



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 **State Highway 276 and Corporate Crossing**

SUBDIVISION **Rockwall Technology Park**

LOT _____

BLOCK _____

GENERAL LOCATION **North side of SH-276, East side of Corporate Crossing**

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **Light Industrial**

CURRENT USE **Unimproved**

PROPOSED ZONING _____

PROPOSED USE **Light Industrial**

ACREAGE _____

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 **same**

CONTACT PERSON **Phil Wagner**

CONTACT PERSON _____

ADDRESS **2610 Observation Trail, 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]

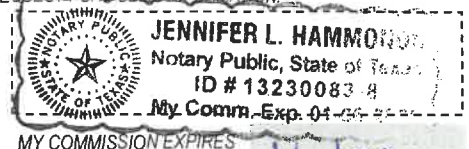
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Phil Wagner - REDC [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14th DAY OF February 2025. 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 14th DAY OF February 2025

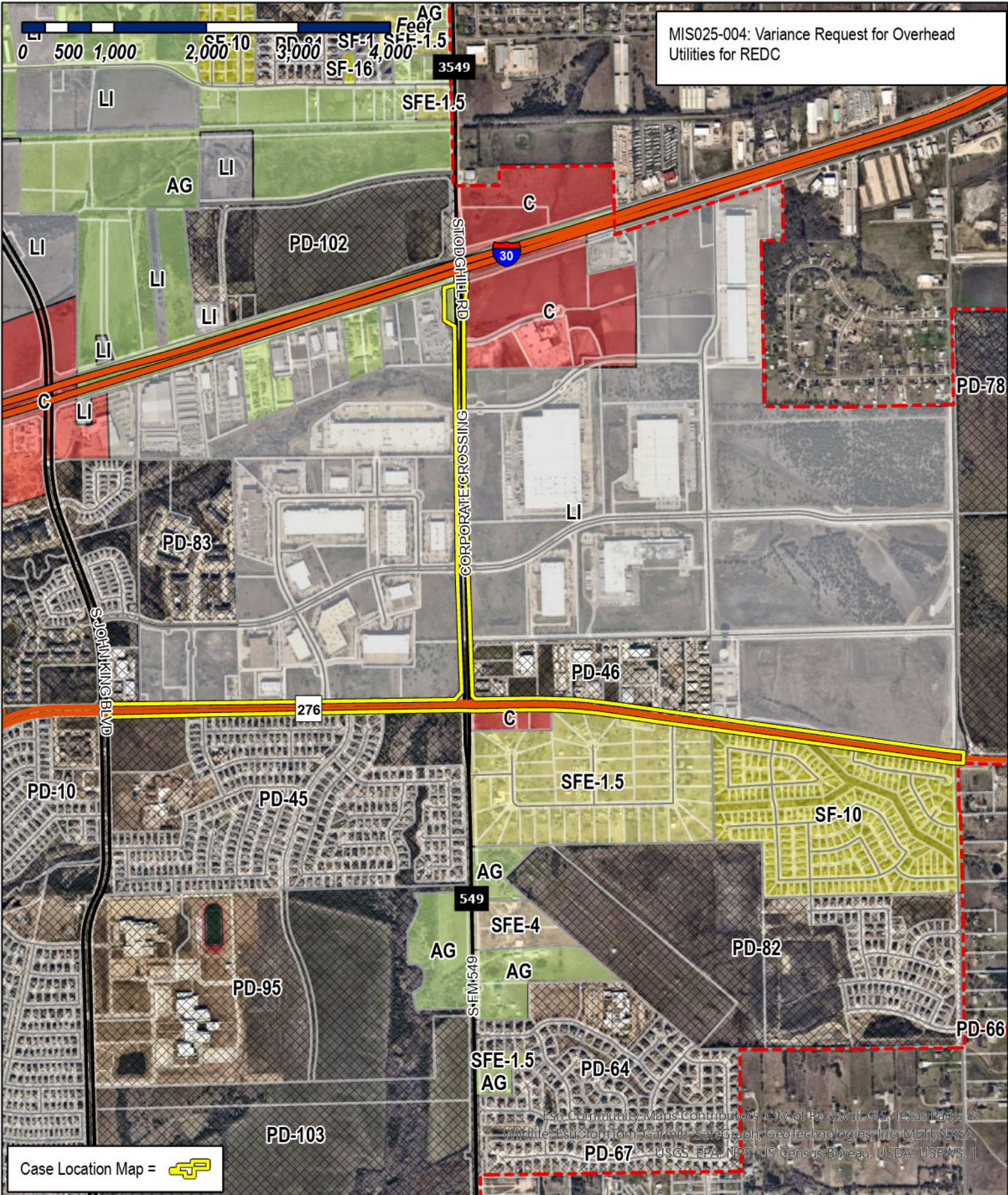
OWNER'S SIGNATURE Phil Wagner

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Jennifer L. Hammond



MY COMMISSION EXPIRES 1/6/28

MIS025-004: Variance Request for Overhead Utilities for REDC



Case Location Map =



City of Rockwall

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

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CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745 • EMAIL: PLANNING@ROCKWALL.COM

TO: Mayor and City Council
CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*
FROM: Ryan Miller, *Director of Planning and Zoning*
DATE: July 5, 2022
SUBJECT: MIS2022-011; *Variance Request to the Utility Standards Along Corporate Crossing and SH-276*

On June 17, 2022, the applicant -- *Matt Wavering of the Rockwall Economic Development Corporation* -- submitted a development application requesting a variance to allow overhead powerlines to remain along Corporate Crossing and SH-276. According to the applicant's letter "(t)he REDC has four [4] projects and two [2] regional detention ponds in the development pipeline that will be impacted by these existing OH [*overhead*] utilities [*i.e. the powerlines located adjacent to Corporate Crossing and SH-276*]." Under the City's requirements each of these projects would be required to underground the powerlines at the time of development. This requirement is stipulated in several sections of the Unified Development Code (UDC) and Municipal Code of Ordinances. Specifically, the sections relevant to these projects are as follows:

- ☑ Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the UDC:

H. Utility Placement. All overhead utilities within any overlay district shall be placed underground.

- ☑ Section 03.03, *Utility Distribution Lines*, of Article 04, *Permissible Uses*, of the UDC:

All utility distribution lines shall be placed underground. Utility distribution lines placed above-ground shall require special approval of the City Council based upon a recommendation of the Planning and Zoning Commission.

- ☑ Section 38-15, *Miscellaneous Requirements*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances:

(e) Underground utilities. All power and telephone service shall be underground. No overhead service will be allowed without special permission being given by the city council.

The applicant's letter goes on to state, that "(m)any utility companies are experiencing material and labor shortages which are driving up costs and extending project timelines ... [and] (r)ather than burdening each individual project with the costs and delays associated with the utility undergrounding, the REDC plans to coordinate a more efficient regional effort to take on the costs of undergrounding these utilities at one [1] time." In addition, the REDC plans to coordinate with third-party property owners along Corporate Crossing and SH-276 to allow these properties to participate in the project. This will significantly reduce the costs associated with undergrounding utilities on these properties. In order to achieve this goal, the REDC is requesting that a variance be granted allowing the overhead powerlines to remain in place for a period of five (5) years from the approval of the variance (*i.e. July 5, 2027*). This will allow the REDC time to coordinate this project with ONCOR and third-party property owners, and to allow supply chains and labor shortages to resolve.

According to Section 09.02, *Variances to the General Overlay District Standards*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "...an applicant may request the Planning and Zoning Commission grant a variance to any provision contained in Section 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, where unique or extraordinary conditions exist or where strict adherence to the technical requirements of this section would create an undue hardship." In addition, the Unified Development Code (UDC) also tasks the City Council with approving a variance to *Undergrounding Utility Distribution Lines* pending a recommendation from the Planning and Zoning Commission. On June 28, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request by a vote of 7-0. Staff should point out that this appears to have benefits to all

property owners along these roadways; however, variances to the unground utility requirements are discretionary decisions that are considered on a *case-by-case basis* by the City Council.

In the attached packet staff has included a map showing the project scope and the applicant's letter. Should the City Council have any questions, staff and a representative for the applicant will be available at the July 5, 2022 City Council meeting.



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CURRENT ZONING Light Industrial

CURRENT USE Unimproved

PROPOSED ZONING _____

PROPOSED USE Light Industrial

ACREAGE _____

LOTS [CURRENT] _____

LOTS [PROPOSED] _____

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

OWNER Rockwall Economic Development Corporation APPLICANT same

CONTACT PERSON Matt Wavering

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 mwavering@rockwalledc.com

E-MAIL _____

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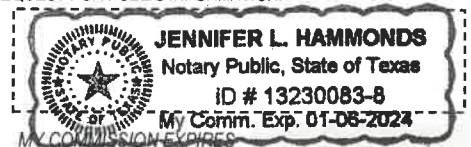
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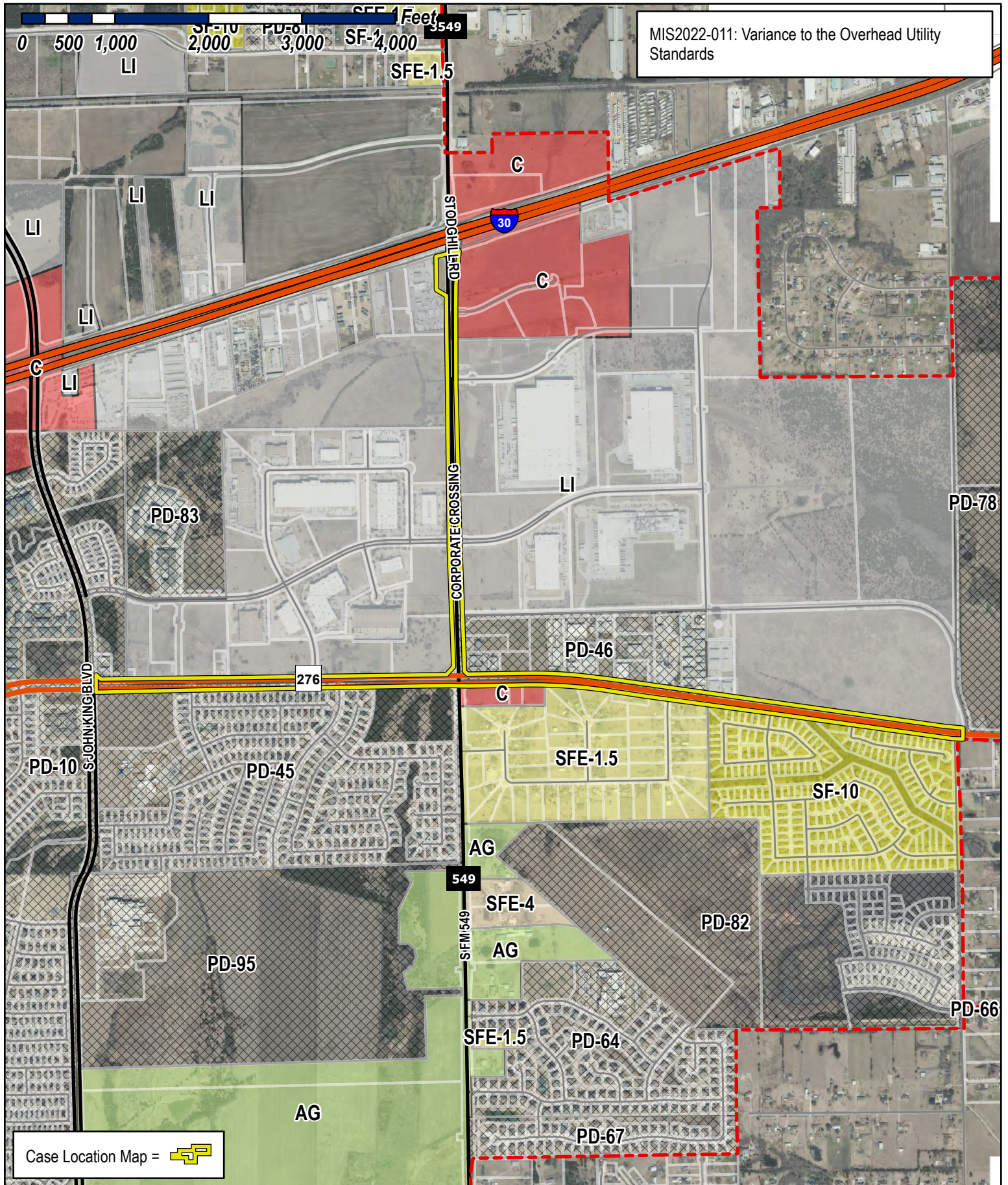
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14th DAY OF June, 2022

OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]





MIS2022-011: Variance to the Overhead Utility Standards

Case Location Map = 



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June 17, 2022

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

Re: Overhead Utility Variance – Rockwall Technology Park

Mr. Miller:

The Rockwall Economic Development Corporation (REDC) is the developer of the Rockwall Technology Park, and owns eight light industrial lots impacted by existing overhead (OH) utility lines on Corporate Crossing and State Highway 276. The attached aerial map shows the OH utilities in red and the impacted lots owned by the REDC in gold. The utility poles are owned by Oncor Electric Delivery and support major feeders for the company. Additional franchise utility providers also lease space on Oncor's utility poles.

The REDC has four projects and two regional detention ponds in the development pipeline that will be impacted by these existing OH utilities. Each project is required to contract with the franchise utility companies and pay for the cost to underground those utility lines at the time of lot development, per City of Rockwall ordinance. Many utility companies are experiencing material and labor shortages which are driving up costs and extending project timelines. Rather than burdening each individual project with the costs and delays associated with utility undergrounding, the REDC plans to coordinate a more efficient regional effort to take on the costs of undergrounding these utilities at one time.

The REDC requests a variance to the City of Rockwall's ordinance to allow the REDC the time necessary to coordinate with the utility companies. Specifically, the variance request is for a period of five years. The REDC plans to underground all OH utilities impacting lots in the Rockwall Technology Park, including the undeveloped lots and the lots currently scheduled for development. Additionally, the REDC will cooperate with third party property owners with adjacent land who wish to benefit from the cost-savings associated with a single utility relocation project. The extended time frame will allow the REDC time to coordinate the regional project and complete the undergrounding in the most cost-effective manner.

We respectfully ask that the Planning & Zoning Commission and the Rockwall City Council consider approval of our variance request.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Wavering". The signature is fluid and cursive, with a large loop at the end.

Matt Wavering
Director of Project Development

attachment



Corporate Crossing

Project Diamond

Project Cocoa Charlie

Project Bullseye

Regional Detention
Cowboy Camp

Regional Detention

State Highway 276