  |   | P                              |
| Railroad Yard or Shop  | <a href="#">(14)</a>  |   | S                              |
| Recording Studio   | <a href="#">(15)</a>  |   | P                              |
| Satellite Dish   | <a href="#">(16)</a>  |   | A                              |
| Solar Energy Collector Panels and Systems  | <a href="#">(17)</a>  | <a href="#">(7)</a>   | A                              |
| Transit Passenger Facility   | <a href="#">(18)</a>  |   | S                              |
| Trucking Company   | <a href="#">(19)</a>  |   | P                              |
| TV Broadcasting and Other Communication Service  | <a href="#">(20)</a>  |   | P                              |
| Utilities Holding a Franchise from the City of Rockwall  | <a href="#">(21)</a>  |   | P                              |
| Utility Installation Other than Listed   | <a href="#">(22)</a>  |   | S                              |
| Utility/Transmission Lines   | <a href="#">(23)</a>  |   | S                              |
| Wireless Communication Tower   | <a href="#">(24)</a>  |   | S                              |

CITY OF ROCKWALL

ORDINANCE NO. 23-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 LIGHT INDUSTRIAL (LI) DISTRICT FOR A 6.17-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-01 OF THE D HARR. SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN 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 Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully described in Exhibit 'A' and depicted in 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 Agricultural (AG) District to a Light Industrial (LI) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses* and Section 05.01, *General Industrial District Standards*; Section 05.02, *Light Industrial (LI) District*, of the Unified Development Code (UDC) [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 3<sup>RD</sup> DAY OF APRIL, 2023.**

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: March 20, 2023

2<sup>nd</sup> Reading: April 3, 2023

**Exhibit 'A'**  
*Legal Description*

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from the Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

**BEGINNING** at a ½" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100-foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall, County, Texas;

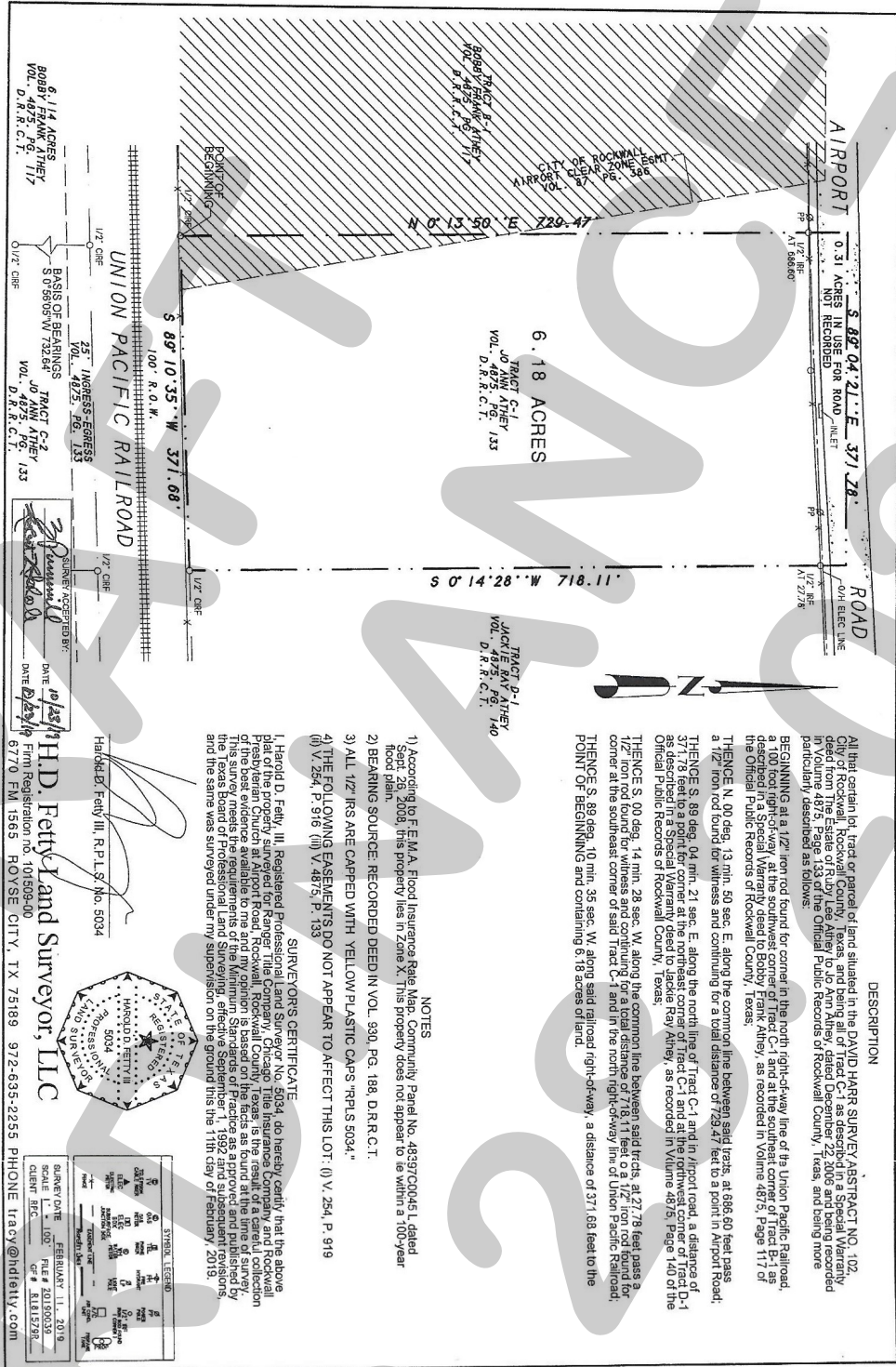
**THENCE** N. 00 Deg. 13 Min. 50 Sec. E. along the common line between said tracts at 686.60-feet past a ½" iron rod found for witness and continuing for a total distance of 729.47-feet to a point in Airport Road;

**THENCE** S. 89 Deg. 04 Min. 21 Sec. E. along the north line of Tract C-1 and in Airport Road, a distance of 371.78-feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4847, Page 140 of the Official Public Records of Rockwall County, Texas;

**THENCE** S. 00 Deg. 14 Min. 28 Sec. W. along the common line between said tracts, at 27.28-feet pass a ½" iron rod found for witness and continuing for a total distance of 718.11-feet to a ½" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of the Union Pacific Railroad;

**THENCE** S. 89 Deg. 10 Min. 35 Sec. W. along said railroad right-of-way a distance of 371.68-feet to the **POINT OF BEGINNING** and containing 6.18-acres of land.

Exhibit 'B'  
Survey



DESCRIPTION

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas and being all of Tract C-1 as described in a Special Warranty Deed in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 13 min. 50 sec. E. along the common line between said tracts, at 686.60 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 729.47 feet to a point in Airport Road;

THENCE S. 89 deg. 04 min. 21 sec. E. along the north line of Tract C-1 and in Airport Road, a distance of 37.78 feet to the corner of Tract C-1 and in Airport Road, a distance of 718.11 feet to a 1/2" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of Union Pacific Railroad;

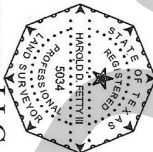
THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C004E, dated Sept. 28, 2003, this property lies in Zone "X". This property does not appear to be within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 930, PG. 188, D.R.R.C.T.
- 3) ALL 1/2" IRONS ARE CAPPED WITH YELLOW PLASTIC CAPS RPL'S 5034."
- 4) THE FOLLOWING EASEMENTS DO NOT AFFECT THIS LOT: (i) V. 254, P. 919 (ii) V. 254, P. 916 (iii) V. 4875, P. 133

SURVEYOR'S CERTIFICATE

I, Harold D. Felty, III, Registered Professional Land Surveyor, No. 5034, do hereby certify that the above plat of the property surveyed for Ranger Title Company, Chicago Title Insurance Company and Rockwall Presbyterian Church at Airport Road, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey, and that I am a duly Licensed Professional Land Surveyor in the State of Texas, and that I have filed with the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this 11th day of February, 2019.



HAROLD D. FELTY, III, R.P.L.S., No. 5034  
 DATE: 2/11/19  
 FIRM REGISTRATION NO. 101509-00  
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@diditelly.com

| SYMBOL LEGEND |                 |
|---------------|-----------------|
|               | Surveyed Area   |
|               | Right-of-Way    |
|               | Easement        |
|               | Boundary        |
|               | Iron Rod        |
|               | Cap             |
|               | Survey Station  |
|               | Corner          |
|               | Reference Point |
|               | Unsurveyed Area |



# 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

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**TO:** Planning and Zoning Commission  
**DATE:** March 14, 2023  
**APPLICANT:** Duane Piercy of Redeemer Church  
**CASE NUMBER:** Z2023-010; *Zoning Change (AG to LI)*

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### **SUMMARY**

Hold a public hearing to discuss and consider a request by Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road, and take any action necessary.

### **BACKGROUND**

The subject property was annexed by the City Council on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. The subject property has been vacant since annexation.

### **PURPOSE**

On April 14, 2022, the applicant -- *Duane Piercy of Redeemer Church* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District.

### **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 1760 Airport Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Airport Road, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of Airport Road is: [1] a 5.68-acre tract of vacant land (*i.e. Tract 21 of the D. Harr Survey, Abstract No. 102*); [2] a one (1) acre tract of land (*i.e. Tract 21-01 of the D. Harr Survey, Abstract No. 102*) with a single-family home situated on it; [3] a 12.00-acre tract of vacant land; and [4] a 43.66-acre tract of land with a single-family home situated on it. All of these properties are zoned Agricultural (AG) District. Beyond this is SH-66, which is identified as a TXDOT4D (*i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is the right-of-way for the *Union Pacific Dallas/Garland Northeast Railroad*. Beyond this is a vacant 4.114-acre tract of land (*i.e. which is part of a larger 10.291-acre tract of land and is identified as Tract 2-9, of the D Harr. Survey, Abstract No. 102*). Beyond this is a vacant two (2) acre tract of land (*i.e. Tract 2-5, of the D. Harr Survey, Abstract 102*). Both of these properties are zoned Agricultural (AG) District. Beyond that is an 18.5175-acre vacant tract of land (*i.e. Tract 3-5, of the J Lockhart Survey, Abstract 134*) zoned Light Industrial (LI) District and Commercial (C) District.

East: Directly east of the subject property is a 5.477-acre vacant tract of land (*i.e. Tract 2 of the D. Harr Survey, Abstract No. 102*), zoned Agricultural (AG) District. East of this is a 16.89-acre tract of land (*i.e. Tract 4 of the D.Harr Survey, Abstract No. 102*), which was rezoned to Light Industrial (LI) District in 2021. A site plan was approved for this property in 2021 allowing a *warehouse/distribution center* to be constructed on it.



West: Directly west of the subject property is a 5.784-acre tract of vacant land (i.e. *Tract 2-03 of the D. Harr Survey, Abstract No. 102*), which is zoned Agriculture (AG) District. West of this is a vacant 5.07-acre tract of vacant land (i.e. *Tract 2-06 of the D. Harr Survey, Abstract No. 34*) also zoned Agricultural (AG) District. Beyond this is S. John King Boulevard, which is identified as a *P6D* (i.e. a *principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

**CONFORMANCE TO THE CITY'S CODES**

According to Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses ... [and] is intended for industrial parks and larger, cleaner types of industries." The applicant has not provided a concept plan to staff, but did indicate to the Planning and Zoning Commission on February 28, 2023 that they intend to establish multiple *Flex Office/Warehouse Buildings* on the subject property. According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), this land uses (i.e. *Office/Warehouse*) are permitted *by-right* within the Light Industrial (LI) District. If rezoned, the property would be subject to the density and dimensional requirements for a property in a Light Industrial (LI) District as specified by Subsection 07.03, *Non-Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), and which are summarized as follows:

TABLE 1: LIGHT INDUSTRIAL (LI) DISTRICT STANDARDS

|   |                         |
|---|-------------------------|
| <i>Minimum Lot Area</i>                                   | 12,500 SF               |
| <i>Minimum Lot Width</i>                                  | 100'                    |
| <i>Minimum Lot Depth</i>                                  | 125'                    |
| <i>Minimum Front Yard Setback</i> <sup>(1)</sup>          | 25'                     |
| <i>Minimum Side Yard Setback</i> <sup>(2) &amp; (3)</sup> | 15' + ½ Height Over 36' |
| <i>Minimum Rear Yard Setback</i> <sup>(2) &amp; (3)</sup> | 10'                     |
| <i>Minimum Between Buildings</i> <sup>(2) &amp; (3)</sup> | 15' + ½ Height Over 36' |
| <i>Maximum Building Height</i> <sup>(4)</sup>             | 60'                     |
| <i>Maximum Building Size</i>                              | N/A                     |
| <i>Maximum Lot Coverage</i>                               | 60%                     |
| <i>Minimum Landscaping</i>                                | 15%                     |

General Notes:

- <sup>1</sup>: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- <sup>2</sup>: Not to exceed 50-feet.
- <sup>3</sup>: ½ Height Over 36-feet with a fire rated wall.
- <sup>4</sup>: Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

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**

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located within the Central District and is designated for Technology/Employment Center land uses. According to the Comprehensive Plan, the Central District is "...composed of a wide range of uses that vary from single-family to industrial ... [and] (t)he Central District also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Railroad* line that bisects the district." The applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, is in conformance with the Technology/Employment Center land use designation and appears to be in conformance with the *District Strategies* for the Central District. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "... (p)reserve the City's current residential to non-residential land use ratio (i.e. *80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability ..." [Section 02.01; CH. 1; Page 1-1]. The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential

land use balance. Since the proposed zoning change is in conformance to the Future Land Use Plan, the proposed zoning change does not change the mix of residential to non-residential land uses. With this being said, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **INFRASTRUCTURE**

Based on the proposed request, the following infrastructure is required to be constructed to provide adequate public services for any development of the subject property:

- (1) Water Improvements. The development will be required to tie into the existing 12-inch waterline on the north side of Airport Road.
- (2) Sewer Improvements. The development will be required to tie to the existing 12-inch sanitary sewer line located southeast of the subject property on the south side of the railroad, which will require a railroad permit and off-site sewer easements.
- (3) Roadways. Airport Road is a M4U (*i.e. minor collector, four [4] lane, undivided roadway*), which requires a minimum of a 65-foot right-of-way and a 45-foot back-to-back concrete street. In addition, the applicant will need to verify the right-of-way of Airport Road and ensure that the required right-of-way has been dedicated (*i.e. 32.5-feet as measured from the centerline of the roadway*). If additional right-of-way is needed this will be required to be dedicated at the time of final plat.
- (4) Drainage. Detention will be required and sized per the Engineering Department's *Standards of Design and Construction Manual*.

## **STAFF ANALYSIS**

The proposed zoning change is consistent with the Unified Development Code (UDC), and conforms to the OURHometown Vision 2040 Comprehensive Plan.

## **NOTIFICATIONS**

On February 21, 2023, staff mailed 18 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any responses concerning 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 Light Industrial (LI) District, then staff would propose the following conditions of approval:

- (1) Prior to the acceptance of an application for a site plan, the applicant will need to seek a *7460 Form for a Part 77 Aerospace Study* from the Federal Aviation Administration (FAA) [*and TXDOT Aviation if necessary*];
- (2) All development shall maintain conformance with the *Interim Guidance for Compatible Land Uses in the RPZ*. This means that prior to the acceptance of a site plan, the City will need to coordinate with the FAA Airport District Office, the FAA Regional Office, and the *Airport Planning and Environmental Division (APP-400)* to conduct an alternatives analysis to identify and document the full range of alternatives that could avoid introducing a potential land use issue within the *Runway Protection Zone (RPZ)*;
- (3) In the interest of public safety, a future site plan shall indicate that no structures, playground, parking spaces, or programmed spaces are located in the *Ultimate Object Free Area, Ultimate Object Free Zone, or the Runway Protection Zone (RPZ)* of the Ralph Hall Municipal Airport;

- (4) 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)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

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

### Other Application Fees:

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

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address **1760 AIRPORT ROAD**

Subdivision **ABST. 0102, TRACT 2-01**

Lot

Block

General Location **AIRPORT ROAD, 1,100' EAST OF JOHN KING**

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

Current Zoning **NONE, AG**

Current Use **UNIMPROVED PASTURE**

Proposed Zoning **LIGHT INDUSTRIAL**

Proposed Use **OFFICE/ WAREHOUSE**

Acreage **6.17**

Lots [Current]

**NONE**

Lots [Proposed]

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner **REDEEMER (FORMERLY ROCKWALL PRES)**  Applicant **CHERRIE**

Contact Person **DUANE PIERCEY**

Contact Person

Address **306 E. RUSK ST**

Address

City, State & Zip **ROCKWALL, TX 75087**

City, State & Zip

Phone **214 293 3730**

Phone

E-Mail **DUANE.PIERCEY@GMAIL.COM**

E-Mail

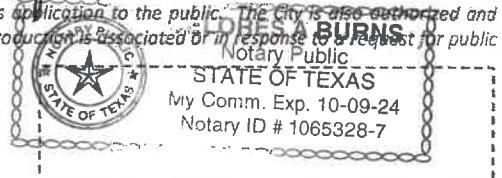
## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Duane Piercey [Owner] the undersigned, who stated the information on this application to be true and certified the following:

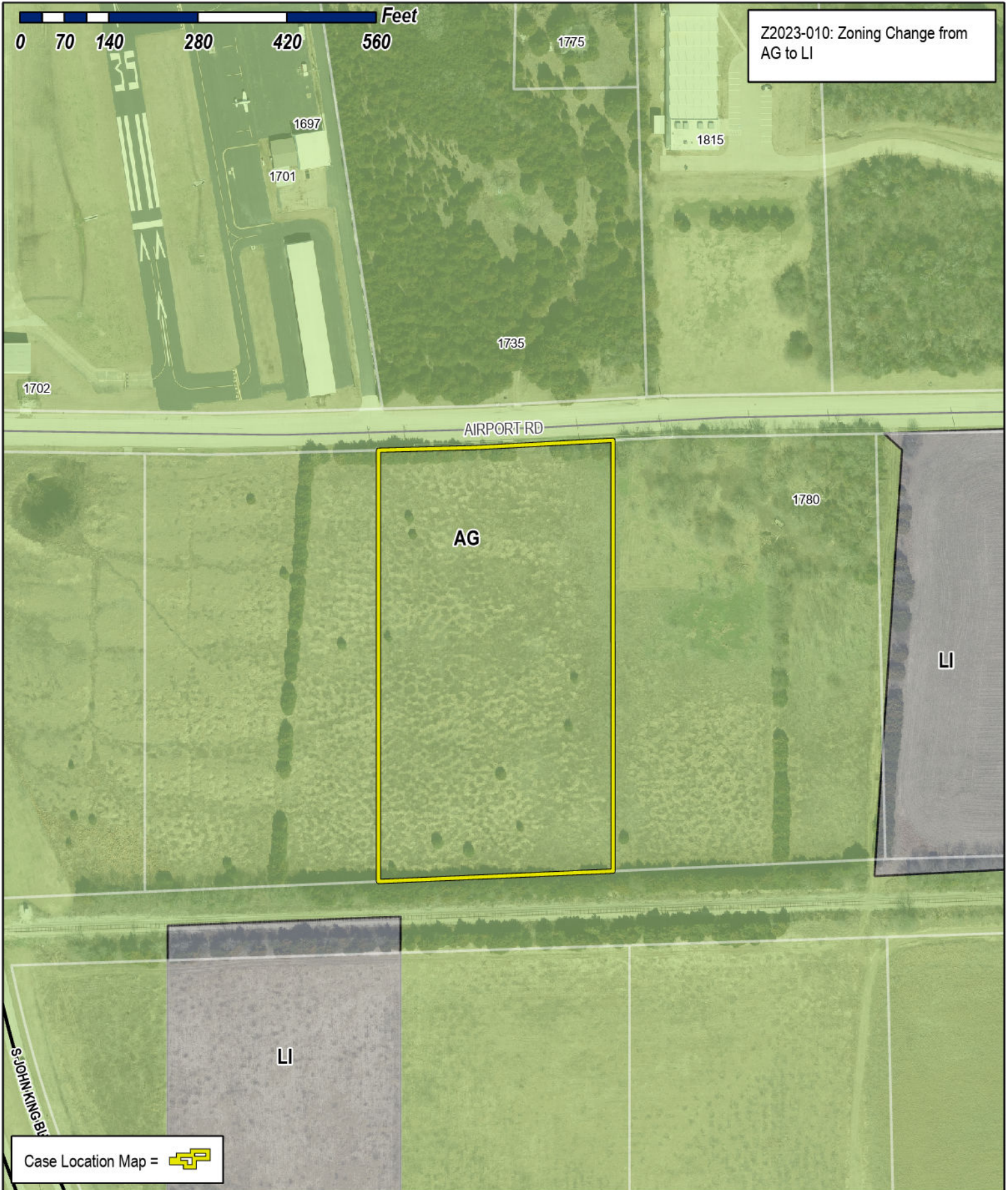
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$         ; to cover the cost of this application, has been paid to the City of Rockwall on this the 10 day of February, 2023. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 10 day of February, 2023.

Notary Public in and for the State of Texas



Dora A. Burns (Notary)  
My Commission Expires October 9, 2024



# 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.

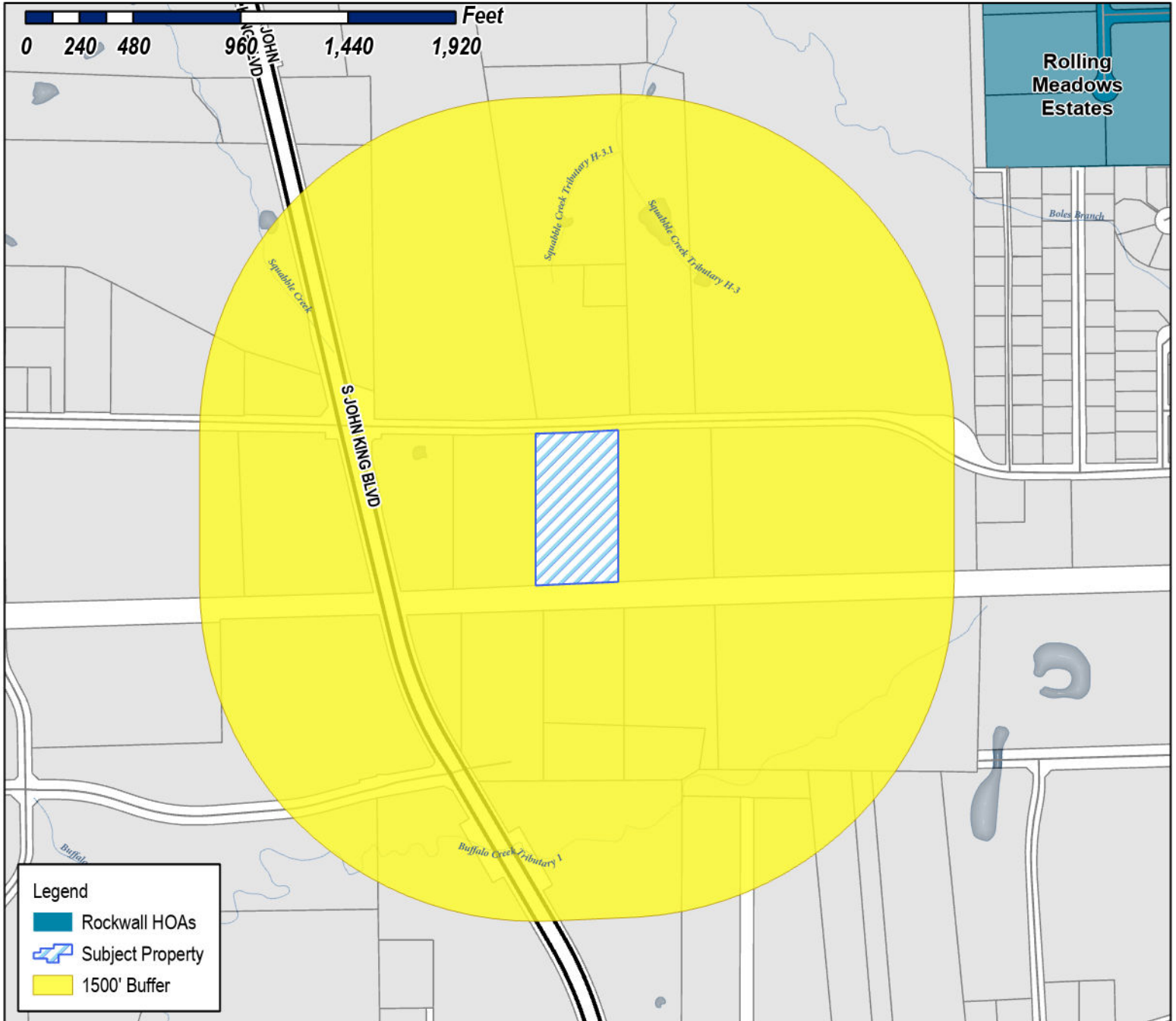




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**Case Number:** Z2023-010  
**Case Name:** Zoning Change from AG to LI  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 1760 Airport Road

**Date Saved:** 2/14/2023  
 For Questions on this Case Call (972) 771-7745

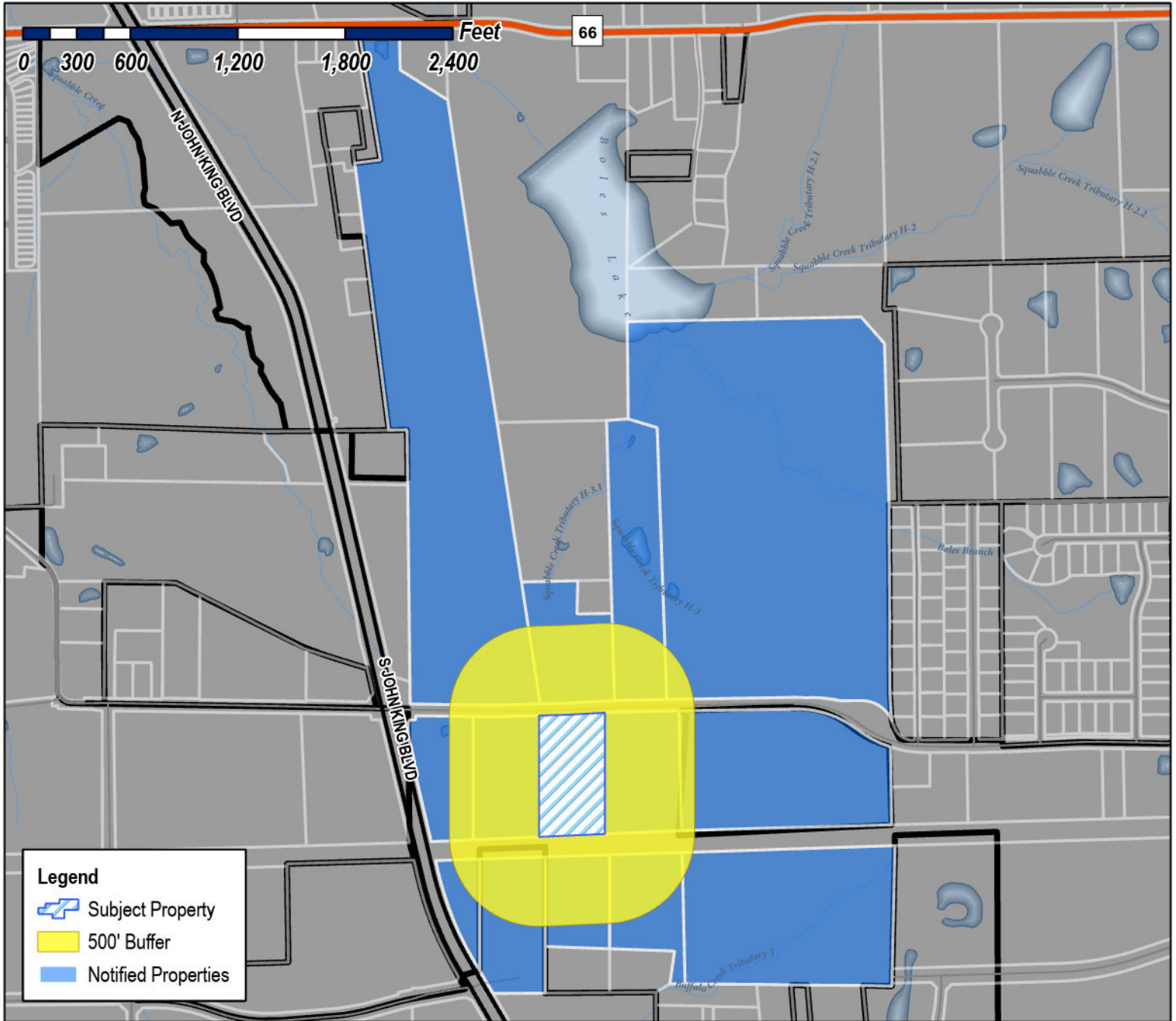




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 For Questions on this Case Call (972) 771-7745



BACKWARDS L LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

JAMES COLLIER PROPERTIES INC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

JAMES COLLIER PROPERTIES INC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

OCCUPANT  
1820 JUSTIN RD  
ROCKWALL, TX 75087

JCP JUSTIN LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

SARO PARTNERS LLC  
1450 T L TOWNSEND  
ROCKWALL, TX 75032

OCCUPANT  
1815 AIRPORT RD  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
205 W RUSK ST  
ROCKWALL, TX 75087

OCCUPANT  
1765 AIRPORT RD  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
1701 AIRPORT RD  
ROCKWALL, TX 75087

OCCUPANT  
1780 AIRPORT RD  
ROCKWALL, TX 75087

MEALS ON WHEELS SENIOR SERVICES OF  
ROCKWALL COUNTY  
PO BOX 910  
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH  
306 EAST RUSK ST  
ROCKWALL, TX 75087

ATHEY JACKIE R  
212 JOE WHITE  
ROCKWALL, TX 75087

OCCUPANT  
1824 AIRPORT RD  
ROCKWALL, TX 75087

PLATFORM ROCKWALL LP ATTN JUSTIN T DAY  
4131 SPICEWOOD SPRINGS RD SUITE E4  
AUSTIN, TX 78759

ADD REAL ESTATE LTD  
PO BOX 679  
KELLER, TX 76248



# 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:

## Z2023-010: Zoning Change of an Agricultural (AG) District to a Light Industrial (LI) District

Hold a public hearing to discuss and consider a request by Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road, 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, March 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 20, 2023 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:

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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

Your comments must be received by Monday, March 20, 2023 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. Z2023-010: Zoning Change of an Agricultural (AG) District to a Light Industrial (LI) 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.

Four horizontal grey bars for providing reasons for support or opposition.

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

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

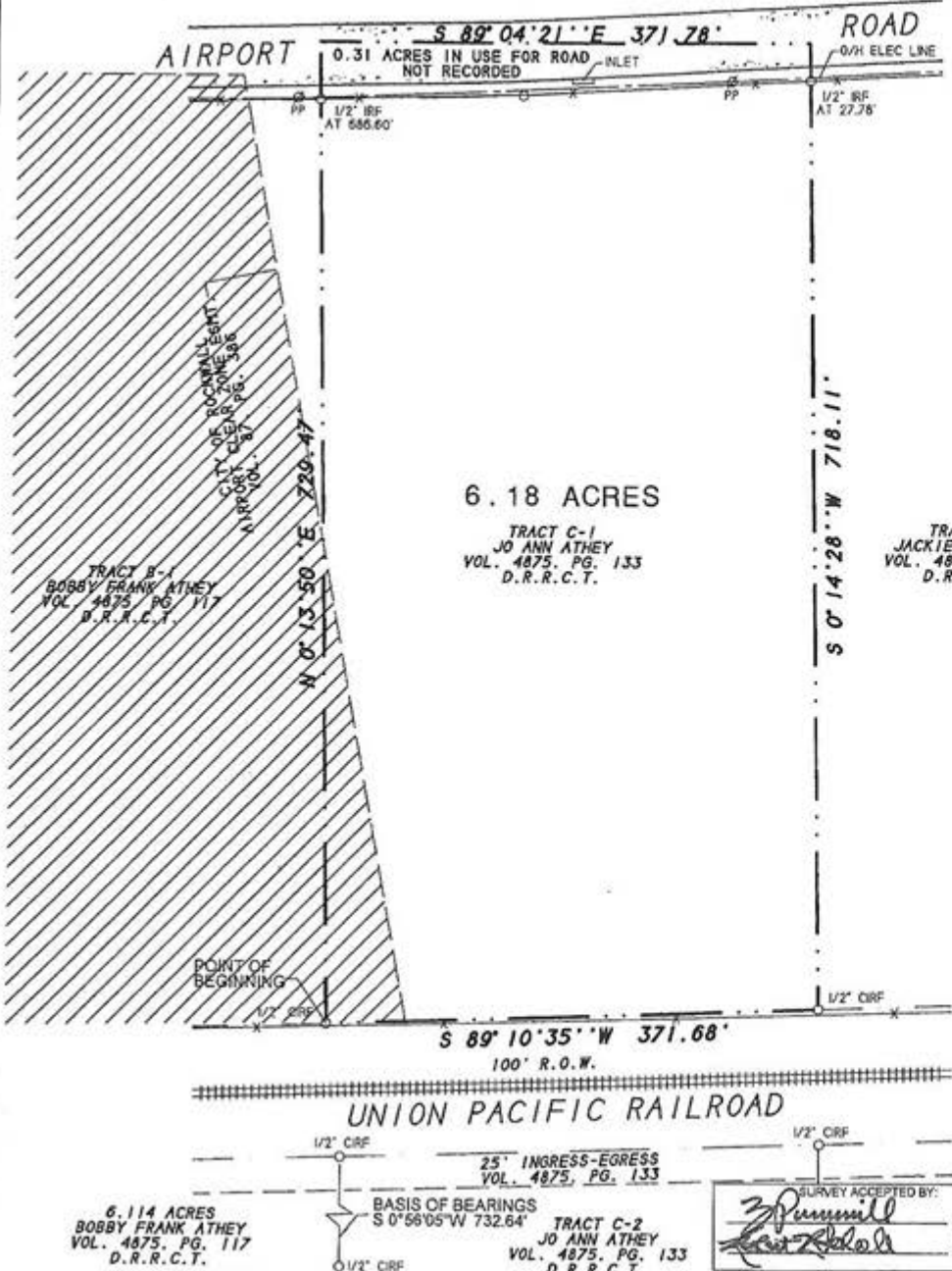
BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 13 min. 50 sec. E. along the common line between said tracts, at 686.60 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 729.47 feet to a point in Airport Road;

THENCE S. 89 deg. 04 min. 21 sec. E. along the north line of Tract C-1 and in Airport road, a distance of 371.78 feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 14 min. 28 sec. W. along the common line between said tracts, at 27.78 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 718.11 feet to a 1/2" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of Union Pacific Railroad;

THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.



DESCRIPTION

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of its Union Pacific Railroad, a 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 13 min. 50 sec. E. along the common line between said tracts, at 686.60 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 729.47 feet to a point in Airport Road;

THENCE S. 89 deg. 04 min. 21 sec. E. along the north line of Tract C-1 and in Airport road, a distance of 371.78 feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 14 min. 28 sec. W. along the common line between said tracts, at 27.78 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 718.11 feet to a 1/2" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of Union Pacific Railroad;

THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.

6.18 ACRES

TRACT B-1  
BOBBY FRANK ATHEY  
VOL. 4875, PG. 117  
D.R.R.C.T.

TRACT C-1  
JO ANN ATHEY  
VOL. 4875, PG. 133  
D.R.R.C.T.

TRACT D-1  
JACKIE RAY ATHEY  
VOL. 4875, PG. 140  
D.R.R.C.T.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0045 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to be within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 930, PG. 188, D.R.R.C.T.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) THE FOLLOWING EASEMENTS DO NOT APPEAR TO AFFECT THIS LOT: (i) V. 254, P. 919 (ii) V. 254, P. 916 (iii) V. 4875, P. 133

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Ranger Title Company, Chicago Title Insurance Company and Rockwall Presbyterian Church at Airport Road, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 11th day of February, 2019.

*Harold D. Fetty III*  
Harold D. Fetty III, R.P.L.S. No. 5034



| SYMBOL LEGEND |                 |
|---------------|-----------------|
|               | 1/2" IRON ROD   |
|               | 1/4" IRON ROD   |
|               | 3/4" IRON ROD   |
|               | 1" IRON ROD     |
|               | 1 1/2" IRON ROD |
|               | 2" IRON ROD     |
|               | 3" IRON ROD     |
|               | 4" IRON ROD     |
|               | 6" IRON ROD     |
|               | 8" IRON ROD     |
|               | 12" IRON ROD    |
|               | 18" IRON ROD    |
|               | 24" IRON ROD    |
|               | 30" IRON ROD    |
|               | 36" IRON ROD    |
|               | 42" IRON ROD    |
|               | 48" IRON ROD    |
|               | 54" IRON ROD    |
|               | 60" IRON ROD    |
|               | 66" IRON ROD    |
|               | 72" IRON ROD    |
|               | 78" IRON ROD    |
|               | 84" IRON ROD    |
|               | 90" IRON ROD    |
|               | 96" IRON ROD    |
|               | 102" IRON ROD   |
|               | 108" IRON ROD   |
|               | 114" IRON ROD   |
|               | 120" IRON ROD   |
|               | 126" IRON ROD   |
|               | 132" IRON ROD   |
|               | 138" IRON ROD   |
|               | 144" IRON ROD   |
|               | 150" IRON ROD   |
|               | 156" IRON ROD   |
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|               | 174" IRON ROD   |
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|               | 216" IRON ROD   |
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|               | 414" IRON ROD   |
|               | 420" IRON ROD   |
|               | 426" IRON ROD   |
|               | 432" IRON ROD   |
|               | 438" IRON ROD   |
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|               | 474" IRON ROD   |
|               | 480" IRON ROD   |
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|               | 984" IRON ROD   |
|               | 990" IRON ROD   |
|               | 996" IRON ROD   |
|               | 1002" IRON ROD  |

6.114 ACRES  
BOBBY FRANK ATHEY  
VOL. 4875, PG. 117  
D.R.R.C.T.

TRACT C-2  
JO ANN ATHEY  
VOL. 4875, PG. 133  
D.R.R.C.T.

SURVEY ACCEPTED BY:  
*[Signatures]*  
DATE 10/23/19  
DATE 11/23/19

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE FEBRUARY 11, 2019  
SCALE 1" = 100' FILE # 20190039  
CLIENT REF. OF # 81815298

**LEGEND:**

|   |  |
|---|--|
|   | Land Use <i>NOT</i> Permitted                |
| P | Land Use Permitted <i>By-Right</i>           |
| P | Land Use Permitted with Conditions           |
| S | Land Use Permitted Specific Use Permit (SUP) |
| X | Land Use Prohibited by Overlay District      |
| A | Land Use Permitted as an Accessory Use       |

# PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION REFERENCE<br>[Reference <a href="#">Article 13, Definitions</a> ] | CONDITIONAL USE REFERENCE<br>Reference <a href="#">Article 04, Permissible Uses</a> | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|---|---|--------------------------------|
| <b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>                    | 2.02(A)   | 2.03(A)   |                                |
| Agricultural Uses on Unplatted Land                                 | <a href="#">(1)</a>   |   | P                              |
| Animal Boarding/Kennel without Outside Pens                         | <a href="#">(2)</a>   | <a href="#">(2)</a>   | P                              |
| Animal Clinic for Small Animals without Outdoor Pens                | <a href="#">(3)</a>   | <a href="#">(3)</a>   | P                              |
| Animal Hospital or Clinic   | <a href="#">(4)</a>   |   | P                              |
| Animal Shelter or Loafing Shed                                      | <a href="#">(6)</a>   |   | P                              |
| Community Garden  | <a href="#">(11)</a>  | <a href="#">(7)</a>   | S                              |
| Urban Farm  | <a href="#">(12)</a>  | <a href="#">(8)</a>   | S                              |
| <b>RESIDENTIAL AND LODGING LAND USES</b>                            | 2.02(B)   | 2.03(B)   |                                |
| Caretakers Quarters/Domestic or Security Unit                       | <a href="#">(3)</a>   |   | P                              |
| Commercial Parking Garage   | <a href="#">(6)</a>   |   | A                              |
| Limited-Service Hotel   | <a href="#">(10)</a>  |   | S                              |
| Full-Service Hotel  | <a href="#">(11)</a>  | <a href="#">(8)</a>   | S                              |
| Residence Hotel   | <a href="#">(12)</a>  |   | S                              |
| Motel   | <a href="#">(13)</a>  |   | S                              |
| <b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>                | 2.02(C)   | 2.03(C)   |                                |
| Assisted Living Facility  | <a href="#">(1)</a>   | <a href="#">(1)</a>   | S                              |
| Blood Plasma Donor Center   | <a href="#">(2)</a>   |   | P                              |
| Cemetery/Mausoleum  | <a href="#">(3)</a>   |   | P                              |
| Church/House of Worship   | <a href="#">(4)</a>   | <a href="#">(2)</a>   | S                              |
| College, University, or Seminary                                    | <a href="#">(5)</a>   |   | P                              |
| Convalescent Care Facility/Nursing Home                             | <a href="#">(6)</a>   |   | S                              |
| Congregate Care Facility/Elderly Housing                            | <a href="#">(7)</a>   | <a href="#">(3)</a>   | S                              |
| Crematorium   | <a href="#">(8)</a>   |   | S                              |
| Daycare with Seven (7) or More Children                             | <a href="#">(9)</a>   | <a href="#">(4)</a>   | S                              |
| Emergency Ground Ambulance Services                                 | <a href="#">(10)</a>  |   | P                              |
| Government Facility   | <a href="#">(12)</a>  |   | P                              |
| Hospice   | <a href="#">(14)</a>  |   | S                              |
| Hospital  | <a href="#">(15)</a>  |   | P                              |
| Public Library, Art Gallery or Museum                               | <a href="#">(16)</a>  |   | P                              |
| Mortuary or Funeral Chapel  | <a href="#">(17)</a>  |   | P                              |
| Local Post Office   | <a href="#">(18)</a>  |   | P                              |
| Regional Post Office  | <a href="#">(19)</a>  |   | P                              |
| Prison/Custodial Institution  | <a href="#">(20)</a>  |   | P                              |
| Public or Private Primary School                                    | <a href="#">(21)</a>  | <a href="#">(7)</a>   | P                              |
| Public or Private Secondary School                                  | <a href="#">(22)</a>  | <a href="#">(8)</a>   | P                              |
| Rescue Mission or Shelter for the Homeless                          | <a href="#">(24)</a>  |   | P                              |
| Social Service Provider (Except Rescue Mission or Homeless Shelter) | <a href="#">(25)</a>  |   | P                              |
| <b>OFFICE AND PROFESSIONAL LAND USES</b>                            | 2.02(D)   | 2.03(D)   |                                |
| Financial Institution with Drive-Through                            | <a href="#">(1)</a>   | <a href="#">(1)</a>   | P                              |

**LEGEND:**

|   |  |
|---|--|
|   | Land Use <i>NOT</i> Permitted                |
| P | Land Use Permitted <i>By-Right</i>           |
| P | Land Use Permitted with Conditions           |
| S | Land Use Permitted Specific Use Permit (SUP) |
| X | Land Use Prohibited by Overlay District      |
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# PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION<br>REFERENCE<br>[Reference <a href="#">Article 13,<br/>Definitions</a> ] | CONDITIONAL USE<br>REFERENCE<br>Reference <a href="#">Article 04,<br/>Permissible Uses</a> | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|--|--|--------------------------------|
| Financial Institution without Drive-Through                                     | <a href="#">(1)</a>  |  | P                              |
| Office Building less than 5,000 SF  | <a href="#">(2)</a>  |  | P                              |
| Office Building 5,000 SF or Greater   | <a href="#">(2)</a>  |  | P                              |
| <b>RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES</b>                        | <b>2.02(E)</b>   | <b>2.03(E)</b>   |                                |
| Temporary Carnival, Circus, or Amusement Ride                                   | <a href="#">(1)</a>  | <a href="#">(1)</a>  | P                              |
| Indoor Commercial Amusement/Recreation  | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Outdoor Commercial Amusement/Recreation   | <a href="#">(3)</a>  | <a href="#">(3)</a>  | S                              |
| Public or Private Community or Recreation Club as an Accessory Use              | <a href="#">(4)</a>  |  | P                              |
| Private Country Club  | <a href="#">(5)</a>  |  | P                              |
| Golf Driving Range  | <a href="#">(6)</a>  |  | P                              |
| Temporary Fundraising Events by Non-Profit                                      | <a href="#">(7)</a>  | <a href="#">(4)</a>  | P                              |
| Indoor Gun Club with Skeet or Target Range                                      | <a href="#">(8)</a>  | <a href="#">(5)</a>  | P                              |
| Health Club or Gym  | <a href="#">(9)</a>  |  | P                              |
| Private Club, Lodge or Fraternal Organization                                   | <a href="#">(10)</a>   | <a href="#">(6)</a>  | P                              |
| Private Sports Arena, Stadium, and/or Track                                     | <a href="#">(11)</a>   |  | P                              |
| Public Park or Playground   | <a href="#">(12)</a>   |  | P                              |
| Sexually Oriented Businesses <a href="#">[Art. XI; CH. 12; Municipal Code]</a>  | <a href="#">(13)</a>   | <a href="#">(7)</a>  | S                              |
| Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> ) | <a href="#">(14)</a>   |  | P                              |
| Theater   | <a href="#">(15)</a>   |  | P                              |
| <b>RETAIL AND PERSONAL SERVICES LAND USES</b>                                   | <b>2.02(F)</b>   | <b>2.03(F)</b>   |                                |
| Portable Beverage Service Facility  | <a href="#">(4)</a>  | <a href="#">(1)</a>  | S                              |
| Brew Pub  | <a href="#">(5)</a>  |  | P                              |
| Business School   | <a href="#">(6)</a>  |  | P                              |
| Catering Service  | <a href="#">(7)</a>  |  | P                              |
| Temporary Christmas Tree Sales Lot and/or Similar Uses                          | <a href="#">(8)</a>  | <a href="#">(2)</a>  | P                              |
| Copy Center   | <a href="#">(9)</a>  |  | P                              |
| Craft/Micro Brewery, Distillery and/or Winery                                   | <a href="#">(10)</a>   | <a href="#">(3)</a>  | P                              |
| Incidental Display  | <a href="#">(11)</a>   | <a href="#">(4)</a>  | P                              |
| Food Trucks/Trailers  | <a href="#">(12)</a>   | <a href="#">(5)</a>  | P                              |
| Garden Supply/Plant Nursery   | <a href="#">(13)</a>   |  | P                              |
| General Personal Service  | <a href="#">(14)</a>   | <a href="#">(6)</a>  | S                              |
| General Retail Store  | <a href="#">(15)</a>   |  | S                              |
| Hair Salon and/or Manicurist  | <a href="#">(16)</a>   |  | S                              |
| Laundromat with Dropoff/Pickup Services   | <a href="#">(17)</a>   |  | P                              |
| Self Service Laundromat   | <a href="#">(18)</a>   |  | P                              |
| Private Museum or Art Gallery   | <a href="#">(20)</a>   |  | P                              |
| Night Club, Discotheque, or Dance Hall  | <a href="#">(21)</a>   |  | S                              |
| Pawn Shop   | <a href="#">(22)</a>   |  | P                              |
| Permanent Cosmetics   | <a href="#">(23)</a>   | <a href="#">(7)</a>  | A                              |

**LEGEND:**

|   |  |
|---|--|
|   | Land Use <i>NOT</i> Permitted                |
| P | Land Use Permitted <i>By-Right</i>           |
| P | Land Use Permitted with Conditions           |
| S | Land Use Permitted Specific Use Permit (SUP) |
| X | Land Use Prohibited by Overlay District      |
| A | Land Use Permitted as an Accessory Use       |

## PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION<br>REFERENCE<br>[Reference <a href="#">Article 13,<br/>Definitions</a> ] | CONDITIONAL USE<br>REFERENCE<br>Reference <a href="#">Article 04,<br/>Permissible Uses</a> ] | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|--|--|--------------------------------|
| Temporary Real Estate Sales Office  | <a href="#">(25)</a>   |  | P                              |
| Rental Store without Outside Storage and/or Display   | <a href="#">(26)</a>   | <a href="#">(8)</a>  | P                              |
| Restaurant with less than 2,000 SF with Drive-Through or Drive-In   | <a href="#">(27)</a>   | <a href="#">(9)</a>  | S                              |
| Restaurant with less than 2,000 SF without Drive-Through or Drive-In  | <a href="#">(28)</a>   |  | P                              |
| Restaurant with 2,000 SF or more with Drive-Through or Drive-In   | <a href="#">(27)</a>   | <a href="#">(10)</a>   | P                              |
| Restaurant with 2,000 SF or more without Drive-Through or Drive-In  | <a href="#">(28)</a>   |  | P                              |
| Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four [4] Vehicles</i> ) | <a href="#">(29)</a>   |  | P                              |
| Retail Store with Gasoline Sales that has more than Two (2) Dispensers  | <a href="#">(29)</a>   |  | P                              |
| Secondhand Dealer   | <a href="#">(30)</a>   |  | P                              |
| Art, Photography, or Music Studio   | <a href="#">(31)</a>   |  | P                              |
| Taxidermist Shop  | <a href="#">(34)</a>   |  | P                              |
| <b>COMMERCIAL AND BUSINESS SERVICES LAND USES</b>   | <b>2.02(G)</b>   | <b>2.03(G)</b>   |                                |
| Bail Bond Service   | <a href="#">(1)</a>  |  | P                              |
| Building and Landscape Material with Outside Storage  | <a href="#">(2)</a>  | <a href="#">(1)</a>  | P                              |
| Building and Landscape Material with Limited Outside Storage  | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Building Maintenance, Service, and Sales with Outside Storage   | <a href="#">(3)</a>  | <a href="#">(3)</a>  | P                              |
| Building Maintenance, Service, and Sales without Outside Storage  | <a href="#">(3)</a>  |  | P                              |
| Commercial Cleaners   | <a href="#">(4)</a>  |  | P                              |
| Custom and Craft Work   | <a href="#">(5)</a>  |  | P                              |
| Electrical, Watch, Clock, Jewelry and/or Similar Repair   | <a href="#">(6)</a>  |  | P                              |
| Feed Store or Ranch Supply  | <a href="#">(7)</a>  |  | S                              |
| Furniture Upholstery/Refinishing and Resale   | <a href="#">(8)</a>  | <a href="#">(4)</a>  | P                              |
| Gunsmith Repair and Sales   | <a href="#">(9)</a>  |  | P                              |
| Rental, Sales and Service of Heavy Machinery and Equipment  | <a href="#">(10)</a>   | <a href="#">(5)</a>  | S                              |
| Locksmith   | <a href="#">(11)</a>   |  | P                              |
| Machine Shop  | <a href="#">(12)</a>   |  | P                              |
| Medical or Scientific Research Lab  | <a href="#">(13)</a>   |  | P                              |
| Research and Technology or Light Assembly   | <a href="#">(15)</a>   |  | P                              |
| Trade School  | <a href="#">(17)</a>   |  | P                              |
| Temporary On-Site Construction Office   | <a href="#">(18)</a>   | <a href="#">(6)</a>  | P                              |
| <b>AUTO AND MARINE RELATED LAND USES</b>  | <b>2.02(H)</b>   | <b>2.03(H)</b>   |                                |
| Major Auto Repair Garage  | <a href="#">(1)</a>  | <a href="#">(1)</a>  | S                              |
| Minor Auto repair garage  | <a href="#">(2)</a>  | <a href="#">(2)</a>  | S                              |
| Automobile Rental   | <a href="#">(3)</a>  |  | S                              |
| New or Used Boat and Trailer Dealership   | <a href="#">(4)</a>  | <a href="#">(3)</a>  | S                              |
| Full Service Car Wash and Auto Detail   | <a href="#">(5)</a>  | <a href="#">(4)</a>  | P                              |
| Self Service Car Wash   | <a href="#">(5)</a>  | <a href="#">(4)</a>  | P                              |
| New and/or Used Indoor Motor Vehicle Dealership/Showroom  | <a href="#">(6)</a>  | <a href="#">(5)</a>  | S                              |
| New Motor Vehicle Dealership-for Cars and Light Trucks  | <a href="#">(7)</a>  | <a href="#">(6)</a>  | S                              |

**LEGEND:**

|   |  |
|---|--|
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| P | Land Use Permitted <i>By-Right</i>           |
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| S | Land Use Permitted Specific Use Permit (SUP) |
| X | Land Use Prohibited by Overlay District      |
| A | Land Use Permitted as an Accessory Use       |

## PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION<br>REFERENCE<br>[Reference <a href="#">Article 13,<br/>Definitions</a> ] | CONDITIONAL USE<br>REFERENCE<br>Reference <a href="#">Article 04,<br/>Permissible Uses</a> ] | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|--|--|--------------------------------|
| Used Motor Vehicle Dealership for Cars and Light Trucks}            | <a href="#">(7)</a>  | <a href="#">(7)</a>  | A                              |
| Commercial Parking  | <a href="#">(8)</a>  |  | P                              |
| Non-Commercial Parking Lot  | <a href="#">(9)</a>  |  | P                              |
| Recreational Vehicle (RV) Sales and Service                         | <a href="#">(10)</a>   |  | S                              |
| Service Station   | <a href="#">(11)</a>   | <a href="#">(8)</a>  | P                              |
| Towing and Impound Yard   | <a href="#">(12)</a>   | <a href="#">(9)</a>  | S                              |
| Towing Service without Storage                                      | <a href="#">(13)</a>   | <a href="#">(10)</a>   | P                              |
| Truck Rental  | <a href="#">(14)</a>   |  | S                              |
| Truck Stop with Gasoline Sales and Accessory Services               | <a href="#">(15)</a>   | <a href="#">(11)</a>   | S                              |
| <b>INDUSTRIAL AND MANUFACTURING LAND USES</b>                       | 2.02(I)  | 2.03(I)  |                                |
| Asphalt or Concrete Batch Plant                                     | <a href="#">(1)</a>  | <a href="#">(1)</a>  | S                              |
| Temporary Asphalt or Concrete Batch Plant                           | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Bottle Works for Milk or Soft Drinks                                | <a href="#">(3)</a>  |  | P                              |
| Brewery or Distillery   | <a href="#">(4)</a>  | <a href="#">(3)</a>  | P                              |
| Carpet and Rug Cleaning   | <a href="#">(5)</a>  |  | P                              |
| Environmentally Hazardous Materials                                 | <a href="#">(6)</a>  | <a href="#">(4)</a>  | S                              |
| Food Processing with No Animal Slaughtering                         | <a href="#">(7)</a>  |  | P                              |
| Light Assembly and Fabrication                                      | <a href="#">(8)</a>  |  | P                              |
| Heavy Manufacturing   | <a href="#">(9)</a>  |  | S                              |
| Light Manufacturing   | <a href="#">(10)</a>   |  | P                              |
| Metal Plating or Electroplating                                     | <a href="#">(11)</a>   |  | S                              |
| Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials) | <a href="#">(12)</a>   | <a href="#">(5)</a>  | S                              |
| Printing and Publishing   | <a href="#">(13)</a>   |  | P                              |
| Salvage or Reclamation of Products Indoors                          | <a href="#">(14)</a>   |  | P                              |
| Salvage or Reclamation of Products Outdoors                         | <a href="#">(15)</a>   |  | S                              |
| Sheet Metal Shop  | <a href="#">(16)</a>   |  | P                              |
| Tool, Dye, Gauge and/or Machine Shop                                | <a href="#">(17)</a>   |  | P                              |
| Welding Repair  | <a href="#">(18)</a>   |  | P                              |
| Winery  | <a href="#">(19)</a>   | <a href="#">(6)</a>  | P                              |
| <b>WHOLESALE, DISTRIBUTION AND STORAGE LAND USES</b>                | 2.02(J)  | 2.03(J)  |                                |
| Cold Storage Plant  | <a href="#">(1)</a>  |  | P                              |
| Heavy Construction/Trade Yard                                       | <a href="#">(2)</a>  |  | P                              |
| Mini-Warehouse  | <a href="#">(4)</a>  | <a href="#">(1)</a>  | P                              |
| Outside Storage and/or Outside Display                              | <a href="#">(5)</a>  | <a href="#">(2)</a>  | P                              |
| Recycling Collection Center   | <a href="#">(6)</a>  |  | P                              |
| Warehouse/Distribution Center                                       | <a href="#">(7)</a>  |  | P                              |
| Wholesale Showroom Facility   | <a href="#">(8)</a>  |  | P                              |
| <b>UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES</b>       | 2.02(K)  | 2.03(K)  |                                |
| Airport, Heliport or Landing Field                                  | <a href="#">(1)</a>  |  | S                              |
| Antenna, as an Accessory  | <a href="#">(2)</a>  | <a href="#">(1)</a>  | P                              |

**LEGEND:**

|   |  |
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## PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE  | LAND USE DEFINITION<br>REFERENCE<br>[Reference <a href="#">Article 13,</a><br><a href="#">Definitions</a> ] | CONDITIONAL USE<br>REFERENCE<br>Reference <a href="#">Article 04,</a><br><a href="#">Permissible Uses</a> ] | LIGHT INDUSTRIAL (LI) DISTRICT |
|--|---|---|--------------------------------|
| Commercial Antenna   | <a href="#">(3)</a>   | <a href="#">(2)</a>   | S                              |
| Antenna, for an Amateur Radio  | <a href="#">(4)</a>   | <a href="#">(3)</a>   | A                              |
| Antenna Dish   | <a href="#">(5)</a>   | <a href="#">(4)</a>   | A                              |
| Commercial Freestanding Antenna  | <a href="#">(6)</a>   | <a href="#">(5)</a>   | P                              |
| Mounted Commercial Antenna   | <a href="#">(7)</a>   | <a href="#">(6)</a>   | P                              |
| Bus Charter Service and Service Facility   | <a href="#">(8)</a>   |   | P                              |
| Helipad  | <a href="#">(9)</a>   |   | S                              |
| Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment | <a href="#">(10)</a>  |   | S                              |
| Municipally Owned or Controlled Facilities, Utilities and Uses   | <a href="#">(11)</a>  |   | P                              |
| Private Streets  | <a href="#">(12)</a>  |   | S                              |
| Radio Broadcasting   | <a href="#">(13)</a>  |   | P                              |
| Railroad Yard or Shop  | <a href="#">(14)</a>  |   | S                              |
| Recording Studio   | <a href="#">(15)</a>  |   | P                              |
| Satellite Dish   | <a href="#">(16)</a>  |   | A                              |
| Solar Energy Collector Panels and Systems  | <a href="#">(17)</a>  | <a href="#">(7)</a>   | A                              |
| Transit Passenger Facility   | <a href="#">(18)</a>  |   | S                              |
| Trucking Company   | <a href="#">(19)</a>  |   | P                              |
| TV Broadcasting and Other Communication Service  | <a href="#">(20)</a>  |   | P                              |
| Utilities Holding a Franchise from the City of Rockwall  | <a href="#">(21)</a>  |   | P                              |
| Utility Installation Other than Listed   | <a href="#">(22)</a>  |   | S                              |
| Utility/Transmission Lines   | <a href="#">(23)</a>  |   | S                              |
| Wireless Communication Tower   | <a href="#">(24)</a>  |   | S                              |



CITY OF ROCKWALL

ORDINANCE NO. 23-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 LIGHT INDUSTRIAL (LI) DISTRICT FOR A 6.17-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-01 OF THE D HARR. SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN 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 Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully described in Exhibit 'A' and depicted in 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 Agricultural (AG) District to a Light Industrial (LI) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses* and Section 05.01, *General Industrial District Standards*; Section 05.02, *Light Industrial (LI) District*, of the Unified Development Code (UDC) [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 3<sup>RD</sup> DAY OF APRIL, 2023.**

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: March 20, 2023

2<sup>nd</sup> Reading: April 3, 2023

**Exhibit 'A'**  
*Legal Description*

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from the Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

**BEGINNING** at a ½" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100-foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall, County, Texas;

**THENCE** N. 00 Deg. 13 Min. 50 Sec. E. along the common line between said tracts at 686.60-feet past a ½" iron rod found for witness and continuing for a total distance of 729.47-feet to a point in Airport Road;

**THENCE** S. 89 Deg. 04 Min. 21 Sec. E. along the north line of Tract C-1 and in Airport Road, a distance of 371.78-feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4847, Page 140 of the Official Public Records of Rockwall County, Texas;

**THENCE** S. 00 Deg. 14 Min. 28 Sec. W. along the common line between said tracts, at 27.28-feet pass a ½" iron rod found for witness and continuing for a total distance of 718.11-feet to a ½" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of the Union Pacific Railroad;

**THENCE** S. 89 Deg. 10 Min. 35 Sec. W. along said railroad right-of-way a distance of 371.68-feet to the **POINT OF BEGINNING** and containing 6.18-acres of land.





# 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

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**TO:** Mayor and City Council  
**DATE:** March 20, 2023  
**APPLICANT:** Duane Piercy of Redeemer Church  
**CASE NUMBER:** Z2023-010; *Zoning Change (AG to LI)*

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### **SUMMARY**

Hold a public hearing to discuss and consider a request by Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road, and take any action necessary.

### **BACKGROUND**

The subject property was annexed by the City Council on March 16, 1998 by *Ordinance No. 98-10 [Case No. A1998-001]*. The subject property has been vacant since annexation.

### **PURPOSE**

On April 14, 2022, the applicant -- *Duane Piercy of Redeemer Church* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District.

### **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 1760 Airport Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Airport Road, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of Airport Road is: [1] a 5.68-acre tract of vacant land (*i.e. Tract 21 of the D. Harr Survey, Abstract No. 102*); [2] a one (1) acre tract of land (*i.e. Tract 21-01 of the D. Harr Survey, Abstract No. 102*) with a single-family home situated on it; [3] a 12.00-acre tract of vacant land; and [4] a 43.66-acre tract of land with a single-family home situated on it. All of these properties are zoned Agricultural (AG) District. Beyond this is SH-66, which is identified as a TXDOT4D (*i.e. a Texas Department of Transportation [TXDOT], four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is the right-of-way for the *Union Pacific Dallas/Garland Northeast Railroad*. Beyond this is a vacant 4.114-acre tract of land (*i.e. which is part of a larger 10.291-acre tract of land and is identified as Tract 2-9, of the D Harr. Survey, Abstract No. 102*). Beyond this is a vacant two (2) acre tract of land (*i.e. Tract 2-5, of the D. Harr Survey, Abstract 102*). Both of these properties are zoned Agricultural (AG) District. Beyond that is an 18.5175-acre vacant tract of land (*i.e. Tract 3-5, of the J Lockhart Survey, Abstract 134*) zoned Light Industrial (LI) District and Commercial (C) District.

East: Directly east of the subject property is a 5.477-acre vacant tract of land (*i.e. Tract 2 of the D. Harr Survey, Abstract No. 102*), zoned Agricultural (AG) District. East of this is a 16.89-acre tract of land (*i.e. Tract 4 of the D.Harr Survey, Abstract No. 102*), which was rezoned to Light Industrial (LI) District in 2021. A site plan was approved for this property in 2021 allowing a *warehouse/distribution center* to be constructed on it.

West: Directly west of the subject property is a 5.784-acre tract of vacant land (i.e. *Tract 2-03 of the D. Harr Survey, Abstract No. 102*), which is zoned Agriculture (AG) District. West of this is a vacant 5.07-acre tract of vacant land (i.e. *Tract 2-06 of the D. Harr Survey, Abstract No. 34*) also zoned Agricultural (AG) District. Beyond this is S. John King Boulevard, which is identified as a *P6D* (i.e. a *principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

**CONFORMANCE TO THE CITY'S CODES**

According to Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Light Industrial (LI) District is a zoning district intended to create a limited industrial zone that provides for modern types of industrial land uses ... [and] is intended for industrial parks and larger, cleaner types of industries." The applicant has not provided a concept plan to staff, but did indicate to the Planning and Zoning Commission on February 28, 2023 that they intend to establish multiple *Flex Office/Warehouse Buildings* on the subject property. According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), this land uses (i.e. *Office/Warehouse*) are permitted *by-right* within the Light Industrial (LI) District. If rezoned, the property would be subject to the density and dimensional requirements for a property in a Light Industrial (LI) District as specified by Subsection 07.03, *Non-Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), and which are summarized as follows:

TABLE 1: LIGHT INDUSTRIAL (LI) DISTRICT STANDARDS

|   |                         |
|---|-------------------------|
| <i>Minimum Lot Area</i>                                   | 12,500 SF               |
| <i>Minimum Lot Width</i>                                  | 100'                    |
| <i>Minimum Lot Depth</i>                                  | 125'                    |
| <i>Minimum Front Yard Setback</i> <sup>(1)</sup>          | 25'                     |
| <i>Minimum Side Yard Setback</i> <sup>(2) &amp; (3)</sup> | 15' + ½ Height Over 36' |
| <i>Minimum Rear Yard Setback</i> <sup>(2) &amp; (3)</sup> | 10'                     |
| <i>Minimum Between Buildings</i> <sup>(2) &amp; (3)</sup> | 15' + ½ Height Over 36' |
| <i>Maximum Building Height</i> <sup>(4)</sup>             | 60'                     |
| <i>Maximum Building Size</i>                              | N/A                     |
| <i>Maximum Lot Coverage</i>                               | 60%                     |
| <i>Minimum Landscaping</i>                                | 15%                     |

General Notes:

- <sup>1</sup>: From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- <sup>2</sup>: Not to exceed 50-feet.
- <sup>3</sup>: ½ Height Over 36-feet with a fire rated wall.
- <sup>4</sup>: Building height may be increased up to 120-feet if approved through a Specific Use Permit (SUP) by the Planning and Zoning Commission and City Council.

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**

The OURHometown Vision 2040 Comprehensive Plan indicates that the subject property is located within the Central District and is designated for Technology/Employment Center land uses. According to the Comprehensive Plan, the Central District is "...composed of a wide range of uses that vary from single-family to industrial ... [and] (t)he Central District also incorporates a high volume of industrial land uses adjacent to the *Union Pacific/Dallas Garland and Northeastern Railroad* line that bisects the district." The applicant's request to change the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District, is in conformance with the Technology/Employment Center land use designation and appears to be in conformance with the *District Strategies* for the Central District. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "... (p)reserve the City's current residential to non-residential land use ratio (i.e. 80% Residential; 20% Commercial) in order to maintain a balance mix of land uses for fiscal sustainability ..." [Section 02.01; CH. 1; Page 1-1]. The *Land Use Plan* contained in the Comprehensive Plan was created to guide the City toward the desired 80% residential to 20% non-residential

land use balance. Since the proposed zoning change is in conformance to the Future Land Use Plan, the proposed zoning change does not change the mix of residential to non-residential land uses. With this being said, zoning is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## **INFRASTRUCTURE**

Based on the proposed request, the following infrastructure is required to be constructed to provide adequate public services for any development of the subject property:

- (1) Water Improvements. The development will be required to tie into the existing 12-inch waterline on the north side of Airport Road.
- (2) Sewer Improvements. The development will be required to tie to the existing 12-inch sanitary sewer line located southeast of the subject property on the south side of the railroad, which will require a railroad permit and off-site sewer easements.
- (3) Roadways. Airport Road is a M4U (*i.e. minor collector, four [4] lane, undivided roadway*), which requires a minimum of a 65-foot right-of-way and a 45-foot back-to-back concrete street. In addition, the applicant will need to verify the right-of-way of Airport Road and ensure that the required right-of-way has been dedicated (*i.e. 32.5-feet as measured from the centerline of the roadway*). If additional right-of-way is needed this will be required to be dedicated at the time of final plat.
- (4) Drainage. Detention will be required and sized per the Engineering Department's *Standards of Design and Construction Manual*.

## **STAFF ANALYSIS**

The proposed zoning change is consistent with the Unified Development Code (UDC), and conforms to the OURHometown Vision 2040 Comprehensive Plan.

## **NOTIFICATIONS**

On February 21, 2023, staff mailed 18 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any responses concerning the applicant's request.

## **CONDITIONS OF APPROVAL**

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

- (1) Prior to the acceptance of an application for a site plan, the applicant will need to seek a *7460 Form* for a *Part 77 Aerospace Study* from the Federal Aviation Administration (FAA) [*and TXDOT Aviation if necessary*];
- (2) All development shall maintain conformance with the *Interim Guidance for Compatible Land Uses in the RPZ*. This means that prior to the acceptance of a site plan, the City will need to coordinate with the FAA Airport District Office, the FAA Regional Office, and the *Airport Planning and Environmental Division (APP-400)* to conduct an alternatives analysis to identify and document the full range of alternatives that could avoid introducing a potential land use issue within the *Runway Protection Zone (RPZ)*;
- (3) In the interest of public safety, a future site plan shall indicate that no structures, playground, parking spaces, or programmed spaces are located in the *Ultimate Object Free Area, Ultimate Object Free Zone, or the Runway Protection Zone (RPZ)* of the Ralph Hall Municipal Airport;

- (4) 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 March 14, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 6-0, with Commissioner Welch 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)<sup>1</sup>
- Preliminary Plat (\$200.00 + \$15.00 Acre)<sup>1</sup>
- Final Plat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Replat (\$300.00 + \$20.00 Acre)<sup>1</sup>
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)<sup>1</sup>
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

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

### Other Application Fees:

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

### Notes:

<sup>1</sup>: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

## PROPERTY INFORMATION [PLEASE PRINT]

Address **1760 AIRPORT ROAD**

Subdivision **ABST. 0102, TRACT 2-01**

Lot

Block

General Location **AIRPORT ROAD, 1,100' EAST OF JOHN KING**

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

Current Zoning **NONE, AG**

Current Use **UNIMPROVED PASTURE**

Proposed Zoning **LIGHT INDUSTRIAL**

Proposed Use **OFFICE/ WAREHOUSE**

Acreage **6.17**

Lots [Current]

**NONE**

Lots [Proposed]

**SITE PLANS AND PLATS:** By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

## OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]

Owner **REDEEMER (FORMERLY ROCKWALL PRES)**  Applicant **CHERRYL**

Contact Person **DUANE PIERCEY**

Contact Person

Address **306 E. RUSK ST**

Address

City, State & Zip **ROCKWALL, TX 75087**

City, State & Zip

Phone **214 293 3730**

Phone

E-Mail **DUANE.PIERCEY@GMAIL.COM**

E-Mail

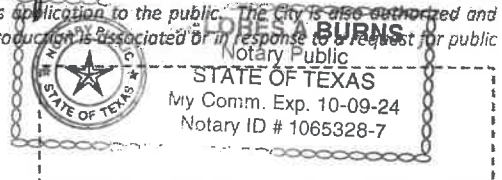
## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Duane Piercey [Owner] the undersigned, who stated the information on this application to be true and certified the following:

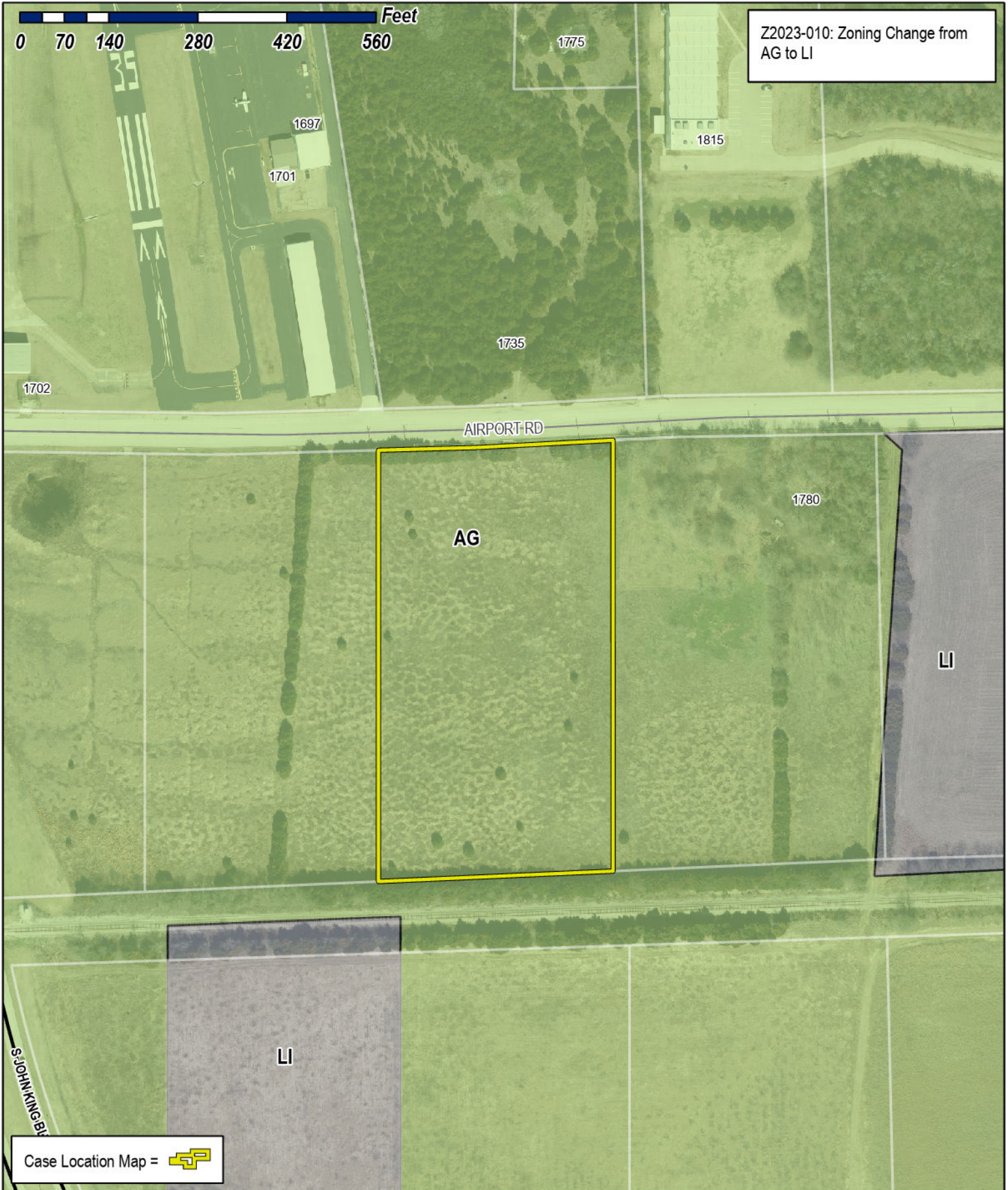
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$         ; to cover the cost of this application, has been paid to the City of Rockwall on this the 10 day of February, 2023. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 10 day of February, 2023.

Notary Public in and for the State of Texas



My Commission Expires October 9, 2024



# 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.

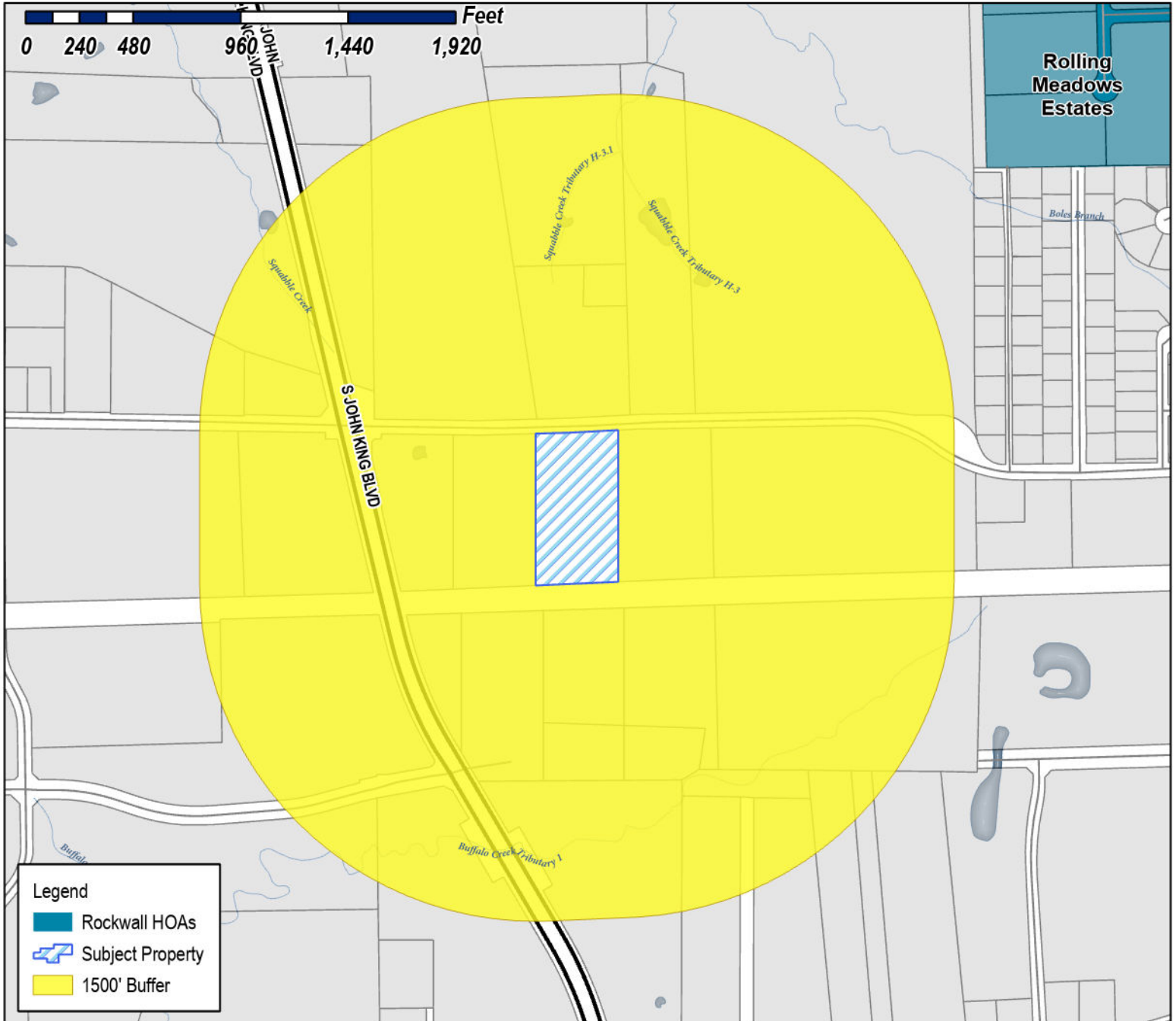




# City of Rockwall

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

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**Case Number:** Z2023-010  
**Case Name:** Zoning Change from AG to LI  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 1760 Airport Road

**Date Saved:** 2/14/2023  
 For Questions on this Case Call (972) 771-7745

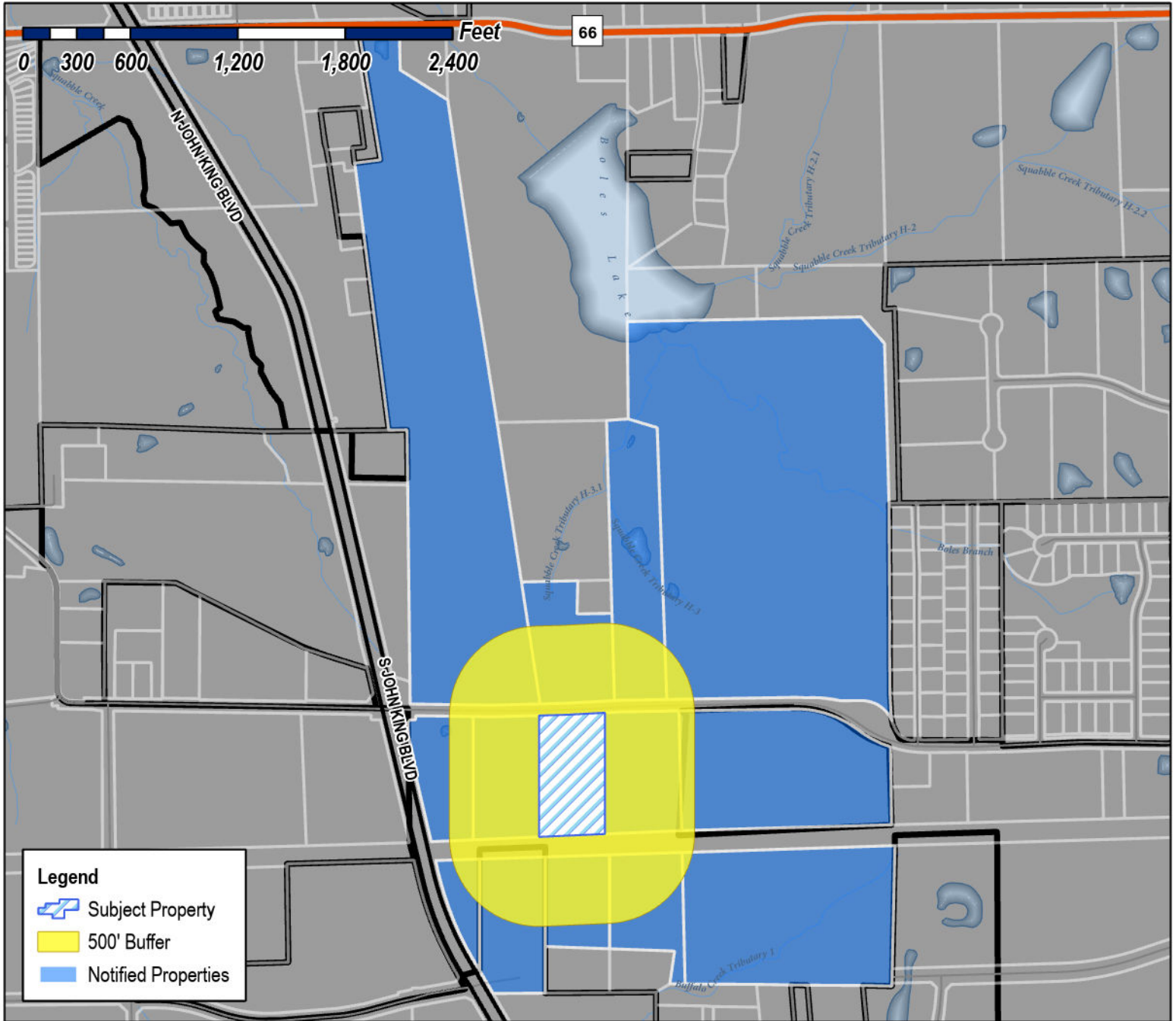




# City of Rockwall

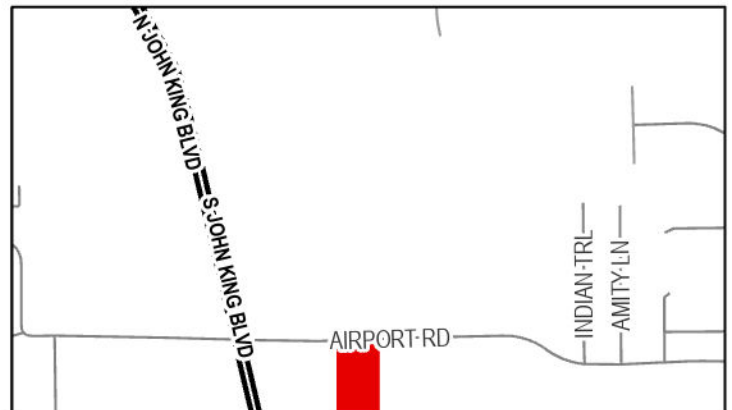
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BACKWARDS L LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

JAMES COLLIER PROPERTIES INC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

JAMES COLLIER PROPERTIES INC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

OCCUPANT  
1820 JUSTIN RD  
ROCKWALL, TX 75087

JCP JUSTIN LLC  
3333 MILLER PARK SOUTH  
GARLAND, TX 75042

SARO PARTNERS LLC  
1450 T L TOWNSEND  
ROCKWALL, TX 75032

OCCUPANT  
1815 AIRPORT RD  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
205 W RUSK ST  
ROCKWALL, TX 75087

OCCUPANT  
1765 AIRPORT RD  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
385 S GOLIAD ST  
ROCKWALL, TX 75087

CITY OF ROCKWALL  
1701 AIRPORT RD  
ROCKWALL, TX 75087

OCCUPANT  
1780 AIRPORT RD  
ROCKWALL, TX 75087

MEALS ON WHEELS SENIOR SERVICES OF  
ROCKWALL COUNTY  
PO BOX 910  
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH  
306 EAST RUSK ST  
ROCKWALL, TX 75087

ATHEY JACKIE R  
212 JOE WHITE  
ROCKWALL, TX 75087

OCCUPANT  
1824 AIRPORT RD  
ROCKWALL, TX 75087

PLATFORM ROCKWALL LP ATTN JUSTIN T DAY  
4131 SPICEWOOD SPRINGS RD SUITE E4  
AUSTIN, TX 78759

ADD REAL ESTATE LTD  
PO BOX 679  
KELLER, TX 76248

# 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:

## Z2023-010: Zoning Change of an Agricultural (AG) District to a Light Industrial (LI) District

Hold a public hearing to discuss and consider a request by Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1760 Airport Road, 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, March 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 20, 2023 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:

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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

Your comments must be received by Monday, March 20, 2023 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. Z2023-010: Zoning Change of an Agricultural (AG) District to a Light Industrial (LI) 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.

[Empty text input area for comments]

Name: [Text input]  
Address: [Text input]

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

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

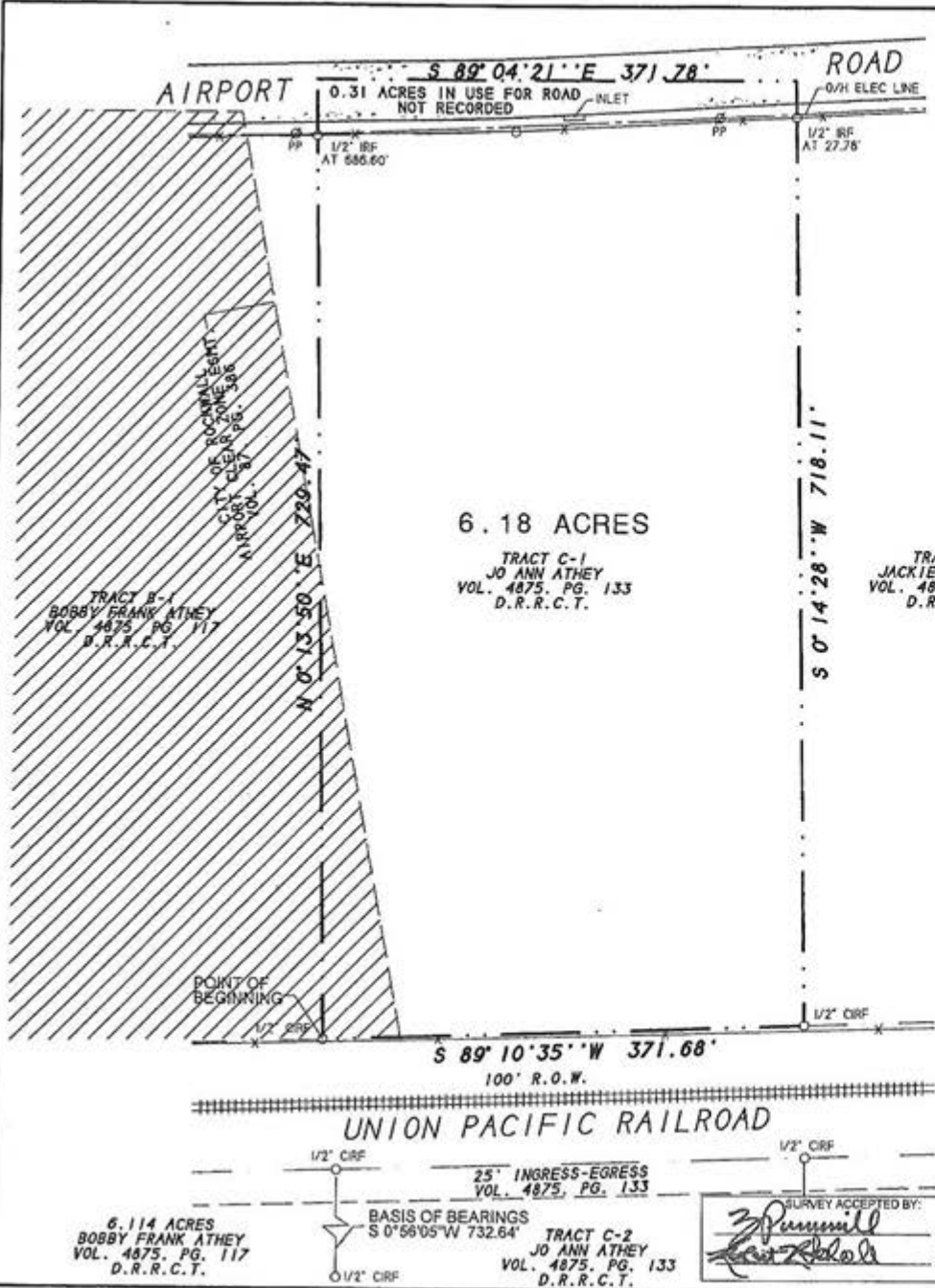
BEGINNING at a 1/2" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100 foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall County, Texas;

THENCE N. 00 deg. 13 min. 50 sec. E. along the common line between said tracts, at 686.60 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 729.47 feet to a point in Airport Road;

THENCE S. 89 deg. 04 min. 21 sec. E. along the north line of Tract C-1 and in Airport road, a distance of 371.78 feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas;

THENCE S. 00 deg. 14 min. 28 sec. W. along the common line between said tracts, at 27.78 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 718.11 feet to a 1/2" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of Union Pacific Railroad;

THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.



DESCRIPTION

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from The Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

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THENCE S. 89 deg. 10 min. 35 sec. W. along said railroad right-of-way, a distance of 371.68 feet to the POINT OF BEGINNING and containing 6.18 acres of land.

6.18 ACRES

TRACT C-1  
JO ANN ATHEY  
VOL. 4875, PG. 133  
D.R.R.C.T.

TRACT D-1  
JACKIE RAY ATHEY  
VOL. 4875, PG. 140  
D.R.R.C.T.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0045 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to be within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 930, PG. 188, D.R.R.C.T.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) THE FOLLOWING EASEMENTS DO NOT APPEAR TO AFFECT THIS LOT: (i) V. 254, P. 919 (ii) V. 254, P. 916 (iii) V. 4875, P. 133

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for Ranger Title Company, Chicago Title Insurance Company and Rockwall Presbyterian Church at Airport Road, Rockwall, Rockwall County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 11th day of February, 2019.

*[Signature]*  
Harold D. Fetty III, R.P.L.S. No. 5034



| SYMBOL LEGEND |  |
|---------------|--|
|               | 1/2" IRON ROD  |
|               | 1/2" IRON ROD CAPPED   |
|               | 1/2" IRON ROD CAPPED WITH YELLOW PLASTIC CAP   |
|               | 1/2" IRON ROD CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034"                                  |
|               | 1/2" IRON ROD CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034" AND "5034"                       |
|               | 1/2" IRON ROD CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034" AND "5034" AND "5034"            |
|               | 1/2" IRON ROD CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034" AND "5034" AND "5034" AND "5034" |

6.114 ACRES  
BOBBY FRANK ATHEY  
VOL. 4875, PG. 117  
D.R.R.C.T.

25" INGRESS-EGRESS  
VOL. 4875, PG. 133  
BASIS OF BEARINGS  
S 0°56'05"W 732.64'  
TRACT C-2  
JO ANN ATHEY  
VOL. 4875, PG. 133  
D.R.R.C.T.

SURVEY ACCEPTED BY:  
*[Signatures]*  
DATE 10/23/19  
DATE 11/23/19

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00  
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE FEBRUARY 11, 2019  
SCALE 1" = 100' FILE # 20190039  
CLIENT RFC OF # 81815298



**LEGEND:**

|   |  |
|---|--|
|   | Land Use <i>NOT</i> Permitted                |
| P | Land Use Permitted <i>By-Right</i>           |
| P | Land Use Permitted with Conditions           |
| S | Land Use Permitted Specific Use Permit (SUP) |
| X | Land Use Prohibited by Overlay District      |
| A | Land Use Permitted as an Accessory Use       |

# PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION REFERENCE<br>[Reference <a href="#">Article 13, Definitions</a> ] | CONDITIONAL USE REFERENCE<br>Reference <a href="#">Article 04, Permissible Uses</a> | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|---|---|--------------------------------|
| <b>AGRICULTURAL AND ANIMAL RELATED LAND USES</b>                    | 2.02(A)   | 2.03(A)   |                                |
| Agricultural Uses on Unplatted Land                                 | (1)   |   | P                              |
| Animal Boarding/Kennel without Outside Pens                         | (2)   | (2)   | P                              |
| Animal Clinic for Small Animals without Outdoor Pens                | (3)   | (3)   | P                              |
| Animal Hospital or Clinic   | (4)   |   | P                              |
| Animal Shelter or Loafing Shed                                      | (6)   |   | P                              |
| Community Garden  | (11)  | (7)   | S                              |
| Urban Farm  | (12)  | (8)   | S                              |
| <b>RESIDENTIAL AND LODGING LAND USES</b>                            | 2.02(B)   | 2.03(B)   |                                |
| Caretakers Quarters/Domestic or Security Unit                       | (3)   |   | P                              |
| Commercial Parking Garage   | (6)   |   | A                              |
| Limited-Service Hotel   | (10)  |   | S                              |
| Full-Service Hotel  | (11)  | (8)   | S                              |
| Residence Hotel   | (12)  |   | S                              |
| Motel   | (13)  |   | S                              |
| <b>INSTITUTIONAL AND COMMUNITY SERVICE LAND USES</b>                | 2.02(C)   | 2.03(C)   |                                |
| Assisted Living Facility  | (1)   | (1)   | S                              |
| Blood Plasma Donor Center   | (2)   |   | P                              |
| Cemetery/Mausoleum  | (3)   |   | P                              |
| Church/House of Worship   | (4)   | (2)   | S                              |
| College, University, or Seminary                                    | (5)   |   | P                              |
| Convalescent Care Facility/Nursing Home                             | (6)   |   | S                              |
| Congregate Care Facility/Elderly Housing                            | (7)   | (3)   | S                              |
| Crematorium   | (8)   |   | S                              |
| Daycare with Seven (7) or More Children                             | (9)   | (4)   | S                              |
| Emergency Ground Ambulance Services                                 | (10)  |   | P                              |
| Government Facility   | (12)  |   | P                              |
| Hospice   | (14)  |   | S                              |
| Hospital  | (15)  |   | P                              |
| Public Library, Art Gallery or Museum                               | (16)  |   | P                              |
| Mortuary or Funeral Chapel  | (17)  |   | P                              |
| Local Post Office   | (18)  |   | P                              |
| Regional Post Office  | (19)  |   | P                              |
| Prison/Custodial Institution  | (20)  |   | P                              |
| Public or Private Primary School                                    | (21)  | (7)   | P                              |
| Public or Private Secondary School                                  | (22)  | (8)   | P                              |
| Rescue Mission or Shelter for the Homeless                          | (24)  |   | P                              |
| Social Service Provider (Except Rescue Mission or Homeless Shelter) | (25)  |   | P                              |
| <b>OFFICE AND PROFESSIONAL LAND USES</b>                            | 2.02(D)   | 2.03(D)   |                                |
| Financial Institution with Drive-Through                            | (1)   | (1)   | P                              |

**LEGEND:**

|   |  |
|---|--|
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| X | Land Use Prohibited by Overlay District      |
| A | Land Use Permitted as an Accessory Use       |

# PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION<br>REFERENCE<br>[Reference <a href="#">Article 13,<br/>Definitions</a> ] | CONDITIONAL USE<br>REFERENCE<br>Reference <a href="#">Article 04,<br/>Permissible Uses</a> | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|--|--|--------------------------------|
| Financial Institution without Drive-Through                                     | <a href="#">(1)</a>  |  | P                              |
| Office Building less than 5,000 SF  | <a href="#">(2)</a>  |  | P                              |
| Office Building 5,000 SF or Greater   | <a href="#">(2)</a>  |  | P                              |
| <b>RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES</b>                        | <b>2.02(E)</b>   | <b>2.03(E)</b>   |                                |
| Temporary Carnival, Circus, or Amusement Ride                                   | <a href="#">(1)</a>  | <a href="#">(1)</a>  | P                              |
| Indoor Commercial Amusement/Recreation  | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Outdoor Commercial Amusement/Recreation   | <a href="#">(3)</a>  | <a href="#">(3)</a>  | S                              |
| Public or Private Community or Recreation Club as an Accessory Use              | <a href="#">(4)</a>  |  | P                              |
| Private Country Club  | <a href="#">(5)</a>  |  | P                              |
| Golf Driving Range  | <a href="#">(6)</a>  |  | P                              |
| Temporary Fundraising Events by Non-Profit                                      | <a href="#">(7)</a>  | <a href="#">(4)</a>  | P                              |
| Indoor Gun Club with Skeet or Target Range                                      | <a href="#">(8)</a>  | <a href="#">(5)</a>  | P                              |
| Health Club or Gym  | <a href="#">(9)</a>  |  | P                              |
| Private Club, Lodge or Fraternal Organization                                   | <a href="#">(10)</a>   | <a href="#">(6)</a>  | P                              |
| Private Sports Arena, Stadium, and/or Track                                     | <a href="#">(11)</a>   |  | P                              |
| Public Park or Playground   | <a href="#">(12)</a>   |  | P                              |
| Sexually Oriented Businesses <a href="#">[Art. XI; CH. 12; Municipal Code]</a>  | <a href="#">(13)</a>   | <a href="#">(7)</a>  | S                              |
| Tennis Courts ( <i>i.e. Not Accessory to a Public or Private Country Club</i> ) | <a href="#">(14)</a>   |  | P                              |
| Theater   | <a href="#">(15)</a>   |  | P                              |
| <b>RETAIL AND PERSONAL SERVICES LAND USES</b>                                   | <b>2.02(F)</b>   | <b>2.03(F)</b>   |                                |
| Portable Beverage Service Facility  | <a href="#">(4)</a>  | <a href="#">(1)</a>  | S                              |
| Brew Pub  | <a href="#">(5)</a>  |  | P                              |
| Business School   | <a href="#">(6)</a>  |  | P                              |
| Catering Service  | <a href="#">(7)</a>  |  | P                              |
| Temporary Christmas Tree Sales Lot and/or Similar Uses                          | <a href="#">(8)</a>  | <a href="#">(2)</a>  | P                              |
| Copy Center   | <a href="#">(9)</a>  |  | P                              |
| Craft/Micro Brewery, Distillery and/or Winery                                   | <a href="#">(10)</a>   | <a href="#">(3)</a>  | P                              |
| Incidental Display  | <a href="#">(11)</a>   | <a href="#">(4)</a>  | P                              |
| Food Trucks/Trailers  | <a href="#">(12)</a>   | <a href="#">(5)</a>  | P                              |
| Garden Supply/Plant Nursery   | <a href="#">(13)</a>   |  | P                              |
| General Personal Service  | <a href="#">(14)</a>   | <a href="#">(6)</a>  | S                              |
| General Retail Store  | <a href="#">(15)</a>   |  | S                              |
| Hair Salon and/or Manicurist  | <a href="#">(16)</a>   |  | S                              |
| Laundromat with Dropoff/Pickup Services   | <a href="#">(17)</a>   |  | P                              |
| Self Service Laundromat   | <a href="#">(18)</a>   |  | P                              |
| Private Museum or Art Gallery   | <a href="#">(20)</a>   |  | P                              |
| Night Club, Discotheque, or Dance Hall  | <a href="#">(21)</a>   |  | S                              |
| Pawn Shop   | <a href="#">(22)</a>   |  | P                              |
| Permanent Cosmetics   | <a href="#">(23)</a>   | <a href="#">(7)</a>  | A                              |

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# PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION REFERENCE<br>[Reference <a href="#">Article 13, Definitions</a> ] | CONDITIONAL USE REFERENCE<br>Reference <a href="#">Article 04, Permissible Uses</a> | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|---|---|--------------------------------|
| Temporary Real Estate Sales Office  | <a href="#">(25)</a>  |   | P                              |
| Rental Store without Outside Storage and/or Display   | <a href="#">(26)</a>  | <a href="#">(8)</a>   | P                              |
| Restaurant with less than 2,000 SF with Drive-Through or Drive-In   | <a href="#">(27)</a>  | <a href="#">(9)</a>   | S                              |
| Restaurant with less than 2,000 SF without Drive-Through or Drive-In  | <a href="#">(28)</a>  |   | P                              |
| Restaurant with 2,000 SF or more with Drive-Through or Drive-In   | <a href="#">(27)</a>  | <a href="#">(10)</a>  | P                              |
| Restaurant with 2,000 SF or more without Drive-Through or Drive-In  | <a href="#">(28)</a>  |   | P                              |
| Retail Store with Gasoline Sales that has Two (2) or less Dispensers ( <i>i.e. a Maximum of Four [4] Vehicles</i> ) | <a href="#">(29)</a>  |   | P                              |
| Retail Store with Gasoline Sales that has more than Two (2) Dispensers  | <a href="#">(29)</a>  |   | P                              |
| Secondhand Dealer   | <a href="#">(30)</a>  |   | P                              |
| Art, Photography, or Music Studio   | <a href="#">(31)</a>  |   | P                              |
| Taxidermist Shop  | <a href="#">(34)</a>  |   | P                              |
| <b>COMMERCIAL AND BUSINESS SERVICES LAND USES</b>   | <b>2.02(G)</b>  | <b>2.03(G)</b>  |                                |
| Bail Bond Service   | <a href="#">(1)</a>   |   | P                              |
| Building and Landscape Material with Outside Storage  | <a href="#">(2)</a>   | <a href="#">(1)</a>   | P                              |
| Building and Landscape Material with Limited Outside Storage  | <a href="#">(2)</a>   | <a href="#">(2)</a>   | P                              |
| Building Maintenance, Service, and Sales with Outside Storage   | <a href="#">(3)</a>   | <a href="#">(3)</a>   | P                              |
| Building Maintenance, Service, and Sales without Outside Storage  | <a href="#">(3)</a>   |   | P                              |
| Commercial Cleaners   | <a href="#">(4)</a>   |   | P                              |
| Custom and Craft Work   | <a href="#">(5)</a>   |   | P                              |
| Electrical, Watch, Clock, Jewelry and/or Similar Repair   | <a href="#">(6)</a>   |   | P                              |
| Feed Store or Ranch Supply  | <a href="#">(7)</a>   |   | S                              |
| Furniture Upholstery/Refinishing and Resale   | <a href="#">(8)</a>   | <a href="#">(4)</a>   | P                              |
| Gunsmith Repair and Sales   | <a href="#">(9)</a>   |   | P                              |
| Rental, Sales and Service of Heavy Machinery and Equipment  | <a href="#">(10)</a>  | <a href="#">(5)</a>   | S                              |
| Locksmith   | <a href="#">(11)</a>  |   | P                              |
| Machine Shop  | <a href="#">(12)</a>  |   | P                              |
| Medical or Scientific Research Lab  | <a href="#">(13)</a>  |   | P                              |
| Research and Technology or Light Assembly   | <a href="#">(15)</a>  |   | P                              |
| Trade School  | <a href="#">(17)</a>  |   | P                              |
| Temporary On-Site Construction Office   | <a href="#">(18)</a>  | <a href="#">(6)</a>   | P                              |
| <b>AUTO AND MARINE RELATED LAND USES</b>  | <b>2.02(H)</b>  | <b>2.03(H)</b>  |                                |
| Major Auto Repair Garage  | <a href="#">(1)</a>   | <a href="#">(1)</a>   | S                              |
| Minor Auto repair garage  | <a href="#">(2)</a>   | <a href="#">(2)</a>   | S                              |
| Automobile Rental   | <a href="#">(3)</a>   |   | S                              |
| New or Used Boat and Trailer Dealership   | <a href="#">(4)</a>   | <a href="#">(3)</a>   | S                              |
| Full Service Car Wash and Auto Detail   | <a href="#">(5)</a>   | <a href="#">(4)</a>   | P                              |
| Self Service Car Wash   | <a href="#">(5)</a>   | <a href="#">(4)</a>   | P                              |
| New and/or Used Indoor Motor Vehicle Dealership/Showroom  | <a href="#">(6)</a>   | <a href="#">(5)</a>   | S                              |
| New Motor Vehicle Dealership-for Cars and Light Trucks  | <a href="#">(7)</a>   | <a href="#">(6)</a>   | S                              |

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## PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

| LAND USE SCHEDULE   | LAND USE DEFINITION<br>REFERENCE<br>[Reference <a href="#">Article 13,<br/>Definitions</a> ] | CONDITIONAL USE<br>REFERENCE<br>Reference <a href="#">Article 04,<br/>Permissible Uses</a> ] | LIGHT INDUSTRIAL (LI) DISTRICT |
|---|--|--|--------------------------------|
| Used Motor Vehicle Dealership for Cars and Light Trucks}            | <a href="#">(7)</a>  | <a href="#">(7)</a>  | A                              |
| Commercial Parking  | <a href="#">(8)</a>  |  | P                              |
| Non-Commercial Parking Lot  | <a href="#">(9)</a>  |  | P                              |
| Recreational Vehicle (RV) Sales and Service                         | <a href="#">(10)</a>   |  | S                              |
| Service Station   | <a href="#">(11)</a>   | <a href="#">(8)</a>  | P                              |
| Towing and Impound Yard   | <a href="#">(12)</a>   | <a href="#">(9)</a>  | S                              |
| Towing Service without Storage                                      | <a href="#">(13)</a>   | <a href="#">(10)</a>   | P                              |
| Truck Rental  | <a href="#">(14)</a>   |  | S                              |
| Truck Stop with Gasoline Sales and Accessory Services               | <a href="#">(15)</a>   | <a href="#">(11)</a>   | S                              |
| <b>INDUSTRIAL AND MANUFACTURING LAND USES</b>                       | 2.02(I)  | 2.03(I)  |                                |
| Asphalt or Concrete Batch Plant                                     | <a href="#">(1)</a>  | <a href="#">(1)</a>  | S                              |
| Temporary Asphalt or Concrete Batch Plant                           | <a href="#">(2)</a>  | <a href="#">(2)</a>  | P                              |
| Bottle Works for Milk or Soft Drinks                                | <a href="#">(3)</a>  |  | P                              |
| Brewery or Distillery   | <a href="#">(4)</a>  | <a href="#">(3)</a>  | P                              |
| Carpet and Rug Cleaning   | <a href="#">(5)</a>  |  | P                              |
| Environmentally Hazardous Materials                                 | <a href="#">(6)</a>  | <a href="#">(4)</a>  | S                              |
| Food Processing with No Animal Slaughtering                         | <a href="#">(7)</a>  |  | P                              |
| Light Assembly and Fabrication                                      | <a href="#">(8)</a>  |  | P                              |
| Heavy Manufacturing   | <a href="#">(9)</a>  |  | S                              |
| Light Manufacturing   | <a href="#">(10)</a>   |  | P                              |
| Metal Plating or Electroplating                                     | <a href="#">(11)</a>   |  | S                              |
| Mining and Extraction of (Sand, Gravel, Oil and/or Other Materials) | <a href="#">(12)</a>   | <a href="#">(5)</a>  | S                              |
| Printing and Publishing   | <a href="#">(13)</a>   |  | P                              |
| Salvage or Reclamation of Products Indoors                          | <a href="#">(14)</a>   |  | P                              |
| Salvage or Reclamation of Products Outdoors                         | <a href="#">(15)</a>   |  | S                              |
| Sheet Metal Shop  | <a href="#">(16)</a>   |  | P                              |
| Tool, Dye, Gauge and/or Machine Shop                                | <a href="#">(17)</a>   |  | P                              |
| Welding Repair  | <a href="#">(18)</a>   |  | P                              |
| Winery  | <a href="#">(19)</a>   | <a href="#">(6)</a>  | P                              |
| <b>WHOLESALE, DISTRIBUTION AND STORAGE LAND USES</b>                | 2.02(J)  | 2.03(J)  |                                |
| Cold Storage Plant  | <a href="#">(1)</a>  |  | P                              |
| Heavy Construction/Trade Yard                                       | <a href="#">(2)</a>  |  | P                              |
| Mini-Warehouse  | <a href="#">(4)</a>  | <a href="#">(1)</a>  | P                              |
| Outside Storage and/or Outside Display                              | <a href="#">(5)</a>  | <a href="#">(2)</a>  | P                              |
| Recycling Collection Center   | <a href="#">(6)</a>  |  | P                              |
| Warehouse/Distribution Center                                       | <a href="#">(7)</a>  |  | P                              |
| Wholesale Showroom Facility   | <a href="#">(8)</a>  |  | P                              |
| <b>UTILITIES, COMMUNICATIONS AND TRANSPORTATION LAND USES</b>       | 2.02(K)  | 2.03(K)  |                                |
| Airport, Heliport or Landing Field                                  | <a href="#">(1)</a>  |  | S                              |
| Antenna, as an Accessory  | <a href="#">(2)</a>  | <a href="#">(1)</a>  | P                              |

**LEGEND:**

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|--|---|---|--------------------------------|
| Commercial Antenna   | <a href="#">(3)</a>   | <a href="#">(2)</a>   | S                              |
| Antenna, for an Amateur Radio  | <a href="#">(4)</a>   | <a href="#">(3)</a>   | A                              |
| Antenna Dish   | <a href="#">(5)</a>   | <a href="#">(4)</a>   | A                              |
| Commercial Freestanding Antenna  | <a href="#">(6)</a>   | <a href="#">(5)</a>   | P                              |
| Mounted Commercial Antenna   | <a href="#">(7)</a>   | <a href="#">(6)</a>   | P                              |
| Bus Charter Service and Service Facility   | <a href="#">(8)</a>   |   | P                              |
| Helipad  | <a href="#">(9)</a>   |   | S                              |
| Utilities ( <i>Non-Municipally Owned or Controlled</i> ), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment | <a href="#">(10)</a>  |   | S                              |
| Municipally Owned or Controlled Facilities, Utilities and Uses   | <a href="#">(11)</a>  |   | P                              |
| Private Streets  | <a href="#">(12)</a>  |   | S                              |
| Radio Broadcasting   | <a href="#">(13)</a>  |   | P                              |
| Railroad Yard or Shop  | <a href="#">(14)</a>  |   | S                              |
| Recording Studio   | <a href="#">(15)</a>  |   | P                              |
| Satellite Dish   | <a href="#">(16)</a>  |   | A                              |
| Solar Energy Collector Panels and Systems  | <a href="#">(17)</a>  | <a href="#">(7)</a>   | A                              |
| Transit Passenger Facility   | <a href="#">(18)</a>  |   | S                              |
| Trucking Company   | <a href="#">(19)</a>  |   | P                              |
| TV Broadcasting and Other Communication Service  | <a href="#">(20)</a>  |   | P                              |
| Utilities Holding a Franchise from the City of Rockwall  | <a href="#">(21)</a>  |   | P                              |
| Utility Installation Other than Listed   | <a href="#">(22)</a>  |   | S                              |
| Utility/Transmission Lines   | <a href="#">(23)</a>  |   | S                              |
| Wireless Communication Tower   | <a href="#">(24)</a>  |   | S                              |

CITY OF ROCKWALL

ORDINANCE NO. 23-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 LIGHT INDUSTRIAL (LI) DISTRICT FOR A 6.17-ACRE TRACT OF LAND IDENTIFIED AS TRACT 2-01 OF THE D HARR. SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN 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 Duane Piercy of Redeemer Church for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.17-acre tract of land identified as Tract 2-01 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully described in Exhibit 'A' and depicted in 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 Agricultural (AG) District to a Light Industrial (LI) District;

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses* and Section 05.01, *General Industrial District Standards*; Section 05.02, *Light Industrial (LI) District*, of the Unified Development Code (UDC) [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 3<sup>RD</sup> DAY OF APRIL, 2023.**

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, *City Secretary*

**APPROVED AS TO FORM:**

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

1<sup>st</sup> Reading: March 20, 2023

2<sup>nd</sup> Reading: April 3, 2023

**Exhibit 'A'**  
*Legal Description*

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being all of Tract C-1 as described in a Special Warranty deed from the Estate of Ruby Lee Athey to Jo Ann Athey, dated December 22, 2006 and being recorded in Volume 4875, Page 133 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

**BEGINNING** at a ½" iron rod found for corner in the north right-of-way line of the Union Pacific Railroad, a 100-foot right-of-way, at the southwest corner of Tract C-1 and at the southeast corner of Tract B-1 as described in a Special Warranty deed to Bobby Frank Athey, as recorded in Volume 4875, Page 117 of the Official Public Records of Rockwall, County, Texas;

**THENCE** N. 00 Deg. 13 Min. 50 Sec. E. along the common line between said tracts at 686.60-feet past a ½" iron rod found for witness and continuing for a total distance of 729.47-feet to a point in Airport Road;

**THENCE** S. 89 Deg. 04 Min. 21 Sec. E. along the north line of Tract C-1 and in Airport Road, a distance of 371.78-feet to a point for corner at the northeast corner of Tract C-1 and at the northwest corner of Tract D-1 as described in a Special Warranty deed to Jackie Ray Athey, as recorded in Volume 4847, Page 140 of the Official Public Records of Rockwall County, Texas;

**THENCE** S. 00 Deg. 14 Min. 28 Sec. W. along the common line between said tracts, at 27.28-feet pass a ½" iron rod found for witness and continuing for a total distance of 718.11-feet to a ½" iron rod found for corner at the southeast corner of said Tract C-1 and in the north right-of-way line of the Union Pacific Railroad;

**THENCE** S. 89 Deg. 10 Min. 35 Sec. W. along said railroad right-of-way a distance of 371.68-feet to the **POINT OF BEGINNING** and containing 6.18-acres of land.







April 4, 2023

TO: Duane Piercy  
306 E Rusk Street  
Rockwall, Texas 75087

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

SUBJECT: Z2023-010; Zoning Change from an Agricultural (AG) District to a Light Industrial (LI) District

Duane:

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 April 3, 2023. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) Prior to the acceptance of an application for a site plan, the applicant will need to seek a 7460 Form for a Part 77 Aerospace Study from the Federal Aviation Administration (FAA) [and TXDOT Aviation if necessary];
- (2) All development shall maintain conformance with the *Interim Guidance for Compatible Land Uses in the RPZ*. This means that prior to the acceptance of a site plan, the City will need to coordinate with the FAA Airport District Office, the FAA Regional Office, and the *Airport Planning and Environmental Division (APP-400)* to conduct an alternatives analysis to identify and document the full range of alternatives that could avoid introducing a potential land use issue within the *Runway Protection Zone (RPZ)*;
- (3) In the interest of public safety, a future site plan shall indicate that no structures, playground, parking spaces, or programmed spaces are located in the *Ultimate Object Free Area, Ultimate Object Free Zone, or the Runway Protection Zone (RPZ)* of the Ralph Hall Municipal Airport;
- (4) 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 March 14, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request for a Zoning Change by a vote of 6-0, with Commissioner Welch absent.

City Council

On March 20, 2023, the City Council approved a motion to approve the zoning change with the conditions of approval by a vote of 6-0, with Mayor Fowler abstaining.

On April 3, 2023, the City Council approved a motion to approve the zoning change with a vote of 5-0, with Mayor Fowler abstaining and Council Member Johannesen absent.

Included with this letter is a copy of Ordinance No.23-17, 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) 771-7745.

Sincerely,

Bethany Ross  
Planner  
City of Rockwall Planning and Zoning Department