



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
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PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS: Northeast corner of Data Drive & Springer Rd

SUBDIVISION: Rockwall Technology Park Phase V

LOT

BLOCK

GENERAL LOCATION: East of Data Drive, South of Discovery Blvd, and North of Springer Rd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING: Light Industrial

CURRENT USE: undeveloped

PROPOSED ZONING: Specific Use Permit

PROPOSED USE: heavy manufacturing

ACREAGE: 32.0

LOTS [CURRENT]

LOTS [PROPOSED]

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

OWNER: Rockwall Economic Development Corporation

APPLICANT

CONTACT PERSON: Phil Wagner

CONTACT PERSON

ADDRESS: 2610 Observation Trl, Suite 104

ADDRESS

CITY, STATE & ZIP: Rockwall, TX 75032

CITY, STATE & ZIP

PHONE: 972-772-0025

PHONE

E-MAIL: pwagner@rockwalledc.com

E-MAIL

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Phil Wagner [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 **\$680.00**, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE **20th** DAY OF **OCTOBER**, 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 _____ DAY OF _____, 20____.

OWNER'S SIGNATURE

Phil Wagner

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES



October 20, 2023

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

Dear Mr. Miller,

Enclosed you will find an application and supporting materials requesting the Planning and Zoning Commission and City Council grant a Specific Use Permit (SUP) for “Heavy Manufacturing” to occur on 32 acres within the Rockwall Technology Park, at the northeast corner of Data Drive and Springer Road.

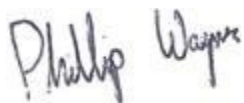
For the past five months, the Rockwall Economic Development Corporation (REDC) has been working to recruit Ballard Power Systems (Ballard), an international leader in the development of hydrogen fuel cells, to establish their future US manufacturing location. After a search that evaluated 40 sites across 10 states, representatives from Ballard have chosen Rockwall and the new third phase of the Technology Park as their preferred location. This decision has recently been memorialized through a Letter of Intent with the REDC, and a formal Development Agreement is currently being drafted.

Ballard will provide significant benefits to Rockwall, as their anticipated \$115M investment would represent the highest tax value of any one entity in the community. The company may also expand in the future, adding significantly more taxable value to their initial investment. Further, Ballard will create dozens of high-quality jobs. We believe this type of advanced manufacturing project – one that deploys high value equipment to create cutting-edge technology – aligns with the intended purpose of the Rockwall Technology Park and the mission of the REDC.

REDC representatives have vetted the company to determine financial viability, environmental impact, and community fit. Earlier this year, I received a tour of their existing North American facilities. We feel confident that the company will be a good corporate citizen to their neighbors in the Technology Park, as well as the overall community, with minimal outside impact caused by their operations. Ballard representatives have put together a presentation describing the project, as well as a high-level overview of their manufacturing process. A company representative plans to be at the Planning and Zoning Commission Work Session, as well as the first reading of the City Council, to answer any specific questions. REDC representatives will also be at all meetings.

The REDC kindly requests a four-year window on the SUP, to allow for contractor selection, building design, construction, equipment delivery, installation, and testing prior to production.

Sincerely,

A handwritten signature in black ink that reads "Phillip Wagner". The signature is written in a cursive style with a large initial "P".

Phil Wagner
President

Concept Architecture



Natural Stone



Platinum PLANC™
Large Format Stone Veneer

PRODUCT DETAILS BELOW. This is the stone and color that inspired the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. *Order your sample kit today!*

Example



Concept Architecture



1.4MW solar PV

Natural Stone

Concrete

Landscaping

WEST
DATA DRIVE



Concept Architecture



Example

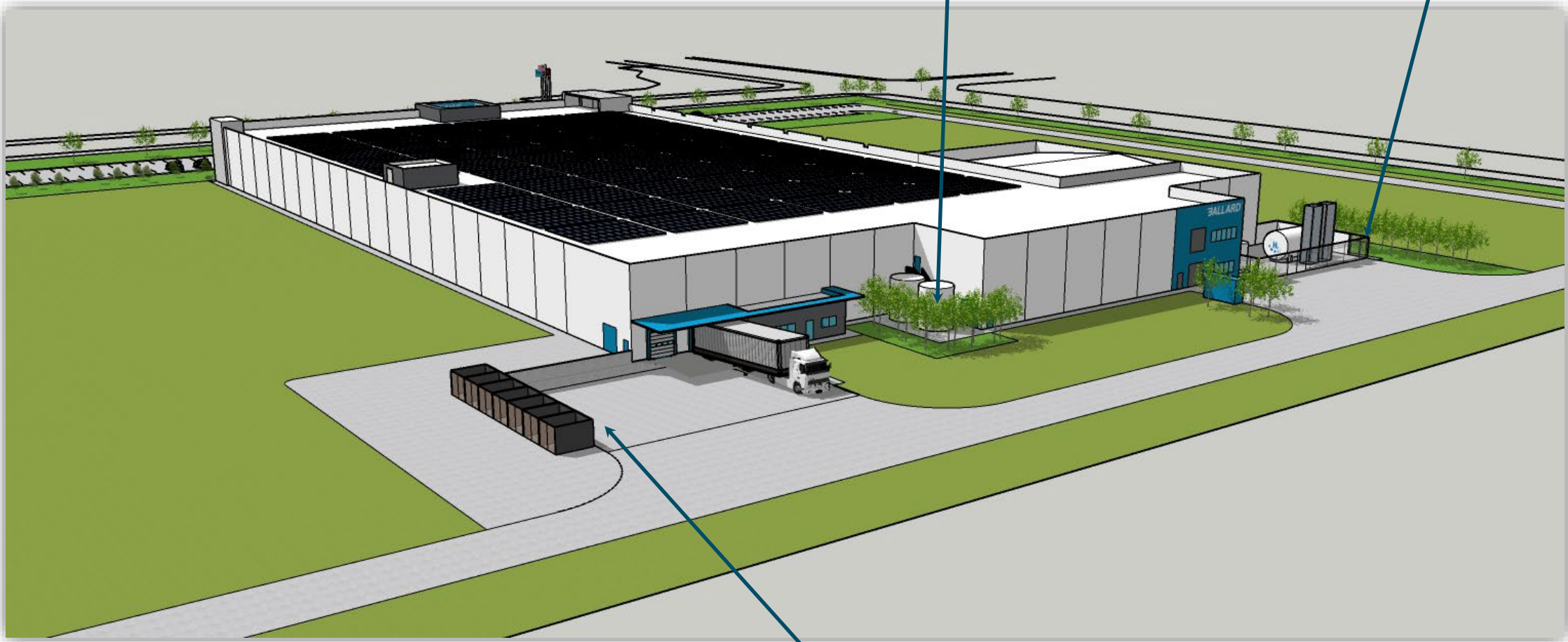
LEED requires bike parking

EV charging

Concept Architecture

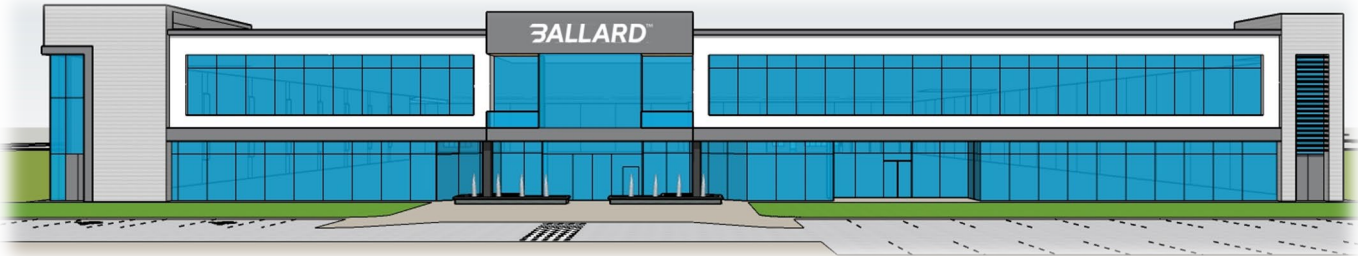
Heat Pump Tanks

Liquid Hydrogen and Nitrogen shielded with trees

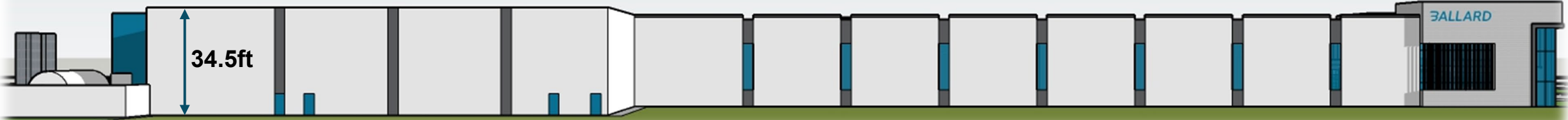


Recycling area

Elevations

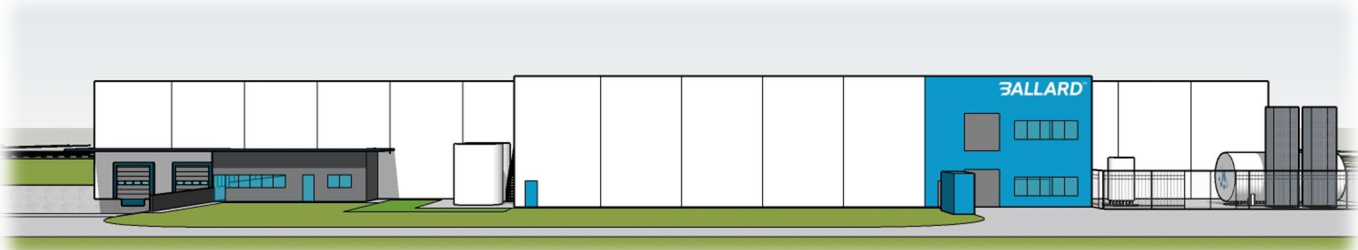


**WEST
DATA DRIVE**



**NORTH
DISCOVERY BLVD**

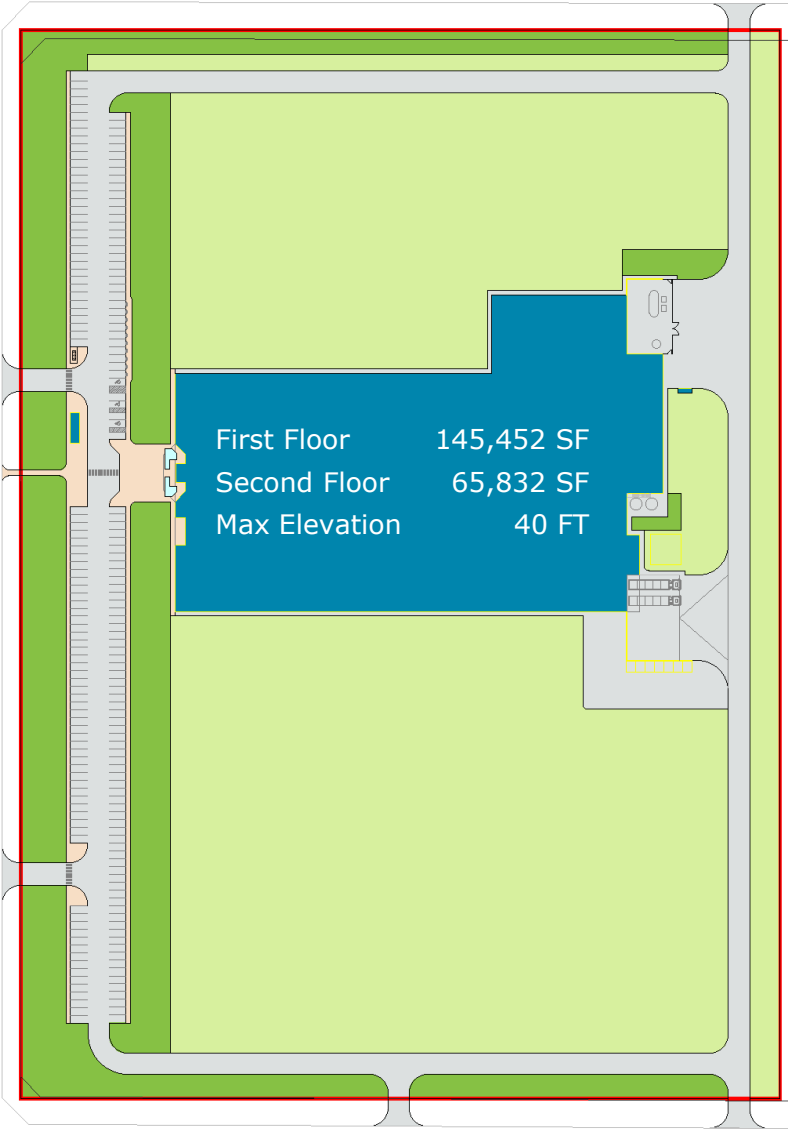
**EAST
ROCHELL ROAD**



**SOUTH
SPRINGER ROAD**



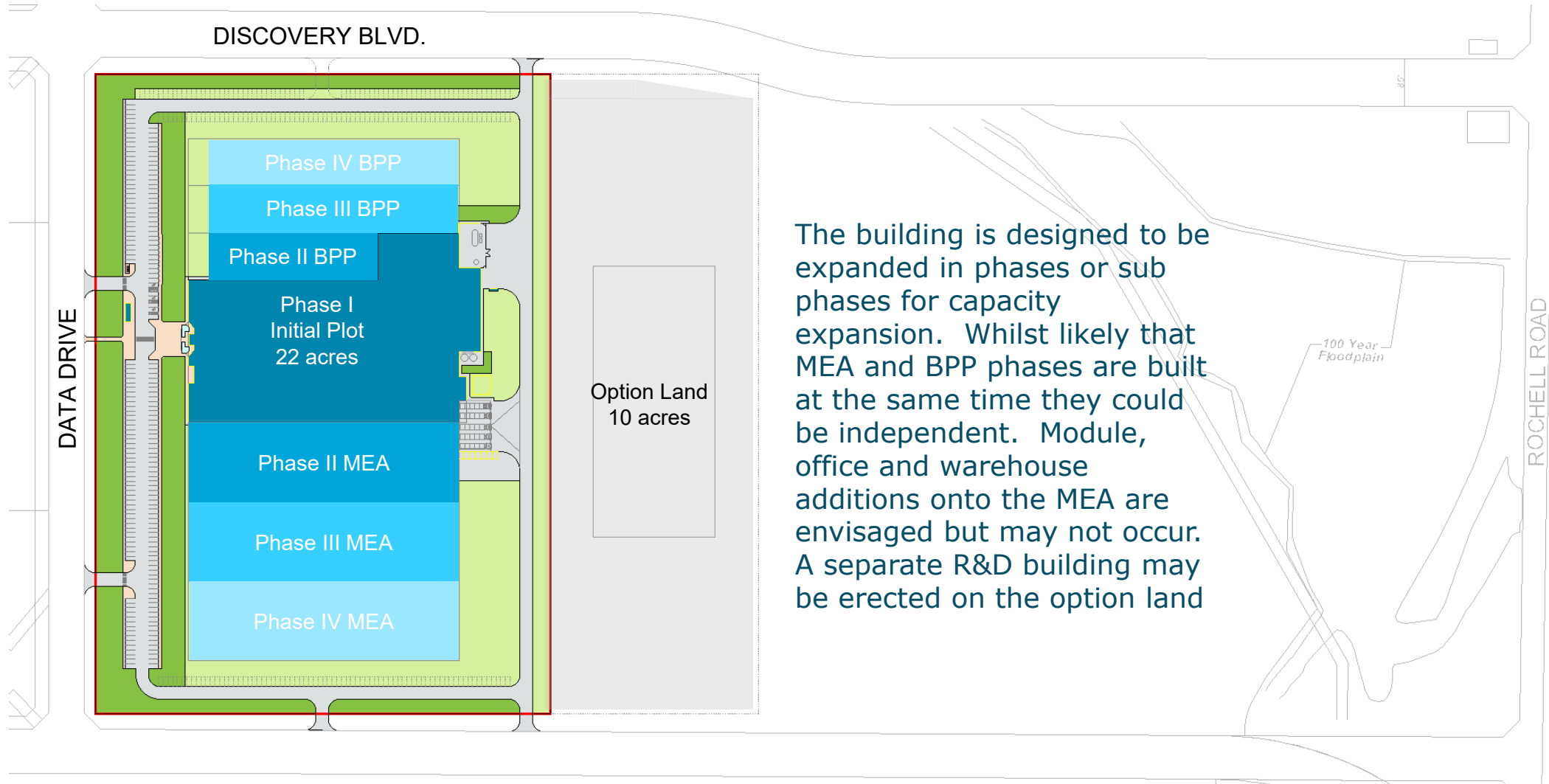
Phase 1 Plot Layout



Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles



Expansion Including Option Land



The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land



Ballard Rockwall Facility

Hydrogen Revolution










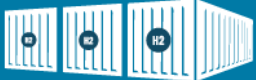







Gulf Coast Hydrogen Hub awarded \$1.2B to develop hydrogen production capacity

We need to co-develop the Fuel Cell engines to convert that hydrogen to electricity

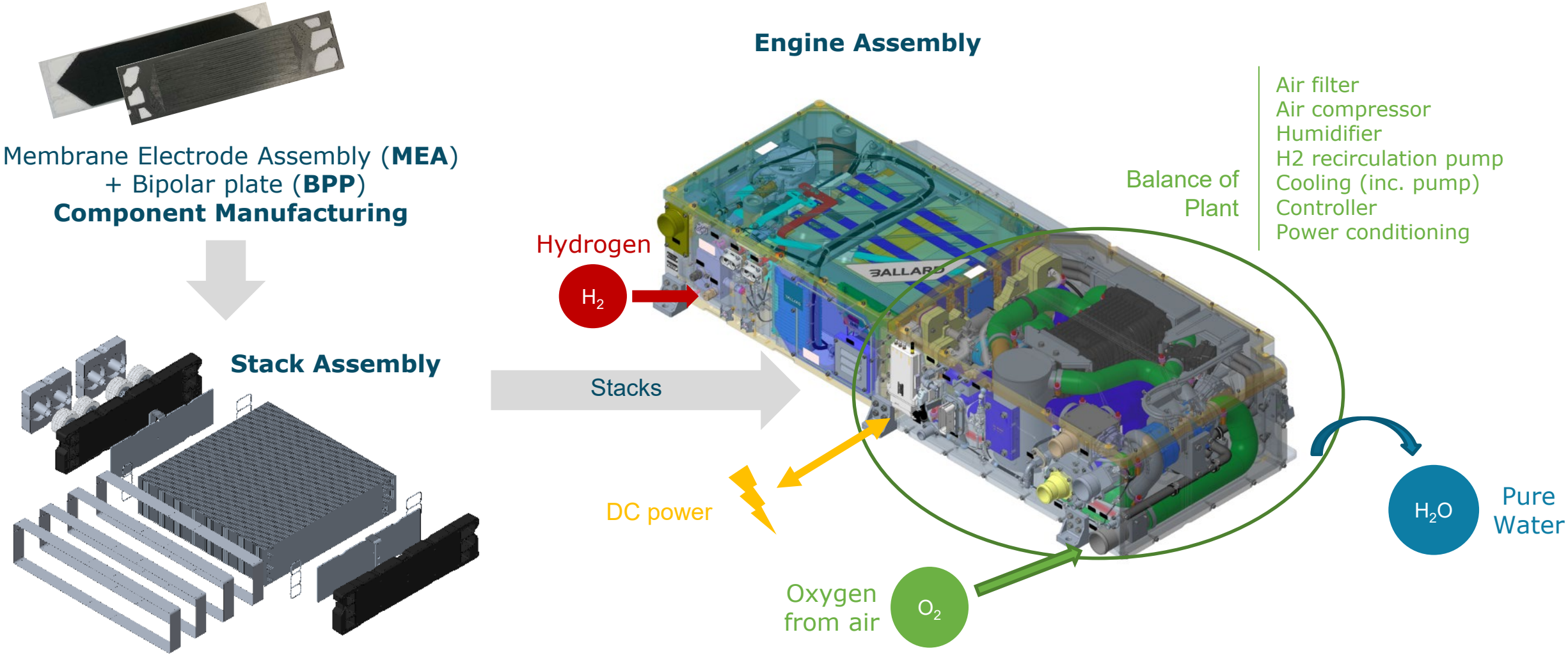
Ballard's investment in Fuel Cell engine production in Rockwall will help drive the energy transition

Who are we?

 <p>44 YEARS</p>	 <p>>1,100 employees</p>	 <p>1,400 patents & applications</p>	 <p>28 years Nasdaq 30 years TSX</p> <p>publicly listed company</p>	 <p>0</p> <p>2030 commitment to carbon neutrality</p>
 <p>>1,400 transit buses</p>	 <p>>2,300 trucks</p>	 <p>7 TRAIN projects</p>	 <p>8 SHIPS in development</p>	 <p>8 MW of stationary power projects</p>
 <p>1 GW fuel cell products delivered*</p>	 <p>>5.3 MILLION MEAs produced*</p>	 <p>>150 MILLION kilometers in operation*</p>	 <p>1.6 GW production capacity</p>	 <p>4 PRODUCTION SITES global footprint</p>

*compiled from 2015

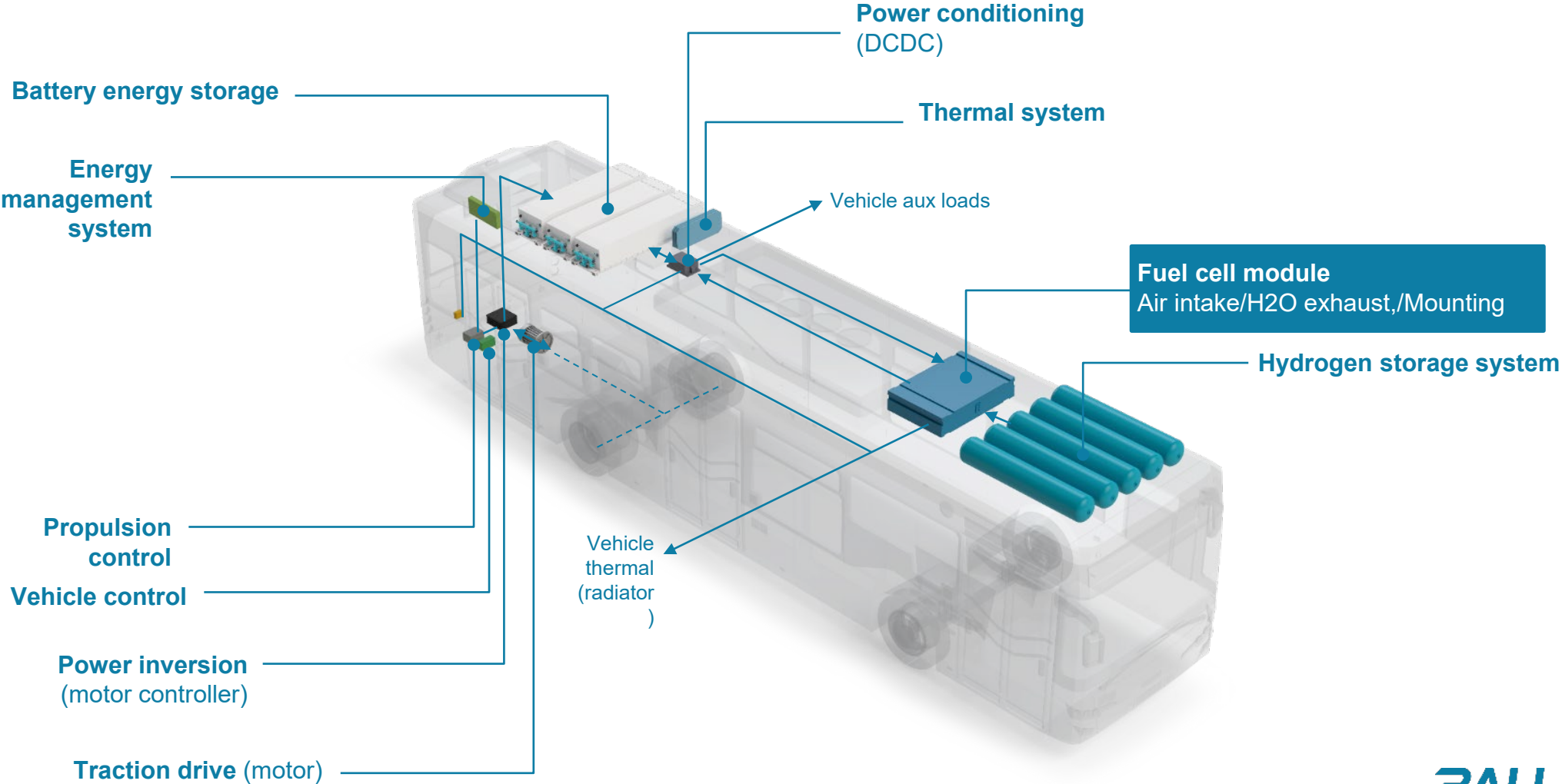
MEA & BPP manufacturing and assembly operations



The facility will **manufacture MEAs, BPPs and** assembly into **stacks**, which then are sold or combined with purchased balance of plant components to produce a **fuel cell engine**

Customer Integration

Customers integrate fuel cell modules into the vehicle to produce a Fuel Cell Electric Vehicle



Our Markets



Applications powered by Ballard



160 Fuel Cell Electric Buses in USA

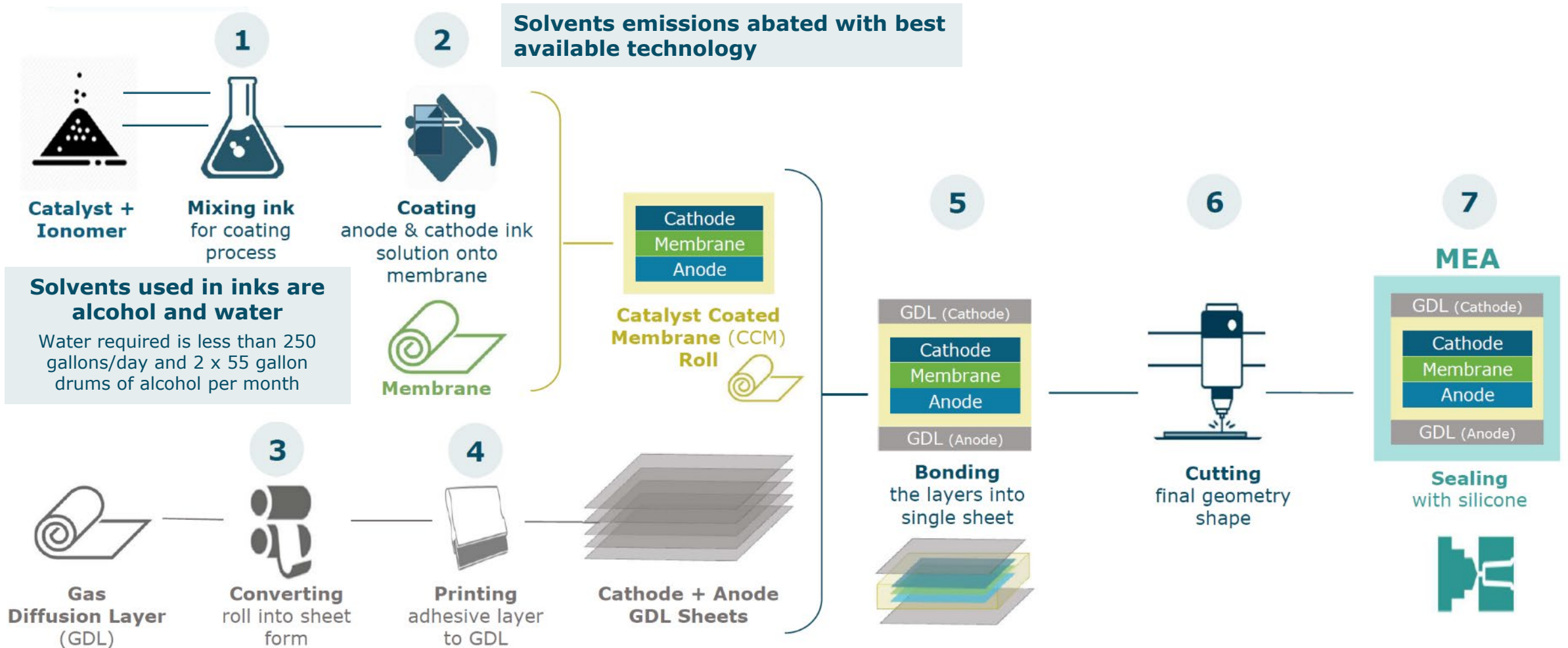
100% powered by Ballard



MEA Manufacturing



MEA Manufacturing highly automated and similar to battery cell production, but with low chemicals consumption.

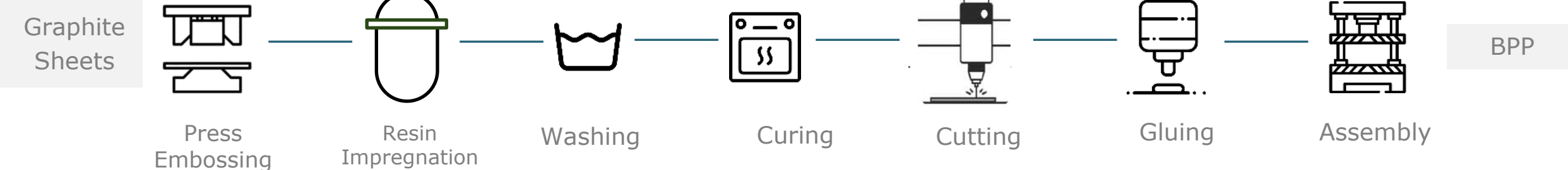


BPP Manufacturing



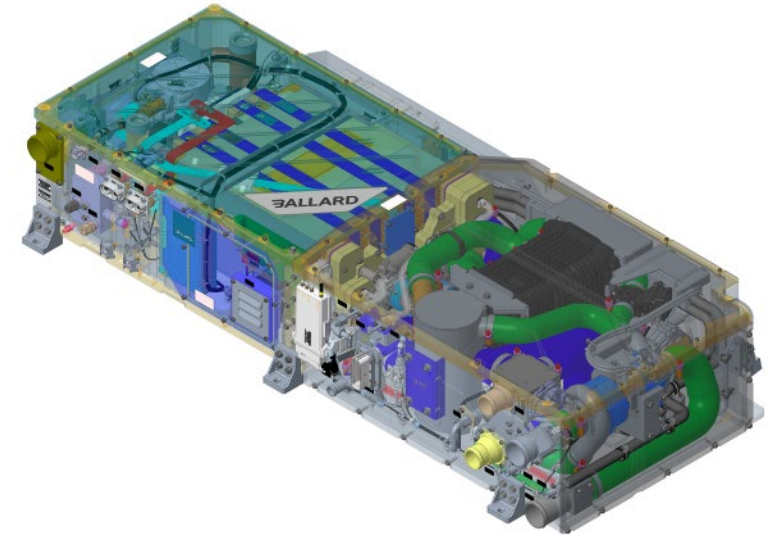
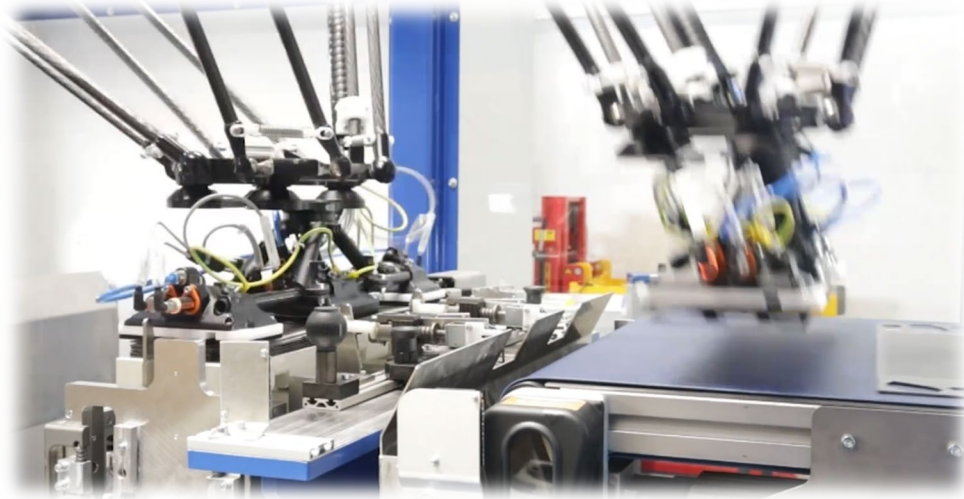
Bipolar Plate manufacturing has been developed as a **water and solvent free** process so no waste water emissions

Fully automated process from start to finish



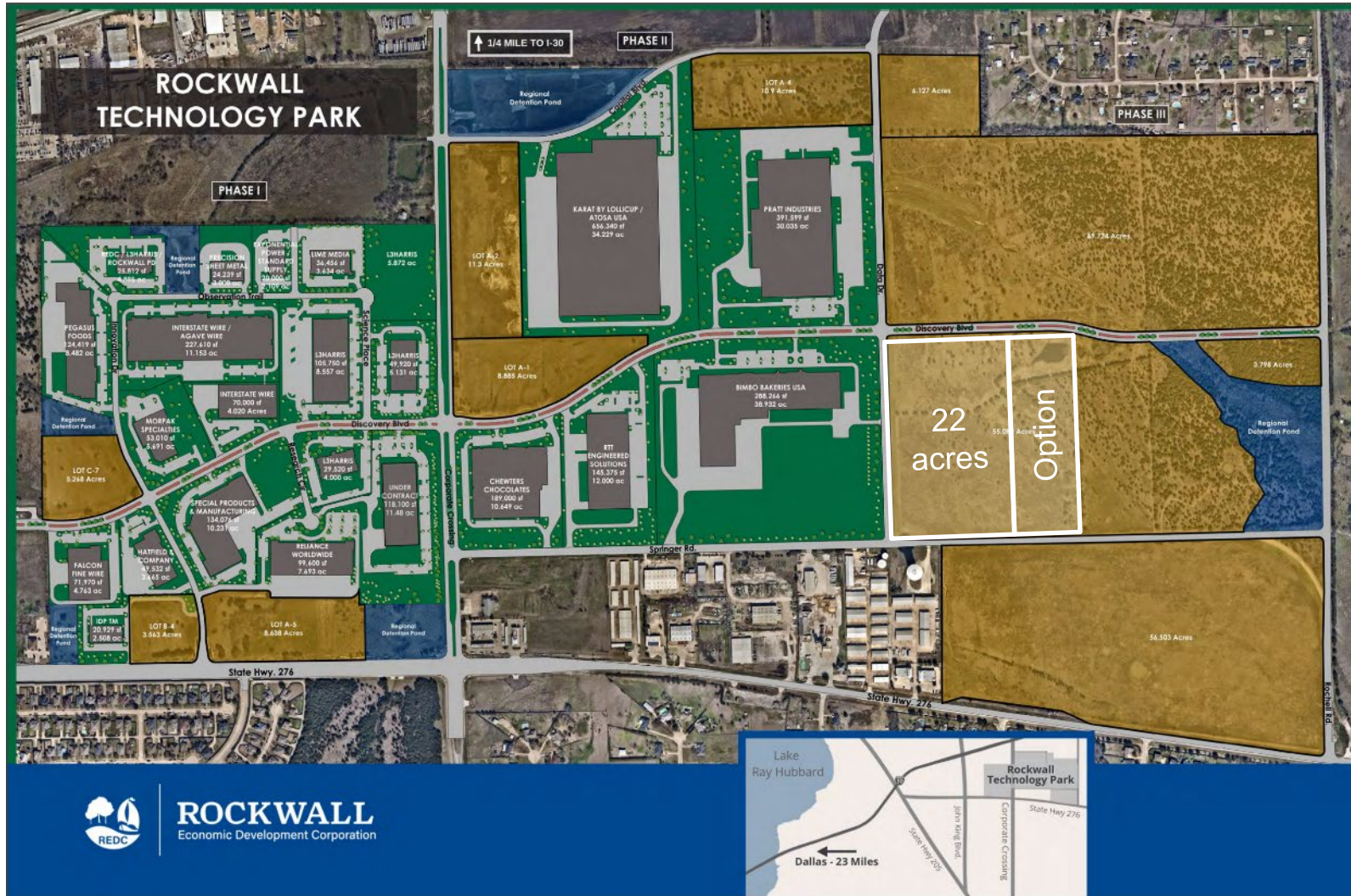
Stack and Engine Assembly, with test

Stacks assembled by placing MEAs and BPPs in a fully automated line.
Product tested for quality using hydrogen gas on a test station

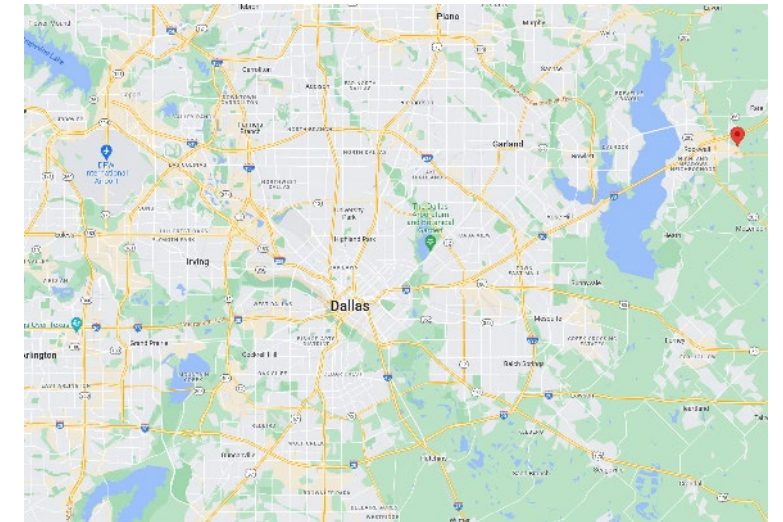


Engines assembled by skilled technicians combining stacks with balance of plant components. Engines functionality checked using hydrogen gas on a test station

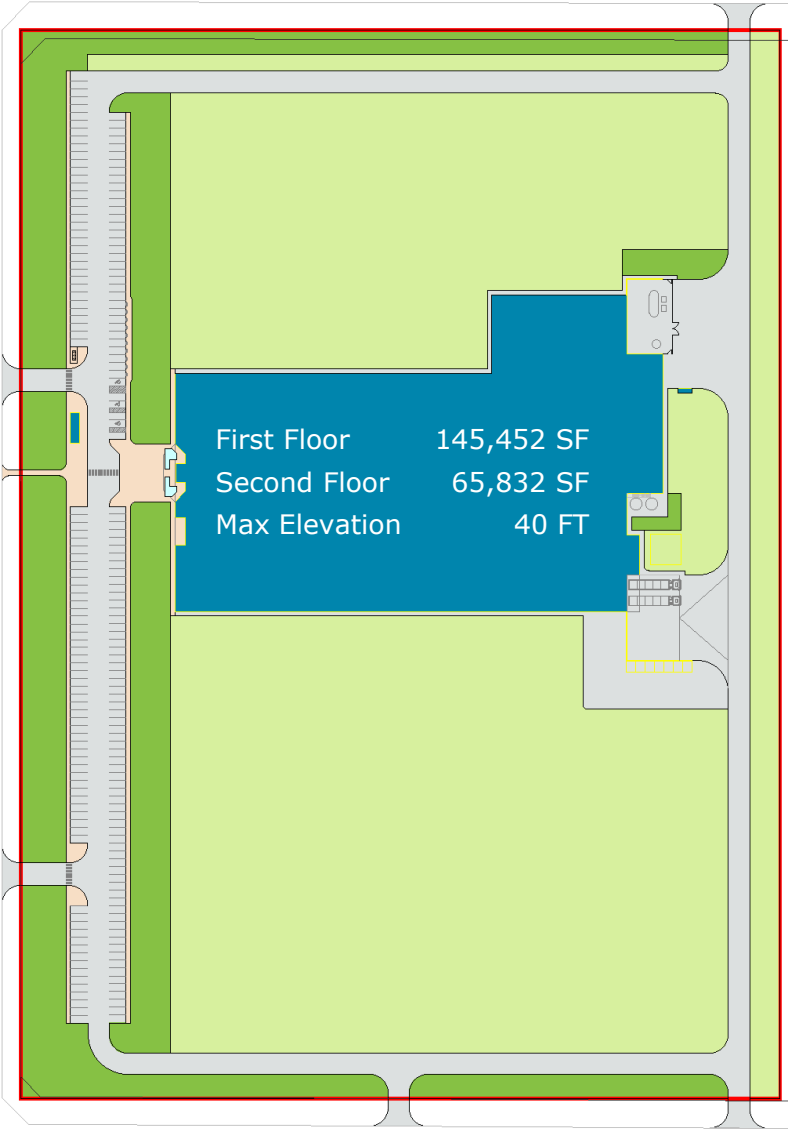
Rockwall Technology Park



22-acre site in Rockwall Technology Park with an option for an additional 10-acres.



Phase 1 Plot Layout

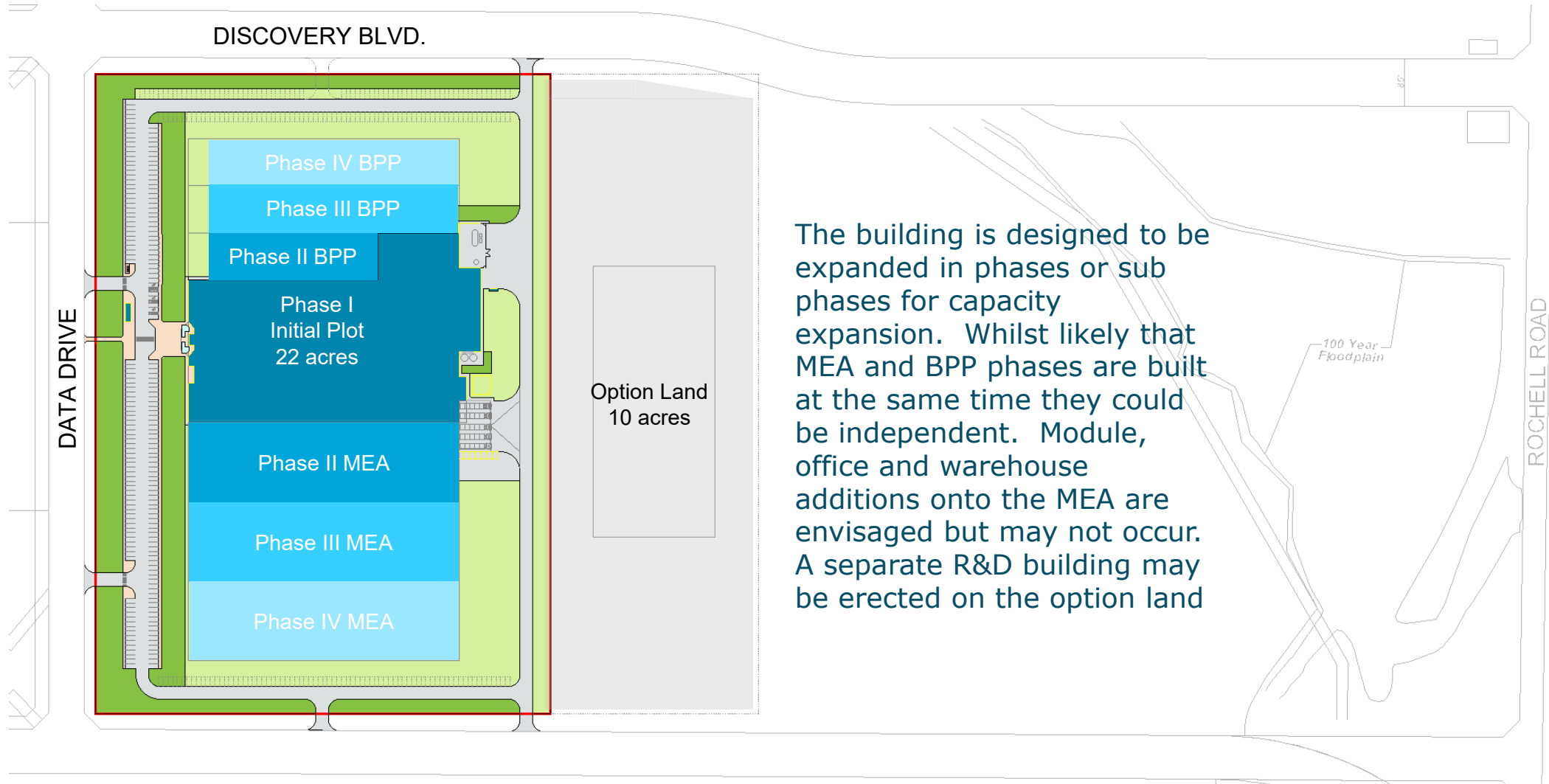


■ Landscaping

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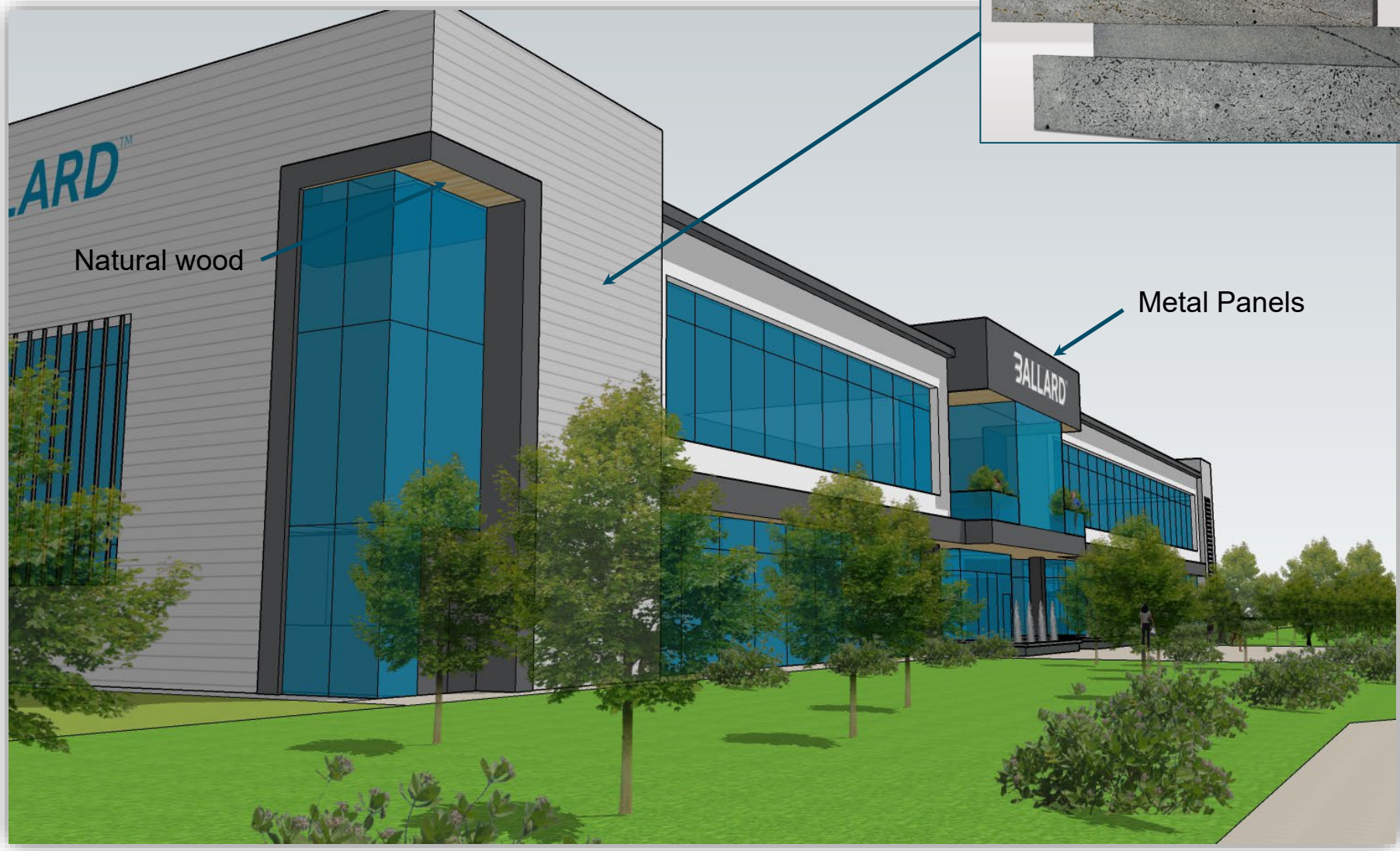


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Concept Architecture



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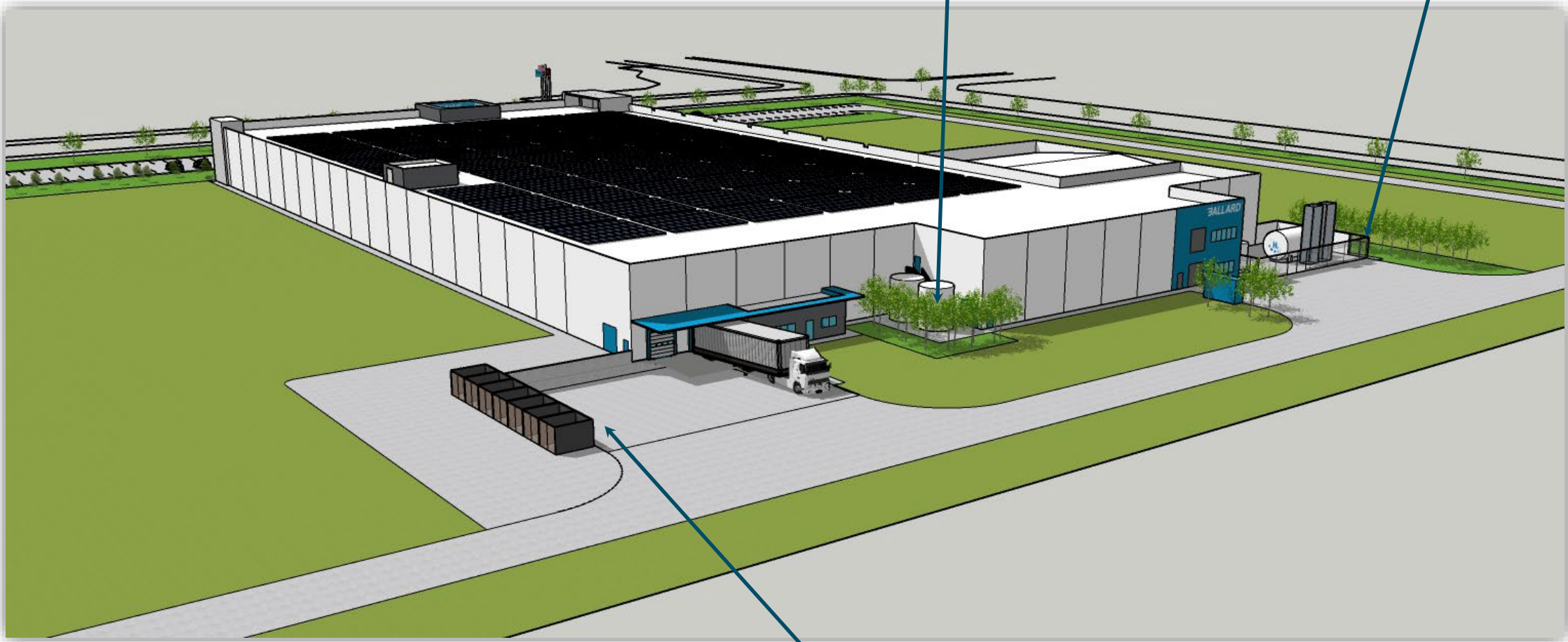
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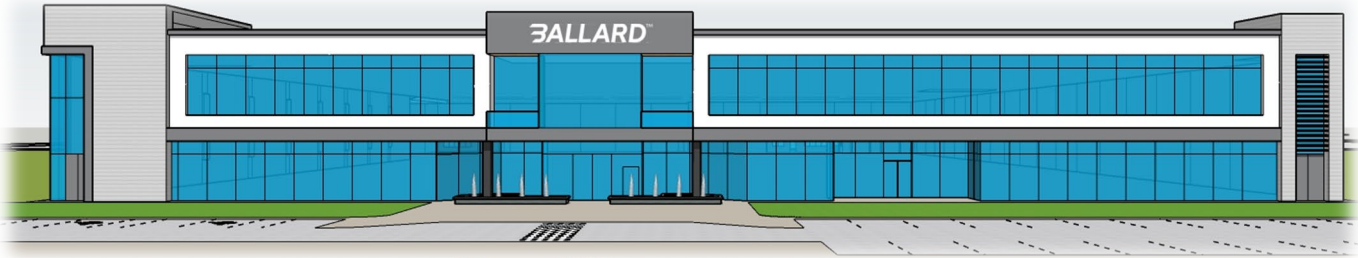
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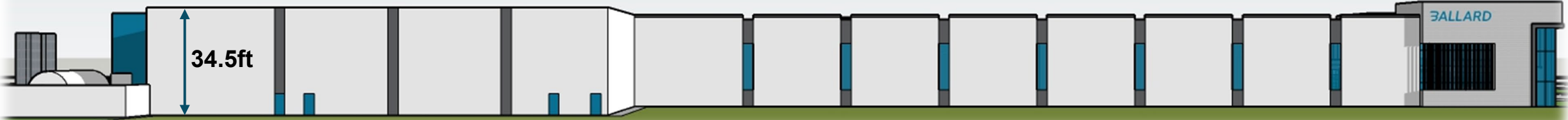


Recycling area

Elevations

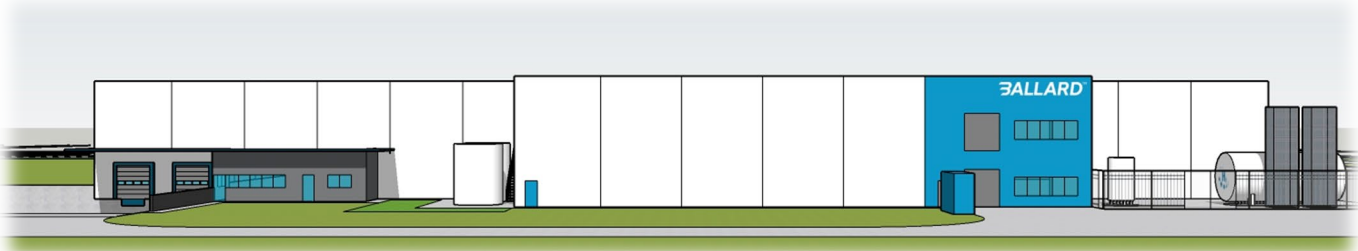


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DATA DRIVE



NORTH
DISCOVERY BLVD

EAST
ROCHELL ROAD



SOUTH
SPRINGER ROAD



Carbon Neutrality 2030

Ballard is targeting net carbon zero for its operations by 2030 so this facility needs to be constructed in a way to help Ballard achieve the goals. The project should achieve **LEED Gold** requirements and include:



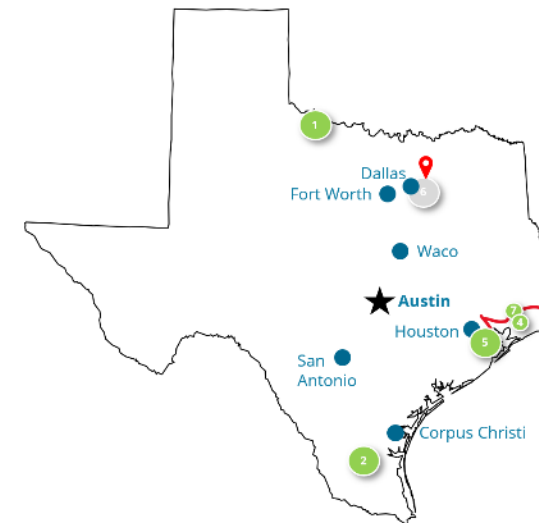
- Solar PV on roof of building
- Rain water harvesting for irrigation and potential use for toilets
- Heat pump based offices temperature control
- Heat pump AHUs for factory cleanrooms
- Regenerative Load banks for Test Stations to provide power to site, and potentially emergency backup power
- Consideration of on-site green hydrogen production for production test stations
- Use of waste heat from coating abatement to support heat pumps
- High building energy efficiency
- High solar reflectivity roof and wall panels

Liquid Hydrogen



- Example of liquid hydrogen storage and distribution system located in the Northeast part of the site.
- Appearance shielded with trees as shown in the Vancouver photo
- Wide selection of green hydrogen suppliers in Texas

Map of Hydrogen Availability



Map #	Facility	County
1	Air Products and the AES Corporation	Willbarger
2	Green Hydrogen International	Duval
—	Air Products Hydrogen Pipeline	Harris
4	Plug Power	Jefferson
5	Air Liquide	Harris
6	Air Liquide	Dallas
7	Air Liquide (hydrogen storage facility)	Jefferson

BEING a tract of land situated in the J.B. Jones Survey, Abstract No. 125 and the J.A. Ramsey Survey, Abstract No. 186, in the City of Rockwall, Rockwall County, Texas, being part of Lot 1, Block B, of Rockwall Technology Park Phase V, an addition to the City of Rockwall, as described in Document No. 2023000006632, in the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), said Lot being part of a tract of land described in a Deed to Rockwall Economic Development Corporation, as described in Volume 5528, Page 194, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the most northerly northwest corner of said Lot 1, being in the south line of Discovery Boulevard (85-foot right-of-way);

THENCE North 88 degrees 23 minutes 40 seconds East, with the north line of said Lot 1 and the south line of said Discovery Boulevard, a distance of 929.29 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the point of curvature of a curve to the right, having a radius of 807.50 feet and a central angle of 13 degrees 13 minutes 52 seconds;

THENCE continuing with the north line of said Lot 1 and south line of said Discovery Boulevard, and with said curve to the right, an arc distance of 186.47 feet (Chord Bearing South 84 degrees 59 minutes 24 seconds – 186.06 feet);

THENCE South 01 degree 42 minutes 43 seconds East, departing the north line of said Lot 1 and south line of said Discovery Boulevard, a distance of 1,200.92 feet to the south line of said Lot 1, being the north line of Springer Road (80-foot right-of-way);

THENCE South 88 degrees 36 minutes 34 seconds West, with the south line of said Lot 1 and the north line of said Springer Road, a distance of 879.70 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 46 degrees 34 minutes 32 seconds West, continuing with the south line of said Lot 1 and north line of Springer Road, a distance of 41.45 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found in the east line of Data Drive (65-foot right-of-way);

THENCE North 01 degree 42 minutes 44 seconds West, with the west line of said Lot 1 and the east line of said Data Drive, a distance of 1,159.54 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 43 degrees 20 minutes 28 seconds East, continuing with the west line of said Lot 1 and east line of Data Drive, a distance of 42.39 feet to the POINT OF BEGINNING and containing 32.00 acres of land.



DEVELOPMENT APPLICATION

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Planning and Zoning Department
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APPLICANT: _____

CONTACT PERSON: Phil Wagner

CONTACT PERSON: _____

ADDRESS: 2610 Observation Trl, Suite 104

ADDRESS: _____

CITY, STATE & ZIP: Rockwall, TX 75032

CITY, STATE & ZIP: _____

PHONE: 972-772-0025

PHONE: _____

E-MAIL: pwagner@rockwalledc.com

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OWNER'S SIGNATURE

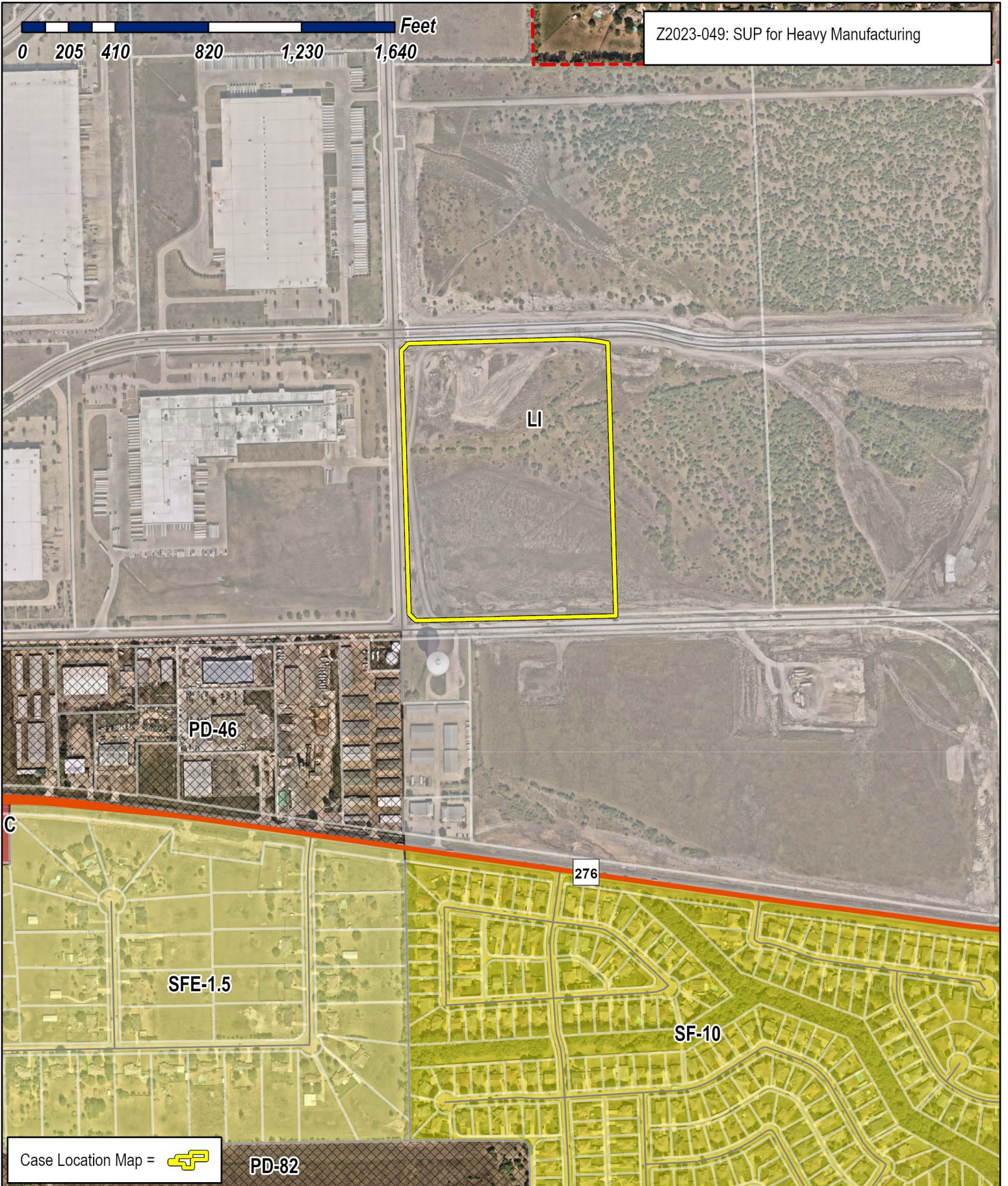
Phil Wagner

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES _____

0 205 410 820 1,230 1,640 Feet

Z2023-049: SUP for Heavy Manufacturing



Case Location Map = 

PD-82



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.

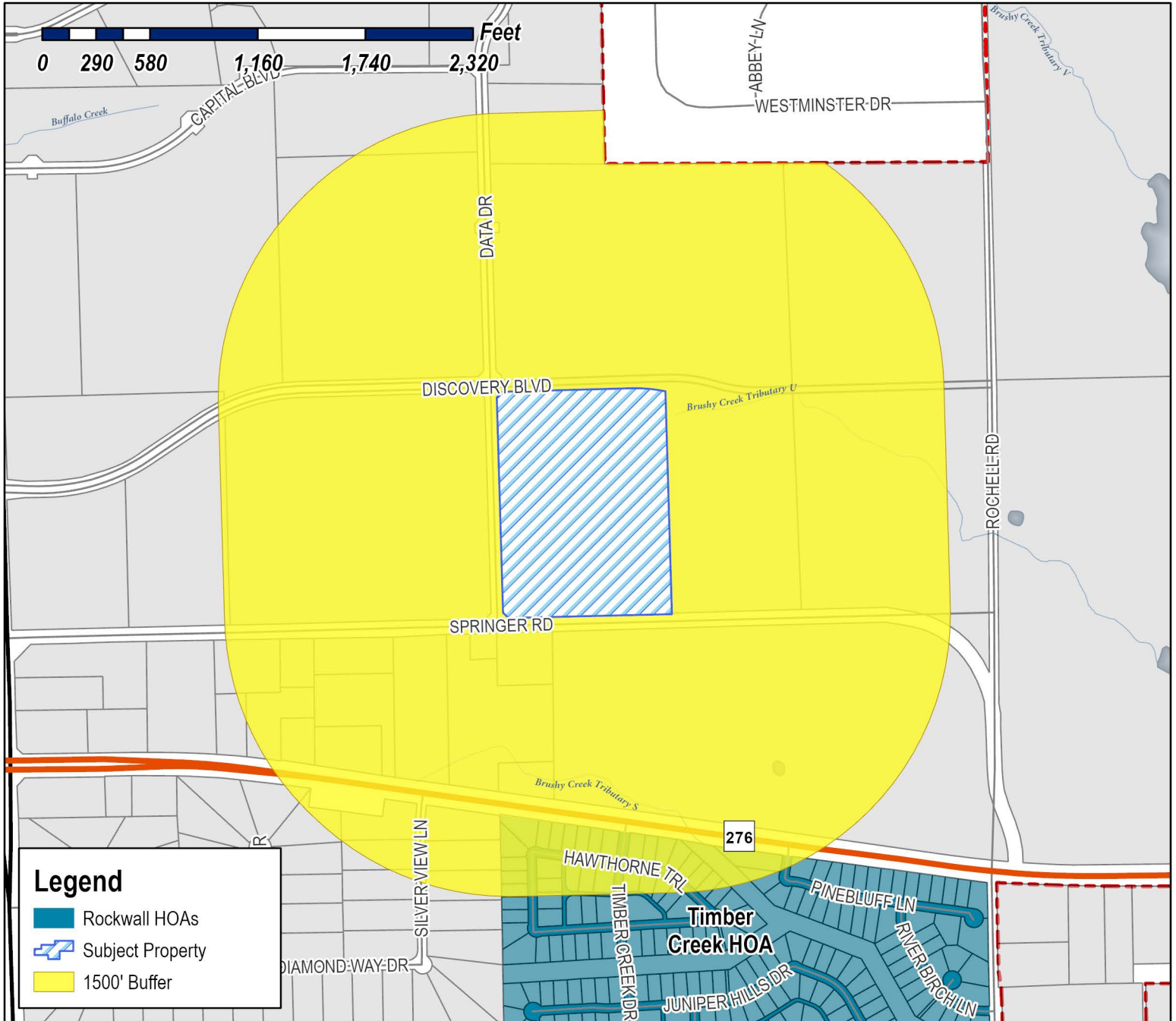







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(W): www.rockwall.com

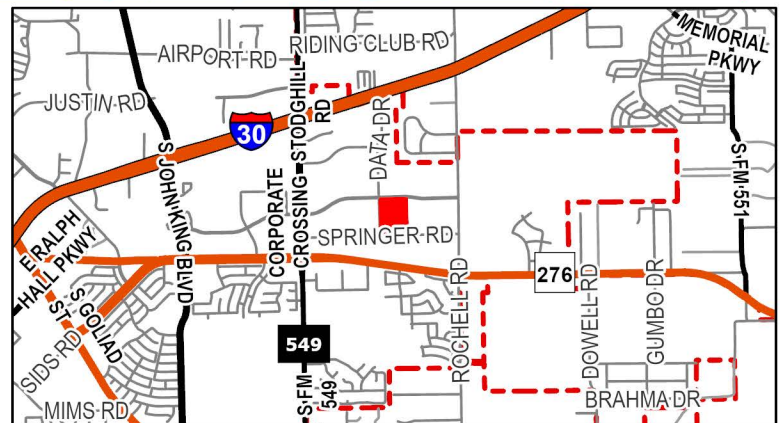
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Legend

-  Rockwall HOAs
-  Subject Property
-  1500' Buffer

Case Number: Z2023-049
Case Name: SUP for Heavy Manufacturing
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: SWC of Data Drive & Discovery Blvd.



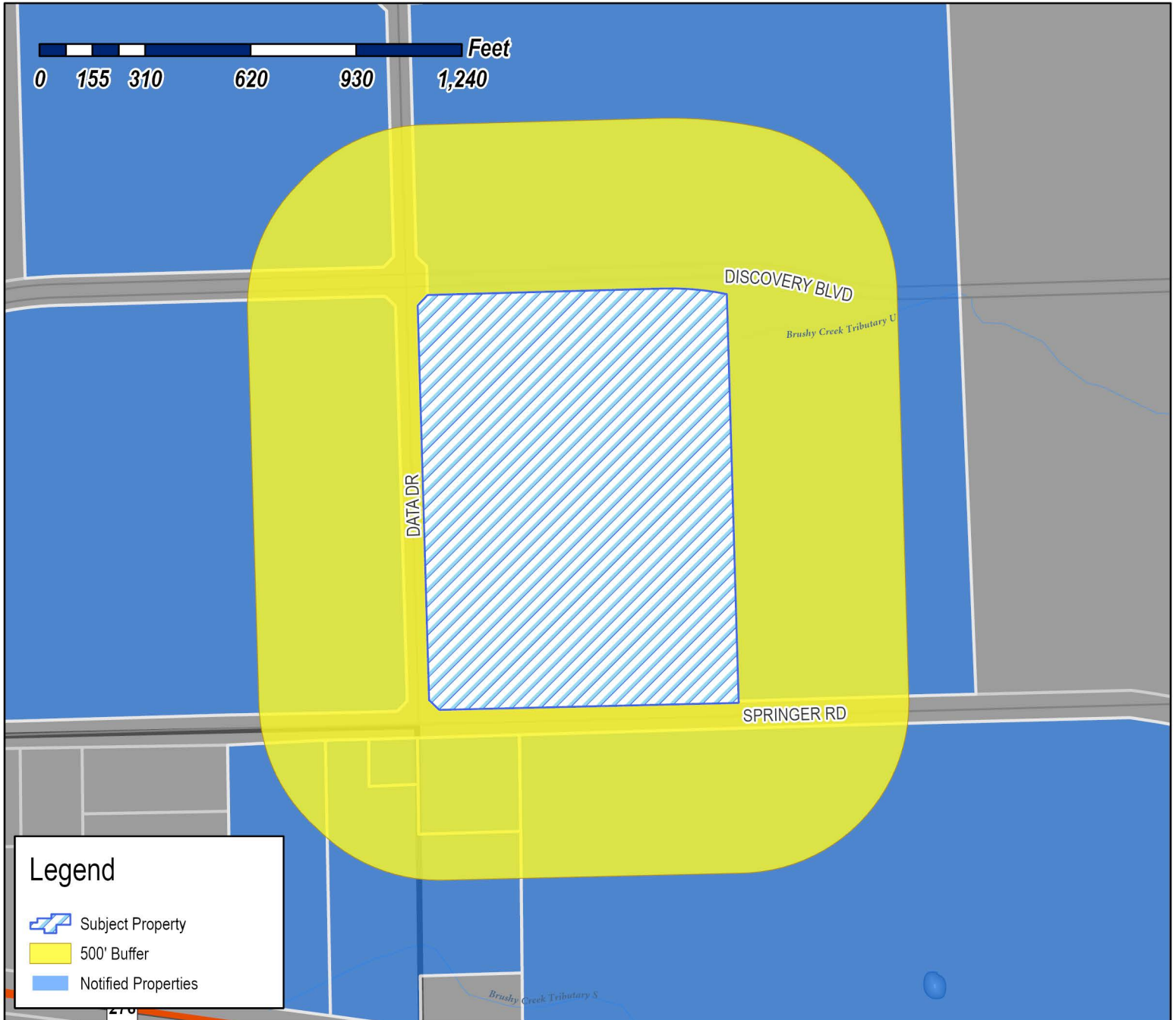
Date Saved: 10/20/2023
 For Questions on this Case Call (972) 771-7745



City of Rockwall

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

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Date Saved: 10/20/2023

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



RESIDENT
HWY276
ROCKWALL, TX 75032

RESIDENT
SPRINGER LN
ROCKWALL, TX 75032

ROCKWALL ECONOMIC DEVELOPMENT
CORPORATION
2610 OBSERVATION TRAIL SUITE 104
ROCKWALL, TX 75032

RESIDENT
2640 HWY276
ROCKWALL, TX 75032

RESIDENT
2690 HWY276
ROCKWALL, TX 75032

RESIDENT
3055 DISCOVERY BLVD
ROCKWALL, TX 75032

RESIDENT
3400 DISCOVERY DR
ROCKWALL, TX 75032

RESIDENT
3465 SPRINGER RD
ROCKWALL, TX 75032

RESIDENT
3475 SPRINGER RD
ROCKWALL, TX 75032

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

ALLEN FOODS INC
C/O RYAN LLC
AGENT FOR BIMBO BAKERIES USA 13155 NOEL
RD #100 LB73
DALLAS, TX 75240

STAG ROCKWALL, L.P. A DELAWARE LIMITED
PARTNERSHIP
STAG INDUSTRIAL HOLDINGS, LLC
ONE FEDERAL STREET 23RD FLOOR
BOSTON, MA 2110

BLACKLAND WATER CORP
ATTN ADA JO PHILLIPS
PO BOX 215
FATE, TX 75132

LATTIMORE MATERIALS COMPANY LP
PO BOX 2469
ADDISON, TX 75001

COLIN-G PROPERTIES INC
PO BOX 847
ROCKWALL, TX 75087

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
ROCKWALL, TX 75087



October 20, 2023

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

Dear Mr. Miller,

Enclosed you will find an application and supporting materials requesting the Planning and Zoning Commission and City Council grant a Specific Use Permit (SUP) for “Heavy Manufacturing” to occur on 32 acres within the Rockwall Technology Park, at the northeast corner of Data Drive and Springer Road.

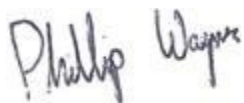
For the past five months, the Rockwall Economic Development Corporation (REDC) has been working to recruit Ballard Power Systems (Ballard), an international leader in the development of hydrogen fuel cells, to establish their future US manufacturing location. After a search that evaluated 40 sites across 10 states, representatives from Ballard have chosen Rockwall and the new third phase of the Technology Park as their preferred location. This decision has recently been memorialized through a Letter of Intent with the REDC, and a formal Development Agreement is currently being drafted.

Ballard will provide significant benefits to Rockwall, as their anticipated \$115M investment would represent the highest tax value of any one entity in the community. The company may also expand in the future, adding significantly more taxable value to their initial investment. Further, Ballard will create dozens of high-quality jobs. We believe this type of advanced manufacturing project – one that deploys high value equipment to create cutting-edge technology – aligns with the intended purpose of the Rockwall Technology Park and the mission of the REDC.

REDC representatives have vetted the company to determine financial viability, environmental impact, and community fit. Earlier this year, I received a tour of their existing North American facilities. We feel confident that the company will be a good corporate citizen to their neighbors in the Technology Park, as well as the overall community, with minimal outside impact caused by their operations. Ballard representatives have put together a presentation describing the project, as well as a high-level overview of their manufacturing process. A company representative plans to be at the Planning and Zoning Commission Work Session, as well as the first reading of the City Council, to answer any specific questions. REDC representatives will also be at all meetings.

The REDC kindly requests a four-year window on the SUP, to allow for contractor selection, building design, construction, equipment delivery, installation, and testing prior to production.

Sincerely,

A handwritten signature in black ink that reads "Phillip Wagner". The signature is written in a cursive style with a large initial "P".

Phil Wagner
President

Concept Architecture



Natural Stone



Platinum PLANC™
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PRODUCT DETAILS BELOW. This is the stone and color that inspired the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. Order your sample kit today!



Concept Architecture



1.4MW solar PV

Natural Stone

Concrete

Landscaping

WEST
DATA DRIVE



Concept Architecture



Example

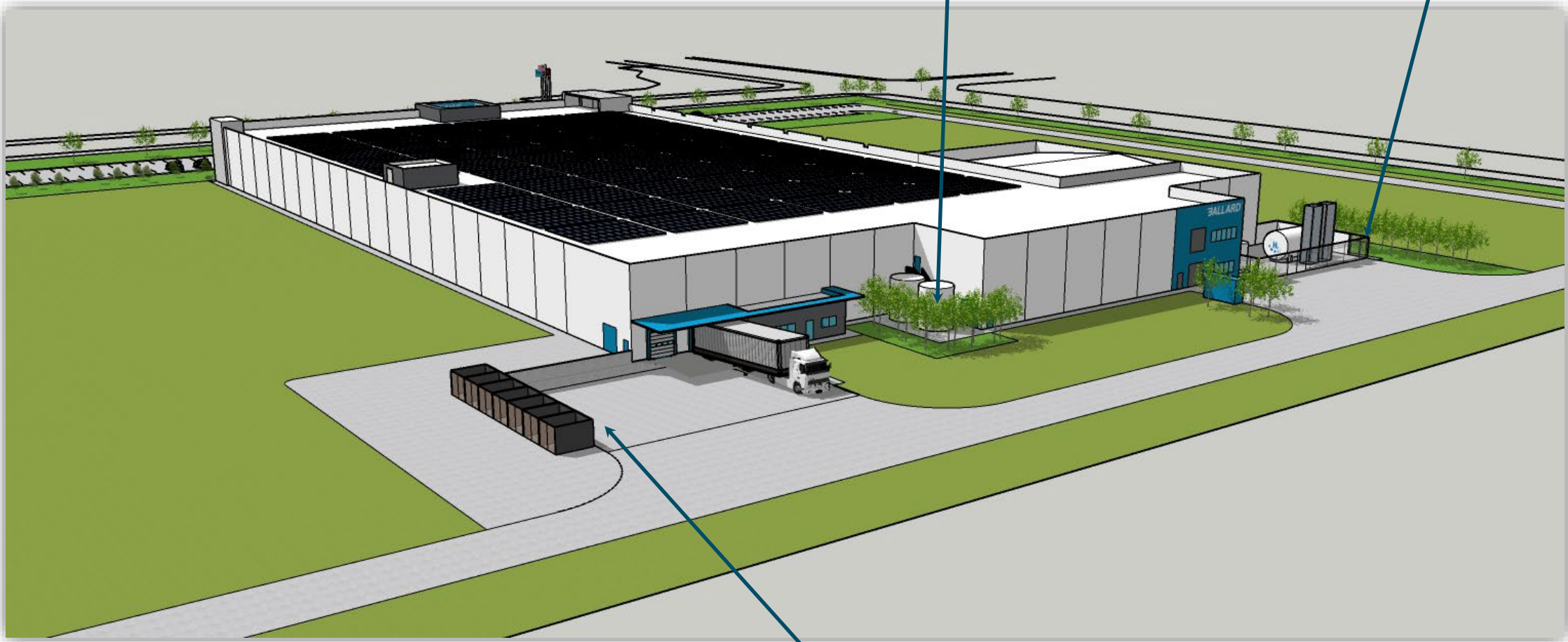
LEED requires bike parking

EV charging

Concept Architecture

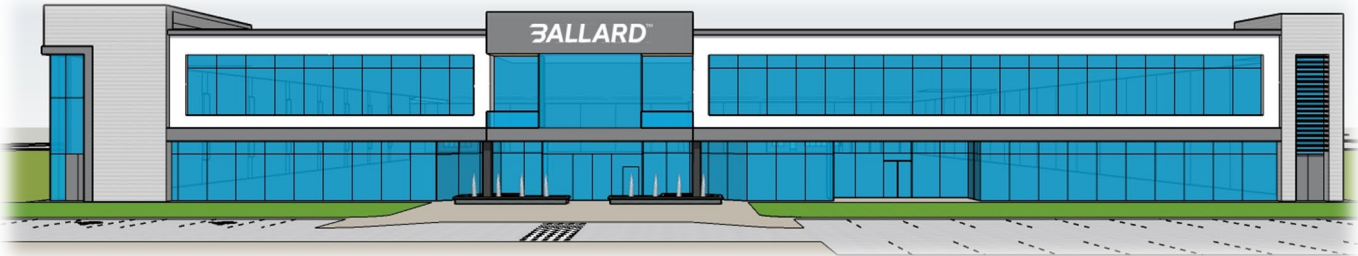
Heat Pump Tanks

Liquid Hydrogen and Nitrogen shielded with trees

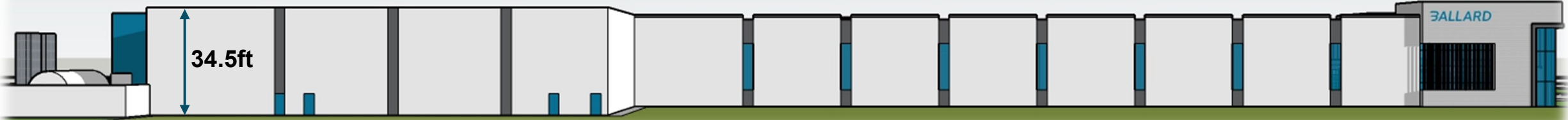


Recycling area

Elevations

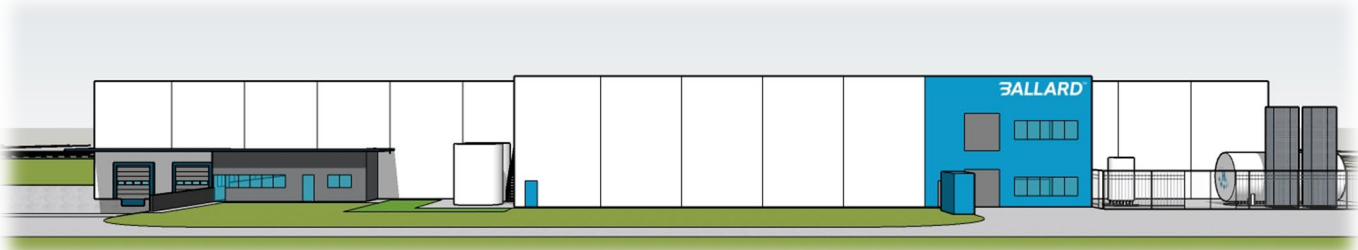


**WEST
DATA DRIVE**



**NORTH
DISCOVERY BLVD**

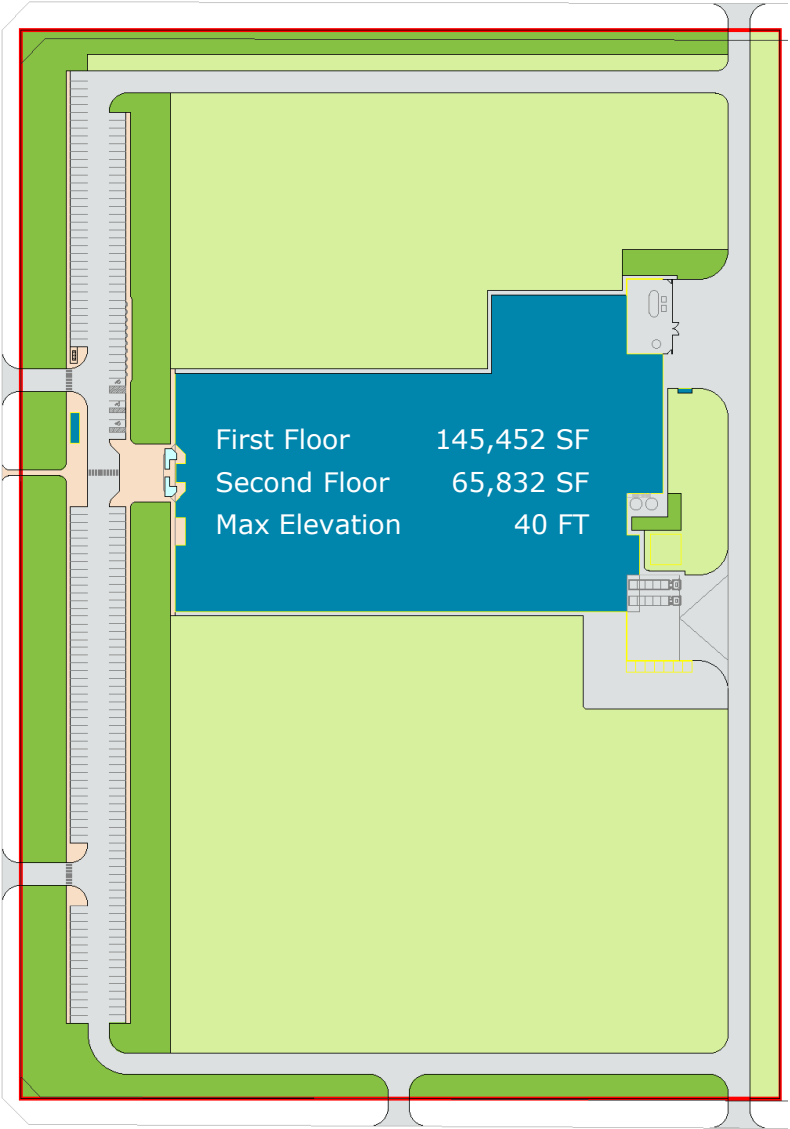
**EAST
ROCHELL ROAD**



**SOUTH
SPRINGER ROAD**



Phase 1 Plot Layout

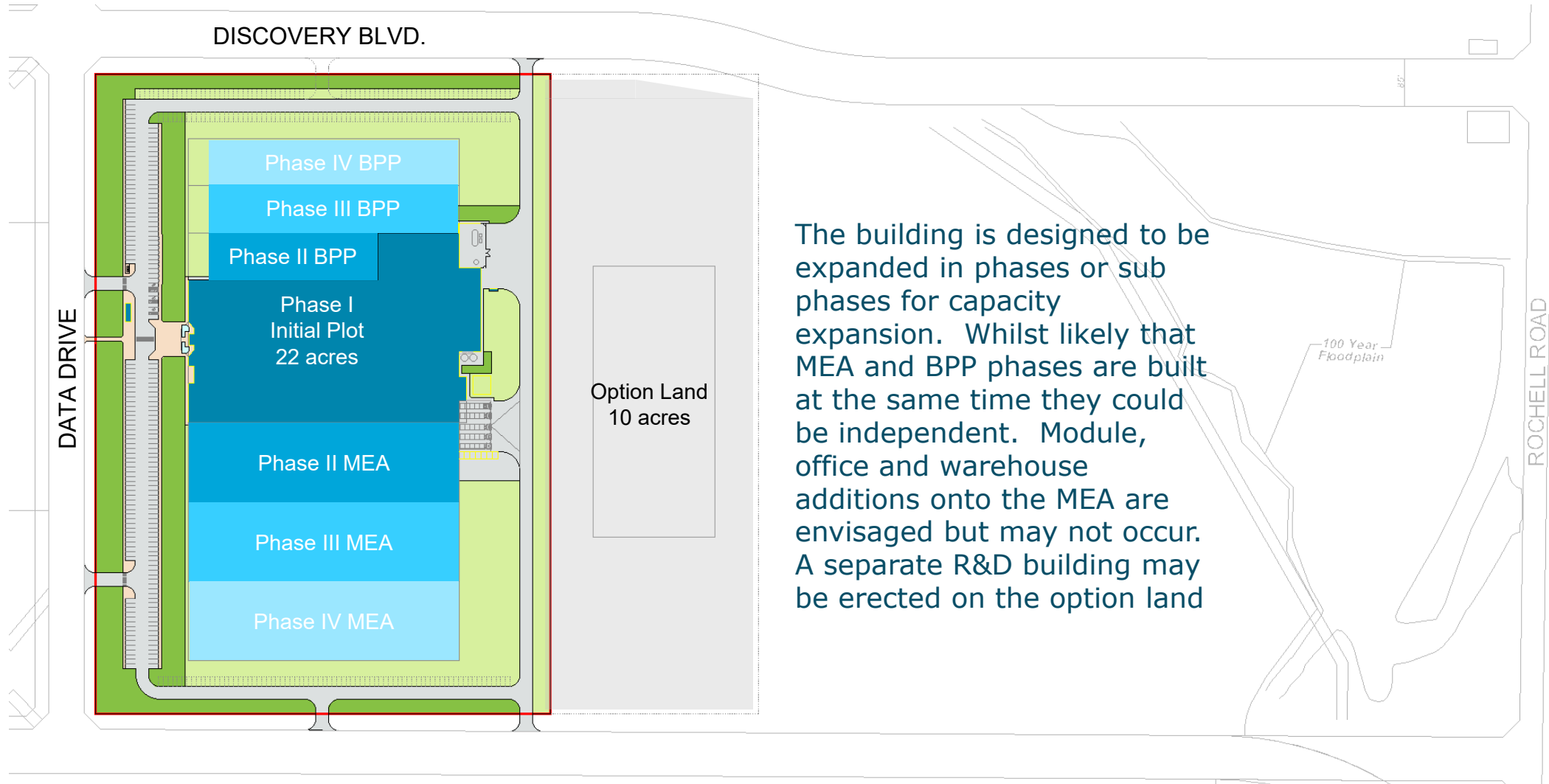


■ Landscaping

Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles



Expansion Including Option Land



The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land



Ballard Rockwall Facility

Hydrogen Revolution










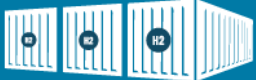







Gulf Coast Hydrogen Hub awarded \$1.2B to develop hydrogen production capacity

We need to co-develop the Fuel Cell engines to convert that hydrogen to electricity

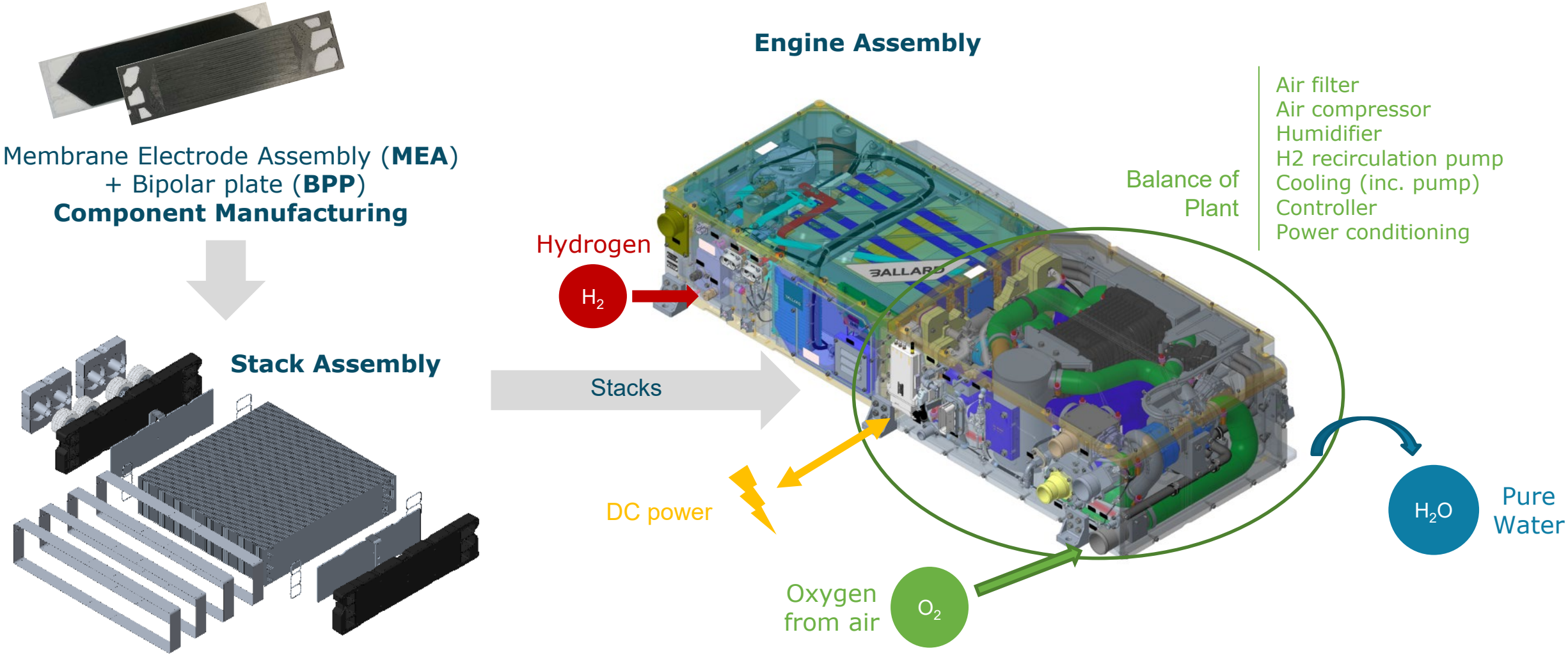
Ballard's investment in Fuel Cell engine production in Rockwall will help drive the energy transition

Who are we?

 <p>44 YEARS</p>	 <p>>1,100 employees</p>	 <p>1,400 patents & applications</p>	 <p>28 years Nasdaq 30 years TSX publicly listed company</p>	 <p>0 2030 commitment to carbon neutrality</p>
 <p>>1,400 transit buses</p>	 <p>>2,300 trucks</p>	 <p>7 TRAIN projects</p>	 <p>8 SHIPS in development</p>	 <p>8 MW of stationary power projects</p>
 <p>1 GW fuel cell products delivered*</p>	 <p>>5.3 MILLION MEAs produced*</p>	 <p>>150 MILLION kilometers in operation*</p>	 <p>1.6 GW production capacity</p>	 <p>4 PRODUCTION SITES global footprint</p>

*compiled from 2015

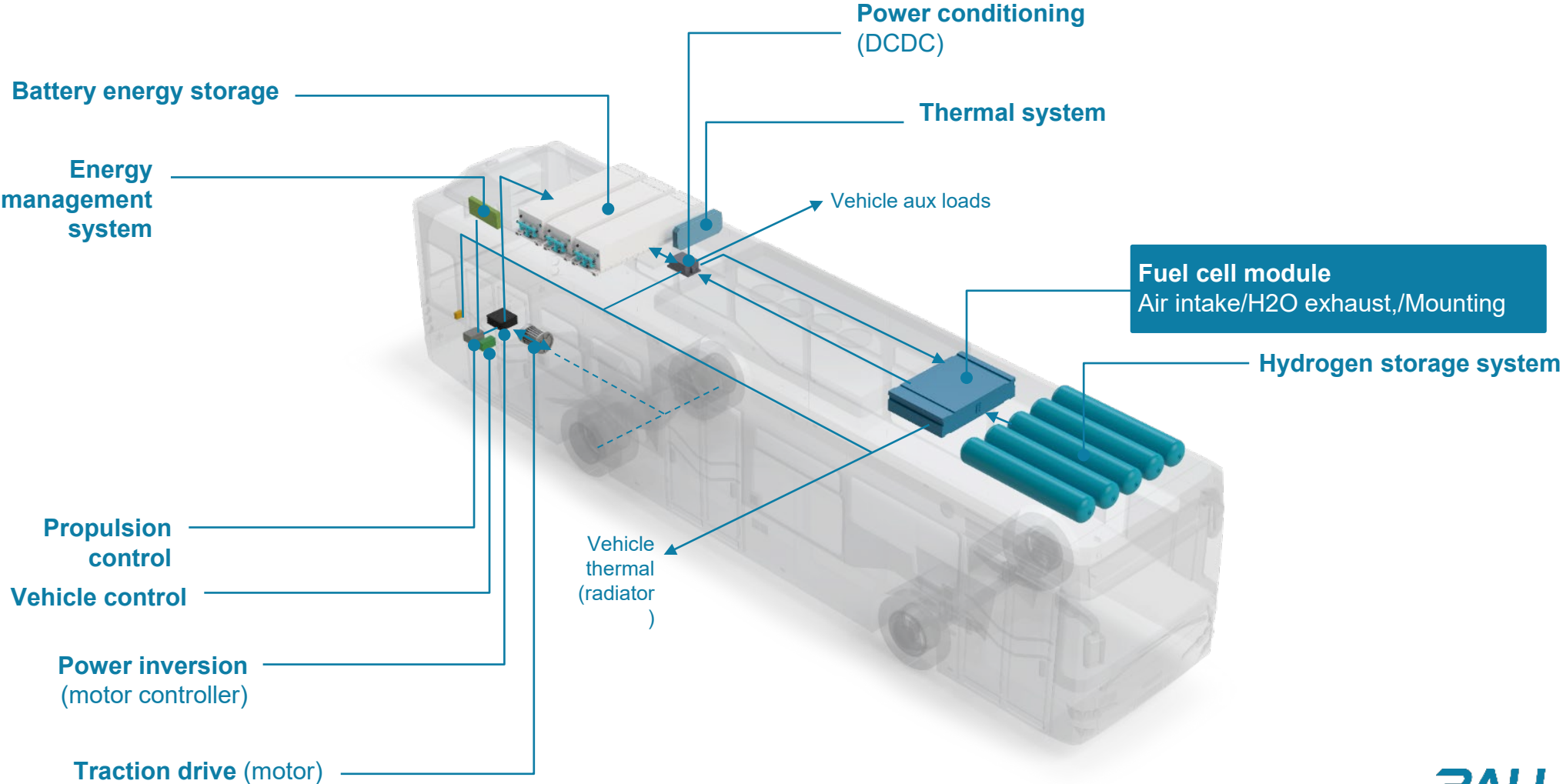
MEA & BPP manufacturing and assembly operations



The facility will **manufacture MEAs, BPPs and** assembly into **stacks**, which then are sold or combined with purchased balance of plant components to produce a **fuel cell engine**

Customer Integration

Customers integrate fuel cell modules into the vehicle to produce a Fuel Cell Electric Vehicle



Our Markets



Applications powered by Ballard



160 Fuel Cell Electric Buses in USA

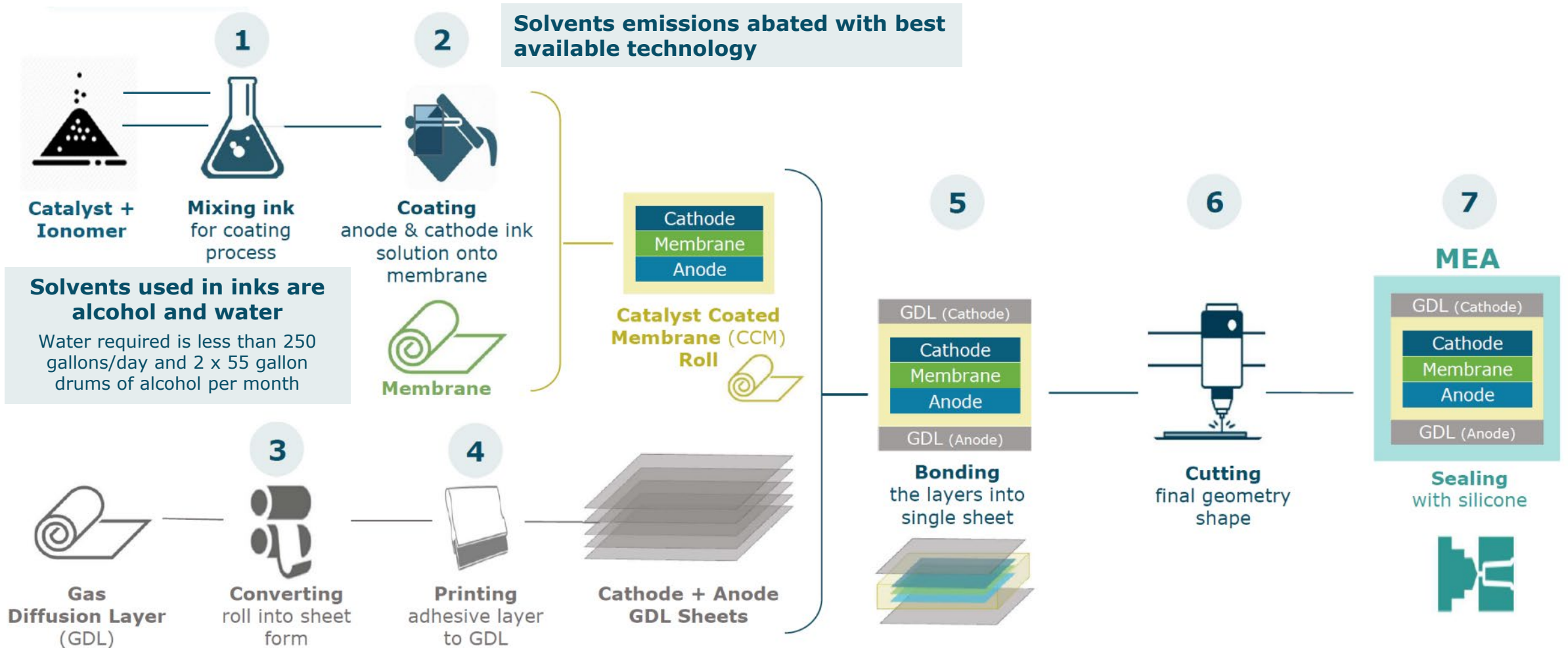
100% powered by Ballard



MEA Manufacturing



MEA Manufacturing highly automated and similar to battery cell production, but with low chemicals consumption.

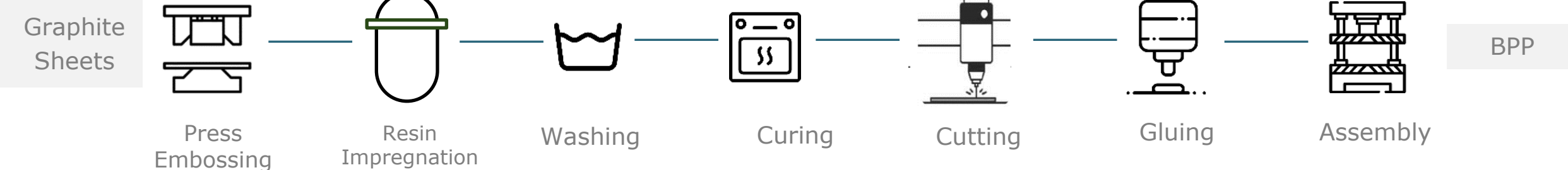


BPP Manufacturing



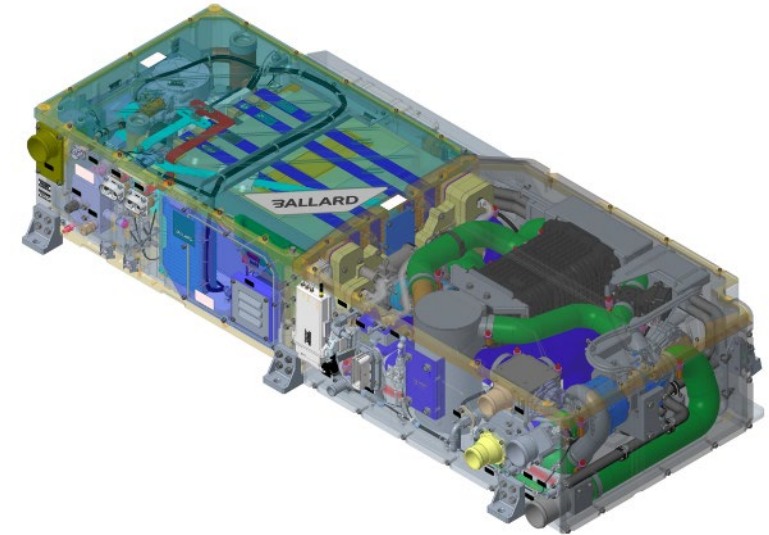
Bipolar Plate manufacturing has been developed as a **water and solvent free** process so no waste water emissions

Fully automated process from start to finish



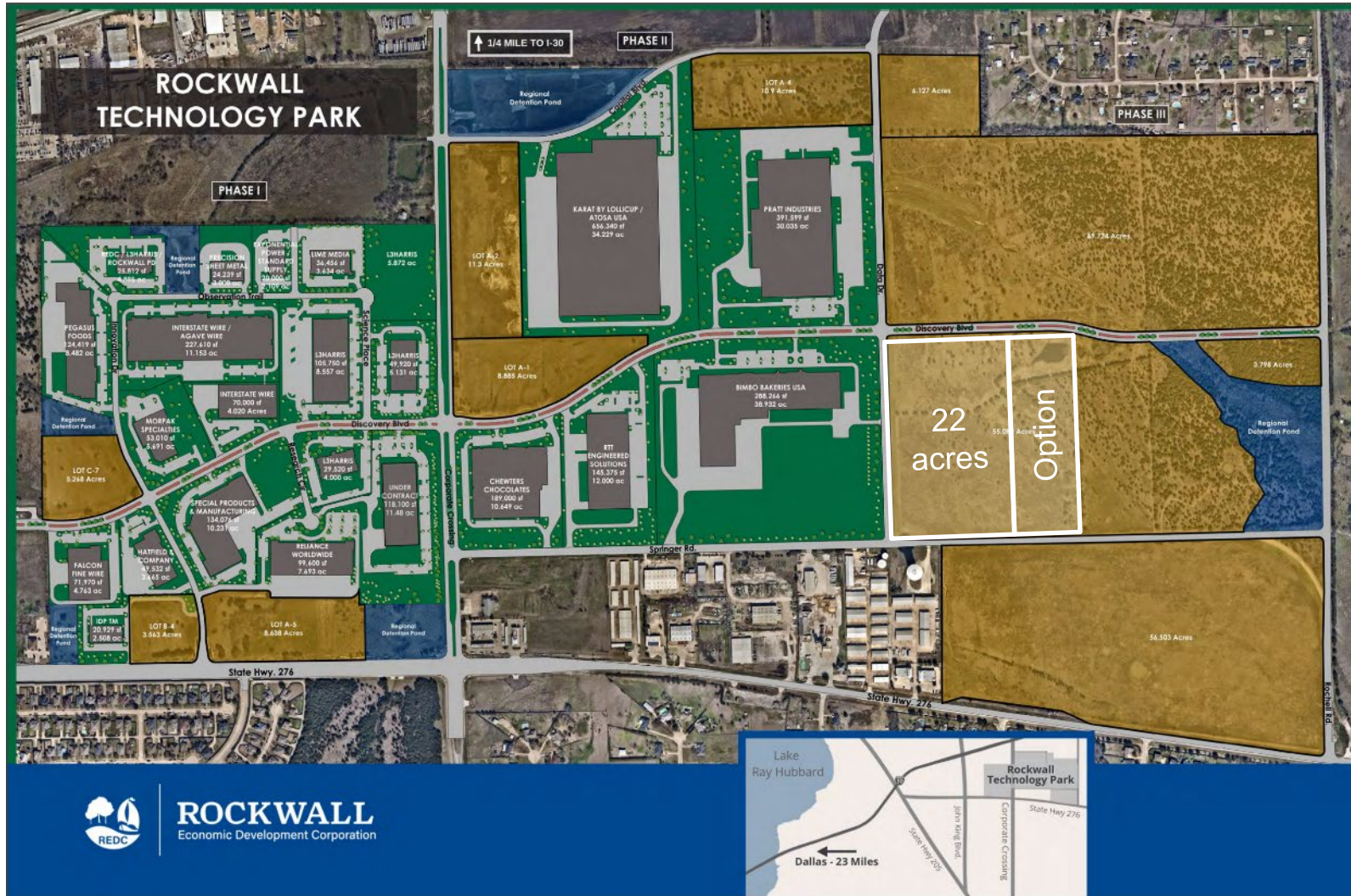
Stack and Engine Assembly, with test

Stacks assembled by placing MEAs and BPPs in a fully automated line.
Product tested for quality using hydrogen gas on a test station

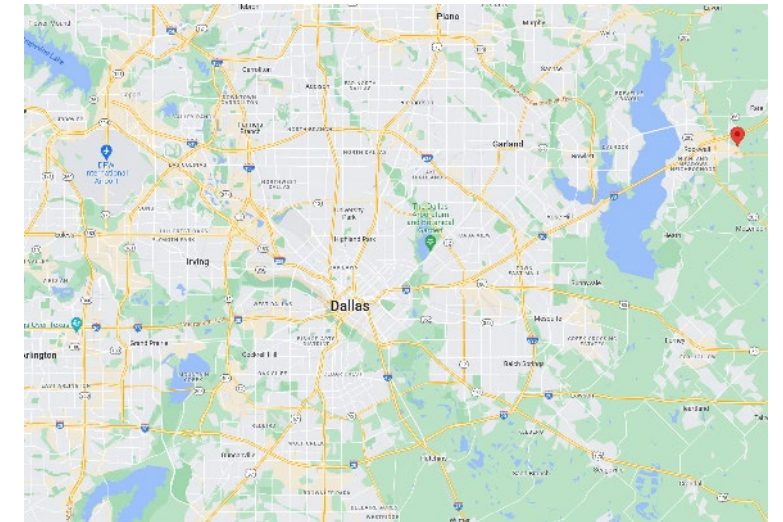


Engines assembled by skilled technicians combining stacks with balance of plant components. Engines functionality checked using hydrogen gas on a test station

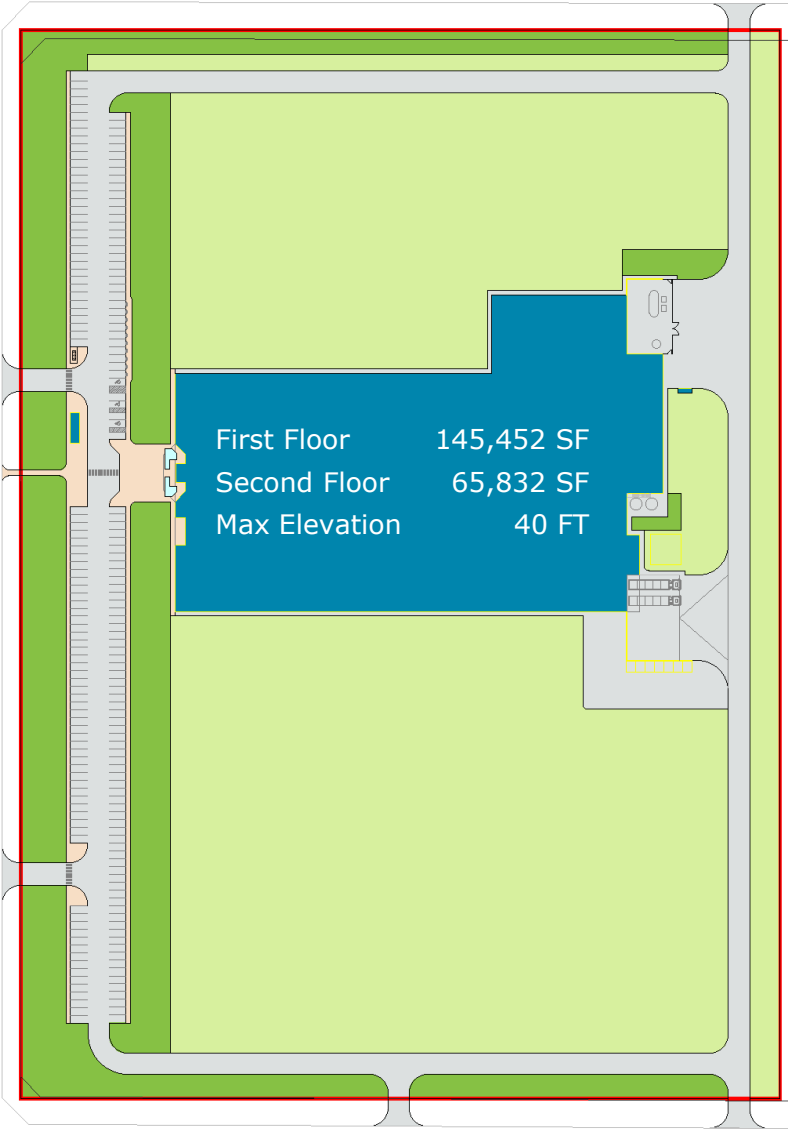
Rockwall Technology Park



22-acre site in Rockwall Technology Park with an option for an additional 10-acres.



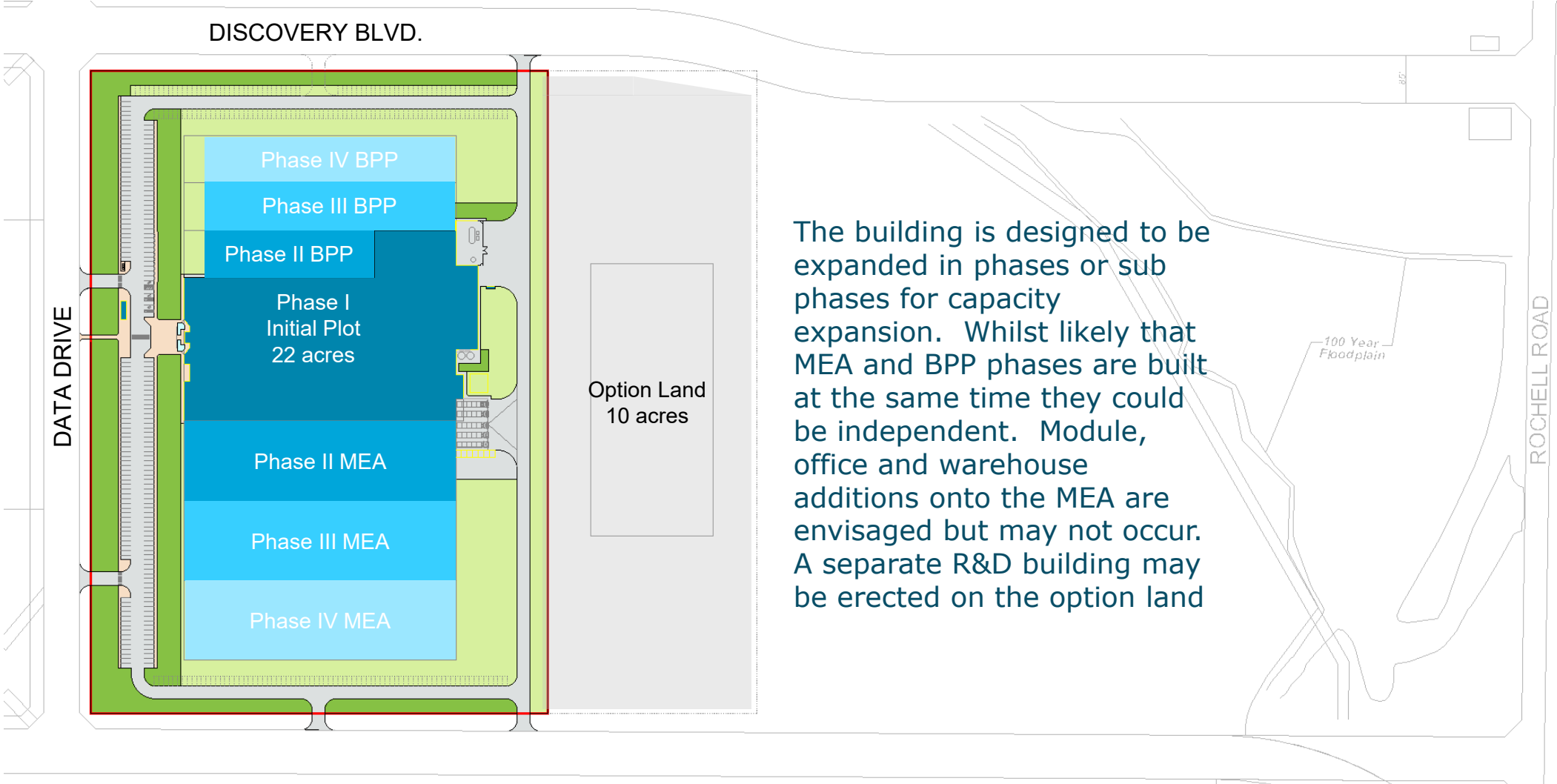
Phase 1 Plot Layout



Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles

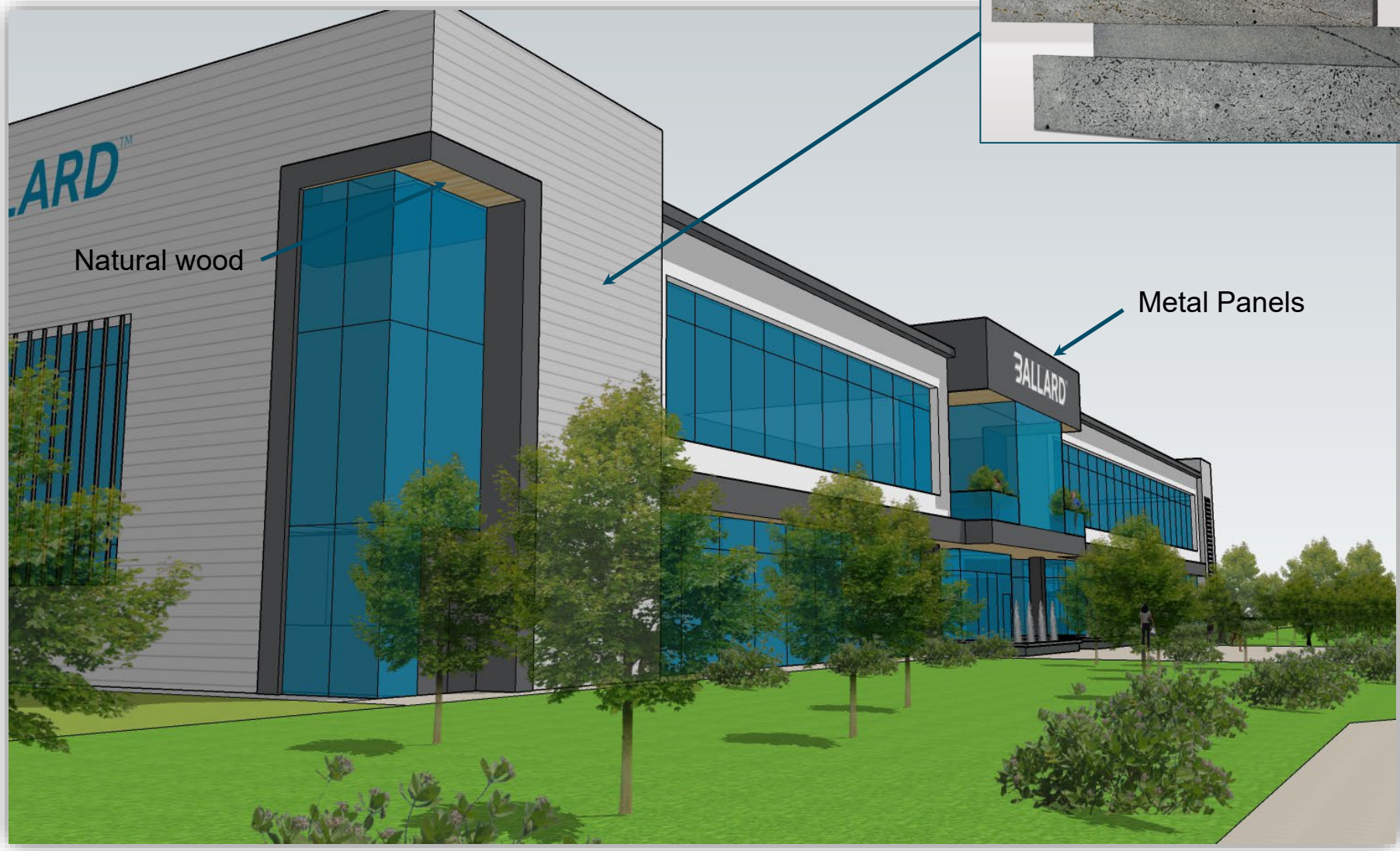


Expansion Including Option Land



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Concept Architecture



Natural Stone



Platinum PLANC™
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PRODUCT DETAILS BELOW. This is the stone and color that inspired the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. *Order your sample kit today!*

Example



Concept Architecture



1.4MW solar PV

Natural Stone

Concrete

Landscaping

WEST
DATA DRIVE



Concept Architecture



Example

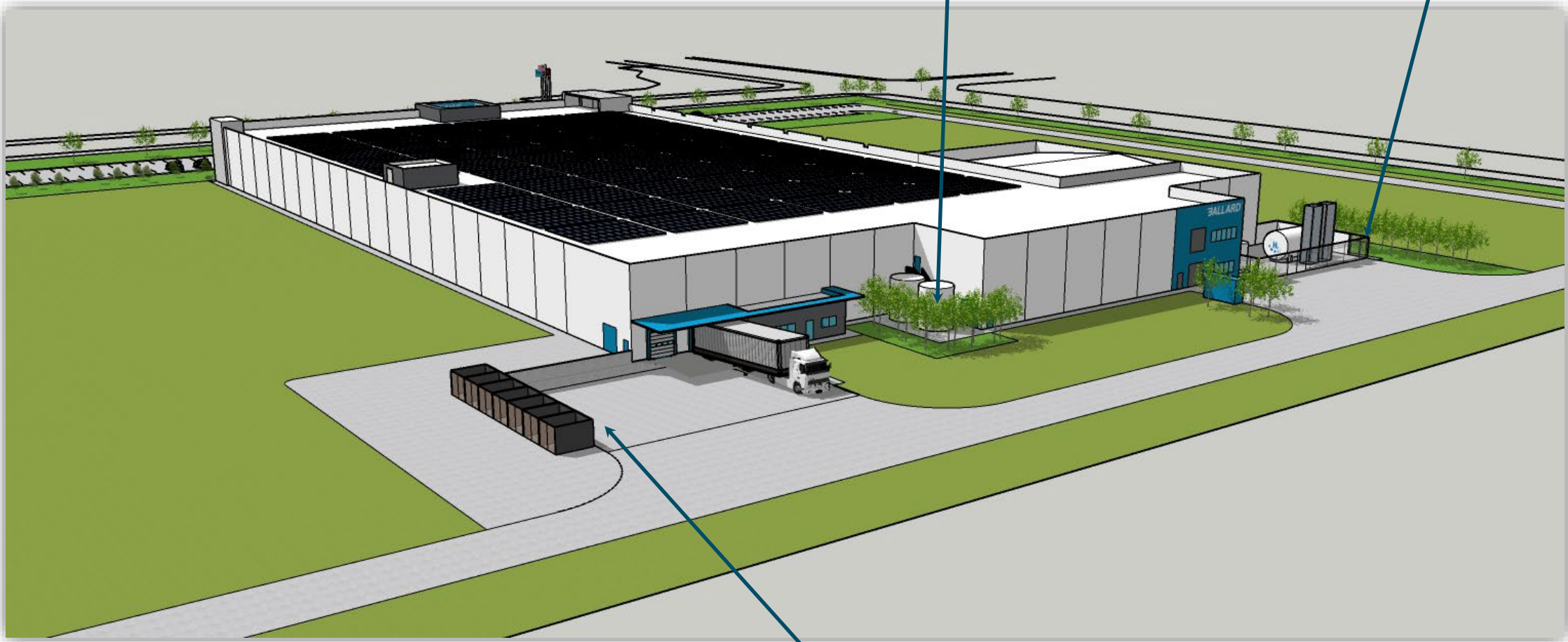
LEED requires bike parking

EV charging

Concept Architecture

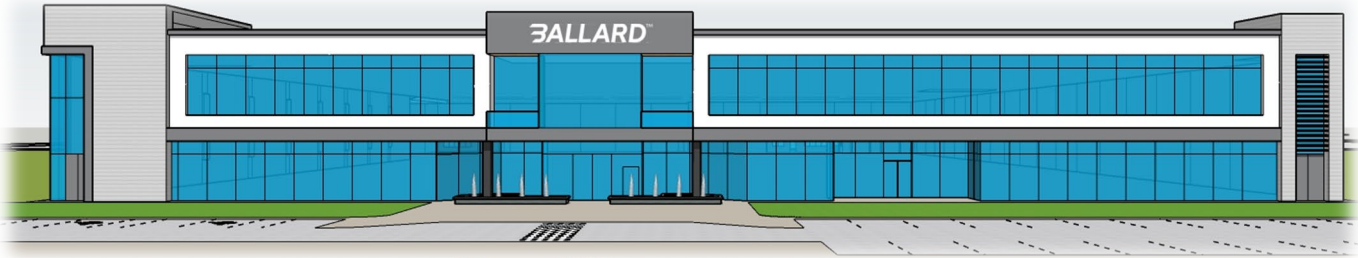
Heat Pump Tanks

Liquid Hydrogen and Nitrogen shielded with trees

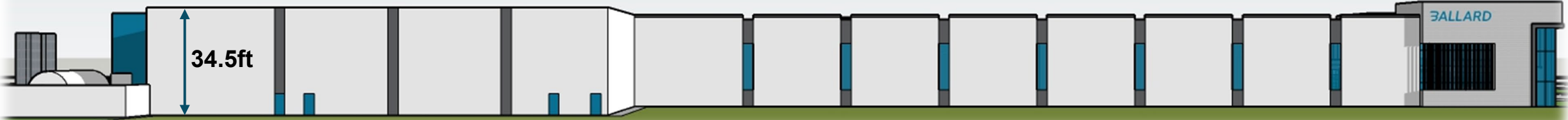


Recycling area

Elevations

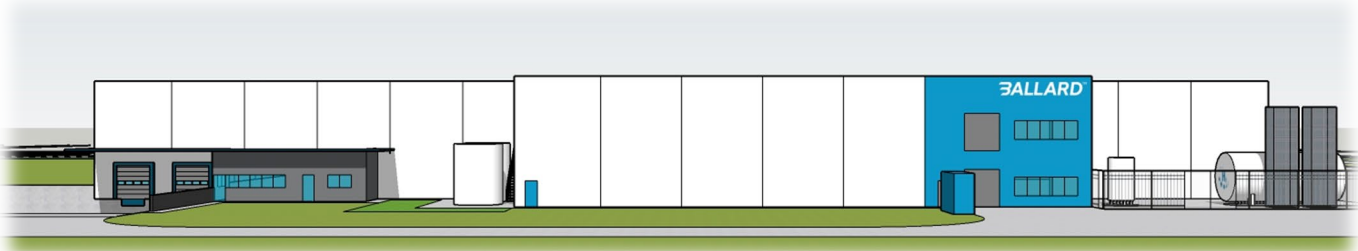


WEST
DATA DRIVE



NORTH
DISCOVERY BLVD

EAST
ROCHELL ROAD



SOUTH
SPRINGER ROAD



Carbon Neutrality 2030

Ballard is targeting net carbon zero for its operations by 2030 so this facility needs to be constructed in a way to help Ballard achieve the goals. The project should achieve **LEED Gold** requirements and include:



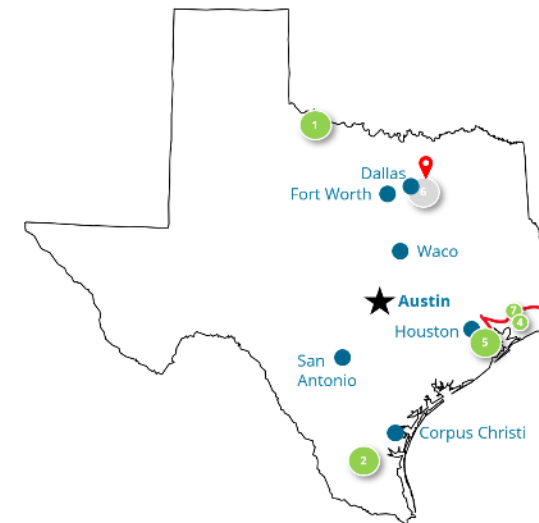
- Solar PV on roof of building
- Rain water harvesting for irrigation and potential use for toilets
- Heat pump based offices temperature control
- Heat pump AHUs for factory cleanrooms
- Regenerative Load banks for Test Stations to provide power to site, and potentially emergency backup power
- Consideration of on-site green hydrogen production for production test stations
- Use of waste heat from coating abatement to support heat pumps
- High building energy efficiency
- High solar reflectivity roof and wall panels

Liquid Hydrogen



- Example of liquid hydrogen storage and distribution system located in the Northeast part of the site.
- Appearance shielded with trees as shown in the Vancouver photo
- Wide selection of green hydrogen suppliers in Texas

Map of Hydrogen Availability



Map #	Facility	County
1	Air Products and the AES Corporation	Willbarger
2	Green Hydrogen International	Duval
—	Air Products Hydrogen Pipeline	Harris
4	Plug Power	Jefferson
5	Air Liquide	Harris
6	Air Liquide	Dallas
7	Air Liquide (hydrogen storage facility)	Jefferson

BEING a tract of land situated in the J.B. Jones Survey, Abstract No. 125 and the J.A. Ramsey Survey, Abstract No. 186, in the City of Rockwall, Rockwall County, Texas, being part of Lot 1, Block B, of Rockwall Technology Park Phase V, an addition to the City of Rockwall, as described in Document No. 2023000006632, in the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), said Lot being part of a tract of land described in a Deed to Rockwall Economic Development Corporation, as described in Volume 5528, Page 194, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the most northerly northwest corner of said Lot 1, being in the south line of Discovery Boulevard (85-foot right-of-way);

THENCE North 88 degrees 23 minutes 40 seconds East, with the north line of said Lot 1 and the south line of said Discovery Boulevard, a distance of 929.29 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the point of curvature of a curve to the right, having a radius of 807.50 feet and a central angle of 13 degrees 13 minutes 52 seconds;

THENCE continuing with the north line of said Lot 1 and south line of said Discovery Boulevard, and with said curve to the right, an arc distance of 186.47 feet (Chord Bearing South 84 degrees 59 minutes 24 seconds – 186.06 feet);

THENCE South 01 degree 42 minutes 43 seconds East, departing the north line of said Lot 1 and south line of said Discovery Boulevard, a distance of 1,200.92 feet to the south line of said Lot 1, being the north line of Springer Road (80-foot right-of-way);

THENCE South 88 degrees 36 minutes 34 seconds West, with the south line of said Lot 1 and the north line of said Springer Road, a distance of 879.70 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 46 degrees 34 minutes 32 seconds West, continuing with the south line of said Lot 1 and north line of Springer Road, a distance of 41.45 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found in the east line of Data Drive (65-foot right-of-way);

THENCE North 01 degree 42 minutes 44 seconds West, with the west line of said Lot 1 and the east line of said Data Drive, a distance of 1,159.54 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 43 degrees 20 minutes 28 seconds East, continuing with the west line of said Lot 1 and east line of Data Drive, a distance of 42.39 feet to the POINT OF BEGINNING and containing 32.00 acres of land.



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
DATE: November 14, 2023
APPLICANT: Phil Wagner; *Rockwall Economic Development Corporation (REDC)*
CASE NUMBER: Z2023-049; *Specific Use Permit (SUP) for Heavy Manufacturing for Ballard*

SUMMARY

Hold a public hearing to discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a Specific Use Permit (SUP) for *Heavy Manufacturing* on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on June 15, 1998 by *Ordinance No. 98-20 [Case No. A1998-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On July 5, 2005, -- *at the request of the Rockwall Economic Development Corporation (REDC)* -- the City Council approved *Ordinance No. 05-29 [Case No. Z2005-021]*, which changed the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District. The subject property has remained vacant since annexation.

PURPOSE

On October 20, 2023, the applicant -- *Phil Wagner of the Rockwall Economic Development Corporation (REDC)* -- submitted an application requesting a Specific Use Permit (SUP) for *Heavy Manufacturing* the purpose of constructing a *Heavy Manufacturing* facility on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located at the southwest corner of the intersection of Data Drive and Discovery Boulevard. The land uses adjacent to the subject property are as follows:

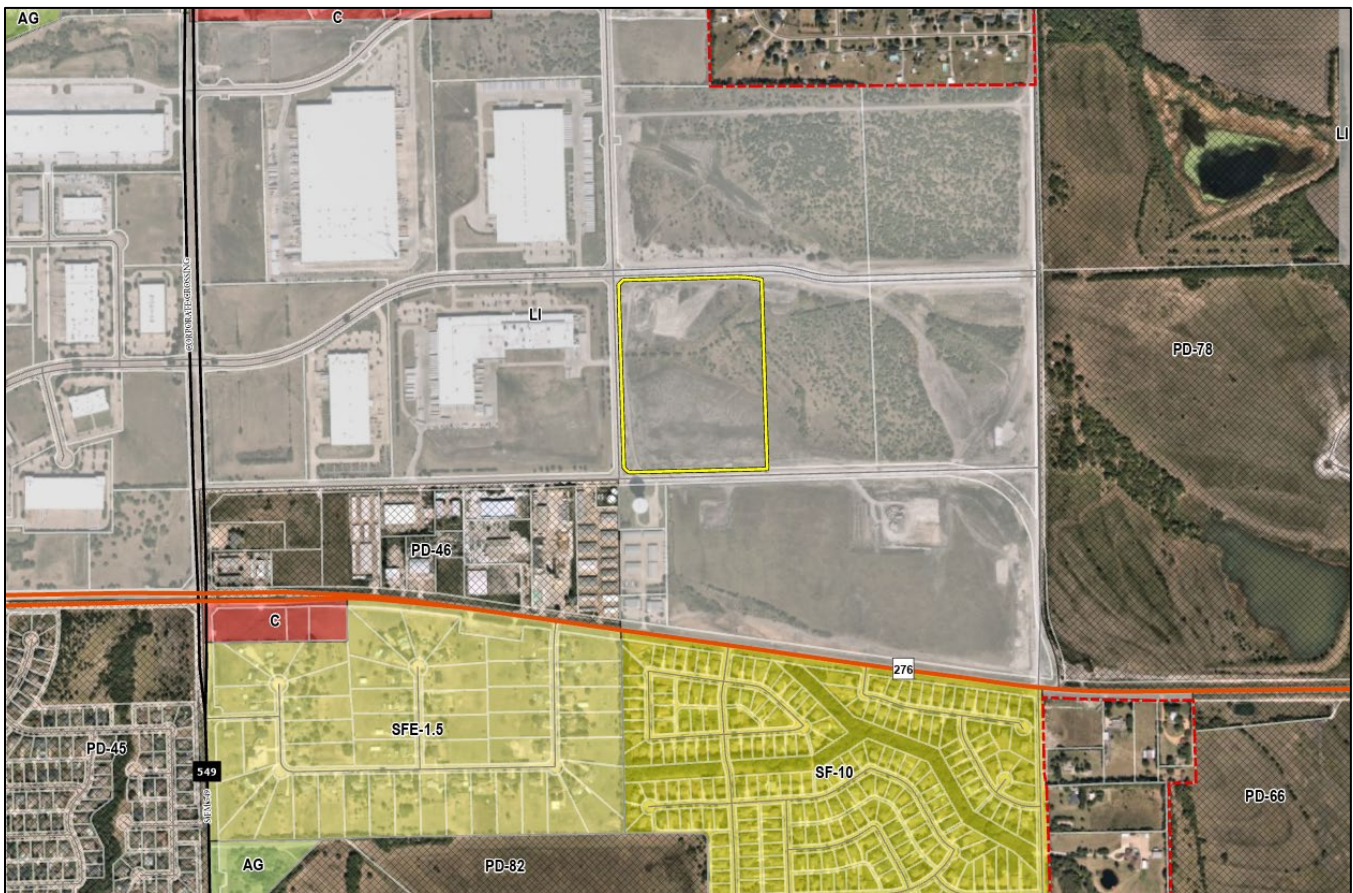
North: Directly north of the subject property is Discovery Boulevard, which is identified as a M4U (*i.e. major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the remainder of Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, which is vacant and is zoned Light Industrial (LI) District. Beyond this are the corporate limits of the City of Rockwall followed by *Phase 1* of the Carrington Farms Subdivision, which is situated within the City of Fate. Also, north of this tract is a 6.4470-acre vacant tract of land (*i.e. Tract 3 of the J H B Jones Survey, Abstract No. 125*), which is zoned Light Industrial (LI) District and also owned by the Rockwall Economic Development Corporation (REDC).

South: Directly south of the subject property is Springer Road, which is identified as a M4U (*i.e. major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this roadway is the *Springer Water Tower*, which is owned by the City of Rockwall and is zoned Light Industrial (LI) District. Beyond this is a 7.571-acre parcel of land (*i.e. Lot 1, Block 1, Highway 276 Self Storage*) that is developed with a *Mini-Warehouse Facility (i.e. Highway 276 Self Storage)* and is zoned Light Industrial (LI) District.

East: Directly east of the subject property is a 60.30-acre tract of vacant land (i.e. *Tract 5, of the J H B Jones Survey, Abstract No. 125*), which is zoned Light Industrial (LI) District. Beyond that is Rochell Road, which is classified as an A4D (i.e. *major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond that is a 174.5990-acre vacant tract of land (i.e. *Tract 1, of the M E Hawkins Survey, Abstract No. 100*), which is zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses (i.e. *Discovery Lakes Subdivision*).

West: Directly west of the subject property is a 38.9320-acre parcel of land (i.e. *Lot 2, Block B, Rockwall Technology Park Phase III*) that is developed with a *Light Manufacturing Facility (i.e. Bimbo Bakery)*. This property is zoned Light Industrial (LI) District. Beyond this is a 12.00-acre parcel of land (i.e. *Lot 3, Block B, Rockwall Technology Park, Phase II*) that is developed with a *Light Manufacturing Facility (i.e. RTT Engineered Solutions)*. This property is also zoned Light Industrial (LI) District. Beyond that is a 10.649-acre vacant parcel of land (i.e. *Lot 1, Block B, Rockwall Technology Park Phase II*), which is zoned Light Industrial (LI) District. Beyond this is Corporate Crossing which is identified as an A4D (i.e. *major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and conceptual building elevations showing the proposed layout and future phasing plan for a *Heavy Manufacturing Facility (see Figure 1)*. According to the concept plan, the initial phase of the proposed facility will consist of a two (2) story building with a 145,452 SF building footprint. The first floor will consist of 145,452 SF and the second floor will consist of 65,832 SF for a total proposed square footage of 211,284 SF. In addition to the *Heavy Manufacturing Facility*, the concept plan also shows the location of the heat pump tanks, liquid hydrogen and nitrogen storage yards, and a recycling area adjacent to the loading docks. The proposed facility will have access off of Discovery Drive, Data Drive, and Springer Road. The proposed Phasing Plan shows the possibility of six (6) additional phases, stating that these phases could be constructed in unison with each other or independently of each other. This plan also shows the future provision of parking

along the entrance adjacent to Discovery Boulevard, and a potential ten (10) acre expansion site east of the subject property (see Figure 2).

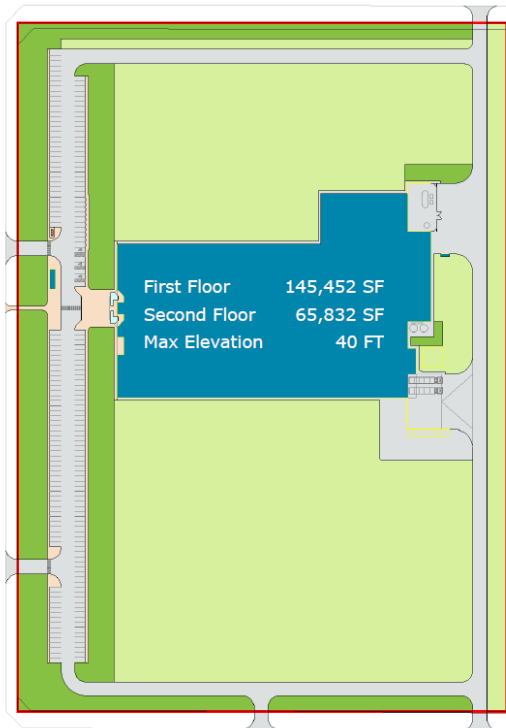


FIGURE 1. PHASE 1 CONCEPT PLAN

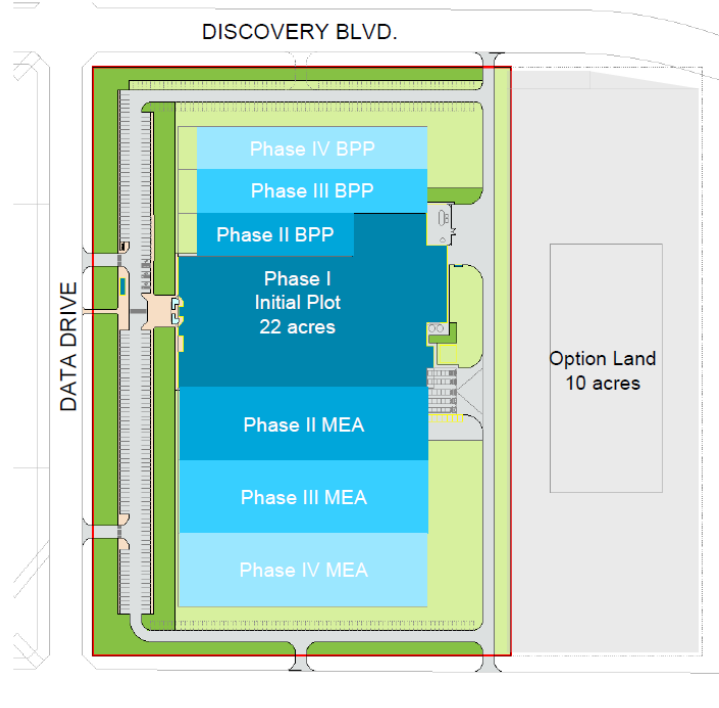


FIGURE 2. FUTURE PHASING PLAN

The proposed conceptual building elevations submitted by the applicant appear to be consistent with the existing design scheme of the Rockwall Technology Park, and does a good job of incorporating elements from the adjacent buildings (i.e. Bimbo Bakery and Pratt Industries) while still creating a unique identity (see Figure 3).



FIGURE 3. CONCEPTUAL BUILDING ELEVATIONS

CONFORMANCE WITH THE CITY'S CODES

According to Article 13, *Definitions*, of the Unified Development Code (UDC), a *Heavy Manufacturing Facility* is defined as “(a) facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses...” This definition goes on to state that “(a) heavy manufacturing use is one which employs the following or similar types of processes: ... [3] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes ...” In this case, the proposed facility will be used for the production of hydrogen fuel cells and hydrogen fuel cell engines that are incorporated into busses, trains, trucks, boats, and heavy machinery. According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Heavy Manufacturing Facility* requires a Specific Use Permit (SUP) in a Light Industrial (LI) District. The purpose of this requirement is to acknowledge that not all *Heavy Manufacturing Facilities* may be appropriate within the City’s Light Industrial (LI) Districts, and that the City Council should have discretionary oversight with regard to *Heavy Manufacturing Facilities* and their impacts within these areas.

OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Future Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is situated within the *Technology District* and is designated for *Technology/Employment Center* land uses. This land use designation is defined as being “... characterized by employment-oriented businesses, which are generally situated in larger centers (e.g. Rockwall Technology Park) with access to key transportation networks.” According to the *District Strategies* for the *Technology District* properties designated for *Technology/Employment Center* land uses “...should be designated for larger clean industrial businesses that can help diversify the City’s tax base...” In this case, the applicant is proposing a *Heavy Manufacturing Facility* that specializes in the construction of hydrogen fuel cells and hydrogen fuel cell engines. This type of business is characterized as a clean industrial business, and should further diversify the City’s tax base by adding another industrial land use that involves a high initial investment in the community. In addition, the phasing plan shows that through future phases this facility could continue to grow and further add to the City’s tax base. Based on this, the proposed facility appears to conform to the OURHometown Vision 2040 Comprehensive Plan.

STAFF ANALYSIS

In this case, the proposed concept plan and conceptual building elevations appear to conform with all of the density and dimensional requirements for a property in a Light Industrial (LI) District. The applicant’s proposal also appears to conform with intent of the OURHometown Vision 2040 Comprehensive Plan. Staff has included provisions in the Specific Use Permit (SUP) ordinance that will require general conformance with the concept plan and conceptual building elevations at the time of site plan approval. At the request of the applicant, staff has also included a four (4) year initial term for the Specific Use Permit (SUP). This appears to be warranted due to the large scale of the proposed facility and the amount of time that may be necessary to establish the proposed land use. To allow for additional flexibility staff has also included the ability for the applicant to extend the Specific Use Permit (SUP) at the discretion of the City Council.

When considering the requested *Heavy Manufacturing Facility* land use, it appears that this particular land use (i.e. the production of hydrogen fuel cells and hydrogen fuel cell engines) fits the Rockwall Technology Park and -- based on the presentation provided by the applicant -- does not appear to have any negative impacts on adjacent properties. With this being said, a 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 October 23, 2023, staff mailed 16 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Timber Creek Homeowner’s Association (HOA), which is the only Homeowners’ Association (HOAs) and/or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any responses 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 Heavy Manufacturing Facility 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) The development of *Phase 1* of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
 - (b) The development of the *Subject Property* shall generally conform to the Phasing Plan as depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
 - (c) The development of the *Subject Property* shall generally conform with the architecture and design images depicted in the Concept Building Elevations contained in *Exhibit 'D'* of this ordinance; however, conformance to the Concept Building Elevations does not constitute a waiver, variance, or exception to any of the development requirements contained in the Unified Development Code (UDC). In addition, development of the subject property shall be subject to recommendations made by the Architecture Review Board (ARB) through the site plan review process.
 - (d) In the event that the property owner fails to complete the *Phase 1* improvements depicted in *Exhibit 'B'* of this ordinance and does not receive a Certificate of Occupancy (CO) from the City of Rockwall within a period of four (4) years from the approval date of this ordinance (*i.e. December 3, 2027*) this Specific Use Permit (SUP) shall expire. If an extension of the Specific Use Permit (SUP) is necessary, the property owner shall submit a request in writing to the Director of Planning and Zoning no less than 90 days prior to the expiration date of this ordinance (*i.e. prior to September 4, 2027*). Upon receipt of a request for an extension, the Director of Planning and Zoning shall bring the request forward to Planning and Zoning Commission and City Council for review. The Planning and Zoning Commission and City Council shall be charged with determining if an extension of the Specific Use Permit (SUP) is warranted. This shall be conducted in accordance with the process and procedures outlined in Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), and with which this ordinance was originally adopted.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹
- OTHER APPLICATION FEES:**
- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	Northeast corner of Data Drive & Springer Rd		
SUBDIVISION	Rockwall Technology Park Phase V	LOT	BLOCK
GENERAL LOCATION	East of Data Drive, South of Discovery Blvd, and North of Springer Rd		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	Light Industrial	CURRENT USE	undeveloped
PROPOSED ZONING	Specific Use Permit	PROPOSED USE	heavy manufacturing
ACREAGE	32.0	LOTS [CURRENT]	LOTS [PROPOSED]

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

<input checked="" type="checkbox"/> OWNER	Rockwall Economic Development Corporation	<input type="checkbox"/> APPLICANT	
CONTACT PERSON	Phil Wagner	CONTACT PERSON	
ADDRESS	2610 Observation Trl, Suite 104	ADDRESS	
CITY, STATE & ZIP	Rockwall, TX 75032	CITY, STATE & ZIP	
PHONE	972-772-0025	PHONE	
E-MAIL	pwagner@rockwallede.com	E-MAIL	

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Phil Wagner [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 **\$680.00**, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF OCTOBER, 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."

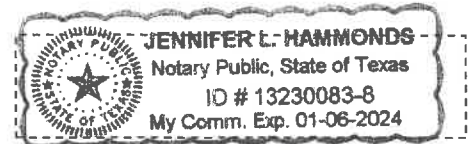
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 20th DAY OF October, 2023

OWNER'S SIGNATURE

Phil Wagner

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

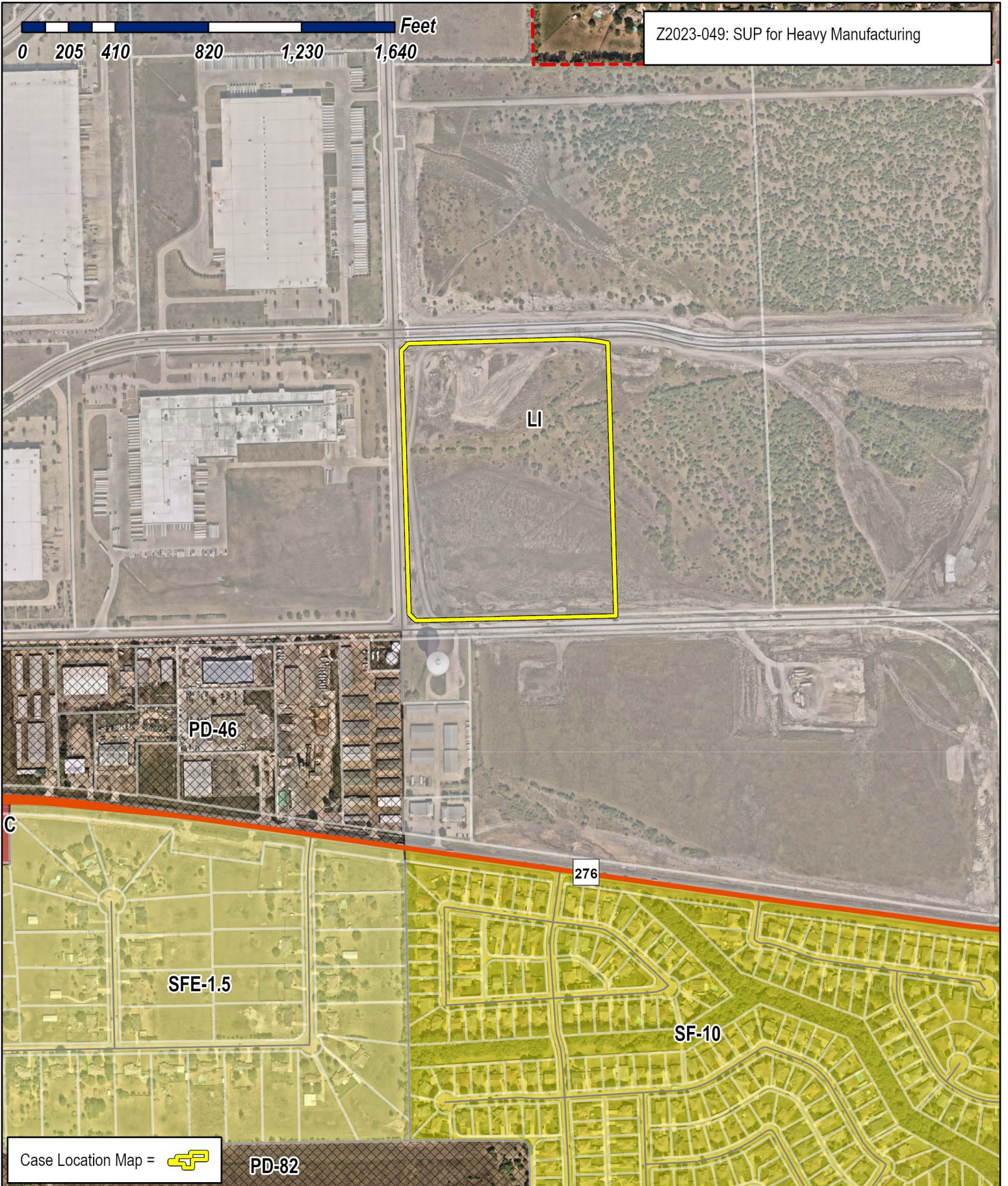
Jennifer L. Hammonds



MY COMMISSION EXPIRES 1/6/24

0 205 410 820 1,230 1,640 Feet

Z2023-049: SUP for Heavy Manufacturing



Case Location Map = 

PD-82



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.

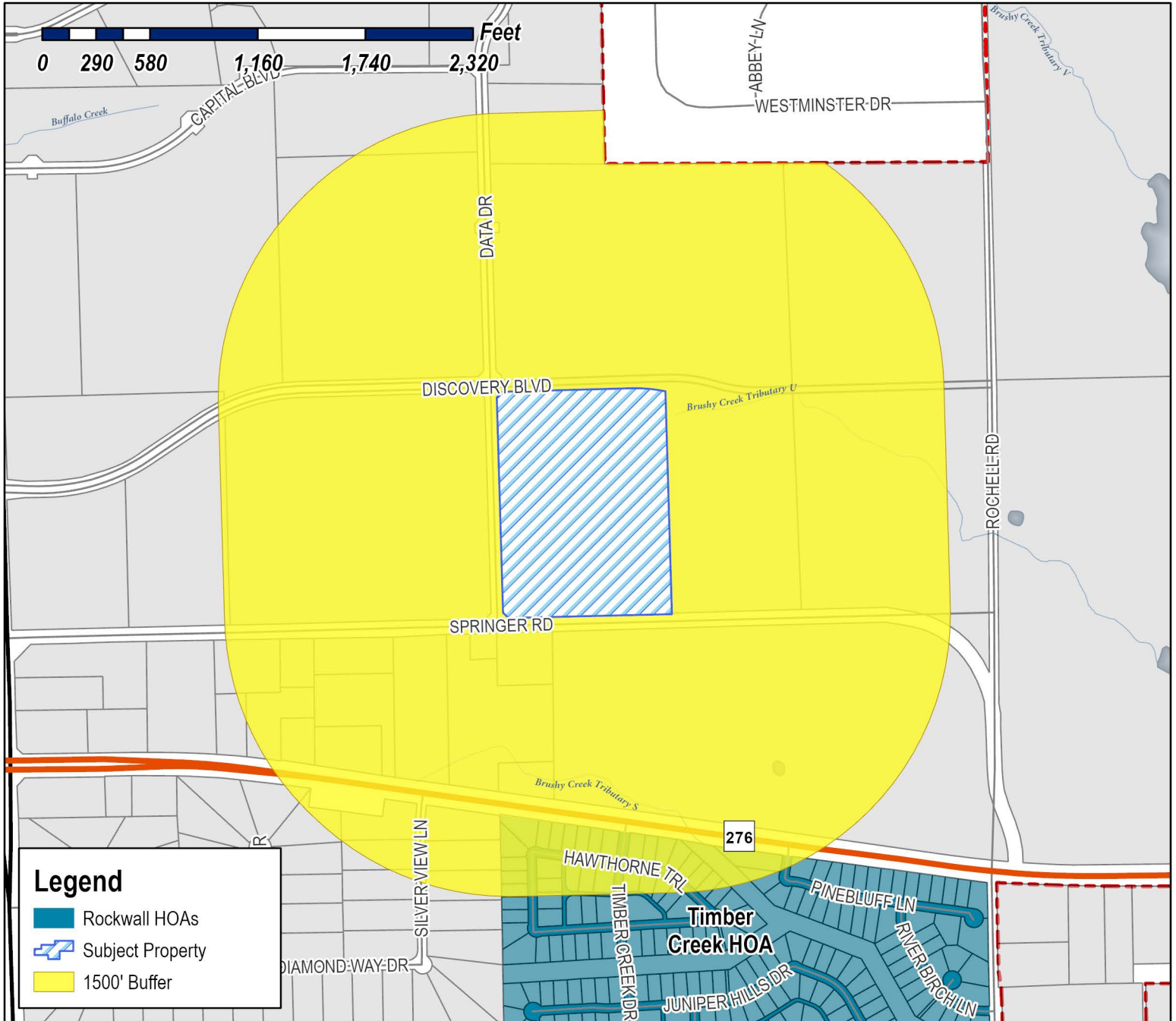




City of Rockwall

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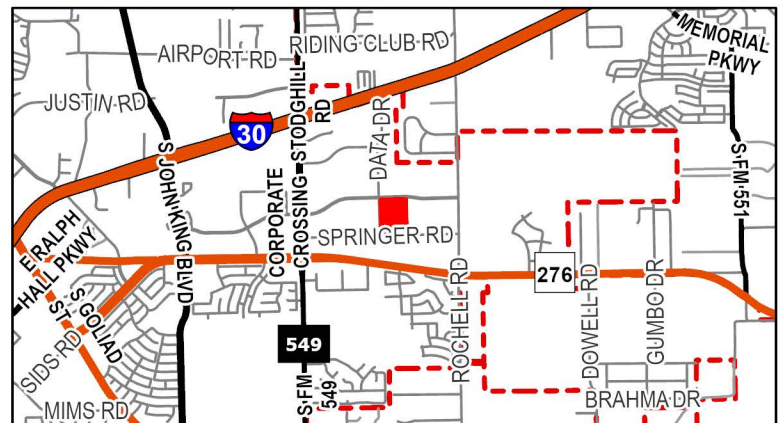
Legend

-  Rockwall HOAs
-  Subject Property
-  1500' Buffer

Case Number: Z2023-049
Case Name: SUP for Heavy Manufacturing
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: SWC of Data Drive & Discovery Blvd.

Date Saved: 10/20/2023

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



From: [Zavala, Melanie](#)
Cc: [Miller, Ryan](#); [Ross, Bethany](#); [Guevara, Angelica](#); [Lee, Henry](#)
Subject: Neighborhood Notification Program [Z2023-049]
Date: Monday, October 23, 2023 4:38:11 PM
Attachments: [Public Notice \(P&Z\) \(10.23.2023\).pdf](#)
[HOA Map \(10.20.2023\).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 [October 27, 2023](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, November 14, 2023 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, November 20, 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>.

Z2023-049: SUP for Heavy Manufacturing

Hold a public hearing to discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a [Specific Use Permit \(SUP\)](#) for Heavy Manufacturing on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and take any action necessary.

Thank You,

Melanie Zavala

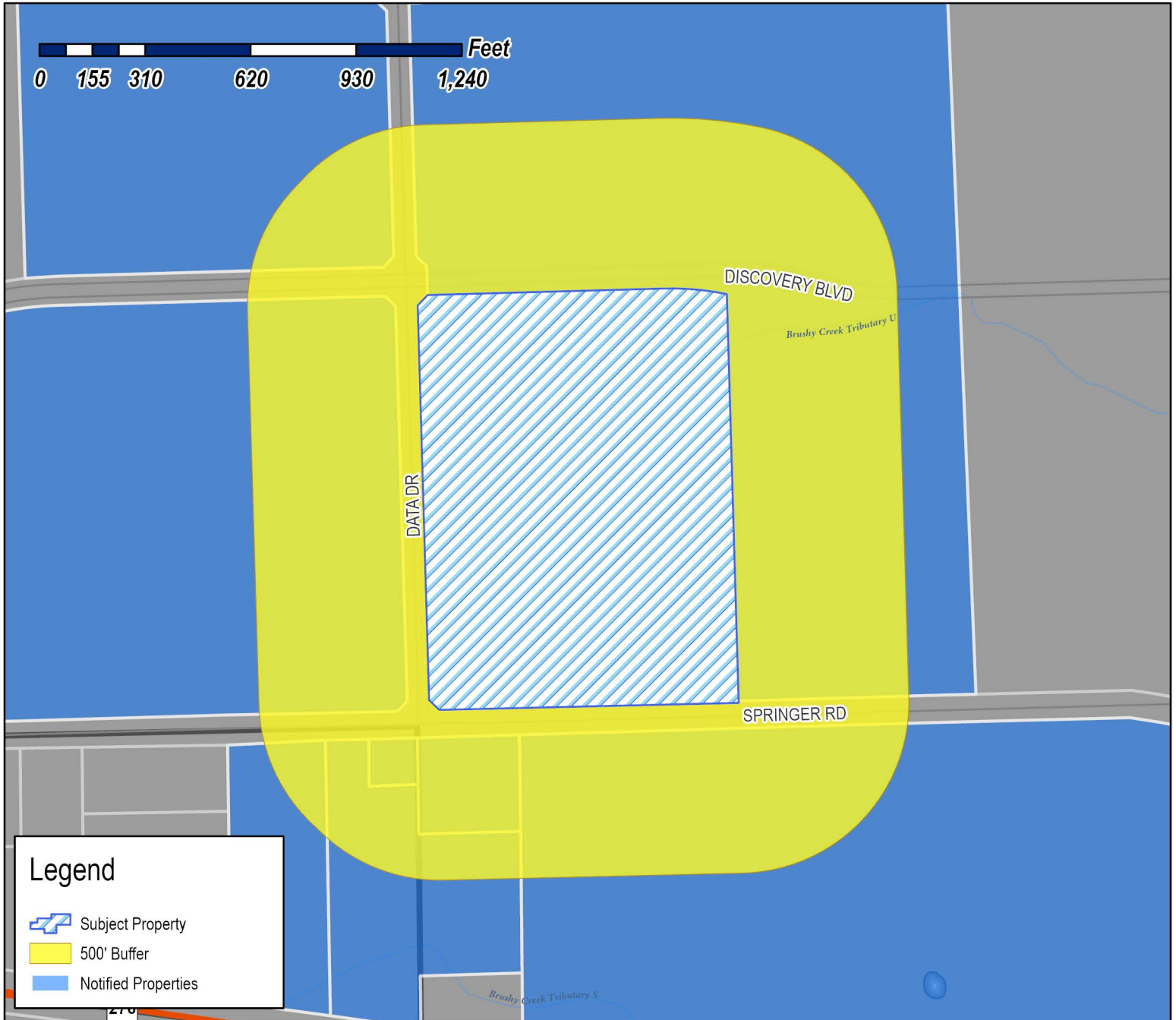
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
<http://www.rockwall.com/>
972-771-7745 Ext. 6568



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: Z2023-049
Case Name: SUP for Heavy Manufacturing
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: SWC of Data Drive & Discovery Blvd.

Date Saved: 10/20/2023

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



RESIDENT
HWY276
ROCKWALL, TX 75032

RESIDENT
SPRINGER LN
ROCKWALL, TX 75032

ROCKWALL ECONOMIC DEVELOPMENT
CORPORATION
2610 OBSERVATION TRAIL SUITE 104
ROCKWALL, TX 75032

RESIDENT
2640 HWY276
ROCKWALL, TX 75032

RESIDENT
2690 HWY276
ROCKWALL, TX 75032

RESIDENT
3055 DISCOVERY BLVD
ROCKWALL, TX 75032

RESIDENT
3400 DISCOVERY DR
ROCKWALL, TX 75032

RESIDENT
3465 SPRINGER RD
ROCKWALL, TX 75032

RESIDENT
3475 SPRINGER RD
ROCKWALL, TX 75032

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

ALLEN FOODS INC
C/O RYAN LLC
AGENT FOR BIMBO BAKERIES USA 13155 NOEL
RD #100 LB73
DALLAS, TX 75240

STAG ROCKWALL, L.P. A DELAWARE LIMITED
PARTNERSHIP
STAG INDUSTRIAL HOLDINGS, LLC
ONE FEDERAL STREET 23RD FLOOR
BOSTON, MA 2110

BLACKLAND WATER CORP
ATTN ADA JO PHILLIPS
PO BOX 215
FATE, TX 75132

LATTIMORE MATERIALS COMPANY LP
PO BOX 2469
ADDISON, TX 75001

COLIN-G PROPERTIES INC
PO BOX 847
ROCKWALL, TX 75087

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
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:

Z2023-049: SUP for Heavy Manufacturing

Hold a public hearing to discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a *Specific Use Permit (SUP) for Heavy Manufacturing* on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, November 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, November 20, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Monday, November 20, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-049: SUP for Heavy Manufacturing

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



October 20, 2023

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

Dear Mr. Miller,

Enclosed you will find an application and supporting materials requesting the Planning and Zoning Commission and City Council grant a Specific Use Permit (SUP) for “Heavy Manufacturing” to occur on 32 acres within the Rockwall Technology Park, at the northeast corner of Data Drive and Springer Road.

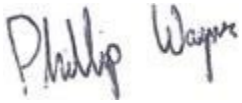
For the past five months, the Rockwall Economic Development Corporation (REDC) has been working to recruit Ballard Power Systems (Ballard), an international leader in the development of hydrogen fuel cells, to establish their future US manufacturing location. After a search that evaluated 40 sites across 10 states, representatives from Ballard have chosen Rockwall and the new third phase of the Technology Park as their preferred location. This decision has recently been memorialized through a Letter of Intent with the REDC, and a formal Development Agreement is currently being drafted.

Ballard will provide significant benefits to Rockwall, as their anticipated \$115M investment would represent the highest tax value of any one entity in the community. The company may also expand in the future, adding significantly more taxable value to their initial investment. Further, Ballard will create dozens of high-quality jobs. We believe this type of advanced manufacturing project – one that deploys high value equipment to create cutting-edge technology – aligns with the intended purpose of the Rockwall Technology Park and the mission of the REDC.

REDC representatives have vetted the company to determine financial viability, environmental impact, and community fit. Earlier this year, I received a tour of their existing North American facilities. We feel confident that the company will be a good corporate citizen to their neighbors in the Technology Park, as well as the overall community, with minimal outside impact caused by their operations. Ballard representatives have put together a presentation describing the project, as well as a high-level overview of their manufacturing process. A company representative plans to be at the Planning and Zoning Commission Work Session, as well as the first reading of the City Council, to answer any specific questions. REDC representatives will also be at all meetings.

The REDC kindly requests a four-year window on the SUP, to allow for contractor selection, building design, construction, equipment delivery, installation, and testing prior to production.

Sincerely,


A handwritten signature in black ink that reads "Phillip Wagner". The signature is written in a cursive style with a large initial "P".

Phil Wagner
President

Concept Architecture



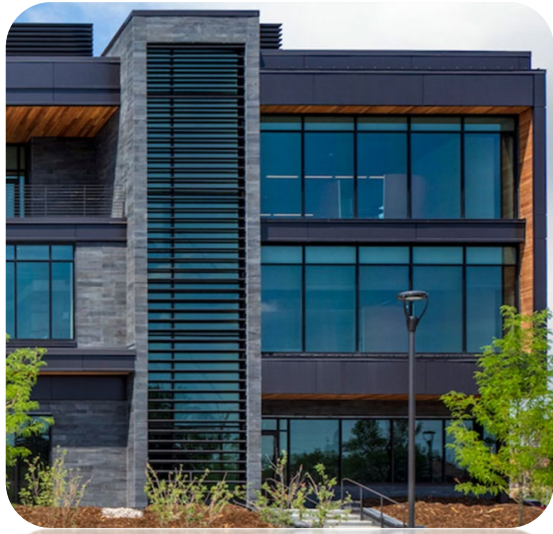
Natural Stone



Platinum PLANC™
Large Format Stone Veneer

PRODUCT DETAILS BELOW. This is the stone and color that inspired the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. *Order your sample kit today!*

Example



Concept Architecture



1.4MW solar PV

Natural Stone

Concrete

Landscaping

WEST
DATA DRIVE



Concept Architecture



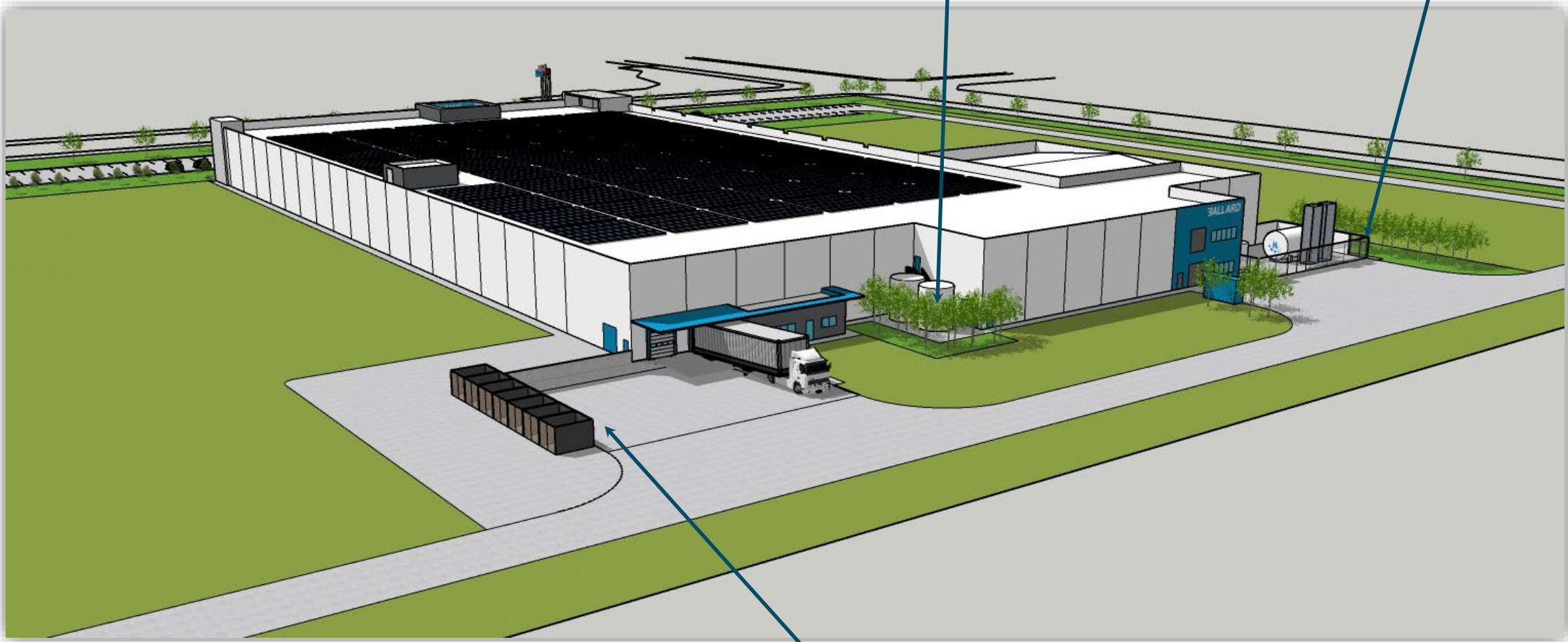
LEED requires bike parking

EV charging

Concept Architecture

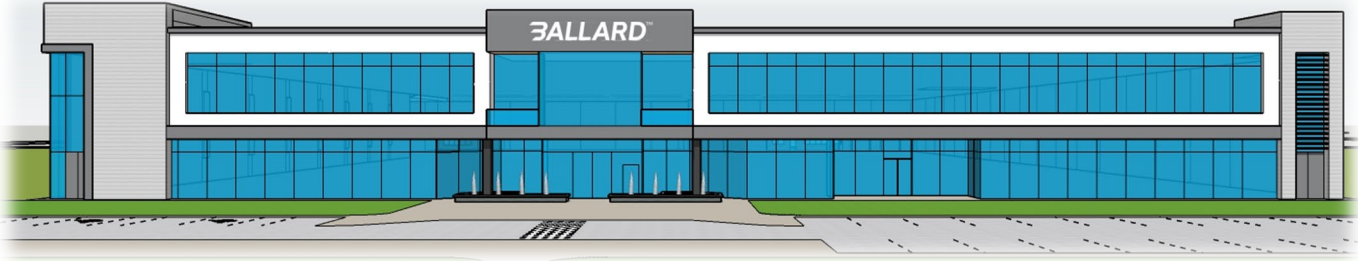
Heat Pump Tanks

Liquid Hydrogen and Nitrogen shielded with trees



Recycling area

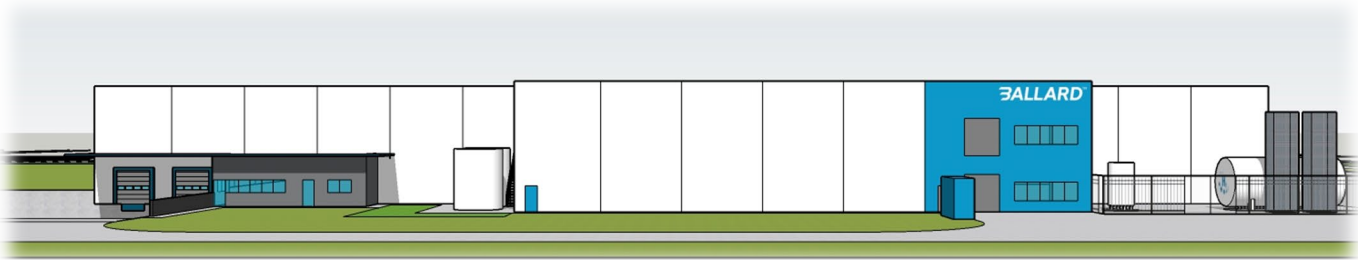
Elevations



**WEST
DATA DRIVE**



**NORTH
DISCOVERY BLVD**



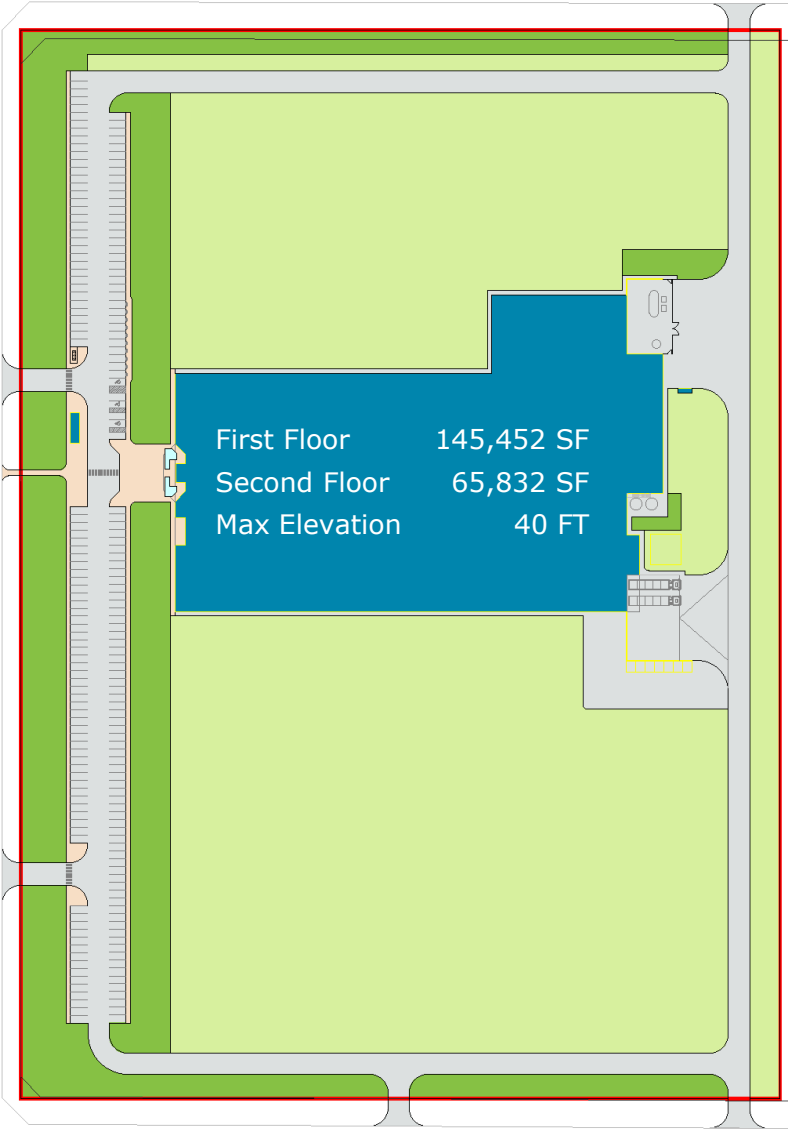
**EAST
ROCHELL ROAD**



**SOUTH
SPRINGER ROAD**



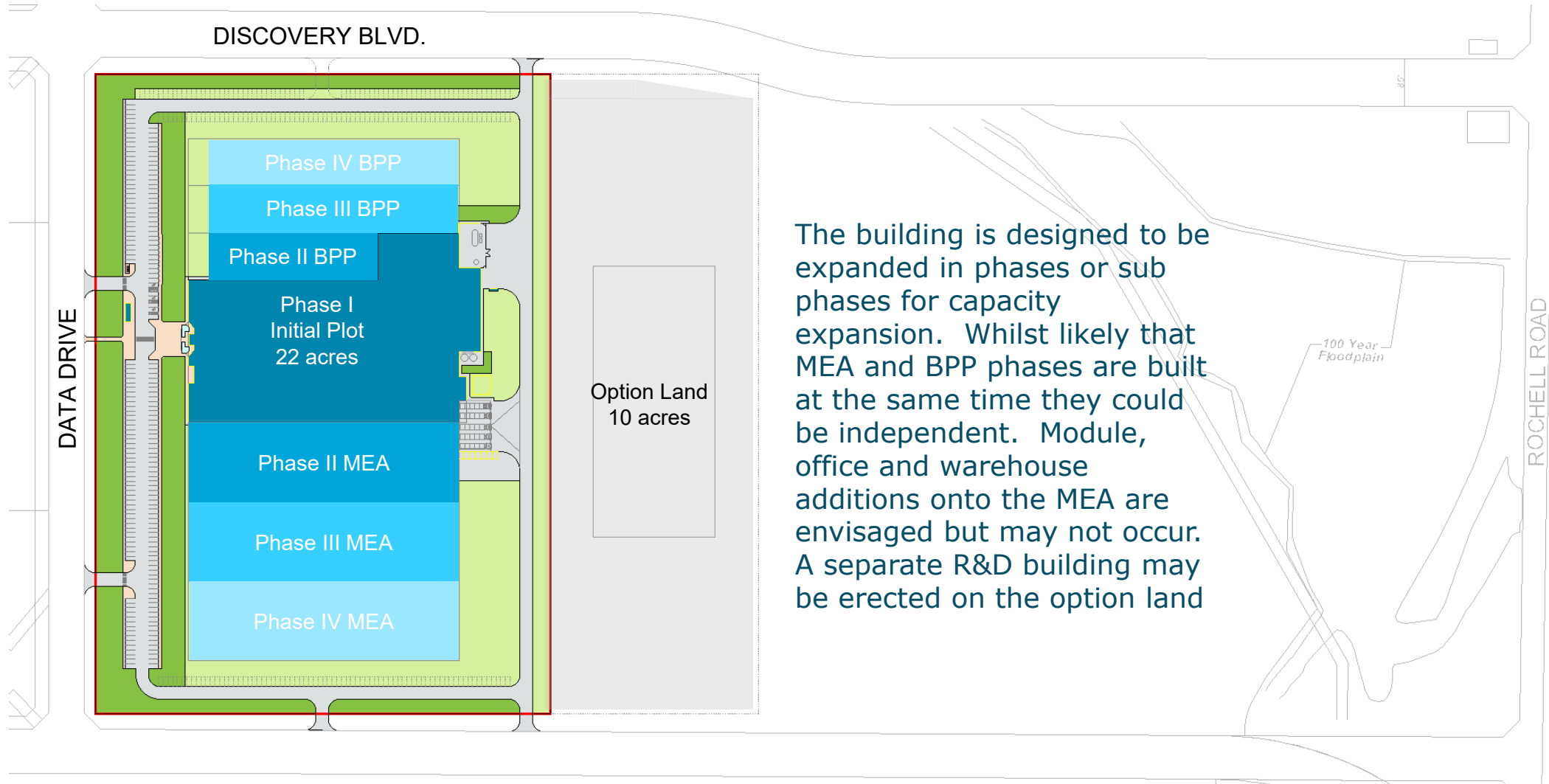
Phase 1 Plot Layout



Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles



Expansion Including Option Land



The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land



Ballard Rockwall Facility

Hydrogen Revolution










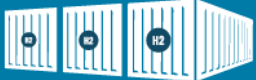







Gulf Coast Hydrogen Hub awarded \$1.2B to develop hydrogen production capacity

We need to co-develop the Fuel Cell engines to convert that hydrogen to electricity

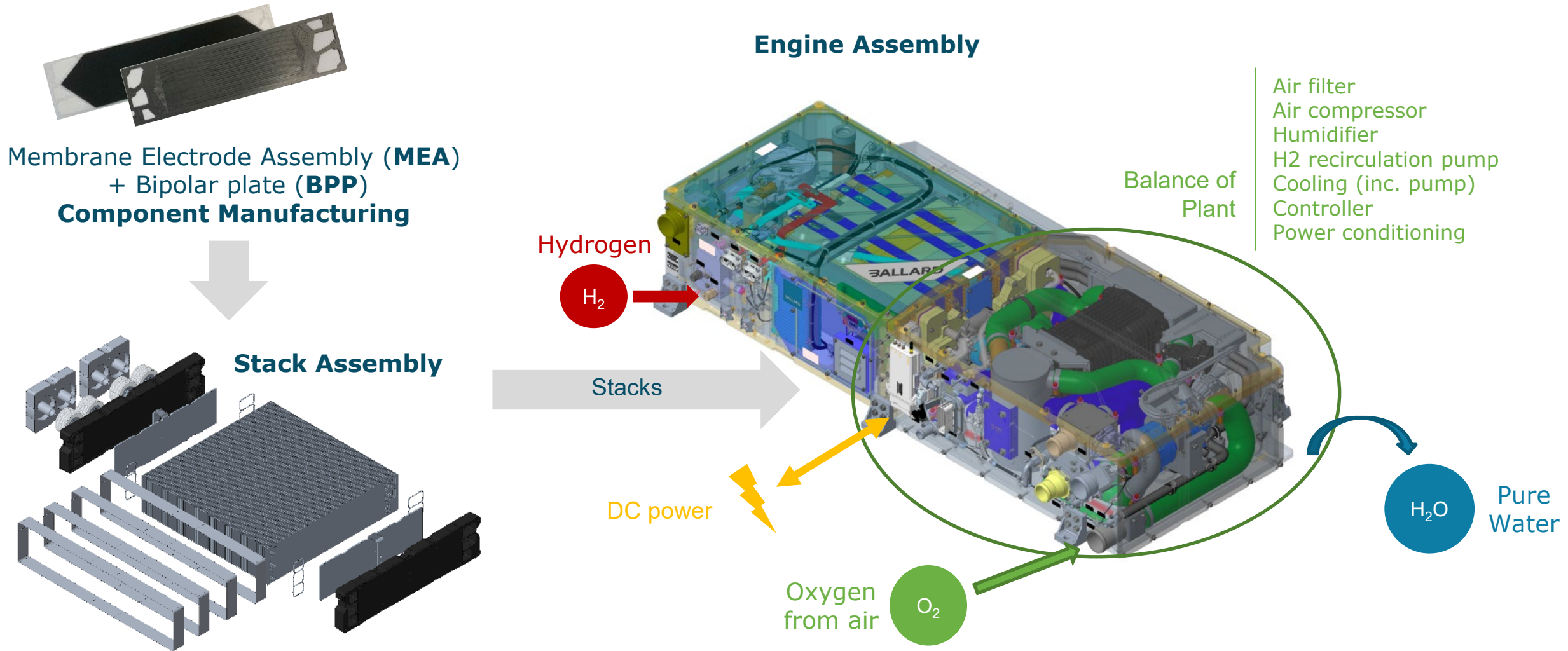
Ballard's investment in Fuel Cell engine production in Rockwall will help drive the energy transition

Who are we?

 <p>44 YEARS</p>	 <p>>1,100 employees</p>	 <p>1,400 patents & applications</p>	 <p>28 years Nasdaq 30 years TSX</p> <p>publicly listed company</p>	 <p>0</p> <p>2030 commitment to carbon neutrality</p>
 <p>>1,400 transit buses</p>	 <p>>2,300 trucks</p>	 <p>7 TRAIN projects</p>	 <p>8 SHIPS in development</p>	 <p>8 MW of stationary power projects</p>
 <p>1 GW fuel cell products delivered*</p>	 <p>>5.3 MILLION MEAs produced*</p>	 <p>>150 MILLION kilometers in operation*</p>	 <p>1.6 GW production capacity</p>	 <p>4 PRODUCTION SITES global footprint</p>

*compiled from 2015

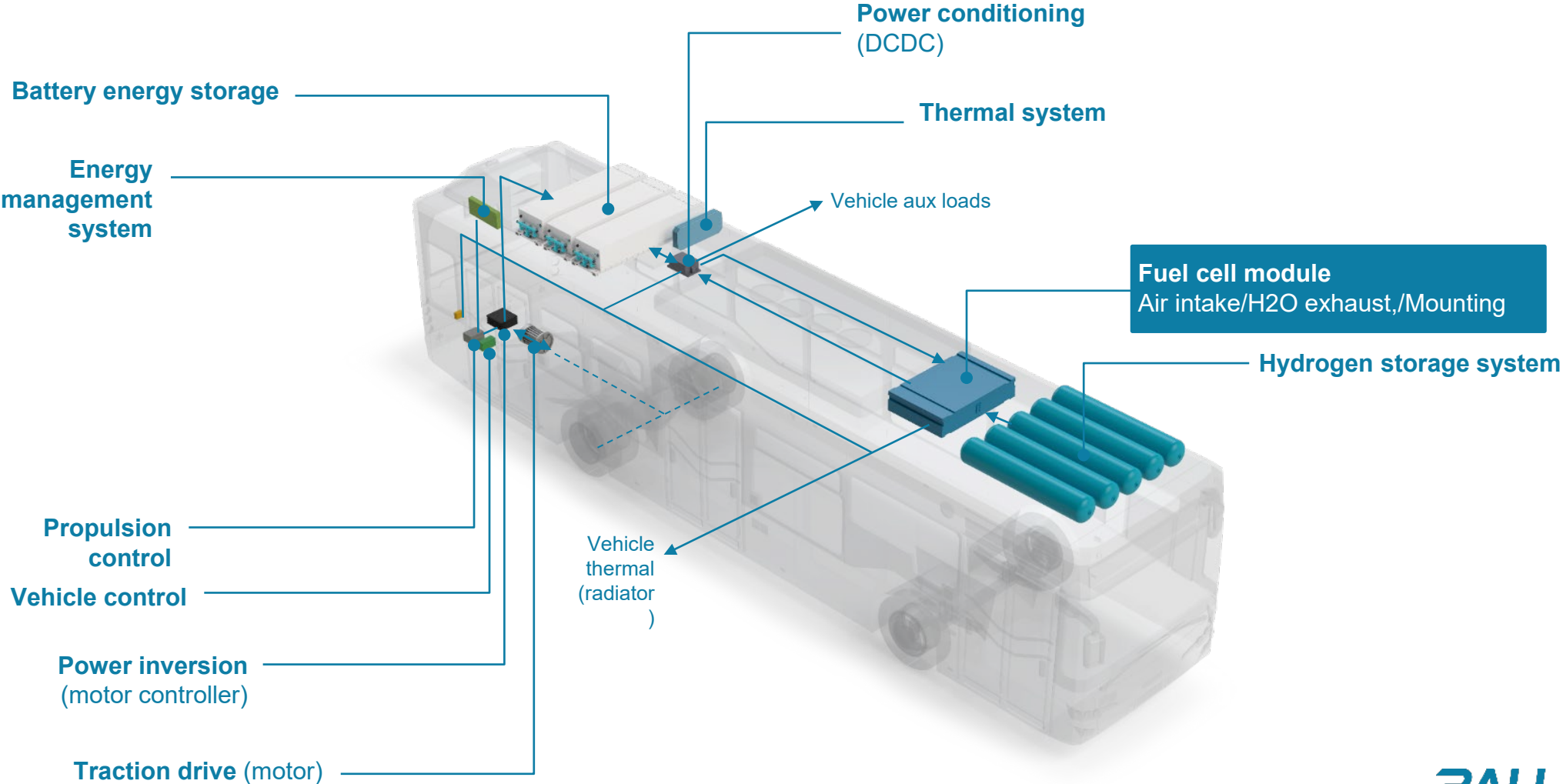
MEA & BPP manufacturing and assembly operations



The facility will **manufacture MEAs, BPPs and** assembly into **stacks**, which then are sold or combined with purchased balance of plant components to produce a **fuel cell engine**

Customer Integration

Customers integrate fuel cell modules into the vehicle to produce a Fuel Cell Electric Vehicle



Our Markets



Applications powered by Ballard



160 Fuel Cell Electric Buses in USA

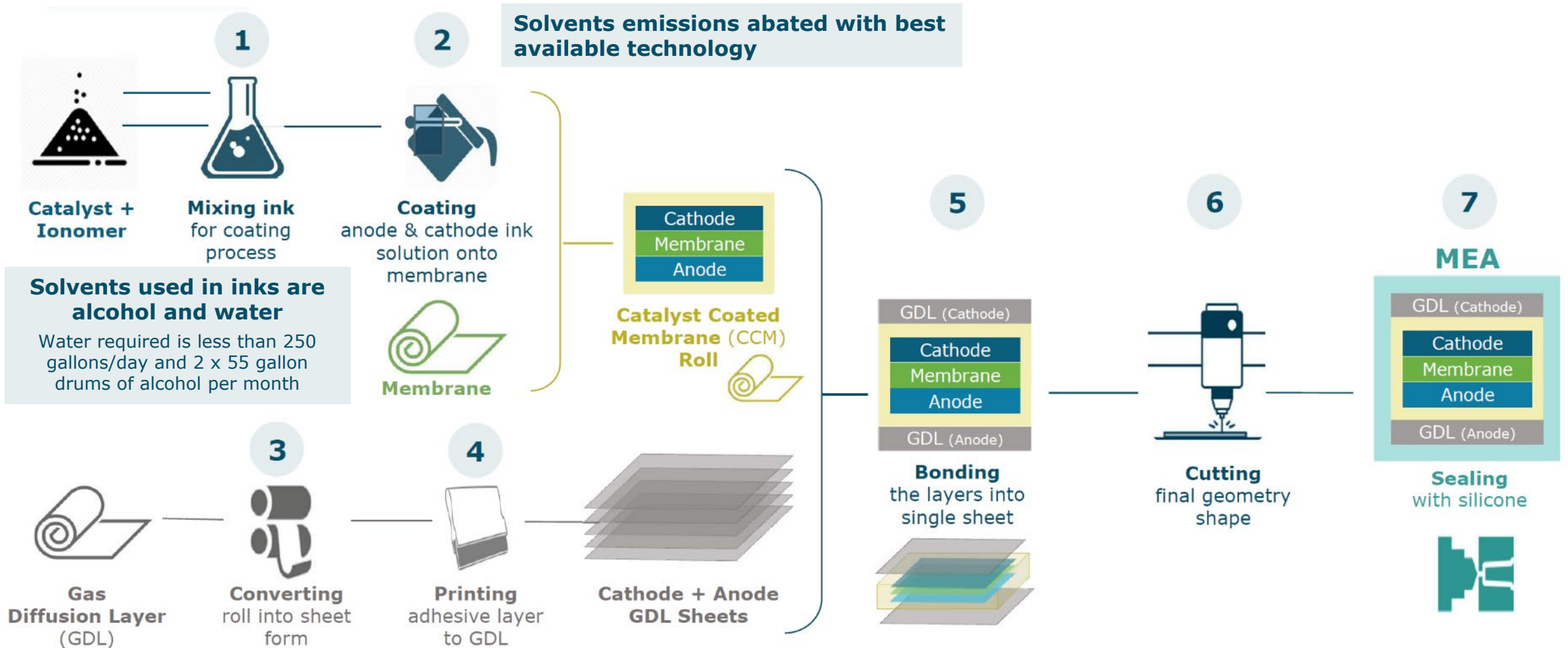
100% powered by Ballard



MEA Manufacturing



MEA Manufacturing highly automated and similar to battery cell production, but with low chemicals consumption.

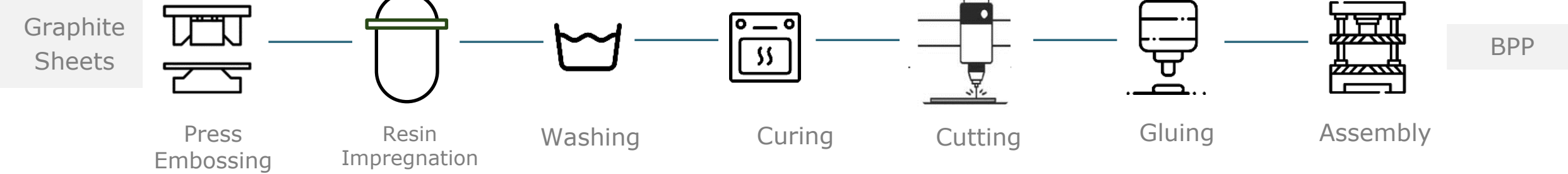


BPP Manufacturing



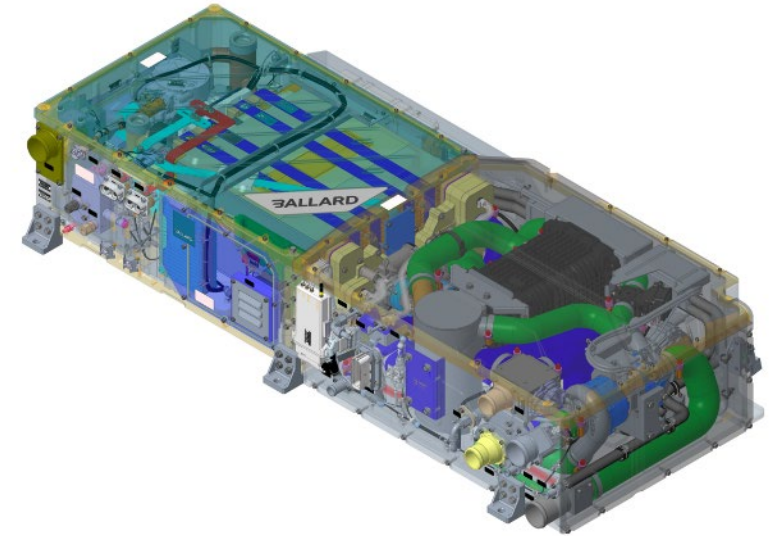
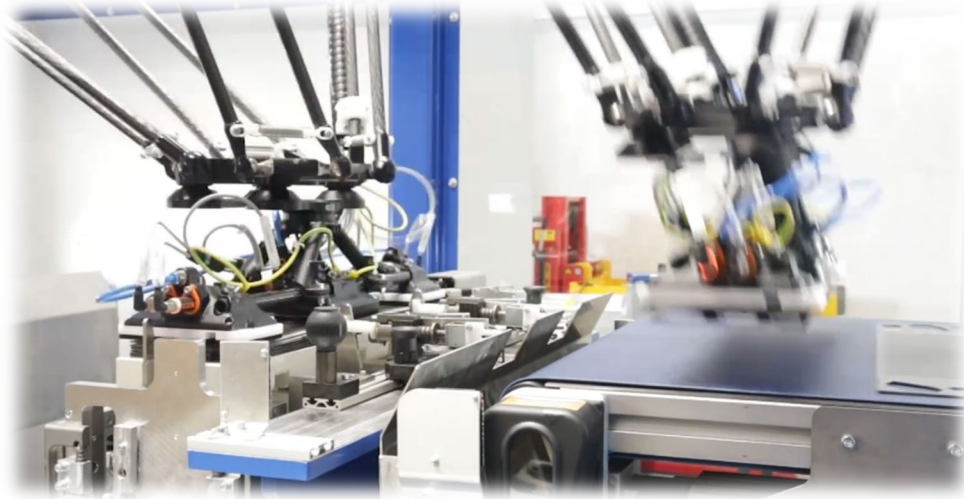
Bipolar Plate manufacturing has been developed as a **water and solvent free** process so no waste water emissions

Fully automated process from start to finish



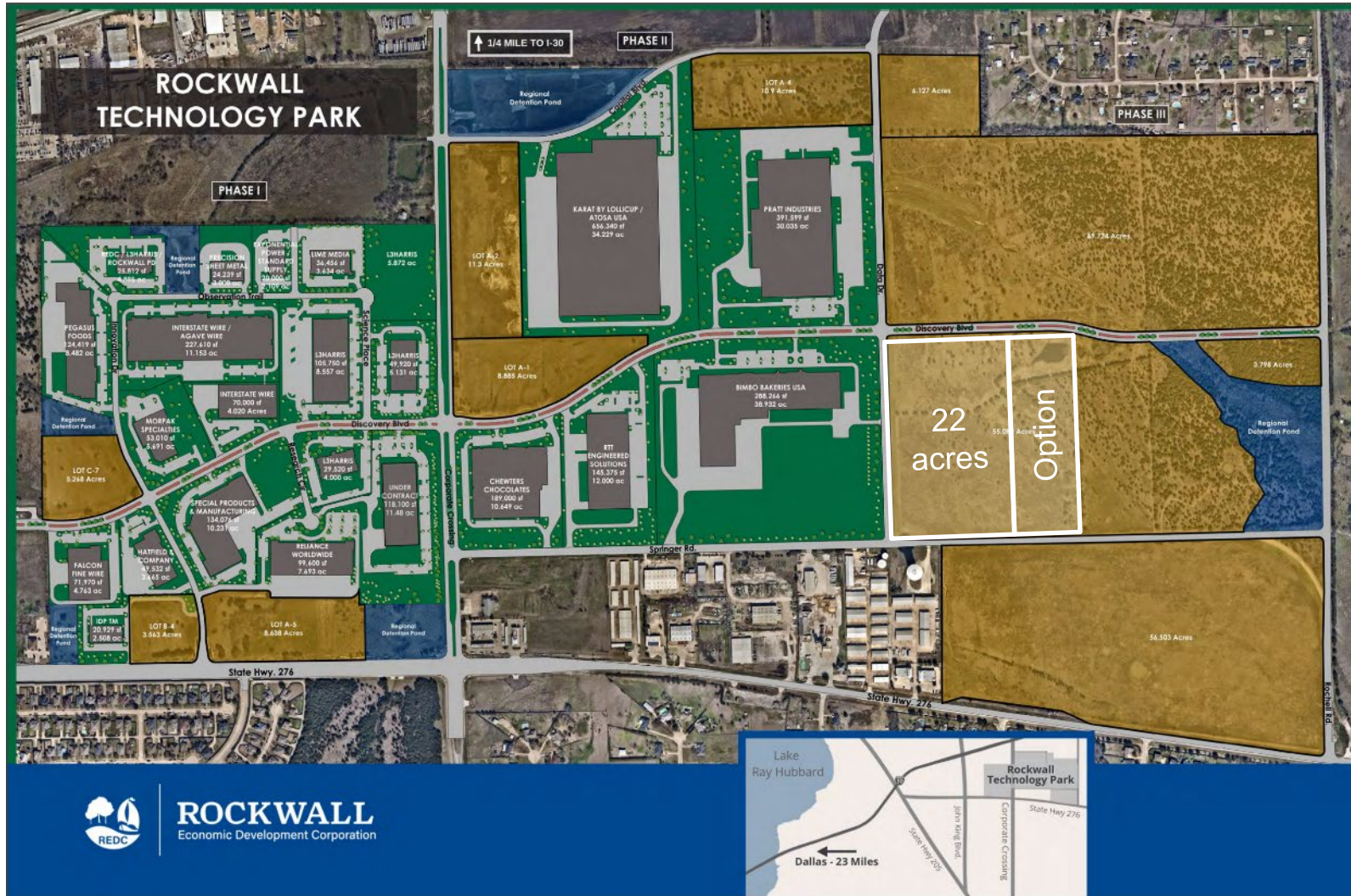
Stack and Engine Assembly, with test

Stacks assembled by placing MEAs and BPPs in a fully automated line.
Product tested for quality using hydrogen gas on a test station

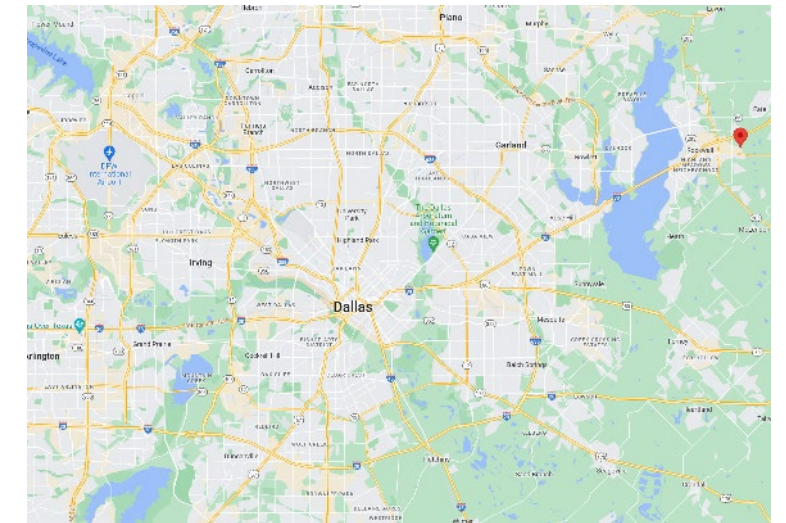


Engines assembled by skilled technicians combining stacks with balance of plant components. Engines functionality checked using hydrogen gas on a test station

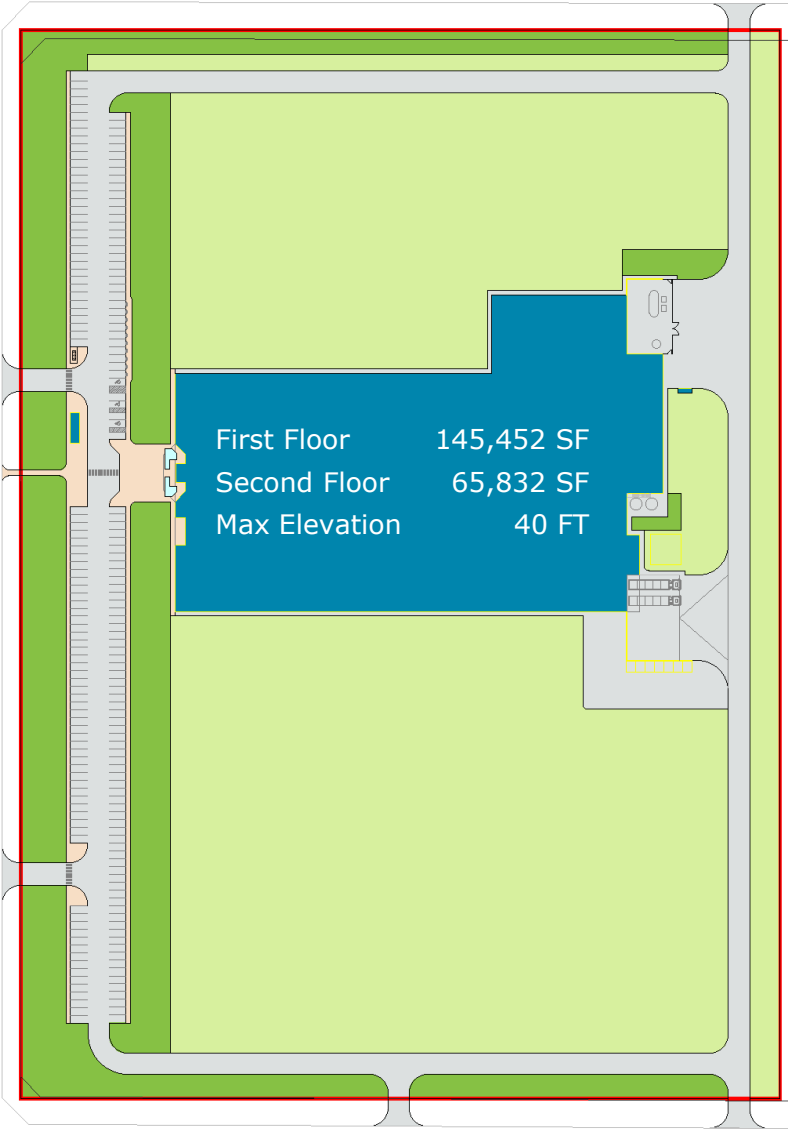
Rockwall Technology Park



22-acre site in Rockwall Technology Park with an option for an additional 10-acres.



Phase 1 Plot Layout

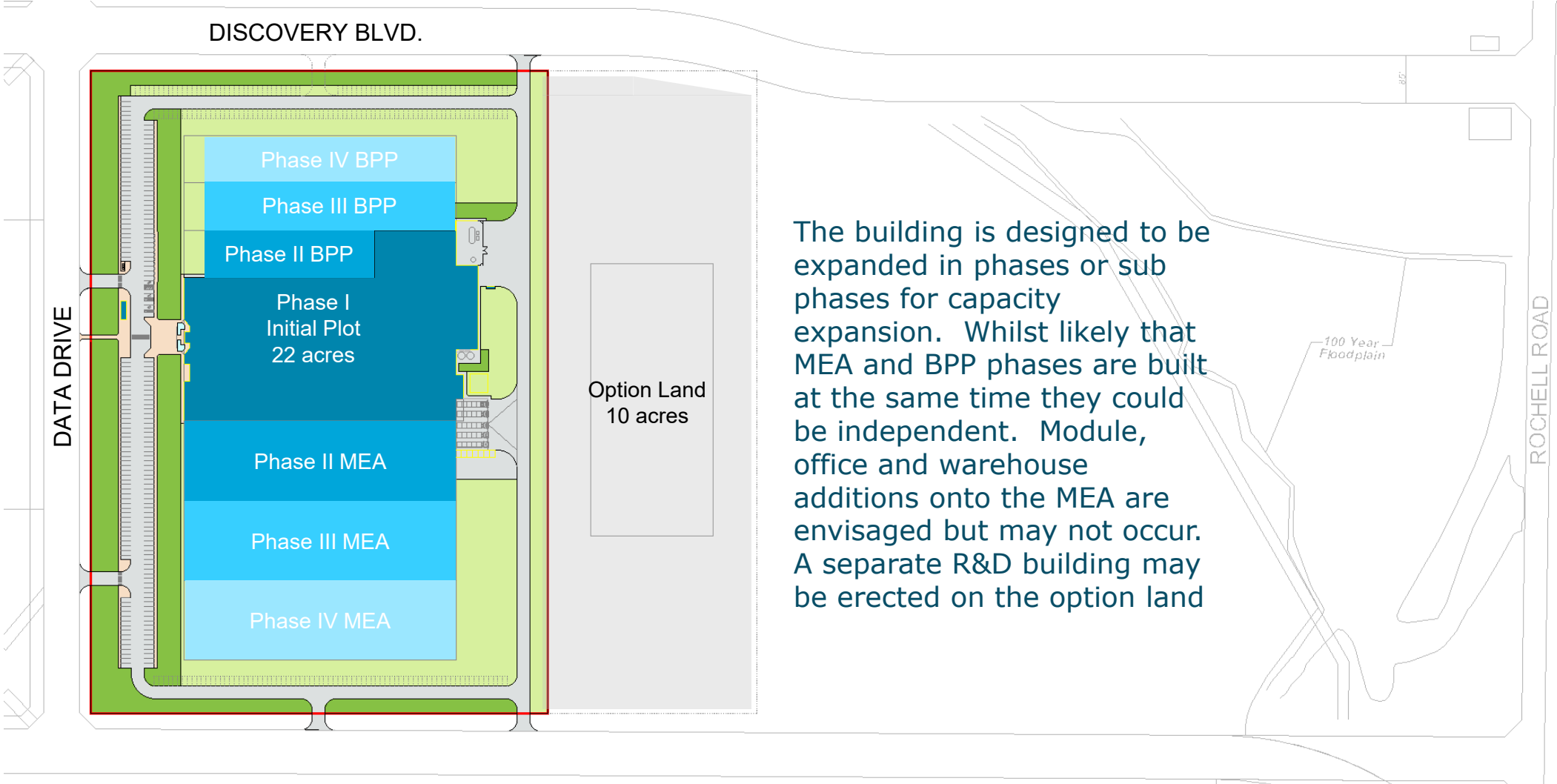


■ Landscaping

Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles

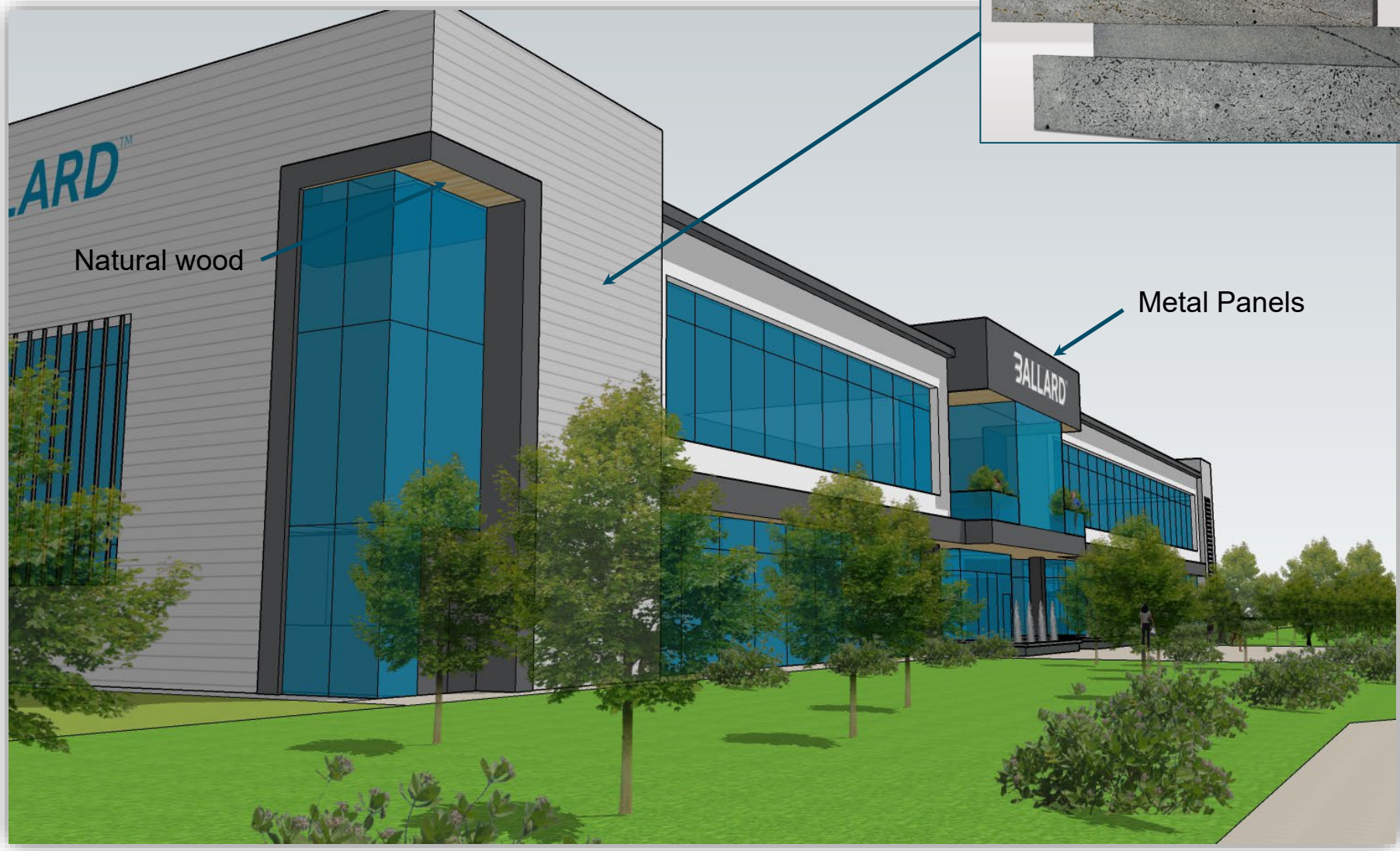


Expansion Including Option Land



The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land

Concept Architecture



Natural Stone



Platinum PLANC™
Large Format Stone Veneer

PRODUCT DETAILS BELOW. This is the stone and color that inspired the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. *Order your sample kit today!*

Example



Concept Architecture



1.4MW solar PV

Natural Stone

Concrete

Landscaping

WEST
DATA DRIVE



Concept Architecture



Example

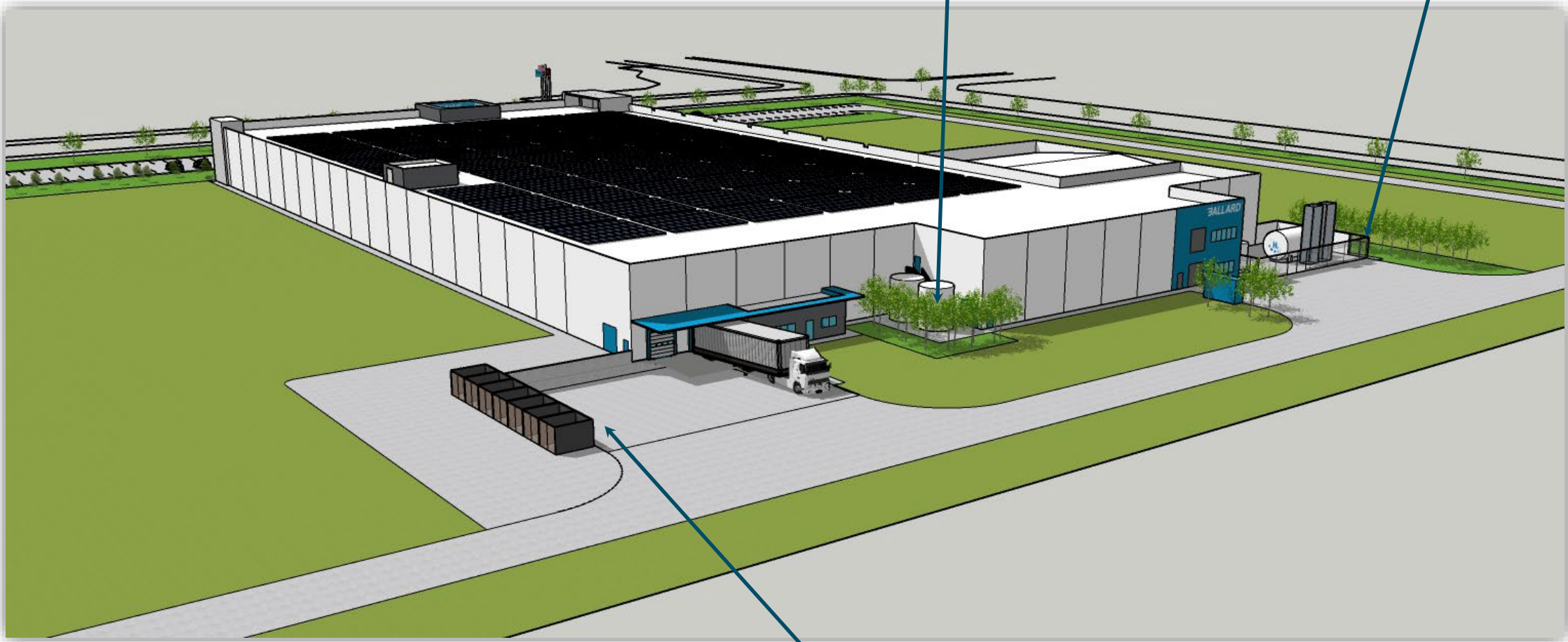
LEED requires bike parking

EV charging

Concept Architecture

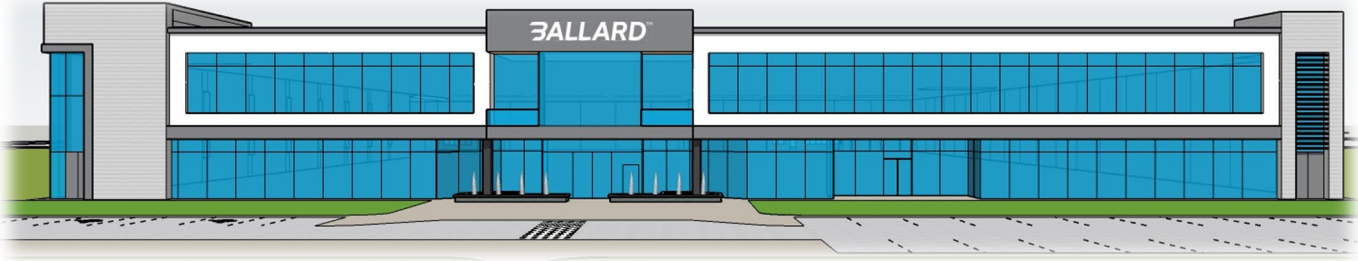
Heat Pump Tanks

Liquid Hydrogen and Nitrogen shielded with trees



Recycling area

Elevations

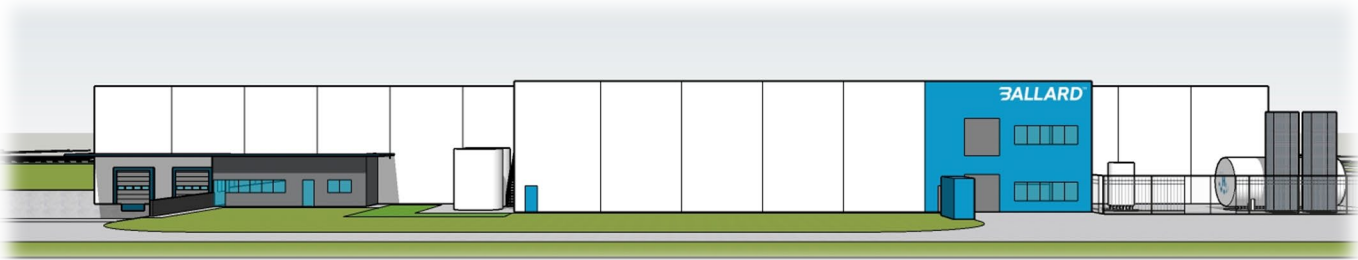


WEST
DATA DRIVE



NORTH
DISCOVERY BLVD

EAST
ROCHELL ROAD



SOUTH
SPRINGER ROAD



Carbon Neutrality 2030

Ballard is targeting net carbon zero for its operations by 2030 so this facility needs to be constructed in a way to help Ballard achieve the goals. The project should achieve **LEED Gold** requirements and include:



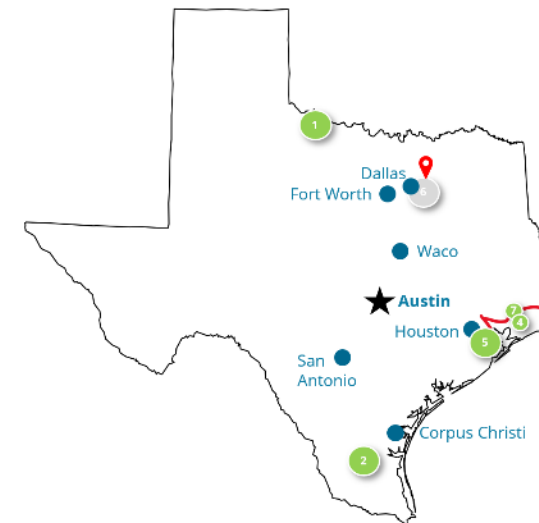
- Solar PV on roof of building
- Rain water harvesting for irrigation and potential use for toilets
- Heat pump based offices temperature control
- Heat pump AHUs for factory cleanrooms
- Regenerative Load banks for Test Stations to provide power to site, and potentially emergency backup power
- Consideration of on-site green hydrogen production for production test stations
- Use of waste heat from coating abatement to support heat pumps
- High building energy efficiency
- High solar reflectivity roof and wall panels

Liquid Hydrogen



- Example of liquid hydrogen storage and distribution system located in the Northeast part of the site.
- Appearance shielded with trees as shown in the Vancouver photo
- Wide selection of green hydrogen suppliers in Texas

Map of Hydrogen Availability



Map #	Facility	County
1	Air Products and the AES Corporation	Willbarger
2	Green Hydrogen International	Duval
—	Air Products Hydrogen Pipeline	Harris
4	Plug Power	Jefferson
5	Air Liquide	Harris
6	Air Liquide	Dallas
7	Air Liquide (hydrogen storage facility)	Jefferson

BEING a tract of land situated in the J.B. Jones Survey, Abstract No. 125 and the J.A. Ramsey Survey, Abstract No. 186, in the City of Rockwall, Rockwall County, Texas, being part of Lot 1, Block B, of Rockwall Technology Park Phase V, an addition to the City of Rockwall, as described in Document No. 2023000006632, in the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), said Lot being part of a tract of land described in a Deed to Rockwall Economic Development Corporation, as described in Volume 5528, Page 194, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the most northerly northwest corner of said Lot 1, being in the south line of Discovery Boulevard (85-foot right-of-way);

THENCE North 88 degrees 23 minutes 40 seconds East, with the north line of said Lot 1 and the south line of said Discovery Boulevard, a distance of 929.29 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the point of curvature of a curve to the right, having a radius of 807.50 feet and a central angle of 13 degrees 13 minutes 52 seconds;

THENCE continuing with the north line of said Lot 1 and south line of said Discovery Boulevard, and with said curve to the right, an arc distance of 186.47 feet (Chord Bearing South 84 degrees 59 minutes 24 seconds – 186.06 feet);

THENCE South 01 degree 42 minutes 43 seconds East, departing the north line of said Lot 1 and south line of said Discovery Boulevard, a distance of 1,200.92 feet to the south line of said Lot 1, being the north line of Springer Road (80-foot right-of-way);

THENCE South 88 degrees 36 minutes 34 seconds West, with the south line of said Lot 1 and the north line of said Springer Road, a distance of 879.70 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 46 degrees 34 minutes 32 seconds West, continuing with the south line of said Lot 1 and north line of Springer Road, a distance of 41.45 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found in the east line of Data Drive (65-foot right-of-way);

THENCE North 01 degree 42 minutes 44 seconds West, with the west line of said Lot 1 and the east line of said Data Drive, a distance of 1,159.54 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 43 degrees 20 minutes 28 seconds East, continuing with the west line of said Lot 1 and east line of Data Drive, a distance of 42.39 feet to the POINT OF BEGINNING and containing 32.00 acres of land.

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *HEAVY MANUFACTURING* ON A 32.00-ACRE PORTION OF A LARGER 77.148-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE J. H. B. JONES SURVEY, ABSTRACT NO. 125, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a Specific Use Permit (SUP) for *Heavy Manufacturing* on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and being more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* 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 (UDC) [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 (UDC) [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) for a *Heavy Manufacturing* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Heavy Manufacturing Facility* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of *Phase 1* of the *Subject Property* shall generally conform to the *Concept Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The development of the *Subject Property* shall generally conform to the *Phasing Plan* as depicted in *Exhibit 'C'* of this ordinance.
- 3) The development of the *Subject Property* shall generally conform with the architecture and design images depicted in the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance; however, conformance to the *Concept Building Elevations* does not constitute a waiver, variance, or exception to any of the development requirements contained in the Unified Development Code (UDC). In addition, development of the subject property shall be subject to recommendations made by the Architecture Review Board (ARB) through the site plan review process.
- 4) In the event that the property owner fails to complete the *Phase 1* improvements depicted in *Exhibit 'B'* of this ordinance and does not receive a Certificate of Occupancy (CO) from the City of Rockwall within a period of four (4) years from the approval date of this ordinance (*i.e. December 3, 2027*) this Specific Use Permit (SUP) shall expire. If an extension of the Specific Use Permit (SUP) is necessary, the property owner shall submit a request in writing to the Director of Planning and Zoning no less than 90 days prior to the expiration date of this ordinance (*i.e. prior to September 4, 2027*). Upon receipt of a request for an extension, the Director of Planning and Zoning shall bring the request forward to Planning and Zoning Commission and City Council for review. The Planning and Zoning Commission and City Council shall be charged with determining if an extension of the Specific Use Permit (SUP) is warranted. This shall be conducted in accordance with the process and procedures outlined in Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), and with which this ordinance was originally adopted.

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 Revision 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 4TH DAY OF DECEMBER, 2023.**

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 20, 2023

2nd Reading: December 4, 2023

Exhibit 'A'
Legal Description

BEING a tract of land situated in the J.B. Jones Survey, Abstract No. 125 and the J.A. Ramsey Survey, Abstract No. 186, in the City of Rockwall, Rockwall County, Texas, being part of Lot 1, Block B, of Rockwall Technology Park Phase V, an addition to the City of Rockwall, as described in Document No. 2023000006632, in the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), said Lot being part of a tract of land described in a Deed to Rockwall Economic Development Corporation, as described in Volume 5528, Page 194, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

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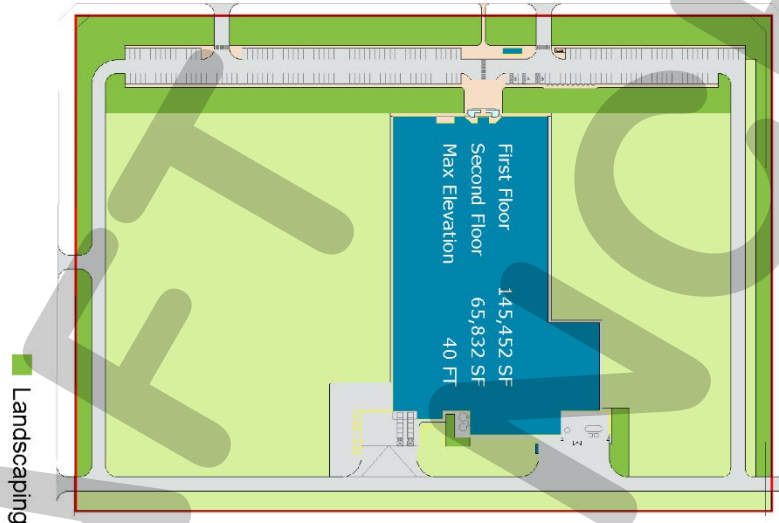
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Exhibit 'B'
Concept Plan

11



Phase 1 Plot Layout

Landscaping

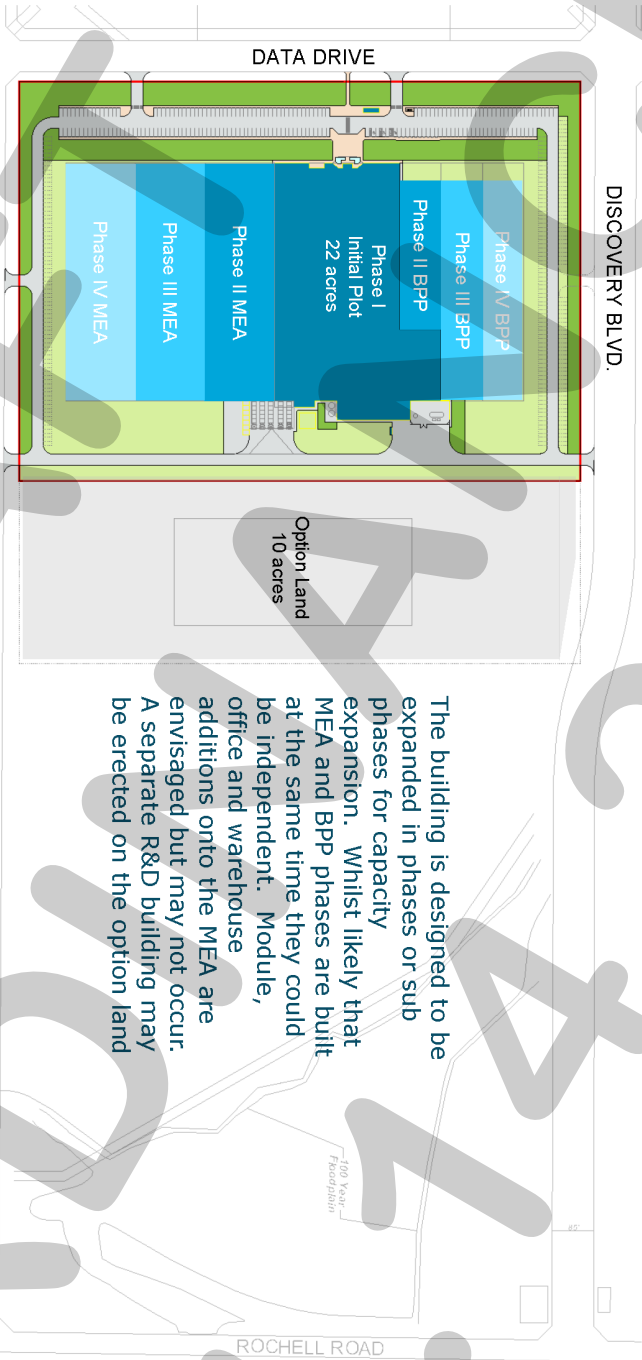


Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles

BALLARD™

Exhibit 'C'
Phasing Plan

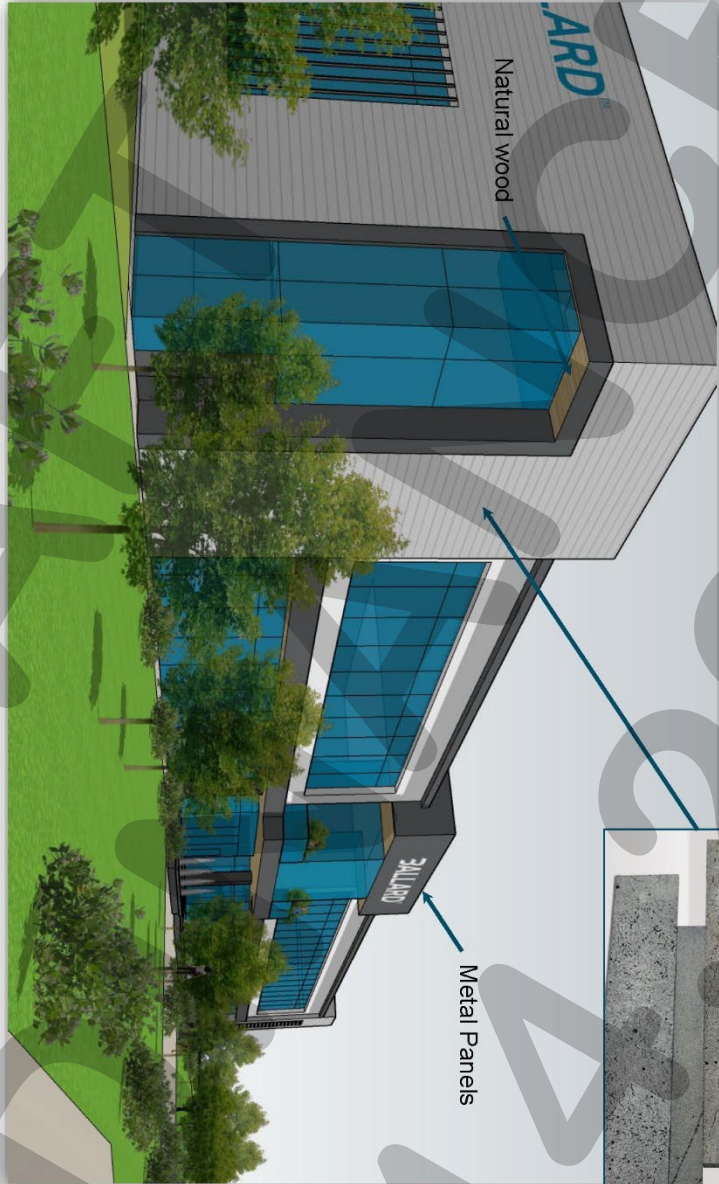
Expansion Including Option Land



The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land

Exhibit 'D'
Concept Building Elevations

Concept Architecture

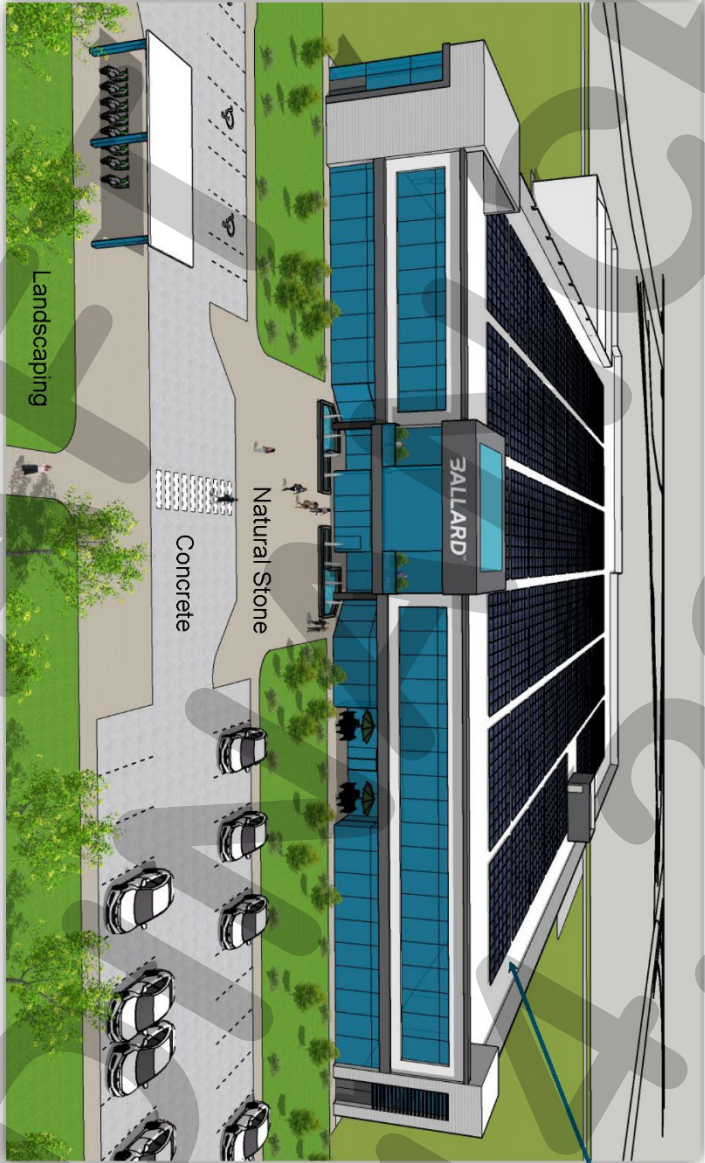


13

BALLARD™

Exhibit 'D'
Concept Building Elevations

Concept Architecture

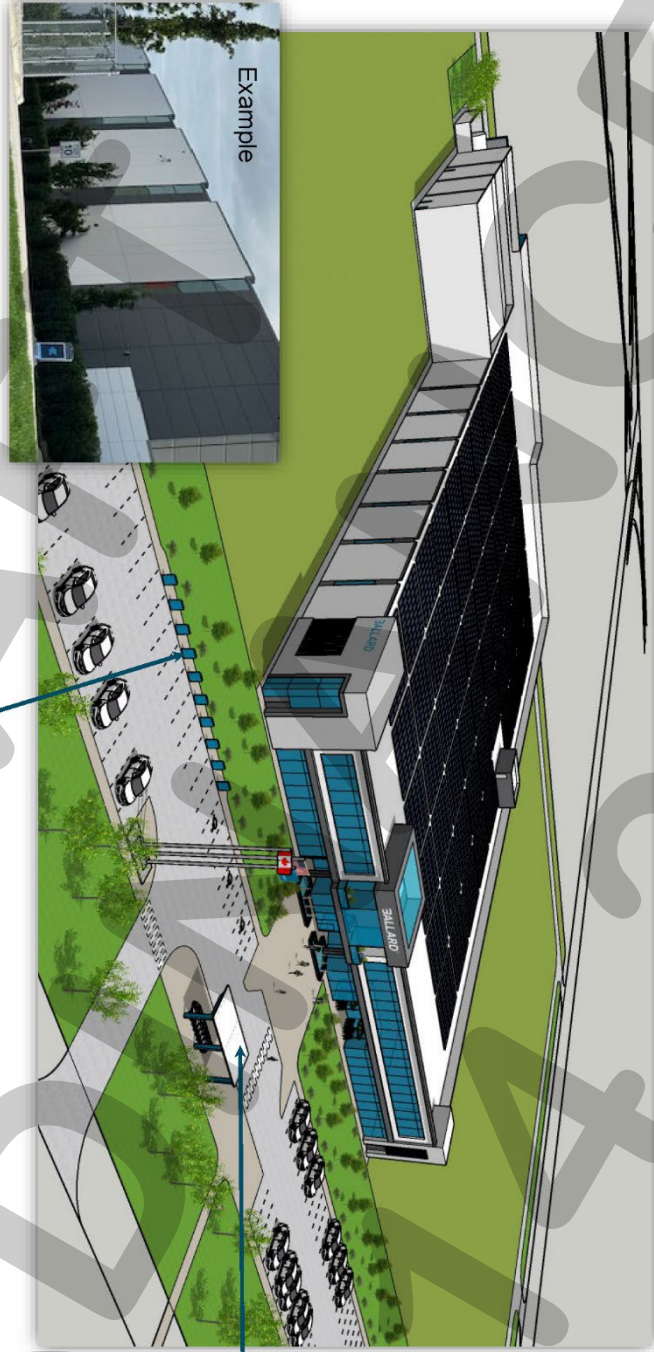


14

BALLARD™

Exhibit 'D'
Concept Building Elevations

Concept Architecture



Example

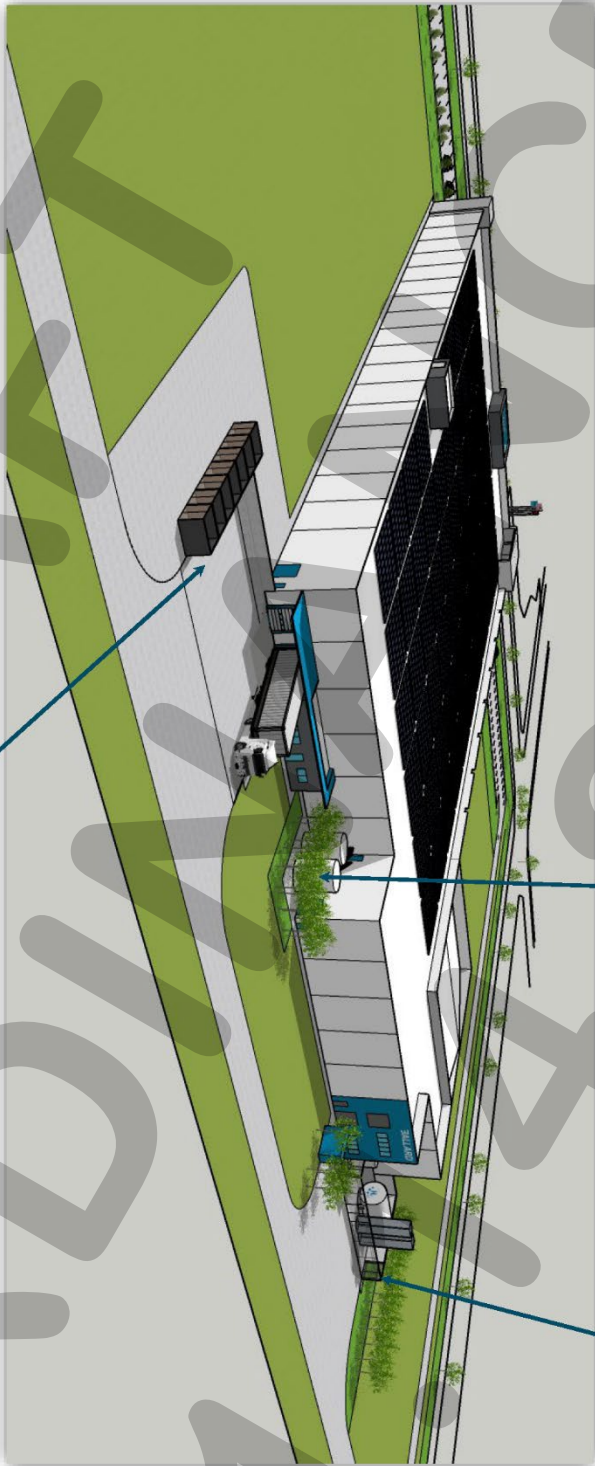
15

BALLARD™

Exhibit 'D'
Concept Building Elevations

16

Concept Architecture



Recycling area

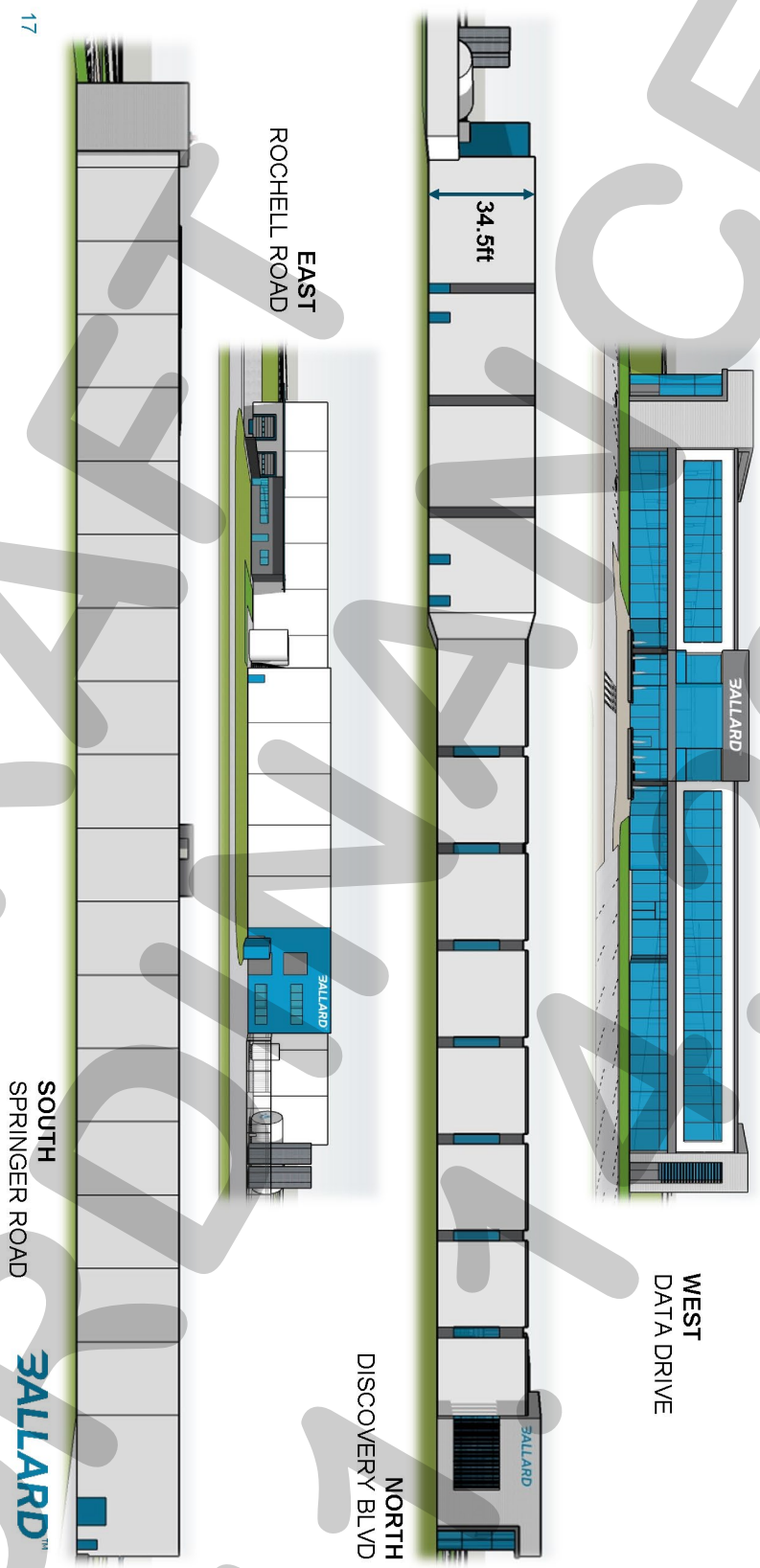
Heat Pump Tanks

Liquid Hydrogen
and Nitrogen
shielded with trees

BALLARD™

Exhibit 'D'
Concept Building Elevations

Elevations



17



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: November 20, 2023
APPLICANT: Phil Wagner; *Rockwall Economic Development Corporation (REDC)*
CASE NUMBER: Z2023-049; *Specific Use Permit (SUP) for Heavy Manufacturing for Ballard*

SUMMARY

Hold a public hearing to discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a Specific Use Permit (SUP) for *Heavy Manufacturing* on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on June 15, 1998 by *Ordinance No. 98-20 [Case No. A1998-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On July 5, 2005, -- *at the request of the Rockwall Economic Development Corporation (REDC)* -- the City Council approved *Ordinance No. 05-29 [Case No. Z2005-021]*, which changed the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District. The subject property has remained vacant since annexation.

PURPOSE

On October 20, 2023, the applicant -- *Phil Wagner of the Rockwall Economic Development Corporation (REDC)* -- submitted an application requesting a Specific Use Permit (SUP) for *Heavy Manufacturing* the purpose of constructing a *Heavy Manufacturing* facility on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located at the southwest corner of the intersection of Data Drive and Discovery Boulevard. The land uses adjacent to the subject property are as follows:

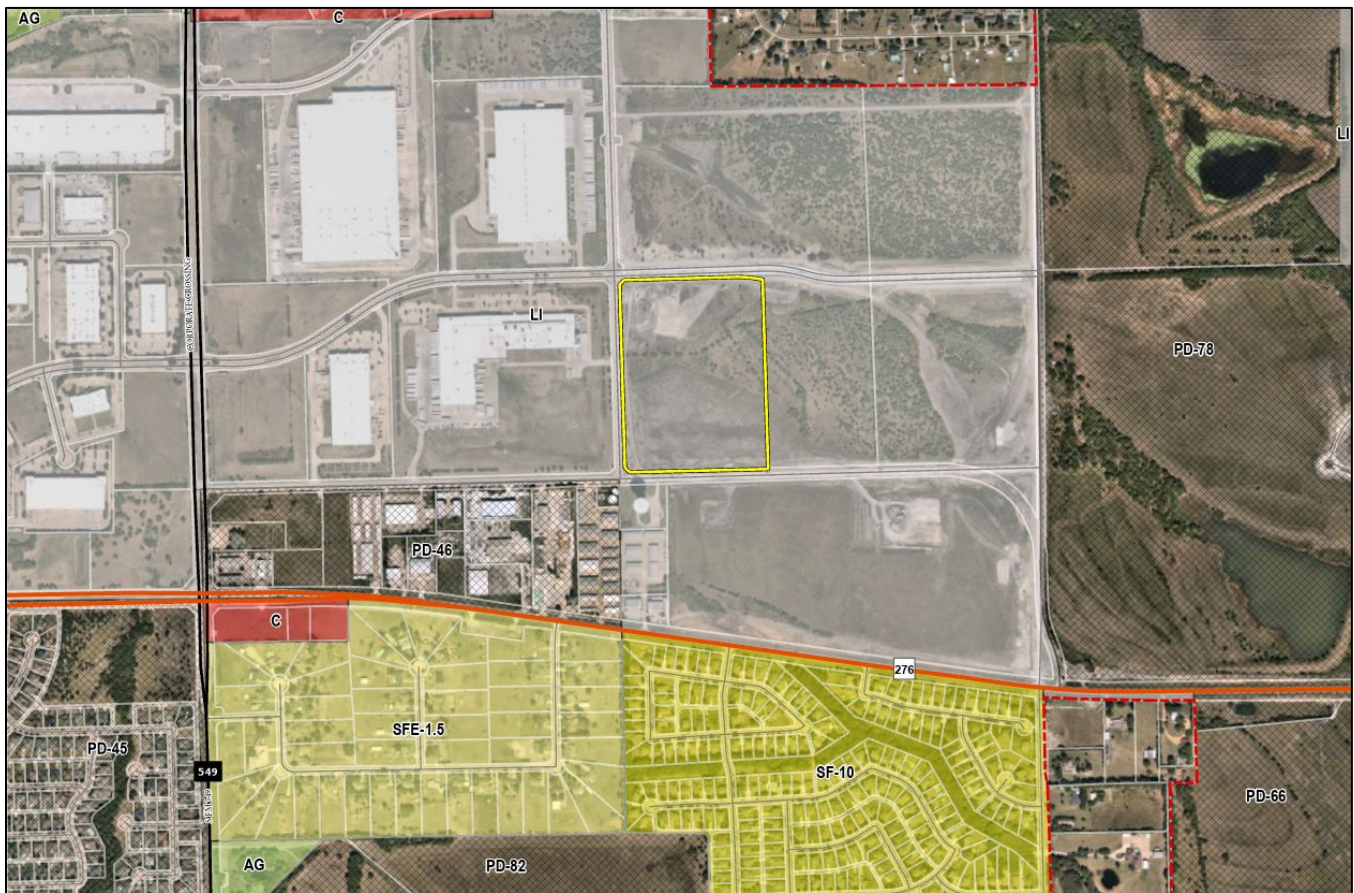
North: Directly north of the subject property is Discovery Boulevard, which is identified as a M4U (*i.e. major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the remainder of Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, which is vacant and is zoned Light Industrial (LI) District. Beyond this are the corporate limits of the City of Rockwall followed by *Phase 1* of the Carrington Farms Subdivision, which is situated within the City of Fate. Also, north of this tract is a 6.4470-acre vacant tract of land (*i.e. Tract 3 of the J H B Jones Survey, Abstract No. 125*), which is zoned Light Industrial (LI) District and also owned by the Rockwall Economic Development Corporation (REDC).

South: Directly south of the subject property is Springer Road, which is identified as a M4U (*i.e. major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this roadway is the *Springer Water Tower*, which is owned by the City of Rockwall and is zoned Light Industrial (LI) District. Beyond this is a 7.571-acre parcel of land (*i.e. Lot 1, Block 1, Highway 276 Self Storage*) that is developed with a *Mini-Warehouse Facility (i.e. Highway 276 Self Storage)* and is zoned Light Industrial (LI) District.

East: Directly east of the subject property is a 60.30-acre tract of vacant land (i.e. *Tract 5, of the J H B Jones Survey, Abstract No. 125*), which is zoned Light Industrial (LI) District. Beyond that is Rochell Road, which is classified as an A4D (i.e. *major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond that is a 174.5990-acre vacant tract of land (i.e. *Tract 1, of the M E Hawkins Survey, Abstract No. 100*), which is zoned Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses (i.e. *Discovery Lakes Subdivision*).

West: Directly west of the subject property is a 38.9320-acre parcel of land (i.e. *Lot 2, Block B, Rockwall Technology Park Phase III*) that is developed with a *Light Manufacturing Facility (i.e. Bimbo Bakery)*. This property is zoned Light Industrial (LI) District. Beyond this is a 12.00-acre parcel of land (i.e. *Lot 3, Block B, Rockwall Technology Park, Phase II*) that is developed with a *Light Manufacturing Facility (i.e. RTT Engineered Solutions)*. This property is also zoned Light Industrial (LI) District. Beyond that is a 10.649-acre vacant parcel of land (i.e. *Lot 1, Block B, Rockwall Technology Park Phase II*), which is zoned Light Industrial (LI) District. Beyond this is Corporate Crossing which is identified as an A4D (i.e. *major arterial, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and conceptual building elevations showing the proposed layout and future phasing plan for a *Heavy Manufacturing Facility (see Figure 1)*. According to the concept plan, the initial phase of the proposed facility will consist of a two (2) story building with a 145,452 SF building footprint. The first floor will consist of 145,452 SF and the second floor will consist of 65,832 SF for a total proposed square footage of 211,284 SF. In addition to the *Heavy Manufacturing Facility*, the concept plan also shows the location of the heat pump tanks, liquid hydrogen and nitrogen storage yards, and a recycling area adjacent to the loading docks. The proposed facility will have access off of Discovery Drive, Data Drive, and Springer Road. The proposed Phasing Plan shows the possibility of six (6) additional phases, stating that these phases could be constructed in unison with each other or independently of each other. This plan also shows the future provision of parking

along the entrance adjacent to Discovery Boulevard, and a potential ten (10) acre expansion site east of the subject property (see Figure 2).

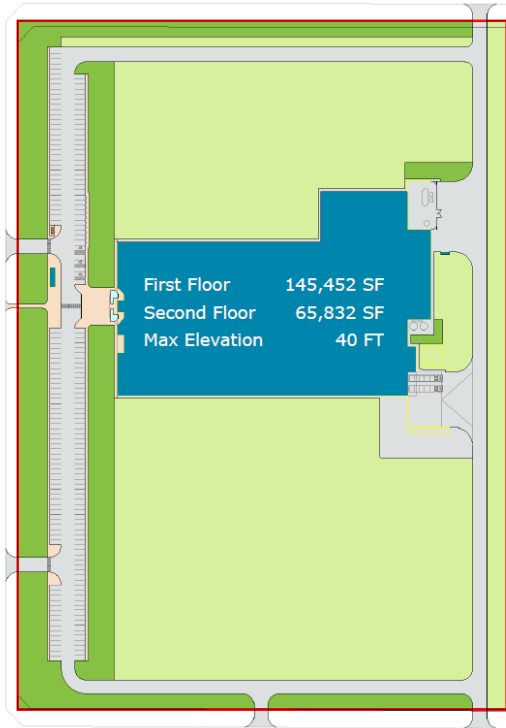


FIGURE 1. PHASE 1 CONCEPT PLAN

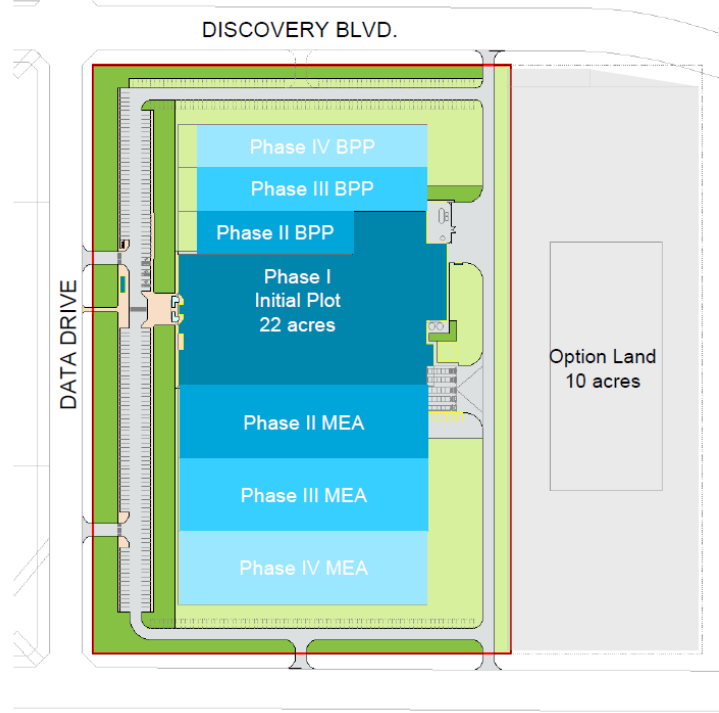


FIGURE 2. FUTURE PHASING PLAN

The proposed conceptual building elevations submitted by the applicant appear to be consistent with the existing design scheme of the Rockwall Technology Park, and does a good job of incorporating elements from the adjacent buildings (i.e. Bimbo Bakery and Pratt Industries) while still creating a unique identity (see Figure 3).



FIGURE 3. CONCEPTUAL BUILDING ELEVATIONS

CONFORMANCE WITH THE CITY'S CODES

According to Article 13, *Definitions*, of the Unified Development Code (UDC), a *Heavy Manufacturing Facility* is defined as “(a) facility or area for generally mass-producing goods usually for sale to wholesalers or other industrial or manufacturing uses...” This definition goes on to state that “(a) heavy manufacturing use is one which employs the following or similar types of processes: ... [3] production of large durable goods such as but not limited to motorcycles, cars, manufactured homes, or airplanes ...” In this case, the proposed facility will be used for the production of hydrogen fuel cells and hydrogen fuel cell engines that are incorporated into busses, trains, trucks, boats, and heavy machinery. According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Heavy Manufacturing Facility* requires a Specific Use Permit (SUP) in a Light Industrial (LI) District. The purpose of this requirement is to acknowledge that not all *Heavy Manufacturing Facilities* may be appropriate within the City’s Light Industrial (LI) Districts, and that the City Council should have discretionary oversight with regard to *Heavy Manufacturing Facilities* and their impacts within these areas.

OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Future Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is situated within the *Technology District* and is designated for *Technology/Employment Center* land uses. This land use designation is defined as being “... characterized by employment-oriented businesses, which are generally situated in larger centers (e.g. Rockwall Technology Park) with access to key transportation networks.” According to the *District Strategies* for the *Technology District* properties designated for *Technology/Employment Center* land uses “...should be designated for larger clean industrial businesses that can help diversify the City’s tax base...” In this case, the applicant is proposing a *Heavy Manufacturing Facility* that specializes in the construction of hydrogen fuel cells and hydrogen fuel cell engines. This type of business is characterized as a clean industrial business, and should further diversify the City’s tax base by adding another industrial land use that involves a high initial investment in the community. In addition, the phasing plan shows that through future phases this facility could continue to grow and further add to the City’s tax base. Based on this, the proposed facility appears to conform to the OURHometown Vision 2040 Comprehensive Plan.

STAFF ANALYSIS

In this case, the proposed concept plan and conceptual building elevations appear to conform with all of the density and dimensional requirements for a property in a Light Industrial (LI) District. The applicant’s proposal also appears to conform with intent of the OURHometown Vision 2040 Comprehensive Plan. Staff has included provisions in the Specific Use Permit (SUP) ordinance that will require general conformance with the concept plan and conceptual building elevations at the time of site plan approval. At the request of the applicant, staff has also included a four (4) year initial term for the Specific Use Permit (SUP). This appears to be warranted due to the large scale of the proposed facility and the amount of time that may be necessary to establish the proposed land use. To allow for additional flexibility staff has also included the ability for the applicant to extend the Specific Use Permit (SUP) at the discretion of the City Council.

When considering the requested *Heavy Manufacturing Facility* land use, it appears that this particular land use (*i.e. the production of hydrogen fuel cells and hydrogen fuel cell engines*) fits the Rockwall Technology Park and -- *based on the presentation provided by the applicant* -- does not appear to have any negative impacts on adjacent properties. With this being said, a 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 October 23, 2023, staff mailed 16 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Timber Creek Homeowner’s Association (HOA), which is the only Homeowners’ Association (HOAs) and/or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any responses 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 *Heavy Manufacturing Facility* 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) The development of *Phase 1* of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
 - (b) The development of the *Subject Property* shall generally conform to the Phasing Plan as depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
 - (c) The development of the *Subject Property* shall generally conform with the architecture and design images depicted in the Concept Building Elevations contained in *Exhibit 'D'* of this ordinance; however, conformance to the Concept Building Elevations does not constitute a waiver, variance, or exception to any of the development requirements contained in the Unified Development Code (UDC). In addition, development of the subject property shall be subject to recommendations made by the Architecture Review Board (ARB) through the site plan review process.
 - (d) In the event that the property owner fails to complete the *Phase 1* improvements depicted in *Exhibit 'B'* of this ordinance and does not receive a Certificate of Occupancy (CO) from the City of Rockwall within a period of four (4) years from the approval date of this ordinance (*i.e. December 3, 2027*) this Specific Use Permit (SUP) shall expire. If an extension of the Specific Use Permit (SUP) is necessary, the property owner shall submit a request in writing to the Director of Planning and Zoning no less than 90 days prior to the expiration date of this ordinance (*i.e. prior to September 4, 2027*). Upon receipt of a request for an extension, the Director of Planning and Zoning shall bring the request forward to Planning and Zoning Commission and City Council for review. The Planning and Zoning Commission and City Council shall be charged with determining if an extension of the Specific Use Permit (SUP) is warranted. This shall be conducted in accordance with the process and procedures outlined in Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), and with which this ordinance was originally adopted.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On November 14, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹
- OTHER APPLICATION FEES:**
- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	Northeast corner of Data Drive & Springer Rd		
SUBDIVISION	Rockwall Technology Park Phase V	LOT	BLOCK
GENERAL LOCATION	East of Data Drive, South of Discovery Blvd, and North of Springer Rd		

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	Light Industrial	CURRENT USE	undeveloped
PROPOSED ZONING	Specific Use Permit	PROPOSED USE	heavy manufacturing
ACREAGE	32.0	LOTS [CURRENT]	LOTS [PROPOSED]

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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

<input checked="" type="checkbox"/> OWNER	Rockwall Economic Development Corporation	<input type="checkbox"/> APPLICANT	
CONTACT PERSON	Phil Wagner	CONTACT PERSON	
ADDRESS	2610 Observation Trl, Suite 104	ADDRESS	
CITY, STATE & ZIP	Rockwall, TX 75032	CITY, STATE & ZIP	
PHONE	972-772-0025	PHONE	
E-MAIL	pwagner@rockwallede.com	E-MAIL	

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Phil Wagner [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 \$680.00, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20th DAY OF OCTOBER, 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."

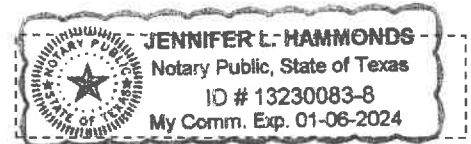
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 20th DAY OF October, 2023

OWNER'S SIGNATURE

Phil Wagner

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

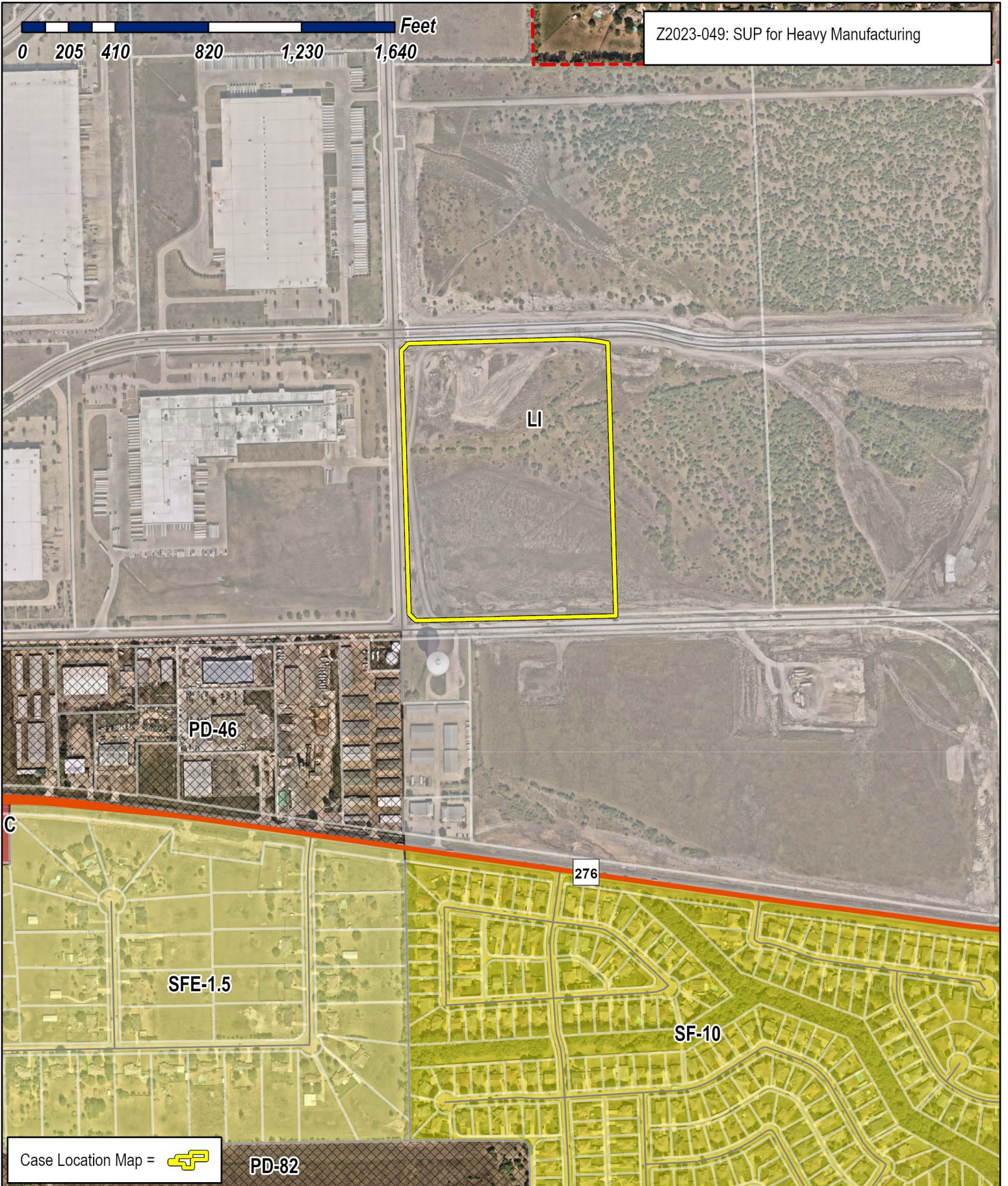
Jennifer L. Hammonds



MY COMMISSION EXPIRES 1/6/24

0 205 410 820 1,230 1,640 Feet

Z2023-049: SUP for Heavy Manufacturing



Case Location Map = 

PD-82



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.

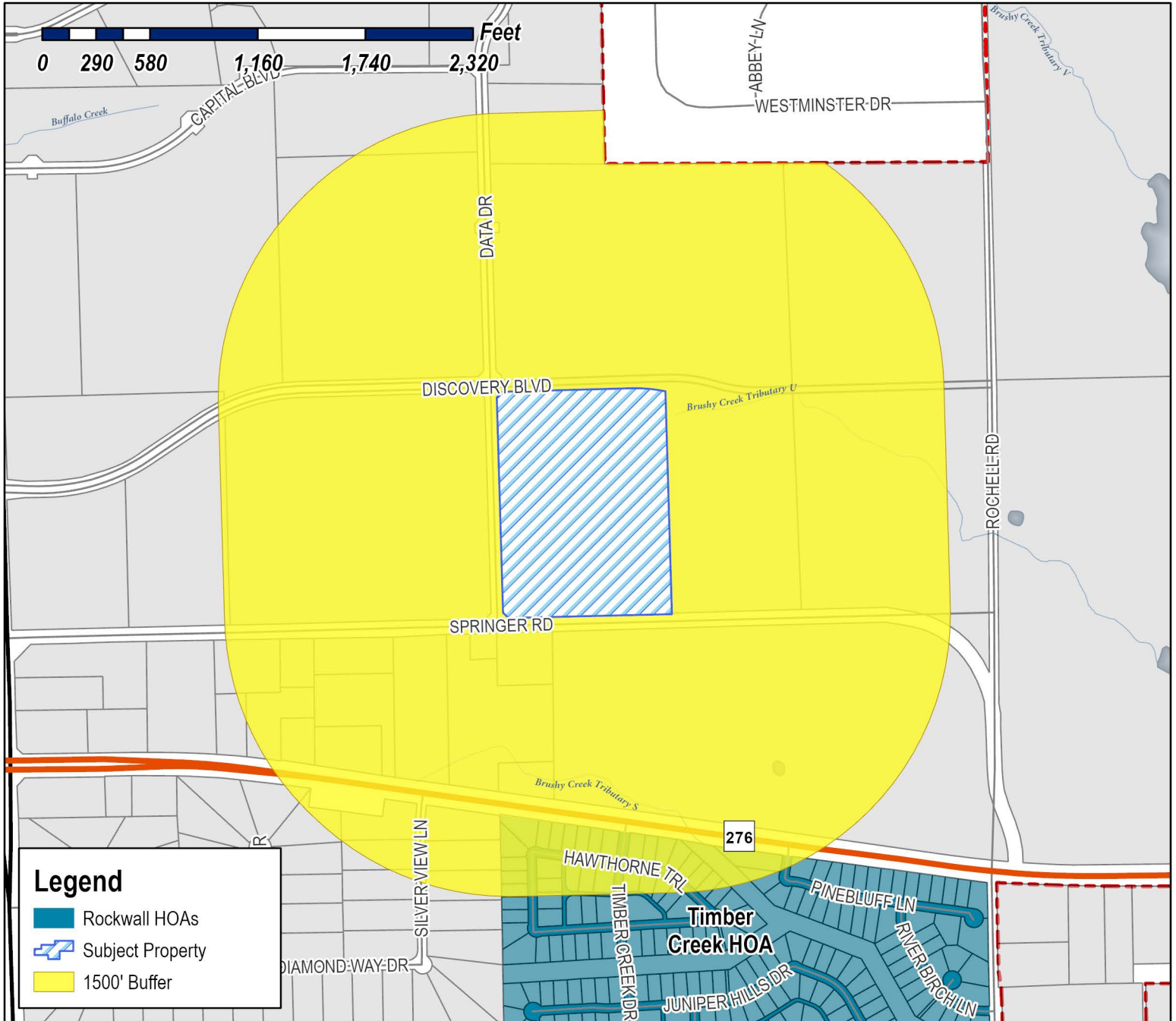







City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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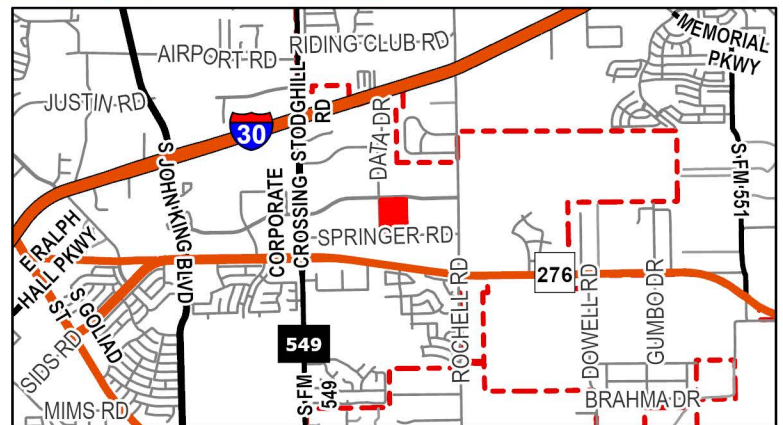
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Legend

-  Rockwall HOAs
-  Subject Property
-  1500' Buffer

Case Number: Z2023-049
Case Name: SUP for Heavy Manufacturing
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: SWC of Data Drive & Discovery Blvd.



Date Saved: 10/20/2023
 For Questions on this Case Call (972) 771-7745

From: [Zavala, Melanie](#)
Cc: [Miller, Ryan](#); [Ross, Bethany](#); [Guevara, Angelica](#); [Lee, Henry](#)
Subject: Neighborhood Notification Program [Z2023-049]
Date: Monday, October 23, 2023 4:38:11 PM
Attachments: [Public Notice \(P&Z\) \(10.23.2023\).pdf](#)
[HOA Map \(10.20.2023\).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 [October 27, 2023](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, November 14, 2023 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, November 20, 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>.

Z2023-049: SUP for Heavy Manufacturing

Hold a public hearing to discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a [Specific Use Permit \(SUP\)](#) for Heavy Manufacturing on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and take any action necessary.

Thank You,

Melanie Zavala

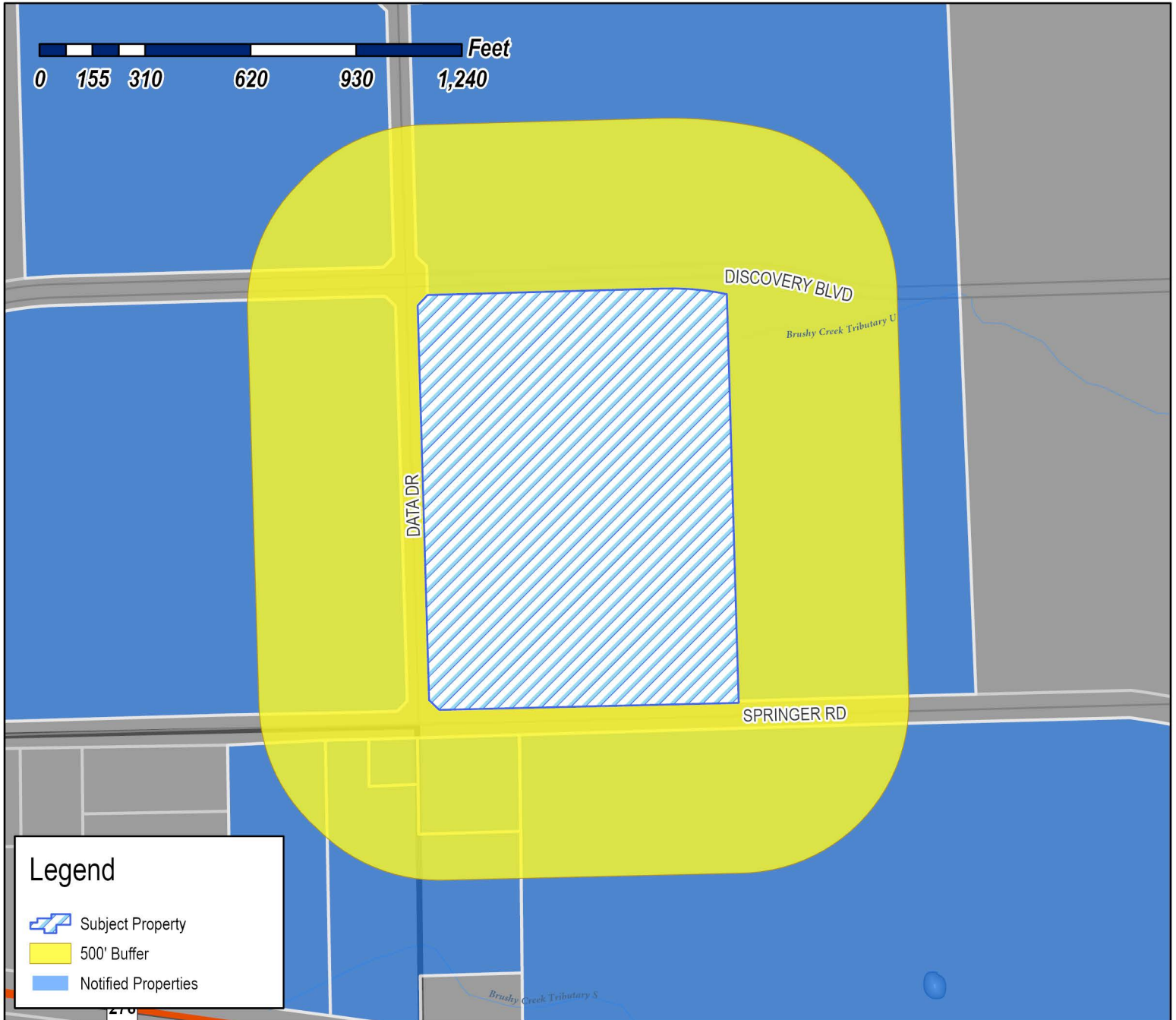
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
<http://www.rockwall.com/>
972-771-7745 Ext. 6568



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: Z2023-049
Case Name: SUP for Heavy Manufacturing
Case Type: Zoning
Zoning: Light Industrial (LI) District
Case Address: SWC of Data Drive & Discovery Blvd.

Date Saved: 10/20/2023

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



RESIDENT
HWY276
ROCKWALL, TX 75032

RESIDENT
SPRINGER LN
ROCKWALL, TX 75032

ROCKWALL ECONOMIC DEVELOPMENT
CORPORATION
2610 OBSERVATION TRAIL SUITE 104
ROCKWALL, TX 75032

RESIDENT
2640 HWY276
ROCKWALL, TX 75032

RESIDENT
2690 HWY276
ROCKWALL, TX 75032

RESIDENT
3055 DISCOVERY BLVD
ROCKWALL, TX 75032

RESIDENT
3400 DISCOVERY DR
ROCKWALL, TX 75032

RESIDENT
3465 SPRINGER RD
ROCKWALL, TX 75032

RESIDENT
3475 SPRINGER RD
ROCKWALL, TX 75032

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

ALLEN FOODS INC
C/O RYAN LLC
AGENT FOR BIMBO BAKERIES USA 13155 NOEL
RD #100 LB73
DALLAS, TX 75240

STAG ROCKWALL, L.P. A DELAWARE LIMITED
PARTNERSHIP
STAG INDUSTRIAL HOLDINGS, LLC
ONE FEDERAL STREET 23RD FLOOR
BOSTON, MA 2110

BLACKLAND WATER CORP
ATTN ADA JO PHILLIPS
PO BOX 215
FATE, TX 75132

LATTIMORE MATERIALS COMPANY LP
PO BOX 2469
ADDISON, TX 75001

COLIN-G PROPERTIES INC
PO BOX 847
ROCKWALL, TX 75087

ROCKWALL ECONOMIC DEVELOPMENT
PO BOX 968
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:

Z2023-049: SUP for Heavy Manufacturing

Hold a public hearing to discuss and consider a request by Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a *Specific Use Permit (SUP)* for *Heavy Manufacturing* on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, November 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, November 20, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Monday, November 20, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-049: SUP for Heavy Manufacturing

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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



October 20, 2023

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

Dear Mr. Miller,

Enclosed you will find an application and supporting materials requesting the Planning and Zoning Commission and City Council grant a Specific Use Permit (SUP) for “Heavy Manufacturing” to occur on 32 acres within the Rockwall Technology Park, at the northeast corner of Data Drive and Springer Road.

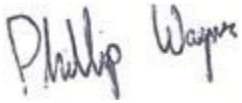
For the past five months, the Rockwall Economic Development Corporation (REDC) has been working to recruit Ballard Power Systems (Ballard), an international leader in the development of hydrogen fuel cells, to establish their future US manufacturing location. After a search that evaluated 40 sites across 10 states, representatives from Ballard have chosen Rockwall and the new third phase of the Technology Park as their preferred location. This decision has recently been memorialized through a Letter of Intent with the REDC, and a formal Development Agreement is currently being drafted.

Ballard will provide significant benefits to Rockwall, as their anticipated \$115M investment would represent the highest tax value of any one entity in the community. The company may also expand in the future, adding significantly more taxable value to their initial investment. Further, Ballard will create dozens of high-quality jobs. We believe this type of advanced manufacturing project – one that deploys high value equipment to create cutting-edge technology – aligns with the intended purpose of the Rockwall Technology Park and the mission of the REDC.

REDC representatives have vetted the company to determine financial viability, environmental impact, and community fit. Earlier this year, I received a tour of their existing North American facilities. We feel confident that the company will be a good corporate citizen to their neighbors in the Technology Park, as well as the overall community, with minimal outside impact caused by their operations. Ballard representatives have put together a presentation describing the project, as well as a high-level overview of their manufacturing process. A company representative plans to be at the Planning and Zoning Commission Work Session, as well as the first reading of the City Council, to answer any specific questions. REDC representatives will also be at all meetings.

The REDC kindly requests a four-year window on the SUP, to allow for contractor selection, building design, construction, equipment delivery, installation, and testing prior to production.

Sincerely,

A handwritten signature in black ink that reads "Phillip Wagner". The signature is written in a cursive style with a large initial "P".

Phil Wagner
President

Concept Architecture



Natural Stone



Platinum PLANC™
Large Format Stone Veneer

PRODUCT DETAILS BELOW. This is the stone and color that inspired the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. *Order your sample kit today!*

Example



Concept Architecture



1.4MW solar PV

Natural Stone

Concrete

Landscaping

WEST
DATA DRIVE



Concept Architecture



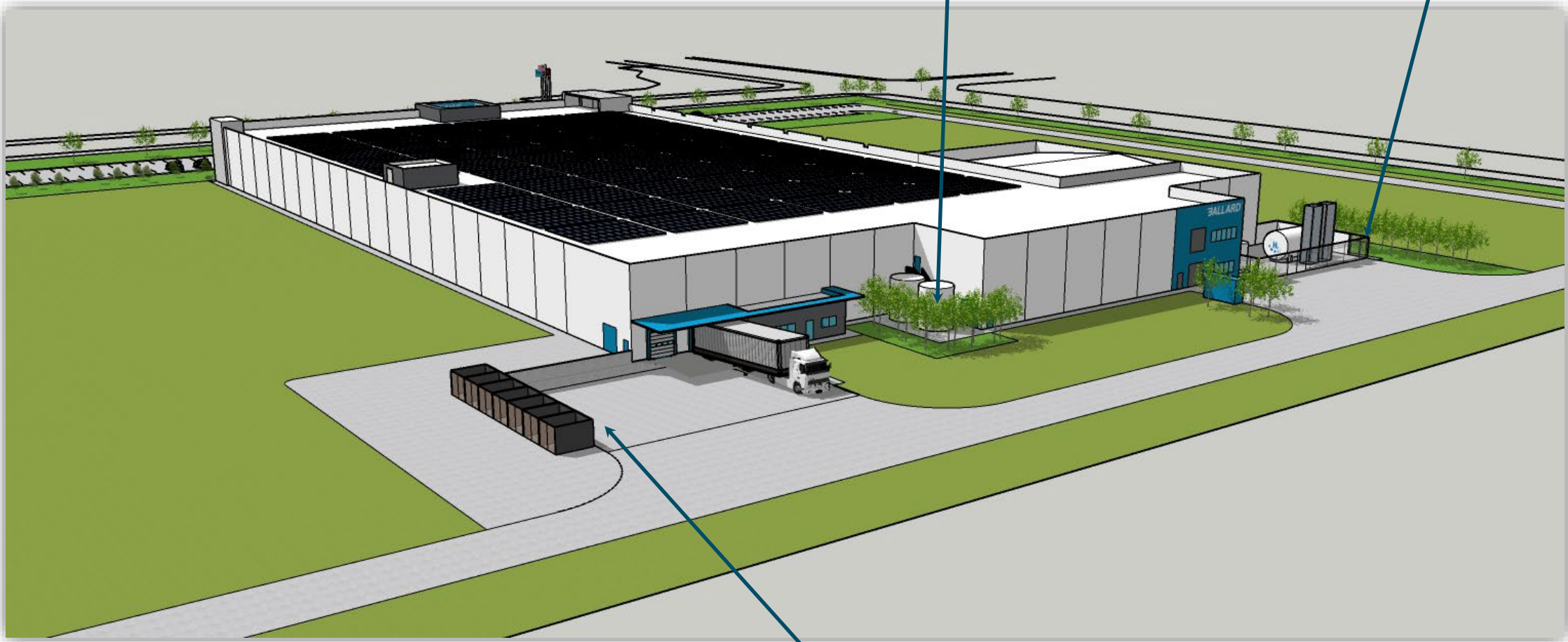
LEED requires bike parking

EV charging

Concept Architecture

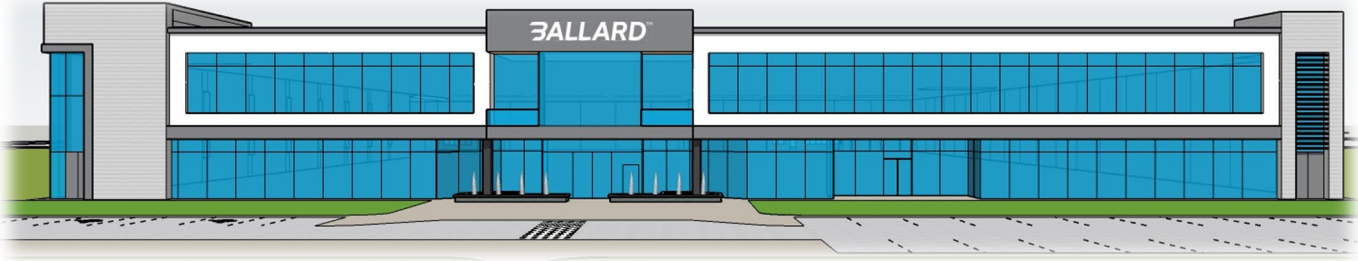
Heat Pump Tanks

Liquid Hydrogen and Nitrogen shielded with trees



Recycling area

Elevations

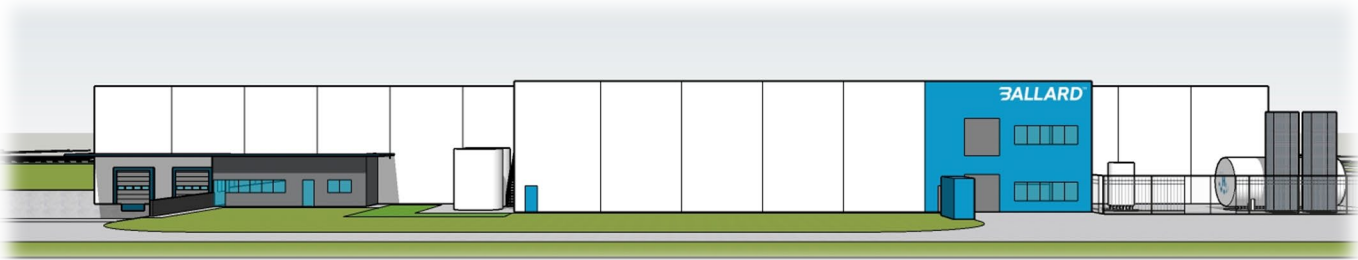


**WEST
DATA DRIVE**



**NORTH
DISCOVERY BLVD**

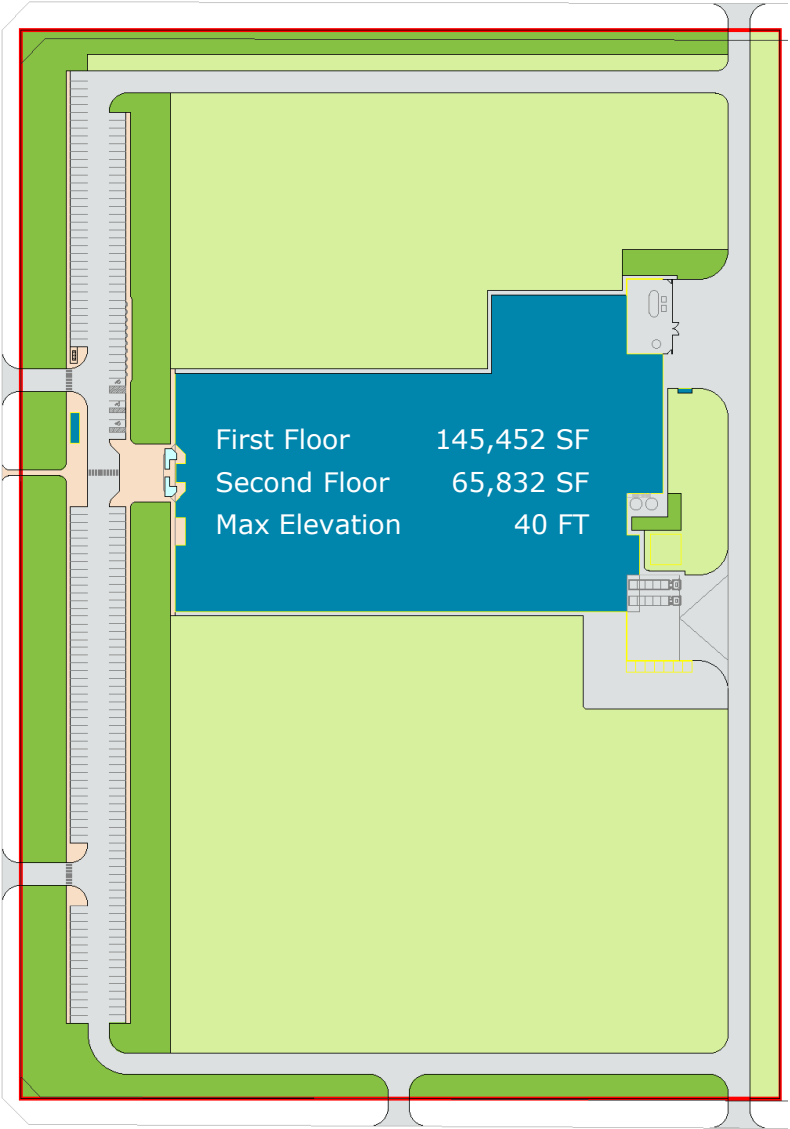
**EAST
ROCHELL ROAD**



**SOUTH
SPRINGER ROAD**



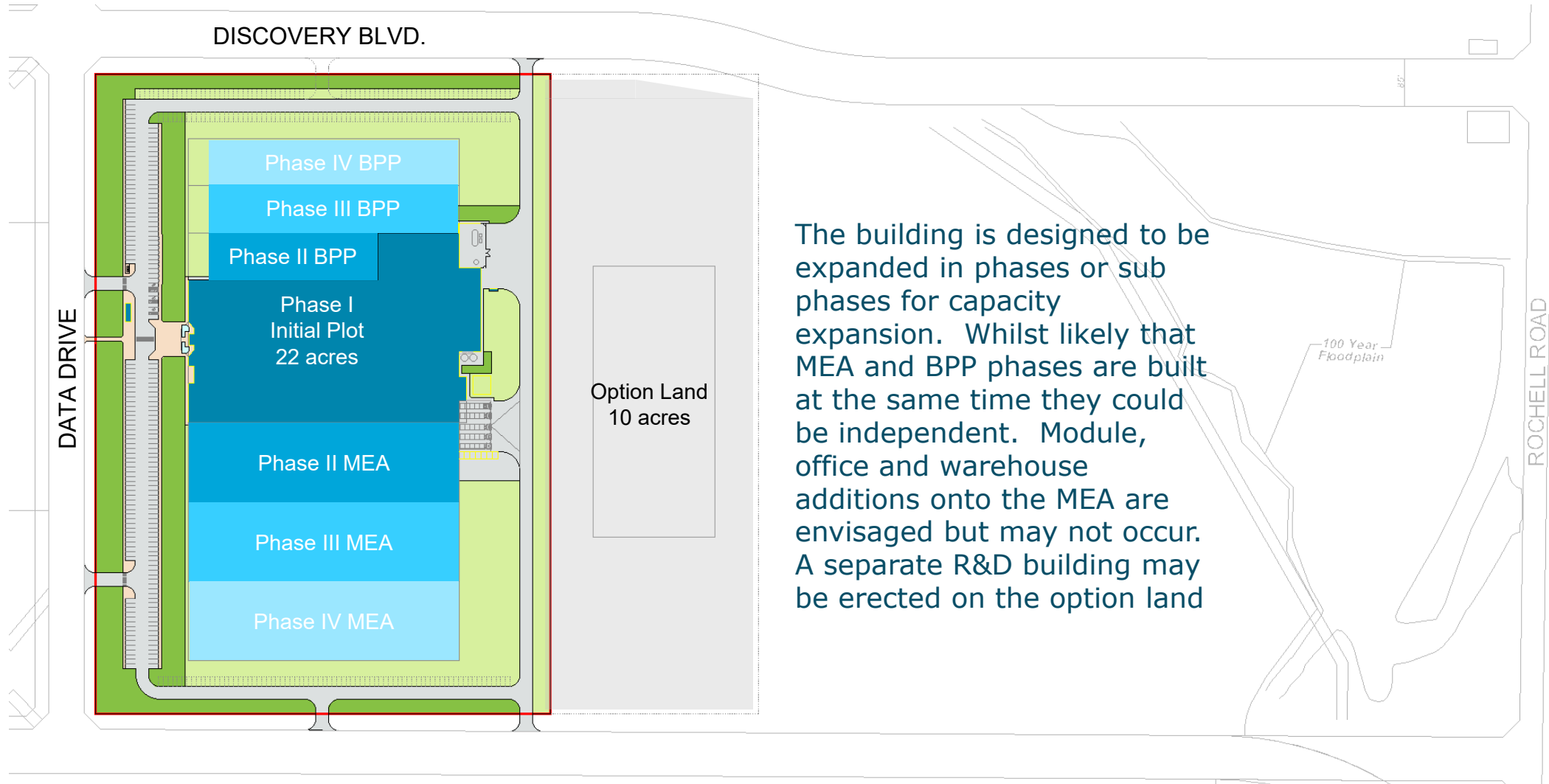
Phase 1 Plot Layout



Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles



Expansion Including Option Land



The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land



Ballard Rockwall Facility

Hydrogen Revolution










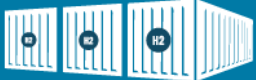







Gulf Coast Hydrogen Hub awarded \$1.2B to develop hydrogen production capacity

We need to co-develop the Fuel Cell engines to convert that hydrogen to electricity

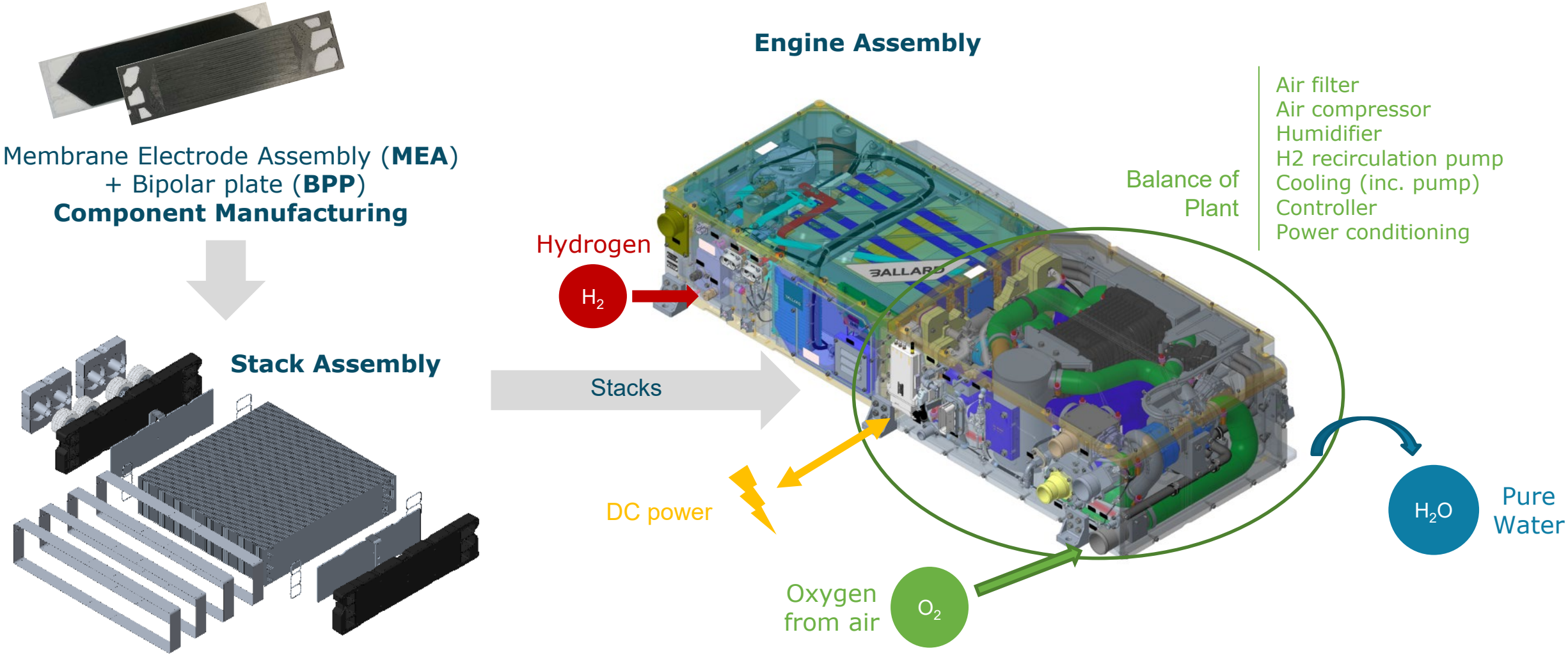
Ballard's investment in Fuel Cell engine production in Rockwall will help drive the energy transition

Who are we?

 <p>44 YEARS</p>	 <p>>1,100 employees</p>	 <p>1,400 patents & applications</p>	 <p>28 years Nasdaq 30 years TSX</p> <p>publicly listed company</p>	 <p>0</p> <p>2030 commitment to carbon neutrality</p>
 <p>>1,400 transit buses</p>	 <p>>2,300 trucks</p>	 <p>7 TRAIN projects</p>	 <p>8 SHIPS in development</p>	 <p>8 MW of stationary power projects</p>
 <p>1 GW fuel cell products delivered*</p>	 <p>>5.3 MILLION MEAs produced*</p>	 <p>>150 MILLION kilometers in operation*</p>	 <p>1.6 GW production capacity</p>	 <p>4 PRODUCTION SITES global footprint</p>

*compiled from 2015

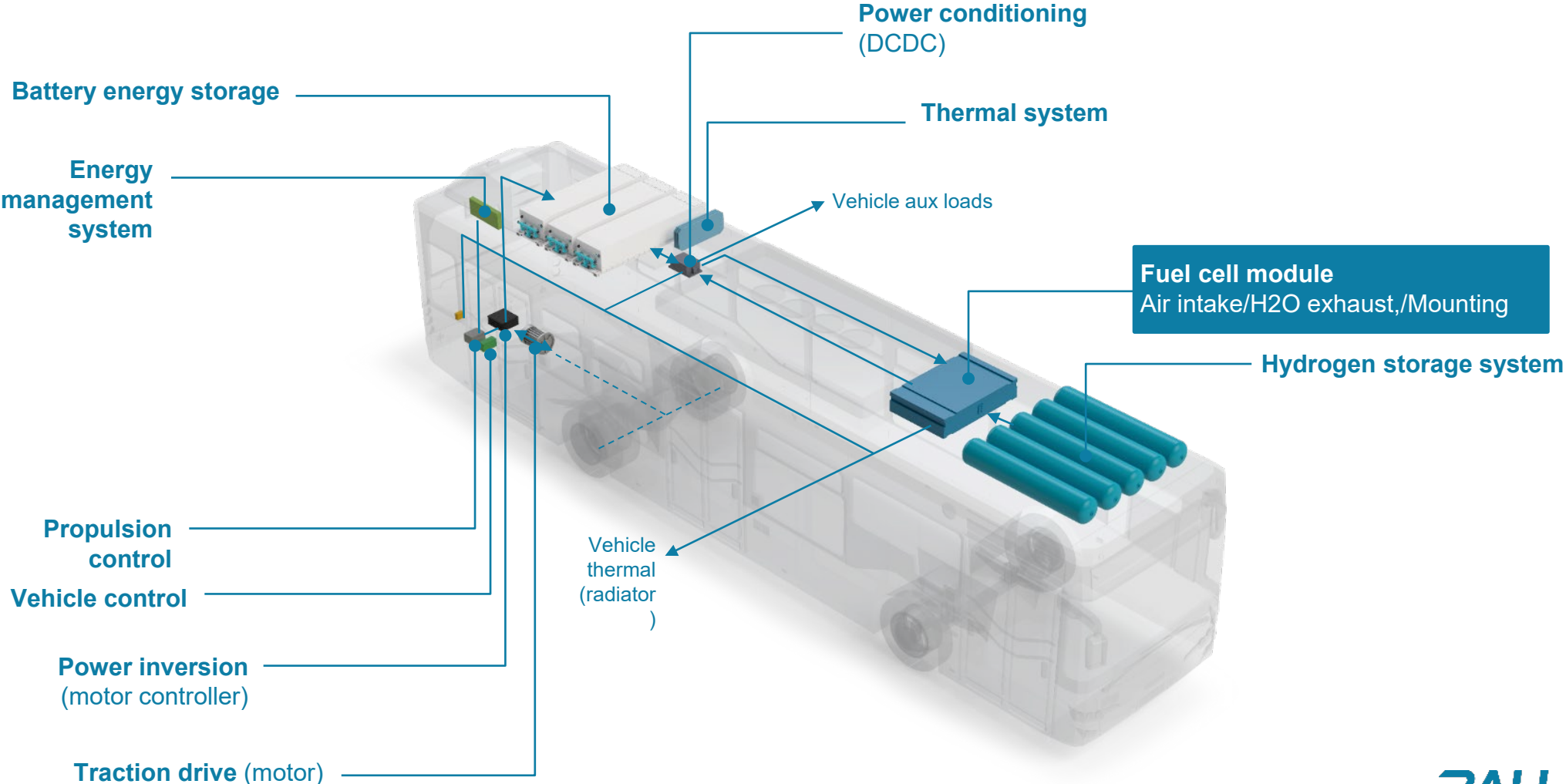
MEA & BPP manufacturing and assembly operations



The facility will **manufacture MEAs, BPPs and** assembly into **stacks**, which then are sold or combined with purchased balance of plant components to produce a **fuel cell engine**

Customer Integration

Customers integrate fuel cell modules into the vehicle to produce a Fuel Cell Electric Vehicle



Our Markets



Applications powered by Ballard



160 Fuel Cell Electric Buses in USA

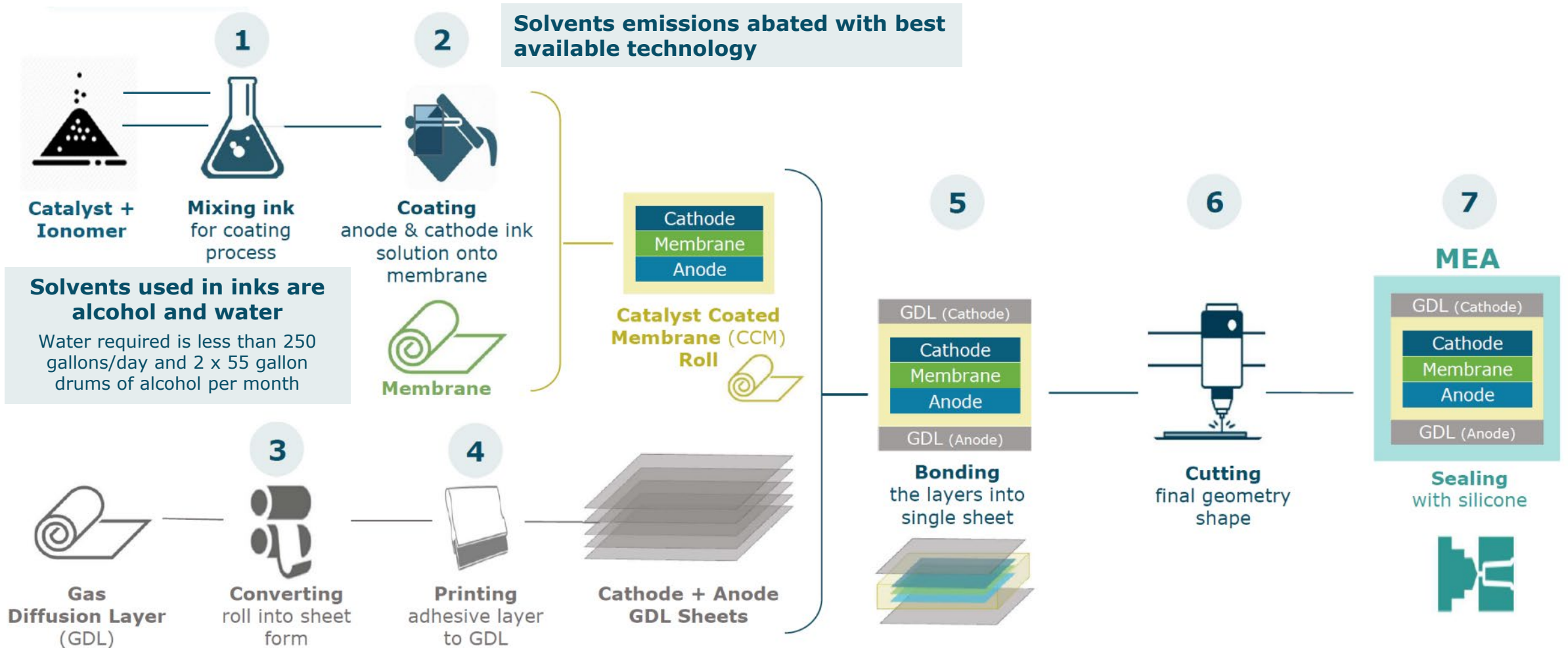
100% powered by Ballard



MEA Manufacturing



MEA Manufacturing highly automated and similar to battery cell production, but with low chemicals consumption.

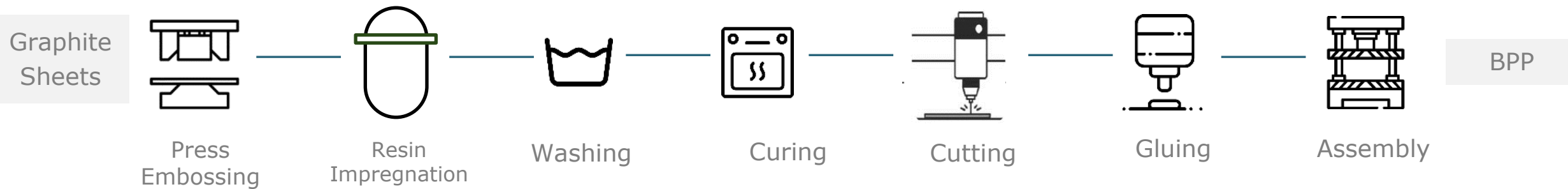


BPP Manufacturing



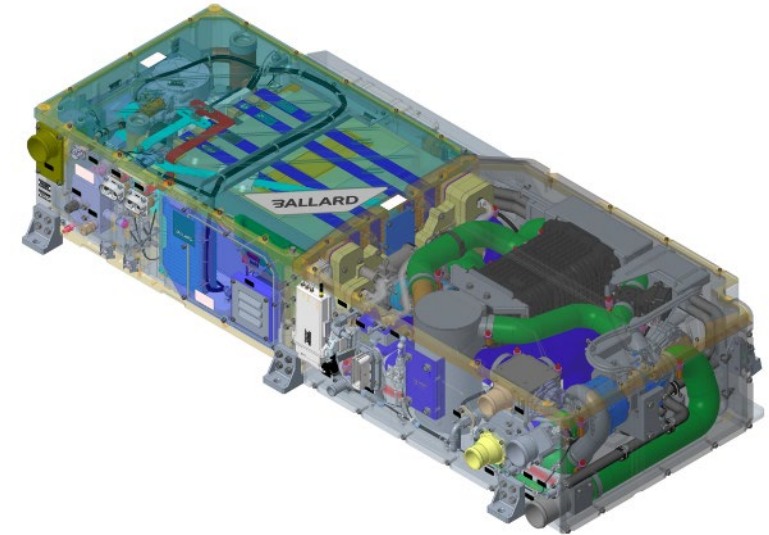
Bipolar Plate manufacturing has been developed as a **water and solvent free** process so no waste water emissions

Fully automated process from start to finish



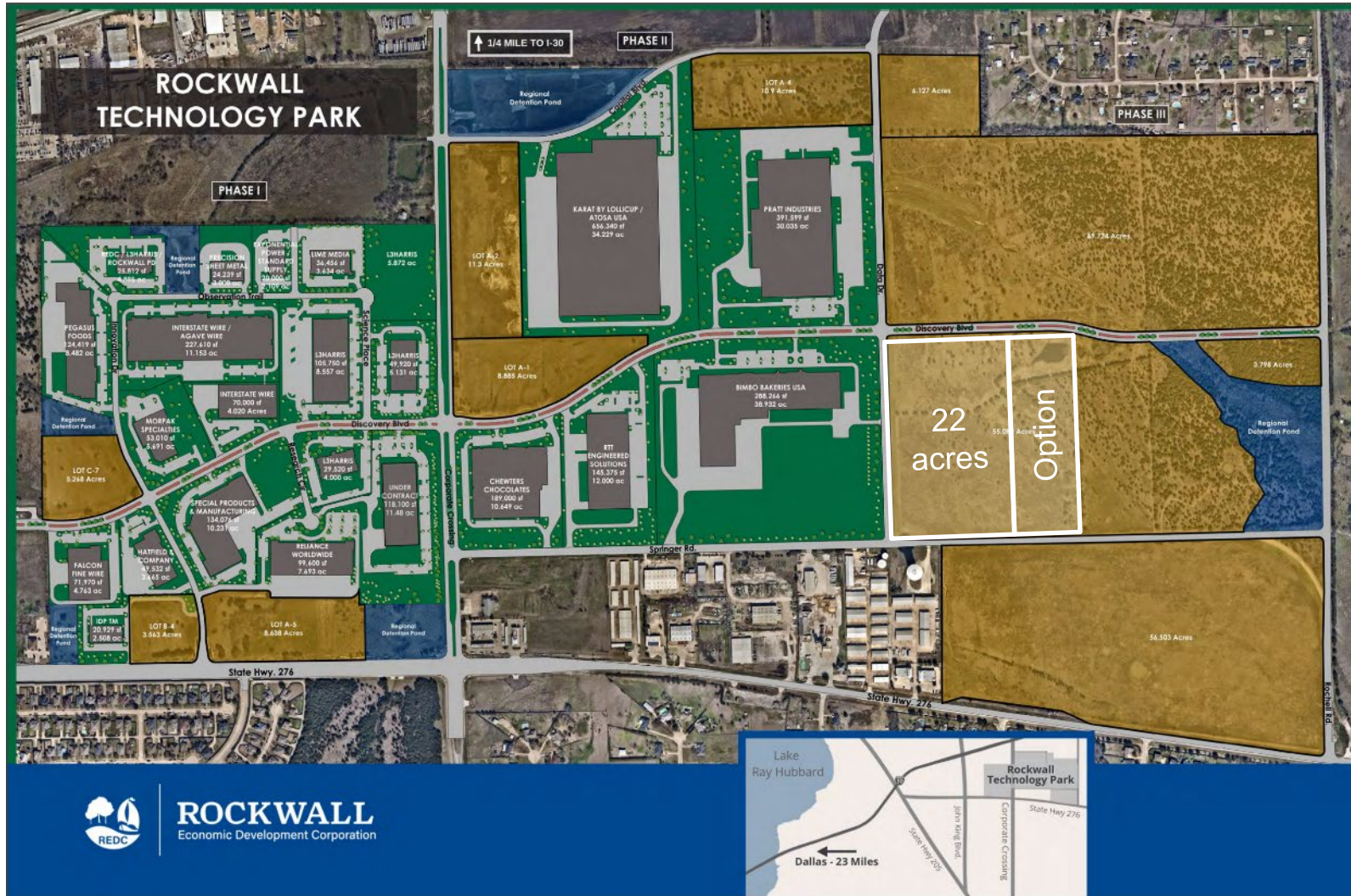
Stack and Engine Assembly, with test

Stacks assembled by placing MEAs and BPPs in a fully automated line.
Product tested for quality using hydrogen gas on a test station

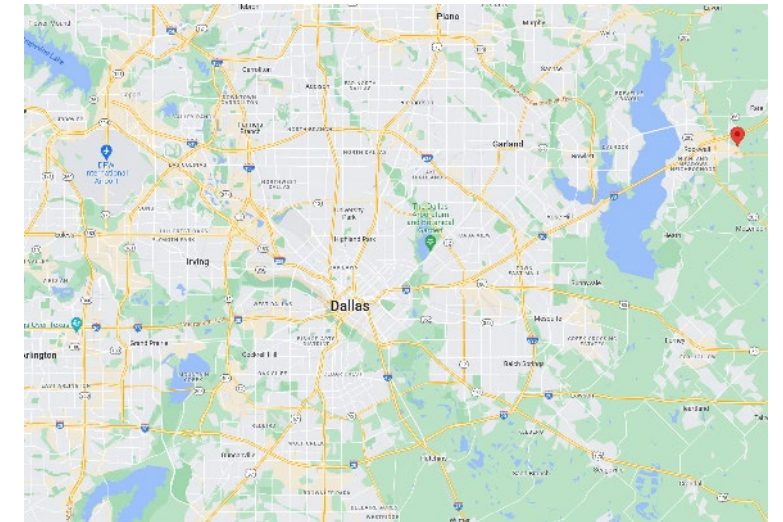


Engines assembled by skilled technicians combining stacks with balance of plant components. Engines functionality checked using hydrogen gas on a test station

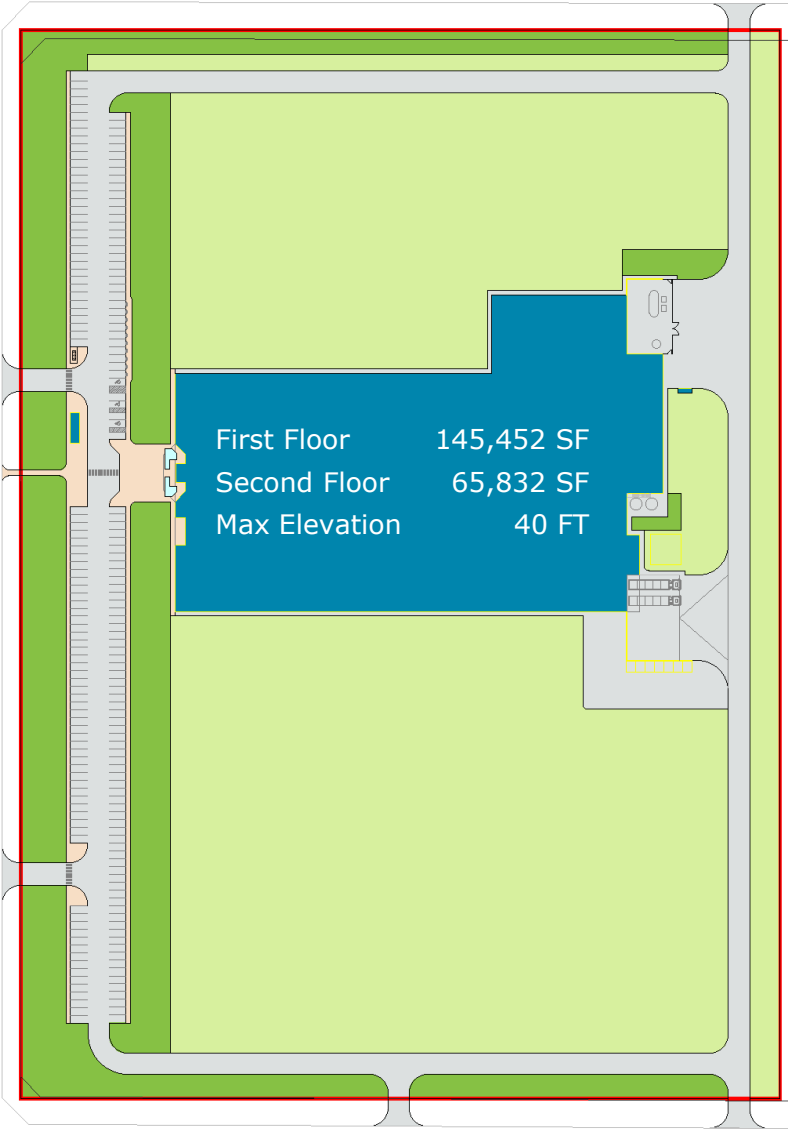
Rockwall Technology Park



22-acre site in Rockwall Technology Park with an option for an additional 10-acres.



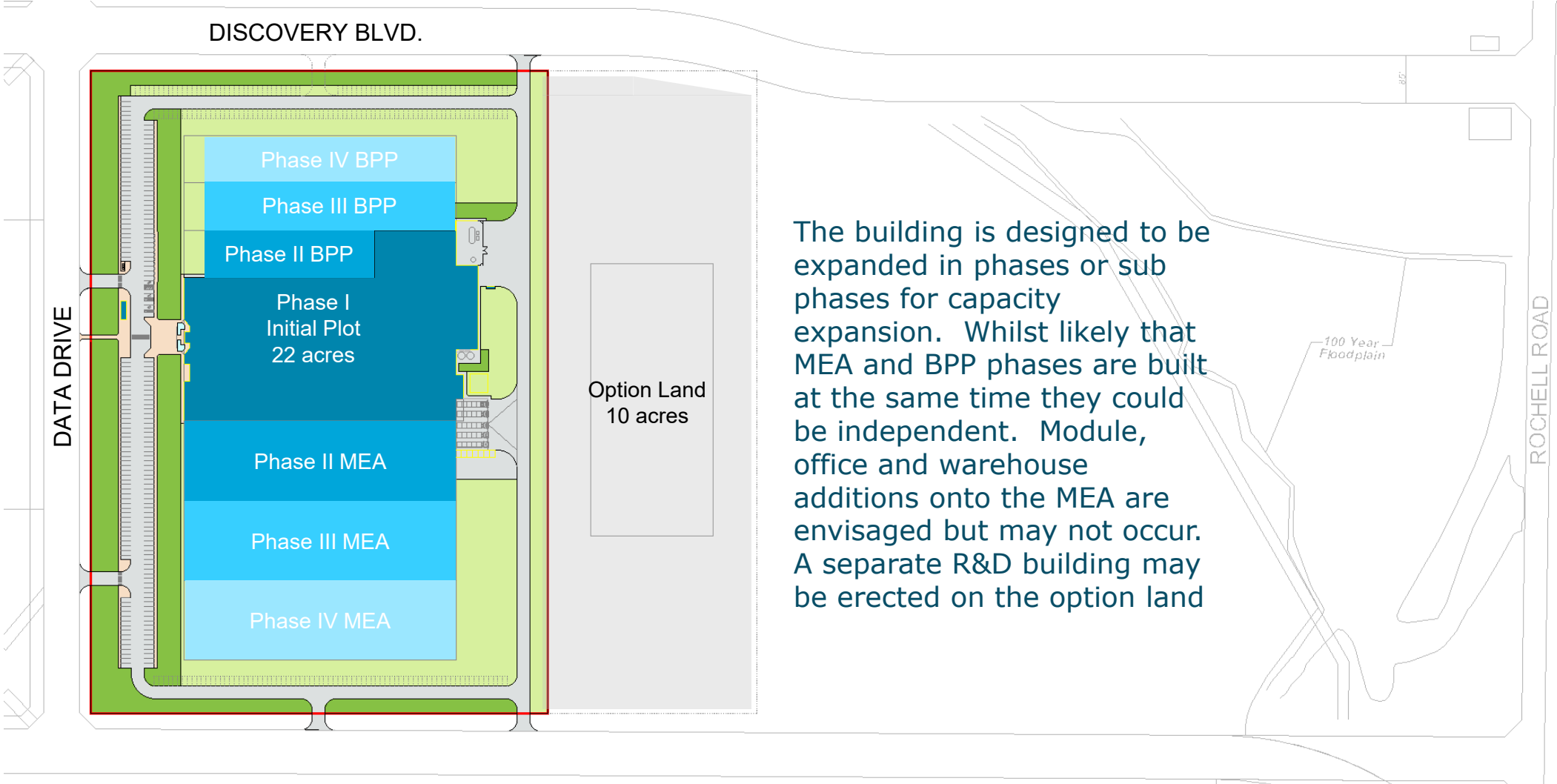
Phase 1 Plot Layout



Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles

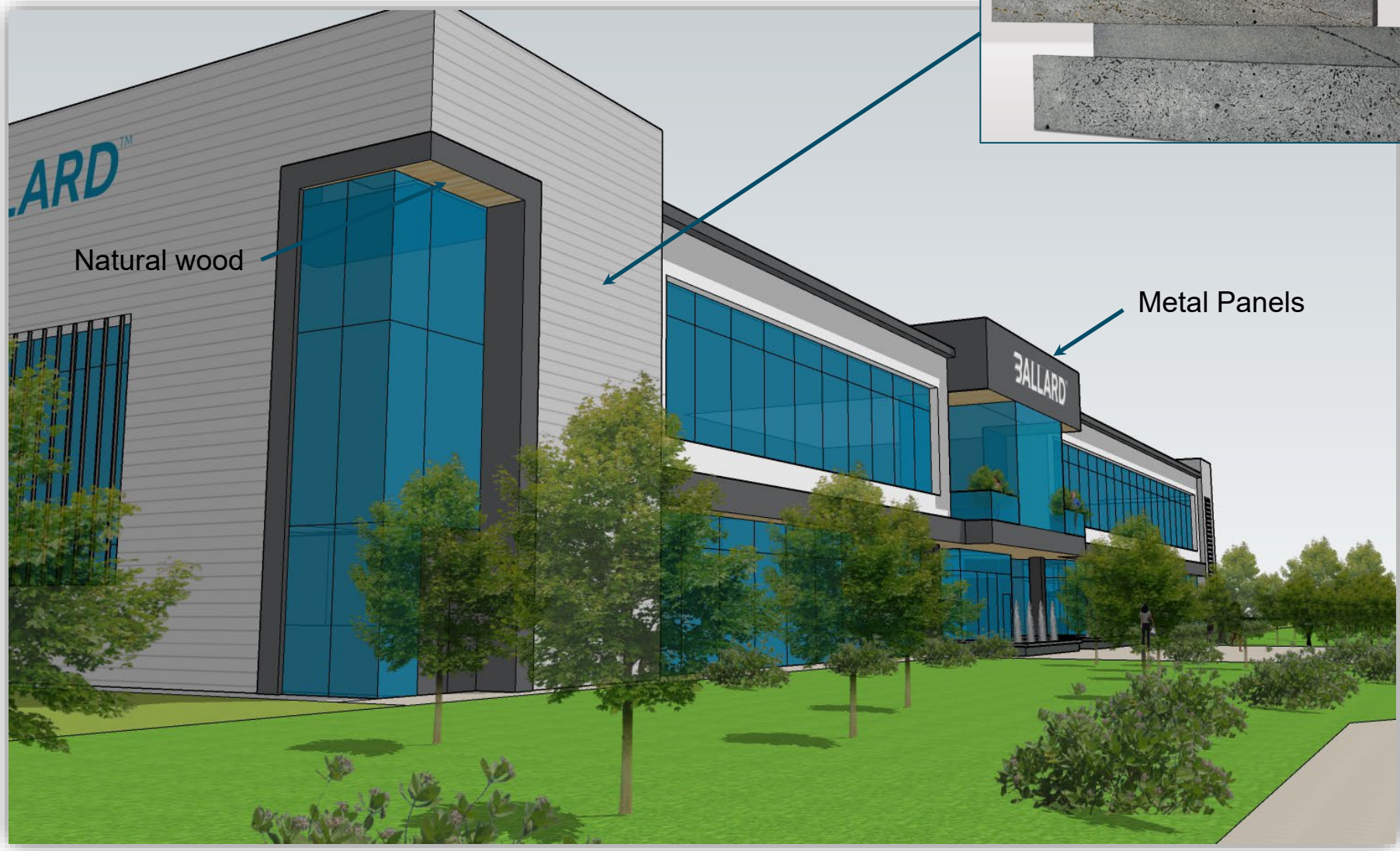


Expansion Including Option Land



The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land

Concept Architecture



Natural Stone

Platinum PLANC™
Large Format Stone Veneer

PRODUCT DETAILS BELOW. This is the stone and color that inspired the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. *Order your sample kit today!*



Concept Architecture



1.4MW solar PV

Natural Stone

Concrete

Landscaping

WEST
DATA DRIVE



Concept Architecture



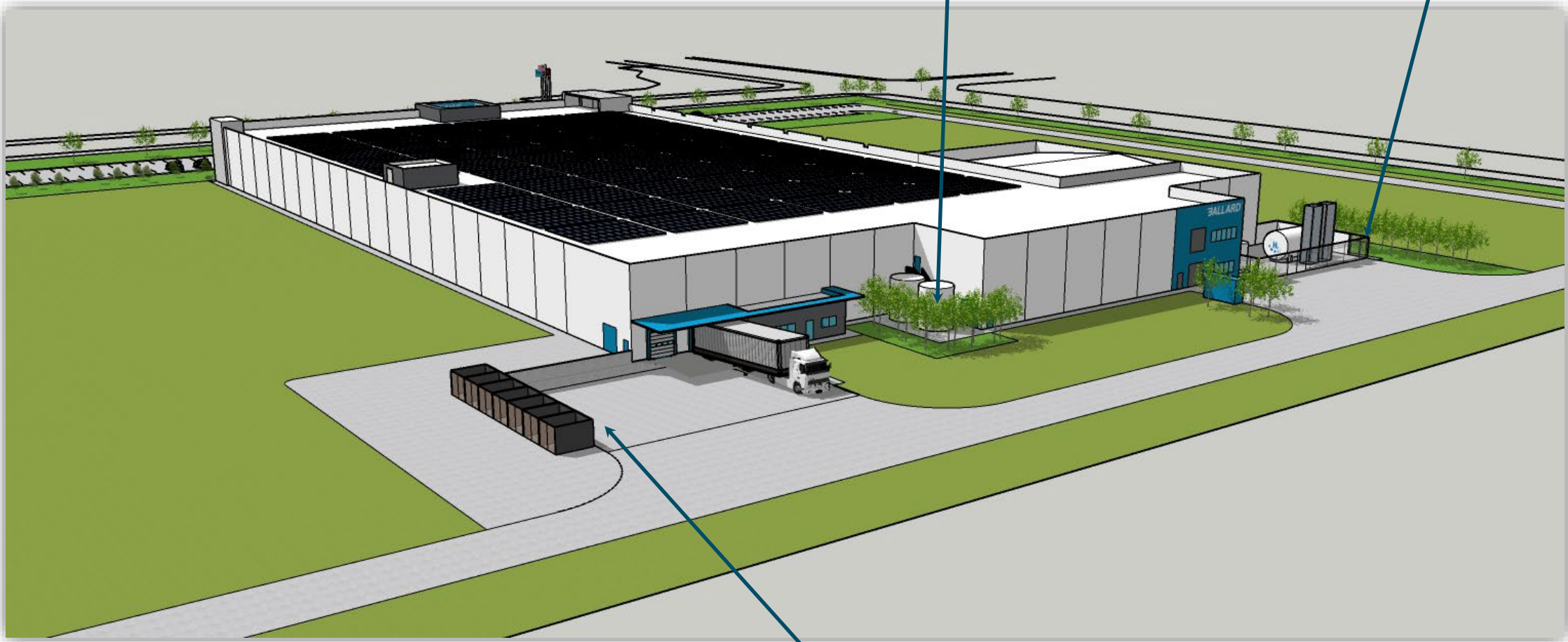
LEED requires bike parking

EV charging

Concept Architecture

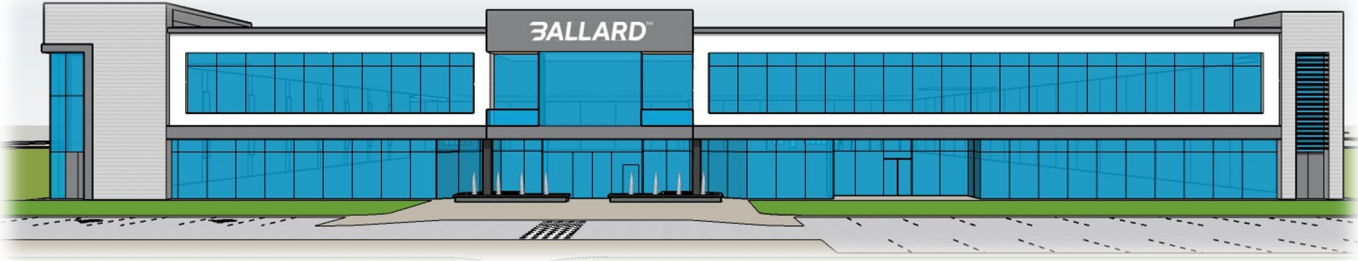
Heat Pump Tanks

Liquid Hydrogen and Nitrogen shielded with trees

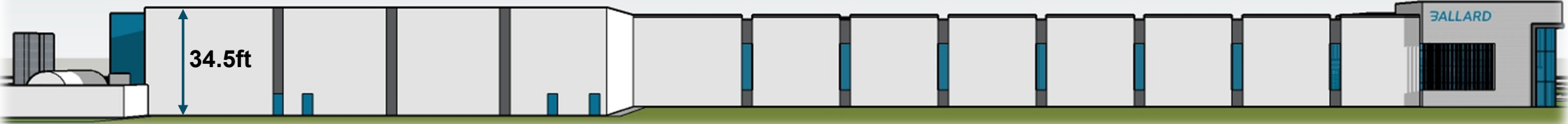


Recycling area

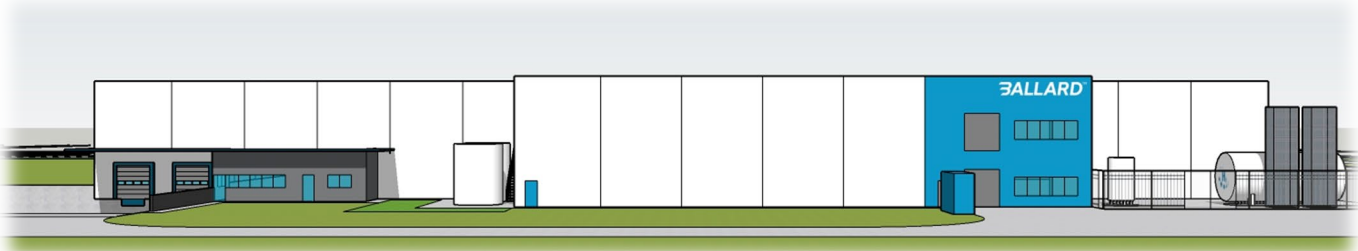
Elevations



**WEST
DATA DRIVE**



**NORTH
DISCOVERY BLVD**



**EAST
ROCHELL ROAD**



**SOUTH
SPRINGER ROAD**



Carbon Neutrality 2030

Ballard is targeting net carbon zero for its operations by 2030 so this facility needs to be constructed in a way to help Ballard achieve the goals. The project should achieve **LEED Gold** requirements and include:



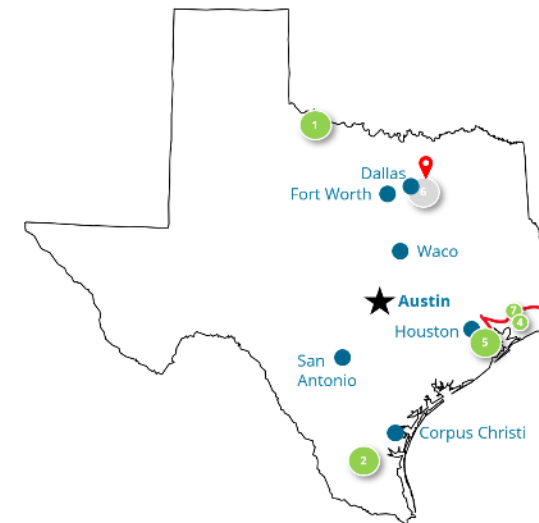
- Solar PV on roof of building
- Rain water harvesting for irrigation and potential use for toilets
- Heat pump based offices temperature control
- Heat pump AHUs for factory cleanrooms
- Regenerative Load banks for Test Stations to provide power to site, and potentially emergency backup power
- Consideration of on-site green hydrogen production for production test stations
- Use of waste heat from coating abatement to support heat pumps
- High building energy efficiency
- High solar reflectivity roof and wall panels

Liquid Hydrogen



- Example of liquid hydrogen storage and distribution system located in the Northeast part of the site.
- Appearance shielded with trees as shown in the Vancouver photo
- Wide selection of green hydrogen suppliers in Texas

Map of Hydrogen Availability



Map #	Facility	County
1	Air Products and the AES Corporation	Willbarger
2	Green Hydrogen International	Duval
—	Air Products Hydrogen Pipeline	Harris
4	Plug Power	Jefferson
5	Air Liquide	Harris
6	Air Liquide	Dallas
7	Air Liquide (hydrogen storage facility)	Jefferson

BEING a tract of land situated in the J.B. Jones Survey, Abstract No. 125 and the J.A. Ramsey Survey, Abstract No. 186, in the City of Rockwall, Rockwall County, Texas, being part of Lot 1, Block B, of Rockwall Technology Park Phase V, an addition to the City of Rockwall, as described in Document No. 2023000006632, in the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), said Lot being part of a tract of land described in a Deed to Rockwall Economic Development Corporation, as described in Volume 5528, Page 194, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the most northerly northwest corner of said Lot 1, being in the south line of Discovery Boulevard (85-foot right-of-way);

THENCE North 88 degrees 23 minutes 40 seconds East, with the north line of said Lot 1 and the south line of said Discovery Boulevard, a distance of 929.29 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the point of curvature of a curve to the right, having a radius of 807.50 feet and a central angle of 13 degrees 13 minutes 52 seconds;

THENCE continuing with the north line of said Lot 1 and south line of said Discovery Boulevard, and with said curve to the right, an arc distance of 186.47 feet (Chord Bearing South 84 degrees 59 minutes 24 seconds – 186.06 feet);

THENCE South 01 degree 42 minutes 43 seconds East, departing the north line of said Lot 1 and south line of said Discovery Boulevard, a distance of 1,200.92 feet to the south line of said Lot 1, being the north line of Springer Road (80-foot right-of-way);

THENCE South 88 degrees 36 minutes 34 seconds West, with the south line of said Lot 1 and the north line of said Springer Road, a distance of 879.70 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 46 degrees 34 minutes 32 seconds West, continuing with the south line of said Lot 1 and north line of Springer Road, a distance of 41.45 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found in the east line of Data Drive (65-foot right-of-way);

THENCE North 01 degree 42 minutes 44 seconds West, with the west line of said Lot 1 and the east line of said Data Drive, a distance of 1,159.54 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 43 degrees 20 minutes 28 seconds East, continuing with the west line of said Lot 1 and east line of Data Drive, a distance of 42.39 feet to the POINT OF BEGINNING and containing 32.00 acres of land.

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR HEAVY MANUFACTURING ON A 32.00-ACRE PORTION OF A LARGER 77.148-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE J. H. B. JONES SURVEY, ABSTRACT NO. 125, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a Specific Use Permit (SUP) for *Heavy Manufacturing* on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and being more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* 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 (UDC) [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 (UDC) [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) for a *Heavy Manufacturing* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Heavy Manufacturing Facility* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of *Phase 1* of the *Subject Property* shall generally conform to the *Concept Plan* as depicted in *Exhibit 'B'* of this ordinance.
- 2) The development of the *Subject Property* shall generally conform to the *Phasing Plan* as depicted in *Exhibit 'C'* of this ordinance.
- 3) The development of the *Subject Property* shall generally conform with the architecture and design images depicted in the *Concept Building Elevations* contained in *Exhibit 'D'* of this ordinance; however, conformance to the *Concept Building Elevations* does not constitute a waiver, variance, or exception to any of the development requirements contained in the Unified Development Code (UDC). In addition, development of the subject property shall be subject to recommendations made by the Architecture Review Board (ARB) through the site plan review process.
- 4) In the event that the property owner fails to complete the *Phase 1* improvements depicted in *Exhibit 'B'* of this ordinance and does not receive a Certificate of Occupancy (CO) from the City of Rockwall within a period of four (4) years from the approval date of this ordinance (*i.e. December 3, 2027*) this Specific Use Permit (SUP) shall expire. If an extension of the Specific Use Permit (SUP) is necessary, the property owner shall submit a request in writing to the Director of Planning and Zoning no less than 90 days prior to the expiration date of this ordinance (*i.e. prior to September 4, 2027*). Upon receipt of a request for an extension, the Director of Planning and Zoning shall bring the request forward to Planning and Zoning Commission and City Council for review. The Planning and Zoning Commission and City Council shall be charged with determining if an extension of the Specific Use Permit (SUP) is warranted. This shall be conducted in accordance with the process and procedures outlined in Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), and with which this ordinance was originally adopted.

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 Revision 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 4TH DAY OF DECEMBER, 2023.**

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: November 20, 2023

2nd Reading: December 4, 2023

Exhibit 'A'
Legal Description

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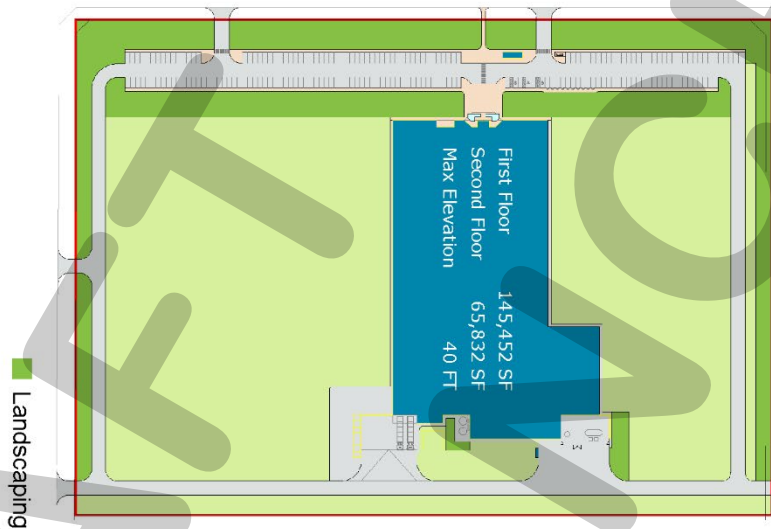
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Exhibit 'B'
Concept Plan

11



Phase 1 Plot Layout

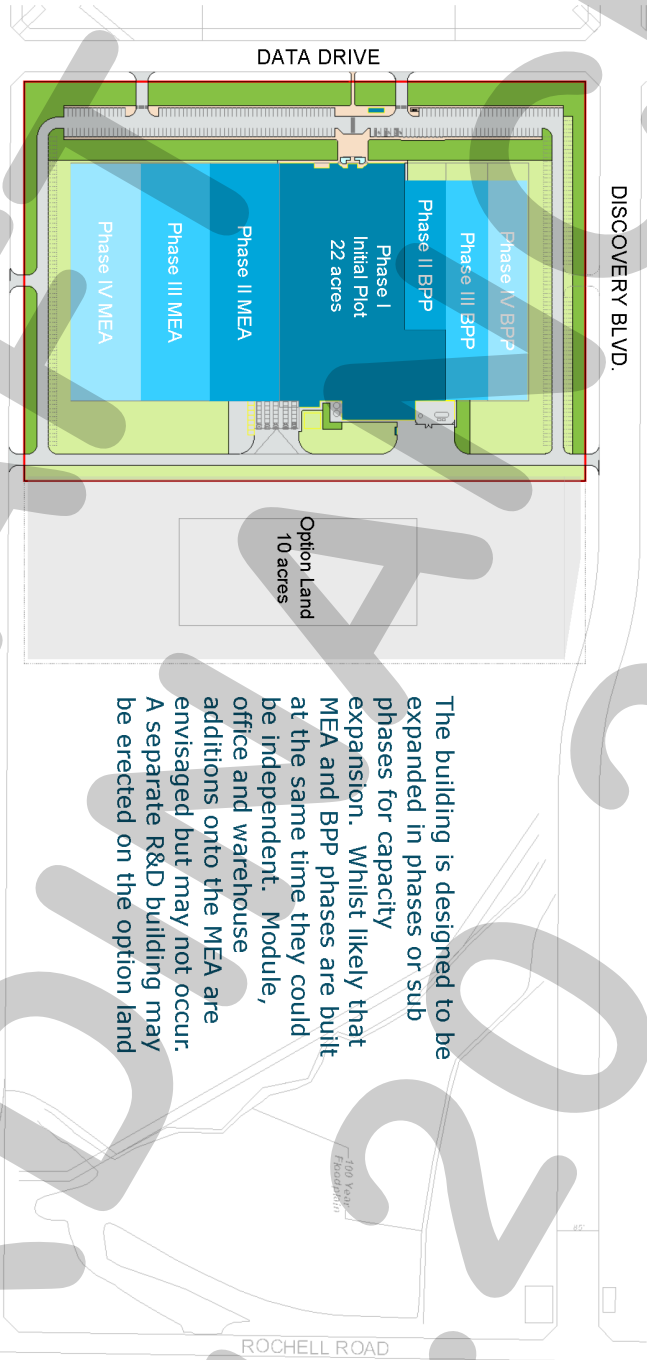
Landscaping



Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles

Exhibit 'C'
Phasing Plan

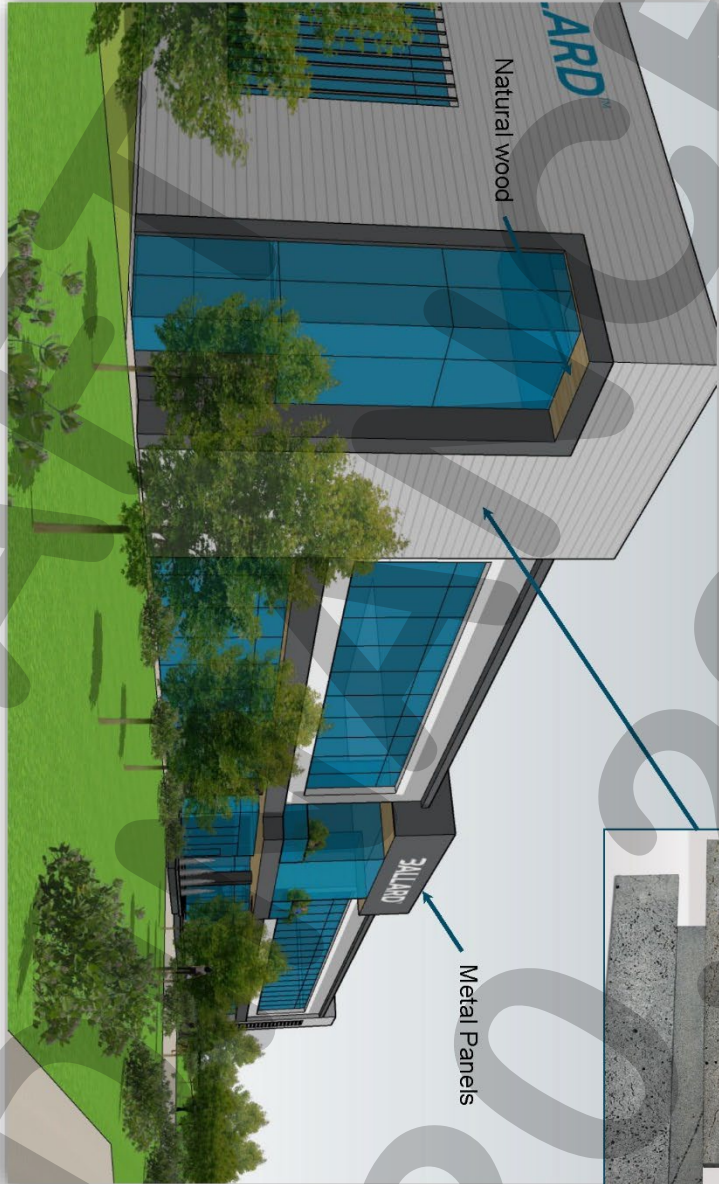
Expansion Including Option Land



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Exhibit 'D'
 Concept Building Elevations

Concept Architecture



Natural Stone



Platinum PLANC™
 Large Format Stone Veneer

PRODUCT DETAILS BELOW: This is the stone and color that inspired the Planc series with a trending color and the unique surface texture that you'll only find with natural stone. Order your sample kit today!

Metal Panels

Natural wood

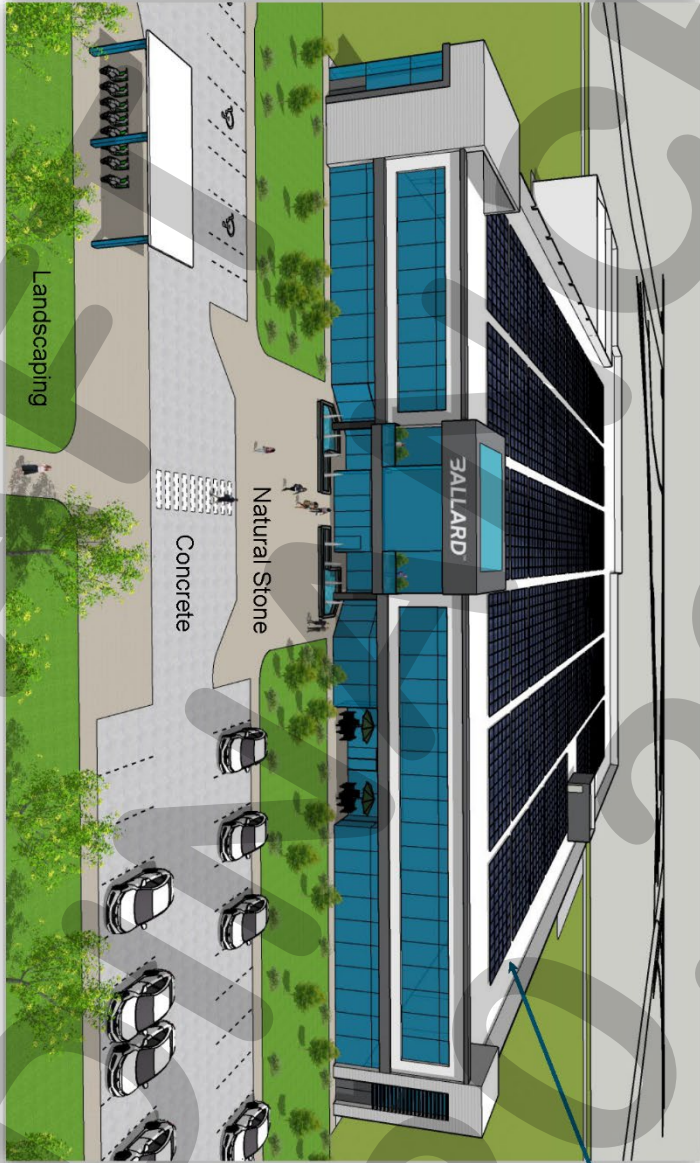


Example

BALLARD™

Exhibit 'D'
Concept Building Elevations

Concept Architecture

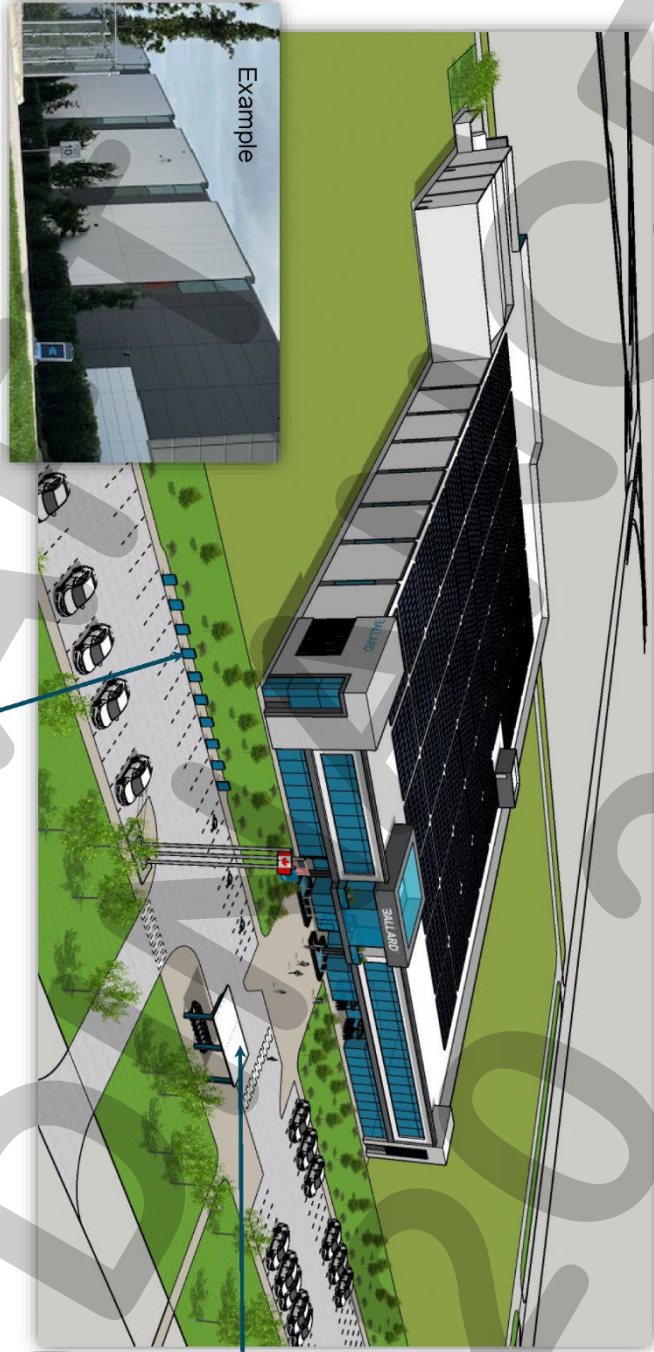


14

BALLARD™

Exhibit 'D'
Concept Building Elevations

Concept Architecture



Example

EV charging

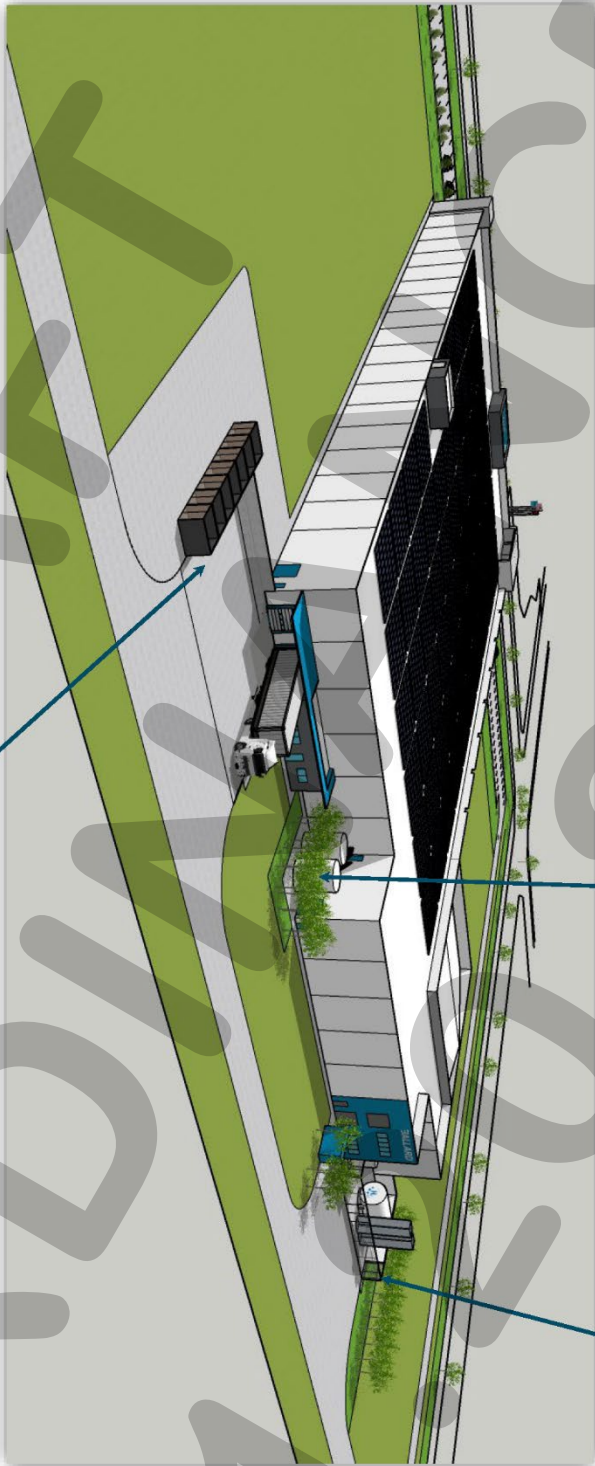
LEED requires
bike parking

BALLARDTM

Exhibit 'D'
Concept Building Elevations

16

Concept Architecture



Recycling area

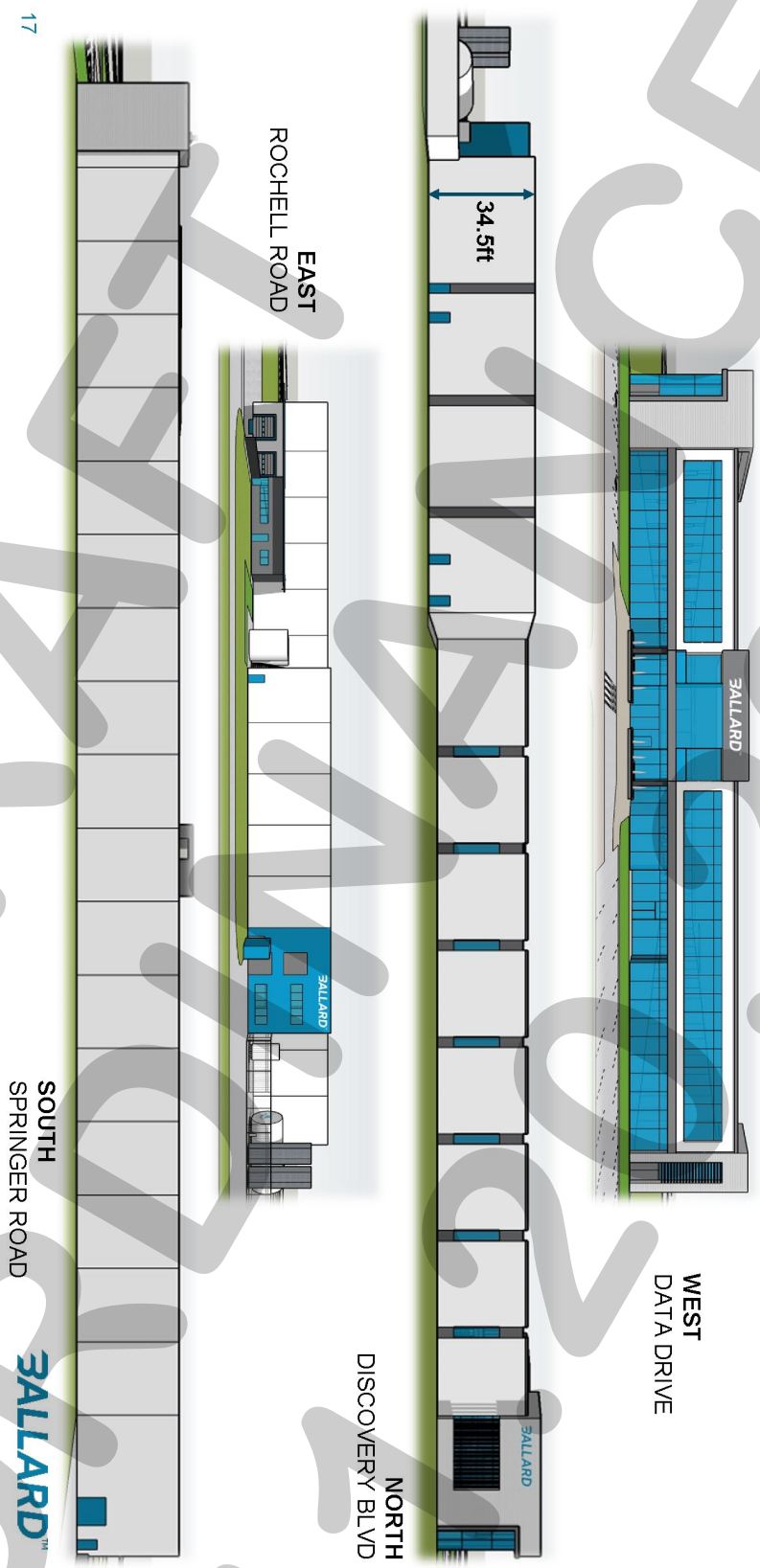
Heat Pump Tanks

Liquid Hydrogen
and Nitrogen
shielded with trees

BALLARD™

Exhibit 'D'
Concept Building Elevations

Elevations



Miller, Ryan

From: Miller, Ryan
Sent: Wednesday, October 25, 2023 4:10 PM
To: Matt Wavering
Cc: Phil Wagner
Subject: Project Comments: Z2023-049
Attachments: Draft Ordinance (10.19.2023).pdf; Project Comments (10.25.2023).pdf; Engineering Comments (10.25.2023).pdf

Mr. Wavering,

Attached are the project comments, engineering markups, and draft ordinance for your case. Please review these documents and let me know if you have any questions. We will also need you to send an email stating that you are good with moving forward with the draft ordinance. The meeting schedule for this case is as follows:

Planning and Zoning Commission Work Session: November 1, 2023 [*Wednesday*]
Planning and Zoning Commission Meeting: November 14, 2023
City Council [*First Reading*]: November 20, 2023
City Council [*Second Reading*]: December 4, 2023

Please note that all meetings will be held at 6:00 PM at 385 S. Goliad Street in the City Council Chambers. Please also note that a representative is REQUIRED to be at all meetings. Should you have any questions please let me know. Thanks.



RYAN C. MILLER, AICP

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL
972.772.6441 OFFICE
RMILLER@ROCKWALL.COM
385 S. GOLIAD STREET • ROCKWALL, TX 75087

HELPFUL LINKS | [CITY OF ROCKWALL WEBSITE](#) | [PLANNING & ZONING DIVISION WEBSITE](#) | [MUNICIPAL CODE WEBSITE](#)
[GIS DIVISION WEBSITE](#) | [UNIFIED DEVELOPMENT CODE](#)

NOTES:

- 1) APPOINTED AND ELECTED OFFICIALS: BY REPLYING ALL TO THIS EMAIL YOU MAY BE IN VIOLATION OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO THE SENDER.
- 2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD.



December 12, 2023

TO: Phil Wagner
Rockwall Economic Development Corporation
2610 Observation Trail, Suite 104
Rockwall, TX 75087

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

SUBJECT: Z2023-049; *Specific Use Permit (SUP) for Heavy Manufacturing for the REDC*

Mr. Wagner:

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall was approved by the City Council on December 4, 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) The development of Phase 1 of the Subject Property shall generally conform to the Concept Plan as depicted in Exhibit 'B' of the Specific Use Permit (SUP) ordinance.
 - (b) The development of the Subject Property shall generally conform to the Phasing Plan as depicted in Exhibit 'C' of the Specific Use Permit (SUP) ordinance.
 - (c) The development of the Subject Property shall generally conform with the architecture and design images depicted in the Concept Building Elevations contained in Exhibit 'D' of this ordinance; however, conformance to the Concept Building Elevations does not constitute a waiver, variance, or exception to any of the development requirements contained in the Unified Development Code (UDC). In addition, development of the subject property shall be subject to recommendations made by the Architecture Review Board (ARB) through the site plan review process.
 - (d) In the event that the property owner fails to complete the Phase 1 improvements depicted in Exhibit 'B' of this ordinance and does not receive a Certificate of Occupancy (CO) from the City of Rockwall within a period of four (4) years from the approval date of this ordinance (i.e. December 3, 2027) this Specific Use Permit (SUP) shall expire. If an extension of the Specific Use Permit (SUP) is necessary, the property owner shall submit a request in writing to the Director of Planning and Zoning no less than 90 days prior to the expiration date of this ordinance (i.e. prior to September 4, 2027). Upon receipt of a request for an extension, the Director of Planning and Zoning shall bring the request forward to Planning and Zoning Commission and City Council for review. The Planning and Zoning Commission and City Council shall be charged with determining if an extension of the Specific Use Permit (SUP) is warranted. This shall be conducted in accordance with the process and procedures outlined in Subsection 02.03, Procedures for Zoning Applications, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), and with which this ordinance was originally adopted.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances,

city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On November 15, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.

City Council

On November 20, 2023, the City Council approved a motion to approve the Specific Use Permit (SUP) by a vote of 6-0, with Council Member Lewis absent (1st Reading).

On December 4, 2023, the City Council approved a motion to approve the Specific Use Permit (SUP) by a vote of 5-0, with Council Members Campbell and Moeller absent (2nd Reading).

Included with this letter is a copy of Ordinance No.23-64, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,



Ryan Miller, AICP
Director of Planning and Zoning

CITY OF ROCKWALL

ORDINANCE NO. 23-64

SPECIFIC USE PERMIT NO. S-320

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *HEAVY MANUFACTURING* ON A 32.00-ACRE PORTION OF A LARGER 77.148-ACRE TRACT OF LAND IDENTIFIED AS TRACT 6 OF THE J. H. B. JONES SURVEY, ABSTRACT NO. 125, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Phil Wagner of the Rockwall Economic Development Corporation (REDC) for the approval of a Specific Use Permit (SUP) for *Heavy Manufacturing* on a 32.00-acre portion of a larger 77.148-acre tract of land identified as Tract 6 of the J. H. B. Jones Survey, Abstract No. 125, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, generally located at the southwest corner of the intersection of Data Drive and Discovery Boulevard, and being more specifically described in *Exhibit 'A'* and depicted in *Exhibit 'B'* 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 (UDC) [*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 (UDC) [*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) for a *Heavy Manufacturing* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- *as heretofore amended and as may be amended in the future* -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Heavy Manufacturing Facility* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of *Phase 1* of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) The development of the *Subject Property* shall generally conform to the Phasing Plan as depicted in *Exhibit 'C'* of this ordinance.
- 3) The development of the *Subject Property* shall generally conform with the architecture and design images depicted in the Concept Building Elevations contained in *Exhibit 'D'* of this ordinance; however, conformance to the Concept Building Elevations does not constitute a waiver, variance, or exception to any of the development requirements contained in the Unified Development Code (UDC). In addition, development of the subject property shall be subject to recommendations made by the Architecture Review Board (ARB) through the site plan review process.
- 4) In the event that the property owner fails to complete the *Phase 1* improvements depicted in *Exhibit 'B'* of this ordinance and does not receive a Certificate of Occupancy (CO) from the City of Rockwall within a period of four (4) years from the approval date of this ordinance (*i.e. December 3, 2027*) this Specific Use Permit (SUP) shall expire. If an extension of the Specific Use Permit (SUP) is necessary, the property owner shall submit a request in writing to the Director of Planning and Zoning no less than 90 days prior to the expiration date of this ordinance (*i.e. prior to September 4, 2027*). Upon receipt of a request for an extension, the Director of Planning and Zoning shall bring the request forward to Planning and Zoning Commission and City Council for review. The Planning and Zoning Commission and City Council shall be charged with determining if an extension of the Specific Use Permit (SUP) is warranted. This shall be conducted in accordance with the process and procedures outlined in Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), and with which this ordinance was originally adopted.

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 Revision 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 offense 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.

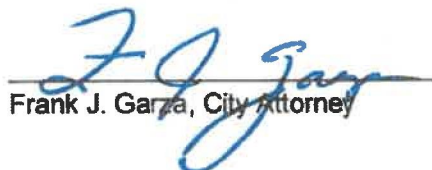
**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 4TH DAY OF DECEMBER, 2023.**


Trace Johannessen, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney

1st Reading: November 20, 2023

2nd Reading: December 4, 2023

Exhibit 'A'
Legal Description

BEING a tract of land situated in the J.B. Jones Survey, Abstract No. 125 and the J.A. Ramsey Survey, Abstract No. 186, in the City of Rockwall, Rockwall County, Texas, being part of Lot 1, Block B, of Rockwall Technology Park Phase V, an addition to the City of Rockwall, as described in Document No. 2023000006632, in the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), said Lot being part of a tract of land described in a Deed to Rockwall Economic Development Corporation, as described in Volume 5528, Page 194, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the most northerly northwest corner of said Lot 1, being in the south line of Discovery Boulevard (85-foot right-of-way);

THENCE North 88 degrees 23 minutes 40 seconds East, with the north line of said Lot 1 and the south line of said Discovery Boulevard, a distance of 929.29 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found at the point of curvature of a curve to the right, having a radius of 807.50 feet and a central angle of 13 degrees 13 minutes 52 seconds;

THENCE continuing with the north line of said Lot 1 and south line of said Discovery Boulevard, and with said curve to the right, an arc distance of 186.47 feet (Chord Bearing South 84 degrees 59 minutes 24 seconds – 186.06 feet);

THENCE South 01 degree 42 minutes 43 seconds East, departing the north line of said Lot 1 and south line of said Discovery Boulevard, a distance of 1,200.92 feet to the south line of said Lot 1, being the north line of Springer Road (80-foot right-of-way);

THENCE South 88 degrees 36 minutes 34 seconds West, with the south line of said Lot 1 and the north line of said Springer Road, a distance of 879.70 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

THENCE North 46 degrees 34 minutes 32 seconds West, continuing with the south line of said Lot 1 and north line of Springer Road, a distance of 41.45 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found in the east line of Data Drive (65-foot right-of-way);

THENCE North 01 degree 42 minutes 44 seconds West, with the west line of said Lot 1 and the east line of said Data Drive, a distance of 1,159.54 feet to a 1/2-inch iron rod with red cap stamped "PJB SURVEYING" found;

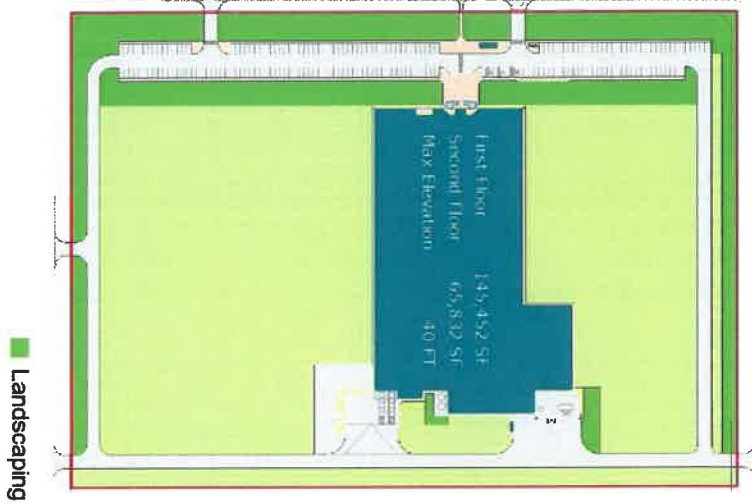
THENCE North 43 degrees 20 minutes 28 seconds East, continuing with the west line of said Lot 1 and east line of Data Drive, a distance of 42.39 feet to the *POINT OF BEGINNING* and containing 32.00 acres of land.

Exhibit 'B'
Concept Plan

Phase 1 Plot Layout



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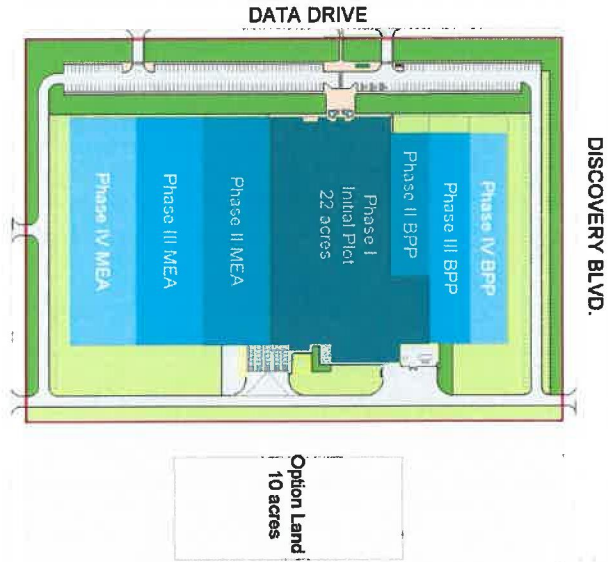
Phase 1 is positioned to enable the subsequent phases of the building with minimal disruption. Car parking provided for 201 vehicles



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Exhibit 'C'
Phasing Plan

Expansion Including Option Land

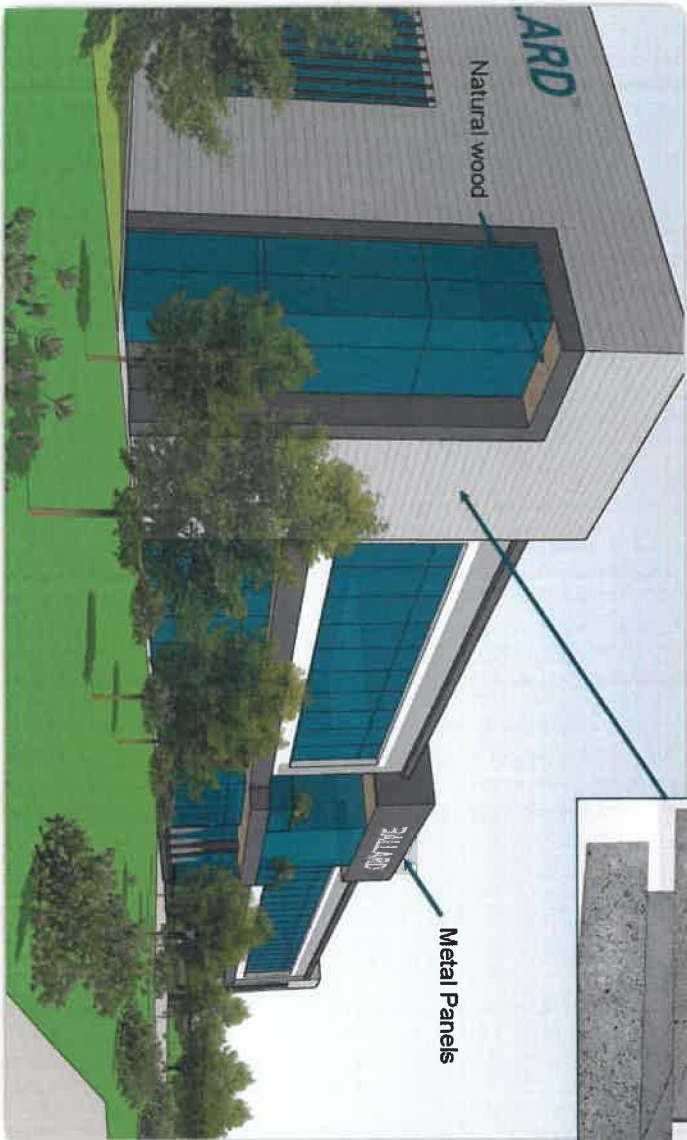


The building is designed to be expanded in phases or sub phases for capacity expansion. Whilst likely that MEA and BPP phases are built at the same time they could be independent. Module, office and warehouse additions onto the MEA are envisaged but may not occur. A separate R&D building may be erected on the option land


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Exhibit 'D'
Concept Building Elevations

Concept Architecture



Natural Stone



Platinum PLANC™
 Large Format Stone Venues

PRODUCT DETAILS BELOW: this is the stone and do not mistake the Planc Series with a trending color and the unique surface texture that you'll only find with natural stone. Order your sample kit today!

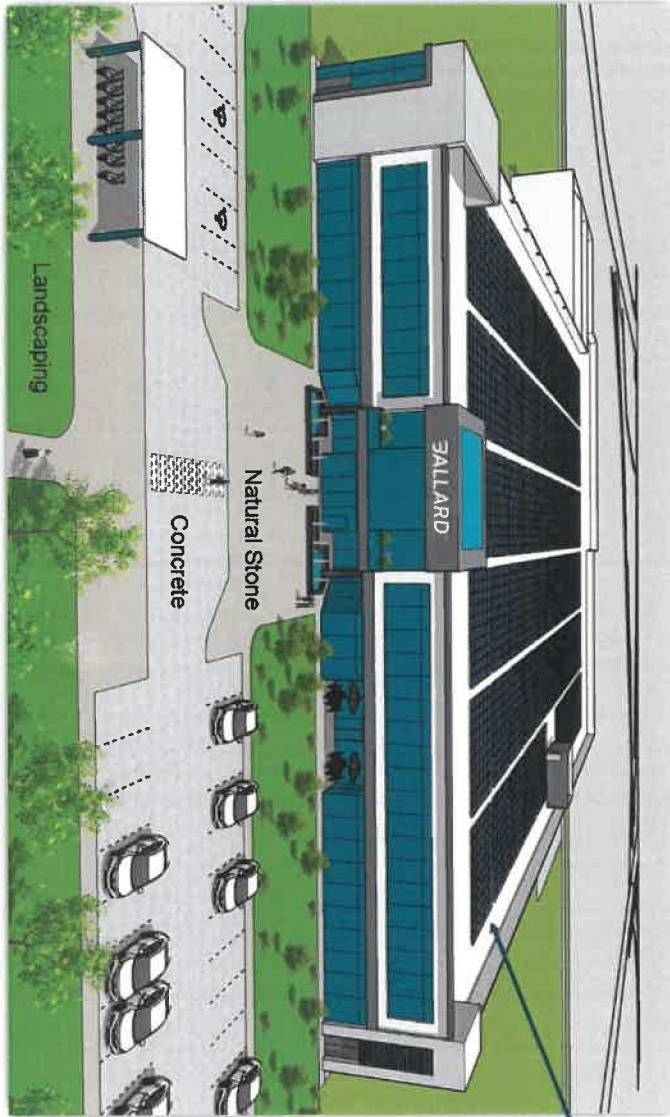


Example

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Exhibit 'D'
Concept Building Elevations

Concept Architecture



1.4MW solar PV

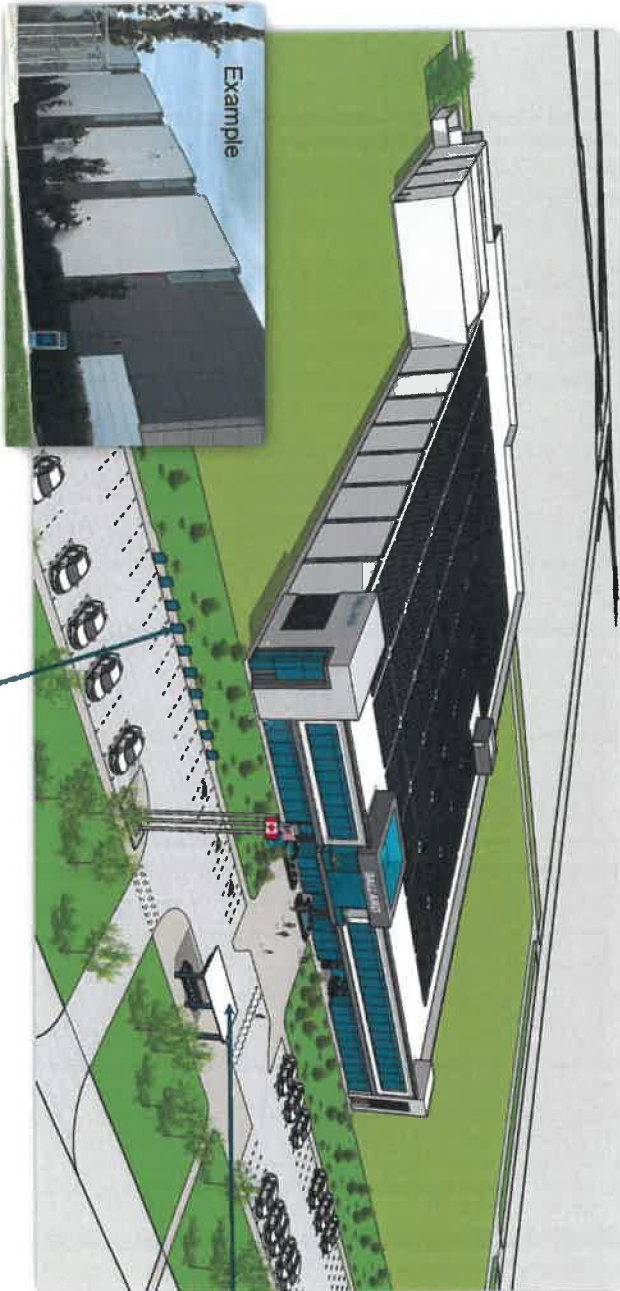
14

WEST
DATA DRIVE

BALLARD™

Exhibit 'D'
Concept Building Elevations

Concept Architecture

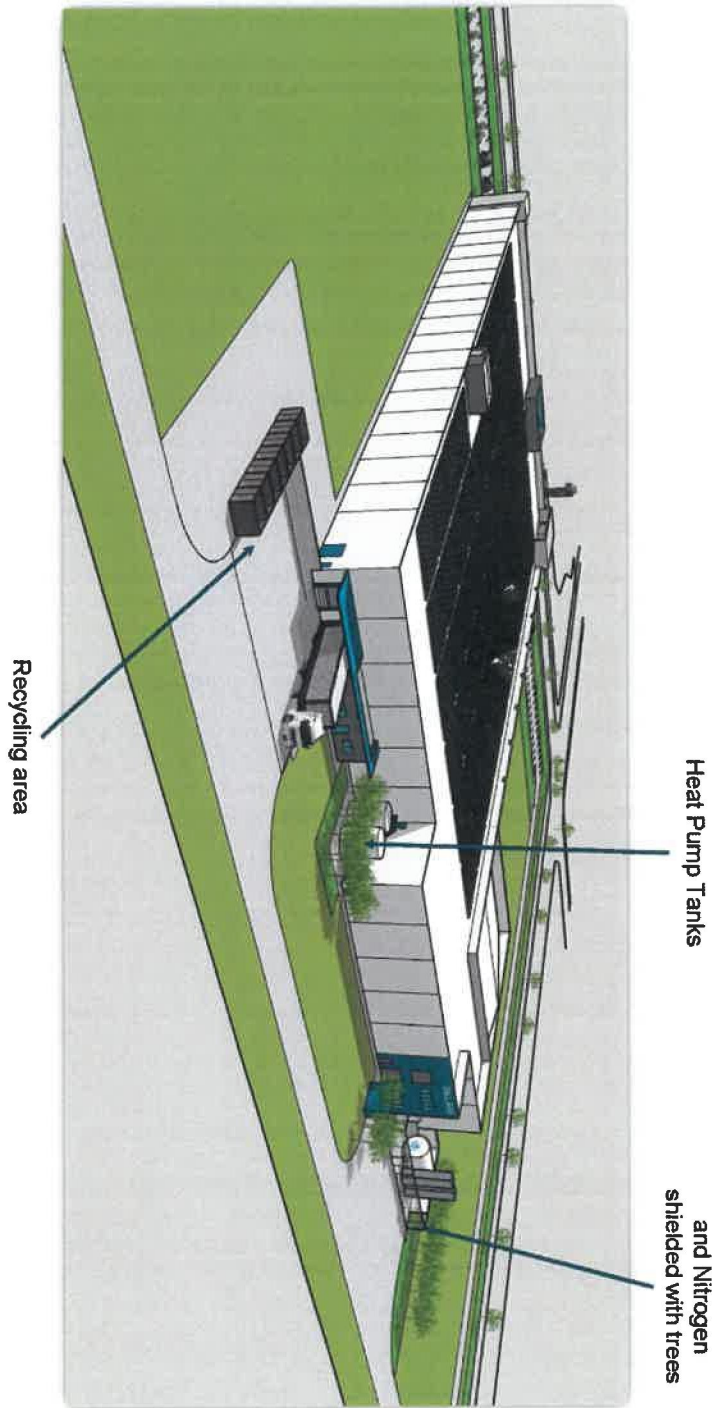


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Exhibit 'D'
Concept Building Elevations

Concept Architecture



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Exhibit 'D'
Concept Building Elevations

Elevations

