PLANNING AND ZONING COMMISSION MEETING AGENDA CONTROLOUNCIL CHAMBERS AT 6:0 MAY 9, 2023 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

NOTES: [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT-CASES, AND [2] TO PROVIDE INPUT ON A ZONING OR SPEICIFIC USE PERMIT CASE PLEASE CLICK HERE OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

CALL TO ORDER (I)

(II)**APPOINTMENTS**

(1) Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

(III)**OPEN FORUM**

This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

(IV) CONSENT AGENDA

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.

(2) Approval of minutes for the April 25, 2023 Planning and Zoning Commission meeting.

(3) P2023-010 (HENRY LEE)

Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Alberto Dal-Cin of Discovery Lakes, LLC for the approval of a Master Plat for the Discovery Lakes Subdivision consisting of 289 single-family residential lots on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District land uses, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

(4) P2023-011 (HENRY LEE)

Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Alberto Dal-Cin of Discovery Lakes, LLC for the approval of a Preliminary Plat for Phase 2 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 27.465-acre portion of a larger 174.5990-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) Single-Family 10 (SF-10) District land uses, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

(V) PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

(5) Z2023-021 (ANGELICA GUEVARA)

Hold a public hearing to discuss and consider a request by James Stringfellow and Bethany Rood of Stingfellow Holdings, LLC for the approval of a Zoning Change from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for a 1.2811-acre parcel of land identified as Lot 2, Block A, North Alamo Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 405 N. Alamo Road, and take any action necessary.

(6) Z2023-022 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Dewayne Cain for the approval of a <u>Specific Use Permit (SUP)</u> for a Freestanding Commercial Antenna on a 0.1234-acre tract of land identified as a portion of Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 100 (PD-100) for Single-Family 1 (SF-1) and General Retail (GR) District land uses, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

(7) Z2023-023 (RYAN MILLER)

Hold a public hearing to discuss and consider a <u>Text Amendment</u> to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) for the purpose of creating an Alcoholic Beverage Package Sales land use, and take any action necessary.

(VI) ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.

(8) P2023-012 (HENRY LEE) [POSTPONED TO THE MAY 30, 2023 PLANNING AND ZONING COMMISSION MEETING]

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Qualico Development, Inc. for the approval of a *Final Plat* for the Park Hills Subdivision consisting of 144 single-family residential lots on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 22-46] for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.

(9) SP2023-013 (BETHANY ROSS)

Discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Vache Ourfalian for the approval of a <u>Site Plan</u> to convert a single-family home into an office building on a 0.88-acre tract of land identified as Lot 4 of the Greenvalley Addition and a portion of Tract 22 of the H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1209 N. Goliad Street [SH-205], and take any action necessary.

(10) SP2023-014 (BETHANY ROSS)

Discuss and consider a request by Ashley Egan for the approval of an <u>Amended Site Plan</u> for an office building on a 0.5090-acre tract of land identified Block 80 B of the B. F. Boydston Survey, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, addressed as 108 St. Mary's Street, and take any action necessary.

(11) SP2023-015 (BETHANY ROSS)

Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of HH Retail Center, LP for the approval of a <u>Site Plan</u> for a restaurant on a 2.893-acre parcel of land identified as Lot 2, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Subdistrict of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, addressed as 2610 Sunset Ridge Drive, and take any action necessary.

(12) SP2023-016 (HENRY LEE) [POSTPONED TO THE MAY 30, 2023 PLANNING AND ZONING COMMISSION MEETING]

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Qualico Development, Inc. for the approval of a <u>Site Plan</u> for the Park Hills Subdivision consisting of 144 single-family residential lots on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183; and Planned Development District 97 (PD-97) [Ordinance No. 22-46] for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.

(13) SP2023-017 (BETHANY ROSS) [POSTPONED TO THE MAY 30, 2023 PLANNING AND ZONING COMMISSION MEETING]

Discuss and consider a request by David Srovji on behalf of Abdul Latif Khan of Center for Peace and Mercy, Inc. for the approval of a <u>Site Plan</u> for a retail shopping center and house of worship on a 2.681-acre tract of land identified as Tract 10-1 & 22 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located on the north side of Turtle Cove Boulevard north of the intersection of Turtle Cove Boulevard and Ridge Road [*FM*-740], and take any action necessary.

(VII) DISCUSSION ITEMS

- (14) Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
 - P2023-008: Conveyance Plat for Lots 1 & 2, Block A, George Moton Estates Addition (APPROVED)
 - P2023-009: Final Plat for Lots 1 & 2, Block A, Cambridge Estates Addition (APPROVED)
 - Z2023-014: Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for 512 Dickey Street (2ND READING; APPROVED)
 - Z2023-015: Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for 223 Russell Drive (2ND READING; APPROVED)
 - Z2023-017: Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* for 711 Parks Avenue (2ND READING; APPROVED)
 - Z2023-019: Text Amendment for the Credit Access Business Land Use (APPROVED; 2ND READING)
 - Z2023-020: Comprehensive Plan Amendment to Update the Master Thoroughfare Plan (MTP) (APPROVED; 2ND READING)

(VIII) ADJOURNMENT

The City of Rockwall Planning and Zoning Commission reserves the right to adjourn into executive session at any time to discuss any matters listed on the agenda above, as authorized by Texas Local Government Code §55.071 (Consultation with City Attorney) or any other exception allowed under Chapter 551 of the Texas Local Government Code.

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 772-6406 for further information.

I, Melanie Zavala, Planning and Zoning Coordinator for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on <u>May 5, 2023</u> at 5:00 PM, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

MINUTES AND ZOINING COMMISSION WORK OF COMMISSION PLANNING AND ZONING COMMISSION WORK SESSION MEETING

NOTES: [1] ADDITIONAL CASE INFORMATION CAN BE FOUND AT

HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT/DEVELOPMENT_CASES, AND [2] TO PROVIDE INPUT ON A ZONING OR SPEICIFIC USE PERMIT CASE PLEASE CLICK HERE OR CLICK ON THE LINK ABOVE AND USE THE ZONING AND SPECIFIC USE PERMIT INPUT FORM ON THE CITY'S WEBSITE.

7 CALL TO ORDER Ι.

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Chairman Thomas called the meeting to order at 6:00PM. Commissioners present were Jerry Welch, Derek Deckard, John Womble, Jean Conway and Ross Hustings. Absent from the meeting was Brian Llewellyn. Staff members present were Director of Planning and Zoning Ryan Miller, Planner Bethany Ross, Planner Henry Lee, Planning Technician Angelica Guevara Planning Coordinator Melanie Zavala, City Engineer Amy Williams, AND Assistant City Engineer Jonathan Browning. Absent from the meeting was Civil Engineer Sarah Johnston.

13 14 II. APPOINTMENTS

16 1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on 17 the agenda requiring architectural review. 18

A representative from the architectural review board gave a brief explanation concerning the agenda items that were discussed at the architectural review board meeting.

22111. OPEN FORUM 23

24 This is a time for anyone to address the Planning and Zoning Commission on any topic that is not already listed on the agenda for a public hearing. Per the 25 policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN 26 FORUM, please know that the Planning and Zoning Commission is not permitted to respond to your comments during the meeting per the Texas Open Meetings 27 28 Act.

29 Chairman Thomas explained how open forum is conducted and asked if anyone wished to speak to come forward at this time; there being no one 30 indicating such, Chairman Thomas closed the open forum. 31

32IV. CONSENT AGENDA 33

34 These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) 35 and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals. 36

- 37 2. Approval of minutes for the April 11, 2023 Planning and Zoning Commission meeting. 38
- 39 3. P2023-008 (HENRY LEE)

40 Consider a request by Daniel Boswell of RIV Properties on behalf of Brad Boswell of RIV Properties for the approval of a Conveyance Plat for Lots 1 & 2, Block 41 A, George Morton Estates Addition being a 3.59-acre tract of land identified as Lots 1 & 2, Block 1; Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 42 2, 3, & 4, Block 5; Lots 1 & 2 and a portion of Lots 3 & 4, Block 6; Lots 2, 3, & 4, Block 7; Lots 1 & 2, Block 8; and Lots 1, 2, 3, & 4, Block 9, Moton Addition, City 43 of Rockwall, Rockwall County, Texas, situated within the Hillside Mixed Use Subdistrict and the Horizon/Summer Lee Subdistrict of Planned Development 44 District 32 (PD-32), generally located at the southwest corner of the intersection of Horizon Road and Summer Lee Drive, and take any action necessary. 45

46 4. P2023-009 (BETHANY ROSS)

47 Consider a request by Bob Pruett of Urban Structure on behalf of Garrett Poindexter of Cambridge Properties, LLC for the approval of a Final Plat for Lots 1 & 2, Block A, Cambridge Estates Addition being a 6.247-acre tract of land identified as Tract 3 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall 48 49 County, Texas, zoned Planned Development District 10 (PD-10) for Commercial (C) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 50 BY-OV) District and the SH-276 Overlay (SH-276 OV) District, situated at the southeast corner of the intersection of John King Boulevard and Discovery 51 Boulevard, and take any action necessary. 52

53 Vice-Chairman Deckard made a motion to pass Consent Agenda items #2 and #4. Commissioner Welch seconded the motion which passed by a vote 54 6-0. 55

56 Vice-Chairman Deckard made a motion to pass Consent Agenda item #3. Commissioner Hustings seconded the motion which passed by a vote 5-1, 57 with Commissioner Womble abstained and Commissioner Llewelyn absent. 58

DISCUSSION ITEMS 59 V.

60 61 These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come 62 forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items 63 are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the 64 following cases is May 2, 2023.

65		
66	5.	Z2023-021 (ANGELICA GUEVARA)
67		Hold a public hearing to discuss and consider a request by James Stringfellow and Bethany Rood of Stingfellow Holdings, LLC for the approval of a Zoning
68		Change from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for a 1.2811-acre parcel of land identified as Lot 2, Block A, North Alamo
69		Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed
70		as 405 N. Alamo Street, and take any action necessary.
71		
72		Planning Technician Angelica Guevara provided a brief summary in regards to the request. The applicant is requesting approval of a zoning change
73		from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District due to the lot not having enough street frontage.
74		
75		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
76		
77	6.	. Z2023-022 (HENRY LEE)
78		Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Dewayne Cain for the approval of a Specific
79		<u>Use Permit (SUP)</u> for a Freestanding Commercial Antenna on a 0.1234-acre tract of land identified as a portion of Tract 14 of the D. Harr Survey, Abstract No.
80		102, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 100 (PD-100) for Single-Family 1 (SF-1) and General Retail (GR) District
81		land uses, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis
82		Drive, and take any action necessary.
83		
84		Planner Henry Lee provided a brief summary in regards to the request. The applicant is showing a screening that is required for the enclosure;
85		however, it still needs to meet the build line for future right-of-way for Hwy 66 which is what it is build up to now. Therefore, it would need to be an
86		additional 15-feet off. They will also need to incorporate a landscape buffer and three-tiered screening along the west side of the subject property
87		for residential adjacency. Lastly, through the SUP process we did previously for the entire PD, Staff did limit the height of the structure to 110-feet.
88 89		As of now, they're at 110-feet for the main structure, but their lighting rod does go over another 5-feet and will have to be reduced in height.
89 90		Dub Douphrate
91		2235 Ridge Road
92		Rockwall TX 75087
93		
94		Mr. Douphrate came forward and provided additional details in regard to the request.
95		
96		Brett Dozier
97		3819 Knollcrest Drive
98		Montgomery, TX 77356
99		
100		Mr. Brad also came forward and provided details in regard to the request.
100 101		
100 101 102		Mr. Brad also came forward and provided details in regard to the request. Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
100 101 102 103		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
100 101 102 103 104	7.	Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action. Z2023-023 (RYAN MILLER)
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134		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
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136	9.	P2023-011 (HENRY LEE)
137 138		Discuss and consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Alberto Dal-Cin of Discovery Lakes, LLC for the approval of a <u>Preliminary Plat</u> for Phase 2 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 27.465-acre portion of a larger 174.5990-
139		acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development
140		District 78 (PD-78) Single-Family 10 (SF-10) District land uses, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and
141		take any action necessary.
142		
143		Planner Henry Lee advised that this is for a preliminary plat for Phase 2 of the Discovery Lakes subdivision and it will be going before the Parks
144		Board on May 2, 2023.
145		
146 147		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
	10	P2023-012 (HENRY LEE)
140	10.	Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Qualico Development, Inc. for the approval of a <i>Final Plat</i> for the Park
150		Hills Subdivision consisting of 144 single-family residential lots on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin
151		Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned
152		Planned Development District 98 (PD-98) [Ordinance No. 22-46] for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay
153		(SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action
154		necessary.
155		
156 157		Planner Henry Lee advised that the applicant is requesting an extension on this item.
157		Chairman Thomas advised that this item will come back before the Commission on June 13, 2023 for discussion or action.
159		
	11.	SP2023-013 (BETHANY ROSS)
161		Discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Vache Ourfalian for the approval of a Site Plan to convert a single-
162		family home into an office building on a 0.88-acre tract of land identified as Lot 4 of the Greenvalley Addition and a portion of Tract 22 of the H. B. Jones Survey,
163		Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within
164		the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1209 N. Goliad Street [SH-205], and take any action necessary.
165 166		Diamar Bathany Basa provided brief summary in regards to the request. The applicant is requesting approval of a site plan to convert a single family
167		Planner Bethany Ross provided brief summary in regards to the request. The applicant is requesting approval of a site plan to convert a single-family home to an office building on N. Goliad Street.
168		
169		Dub Douphrate
170		2235 Ridge Road
171		Rockwall, TX 75087
172		
173 174		Mr. Douphrate came forward and provided additional details in regard to the request.
174		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
176		Chairman montas auvised that this item win come back before the commission on may 5, 2025 for discussion of action.
	12	SP2023-014 (BETHANY ROSS)
178		Discuss and consider a request by Ashley Egan for the approval of an <u>Amended Site Plan</u> for an office building on a 0.5090-acre tract of land identified Block
179		80 B of the B. F. Boydston Survey, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, addressed as 108 St. Mary's Street, and
180		take any action necessary.
181		
182 183		Planner Bethany Ross provided brief summary in regards to the request. Planner Ross advised that staff did ask for residential adjacency screening
184		along the east side of the property which would require a variance if they choose not to do that.
185		Ashley Egan
186		108 St Mary's Street
187		Rockwall, TX 75087
188		
189		Mrs. Egan came forward and provided details in regards to the request.
190		Obsime Themes added distributed in the set before the Oscialization on Marco 00000 for discussion on a the
191 192		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
	13	SP2023-015 (BETHANY ROSS)
194	10.	Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of HH Retail Center, LP for the approval of a Site
195		<u>Plan</u> for a restaurant on a 2.893-acre parcel of land identified as Lot 2, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated
196		within the Hillside Subdistrict of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, addressed as 2610 Sunset Ridge
197		Drive, and take any action necessary.
198		Discourse Dathemy Dass survival heigh summary in seconds to the survey to Discourse Dass which is the total of the second state of
199 200		Planner Bethany Ross provided brief summary in regards to the request. Planner Ross advised that staff asked the applicant to dress up the southeids of the building as well as landscaping along L 20 to buffer the patie on the front.
200		southside of the building as well as landscaping along I-30 to buffer the patio on the front.

201 202 203		Jimmy Strohmeyer 2701 Sunset Ridge Drive
204 205		Suite 601 Rockwall, TX 75032
206 207		Mr. Strohmeyer came forward and provided additional details in regard to the request.
208 209 210		Commissioner Welch asked what kind of food it would be.
210 211 212		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
213	14.	SP2023-016 (HENRY LEE)
214 215 216 217 218 219 220		Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Qualico Development, Inc. for the approval of a <u>Site Plan</u> for the Park Hills Subdivision consisting of 144 single-family residential lots on a 65.309-acre tract of land identified as the Oak Creek Subdivision; Tract 6 of the G. W. Redlin Survey, Abstract No. 183; and being portions of Tracts 1 & 6-1 of the G. W. Redlin Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 97 (PD-97) [Ordinance No. 22-46] for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, generally bounded by John King Boulevard, E. Williams Street, E. Washington Street, and Harry Myers Park, and take any action necessary.
221 222		Planner Henry Lee advised that the applicant is requesting an extension on this item.
223 224		Chairman Thomas advised that this item will come back before the Commission on June 13, 2023 for discussion or action.
225 226 227 228 229	15.	SP2023-017 (BETHANY ROSS) Discuss and consider a request by David Srovji on behalf of Abdul Latif Khan of Center for Peace and Mercy, Inc. for the approval of a <u>Site Plan</u> for a retail shopping center and house of worship on a 2.681-acre tract of land identified as Tract 10-1 & 22 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, located on the north side of Turtle Cove Boulevard north of the intersection of Turtle Cove Boulevard and Ridge Road [<i>FM</i> -740], and take any action necessary.
230 231 232 233 234		Planner Bethany Ross provided brief summary in regards to the request. She advised that staff had a few comments from ARB. The site plan was approved in 2019 but expired in 2021 so the applicants are back to get a new site plan approved where they would need to adhere to the new standards.
235 236 237 238		Ahmed Helaluzzaman 545 Coventry Drive Grapevine, TX 76051
230 239 240		Mr. Helaluzzaman came forward and provided details in regard to his request.
240 241 242		Chairman Thomas advised that this item will come back before the Commission on May 9, 2023 for discussion or action.
	16.	Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).
245 246 247 248 249 250 251 252		 P2023-006: Final Plat for Lots 1-3, Block A, Wallace Addition [APPROVED] P2023-008: Final Plat for the Terraces Subdivision [APPROVED] Z2023-014: Specific Use Permit (SUP) for <i>Residential Infill in an Established Subdivision</i> for 512 Dickey Street [1ST READING; APPROVED] Z2023-015: Specific Use Permit (SUP) for <i>Residential Infill in an Established Subdivision</i> for 223 Russell Drive [1ST READING; APPROVED] Z2023-016: Specific Use Permit (SUP) for a <i>Bail Bond Service</i> at 1901 S. Goliad Street [DENIED] Z2023-017: Specific Use Permit (SUP) for <i>Residential Infill in an Established Subdivision</i> for 711 Parks Avenue [1ST READING; APPROVED] Z2023-019: Text Amendment for the <i>Credit Access Business</i> Land Use [APPROVED; 1ST READING] Z2023-020: Comprehensive Plan Amendment to Update the Master Thoroughfare Plan (MTP) [APPROVED; 1ST READING]
253 254		Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.
255 256 257	VI.	ADJOURNMENT
258 259		Chairman Thomas adjourned the meeting at 6:33PM.
260 261 262		PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this day of, 2023.
263 264 265		Attest:
266 267		Melanie Zavala, Planning Coordinator



CITY OF ROCKWALL

PLANNING AND ZONING COMMISION MEMORANDUM

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:	May 9, 2023
APPLICANT:	Cameron Slown; Teague, Nall, & Perkins, Inc.
CASE NUMBER:	P2023-010; Master Plat for the Discovery Lakes Subdivision

SUMMARY

Consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Alberto Dal-Cin of Discovery Lakes, LLC for the approval of a <u>Master Plat</u> for the Discovery Lakes Subdivision consisting of 289 single-family residential lots on a 316.315-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) for General Retail (GR) District and Single-Family 10 (SF-10) District land uses, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

PLAT INFORMATION

- Purpose. The applicant is requesting the approval of an amending <u>Master Plat</u> for the Discovery Lakes Subdivision. The Discovery Lakes Subdivision will be constructed in eight (8) phases that will consist of 289 residential lots on a 316.315-acre tract of land (*i.e. Tract 1 of the M. E. Hawkins Survey, Abstract No. 100 and Tract 2 of the R. K. Brisco Survey, Abstract No. 16*). The proposed <u>Master Plat</u> changes the lot sizes for Phases 2 & 3 from the Type B & C lots (*i.e. Lot Type B: 70' x 110, or 7,700 SF minimums and Lot Type C: 60' x 110' or 6,600 SF minimums*) to Lot Type A lots (*i.e. 80' x 200' and 32,670 SF minimums*). A <u>Master Plat</u> indicates the phasing lines, location of the trails and open space, and the approximate location of the 100-year floodplain. Staff should note that in conjunction with the submittal of this <u>Master Plat</u>, the applicant has also submitted a *Preliminary Plat (Case No. P2023-011)* for Phase 2 of the Discovery Lakes Subdivision.
- 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, the City Council approved Ordinance No. 05-29 (Case No. Z2005-021) changing the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District. On August 17, 2015, the zoning designation of the subject property was again changed by Ordinance No. 15-24 (Case No. Z2015-016) from a Light Industrial (LI) District to Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District and limited General Retail (GR) District land uses. The City Council amended Planned Development District 78 (PD-78) on August 3, 2020 through the adoption of Ordinance No. 20-27. On November 2, 2020, the City Council approved a master plat (Case No. P2020-039) and preliminary plat (Case No. P2020-040) for the subject property. On November 15, 2021, the City Council approved a final plat (Case No. P2021-053) for a portion of the subject property being Phase 1 of the Discovery Lakes Subdivision.
- Conformance to the Subdivision Ordinance. The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional Approval. Conditional approval of this <u>Master Plat</u> by the City Council shall constitute approval subject to the conditions stipulated in the Conditions of Approval section below.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the <u>Master Plat</u> for the Discovery Lakes Subdivision staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this <u>Master Plat</u>; and,
- (2) Any construction resulting from the approval of this <u>Master Plat</u> 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:

- [VMaster Plat (\$100.00 + \$15.00 Acre) 1 (100+307.18*15=\$4707.70)
- Preliminary Plat (\$200.00 + \$15.00 Acre) 1 (200+27.46*15=\$611.90)
-] 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
- [] PD Development Plans (\$200.00 + \$15.00 Acre) 1

Other Application Fees:

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

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.

PROPERTY INFORMATION [PLEASE PRINT]

Address	попе		
Subdivision	Discovery Lakes, Phase 2	Lot	Block
General Location	27.46 Acres out of the 307 Acre Tract near th	ne NE corner of SH 276 and Roch	nelle Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	PD-78		Current Use	None	
Proposed Zoning	PD-78	38	Proposed Use	Single Family Residential	
Acreage	27.46	Lots [Current]	1	Lots [Proposed]	31

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	Discovery Lakes, LLC	[Applicant	Teague, Nall & Perkins, Inc.	
Contact Person	Alberto Dal-Cin	Contact Person	Cameron Slown	
Address	15400 Knoll Trail Drive	Address	825 Watters Creek Blvd.	
	Suite 230		Suite M300	
City, State & Zip	Dallas, Texas 75248	City, State & Zip	Allen, Texas 75013	
Phone	972-960-7944	Phone	817-889-5050	
E-Mail	roquesv@towergrouptx.com	E-Mail	cslown@tnpinc.com	

NOTARY VERIFICATION [REQUIRED]

NOTARY VERIFICATION [REQUIRED] Before me, the undersigned authority, on this day personally appeared <u>Alberto Dal Cim</u> [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 5, 5319.60, to cover the cost of this application, has been paid to the City of Rockwall on this the 32 day of 400, 2023 By signing this application, I agree that the City of Rockwall on this the 32 day of 400, 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 ALVSON DIPLACE information."

Given under my hand and seal of office on this the

lincon hi hall	My Commission Expires 03-21-2024
htor Dia	Notary ID 130589228
	Comm. Expires 03-21-2024
day of 4000, 20 23	Notary Public, State of Texas
(Amil a)	ALTOUN DIBLASI

Notary Public in and for the State of Texas

Owner's Signature

DEVELOPMENT APPLICATION • CITY OF ROCKWALL • 55 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7727





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.



UNANIMOUS CONSENT OF MAJORITY IN INTEREST OF THE CLASS A AND CLASS B MEMBERS OF DISCOVERY LAKES, LLC

The undersigned being all of the Majority in Interest of the Class A and Class B Members of Discovery Lakes, LLC, (the "Company"), hereby adopt the following resolution, which resolution shall have the force and effect as if adopted at a duly called meeting of the Members of the Company.

RESOLVED that the Majority in Interest of the Class A and Class B Members hereby appoint and elect Alberto Dal Cin as the Manager of the Company.

Executed as of this 13th day of March 2023.

[Signature Page Follows]

CLASS A MEMBER - 100%

Alberto Dal Cin

MAJORITY IN INTEREST OF CLASS B MEMBERS

DFG, LP – 64.5% a Texas limited partnership

By: Wellington Retail, Inc. Its General Partner

ust_ By: Alyson S. DiBlasi, President











COMPLIANCE WITH PD ORDINANCE 20-27 PD REQUIREMENT PROVIDED BY MASTER PLAN TOTAL NUMBER OF MAX. 428 LOTS 289 LOTS RESIDENTIAL LOTS MIN. 9,700 SF PER LOT AVERAGE OF 16,619 SF PER LOT AVERAGE LOT SIZE TYPE A: 96 LOTS TYPE A: MIN. 40 LOTS TYPE B: 170/289 = 59% OF TOTAL LOTS TYPE B:MIN. 38% OF TOTAL LOTS LOT COMPOSITION TYPE C: 23/289 = 8% OF TOTAL LOTS TYPE C: MAX. 55% OF TOTAL LOTS RESIDENTIAL DENSITY MAX. 1.40 LOTS PER GROSS ACRE 0.94 LOTS PER GROSS ACRE OPEN SPACE MIN. 20% OF GROSS LAND AREA 119.5/307.18 = 38.9%

A REAL PROPERTY AND A REAL

NOTES:

- DRAINAGE FACILITIES: STORM SEWER SYSTEM WILL BE INSTALLED UNDERNEATH THE ROADWAYS ON THE PROPERTY FOR EACH PHASE. DETENTION WILL BE PROVIDED FOR ENTIRE SITE, IF NEEDED.
- SANITARY SEWER FACILITIES: TEMPORARY ON-SITE SANITARY SEWER SYSTEMS WILL BE INSTALLED FOR TYPE A LOTS CONTAINING A MINIMUM OF 32,670 SQUARE FEET PER PD ORDINANCE 20-27. SANITARY SEWER MAIN LINES AND SERVICES TO EACH LOT WILL BE INSTALLED WITH EACH PHASE OF DEVELOPMENT AND WILL BE CONNECTED IN THE FUTURE TO THE PROPOSED BRUSHY CREEK LIFT STATION. SANITARY SEWER LINE THROUGH THE PROPERTY WILL BE A MINIMUM PIPE SIZE OF 8". 18" AND 10" GRAVITY TRUNK SANITARY SEWER LINES WILL BE INSTALLED ON THE PROPERTY PER THE CITY'S WASTEWATER MASTER PLAN.
- 2. WATER FACILITIES: THERE ARE NO EXISTING WATER LINES IMMEDIATELY ADJACENT TO THE PROPERTY. A 16" WATER LINE WILL BE INSTALLED ALONG STATE HIGHWAY NO. 276 IN PHASE 1 TO PROVIDE WATER FOR THE PROPERTY. PHASE 1 WILL INCLUDE AN 8" LOOPED WATER LINE ON SITE. PHASES 3-9 WILL INCLUDE INSTALLATION OF A 12" WATER LINE ALONG ROCHELLE ROAD PER THE CITY'S WATER MASTER PLAN. PHASES 4-8 WILL INCLUDE INSTALLATION OF A 12" WATER LINE ALONG DISCOVERY BOULEVARD PER THE CITY'S WATER MASTER PLAN.
- 3. ROADWAY FACILITIES: THE SOUTH SIDE OF THE PROPERTY IS BOUNDED BY STATE HIGHWAY NO. 276 AND THE WEST SIDE IS BOUNDED BY SPRINGER LANE AND ROCHELLE ROAD.
- 4. BETWEEN CONSTRUCTION OF PHASES TEMPORARY TURNAROUNDS WILL BE PROVIDED AS NEEDED TO SATISFY FIRE PROTECTION REQUIREMENTS.
- 5. ACCORDING TO THE FLOOD INSURANCE RATE MAP NUMBER 48397C0045L DATED SEPTEMBER 26, 2008 AND PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THIS PROPERTY INCLUDES ZONES A, AE, AND X.
- 6. PROPERTY IS ZONED AS PLANNED DEVELOPMENT DISTRICT 78 (PD-78) ORDINANCE NUMBER 20-27.

OWNER: DISCOVERY LAKES, LLC. 15400 Knoll Trail Drive, Suite 230 Dallas, Texas 75248



teague nall & perkins 825 Watters Creek Blvd., Suite M300

Allen, Texas 75013 214.461.9867 ph 214.461.9864 fx **TBPE Registration No. F-230** www.tnpinc.com

			CAPITAL IMPROVEMENTS TABLE	
PHASE	AREA		CAPITAL IMPROVEMENTS TY	/PE
#	(AC.)	WATER	SEWER	STREETS
1	33.63	16" FROM ROCHELLE RD. TO EASTERN LIMIT OF PH. 1		
2	27.47	12" ALONG DISCOVERY BLVD	ana amin'ny ara-paositra amin'ny tanàna mandritry dia kaominina dia kaominina dia kaominina dia kaominina dia k	DISCOVERY BLVD. CONSTRUCTION ALONG PH.2 FRONTAGE
3	22.59	12" ALONG DISCOVERY BLVD		DISCOVERY BLVD. CONSTRUCTION ALONG PH.3 FRONTAGE
4	12.77	12" ALONG ROCHELLE RD ALONG PH. 4 FRONTAGE	10" AND 18" SS LINE TO PROPOSED LIFT STATION PER MASTER PLAN	WIDEN ROCHELL RD. ALONG PH. 4 FRONTAGE
5	70.8			WIDEN ROCHELL RD. ALONG PH. 5 FRONTAGE TO DISCOVERY BLVD.
6	82.18	12" ALONG ROCHELLE RD ALONG PH. 6 FRONTAGE	10" SS TRUNK LINE	WIDEN ROCHELL RD. ALONG PH. 6 FRONTAG TO DISCOVERY BLVD.
7	36.71	12" ALONG DISCOVERY BLVD	10" SS TRUNK LINE	
8	21.03	16" ALONG SH 276 TO EASTERN LIMIT OF PH. 8	18" SS TRUNK LINE TO SH 276	

		PR	OPOSED PHASIN	GTABLE	ending land on a source of the second se	
	1			POSED LOT TYPES	5	
PHASE #	AREA (AC.)	TYPE A	TYPE B	TYPE C	COMMUNITY	TOTAL
		MIN. 0.75 AC.	MIN. 7,700 S.F.	MIN. 6,600 S.F.	CENTER	UNITS
1	33.63	32				32
2	27.47	31				31
3	22.59	24			1	24
4	12.77		27	12		39
5	70.8		27	11		38
6	82.18		76			76
7	36.71		40			40
8	21.03	9				9
TOTAL	307.18	96	170	23		289

PROJECT INFORMATION

1"=200'

April 14, 2023

CASE NO.

Project No.: SBD22499

Drawn By: GS9

SHEET 1 of 1

Date:

Scale:

	LEGEND
1	OPEN SPACE NUMBER
	TYPE A LOT - MIN. 80' X 200' (96 LOTS)
	TYPE B LOT - MIN. 70' X 110' (170 LOTS)
	TYPE C LOT - MIN. 60' X 110' (23 LOTS)
	PUBLIC OPEN SPACE/ LANDSCAPE BUFFER
	COMMUNITY CENTER
	WALKING TRAIL
	۸Τ

MASIER PLAT 289 Residential Lots

Discovery Lakes

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas

Drainage	Time of	Intensity	Runoff		CULATIONS	
Area	Conc.	I ₁₀₀	Coefficient	Area	Q ₁₀₀	Remarks
No. 1	(min.) 10	(in/hr) 9.80	0.50	(ac.) 0.45	(cfs) 2.21	FLOWS TO STORM INLET
2	10	9.80	0.50	1.67 1.66	8.17 8.14	FLOWS TO STORM INLET
3	10 10	9.80 9.80	0.50	2.45	12.01	FLOWS TO STORM INLET FLOWS TO STORM INLET
5	10 10	9.80 9.80	0.50	1.02	5.01 12.67	FLOWS TO STORM INLET
7	10	9.80	0.50	2.08	10.21	FLOWS TO STORM INLET
8	10	9.80	0.50	3.23	15.83	FLOWS TO STORM INLET
9 10	10 10	9.80 9.80	0.50	2.67 1.27	<u>13.08</u> 6.23	FLOWS TO STORM INLET FLOWS TO STORM INLET
11 12	10	9.80 9.80	0.50	3.18 5.99	1.18 29.36	FLOWS TO STORM INLET FLOWS TO CREEK
13	10	9.80	0.50	6.14	30.10	FLOWS TO CREEK
14	10	9.80 9.80	0.50	0.80	3.92 3.82	FLOWS TO STORM INLET
15 16	10	9.80	0.50	0.24	1.18	FLOWS TO STORM INLET
17	10	9.80 9.80	0.50	2.58 0.25	12.64 1.23	FLOWS TO STORM INLET FLOWS TO STORM INLET
18	10	9.80	0.50	2.25	11.03	FLOWS TO STORM INLET
20	10	9.80	0.50	0.36	1.76	FLOWS TO STORM INLET
21	10	9.80 9.80	0.50	2.38	11.66 27.98	FLOWS TO STORM INLET FLOWS TO CREEK
23	10	9.80	0.50	0.23	1.13	FLOWS TO STORM INLET
24 25	10 10	9.80 9.80	0.50	2.47 0.23	12.10 1.13	FLOWS TO STORM INLET FLOWS TO STORM INLET
26	10	9.80	0.50	2.11	10.34	FLOWS TO STORM INLET
27	10	9.80 9.80	0.50	0.23	1.13 10.34	FLOWS TO STORM INLET FLOWS TO STORM INLET
29	10	9.80	0.50	0.23	1.13	FLOWS TO STORM INLET
30	10	9.80 9.80	0.50	2.11 0.23	10.34 1.13	FLOWS TO STORM INLET FLOWS TO STORM INLET
32	10	9.80	0.50	2.12	10.39	FLOWS TO STORM INLET
33	10	9.80 8.30	0.50	2.28	11.17 41.37	FLOWS TO STORM INLET FLOWS TO CREEK
35	10	9.80	0.50	4.84	23.72	FLOWS TO CREEK
36	10	9.80 9.80	0.50	0.76	3.72 11.52	FLOWS TO STORM INLET FLOWS TO CREEK
39	10	9.80	0.50	2.10	10.29	FLOWS TO CREEK
40	10	9.80 9.80	0.50	2.41 2.22	11.81 10.88	FLOWS TO STORM INLET FLOWS TO STORM INLET
42	10	9.80	0.50	0.45	2.21	FLOWS TO STORM INLET
43	10	9.80 8.30	0.50	0.76	3.72 13.83	FLOWS TO CREEK
44	10	9.80	0.50	3.59	17.59	FLOWS TO CREEK
46	10	9.80	0.50	0.88	4.31	FLOWS TO STORM INLET FLOWS TO STORM INLET
47	10 10	9.80 9.80	0.50	1.73 2.05	8.48 10.05	FLOWS TO STORM INLET
49	10	9.80	0.50	1.48	7.25	FLOWS TO STORM INLET
50 51	10	9.80 9.80	0.50	1.03	5.05 9.02	FLOWS TO STORM INLET FLOWS TO STORM INLET
52	10	9.80	0.50	1.90	9.31	FLOWS TO STORM INLET
53 54	10	9.80 9.80	0.50	2.49	12.20	FLOWS TO STORM INLET
55	10	9.80	0.50	2.50	12.25 8.38	FLOWS TO STORM INLET FLOWS TO STORM INLET
<u>56</u> 57	10	9.80 9.80	0.50	1.71 0.93	4.56	FLOWS TO STORM INLET
58	10	9.80	0.50	1.56	7.64	FLOWS TO STORM INLET
59 60	10	9.80 9.80	0.50	2.47	12.10 12.10	FLOWS TO STORM INLET
61	10	9.80	0.50	2.54	12.45	FLOWS TO STORM INLET
62 63	10	9.80	0.50	2.62 0.60	12.84 2.94	FLOWS TO STORM INLET FLOWS TO STORM INLET
64	10	9.80	0.50	0.24	1.18	FLOWS TO STORM INLET
65 66	10	9.80 9.80	0.50	3.18 9.43	15.58 46.21	FLOWS TO CREEK
67	10	9.80	0.50	0.33	1.62	FLOWS TO STORM INLET
68 69	10 10	9.80 9.80	0.50	1.29	6.32 6.42	FLOWS TO STORM INLET FLOWS TO STORM INLET
70	10	9.80	0.50	2.16	10.58	FLOWS TO LANDSCAPE AREA
71 72	10	9.80 9.80	0.50	3.28 0.98	16.07 4.80	FLOWS TO STORM INLET FLOWS TO STORM INLET
72	10	9.80	0.50	0.98	3.77	FLOWS TO STORM INLET
74	10	9.80	0.50	1.44	7.06	FLOWS TO STORM INLET FLOWS TO STORM INLET
75	10	9.80 9.80	0.50	1.27	7.55	FLOWS TO STORM INLET
77	10	9.80	0.50	0.96	4.70	FLOWS TO LANDSCAPE AREA
78	20	8.30 8.30	0.35	67.17 60.81	195.13 176.65	FLOWS TO CREEK FLOWS TO CREEK
80	10	9.80	0.50	2.10	10.29	FLOWS TO STORM INLET
81 82	10	9.80	0.50	1.38	6.76 10.29	FLOWS TO STORM INLET FLOWS TO CREEK
83	10	9.80	0.50	2.98	14.60	FLOWS TO STORM INLET
84	10	9.80	0.50	0.93	4.56	FLOWS TO STORM INLET FLOWS TO CREEK
86	10	9.80	0.50	1.49	7.30	FLOWS TO CREEK
<u>87</u> 88	10	9.80	0.50	0.68	10.39 3.33	FLOWS TO STORM INLET FLOWS TO STORM INLET
89	10	9.80	0.50	0.42	2.06	FLOWS TO CREEK
<u>90</u> 91	10	9.80	0.50	0.94	4.61	FLOWS TO CREEK FLOWS TO STORM INLET
92	10	9.80	0.50	1.91	9.36	FLOWS TO STORM INLET
93 94	10 10	9.80 9.80	0.50	1.58	7.74	FLOWS TO STORM INLET FLOWS TO STORM INLET
94	10	9.80	0.50	1.99	9.75	FLOWS TO STORM INLET
96	10	9.80	0.50	1.99	9.75 8.48	FLOWS TO STORM INLET FLOWS TO CREEK
97	10	9.00	0.50	1.13	34.10	FLOWS TO CREEK

Master Drainage Plan 289 Residential Lots

Discovery Lakes

OWNER: DISCOVERY LAKES, LLC. 15400 Knoll Trail Drive, Suite 230 Dallas, Texas 75248

interview the second second

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas



Allen, Texas 75013

214.461.9867 ph 214.461.9864 fx

TBPE Registration No. F-230

www.tnpinc.com

PROJECT INFORMATION

Project No.: SBD22499 Date: April 14, 2023 Drawn By: CAS Scale: 1"=200'

SHEET 3 of 3

CASE NO. P



CITY OF ROCKWALL

PLANNING AND ZONING COMMISION MEMORANDUM

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

Planning and Zoning Commission
May 9, 2023
Cameron Slown; Teague, Nall, & Perkins, Inc.
P2023-011; Preliminary Plat for Phase 2 of the Discovery Lakes Subdivision

SUMMARY

Consider a request by Cameron Slown, PE of Teague, Nall & Perkins, Inc. on behalf of the Alberto Dal-Cin of Discovery Lakes, LLC for the approval of a <u>Preliminary Plat</u> for Phase 2 of the Discovery Lakes Subdivision consisting of 31 single-family residential lots on a 27.465-acre portion of a larger 174.5990-acre tract of land identified as Tract 1 of the M. E. Hawkins Survey, Abstract No. 100, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 78 (PD-78) Single-Family 10 (SF-10) District land uses, generally located at the northeast corner of the intersection of SH-276 and Rochelle Road, and take any action necessary.

PLAT INFORMATION

- Purpose. The purpose of the applicant's request is to <u>Preliminary Plat</u> a 27.465-acre tract of land (*i.e. Tract 1 of the M. E. Hawkins Survey, Abstract No. 100*) to show the future establishment of 31 Type A (*i.e. 80' x 200' or 32,670 SF minimum*) single-family residential lots (*i.e. Lots 1-17, Block A; Lots 1-14, Block B, Discovery Lakes Phase 2 Subdivision*). The proposed Preliminary Plat also lays out the necessary easements (*e.g. fire lane, public access/right-of-way, utilities, and drainage*) for the future development of the residential subdivision. Staff should note that in conjunction with the submittal of this <u>Preliminary Plat</u>, the applicant has also submitted a *Master Plat* (*Case No. P2023-010*) to amend the previously approved *Master Plat (i.e. Case No. P2020-039*)
- 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, the City Council approved Ordinance No. 05-29 (Case No. Z2005-021) changing the zoning of the subject property from an Agricultural (AG) District to a Light Industrial (LI) District. On August 17, 2015, the zoning designation of the subject property was again changed by Ordinance No. 15-24 (Case No. Z2015-016) from a Light Industrial (LI) District to Planned Development District 78 (PD-78) for Single-Family 10 (SF-10) District and limited General Retail (GR) District land uses. The City Council amended Planned Development District 78 (PD-78) on August 3, 2020 through the adoption of Ordinance No. 20-27. On November 2, 2020, the City Council approved a master plat (Case No. P2020-039) and preliminary plat (Case No. P2020-040) for the subject property. On November 15, 2021, the City Council approved a final plat (Case No. P2021-053) for a portion of the subject property being Phase 1 of the Discovery Lakes Subdivision.
- ☑ <u>*Parks Board*</u>. On May 2, 2023, the Parks and Recreation Board reviewed the <u>*Preliminary Plat*</u> and made the following recommendations concerning the proposed subdivision.
 - (1) The property owner shall pay pro-rata equipment fees of \$9,603.80 (*i.e.* \$309.80 x 31 Lots).
 - (2) The property owner shall pay cash-in-lieu of land fees of \$10,233.10 (*i.e.* \$330.10 x 31 Lots).
- Conformance to the Subdivision Ordinance. The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

Conditional Approval. Conditional approval of this <u>Preliminary Plat</u> by the City Council shall constitute approval subject to the conditions stipulated in the Conditions of Approval section below.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the <u>Preliminary Plat</u> for Phase 2 of the Discovery Lakes Subdivision staff would propose the following conditions of approval:

- (1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this <u>Preliminary Plat</u>; and,
- (2) The development shall adhere to the Parks and Recreation Department's recommendations as outlined above in this case memo; and,
- (3) Any construction resulting from the approval of this <u>Preliminary Plat</u> 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 APPLICA City of Rockwall Planning and Zoning Departmen 385 S. Goliad Street Rockwall, Texas 75087		STAFF USE ONLY PLANNING & ZONING CASE NO. PROTE: 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 app	ropriate box below to indicate the type of devel	lopment req	uest [SELECT ONLY ONE BOX]:
 [Preliminary Plat [] Final Plat (\$300. [] Replat (\$300.00 [] Amending or Mi)0.00 + \$15.00 Acre) 1 (100+307.18*15=\$4707.70) (\$200.00 + \$15.00 Acre)1(200+27.46*15=\$611.90) 00 + \$20.00 Acre)1	[] Zor [] Spe [] PD Other A [] Tre	Application Fees: iing Change (\$200.00 + \$15.00 Acre) ¹ cific Use Permit (\$200.00 + \$15.00 Acre) ¹ Development Plans (\$200.00 + \$15.00 Acre) ¹ Application Fees: e Removal (\$75.00) iance Request (\$100.00)
Site Plan Applicatio	n Fees:)0 + \$20.00 Acre) ¹	Notes:	ermining the fee, please use the exact acreage when multiplying by the

[] Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

PROPERTY INFORMATION [PLEASE PRINT]

Address

none

per acre amount. For requests on less than one acre, round up to one (1) acre.

Subdivision	Discovery Lakes, Phase 2	Lot	Block
General Location	27.46 Acres out of the 307 Acre Tract near the NE corner	of SH 276 and F	Rochelle Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	PD-78		Current Use	None	
Proposed Zoning	PD-78		Proposed Use	Single Family Residential	
Acreage	27.46	Lots [Current]	1	Lots [Proposed]	31

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of <u>HB3167</u> 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	Discovery Lakes, LLC	[Applicant	Teague, Nall & Perkins, Inc.
Contact Person	Alberto Dal-Cin	Contact Person	Cameron Slown
Address	15400 Knoll Trail Drive	Address	825 Watters Creek Blvd.
	Suite 230		Suite M300
City, State & Zip	Dallas, Texas 75248	City, State & Zip	Allen, Texas 75013
Phone	972-960-7944	Phone	817-889-5050
E-Mail	roquesv@towergrouptx.com	E-Mail	cslown@tnpinc.com

NOTARY VERIFICATION [REQUIRED]

NOTARY VERIFICATION [REQUIRED] Before me, the undersigned authority, on this day personally appeared.	Allogenter to	10					
Before me, the undersigned authority, on this day personally appeared ,	HI WEY TO DO	alln	[Owner] the under	rsigned, who s	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 $\frac{$5,319.60}{}$, to cover the cost of this application, has been paid to the City of Rockwall on this the 37 day of 4000 and 5000 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." J_____

injerni uzieli.	7th And 2	ALYSON DIBLASI
Given under my hand and seal of office on this the	2 day of 10/1 , 20 <u>2</u> 3	Notary Public, State of Texas
	dilp.	OF Comm. Expires 03-21-2024
Owner's Signature	Apto Char	Notary ID 130589228
Notary Public in and for the State of Texas	alisson hichasi	My Commission Expires 03-21-2024

DEVELOPMENT APPLICATION • CITY OF ROCKWALL • \$5 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745 • [F] (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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UNANIMOUS CONSENT OF MAJORITY IN INTEREST OF THE CLASS A AND CLASS B MEMBERS OF DISCOVERY LAKES, LLC

The undersigned being all of the Majority in Interest of the Class A and Class B Members of Discovery Lakes, LLC, (the "Company"), hereby adopt the following resolution, which resolution shall have the force and effect as if adopted at a duly called meeting of the Members of the Company.

RESOLVED that the Majority in Interest of the Class A and Class B Members hereby appoint and elect Alberto Dal Cin as the Manager of the Company.

Executed as of this 13th day of March 2023.

[Signature Page Follows]

CLASS A MEMBER - 100%

Alberto Dal Cin

MAJORITY IN INTEREST OF CLASS B MEMBERS

DFG, LP – 64.5% a Texas limited partnership

By: Wellington Retail, Inc. Its General Partner

usl_ By: Alyson S. DiBlasi, President



CASENO.



NOTE: PER PD-78 ALL TYPE A LOTS W/MIN 32,670 SF (0.75 AC.) SHALL HAVE TEMPORARY OSSF THAT CONFORM TO TCEQ STANDARDS. SANITARY SEWER MAINS, LATERALS AND LOT SERVICES WILL BE PROVIDED DURING CONSTRUCTION OF PHASE 1 AS SHOWN. ALL LOTS WILL DISCONNECT FROM OSSF AND CONNECT TO LOT SERVICES WHEN FUTURE OFFSITE SANITARY SEWER IS MADE AVAILABLE.



tnp

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100

TYPICAL WATER & SEWER DETAIL NT.S.

Preliminary Water & Sewer Plan 31 Residential Lots

Discovery Lakes Phase 2

Being a 307.18 Ac. Tract of land situated in the M.E. Hawkins Survey, Abstract No. 100 and the Robert K. Briscoe Survey, Abstract No. 16 in the City of Rockwall, Rockwall County Texas

OWNER: DISCOVERY LAKES, LLC. 15400 Knoll Trail Drive, Suite 230 Dallas, Texas 75248



teague nall & perkins 825 Watters Creek Blvd., Suite M300

Allen, Texas 75013 214.461.9867 ph 214.461.9864 fx TBPE Registration No. F-230 www.tnpinc.com PROJECT INFORMATION Project No.: SBD22499 Date: APRIL 14, 2023 Drawn By: TNP Scale: 1"=100'

SHEET 1 of 1

CASE NO. P



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:	May 9, 2023
APPLICANT:	James Stringfellow and Bethany Rood
CASE NUMBER:	Z2023-021; Zoning Change from Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District

SUMMARY

Hold a public hearing to discuss and consider a request by James Stringfellow and Bethany Rood of Stringfellow Holdings, LLC for the approval of a <u>Zoning Change</u> from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for a 1.2811acre parcel of land identified as Lot 2, Block A, North Alamo Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 405 N. Alamo Road, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1911 based on the April 1911 Sanborn Maps. According to the January 3, 1972 zoning map, the subject property was zoned Single-Family 2 (SF-2) District. The zoning designation of the subject property changed from a Single-Family 2 (SF-2) District to a Single-Family 10 (SF-10) District sometime between January 3, 1972 and May 16, 1983 based on the City's historic zoning maps. The subject property has remained zoned Single-Family 10 (SF-10) District since this change. On May 16, 2022, the City Council approved a replat [*i.e. Case Number P2022-018*] for the purpose of creating two (2) lots [*i.e. Lots 1 & 2, Block A, North Alamo Addition*].

PURPOSE

On April 14, 2023, the applicants -- James Stringfellow and Bethany Rood -- submitted an application requesting to change the zoning of the *subject property* from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for the purpose of subdividing the property into two (2) lots to allow the construction of two (2) single-family homes.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 405 N. Alamo Road. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property are three (3) residential lots (*i.e.* 503, 505, & 601 N. Alamo Road) that form part of the Amick Subdivision, which consists of 38 residential lots on 9.79-acres of land zoned Single-Family 10 (SF-10) District. Beyond this are three (3) additional residential lots (*i.e.* 603, 605, & 703 N. Alamo Road) that make up the Alamo Valley Subdivision, and are zoned Single-Family 10 (SF-10) District. North of these properties are N. West Street and W. Heath Street, which are identified as *Minor Collectors* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- South: Directly south of the subject property is one (1) vacant tract of land (*i.e. Lots 2, 3, & 6, Block A, Old Town Rockwall Addition*) and two (2) lots addressed as 301 & 303 N. Alamo Road. These properties are currently being used for retail or office land uses (*i.e. Candles by Carol and Bedford Survey*). Beyond this is E. Interurban Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. South of this are four (4) lots addressed as 201 N. West Street, 204 N. West Street, 201 N. Alamo Road, and 203 N. Alamo Road. Beyond this is W. Kaufman Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040.

- *East*: Directly east of the subject property is N. Alamo Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are two (2) tracts of land (*i.e. Lot 16, Block 18A SW PT, Amick Addition and Lot 20, Block 19C, Amick Addition*) that are zoned Single-Family 7 (SF-7) District. East of these properties is N. Goliad Street, which is identified as a P3U (*i.e. principal arterial, three (3) lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- <u>West</u>: Directly west of the subject property is the Highwood Subdivision, which is zoned Single-Family 10 (SF-10) District and consists of 74 residential lots on 26.45-acres. Beyond this is the Highland Hills Subdivision, which is zoned Single-Family 10 (SF-10) District and consists of 59 residential lots on 22.40-acres.

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 1.2811-acre parcel of land from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for the purpose of subdividing the property into two (2) residential lots to facilitate constructing a single-family home on each lot. It should be noted, that if this zoning change is approved, the applicant will be required to subdivide the subject property into two (2) buildable lots and apply for a Specific Use Permit (SUP) for *Residential Infill* to allow the construction of the future homes.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.09, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family 7 (SF-7) District is the proper zoning classification for single-family developments with smaller lots... (t)hese developments are typically in areas adjacent to low-intensity non-residential land uses, in or around the Old Town Rockwall (OTR) Historic District; where they will serve as a logical transition from higher to lower density residential zoning districts." In this case, the majority of the properties adjacent to N. Alamo Road are zoned Single-Family 10 (SF-10) District or Single-Family 7 (SF-7) District, Downtown (DT) District and Planned Development District 50 (PD-50). Staff should point out that there are also two (2) properties east of the subject property that are zoned Single-Family 7 (SF-7) District. In addition, northeast of the property, are nine (9) other properties zoned Single-Family 7 (SF-7) District. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family 7 (SF-7) District, which are summarized as follows:

Number of Dwelling Units/Lot	1.0
Number of Dwelling Units/Acre	6.2
Minimum Dwelling Unit	1,100 SF
Minimum Lot Area	7,000 SF
Minimum Lot Width	60-Feet
Minimum Lot Depth	100-Feet
Minimum Front Yard Setback	20-Feet
Minimum Rear Yard Setback	10-Feet
Minimum Side Yard Setback	6-Feet
Between Buildings	10-Feet
Building Height	32-Feet
Maximum Lot Coverage	45%
Required Parking Spaces	2

TABLE 1: SINGLE-FAMILY 7 ((SF- 7) DISTRICT D	DEVELOPMENT	STANDARDS

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the <u>North Lakeshore</u> <u>District</u> and is designated for <u>Medium Density Residential</u> land uses. The <u>Medium Density Residential</u> land use is defined as "...residential subdivisions that are greater than two and one-half (2 ½) units per gross acre or but not higher than three (3) units per gross acre ...". Based on this the proposed zoning change conforms to the Comprehensive Plan. In addition, the OURHometown Vision 2040 Comprehensive Plan seeks to "...(p)reserve the City's current residential to non-residential land use ratio (*i.e. 80% Residential; 20% Commercial*) in order to maintain a balance mix of land uses for fiscal sustainability ..." [Section 02.01; CH. 1; Page 1-1]. In this case, the proposed zoning change conforms to the Future Land Use Map contained in the OURHometown Vision 2040 Comprehensive Plan, which was designed around the desired 80% / 20% land use ratio. In addition, the proposed zoning change does not change land use ratio. Based on this the proposed zoning change does not affect the current residential to non-residential percentage.

NOTIFICATIONS

On April 18, 2023, staff notified 136 property owners and occupants within 500-feet of the subject property. Staff also notified the Preserve Homeowner's Association (HOA), which was the only Homeowner's Association (HOA) or Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had received two (2) notices in favor, one (1) email in favor and one (1) notice in opposition of the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District, then staff would propose the following conditions of approval:

(1) Any construction resulting from the approval of this <u>Zoning Change</u> 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 APPLIC City of Rockwall Planning and Zoning Departmen 385 S. Goliad Street Rockwall, Texas 75087	ht	STAFF USE ONLY PLANNING & ZONING <u>NOTE:</u> THE APPLICAT, CITY UNTIL THE PLAN SIGNED BELOW. DIRECTOR OF PLANN CITY ENGINEER:	ION IS NOT CONS NING DIRECTOR A	AND CITY ENGIN	TED BY THE
PLATTING APPLIC MASTER PLAT PRELIMINARY FINAL PLAT (\$3 REPLAT (\$300.0 AMENDING OR PLAT REINSTAT SITE PLAN APPLIC SITE PLAN (\$25	(\$100.00 + \$15.00 ACRE) 1 PLAT (\$200.00 + \$15.00 ACRE) 1 00.00 + \$20.00 ACRE) 1 00 + \$20.00 ACRE) 1 MINOR PLAT (\$150.00) TEMENT REQUEST (\$100.00)	ZONING ZONII D SPEC D PD DE OTHER A TREE VARIA NOTES: * IN DETER PER ACRE A	NT REQUEST [SELECT APPLICATION FEES: NG CHANGE (\$200.00 - IFIC USE PERMIT (\$20 EVELOPMENT PLANS (APPLICATION FEES: REMOVAL (\$75.00) ANCE REQUEST/SPEC MINING THE FEE, PLEASE USI MOUNT. FOR REQUESTS ON 00 FEE WILL BE ADDED TO CONSTRUCTION WITHOUT OR	- \$15.00 ACRE) 1 0.00 + \$15.00 AC \$200.00 + \$15.00 AL EXCEPTION THE EXACT ACREA THE APPLICATION THE APPLICATION	CRE) 1 ^{& 2} D ACRE) 1 S (\$100.00) ² GE WHEN MULTIPL' EFE FOR ANY REC	NE (1) ACRE. QUEST THAT
PROPERTY INFO	DRMATION [PLEASE PRINT]					
	North Alamo fidaiti	้อก	↓ 7508 LOT	72	BLOCK	A
GENERAL LOCATION	405 N Alamo Kel. Rock	uell, TX	75087			RES I
ZONING, SITE PI	AN AND PLATTING INFORMATION [PL	EASE PRINT]				
CURRENT ZONING	SFIO	CURREN	TUSE Lotor	i land		
PROPOSED ZONING	SF7	PROPOSE	DUSE 2 rasic	entia	homes	
ACREAGE	LOTS [CURRE	NT] 1.251	LO.	IS [PROPOSED]	1.251	
REGARD TO ITS	<u>DPLATS:</u> BY CHECKING THIS BOX YOU ACKNOWLEDG APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY ENIAL OF YOUR CASE.	E THAT DUE TO TH OF STAFF'S COMME	E PASSAGE OF <u>HB3167</u> NTS BY THE DATE PROV	THE CITY NO LC /IDED ON THE DE	NGER HAS FLE VELOPMENT CA	XIBILITY WITH LLENDAR WILL
· · · ·	ANT/AGENT INFORMATION [PLEASE PRINT	CHECK THE PRIMA	RY CONTACT/ORIGINAL	SIGNATURES ARE	E REQUIRED]	
OWNER	Stringfellow holdings, LLC		and the second se			
CONTACT PERSON	Britteny Loodor sames stringte	CONTACT PER	RSON			
ADDRESS	Britteny Koodor James Stringtel 5023 Parkview	ADD	RESS			
CITY, STATE & ZIP	Addison, TX 7500	CITY, STATE	& ZIP			
	469-450-5576	PH	IONE		See Sta	
E-MAIL	Sames @ Stringiellow holdings . Com	n E-	MAIL			
NOTARY VERIFIC	0	ARED Britten	kasel	[OWNER]	THE UNDERS	IGNED, WHO
S_219,22	I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION TO COVER THE COST OF THIS APPLICATION 2023 BY SIGNING THIS APPLICATION, I A D WITHIN THIS APPLICATION TO THE PUBLIC. THE CIT ION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS A	I, HAS BEEN PAID TO 1 GREE THAT THE CIT Y IS ALSO AUTHORIZ	HE CITY OF ROCKWALL O OF ROCKWALL (I.E. CI OF AND PERMITTENT	N THIS THE	12 WD CENNTTE WCREYREHTED #1982.10786	DAY OF
GIVEN UNDER MY HAND	AND SEAL OF OFFICE ON THIS THE 12 DAY OF	fpril	20 23	(<u>1</u>)	ssion Expires y 24, 2025	1
	OWNER'S SIGNATURE	4	L		. 1	1
NUTARY PUBLIC IN AND	FOR THE STATE OF TEXAS 20 the	m	MY CON	MISSION EXPIRE	s 2/2	1/23

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DEVELOPMENT APPLICATION • CITY OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (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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For Questions on this Case Call (972) 771-7745

City of Rockwall Planning & Zoning Department 385 S. Goliad Street 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 Rockwall, Texas 75087 merchantability and fitness for a particular purpose. Use of the information (P): (972) 771-7745 (W): www.rockwall.com is the sole responsibility of the user. Feet 100 200 400 0 600 800 WILDWOOD IN 205 N ALAMO RD N GOLIAD ST OLIVE ST HIGHLAND DR WESTWAY DR E INTERURBAN ST W INTERURBAN ST E KAUFMAN ST W KAUFMAN ST Legend ERUSKST Subject Property 66 500' Buffer Notified Properties

Case Number: Case Name: Case Type: Zoning: Case Address: Z2023-021 Zoning Change from SF-10 to SF-7 Zoning Single-Family 10 (SF-10) District 405 N. Alamo Road



RESIDENT **102 W KAUFMAN** ROCKWALL, TX 75087

RESIDENT 105 OLIVE ST ROCKWALL, TX 75087

RESIDENT **106 W KAUFMAN** ROCKWALL, TX 75087

SFR TEXAS ACQUISITIONS 3 LLC 120 S RIVERSIDE PLAZA #2000 CHICAGO, IL 60606

RAYWAY PROPERTIES LLC 1572 N MUNSON RD ROYSE CITY, TX 75189

CGC GROUP INC 1690 LAKE FOREST DR ROCKWALL, TX 75087

BLACK SHIRLEY M **193 PORT SAINT CLAIRE** ARANSAS PASS, TX 78336

RESIDENT 202 N WEST ST ROCKWALL, TX 75087

ESTATE OF DOSVILLE PEOPLES 208 W HEATH ST ROCKWALL, TX 75087

ROCKWALL RUSTIC RANCH LLC 240 WILLOWCREST ROCKWALL, TX 75032

SPARKS ROBERT & TANA 103 N 1ST ST ROCKWALL, TX 75087

105 N ALAMO LLC 105 N ALAMO ROCKWALL, TX 75032

RESIDENT **107 E KAUFMAN** ROCKWALL, TX 75087

LEAL CAROL RHEA ROCKWALL, TX 75087

1605 SEASCAPE CT ROCKWALL, TX 75087

> 1709 GASLIGHT CT SEABROOK, TX 77586

RESIDENT 201 N ALAMO

CANO OSCAR & NANCY 203 N. ALAMO RD ROCKWALL, TX 75087

SEYMORE INVESTMENTS LLC 242 C NATIONAL DR ROCKWALL, TX 75032

RESIDENT 104 W KAUFMAN ROCKWALL, TX 75087

WIMPEE JOE 105 W KAUFMAN ST ROCKWALL, TX 75087

RESIDENT 108 INTERURBAN ROCKWALL, TX 75087

PLACE TIM & LISANNE 1531 ZAPATA DR EL DORADO HILLS, CA 95762

MEYERS STUART A & BRENDA S 1614 S LAKESHORE DR ROCKWALL, TX 75087

ARISTA KAUFMAN LLC 1717 MAIN STREET SUITE 2950 DALLAS, TX 75201

> RESIDENT 202 INTERURBAN ST ROCKWALL, TX 75087

RESIDENT 204 N WEST ST ROCKWALL, TX 75087

BRISCO OIL INC 2323 STEVENS RD ROCKWALL, TX 75032

SMITH IFTACH 2917 CHERRY SPRING CT PLANO, TX 75025

1307 RIDGE ROAD #2317

WRIGHT JOHN M & SUSAN L

CRAWFORD STEVE

ROCKWALL, TX 75087

HAYMAC VENTURES LLC 218 CULLINS ROAD ROCKWALL, TX 75032

RESIDENT 301 HIGHLAND DR ROCKWALL, TX 75087

RESIDENT 301 N SAN JACINTO ROCKWALL, TX 75087

JOHNSON AMANDA DAWN 302 ELM DRIVE ROCKWALL, TX 75087

JOY LUTHERAN CHURCH 302 N GOLIAD ST ROCKWALL, TX 75087

WILLIAMS RONALD DAVID AND PATRICIA 303 ELM DR ROCKWALL, TX 75087

> ANGLE GLENDA ANNE 303 WILDWOOD LN ROCKWALL, TX 75087

ODEN STORMIE E AND TAYLOR C 304 WEST KAUFMAN STREET ROCKWALL, TX 75087

> KING BOBBY R ETUX 305 WILDWOOD LN ROCKWALL, TX 75087

> RESIDENT 307 WILDWOOD LN ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN 308 ELM DR ROCKWALL, TX 75087 BEDFORD TERRI W 301 N ALAMO RD ROCKWALL, TX 75087

RESIDENT 301 W KAUFMAN ROCKWALL, TX 75087

WARREN PEGGY E 302 HIGHLAND DR ROCKWALL, TX 75087

CRANE KATHERINE LYNN 302 W KAUFMAN ST ROCKWALL, TX 75087

WHITE SANDRA JEAN 303 HIGHLAND DR ROCKWALL, TX 75087

RESIDENT 304 HIGHLAND DR ROCKWALL, TX 75087

FOUSE DORIS BURNS 305 ELM DR ROCKWALL, TX 75087

BELL MARY NELL 306 ELM DR ROCKWALL, TX 75087

KLEPPER LINDA C (POLLARD) 307 HIGHLAND DR ROCKWALL, TX 75087

WEBB TEDDY DOUGLAS & AURORA 308 HIGHLAND DRIVE ROCKWALL, TX 75087 RESIDENT 301 N GOLIAD ST ROCKWALL, TX 75087

FERRIS BETH 301 WILDWOOD LN ROCKWALL, TX 75087

JOY LUTHERAN CHURCH 302 N GOLIAD ST ROCKWALL, TX 75087

> SMITH WENDY 303 DERICK DR FATE, TX 75189

RESIDENT 303 N ALAMO ROCKWALL, TX 75087

GLASS KATHLEEN J 304 ELM DR ROCKWALL, TX 75087

WHITE RUNELLE 305 HIGHLAND DR ROCKWALL, TX 75087

STANLEY PAUL & SHERI 306 HIGHLAND DR ROCKWALL, TX 75087

WATCHMEN REAL ESTATE LLC 3077 N GOLIAD ROCKWALL, TX 75087

> BRADEN DAVID WAYNE 308 WILDWOOD LANE ROCKWALL, TX 75087

RESIDENT 309 WILDWOOD LN ROCKWALL, TX 75087

GATES CHARLES H & BRENDA F 310 ELM DR ROCKWALL, TX 75087

UNION BANK & TRUST CO SUCCESSOR TRUSTEE EMILY SUE WHITEHEAD REV TRUST 312 CENTRAL AVE SE, STE 508 MINNEAPOLIS, MN 55414

> RESIDENT 314 HIGHLAND DR ROCKWALL, TX 75087

FURGUSON RANDY AND ANGELA 317 ELM DR ROCKWALL, TX 75087

> RESIDENT 320 ELM DR ROCKWALL, TX 75087

HEALDAN GROUP INC 3460 MARRON RD SUITE 103-144 OCEANSIDE, CA 92056

MORENO ANTONIO AND SUZANNE T 402 WILDWOOD LANE ROCKWALL, TX 75087

> RESIDENT 405 N ALAMO ROCKWALL, TX 75087

> RESIDENT 406 N GOLIAD ROCKWALL, TX 75087

GRACE CLINE LIFE ESTATE MARK CLINE 309 HIGHLAND DR ROCKWALL, TX 75087

PEOPLES JOHN P 311 HIGHLAND DR ROCKWALL, TX 75087

SOUTHERN ROOTS LLC 312 DARTBROOK ROCKWALL, TX 75087

KINSEY BRIAN & TERESA 316 ELM DRIVE ROCKWALL, TX 75087

TALLEY JANICE 318 ELM DRIVE ROCKWALL, TX 75087

RESIDENT 321 ELM DR ROCKWALL, TX 75087

RESIDENT 401 N ALAMO ROCKWALL, TX 75087

RESIDENT 404 N GOLIAD ROCKWALL, TX 75087

RESIDENT 405 N GOLIAD ROCKWALL, TX 75087

PICKETT GINA 406 W KAUFMAN ST ROCKWALL, TX 75087 RESIDENT 310 HIGHLAND DR ROCKWALL, TX 75087

RESIDENT 312 ELM DR ROCKWALL, TX 75087

GARRETT GERRY B 312 HIGHLAND DR ROCKWALL, TX 75087

SIDES DEBORAH HALE 317 ELM DR ROCKWALL, TX 75087

RESIDENT 319 ELM DR ROCKWALL, TX 75087

EVANS SHARON 322 ELM DRIVE ROCKWALL, TX 75087

PARKS PAIGE E 402 W KAUFMAN ST STE 100 ROCKWALL, TX 75087

KOVAR RACHAEL A 404 WEST KAUFMAN STREET ROCKWALL, TX 75087

JONES GERWYN AND JANE 406 N ALAMO ROAD ROCKWALL, TX 75087

DAVENPORT RENTAL PROPERTIES LLC 407 CASTLE PINES DRIVE HEATH, TX 75032

TREVINO BERTHA & LOUIS 4917 SAINT JAMES CT MESQUITE, TX 75150

RESIDENT 502 N ALAMO ROCKWALL, TX 75087

STRINGFELLOW HOLDINGS, LLC **5023 PARKVIEW PLACE** ADDISON, TX 75001

> RESIDENT 503 N ALAMO ROCKWALL, TX 75087

> RESIDENT 504 N GOLIAD ROCKWALL, TX 75087

SOUTHERN ROOTS LLC **505 N GOLIAD STREET** ROCKWALL, TX 75087

FLEMING HALLIE B 507 N GOLIAD ROCKWALL, TX 75087

RNDI COMPANIES INC 519 E INTERSATE 30 # 157 ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN 602 N ALAMO ROAD ROCKWALL, TX 75087

> RESIDENT 603 N GOLIAD ROCKWALL, TX 75087

RESIDENT 501 N ALAMO ROCKWALL, TX 75087

RESIDENT 502 N GOLIAD ROCKWALL, TX 75087

STRINGFELLOW HOLDINGS, LLC **5023 PARKVIEW PLACE** ADDISON, TX 75001

> RESIDENT 503 N GOLIAD ST ROCKWALL, TX 75087

TUCKER PAMELA 505 N ALAMO RD ROCKWALL, TX 75087

LAYTON ERIC A AND APRIL L 506 N ALAMO ROCKWALL, TX 75087

RESIDENT 507 N GOLIAD ROCKWALL, TX 75087

TAYLOR GILSTRAP 5469 JEFFERSON DR SACHSE, TX 75048

602 N GOLIAD

DOMINGUEZ, JOSE AND JOHANNA 604 N ALAMO RD ROCKWALL, TX 75087

RESIDENT 501 N GOLIAD ROCKWALL, TX 75087

SMITH MARY SUE 502 W RUSK ST ROCKWALL, TX 75087

STRINGFELLOW HOLDINGS, LLC **5023 PARKVIEW PLACE** ADDISON, TX 75001

BYRUM RICKY CONN AND JO ANN 504 N ALAMO RD ROCKWALL, TX 75087

> RESIDENT 505 N GOLIAD ROCKWALL, TX 75087

> RESIDENT 506 N GOLIAD ROCKWALL, TX 75087

> RESIDENT 508 N ALAMO ROCKWALL, TX 75087

RESIDENT 601 N ALAMO ROCKWALL, TX 75087

HAMILTON JOANN 603 N ALAMO RD ROCKWALL, TX 75087

RESIDENT 605 N ALAMO ROCKWALL, TX 75087

SIDDALL RYAN AND

RESIDENT

ROCKWALL, TX 75087

ROY LAWRENCE HANCE JR TRUST **ROY LAWRENCE HANCE JR- TRUSTEE** 6946 SPERRY STREET DALLAS, TX 75214

> RESIDENT 703 N ALAMO RD ROCKWALL, TX 75087

> **CRISWELL BARBARA** 7110 HUNT LANE ROCKWALL, TX 75087

> WAY FAMILY TRUST 8441 S FM ROAD 549 ROCKWALL, TX 75032

CONSELMAN EQUITIES LLC PO BOX 2284 ROCKWALL, TX 75087

GGX6 LLC PO BOX 999 ROCKWALL, TX 75087

CTC TEXAN PROPERTIES LLC 7005 CHASE OAKS BLVD SUITE 180 PLANO, TX 75025

> RESIDENT 706 N ALAMO ROCKWALL, TX 75087

MBK3 PROPERTY HOLDING CO LLC 804 TRUMPETER WAY ROCKWALL, TX 75032

PRECISION GLOBAL CORPORATION 9330 LBJ FREEWAY SUITE 900 DALLAS, TX 75243

> LAND HEADQUARTERS COMPANY INC C/O FAIR ROAD PROPERTIES INC PO BOX 69 KEY BISCAYNE, FL 33149

BACKCOUNTRY HOLDINGS LLC AND

KYLEE KNIGHT 8078 WHITEWING DRIVE FRISCO, TX 75034

BUTCHER MELVIN R

PO BOX 147

QUINLAN, TX 75474

RESIDENT 703 N ALAMO RD ROCKWALL, TX 75087

RISE ACADEMY LEARNING CENTER LLC

7106 LIBERTY GROVE RD

ROWLETT, TX 75089

MILE HIGH BORROW 1 LLC PO BOX 4090 SCOTTSDALE, AZ 85261

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:

Z2023-021: Zoning Change from SF-10 to SF-7

Hold a public hearing to discuss and consider a request by James Stringfellow and Bethany Rood of Stringfellow Holdings, LLC for the approval of a Zoning Change from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for a 1.2811-acre parcel of land identified as Lot 2, Block A, North Alamo Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the SH-66 Overlay (SH-66 OV) District, addressed as 405 N. Alamo Street, 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 <u>Tuesday, May 9, 2023 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, May 15, 2023 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, May 15, 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. Z2023-021: Zoning Change from SF-10 to SF-7

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
PUBLIC NOTICE

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Ryan Miller, AICP

Director of Planning & Zoning





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Case No. Z2023-021: Zoning Change from SF-10 to SF-7

Please place a check mark on the appropriate line below:

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

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

		Λ
Name:	TERRI BEDFORD /	As Bedford Group
Address:	301 N. Alamo	As Bedford Group Rd. Rockust 15087

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CITY OF ROCKWALL • PLANNING AND ZONING DEPARTMENT • 385 S. GOLIAD STREET • ROCKWALL, TEXAS 75087 • P: (972) 771-7745 • E: PLANNING@ROCKWALL.COM

From:	<u>Miller, Ryan</u>
To:	<u>Guevara, Angelica</u>
Subject:	FW: In Favor of case Z2023-021 Zoning
Date:	Tuesday, May 2, 2023 4:39:28 PM

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.

-----Original Message-----From: Hallie B. < Sent: Tuesday, May 2, 2023 2:29 PM To: Miller, Ryan <RMiller@rockwall.com> Subject: In Favor of case Z2023-021 Zoning

Hi there!

Long time!

In favor of the zoning change above!

Hallie Davenport

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Case No. Z2023-021: Zoning Change from SF-10 to SF-7

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

Name:	
Address:	

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Sincerely,

Ryan Miller, AICP



USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE



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- - - PLEASE RETURN THE BELOW FORM - - - - -

Case No. Z2023-021: Zoning Change from SF-10 to SF-7

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

One	thing	We	love o	NOUH	Rockwall	K th	e 20	oning,	and	how,	
unlike	a 10t	OF	SURVOL	undino	(Cities	, there	are	not	at	on of	
apart	ments	OV	high-	-densit	y housi	nor. We	love	that	the	historic	
distric	tofr	DCKNO	ill has	5 Chau	racter +	Want	10 Y	protect	that	and not	Sacrifia
Name:	Ryan	and	. Tai	yor	Siddall			9 - 1 i e 4			it for
Address:	706	N.F	tlamo								the

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

As Thank you for asking our opinion .

Letter Of Explanation

The land at 405 N Alamo Rd. Rockwall, TX 75087 is currently zoned as SF10. We are requesting it to be rezoned as SF7 which lowers to required street clearance to 60ft. Once the lot is rezoned then we will be able to request for the large lot to be replated into two lots. We are requesting these changes in order to build two personal homes on the large lot. I am wanting to build my personal home with my family and my sister will build the other personal home for her and her family. We are wanting to build our homes next to each other to be able to provide each other support with raising our children.

James Stringfellow

469-450-8826





Residential Design LLC

Stringfellow / Rood Residence 405 North Alamo Street Road Rockwall, Texas April 11, 2023

PROPERTY ID: 14020 LEGAL DESCRIPTION: NORTH ALAMO ADDITION, BLOCK A, LOT 2, ACRES 1.2811

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIFIED ROCKWALL. TEXAS. AMENDING THE DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM A SINGLE-FAMILY 10 (SF-10) DISTRICT TO A SINGLE-FAMILY 7 (SF-7) DISTRICT FOR A 1.2811-ACRE PARCEL OF LAND IDENTIFIED AS LOT BLOCK A. NORTH ALAMO ADDITION. CITY OF 2. ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' 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 James Stringfellow and Bethany Rood of Stringfellow Holdings, LLC for the approval of a *Zoning Change* from a Single-Family 10 (SF-10) District to a Single-Family 7 (SF-7) District for a 1.2811-acre parcel of land identified as Lot 2, Block A, North Alamo Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, and more fully described and depicted in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Single-Family 10 (SF-10) District to Single-Family 7 (SF-7) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Single-Family 7 (SF-7) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*: Section 05.03, *General Residential District Standards*; and Section 03.09, *Single-Family 7 (SF-7) District*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

SECTION 3. That the official zoning map of the City be corrected to reflect the changes in the Z2023-021: Zoning Change (SF-10 to SF-7) Page | 1 *City of Rockwall, Texas* Ordinance No. 23-XX;

zoning described herein;

SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 5. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code (UDC) of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable; and

SECTION 6. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect;

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5th DAY OF JUNE, 2023.

Kevin Fowler, Mayor

ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: <u>May 15, 2023</u>

2nd Reading: <u>June 5, 2023</u>

Z2023-021: Zoning Change (SF-10 to SF-7) Ordinance No. 23-XX; Page | 2

City of Rockwall, Texas







Z2023-021: Zoning Change (SF-10 to SF-7) Ordinance No. 23-XX;

Page | 3

City of Rockwall, Texas

Exhibit 'B' Zoning Exhibit





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:	May 9, 2023
APPLICANT:	Dub Douphrate; Douphrate & Associates, Inc.
CASE NUMBER:	Z2023-022; SUP for a Commercial Freestanding Antenna

SUMMARY

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Dewayne Cain for the approval of a <u>Specific Use Permit (SUP)</u> for a Freestanding Commercial Antenna on a 0.1234-acre tract of land identified as a portion of Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 100 (PD-100) for Single-Family 1 (SF-1) and General Retail (GR) District land uses, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located southside of SH-66 east of the intersection of SH-66 and Davis Drive, and take any action necessary.

BACKGROUND

The subject property was annexed on March 16, 1998 by Ordinance No. 98-10 [Case No. A1998-001]. At the time of annexation the subject property was zoned Agricultural (AG) District. On March 6, 2023, the City Council approved a zoning change (Case No. Z2022-057; Ordinance No. 23-07) from Agricultural (AG) District to Planned Development District 100 (PD-100) [Ordinance No. 23-07] for Single-Family 1 (SF-1) and General Retail (GR) District land uses. This Planned Development District also allow the location of one (1) Commercial Freestanding Antenna by Specific Use Permit (SUP). The subject property has remained vacant since the time of annexation.

PURPOSE

On April 14, 2023, the applicant -- *Dub Douphrate of Douphrate & Associates, Inc.* -- submitted an application requesting Specific Use Permit (SUP) to allow the construction of a *Commercial Freestanding Antenna* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is generally located in between N. John King Boulevard and N. Stodghill Road, south of SH-66. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is SH-66, which is identified as a TXDOT4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 55.08-acre tract of land zoned Agricultural (AG) District. Following this is a 14.219-acre tract of land zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses.
- <u>South</u>: Directly south of the subject property is the remainder of Planned Development District 100 (PD-100) followed by two (2) vacant tracts of land [*i.e. Tracts* 17 & 17-1 of the D. H. Survey Abstract No. 102] zoned Agricultural District. Beyond this is a 64.514-acre tract of land developed with the City of Rockwall's Animal Shelter and Gun Range, which is zoned Agricultural (AG) District.
- *East*: Directly east of the subject property is the remainder of Planned Development District 100 (PD-100) followed by two (2) vacant tracts of land [*i.e. Tracts 9 & 9-01 of the E. M. E. Survey Abstract No.* 77] zoned Agricultural (AG) District. Beyond this are six (6) tracts of land, four (4) of which are developed with single-family homes [*i.e.* 2755 *E. SH-66*

and 1110 and 1226 N. Stodghill Road], one (1) of which is vacant [*i.e. Tract* 29-2 of the E. M. E. Survey Abstract 77], and is the last tract being developed with an Animal Clinic [*i.e.* 2897 E. SH-66]. All of these properties are zoned Agricultural (AG) District.

<u>West</u>: Directly west of the subject property are several properties developed with single-family homes that are zoned Agricultural (AG) District and Single-Family 1 (SF-1) District. Beyond this is a 47.89-acre parcel of land developed with the Ralph M. Hall Airport, which is zoned Agricultural (AG) District.



MAP 1: LOCATION MAP

CHARACTERISTICS OF THE REQUEST

Staff should note, the applicant is making this request following the approval (*i.e. City Council approval March 6, 2023*) of the zoning change (*Case No. Z2022-057*) on the subject property from Agricultural (AG) District to Planned Development District 100 (PD-100). Planned Development District 100 (PD-100) entitled a portion of the subject property for limited General Retail (GR) District land uses, with the *Commercial Freestanding Antenna* land use being allowed by <u>Specific Use Permit (SUP)</u>. The applicant has submitted a survey, site plan, and building elevations requesting the approval of a <u>Specific Use Permit (SUP)</u> to allow the construction of a *Commercial Freestanding Antenna* on the subject property.

The applicant has submitted a site plan designating a portion of the northwest corner of the subject property as a AT&T lease area for the purpose of constructing a *Commercial Freestanding Antenna*. The *Commercial Freestanding Antenna* is located within an eight (8) foot wrought iron fence with a row of *Red Tip Photinias* being proposed to be planted around the enclosure. The applicant is also proposing a concrete pad that will house the ground mounted equipment for the antenna. Additionally, the site plan shows the enclosure will be located 20-feet from the future SH-66 Right-of-Way (ROW), to allow for the required

landscape buffer and utility easement. The building elevations submitted by the applicant indicate that the total height of the *Commercial Freestanding Antenna* is 115-feet. This height violates the Planned Development District 100 (PD-100) ordinance, which requires the antenna to be no taller than 110-feet in total height. To address this, staff included a condition of approval that states the *Commercial Freestanding Antenna* shall not exceed 110-feet in <u>total</u> height.

CONFORMANCE TO THE CITY'S CODES

According to conditional land use standards contained in Subsection 02.03(K), *Utilities, Communications, and Transportation Land Uses*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Commercial Freestanding Antenna* shall be located within a wrought iron fence surrounded by a screening hedge. In this case, the applicant meets this requirement with the use of an eight (8) foot wrought iron fence surrounded with *Red Tip Photinias*. In addition, one (1) parking space must be provided. Currently the applicant is showing the parking space within the landscape buffer, which is not permitted per Subsection 05.01, *Landscape Buffers*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC). Also, within the landscape buffer, the applicant must provide three (3) canopy and four (4) accent trees per 100-feet of frontage. In this case, the applicant has not provided any landscaping within the buffer. Lastly, according to Subsection 01.06, *Residential Adjacency Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), three (3) tiered landscaping is required along the west property line to screen the proposed non-residential use from the residential homes. In this case, the applicant has not provided the necessary screening. As mentioned in the *characteristics of the request* section of this memo the applicant exceeds the maximum permissible height requirements per PD-100. To address the current plans non-conformance to the Unified Development Code (UDC), staff has included two (2) conditions of approval that require the applicant to [1] meet all of the landscape buffer and residential adjacency standards, and [2] the height maximum.

STAFF ANALYSIS

Typically, *Commercial Freestanding Antennas* and other related facilities are discouraged from locating directly adjacent to or within the City's residential areas. These uses are generally discouraged due to their intensity and high visible nature of the land use. In reviewing the *Land Use Schedule* contained in Article 04, of the Unified Development Code (UDC), *Commercial Freestanding Antennas* are only permitted *by-right* in the Light Industrial (LI) and Heavy Industrial (HI) Districts, with the remaining districts being permitted by <u>Specific Use Permit (SUP)</u> (*i.e. Commercial (C), Heavy Commercial (HC), General Retail (GR), and Agricultural (AG) Districts*). That being said, the subject property in question is surrounded by rural estate lots and is directly adjacent to large power transport lines. Given this, the visual intrusion will be minimized; however, this is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

Staff should note, the applicant's site plan and building elevations are not in conformance with the Unified Development Code (UDC) or the Planned Development District 100 (PD-100) ordinance; however, if the applicant's request is approved with the conditions of approval listed below, the approval will require the applicant to address all of staff's comments before a building permit is accepted.

NOTIFICATIONS

On April 18, 2023, staff mailed 14 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Rolling Meadows Estates Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

(1) Six (6) property owner notifications from four (4) property owners who are in favor of the applicant's request. Staff should note that two (2) of the notices are from the property owner of the subject property for this zoning case.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a <u>Specific Use Permit</u> (<u>SUP</u>) to construct a Commercial Freestanding Antenna, then staff would propose the following conditions of approval:33

(1) Development of the Subject Property shall generally conform to the <u>Site Plan</u> as depicted in Exhibit 'B' of the draft ordinance.

- (2) Per the requirements contained in Planned Development District 100 (PD-100) (*i.e. Ordinance No.* 23-07) the *Commercial Freestanding Antenna* shall not exceed 110-feet in total height.
- (3) Before the acceptance of a building permit, staff must receive a site plan that meets the landscape buffer planting requirements, the residential adjacency planting requirements, and move the one (1) parking space out of the required landscape buffer.
- (4) Any construction resulting from the approval of this <u>Specific Use Permit (SUP)</u> 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.

-		20	PDZ2022-057		
	DEVELOPMENT APPLICAT		PLANNING & ZONING CASE NO. ZZOZZ 022		
	City of Rockwall Planning and Zoning Department		NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE		
	385 S. Goliad Street		SIGNED BELOW. DIRECTOR OF PLANNING:		
	Rockwall, Texas 75087		CITY ENGINEER:		
PLEASE CHECK THE APP	PROPRIATE BOX BELOW TO INDICATE THE TYPE OF D	EVELOPME	ENT REQUEST (SELECT ONLY ONE BOX):		
PRELIMINARY PLA FINAL PLAT (\$300.) REPLAT (\$300.00 + AMENDING OR MI	00.00 + \$15.00 ACRE) ¹ T (\$200.00 + \$15.00 ACRE) ¹ 00 + \$20.00 ACRE) ¹ · \$20.00 ACRE) ¹		APPLICATION FEES: NG CHANGE (\$200.00 + \$15.00 ACRE) ¹ CIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2} EVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹ APPLICATION FEES: E REMOVAL (\$75.00) ANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²		
SITE PLAN APPLICAT		PER ACRE /	RMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. 800 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING		
PROPERTY INFOR	MATION [PLEASE PRINT]				
ADDRESS	Porcel situated in David 1	Harr i	Survey Abs 102		
SUBDIVISION	25.41 Cain Revocable Trust	Proper	LOT BLOCK		
GENERAL LOCATION	bieted cast of W.D. Boom Add	1 adja	ant to and south of stille		
ZONING, SITE PLA	N AND PLATTING INFORMATION (PLEASE P	RINT]			
CURRENT ZONING	PD	CURREN	NT USE AG		
PROPOSED ZONING	PD	PROPOSE	EDUSE AG w/ lease forcell tower		
ACREAGE	25. 4 LOTS [CURRENT]		LOTS [PROPOSED]		
REGARD TO ITS APP	SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF <u>HB3167</u> 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/APPLICAN	TAGENT INFORMATION [PLEASE PRINT/CHECK	K THE PRIMA	RY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED]		
Ø OWNER	Relieve Cain.		CANT Doughrate & Assoc. , the		
CONTACT PERSON	CC	ONTACT PER			
ADDRESS 3	25. Stonebridge Dr.	ADDI	RESS 2235. Ridge Rd		
CITY, STATE & ZIP	actuall, Tx : 75087 0	ITY, STATE	& ZIP Rickwall, TX 75087		
PHONE	and the second	Pł	HONE 9727422210		
E-MAIL	wayne caines Ctook .com	E	MAIL who up hrote Odo phrate . com		
	TION [REQUIRED] GNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _ ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FO	DEWO	Ayne Cain [OWNER] THE UNDERSIGNED, WHO		
\$	TO COVER THE COST OF THIS APPLICATION, HAS B 20 BY SIGNING THIS APPLICATION, I AGREE 1	EEN PAID TO THAT THE CIT SO AUTHORI	Y OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE IZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION		
	F.	h			

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON TI	HIS THE 16 DAY OF_	Feb.	20 23	Carlos and	
OWNER'S SIGNATURE	Dawauna	Cal			LINDA SANDHOFF
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS	Andi &	midhsz		MY OMINISSION EXP	Espires October 29, 2028

DEVELOPMENT APPLICATION . CITY OF ROCKWALL . 385 SOUTH AD STREET . ROCKWALL, TX 75087 . [P] (972) 771-7745





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 Departme 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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Case Number: Z2023-022 SUP for a Freestanding Case Name: **Commercial Antenna** Case Type: Zoning Zoning: Planned Development District 100 (PD-100) Parcel between John King Blvd. **Case Address:** & FM549 Date Saved: 4/14/2023

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



CONFIDENTIAL 152 HILL LN ROCKWALL, TX 75087

RESIDENT 1800 WILLIAMS ST ROCKWALL, TX 75087

RYAN BILL K 330 VZ CR 2207 CANTON, TX 75103 COLLIER JUDY KAY AND THERESA ROBBINS 1780 WILLIAMS ST ROCKWALL, TX 75087

RESIDENT 2294 E STATE HIGHWAY 66 ROCKWALL, TX 75087

MA MICHAEL D AND CAROLINE J G MOORE 725 DAVIS DR ROCKWALL, TX 75087 RATHER JACOB AND NOAH MCILRATH 1790 WILLIAMS ST ROCKWALL, TX 75087

CAIN FAMILY PARTNERSHIP LTD 305 STONEBRIDGE DR ROCKWALL, TX 75087

RINKEVICH FAMILY LIVING TRUST JOSEPH W RINKEVICH- TRUSTEE 740 DAVIS DR ROCKWALL, TX 75087

WIDBOOM ROBBY AND KYLIE

770 DAVIS DR

ROCKWALL, TX 75087

RESIDENT 745 DAVIS DR ROCKWALL, TX 75087 COOK SHERRY LYNN 760 DAVIS DRIVE ROCKWALL, TX 75087

ROCKWALL, TX 75087

CAIN REVOCABLE FAMILY TRUST AND CREDIT SHELTER TRUST AND SURVIVORS TRUST DEWAYNE CAIN TRUSTEE 305 STONEBRIDGE DR ROCKWALL, TX 75087

RAINES SHERYL PO BOX 412 ROCKWALL, TX 75087



2235 Ridge Rd., Suite 200 Rockwall, TX 75087 Tel: 972.771.9004 Fax: 972.771.9005

April 12, 2023

Ryan Miller Director of Planning City of Rockwall, Texas

Re: Request for SUP to construct Cell Tower

Dear Ryan,

On behalf of Mr. Dewayne Cain, please allow this letter to serve as a formal request to obtain a Special Use Permit to construct a cell tower on the 25.41 Acre tract owned by Dewayne Cain listed under the 25.41 Cain Revocable Trust property located on SH 66 centered between John King Blvd and FM 3549.

Should you have any questions regarding this request please let me know.

Sincerely,

W.L. Dauphrate 99

W.L. Douphrate II, P.E.



int To Point)\P2P Current Jobs\2022\220743TX-DDL00380\220743T



SITE INFORMATION

LEASE AREA = 3,489 SQUARE FEET (0.0801 ACRES)

LATITUDE = $32^{\circ}56'09.66''$ (NAD 83) (32.936017') LONGITUDE = $-96^{\circ}25'46.66''$ (NAD 83) (-96.429628') AT CENTER LEASE AREA

ELEVATION AT CENTER OF LEASE AREA = 573.0' A.M.S.L.



(SURVEY NOT VALID WITHOUT SHEETS 1 & 3 OF 3)

LEGAL DESCRIPTION SHEET

PARENT PARCEL

(PER FILE NO. UST70613)

TRACT I: BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, AND BEING IN THE DAVID HARR SURVEY, ABSTRACT NO. 102, AND BEING PART OF 43.0625 ACRE TRACT, DESCRIBED IN VOLUME 48, PAGE 440, DEED RECORDS, ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN THE NORTHEAST CORNER OF ABOVE MENTIONED TRACT ON SOUTH ROW OF HIGHWAY 66;

THENCE NORTH 86 DEGREES 51' 02" WEST, 359.56 FEET WITH ROW LINE TO POINT OF CURVE TO LEFT;

THENCE WITH CURVE LEFT 191.37 FEET TO POINT TANGENT;

THENCE SOUTH 80 DEGREES 32' 63" WEST, 84.75 FEET WITH SOUTH ROW LINE TO POINT OF CURVE TO RIGHT;

THENCE WITH CURVE RIGHT 128.58 FEET TO IRON POST FOR CORNER;

THENCE SOUTH 08 DEGREES 30' 45" WEST 493.08 FEET TO IRON STAKE FOR CORNER;

THENCE SOUTH 08 DEGREES 30' 00" WEST 150 FEET TO IRON STAKE FOR CORNER; THENCE SOUTH 08 DEGREES 30' 00" WEST 6.89 FEET TO IRON STAKE FOR CORNER; THENCE SOUTH 22 DEGREES 25' 36" WEST, 158.92 FEET TO IRON STAKE FOR CORNER;

THENCE SOUTH 04 DEGREES 42' 01" WEST 135 FEET TO IRON STAKE FOR CORNER; THENCE SOUTH 01 DEGREES 31' 12" EAST 150 FEET TO IRON STAKE FOR CORNER; THENCE SOUTH 08 DEGREES 26' 36" EAST 223.86 FEET TO IRON STAKE FOR CORNER; THENCE SOUTH 82 DEGREES 26' 36" EAST 931.52 FEET TO IRON STAKE FOR CORNER; THENCE NORTH 00 DEGREES 45' 25" EAST 1337.11 FEET TO IRON STAKE FOR CORNER AND POINT OF BEGINNING AND CONTAINING 25.867 ACRES OF LAND MORE OR LESS.

TITLE EXCEPTIONS

THIS SURVEY WAS COMPLETED WITH THE AID OF TITLE WORK PREPARED BY U.S. TITLE SOLUTIONS, REPORT DATE OF MARCH 4, 2022, SEARCH START DATE OF JANUARY 1, 1973, END DATE OF JANUARY 17, 2022, BEING FILE NO. UST70613, FOR THE PARENT PARCEL, TO DETERMINE THE IMPACTS OF EXISTING TITLE EXCEPTIONS.

1. MORTGAGES, DEEDS OF TRUST AND UCCS

1. DEED OF TRUST MADE BY, CAIN REVOCABLE FAMILY TRUST, TO, ROBERT HAWK, TRUSTEE, DON R. STODGHILL, IN THE SUM OF \$210,000.00, DATED OCTOBER 23, 2008, RECORDED OCTOBER 27, 2008, IN INSTRUMENT NO: 2008–00407167.

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL.]

3. COVENANTS AND RESTRICTIONS

3.1 RESTRICTIONS AS SET FORTH IN DEED 108/499 , DEED 110/148 HOWEVER PLEASE SEE MODIFICATION 121/862 DELETING SUCH RESTRICTIONS.

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL.]

4. EASEMENTS AND RIGHTS OF WAY

4.1 RIGHT OF WAY AGREEMENT BY J. DIANE FOLZENLOGEN AND BENNIE R. CLARK TO LONE STAR GAS, DATED OCTOBER 19, 1973, RECORDED JANUARY 15, 1974, IN BOOK 112, PAGE 88. NOTES: RIGHT OF WAY AND EASEMENT PURPOSES

[THIS ITEM MAY BE APPLICABLE TO THE PARENT PARCEL; HOWEVER, THE DISCRIPTION IS VAGUE, AND THEREFORE, WE ARE UNABLE TO ASCERTAIN THE EXACT LOCATION THEREOF.]

4.2 EASEMENT BY J. DIANE FOLZENLOGEN AND BENNIE R. CLARK TO OWEN S. DAVIS AND H. RACHEL DAVIS, DATED MAY 11, 1973, RECORDED MAY 16, 1973, IN BOOK 108, PAGE 502. NOTES: WATER PIPE LINE PURPOSES

[THIS ITEM IS APPLICABLE TO THE PARENT PARCEL; HOWEVER, IT IS NOT PLOTTED HEREON BECAUSE THE DISCRIPTION IS VAGUE, AND THEREFORE, WE ARE UNABLE TO ASCERTAIN THE EXACT LOCATION THEREOF.]

LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN DAVID HARR SURVEY, ABSTRACT NO. 102, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF THE LANDS OF DEWAYNE CAIN, THE TRUSTEE OF THE CREDIT SHELTER TRUST; AND DEWAYNE CAIN, THE TRUSTEE OF THE SURVIVOR'S TRUST, AS RECORDED IN INSTRUMENT NOS. 2013–00493006 AND 2013–00493007, ROCKWALL COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A CONCRETE MONUMENT FOUND ON THE SOUTHERN RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 66 (HAVING A 60-FOOT PUBLIC RIGHT-OF-WAY), SAID MONUMENT HAVING A TEXAS GRID NORTH, NAD 83, NORTH CENTRAL ZONE VALUE OF N: 7029808.7400 E: 2603726.3906; THENCE RUNNING FOR A TIE LINE, SOUTH 60'13'14" WEST 86.99 FEET TO A POINT LOCATED ON THE SOUTH SIDE OF A FUTURE 30 FOOT WIDE RIGHT-OF-WAY DEDICATION LINE, SAID POINT HAVING A TEXAS GRID NORTH, NAD 83, NORTH CENTRAL ZONE VALUE OF N: 7029765.5369 E: 2603650.8910, AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING, SOUTH 05°26'56" WEST, 70.00 FEET TO A POINT;

THENCE, SOUTH 84°08'18" WEST, 50.99 FEET TO A POINT;

THENCE, NORTH 05'26'56" EAST, 70.00 FEET TO A POINT LOCATED ON THE AFORESAID SOUTH SIDE OF A FUTURE 30 FOOT WIDE RIGHT-OF-WAY DEDICATION LINE;

THENCE RUNNING WITH SAID DEDICATION LINE, 51.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1020.00 FEET AND BEING SCRIBED BY A CHORD BEARING NORTH 84'08'18" EAST, 50.99 FEET TO A POINT AND THE TRUE POINT OF BEGINNING.

BEARINGS BASED ON TEXAS GRID NORTH, NAD 83, NORTH CENTRAL ZONE.

SAID TRACT CONTAINS 0.0801 ACRES (3,489 SQUARE FEET), MORE OR LESS.



(SURVEY NOT VALID WITHOUT SHEETS 1 & 2 OF 3)





CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 100 (PD-100) [ORDINANCE NO. 23-07] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO **GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A COMMERCIAL** FREESTANDING ANTENNA ON A 0.1234-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 14 OF THE D. HARR SURVEY. ABSTRACT NO 102, CITY OF ROCKWALL, ROCKWALL COUNTY, **TEXAS: PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR** A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO (\$2,000.00) FOR OFFENSE: THOUSAND DOLLARS EACH PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A **REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, a request has been made by Dub Douphrate of Douphrate and Associates on behalf of Dewayne Cain for the approval of a <u>Specific Use Permit (SUP)</u> for a Commercial Freestanding Antenna on a 0.1234-acre tract of land identified as a portion of Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 100 (PD-100) for General Retail (GR) District land uses, situated within the East SH-66 Overlay (E. SH-66 OV) District, generally located on the southside of SH-66 east of the intersection of SH-66 and Davis Drive, and being more specifically described in *Exhibit* 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 100 (PD-100) [*Ordinance No. 23-07*] and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That Planned Development District 100 (PD-100) [*Ordinance No. 23-07*] and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Commercial Freestanding Antenna* as stipulated by Planned Development District 100 (PD-100) [*Ordinance No. 23-07*] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Planned Development District 100 (PD-100) [*Ordinance No. 23-07*], Subsection 01.01, *Land Use Schedule*, of Article 04, *Permissible Uses*, and Subsection 04.01, *General Commercial* 22023 022: SUP for a Commercial

District Standards; Subsection 04.04, *General Retail (GR) District*; and Subsection 06.02, *General Overlay District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Commercial Freestanding Antenna* on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *Commercial Freestanding Antenna* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and *Concept Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- Any necessary equipment building shall be enclosed by a decorative iron fence surrounded by a screening hedge which will achieve a height of at least six (6) feet at maturity or a masonry screening wall at least eight (8) feet in height; and,
- 3) At least one (1) paved parking space with paved access thereto shall be provided at the antenna location; said parking space need not be reserved exclusively for use in conjunction with the antenna installation and may be one (1) of the spaces provided for the principal use on the property; and,
- 4) Administrative approval of the antenna installation shall be required prior to the issuance of any permits for construction; and,

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:

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

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

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

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS* (*\$2,000.00*) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the

application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5^{TH} DAY OF JUNE, 2023.

ATTEST:	Trace Johannesen, <i>Mayor</i>
Kristy Teague, City Secretary	
APPROVED AS TO FORM:	
Frank J. Garza, City Attorney	
1 st Reading: <u><i>May</i> 15, 2023</u>	
2 nd Reading: <u>June 5, 2023</u>	
Z2023-022: SUP for a Commercial Freestanding Antenna Ordinance No. 23-XX; SUP # S-XXX	Page 3 City of Rockwall, Texas

LASSes OWER DEWARE CAR, THE TRUSTE OF THE CADIT SHELLE AND DOWARE CAN, THE TRUSTE OF THE SURVICES TRUST STE ADDRESS, 770 STATE HWY 45, ROCKMUL, TX 75087 PARCEL ID: 11023 PONT OF BEGINN THE OF SQUAREN CONTENT HARD ASS NET HERE IN THE THE OF SQUAREN CONF THINKS HER SQUARE WITH THE OF SQUAREN CONF THINKS HER SQUARE WITH ALL AND AND HERE IN A CONFIDENCE ON THE ALL AND AND AND CONFIDENCE AND ASS NOT THE THE ALL AND CONFIDENCE AND ASS NOT THE THE ALL AND CONFIDENCE AND ASS NOT THE THE ALL AND AND CONFIDENCE AND ASS NOT THE THE ALL AND AND CONFIDENCE AND ASS NOT THE THE ALL AND AND ASS NOT THE ALL ASS NOT THE THE ALL AND AND ASS NOT THE ALL ASS NOT THE THE ALL AND ASS NOT THE ALL AND ASS NOT THE ALL ASS NOT THE THE ALL AND ASS NOT THE ALL ASS NOT THE ALL ASS NOT THE THE ALL AND ASS NOT THE ALL ASS NOT THE AREA: 25.8700 AORES (FER TAX TOAT TOAT STERINCE: USTRUMENT ND: 2013-00493006 NSTRUMENT ND: 2013-00493007 PARENT PARCEL GPS NOTES ED: AC (PER CITY OF ROCKWALL OS) ZONING INFORMATION SHOULD BE VERIFIED WITH OLLOWND OPS STATISTICS UPON WHICH THIS Y IS BASID HAVE BEEN FRODUCED AT THE 937 YENCE LEVEL: NED GALD FACTORYS: 0.99995127 CEVIERED CN NEXE FORM S. SHOWN HERECN REDUCT ANGLE: 1.129941222 NEWROX USED: DF0586, DF7382, CL3D94 THIS MAP IS NOT A CITERTOR SURVEY AND HEAD REAL REALING TO REAL CONFIDMENT STOCT FOR COMPARED RITH MIL APPLICABLE LAND CREEDWIDT TO REAL CONFIDMENT IS ONLY THE APPLICABLE AND PROPERTY STOTAL THE MAP IS NOT TO RECORDANIES USTIN OUE UNRENCE SUBVETOR LICENSE NO. 6589 ASSESSOR ARE SHOWN HEREON. SURVEYOR'S Ē DKONG I FACE R ZONING COLLEGIC OFFICIALS CERTIFICATIO, MARKER 网 --- LEASE AREA (SEE SHEET 2 FOR DETAIL PUBUI GHT-DF SCALE APPROXIMATE ROPERTY LIN 9474 9647965 SELLA 947661 # 86550 20%63 AG -166 i sca E 20 -66 BRORD ETAMIXOS BRORD PROPERTY _628950000-2107 ∦ 15Н 97 03407 92201 ∦ 73087 92201 ∦ 73087 1/М 1/М SURVEY NOT VALID WITHOUT SHEETS 2 & 3 OF 3] 19. THE KENAR R. COOPLAN WARS, THE STE S. LOCATIO IN AN AREA DESIGNATED AS UNE X. MARA DE NAMMAN R. COOD HAZAROJ, COMMUNITE FAMEL NO. : 44.997/CO0451. VEED: 03/259/25248 EVENUES SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON TEXAS GRID OTTH (IND 83) NORTH CENTRAL ZONE. PMENT USED FOR ANGULAR & UNDAR MEASUREMENTS: LOCA TPS WAX ZENTH 35 [DATE OF LAST RELD VISIT: 05/10/2022] INDROLAD UTLITES SHOWS HAVE IFORMATION, THE SUPERFOR WAVE SHOWN COMPREE AT SUCH UTLI D. THE SUBVEYOR EURTHER FORCE BEARING: GPS OBSERG INFORMATION ± 0.5'. CONTRUES OUTSIDE THE INVE DOES NOT REAS HAVE VIION: CFS OBSERVATIN ENERAL HUX, OTHERA DE OTIONS BEEN INVEST FIGHTED BY THIS SPECIFIC Kno **▲**SITE NO Gain J THIS SPECIFIC F ID GEOID18) AND DIATE SITE AREA THE PROPE neine TES ABOVE PURPOSE O PURPOSE SURVEY O HAVE A VERTICAL DA AVE 1200 ROBOTIC Produktion
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Exhibit 'A': Survey

Z2023-022: SUP for a Commercial Freestanding Antenna Ordinance No. 23-XX; SUP # S-XXX Exhibit 'B': Concept Plan



Freestanding Antenna Ordinance No. 23-XX; SUP # S-XXX Exhibit 'C': Concept Building Elevations



Z2023-022: SUP for a Commercial Freestanding Antenna Ordinance No. 23-XX; SUP # S-XXX



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

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

TO:	Planning and Zoning Commission
FROM:	Ryan Miller, Director of Planning and Zoning
DATE:	May 9, 2023
SUBJECT:	Z2023-023; Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the UDC for Alcoholic Beverage Sales and Alcoholic Beverage Store

In accordance with Subsection 02.01, *Authority*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward a text amendment to Article 04, *Permissible Uses*, and Article 13, *Definitions*, for the purpose of creating an *Alcoholic Beverage Sales* and an *Alcoholic Beverage Store* land use. Under the proposed text amendment these definitions would be defined as follows:

- <u>Alcoholic Beverage Package Sales</u>. The act of selling beer, wine, and/or liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -- in accordance with the requirements of this Unified Development Code (UDC) by a person, establishment, or place of business.
- (2) <u>Alcoholic Beverage Store</u>. A standalone retail establishment that engages in the sale of beer, wine, <u>and</u> liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -- to the general public for off-premise personal or household consumption.

In addition, the text amendment sets up the following Conditional Lane Use Standards for the proposed land uses:

- (1) <u>Alcoholic Beverage Package Sales</u>.
 - (a) The package sales of liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -- shall <u>only</u> be permitted in conjunction with an Alcoholic Beverage Store, and shall not be permitted as an accessory use to any other land use contained within this Unified Development Code (UDC).
 - (b) The package sales of beer and wine shall be permitted <u>by-right</u> as an accessory land use to a General Retail Store, Retail Store with Gasoline Sales, Brew Pub, Craft/Micro Brewery and/or Winery, Brewery, and Winery.
- (2) <u>Alcoholic Beverage Stores</u>.
 - (a) An <u>Alcoholic Beverage Store</u> shall include the sale of beer, wine, <u>and</u> liquor or distilled spirits as defined by the Texas Alcoholic Beverage Code.
 - (b) An <u>Alcoholic Beverage Store</u> shall be prohibited from locating within 1,000-feet of a lot, parcel, or tract of land with another <u>Alcoholic Beverage Store</u> situated on it as measured in a straight line between the nearest points of one (1) of the lots, parcels, or tracts of land to the other lot, parcel, or tract of land.

The purpose of creating these land uses and *Conditional Land Use Standards* is to ensure that if State law and/or local option requirements change, the City of Rockwall has regulations in the zoning code to address the sale of liquor or distilled spirits. This approach avoids the lag-time between the implementation of a legislative/local change and time it takes staff to draft and process regulations to address the legislative/local change; however, these requirements would be dormant in the City's code until they are applicable by a change in State law and/or local option requirements.

A redlined copy of the proposed changes along with a draft ordinance has been provided in the attached packet. In accordance with Subsection 02.01(C) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code

(UDC), the Director of Planning and Zoning is bringing forward the proposed text amendment to the City Council for consideration, and -- *in accordance with Section 02.04(B) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC)* -- staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

Planning and Zoning Commission Work Session: April 25, 2023 Planning and Zoning Commission Public Hearing: May 9, 2023 City Council Public Hearing/First Reading: May 15, 2023 City Council Second Reading: June 5, 2023

Staff has sent out a 15-day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on <u>May 9, 2023</u>.

- (1) <u>Setbacks from Other Uses.</u> The club must be located not less than 300-feet from a church, public school, or public hospital. For a church or public hospital, the 300-feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the private club and in a direct line across intersections.
- (2) <u>Exterior Signs.</u> There shall be no exterior signs advertising the sale of alcoholic beverages, provided this does not prohibit using established trademark names (e.g. Steak and Ale).
- (3) <u>Alcoholic Sales Revenue.</u> Revenues from the sale of alcoholic beverages shall not exceed 40% of the gross revenues derived from the sale of food and beverages. In the hotels and motels, the gross receipts shall include all restaurants and club operations in the facility as well as room rental charges. The City shall be provided with copies of the reports submitted by the establishment to the Texas Comptroller of Public Accounts and the Texas Alcoholic Beverage Commission within 30-days of the end of each quarter. Combined sales as reflected on the reports for the last two (2) reported quarters shall be used to determine if the sales of alcohol exceed the maximum allowed percentage.
- (4) <u>Club Boundaries.</u> The boundaries of a private club are hereby defined to be the building in which the private club is located, or in the case of a multi-tenant building such as a shopping center, only that portion of the building in which the private club is located which is separately leased or owned, or with contiguous internal access should such floor area be leased to more than one (1) party.
- (5) <u>Certificate of Occupancy.</u> A copy of the permit approved by the state shall be submitted to the city prior to issuance of a Certificate of Occupancy (CO) to ensure that the permit complies with the provisions of the zoning.
- (6) <u>Allowed uses.</u> No uses meeting the terms and definitions of Sexually Oriented Business as defined in <u>Article XI, Sexually Oriented Businesses</u>, of <u>Chapter 12, Businesses and Sales</u>, of the <u>Municipal Code of Ordinances</u>, as it is currently adopted or as it may hereafter be amended, shall be located in a private club unless such uses are approved as a part of the Specific Use Permit (SUP) authorizing the Private Club. Any such approved use shall be in compliance with all requirements of this permit, all applicable requirements of the Unified Development Code (UDC), and any other applicable ordinances.
- (7) <u>Sexually Oriented Businesses.</u>
 - (a) Sexually Oriented Businesses shall not be permitted within any Overlay District in the City of Rockwall.

- (F) <u>Retail and Personal Service Land Uses.</u>
 - (1) Alcoholic Beverage Package Sales.
 - (a) The package sales of liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -- shall <u>only</u> be permitted in conjunction with an Alcoholic Beverage Store, and shall not be permitted as an accessory use to any other land use contained within this Unified Development Code (UDC).
 - (b) The package sales of beer and wine shall be permitted <u>by-right</u> as an accessory land use to a General Retail Store, Retail Store with Gasoline Sales, Brew Pub, Craft/Micro Brewery and/or Winery, Brewery, and Winery.
 - (2) Alcoholic Beverage Store.
 - (a) An <u>Alcoholic Beverage Store</u> shall include the sale of beer, wine, <u>and</u> liquor or distilled spirits as defined by the Texas Alcoholic Beverage Code.
 - (b) An <u>Alcoholic Beverage Store</u> shall be prohibited from locating within 1,000-feet of a lot, parcel, or tract of land with another <u>Alcoholic Beverage Store</u> situated on it as measured in a straight line between the nearest points of one (1) of the lots, parcels, or tracts of land to the other lot, parcel, or tract of land.

(1)(3) Portable Beverage Service Facility.

- (a) The service shall be limited to snow cone stands, beverage stands serving non-alcoholic beverages such as coffee, juices or sodas.
- (b) The maximum time limit of such temporary use shall not exceed 150-days annually or a time limit otherwise approved by the City Council. At the end of the time period, the structure shall be removed from the property.
- (c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
- (d) No additional freestanding signage shall be permitted.
- (e) The temporary portable structure or trailer shall meet all health and electrical codes off the City.
- (f) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
- (g) Any such temporary facility shall have permanent restrooms for employees available within 300-feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.
- (h) Any such temporary facility shall be located on an allweather (i.e. asphalt or concrete) parking surface with adequate space for parking and circulation, unless alternatively approved by the City Council.
- (2)(4) <u>Temporary Christmas Tree Sales Lot and Similar</u> <u>Uses.</u>

- (A) <u>Grazing Animals.</u> In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.
- (B) <u>Other Animals.</u> An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in Section 6-1, <u>Definitions</u>, of Chapter 6, <u>Animals</u>, of the <u>Municipal</u> <u>Code of Ordinances</u>), and for a reduction in the land area required for grazing farm animals. The city shall not grant a SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor.
- (C) <u>General Conditions.</u> Notwithstanding the conditions above,
 - Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals;
 - (2) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal; and
 - (3) In SF-E and SF-1 Districts, no swine or fowl are permitted, except for *potbellied pigs* as defined in <u>Section 6-1</u>, <u>Definitions</u>, of Chapter 6, <u>Animals</u>, of the Municipal Code of Ordinances.
 - (4) In the Agricultural District or on unplatted tracts of land of five acres or more, standards for animals are found in <u>Section 6-1</u>, <u>Definitions</u>, of <u>Chapter 6</u>, <u>Animals</u>, of the <u>Municipal Code of</u> <u>Ordinances</u>.

SUBSECTION 03.02: TEMPORARY ACCOMODATION FOR EMPLOYEES, CUSTORMERS AND VISITORS

- (A) Temporary accommodations. Temporary accommodation for employees, customers and visitors may be provided as an ancillary use in commercial zoning districts provided that:
 - (1) Such accommodation is clearly in support of the business operation;
 - (2) No rental of such facilities to the general transient public occurs;
 - (3) Accommodation is for temporary stays, not to exceed 30 days; and
 - (4) No more than five (5) percent of the building area is utilized for this ancillary use.

SUBSECTION 03.03: UTILITY DISTRIBUTION LINES

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.

SUBSECTION 03.04: FLAG POLES

Flag poles are permitted in all districts, but must meet the building height and setback requirements for each district. (See <u>Article 05</u>, <u>District</u> <u>Development Standards</u>, of the Unified Development Code).

SUBSECTION 03.05: ALCOHOLIC BEVERAGE SALES

- (A) <u>Restaurants with Alcoholic Beverage Sales.</u>
 - (1) Restaurants may serve alcoholic beverages for on-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. For restaurants located on property that was annexed after November 14, 2007, a private club permit must be obtained for the ability to serve alcohol and must be located in an appropriate zoning district that allows such use.
 - (2) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school or private school to the property line of the restaurant and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

- (3) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.
- (B) <u>Retail Establishments with Alcoholic Beverage Sales.</u>
 - (1) Retail establishments <u>or</u> Alcoholic Beverage Stores may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments or Alcoholic

CITY OF ROCKWALL | UNIFIED DEVELOPMENT CODE

Beverage Stores located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.

(2) Retail establishments engaged in the selling of beer and wine or Alcoholic Beverage Stores engaged in the selling of beer, wine, and distilled spirits or liquor to the general public for offpremises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300-300-feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300-300-feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment or Alcoholic Beverage Store and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

- (3) Retail establishments engaged in the selling of beer and wine <u>or</u> Alcoholic Beverage Stores engaged in the selling of beer, wine, and distilled spirits or liquor for off-premise consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and Chapter 32 of the Code of Ordinances, pertaining to signs.
- (C) <u>Drive-Through Sales of Pre-Packaged Beverages</u>, Convenience <u>Stores</u>, <u>Retail Sales with Gasoline</u>.
 - An establishment may not offer drive-in, drive-up, drive through, or walk-up sales or service of pre-packaged, sealed, unopened beverages.
 - (2) A convenience store may not contain less than 1,000 square feet of retail space.
 - (3) For purposes of this section, the terms "drive-in," "drive-up," "drive-through," and "walk-up" do not prohibit the service of food or beverages to customers:
 - (a) Who must physically leave their vehicles and enter a building in order to make a purchase; or

(b) As part of a drive-through restaurant in connection with the sale or service of food to the customer.

SUBSECTION 03.06: ANTENNAS

- (A) <u>Construction and Maintenance Requirements.</u> All antenna masts, towers and antenna supports used for television and radio reception or transmission shall be constructed and maintained in accordance with the current National Electrical Code and the Building Code of the City.
- (B) <u>Permit Required.</u> Any person desiring to erect or have erected an antenna more than 25-feet in height above ground level, or an antenna mast 25-feet or less in height but not erected as required by this section, shall make written application to the building inspection department for a permit to erect same. Sufficient plans and specifications, as determined by the Chief Building Official, must accompany each application. It shall be unlawful and a violation of this division to erect, or cause to be erected, or to maintain, or cause to maintain, such antenna mast without first having obtained a permit. It shall be the duty of the permittee to request a final inspection upon completion of the antenna system. Domestic TV antennas are exempt from this section.
- (C) <u>Restrictions and Limitations</u>. All antenna systems constructed and maintained under the provisions of this section shall be subject to the following restrictions and limitations:
 - (1) No such antenna system shall be more than 99-feet in height.
 - (2) The location on the lot of such antenna system shall comply with the requirements of this Unified Development Code insofar as the front building line and side yard building line and requirements are concerned. No portion of an antenna system shall extend beyond the front building line on any lot, and on corner lots the side yard setback requirements shall be adhered to on the side adjacent to a public street, and where the front and side yard requirements are applicable, all portions of such structures shall be within the limits fixed by such requirements.
 - (3) All antenna systems constructed under the provisions of this section shall be maintained so as to at all times comply with the requirements of this section.
 - (4) The regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.
- (D) <u>Roof-Mounted Equipment.</u> All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. The screen shall be constructed of materials approved by the Director of Planning and Zoning. Roof-mounted equipment should be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings and elevated thoroughfare sections.
 - (1) The overall screening height will be the height of the tallest element of roof-mounted equipment.
 - (2) The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof
| LAND USE SCHEDULE | | | | | | | RESID | ENTIAI | _ DIST | RICTS |) | | | | MIXED | | NO | N-RES | BIDEN ⁻ | TIAL D | ISTRIC | CTS | | VERLA'
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| LEGEND: Land Use NOT Permitted P Land Use Permitted By-Right P Land Use Permitted with Conditions S Land Use Permitted Specific Use Permit (SUP) X Land Use Prohibited by Overlay District A Land Use Permitted as an Accessory Use | LAND USE DEFINITION REFERENCE
[Reference <u>Article 13, <i>Definitions</i>]</u> | CONDITIONAL USE REFERENCE
Reference [Article 04, Permissible Uses] | Agricultural (AG) District | Single Family Estate 1.5 (SFE-1.5) District | Single Family Estate 2.0 (SFE-2.0) District | Single Family Estate 4.0 (SFE-4.0) District | Single Family 1 (SF-1) District | Single Family 16 (SF-16) District | Single Family 10 (SF-10) District | Single Family 8.4 (SF-8.4) District | Single Family 7 (SF-7) District | Zero Lot-Line (ZL-5) District | Two-Family (2F) District | Multi-Family 14 (MF-14) District | Downtown (DT) District | Residential Office (RO) District | Neighborhood Services (NS) District | General Retail (GR) District | Commercial (C) District | Heavy Commercial (HC) District | Light Industrial (LI) District | Heavy Industrial (HI) District | Scenic Overlay (SOV) District | SH-66 Overlay (SH-66) District | IH-30 Overlay (IH-30 OV) District |
| Office Building 5,000 SF or Greater | <u>(2)</u> | | | | | | | | | | | | | | Р | S | S | Ρ | Ρ | Ρ | Ρ | Ρ | | | |
| RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES | 2.02(E) | 2.03(E) | | | | | | | | | | | | | | | | | | | | | | | |
| Temporary Carnival, Circus, or Amusement Ride | <u>(1)</u> | <u>(1)</u> | | | | | | | | | | | | | S | | S | Р | Р | Р | Р | Р | | | |
| Indoor Commercial Amusement/Recreation | <u>(2)</u> | (2) | | | | | | | | | | | | | S | | | S | Р | Р | Р | Р | | | |
| Outdoor Commercial Amusement/Recreation | <u>(3)</u> | <u>(3)</u> | | | | | | | | | | | | | | | | S | S | Р | S | Р | | | |
| Public or Private Community or Recreation Club as an Accessory Use | <u>(4)</u> | | S | S | S | S | S | S | S | S | S | S | S | S | S | | S | Р | Р | Р | Р | Р | | | |
| Private Country Club | <u>(5)</u> | | S | S | S | S | S | S | S | S | S | S | S | S | | | S | S | S | Р | Р | Р | | | |
| Golf Driving Range | <u>(6)</u> | | | | | | | | | | | | | | | | S | S | S | Р | Р | Р | | | |
| Temporary Fundraising Events by Non-Profit | <u>(7)</u> | <u>(4)</u> | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | Р | | | |
| Indoor Gun Club with Skeet or Target Range | <u>(8)</u> | <u>(5)</u> | | | | | | | | | | | | | | | | S | Р | Р | Р | Р | | | |
| Outdoor Gun Club with Skeet or Target Range | <u>(8)</u> | | S | | | | | | | | | | | | | | | | | Р | | S | | | |
| Health Club or Gym | <u>(9)</u> | | | | | | | | | | | | | A | Р | | S | Р | Р | Р | Р | Р | | | |
| Private Club, Lodge or Fraternal Organization | <u>(10)</u> | <u>(6)</u> | | | | | | | | | | | | | S | | S | S | Р | Р | Р | S | | | |
| Private Sports Arena, Stadium, and/or Track | <u>(11)</u> | | | | | | | | | | | | | | | | | | S | Р | Р | Р | | | |
| Public Park or Playground | <u>(12)</u> | | Р | Р | Р | Р | Р | Р | Р | Р | Ρ | Р | Р | Р | Р | | Ρ | Ρ | Р | Р | Р | Р | | | |
| Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code] | <u>(13)</u> | (7) | | | | | | | | | | | | | | | | | | | S | S | | | |
| Tennis Courts (i.e. Not Accessory to a Public or Private Country Club) | <u>(14)</u> | | S | S | S | S | S | S | S | S | S | S | S | S | | | S | S | S | Ρ | Р | Ρ | | | |
| Theater | <u>(15)</u> | | | | | | | | | | | | | | Р | | | S | Р | Р | Р | Р | | | |
| RETAIL AND PERSONAL SERVICES LAND USES | 2.02(F) | 2.03(F) | | | | | | | | | | | | | | | | | | | | | | | |
| Alcoholic Beverage Package Sales | (1) | <u>(1)</u> | | | | | | | | | | | | | Р | | S | Р | Р | Р | S | | | | |
| Alcoholic Beverage Store | (2) | <u>(2)</u> | | | | | | | | | | | | | S | | | | S | Р | | | | | |
| Antique/Collectible Store | <u>(42)</u> | | | | | | | | | | | | | | S | | S | Ρ | Ρ | Р | | | | | |
| Astrologer, Hypnotist, or Psychic | <u>(23)</u> | | | | | | | | | | | | | | S | Р | Ρ | Ρ | Ρ | Р | | | | | |

LAND USE SCHEDULE						ł	RESID	ENTIA	L DIST	RICTS					MIXED		NO	N-RES	SIDEN ⁻	FIAL D	ISTRIC	CTS		VERLAY STRICTS
LEGEND: Land Use NOT Permitted P Land Use Permitted By-Right P Land Use Permitted with Conditions S Land Use Permitted Specific Use Permit (SUP) X Land Use Prohibited by Overlay District A Land Use Permitted as an Accessory Use	LAND USE DEFINITION REFERENCE [Reference <u>Article 13, <i>Definitions</i>]</u>	CONDITIONAL USE REFERENCE Reference [Article 04, Permissible Uses]	Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District IH-30 Overlav (IH-30 OV) District
Banquet Facility/Event Hall	<u>(34)</u>														S			Р	Р	Р				
Portable Beverage Service Facility	<u>(45)</u>	<u>(13)</u>													S	S		S	S	S	S	Р		
Brew Pub	<u>(56)</u>														Р		Р	Р	Ρ	Ρ	Ρ	Ρ		
Business School	<u>(67)</u>														Р			Ρ	Ρ	Ρ	Ρ			
Catering Service	(78)														А		S	Р	Ρ	Р	Ρ			
Temporary Christmas Tree Sales Lot and/or Similar Uses	<u>(89)</u>	<u>(24)</u>													S		S	Ρ	Ρ	Р	Ρ	Р		
Copy Center	<u>(910)</u>														Р		Р	Р	Ρ	Р	Р	Р		
Craft/Micro Brewery, Distillery and/or Winery	(10 11)	<u>(35)</u>													S			S	S		Р	Р		
Incidental Display	<u>(1112)</u>	<u>(46)</u>													Р		Р	Р	Ρ	Р	Р			
Food Trucks/Trailers	<u>(1213)</u>	<u>(57)</u>													Р	S	S	Р	Р	Р	Р	Р		
Garden Supply/Plant Nursery	<u>(1314)</u>																S	Ρ	Ρ	Ρ	Ρ			
General Personal Service	<u>(1415)</u>	<u>(68)</u>													Р		Р	Р	Р	Р	S			
General Retail Store	<u>(1516)</u>														Р	S	Р	Ρ	Ρ	Р	S	S		
Hair Salon and/or Manicurist	(<u>1617)</u>														Р	S	Р	Р	Ρ	Р	S			
Laundromat with Dropoff/Pickup Services	<u>(1718)</u>														Р		Р	Р	Ρ	Р	Ρ	Ρ		
Self Service Laundromat	<u>(1819)</u>														Р		Р	Р	Ρ	Р	Ρ	Р		
Massage Therapist	(<u>1920)</u>														Р	Ρ	Р	Р	Ρ	Р				
Private Museum or Art Gallery	<u>(2021)</u>														Р	Ρ	S	Ρ	Ρ		Ρ			
Night Club, Discotheque, or Dance Hall	(<u>2122)</u>														S			S	Ρ	Р	S	S		
Pawn Shop	(22 23)																		S	S	Ρ	Ρ		
Permanent Cosmetics	<u>(2324)</u>	<u>(79)</u>													А	А	А	А	А	Α	А			
Pet Shop	<u>(2425)</u>																Р	Р	Ρ	Р				
Temporary Real Estate Sales Office	<u>(2526)</u>		Р	Ρ	Р	Р	Ρ	Ρ	Ρ	Р	Ρ	Р	Р	Р	Р		Р	Р	Ρ	Р	Р	Р		

LAND USE SCHEDULE							RESID	ENTIA	L DIST	RICTS)				MIXED		NO	N-RES	SIDENT	ΓIAL D	STRIC	CTS		VERLAY STRICTS	
LEGEND: Land Use NOT Permitted P Land Use Permitted By-Right P Land Use Permitted with Conditions S Land Use Permitted Specific Use Permit (SUP) X Land Use Prohibited by Overlay District A Land Use Permitted as an Accessory Use	LAND USE DEFINITION REFERENCE [Reference <u>Article 13, <i>Definitions</i>]</u>	CONDITIONAL USE REFERENCE Reference [<u>Article 04, Permissible Uses</u>]	Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Rental Store without Outside Storage and/or Display	(<u>2627)</u>	<u>(810)</u>																S	Р	Р	Р	Р			
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	<u>(2728)</u>	<u>(911)</u>															S	S	S	S	S	S			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	<u>(2829)</u>														Р	S	Р	Ρ	Р	Р	Р	Р			
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	<u>(2728)</u>	<u>(1012)</u>															S	S	Р	Р	Р	Р			
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	<u>(2829)</u>														Р		S	Ρ	Р	Ρ	Ρ	Р			l
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (<i>i.e. a Maximum of Four</i> [4] Vehicles)	<u>(2930)</u>																S	Р	Ρ	Р	Р	Ρ	S	S	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(29 30)																	S	Р	Р	Р	Р	S	S	
Secondhand Dealer	<u>(3031)</u>														S			Ρ	Ρ	Ρ	Ρ	Ρ			
Art, Photography, or Music Studio	(<u>3132)</u>														Ρ	Р	Ρ	Ρ	Ρ	Ρ	Ρ				
Tailor, Clothing, and/or Apparel Shop	<u>(3233)</u>														Ρ		Ρ	Ρ	Р	Ρ					
Tattoo and/or Body Piercing	<u>(3334)</u>																			Ρ					
Taxidermist Shop	<u>(3435)</u>																			Ρ	Ρ				
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Bail Bond Service	<u>(1)</u>																		S	Ρ	Р	Ρ			
Building and Landscape Material with Outside Storage	(2)	<u>(1)</u>																			Р	Р			
Building and Landscape Material with Limited Outside Storage	<u>(2)</u>	<u>(2)</u>																	Р	Р	Р	Р			
Building Maintenance, Service, and Sales with Outside Storage	<u>(3)</u>	<u>(3)</u>																			Р	Р			
Building Maintenance, Service, and Sales without Outside Storage	<u>(3)</u>																		Ρ	Ρ	Ρ	Ρ			
Commercial Cleaners	<u>(4)</u>																			S	Ρ	Ρ			
Custom and Craft Work	<u>(5)</u>																			Ρ	Ρ	Ρ			
Electrical, Watch, Clock, Jewelry and/or Similar Repair	<u>(6)</u>														Р		S	Ρ	Р	Ρ	Ρ	Р			
Feed Store or Ranch Supply	(7)																			Ρ	S	Ρ			



s would be the primary use for a property (7)(9)

appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

- (15) <u>Theater.</u> A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.
- (F) Retail and Personal Service Land Uses.
 - (1) <u>Alcoholic Beverage Package Sales</u>. The act of selling beer, wine, and/or liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -- in accordance with the requirements of this Unified Development Code (UDC) by a person, establishment, or place of business.
 - (2) <u>Alcoholic Beverage Store</u>. A standalone retail establishment that engages in the sale of beer, wine, <u>and</u> liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -to the general public for off-premise personal or household consumption.
 - (1)(3) <u>Antique/Collectible Store</u>. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.
 - (2)(4) <u>Astrologer, Hypnotist, or Psychic</u>. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.
 - (3)(5) <u>Banquet Facility/Event Hall</u>. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.
 - (4)(6) <u>Portable Beverage Service Facility</u>. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.
 - (5)(7) <u>Brewpub.</u> A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- in limited quantities -- for both on-premise and off-premise consumption.
 - (6)(8) <u>Business School.</u> A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.

(9) <u>Catering Service.</u> A food establishment without onsite banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.

CITY OF ROCKWALL | UNIFIED DEVELOPMENT CODE

- (8)(10) <u>Temporary Christmas Tree Sales Lot and Similar</u> <u>Uses.</u> A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.
- (9)(11) <u>Copy Center.</u> An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.
- (10) <u>Craft/Micro Brewery, Distillery and/or Winery.</u> A <u>craft/microbrewery</u> is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A <u>distillery and/or winery</u> is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.
- (11)(13) <u>Incidental Display.</u> An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.
- (12)(14) <u>Food Truck/Trailer.</u> A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.
- (13)(15) <u>Garden Supply/Plant Nursery.</u> An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.
- (14)(16) <u>General Personal Service.</u> Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, drycleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.
- (15)(17) <u>General Retail Store.</u> A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that

CITY OF ROCKWALL

ORDINANCE NO. <u>23-XX</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 04, PERMISSIBLE USES, AND ARTICLE 13, DEFINITIONS, AS DEPCITED IN EXHIBIT 'A' OF THIS ORDINANCE; 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, an amendment to the City of Rockwall's Unified Development Code [Ordinance No. 20-02] has been initiated by the City Council of the City of Rockwall to amend Article 04, *Permissible Uses*, and Article 13, *Definitions*, of the Unified Development Code [Ordinance No. 20-02] to create an Alcoholic Beverage Package Sales and Alcoholic Beverage Store land use; 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 city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

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

SECTION 1. That Article 04, *Permissible Uses*, and Article 13, *Definitions*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. That 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 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 20-02], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. 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 5TH DAY OF JUNE, 2023.

Trace Johannesen, Mayor

ATTEST:

1 Kristy Teague, City Secretary **APPROVED AS TO FORM:** Frank J. Garza, City Attorney 1st Reading: <u>May 15, 2023</u> 2nd Reading: June 5, 2023

Exhibit 'A' Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC)

Continued on Next Page ...

- (1) <u>Setbacks from Other Uses.</u> The club must be located not less than 300-feet from a church, public school, or public hospital. For a church or public hospital, the 300-feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the private club and in a direct line across intersections.
- (2) <u>Exterior Signs.</u> There shall be no exterior signs advertising the sale of alcoholic beverages, provided this does not prohibit using established trademark names (e.g. Steak and Ale).
- (3) <u>Alcoholic Sales Revenue.</u> Revenues from the sale of alcoholic beverages shall not exceed 40% of the gross revenues derived from the sale of food and beverages. In the hotels and motels, the gross receipts shall include all restaurants and club operations in the facility as well as room rental charges. The City shall be provided with copies of the reports submitted by the establishment to the Texas Comptroller of Public Accounts and the Texas Alcoholic Beverage Commission within 30-days of the end of each quarter. Combined sales as reflected on the reports for the last two (2) reported quarters shall be used to determine if the sales of alcohol exceed the maximum allowed percentage.
- (4) <u>Club Boundaries.</u> The boundaries of a private club are hereby defined to be the building in which the private club is located, or in the case of a multi-tenant building such as a shopping center, only that portion of the building in which the private club is located which is separately leased or owned, or with contiguous internal access should such floor area be leased to more than one (1) party.
- (5) <u>Certificate of Occupancy.</u> A copy of the permit approved by the state shall be submitted to the city prior to issuance of a Certificate of Occupancy (CO) to ensure that the permit complies with the provisions of the zoning.
- (6) <u>Allowed uses.</u> No uses meeting the terms and definitions of Sexually Oriented Business as defined in <u>Article XI</u>, <u>Sexually Oriented Businesses</u>, of <u>Chapter 12</u>, <u>Businesses and Sales</u>, of the <u>Municipal Code of Ordinances</u>, as it is currently adopted or as it may hereafter be amended, shall be located in a private club unless such uses are approved as a part of the Specific Use Permit (SUP) authorizing the Private Club. Any such approved use shall be in compliance with all requirements of this permit, all applicable requirements of the Unified Development Code (UDC), and any other applicable ordinances.
- (7) <u>Sexually Oriented Businesses.</u>
 - (a) Sexually Oriented Businesses shall not be permitted within any Overlay District in the City of Rockwall.

- (F) Retail and Personal Service Land Uses.
 - (1) <u>Alcoholic Beverage Package Sales.</u>
 - (a) The package sales of liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -- shall <u>only</u> be permitted in conjunction with an Alcoholic Beverage Store, and shall not be permitted as an accessory use to any other land use contained within this Unified Development Code (UDC).
 - (b) The package sales of beer and wine shall be permitted <u>by-right</u> as an accessory land use to a General Retail Store, Retail Store with Gasoline Sales, Brew Pub, Craft/Micro Brewery and/or Winery, Brewery, and Winery.
 - (2) Alcoholic Beverage Store.
 - (a) An <u>Alcoholic Beverage Store</u> shall include the sale of beer, wine, <u>and</u> liquor or distilled spirits as defined by the Texas Alcoholic Beverage Code.
 - (b) An <u>Alcoholic Beverage Store</u> shall be prohibited from locating within 1,000-feet of a lot, parcel, or tract of land with another <u>Alcoholic Beverage Store</u> situated on it as measured in a straight line between the nearest points of one (1) of the lots, parcels, or tracts of land to the other lot, parcel, or tract of land.
 - Portable Beverage Service Facility.

(1)(3)

- (a) The service shall be limited to snow cone stands, beverage stands serving non-alcoholic beverages such as coffee, juices or sodas.
- (b) The maximum time limit of such temporary use shall not exceed 150-days annually or a time limit otherwise approved by the City Council. At the end of the time period, the structure shall be removed from the property.
- (c) Any temporary power poles will be removed on the date of or immediately following the termination date of the permit.
- (d) No additional freestanding signage shall be permitted.
- (e) The temporary portable structure or trailer shall meet all health and electrical codes off the City.
- (f) Any such temporary facility shall not reduce the number of required parking spaces of any nearby building or use.
- (g) Any such temporary facility shall have permanent restrooms for employees available within 300-feet of the door of the portable beverage facility. Written permission from the permanent building owner for restroom use must be submitted to the building official; no portable restroom facility is allowed.
- (h) Any such temporary facility shall be located on an allweather (i.e. asphalt or concrete) parking surface with adequate space for parking and circulation, unless alternatively approved by the City Council.
- (2)(4) <u>Temporary Christmas Tree Sales Lot and Similar</u> <u>Uses.</u>

- (A) <u>Grazing Animals.</u> In the SF-E and SF-1 Districts, grazing animals 500 pounds or greater, including horses and cattle must have a minimum fenced or enclosed area of 40,000 square feet per animal. Grazing animals of less than 500 pounds, including sheep and goats, must have a minimum fenced or enclosed area of 15,000 square feet per animal.
- (B) <u>Other Animals.</u> An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in <u>Section 6-1</u>, <u>Definitions</u>, of Chapter 6, <u>Animals</u>, of the <u>Municipal</u> <u>Code of Ordinances</u>), and for a reduction in the land area required for grazing farm animals. The city shall not grant a SUP for any farm animal unless it is convinced that the presence of such animals will not injure the use and enjoyment of neighboring properties, including the impact of dust, flies and odor.
- (C) <u>General Conditions.</u> Notwithstanding the conditions above,
 - Ground accumulations of manure shall be collected and properly disposed of so as not to create offensive odors, fly breeding, or in any way pose a health hazard or nuisance to humans and animals;
 - (2) Fences or pens, corrals or similar enclosures shall be of sufficient height and strength to properly retain the animal; and
 - (3) In SF-E and SF-1 Districts, no swine or fowl are permitted, except for potbellied pigs as defined in <u>Section 6-1, Definitions</u>, of Chapter 6, <u>Animals</u>, of the Municipal Code of Ordinances.
 - (4) In the Agricultural District or on unplatted tracts of land of five acres or more, standards for animals are found in <u>Section 6-1</u>, <u>Definitions</u>, of <u>Chapter 6</u>, <u>Animals</u>, of the <u>Municipal Code of</u> <u>Ordinances</u>.

SUBSECTION 03.02: TEMPORARY ACCOMODATION FOR EMPLOYEES, CUSTORMERS AND VISITORS

- (A) Temporary accommodations. Temporary accommodation for employees, customers and visitors may be provided as an ancillary use in commercial zoning districts provided that:
 - (1) Such accommodation is clearly in support of the business operation;
 - (2) No rental of such facilities to the general transient public occurs;
 - (3) Accommodation is for temporary stays, not to exceed 30 days; and
 - (4) No more than five (5) percent of the building area is utilized for this ancillary use.

SUBSECTION 03.03: UTILITY DISTRIBUTION LINES

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.

SUBSECTION 03.04: FLAG POLES

Flag poles are permitted in all districts, but must meet the building height and setback requirements for each district. (See <u>Article 05</u>, <u>District</u> <u>Development Standards</u>, of the Unified Development Code).

SUBSECTION 03.05: ALCOHOLIC BEVERAGE SALES

- (A) <u>Restaurants with Alcoholic Beverage Sales.</u>
 - (1) Restaurants may serve alcoholic beverages for on-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. For restaurants located on property that was annexed after November 14, 2007, a private club permit must be obtained for the ability to serve alcohol and must be located in an appropriate zoning district that allows such use.
 - (2) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300 feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300 feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school or private school to the property line of the restaurant and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

(3) Restaurants that sell alcoholic beverages for on-premises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and chapter 32 of the Code of Ordinances, pertaining to signs.

(B) <u>Retail Establishments with Alcoholic Beverage Sales.</u>

(1) Retail establishments <u>or</u> Alcoholic Beverage Stores may sell beer and wine for off-premises consumption by right if they are located on property that was within the city limits as of November 14, 2007, and are located in a zoning district allowing such use. Retail establishments or Alcoholic

CITY OF ROCKWALL | UNIFIED DEVELOPMENT CODE

Beverage Stores located on property that was annexed after November 14, 2007, may not engage in the selling of beer and wine for off-premises consumption.

(2) Retail establishments engaged in the selling of beer and wine or Alcoholic Beverage Stores engaged in the selling of beer. wine, and distilled spirits or liquor to the general public for offpremises consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and must be located not less than 300-300-feet from a church, public school, private school (as defined by the Texas Alcoholic Beverage Code) or public hospital. For a church or public hospital, the 300-300-feet shall be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. For public schools or private schools, the measurement of distance shall be in direct line from the property line of the public school to the property line of the retail establishment or Alcoholic Beverage Store and in a direct line across intersections. If the permit or license holder is located on or above the fifth story of a multistory building, the measurement shall be in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

The City Council may grant a variance to the distance regulations if the City Council determines that enforcement of those regulations in a particular instance is not in the best interest of the public, constitutes waste of inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

- (3) Retail establishments engaged in the selling of beer and wine <u>or</u> Alcoholic Beverage Stores engaged in the selling of beer, wine, and distilled spirits or liquor for off-premise consumption shall be subject to compliance with the Texas Alcoholic Beverage Code, as it exists or may be amended and shall not be permitted to have exterior signs advertising the sale of alcoholic beverages other than those authorized under the Texas Alcoholic Beverage Code and Chapter 32 of the Code of Ordinances, pertaining to signs.
- (C) <u>Drive-Through Sales of Pre-Packaged Beverages, Convenience</u> <u>Stores, Retail Sales with Gasoline.</u>
 - An establishment may not offer drive-in, drive-up, drive through, or walk-up sales or service of pre-packaged, sealed, unopened beverages.
 - (2) A convenience store may not contain less than 1,000 square feet of retail space.
 - (3) For purposes of this section, the terms "drive-in," "drive-up," "drive-through," and "walk-up" do not prohibit the service of food or beverages to customers:
 - (a) Who must physically leave their vehicles and enter a building in order to make a purchase; or

(b) As part of a drive-through restaurant in connection with the sale or service of food to the customer.

SUBSECTION 03.06: ANTENNAS

- (A) <u>Construction and Maintenance Requirements.</u> All antenna masts, towers and antenna supports used for television and radio reception or transmission shall be constructed and maintained in accordance with the current National Electrical Code and the Building Code of the City.
- (B) <u>Permit Required.</u> Any person desiring to erect or have erected an antenna more than 25-feet in height above ground level, or an antenna mast 25-feet or less in height but not erected as required by this section, shall make written application to the building inspection department for a permit to erect same. Sufficient plans and specifications, as determined by the Chief Building Official, must accompany each application. It shall be unlawful and a violation of this division to erect, or cause to be erected, or to maintain, or cause to maintain, such antenna mast without first having obtained a permit. It shall be the duty of the permittee to request a final inspection upon completion of the antenna system. Domestic TV antennas are exempt from this section.
- (C) <u>Restrictions and Limitations</u>. All antenna systems constructed and maintained under the provisions of this section shall be subject to the following restrictions and limitations:
 - (1) No such antenna system shall be more than 99-feet in height.
 - (2) The location on the lot of such antenna system shall comply with the requirements of this Unified Development Code insofar as the front building line and side yard building line and requirements are concerned. No portion of an antenna system shall extend beyond the front building line on any lot, and on corner lots the side yard setback requirements shall be adhered to on the side adjacent to a public street, and where the front and side yard requirements are applicable, all portions of such structures shall be within the limits fixed by such requirements.
 - (3) All antenna systems constructed under the provisions of this section shall be maintained so as to at all times comply with the requirements of this section.
 - (4) The regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.
- (D) <u>Roof-Mounted Equipment.</u> All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, should be screened to eliminate the view from the ground level of adjacent properties. The screen shall be constructed of materials approved by the Director of Planning and Zoning. Roof-mounted equipment should be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings and elevated thoroughfare sections.
 - (1) The overall screening height will be the height of the tallest element of roof-mounted equipment.
 - (2) The outside of the screening device should be painted or finished in a similar color to the building facade, trim or roof

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LAND USE SCHEDULE																								
LEGEND: Land Use <u>NOT</u> Permitted	LAND USE DEFINITION REFERENCE [Reference <u>Article 13, Definitions]</u>	E REFERENCE 4, Permissible Uses		Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District		ti ti	st	ict							istrict			ŧ				t
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LAND USES		ÖŘ	Å	N.			N	Si	<u>ت</u>			Ň	É	Σ		_		-					Ň	
Office Building 5,000 SF or Greater	<u>(2)</u>					7									Р	S	S	Р	Р	Р	Р	Ρ		
RECREATION, ENTERTAINMENT AND AMUSEMENT LAND USES	2.02(E)	2.03(E)															0	Р	P	Р	D	D		
Temporary Carnival, Circus, or Amusement Ride Indoor Commercial Amusement/Recreation	(<u>1</u>)	(<u>1</u>)													S S		S	S P	P	P	P P	P P		
Outdoor Commercial Amusement/Recreation	(<u>2)</u> (<u>3)</u>	(<u>2</u>) (<u>3</u>)																S	S	P	S	Р		
Public or Private Community or Recreation Club as an Accessory Use	<u>(4)</u>		S	S	S	S	S	S	S	s	S	S	S	S	S		S	P	P	P	P	Р		
Private Country Club	<u>(4)</u> (5)		S	S	S	S	S	S	S	S	S	9	S		3		S	S	S	P	P	P		
Golf Driving Range	<u>(6)</u>																S	S	S	P	P	P		
Temporary Fundraising Events by Non-Profit	<u>(7)</u>	<u>(4)</u>	P	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	P	P	P	P	P	P		
Indoor Gun Club with Skeet or Target Range	<u>(8)</u>	<u>(5)</u>											U					S	P	P	P	P		
Outdoor Gun Club with Skeet or Target Range	<u>(8)</u>	101	S															0		P		S		
Health Club or Gym	<u>(9)</u>													A	Р		S	Р	Р	P	Р	P		
Private Club, Lodge or Fraternal Organization	<u>(10)</u>	<u>(6)</u>													S		S	S	P	P	P	S		
Private Sports Arena, Stadium, and/or Track	(11)																		S	Р	Р	Р		
Public Park or Playground	<u>(12)</u>		Р	Р	Р	P	Р	P	Р	Р	Р	Р	Р	Р	Р		Р	Р	Р	Р	P	Р		
Sexually Oriented Businesses [Art. XI; CH. 12; Municipal Code]	<u>(13)</u>	(7)																			S	S		
Tennis Courts (i.e. Not Accessory to a Public or Private Country Club)	<u>(14)</u>		S	S	S	S	S	S	s	S	S	S	S	S			S	S	S	Р	Р	Р		
Theater	(15)													Ŭ	Р			S	P	P	P	Р		
RETAIL AND PERSONAL SERVICES LAND USES	2.02(F)	2.03(F)													1			Ū	1	1	1	1		
Alcoholic Beverage Package Sales	<u>(1)</u>	<u>(1)</u>													Р		S	Р	Р	Р	S			
Alcoholic Beverage Store	(2)	(2)													S				S	Р				
Antique/Collectible Store	<u>(12)</u>														S		S	Р	Р	Р				
Astrologer, Hypnotist, or Psychic	<u>(23)</u>														S	Ρ	Р	Р	Ρ	Р				
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LAND USE SCHEDULE						F	RESID	ENTIA	L DIST	TRICTS					MIXED DISTR		NO	N-RES	SIDEN	FIAL D	STRIC	CTS		VERLA STRICI	
LEGEND: Land Use NOT Permitted P Land Use Permitted By-Right P Land Use Permitted with Conditions S Land Use Permitted Specific Use Permit (SUP) X Land Use Prohibited by Overlay District A Land Use Permitted as an Accessory Use	LAND USE DEFINITION REFERENCE [Reference <u>Article 13, Definitions]</u>	CONDITIONAL USE REFERENCE Reference [Article 04, Permissible Uses]	Agricultural (AG) District	Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	Single Family 1 (SF-1) District	Single Family 16 (SF-16) District	Single Family 10 (SF-10) District	Single Family 8.4 (SF-8.4) District	Single Family 7 (SF-7) District	Zero Lot-Line (ZL-5) District	Two-Family (2F) District	Multi-Family 14 (MF-14) District	Downtown (DT) District	Residential Office (RO) District	Neighborhood Services (NS) District	General Retail (GR) District	Commercial (C) District	Heavy Commercial (HC) District	Light Industrial (LI) District	Heavy Industrial (HI) District	Scenic Overlay (SOV) District	SH-66 Overlay (SH-66) District	IH-30 Overlay (IH-30 OV) District
Banquet Facility/Event Hall	<u>(34)</u>														S			Р	Ρ	Р					
Portable Beverage Service Facility	(<u>45)</u>	<u>(13)</u>													S	S	5	S	S	S	S	P			
Brew Pub Business School	(56)														P		Ρ	P P	P P	P P	P P	Р			$\left - \right $
	(67)													_	A		0				P P				<u> </u>
Catering Service	<u>(78)</u>																S	P	P	P					
Temporary Christmas Tree Sales Lot and/or Similar Uses	<u>(89)</u>	<u>(24)</u>													S		S	Р	Р	Р	Р	Р			
Copy Center	<u>(910)</u>														Р		Р	Р	Р	Р	Р	Р			
Craft/Micro Brewery, Distillery and/or Winery	(<u>1011)</u>	<u>(35)</u>													S			S	S		Р	Р			
Incidental Display	(<u>1112)</u>	<u>(46)</u>													Р		Р	Р	Р	Р	Р				
Food Trucks/Trailers	(<u>1213)</u>	<u>(57)</u>													Р	S	S	P	P	P	P	Р		'	
Garden Supply/Plant Nursery	(<u>1314)</u>	(00)													P		S	P	P	P	P				<u> </u>
General Personal Service General Retail Store	(1415)	<u>(68)</u>													P	S	P P	P P	P P	P P	S S	S			
Hair Salon and/or Manicurist	(<u>1516)</u> (<u>1617)</u>														P	S S	P	P P	P	P	S S	5			$\left - \right $
Laundromat with Dropoff/Pickup Services	_														P	0	P	 Р	P	P	P	Р		<u> </u>	$\left - \right $
Self Service Laundromat	<u>(1718)</u> (1819)														P		P	 Р	P	P	P	P			$\left - \right $
Massage Therapist	(19 20)														P	Р	P	P	P	P				<u> </u>	
Private Museum or Art Gallery	(15 20) (20 21)														Р	P	S	P	P		Р			<u> </u>	
Night Club, Discotheque, or Dance Hall	(21 22)														S			S	P	Р	S	S			
Pawn Shop	(<u>2223)</u>																		S	S	P	P			
Permanent Cosmetics	(2324)	<u>(79)</u>													A	A	A	A	A	A	A				
Pet Shop	(24 25)																Р	Р	Р	Р					
Temporary Real Estate Sales Office	(<u>2526)</u>		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р		Р	Р	Р	Р	Р	Р			

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LAND USES Rental Store without Outside Storage and/or Display	(<u>2627)</u>	<u>(810)</u>														_		S	P	Р	Р	Р			<u> </u>
Restaurant with less than 2,000 SF with Drive-Through or Drive-In	(<u>2728)</u>	<u>(911)</u>															S	S	S	S	S	S			
Restaurant with less than 2,000 SF without Drive-Through or Drive-In	<u>(2829)</u>														Р	S	Р	Р	Р	Р	Р	Р			
Restaurant with 2,000 SF or more with Drive-Through or Drive-In	(<u>2728)</u>	<u>(1012)</u>															S	S	Р	Р	Р	Р			
Restaurant with 2,000 SF or more without Drive-Through or Drive-In	(<u>2829)</u>														Р		S	Р	Р	Р	Р	Р			
Retail Store with Gasoline Sales that has Two (2) or less Dispensers (<i>i.e. a Maximum of Four</i> [4] Vehicles)	<u>(2930)</u>																S	Р	Р	Р	Р	Р	S	S	
Retail Store with Gasoline Sales that has more than Two (2) Dispensers	(<u>29</u> 30)																	S	Ρ	Ρ	Р	Ρ	S	S	
Secondhand Dealer	<u>(3031)</u>														S			Ρ	Ρ	Ρ	Р	Ρ			
Art, Photography, or Music Studio	(<u>3132)</u>														Р	Ρ	Р	Ρ	Ρ	Ρ	Р				
Tailor, Clothing, and/or Apparel Shop	(32 33)														Р		Р	Ρ	Р	Ρ					
Tattoo and/or Body Piercing	<u>(3334)</u>																			Р					
Taxidermist Shop	<u>(3435)</u>																			Ρ	Р				
COMMERCIAL AND BUSINESS SERVICES LAND USES	2.02(G)	2.03(G)																							
Bail Bond Service	(1)																		S	Ρ	Р	Ρ			
Building and Landscape Material with Outside Storage	(2)	(1)																			Р	Р			
Building and Landscape Material with Limited Outside Storage	<u>(2)</u>	<u>(2)</u>																	Р	Р	Р	Р			
Building Maintenance, Service, and Sales with Outside Storage	<u>(3)</u>	<u>(3)</u>																			Р	Р			
Building Maintenance, Service, and Sales without Outside Storage	<u>(3)</u>																		Р	Ρ	Р	Р			
Commercial Cleaners	<u>(4)</u>																			S	Р	Ρ			
Custom and Craft Work	<u>(5)</u>																			Ρ	Р	Ρ			
Electrical, Watch, Clock, Jewelry and/or Similar Repair	<u>(6)</u>														Р		S	Ρ	Р	Р	Р	Ρ			
Feed Store or Ranch Supply	(7)																			Ρ	S	Ρ			



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appurtenances. This would be the primary use for a property and not attached to a Public or Private Country Club.

- (15) <u>Theater.</u> A structure that is open to the public and is used for dramatic, operatic, musical, motion picture, or other performance or entertainment-related activities, where admission is charged per performance or event, and where there is no audience participation other than as spectators. Such establishments may include incidental services such as food and beverage sales and other concessions.
- (F) Retail and Personal Service Land Uses.
 - <u>Alcoholic Beverage Package Sales</u>. The act of selling beer, wine, and/or liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -- in accordance with the requirements of this Unified Development Code (UDC) by a person, establishment, or place of business.
 - (2) <u>Alcoholic Beverage Store</u>. A standalone retail establishment that engages in the sale of beer, wine, <u>and</u> liquor or distilled spirits -- as defined by the Texas Alcoholic Beverage Code -to the general public for off-premise personal or household consumption.
 - (1)(3) <u>Antique/Collectible Store</u>. A retail establishment that engages in the selling of works of art, furniture or other artifacts of an earlier period.
 - (2)(4) <u>Astrologer, Hypnotist, or Psychic</u>. An establishment providing predictions or readings of the future based on intuitive or mental powers, astrology, card or tea reading, crystal gazing, palmistry, or spiritual reading.
 - (3)(5) <u>Banquet Facility/Event Hall</u>. An establishment that is leased on a temporary basis before the day of the event by individuals or groups who reserve the facility to accommodate private functions, including, but not limited to, banquets, weddings, anniversaries, receptions, business and organizational meetings, and other similar functions, to which the general public is not admitted and for which no admission charge is imposed. Such establishments may include kitchen facilities for the preparation of food or catering of food and areas for dancing, dining, and other entertainment activities that customarily occur in association with banquets, weddings, or receptions.
 - (4)(6) <u>Portable Beverage Service Facility</u>. A portable beverage service facility is an establishment that sells beverages from a structure that can be moved from place to place but that stays at one location during a normal business day; food sales are prohibited in these facilities.
 - (5)(7) <u>Brewpub.</u> A brewpub is a restaurant that incorporates a craft or microbrewery as an accessory use. The craft or microbrewery in conjunction with the restaurant allows for the manufacturing of beer -- in limited quantities -- for both on-premise and off-premise consumption.
 - (6) <u>Business School.</u> A business organized to operate for profit that offers instruction and training in a service or art such as secretarial school, barber college, beauty school or commercial art school, but not including manual trade schools.

- (7)(9) <u>Catering Service.</u> A food establishment without onsite banquet facilities that provides, prepares, and/or serves food at off-site locations for groups, where all food and service expenses are paid by the group and not for individual sale.
 - (8)(10) <u>Temporary Christmas Tree Sales Lot and Similar</u> <u>Uses.</u> A building or land area that provides seasonal uses such as the sale of Christmas trees, pumpkins, and other temporary uses which occur at certain times of the year.
 - (9)(11) <u>Copy Center.</u> An establishment that reproduces, in printed form, individual orders from a business, profession, service, industry, or government organization.
 - (10)(12) <u>Craft/Micro Brewery, Distillery and/or Winery.</u> A <u>craft/microbrewery</u> is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A <u>distillery and/or winery</u> is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24% alcohol by volume, distilled spirits and other liquors.
 - (11)(13) <u>Incidental Display.</u> An outdoor retail sale or commercial promotion, not in excess of thirty (30) days during any 12-month period, adjacent to an existing permanent business operated in the city where the products displayed or sold outdoors are the same as those sold inside the existing permanent business and where such activity is incidental to the normal conduct of business operated by the same merchant or his employer in an on-site building for which a valid Certificate of Occupancy (CO) exists and when permitted by the City.
 - (12)(14) <u>Food Truck/Trailer.</u> A food truck or trailer is a mobile food vendor that sells food and/or beverages that are either pre-packaged or prepared in the confines of a portable truck/trailer, which can be moved from place to place, but is typically in a fixed location for extended periods of time.
 - (13)(15) <u>Garden Supply/Plant Nursery.</u> An establishment for the cultivation and propagation, display, storage and sale (*i.e. retail and wholesale*) of large plants, shrubs, trees and other materials used for in indoor or outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use.
 - (14)(16) <u>General Personal Service.</u> Establishments primarily engaged in providing services generally involving the care of the person and/or his/her apparel including but not limited to barber and beauty shops, dressmaking, shoe shining, drycleaning and laundry pick-up stations, tailor or seamstress, and reducing salons/health clubs.
 - (15)(17) <u>General Retail Store.</u> A facility or area for the retail sale of general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; equipment for hobbies or sports; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; pets; drugs; hardware; and similar consumer goods. This use does not include uses that



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:	May 9, 2023
APPLICANT:	Dub Douphrate; Douphrate and Associates
CASE NUMBER:	SP2023-013; Site Plan for Alkaios Transportation

SUMMARY

Discuss and Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Vache Ourfalian for the approval of a <u>Site Plan</u> to convert a single-family home into an office building on a 0.88-acre tract of land identified as Lot 4 of the Greenvalley Addition and a portion of Tract 22 of the H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1209 N. Goliad Street [*SH-205*], and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on June 20, 1959 by Ordinance No. 59-02 [Case No. A1959-002]. At the time of annexation, the subject property was zone Agricultural (AG) District. According to the City's historic zoning maps, at some point between June 20, 1959 and January 3, 1972, the subject property was rezoned from Agricultural (AG) District to Single Family 2 (SF-2) District. Between January 3, 1972 and May 16, 1983, the subject property was rezoned from a Single Family 2 (SF-2) District to a Single Family 10 (SF-10) District. On March 5, 2007, the City Council approved a zoning change from Single Family 10 (SF-10) District to Planned Development District 69 (PD-69) for Residential Office (RO) District land uses. The subject property currently has one (1), 1,812 SF single-family home built in 1995 situated on it. The property also has one (1), 1,542 SF detached garage which was built in 1990 and which will need to be removed through the conversion of the residential property to a commercial property. The property has been used for residential uses and has remained zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses since March 5, 2007. On January 17, 2023, the Neighborhood Improvement Services division issued a notice of violation [Case No. CE2023-202] for running a business without a Certificate of Occupancy (CO) or Site Plan. On January 27, 2023, Planning staff gave the applicant until the March 17, 2023 application deadline to turn in a Site Plan. Since no site plan was submitted, on March 20, 2023, the Neighborhood Improvement Services division issued a citation [Citation No. CE1279] for running a business without a Certificate of Occupancy (CO) or Site Plan. Planning staff met with the property owner and issued a 30-day extension providing that the property owner submit a Site Plan by the April 14, 2023 deadline. A Site Plan is the first step in bringing this property into compliance and will allow them the opportunity to apply for their Certificate of Occupancy (CO) once the parking areas have been engineered and constructed.

PURPOSE

On April 14, 2023, the applicant -- *Dub Douphrate of Douphrate and Associates* -- submitted an application requesting the approval of a <u>Site Plan</u> for the purpose of converting the single-family home into an *Office* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1209 N. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

<u>North</u>: Directly north of the subject property is one (1) 0.6490-acre parcel of land (*i.e.* 1211 N. Goliad Street) developed with a single-family home and zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses. Beyond this is a 0.74-acre parcel of land (*i.e.* 1213 N. Goliad Street) developed with a single-family

home that was converted into a commercial property in 2007 (*i.e. State Farm*), and zoned Planned Development 69 District (PD-69) for Residential Office (RO) District land uses. Beyond this are four (4) parcels of land (*i.e. 1213B, 1215, & 1401 N. Goliad Street and 401 Sonoma Drive*) zoned Planned Development 69 District (PD-69) for Residential Office (RO) District land uses. Beyond this is Sonoma Drive, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

- <u>South</u>: Directly south of the subject property is four (4) parcels of land (*i.e.* 1207, 1203, 1203, and 1201 N. Goliad Street) developed with single-family homes, three (3) of which have been converted into commercial properties (*i.e.* 1201,1203 & 1205 N Goliad), and are zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses. Beyond this is one (1) vacant parcel of land used as green space for the Lakeview Summit Homeowners Association (HOA), that is zoned Single Family 10 (SF-10) District. Beyond this is Los Altos Drive, which is identified as a R2 (*i.e. residential, two* [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- <u>East</u>: Directly east of the subject property is N. Goliad Street, which is identified as a M4D (*i.e. major collector, four [4] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is one (1), 21.3780-acre parcel of land (*i.e. YMCA of Dallas*) developed with a 38,481 SF *Public Community Recreation Club* and zoned Planned Development District 5 (PD-5).
- <u>West</u>: Directly west of the subject property is Phase I of the Lakeview Summit subdivision, which consists of 104 singlefamily homes and was established on October 19, 2000. Beyond this is Phase IA of the Lakeview Summit subdivision, which consists of 156 single-family homes and was established on February 22, 2001. Both of these properties are zoned Planned Development District 29 (PD-29) for Single-Family 10 (SF-10) District land uses.

DENSITY AND DIMENSIONAL REQUIREMENTS

According to Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), an *Office* is a permitted *by-right* land use in Planned Development District 69 (PD-69). The submitted site plan generally conforms to the technical requirements contained within the Unified Development Code (UDC) for a property located within Planned Development District 69 (PD-69) and a Residential Office (RO) District. A summary of the density and dimensional requirements for the subject property are as follows:

Ordinance Provisions	Zoning District Standards	Conformance to the Standards
Minimum Lot Area	6,000 SF	X= 0.88-Acres; In Conformance
Minimum Lot Frontage	60-Feet	X= 101.75-feet; In Conformance
Minimum Lot Depth	100-Feet	X=311.43-feet; In Conformance
Minimum Front Yard Setback	25-Feet	X>25-feet; In Conformance
Minimum Rear Yard Setback	30-Feet	X>30-feet; In Conformance
Minimum Side Yard Setback	10-Feet	X=6-feet, 8-inches; Legally Non-Conforming
Maximum Building Height	36-Feet	X<36-feet; In Conformance
Max Building/Lot Coverage	40%	X=10.7%; In Conformance
Minimum Number of Parking Spaces	1 Parking Space/300 SF (8 Required)	X=10; In Conformance
Minimum Landscaping Percentage	30%	X>30.00%; In Conformance
Maximum Impervious Coverage	75-80%	X<75%; In Conformance

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 02.02(D)(2), Office Building, of Article 13, Definitions, of the Unified Development Code (UDC) an Office Building is defined as "(a) facility that provides executive, management, administrative, or professional services... but not involving the sale of merchandise except as incidental to a permitted use." In this case, the applicant is requesting to convert one (1) existing single-family home into one (1) Office Building, which is permitted by-right according to Section 01, Land Use Schedule, of Article 04, Permissible Uses, of the Unified Development Code (UDC). The proposed site plan also conforms to the requirements of the General Commercial District Standards as stipulated by Article 05, District Development Standards, of the Unified Development Code (UDC).

VARIANCES AND/OR EXCEPTIONS BY THE APPLICANT

As stated above, the applicant's request conforms to the majority of the City's codes; however, staff has identified the following exception:

(1) <u>Residential Screening Standards</u>. According to Subsection 05.02, Landscape Screening, of Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC), "(a)ny non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers." As an alternative the code does allow the Planning and Zoning Commission to consider the use of three (3) tiered landscaping along the adjacency; however, in this case the applicant has not provided a plan showing any plantings along the adjacency. Based on this staff has added a condition of approval to require canopy trees to be planted on 20-foot centers along the back (western) property line.

According to Subsection 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant exceptions and variances to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. Requests for exceptions and variances are discretionary decisions for the Planning and Zoning Commission. Staff should note that a supermajority vote (e.g. six [6] out of the seven [7] commissioners) -- with a minimum of four (4) votes in the affirmative -- is required for the approval of an exception.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The Future Land Use Plan adopted with the OURHometown Vision 2040 Comprehensive Plan identifies the subject property as being situated in the <u>North Lakeshore District</u> and is designated for <u>Live/Work</u> land uses. The <u>North Lakeshore District</u> is "... an established district that is significantly developed with medium density, suburban housing ..." and "... it is not anticipated that this district's development patterns will drastically change moving forward". The <u>Live/Work</u> designation in this district is "... intended to provide a low intensity transition from residential properties to N. Goliad Street [SH-205]." In this case, the applicant is proposing one (1) Office Building that adaptively reuses the existing single-family home and provides a buffer between the current suburban residential areas and N. Goliad Street [SH-205]. Based on this the applicant's proposal appears to conform to the goals and policies of the Comprehensive Plan.

ARCHITECTURAL REVIEW BOARD (ARB) RECOMMENDATION

On April 25, 2023, the Architecture Review Board reviewed the proposed building elevations provided by the applicant on April 14, 2023 and made a motion to recommend approval of the building elevations by a vote of 3-0, with Board Members Miller, Phillips, Hudson, and Lefere absent.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's <u>Site Plan</u> for the establishment of an Office Building on the subject property, then staff would propose the following conditions of approval:

- (1) All staff comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of engineering plans.
- (2) The existing accessory buildings will need to be removed from the subject property prior to the issuance of a Certificate of Occupancy (CO).
- (3) The applicant will be required to provide staff with an updated landscape plan showing canopy trees being planted on 20foot centers along the back (*western*) property line prior to the submission of civil engineering plans.
- (4) Any construction resulting from the approval of this <u>Site Plan</u> 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 APPLICAT City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087		STAFF USE ONLY PLANNING & ZONING CASE NO. SP2023033 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:
PLATTING APPLICAT MASTER PLAT (\$1 PRELIMINARY PLA FINAL PLAT (\$300. REPLAT (\$300.00 + AMENDING OR MIL PLAT REINSTATER SITE PLAN APPLICAT	00.00 + \$15.00 ACRE) ¹ NT (\$200.00 + \$15.00 ACRE) ¹ 00 + \$20.00 ACRE) ¹ + \$20.00 ACRE) ¹ NOR PLAT (\$150.00) MENT REQUEST (\$100.00) FION FEES:	ZONING ZONIN SPEC PD DE OTHER A TREE VARIA NOTES: 1: IN DETERI PER ACRE A 2: A \$1,000.	ENT REQUEST [SELECT ONLY ONE BOX]: APPLICATION FEES: NG CHANGE (\$200.00 + \$15.00 ACRE) 1 CIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) 1 & 2 EVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) 1 APPLICATION FEES: ERMOVAL (\$75.00) ANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ² EMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. 100 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING
ADDRESS	MATION [PLEASE PRINT] 1209 N. Goliad INB Jones Survey Blast 146 McM	Abi hmy Sors	t: 146 LOT BLOCK
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NOTARY VERIFICA BEFORE ME, THE UNDERSI STATED THE INFORMATION	TION [REQUIRED] GNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED U I ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FO	llowing:	· · ·
SUBMITTED IN CONJUNCTION	TO COVER THE COST OF THIS APPLICATION, HAS B.	EEN PAID TO T THAT THE CIT SO AUTHORIZ NTED OR IN RE	THE CITY OF ROCKWALL ON THIS THE DAY OF Y OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE ZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION

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NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

DEVELOPMENT APPLICATION . CITY OF ROCKWALL . 385 SOUTH GOLIAD STREET . ROCKWALL, TX 75087 . [P] (972) 771-7745

MY COMMISSION EXPIRES 01-23-2024





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

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CITY OF ROCKWALL

PLANNING 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:	May 9, 2023
APPLICANT:	Ashely Egan
CASE NUMBER:	SP2023-014; Amended Site Plan for 108 Saint Mary's Street

SUMMARY

Discuss and consider a request by Ashley Egan for the approval of an <u>Amended Site Plan</u> for an office building on a 0.5090acre tract of land identified Block 80 B of the B. F. Boydston Survey, City of Rockwall, Rockwall County, Texas, zoned Residential-Office (RO) District, addressed as 108 St. Mary's Street, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1934 based on the August 25, 1934 Sanborn Map. At some point after August 25, 1934 the subject property was platted as Block 80B, B. F. Boydston Addition. According to the City's historic zoning maps, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. This designation changed between January 4, 1972 and May 15, 1983 to a Single-Family 7 (SF-7) District based on the May 16, 1983 zoning map. According to the Rockwall Central Appraisal District (RCAD), the 1,280 SF single-family home situated on the subject property was constructed in 1980. On April 2, 2018, the City Council approved a zoning change [*Case No. Z2018-007*] for the subject property from Single-Family (SF-7) District to Residential Office (RO) District. On February 12, 2019, the Planning and Zoning Commission approved a site plan [*Case No. SP2019-002*] to allow the conversion of the existing single-family home into a 1,182 SF office building. On June 15, 2021, the Planning and Zoning Commission approved an amended site plan [*Case No. SP2019-014*]; however, the applicant of this case did not make the improvements required by the approved site plan, and no changes have been made to the subject property since it was originally utilized as a single-family home.

PURPOSE

On April 14, 2023, the applicant -- Ashley Egan -- submitted an application requesting the approval of an <u>Amended Site Plan</u> for the purpose of converting the existing single-family homes into an Office Building on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 108 St. Mary's Street. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is St. Mary Street, which is identified as a R2 (*i.e. residential, two* [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a single-family home, which is identified as a Landmarked Property (*i.e. the Underwood House*) on the 2017 Historic Resource Survey. Adjacent to the Underwood House is another single-family home, which is also identified as a Landmarked Property (*i.e. the Barnes House*). Both of these properties are zoned Single-Family 7 (SF-7) District and situated within the Historic Overlay (HO) District.
- <u>South</u>: Directly south of the subject property is a 2.153-acre parcel of land developed with a post-office and zoned General Retail (GR) District. Beyond this is E. Boydstun Avenue, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a residential housing development, which is zoned Planned Development District 30 (PD-30) for Two-Family (2F) District land uses.

- *East*: Directly east of the subject property are seven (7) residential lots (*i.e. 202, 204, 206, 208, 210, 212, & 214 St. Mary's Place*) developed with single-family homes and zoned Planned Development District 21 (PD-21) for single-family attached and single-family detached land uses. Beyond this is St. Mary's Place, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is S. Fannin Street, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This is followed by several single-family homes that are zoned Single-Family 7 (SF-7) District.
- <u>West</u>: Directly west of the subject property is a 0.509-acre parcel of land zoned Residential Office (RO) District. Beyond this are two (2) parcels of land (*i.e.* 603 & 607 S. Goliad Street) of land zoned General Retail (GR) District. Beyond this is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principle arterial, six* [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 9.43-acre tract of land developed with a *House of Worship* (*i.e. First Baptist Church*) and zoned General Retail (GR) District and Single-Family 10 (SF-10) District.

DENSITY AND DIMENSIONAL REQUIREMENTS

According to Section 01, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), an *Office* is a permitted *by-right* land use in a Residential Office (RO) District. The submitted site plan generally conforms to the technical requirements contained within the Unified Development Code (UDC) for a property located within a Residential Office (RO) District. A summary of the density and dimensional requirements for the subject property are as follows:

Ordinance Provisions	Zoning District Standards	Conformance to the Standards
Minimum Lot Area	6,000 SF	X= 0.5090-Acres; In Conformance
Minimum Lot Frontage	60-Feet	X= 80.5-feet; In Conformance
Minimum Lot Depth	100-Feet	X=262.27-feet; In Conformance
Minimum Front Yard Setback	25-Feet	X>25-feet; In Conformance
Minimum Rear Yard Setback	30-Feet	X>30-feet; In Conformance
Minimum Side Yard Setback	10-Feet	X=10; In Conformance
Maximum Building Height	36-Feet	X<36-feet; In Conformance
Max Building/Lot Coverage	40%	X=32.8%; In Conformance
Minimum Number of Parking Spaces	1 Parking Space/300 SF (4 Required)	X=7; In Conformance
Minimum Landscaping Percentage	30%	X=67%; In Conformance
Maximum Impervious Coverage	75-80%	X<75%; In Conformance

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 02.02(D)(2), Office Building, of Article 13, Definitions, of the Unified Development Code (UDC) an Office Building is defined as "(a) facility that provides executive, management, administrative, or professional services... but not involving the sale of merchandise except as incidental to a permitted use." In this case, the applicant is requesting to convert one (1) existing single-family home into an Office Building, which is permitted by-right according to Section 01, Land Use Schedule, of Article 04, Permissible Uses, of the Unified Development Code (UDC). The proposed site plan also conforms to the requirements of the General Commercial District Standards as stipulated by Article 05, District Development Standards, of the Unified Development Code (UDC).

VARIANCES AND/OR EXCEPTIONS BY THE APPLICANT

As stated above, the applicant's request conforms to the majority of the City's codes; however, staff has identified the following exception:

(1) <u>Residential Screening Standards</u>. According to Subsection 05.02, Landscape Screening, of Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC), "(a)ny non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers." As an alternative the code does allow the Planning and Zoning Commission to consider the use of three (3) tiered landscaping along the adjacency. In this case,

the applicant is not able to place the required three (3) tiered screening along a portion of the eastern property line due to placement of the required 24-foot driveway leading to the parking lot at the rear of the property. Currently, there are existing six (6) foot wood fences along the entire eastern property line, and the applicant is proposing to provide one row of shrubs -- spaced on 24-inch centers -- and three (3) canopy trees. While this does not meet the requirements, the code does allow the Planning and Zoning Commission to grant an exception to the screening requirements.

According to Subsection 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant exceptions and variances to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. Requests for exceptions and variances are discretionary decisions for the Planning and Zoning Commission. Staff should note that a supermajority vote (e.g. six [6] out of the seven [7] commissioners) -- with a minimum of four (4) votes in the affirmative -- is required for the approval of an exception.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The Future Land Use Plan adopted with the OURHometown Vision 2040 Comprehensive Plan identifies the subject property as being situated in the <u>Downtown District</u> and as being designated for <u>Live/Work</u> land uses. The <u>Downtown District</u> is "... the cultural heart of the community and embodies the small-town atmosphere that is characteristic of the City of Rockwall ..." and "... is significantly developed and contains the City's oldest and residential and commercial buildings". The <u>Live/Work</u> designation in this district is intended "...to allow for adaptive reuse of the existing housing stock". In this case, the applicant is proposing an Office Building that adaptively reuses the existing single-family home. Based on this the applicant's proposal appears to conform to the goals and policies of the Comprehensive Plan.

ARCHITECTURAL REVIEW BOARD (ARB) RECOMMENDATION

On April 25, 2023, the Architecture Review Board reviewed the proposed site plan provided by the applicant on April 14, 2023 and made a motion to recommend approval of the building elevations by a vote of 3-0, with Board Members Phillips, Lefere, Hudson and Miller absent.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's <u>Site Plan</u> for the establishment of an Office *Building* on the *subject property*, then staff would propose the following conditions of approval:

- (1) All staff comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of engineering plans.
- (2) Any construction resulting from the approval of this <u>Site Plan</u> 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 Rowall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087				STAFF USE ONLY PLANNING & ZONING CASE NO. P2023-009 <u>NO.</u> HE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW. DIRECTOR OF PLANNING: CITY ENGINEER: ENT REQUEST ISELECT ONLY ONE BOXI:			
PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TIPE OF D. 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	ZONING APPLICATION FEES: ZONING CHANGE (\$200.00 + \$15.00 ACRE) 1 SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) 1 PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) 1 OTHER APPLICATION FEES: TREE REMOVAL (\$75.00) VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) 2 NOTES: ': 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				
PROPERTY INFORMATION [PLEASE PRINT]								
ADDRESS	108 Saint Mar	VSt.						
SUBDIVISION	108 Saint Mar BF Baydston	Addition	U		LOT	BLOCK		
GENERAL LOCATION								
ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]								
CURRENT ZONING				IT USE	vacant			
PROPOSED ZONING	R-O		PROPOSE		Medical.	office		
ACREAGE	0.51	LOTS [CURRENT]			LOTS [PROF			
SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF <u>HB3167</u> 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]								
	Ashley Egan Justine Jones co		APPLI	CANT	same			
CONTACT PERSON	Justine Jones		CONTACT PER	RSON				
ADDRESS	109 Saint Mary St.			RESS				
CITY, STATE & ZIP	Rockwall, TX 75	087	CITY, STATE	& ZIP				
PHONE	(509) 430-1392		Pł	HONE				
E-MAIL	ustine Crebornskin	rand beau	4. е	-MAIL				
CITY, STATE & ZIP PHONE E-MAIL BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING: [OWNER] THE UNDERSIGNED, WHO								
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 20, 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 A	ND SEAL OF OFFICE ON THIS THE	DAY OF		, 20				
	OWNER'S SIGNATURE						1	
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS					MY COMMISSION	IEXPIRES		





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.



Justine Jones & Ashley Egan 109 Saint Mary St. Rockwall, TX 75087 justine@rebornskinandbeauty.com

April 5, 2023

Ryan Miller Director of Planning & Zoning City of Rockwall 385 S. Goliad St. Rockwall, TX 75087

Dear Ryan, et al.

This letter is intended to supplement our Developmental Application for the lot and plat at 108 Saint Mary St. in Rockwall, TX. Our application is for an Amended Plat.

We purchased this building and lot with the intention of converting the space into a medical office where we will provide treatments, counseling, and coaching to clients who seek a variety of services that are deemed medical by the State of Texas. We will not be using anesthesia for any treatments. Some treatments include injectables and skin treatments. We will not be offering traditional salon-type or manicurists/nail treatments.

We are hopeful that the approval to redesign the lot will bring the neighborhood, surrounding businesses, and neighbors a fresh view. The current structure and lot are unfinished and have been for almost three years. As is, the property is an eye sore. We are invested in our community and neighborhood and are excited to move forward with this project.

Respectfully,

Justine Jones & Ashley Egan

Ashley Egan & Justine Jones 109 Saint Mary St. Rockwall, TX 75087 justine@rebornskinandbeauty.com

April 27, 2023

Mr. Ryan Miller City of Rockwall Planning & Zoning 385 S. Goliad Street Rockwall, TX 75087

Dear Mr. Miller,

We are writing to request a Variance for the site plan for the property located at 108 St. Mary's St. in Rockwall. Current plans and project comments for "M.6 Landscape Plan" state the need to provide four (4)-inch canopy trees and 24" shrubs along the east side of the property for residential screening. The driveway was previously expanded from 12' to 24' wide to accommodate two lanes of traffic. The width of the driveway starting at the structure and ending at the east side fence is only wide enough to accommodate the new driveway dimensions. Due to this, we will not be able to plant/provide the requested adjacency screening.

The two compensatory measures we will incorporate in lieu of an adjacency screening are:

- A. Shrubs in flower beds along the front of the building
- B. Planters along the front side of the building

We respectfully request a Variance to M.6 Landscape Plan #6 (subsection 05.02.B, of Article 08, of the UDC).

Sincerely,

Ashley Egan & Justine Jones (509) 630 – 1392 justine@rebornskinandbeauty.com
PROP. 5' SIDEWALK -

(VIF) APPROX. LOCATION OF SS-INSTALL DBL CLEANOUT @ P., IF UNDER CONCRETE DRIVE INSTALL TRAFFIC RATED CLEANOUT

> PROP. 4' SIDEWALK

PROP. 15'x24' TURNAROUND NO PARKING

** NOTICE TO CONTRACTORS **

TOPOGRAPHIC INFORMATION TAKEN FROM A TOPOGRAPHIC SURVEY PERFORMED BY **RHODES SURVEYING** OF **GARLAND, TEXAS**. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY, IN WRITING, OF ANY DISCREPANCIES OR OMISSIONS TO THE TOPOGRAPHIC INFORMATION. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR CONFIRMING THE LOCATION (HORIZONTAL/VERTICAL) OF ANY BURIED CABLES, CONDUITS, PIPES, AND STRUCTURES (STORM SEWER, SANITARY SEWER, WATER, GAS, TELEVISION, TELEPHONE, ETC.) WHICH IMPACT THE CONSTRUCTION SITE. THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY DISCREPANCIES ARE FOUND BETWEEN THE ACTUAL CONDITIONS VERSUS THE DATA CONTAINED IN THE CONSTRUCTION PLANS. ANY COSTS INCURRED AS THE RESULT OF NOT CONFIRMING THE ACTUAL LOCATION (HORIZONTAL/VERTICAL) OF SAID CABLES, CONDUITS, PIPES, AND STRUCTURES SHALL BE BORNE BY THE CONTRACTOR. ADDITIONALLY, THE CONTRACTOR(S) SHALL NOTIFY THE OWNER AND ENGINEER IF ANY ERRORS OR DISCREPANCIES ARE FOUND ON THE CONSTRUCTION DOCUMENTS (PS&E), WHICH NEGATIVELY IMPACT THE PROJECT. ENGINEER AND OWNER SHALL BE INDEMNIFIED OF PROBLEMS AND/OR COST WHICH MAY RESULT FROM CONTRACTOR'S FAILURE TO NOTIFY ENGINEER AND OWNER.

WARNING:

PRIOR TO THE BEGINNING OF ANY CONSTRUCTION OR CONSTRUCTION STAKING, IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT THE CIVIL ENGINEER TO ENSURE THAT ALL PARTIES ARE IN POSSESSION OF THE MOST CURRENT SET OF CONSTRUCTION DOCUMENTS.

NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATION OF ALL EXISTING UTILITIES AND EASEMENTS PRIOR TO START OF OPERATIONS. CONTRACTOR WILL NOTIFY THE OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES PRIOR TO STARTING THE WORK. EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY BOTH THE HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND FACILITIES PRIOR TO START OF CONSTRUCTION. TAKE THE NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.



ACRES 2.153

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4/12/23

1" = 20'

C101

48



EX. BRICK WALL

ROCKWALL MAIN POST OFFICE BLOCK A, LOT 1 ACRES 2.153

WARNING:

PRIOR TO THE BEGINNING OF ANY CONSTRUCTION OR CONSTRUCTION STAKING, IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT THE CIVIL ENGINEER TO ENSURE THAT ALL PARTIES ARE IN POSSESSION OF THE MOST CURRENT SET OF CONSTRUCTION DOCUMENTS.

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NO TREE WITHIN 5' OF UTILITIES

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SITE DATA:

LOT AREA: 0.51 Acres, 22,278.6 Sq. Ft. EX. BUILDING AREA: 1,182 sq.ft. PROPOSED USE: Office IMPERVIOUS AREA (including buildings): 7,315 sq.ft. PARKING: Required:(1 space/300) = 4Provided: Standard= 6 Handicapped = 1 Total Provided = 7 LANDSCAPE AREA: Required: (10%) 2,228 sq.ft. Provided: (67%)14,964 sq.ft.

LANDSCAPE TABULATION:

GROSS AREA:	0.51	ACRES =	22,279 SF
REQUIRED LS AREA:	10%	=	= 2,228 SF
PROVIDED LS AREA:	67%	=	= 14,964 SF

DESCRIPTION OF LS MATERIAL:

LEYLAND CYPRESS = 4" MIN. CALIPER (CANOPY) EASTERN REDBUD = 4" MIN. CALIPER (ACCENT TREE) BUFORD HOLLY = 5 GALLON, 24"H (SHRUB)

SHRUBS FOR HEADLIGHT SCREENING: AT PLANTING SHOULD BE 24" TALL 36" O.C.

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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:	May 9, 2023
APPLICANT:	Jimmy Stohmeyer; Strohmeyer Architects, Inc.
CASE NUMBER:	SP2023-015: Site Plan for 2610 Sunset Ridge Drive

SUMMARY

Discuss and consider a request by Jimmy Strohmeyer of Strohmeyer Architects, Inc. on behalf of Dan Bobst of HH Retail Center, LP for the approval of a <u>Site Plan</u> for a restaurant on a 2.893-acre parcel of land identified as Lot 2, Block B, Harbor District Addition, City of Rockwall, Rockwall County, Texas, situated within the Hillside Subdistrict of Planned Development District 32 (PD-32), located within the IH-30 Overlay (IH-30 OV) District, addressed as 2610 Sunset Ridge Drive, and take any action necessary.

BACKGROUND

The subject property was annexed into the city on September 5, 1960 by *Ordinance No. 60-02* [*Case No. A1960-002*]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the City's historic zoning maps, at some point between September 5, 1960 and January 3, 1972, the zoning changed from Agricultural (AG) District to Commercial (C) District. On September 20, 2010, the City Council passed *Ordinance No. 10-21* [*Planned Development District 32 (PD-32)*], which established a concept plan and development standards for the approximate 78.89-acre tract of land commonly referred to as *PD-32* or the *Harbor District*. Within the approved concept plan, *PD-32* was divided into ten (10) subdistricts that contained individual development and land use standards. On November 17, 2014, the City Council adopted *Ordinance No. 14-51*, which contained a PD Development Plan for a 2.893-acre tract of land located in the *Hillside Subdistrict (i.e. the subject property)*. This PD Development Plan showed a series of buildings would be constructed along Harbor Heights Drive and Sunset Ridge Drive in conformance to the requirements of *Ordinance No. 10-21*. With the approval of *Ordinance No. 14-51*, the City Council also approved waivers to the building placement requirements and pedestrian access requirements to allow retaining walls ranging from seven (7) to nine (9) feet in height to be established along Harbor Heights Drive. The approval of these walls was tied to building elevations submitted by the applicant and which were tied down as a part of the City Council's approval. On May 1, 2017, the City Council adopted *Ordinance No. 17-22*, which amended *Ordinance No. 10-21* to update various exhibits in the ordinance; however, no changes were made to the requirements of the *Hillside Subdistrict* or for the subject property.

On May 15, 2019, the applicant -- *Jimmy Strohmeyer of Strohmeyer Architects, Inc.* -- submitted an application requesting to amend *Ordinance No.* 14-51 to change the PD Development Plan approved for the subject property (*i.e. Case No.* 22019-013). The new PD Development Plan showed additional buildings being added along Sunset Ridge Drive and a central green space being incorporated adjacent to Harbor Heights Drive. This request was approved on July 1, 2019 by *Ordinance No.* 19-25. On September 10, 2019, the Planning and Zoning Commission approved a site plan [*SP2019-033*] for a retail and restaurant development on the subject property, which included all areas with the exception of the subject property.

PURPOSE

The applicant -- Jimmy Strohmeyer of Strohmeyer Architects, Inc.-- is requesting the approval of a <u>Site Plan</u> for a Restaurant with 2,000 SF or more without Drive-Through or Drive-in.

ADJACENT LAND USES AND ACCESS

The subject property is located at the southwest corner of the intersection of the IH-30 frontage road and Sunset Ridge Drive and addressed as 2610 Sunset Ridge. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is the eastbound frontage road for IH-30, followed by the main lanes of IH-30, and the westbound frontage road for IH-30. IH-30 is identified as a TXDOT 6D (*i.e. Texas Department of Transportation, six* (6) lane, principal arterial roadway).
- <u>South</u>: Directly south of the subject property is Harbor Heights Drive, which is classified as a *Street Type 'D'* according to Planned Development District 32 (PD-32) [*Ordinance No.* 17-22] which is defined as "...a primary connector to the existing harbor development with adjacent subdistricts". Beyond this is a 6.1978-acre tract of land owned by the City of Rockwall, and which currently has a parking lot that serves the greater *Harbor District*. This property is zoned Planned Development District 32 (PD-32) and is located within the *Hillside Mixed-Use Subdistrict*.
- <u>East</u>: Directly east of the subject property is Sunset Ridge Drive, which is identified as a Street Type 'B' and 'E' according to Planned Development District 32 (PD-32) [Ordinance No. 17-22]. East of this roadway is a 0.900-acre parcel of land (*i.e. lot 5, block A, Harbor District Addition*), which is currently vacant but was approved for a site plan on April 13, 2021 (SP2021-005) for a restaurant on the subject property. This property is zoned Planned Development District 32 (PD-32) and is located within the Summit Mixed-Use Subdistrict.
- <u>West</u>: Directly west of the subject property is a 0.2930-acre tract of land (*i.e. Tract 17, of the M.J. Barksdale Survey, Abstract No. 11*) zoned Planned Development District 32 (PD-32) and is located within the *Hillside Subdistrict*. Beyond this is a restaurant (*i.e. Culpepper Steakhouse*), which is situated on a 1.40-acre parcel of land that is located within the *Hillside Subdistrict*. Beyond this is Shoreline Trial, which is identified as a *Street Type 'A'* according to Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], which is defined as "...a primary entry in to the Harbor District from the Eastbound Interstate 30 off ramp." Beyond this is a restaurant (*i.e. the Oar House*), which is situated on a 0.65-acre parcel of land that is located within the *Freeway Frontage Subdistrict*.

DENSITY AND DIMENSIONAL REQUIREMENTS

According to *Exhibit D*, *Subdistrict Land Use Chart*, of Planned Development District 32 (PD-32) [Ordinance No. 10-21], a *Restaurant with 2,000 SF or more without Drive-Through or Drive-In* is permitted *by-right* within the *Hillside Subdistrict* of Planned Development District 32 (PD-32). With the exception of the variances being requested, the submitted site plan, landscape plan, photometric plan, and building elevations generally conform to the PD Development Plan approved with *Ordinance No. 19-25*, the design guidelines contained in *Resolution No. 10-40*, the technical requirements contained within *Ordinance No. 17-22*, and the UDC for a property located within the *Hillside Subdistrict* of Planned Development District 32 (PD-32). A summary of the density and dimensional requirements for the subject property are as follows:

Ordinance Provisions	Zoning District Standards	Conformance to the Standards
Build-To-Line (Distance from ROW Line)	8' (Harbor Heights Drive) 4' (Sunset Ridge Drive)	Approved Per Ord. 19-25; In Conformance
Minimum Setback from ROW	250' (IH-30 Frontage Road) 5' (Harbor Heights & Sunset Ridge)	Approved Per Ord. 19-25; In Conformance
Minimum Building Façade along ROW	85% (Harbor Heights) 100% (Harbor Heights & Sunset Ridge)	Approved Per Ord. 19-25; In Conformance
Maximum Lot Coverage	30%	27.5%; In Conformance
Maximum Building Height	2 Stories or 35'	X=23'; In Conformance
Surface Parking Setbacks	20' (IH-30 Frontage Road) 10' (All Other Roads)	x>20'/x>10'; In Conformance
Surface Parking	100% ¹	100%; In Conformance
Minimum Pedestrian Ways	2	2; In Conformance
Minimum Stone Requirement	20%	X=0%; Variance Requested

NOTES:

¹: PARKING WAS ESTABLISHED THROUGH THE APPROVAL OF THE SITE PLAN [SP2019-033], THE DEVELOPER PROVIDED A SHARED PARKING CALCULATION FOR RETAIL, RESTAURANT, AND OFFICE PARKING.

CONFORMANCE WITH THE CITY'S CODES

Planned Development District 32 (PD-32) [Ordinance No. 17-22], provides flexibility in order to create high quality projects for the *Harbor District*. Non-residentially zoned projects are to generally conform to the Commercial (C) District standards. In this case, the subject property is located in the *HIIIside Subdistrict* and is within the IH-30 Overlay (IH-30 OV) District, which is more restrictive than the *Design Guidelines* [*Resolution No. 10-40*] required by PD-32. With this being said, the standards of the IH-30 OV (*i.e. Subsection 06.02, Art. 05, UDC*) shall apply to the development of the subject property. The *HiIIside Subdistrict* is intended to provide a cluster of restaurant anchors that contribute to the creation of a vibrant, pedestrian oriented character within the *Harbor District*. This district also takes advantage of existing slopes, which adds to the characteristics of the *HiIIside Subdistrict*. In this case, the applicant's proposal is adjacent to the IH-30 Frontage Road and is accessible from Sunset Ridge Drive. Additionally, by virtue of being in Planned Development District 32 (PD-32) and generally conforming to *Ordinance No. 19-25*, the proposed site plan appears to be in conformance to the majority of the requirements intended for properties within the *Hillside Subdistrict*.

VARIANCE BY THE APPLICANT

As stated above, the applicant's request conforms to the majority of the City's codes; however, staff has identified the following variance:

Variances:

- (1) <u>Four (4) Sided Architecture.</u> According to Subsection 06.02 (C)(5), Four (4) Sided Architecture, of Article 05, District Development Standards, of the Unified Development Code (UDC), "(a)II buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features." In this case, four-sided architecture is also listed as a requirement in the PD Development Plan recorded in Ordinance No. 19-25. The applicant is required to meet the building articulation standards for the primary building façade on all sides of the building. Given the proposed building elevations, the applicant does not meet the wall projection requirements. This will require a variance from the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB).
- (2) <u>Roof Design Standards.</u> According to Article 05, General Overlay District Development Standards, of the Unified Development Code (UDC), "(a)II structures that have a building footprint of less than 6,000 SF shall be constructed with a pitched roof. Those structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane type roofs that are visible from adjacent public right-of-way shall be prohibited." In this case, the proposed building does not meet this standard; <u>however, this is not atypical for buildings situated within the IH-30 corridor, and the proposed building matches the existing development on the remainder of the subject property.</u> This will require a variance from the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB).
- (3) <u>20% Stone Requirement.</u> According to Article 05, General Overlay District Development Standards, of the Unified Development Code (UDC), "(a) minimum of 20% natural or quarried stone is required on all building façades." In this case, the proposed building elevations do not incorporate any stone; <u>however, the design scheme matches the buildings approved on the remainder of the subject property</u>. This will require a variance from the Planning and Zoning Commission pending a recommendation from the Architectural Review Board (ARB).

According to Subsection 09, *Exceptions and Variances*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant exceptions and variances to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In addition, the code requires that applicants provide compensatory measures that directly offset the requested exceptions and variances. In this case, as compensatory measures, the applicant is proposing: [1] increased architectural elements on the north elevation and [2] additional landscaping beyond what is required. Requests for exceptions and variances are discretionary decisions for the Planning and Zoning Commission. Staff should note that a supermajority vote (*e.g. six [6] out*

of the seven [7] commissioners) -- with a minimum of four (4) votes in the affirmative -- is required for the approval of an exception.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

By virtue of being in Planned Development District 32 (PD-32), generally conforming to *Ordinance No. 17-22* and the approved PD Development Plan (*i.e. Ordinance No. 19-25*), the proposed site plan conforms to the majority of the district strategies intended for properties in the *Harbor District* as stipulated by the *Land Use Plan* outlined in the OURHometown Vision 2040 Comprehensive Plan.

ARCHITECTURAL REVIEW BOARD (ARB) RECOMMENDATION

On April 25, 2023, the Architecture Review Board (ARB) reviewed the proposed building elevations provided by the applicant on April 14, 2023 and recommended updated elevations that reflect staff's comments. The applicant has provided updated elevations that will be reviewed by the Architectural Review Board (ARB) prior to the <u>May 9, 2023</u> Planning and Zoning Commission meeting.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's <u>Site Plan</u> for the construction of a *Restaurant with* 2,000 SF or more without Drive-Through or Drive-in on the subject property, then staff would propose the following conditions of approval:

- (1) All staff comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of engineering plans.
- (2) Any construction resulting from the approval of this <u>Site Plan</u> 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 APPLIC City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087	ATION	STAFF USE ONLY PLANNING & ZONING CASE NO. <u>NOTE:</u> 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 A	PPROPRIATE BOX BELOW TO INDICATE THE TYPE (Y ONE BO	X];		
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12	CITY, STATE & ZIP	ROCKWALL, TEXAS 75032	CITY, STATE	& ZIP	ROCKWALL	, TEXA	AS 75032		
- AND	PHONE		PI	HONE	214-497-205	7			
÷.	E-MAIL		E	-MAIL	jimmy@stroh	meyer	architects	s.com	
(Q) -	stated the INFORMATIO	ATION [REQUIRED] SIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARE IN ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; A TO COVER THE COST OF THIS APPLICATION, I AGR 20 23 BY SIGNING THIS APPLICATION, I AGR WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS	E FOLLOWING: ALL INFORMATION AS BEEN PAID TO REE THAT THE CIT	L SUBMITT THE CITY Y OF ROI	ED HEREIN IS TRUE AND OF ROCKWALL ON THIS CKWALL (I.E. "CITY") IS A	CORRECT; THEUTHORIZEL		CATION FEE OF DAY OF D TO PROVIDE	
	SUBMITTED IN CONJUNCTIO	ON WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASS ND SEAL OF OFFICE ON THE 14 HAY OF AP OWNER'S SIGNATURE				T		ER 5	

DEVELOPMENT APPLICATION • CITY OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745





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.





I-30 Frontage Rd. EXISTING MONUMENT SIGN VVPROPOSED SIDEWALK PAVERS TO BE INSTALLED L=116.796, R=88.000 TO THE RIGHT OF WAY. -CB=S55*17'17"E ∆=76.0443 EXISTING FIRE - GAS - GAS - GA ĠAS ── HYDRANT × — — — — — — — — — ±_____ EXISTING 15' ONCOR ELEC. ESMT. LIMITS OF CONSTRUCTION \odot $\angle OF$ FDC CONNECT TO EXISTING SIDEWALK PAVER SECTION. _____ PROPOSED PATIO AREA EX. WA TEL 2610 SUNSET RIDGE DRIVE \leq PROPOSED RESTAURANT BUILDING 5,530 S.F. LOT 2, BLOCK B EXISTING FIRE HYDRANT 2.893 ACRES HH RETAIL CENTER, LP DOC#2020000019318 D.R.R.C.T. EXISTING RETAINING WALL. -80.3- \geq ROW) (48' EX. 6" STAIRS) ME) m \succ \bigcirc WENTY OLDIN(015, E Ridge $\vdash \pm \bigcirc$ GM Suns \bigcirc EX. 5,000 S.F. RESTAURANT BLDG. scale when bar is teague nall and perkins, inc 1 inch long 825 Watters Creek Blvd., Suite M300 HH RETAIL CENTER, LP. Allen, Texas 75013 ^{horiz} 1"=30' CAMERON A. SLOW 214.461.9867 ph 214.461.9864 fx 106317 vert N/A NONAL < / CENSED : www.tnpinc.com

5/2/2023

MAY 2023



* PER SHARED PARKING CALCULATION ATTACHED TO CASE NO. Z2019-013 THE MAXIMUM PARKING DEMAND FOR THIS SITE IS FOUND TO BE BETWEEN THE TIMES OF 12PM-1PM AS WELL AS 4PM-6PM. THE DEMAND FOR EACH TIME PERIOD IS AS FOLLOWS:

TIME OF DAY	OFFICE PARKING	<u>RETAIL PARKING</u>	RESTAURANT PARKING	TOTAL REQUIRED
12PM-1PM	37.80	46.40		161
4PM-6PM	19.74	41.76		161

SITE NOTES:

- PRIOR TO BEGINNING STAKING OF BUILDING LOCATION, CONTRACTOR SHALL CONFIRM THE ARCHITECTURAL, STRUCTURAL, AND CIVIL DESIGN PLANS MATCH: NOTIFY DESIGNERS OF ANY DISCREPANCY
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS DIMENSIONS ARE TO FACE OF CURB AND EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.

	LEGEND		
	EXISTING BRICK PAVERS	(TEL) (WM)	EXISTING AT&T MANHOLE EXISTING WATER METER
	PROPOSED CONCRETE SIDEWALK	MH	EXISTING ELECTRICAL MANHOLE
		SS	EXISTING SEWER MANHOLE
	EXISTING TREE WELL W/ UPLIGHTS	X	EXISTING POWER POLE
		*	EXISTING LIGHT POLE
SS	EXISTING SEWER LINE	-\$	EXISTING FIRE HYDRANT
W	EXISTING WATER LINE		
GAS	EXISTING GAS LINE		
TELE	EXISTING TELEPHONE DUCT BANK		
ELEC	EXISTING ELECTRICAL DUCT BANK		













	1		2	3		4	5		6
MATERIAL CA	LCULATIONS	MATERIA	L LEGEND					APPROVED: I hereby certify that the above and foregoing	site plan for a development in the City of
NORTH ELEVATION MASONARY	AREA 1,695 SF	% 100% BRICK A - ACME BR	RICK - GLACIER WHITE					I hereby certify that the above and foregoing Rockwall, Texas, was approved by the Plann Rockwall on the day of,202 WITNESS OUR HANDS, this day of	
STUCCO	UCCO 34 SF	97.9% 2.1%						Planning & Zoning Commission, Chairman	Director of Planning and Zoning
EAST ELEVATION MASONARY	1,755 SF	BRICK B - ACME BR	RICK - MARBLE GRAY						
STUCCO	UCCO 345 SF	80.3% METAL TRIM - DARK 19.7%	K BRONZE						
SOUTH ELEVATION MASONARY	1,749 SF	100%							
STUCCO	UCCO 137 SF	92.2% STUCCO A - SAHAR 7.8%	A MAXI - SAGE						
WEST ELEVATION	1,726 SF		RA MAXI - GRAY MORTAR						
MASONARY BRIG STUCCO		89.9%							
Sit	UCCO 173 SF	10.1%							
			METAL COPING & FASCIA	- ROOF LINE (ALL HVAC UNITS SHALL BE SCREENED) SIGNAGE HERE BRICI	3 PART STUCCO B	BRICK A		
		<u>HIGH PARAPET</u>							
			4						
									- STANDING SEAM METAL ROO
		• LOW CANOPY							
			4 - 0"						
		• F.F. ELEV. LEVEL 1				EQ. 6' - 0"	EQ. 6' - 0"	EQ.	
		- BUIL		12'-0" EQ. 12'-0"	EQ. 12'-0"	EQ.		GUARDRAIL	└─ COLUMNS
		2 $\frac{1}{1/4"} = \frac{1}{1}$	DING ELEVATIO						
							BRICK B —		
			- 3 PART STUCCO B	— BRICK A ROOF LINE (ALL HVA	C UNITS SHALL BE SCREENED)	— METAL COPING & FASCIA			
	e	<u>HIGH PARAPET</u> 23' - 0"							SEAM METAL ROOF
		5 - x -							
	e	HT. LOW ROOF 							
		<u>LOW CANOPY</u>							
	e	<u>F.F. ELEV. LEVEL 1</u>							
<u>:</u> - F									
9:00 0.00		Ζ	- BRICK B						







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DARK BRONZE

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		+ ^{0.1}	+ ^{0.1}	+0.0	+0.0	+0.0	+ ^{0.0}	+0.0	+0.0	+0.0	0.0			
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		+0.2	+ ^{0.3}	+0.2	+ ^{0.2}	+ ^{0.2}	+ ^{0.2}	+0.2	+0.2	+ ^{0.2}	+0.1	+0.1	¥ ^{0.1}	\sim
		0.6 +	0,8 +	0,4 +	0.5	0.6 ₱	0.7 	0.6	+0.4	+0.3	+0.4	+ ^{0.3}	+0.3	0.2
	APPRO	+ ^{2.9}	+ ^{3.4}	+ ^{2.6}	+2.7	+ ^{3,3}	+ ^{3.7}	+ ^{3.0}	+2.7	+ ^{2.5}	+2.0	+ ^{1.3}	+0.7	+0,2
	l hereby Rockwa	/ certif∳ that th all, Texas, was all on the	ne ab <u>ov</u> e a s approvec dav	and foreg d by the F of	oing₄site Planning .2022.	pla <u>n</u> for a & Zoning	a de <u>y</u> eloj Commis	oment₀in t ssion of th	he <u>Gi</u> ty of e Ċity of	+4,2	+ ^{3.2}	+1.7	+ ^{0.9}	+0.4
		SS O⊎R HAN			_			+4.2	+ ^{3.5}	+ ^{3,3}	+2.6	+ ^{1.5}	0.8	+0.3
	Plannin	g & Zoning E	omeission	n, Chairm	an an		ector of F	Planning a	and Zonin	g				
	+0.3 +0.7 +3.6	$\begin{array}{c} +4.2 \\ +4.7 \\ +4.7 \\ +6.8 \\ +1.9 \\ +1.9 \\ +2. \\ +4.9 \\ +3.8 \\ +4. \\ +3.7 \\ +0.3 \\ +0.1 \\ \end{array}$												
+ ^{4.4} + ^{3.7} + ^{1.2}	+5.2 +5.2 +2.2				 						<u> </u>			
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+0.1	+0.2	+0.2	+ ^{0.1} +	<u>0.2</u> +	<u>0.3</u> +	<u>-</u> 0.4 +).5 -	- ^{0.3} + ⁽	0.2 + ⁰	3 +	0.5 +	0.4 +	0.3 + ⁰	0.2 + ⁰
, ,														

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APPROVED: I hereby certify that the above and foregoing site plan for a development in the City of Rockwall, Texas, was approved by the Planning & Zoning Commission of the City of Rockwall on the _____ day of ____,2022.

WITNESS OUR HANDS, this ____ day of ____, 2022.

 Planning & Zoning Commission, Chairman
 Director of Planning and Zoning



SP2023-015

