



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 PLANELEVATIONS/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 Not assigned yet

SUBDIVISION Dalton Goliad Addition

LOT 8&9

BLOCK A

GENERAL LOCATION West side of S.H. 205 two lots north of Dalton Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR w/N SH 205 Overlay

CURRENT USE Vacant

PROPOSED ZONING Same

PROPOSED USE Retail/Rest. Shopping Center

ACREAGE 1.93

LOTS [CURRENT] 2

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 Kennor Rockwall Retail, LLC

APPLICANT Vasquez Engineering, LLC

CONTACT PERSON Shane Shoulders

CONTACT PERSON Juan J. Vasquez

ADDRESS 8848 Greenville Ave.

ADDRESS 1919 S. Shiloh Road

Suite 440

CITY, STATE & ZIP Dallas, TX 75243

CITY, STATE & ZIP Garland, TX 75042

PHONE 903-819-1208

PHONE 972-278-2948

E-MAIL sshoulders@sbcglobal.net

E-MAIL jvasquez@vasquezengineering.com

NOTARY VERIFICATION [REQUIRED]

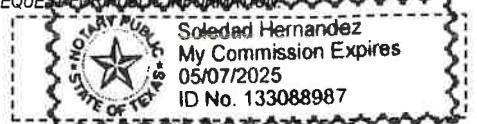
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED David Shane Shoulders [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 228.95 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF August, 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 17th DAY OF August, 2023

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 05/07/2025



**Letter of Intent
Kennor Rockwall Retail**

Our client Kennor Rockwall Retail, LLC is proposing to replat lots 8 & 9, Block A of the Dalton Goliad Addition into one lot in order to develop two 6,300 SF commercial buildings for retail and restaurant uses. The southernmost building will have a restaurant with drive thru window. The lots are located at approximately 560 feet from the northwest corner of S.H. No. 205 and Dalton Road and are currently vacant. The development is approximately 1.93 acres and is zoned "GR" General Retail District, which requires a Special Use Permit for restaurant uses with drive thru window.

Owner/Developer:

Kennor Rockwall Retail, LLC
Attn: Shane Shoulders
8848 Greenville Ave.
Dallas, TX 75243

Metes and Bounds Description

BEING all that certain 1.927 acre situated in the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, and being Lots 8 and 9, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the replat recorded in under Clerk's File No. 20210000014665, Map Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod with red plastic cap stamped "Peiser & Mankin SURV" found (hereinafter referred to as ½ inch iron rod with red cap found) for the northeast corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas, same being in the westerly right-of-way line of State Highway No. 205 (called 100 foot right-of-way), same being the beginning of a curve to the right, having a radius of 2805.03 feet and a delta angle of 04 deg. 41 min. 34 sec.;

THENCE along said curve to the right, and along the common line of said Lot 8 and said State Highway No. 205, passing a ½ inch iron rod with red cap found for the southeast corner of said Lot 8, same being the northeast corner of aforesaid Lot 9, and continuing along the common line of said Lot 9 and said State Highway No. 205, a total arc distance of 229.74 feet and a chord bearing and distance of South 03 deg. 19 min. 43 sec. East, 229.68 feet to a ½ inch iron rod with red cap found for angle point;

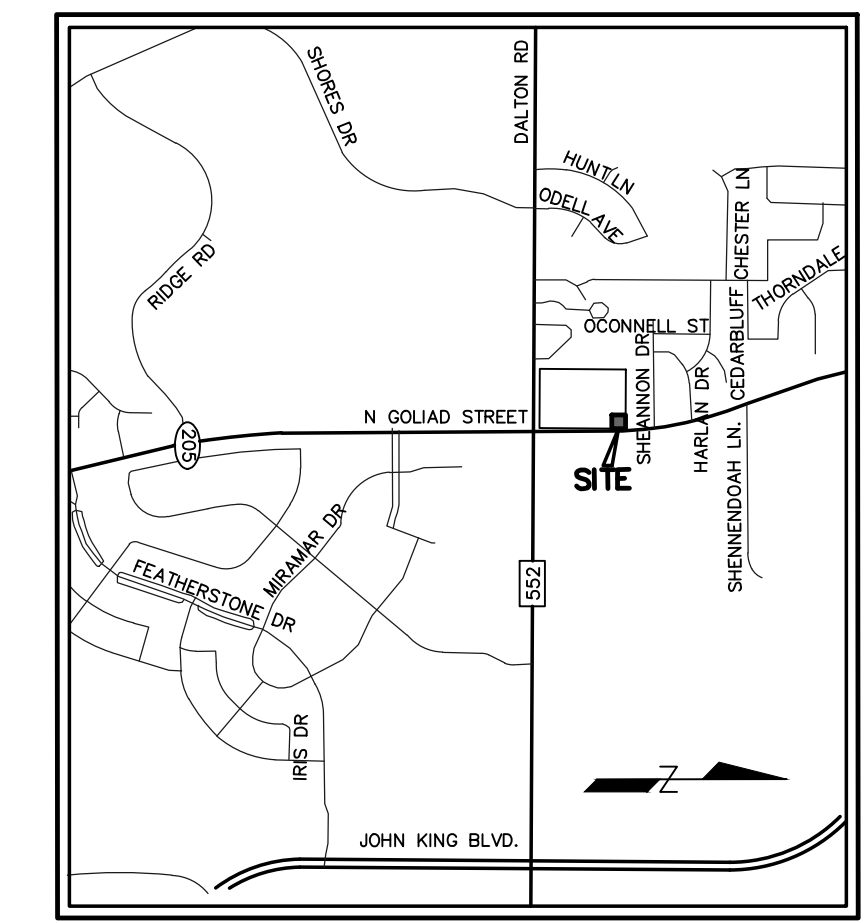
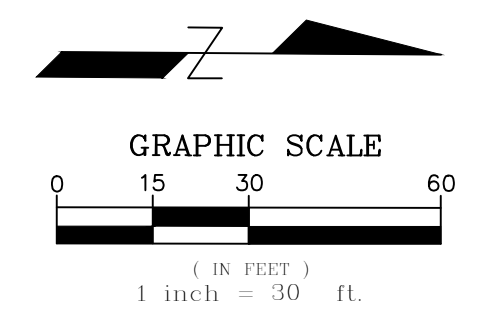
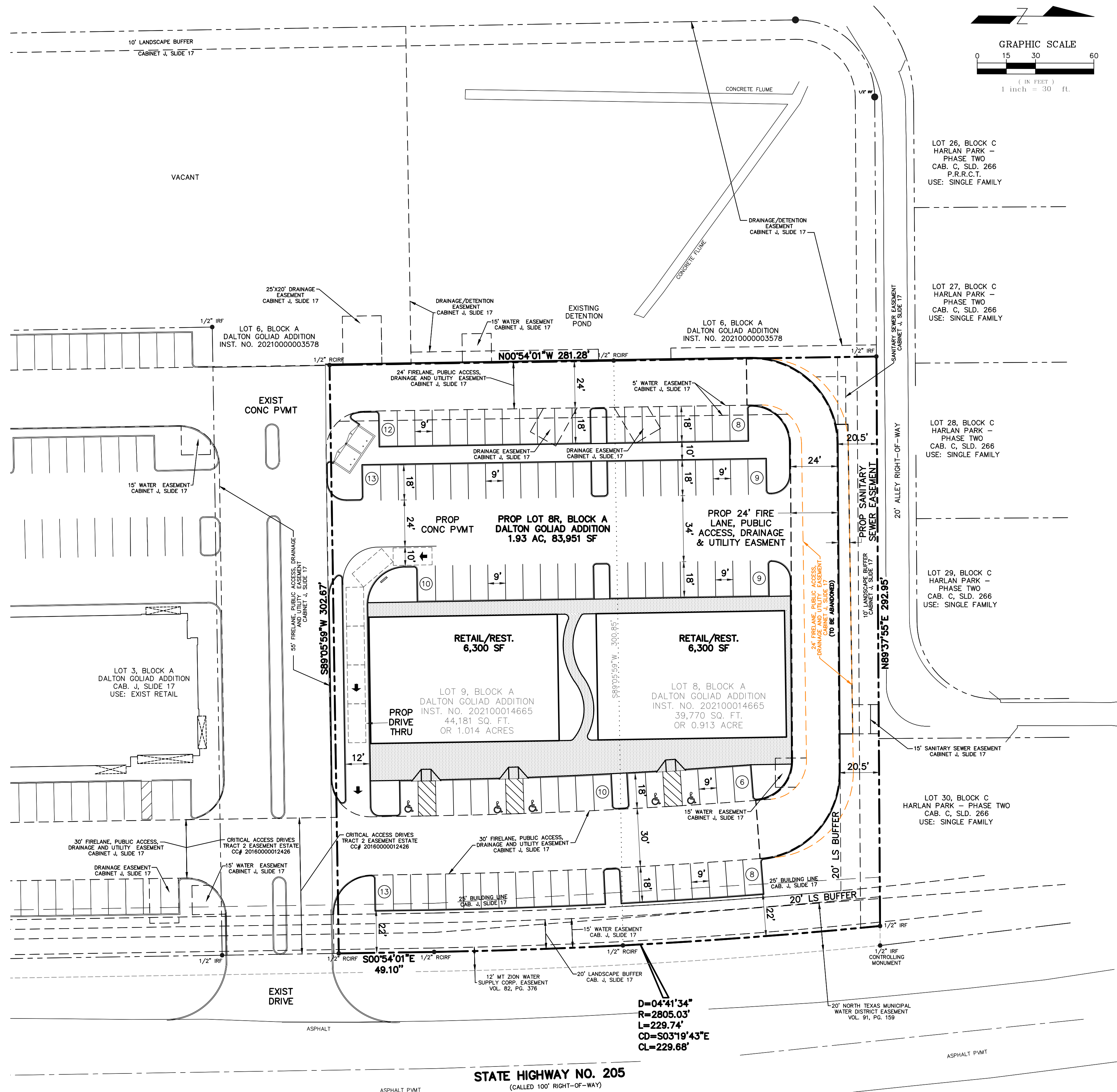
THENCE South 00 deg. 54 min. 01 sec. East, continuing along the common line of said Lot 9 and said State Highway No. 205, a distance of 49.10 feet to a ½ inch iron rod with red cap found for the southeast corner of said Lot 9, same being the most easterly northeast corner of Lot 6, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Instrument Number 20210000003578, aforesaid Official Public Records;

THENCE along the common line of said Lots 9 and 6 as follows:

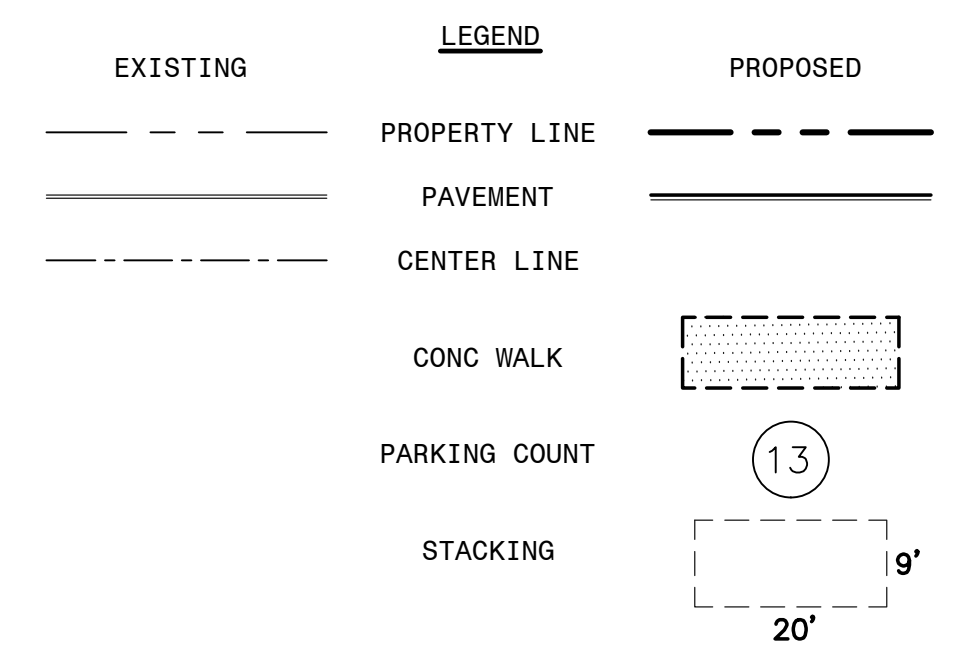
South 89 deg. 05 min. 59 sec. West, a distance of 302.67 feet to a ½ inch iron rod with red cap found for the southwest corner of said Lot 9;

North 00 deg. 54 min. 01 sec. West, passing at a distance of 146.18 feet, a ½ inch iron rod with red cap found for the northeast corner of said Lot 9, same being the southwest corner of aforesaid Lot 8, and continuing along the common line of said Lot 8 and said Lot 6, a total distance of 281.28 feet to the ½ inch iron rod with red cap found for the northwest corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas;

THENCE North 89 deg. 37 min. 55 sec. East, along the common line of said Lot 8 and said Block C, a distance of 292.95 feet to the POINT OF BEGINNING and containing 83,951 square feet or 1.927 acres of computed land, more or less.



LOCATION MAP
N.T.S.



NOTES
1. TOPOGRAPHY SURVEY PREPARED BY PEISER & MANKIN SURVEYING, LLC., DATED 06/28/2023.

SITE SUMMARY TABLE	
Site Address	GOLIAD
County	ROCKWALL
Project Name	KENNOR ROCKWALL RETAIL
Zoning District	GR W/N. SH 205 OVERLAY DISTRICT
Proposed use	RETAIL/REST.
Site Area:	1.93 Acres 83,951 S.F.
Building Area	12,600 S.F.
Building Height:	1 Story
Lot Coverage:	12,600 / 83,951 = 15.00%
Floor Area Ratio:	12,600 S.F. / 83,951 = 1:15.00
Parking Required Building:	12,600 S.F.
	RETAIL 1 SPCS/250 SF (5,600 SF/250) = 23 SPACES
	REST. 1 SPCS/100 SF (7,000 SF/100) = 70 SPACES
Total Parking Required:	= 93 SPACES
Parking Provided:	REGULAR = 93 SPACES
	ACCESSIBLE = 5 SPACES
	TOTAL = 98 SPACES
Impervious Area:	64,825 S.F.
Impervious Area Ratio:	64,825 S.F. / 83,951 = 77.22%
Pervious Area Ratio:	19,126 S.F. / 83,951 = 22.78%

OWNER/DEVELOPER:
KENNOR ROCKWALL RETAIL, LLC.
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243
PHONE: 903-819-1208
CONTACT: SHANE SHOULDERS

ENGINEER:
VASQUEZ ENGINEERING, L.L.C.
1919 S. SHILOH ROAD, SUITE 440
GARLAND, TEXAS 75042
PHONE: 972-272-4610
CONTACT: JUAN J. VASQUEZ, P.E.

CONCEPT PLAN
KENNOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
1.93 ACRES
ROCKWALL, ROCKWALL COUNTY, TEXAS
AUGUST 18, 2023
CASE #SP2023-XXX

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-272-2948
TX Registration # F-12286

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT TO BE USED FOR BIDDING PURPOSES WITHOUT THE WRITTEN CONSENT OF VASQUEZ ENGINEERING, L.L.C. DATED 08/18/2023. VASQUEZ ENGINEERING, L.L.C. TX REG. F-12286

DEVELOPER:
KENNOR ROCKWALL RETAIL, LLC
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243

CONCEPT PLAN
KENNOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
CITY OF ROCKWALL, TX.

Scale: 1" = 30'
Designed by: JJV
Drawn by: DRS
Checked by: JJV
720-01DWGCP1000000000.dwg
Date: 08/18/2023

SHEET
CP1



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OWNER Kennor Rockwall Retail, LLC

APPLICANT Vasquez Engineering, LLC

CONTACT PERSON Shane Shoulders

CONTACT PERSON Juan J. Vasquez

ADDRESS 8848 Greenville Ave.

ADDRESS 1919 S. Shiloh Road

Suite 440

CITY, STATE & ZIP Dallas, TX 75243

CITY, STATE & ZIP Garland, TX 75042

PHONE 903-819-1208

PHONE 972-278-2948

E-MAIL sshoulders@sbcglobal.net

E-MAIL jvasquez@vasquezengineering.com

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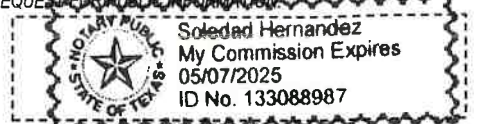
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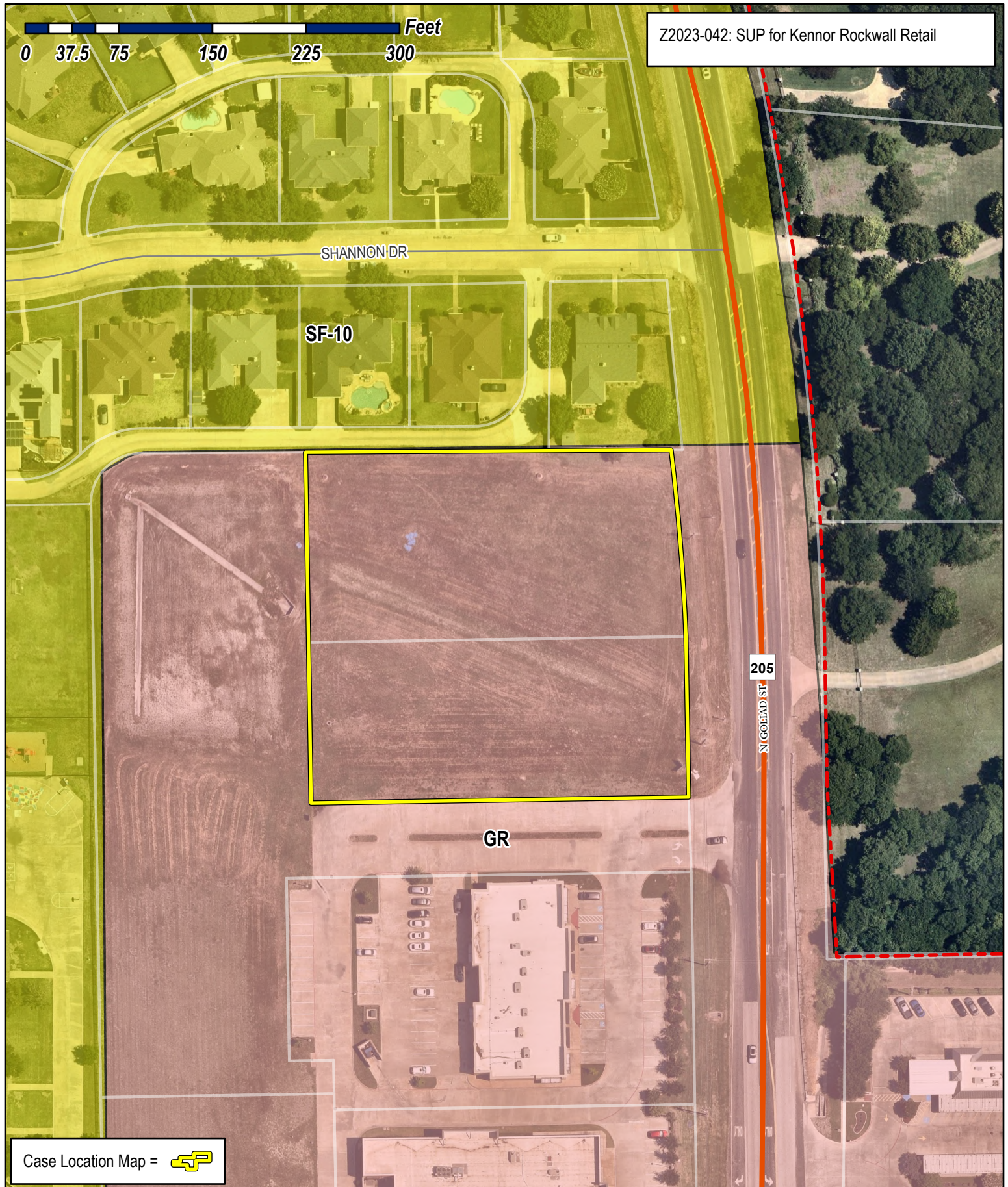
OWNER'S SIGNATURE

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MY COMMISSION EXPIRES 05/07/2025

Z2023-042: SUP for Kennor Rockwall Retail



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.

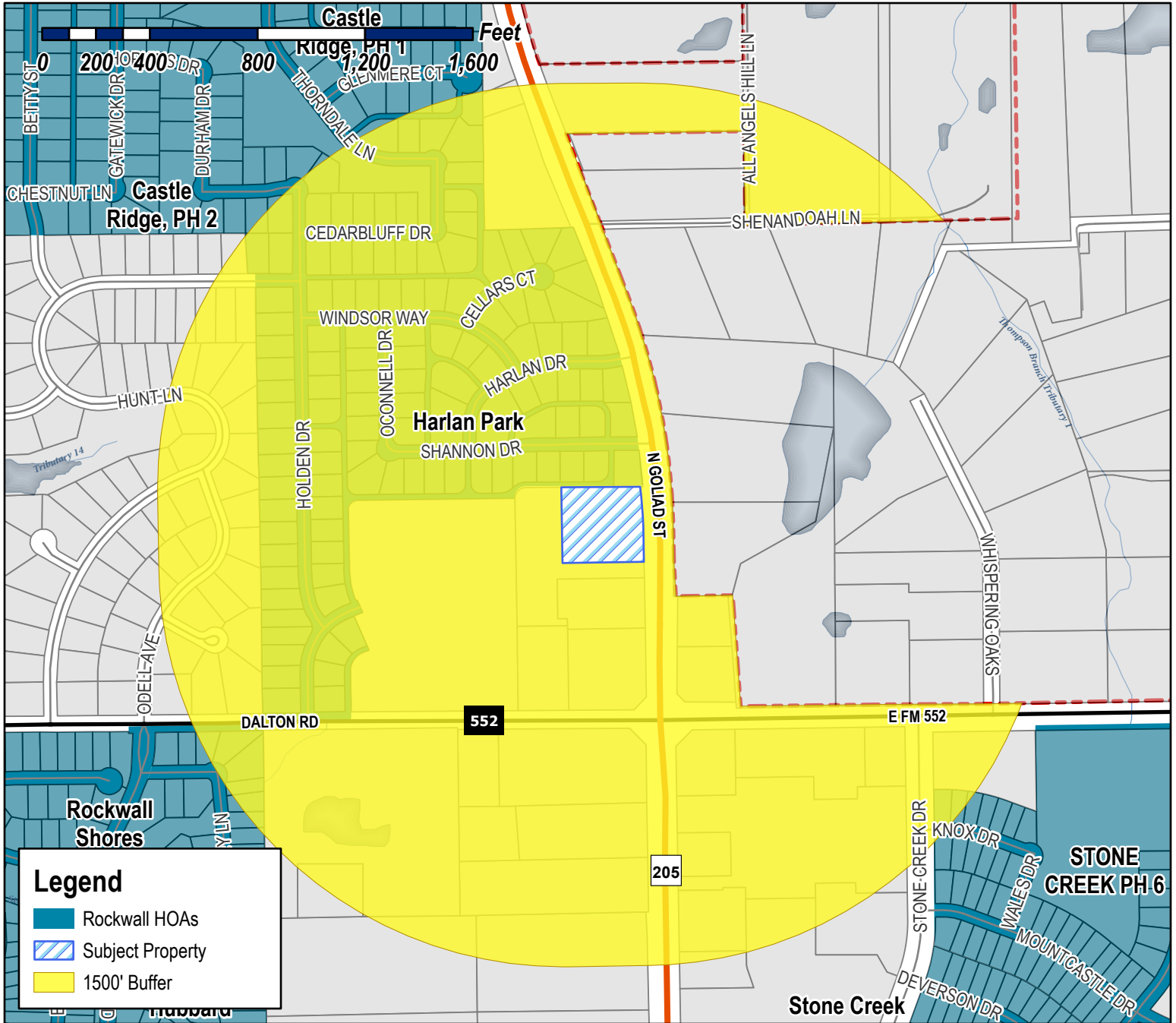




City of Rockwall

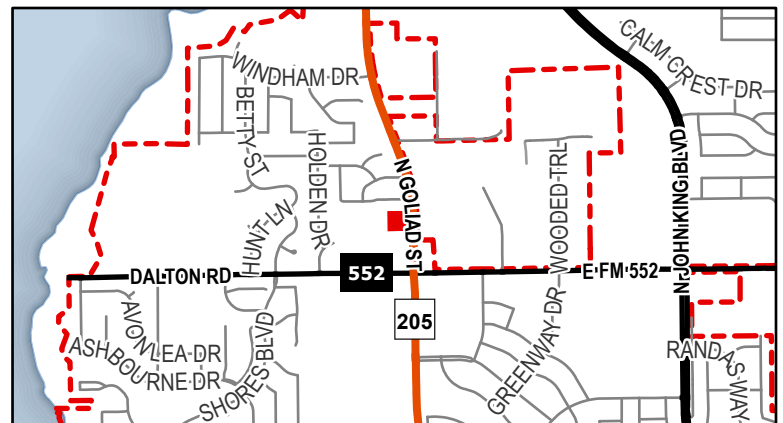
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Case Number: Z2023-042
Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St

Date Saved: 8/18/2023
 For Questions on this Case Call (972) 771-7745

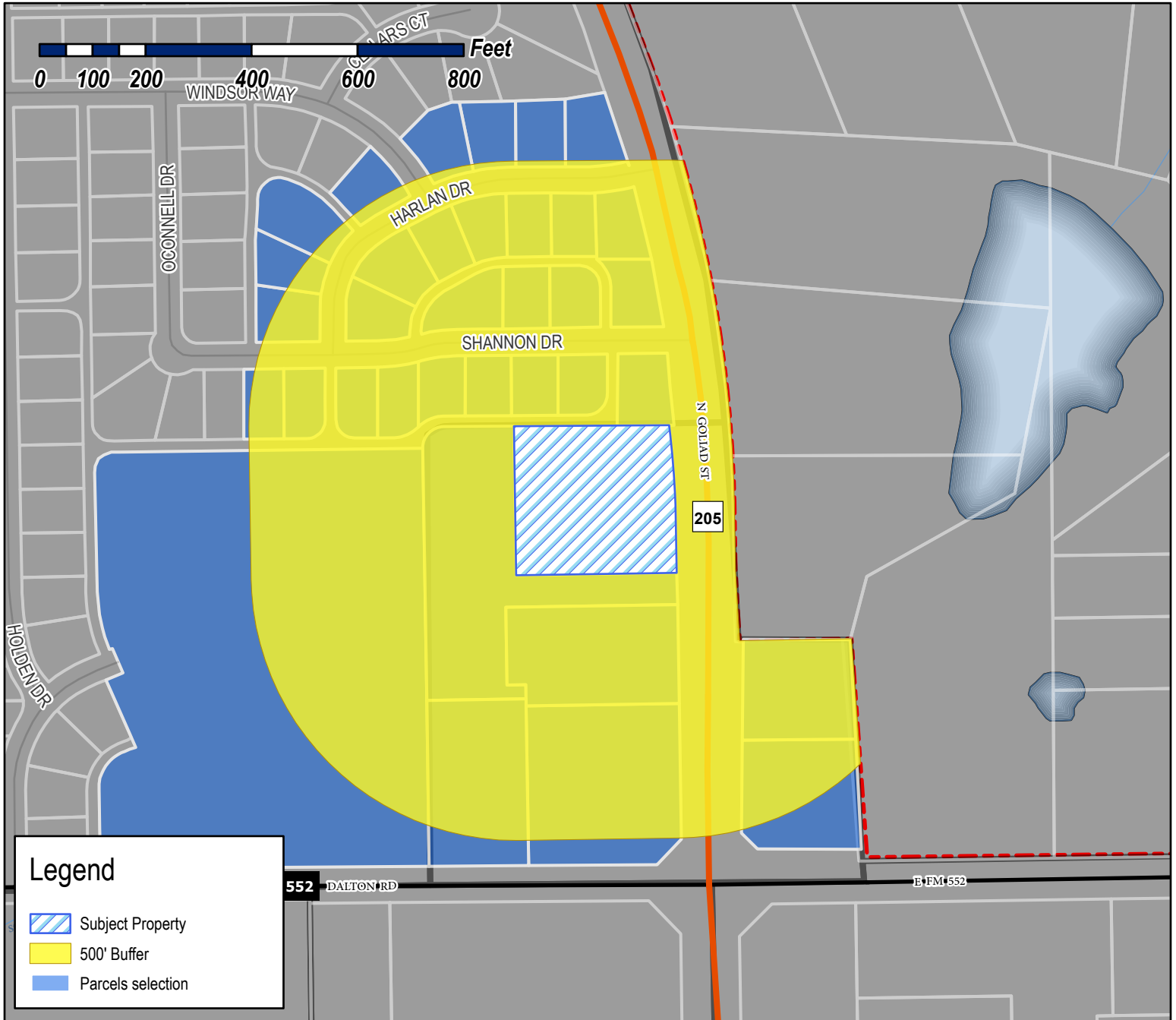




City of Rockwall

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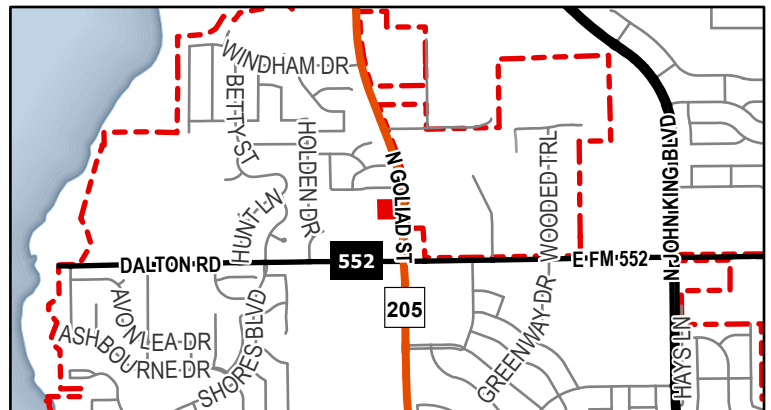
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Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St.

Date Saved: 8/18/2023

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



GOLIAD 711 ROCKWALL LLC
SILVER OAK ADVISORS LLC
ATTN GARSON C SOE
1630 RIVIERA AVE
WALNUT CREEK, CA 94596

OCCUPANT
3250 N GOLIAD ST
ROCKWALL, TX 75087

MASSEY WILLIAM C JR AND LACY
7128 HARLAN DR
ROCKWALL, TX 75087

WILLIAMS BUCK AND JESSICA
7135 HARLAN DR
ROCKWALL, TX 75087

BENNETT R LANGDON & LINDA
7125 HARLAN DR
ROCKWALL, TX 75087

LIU LIRONG AND FENG XIN
3116 DEEP SPRINGS DR
PLANO, TX 75025

OCCUPANT
7127 HARLAN DR
ROCKWALL, TX 75087

GREEN DORIS M
7129 HARLAN DR
ROCKWALL, TX 75087

YATES GLEN M & DORIS A
525 SHANNON DR
ROCKWALL, TX 75087

KELLY SHARON RENEE & EDDY D,
TRUSTEES OF EDDY D KELLY &
SHARON RENEE KELLY REVOCABLE
LIVING TRUST
527 SHANNON DR
ROCKWALL, TX 75087

JONES KENNETH A & CYNTHIA C
531 SHANNON DR
ROCKWALL, TX 75087

MILAZZO DENNIS M SHELLY A
512 SHANNON DR
ROCKWALL, TX 75087

WOLFE KENNETH & PAMELA
514 SHANNON DR
ROCKWALL, TX 75087

WAGONER LISA M
514 WINDSOR WAY
ROCKWALL, TX 75087

RUNNELS NEVILLE J & JOHANNA E
REVOCABLE LIVING TRUST
NEVILLE J & JOHANNA E RUNNELS
CO TRUSTEES
7140 HARLAN DR
ROCKWALL, TX 75087

HORTON BILL D & JOYCE
7138 HARLAN DR
ROCKWALL, TX 75087

PRICE ELLIOTT & LATOYA DUNCAN
518 SHANNON DR
ROCKWALL, TX 75087

DOSS JAMES B & JENNIFER
7137 HARLAN DR
ROCKWALL, TX 75087

KELLY CASEY & CRYSTIE
7136 HARLAN DR
ROCKWALL, TX 75087

ALEXANDER MICHAEL
7134 HARLAN DR
ROCKWALL, TX 75087

VINES THOMAS & SHERRY
7132 HARLAN DR
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET
SUITE 101
GRAPEVINE, TX 76051

OCCUPANT
3260 N GOLIAD ST
ROCKWALL, TX 75087

FRYER CRAIG RYAN
7133 HARLAN DR
ROCKWALL, TX 75087

LAUE JOSHUA LYNN AND MIRANDA
NIKKOLE
7139 HARLAN DR
ROCKWALL, TX 75087

TRAN STEVE & CATHERINE
7124 HARLAN DR
ROCKWALL, TX 75087

BELL WILLIAM L JR & PAMELA S
177 PRIVATE ROAD 54166
PITTSBURG, TX 75686

OCCUPANT
523 SHANNON DR
ROCKWALL, TX 75087

SANFORD DAVID A & ANNETTE F
532 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL I S D
350 DALTON RD
ROCKWALL, TX 75087

CARTER PRISCILLA PAIGE
526 SHANNON DR
ROCKWALL, TX 75087

CHERUKURU NANDGOPAL
609 S GOLIAD ST #2498
ROCKWALL, TX 75087

OCCUPANT
528 SHANNON DR
ROCKWALL, TX 75087

DAVIS GLYNN M & CAROLYN A
524 SHANNON DR
ROCKWALL, TX 75087

HAN SANG HWA
522 SHANNON DR
ROCKWALL, TX 75087

SULLENGER LAWRENCE M AND
DEBBIE J
520 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
3509 N HWY 205
ROCKWALL, TX 75087

ALDI TEXAS LLC
2500 WESTCOURT ROAD
DENTON, TX 76207

OCCUPANT
3251 N GOLIAD ST
ROCKWALL, TX 75087

DALTON RETAIL LLC
2954 ARBORIDGE COURT
FULLERTON, CA 92835

OCCUPANT
3301 N GOLIAD ST
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
320 DALTON RD
ROCKWALL, TX 75087



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Metes and Bounds Description

BEING all that certain 1.927 acre situated in the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, and being Lots 8 and 9, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the replat recorded in under Clerk's File No. 20210000014665, Map Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod with red plastic cap stamped "Peiser & Mankin SURV" found (hereinafter referred to as ½ inch iron rod with red cap found) for the northeast corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas, same being in the westerly right-of-way line of State Highway No. 205 (called 100 foot right-of-way), same being the beginning of a curve to the right, having a radius of 2805.03 feet and a delta angle of 04 deg. 41 min. 34 sec.;

THENCE along said curve to the right, and along the common line of said Lot 8 and said State Highway No. 205, passing a ½ inch iron rod with red cap found for the southeast corner of said Lot 8, same being the northeast corner of aforesaid Lot 9, and continuing along the common line of said Lot 9 and said State Highway No. 205, a total arc distance of 229.74 feet and a chord bearing and distance of South 03 deg. 19 min. 43 sec. East, 229.68 feet to a ½ inch iron rod with red cap found for angle point;

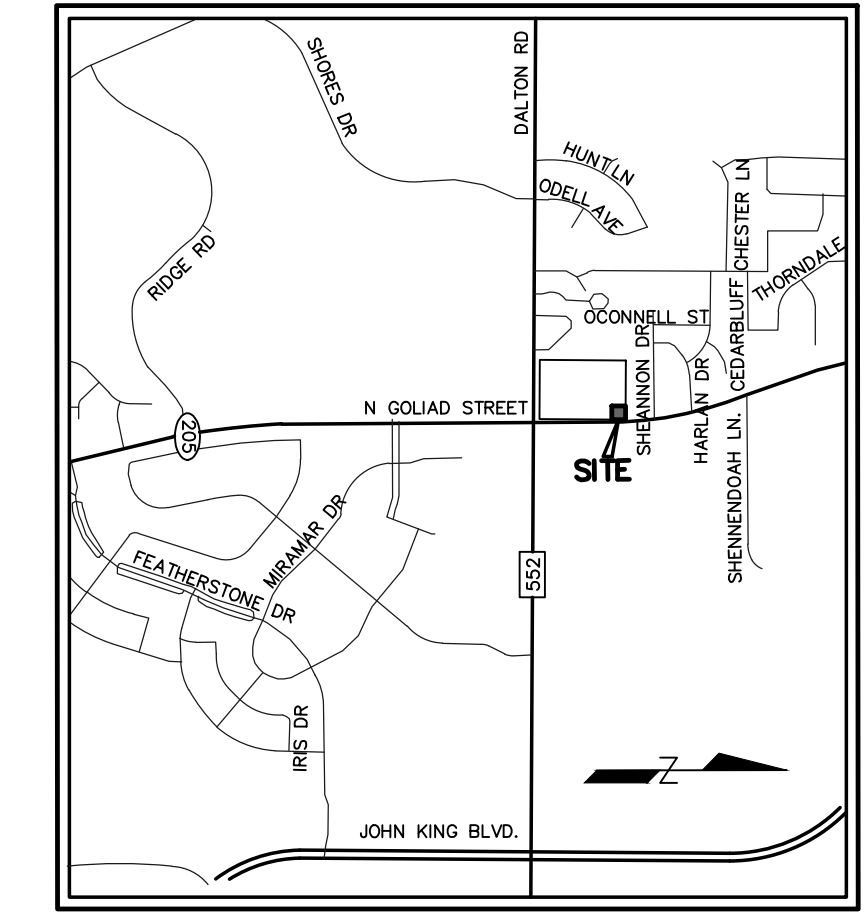
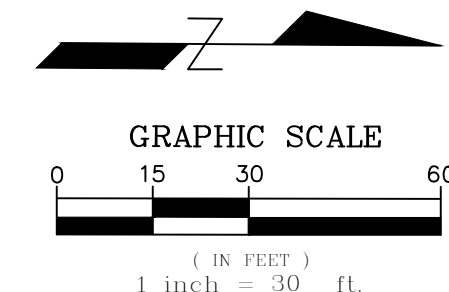
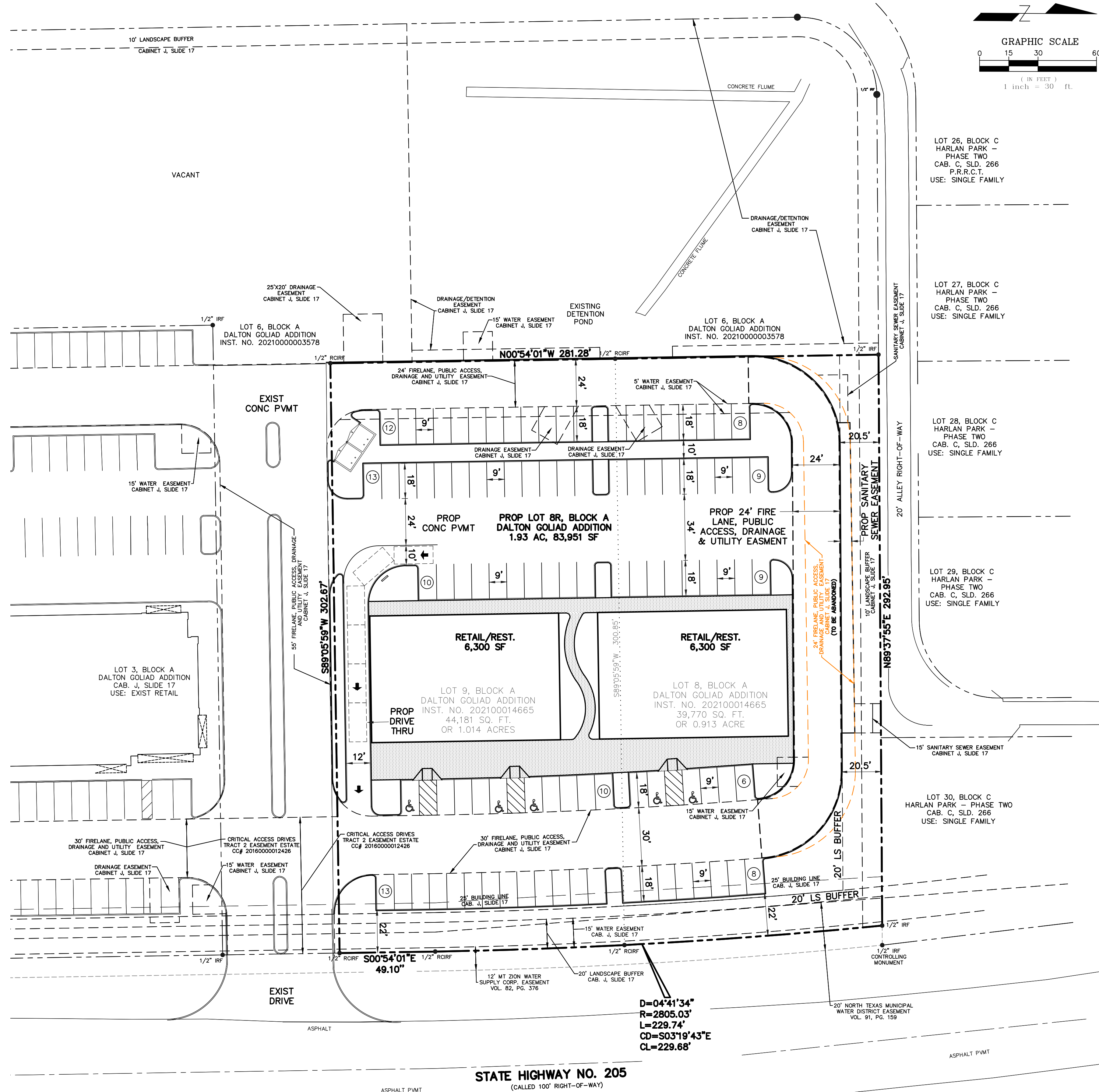
THENCE South 00 deg. 54 min. 01 sec. East, continuing along the common line of said Lot 9 and said State Highway No. 205, a distance of 49.10 feet to a ½ inch iron rod with red cap found for the southeast corner of said Lot 9, same being the most easterly northeast corner of Lot 6, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Instrument Number 20210000003578, aforesaid Official Public Records;

THENCE along the common line of said Lots 9 and 6 as follows:

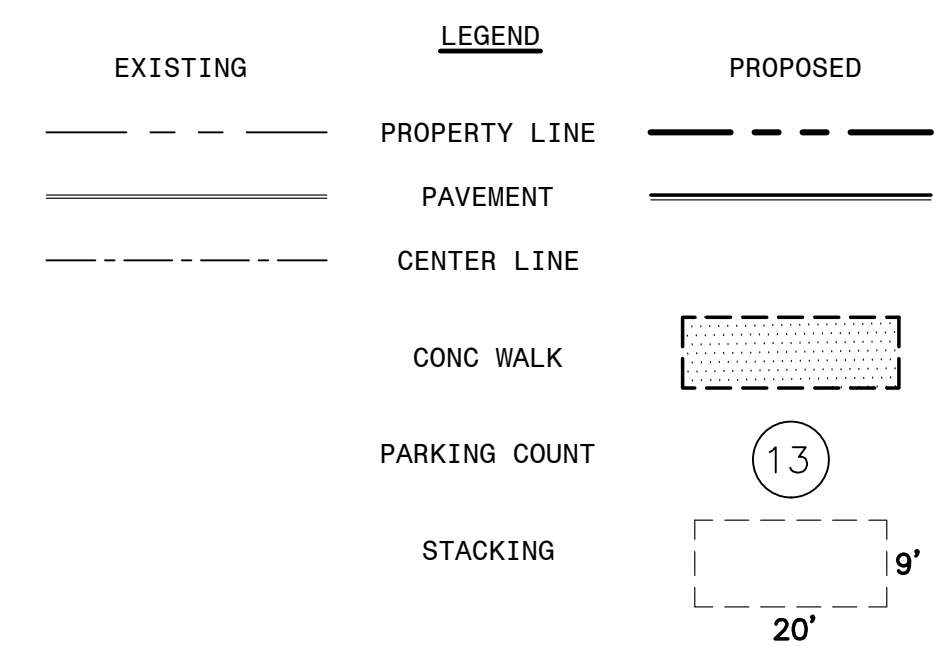
South 89 deg. 05 min. 59 sec. West, a distance of 302.67 feet to a ½ inch iron rod with red cap found for the southwest corner of said Lot 9;

North 00 deg. 54 min. 01 sec. West, passing at a distance of 146.18 feet, a ½ inch iron rod with red cap found for the northeast corner of said Lot 9, same being the southwest corner of aforesaid Lot 8, and continuing along the common line of said Lot 8 and said Lot 6, a total distance of 281.28 feet to the ½ inch iron rod with red cap found for the northwest corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas;

THENCE North 89 deg. 37 min. 55 sec. East, along the common line of said Lot 8 and said Block C, a distance of 292.95 feet to the POINT OF BEGINNING and containing 83,951 square feet or 1.927 acres of computed land, more or less.



LOCATION MAP
N.T.S.



NOTES
1. TOPOGRAPHY SURVEY PREPARED BY PEISER & MANKIN SURVEYING, LLC., DATED 06/28/2023.

SITE SUMMARY TABLE	
Site Address	GOLIAD
County	ROCKWALL
Project Name	KENNOR ROCKWALL RETAIL
Zoning District	GR W/N. SH 205 OVERLAY DISTRICT
Proposed use	RETAIL/REST.
Site Area:	1.93 Acres 83,951 S.F.
Building Area	12,600 S.F.
Building Height:	1 Story
Lot Coverage:	12,600 / 83,951 = 15.00%
Floor Area Ratio:	12,600 S.F. / 83,951 = 1:15.00
Parking Required Building:	12,600 S.F.
	RETAIL 1 SPCS/250 SF (5,600 SF/250) = 23 SPACES
	REST. 1 SPCS/100 SF (7,000 SF/100) = 70 SPACES
Total Parking Required:	= 93 SPACES
Parking Provided:	REGULAR = 93 SPACES
	ACCESSIBLE = 5 SPACES
	TOTAL = 98 SPACES
Impervious Area:	64,825 S.F.
Impervious Area Ratio:	64,825 S.F. / 83,951 = 77.22%
Pervious Area Ratio:	19,126 S.F. / 83,951 = 22.78%

CONCEPT PLAN
KENNOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
1.93 ACRES
ROCKWALL, ROCKWALL COUNTY, TEXAS
AUGUST 18, 2023
CASE #SP2023-XXX

OWNER/DEVELOPER:
KENNOR ROCKWALL RETAIL, LLC.
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243
PHONE: 903-819-1208
CONTACT: SHANE SHOULDERS

ENGINEER:
VASQUEZ ENGINEERING, L.L.C.
1919 S. SHILOH ROAD, SUITE 440
GARLAND, TEXAS 75042
PHONE: 972-272-4610
CONTACT: JUAN J. VASQUEZ, P.E.

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-272-2948
TX Registration # F-12286

THIS DOCUMENT IS FOR
INTERIM REVIEW AND IS
NOT TO BE USED FOR
CONSTRUCTION PERMITTING
OR BIDDING PURPOSES
DATE: 08/18/2023
DRAWN BY: JUV
CHECKED BY: JUV
VASEZ ENGINEERING, L.L.C.
VASQUEZ, P.E.
TX REG. F-12286

DEVELOPER:
KENNOR ROCKWALL RETAIL, LLC
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243

CONCEPT PLAN
KENNOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
CITY OF ROCKWALL, TX.

Scale: 1" = 30'
Designed by: JUV
Drawn by: DRS
Checked by: JUV
1720-01DWG/CP/1000XXXXX.dwg
Date: 08/18/2023

SHEET
CP1

PROJECT COMMENTS



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

DATE: 8/25/2023

PROJECT NUMBER: Z2023-042
PROJECT NAME: SUP for Kennor Rockwall Retail
SITE ADDRESS/LOCATIONS:

CASE CAPTION: Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Henry Lee	08/25/2023	Approved w/ Comments

08/25/2023: Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Specific Use Permit (SUP) a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205].

I.2 For questions or comments concerning this case please contact Henry Lee in the Planning Department at (972) 772-6434 or email hlee@rockwall.com.

M.3 For reference, include the case number (Z2023-042) in the lower right-hand corner of all pages on future submittals.

I.4 According to Subsection 02.02(F), Retail and Personal Service Land Uses, of Article 13, Definitions, of the Unified Development Code (UDC), states that a Restaurant with Drive-Through or Drive-In is a "place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises."

I.5 The following Conditional Land Use Standards Exist for a Restaurant with Drive-Through or Drive-In; these will be incorporated as Conditions of Approval for the Ordinance:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

M.6 Please delineate the square footage for the drive-through restaurant. If the square footage changes we can adjust the plans and it will not affect the approval; we need to assign either the less than or greater than 2,000 SF.

I.7 Understand at the time of site plan there is a requirement for a row of trees to be planted at the rear of the property. Given that the driveway is along the property line, this requirement will be unable to be met. This will add a variance to the request. Consider this variance if you will have additional variances.

I.8 A operational condition has been added to the draft ordinance that will require the residential adjacency screening to be continued along the north side of the detention pond. This screening would be three-tiered landscape screening. This operational condition was added to provide additional screening for the commercial development being proposed. If you do not want this operational condition within the ordinance, please let me know and I will remove it.

I.9 The subject property is zoned General Retail (GR) District. In a General Retail (GR) District the Restaurant with Drive-Through or Drive-In land use is permitted by Specific Use Permit (SUP). The SUP process allows "discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district, but may become compatible with the addition of special provisions, conditions or restrictions." In this case, the proposed Restaurant with Drive-Through or Drive-In at 3611 & 3775 N. Goliad Street must be reviewed by the Planning and Zoning Commission and City Council to determine if the land use is appropriate for the proposed location.

M.10 Please review the attached Draft Ordinance prior to the August 29, 2023 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than September 6, 2023.

I.11 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 September 6, 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 September 12, 2023 Planning and Zoning Commission Public Hearing Meeting.

I.12 The projected City Council meeting dates for this case will be September 18, 2023 (1st Reading) and October 2, 2023 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Madelyn Price	08/25/2023	Approved w/ Comments

- 08/25/2023: 1. Ensure property drains back to this existing detention pond per Dalton Goliad Record Drawings.
2. Drive thru lanes are a minimum of 12' wide.
3. A 12' bypass lane is required.
4. Parking spaces need to be 9'x20'.
5. No landscaping will be allowed within this existing NTMWD easement.

General Library Comments:

General Items:

- Must meet City 2023 Standards of Design and Construction
- 4% Engineering Inspection Fees
- 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 for additional impervious area.
- Add note that the property owner will be responsible for maintaining, repair, and replacement of the detention/drainage systems.
- No grate inlets allowed
- 100-year WSEL must be called out for detention ponds.
- FFE for all buildings must be called out when adjacent to a detention pond. Minimum 2' above 100-year WSEL.
- Dumpster area must drain to an oil/water separator prior to storm system

Water and Wastewater Items:

- Show existing/proposed utility lines (Water, Sewer, etc.)
- Public sewer to be 8" minimum.

- Any water lines must be a minimum of 8", looped, and must be centered in a 20' wide easement. (Meet City of Rockwall Standards of Design and Construction)
- Only one "use" off a dead-end line (domestic, irrigation, fire sprinkler, fire hydrant, etc.)
- Min 20' utility easements.

Roadway Paving Items:

- Fire lane to be 24' wide and in a platted easement.
- No dead-end parking.
- Parking to be 20x9' min.
- Sidewalk required along public roadways.

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".

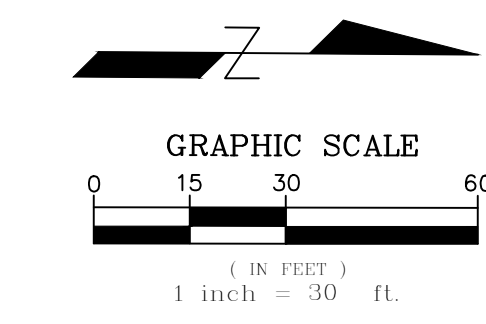
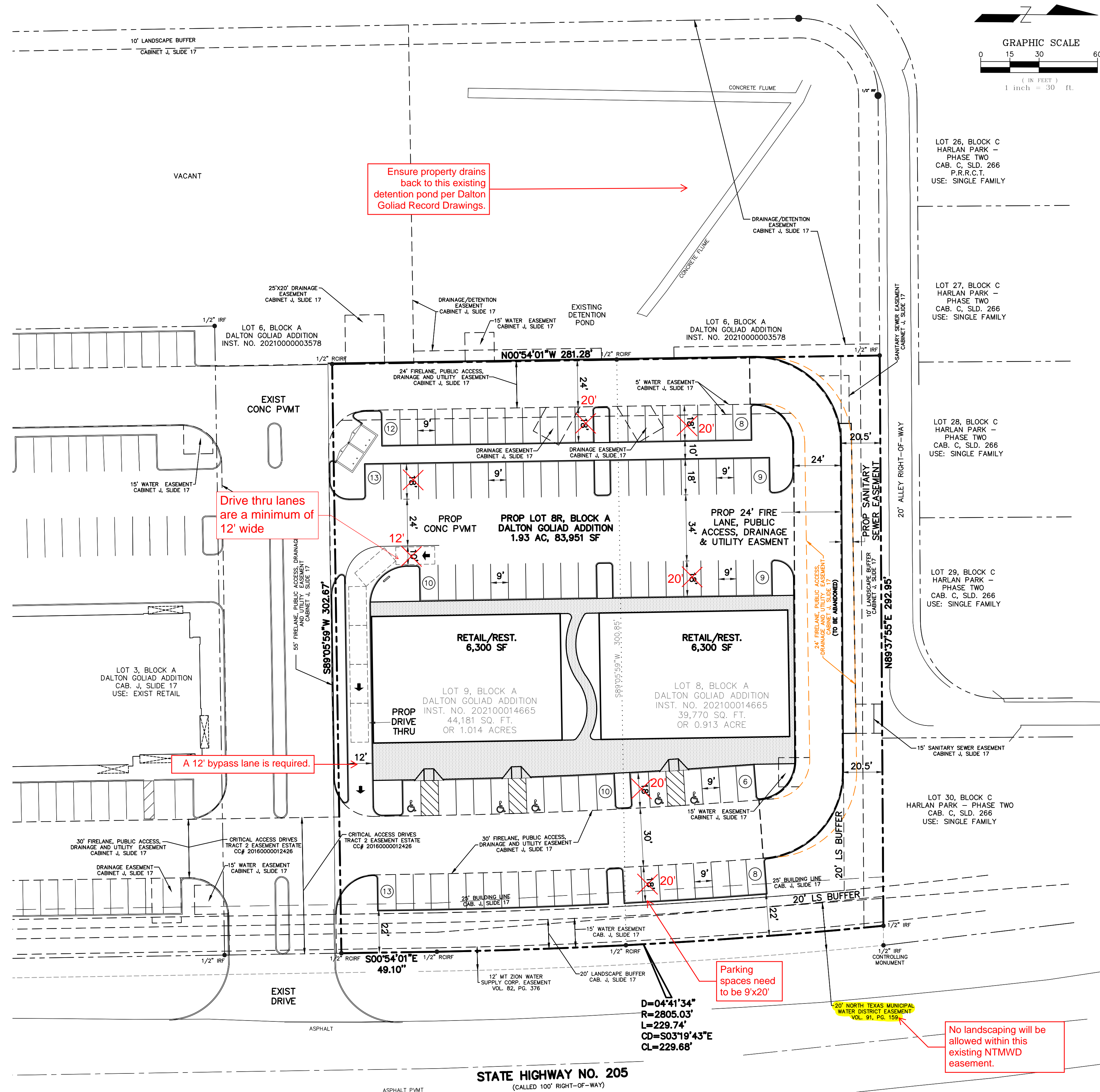
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Craig Foshee	08/23/2023	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	08/22/2023	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	08/21/2023	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	08/21/2023	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	08/21/2023	Approved
No Comments			



- General Items:**
- Must meet City 2023 Standards of Design and Construction
 - 4% Engineering Inspection Fees
 - Minimum easement width is 20' for new easements. No structures including walls allowed in easements.
 - Retaining walls 3' and over must be engineered.
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- Drainage Items:**
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Floor Area Ratio:	12,600 S.F. / 83,951 = 1:15.00
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CONCEPT PLAN
KENNOR ROCKWALL RETAIL
 LOT 8R, BLOCK A
 DALTON GOLIAD ADDITION
 1.93 ACRES
 ROCKWALL, ROCKWALL COUNTY, TEXAS
 AUGUST 18, 2023
 CASE #SP2023-XXX

OWNER/DEVELOPER:
 KENNOR ROCKWALL RETAIL, LLC.
 8848 GREENVILLE AVE.
 DALLAS, TEXAS 75243
 PHONE: 903-819-1208
 CONTACT: SHANE SHOULDERS

ENGINEER:
 VASQUEZ ENGINEERING, L.L.C.
 1919 S. SHILOH ROAD, SUITE 440
 GARLAND, TEXAS 75042
 PHONE: 972-272-4610
 CONTACT: JUAN J. VASQUEZ, P.E.

VASQUEZ ENGINEERING, L.L.C.
 1919 S. Shiloh Road
 Suite 440, LB 44
 Garland, Texas 75042
 Ph: 972-272-2948
 TX Registration # F-12266

DEVELOPER:
 KENNOR ROCKWALL RETAIL, LLC
 8848 GREENVILLE AVE.
 DALLAS, TEXAS 75243

CONCEPT PLAN
 KENNOR ROCKWALL RETAIL
 LOT 8R, BLOCK A
 DALTON GOLIAD ADDITION
 CITY OF ROCKWALL, TX.

Scale: 1" = 30'
 Designed by: JJV
 Drawn by: DRS
 Checked by: JJV
 720-01DWG/CP/1000XXXXX.dwg
 Date: 08/18/2023

SHEET
CP1



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 PLANE/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 Not assigned yet

SUBDIVISION Dalton Goliad Addition

LOT 8&9

BLOCK A

GENERAL LOCATION West side of S.H. 205 two lots north of Dalton Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR w/N SH 205 Overlay

CURRENT USE Vacant

PROPOSED ZONING Same

PROPOSED USE Retail/Rest. Shopping Center

ACREAGE 1.93

LOTS [CURRENT] 2

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 Kennor Rockwall Retail, LLC

APPLICANT Vasquez Engineering, LLC

CONTACT PERSON Shane Shoulders

CONTACT PERSON Juan J. Vasquez

ADDRESS 8848 Greenville Ave.

ADDRESS 1919 S. Shiloh Road

Suite 440

CITY, STATE & ZIP Dallas, TX 75243

CITY, STATE & ZIP Garland, TX 75042

PHONE 903-819-1208

PHONE 972-278-2948

E-MAIL sshoulders@sbcglobal.net

E-MAIL jvasquez@vasquezengineering.com

NOTARY VERIFICATION [REQUIRED]

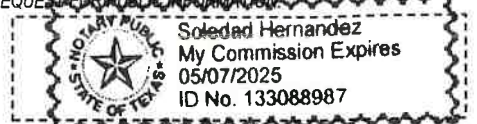
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED David Shane Shoulders [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 228.95 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF August, 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 17th DAY OF August, 2023

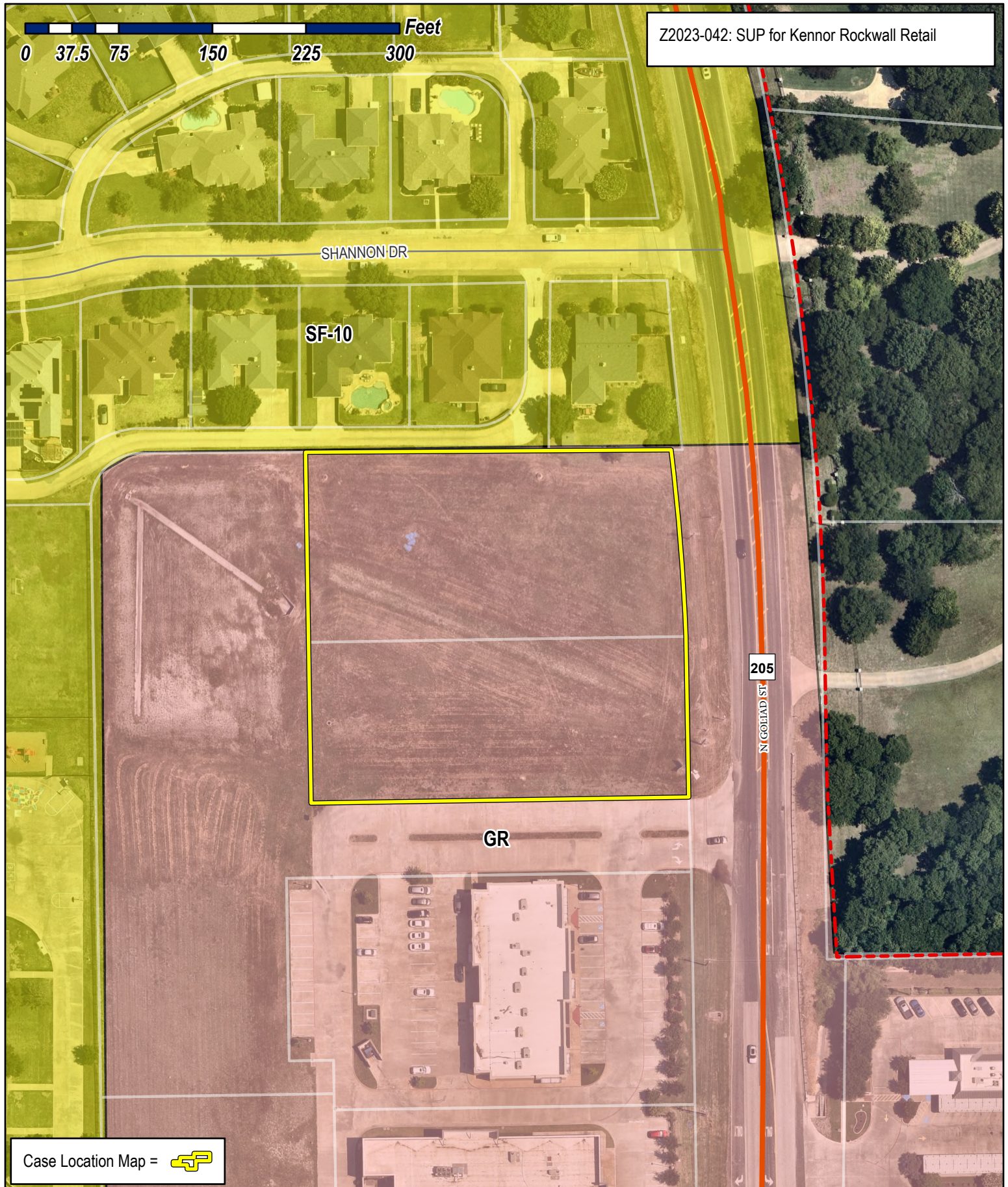
OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 05/07/2025

Z2023-042: SUP for Kennor Rockwall Retail



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.

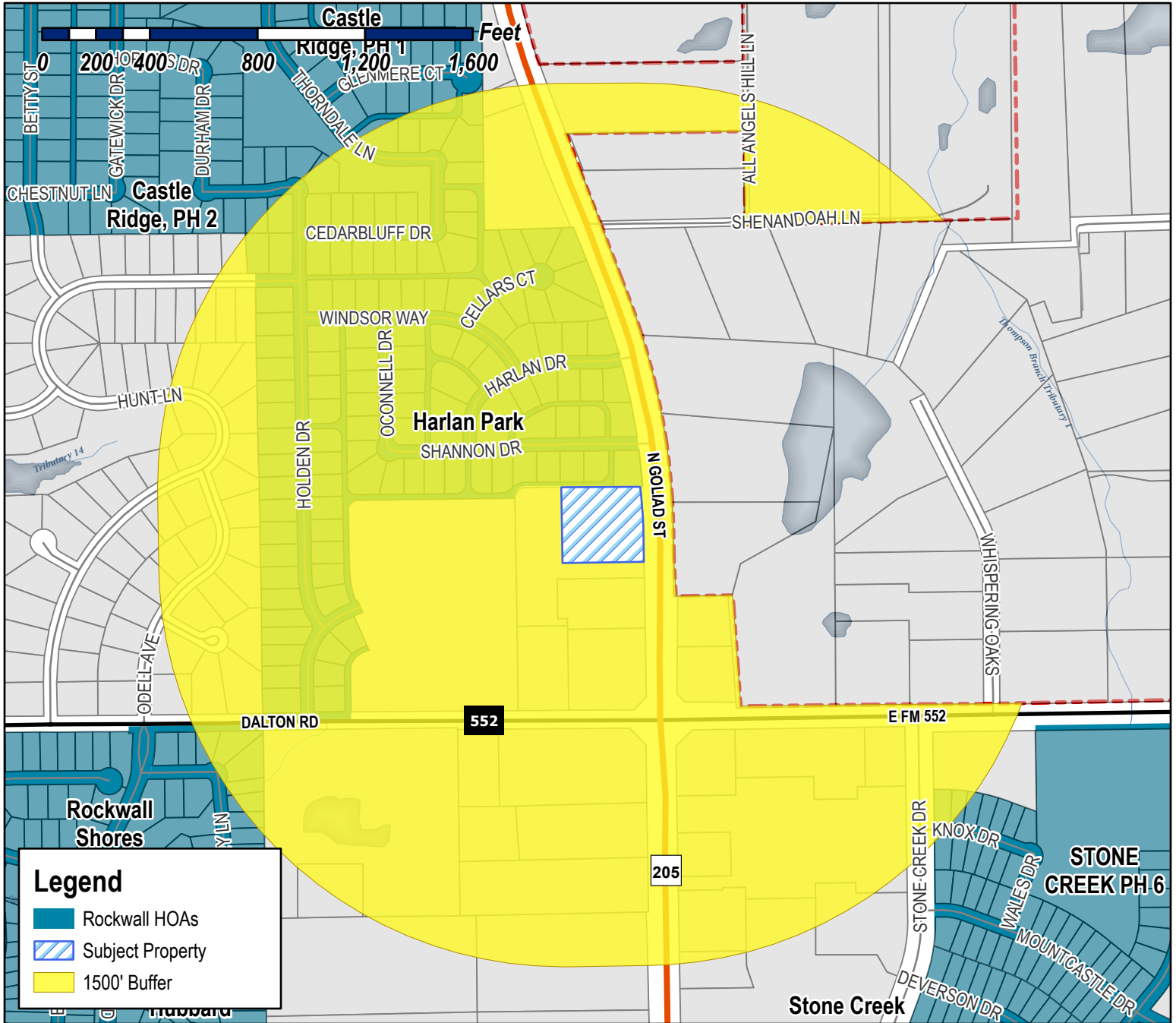







City of Rockwall

Planning & Zoning Department
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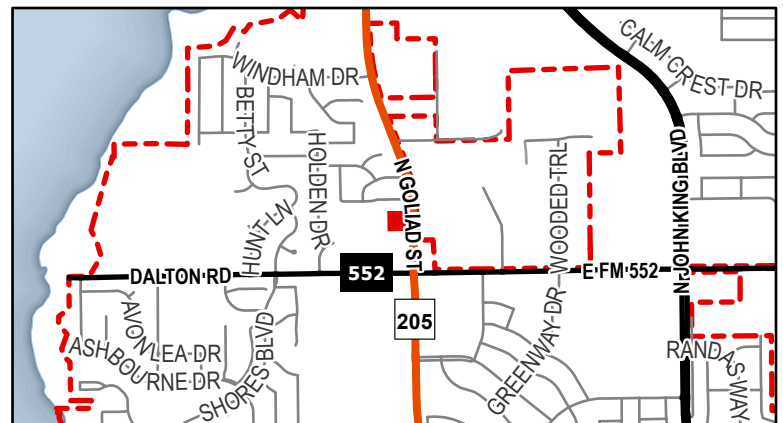


Legend

-  Rockwall HOAs
-  Subject Property
-  1500' Buffer

Case Number: Z2023-042
Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St

Date Saved: 8/18/2023
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Zavala, Melanie
Sent: Wednesday, August 23, 2023 4:35 PM
Cc: Miller, Ryan; Lee, Henry; Ross, Bethany; Guevara, Angelica
Subject: Neighborhood Notification Program [Z2023-042]
Attachments: Public Notice (PZ) (08.22.2023).pdf; HOA Map (8.22.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *August 25, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, September 12, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 18, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2023-042: SUP for a Restaurant

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a *Specific Use Permit (SUP)* for a *Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [*SH-205*], and take any action necessary.

Thank You,

Melanie Zavala

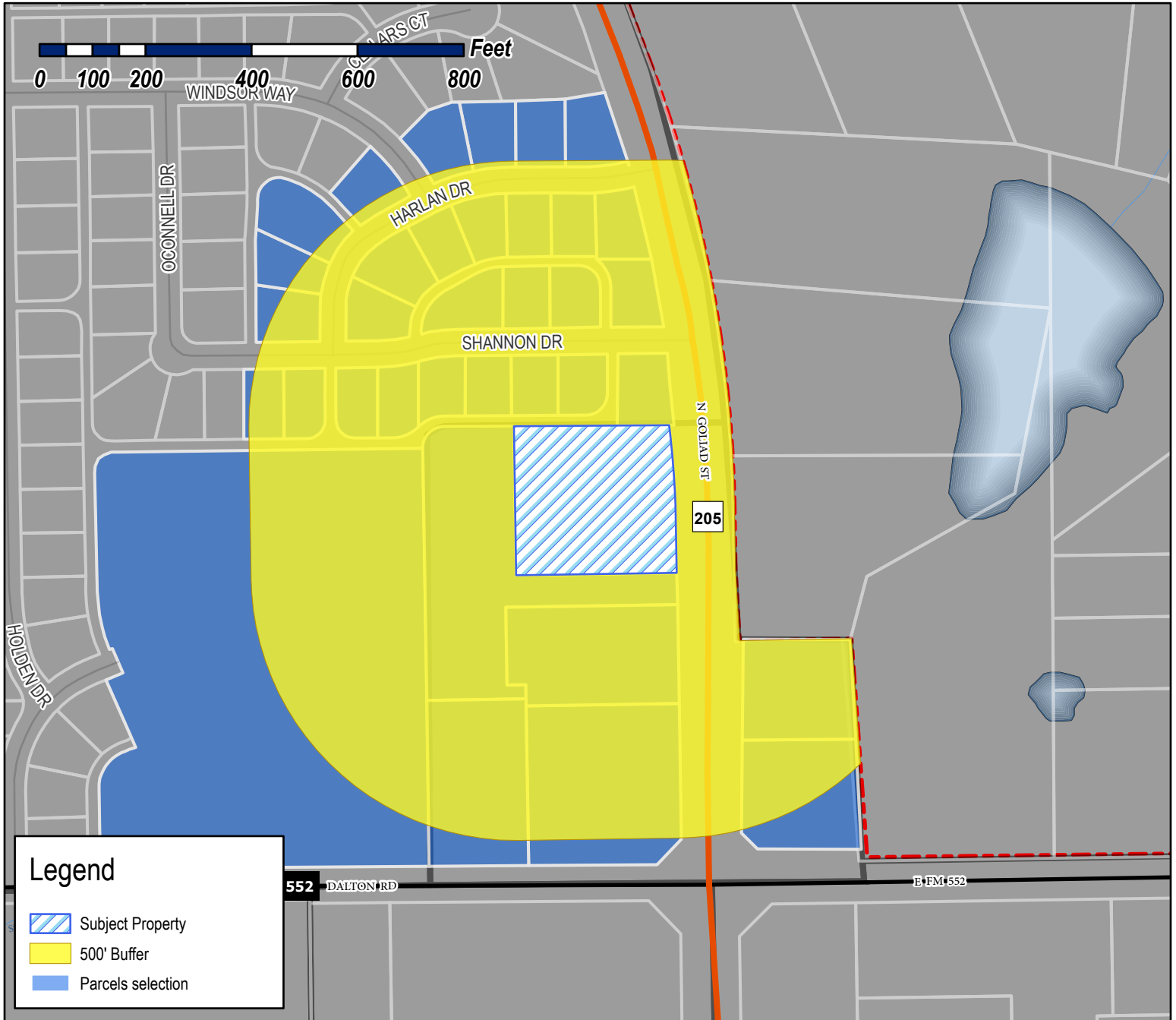
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
<http://www.rockwall.com/>
972-771-7745 Ext. 6568



City of Rockwall

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

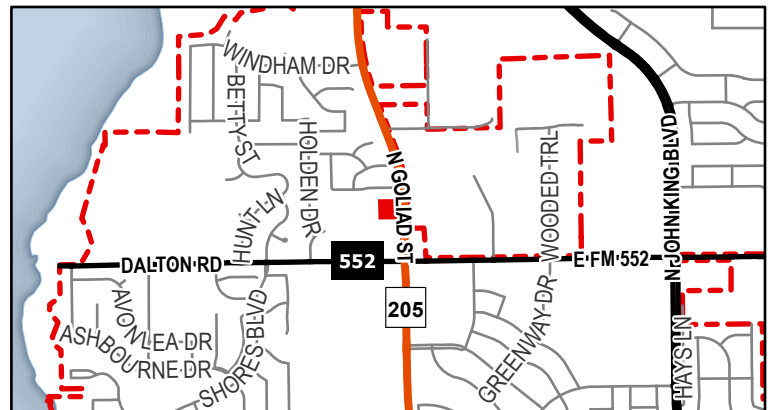
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2023-042
Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St.

Date Saved: 8/18/2023

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



GOLIAD 711 ROCKWALL LLC
SILVER OAK ADVISORS LLC
ATTN GARSON C SOE
1630 RIVIERA AVE
WALNUT CREEK, CA 94596

OCCUPANT
3250 N GOLIAD ST
ROCKWALL, TX 75087

MASSEY WILLIAM C JR AND LACY
7128 HARLAN DR
ROCKWALL, TX 75087

WILLIAMS BUCK AND JESSICA
7135 HARLAN DR
ROCKWALL, TX 75087

BENNETT R LANGDON & LINDA
7125 HARLAN DR
ROCKWALL, TX 75087

LIU LIRONG AND FENG XIN
3116 DEEP SPRINGS DR
PLANO, TX 75025

OCCUPANT
7127 HARLAN DR
ROCKWALL, TX 75087

GREEN DORIS M
7129 HARLAN DR
ROCKWALL, TX 75087

YATES GLEN M & DORIS A
525 SHANNON DR
ROCKWALL, TX 75087

KELLY SHARON RENEE & EDDY D,
TRUSTEES OF EDDY D KELLY &
SHARON RENEE KELLY REVOCABLE
LIVING TRUST
527 SHANNON DR
ROCKWALL, TX 75087

JONES KENNETH A & CYNTHIA C
531 SHANNON DR
ROCKWALL, TX 75087

MILAZZO DENNIS M SHELLY A
512 SHANNON DR
ROCKWALL, TX 75087

WOLFE KENNETH & PAMELA
514 SHANNON DR
ROCKWALL, TX 75087

WAGONER LISA M
514 WINDSOR WAY
ROCKWALL, TX 75087

RUNNELS NEVILLE J & JOHANNA E
REVOCABLE LIVING TRUST
NEVILLE J & JOHANNA E RUNNELS
CO TRUSTEES
7140 HARLAN DR
ROCKWALL, TX 75087

HORTON BILL D & JOYCE
7138 HARLAN DR
ROCKWALL, TX 75087

PRICE ELLIOTT & LATOYA DUNCAN
518 SHANNON DR
ROCKWALL, TX 75087

DOSS JAMES B & JENNIFER
7137 HARLAN DR
ROCKWALL, TX 75087

KELLY CASEY & CRYSTIE
7136 HARLAN DR
ROCKWALL, TX 75087

ALEXANDER MICHAEL
7134 HARLAN DR
ROCKWALL, TX 75087

VINES THOMAS & SHERRY
7132 HARLAN DR
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET
SUITE 101
GRAPEVINE, TX 76051

OCCUPANT
3260 N GOLIAD ST
ROCKWALL, TX 75087

FRYER CRAIG RYAN
7133 HARLAN DR
ROCKWALL, TX 75087

LAUE JOSHUA LYNN AND MIRANDA
NIKKOLE
7139 HARLAN DR
ROCKWALL, TX 75087

TRAN STEVE & CATHERINE
7124 HARLAN DR
ROCKWALL, TX 75087

BELL WILLIAM L JR & PAMELA S
177 PRIVATE ROAD 54166
PITTSBURG, TX 75686

OCCUPANT
523 SHANNON DR
ROCKWALL, TX 75087

SANFORD DAVID A & ANNETTE F
532 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL I S D
350 DALTON RD
ROCKWALL, TX 75087

CARTER PRISCILLA PAIGE
526 SHANNON DR
ROCKWALL, TX 75087

CHERUKURU NANDGOPAL
609 S GOLIAD ST #2498
ROCKWALL, TX 75087

OCCUPANT
528 SHANNON DR
ROCKWALL, TX 75087

DAVIS GLYNN M & CAROLYN A
524 SHANNON DR
ROCKWALL, TX 75087

HAN SANG HWA
522 SHANNON DR
ROCKWALL, TX 75087

SULLENGER LAWRENCE M AND
DEBBIE J
520 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
3509 N HWY 205
ROCKWALL, TX 75087

ALDI TEXAS LLC
2500 WESTCOURT ROAD
DENTON, TX 76207

OCCUPANT
3251 N GOLIAD ST
ROCKWALL, TX 75087

DALTON RETAIL LLC
2954 ARBORIDGE COURT
FULLERTON, CA 92835

OCCUPANT
3301 N GOLIAD ST
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
320 DALTON RD
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:

Z2023-042: SUP for a Restaurant

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], 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, September 12, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 18, 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:

Henry Lee
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, September 18, 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. Z2023-042: SUP for a Restaurant

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 box]
Address: [Grey 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



**Letter of Intent
Kennor Rockwall Retail**

Our client Kennor Rockwall Retail, LLC is proposing to replat lots 8 & 9, Block A of the Dalton Goliad Addition into one lot in order to develop two 6,300 SF commercial buildings for retail and restaurant uses. The southernmost building will have a restaurant with drive thru window. The lots are located at approximately 560 feet from the northwest corner of S.H. No. 205 and Dalton Road and are currently vacant. The development is approximately 1.93 acres and is zoned "GR" General Retail District, which requires a Special Use Permit for restaurant uses with drive thru window.

Owner/Developer:

Kennor Rockwall Retail, LLC
Attn: Shane Shoulders
8848 Greenville Ave.
Dallas, TX 75243

Metes and Bounds Description

BEING all that certain 1.927 acre situated in the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, and being Lots 8 and 9, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the replat recorded in under Clerk's File No. 20210000014665, Map Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod with red plastic cap stamped "Peiser & Mankin SURV" found (hereinafter referred to as ½ inch iron rod with red cap found) for the northeast corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas, same being in the westerly right-of-way line of State Highway No. 205 (called 100 foot right-of-way), same being the beginning of a curve to the right, having a radius of 2805.03 feet and a delta angle of 04 deg. 41 min. 34 sec.;

THENCE along said curve to the right, and along the common line of said Lot 8 and said State Highway No. 205, passing a ½ inch iron rod with red cap found for the southeast corner of said Lot 8, same being the northeast corner of aforesaid Lot 9, and continuing along the common line of said Lot 9 and said State Highway No. 205, a total arc distance of 229.74 feet and a chord bearing and distance of South 03 deg. 19 min. 43 sec. East, 229.68 feet to a ½ inch iron rod with red cap found for angle point;

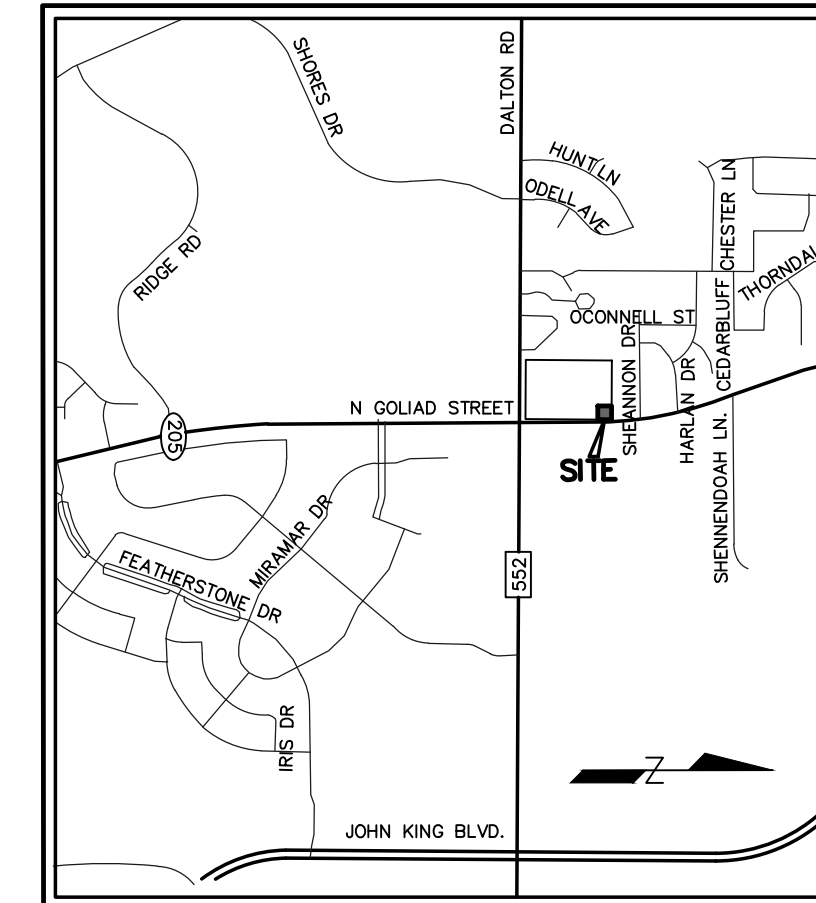
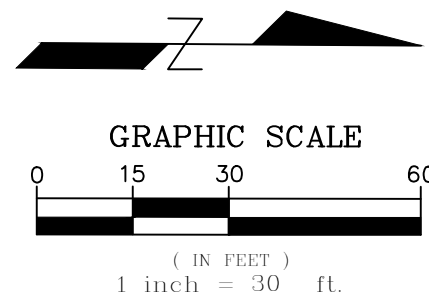
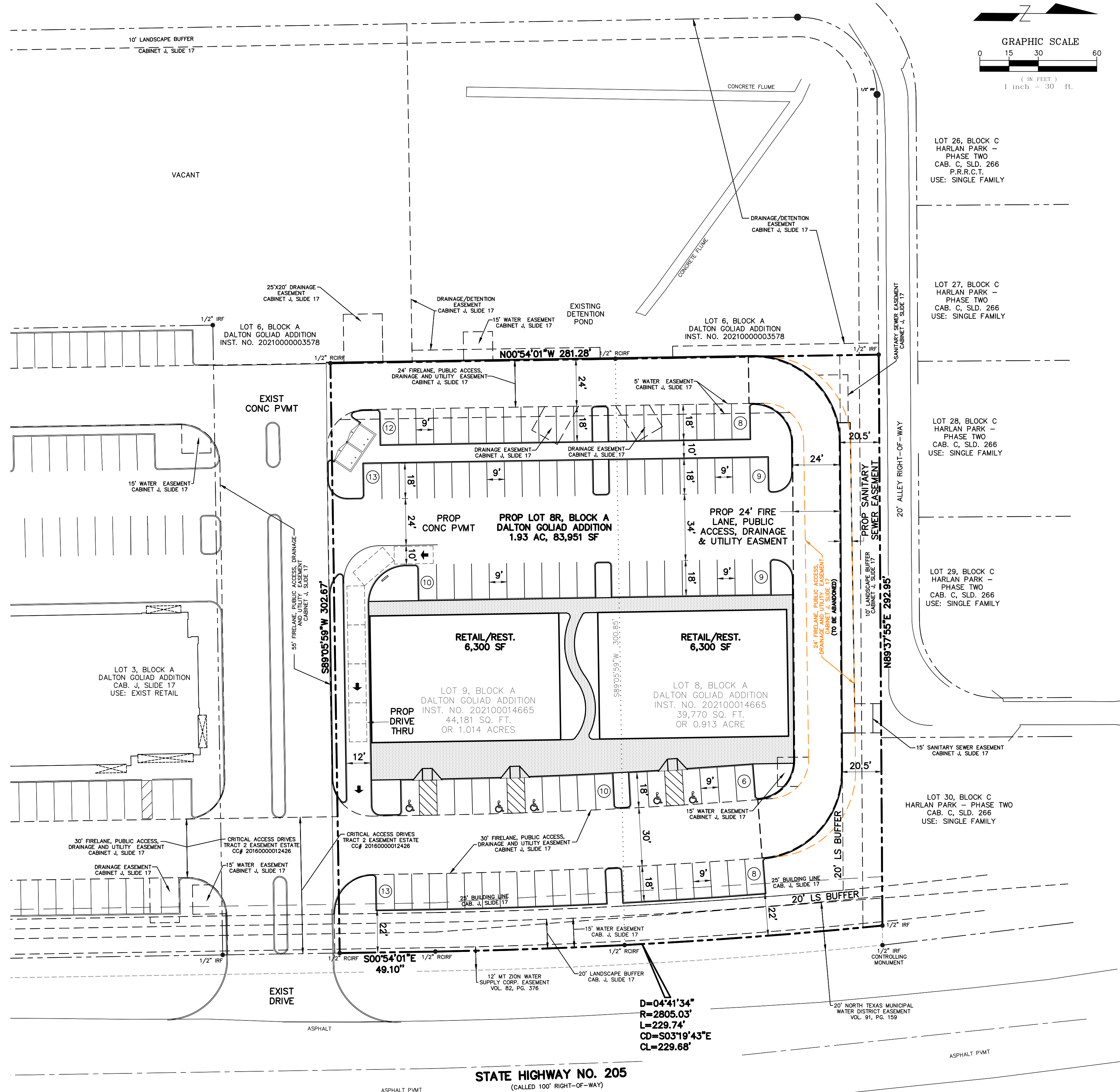
THENCE South 00 deg. 54 min. 01 sec. East, continuing along the common line of said Lot 9 and said State Highway No. 205, a distance of 49.10 feet to a ½ inch iron rod with red cap found for the southeast corner of said Lot 9, same being the most easterly northeast corner of Lot 6, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Instrument Number 20210000003578, aforesaid Official Public Records;

THENCE along the common line of said Lots 9 and 6 as follows:

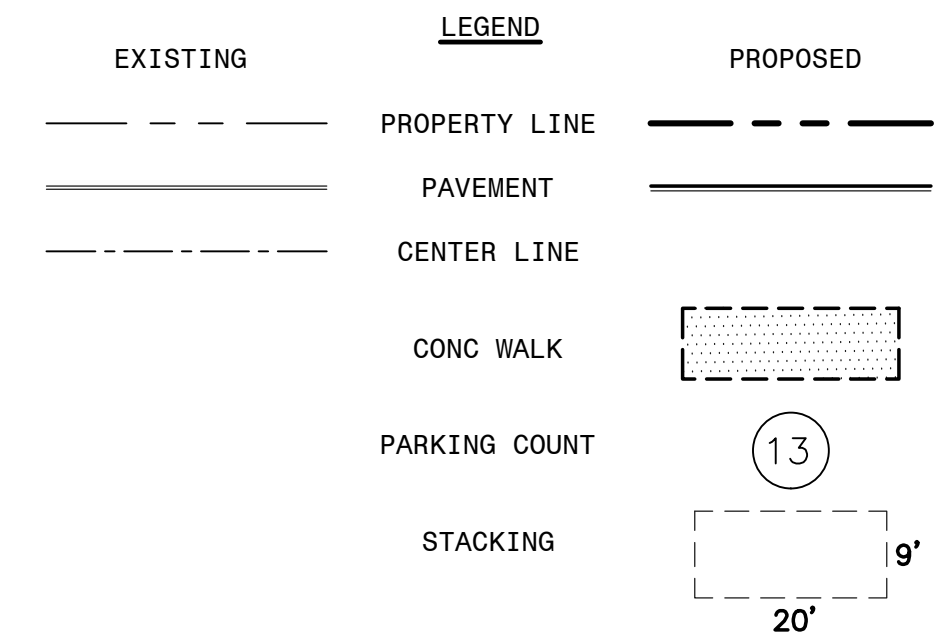
South 89 deg. 05 min. 59 sec. West, a distance of 302.67 feet to a ½ inch iron rod with red cap found for the southwest corner of said Lot 9;

North 00 deg. 54 min. 01 sec. West, passing at a distance of 146.18 feet, a ½ inch iron rod with red cap found for the northeast corner of said Lot 9, same being the southwest corner of aforesaid Lot 8, and continuing along the common line of said Lot 8 and said Lot 6, a total distance of 281.28 feet to the ½ inch iron rod with red cap found for the northwest corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas;

THENCE North 89 deg. 37 min. 55 sec. East, along the common line of said Lot 8 and said Block C, a distance of 292.95 feet to the POINT OF BEGINNING and containing 83,951 square feet or 1.927 acres of computed land, more or less.



LOCATION MAP
N.T.S.



- NOTES
1. TOPOGRAPHY SURVEY PREPARED BY PEISER & MANKIN SURVEYING, LLC., DATED 06/28/2023.

SITE SUMMARY TABLE	
Site Address	GOLIAD
County	ROCKWALL
Project Name	KENNOR ROCKWALL RETAIL
Zoning District	GR W/N. SH 205 OVERLAY DISTRICT
Proposed use	RETAIL/REST.
Site Area:	1.93 Acres 83,951 S.F.
Building Area	12,600 S.F.
Building Height:	1 Story
Lot Coverage:	12,600 / 83,951 = 15.00%
Floor Area Ratio:	12,600 S.F. / 83,951 = 1:15.00
Parking Required Building:	12,600 S.F.
	RETAIL 1 SPCS/250 SF (5,600 SF/250) = 23 SPACES
	REST. 1 SPCS/100 SF (7,000 SF/100) = 70 SPACES
Total Parking Required:	= 93 SPACES
Parking Provided:	REGULAR = 93 SPACES
	ACCESSIBLE = 5 SPACES
	TOTAL = 98 SPACES
Impervious Area:	64,825 S.F.
Impervious Area Ratio:	64,825 S.F. / 83,951 = 77.22%
Pervious Area Ratio:	19,126 S.F. / 83,951 = 22.78%

CONCEPT PLAN
KENNOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
1.93 ACRES
ROCKWALL, ROCKWALL COUNTY, TEXAS
AUGUST 18, 2023
CASE #SP2023-XXX

OWNER/DEVELOPER:
KENNOR ROCKWALL RETAIL, LLC.
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243
PHONE: 903-819-1208
CONTACT: SHANE SHOULDERS

ENGINEER:
VASQUEZ ENGINEERING, L.L.C.
1919 S. SHILOH ROAD, SUITE 440
GARLAND, TEXAS 75042
PHONE: 972-272-4610
CONTACT: JUAN J. VASQUEZ, P.E.

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-272-2948
TX Registration # F-12286

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT TO BE USED FOR CONSTRUCTION PERMITTING OR BIDDING PURPOSES WITHOUT THE WRITTEN CONSENT OF VASQUEZ ENGINEERING, L.L.C. DATED 08/18/2023. VASQUEZ ENGINEERING, L.L.C. TEXAS REG. F-12286

DEVELOPER:
KENNOR ROCKWALL RETAIL, LLC
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243

CONCEPT PLAN
KENNOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
CITY OF ROCKWALL, TX.

Scale: 1" = 30'
Designed by: JUV
Drawn by: DRS
Checked by: JUV
720-01DWGCP1000000000.dwg
Date: 08/18/2023

SHEET
CP1

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-XXX

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *RESTAURANT, WITH 2,000 SF OR MORE WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 1.93-ACRE PARCEL OF LAND IDENTIFIED AS LOTS 8 & 9, BLOCK A, DALTON-GOLIAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Juan Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall should be amended as follows:

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

SECTION 1. The Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*; Subsection 04.04, *General Retail (GR) District*; and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) Additional landscape screening shall be installed adjacent to drive-through lane, drive aisle adjacent to the residential land uses north of the subject property, and along N. Goliad Street [SH-205] to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. The additional landscaping will be approved by the Planning and Zoning Commission with the site plan approval for the proposed development depicted in *Exhibit 'B'*.
- 2) The proposed drive-through lane shall accommodate a minimum of six (6) standard sized motor vehicles.
- 3) Residential screening shall be provided along the northern boundary of the adjacent existing detention pond to further screen the residential land uses from the potential impacts of the proposed non-residential development. This screening shall be approved by the Planning and Zoning Commission in conjunction with the site plan submittal for the proposed development depicted in *Exhibit 'B'*.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. 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 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 2nd DAY OF OCTOBER, 2023.**

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

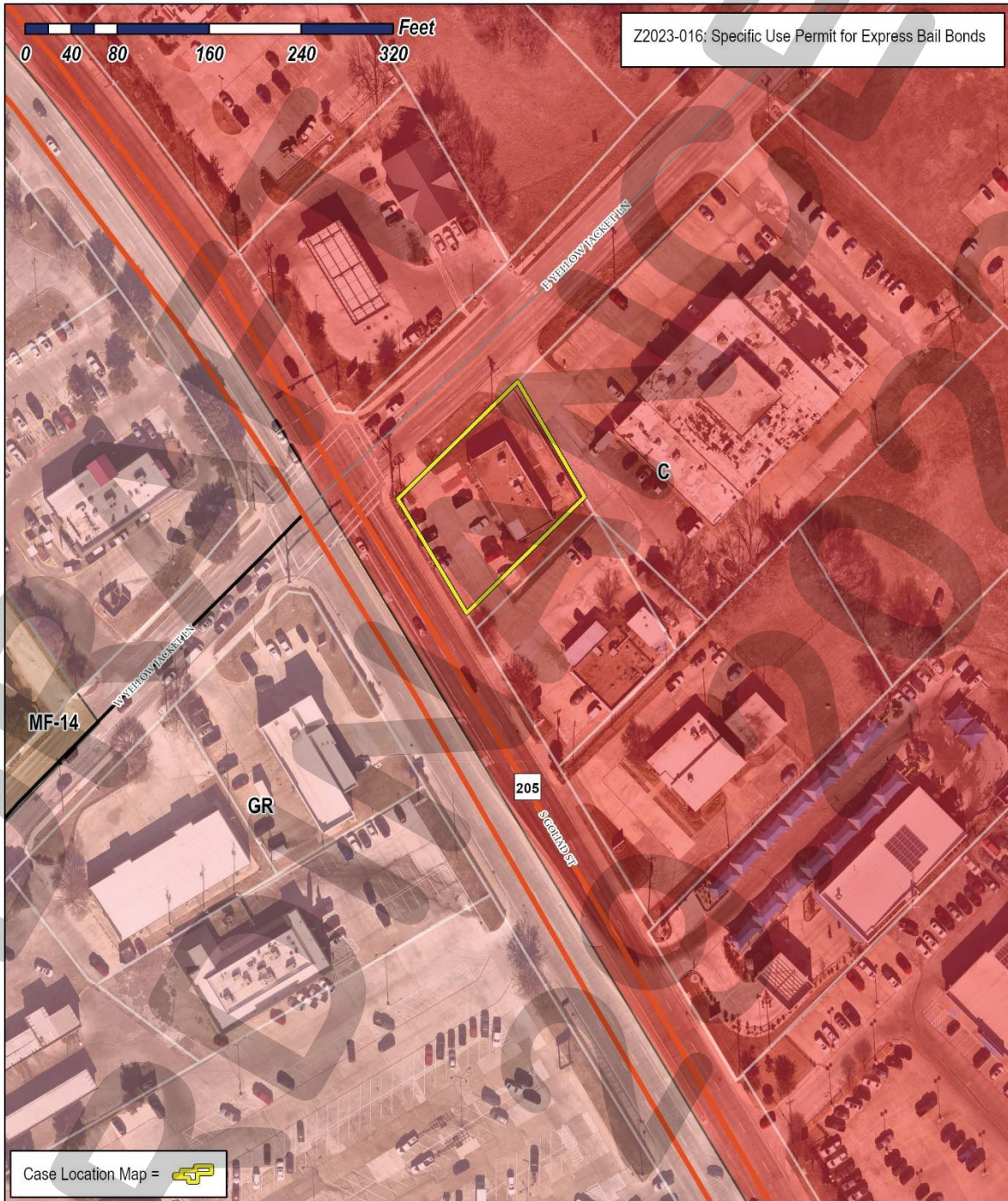
Frank J. Garza, *City Attorney*

1st Reading: September 18, 2023

2nd Reading: October 2, 2023

Exhibit 'A':
Location Map

LEGAL DESCRIPTION: Lots 8 & 9, Block A, Dalton-Goliad Addition



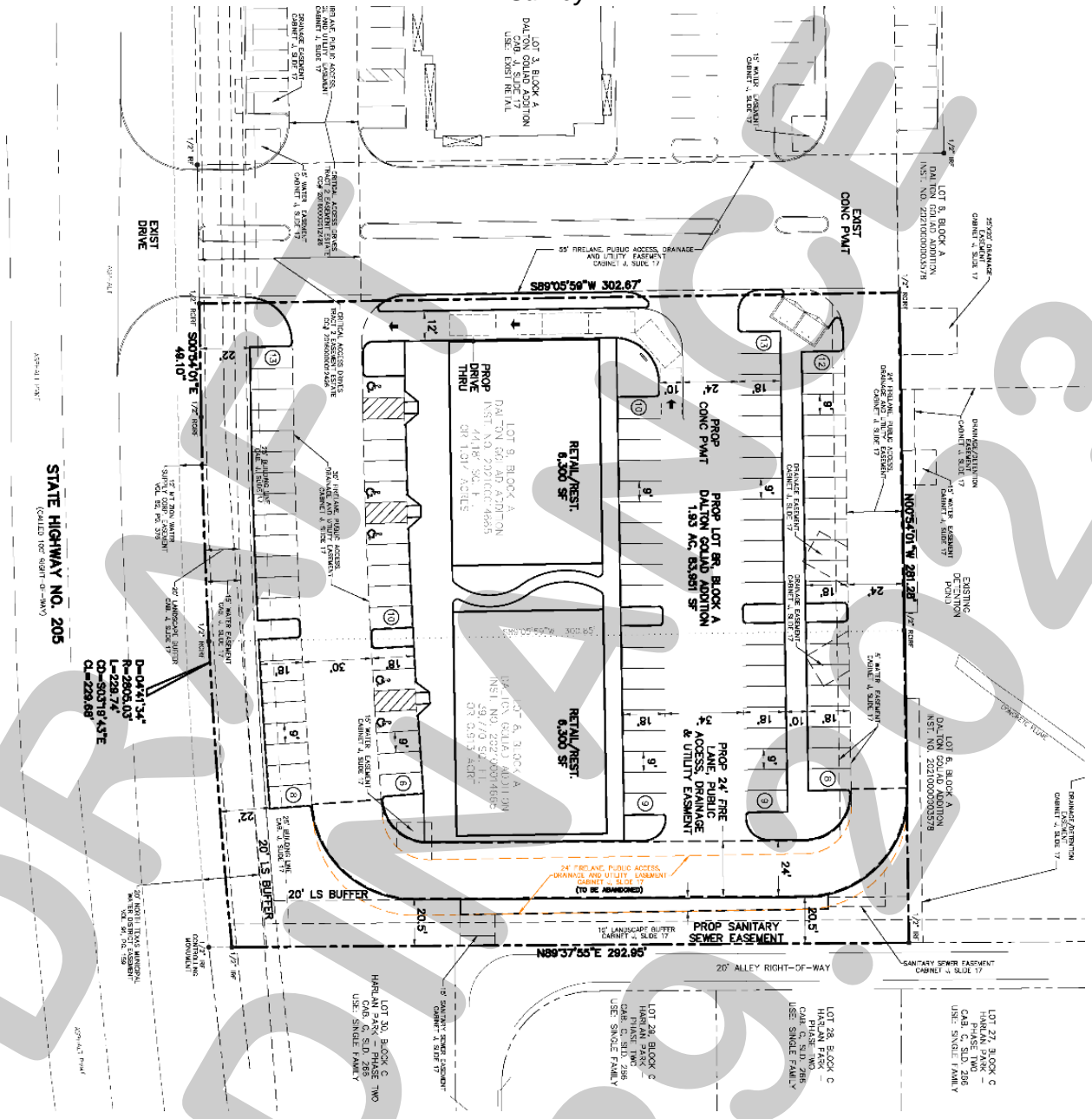
City of Rockwall

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

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Exhibit 'B':
Survey



STATE HIGHWAY NO. 205
(CALLED FOR CLASH TO 205)

D-04-V134
R-2806.05
L-228.76
CD-50578 NSTE
CL-228.88



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: September 12, 2023

APPLICANT: Juan J. Vasquez; *Vasquez Engineering, LLC*

CASE NUMBER: Z2023-042; *Specific Use Permit (SUP) for a Drive-Through Restaurant at 3611 & 3775 N. Goliad Street [SH-205]*

SUMMARY

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a *Specific Use Permit (SUP)* for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on November 7, 1983 by *Ordinance No. 83-57*. Based on the City's historic zoning maps the subject property was rezoned from an Agricultural (AG) District to a General Retail (GR) District at some point between November 7, 1983 and December 7, 1993. On February 15, 2016, the City Council approved a preliminary plat [Case No. P2016-004] for Lots 1-6, Block A, Dalton-Goliad Addition. This approval was followed by a final plat [Case No. P2016-034], which was approved by the City Council on August 1, 2016. This final plat created Lots 1-3, Block A, Dalton-Goliad Addition. On December 4, 2017, the City Council approved a replat [Case No. P2017-062] subdividing Lot 2, Block A into Lots 4 & 5, Block A and establishing the subject property (*i.e. Lot 4, Block A, Dalton-Goliad Addition*); however, this replat was never filed. Prior to the replat, a Specific Use Permit (SUP) [S-171; *Ordinance No. 17-39*; Case No. Z2017-029] was approved by the City Council on August 7, 2017. This approval allowed a *Restaurant, Greater Than 2,000 SF with a Drive-Through or Drive-In (i.e. Freddy's Frozen Custard)* on the subject property. On September 12, 2017, the Planning and Zoning Commission approved a site plan [Case No. SP2017-024] for the proposed restaurant; however, the restaurant was never constructed, and the site plan and the Specific Use Permit (SUP) has since expired. On December 7, 2020, the City Council approved a conveyance plat [Case No. P2020-048] for the purpose of subdividing one (1) lot (*i.e. Lot 2, Block A, Dalton-Goliad Addition*) into four (4) lots (*i.e. Lots 4-7, Block A, Dalton Goliad Addition*) to convey the property. This conveyance plat established the subject property as Lot 5, Block A, Dalton-Goliad Addition. On March 15, 2021, the City Council denied a Specific Use Permit (SUP) request [Case No. Z2021-002] for a *Self-Service Car Wash*. On June 1, 2021, the City Council approved a replat [Case No. P2021-016] that established the subject property as Lots 8 & 9, Block A, Dalton-Goliad Addition. The subject property is currently vacant.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) to allow for a *Drive-Through Restaurant* on the subject property in accordance with the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 3611 & 3775 N. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Phase 2 of the Harlan Park Subdivision, which consists of 30 single-family residential lots. Beyond this is Phase 1 of the Harlan Park Subdivision, which consists of 65 single-family residential lots. Both of these subdivisions are zoned Single-Family 10 (SF-10) District.

South: Directly south of the subject property are Lots 1, 3, & 6, Block A, Dalton-Goliad Addition. Lot 3 is currently occupied by a strip retail center with several tenants (*i.e. Marco's Pizza, Hittson Dental, and Venice Nail Salon*). Adjacent to and south of the strip center is Lot 1, which is occupied with an Aldi's Grocery Store. These properties are zoned General Retail (GR) District. South of this is Dalton 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.

East: Directly east of the subject property is N. Goliad Street [SH-205], which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the corporate limits of the City followed by properties in the City's Extraterritorial Jurisdiction (ETJ) that have existing single-family homes situated on them. Adjacent to and south of this area is a Sonic Drive-In and 7-Eleven Gas Station, both of which are situated within the City limits and are zoned General Retail (GR) District.

West: Directly west of the subject property is a vacant 2.402-acre parcel of land (*i.e. Lot 6, Block A, Dalton-Goliad Addition*). This property is zoned General Retail (GR) District. Beyond this is the Nebbie Williams Elementary School, which is situated on a 11.599-acre parcel of land (*i.e. Lot 1, Block A, Rockwall School North Addition*). This property is zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and concept plan, depicting the layout of two (2) *Retail Building* that are 6,300 SF and 6,065 SF. The 6,300 SF *Retail Building* will include a *Restaurant with a Drive-through*. The proposed restaurant will consist of a single drive-through lane. The concept plan shows that there will be 70 parking spaces provided for the proposed development. The concept plan also shows that the drive-through will be oriented so that the exit will be facing onto N. Goliad Street. Based on this, staff is requesting that the applicant provide additional landscape screening adjacent to drive-through lane and along N. Goliad Street [SH-205] to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. In addition, there is residential adjacency to the north, where the applicant has provided the required 20-foot landscape buffer. Staff should note that the additional landscaping has been included in the draft ordinance as operational conditions should the Specific Use Permit (SUP) be approved.

CONFORMANCE TO THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a *Restaurant with 2,000 SF or more with a Drive-Through or Drive-In* requires a Specific Use Permit (SUP) in the General Retail (GR) District. In addition, Subsection 02.03 (H)(4), *Conditional Land Use Standards*, of Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also provides the following requirements relating to regulating the land use:

- (a) Drive-through lanes shall not have access to a local or residential street.
- (b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted concept plan appears to meet the *Conditional Land Use Standards* outlined within the UDC. Staff has included an operational condition within the draft ordinance that requires additional landscaping be provided adjacent to the drive through lane, N. Goliad Street, and in the northwestern corner of the site to impair the potential impacts of the proposed land use. Staff should note that a full site plan submittal including building elevations and a landscape plan will need to be reviewed by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of site plan.

STAFF ANALYSIS

The intent of the General Retail (GR) District is to provide limited retail and service uses for nearby residential neighborhoods. Development in these areas should not include intensive commercial land uses that carry large volumes of retail traffic. Developments should also be adequately buffered and screened from residential land uses. Since the General Retail (GR) District is located close to residential areas, the development standards are typically more stringent and similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts. All of these districts are intended to create a transition from the adjacent residential neighborhoods to less intense non-residential land uses. In this case, the concept plan shows the retail being constructed closer to the residential neighborhood (*i.e. Harlan Park Phase 2*) and the restaurant with a drive-through constructed on the lot closer to more retail establishments (*i.e. Dalton Retail at 3201 N Goliad*) which creates a transition from the adjacent residential neighborhoods to less intense non-residential land uses. With all of this being said, this concept plan appears to meet the intent of the General Retail (GR) District; however, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 22, 2023, staff mailed 44 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Castle Ridge, Harlan Park, Stone Creek and Rockwall Shores Homeowner's Association (HOA), which are the only Homeowner's Associations (HOA's)/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices in favor or opposition of the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a Drive-Through Restaurant on the subject property, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Additional landscape screening shall be installed adjacent to drive-through lane, drive aisle adjacent to the residential land uses north of the subject property, and along N. Goliad Street [*SH-205*] to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. The additional landscaping will be approved by the Planning and Zoning Commission with the site plan approval for the proposed development depicted in *Exhibit 'B'*.
 - (b) The proposed drive-through lane shall accommodate a minimum of six (6) standard sized motor vehicles.
 - (c) Enhanced landscaping shall be provided in the north-west property corner to provide additional screening for the adjacent residential. This screening shall be approved by the Planning and Zoning Commission in conjunction with the site plan submittal for the proposed development depicted in *Exhibit 'B'*.
- (2) 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 PLANE/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 Not assigned yet

SUBDIVISION Dalton Goliad Addition

LOT 8&9

BLOCK A

GENERAL LOCATION West side of S.H. 205 two lots north of Dalton Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR w/N SH 205 Overlay

CURRENT USE Vacant

PROPOSED ZONING Same

PROPOSED USE Retail/Rest. Shopping Center

ACREAGE 1.93

LOTS [CURRENT] 2

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 Kennor Rockwall Retail, LLC

APPLICANT Vasquez Engineering, LLC

CONTACT PERSON Shane Shoulders

CONTACT PERSON Juan J. Vasquez

ADDRESS 8848 Greenville Ave.

ADDRESS 1919 S. Shiloh Road

Suite 440

CITY, STATE & ZIP Dallas, TX 75243

CITY, STATE & ZIP Garland, TX 75042

PHONE 903-819-1208

PHONE 972-278-2948

E-MAIL sshoulders@sbcglobal.net

E-MAIL jvasquez@vasquezengineering.com

NOTARY VERIFICATION [REQUIRED]

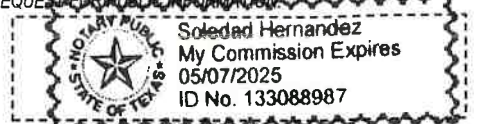
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED David Shane Shoulders [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 228.95 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF August, 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 17th DAY OF August, 2023

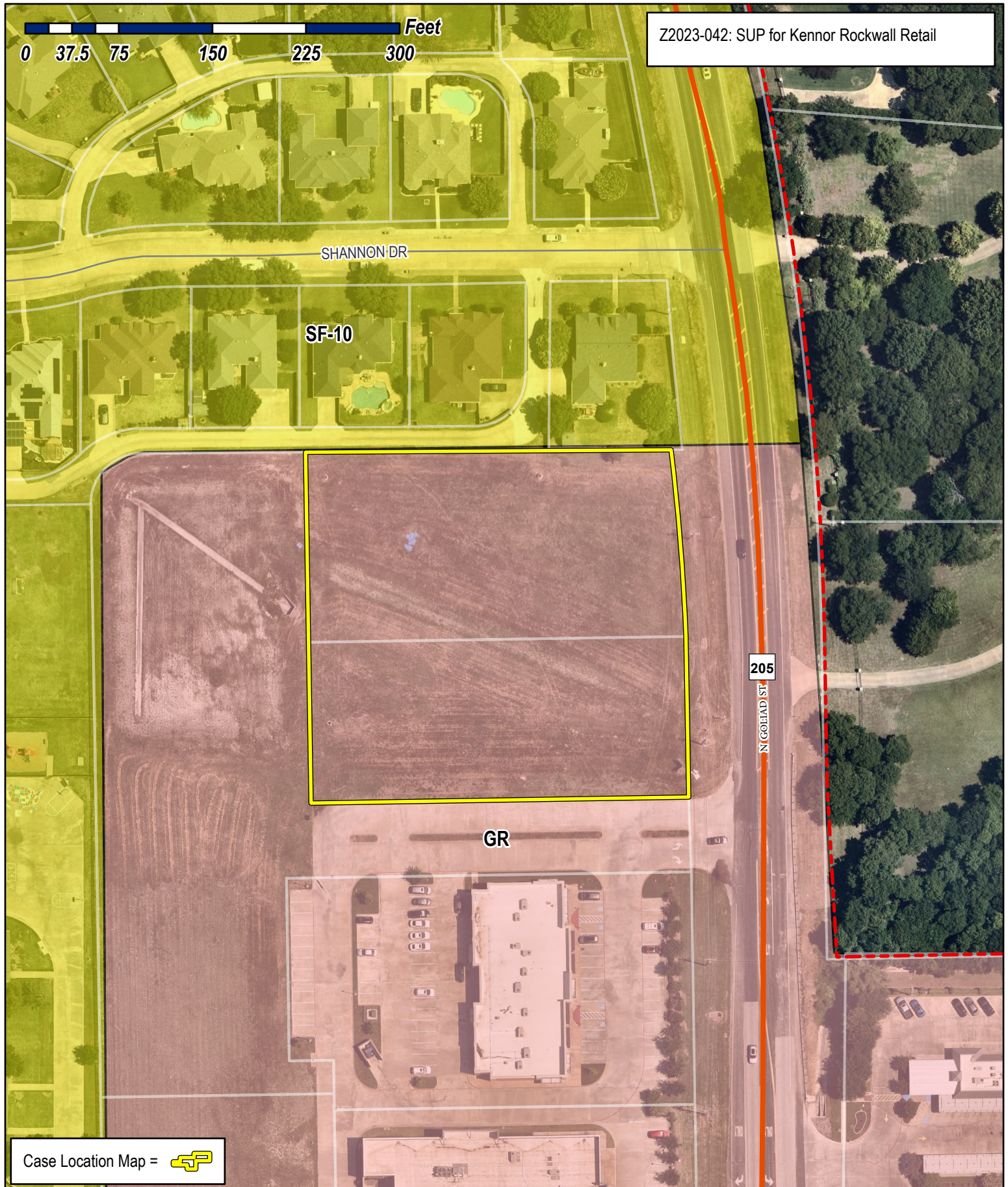
OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 05/07/2025

Z2023-042: SUP for Kennor Rockwall Retail



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.

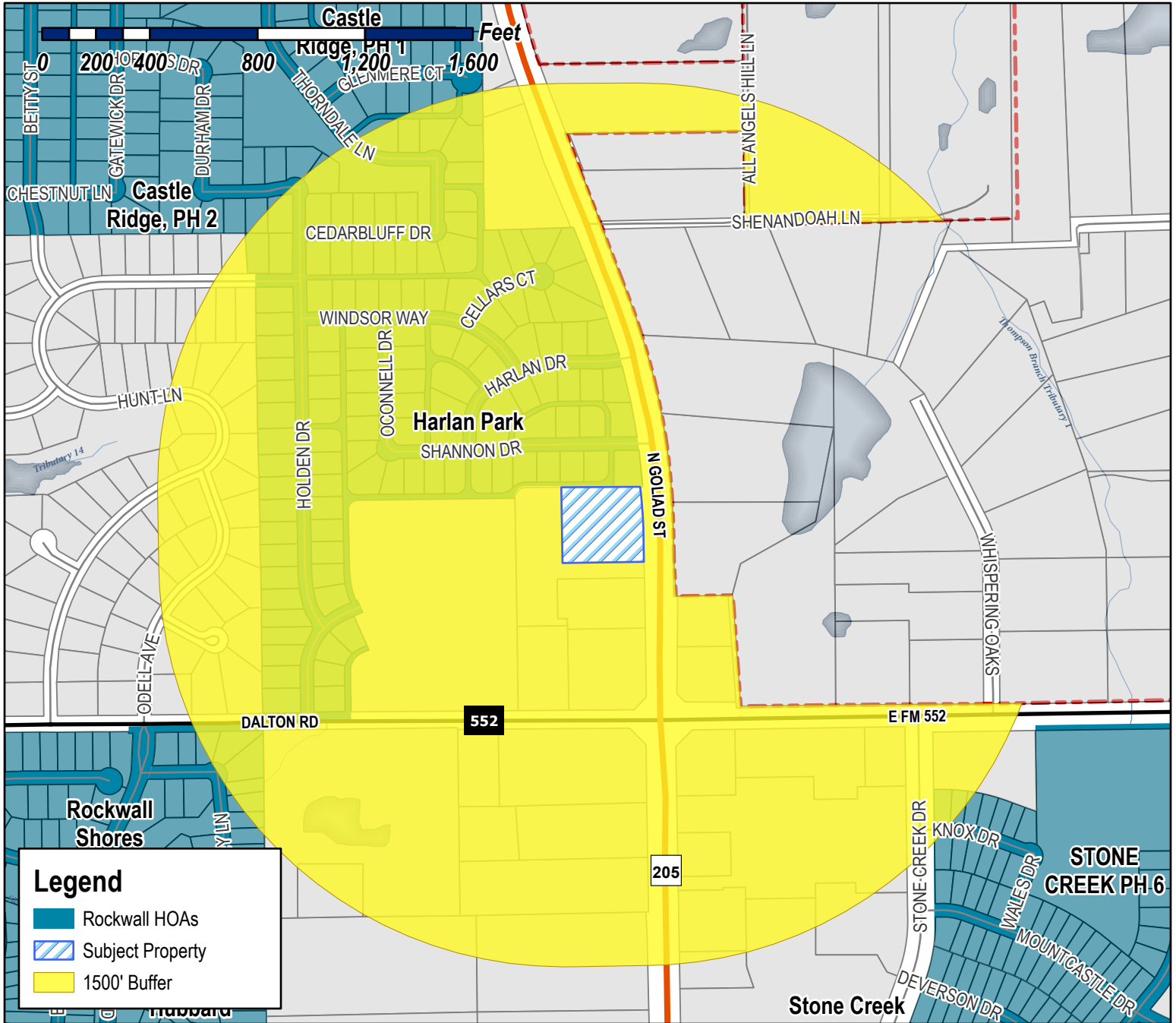




City of Rockwall

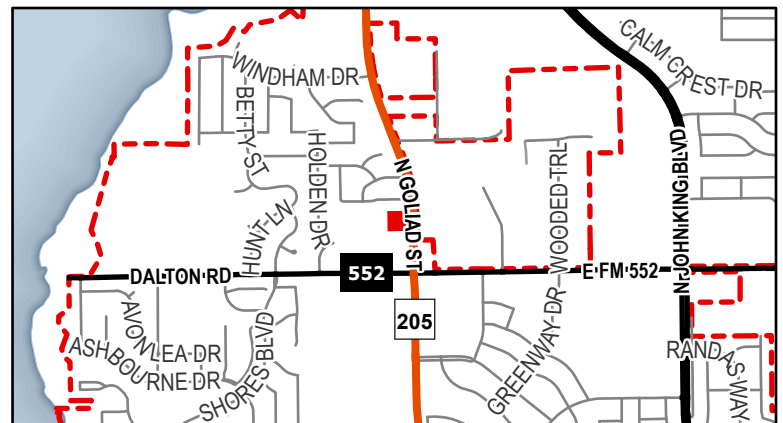
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Case Number: Z2023-042
Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St

Date Saved: 8/18/2023
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Zavala, Melanie
Sent: Wednesday, August 23, 2023 4:35 PM
Cc: Miller, Ryan; Lee, Henry; Ross, Bethany; Guevara, Angelica
Subject: Neighborhood Notification Program [Z2023-042]
Attachments: Public Notice (PZ) (08.22.2023).pdf; HOA Map (8.22.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *August 25, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, September 12, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 18, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2023-042: SUP for a Restaurant

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a *Specific Use Permit (SUP)* for a *Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [*SH-205*], and take any action necessary.

Thank You,

Melanie Zavala

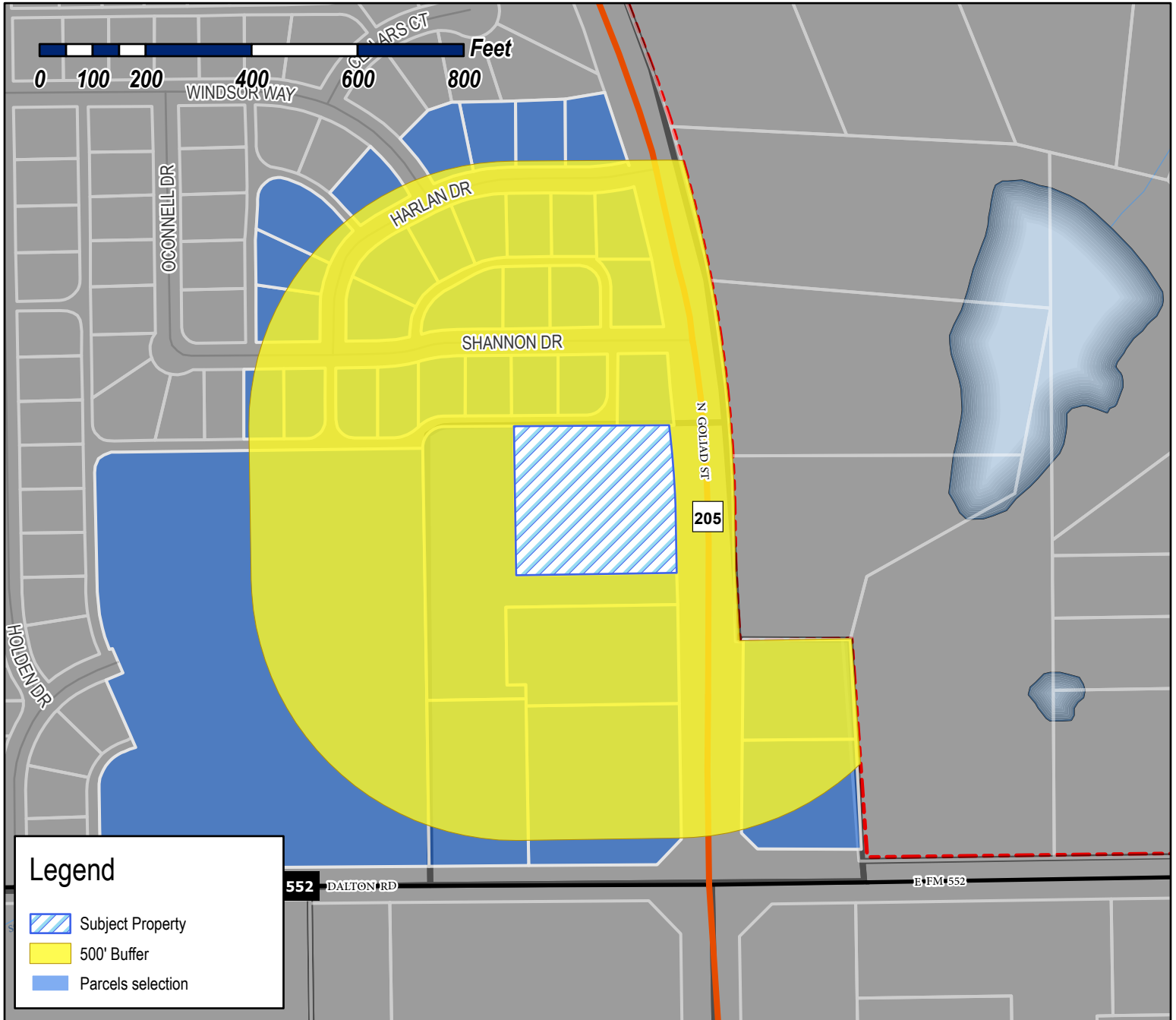
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
<http://www.rockwall.com/>
972-771-7745 Ext. 6568



City of Rockwall

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

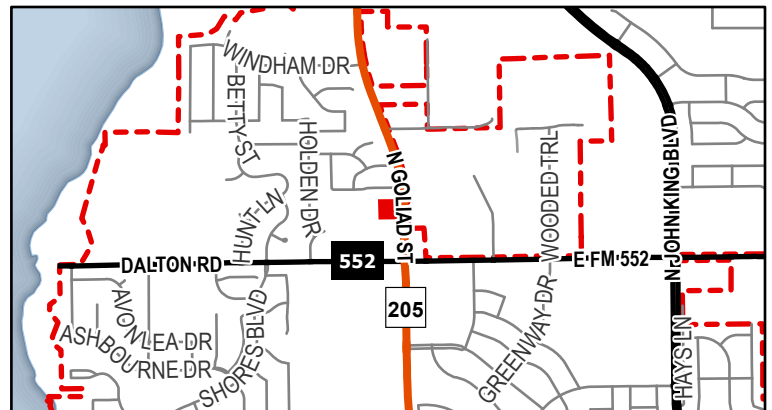
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Case Number: Z2023-042
Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St.

Date Saved: 8/18/2023

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



GOLIAD 711 ROCKWALL LLC
SILVER OAK ADVISORS LLC
ATTN GARSON C SOE
1630 RIVIERA AVE
WALNUT CREEK, CA 94596

OCCUPANT
3250 N GOLIAD ST
ROCKWALL, TX 75087

MASSEY WILLIAM C JR AND LACY
7128 HARLAN DR
ROCKWALL, TX 75087

WILLIAMS BUCK AND JESSICA
7135 HARLAN DR
ROCKWALL, TX 75087

BENNETT R LANGDON & LINDA
7125 HARLAN DR
ROCKWALL, TX 75087

LIU LIRONG AND FENG XIN
3116 DEEP SPRINGS DR
PLANO, TX 75025

OCCUPANT
7127 HARLAN DR
ROCKWALL, TX 75087

GREEN DORIS M
7129 HARLAN DR
ROCKWALL, TX 75087

YATES GLEN M & DORIS A
525 SHANNON DR
ROCKWALL, TX 75087

KELLY SHARON RENEE & EDDY D,
TRUSTEES OF EDDY D KELLY &
SHARON RENEE KELLY REVOCABLE
LIVING TRUST
527 SHANNON DR
ROCKWALL, TX 75087

JONES KENNETH A & CYNTHIA C
531 SHANNON DR
ROCKWALL, TX 75087

MILAZZO DENNIS M SHELLY A
512 SHANNON DR
ROCKWALL, TX 75087

WOLFE KENNETH & PAMELA
514 SHANNON DR
ROCKWALL, TX 75087

WAGONER LISA M
514 WINDSOR WAY
ROCKWALL, TX 75087

RUNNELS NEVILLE J & JOHANNA E
REVOCABLE LIVING TRUST
NEVILLE J & JOHANNA E RUNNELS
CO TRUSTEES
7140 HARLAN DR
ROCKWALL, TX 75087

HORTON BILL D & JOYCE
7138 HARLAN DR
ROCKWALL, TX 75087

PRICE ELLIOTT & LATOYA DUNCAN
518 SHANNON DR
ROCKWALL, TX 75087

DOSS JAMES B & JENNIFER
7137 HARLAN DR
ROCKWALL, TX 75087

KELLY CASEY & CRYSTIE
7136 HARLAN DR
ROCKWALL, TX 75087

ALEXANDER MICHAEL
7134 HARLAN DR
ROCKWALL, TX 75087

VINES THOMAS & SHERRY
7132 HARLAN DR
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET
SUITE 101
GRAPEVINE, TX 76051

OCCUPANT
3260 N GOLIAD ST
ROCKWALL, TX 75087

FRYER CRAIG RYAN
7133 HARLAN DR
ROCKWALL, TX 75087

LAUE JOSHUA LYNN AND MIRANDA
NIKKOLE
7139 HARLAN DR
ROCKWALL, TX 75087

TRAN STEVE & CATHERINE
7124 HARLAN DR
ROCKWALL, TX 75087

BELL WILLIAM L JR & PAMELA S
177 PRIVATE ROAD 54166
PITTSBURG, TX 75686

OCCUPANT
523 SHANNON DR
ROCKWALL, TX 75087

SANFORD DAVID A & ANNETTE F
532 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL I S D
350 DALTON RD
ROCKWALL, TX 75087

CARTER PRISCILLA PAIGE
526 SHANNON DR
ROCKWALL, TX 75087

CHERUKURU NANDGOPAL
609 S GOLIAD ST #2498
ROCKWALL, TX 75087

OCCUPANT
528 SHANNON DR
ROCKWALL, TX 75087

DAVIS GLYNN M & CAROLYN A
524 SHANNON DR
ROCKWALL, TX 75087

HAN SANG HWA
522 SHANNON DR
ROCKWALL, TX 75087

SULLENGER LAWRENCE M AND
DEBBIE J
520 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
3509 N HWY 205
ROCKWALL, TX 75087

ALDI TEXAS LLC
2500 WESTCOURT ROAD
DENTON, TX 76207

OCCUPANT
3251 N GOLIAD ST
ROCKWALL, TX 75087

DALTON RETAIL LLC
2954 ARBORIDGE COURT
FULLERTON, CA 92835

OCCUPANT
3301 N GOLIAD ST
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
320 DALTON RD
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:

Z2023-042: SUP for a Restaurant

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], 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, September 12, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 18, 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:

Henry Lee
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, September 18, 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. Z2023-042: SUP for a Restaurant

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

**Letter of Intent
Kennor Rockwall Retail**

Our client Kennor Rockwall Retail, LLC is proposing to replat lots 8 & 9, Block A of the Dalton Goliad Addition into one lot in order to develop two 6,300 SF commercial buildings for retail and restaurant uses. The southernmost building will have a restaurant with drive thru window. The lots are located at approximately 560 feet from the northwest corner of S.H. No. 205 and Dalton Road and are currently vacant. The development is approximately 1.93 acres and is zoned "GR" General Retail District, which requires a Special Use Permit for restaurant uses with drive thru window.

Owner/Developer:

Kennor Rockwall Retail, LLC
Attn: Shane Shoulders
8848 Greenville Ave.
Dallas, TX 75243

Metes and Bounds Description

BEING all that certain 1.927 acre situated in the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, and being Lots 8 and 9, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the replat recorded in under Clerk's File No. 20210000014665, Map Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod with red plastic cap stamped "Peiser & Mankin SURV" found (hereinafter referred to as ½ inch iron rod with red cap found) for the northeast corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas, same being in the westerly right-of-way line of State Highway No. 205 (called 100 foot right-of-way), same being the beginning of a curve to the right, having a radius of 2805.03 feet and a delta angle of 04 deg. 41 min. 34 sec.;

THENCE along said curve to the right, and along the common line of said Lot 8 and said State Highway No. 205, passing a ½ inch iron rod with red cap found for the southeast corner of said Lot 8, same being the northeast corner of aforesaid Lot 9, and continuing along the common line of said Lot 9 and said State Highway No. 205, a total arc distance of 229.74 feet and a chord bearing and distance of South 03 deg. 19 min. 43 sec. East, 229.68 feet to a ½ inch iron rod with red cap found for angle point;

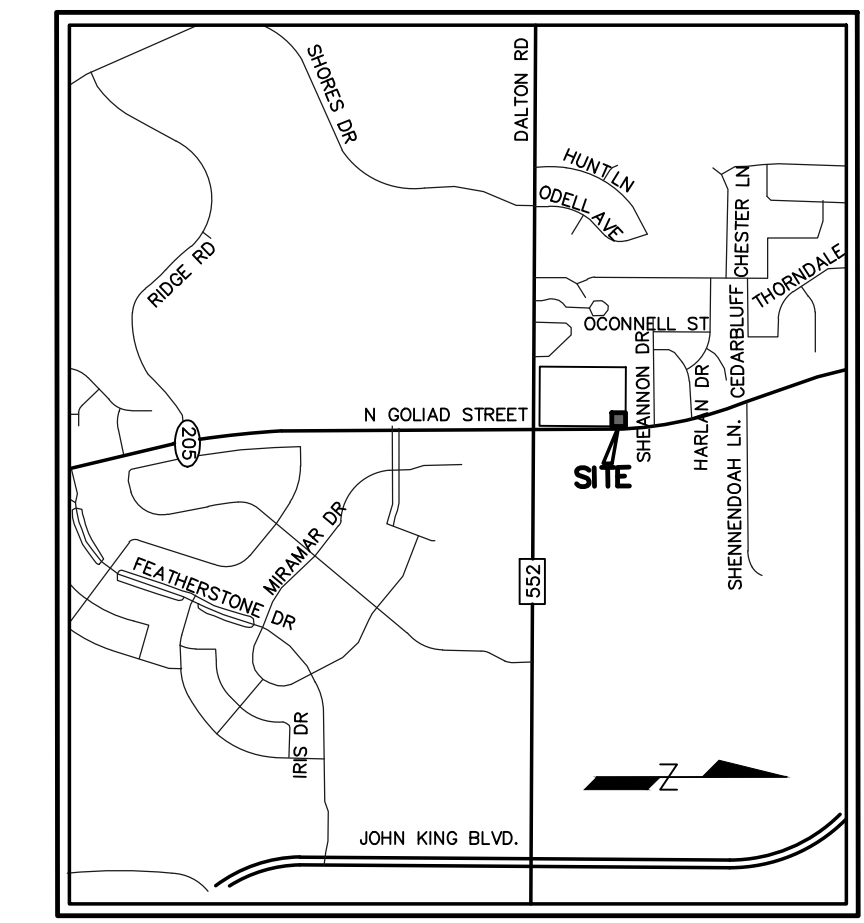
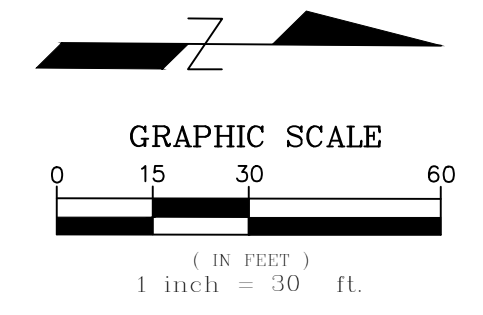
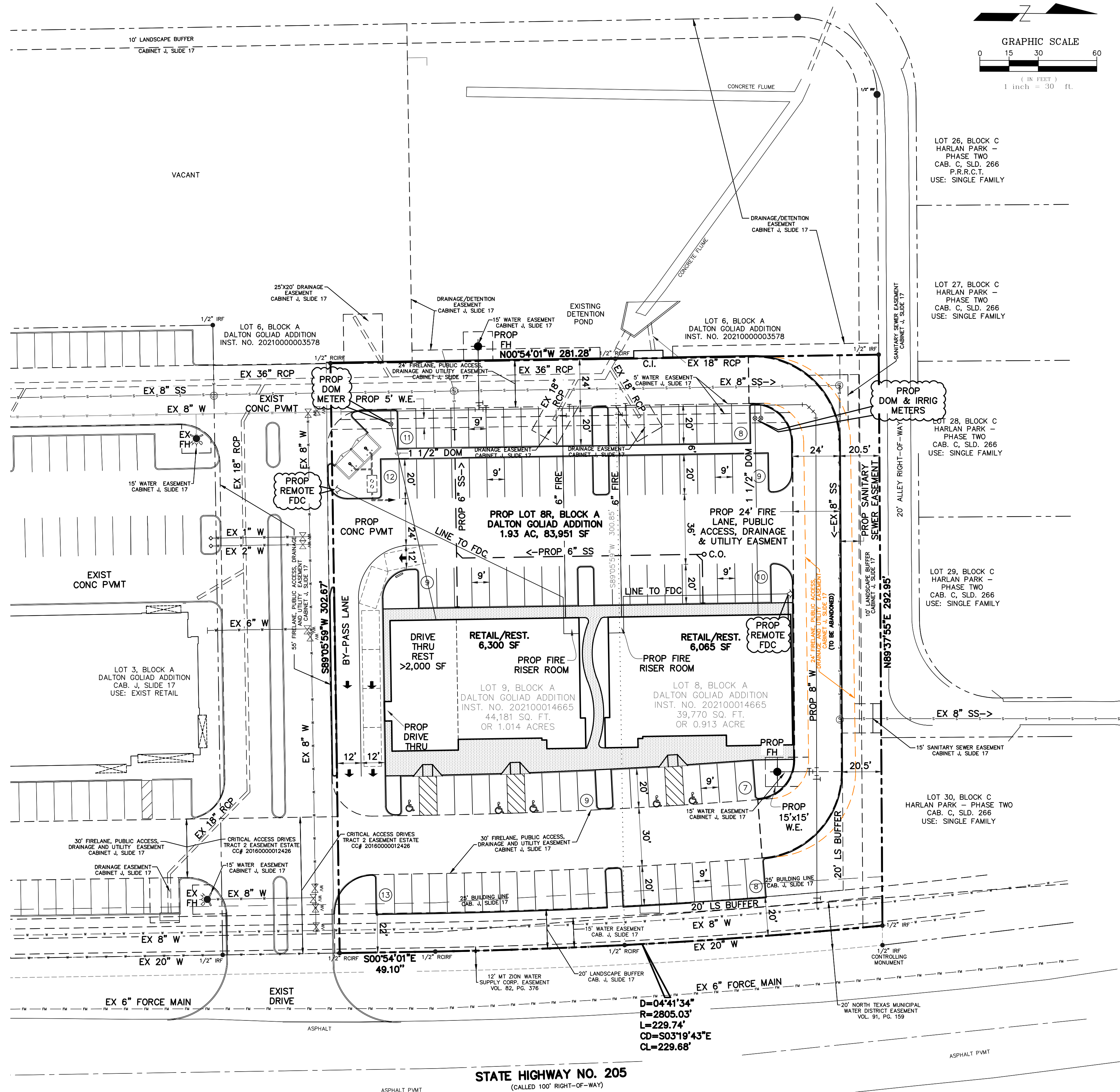
THENCE South 00 deg. 54 min. 01 sec. East, continuing along the common line of said Lot 9 and said State Highway No. 205, a distance of 49.10 feet to a ½ inch iron rod with red cap found for the southeast corner of said Lot 9, same being the most easterly northeast corner of Lot 6, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Instrument Number 20210000003578, aforesaid Official Public Records;

THENCE along the common line of said Lots 9 and 6 as follows:

South 89 deg. 05 min. 59 sec. West, a distance of 302.67 feet to a ½ inch iron rod with red cap found for the southwest corner of said Lot 9;

North 00 deg. 54 min. 01 sec. West, passing at a distance of 146.18 feet, a ½ inch iron rod with red cap found for the northeast corner of said Lot 9, same being the southwest corner of aforesaid Lot 8, and continuing along the common line of said Lot 8 and said Lot 6, a total distance of 281.28 feet to the ½ inch iron rod with red cap found for the northwest corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas;

THENCE North 89 deg. 37 min. 55 sec. East, along the common line of said Lot 8 and said Block C, a distance of 292.95 feet to the POINT OF BEGINNING and containing 83,951 square feet or 1.927 acres of computed land, more or less.



LOCATION MAP
N.T.S.

EXISTING	LEGEND	PROPOSED
---	PROPERTY LINE	---
---	PAVEMENT	---
---	CENTER LINE	---
---	CONC WALK	---
---	PARKING COUNT	(13)
---	STACKING	9'
---	WATER	---
---	SEWER	---
---	FORCE MAIN	---
---	STORM SEWER	---
---	WATER VALVE	+
---	FIRE HYDRANT	+
---	FDC	+
---	WATER METER	+
---	SAN. SEWER MH	+
---	CURB INLET	+
---	C.I.	---

- NOTES
1. TOPOGRAPHY SURVEY PREPARED BY PEISER & MANKIN SURVEYING, L.L.C., DATED 06/28/2023.
 2. PROPERTY OWNER RESPONSIBLE FOR MAINTAINING, REPAIRING, AND REPLACEMENT OF THE DETENTION/DRAINAGE SYSTEM.

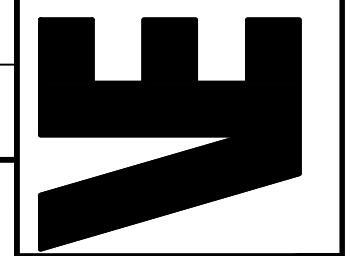
Site Address	GOLIAD
County	ROCKWALL
Project Name	KENOR ROCKWALL RETAIL
Zoning District	GR W/N. SH 205 OVERLAY DISTRICT
Proposed use	RETAIL/REST.
Site Area:	1.93 Acres 83,951 S.F.
Building Area	12,365 S.F.
Building Height:	1 Story
Lot Coverage:	12,365 / 83,951 = 14.73%
Floor Area Ratio:	12,365 S.F. / 83,951 = 1:14.73
Parking Required Building:	12,365 S.F.
Total Parking Required:	RETAIL 1 SPCS/250 SF (5,365 SF/250) = 22 SPACES REST. 1 SPCS/100 SF (7,000 SF/100) = 70 SPACES = 92 SPACES
Parking Provided:	REGULAR = 91 SPACES ACCESSIBLE = 5 SPACES TOTAL = 96 SPACES
Impervious Area:	66,725 S.F.
Impervious Area Ratio:	66,725 S.F. / 83,951 = 79.48%
Pervious Area Ratio:	17,226 S.F. / 83,951 = 20.52%

CONCEPT PLAN
KENOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
1.93 ACRES
ROCKWALL, ROCKWALL COUNTY, TEXAS
SEPTEMBER 06, 2023
CASE #Z2023-042

OWNER/DEVELOPER:
KENOR ROCKWALL RETAIL, L.L.C.
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243
PHONE: 903-819-1208
CONTACT: SHANE SHOULDERS

ENGINEER:
VASQUEZ ENGINEERING, L.L.C.
1919 S. SHILOH ROAD, SUITE 440
GARLAND, TEXAS 75042
PHONE: 972-272-4610
CONTACT: JUAN J. VASQUEZ, P.E.

VASQUEZ ENGINEERING, L.L.C.
1919 S. Shiloh Road
Suite 440, LB 44
Garland, Texas 75042
Ph: 972-272-2948
TX Registration # F-12266



THIS DOCUMENT IS FOR
INTERM REVIEW AND IS
NOT TO BE USED FOR
CONSTRUCTION PERMITTING
OR BIDDING PURPOSES
DATE: 09/06/2023
DRAWN BY: JUV
CHECKED BY: JUV
VASEZ ENGINEERING, L.L.C.
TX REG. F-12266

DEVELOPER:
KENOR ROCKWALL RETAIL, LLC
8848 GREENVILLE AVE.
DALLAS, TEXAS 75243

CONCEPT PLAN
KENOR ROCKWALL RETAIL
LOT 8R, BLOCK A
DALTON GOLIAD ADDITION
CITY OF ROCKWALL, TX.

Scale: 1" = 30'
Designed by: JUV
Drawn by: DRS
Checked by: JUV
Date: 09/06/2023

SHEET
CP1

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-XXX

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A RESTAURANT, WITH 2,000 SF OR MORE WITH A DRIVE-THROUGH OR DRIVE-IN ON A 1.93-ACRE PARCEL OF LAND IDENTIFIED AS LOTS 8 & 9, BLOCK A, DALTON-GOLIAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Juan Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall should be amended as follows:

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

SECTION 1. The Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*; Subsection 04.04, *General Retail (GR) District*; and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) Additional landscape screening shall be installed adjacent to drive-through lane, drive aisle adjacent to the residential land uses north of the subject property, and along N. Goliad Street [SH-205] to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. The additional landscaping will be approved by the Planning and Zoning Commission with the site plan approval for the proposed development depicted in *Exhibit 'B'*.
- 2) The proposed drive-through lane shall accommodate a minimum of six (6) standard sized motor vehicles.
- 3) Enhanced landscaping shall be provided in the north-west property corner to provide additional screening for the adjacent residential. This screening shall be approved by the Planning and Zoning Commission in conjunction with the site plan submittal for the proposed development depicted in *Exhibit 'B'*.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. 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 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 2nd DAY OF OCTOBER, 2023.**

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

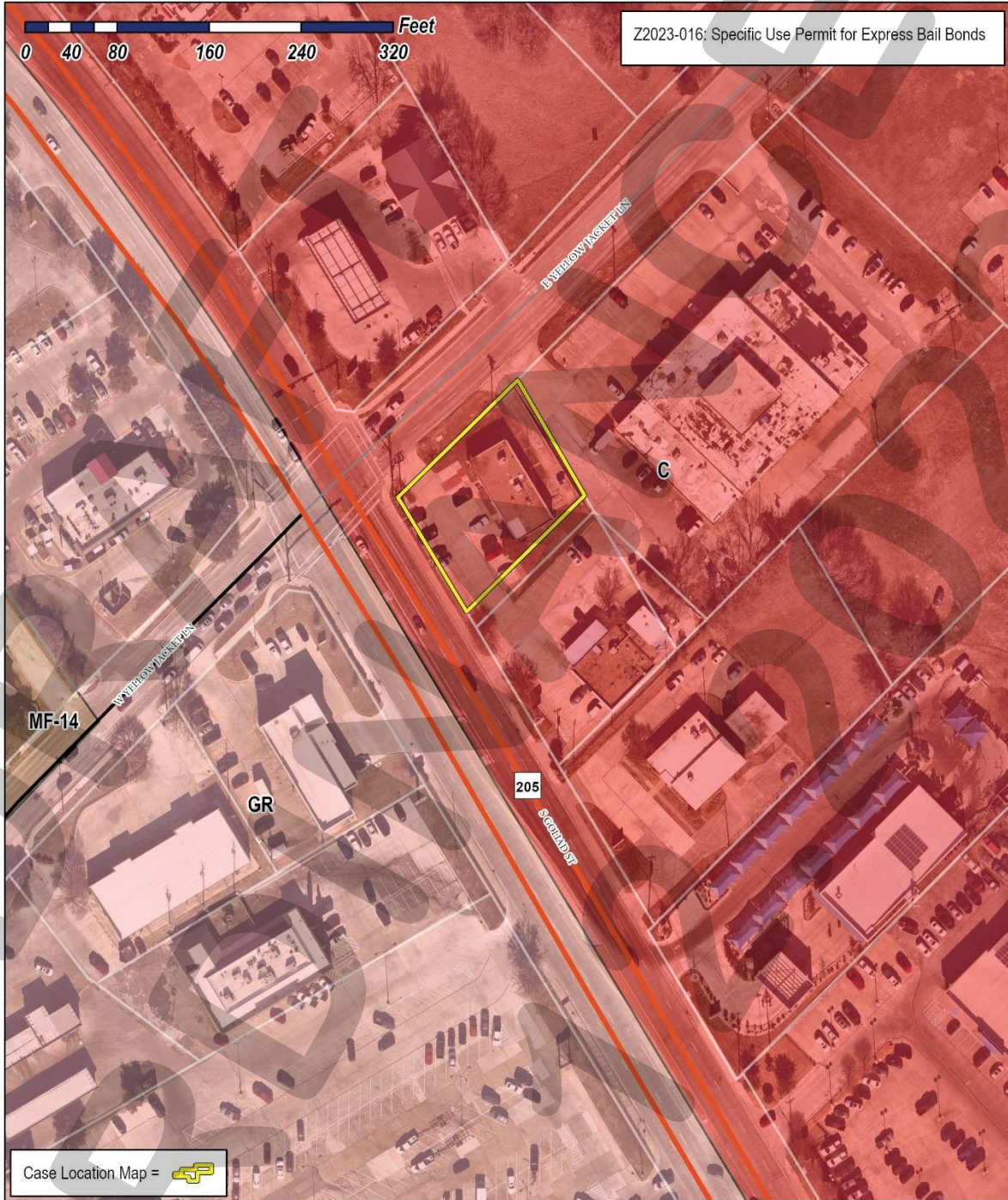
Frank J. Garza, *City Attorney*

1st Reading: September 18, 2023

2nd Reading: October 2, 2023

**Exhibit 'A':
Location Map**

LEGAL DESCRIPTION: Lots 8 & 9, Block A, Dalton-Goliad Addition



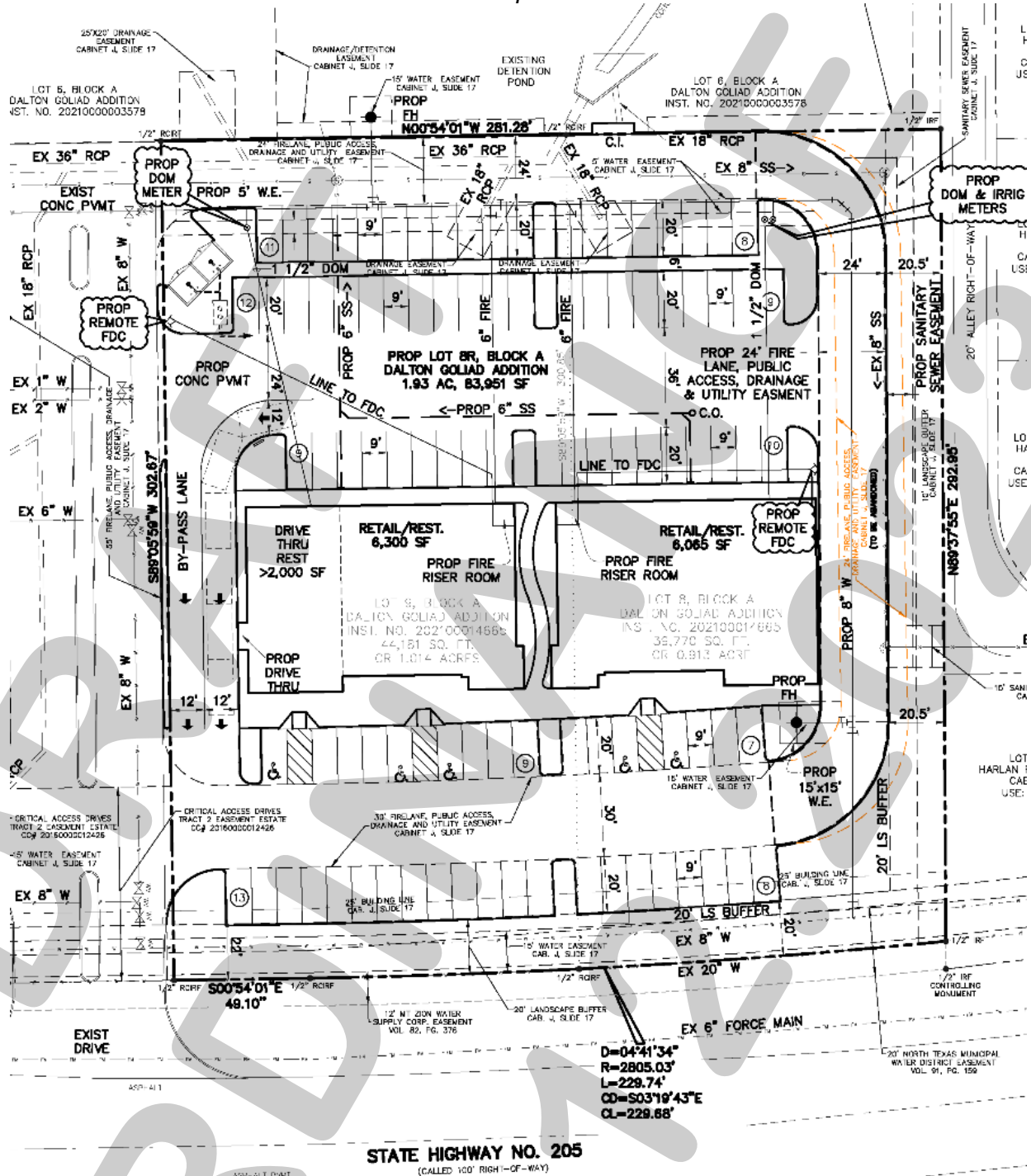
City of Rockwall

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.



Exhibit 'B': Concept Plan





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: September 18, 2023

APPLICANT: Juan J. Vasquez; *Vasquez Engineering, LLC*

CASE NUMBER: Z2023-042; *Specific Use Permit (SUP) for a Drive-Through Restaurant at 3611 & 3775 N. Goliad Street [SH-205]*

SUMMARY

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a *Specific Use Permit (SUP)* for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on November 7, 1983 by *Ordinance No. 83-57*. Based on the City's historic zoning maps the subject property was rezoned from an Agricultural (AG) District to a General Retail (GR) District at some point between November 7, 1983 and December 7, 1993. On February 15, 2016, the City Council approved a preliminary plat [Case No. P2016-004] for Lots 1-6, Block A, Dalton-Goliad Addition. This approval was followed by a final plat [Case No. P2016-034], which was approved by the City Council on August 1, 2016. This final plat created Lots 1-3, Block A, Dalton-Goliad Addition. On December 4, 2017, the City Council approved a replat [Case No. P2017-062] subdividing Lot 2, Block A into Lots 4 & 5, Block A and establishing the subject property (*i.e. Lot 4, Block A, Dalton-Goliad Addition*); however, this replat was never filed. Prior to the replat, a Specific Use Permit (SUP) [S-171; *Ordinance No. 17-39*; Case No. Z2017-029] was approved by the City Council on August 7, 2017. This approval allowed a *Restaurant, Greater Than 2,000 SF with a Drive-Through or Drive-In (i.e. Freddy's Frozen Custard)* on the subject property. On September 12, 2017, the Planning and Zoning Commission approved a site plan [Case No. SP2017-024] for the proposed restaurant; however, the restaurant was never constructed, and the site plan and the Specific Use Permit (SUP) has since expired. On December 7, 2020, the City Council approved a conveyance plat [Case No. P2020-048] for the purpose of subdividing one (1) lot (*i.e. Lot 2, Block A, Dalton-Goliad Addition*) into four (4) lots (*i.e. Lots 4-7, Block A, Dalton Goliad Addition*) to convey the property. This conveyance plat established the subject property as Lot 5, Block A, Dalton-Goliad Addition. On March 15, 2021, the City Council denied a Specific Use Permit (SUP) request [Case No. Z2021-002] for a *Self-Service Car Wash*. On June 1, 2021, the City Council approved a replat [Case No. P2021-016] that established the subject property as Lots 8 & 9, Block A, Dalton-Goliad Addition. The subject property is currently vacant.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) to allow for a *Drive-Through Restaurant* on the subject property in accordance with the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 3611 & 3775 N. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Phase 2 of the Harlan Park Subdivision, which consists of 30 single-family residential lots. Beyond this is Phase 1 of the Harlan Park Subdivision, which consists of 65 single-family residential lots. Both of these subdivisions are zoned Single-Family 10 (SF-10) District.

South: Directly south of the subject property are Lots 1, 3, & 6, Block A, Dalton-Goliad Addition. Lot 3 is currently occupied by a strip retail center with several tenants (*i.e. Marco's Pizza, Hittson Dental, and Venice Nail Salon*). Adjacent to and south of the strip center is Lot 1, which is occupied with an Aldi's Grocery Store. These properties are zoned General Retail (GR) District. South of this is Dalton 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.

East: Directly east of the subject property is N. Goliad Street [SH-205], which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the corporate limits of the City followed by properties in the City's Extraterritorial Jurisdiction (ETJ) that have existing single-family homes situated on them. Adjacent to and south of this area is a Sonic Drive-In and 7-Eleven Gas Station, both of which are situated within the City limits and are zoned General Retail (GR) District.

West: Directly west of the subject property is a vacant 2.402-acre parcel of land (*i.e. Lot 6, Block A, Dalton-Goliad Addition*). This property is zoned General Retail (GR) District. Beyond this is the Nebbie Williams Elementary School, which is situated on a 11.599-acre parcel of land (*i.e. Lot 1, Block A, Rockwall School North Addition*). This property is zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and concept plan, depicting the layout of two (2) *Retail Building* that are 6,300 SF and 6,065 SF. The 6,300 SF *Retail Building* will include a *Restaurant with a Drive-through*. The proposed restaurant will consist of a single drive-through lane. The concept plan shows that there will be 70 parking spaces provided for the proposed development. The concept plan also shows that the drive-through will be oriented so that the exit will be facing onto N. Goliad Street. Based on this, staff is requesting that the applicant provide additional landscape screening adjacent to drive-through lane and along N. Goliad Street [SH-205] to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. In addition, there is residential adjacency to the north, where the applicant has provided the required 20-foot landscape buffer. Staff should note that the additional landscaping has been included in the draft ordinance as operational conditions should the Specific Use Permit (SUP) be approved.

CONFORMANCE TO THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a *Restaurant with 2,000 SF or more with a Drive-Through or Drive-In* requires a Specific Use Permit (SUP) in the General Retail (GR) District. In addition, Subsection 02.03 (H)(4), *Conditional Land Use Standards*, of Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also provides the following requirements relating to regulating the land use:

- (a) Drive-through lanes shall not have access to a local or residential street.
- (b) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (c) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted concept plan appears to meet the *Conditional Land Use Standards* outlined within the UDC. Staff has included an operational condition within the draft ordinance that requires additional landscaping be provided adjacent to the drive through lane, N. Goliad Street, and in the northwestern corner of the site to impair the potential impacts of the proposed land use. Staff should note that a full site plan submittal including building elevations and a landscape plan will need to be reviewed by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of site plan.

STAFF ANALYSIS

The intent of the General Retail (GR) District is to provide limited retail and service uses for nearby residential neighborhoods. Development in these areas should not include intensive commercial land uses that carry large volumes of retail traffic. Developments should also be adequately buffered and screened from residential land uses. Since the General Retail (GR) District is located close to residential areas, the development standards are typically more stringent and similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts. All of these districts are intended to create a transition from the adjacent residential neighborhoods to less intense non-residential land uses. In this case, the concept plan shows the retail being constructed closer to the residential neighborhood (*i.e. Harlan Park Phase 2*) and the restaurant with a drive-through constructed on the lot closer to more retail establishments (*i.e. Dalton Retail at 3201 N Goliad*) which creates a transition from the adjacent residential neighborhoods to less intense non-residential land uses. With all of this being said, this concept plan appears to meet the intent of the General Retail (GR) District; however, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 22, 2023, staff mailed 44 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Castle Ridge, Harlan Park, Stone Creek and Rockwall Shores Homeowner's Association (HOA), which are the only Homeowner's Associations (HOA's)/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had not received any notices in favor or opposition of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a Drive-Through Restaurant on the subject property, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Additional landscape screening shall be installed adjacent to drive-through lane, drive aisle adjacent to the residential land uses north of the subject property, and along N. Goliad Street [*SH-205*] to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. The additional landscaping will be approved by the Planning and Zoning Commission with the site plan approval for the proposed development depicted in *Exhibit 'B'*.
 - (b) The proposed drive-through lane shall accommodate a minimum of six (6) standard sized motor vehicles.
 - (c) Enhanced landscaping shall be provided in the north-west property corner to provide additional screening for the adjacent residential. This screening shall be approved by the Planning and Zoning Commission in conjunction with the site plan submittal for the proposed development depicted in *Exhibit 'B'*.
- (2) 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 September 12, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0 with Commissioner Womble 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 PLANE/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 Not assigned yet

SUBDIVISION Dalton Goliad Addition

LOT 8&9

BLOCK A

GENERAL LOCATION West side of S.H. 205 two lots north of Dalton Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR w/N SH 205 Overlay

CURRENT USE Vacant

PROPOSED ZONING Same

PROPOSED USE Retail/Rest. Shopping Center

ACREAGE 1.93

LOTS [CURRENT] 2

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 Kennor Rockwall Retail, LLC

APPLICANT Vasquez Engineering, LLC

CONTACT PERSON Shane Shoulders

CONTACT PERSON Juan J. Vasquez

ADDRESS 8848 Greenville Ave.

ADDRESS 1919 S. Shiloh Road

Suite 440

CITY, STATE & ZIP Dallas, TX 75243

CITY, STATE & ZIP Garland, TX 75042

PHONE 903-819-1208

PHONE 972-278-2948

E-MAIL sshoulders@sbcglobal.net

E-MAIL jvasquez@vasquezengineering.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED David Shane Shoulders [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 \$ 228.95 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17th DAY OF August, 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 17th DAY OF August, 2023

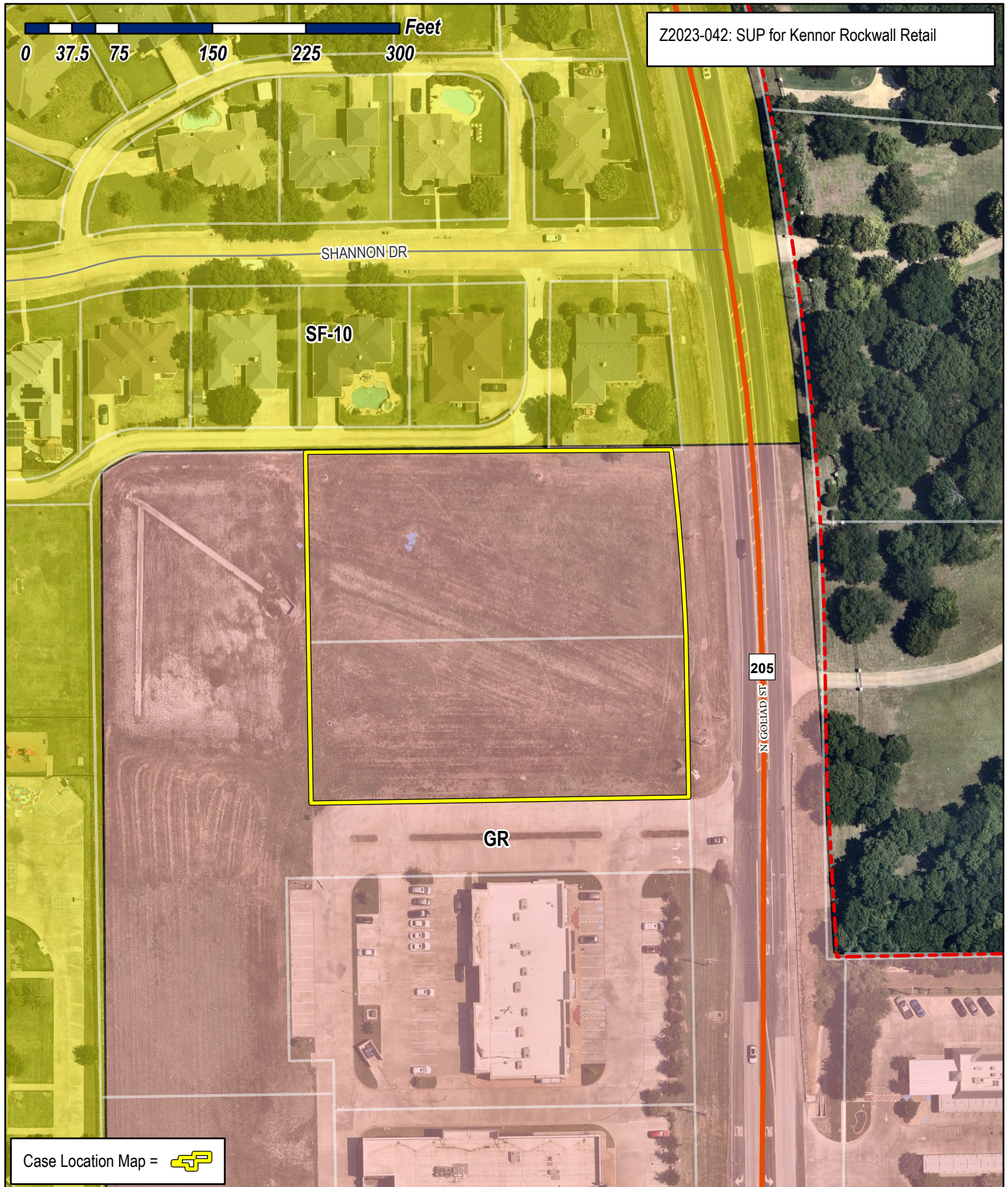
OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 05/07/2025

Z2023-042: SUP for Kennor Rockwall Retail



Case Location Map =



City of Rockwall

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

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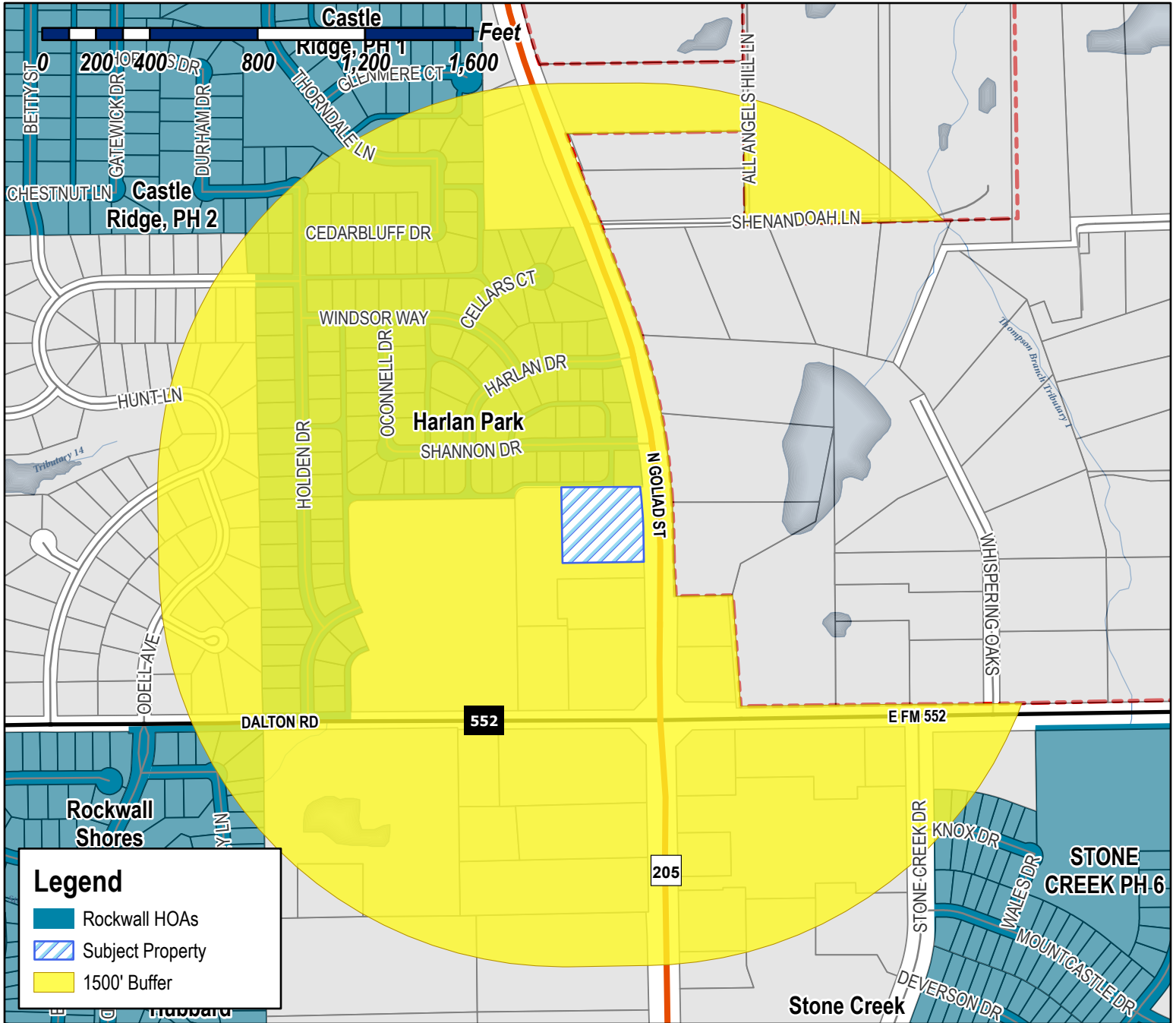




City of Rockwall

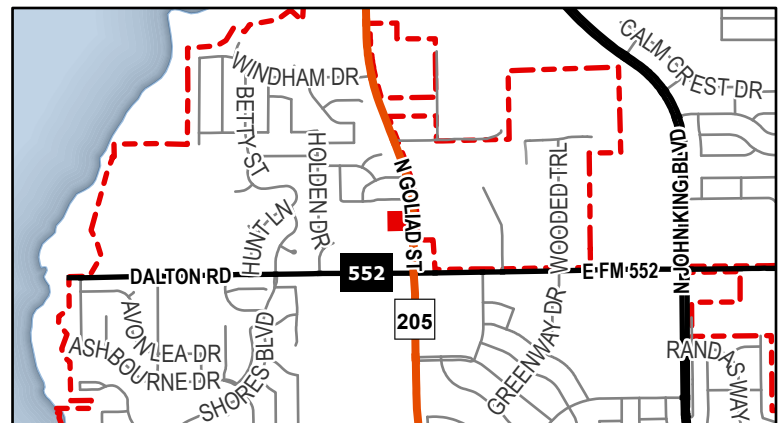
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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Case Number: Z2023-042
Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St

Date Saved: 8/18/2023
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Zavala, Melanie
Sent: Wednesday, August 23, 2023 4:35 PM
Cc: Miller, Ryan; Lee, Henry; Ross, Bethany; Guevara, Angelica
Subject: Neighborhood Notification Program [Z2023-042]
Attachments: Public Notice (PZ) (08.22.2023).pdf; HOA Map (8.22.2023).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *August 25, 2023*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, September 12, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, September 18, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2023-042: SUP for a Restaurant

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a *Specific Use Permit (SUP) for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [*SH-205*], and take any action necessary.

Thank You,

Melanie Zavala

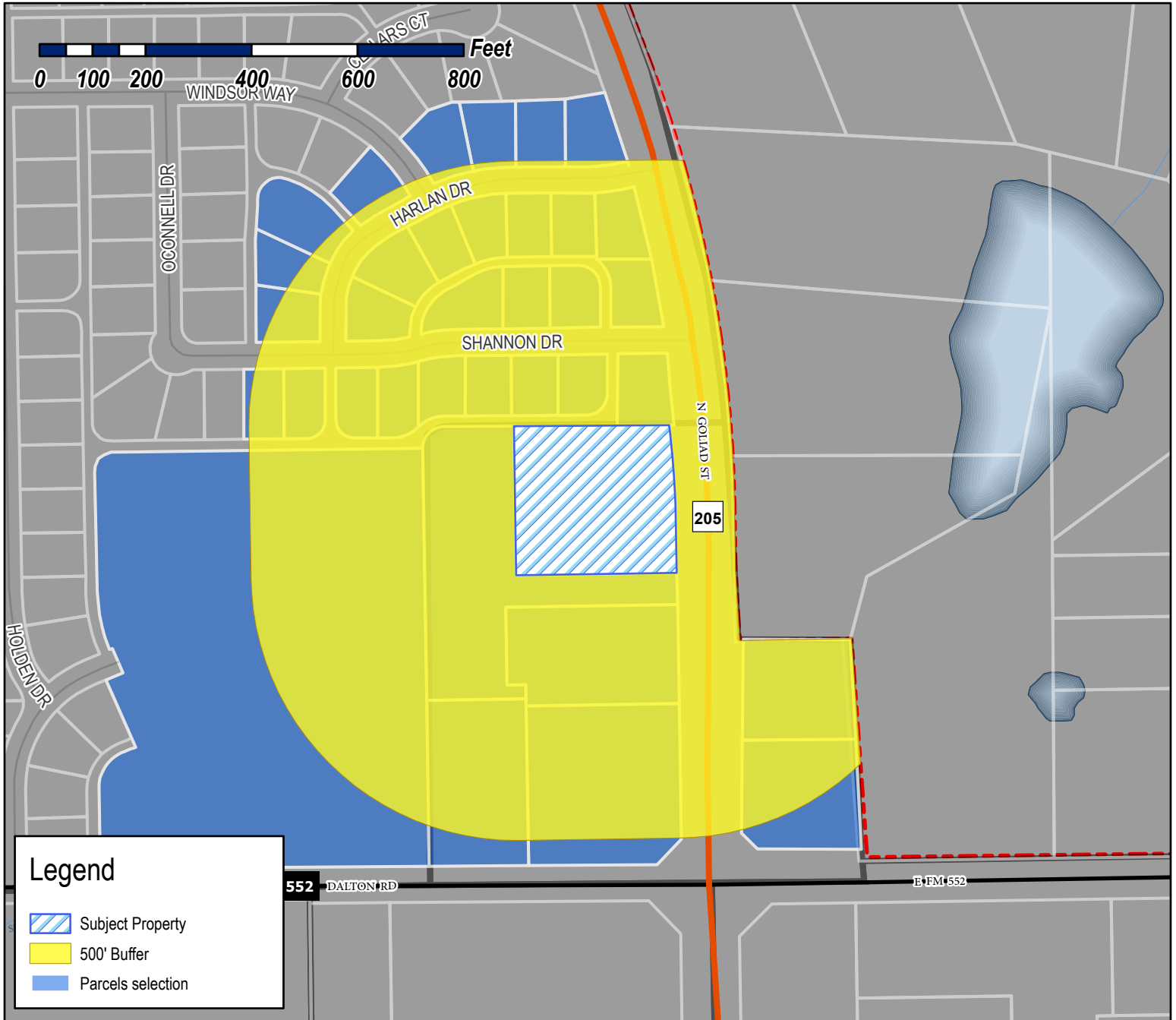
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
<http://www.rockwall.com/>
972-771-7745 Ext. 6568



City of Rockwall

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

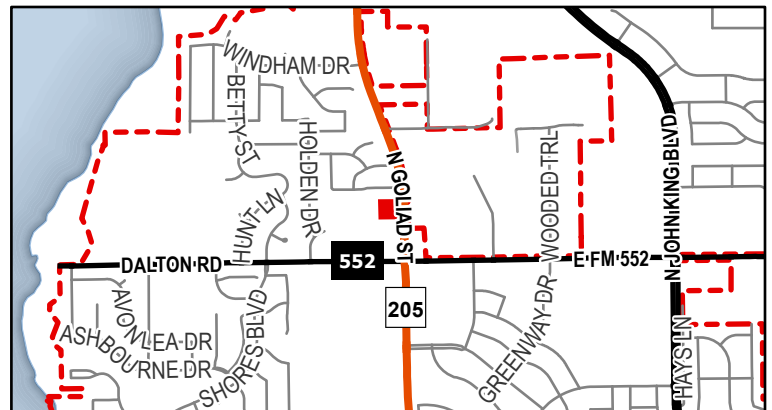
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Case Number: Z2023-042
Case Name: SUP for Kennor Rockwall Retail
Case Type: Zoning
Zoning: General Retail
Case Address: 3611 & 3775 N Goliad St.

Date Saved: 8/18/2023

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



GOLIAD 711 ROCKWALL LLC
SILVER OAK ADVISORS LLC
ATTN GARSON C SOE
1630 RIVIERA AVE
WALNUT CREEK, CA 94596

OCCUPANT
3250 N GOLIAD ST
ROCKWALL, TX 75087

MASSEY WILLIAM C JR AND LACY
7128 HARLAN DR
ROCKWALL, TX 75087

WILLIAMS BUCK AND JESSICA
7135 HARLAN DR
ROCKWALL, TX 75087

BENNETT R LANGDON & LINDA
7125 HARLAN DR
ROCKWALL, TX 75087

LIU LIRONG AND FENG XIN
3116 DEEP SPRINGS DR
PLANO, TX 75025

OCCUPANT
7127 HARLAN DR
ROCKWALL, TX 75087

GREEN DORIS M
7129 HARLAN DR
ROCKWALL, TX 75087

YATES GLEN M & DORIS A
525 SHANNON DR
ROCKWALL, TX 75087

KELLY SHARON RENEE & EDDY D,
TRUSTEES OF EDDY D KELLY &
SHARON RENEE KELLY REVOCABLE
LIVING TRUST
527 SHANNON DR
ROCKWALL, TX 75087

JONES KENNETH A & CYNTHIA C
531 SHANNON DR
ROCKWALL, TX 75087

MILAZZO DENNIS M SHELLY A
512 SHANNON DR
ROCKWALL, TX 75087

WOLFE KENNETH & PAMELA
514 SHANNON DR
ROCKWALL, TX 75087

WAGONER LISA M
514 WINDSOR WAY
ROCKWALL, TX 75087

RUNNELS NEVILLE J & JOHANNA E
REVOCABLE LIVING TRUST
NEVILLE J & JOHANNA E RUNNELS
CO TRUSTEES
7140 HARLAN DR
ROCKWALL, TX 75087

HORTON BILL D & JOYCE
7138 HARLAN DR
ROCKWALL, TX 75087

PRICE ELLIOTT & LATOYA DUNCAN
518 SHANNON DR
ROCKWALL, TX 75087

DOSS JAMES B & JENNIFER
7137 HARLAN DR
ROCKWALL, TX 75087

KELLY CASEY & CRYSTIE
7136 HARLAN DR
ROCKWALL, TX 75087

ALEXANDER MICHAEL
7134 HARLAN DR
ROCKWALL, TX 75087

VINES THOMAS & SHERRY
7132 HARLAN DR
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET
SUITE 101
GRAPEVINE, TX 76051

OCCUPANT
3260 N GOLIAD ST
ROCKWALL, TX 75087

FRYER CRAIG RYAN
7133 HARLAN DR
ROCKWALL, TX 75087

LAUE JOSHUA LYNN AND MIRANDA
NIKKOLE
7139 HARLAN DR
ROCKWALL, TX 75087

TRAN STEVE & CATHERINE
7124 HARLAN DR
ROCKWALL, TX 75087

BELL WILLIAM L JR & PAMELA S
177 PRIVATE ROAD 54166
PITTSBURG, TX 75686

OCCUPANT
523 SHANNON DR
ROCKWALL, TX 75087

SANFORD DAVID A & ANNETTE F
532 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL I S D
350 DALTON RD
ROCKWALL, TX 75087

CARTER PRISCILLA PAIGE
526 SHANNON DR
ROCKWALL, TX 75087

CHERUKURU NANDGOPAL
609 S GOLIAD ST #2498
ROCKWALL, TX 75087

OCCUPANT
528 SHANNON DR
ROCKWALL, TX 75087

DAVIS GLYNN M & CAROLYN A
524 SHANNON DR
ROCKWALL, TX 75087

HAN SANG HWA
522 SHANNON DR
ROCKWALL, TX 75087

SULLENGER LAWRENCE M AND
DEBBIE J
520 SHANNON DR
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
3509 N HWY 205
ROCKWALL, TX 75087

ALDI TEXAS LLC
2500 WESTCOURT ROAD
DENTON, TX 76207

OCCUPANT
3251 N GOLIAD ST
ROCKWALL, TX 75087

DALTON RETAIL LLC
2954 ARBORIDGE COURT
FULLERTON, CA 92835

OCCUPANT
3301 N GOLIAD ST
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE
SUITE 200
DALLAS, TX 75219

OCCUPANT
320 DALTON RD
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:

Z2023-042: SUP for a Restaurant

Hold a public hearing to discuss and consider a request by Juan J. Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a Specific Use Permit (SUP) for a Restaurant, with 2,000 SF or More, with Drive-Through or Drive-In on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], 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, September 12, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 18, 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:

Henry Lee
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, September 18, 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. Z2023-042: SUP for a Restaurant

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 box]
Address: [Grey 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



**Letter of Intent
Kennor Rockwall Retail**

Our client Kennor Rockwall Retail, LLC is proposing to replat lots 8 & 9, Block A of the Dalton Goliad Addition into one lot in order to develop two 6,300 SF commercial buildings for retail and restaurant uses. The southernmost building will have a restaurant with drive thru window. The lots are located at approximately 560 feet from the northwest corner of S.H. No. 205 and Dalton Road and are currently vacant. The development is approximately 1.93 acres and is zoned "GR" General Retail District, which requires a Special Use Permit for restaurant uses with drive thru window.

Owner/Developer:

Kennor Rockwall Retail, LLC
Attn: Shane Shoulders
8848 Greenville Ave.
Dallas, TX 75243

Metes and Bounds Description

BEING all that certain 1.927 acre situated in the T. R. Bailey Survey, Abstract No. 30, City of Rockwall, Rockwall County, Texas, and being Lots 8 and 9, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the replat recorded in under Clerk's File No. 20210000014665, Map Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½ inch iron rod with red plastic cap stamped "Peiser & Mankin SURV" found (hereinafter referred to as ½ inch iron rod with red cap found) for the northeast corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas, same being in the westerly right-of-way line of State Highway No. 205 (called 100 foot right-of-way), same being the beginning of a curve to the right, having a radius of 2805.03 feet and a delta angle of 04 deg. 41 min. 34 sec.;

THENCE along said curve to the right, and along the common line of said Lot 8 and said State Highway No. 205, passing a ½ inch iron rod with red cap found for the southeast corner of said Lot 8, same being the northeast corner of aforesaid Lot 9, and continuing along the common line of said Lot 9 and said State Highway No. 205, a total arc distance of 229.74 feet and a chord bearing and distance of South 03 deg. 19 min. 43 sec. East, 229.68 feet to a ½ inch iron rod with red cap found for angle point;

THENCE South 00 deg. 54 min. 01 sec. East, continuing along the common line of said Lot 9 and said State Highway No. 205, a distance of 49.10 feet to a ½ inch iron rod with red cap found for the southeast corner of said Lot 9, same being the most easterly northeast corner of Lot 6, Block A, Dalton Goliad Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Instrument Number 20210000003578, aforesaid Official Public Records;

THENCE along the common line of said Lots 9 and 6 as follows:

South 89 deg. 05 min. 59 sec. West, a distance of 302.67 feet to a ½ inch iron rod with red cap found for the southwest corner of said Lot 9;

North 00 deg. 54 min. 01 sec. West, passing at a distance of 146.18 feet, a ½ inch iron rod with red cap found for the northeast corner of said Lot 9, same being the southwest corner of aforesaid Lot 8, and continuing along the common line of said Lot 8 and said Lot 6, a total distance of 281.28 feet to the ½ inch iron rod with red cap found for the northwest corner of said Lot 8, same being in the south line of Block C, Harlan Park-Phase Two, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 266, Plat Records, Rockwall County, Texas;

THENCE North 89 deg. 37 min. 55 sec. East, along the common line of said Lot 8 and said Block C, a distance of 292.95 feet to the POINT OF BEGINNING and containing 83,951 square feet or 1.927 acres of computed land, more or less.

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-XXX

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A RESTAURANT, WITH 2,000 SF OR MORE WITH A DRIVE-THROUGH OR DRIVE-IN ON A 1.93-ACRE PARCEL OF LAND IDENTIFIED AS LOTS 8 & 9, BLOCK A, DALTON-GOLIAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Juan Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [SH-205], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall should be amended as follows:

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

SECTION 1. The Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [Ordinance No. 20-02] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*; Subsection 04.04, *General Retail (GR) District*; and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) Additional landscape screening shall be installed adjacent to drive-through lane, drive aisle adjacent to the residential land uses north of the subject property, and along N. Goliad Street [SH-205] to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. The additional landscaping will be approved by the Planning and Zoning Commission with the site plan approval for the proposed development depicted in *Exhibit 'B'*.
- 2) The proposed drive-through lane shall accommodate a minimum of six (6) standard sized motor vehicles.
- 3) Enhanced landscaping shall be provided in the north-west property corner to provide additional screening for the adjacent residential. This screening shall be approved by the Planning and Zoning Commission in conjunction with the site plan submittal for the proposed development depicted in *Exhibit 'B'*.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. 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 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 2nd DAY OF OCTOBER, 2023.**

Trace Johannesen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

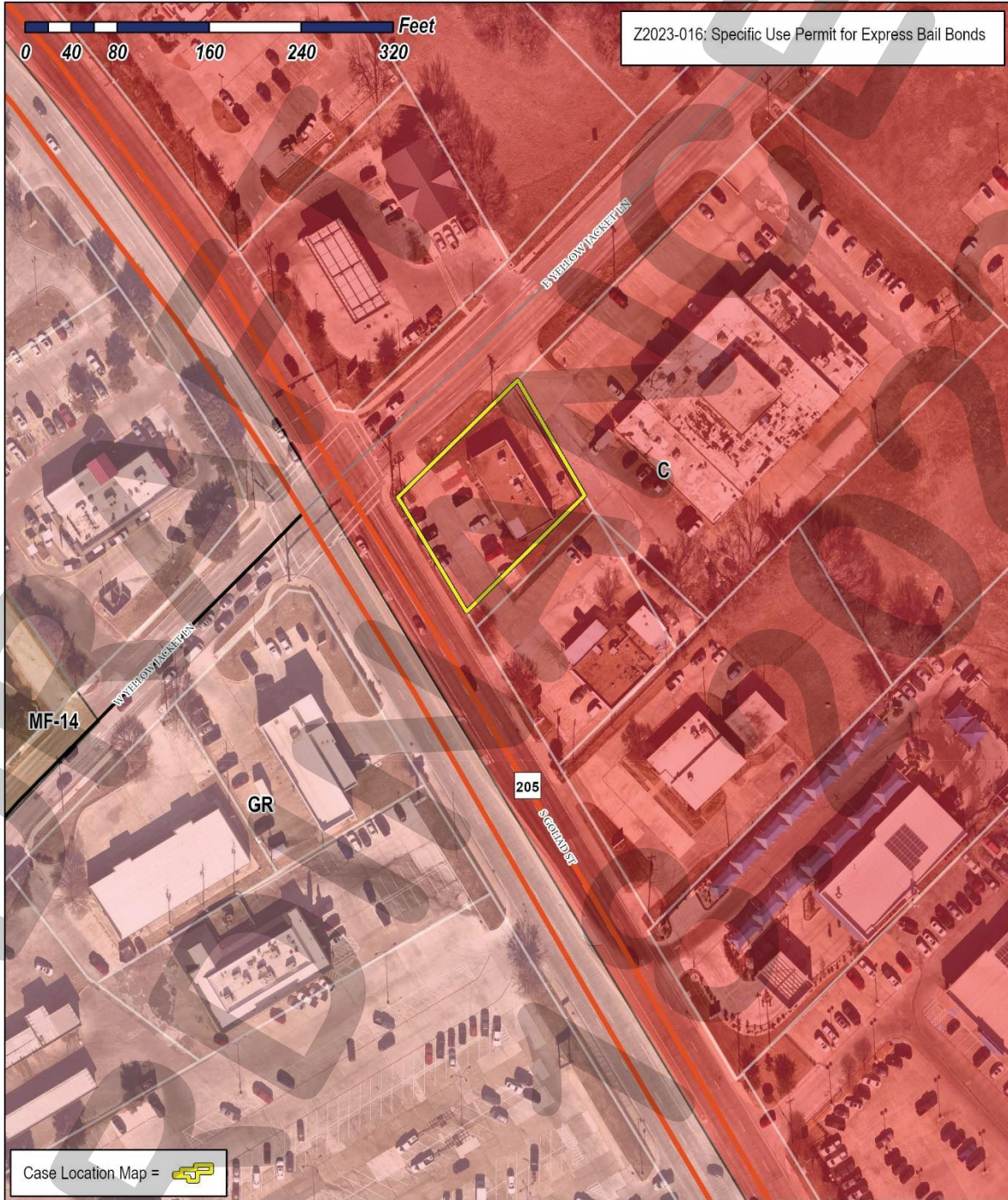
Frank J. Garza, *City Attorney*

1st Reading: September 18, 2023

2nd Reading: October 2, 2023

Exhibit 'A':
Location Map

LEGAL DESCRIPTION: Lots 8 & 9, Block A, Dalton-Goliad Addition



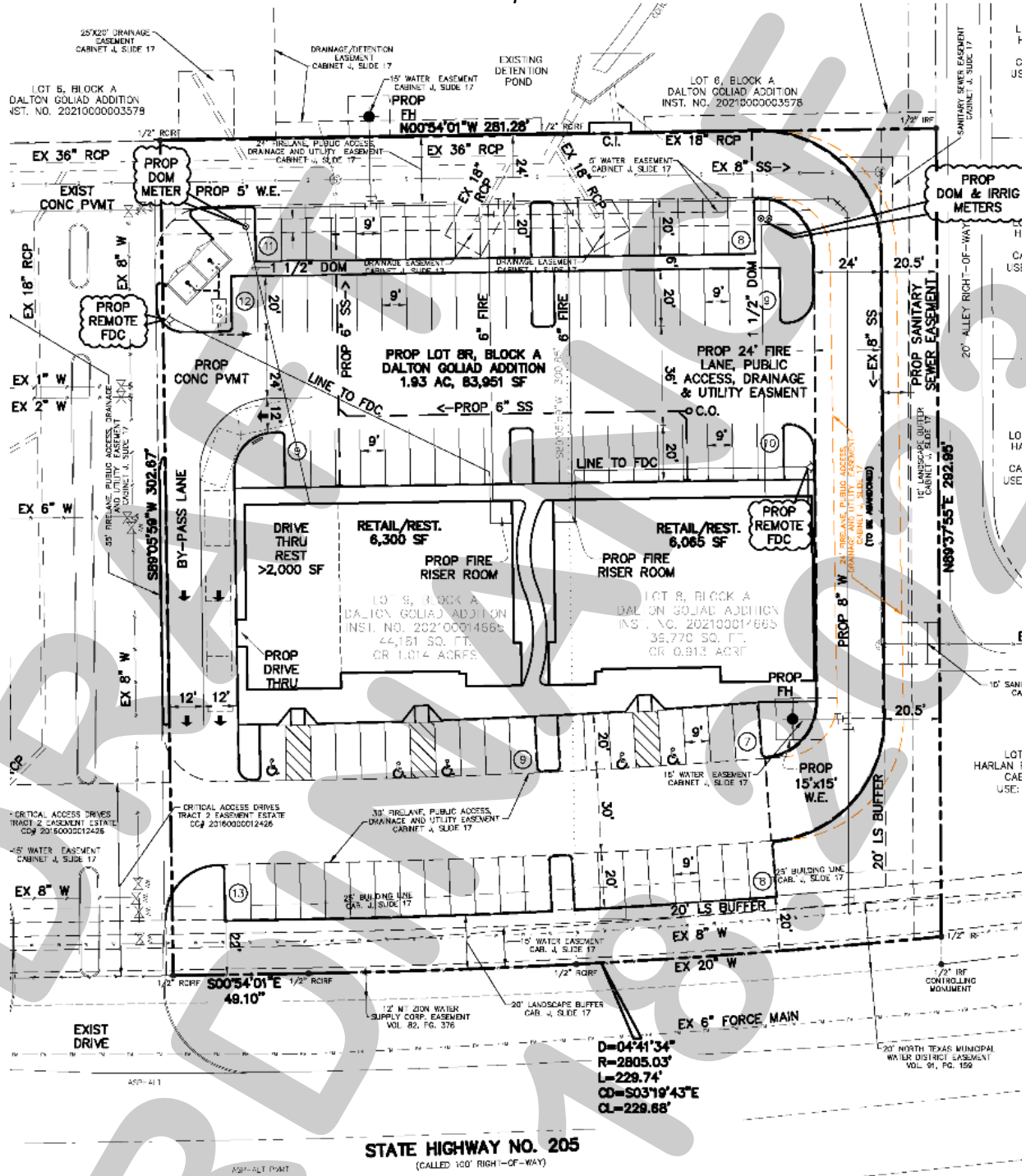
City of Rockwall

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

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Exhibit 'B': Concept Plan



CITY OF ROCKWALL

ORDINANCE NO. 23-57

SPECIFIC USE PERMIT NO. S-316

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, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *RESTAURANT, WITH 2,000 SF OR MORE WITH A DRIVE-THROUGH OR DRIVE-IN* ON A 1.93-ACRE PARCEL OF LAND IDENTIFIED AS LOTS 8 & 9, BLOCK A, DALTON-GOLIAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Juan Vasquez of Vasquez Engineering, LLC on behalf of Shane Shoulders of Kennor Rockwall Retail, LLC for the approval of a *Specific Use Permit (SUP)* for a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on a 1.93-acre parcel of land identified as Lots 8 & 9, Block A, Dalton-Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 & 3775 N. Goliad Street [*SH-205*], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after 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, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

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

SECTION 1. The Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* as stipulated by Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial District Standards*; Subsection 04.04, *General Retail (GR) District*; and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, with 2,000 SF or More, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) Additional landscape screening shall be installed adjacent to drive-through lane, drive aisle adjacent to the residential land uses north of the subject property, and along N. Goliad Street [SH-205] to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. The additional landscaping will be approved by the Planning and Zoning Commission with the site plan approval for the proposed development depicted in *Exhibit 'B'*.
- 2) The proposed drive-through lane shall accommodate a minimum of six (6) standard sized motor vehicles.
- 3) Enhanced landscaping shall be provided in the north-west property corner to provide additional screening for the adjacent residential. This screening shall be approved by the Planning and Zoning Commission in conjunction with the site plan submittal for the proposed development depicted in *Exhibit 'B'*.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require the *Subject Property* to comply with the following:

- 1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*].

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

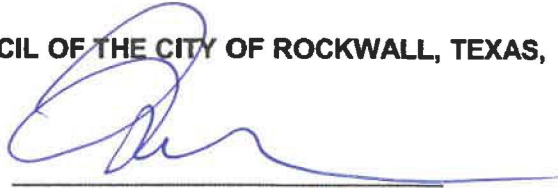
SECTION 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

SECTION 5. 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 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, 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 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 2nd DAY OF OCTOBER, 2023.**



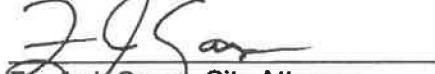
Trace Johannesen, Mayor

ATTEST:



Kristy Teague, City Secretary

APPROVED AS TO FORM:



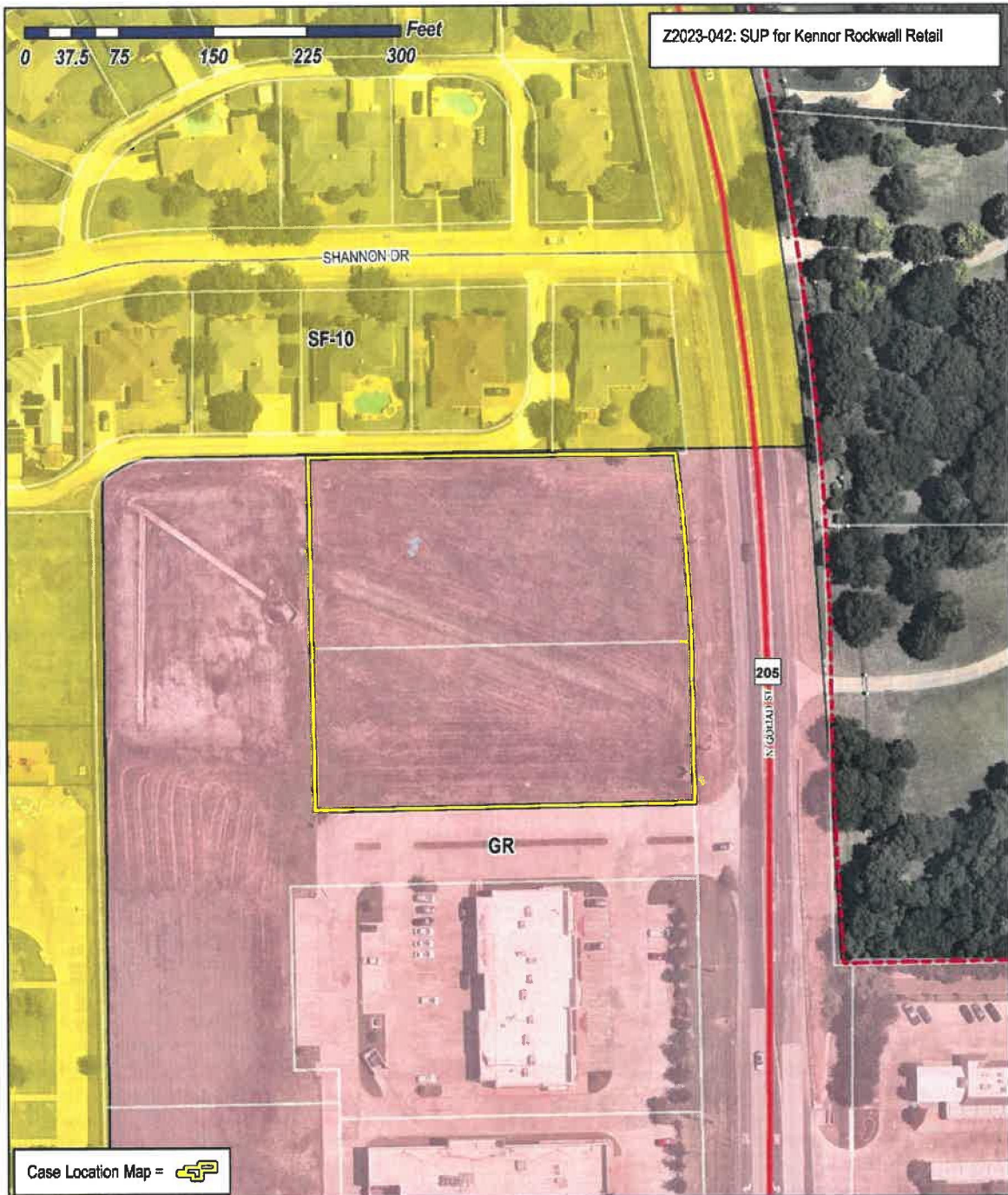
Frank J. Garza, City Attorney

1st Reading: September 18, 2023

2nd Reading: October 2, 2023

**Exhibit 'A':
Location Map**

LEGAL DESCRIPTION: Lots 8 & 9, Block A, Dalton-Goliad Addition

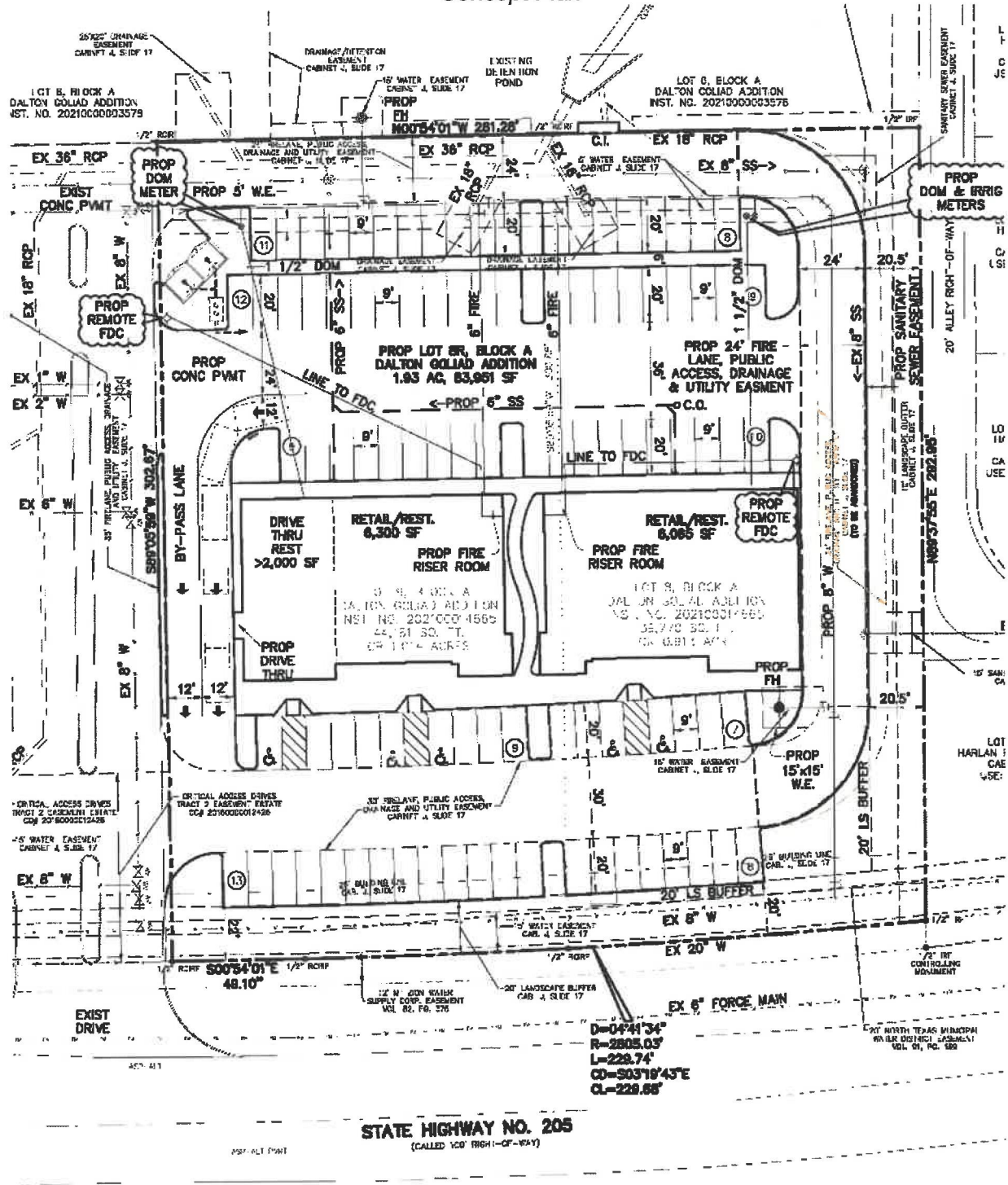


City of Rockwall
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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.



Exhibit 'B': Concept Plan





October 5, 2023

TO: Juan J. Vasquez
Vasquez Engineering, LLC
1919 S. Shiloh Road, Suite 440
Garland, TX 75042

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

SUBJECT: Z2023-042; *Specific Use Permit (SUP) Kennor Rockwall Retail*

Juan Vasquez:

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 October 2, 2023. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) Additional landscape screening shall be installed adjacent to drive-through lane, drive aisle adjacent to the residential land uses north of the subject property, and along N. Goliad Street [SH-205] to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties and rights-of-way. The additional landscaping will be approved by the Planning and Zoning Commission with the site plan approval for the proposed development depicted in *Exhibit 'B'*; and,
 - (b) The proposed drive-through lane shall accommodate a minimum of six (6) standard sized motor vehicles; and,
 - (c) Enhanced landscaping shall be provided in the north-west property corner to provide additional screening for the adjacent residential. This screening shall be approved by the Planning and Zoning Commission in conjunction with the site plan submittal for the proposed development depicted in *Exhibit 'B'*.

Planning and Zoning Commission

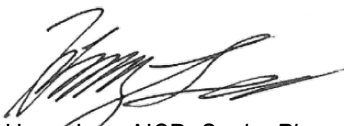
On September 12, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0 with Commissioner Womble absent.

City Council

On October 2, 2023, the City Council approved a motion to approve the SUP by a vote of 7-0.

Included with this letter is a copy of *Ordinance No. 23-57, S-316*, 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) 772-6434.

Sincerely,



Henry Lee, AICP, *Senior Planner*
City of Rockwall Planning and Zoning Department