



CASE COVER SHEET

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

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

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

SITE PLAN APPLICATION

- SITE PLAN
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

- ZONING CHANGE
- SPECIFIC USE PERMIT
- PD DEVELOPMENT PLAN

OTHER APPLICATION

- TREE REMOVAL
- VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1770 + 1780 Airport Road

SUBDIVISION D. Harr Survey

Traff 2 Abstract 102

GENERAL LOCATION E of the intersection of S. John King Boulevard & Airport Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE Vacant

PROPOSED ZONING Light Industrial

PROPOSED USE _____

ACREAGE 6.21

LOTS [CURRENT] _____

1

LOTS [PROPOSED] _____

1

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 Dennis Lewis

APPLICANT Christopher Touboun

CONTACT PERSON _____

CONTACT PERSON _____

ADDRESS _____

ADDRESS 1628 Trowbridge Circle

Rockwall, TX, 75082

CITY, STATE & ZIP _____

CITY, STATE & ZIP _____

PHONE _____

PHONE 316-377-4770

E-MAIL _____

E-MAIL tsotezo@gmail.com

NOTARY VERIFICATION [REQUIRED]

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

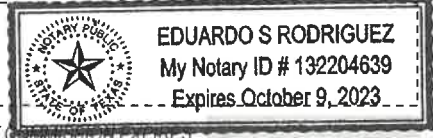
"I HEREBY CERTIFY THAT, I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$293.15 ~~2023~~ June 2023, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15 DAY OF June, 2023. BY SIGNING 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 15th DAY OF June, 2023

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

Eduardo S Rodriguez





DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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CURRENT USE Vacant

PROPOSED ZONING Light Industrial

PROPOSED USE _____

ACREAGE 6.21

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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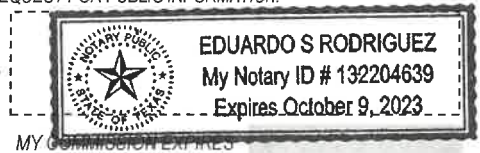
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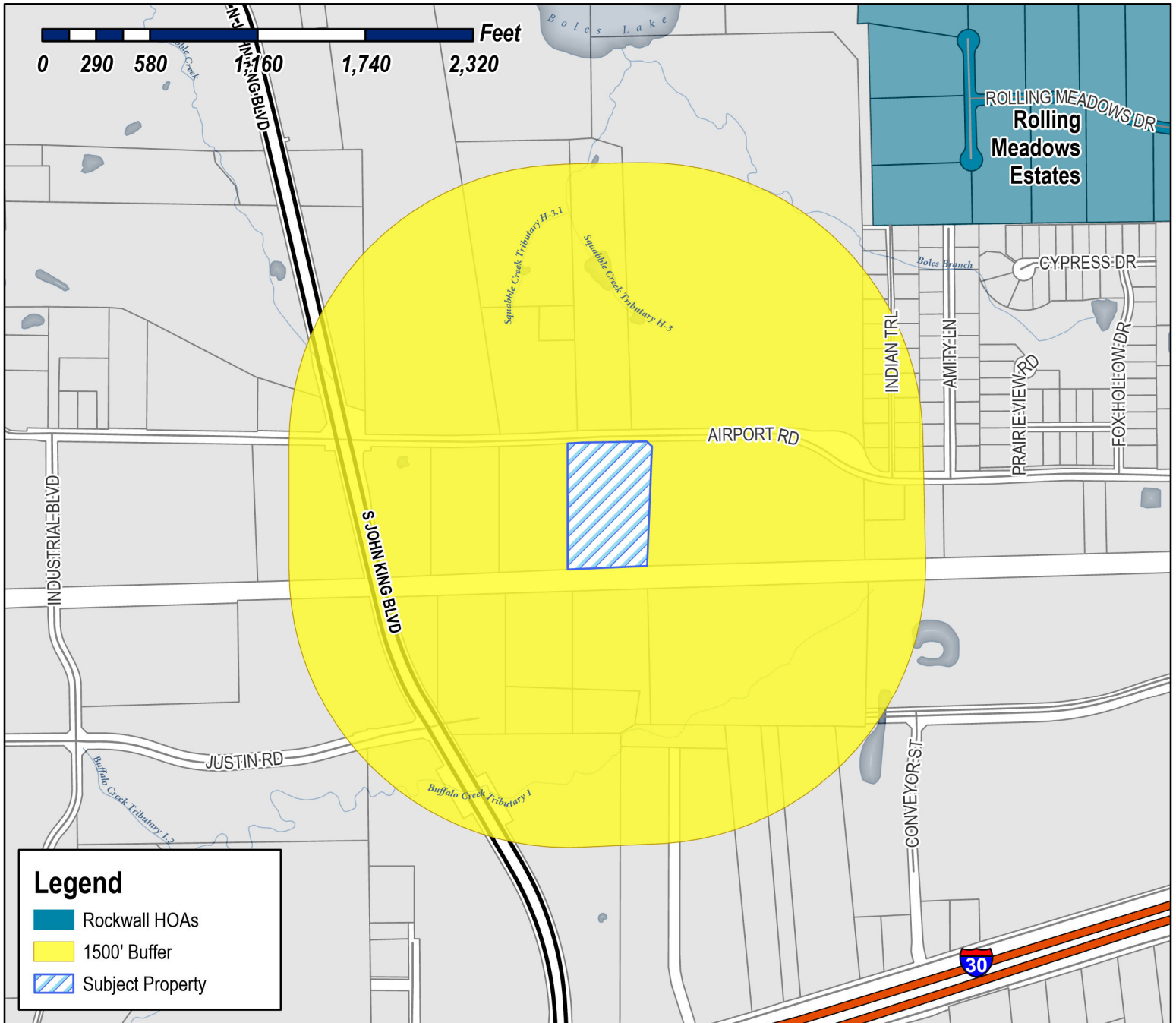




City of Rockwall

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

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



Case Number: Z2023-030
Case Name: Zoning Change from AG to LI
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: 1770 Airport Road

Date Saved: 6/19/2023
 For Questions on this Case Call (972) 771-7745

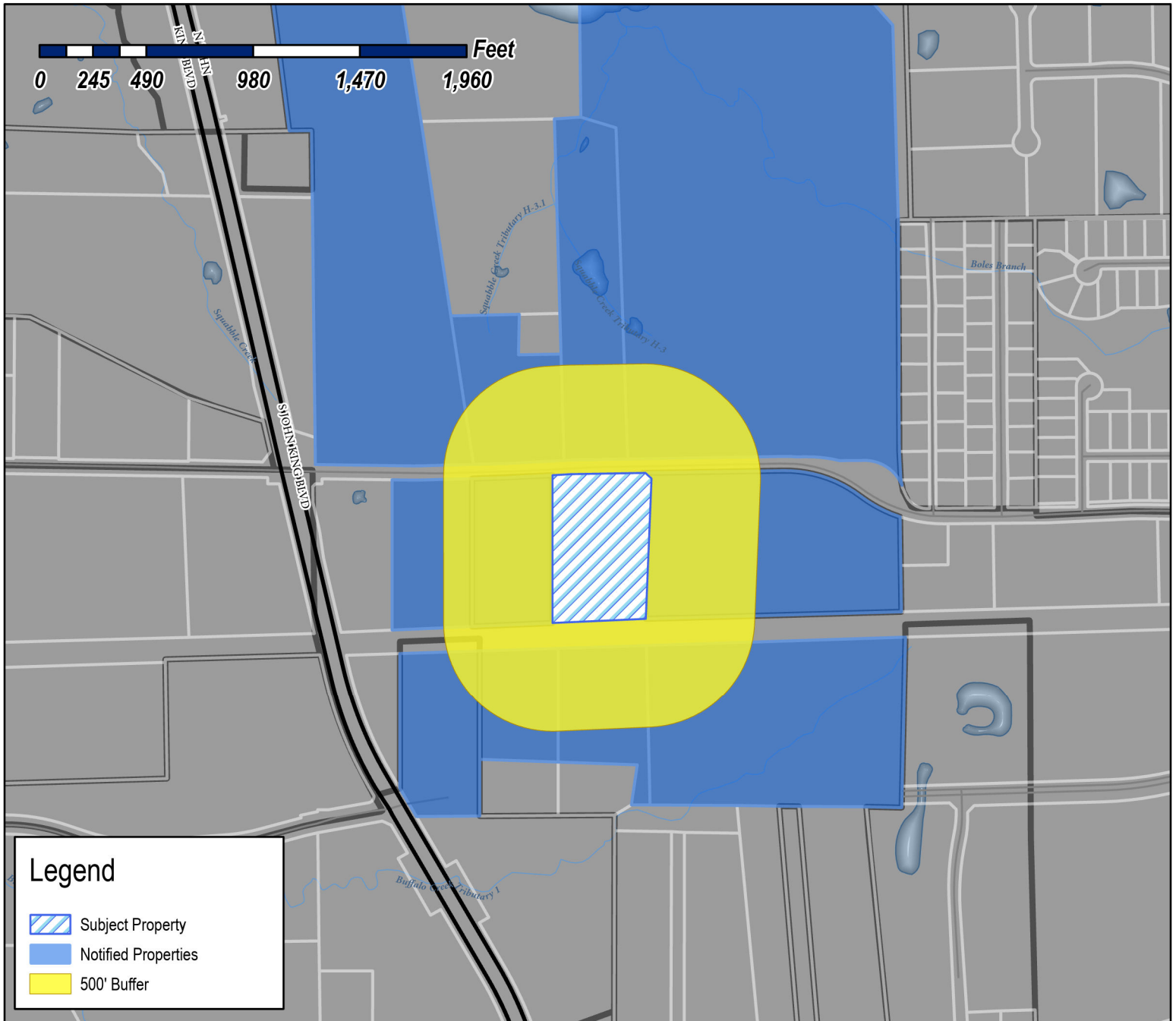




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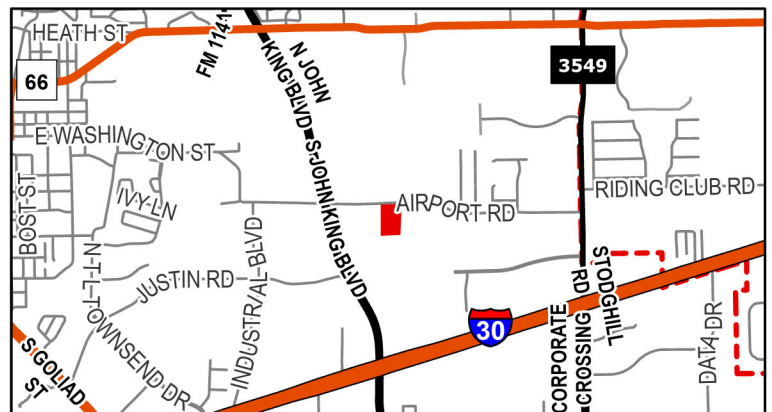
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Date Saved: 6/19/2023

For Questions on this Case Call: (972) 771-7746



RESIDENT
1701 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1765 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1780 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1815 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1820 JUSTIN RD
ROCKWALL, TX 75087

RESIDENT
1824 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

ATHEY JACKIE R
212 JOE WHITE
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH
306 EAST RUSK ST
ROCKWALL, TX 75087

BACKWARDS L LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

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

JCP JUSTIN LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

CITY OF ROCKWALL
385 S GOLIAD ST
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

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

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS CHRISTOPHER TOUOBOUN and MEALS ON WHEELS SENIOR SERVICES OF ROCKWALL COUNTY, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

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 a part of Tract D-1 described in a deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas, and being the same tract of land as described in a Warranty deed from Arupa Holdings, LLC to Christopher Touoboun, as recorded in Document no. 2022000025054 of the Official Public Records of Rockwall County, Texas and the same tract as described in a Warranty deed to Meals on Wheels Senior Services of Rockwall County, as recorded in Document no. 20210000014426 and Document no. 20210000008327 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 at the intersection of the west boundary line of said Tract D-1, with the south line of Airport Road, said point also being in the east boundary of a tract of land as described in a Warranty deed to Rockwall Presbyterian Church, dated October 23, 2019 and being recorded in Document number 2019000018892 of the Official Public Records of Rockwall County, Texas;

THENCE N. 89 deg 46 min. 28 sec. E. along the south line of Airport Road, a distance of 383.27 feet to a 1/2" iron rod found for corner;

THENCE N. 88 deg. 12 min. 22 sec. E. a distance of 57.86 feet to a 1/2" iron rod found for corner;

THENCE S. 05 deg. 52 min. 46 sec. W. a distance of 665.72 feet to a 1/2" iron rod found for corner in the north right-of-way of the Union Pacific Railroad;

THENCE S. 89 deg. 20 min. 54 sec. W. along said railroad right-of-way, a distance of 403.86 feet to a 1/2" iron rod found for corner;

THENCE N. 00 deg. 13 min. 58 sec. E. along the west boundary line of said tract, a distance of 690.41 feet to the POINT OF BEGINNING and containing 301,247 square feet or 6.92 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as AIRPORT SOUTH ADDITION, LOT 1 AND 2, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in AIRPORT SOUTH ADDITION, LOT 1 AND 2, BLOCK A have been notified and signed this plat.

We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

We also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exaction's made herein.

Christopher Touoboun

for Meals on Wheels Senior Services of Rockwall County

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Christopher Touoboun known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires: _____

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____, _____.

Notary Public in and for the State of Texas My Commission Expires: _____

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of AIRPORT SOUTH ADDITION, LOT 1 AND 2, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall _____ City Secretary City of Rockwall _____

City Engineer _____ Date _____

FINAL PLAT

AIRPORT SOUTH ADDITION
LOT 1 AND 2, BLOCK A

6.92 ACRES 301,247 S.F.

DAVID HARR SURVEY, ABSTRACT NO. 102
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

OWNER:
MEALS ON WHEELS
SENIOR SERVICES
OF ROCKWALL COUNTY
P.O. BOX 910
ROCKWALL, TEXAS 75087

OWNER:
CHRISTOPHER TOUOBOUN
1648 TROWBRIDGE CIR
ROCKWALL, TEXAS 75032

SYMBOL LEGEND	
⊗	TV
⊙	GAS
⊕	TEL
⊖	FIL
⊗	POW
⊙	TELEVISION
⊕	CABLE
⊖	ROSE
⊗	POLE
⊙	HOBBAT
⊕	POLE
⊖	POLE
⊗	BOX
⊙	ELEC
⊕	WATER
⊖	METER
⊗	BOX
⊙	SUBSURFACE
⊕	JUNCTION BOX
⊖	1/2" IRON ROD FOUND
⊗	1" IRON ROD FOUND
⊙	CORNER
---	EASEMENT LINE
---	Property Line

SURVEY DATE NOVEMBER 29, 2022
SCALE 1" = 50' FILE # 20200471-FP
CLIENT ARUPA HOLDINGS, LLC

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: 6/22/2023

PROJECT NUMBER: Z2023-030
PROJECT NAME: Zoning Change from AG to LI
SITE ADDRESS/LOCATIONS:

CASE CAPTION: Hold a public hearing to discuss and consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 1780 Airport Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Angelica Guevara	06/22/2023	Approved w/ Comments

06/22/2023: Z2023-030; Zoning Change from AG to LI at 1780 Airport Road
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 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 1780 Airport Road.

I.2 For questions or comments concerning this case please contact Angelica Guevara in the Planning Department at (972) 772-6438 or email aguevara@rockwall.com.

M.3 For reference, include the case number (Z2023-030) in the lower right-hand corner of all pages on future submittals.

I.4 According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the 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.5 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.6 Please review the attached Draft Ordinance prior to the June 27, 2023 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than July 5, 2023.

I.7 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 July 5, 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 July 11, 2023 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on June 27, 2023.

I.8 The projected City Council meeting dates for this case will be July 17, 2023 (1st Reading) and August 7, 2023 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	06/22/2023	Approved w/ Comments

06/22/2023: Informational comments.

General Items:

- 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 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 the existing system at the SE corner of John King and Airport.
- Must have a 20' drainage easement adjacent to Airport Road.

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). Must extend 8" sewer to western property line.
- 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.
- Sidewalks along Airport will be required

Landscaping:

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

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Craig Foshee	06/22/2023	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Angelica Guevara	06/22/2023	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	06/19/2023	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Angelica Guevara	06/22/2023	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	06/19/2023	Approved

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

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

NOTES:

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

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1770 + 1780 Airport Road

SUBDIVISION D. Harr Survey

Traff 2 Abstract 102

GENERAL LOCATION E of the intersection of S. John King Boulevard & Airport Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE Vacant

PROPOSED ZONING Light Industrial

PROPOSED USE _____

ACREAGE 6.21

LOTS [CURRENT] _____

1

LOTS [PROPOSED] _____

1

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 Dennis Lewis

APPLICANT Christopher Touboun

CONTACT PERSON _____

CONTACT PERSON _____

ADDRESS _____

ADDRESS 1628 Trowbridge Circle

Rockwall, TX, 75082

CITY, STATE & ZIP _____

CITY, STATE & ZIP _____

PHONE _____

PHONE 316-377-4770

E-MAIL _____

E-MAIL tsotezo@gmail.com

NOTARY VERIFICATION [REQUIRED]

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

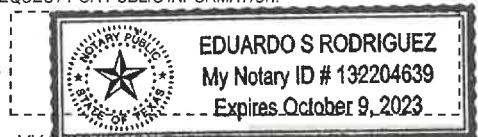
"I HEREBY CERTIFY THAT, I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$293.15 ~~2023~~ June 2023, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15 DAY OF June, 2023. BY SIGNING 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 15th DAY OF June, 2023

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

Eduardo S. Rodriguez

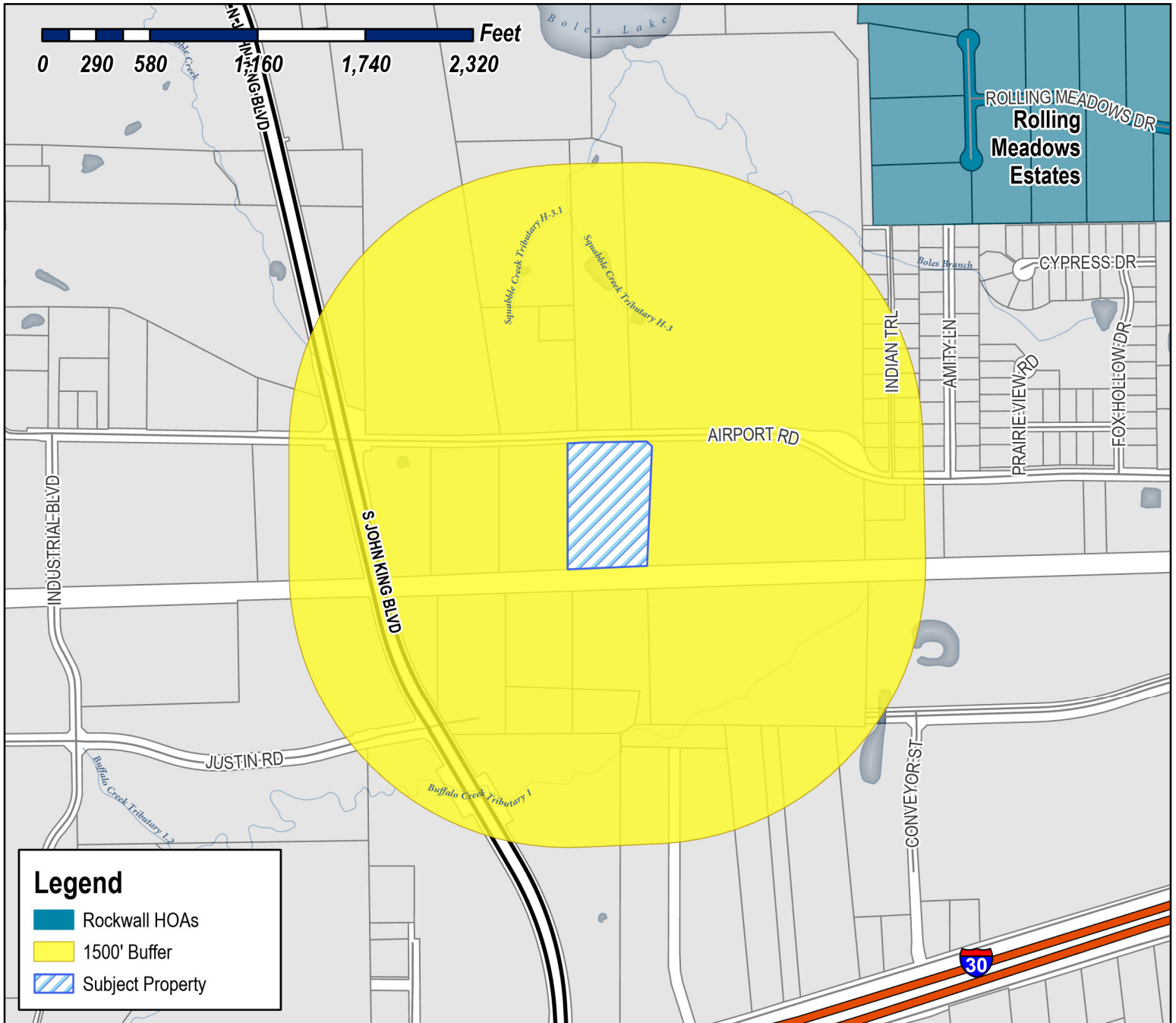




City of Rockwall

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

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



Case Number: Z2023-030
Case Name: Zoning Change from AG to LI
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: 1770 Airport Road

Date Saved: 6/19/2023
 For Questions on this Case Call (972) 771-7745

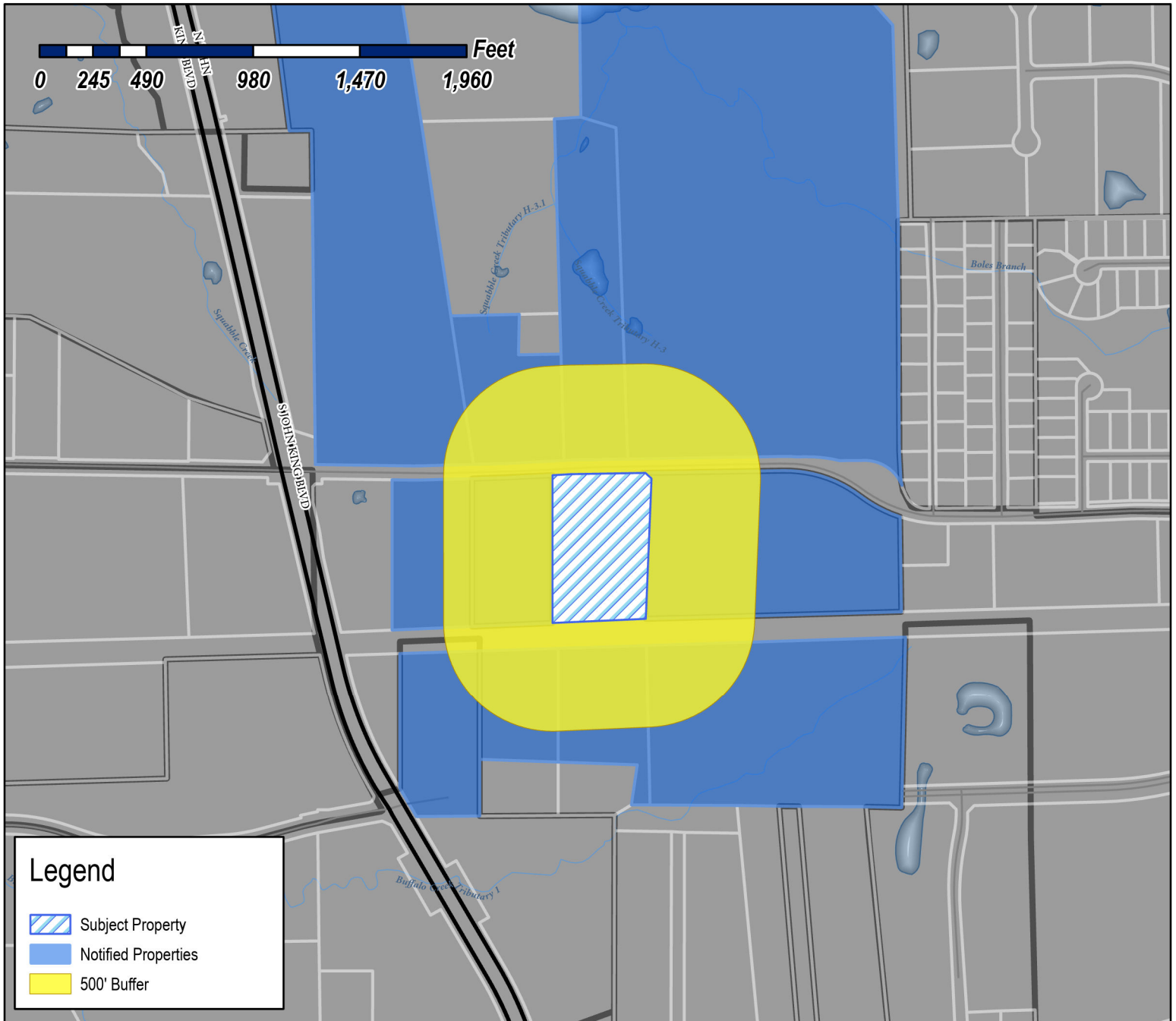




City of Rockwall

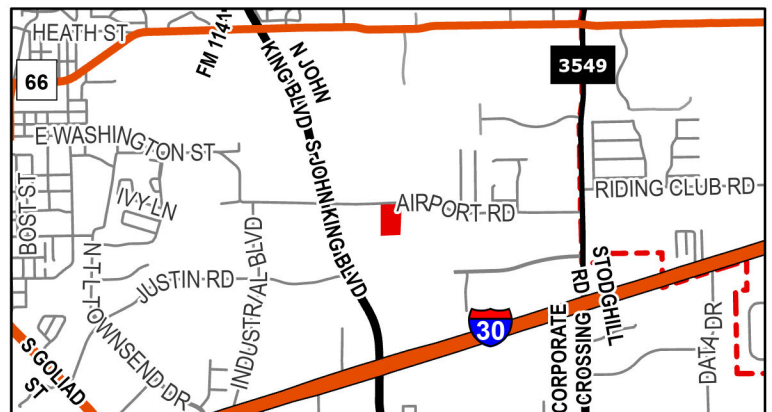
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RESIDENT
1701 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1765 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1780 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1815 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1820 JUSTIN RD
ROCKWALL, TX 75087

RESIDENT
1824 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

ATHEY JACKIE R
212 JOE WHITE
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH
306 EAST RUSK ST
ROCKWALL, TX 75087

BACKWARDS L LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

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

JCP JUSTIN LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

CITY OF ROCKWALL
385 S GOLIAD ST
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

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

PUBLIC NOTICE



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

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

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

Z2023-030: Zoning Change from AG to LI

Hold a public hearing to discuss and consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 1780 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, July 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 17, 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:

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

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

Your comments must be received by Monday, July 17, 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. Z2023-030: Zoning Change from AG to LI

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

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 [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	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
RESIDENTIAL AND LODGING LAND USES	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
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	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
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	(1)	(1)	P

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

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

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Commercial Antenna	(3)	(2)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	P
Mounted Commercial Antenna	(7)	(6)	P
Bus Charter Service and Service Facility	(8)		P
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		P
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Transit Passenger Facility	(18)		S
Trucking Company	(19)		P
TV Broadcasting and Other Communication Service	(20)		P
Utilities Holding a Franchise from the City of Rockwall	(21)		P
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		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 6.21-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4 AND ALL OF TRACT 2 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 Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 Article 05, *District Development Standards*, 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 7th DAY OF AUGUST, 2023.

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 17, 2023

2nd Reading: August 7, 2023

Exhibit 'A'
Legal Description

EXHIBIT A

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 a part of Tract D-1 described in a deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the south line of Airport Road, said point also being at the northeast corner of a 0.70 acres tract of land as described in a Warranty deed to Arupa Holdings, LLC, dated January 21, 2021 and being recorded in Document number 20210000001559 of the Official Public Records of Rockwall County, Texas;

THENCE N. 89 deg 46 min. 28 sec. E. along the south line of Airport Road, a distance of 253.27 feet to a 1/2" iron rod found for corner at the northwest corner of said tract as recorded in Deed to Jo Ann Athey and Jackie Ray Athey, as recorded in Document no. 20200000022373 of the Official Public Records of Rockwall County, Texas,

THENCE S. 01 deg. 11 min. 10 sec. W. a distance of 686.93 feet to a 1/2" iron rod found for corner in the north right-of-way of Union Pacific Railroad, at the southeast corner of Tract D-1;

THENCE S. 89 deg. 12 min. 30 sec. W. along said right-of-way line, a distance of 371.89 feet to a 1/2" iron rod found for corner at the southwest corner of said Tract D-1;

THENCE N. 00 deg. 13 min. 58 sec. E. along the west boundary line of said tract, a distance of 455.85 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the southwest corner of said 0.70 acres tract of land;

THENCE N. 89 deg. 46 min. 28 sec. E. a distance of 130.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the southeast corner of said 0.70 acres tract of land;

THENCE N. 00 deg. 13 min. 58 sec. E. a distance of 234.56 feet to the POINT OF BEGINNING and containing 5.27 acres of land.

Exhibit 'A'
Legal Description

EXHIBIT A

BEING a 0.940 acre tract of land situated in the **DAVID HARR SURVEY, ABSTRACT NO. 102**, in the City Rockwall, Rockwall County, Texas, being a portion of that certain tract of land described in a deed to Ruby L. Athey, recorded in Volume 254, Page 916, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the northwest corner of a tract of land described in a deed to RBB/GCF Properties, LP, recorded in Volume 6690, Page 217, Deed Records, Rockwall County, Texas, said point being in the south right-of-way line of Airport Road (a variable width public right-of-way);

THENCE S 47°15'09" E, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 38.73 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for corner;

THENCE S 04°48'43" W, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 665.73 feet to a 1/2 inch iron rod found for the southwest corner of said RBB/GCF Properties, LP tract, said point being in the north right-of-way line of M. K. & T. Railroad;

THENCE S 89°37'27" W, crossing said Ruby L. Athey tract, a distance of 32.02 feet to a 1/2 inch iron rod found for corner, said point being the southeast corner of a tract of land described in a deed to Jackie Ray Athey, recorded in Volume 4875, Page 140, Deed Records, Rockwall County, Texas;

THENCE N 00°10'05" E, crossing said Ruby L. Athey tract, and along the east line of said Jackie Ray Athey tract, a distance of 638.17 feet to a 1/2 inch iron rod with cap stamped "BRITTON & CRAWFORD" set for corner, said point being in the south right-of-way line of said Airport Road;

THENCE N 88°17'24" E, crossing said Ruby L. Athey tract, a distance of 57.43 feet to the **POINT OF BEGINNING** and containing 40,959 square feet or 0.940 acres of land more or less.



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: July 11, 2023
APPLICANT: Christopher Touoboun
CASE NUMBER: Z2023-030; *Zoning Change from Agricultural (AG) District to a Light Industrial (LI) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 1780 Airport Road, and take any action necessary.

BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [i.e. Case No. A1998-001]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to Rockwall Central Appraisal District, there was an 1,892-SF single-family residential home that was constructed on the property in 1975; however, according to the newest aerial images, the residential home has been removed from the subject property. Staff could not find a demolition permit for this removal. The subject property is currently vacant.

PURPOSE

On June 16, 2023, the applicant -- *Christopher Touoboun* -- 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 1780 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 one (1) tract of land (*i.e. Tract 22 of the D. Harr Survey, Abstract No. 102*). Beyond this is a 42.66-acre vacant tract of land (*i.e. Tract 7 of the D. Harr Survey, Abstract No. 102*) that forms part of a 43.66-acre tract of land zoned Agricultural (AG) District. North of this is E. State Highway 66, which is classified as a P6D (*i.e. principal arterial, six (6) lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

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 2-2 of the D Harr. Survey, Abstract No. 102*). Beyond this is a vacant two (2) acre tract of land (*i.e. Tract 2-8, 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 16.89-acre tract of land (*i.e. Tract 4 of the D. Harr Survey, Abstract No. 102*) zoned Light Industrial District. Beyond this are two (2) tracts of land (*i.e. 1890 and 1930 Airport Road*), which are

developed with the Blackland Water Supply Pump Station and the other with a single-family home. Both of these lots are zoned Agricultural (AG) District. East of this is an 8.415-acre tract of land (i.e. *Tract 25-01 of the E.M. Elliot Survey, Abstract No. 77*) that is zoned Agricultural (AG) District.

West: Directly west of the subject property is a 6.177-acre tract of vacant land (i.e. *Tract 2-01 of the D. Harr Survey, Abstract No. 102*), which is zoned Agricultural (AG) District and belongs to *Rockwall Presbyterian Church*. Beyond this 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 Agricultural (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. 102*) 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.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 6.21-acre parcel of land from an Agricultural (AG) District to a Light Industrial (LI) District. It should be noted, that if this zoning change 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.

CONFORMANCE WITH 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.” In this case, the properties adjacent to the subject property are zoned Light Industrial (LI) and Agricultural (AG) District. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant’s zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Light Industrial (LI) District, which are summarized as follows:

TABLE 1: LIGHT INDUSTRIAL (LI) DISTRICT DEVELOPMENT 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> ⁽¹⁾	25’
<i>Minimum Side Yard Setback</i> ^{(2) & (3)}	15’ + ½ Height Over 36’
<i>Minimum Rear Yard Setback</i> ^{(2) & (3)}	10’
<i>Minimum Between Buildings</i> ^{(2) & (3)}	15’ + ½ Height Over 36’
<i>Maximum Building Height</i> ⁽⁴⁾	60’
<i>Maximum Building Size</i>	N/A
<i>Maximum Lot Coverage</i>	60%
<i>Minimum Landscaping</i>	15%

General Notes:

- ^{1:} From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- ^{2:} Not to exceed 50-feet.
- ^{3:} ½ Height Over 36-feet with a fire rated wall.
- ^{4:} 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.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is designated for Technology/Employment Center land uses. The Central District is defined as being “...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.” Based on this the proposed zoning change conforms to the Technology/Employment Center land use designation and with the District Strategies of the Central District.

NOTIFICATIONS

On June 22, 2023, staff notified 16 property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOA) 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 written, staff had not received any notices in regard to the applicant's request.

CONDITIONS OF APPROVAL

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

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



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1770 + 1780 Airport Road

SUBDIVISION D. Harr Survey

Traff 2 Abstract 102

GENERAL LOCATION E of the intersection of S. John King Boulevard & Airport Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE Vacant

PROPOSED ZONING Light Industrial

PROPOSED USE _____

ACREAGE 6.21

LOTS [CURRENT] _____

1

LOTS [PROPOSED] _____

1

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 Dennis Lewis

APPLICANT Christopher Touboun

CONTACT PERSON _____

CONTACT PERSON _____

ADDRESS _____

ADDRESS 1628 Trowbridge Circle

Rockwall, TX, 75082

CITY, STATE & ZIP _____

CITY, STATE & ZIP _____

PHONE _____

PHONE 316-377-4770

E-MAIL _____

E-MAIL tsotezo@gmail.com

NOTARY VERIFICATION [REQUIRED]

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

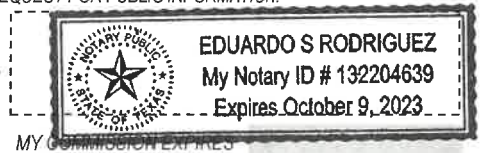
"I HEREBY CERTIFY THAT, I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$293.15 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15 DAY OF June, 2023. BY SIGNING THIS APPLICATION, 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."

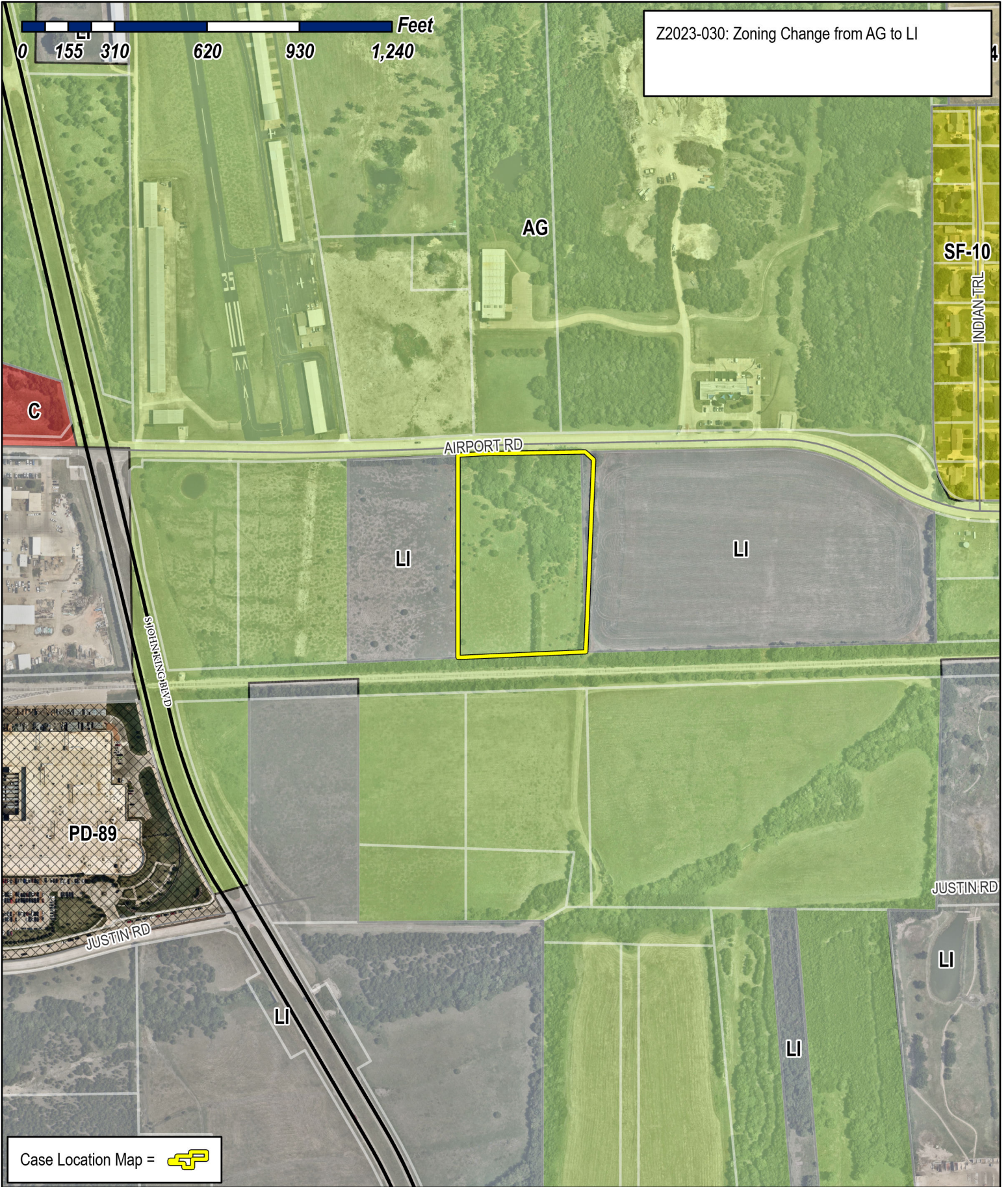
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15th DAY OF June, 2023

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

Eduardo S. Rodriguez





Z2023-030: Zoning Change from AG to LI

0 155 310 620 930 1,240 Feet

AG

SF-10

INDIAN TRL

AIRPORT RD

LI

LI

DURRBIN SPRINGS

PD-89

JUSTIN RD

JUSTIN RD

LI

LI

LI

Case Location Map = 



City of Rockwall

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

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

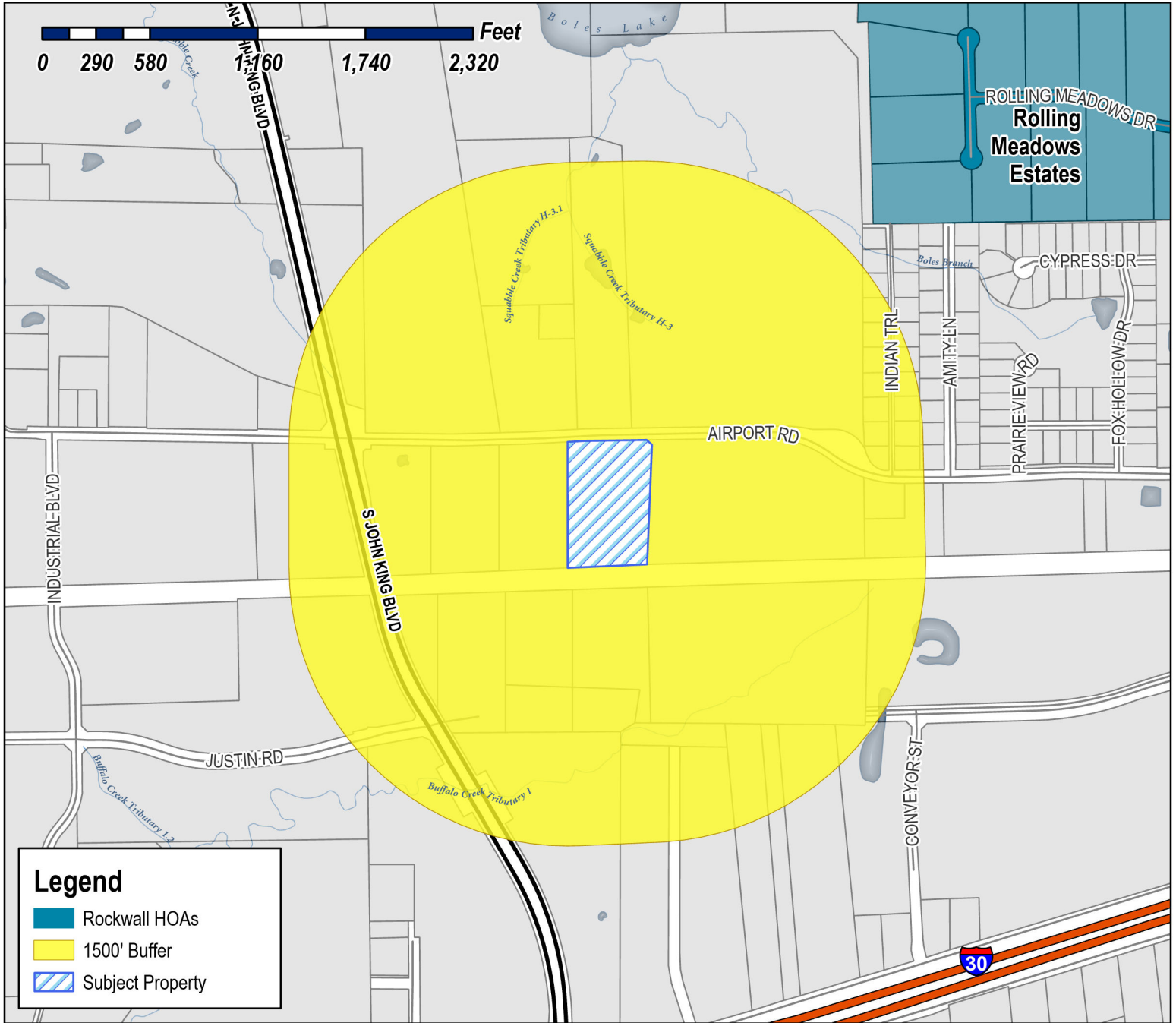




City of Rockwall

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Case Number: Z2023-030
Case Name: Zoning Change from AG to LI
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: 1770 Airport Road

Date Saved: 6/19/2023
 For Questions on this Case Call (972) 771-7745

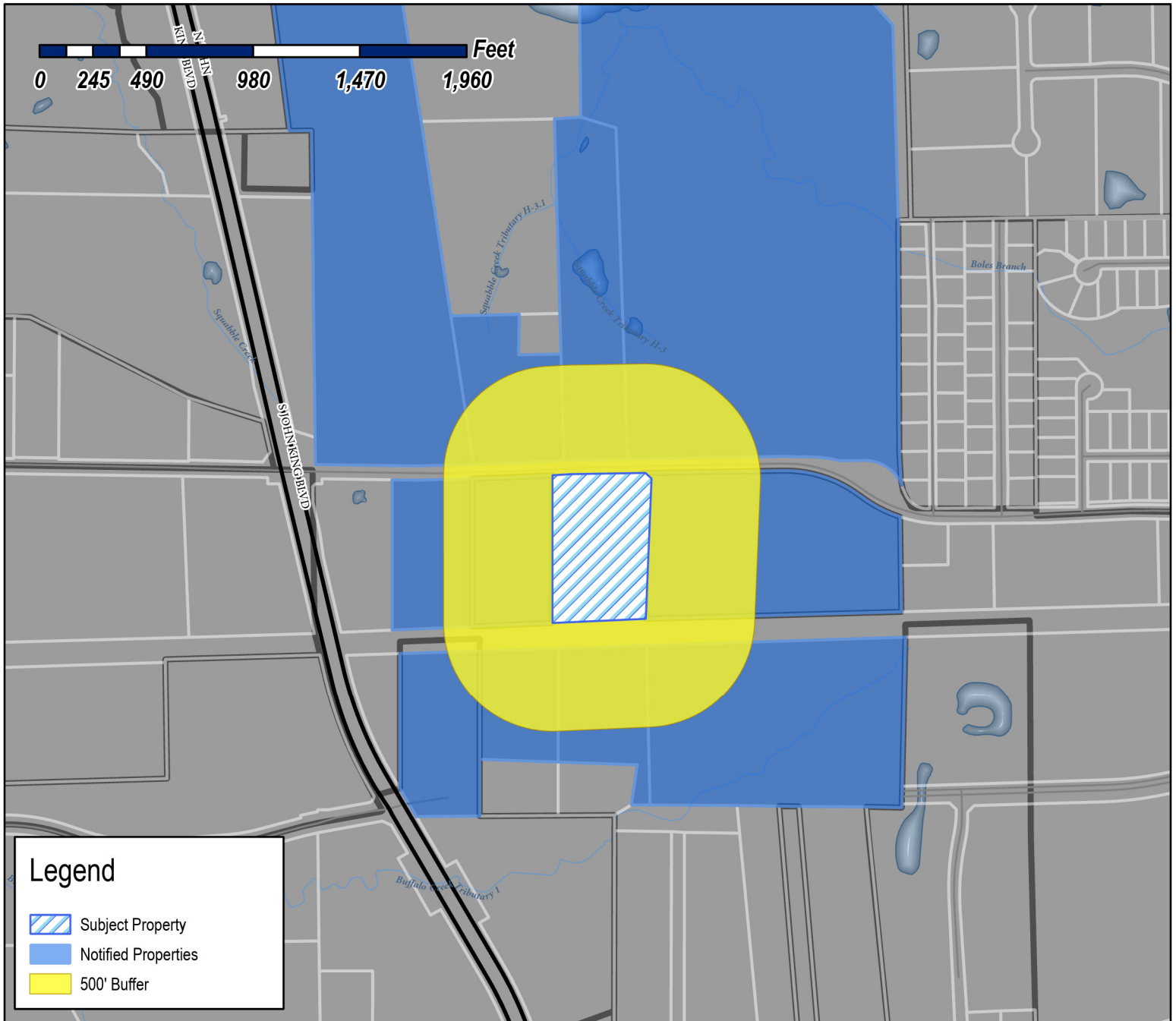




City of Rockwall

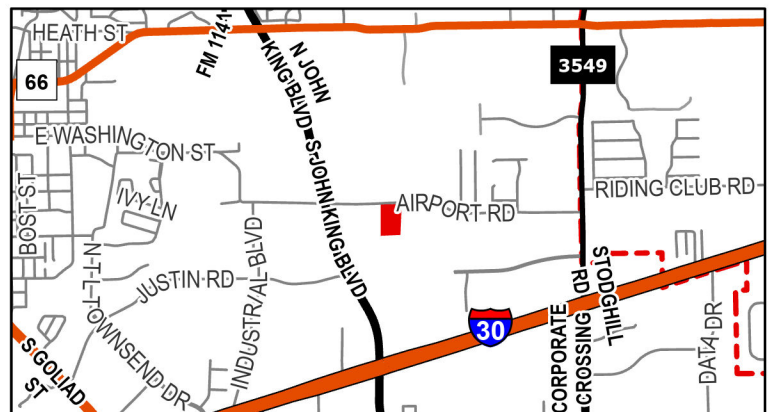
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Case Number: Z2023-030
Case Name: Zoning Change from AG to LI
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: 1770 Airport Road

Date Saved: 6/19/2023
 For Questions on this Case Call: (972) 771-7746



RESIDENT
1701 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1765 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1780 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1815 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1820 JUSTIN RD
ROCKWALL, TX 75087

RESIDENT
1824 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

ATHEY JACKIE R
212 JOE WHITE
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH
306 EAST RUSK ST
ROCKWALL, TX 75087

BACKWARDS L LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

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

JCP JUSTIN LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

CITY OF ROCKWALL
385 S GOLIAD ST
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

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

PUBLIC NOTICE



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

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

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

Z2023-030: Zoning Change from AG to LI

Hold a public hearing to discuss and consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 1780 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, July 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 17, 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:

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

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

Your comments must be received by Monday, July 17, 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. Z2023-030: Zoning Change from AG to LI

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

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 [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	LIGHT INDUSTRIAL (LI) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	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
RESIDENTIAL AND LODGING LAND USES	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
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	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
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	(1)	(1)	P

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	LIGHT INDUSTRIAL (LI) DISTRICT
Commercial Antenna	(3)	(2)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	P
Mounted Commercial Antenna	(7)	(6)	P
Bus Charter Service and Service Facility	(8)		P
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		P
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Transit Passenger Facility	(18)		S
Trucking Company	(19)		P
TV Broadcasting and Other Communication Service	(20)		P
Utilities Holding a Franchise from the City of Rockwall	(21)		P
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		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 6.21-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4 AND ALL OF TRACT 2 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 Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 Article 05, *District Development Standards*, 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 7th DAY OF AUGUST, 2023.

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 17, 2023

2nd Reading: August 7, 2023

Exhibit 'A'
Legal Description

EXHIBIT A

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 a part of Tract D-1 described in a deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the south line of Airport Road, said point also being at the northeast corner of a 0.70 acres tract of land as described in a Warranty deed to Arupa Holdings, LLC, dated January 21, 2021 and being recorded in Document number 20210000001559 of the Official Public Records of Rockwall County, Texas;

THENCE N. 89 deg 46 min. 28 sec. E. along the south line of Airport Road, a distance of 253.27 feet to a 1/2" iron rod found for corner at the northwest corner of said tract as recorded in Deed to Jo Ann Athey and Jackie Ray Athey, as recorded in Document no. 20200000022373 of the Official Public Records of Rockwall County, Texas,

THENCE S. 01 deg. 11 min. 10 sec. W. a distance of 686.93 feet to a 1/2" iron rod found for corner in the north right-of-way of Union Pacific Railroad, at the southeast corner of Tract D-1;

THENCE S. 89 deg. 12 min. 30 sec. W. along said right-of-way line, a distance of 371.89 feet to a 1/2" iron rod found for corner at the southwest corner of said Tract D-1;

THENCE N. 00 deg. 13 min. 58 sec. E. along the west boundary line of said tract, a distance of 455.85 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the southwest corner of said 0.70 acres tract of land;

THENCE N. 89 deg. 46 min. 28 sec. E. a distance of 130.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the southeast corner of said 0.70 acres tract of land;

THENCE N. 00 deg. 13 min. 58 sec. E. a distance of 234.56 feet to the POINT OF BEGINNING and containing 5.27 acres of land.

Exhibit 'A'
Legal Description

EXHIBIT A

BEING a 0.940 acre tract of land situated in the **DAVID HARR SURVEY, ABSTRACT NO. 102**, in the City Rockwall, Rockwall County, Texas, being a portion of that certain tract of land described in a deed to Ruby L. Athey, recorded in Volume 254, Page 916, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the northwest corner of a tract of land described in a deed to RBB/GCF Properties, LP, recorded in Volume 6690, Page 217, Deed Records, Rockwall County, Texas, said point being in the south right-of-way line of Airport Road (a variable width public right-of-way);

THENCE S 47°15'09" E, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 38.73 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for corner;

THENCE S 04°48'43" W, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 665.73 feet to a 1/2 inch iron rod found for the southwest corner of said RBB/GCF Properties, LP tract, said point being in the north right-of-way line of M. K. & T. Railroad;

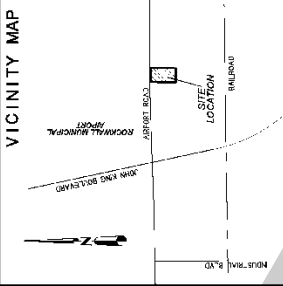
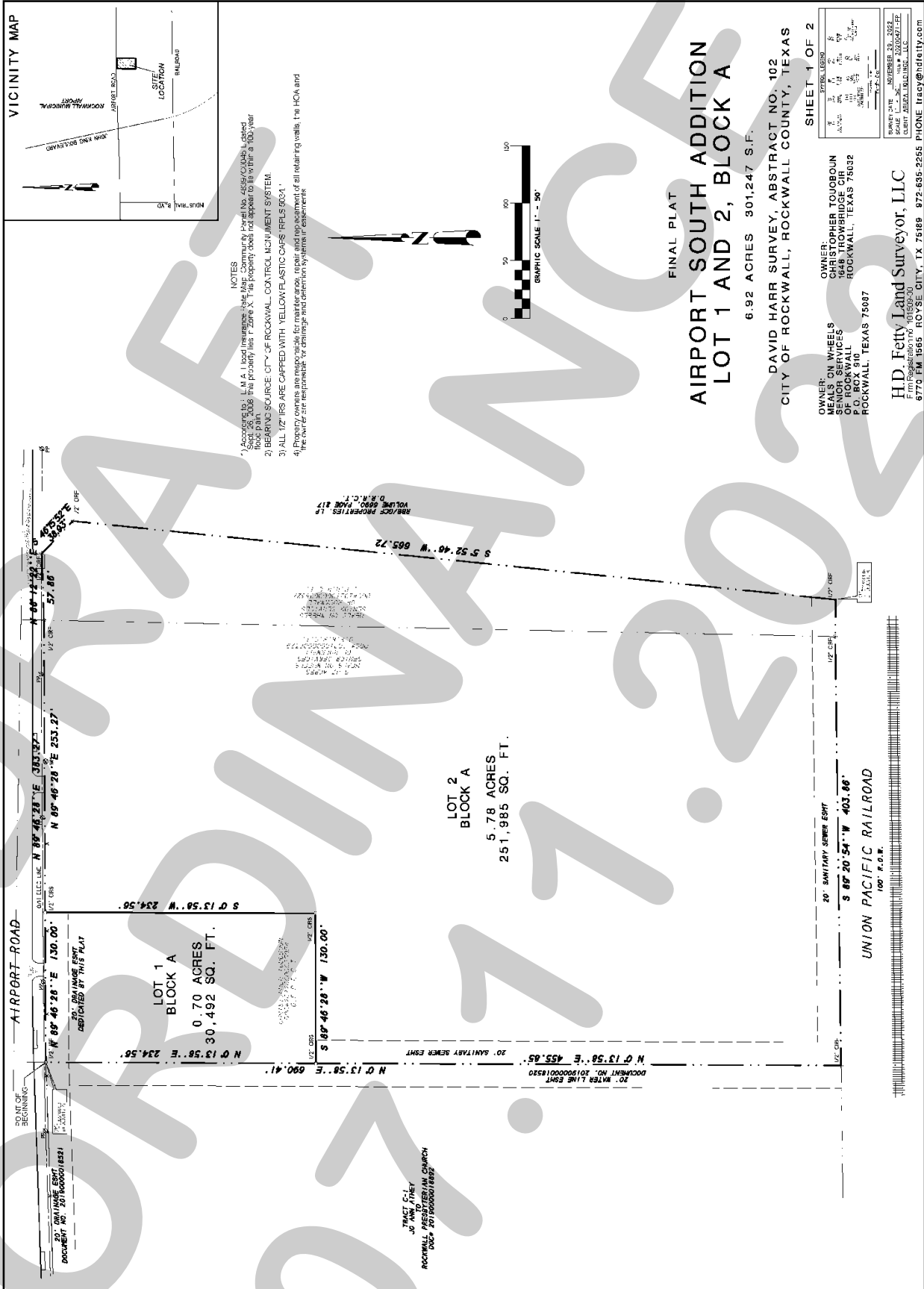
THENCE S 89°37'27" W, crossing said Ruby L. Athey tract, a distance of 32.02 feet to a 1/2 inch iron rod found for corner, said point being the southeast corner of a tract of land described in a deed to Jackie Ray Athey, recorded in Volume 4875, Page 140, Deed Records, Rockwall County, Texas;

THENCE N 00°10'05" E, crossing said Ruby L. Athey tract, and along the east line of said Jackie Ray Athey tract, a distance of 638.17 feet to a 1/2 inch iron rod with cap stamped "BRITTON & CRAWFORD" set for corner, said point being in the south right-of-way line of said Airport Road;

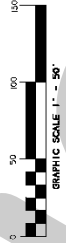
THENCE N 88°17'24" E, crossing said Ruby L. Athey tract, a distance of 57.43 feet to the **POINT OF BEGINNING** and containing 40,959 square feet or 0.940 acres of land more or less.

Exhibit 'B'

Zoning Exhibit



- NOTES**
- 1) According to L.M.A. field measurements, the Community Parcel No. 4582, C/O.D.S. Limited, located at 10000 E. 173rd St., Dallas, Texas, is not adjacent to the property as shown on the plat.
 - 2) BEARING SOURCE: CITY OF ROCKWALL - CONTROL ACQUISITION SYSTEM.
 - 3) ALL 1/2" IRIS ARE CAPPED WITH YELLOW PLASTIC CAPS (RFLS 6004).
 - 4) Property owners are responsible for maintenance, repair and replacement of all retaining walls, the HOAs and the HOA's are responsible for drainage and detention systems in easements.



FINAL PLAT

AIRPORT SOUTH ADDITION

LOT 1 AND 2, BLOCK A

6.92 ACRES 301,247 S.F.
 DAVID HARR SURVEY, ABSTRACT NO. 102
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

DATE	NOVEMBER 23, 2022
SCALE	AS SHOWN
BY	H.D. FETTY, LLC
PROJECT	DAVID HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, TEXAS
OWNER	MEALS ON WHEELS SENIOR SERVICES
ADDRESS	1848 TROWBRIDGE CIR, ROCKWALL, TEXAS 75082
PHONE	972-251-1111
FAX	972-251-1111
EMAIL	tracy@hdfetty.com

OWNER:
 MEALS ON WHEELS
 SENIOR SERVICES
 1848 TROWBRIDGE CIR
 ROCKWALL, TEXAS 75082
 P.O. BOX 810
 ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC
 Firm Registration No. 01050000
 8770 FM 1985, ROCKWALL, TEXAS 75087
 PHONE: 972-251-1111



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: July 17, 2023
APPLICANT: Christopher Touoboun
CASE NUMBER: Z2023-030; *Zoning Change from Agricultural (AG) District to a Light Industrial (LI) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 1780 Airport Road, and take any action necessary.

BACKGROUND

The subject property was annexed on March 16, 1998 by *Ordinance No. 98-10 [i.e. Case No. A1998-001]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to Rockwall Central Appraisal District, there was an 1,892-SF single-family residential home that was constructed on the property in 1975; however, according to the newest aerial images, the residential home has been removed from the subject property. Staff could not find a demolition permit for this removal. The subject property is currently vacant.

PURPOSE

On June 16, 2023, the applicant -- *Christopher Touoboun* -- 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 1780 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 one (1) tract of land (*i.e. Tract 22 of the D. Harr Survey, Abstract No. 102*). Beyond this is a 42.66-acre vacant tract of land (*i.e. Tract 7 of the D. Harr Survey, Abstract No. 102*) that forms part of a 43.66-acre tract of land zoned Agricultural (AG) District. North of this is E. State Highway 66, which is classified as a P6D (*i.e. principal arterial, six (6) lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

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 2-2 of the D Harr. Survey, Abstract No. 102*). Beyond this is a vacant two (2) acre tract of land (*i.e. Tract 2-8, 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 16.89-acre tract of land (*i.e. Tract 4 of the D. Harr Survey, Abstract No. 102*) zoned Light Industrial District. Beyond this are two (2) tracts of land (*i.e. 1890 and 1930 Airport Road*), which are

developed with the Blackland Water Supply Pump Station and the other with a single-family home. Both of these lots are zoned Agricultural (AG) District. East of this is an 8.415-acre tract of land (i.e. *Tract 25-01 of the E.M. Elliot Survey, Abstract No. 77*) that is zoned Agricultural (AG) District.

West: Directly west of the subject property is a 6.177-acre tract of vacant land (i.e. *Tract 2-01 of the D. Harr Survey, Abstract No. 102*), which is zoned Agricultural (AG) District and belongs to *Rockwall Presbyterian Church*. Beyond this 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 Agricultural (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. 102*) 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.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 6.21-acre parcel of land from an Agricultural (AG) District to a Light Industrial (LI) District. It should be noted, that if this zoning change 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.

CONFORMANCE WITH 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.” In this case, the properties adjacent to the subject property are zoned Light Industrial (LI) and Agricultural (AG) District. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant’s zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Light Industrial (LI) District, which are summarized as follows:

TABLE 1: LIGHT INDUSTRIAL (LI) DISTRICT DEVELOPMENT 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> ⁽¹⁾	25’
<i>Minimum Side Yard Setback</i> ^{(2) & (3)}	15’ + ½ Height Over 36’
<i>Minimum Rear Yard Setback</i> ^{(2) & (3)}	10’
<i>Minimum Between Buildings</i> ^{(2) & (3)}	15’ + ½ Height Over 36’
<i>Maximum Building Height</i> ⁽⁴⁾	60’
<i>Maximum Building Size</i>	N/A
<i>Maximum Lot Coverage</i>	60%
<i>Minimum Landscaping</i>	15%

General Notes:

- ^{1:} From future right-of-way as shown on the adopted Master Thoroughfare Plan or as actually exists, whichever is greater.
- ^{2:} Not to exceed 50-feet.
- ^{3:} ½ Height Over 36-feet with a fire rated wall.
- ^{4:} 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.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Central District and is designated for Technology/Employment Center land uses. The Central District is defined as being “...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.” Based on this the proposed zoning change conforms to the Technology/Employment Center land use designation and with the District Strategies of the Central District.

NOTIFICATIONS

On June 22, 2023, staff notified 16 property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOA) 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 written, staff had not received any notices in regard to the applicant's request.

CONDITIONS OF APPROVAL

If City Council chooses to approve 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) 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 July 11, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 6-0, with Commissioner Conway absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE)¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE)^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE)¹

OTHER APPLICATION FEES:

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

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.
²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1770 + 1780 Airport Road

SUBDIVISION D. Harr Survey

Traff 2 Abstract 102

GENERAL LOCATION E of the intersection of S. John King Boulevard & Airport Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Agricultural

CURRENT USE Vacant

PROPOSED ZONING Light Industrial

PROPOSED USE _____

ACREAGE 6.21

LOTS [CURRENT] _____

1

LOTS [PROPOSED] _____

1

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 Dennis Lewis

APPLICANT Christopher Touboun

CONTACT PERSON _____

CONTACT PERSON _____

ADDRESS _____

ADDRESS 1628 Trowbridge Circle

Rockwall, TX, 75032

CITY, STATE & ZIP _____

CITY, STATE & ZIP _____

PHONE _____

PHONE 316-377-4770

E-MAIL _____

E-MAIL tsotezo@gmail.com

NOTARY VERIFICATION [REQUIRED]

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

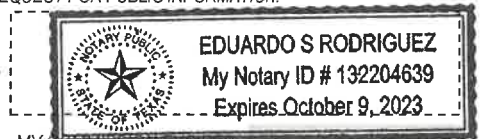
"I HEREBY CERTIFY THAT, I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$293.15 ~~2023~~ June 2023, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15 DAY OF June, 2023. BY SIGNING 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 15th DAY OF June, 2023

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

Eduardo S. Rodriguez

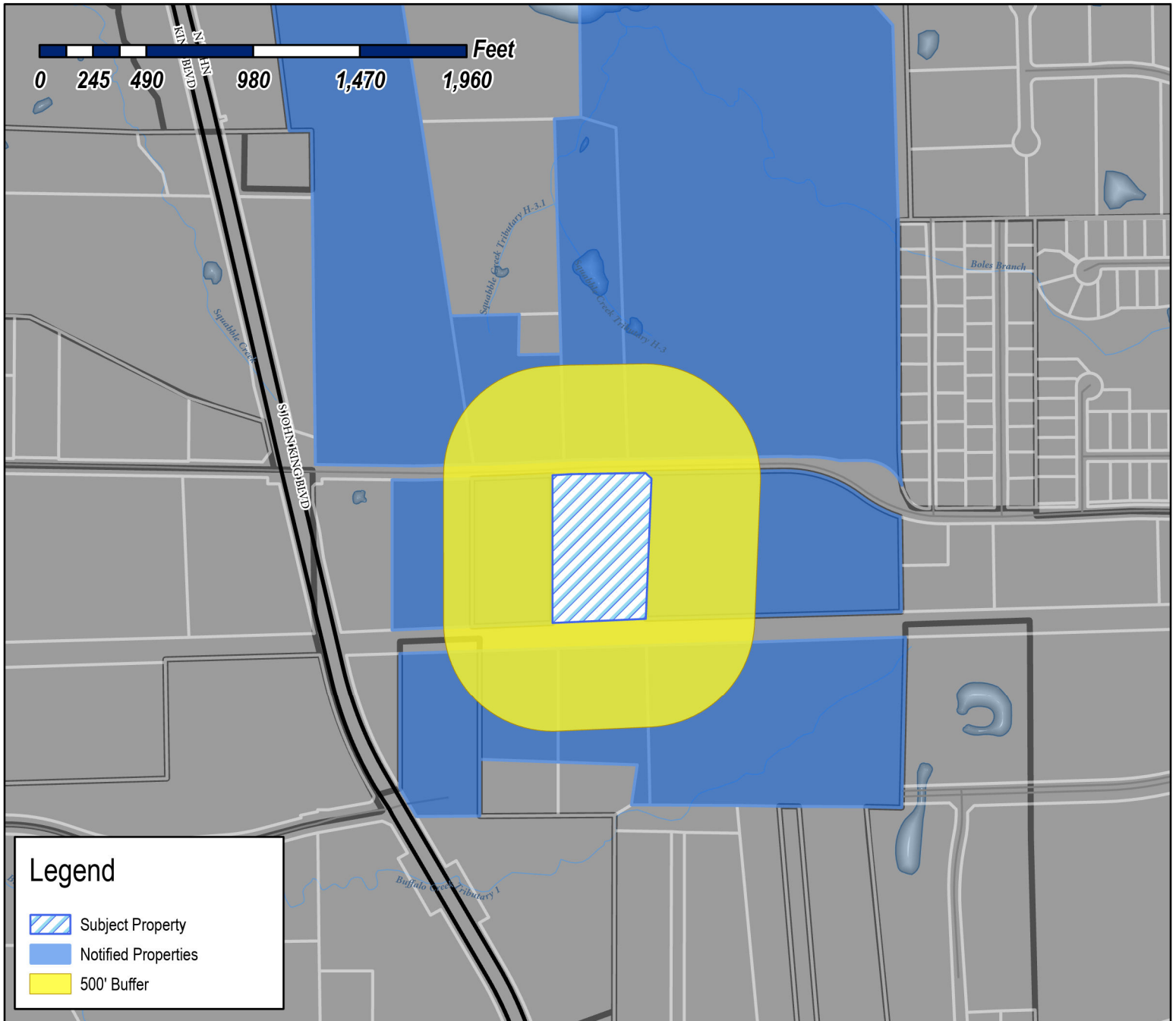




City of Rockwall

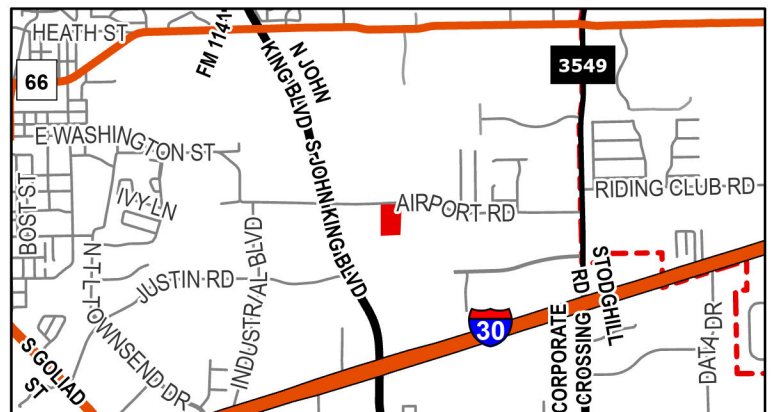
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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



Case Number: Z2023-030
Case Name: Zoning Change from AG to LI
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: 1770 Airport Road

Date Saved: 6/19/2023
 For Questions on this Case Call: (972) 771-7746



RESIDENT
1701 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1765 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1780 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1815 AIRPORT RD
ROCKWALL, TX 75087

RESIDENT
1820 JUSTIN RD
ROCKWALL, TX 75087

RESIDENT
1824 AIRPORT RD
ROCKWALL, TX 75087

CITY OF ROCKWALL
205 W RUSK ST
ROCKWALL, TX 75087

ATHEY JACKIE R
212 JOE WHITE
ROCKWALL, TX 75087

ROCKWALL PRESBYTERIAN CHURCH
306 EAST RUSK ST
ROCKWALL, TX 75087

BACKWARDS L LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

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

JCP JUSTIN LLC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

CITY OF ROCKWALL
385 S GOLIAD ST
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

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

PUBLIC NOTICE



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

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

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

Z2023-030: Zoning Change from AG to LI

Hold a public hearing to discuss and consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 1780 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, July 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 17, 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:

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

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

Your comments must be received by Monday, July 17, 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. Z2023-030: Zoning Change from AG to LI

Please place a check mark on the appropriate line below:

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

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

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

Name: [Grey input box]

Address: [Grey input box]

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

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

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 [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses	LIGHT INDUSTRIAL (LI) DISTRICT
AGRICULTURAL AND ANIMAL RELATED LAND USES	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
RESIDENTIAL AND LODGING LAND USES	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
INSTITUTIONAL AND COMMUNITY SERVICE LAND USES	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
OFFICE AND PROFESSIONAL LAND USES	2.02(D)	2.03(D)	
Financial Institution with Drive-Through	(1)	(1)	P

LEGEND:

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

LEGEND:

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S	Land Use Permitted Specific Use Permit (SUP)
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A	Land Use Permitted as an Accessory Use

PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

LEGEND:

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PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

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

PERMITTED LAND USES IN AN LIGHT INDUSTRIAL (LI) DISTRICT

LAND USE SCHEDULE	LAND USE DEFINITION REFERENCE [Reference Article 13, Definitions]	CONDITIONAL USE REFERENCE Reference Article 04, Permissible Uses]	LIGHT INDUSTRIAL (LI) DISTRICT
Commercial Antenna	(3)	(2)	S
Antenna, for an Amateur Radio	(4)	(3)	A
Antenna Dish	(5)	(4)	A
Commercial Freestanding Antenna	(6)	(5)	P
Mounted Commercial Antenna	(7)	(6)	P
Bus Charter Service and Service Facility	(8)		P
Helipad	(9)		S
Utilities (<i>Non-Municipally Owned or Controlled</i>), Including Sanitary Landfill, Water Treatment, and Supply, and Wastewater Treatment	(10)		S
Municipally Owned or Controlled Facilities, Utilities and Uses	(11)		P
Private Streets	(12)		S
Radio Broadcasting	(13)		P
Railroad Yard or Shop	(14)		S
Recording Studio	(15)		P
Satellite Dish	(16)		A
Solar Energy Collector Panels and Systems	(17)	(7)	A
Transit Passenger Facility	(18)		S
Trucking Company	(19)		P
TV Broadcasting and Other Communication Service	(20)		P
Utilities Holding a Franchise from the City of Rockwall	(21)		P
Utility Installation Other than Listed	(22)		S
Utility/Transmission Lines	(23)		S
Wireless Communication Tower	(24)		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 6.21-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4 AND ALL OF TRACT 2 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 Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels for the approval of a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 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 Article 05, *District Development Standards*, 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 7th DAY OF AUGUST, 2023.

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: July 17, 2023

2nd Reading: August 7, 2023

Exhibit 'A'
Legal Description

EXHIBIT A

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 a part of Tract D-1 described in a deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the south line of Airport Road, said point also being at the northeast corner of a 0.70 acres tract of land as described in a Warranty deed to Arupa Holdings, LLC, dated January 21, 2021 and being recorded in Document number 20210000001559 of the Official Public Records of Rockwall County, Texas;

THENCE N. 89 deg 46 min. 28 sec. E. along the south line of Airport Road, a distance of 253.27 feet to a 1/2" iron rod found for corner at the northwest corner of said tract as recorded in Deed to Jo Ann Athey and Jackie Ray Athey, as recorded in Document no. 20200000022373 of the Official Public Records of Rockwall County, Texas,

THENCE S. 01 deg. 11 min. 10 sec. W. a distance of 686.93 feet to a 1/2" iron rod found for corner in the north right-of-way of Union Pacific Railroad, at the southeast corner of Tract D-1;

THENCE S. 89 deg. 12 min. 30 sec. W. along said right-of-way line, a distance of 371.89 feet to a 1/2" iron rod found for corner at the southwest corner of said Tract D-1;

THENCE N. 00 deg. 13 min. 58 sec. E. along the west boundary line of said tract, a distance of 455.85 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the southwest corner of said 0.70 acres tract of land;

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THENCE N. 00 deg. 13 min. 58 sec. E. a distance of 234.56 feet to the POINT OF BEGINNING and containing 5.27 acres of land.

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Legal Description

EXHIBIT A

BEING a 0.940 acre tract of land situated in the **DAVID HARR SURVEY, ABSTRACT NO. 102**, in the City Rockwall, Rockwall County, Texas, being a portion of that certain tract of land described in a deed to Ruby L. Athey, recorded in Volume 254, Page 916, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the northwest corner of a tract of land described in a deed to RBB/GCF Properties, LP, recorded in Volume 6690, Page 217, Deed Records, Rockwall County, Texas, said point being in the south right-of-way line of Airport Road (a variable width public right-of-way);

THENCE S 47°15'09" E, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 38.73 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for corner;

THENCE S 04°48'43" W, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 665.73 feet to a 1/2 inch iron rod found for the southwest corner of said RBB/GCF Properties, LP tract, said point being in the north right-of-way line of M. K. & T. Railroad;

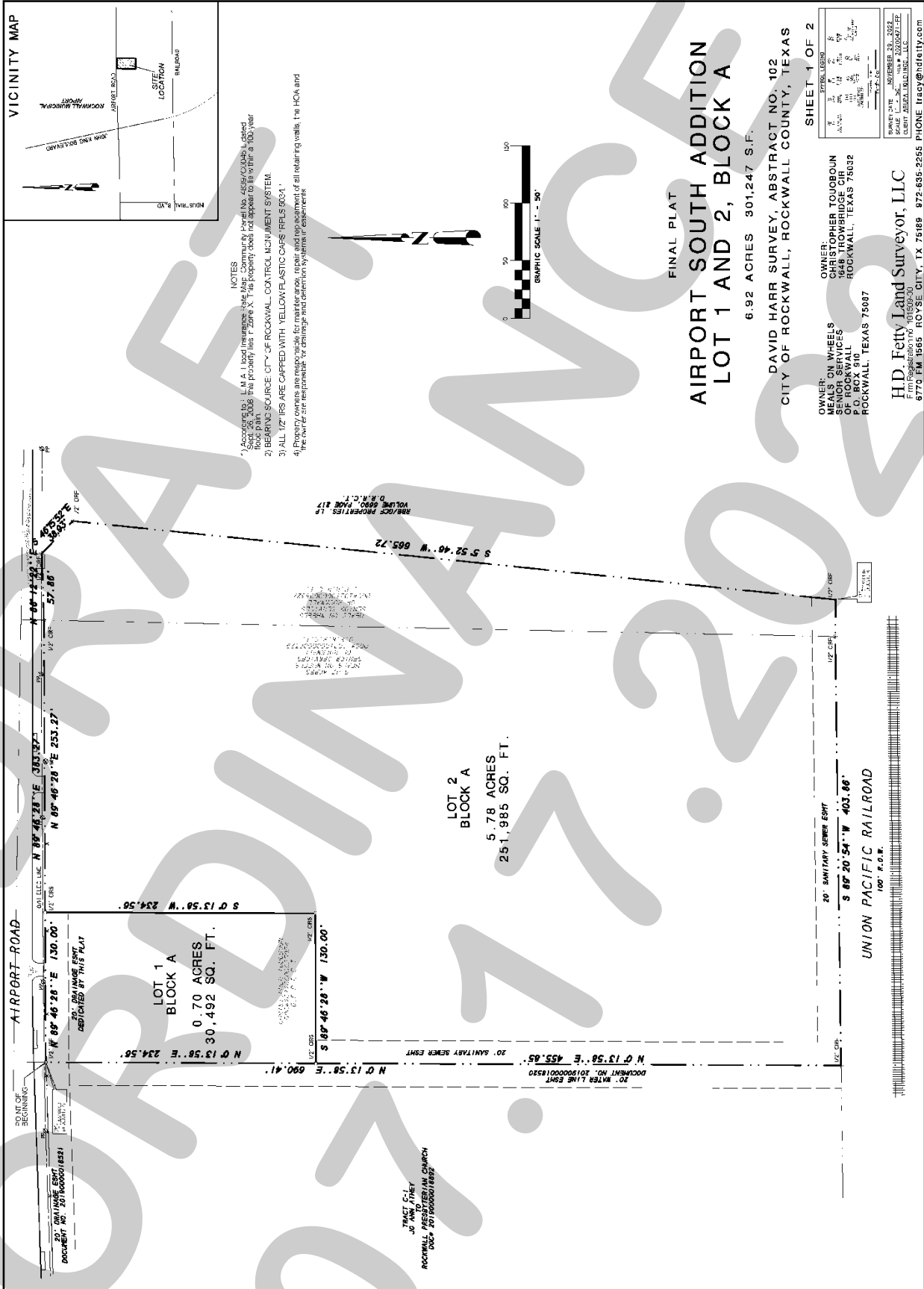
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THENCE N 00°10'05" E, crossing said Ruby L. Athey tract, and along the east line of said Jackie Ray Athey tract, a distance of 638.17 feet to a 1/2 inch iron rod with cap stamped "BRITTON & CRAWFORD" set for corner, said point being in the south right-of-way line of said Airport Road;

THENCE N 88°17'24" E, crossing said Ruby L. Athey tract, a distance of 57.43 feet to the **POINT OF BEGINNING** and containing 40,959 square feet or 0.940 acres of land more or less.

Exhibit 'B'

Zoning Exhibit





August 16, 2023

TO: Christopher Touoboun
1648 Trowbridge Circle
Rockwall, TX 75032

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

SUBJECT: Z2023-030; *Zoning Change from AG to LI*

Mr. Touoboun:

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 August 7, 2023. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

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

Planning and Zoning Commission

On July 11, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Zoning Change by a vote of 6-0, with Commissioner Conway absent.

City Council

On July 17, 2023, the City Council approved a motion to approve the Zoning Change by a vote of 6-0.

On August 7, 2023, the City Council approved a motion to approve the Zoning Change by a vote of 6-0, with Council Member Lewis abstaining.

Included with this letter is a copy of *Ordinance No. 23-41*, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 772-6438.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ague', is placed above the typed name.

Angelica Guevara
Planning Technician
City of Rockwall Planning and Zoning Department

CITY OF ROCKWALL

ORDINANCE NO. 23-41

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 6.21-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4 AND ALL OF TRACT 2 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.

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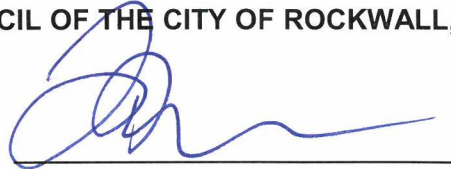
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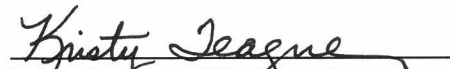
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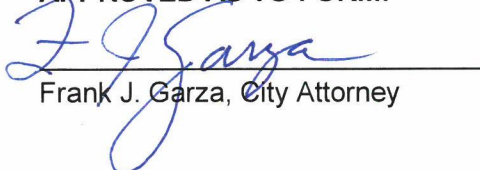


Trace Johannesen, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney

1st Reading: July 17, 2023

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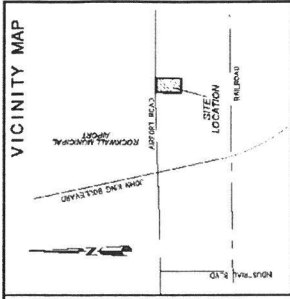
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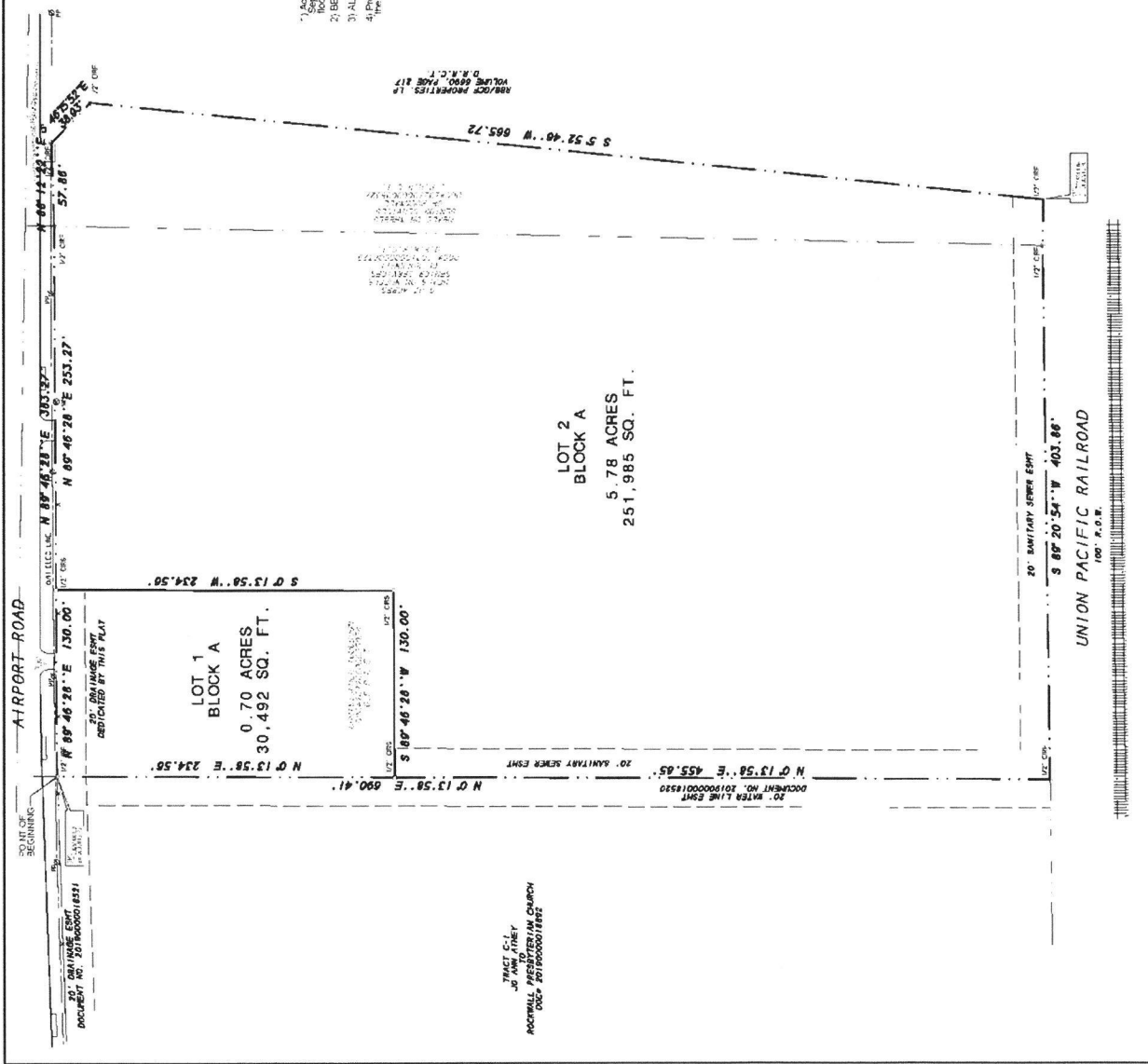
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Exhibit 'B'
Zoning Exhibit



- NOTES
- 1) ACCORDING TO L.M.A. I load insurance rate (Rate Community Panel No. 46384/Cable L dated 10/20/08) this property lies in Zone X. This property does not appear to have a 100-year flood zone.
 - 2) BEARING SOURCE: CITY OF ROCKWALL - CONTROL ACQUISITION SYSTEM
 - 3) ALL LOT LINES ARE CAPPED WITH YELLOW PLASTIC CAPS PERLS 5004.
 - 4) THIS SURVEY IS SUBJECT TO ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS OF ALL REGULATING AGENCIES, THE HOA AND THE COURTS. THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THE INTENTED PURPOSES OF THIS SURVEY.



FINAL PLAT
AIRPORT SOUTH ADDITION
LOT 1 AND 2, BLOCK A

6.92 ACRES 301,247 S.F.
 DAVID HARR SURVEY, ABSTRACT NO. 102
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

OWNER	MEALS ON WHEELS SENIOR SERVICES OF ROCKWALL
OWNER ADDRESS	1648 TROWBRIDGE CIR ROCKWALL, TEXAS 75082
OWNER PHONE	972-988-1111
OWNER FAX	972-988-1111
OWNER EMAIL	meals@meals.org
OWNER WEBSITE	www.meals.org
DATE OF SURVEY	NOVEMBER 10, 2012
SCALE	1" = 50'
CITY	ROCKWALL, TEXAS
COUNTY	ROCKWALL COUNTY, TEXAS

OWNER:
 MEALS ON WHEELS SENIOR SERVICES OF ROCKWALL
 1648 TROWBRIDGE CIR
 ROCKWALL, TEXAS 75082

OWNER'S ATTORNEY:
 H.D. Fetty Land Surveyor, LLC
 6770 FM 1965, ROYSE CITY, TX 75089 972-635-3255 PHONE
 tracy@hdfetty.com