

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, January 17, 2023 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. Call Public Meeting to Order

II. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the Rockwall Economic Development Corporation (REDC) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal advice associated with The Shores on Lake Ray Hubbard homeowners association (HOA) regulations, pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal advice associated with City of Heath v. North TX Municipal Water District, pursuant to Section 551.071 (Consultation with Attorney).

III. Adjourn Executive Session

IV. Reconvene Public Meeting (6:00 P.M.)

V. Invocation and Pledge of Allegiance - Councilmember Moeller

VI. Proclamations / Awards / Recognitions

1. Health for Humanity Yogathon Proclamation
2. Main Street Legacy Award Presentation

VII. Open Forum

This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. Per Council policy, public comments should be limited to three minutes out of respect for other citizens' time. If you have a topic that warrants longer time, please contact the City Secretary at kteague@rockwall.com to be placed on the Agenda during the "Appointment Items" portion of the meeting. This will allow your topic to be provided sufficient time for discussion and will permit proper notice to be given to the public. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting since the topic has not been specifically listed on the agenda (the Texas Open Meetings Act requires that topics of discussion/deliberation be posted on an agenda not less than 72 hours in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

These agenda items are routine/administrative in nature, have previously been discussed at a prior City Council meeting, and/or they do not warrant Council deliberation. If you would like to discuss one of these items, please let the City Secretary know before the meeting starts so that you may speak during "Open Forum."

1. Consider approval of the minutes from the January 3, 2023 regular City Council meeting, and take any action necessary

X. Appointment Items

1. Appointment with Planning & Zoning Commission representative to discuss and answer any questions regarding planning-related cases on the agenda.

XI. Public Hearing Items

If you would like to speak regarding an item listed below, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit your comments to no more than three minutes.

1. **Z2022-056** - Hold a public hearing to discuss and consider a request by Matthew Benedetto for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Detached Garage* on a three (3) acre parcel of land identified as Lot 19, Block A, Northgate Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, addressed as 835 Clem Road, and take any action necessary **(1st Reading)**.
2. **Z2022-057** - Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, 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 **(1st Reading)**.
3. **Z2022-058** - Hold a public hearing to discuss and consider a request by Asher Hamilton on behalf of RIV Properties, Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, and Kathy Moton for the approval of an **ordinance** for a *PD Development Plan* for a 176-unit condominium building on 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, 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 of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* and the *Horizon/Summer Lee Subdistrict* of Planned Development 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 **(1st Reading)**.
4. **Z2022-059** - Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King)* on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary **(1st Reading)**.
5. **Z2022-060** - Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] for the purpose of making changes to the *Solar Collector Panels and Systems* requirements for residential properties, and take any action necessary **(1st Reading)**.

XII. Executive Session.

The City of Rockwall City Council will Recess into Executive Session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

1. Discussion regarding (re)appointments to city regulatory boards, commissions, and committees - specifically the Rockwall Economic Development Corporation (REDC) - pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding legal advice associated with The Shores on Lake Ray Hubbard homeowners association (HOA) regulations, pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding legal advice associated with City of Heath v. North TX Municipal Water District, pursuant to Section 551.071 (Consultation with Attorney).

XIII. Reconvene Public Meeting & Take Any Action as Result of Executive Session

XIV. Adjournment

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) 771-7700 or FAX (972) 771-7727 for further information.

The City of Rockwall City Council reserves the right to adjourn into executive session at any time to discuss any of the matters listed on the agenda above, as authorized by Texas Government Code ¶ 551.071 (Consultation with Attorney) ¶ 551.072 (Deliberations about Real Property) ¶ 551.074 (Personnel Matters) and ¶ 551.087 (Economic Development)

I, Kristy Teague, City Secretary 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 the 13th day of January, 2023 and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kristy Teague, City Secretary
or Margaret Delaney, Asst. to the City Sect.

Date Removed

Rockwall, Texas Proclamation

Whereas, YOGA is an ancient Hindu practice for maintaining spiritual, mental and physical well-being and was developed thousands of years ago in the Indian subcontinent; and

Whereas, the Surya Namaskar (also known as “Sun Salutation”) is a traditional Yoga practice combining a sequence of postures with breathing exercises; and

Whereas, Hindu Swayamsevak Sangh (HSS) is a non-profit, charitable organization that aims to preserve and pass on ancient Hindu heritage and cultural values to the next generation and raise awareness around the world; and

Whereas, HSS is organizing its annual Health for Humanity Yogathon with the goal of having over 10,000 individual participants practice the Sun Salutation to promote the spiritual, mental and physical well-being of all members of the community; and

Whereas, YOGA enthusiasts, YOGA Studios, local schools, and other organizations are participating in this event as a part of physical activity and/or spiritual training.

Now, Therefore, I, Kevin Fowler, Mayor of the City of Rockwall, Texas, do hereby proclaim Jan. 14-29, 2023 as

“Health for Humanity Yogathon Period”

in the City of Rockwall and encourage all citizens to become more aware of the enjoyment and many benefits of yoga.

In Witness Whereof, I hereunto set my hand and official seal this 17th day of January, 2023.


Kevin Fowler, Mayor

MINUTES

ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, January 03, 2023 - 6:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

Mayor Fowler called the meeting to order at 6:00 p.m. Present were Mayor Kevin Fowler, Mayor Pro Tem Trace Johannesen, and Councilmembers Clarence Jorif, Anna Campbell, Bennie Daniels, Mark Moeller and newly appointed Councilmember Dennis Lewis. Also present were City Manager Mary Smith and Assistant City Manager Joey Boyd.

II. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER DANIELS

Councilmember Daniels delivered the invocation and led the Pledge of Allegiance.

III. PROCLAMATIONS / AWARDS / RECOGNITIONS

1. Swearing in of Dennis Lewis, newly appointed City Council Member, Place 5

City Secretary Kristy Teague administered the Oath of Office to newly appointed city council member for Place 5, Dennis Lewis.

IV. OPEN FORUM

Mayor Fowler explained how Open Forum is conducted and asked if anyone would like to come forth and speak at this time. No one came forth to speak. So he closed Open Forum.

V. CONSENT AGENDA

1. Consider approval of the minutes from the December 19, 2022 regular City Council meeting, and take any action necessary
2. **2022-051** - Consider a request by Mariel Street on behalf of Cathy Strother for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Commercial (C) District for a two (2) acre parcel of land identified as Lot 1, Block A, Roadside Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 2410 S. Goliad Street [SH-205], and take any action necessary **(2nd Reading)**.
3. **2022-054** - Consider a request by Scott Clements on behalf of Dana Moffatt for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision allowing the construction of a single-family home on a 0.1837-acre parcel of land identified as Lot 7, Block B, North Towne Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 211 Jacob Crossing, and take any action necessary **(2nd Reading)**.
4. **2022-055** - Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Ryan Lewis and Scott Sutton of Crosspoint Community Church for the approval of an **ordinance** for a Zoning Change amending Planned Development District 87 (PD-87) [Ordinance No. 18-46] being a 16.26-acre tract of land identified as a Lot 1, Block 1, Indalloy Addition and Tract 31 of the R. Ballard Survey, Abstract No. 29, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 87 (PD-87) for Single-Family 10 (SF-10) District, General Retail (GR) District and Light Industrial (LI) District land uses, located on the southside of E. Washington Street east of the intersection of Park Place Boulevard and E. Washington Street, and take any action necessary **(2nd Reading)**.

5. **P2022-058** - Consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a *Final Plat* for Lots 1 & 2, Block A, Rockwall ISD Addition being a 76.068-acre tract of land identified as Tracts 14-01 & 14-11 of the J. M. Glass Survey, Abstract No. 88, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 94 (PD-94) for limited Neighborhood Services (NS) District land uses, generally located at the northwest corner of the intersection of FM-1141 and E. Quail Run Road, and take any action necessary.
6. **P2022-059** - Consider a request by Robert Howman of Glenn Engineering Corp. on behalf of William Salee of the Rockwall Independent School District (RISD) for the approval of a *Replat* for Lots 2 & 3, Block A, Rockwall – CCA Addition being a 173.00-acre tract of land identified as Tract 7-1 of the W. H. Baird Survey, Abstract No. 25 and Lot 1, Block A, Rockwall CCA Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 95 (PD-95) for limited Neighborhood Services (NS) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, addressed as 2301 John King Boulevard, and take any action necessary.
7. **P2022-060** - Consider a request by Daniel Stewart of DEC on behalf of Randall Noe for the approval of a *Replat* for Lots 4 & 5, Block B, Town Place Marriott Addition being a 4.333-acre parcel of land identified as Lot 3, Block B, Town Place Marriott Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, located at the northeast corner of the intersection of the IH-30 Frontage Road and Greencrest Boulevard, and take any action necessary.

Councilmember Daniels moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, and 7). Councilmember Campbell seconded the motion. Mayor Fowler indicated that Councilmember Lewis will be recusing himself from voting on these items since he was not previously here. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 23-01**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A COMMERCIAL (C) DISTRICT FOR A 2.00-ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK A, ROADSIDE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL
ORDINANCE NO. 23-02
SPECIFIC USE PERMIT NO. S-291**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1837-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 7, BLOCK B, NORTH TOWN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND 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.

CITY OF ROCKWALL

ORDINANCE NO. 23-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 87 (PD-87) [ORDINANCE NO. 18-46] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO AMEND THE PLANNED DEVELOPMENT CONCEPT PLAN AND DEVELOPMENT STANDARDS APPROVED WITH ORDINANCE NO. 18-46, BEING A 16.26-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK 1, INDALLOY ADDITION AND TRACT 31 OF THE R. BALLARD SURVEY, ABSTRACT NO. 29, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; 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.

The motion to approve passed by a vote of 6 ayes with 1 abstention (Lewis).

VI. ACTION ITEMS

1. Discuss and consider appointments to the city's Main Street Advisory Board, and take any action necessary.

Moeller moved to appoint Grant English to the Main St. Advisory Board to replace Jennifer Hoffman and appoint Steven Colon to replace Jeremy Standifer (terms of both new board members will run thru January of 2025). Councilmember Jorif seconded the motion, which passed by a vote of 7 ayes to 0 nays.

VII. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.

1. Building Inspections Department Monthly Report - November 2022
2. Fire Department Monthly Report - November 2022
3. Parks & Rec Department Monthly Report - November 2022
4. Police Department Monthly Report - November 2022
5. Sales Tax Historical Comparison
6. Water Consumption Historical Statistics

City Manager Mary Smith indicated that reports have been provided to Council in the meeting's informational meeting packet. No questions were asked, no discussion took place, and no action was taken related to these reports.

VIII. ADJOURNMENT

Mayor Fowler adjourned the meeting at 6:08 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 17th DAY OF JANUARY, 2023.

KEVIN FOWLER, MAYOR

ATTEST:

KRISTY TEAGUE, CITY SECRETARY



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 17, 2023

SUBJECT: Z2022-056; SPECIFIC USE PERMIT AT 835 CLEM ROAD

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Site Plan
Building Elevations
Floor Plan
HOA Letter
Applicant's Photo
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Matthew Benedetto for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Detached Garage* on a three (3) acre parcel of land identified as Lot 19, Block A, Northgate Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, addressed as 835 Clem Road, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions or deny the proposed Specific Use Permit (SUP).



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: January 17, 2022
APPLICANT: Matthew Benedetto
CASE NUMBER: Z2022-056; Specific Use Permit at 835 Clem Road

SUMMARY

Hold a public hearing to discuss and consider a request by Matthew Benedetto for the approval of a Specific Use Permit (SUP) for a Detached Garage on a three (3) acre parcel of land identified as Lot 19, Block A, Northgate Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, addressed as 835 Clem Road, and take any action necessary.

BACKGROUND

The subject property was annexed on December 1, 2008 by *Ordinance No. 08-66 [Case No. A2008-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On July 1, 2019, City Council approved a zoning change through *Ordinance No. 19-26 [Case No. Z2019-012]* changing the zoning of the subject property from an Agriculture (AG) District to Planned Development 88 (PD-88) District for Single-Family 1 (SF-1) District land uses. According to Rockwall County Appraisal District, currently a 5,094 SF single-family home is situated on the property, which was built in 2021.

PURPOSE

The applicant is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a 2,247 SF detached garage on the subject property. The proposed detached garage exceeds the maximum allowable square footage for a detached garage.

ADJACENT LAND USES AND ACCESS

The subject property is generally located at 835 Clem Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is the Mustang Acres Addition which was established on February 28, 1967, consists of 6 residential lots zoned Single-Family 1, Single Family Estate 4 (SFE-4), and Single-Family Estate 1.5 (SFE-1.5). Beyond this are several large parcels of land developed with single family homes.

South: Directly south of the subject property are the remaining lots in the Northgate Subdivision, followed by the corporate limits of the City of Rockwall. Beyond this are several large lots developed with single-family homes that are situated within unincorporated area.

East: Directly east of the subject property are the remaining lots in the Northgate Subdivision, followed by the corporate limits of the City of Rockwall. Beyond this is N. Stodghill Road, which is classified as a TXDOT 4D (*i.e. Texas Department of Transportation, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are the remaining lots in the Northgate Subdivision, followed by a 19.06-acre tract of land (*i.e. part of Tract 24, W.M. Dalton Addition, Abstract No. 72*), zoned Agriculture (AG) District and developed with a single-family home and several agriculture accessory buildings.

CONFORMANCE WITH THE CITY’S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Detached Garage Exceeding 625 SF* requires a Specific Use Permit (SUP) in a Single-Family 1 (SF-1) District. In addition to these requirements, a *Detached Garage* is subject to the dimensional requirements contained in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*. A summary of these standards compared to the applicant’s proposed *Detached Garage* is as follows:

TABLE 1: COMPLIANCE WITH THE REQUIREMENTS OF THE UDC

ORDINANCE PROVISIONS	REQUIREMENTS	CONFORMANCE TO THE STANDARDS
NUMBER OF ACCESSORY STRUCTURES	A maximum of 2 detached accessory structures are permitted in a Single-Family 1 (SF-1) District.	1 Proposed; <i>IN CONFORMANCE</i>
MAXIMUM SIZE OR SQUARE FOOTAGE	The structure shall not exceed 625 SF	2,247 SF; <i>DISCRETIONARY APPROVAL NEEDED THROUGH SUP PROCESS</i>
MINIMUM REAR YARD SETBACK	10-Feet	~50-Feet; <i>IN CONFORMANCE</i>
SIDE YARD SETBACK	6-Feet	~67-Feet; <i>IN CONFORMANCE</i>
DISTRANCE BEETWEEN BUILDINGS	10-Feet	~100-Feet; <i>IN CONFORMANCE</i>
MAXIMUM BUILDING HEIGHT	Accessory structures are permitted a maximum of 15-Feet;	~18-Feet; <i>DISCRETIONARY APPROVAL NEEDED THROUGH SUP PROCESS</i>

STAFF ANALYSIS

In this case, the applicant has stated that the accessory structure is primarily intended to be used as a shop and storage area. Based on *Table 1* above, the proposed structure does appear to meet all of the requirements for a *Detached Garage* with the exception of the maximum building height and maximum square footage; however, the proposed *Detached Garage* matches the aesthetics of the primary structure with regard to building materials and roof pitch. This creates a cohesive appearance between the proposed detached garage and the primary structure. With this being said, the Specific Use Permit (SUP) allows the Planning and Zoning Commission and City Council the ability review the context of a request and grants them the discretion to approve or deny the request on a *case-by-case* basis.

This property is located in a new subdivision which has very few homes built within it. At the time there are no accessory buildings within said subdivision; however, there are several properties north of the subdivision with multiple accessory buildings situated on them. In the block bounded by Clem Road, Stodghill Road (*i.e. FM-3549*), FM-1141, and North Country Lane, staff has identified 35 accessory buildings on 22 properties with the average size of these structures being ~842 SF. The largest of these structures is around 3,345 SF (*i.e. 379 N Country Lane [101-acres]*). The majority of these lots are at least one (1) acre in size and have an average of 7.50-acres. In addition, most of the accessory buildings are being used for storage of agricultural equipment. These factors may warrant consideration in this case. After reviewing the location of the proposed structure, it does *not* appear to have a negative effect on any adjacent property, which are primarily large estate lots of at least one (1) acre in size. With this being said, this request does require a Specific Use Permit (SUP), granting the City Council discretion pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 14, 2022, staff mailed 52 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Northgate Homeowner’s Association (HOA), which is the only Homeowner’s Associations (HOAs) or Neighborhood Organizations within 1,500 feet of the subject property. 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 has received five (5) notices from property owners of four (4) properties in favor of the applicant’s request.

CONDITIONS OF APPROVAL

If City Council chooses to approve of the applicant’s request for a Specific Use Permit (SUP) for a *Detached Garage*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:

- (a) The development of a Detached Garage on the Subject Property shall generally conform to the Site Plan as depicted in Exhibit 'B' of this ordinance.
 - (b) The construction of a Detached Garage on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit 'C' of this ordinance.
 - (c) The Detached Garage shall not exceed a maximum size of 2,250 SF.
 - (d) The Detached Garage shall include a paved driveway to the structure.
 - (e) The maximum height of the Detached Garage shall not exceed a total height of 18-feet as measured to midpoint of the pitched roof.
 - (f) The Detached Garage shall not be sold or conveyed separately from the single-family home without meeting the requirements of the zoning district and subdivision ordinance.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 10, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 6-0, with Commissioner Hustings absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2} 245. ²
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS: 835 Clem Rd Rockwall 75087
 SUBDIVISION: NorthGate Rockwall LOT: 19 BLOCK: A
 GENERAL LOCATION: North Rockwall

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING: Res CURRENT USE: Res
 PROPOSED ZONING: Res PROPOSED USE: _____
 ACREAGE: 3 LOTS [CURRENT]: 1 LOTS [PROPOSED]: 1

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

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

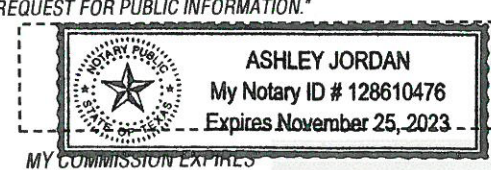
OWNER: Matthew Benedetto APPLICANT: _____
 CONTACT PERSON: _____ CONTACT PERSON: _____
 ADDRESS: 835 Clem Rd ADDRESS: _____
 CITY, STATE & ZIP: Rockwall TX 75087 CITY, STATE & ZIP: _____
 PHONE: 214-454-8033 PHONE: _____
 E-MAIL: _____ E-MAIL: _____

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Matthew Benedetto [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 \$ 245.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 8th DAY OF December, 2022 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 8 DAY OF December, 2022
 OWNER'S SIGNATURE: _____
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS: _____





Z2022-056: Specific Use Permit for Detached Garage at 835 Clem Road

Case Location Map = 



City of Rockwall

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

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

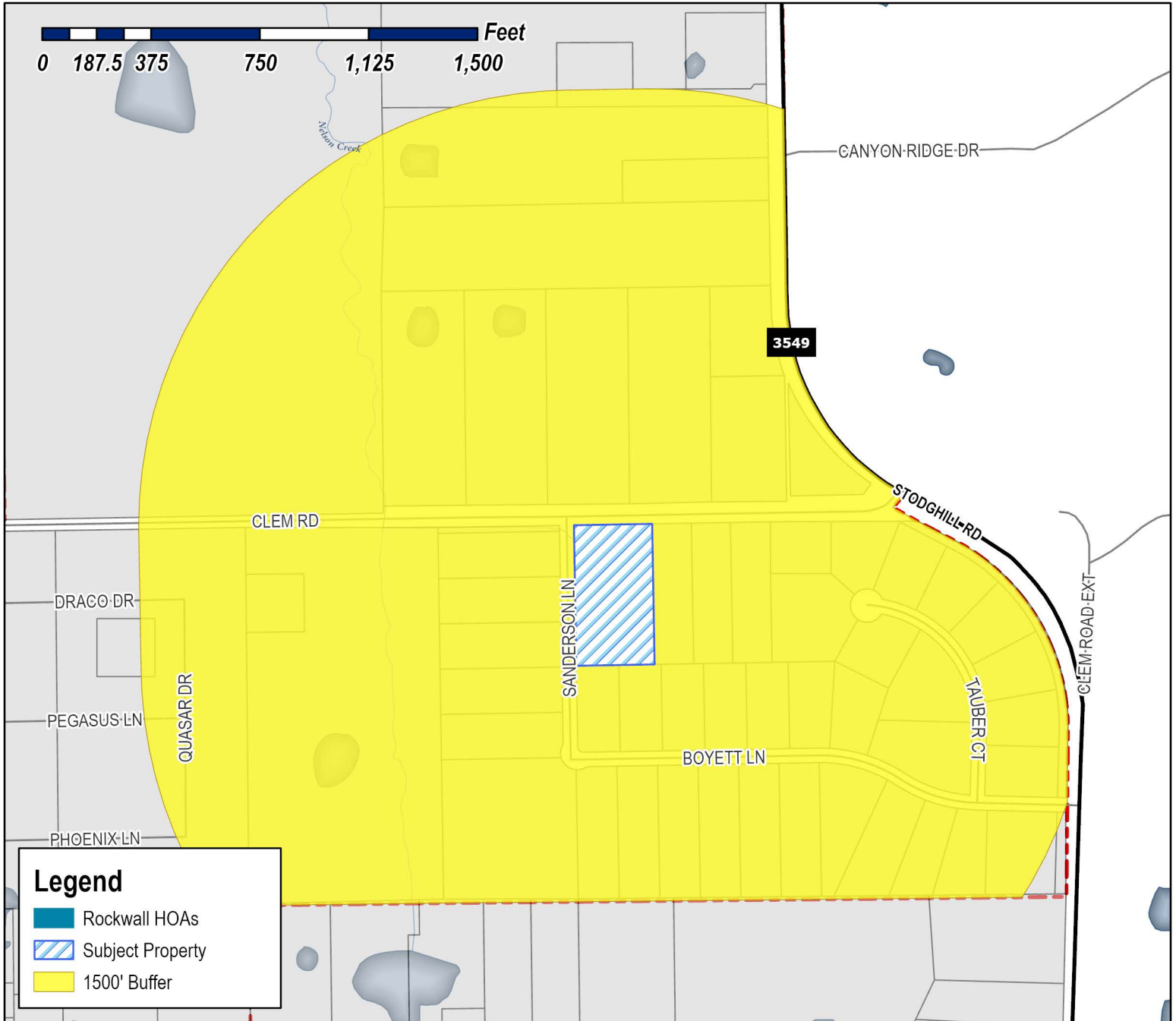




City of Rockwall

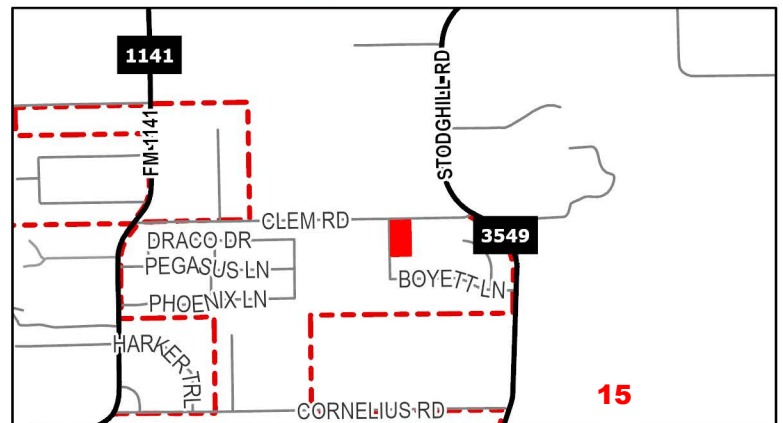
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Case Number: Z2022-056
Case Name: SUP for Detached Garage
Case Type: Zoning
Zoning: Planned Development District 88 (PD-88)
Case Address: 835 Clem Road

Date Saved: 12/9/2022
 For Questions on this Case Call (972) 771-7745



Ross, Bethany

From: Guevara, Angelica
Sent: Wednesday, December 14, 2022 3:01 PM
Cc: Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-056]
Attachments: Public Notice Z2022-056.pdf; HOA Map (12.12.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2022-056: SUP for Detached Garage at 835 Clem Road

Hold a public hearing to discuss and consider a request by Matthew Benedetto for the approval of a *Specific Use Permit (SUP)* for a *Detached Garage* on a three (3) acre parcel of land identified as Lot 19, Block A, Northgate Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, addressed as 835 Clem Road, and take any action necessary.

Thank you,

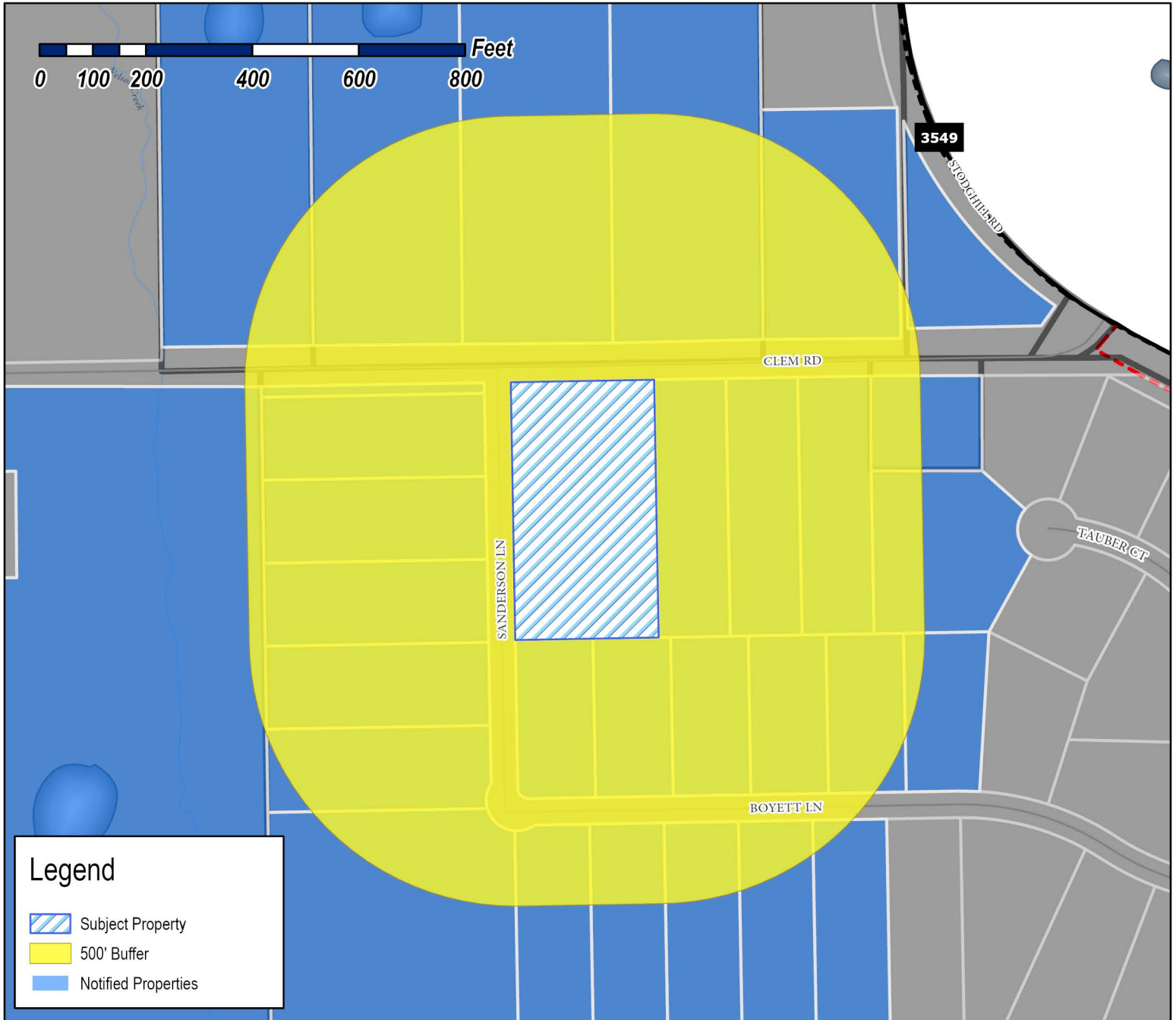
Angelica Guevara
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7745
Direct: 972-772-6438



City of Rockwall

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

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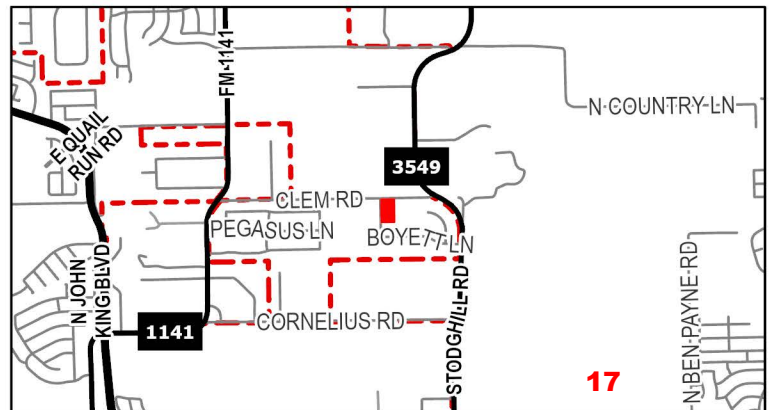
Legend

-  Subject Property
-  500' Buffer
-  Notified Properties

Case Number: Z2022-056
Case Name: SUP for Detached Garage
Case Type: Zoning
Zoning: Planned Development District 88 (PD-88)
Case Address: 835 Clem Road

Date Saved: 12/9/2022

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



SWIATKIEWICZ CHRISTINE AND GABRIEL
1167 ROLLING MEADOW
LAVON, TX 75166

JOYCE MICHAEL RYAN AND MEREDITH MCLEROY
1189 WATERS EDGE DRIVE
ROCKWALL, TX 75087

INSPIRED HOMES TX LLC
1189 WATERS EDGE DRIVE
ROCKWALL, TX 75087

NORTHGATE ROCKWALL HOMEOWNERS
ASSOCIATIONS INC
1189 WATERS EDGE DRIVE
ROCKWALL, TX 75087

WOLFF RYAN & RACHEL
1306 SALINAS DRIVE
ROCKWALL, TX 75087

MCCALLUM CRAIG WILLIAM
1983 N STODGHILL RD
ROCKWALL, TX 75087

WADE JON AND JENNIFER
1985 CLUB LAKE CIRCLE
ROCKWALL, TX 75087

OCONNOR MICHAEL TYLER & ASHLEY ELISA
208 CHATFIELD DRIVE
ROCKWALL, TX 75087

RESIDENT
2121 TAUBER CT
ROCKWALL, TX 75087

RESIDENT
2201 SANDERSON LN
ROCKWALL, TX 75087

RESIDENT
2207 SANDERSON LN
ROCKWALL, TX 75087

RESIDENT
2213 SANDERSON LN
ROCKWALL, TX 75087

RESIDENT
2219 SANDERSON LN
ROCKWALL, TX 75087

RESIDENT
2225 SANDERSON LN
ROCKWALL, TX 75087

RESIDENT
2231 SANDERSON LN
ROCKWALL, TX 75087

OWNBY MITCH AND SANDRA
255 COUNTRY CLUB DR
HEATH, TX 75032

PARTNERS IN BUILDING LP
2901 WEST SAM HOUSTON PARKWAY NORTH
SUITE C-250
HOUSTON, TX 77043

PARTNERS IN BUILDING LP
2901 WEST SAM HOUSTON PARKWAY NORTH
SUITE C-250
HOUSTON, TX 77043

MEREDITH WILLIAM AND AMBER
3005 SPYGLASS
FORNEY, TX 75126

SANDERSON PERRY AND AMY
4013 ENCLAVE LANE
ROWLETT, TX 75089

ARTERBURN TREVOR AND DESIRI
402 COUNTRY RIDGE
ROCKWALL, TX 75087

WALRAVEN KEITH & MEREDITH
402 FLORENCE DR
FATE, TX 75087

BRYANT ERIC AND SAMANTHA
593 LOUDER WAY
ROCKWALL, TX 75087

ARTERBURN ANDREW
605 HIGHLAND DRIVE
ROCKWALL, TX 75087

RESIDENT
611 CLEM RD
ROCKWALL, TX 75087

RECHTIENE JOSEPH S AND LARISA A
619 ELEANOR DRIVE
FATE, TX 75087

MASON RICHARD L
682 CANNON DRIVE
ROCKWALL, TX 75087

CANAVAN JOHN P & RITA
714 CLEM RD
ROCKWALL, TX 75087

BELL SALLY REDDICK
768 CLEM RD
ROCKWALL, TX 75087

RESIDENT
803 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
804 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
807 BOYETT LN
ROCKWALL, TX 75087

PAYNE ADAM J AND ELIZABETH A
808 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
813 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
814 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
819 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
820 BOYETT LN
ROCKWALL, TX 75087

SHLENSKY HOWARD J & DARLA A
820 CLEM RD
ROCKWALL, TX 75087

RESIDENT
825 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
826 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
832 BOYETT LN
ROCKWALL, TX 75087

RESIDENT
835 CLEM RD
ROCKWALL, TX 75087

STANLEY STEVEN B AND ROBIN C
891 CLEM RD
ROCKWALL, TX 75087

MOREAU ROBERT G JR & SHERRY L
892 CLEM ROAD
ROCKWALL, TX 75087

BUTLER ZACHARY AND COURTNEY
9 CRESTVIEW CIR
ROCKWALL, TX 75087

RESIDENT
901 CLEM RD
ROCKWALL, TX 75087

BENEDETTO MATTHEW AND STEPHANIE
907 W HOLIDAY ROAD
ROCKWALL, TX 75087

BENNETT JILL M
936 CLEM RD
ROCKWALL, TX 75087

TURNHAM DAVID & LORI
950 CLEM RD
ROCKWALL, TX 75087

RESIDENT
961 CLEM RD
ROCKWALL, TX 75087

AIRHEART REBECCA
961 CLEM RD
ROCKWALL, TX 75087

COUCH DAVID AND JULIE
988 SAFFLOWER
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Z2022-056: SUP for a Detached Garage at 835 Clem Road

Hold a public hearing to discuss and consider a request by Matthew Benedetto for the approval of a *Specific Use Permit (SUP)* for a Detached Garage on a three (3) acre parcel of land identified as Lot 19, Block A, Northgate Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, addressed as 835 Clem Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Bethany Ross
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 Tuesday, January 17, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2022-056: SUP for a Detached Garage at 835 Clem Road

Please place a check mark on the appropriate line below:

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

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

Name:
Address:

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

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

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Case No. Z2022-056: SUP for a Detached Garage at 835 Clem Road

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.

Mr. Benedetto builds a fine home and I am certain that his plan for building a detached garage will be equally as impressive.

Name: DAVID; LORI TURNHAM

Address: 950 CLEM RD. ROCKWALL - 75087

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.

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Case No. Z2022-056: SUP for a Detached Garage at 835 Clem Road

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.

The house is beautiful and a great addition to the area
I am sure the detached garage will be as beautiful as the
existing home. It is also tucked back in the trees and will be hidden
from the street

Name: Dean Drapper, Inspired Homes

Address: ~~1189~~ 767 Justin Rd. Rockwall, TX 75087

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.

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Case No. Z2022-056: SUP for a Detached Garage at 835 Clem Road

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.

He has the land & takes care of his property very well. I'm sure it will be a nice build.

Name:

Howard Shlensky

Address:

820 Clem Rd

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.

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Director of Planning & Zoning



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Case No. Z2022-056: SUP for a Detached Garage at 835 Clem Road

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.

*We believe it is a high quality structure and will match the rest of the beautiful build on this lot.
Thanks! Meredith*

Name: *Meredith Joyce*

Address: *2201 Sanderson Ln Rockwall, TX*

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.

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Case No. Z2022-056: SUP for a Detached Garage at 835 Clem Road

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.

The applicant has submitted all required docs to the HOA for approval. These improvements have been approved by the HOA and are in the spirit of the development. The materials being used are also harmonious with the existing structure and surrounding homes

Name: Michael Jorce HOA President, Northgate
Address: 767 Justin Rd, Rockwall, TX 75087

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.

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BENEDETTO
RESIDENCE
ROCKWALL, TX
75087

ISSUE LOG

DATE	DESCRIPTION
02/12/21	ISSUE FOR PERMIT
05/14/21	FOR CONSTRUCTION
11/07/22	CARRIAGE HOUSE PERMIT

REVISION LOG

DATE	DESCRIPTION	REV. NO.
04/13/21	REVISION	
07/19/21	REVISION	

ISSUED FOR:

- PRELIMINARY -
- BIDDING / PERMIT
- REVISION
- FOR CONSTRUCTION



OWNER: MATT AND STEPHANIE BENEDETTO
 CONTRACTOR: MATT BENEDETTO HIGHVIEW HOMES, LLC
 mattbenedetto@highviewhomes.com 214-544-8333
 DESIGNER: PATRA PHILIPS FANNINGPHILIPS DESIGN
 patra@fanningphilips.com 214-264-8734

ARCH. PROJ. #: 20401 SCALE: REF. DRAWING

SHEET NO. **A2.1**
 COVER/ SITE PLAN
 CARRIAGE HOUSE

FRONT ELEVATION
BENEDETTO RESIDENCE
CARRIAGE HOUSE

SHEET INDEX

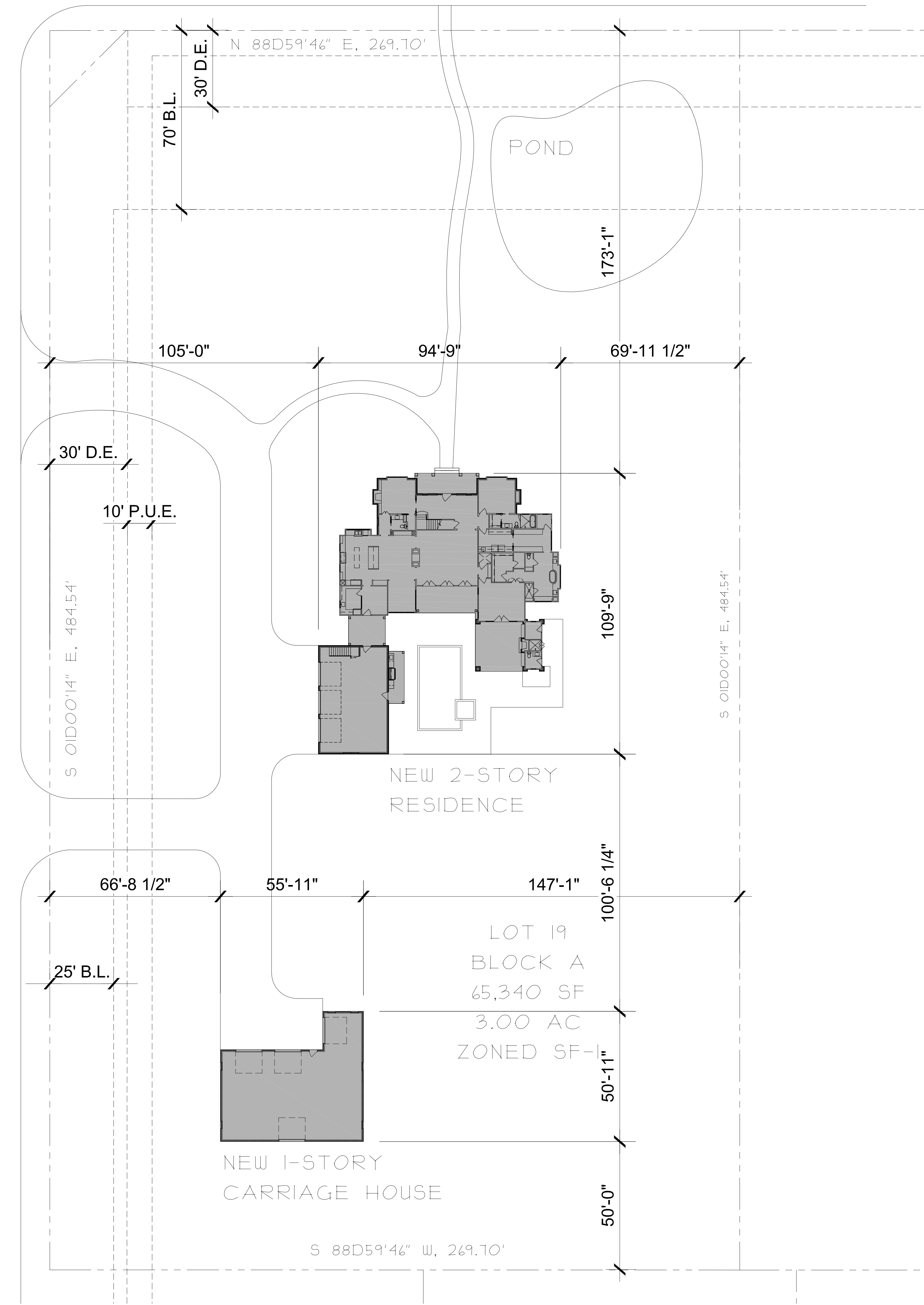
A-1.0	COVER SHEET
A-2.1	SITE PLAN
A-7.2	CARRIAGE HOUSE PLANS AND ELEVATIONS
A-7.3	CARRIAGE HOUSE ROOF, POWER, WINDOW SCHEDULE

SQUARE FOOTAGE

2,247 SF	CARRIAGE HOUSE
----------	----------------

SANDERSON LANE

CLEM ROAD



ISSUE LOG

DATE	DESCRIPTION
02/22/21	ISSUE FOR PERMIT
05/14/21	FOR CONSTRUCTION
11/07/22	CARRIAGE HOUSE PERMIT

REVISION LOG

DATE	DESCRIPTION	REV. NO.
04/13/21	REVISION	
07/19/21	REVISION	

ISSUED FOR:

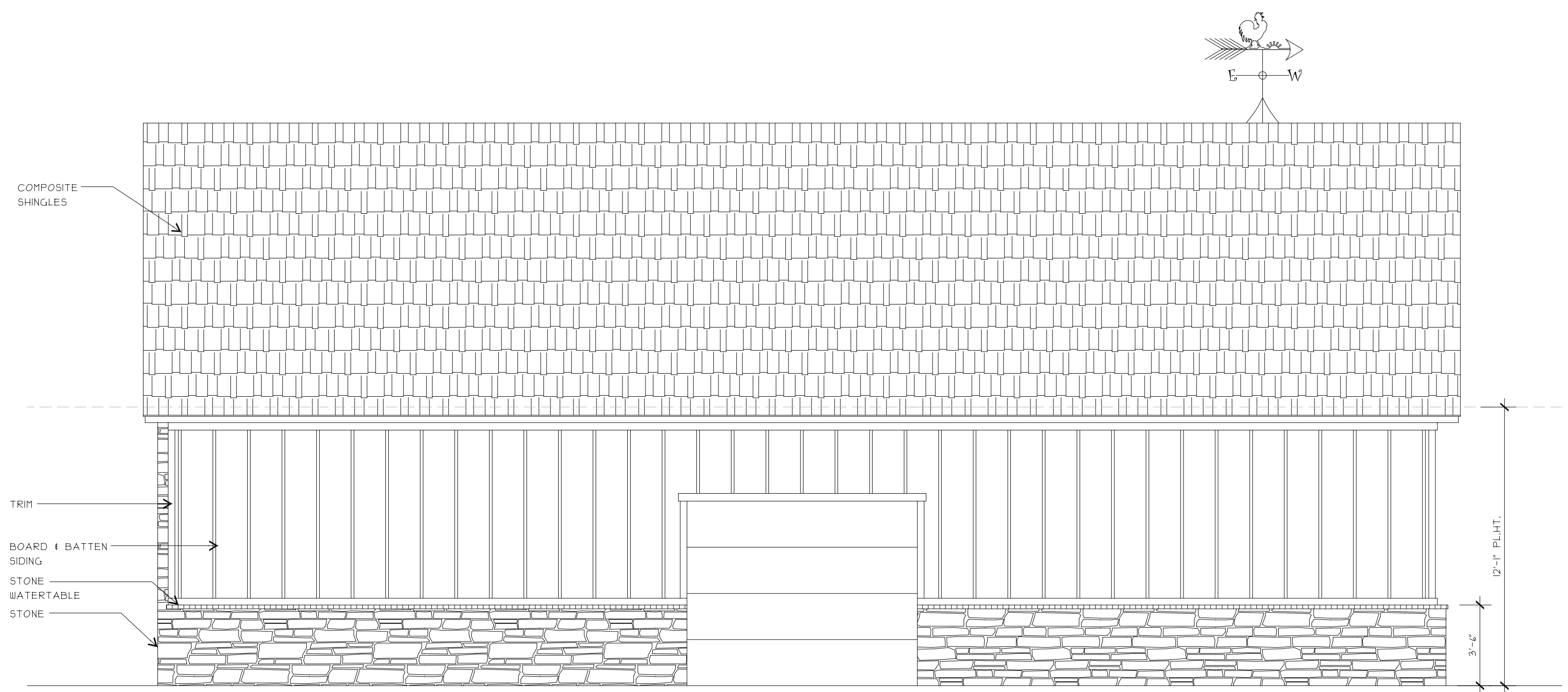
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- BIDDING / PERMIT
- REVISION
- FOR CONSTRUCTION



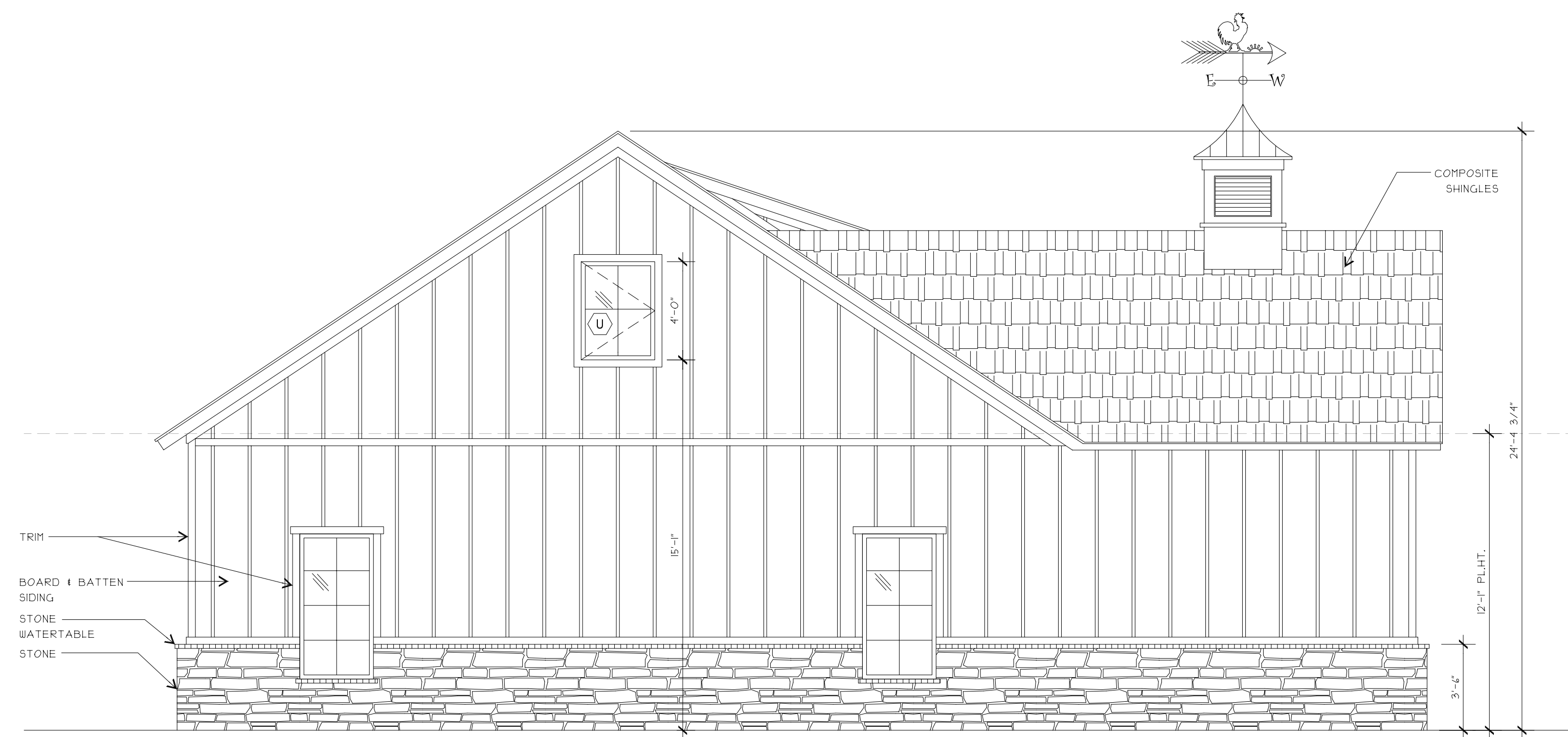
OWNER: MATT AND STEPHANIE BENEDETTO
 CONTRACTOR: MATT BENEDETTO HIGHVIEW HOMES, LLC
 mattbeneditto@highviewhomes.com 214-54-0303
 DESIGNER: PATRA PHELPS FANNINGPHELPS DESIGN
 patra@fanningphelps.com 214-284-8754

ARCH. PROJ. NO. 20401 SCALE: REF. DRAWING

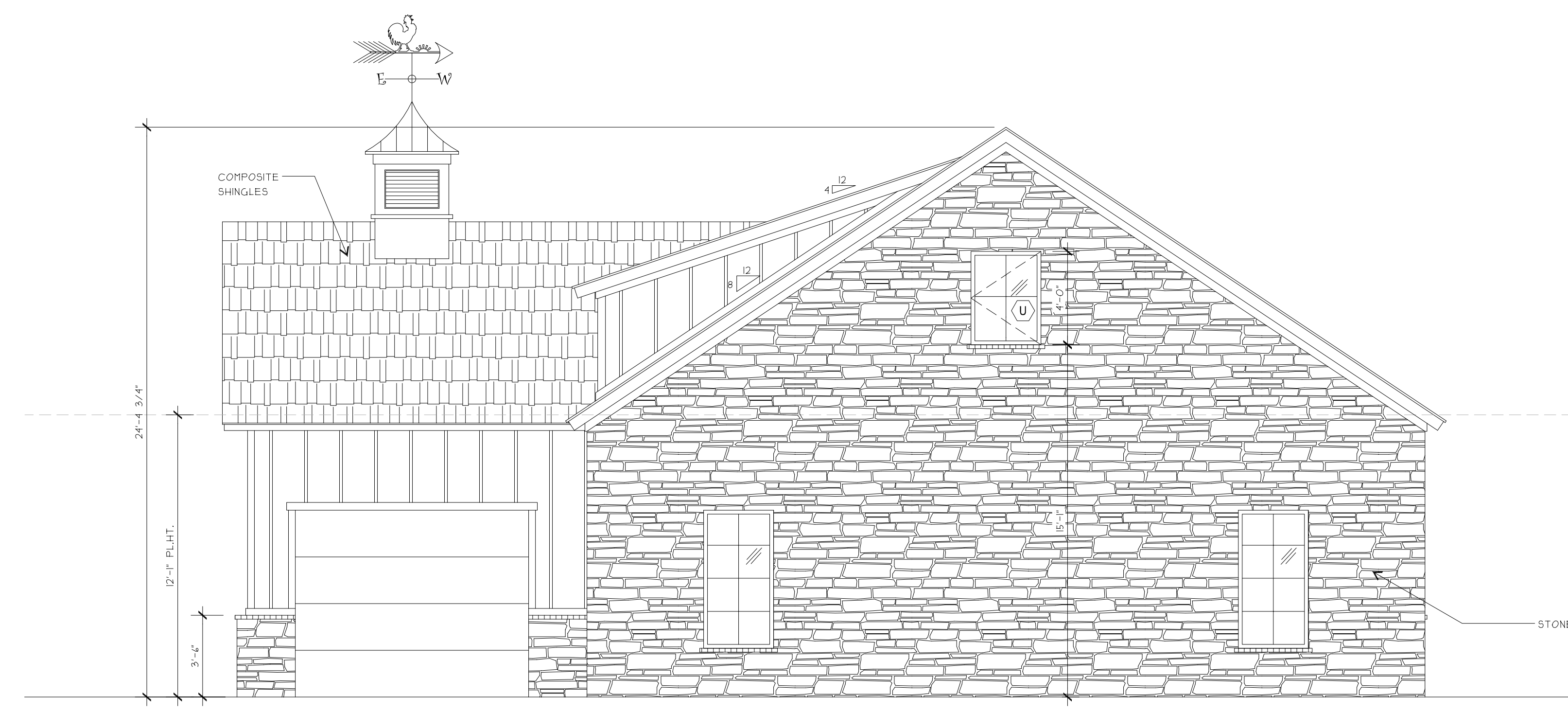
SHEET NO. **A7.2**
 CARRIAGE HOUSE PLAN ELEVATIONS



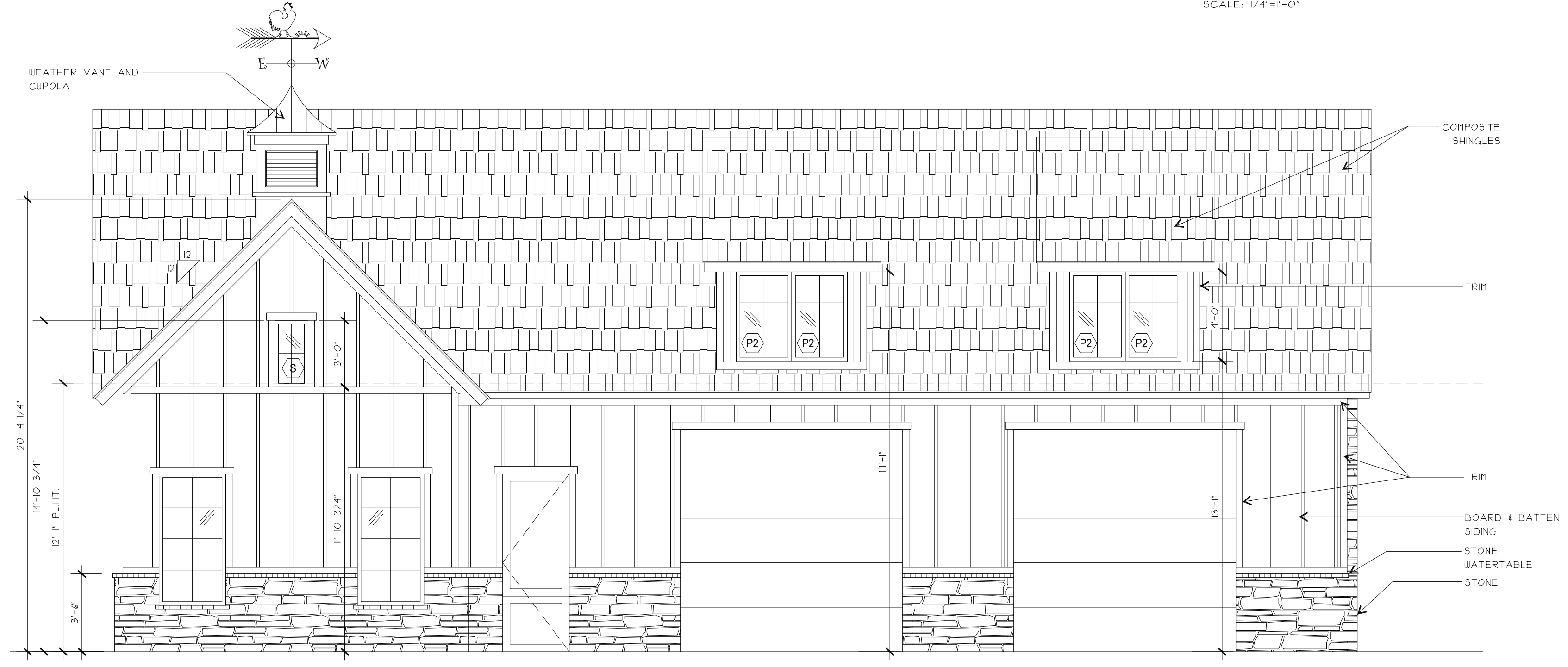
04 NORTH ELEVATION
SCALE: 1/4"=1'-0"



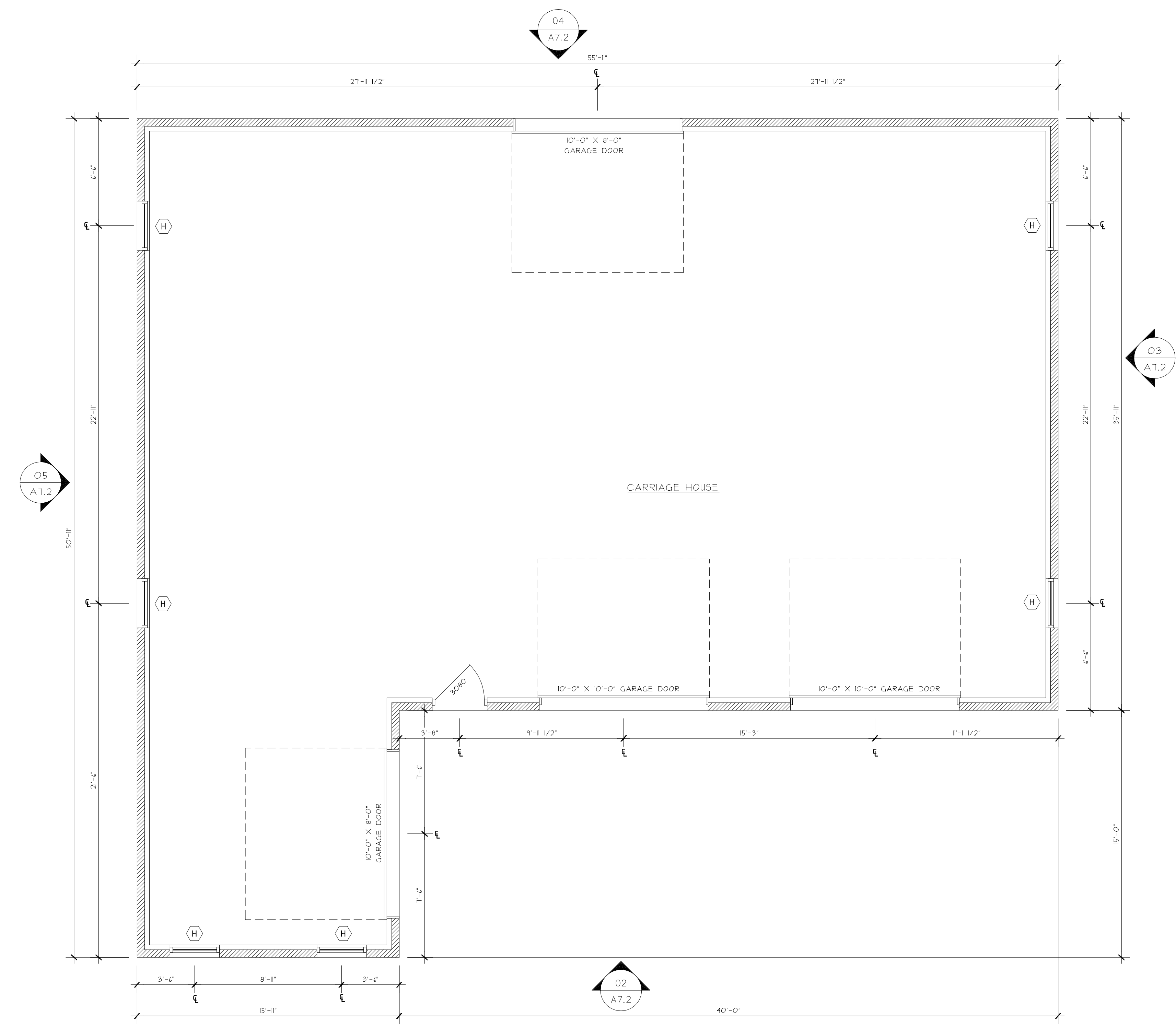
05 WEST ELEVATION
SCALE: 1/4"=1'-0"



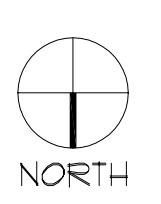
03 EAST ELEVATION
SCALE: 1/4"=1'-0"



02 SOUTH ELEVATION
SCALE: 1/4"=1'-0"



01 CARRIAGE HOUSE PLAN
SCALE: 1/4"=1'-0"

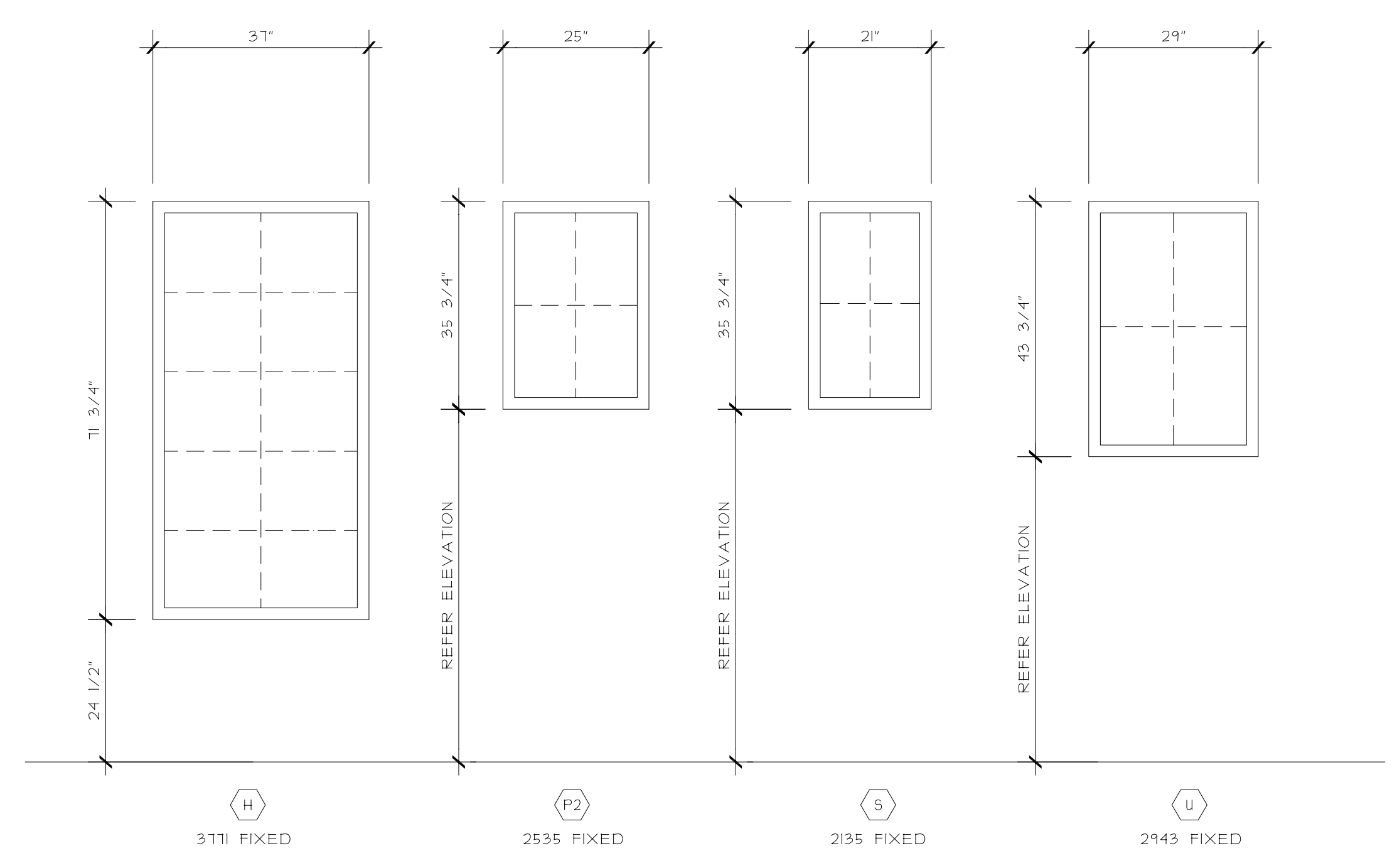


- ELECTRICAL NOTES:**
- 1) CONSULT LOCAL UTILITY & LOCAL CODES FOR PROPER GROUNDING REQUIREMENTS.
 - 2) RECEPTACLES SHALL BE SPACED ACCORDINGLY SO THAT AT NO POINT ALONG THE FLOOR LINE IS MORE THAN 6'-0" FROM AN OUTLET. NO SPACES FURTHER APART THAN 12' UNLESS NOTED OTHERWISE OR PER ANY SPECIFIC CODES.
 - 3) ALL RECEPTACLES IN BATHROOMS, GARAGES, OR OUTDOORS SHALL BE PROTECTED BY A GROUND FAULT INTERRUPTION SYSTEM (GFI) AND AS NOTED ON THE DRAWINGS.
 - 4) OUTLET BOXES IN WALL BETWEEN THE LIVING AREA & THE GARAGE SHALL BE METAL OR U.L. APPROVED PLASTIC.
 - 5) SMOKE DETECTORS SHALL BE PLACED NO MORE THAN 12" FROM CLG. AND 3'-0" FROM DUCT OPENINGS. DETECTORS SHALL BE PERMANENTLY WIRED AND INTERCONNECTED. PROTECT ALL SLEEPING AREAS PER CODE.
 - 6) SWITCH PLATES TO BE PLACED AT 42" ABOVE FINISH FLOOR TO CENTER OF SWITCH TYPICAL.
 - 7) AT LEAST TWO 20 AMP SMALL APPLIANCE CIRCUITS SHALL BE PROVIDED TO SERVE THE KITCHEN, NOOK, & DINING AREAS. THESE CIRCUITS ARE TO HAVE NO OTHER OUTLETS. CONFORM TO NEC ART 220-3(C).
 - 8) ALL LIGHTING FIXTURES LOCATED IN CLOSETS OR STORAGE AREAS SHALL BE LOCATED A MINIMUM OF 18" FROM ALL SHELVING.
 - 9) PROVIDE 150 AMP ELECTRICAL SERVICE PANEL WITH METER EQUIP.
 - 10) PROVIDE DISCONNECT SWITCH FOR AIR HANDLER IN SPACE REQUIRED.
 - 11) PROVIDE OPTIONAL ELECTRICAL TO MASTER BATH TUB (OR AS REQUIRED) FOR WHIRLPOOL, HOOK UP PER OWNER.

ELECTRICAL SCHEDULE	
SYMBOL	DESCRIPTION
⊞	SINGLE POLE SWITCH
⊞	3 WAY SWITCH
⊞	110V OUTLET
⊞	220V OUTLET
⊞	FLOOR OUTLET
⊞	RECESSED CAN FIXTURE
⊞	CEILING MOUNT PENDANT FIXTURE
⊞	PENDANT FIXTURE
⊞	EXHAUST FAN
⊞	FLUORESCENT FIXTURE
⊞	OVER OR UNDERCOUNTER LIGHTING
⊞	SMOKE DETECTOR
⊞	C DETECTOR
VP	VP---VAPOR PROOF
GFCI	GFCI---WEATHER PROOF
GFI	GFI---GROUND FAULT INTERCEPTOR
LV	LV---LOW VOLTAGE
OS	OS---OUTSIDE
GD	GD---GARAGE DISPOSAL
DW	DW---DIRECT WIRE

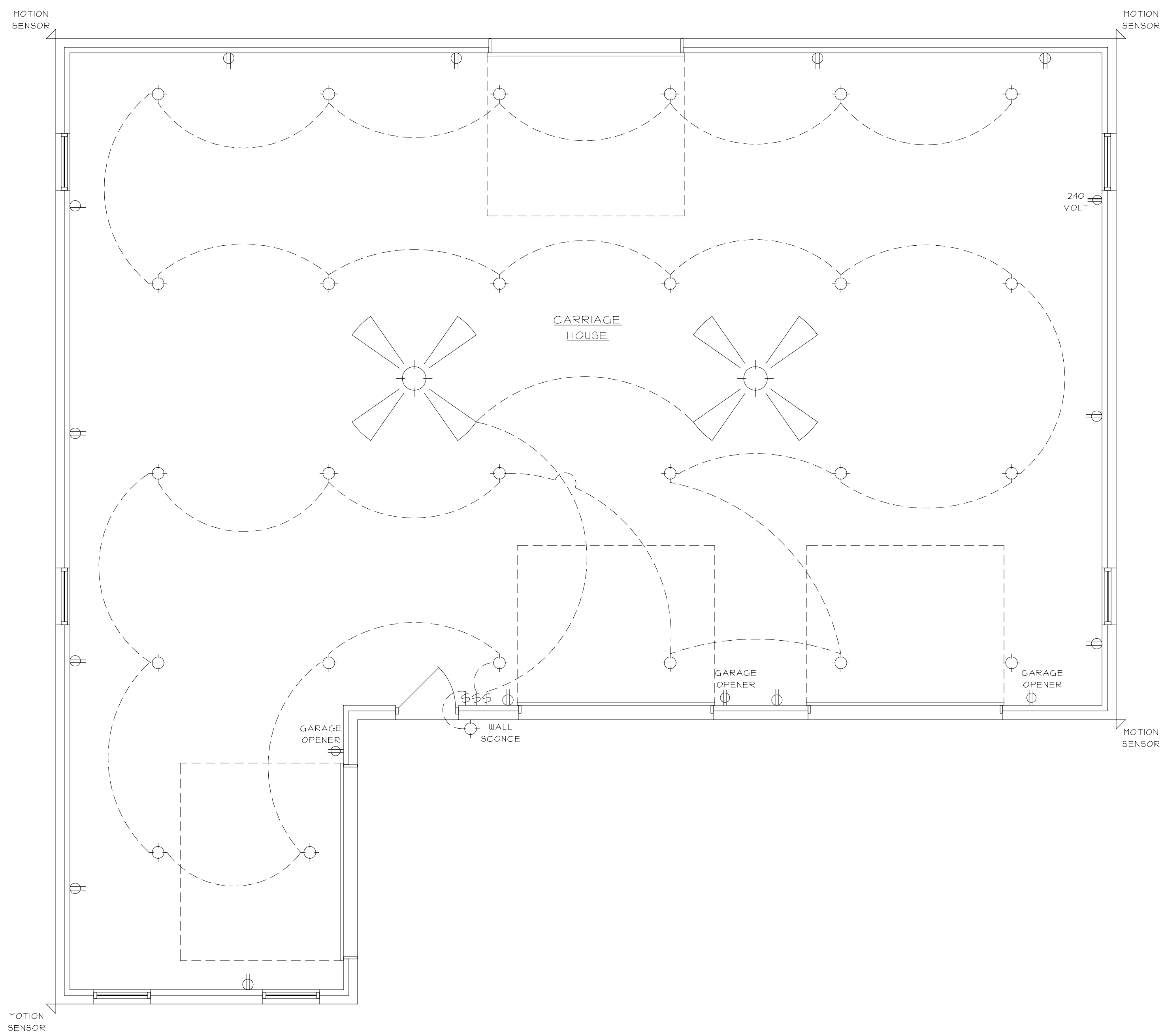
NOTE: ALL OUTLETS IN KITCHEN, GARAGE AND BATHROOMS TO BE G.F.I.

- ROOF CONSTRUCTION NOTES:**
1. ROOF OVERHANG TO BE 12" U.N.O.
 2. ROOF PITCH TO BE 12/12 U.N.O.
 3. PROVIDE KITCHEN VENTS AS SPECIFIED IN WALL SECTIONS IF APPLICABLE.
 4. THE ROOF TRUSSES OR RAFTER TO INTERIOR PARTITIONS WITH METAL CLIPS, TIES OR STRAPS AS SPECIFIED IN STRAPPING SCHEDULE ABOVE.
 5. FIRST SHEET OF PLYWOOD ALONG EAVES TO BE GULLED AND WEALED AS DESCRIBED IN SHEATHING SCHEDULE ABOVE.
 6. TRUSS DESIGNS REQUIRE THE SIGNATURE AND SEAL OF A STATE CERTIFIED ENGINEER.
 7. PROVIDE ALL REQUIRED TRUSS BRACING AS SPECIFIED ON ENGINEERED TRUSS PLAN.

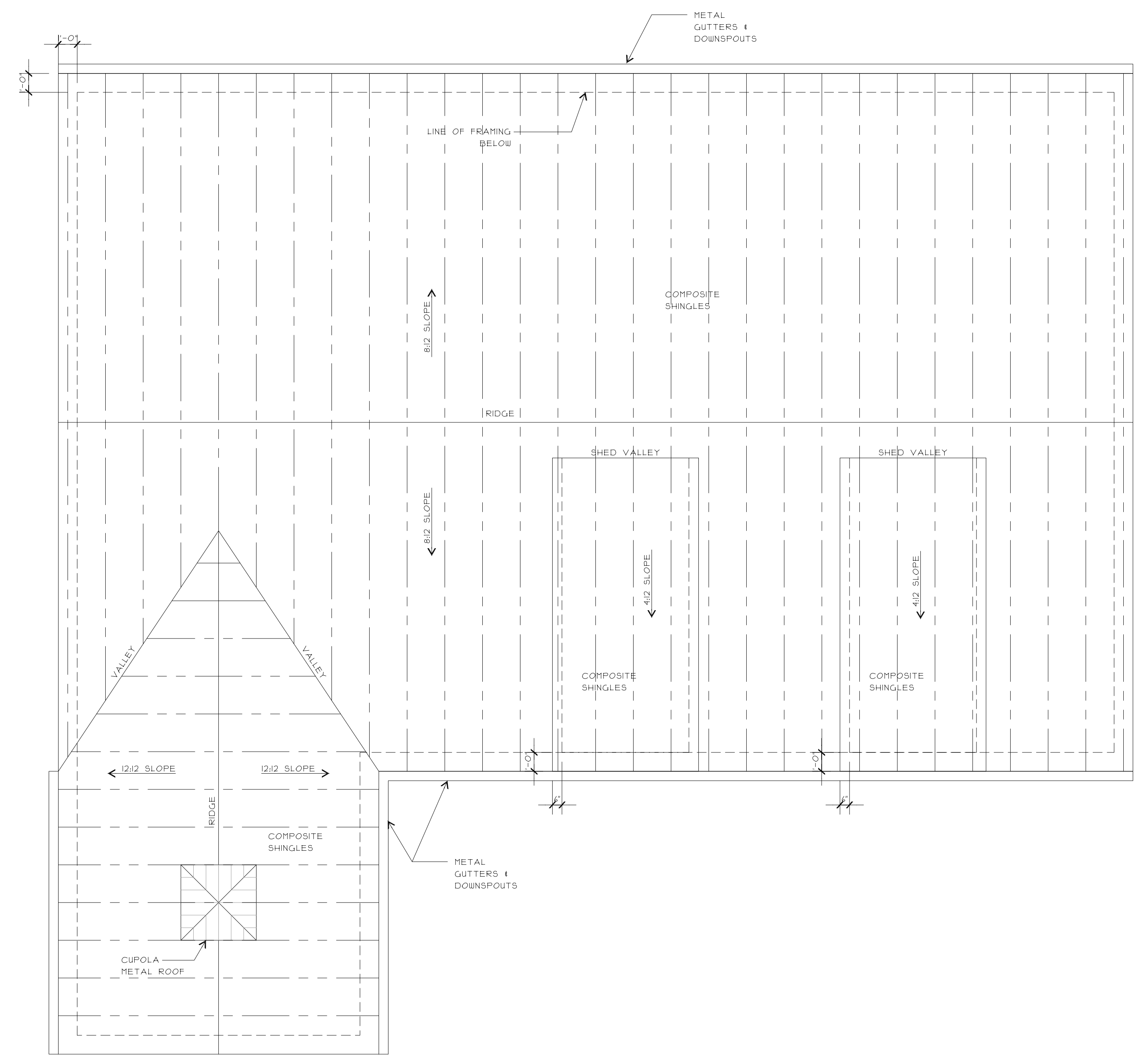


WINDOW TYPES

NOTE:
 1. VERIFY ALL WINDOWS SIZES WITH MANUFACTURER FOR ALL FRAMING AND ROUGH OPENING DIMENSIONS.
 2. FINAL MULLION DESIGN TO BE BY OWNER.



02 CARRIAGE HOUSE POWER PLAN
 SCALE: 1/4"=1'-0"



01 CARRIAGE HOUSE ROOF PLAN
 SCALE: 1/4"=1'-0"



BENEDETTO RESIDENCE
 ROCKWALL, TX 75087

ISSUE LOG

DATE	DESCRIPTION
02/12/21	ISSUE FOR PERMIT
05/14/21	FOR CONSTRUCTION
11/07/22	CARRIAGE HOUSE PERMIT

REVISION LOG

DATE	DESCRIPTION	REV. NO.
04/13/21	REVISION	
07/19/21	REVISION	

- ISSUED FOR:**
- PRELIMINARY -
 - BIDDING / PERMIT
 - REVISION
 - FOR CONSTRUCTION



OWNER: MATT AND STEPHANIE BENEDETTO
 CONTRACTOR: MATT BENEDETTO HIGHVIEW HOMES, LLC mattbeneditto@highviewhomes.com 214-544-0033
 DESIGNER: PATRA PHILIPS FANNINGPHILIPS DESIGN pfanning@fanningphilips.com 214-264-8734

ARCH. PROJ. #: 20401 SCALE: REF. DRAWING

SHEET NO. **A7.3**

CARRIAGE HOUSE ROOF, POWER, WDU SCHEDULE



NORTHGATE

Northgate Rockwall HOA
767 Justin Road
Rockwall, TX 75087

November 18, 2022

RE: Plan Review Outbuilding, 835 Clem Road, Northgate Rockwall

On November 18, 2022, I reviewed the submitted application for Outbuilding at 835 Clem Road, Northgate Rockwall, Lot 19, Block A. The submitted plans and elevations have been reviewed by the Architectural Control Committee (the "ACC"). The plans meet the requirements of the restrictions and governing documents for Northgate Rockwall.

This application has been approved.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Ryan Joyce', is written over the printed name.

Michael Ryan Joyce
Northgate Rockwall HOA
President





CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 88 (PD-88) [*ORDINANCE NO. 19-26*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *DETACHED GARAGE* ON A THREE (3) ACRE PARCEL OF LAND, IDENTIFIED AS LOT 19, BLOCK A, N ORTHGATE ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND 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 Matthew Benedetto for the approval of a *Specific Use Permit (SUP)* for a *Detached Garage* on a three (3) acre parcel of land identified as Lot 19, Block A, Northgate Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 88 (PD-88) for Single-Family 1 (SF-1) District land uses, addressed as 835 Clem Road, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that Planned Development District 88 (PD-88) [*Ordinance No. 19-26*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Detached Garage* to allow for the construction of an *Accessory Building* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 88 (PD-88) [*Ordinance No. 19-26*] and Subsection 03.01, *General Residential District Standards*; Subsection 03.06, *Single-Family 1 (SF-1) District*; and Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District*

Development Standards, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- 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 construction of a *Detached Garage* on the *Subject Property* and conformance to these operational conditions is required for continued operation:

- (1) The development of a *Detached Garage* on the *Subject Property* shall generally conform to the *Site Plan* as depicted in *Exhibit 'B'* of this ordinance.
- (2) The construction of a *Detached Garage* on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance.
- (3) The *Detached Garage* shall not exceed a maximum size of 2,250 SF.
- (4) The *Detached Garage* shall include a paved driveway to the structure.
- (5) The maximum height of the *Detached Garage* shall not exceed a total height of 18-feet as measured to midpoint of the pitched roof.
- (6) The *Detached Garage* shall not be sold or conveyed separately from the single-family home without meeting the requirements of the zoning district and subdivision ordinance.

2.2 COMPLIANCE

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

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

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

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

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

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

the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 6TH DAY OF FEBRUARY, 2023.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 17, 2023

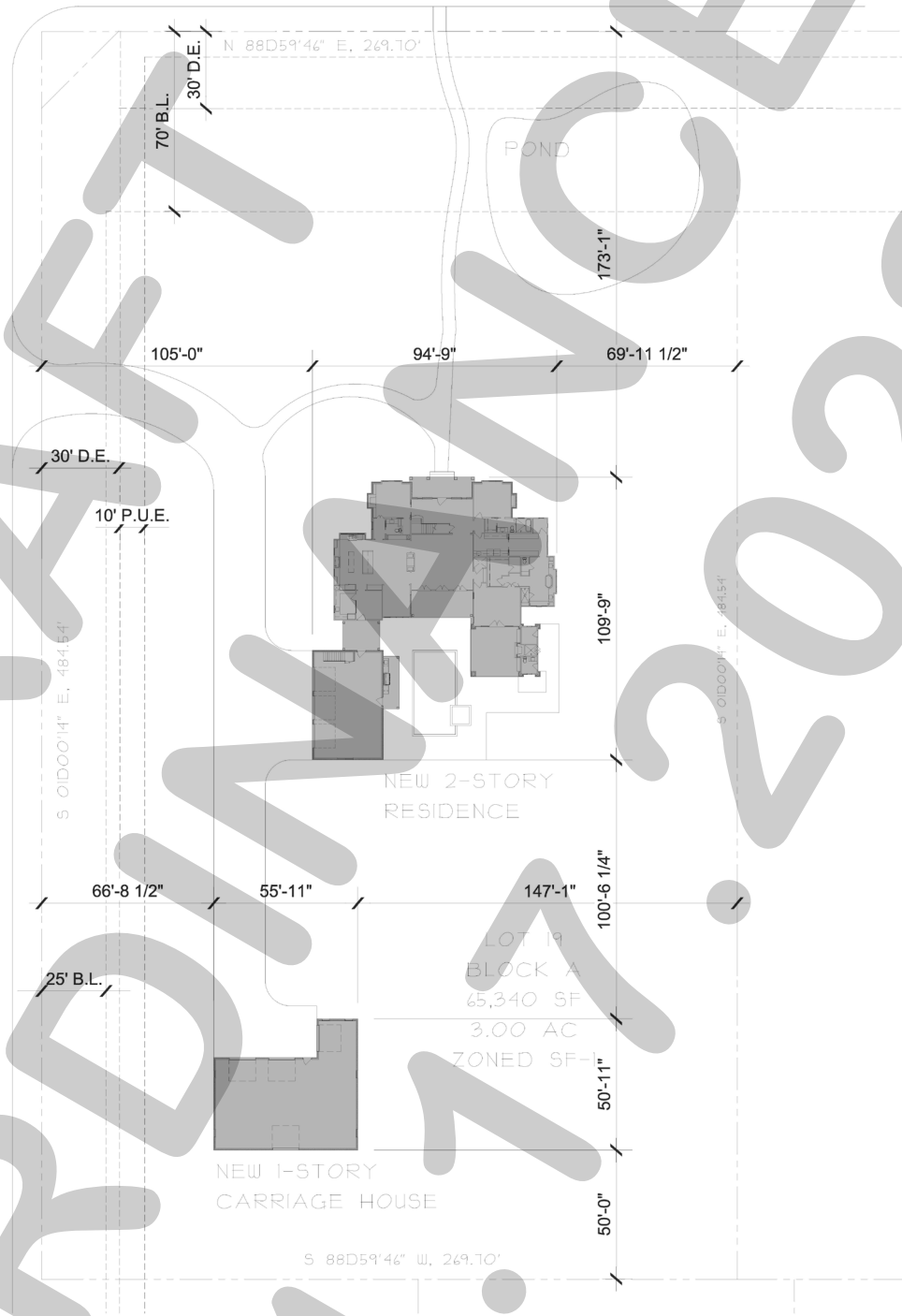
2nd Reading: February 6, 2023

Address: 834 Clem Road
Legal Description: Lot 19, Block A, Northgate Addition



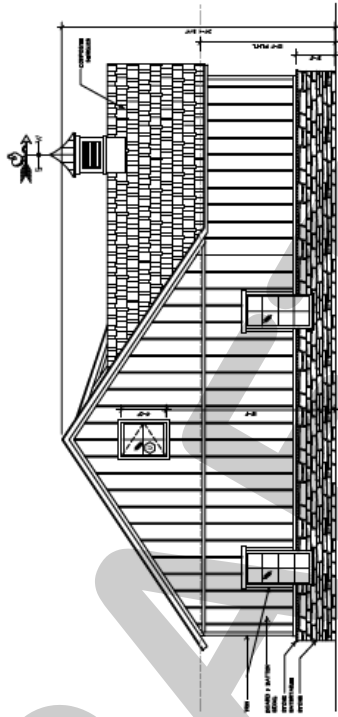
CLEM ROAD

SANDERSON LANE

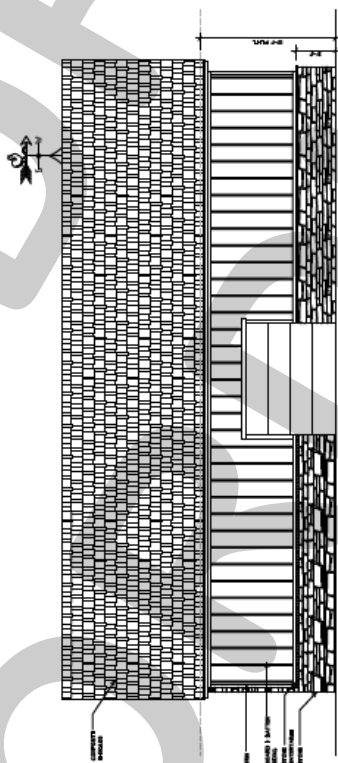


DRAFT 01.2023

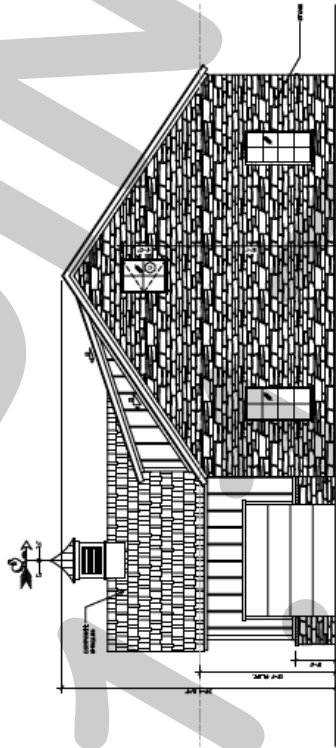
01 ARCHITECTURAL SITE PLAN
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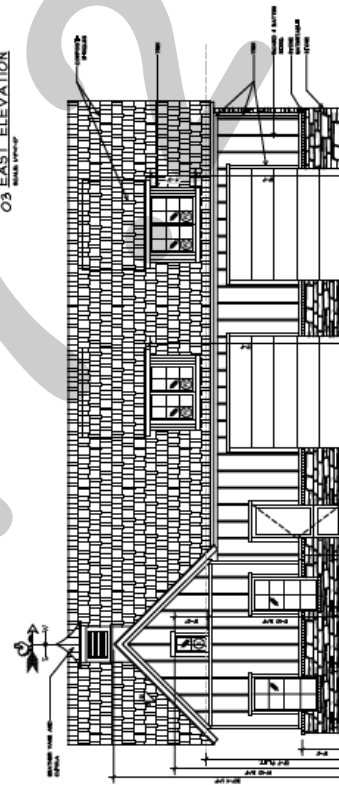
05 WEST ELEVATION
SCALE 1/8"=1'-0"



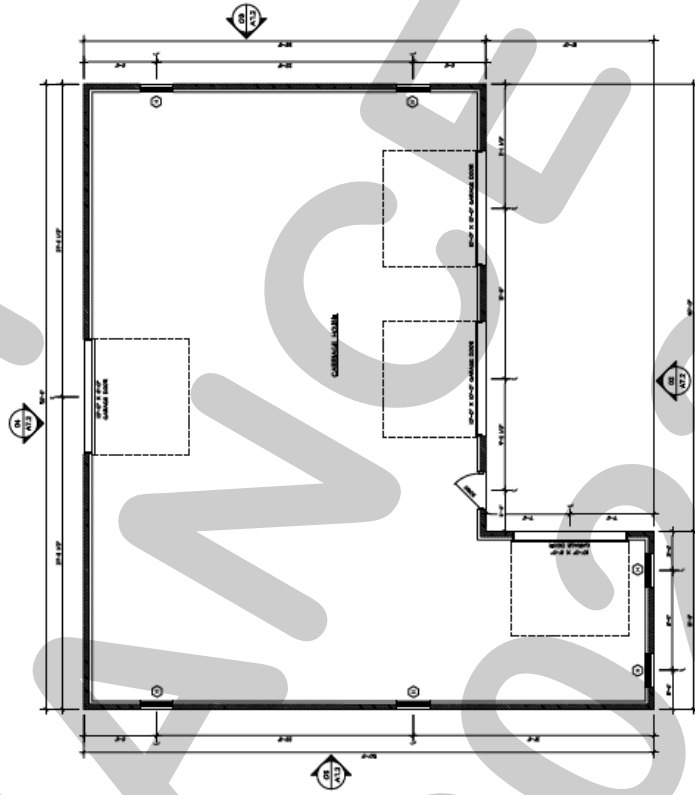
04 NORTH ELEVATION
SCALE 1/8"=1'-0"



03 EAST ELEVATION
SCALE 1/8"=1'-0"



02 SOUTH ELEVATION
SCALE 1/8"=1'-0"



01 CARRIAGE HOUSE PLAN
SCALE 1/8"=1'-0"



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 17, 2023

SUBJECT: Z2022-057; ZONING CHANGE FROM AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT

Attachments
Memorandum

Summary/Background Information

Hold a public hearing to discuss and consider a request by Dub Douphrate of Douphrate and Associates, Inc. for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development (PD) District for General Retail (GR) District and Single-Family 1 (SF-1) District land uses on a 25.87-acre tract of land identified as parcel of land identified as Tract 14 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, 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 (**1st Reading**).

Action Needed

The City Council will need to announce the new public hearing date of February 14, 2023. No further action or motions are required.



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

DATE: January 17, 2023

APPLICANT: Dub Douphrate; *Douphrate & Associates, Inc.*

CASE NUMBER: Z2022-057; *Zoning Change from Agricultural (AG) District to Planned Development District*

On January 10, 2023, the Planning and Zoning Commission held a public hearing on *Case No. Z2022-057*, and approved a motion to continue the public hearing to the February 14, 2023 Planning and Zoning Commission meeting. The purpose of this action was to allow the applicant time to make changes to their concept plan and the proposed Planned Development District ordinance to address concerns raised by the Planning and Zoning Commission during the public hearing. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), “(a) public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.” This means the City Council will need to announce the new public hearing date of February 14, 2023. No further action or motions are required. Should the City Council have any questions, staff will be available at the January 17, 2023 City Council Meeting.



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 17, 2023

SUBJECT: Z2022-058; PD DEVELOPMENT PLAN FOR THE HARBOR RESIDENCE

Attachments

Case Memo
Development Applications
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Concept Plan
Ordinance No. 22-36
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Asher Hamilton on behalf of RIV Properties, Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, and Kathy Moton for the approval of an **ordinance** for a *PD Development Plan* for a 176-unit condominium building on 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, 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 of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* and the *Horizon/Summer Lee Subdistrict* of Planned Development 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 (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the proposed PD Development Plan.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: January 17, 2023
APPLICANT: Asher Hamilton; *RIV Properties, LLC*
CASE NUMBER: Z2022-058; *PD Development Plan for the Harbor Residence*

SUMMARY

Hold a public hearing to discuss and consider a request by Asher Hamilton on behalf of RIV Properties, Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, and Kathy Moton for the approval of a PD Development Plan for a 176-unit condominium building on 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, 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 of Rockwall, Rockwall County, Texas, situated within the Hillside Mixed Use Subdistrict and the Horizon/Summer Lee Subdistrict of Planned Development 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.

BACKGROUND

The City Council annexed the subject property into the City of Rockwall on November 7, 1960 through the adoption of *Ordinance No. 60-03*. Upon annexation, the subject property was zoned Agricultural (AG) District. On December 7, 1966, the subject property was platted into its current configuration as part of the George Morton Estate Addition. Based on the May 16, 1983 and December 7, 1993 *Historic Zoning Maps*, at some point between these dates portions of the subject property adjacent to Horizon Road [FM-3097] were rezoned to General Retail (GR) District. On June 19, 1989, portions of the subject property were also rezoned to Planned Development District 32 (PD-32) [*Ordinance No. 89-20*]. On December 2, 2002, Planned Development District 32 (PD-32) [*Ordinance No. 89-20*] was amended by *Ordinance No. 02-55*. This amendment brought the entire subject property into Planned Development District 32 (PD-32), which -- *at the time* -- designated the property for General Retail (GR) District land uses. This Planned Development District was again amended on February 4, 2008 by *Ordinance No. 08-11*. This ordinance increased the boundaries of the district, and established a limited set of land uses for the district.

On September 20, 2010, the City Council passed *Ordinance No. 10-21*, which superseded all previous ordinances associated with Planned Development District 32 (PD-32) and established a concept plan and development standards for an approximate 78.89-acre tract of land that included the subject property. Today, this land is now commonly referred to as PD-32 or the *Harbor District*. Included within this ordinance was a concept plan that divided the district into ten (10) subdistrict, each of which contained its own set of development and land use standards. In addition, a pool of 1,161 *urban residential units* (i.e. *condominiums and/or townhomes*) and 49 *single-family residential units* (i.e. *zero-lot-line or patio homes*) was created. These units could then be allocated to properties within the district by the City Council -- *in accordance with the land use charts in the ordinance* -- on a *first-come-first-serve* basis through an interim zoning step called a *PD Development Plan*. According to Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC), "(a) *PD Development Plan* constitutes an amendment to the approved *PD Concept Plan* and *PD Ordinance* ... The purposes of a *PD Development Plan* are to allow flexibility in the development process by deferring specification of all development standards at the time of *PD District* creation and to enable developers to satisfy conditions imposed on creation of the *District* prior to the submittal of a *PD Site Plan*." In addition, *Ordinance No. 17-22* [i.e. *the regulating ordinance for Planned Development District 32 (PD-32)*] states that the purpose of a *PD Development Plan* in Planned Development District 32 (PD-32) is to ensure that a proposed development meets the intent of the subdistrict and/or to address any waivers required by the development.

On March 7, 2022, the City Council approved a *PD Development Plan* [*Ordinance No. 22-10*] for the subject property. Under this approval a 176-unit condominium building was permitted to be established on the subject property. Also contained within this approval, was a reconfigured street network changing the alignments of Glen Hill Way and Pinnacle Way (see *Figure 1 for*

the alignment of these roadways prior to the approval of Ordinance No. 22-10). Specifically, the concept plan contained in Ordinance No. 22-10 showed Glen Hill Way being extended around the proposed building, connecting it to the section of Pinnacle Way adjacent to Trend Tower and the stub of Pinnacle Way of off Horizon Road (see Figure 2).

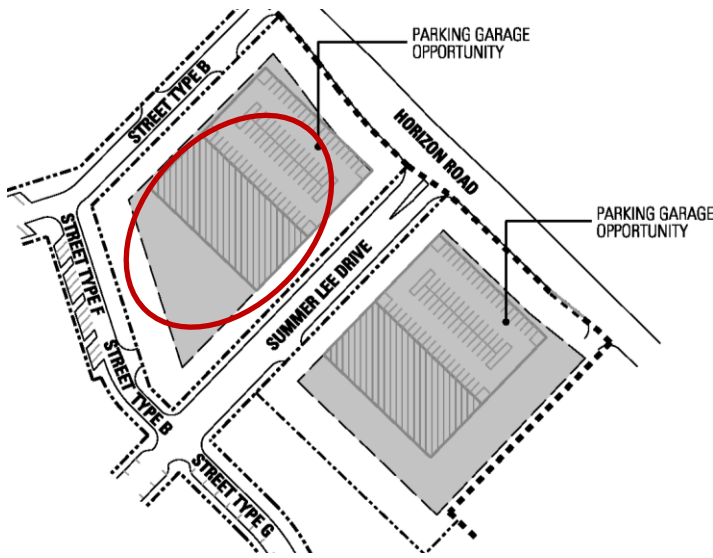


FIGURE 1: HORIZON/SUMMER LEE SUBDISTRICT CONCEPT PLAN CONTAINED IN ORDINANCE NO. 10-22
 RED CIRCLE = APPROXIMATE LOCATION OF SUBJECT PROPERTY

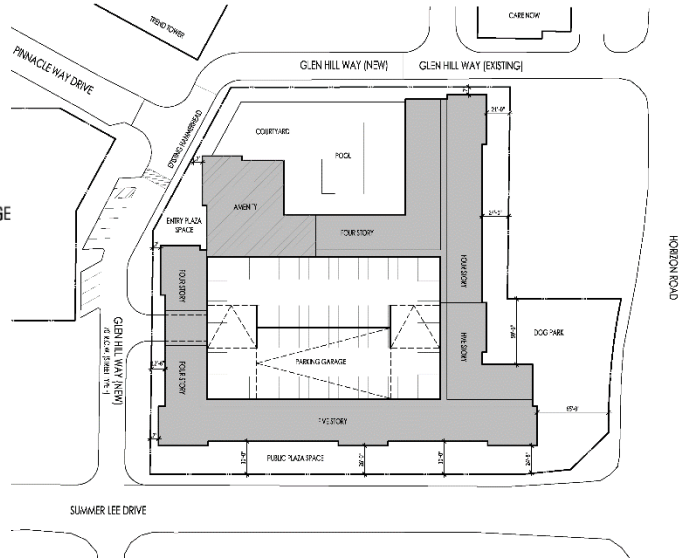


FIGURE 2: CONCEPT PLAN APPROVED WITH ORDINANCE NO. 22-10 SHOWING THE UPDATED AND APPROVED ALIGNMENT FOR GLEN HILL WAY AND PINNACLE WAY.

On July 5, 2022, the City Council approved the *PD Development Plan* [Ordinance No. 22-36] for the subject property. Under this approval the future 176-unit condominium building was permitted to adjust the alignments of Glenn Hill Way and Pinnacle Way. Specifically, the concept plan contained in Ordinance No. 22-36 showed Glenn Hill Way creating a ‘T’ intersection into Pinnacle Way instead of Pinnacle Way creating a ‘T’ intersection into Glen Hill Way.

PURPOSE

On December 12, 2022, the applicant -- *Asher Hamilton of RIV Properties, LLC* -- submitted an application requesting to amend the *PD Development Plan* approved by Ordinance No. 22-36 to add additional acreage into the proposed 176-unit condominium building and adjusting the building footprint of the proposed structure.

ADJACENT LAND USES AND ACCESS

The subject property is located at the southwest corner of the intersection of Horizon Road and [FM-3097] and Summer Lee Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is: [1] a 0.915-acre parcel of land (i.e. Lot 4, Block A, *Briscoe/Hillcrest Addition*) with a medical/office building (i.e. *CareNow*) situated on it, [2] a 2.0617-acre parcel of land (i.e. Lot 6, Block A, *Harbor District Addition*) with a multi-tenant office building and structured parking garage (i.e. *Trend Tower*) situated on it, and [3] a 0.45-acre vacant tract of land owned by the City of Rockwall. All of these properties are zoned Planned Development District 32 (PD-32) and are situated within the *Summit Office Subdistrict*. Beyond this are three (3) vacant tracts of land also situated within the *Summit Office Subdistrict* of Planned Development District 32 (PD-32). Beyond this is the eastbound frontage road and main lane of E. IH-30.

South: Directly south of the subject property is Summer Lee Drive, 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: [1] a 2.15-acre parcel of land (i.e. Lot 5, Block A, *Harbor Village Addition*) with a hotel (i.e. *Tru by Hilton*) situated on it, and [2] a 2.144-acre parcel of land (i.e. Lot 1, Block A, *Harbor Village Addition*) with a 228-unit condominium building situated on it. Running in between these properties in Glen Hill Way, which is identified as a *Minor Collector* on the City’s Master Thoroughfare Plan contained in the *OURHometown Vision 2040 Comprehensive Plan*. These

properties are situated within the *Horizon/Summer Lee, Interior, and Residential Subdistricts* of Planned Development District 32 (PD-32).

East: Directly east of the subject property is Horizon Road, which is identified as a M4U (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 a 10.104-acre parcel of land (i.e. Lot 3 of the Carlisle Plaza Addition) that is occupied with a portion of an existing commercial retail shopping center (i.e. Carlisle Plaza). This property is zoned Commercial (C) District.

West: Directly west of the subject property is a vacant 6.1978-acre tract of land (i.e. Tract 41 of the E. Teal Survey, Abstract No. 207) owned by the City of Rockwall. Adjacent to this tract of land is a 2.0617-acre parcel of land (i.e. Lot 6, Block A, Harbor District Addition) with a seven (7) story multi-tenant office building (i.e. Trend Tower). Both of these properties are zoned Planned Development District 32 (PD-32) and are situated within the *Summit Office Subdistrict*. Beyond this is Sunset Ridge Drive, which is identified as a Type 'E' roadway by Planned development District 32 (PD-32) or a roadway that serves as a primary street frontage for retail, residential and mixed-use developments.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan showing a revised building footprint and the additional acreage from what was approved with the *PD Development Plan* adopted by *Ordinance No. 22-36*. Specifically, the concept plan contained in *Ordinance No. 22-36* shows the parking garage being wrapped by the 176-condominium units, the dog park was to be located along Horizon Road, and the pool/courtyard was to be located along Pinnacle Way. Under the new proposed concept plan -- depicted in *Figure 3* --, both the parking garage and the pool/courtyard are wrapped by the condominium units. The dog park was also moved from Horizon Road to Pinnacle way. Staff should note that despite the increased size of the subject property and the change in the building footprint the number of *urban residential* units for the proposed project has not changed.

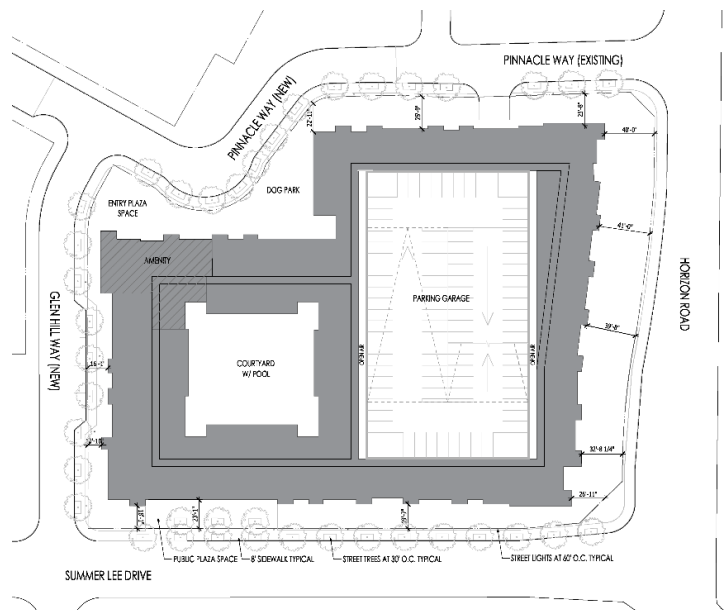


FIGURE 3: PROPOSED CONCEPT PLAN WITH REVISED BUILDING FOOTPRINT

CONFORMANCE WITH PLANNED DEVELOPMENT DISTRICT 32 (PD-32)

According to the *Subdistrict Plan* contained in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] the subject property is partially located within the *Hillside Mixed-Use Subdistrict*; however, the majority of the subject property is situated within the *Horizon/Summer Lee Subdistrict*. This subdistrict is also where all of the development is being proposed for the urban residential units or condominiums. The following is a summary of the form-based code requirements for the *Horizon/Summer Lee Subdistrict* and how the project approved with *Ordinance No. 10-22* conforms to these requirements:

TABLE 1: BUILDING PLACEMENT AND PARKING COMPLIANCE FOR THE CONDOMINIUMS IN THE HORIZON/SUMMER LEE SUBDISTRICT

ORDINANCE PROVISIONS	HORIZON/SUMMER LEE SUBDISTRICT	CONFORMANCE TO THE STANDARDS
BUILD-TO-LINE (FROM THE ROW): SUMMER LEE DRIVE	30-Feet	X > 11-Feet; APPROVED WITH ORD. 22-36
SETBACK (FROM THE ROW): HORIZON ROAD	40-Feet	40-Feet; IN CONFORMANCE
GLEN HILL WAY (STREET TYPE F)	50-Feet	X ≥ 7'; APPROVED WITH ORD. 10-22
GLEN HILL WAY (STREET TYPE B)	30-Feet	7' to 12' 6"; APPROVED WITH ORD. 10-22
BUILDING FORM:	Summer Lee Drive block must have a minimum of 50% of its length defined by the building façade. Summer Lee Drive minimum façade built to the build-to-line is 45%	~86.97%; IN CONFORMANCE 47.69%; IN CONFORMANCE

ORDINANCE PROVISIONS	HORIZON/SUMMER LEE SUBDISTRICT	CONFORMANCE TO THE STANDARDS
	Remaining façade must be no less than two (2) feet and no greater than 12-feet from the build-to-line.	Between 3.5' & 5'; <i>IN CONFORMANCE</i>
MAXIMUM LOT COVERAGE	60%	~66%; <i>APPROVED WITH ORD. 22-36</i>
LAND USE:		
GROUND FLOOR	Office, Retail, and Restaurant	Condominiums; <i>APPROVED WITH ORD. 10-22</i>
UPPER FLOORS	Office	Condominiums; <i>APPROVED WITH ORD. 10-22</i>
BUILDING HEIGHT	8-Stories	4-Stories; <i>IN CONFORMANCE</i>
ENCROACHMENTS	5-Feet	No Encroachments Defined; <i>IN CONFORMANCE</i>
SURFACE PARKING:		
SETBACK FROM ROW LINE	Summer Lee Drive and Horizon Road: 30-Feet Street Type 'F' and Street Type 'B': 10-Feet	No Surface Parking Indicated; <i>IN CONFORMANCE</i>
MAXIMUM AMOUNT OF SURFACE PARKING	20%	0%; <i>IN CONFORMANCE</i>
MAXIMUM NUMBER OF DRIVEWAYS	Summer Lee Drive: 2; Horizon Road: 0; Street Type 'F' and Street Type 'B': 1	1 on Glen Hill Way (Street Type 'F'); <i>IN CONFORMANCE</i>

Staff should note, that the applicant's current request does not change the conformance of the concept plan to the standards listed above; however, it does require the *PD Development Plan* to be amended. According to Planned Development District 32 (PD-32) [Ordinance No. 17-22], "(a) development plan shall be required if a proposed development within any *Sub-District* that does not meet the intent of the *PD Concept Plan* or the *Sub-District Plan*, or requires waivers not provided by Section 9.3 of this ordinance." This section of the ordinance states "(i)n order to provide flexibility and create high quality projects, an applicant for development within the *PD District* [PD-32] may request a waiver of the following *District* or *Subdistrict* standards: (1) Building Placement Requirements, (2) Landscape Standards, (3) Parking Requirements, (4) Parking Garage Design Standards, and (5) Increased Building Height in any Subdistrict."

In evaluating a request for a waiver as part of a *PD Development Plan* the Planning and Zoning Commission and City Council are asked to consider if the request: "(a) Meets the general intent of the *PD District* or *Sub-District* that the property is located; and, (b) Will result in an improved project which will be an attractive contribution to the *PD District* or *Sub-District*; and (c) Will not prevent the implementation of the intent of this *PD District*." In this case, the applicant's request does not appear to change the intent of the *Sub-District* as approved by the City Council by Ordinance No. 10-22, or prevent the implementation of the intent of this *PD District*; however, a *PD Development Plan* is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

INFRASTRUCTURE

Based on the applicant's concept plan and the proposed density approved with Ordinance No. 22-10, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

- (1) **Roadways**. The applicant will be responsible for the construction of portions of Glen Hill Way and Pinnacle Way. Specifically, the applicant will be required to [1] build a 28-foot *face-to-face* concrete street from Summer Lee Drive to the proposed 'T' intersection of Glen Hill Way and Pinnacle Way, and [2] build a 28-foot *face-to-face* concrete street from the stub of Pinnacle Way adjacent to Trend Tower to the stub of Pinnacle Way off of Horizon Road [FM-3097]. A *Streetscape Plan* showing the sidewalks and pedestrian areas will be required to be submitted with site plan. In addition, the applicant will be required to update the Traffic Impact Analysis (TIA) for the *Harbor District* per the City Council's direction from the November 5, 2018 City Council meeting.
- (2) **Wastewater and Water**. An infrastructure study will be required to determine the necessary improvements needed to sufficiently serve the subject property. Staff recommends that this infrastructure study be initiated prior to the submission of a site plan. In addition, a minimum of a 12-inch waterline shall be installed and looped through Glen Hill Way Drive.
- (3) **Drainage**. The applicant shall be required to pay a stormwater pro-rata fee of \$7,226.59 per acre.

NOTIFICATIONS

On December 14, 2022, staff mailed 37 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lakeside Village and Lago Vista Homeowner's Associations (HOAs), which were the only HOAs 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 one (1) notice in favor and two (2) notices in opposition to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a PD Development Plan, staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the PD Development Plan ordinance.
- (2) The applicant shall provide a *Streetscape Plan* for the proposed plazas and open spaces indicated along Summer Lee Drive and Glen Hill Way at the time of site plan. These plans shall be reviewed by the Parks and Recreation Department and the Planning and Zoning Department, and any recommendations shall be forwarded on to the Planning and Zoning Commission for their consideration along with the site plan.
- (3) Any construction resulting from the approval of this PD Development Plan shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 10, 2023, the Planning and Zoning Commission approved a motion to approve the PD Development Plan by a vote of 5-0, with Commissioner Hustings absent and Commissioner Womble abstaining.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS	Property ID	Legal Description	19924	19925	19926	19927	19930	19932	19928	83086	19931
		MOTON, BLOCK 2, LOT 1,2,3 &4, FRONTAGE					MOTON, BLOCK 7, LOT 2,3 & 4				
		MOTON, BLOCK 3, LOT 1,2,3 & 4					MOTON, BLOCK 9, LOT 1,2,3 & 4				
SUBDIVISION		MOTON, BLOCK 2, LOT 1,2,3 &4, FRONTAGE					MOTON, BLOCK 6, LOT 1 & PT OF LOT 4, (REMAINDER OF LOT 4 IS IN THE ROAD)				
GENERAL LOCATION		MOTON, BLOCK 5, LOT 1,2,3 & 4					MOTON, BLOCK 6, LOT 2 & PT OF LOT 3, (REMAINDER OF LOT 3 IS IN THE ROAD)				
							MOTON, BLOCK 8, LOT 1 & 2				

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING	PD-32	CURRENT USE	Undeveloped		
PROPOSED ZONING	PD-32	PROPOSED USE	Condominium		
ACREAGE	2.84	LOTS [CURRENT]	N/A	LOTS [PROPOSED]	N/A

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

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

<input checked="" type="checkbox"/> OWNER	RIV Rockwall LLC	<input checked="" type="checkbox"/> APPLICANT	RIV Rockwall LLC
CONTACT PERSON	Asher Hamilton	CONTACT PERSON	Asher Hamilton
ADDRESS	PO Box 192054	ADDRESS	PO Box 192054
CITY, STATE & ZIP	Dallas, TX 75219	CITY, STATE & ZIP	Dallas, TX 75219
PHONE	(214) 908-4684	PHONE	(214) 908-4684
E-MAIL	ahamilton@realityinvestments.com	E-MAIL	ahamilton@realityinvestments.com

NOTARY VERIFICATION [REQUIRED]

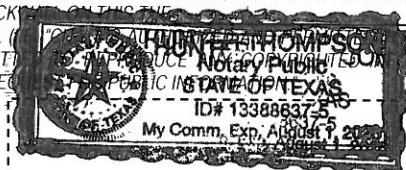
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Asher Hamilton [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ _____, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (OR ITS EMPLOYEES) MAY REPRODUCE OR TRANSMIT THE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE OR TRANSMIT THE INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12th DAY OF December, 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 08/01/2026



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]:

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- SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
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ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19920 MOTON, BLOCK 1, LOT 1, FRONTAGE

SUBDIVISION 19921 MOTON, BLOCK 1, LOT 2, FRONTAGE LOT BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-32 CURRENT USE Undeveloped

PROPOSED ZONING PD-32 PROPOSED USE Condominium

ACREAGE .22 LOTS [CURRENT] N/A LOTS [PROPOSED] N/A

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

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

<input checked="" type="checkbox"/> OWNER	Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, Kathy Moton	<input checked="" type="checkbox"/> APPLICANT	RIV Properties LLC RIV Rockwall LLC
CONTACT PERSON	David Stubblefield	CONTACT PERSON	Asher Hamilton
ADDRESS	709B W Rusk St #520	ADDRESS	PO Box 192054
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Dallas, TX 75219
PHONE	(972) 772-0100	PHONE	(214) 908-4684
E-MAIL	david@davidstubblefield.com	E-MAIL	ahamilton@realtyinvestments.com

NOTARY VERIFICATION [REQUIRED]

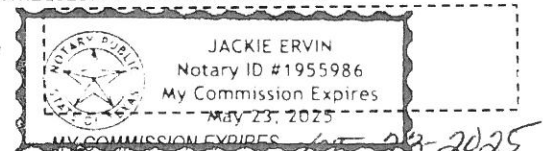
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Tony Curtis Moton [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING.

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 \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF December, 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5th DAY OF December, 2022

OWNER'S SIGNATURE [Signature]

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





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]:

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- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE)¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE)¹
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OTHER APPLICATION FEES:

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

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PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19920 MOTON, BLOCK 1, LOT 1, FRONTAGE

SUBDIVISION 19921 MOTON, BLOCK 1, LOT 2, FRONTAGE LOT BLOCK

GENERAL LOCATION

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PROPOSED ZONING PD-32 PROPOSED USE Condominium

ACREAGE .22 LOTS [CURRENT] N/A LOTS [PROPOSED] N/A

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

<input checked="" type="checkbox"/> OWNER	Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, Kathy Moton	<input checked="" type="checkbox"/> APPLICANT	RIV Properties LLC RIV Rockwall LLC
CONTACT PERSON	David Stubblefield	CONTACT PERSON	Asher Hamilton
ADDRESS	709B W Rusk St #520	ADDRESS	PO Box 192054
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PHONE	(972) 772-0100	PHONE	(214) 908-4684
E-MAIL	david@davidstubblefield.com	E-MAIL	ahamilton@realtyinvestments.com

NOTARY VERIFICATION [REQUIRED]

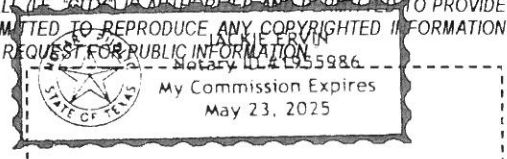
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Kathy Ann Moton [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF December 2022 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (THE "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5TH DAY OF December, 2022

OWNER'S SIGNATURE Kathy A Moton

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Jacque Erin



MY COMMISSION EXPIRES 05 23 2025



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19920 MOTON, BLOCK 1, LOT 1, FRONTAGE

SUBDIVISION 19921 MOTON, BLOCK 1, LOT 2, FRONTAGE LOT BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-32 CURRENT USE Undeveloped

PROPOSED ZONING PD-32 PROPOSED USE Condominium

ACREAGE .12 LOTS [CURRENT] N/A LOTS [PROPOSED] N/A

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 Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, Kathy Moton

APPLICANT ~~RIV Properties LLC~~ RIV Rockwall LLC

CONTACT PERSON David Stubblefield CONTACT PERSON Asher Hamilton

ADDRESS 709B W Rusk St #520 ADDRESS PO Box 192054

CITY, STATE & ZIP Rockwall, TX 75087 CITY, STATE & ZIP Dallas, TX 75219

PHONE (972) 772-0100 PHONE (214) 908-4684

E-MAIL david@davidstubblefield.com E-MAIL ahamilton@realtyinvestments.com

NOTARY VERIFICATION [REQUIRED]

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

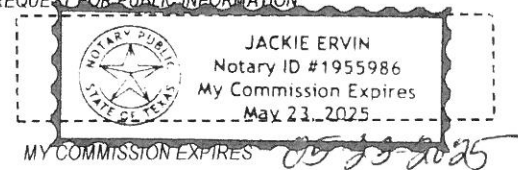
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF December, 2022 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5th DAY OF December, 2022

OWNER'S SIGNATURE

Terra Moton
Jackie Ervin

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 05/23/2025



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19920 MOTON, BLOCK 1, LOT 1, FRONTAGE

SUBDIVISION 19921 MOTON, BLOCK 1, LOT 2, FRONTAGE

LOT

BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-32

CURRENT USE Undeveloped

PROPOSED ZONING PD-32

PROPOSED USE Condominium

ACREAGE .22

LOTS [CURRENT] N/A

LOTS [PROPOSED] N/A

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 Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, Kathy Moton

APPLICANT ~~RIV Properties LLC~~ **RIV Properties LLC**
RIV Rockwall LLC

CONTACT PERSON David Stubblefield

CONTACT PERSON Asher Hamilton

ADDRESS 709B W Rusk St #520

ADDRESS PO Box 192054

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Dallas, TX 75219

PHONE (972) 772-0100

PHONE (214) 908-4684

E-MAIL david@davidstubblefield.com

E-MAIL ahamilton@realtyinvestments.com

NOTARY VERIFICATION [REQUIRED]

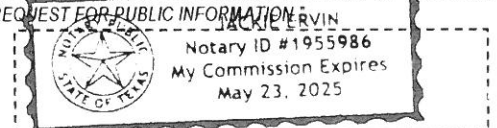
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Debra Lynn Heard [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF December, 2022. 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 AND COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5th DAY OF December, 2022

OWNER'S SIGNATURE Debra Lynn Heard

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Jackie Ervin



MY COMMISSION EXPIRES 05-23-2025



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: <input type="checkbox"/> MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> REPLAT (\$300.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDING OR MINOR PLAT (\$150.00) <input type="checkbox"/> PLAT REINSTATEMENT REQUEST (\$100.00) SITE PLAN APPLICATION FEES: <input type="checkbox"/> SITE PLAN (\$250.00 + \$20.00 ACRE) ¹ <input type="checkbox"/> AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)	ZONING APPLICATION FEES: <input type="checkbox"/> ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹ <input type="checkbox"/> SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2} <input checked="" type="checkbox"/> PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹ OTHER APPLICATION FEES: <input type="checkbox"/> TREE REMOVAL (\$75.00) <input type="checkbox"/> VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ² NOTES: ¹ IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. ² A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.
--	---

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19920 MOTON, BLOCK 1, LOT 1, FRONTAGE

SUBDIVISION 19921 MOTON, BLOCK 1, LOT 2, FRONTAGE LOT BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-32 CURRENT USE Undeveloped

PROPOSED ZONING PD-32 PROPOSED USE Condominium

ACREAGE .12 LOTS [CURRENT] N/A LOTS [PROPOSED] N/A

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

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

<input checked="" type="checkbox"/> OWNER	Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, Kathy Moton	<input checked="" type="checkbox"/> APPLICANT	RIV Properties LLC RIV Rockwall LLC
CONTACT PERSON	David Stubblefield	CONTACT PERSON	Asher Hamilton
ADDRESS	709B W Rusk St #520	ADDRESS	PO Box 192054
CITY, STATE & ZIP	Rockwall, TX 75087	CITY, STATE & ZIP	Dallas, TX 75219
PHONE	(972) 772-0100	PHONE	(214) 908-4684
E-MAIL	david@davidstubblefield.com	E-MAIL	ahamilton@realtyinvestments.com

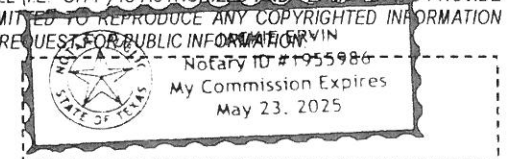
NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED James Loren Moton [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 \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF December 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5th DAY OF December 2022
OWNER'S SIGNATURE James A. Moton

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Jackie Green



MY COMMISSION EXPIRES 05-23-2025



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19920 MOTON, BLOCK 1, LOT 1, FRONTAGE

SUBDIVISION 19921 MOTON, BLOCK 1, LOT 2, FRONTAGE

LOT

BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-32

CURRENT USE Undeveloped

PROPOSED ZONING PD-32

PROPOSED USE Condominium

ACREAGE .12

LOTS [CURRENT] N/A

LOTS [PROPOSED] N/A

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 Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, Kathy Moton

APPLICANT RIV Properties LLC ~~RIV Properties LLC~~
RIV Rockwall LLC

CONTACT PERSON David Stubblefield

CONTACT PERSON Asher Hamilton

ADDRESS 709B W Rusk St #520

ADDRESS PO Box 192054

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Dallas, TX 75219

PHONE (972) 772-0100

PHONE (214) 908-4684

E-MAIL david@davidstubblefield.com

E-MAIL ahamilton@realtyinvestments.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Alvin David Moton, Jr. [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING.

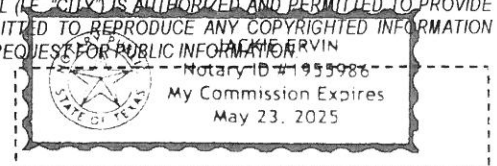
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT, AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF December 2022. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5th DAY OF December 2022

OWNER'S SIGNATURE

Alvin David Moton, Jr.
Jackie Erwin

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 05-23-2025



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19920 MOTON, BLOCK 1, LOT 1, FRONTAGE

SUBDIVISION 19921 MOTON, BLOCK 1, LOT 2, FRONTAGE

LOT

BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-32

CURRENT USE Undeveloped

PROPOSED ZONING PD-32

PROPOSED USE Condominium

ACREAGE .12

LOTS [CURRENT] N/A

LOTS [PROPOSED] N/A

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 Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, Kathy Moton

APPLICANT RIV Properties LLC *RIV Rockwall LLC*

CONTACT PERSON David Stubblefield

CONTACT PERSON Asher Hamilton

ADDRESS 709B W Rusk St #520

ADDRESS PO Box 192054

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Dallas, TX 75219

PHONE (972) 772-0100

PHONE (214) 908-4684

E-MAIL david@davidstubblefield.com

E-MAIL ahamilton@realtyinvestments.com

NOTARY VERIFICATION [REQUIRED]

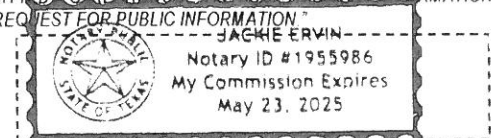
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Beulah Jean Robertson [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING

"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 \$ 200.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF December, 20 22. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 5th DAY OF December, 2022

OWNER'S SIGNATURE *Beulah Jean Robertson*

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS *Jackie Ervin*



MY COMMISSION EXPIRES 05-23 2025



DEVELOPMENT APPLICATION

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

CC 9

PLANNING & ZONING CASE NO. [REDACTED]

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

DIRECTOR OF PLANNING: [REDACTED]

CITY ENGINEER: [REDACTED]

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 19922 MOTON, BLOCK 1, LOT 3, FRONTAGE

SUBDIVISION 19923 MOTON, BLOCK 1, LOT 4, FRONTAGE

GENERAL LOCATION

LOT

BLOCK

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING PD-32

CURRENT USE Undeveloped

PROPOSED ZONING PD-32

PROPOSED USE Condominium

ACREAGE .22

LOTS [CURRENT]

N/A

LOTS [PROPOSED]

N/A

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 Judy Grace Bryant, individually and as Administrator of the Estate of Douglass Frederick Wygal, Deceased

APPLICANT RIV Properties LLC RIV Rockwall LLC

CONTACT PERSON David Stubblefield

CONTACT PERSON Asher Hamilton

ADDRESS 709B W Rusk St #520

ADDRESS PO Box 192054

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Dallas, TX 75219

PHONE (972) 772-0100

PHONE (214) 908-4684

E-MAIL david@davidstubblefield.com

E-MAIL ahamilton@realtyinvestments.com

NOTARY VERIFICATION [REQUIRED]

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

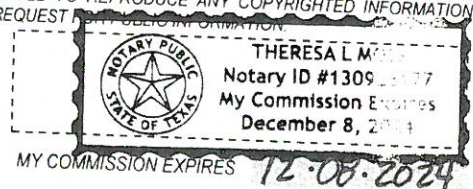
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 1200.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF December, 2022 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 9th DAY OF December, 2022

OWNER'S SIGNATURE

Judy Grace Bryant
Theresa A. Men

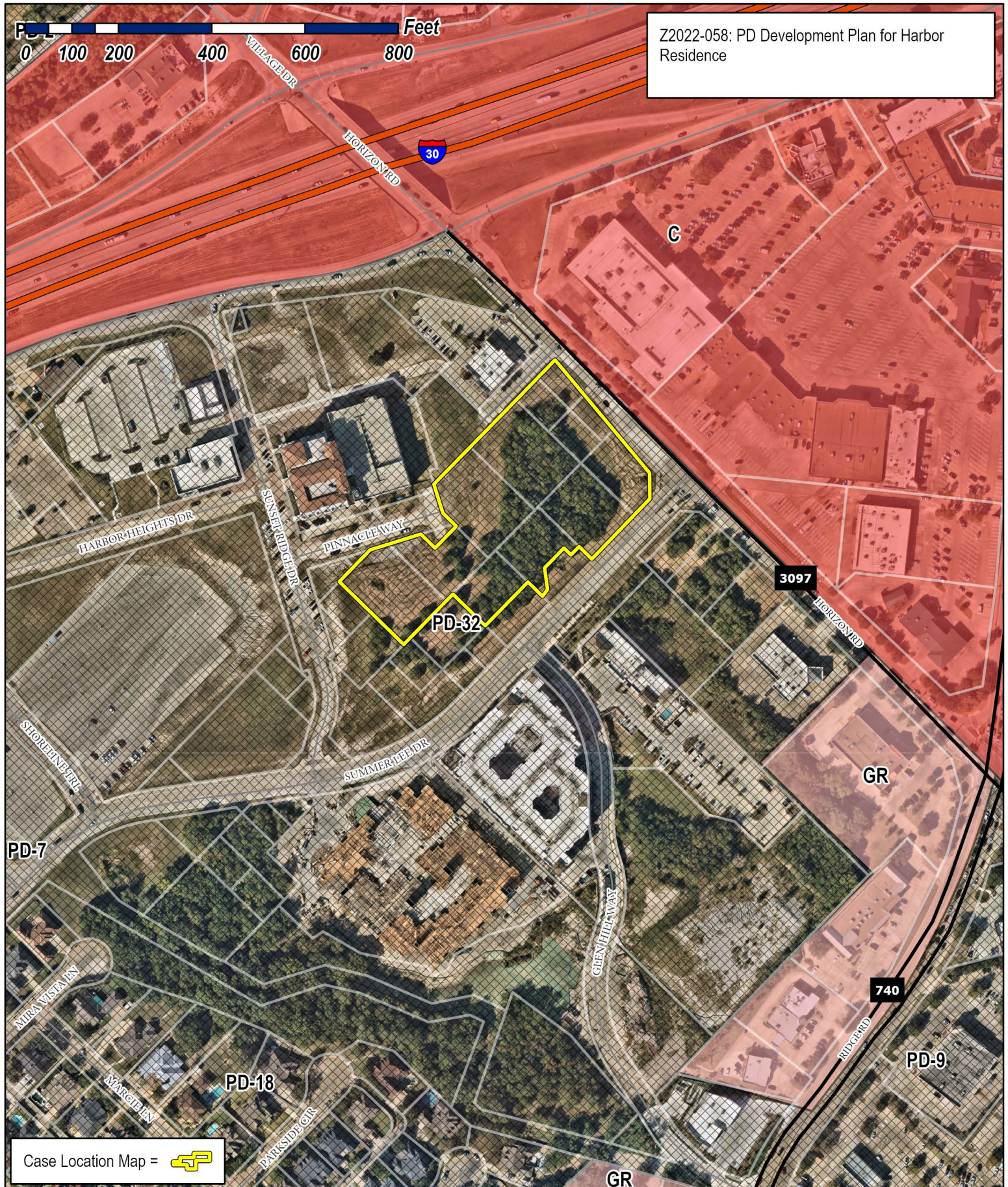
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS




MY COMMISSION EXPIRES 12-08-2024



Z2022-058: PD Development Plan for Harbor Residence



Case Location Map = 



City of Rockwall

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

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

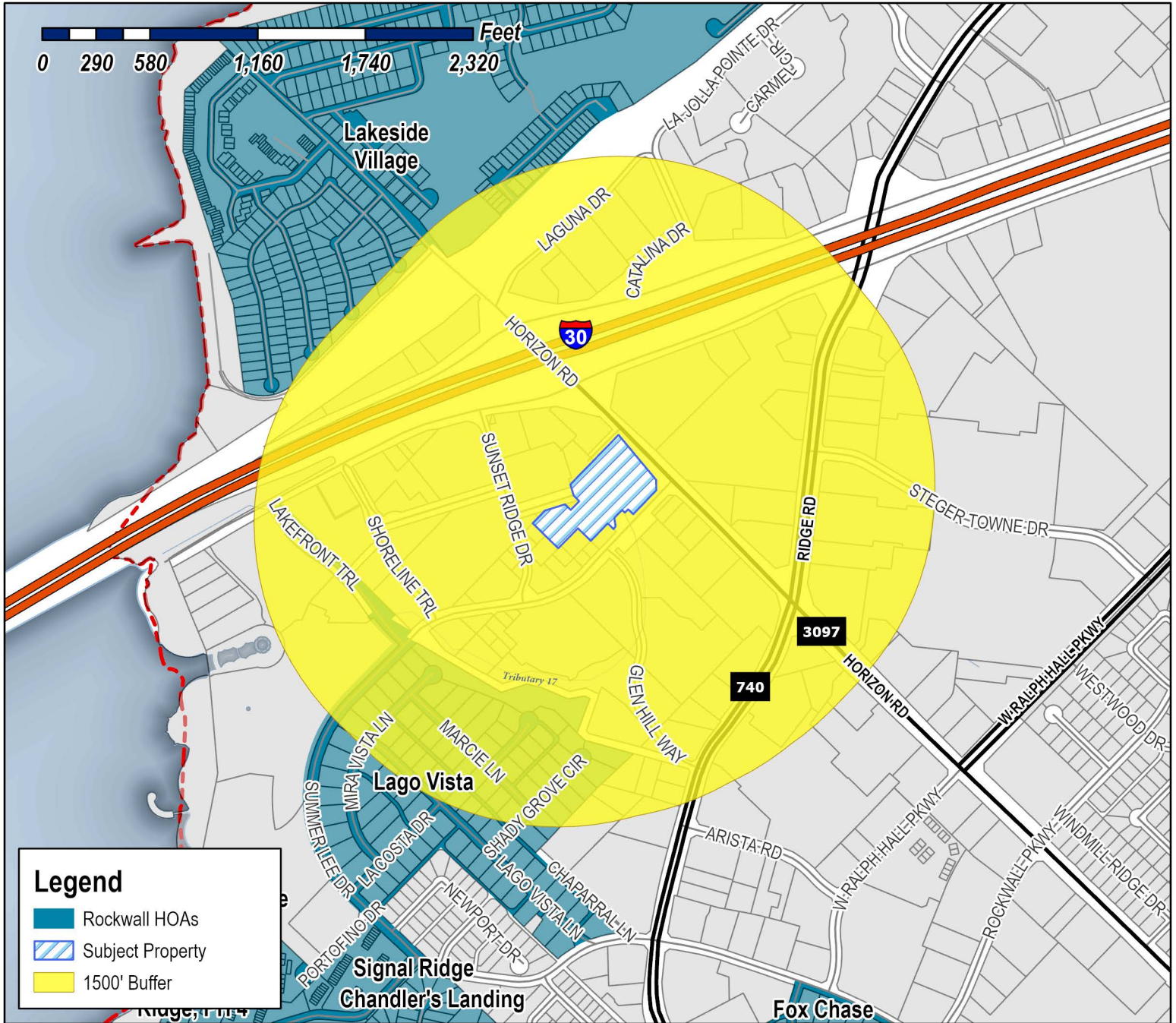
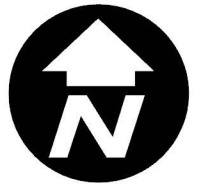




City of Rockwall

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

- Rockwall HOAs
- Subject Property
- 1500' Buffer

Case Number: Z2022-058
Case Name: PD Development Plan for Harbor Residence
Case Type: Zoning
Zoning: Planned Development District 32 (PD-32)
Case Address:

Date Saved: 12/12/2022
 For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Guevara, Angelica
Sent: Wednesday, December 14, 2022 3:03 PM
Cc: Miller, Ryan; Ross, Bethany; Chapin, Sarah; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-058]
Attachments: Public Notice Z2022-058.pdf; HOA Map Z2022-058.pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *December 16, 2022*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, January 10, 2023 at 6:00 PM*, and the City Council will hold a public hearing on *Tuesday, January 17, 2023 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2022-058: PD Development Plan for a 176-Unit Condominium Building

Hold a public hearing to discuss and consider a request by Asher Hamilton on behalf of RIV Properties, Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, and Kathy Moton for the approval of a *PD Development Plan* for a 176-unit condominium building on 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, 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 of Rockwall, Rockwall County, Texas, situated within the *Hillside Mixed Use Subdistrict* and the *Horizon/Summer Lee Subdistrict* of Planned Development 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.

Thank you,

Angelica Guevara

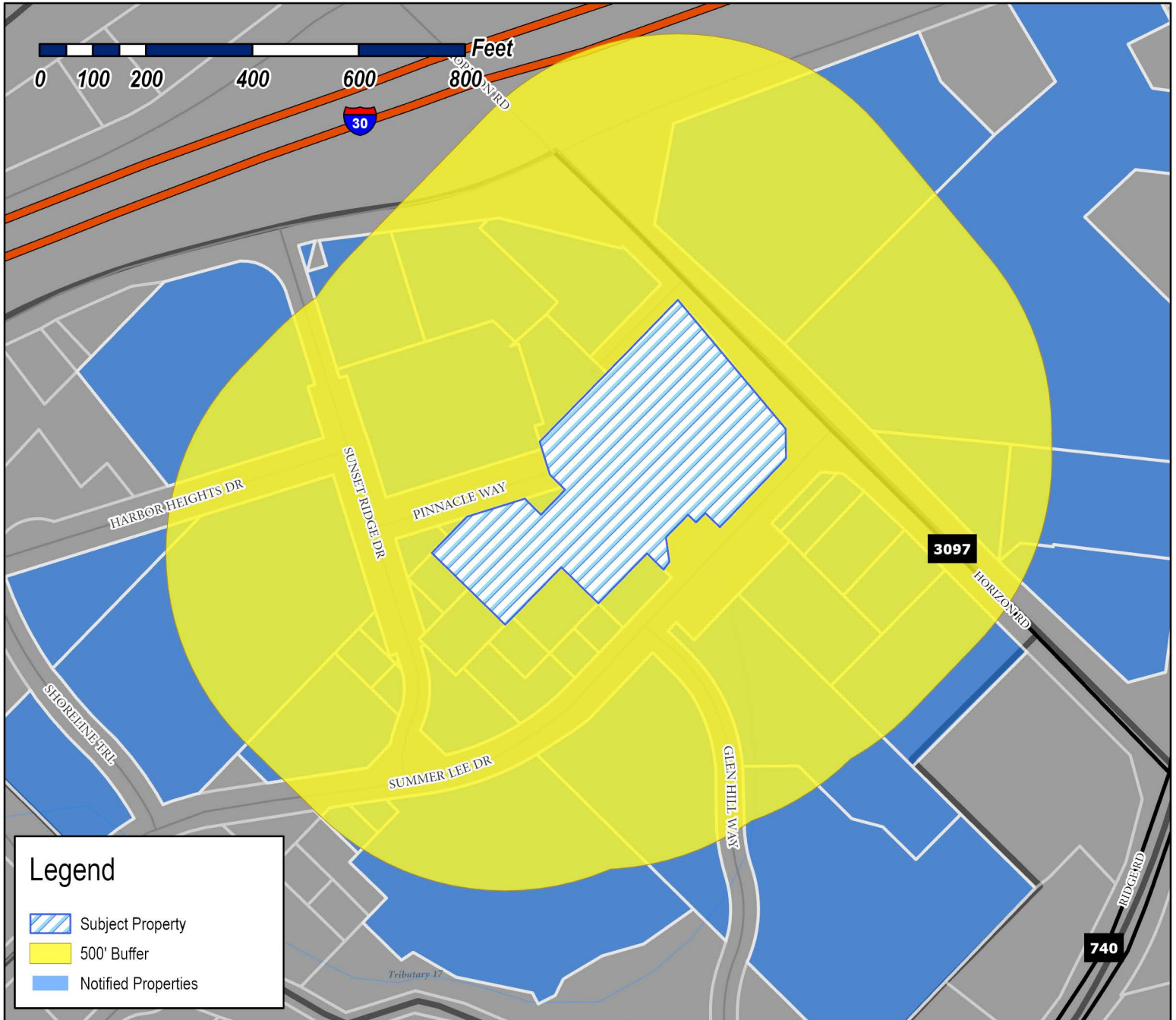
Planning Technician
City of Rockwall Planning & Zoning
385 S. Goliad Street
Rockwall, TX 75087
Office: 972-771-7145
Direct: 972-772-6438



City of Rockwall

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

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Case Number: Z2022-058
Case Name: PD Development Plan for Harbor Residence
Case Type: Zoning
Zoning: Planned Development District 32 (PD-32)
Case Address:

Date Saved: 12/12/2022

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



SONG CORPORATION
1200 HORIZON RD
ROCKWALL, TX 75032

CAIN DOYLE E
1375 COUNTY ROAD 2290
MINEOLA, TX 75773

CAIN DOYLE
1375 COUNTY ROAD 2290
MINEOLA, TX 75773

MHC ROCKWALL LLC
1468 KIMBROUGH RD SUITE 103
GERMANTOWN, TN 38138

ROCKWALL HARBOR HILL, LTD
15653 HIGHWAY 243
KAUFMAN, TX 75142

BENT TREE REALTY CO
16475 DALLAS PKWY STE 880
ADDISON, TX 75001

ADEBOWALE OLUMIDE
17639 TRINITY MEADOW LANE
RICHMOND, TX 77407

WHITE MICHAEL AND
MARION E WILSON AND DIMENSIONS REAL
ESTATE SERVICES LLC
2304 W WHEATLAND RD
DALLAS, TX 75232

RESIDENT
2400 SUMMER LEE DR
ROCKWALL, TX 75032

RESIDENT
2500 SUMMER LEE DR
ROCKWALL, TX 75032

RESIDENT
2500 SUMMER LEE DR
ROCKWALL, TX 75032

BRYANT JUDY GRACE AND
DOUGLASS FREDERICK WYGAL
2528 MARK
MESQUITE, TX 75150

RESIDENT
2620 SUNSET RIDGE DR
ROCKWALL, TX 75032

RESIDENT
2651 SUNSET RIDGE DR
ROCKWALL, TX 75032

RESIDENT
2701 SUNSET RIDGE
ROCKWALL, TX 75032

101 HUBBARD DR LLC
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

HH RETAIL CENTER LP
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

HARBOR HEIGHTS INVESTORS LP
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

101 HUBBARD DR LLC
2701 SUNSET RIDGE DR SUITE 610
ROCKWALL, TX 75032

RESIDENT
2850 RIDGE RD
ROCKWALL, TX 75032

RESIDENT
2860 RIDGE RD
ROCKWALL, TX 75032

MOTON ALVIN D SR & ETHEL
3419 LILY LN
ROWLETT, TX 75089

MOTON ETHEL REED
C/O OF TONY C MOTON
3419 LILY LN
ROWLETT, TX 75089

CITY OF ROCKWALL
ATTN;MARY SMITH
385 S GOLIAD ST
ROCKWALL, TX 75087

KATHERINE BANNER FAMILY TRUST
KATHERINE BANNER- TRUSTEE
4 CHURCH HILL ROAD
HIGH FALLS, NY 12240

RESIDENT
405 I30
ROCKWALL, TX 75032

ATTICUS REAL ESTATE SERVICES INC
5339 ALPHA RD STE 300
DALLAS, TX 75240

ATTICUS SUMMER LEE TOWNHOMES LLC
5339 ALPHA ROAD SUITE 300
DALLAS, TX 75240

EIGHTYTWO REAL ESTATE HOLDINGS LLC
5740 PROSPECT AVE SUITE 2001
DALLAS, TX 75206

RESIDENT
600 HORIZON DR
ROCKWALL, TX 75032

CARSON MARK R
701 N MUNSON RD
ROYSE CITY, TX 75189

BUILDERS ASSOCIATES #3
ATTN: ARNOLD SCHLESINGER
9595 WILSHIRE BLVD STE 700
BEVERLY HILLS, CA 90212

TX FLORENCE APARTMENTS LLC
9757 NE JUANITA DRIVE SUITE 300
KIRKLAND, WA 98034

SPATEX GROUP PARTNERSHIP
C/O GARY SHULTZ
PO BOX 190569
DALLAS, TX 75219

CULPEPPER /SPATEX JV
%GARY SHULTZ
PO BOX 190569
DALLAS, TX 75219

SPATEX GROUP PARTNERSHIP
C/O GARY SHULTZ
PO BOX 190569
DALLAS, TX 75219

W & R PROPERTIES INC
PO BOX 657
KAUFMAN, TX 75142

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:

Z2022-058: PD Development Plan for a 176-Unit Condominium Building

Hold a public hearing to discuss and consider a request by Asher Hamilton on behalf of RIV Properties, Alvin Moton Jr., James Moton, Terra Moton, Debra Heard, Beulah Robertson, Tony Moton, and Kathy Moton for the approval of a PD Development Plan for a 176-unit condominium building on 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, 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 of Rockwall, Rockwall County, Texas, situated within the Hillside Mixed Use Subdistrict and the Horizon/Summer Lee Subdistrict of Planned Development 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.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 10, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Henry Lee
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Tuesday, January 17, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

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

Case No. Z2022-058: PD Development Plan for a 176-Unit Condominium Building

Please place a check mark on the appropriate line below:

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

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

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

Name:
Address:

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

[PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE](#)

Lee, Henry

From: Tiki Sherman <tiki_sherman@msn.com>
Sent: Wednesday, December 14, 2022 11:33 AM
To: Lee, Henry
Subject: Condos at Summer Lee and Horizon

Good afternoon Mr. Lee,

I am opposed to more multi family condos being built in Rockwall.

My property backs up to Summer Lee. I don't want to hear even more traffic on my road. It already takes 15-20 minutes to get on I-30 and I live less than 2 miles away.

I will be at the meeting on 12/27 and I will be voicing my opposition.

Sincerely,

Tiki Sherman
112 Mayflower CT
214-796-5291

Sent from my iPhone

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.

From: DEBRA HEARD
To: Planning
Subject: Case #Z2022-058
Date: Sunday, December 18, 2022 6:50:24 PM

Good evening,

My name is Debra Moton Heard and I live at 7021 Jack Franzen Dr, Garland, TX 75043.

I am in favor of the building of a 176 unit condominium being built on the property outlined in the case.

My reasons for agreeing are twofold.

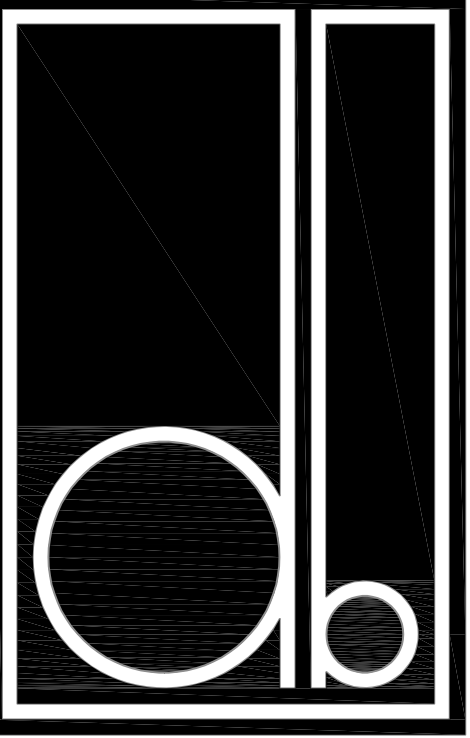
1) I moved to Rockwall in 1967 in this area when the properties around Ridge Road and Horizon Rd. were filled with homes and only one gas station/convenience store. I am happy to see the growth in this community, and I would love to see our property providing housing for others.

and

2) I would profit financially

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

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.



DESIGN BALANCE, INC.
2231 RIDGE ROAD, SUITE 200
ROCKWALL, TEXAS 75087
214.668.2306

OWNER: RIV PROPERTIES, LLC
P.O. BOX 192054
DALLAS, TX 75219
214.908.4684

HARBOR RESIDENCE

ROCKWALL, TEXAS

PROJECT NUMBER:
22008

DATE ISSUED:
01/10/2023

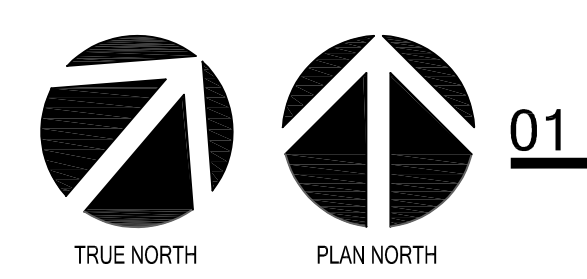
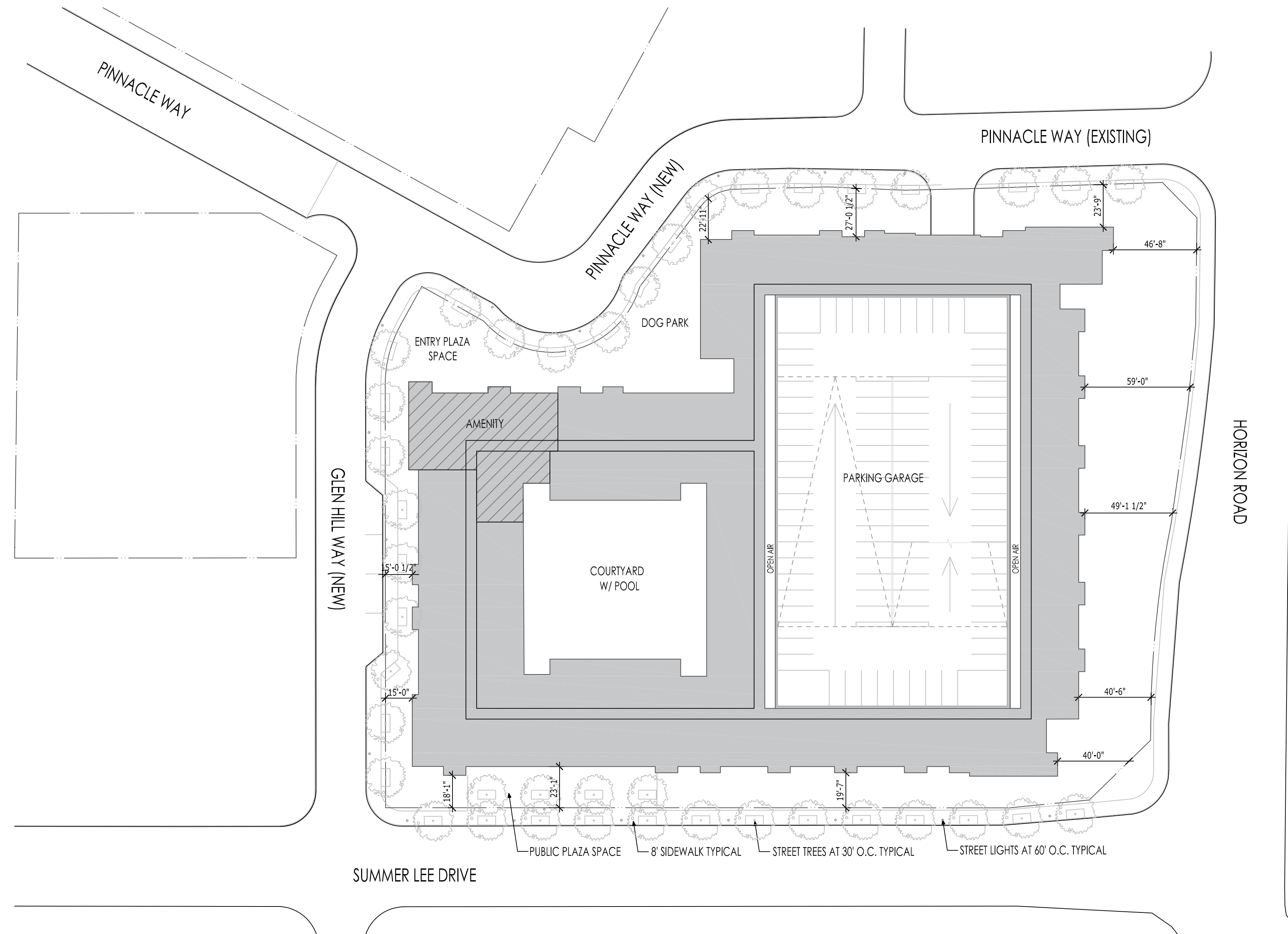
REVISIONS:

SHEET TITLE:
PD DEVELOPMENT
PLAN

SHEET NAME:
A100

CASE NUMBER:
Z2022-058

PROJECT DATA		
SITE AREA: 3.3 ACRES (ESTIMATED) 66% LOT COVERAGE		
REQUIRED PARKING:		
1 BR UNITS	108 UNITS	162 SPACES
2 BR UNITS	60 UNITS	120 SPACES
3 BR UNITS	8 UNITS	20 SPACES
TOTAL UNITS	176 UNITS	302 SPACES
(1) THREE/FOUR STORY BUILDING 347,313 GSF 1,56,593 NRSF 890 SF AVG. UNIT SIZE 176 UNITS		
PROVIDED PARKING:		
GARAGES		305 SPACES
TOTAL PARKING		305 SPACES
INTERIOR AMENITY SPACE 5,789 GSF	302 PARKING SPACES PROVIDED @ 1.7 SPACE / UNIT	



PD DEVELOPMENT PLAN
Scale: 1" = 40'-0"

CITY OF ROCKWALL

ORDINANCE NO. 22-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [ORDINANCE NO. 17-22] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A CONDOMINIUM BUILDING ON A 3.59-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1, 2, 3, & 4, BLOCK 2; LOTS 1, 2, 3, & 4, BLOCK 3; LOTS 1, 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 OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY EXHIBIT 'A'; 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 Asher Hamilton of RIV Properties, on behalf of Michael Gibson of Marion E. Wilson, Michael White, Dimensions Real Estates Services, LLC; Mark R. Carson; Allen Anderson; Gary Shultz of Culpepper/Spatex JV; and Robert Fields of In the Estate of Ernest Fields for the approval of a *PD Development Plan* for a 176-unit, condominium building to be situated within the *Hillside Mixed-Use Subdistrict* and the *Horizon/Summer Lee*, on a 3.95-acre tract of land identified as Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 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 of Rockwall, Rockwall County, Texas 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 Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and 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 the approval of this ordinance shall supersede *Ordinance No. 22-10*; and,

SECTION 2. That Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 20-02*], as heretofore amended, shall be further amended by adopting this *PD Development Plan* and amending the official zoning map of the City of Rockwall for the *Subject Property*; and,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *Conceptual Building Elevations*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 5. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the Unified Development Code [*Ordinance No. 20-02*], and in compliance with the following conditions and requirements:

- (1) The development of the subject property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
- (2) The development of the subject property shall generally conform to the proposed *Conceptual Building Elevations* depicted in *Exhibit 'C'* of this ordinance and to the design guidelines contained in *Resolution No. 10-40*.
- (3) The proposed condominium building shall not contain more than 176 urban residential units.
- (4) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32) [*as amended*].
- (5) Prior to the issuance of a building permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance.
- (6) All buildings throughout the development shall be constructed with a consistent design scheme, incorporate four (4) sided architecture that creates an entry appearance on all four (4) sides, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*.

SECTION 6. 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 7. 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, 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 8. The standards in this ordinance shall control in the event of a conflict between this

ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. 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 JULY, 2022.



Kevin Fowler, Mayor

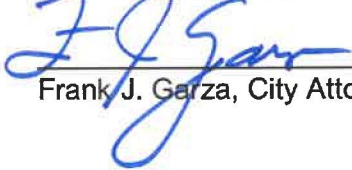
ATTEST:



Kristy Teague, City Secretary



APPROVED AS TO FORM:



Frank J. Garza, City Attorney

1st Reading: June 20, 2022

2nd Reading: July 5, 2022

Exhibit 'A':
Legal Description and Location Map

PARCEL 1 (TRACTS 1 & 2)

TRACT 1: All that certain 0.705-acre tract of land in the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas and being Lot 2 and part of Lots 1, 3 and 4, of Block 2 and Lots 1 and 2 and part of Lots 3 and 4, of Block 4 of George Morton Estate, an addition to the City of Rockwall, recorded in Cabinet A, Slide 47B of the Plat Records of said county, and being part of the tract of land described in a Warranty Deed to Culpepper/Spatex Joint Venture, recorded in Volume 209, Page 475 of the Deed Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rebar with a cap (illegible) found at the north end of a corner clip at the intersection of Summer Lee Drive, a variable width public right-of-way and Horizon Drive, a variable width public right-of-way per the right-of-way dedication to the City of Rockwall recorded in Instrument Number 2005-0000338484 of the Official Public Records of said county;

THENCE with the northwest right-of-way line of Summer Lee Drive the following courses and distances;

South 38°15'10" West, a distance of 44.84-feet to a ½-inch iron rebar with a cap (illegible) found for corner;

South 43°54'47" West, a distance of 14.91-feet to a ½-inch iron rebar with a cap (illegible) found for corner;

South 43°55'59" West, a distance of 131.01-feet to a ½-inch iron rebar with a cap (illegible) found for corner in the southwest line of said Lot 3, Block 4 and in the northeast line of Lot 4, Block 6 of said addition;

THENCE North 45°23'07" West, with said southwest line and said northeast line, passing at a distance of 38.12-feet, to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for corner in said northwest right-of-way line and the east corner of a called 0.160-acre tract of land described in a General Warranty Deed to Mark R. Carson, recorded in Instrument Number 2008-00394439 of said Official Public Records, continuing with said southwest line of said Lot 3, Block 4, the southwest line of Lot 2, Block 4, the northwest line of said Lot 4, Block 6, the northwest line of Lot 1, Block 6 of said addition, and the northwest line of said 0.160-acre tract, in all, a total distance of 139.41-feet to a ½-inch iron rebar with a cap stamped "RPLS6484" set for the west corner of said Lot 2, Block 4, the north corner of said Lot 1, Block 6 and in the southeast line of a 40 foot wide easement, recorded in said addition;

THENCE North 43°50'43" East, with the northwest lines of said Lot 1 and Lot 2 Block 4 and said Lot 1 and Lot 2, Block 2 and said southeast line of said 40 foot wide easement, a distance of 230.94-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for corner in the southwest right-of-way line of said Horizon Drive at the beginning of a non-tangent curve to the left, with a radius of 510.50-feet and a chord which bears South 37°22'46" East, a distance of 14.17-feet;

THENCE with said southwest right-of-way line of Horizon drive the following courses and distances;

Along said curve to the left, with a central angle of 01°35'26" and an arc distance of 14.17-feet to a ½-inch iron rebar with a cap (illegible) found for the beginning of a compound curve to the left, with a radius of 576.50-feet, and a chord which bears South 41°42'06" East, a distance of 70.67-feet;

Along said curve to the left, with a central angle of 07°01'39" and an arc distance of 70.71-feet to a ½-inch iron rebar with a cap (illegible) found for corner;

South 45°16'48" East, a distance of 17.37-feet to the *POINT OF BEGINNING* and containing 0.705-acres (30,690 square-feet) of land.

TRACT 2: All that certain 0.463-acre tract of land in the Edward Teal Survey, Abstract No. 207, Rockwall

Exhibit 'A':
Legal Description and Location Map

County, Texas and being Lots 1, 2, 3 and 4, Block 3 of George Morton Estate, an addition to the City of Rockwall, recorded in Cabinet A, Slide 47B of the Plat Records of said county, and being part of the tract of land described in a Warranty Deed to Culpepper/Spatex Joint Venture, recorded in Volume 209, Page 475 of the Deed Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the west corner of said Lot 2, Block 3, and at the intersection of a 20 foot wide easement, recorded in said addition, from which a ½-inch iron rebar with a cap stamped "RPLS 5034" found bears North 73°52'22" West a distance of 22.02-feet and a 5/8 inch iron rebar with a cap stamped "Sam Inc" found bears North 88°48'34" East, a distance of 27.56-feet;

THENCE North 43°50'43" East, with the northwest line of said Lot 1 and Lot 2, Block 3 and the southeast line of the 20-foot-wide easement, a distance of 131.01-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the north corner of said Lot 1, Block 3 and the west corner of Lot 2, Block 1 of said addition;

THENCE South 45°21'44" East, with the northeast line of said Lot 1 and Lot 4, Block 3 and the southwest line of said Lot 2, Block 1 and Lot 3, Block 1 of said addition, a distance of 154.01-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the east corner of said Lot 4, Block 3, the south corner of said Lot 3, Block 1 and in the northwest line of a 40 foot wide easement as recorded in said addition;

THENCE South 43°50'43" West, with the southeast line of said Lot 3 and Lot 4 Block 3 and said northwest line of said 40 foot wide easement, a distance of 131.01feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the south corner of said Lot 3, Block 3 and at the intersection of said northwest line of the 40 foot wide easement and the northeast line of said 20 foot wide easement;

THENCE North 45°21'44" West, with the southwest line of said Lot 2 and Lot 3, Block 3, and the northeast line of said 20-feet wide easement, a distance of 154.01-feet to the *POINT OF BEGINNING* and containing 0.463-acres (20,176 square-feet) of land.

Parcel 2

All that certain 0.160-acre tract of land in the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas and being Lot 1 and part of Lot 4, Block 6 of George Morton Estate, an addition to the City of Rockwall, recorded in Cabinet A, Slide 47B of the Plat Records of said county, and being same 0.160-acre tract of land described a General Warranty Deed to Mark R. Carson, recorded in Instrument Number 2008-00394439 of the Official Public Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the east corner of said 0.160-acre tract, in the northeast line of said Lot 4, Block 6, the southwest line of Lot 3, Block 4 of said addition and in the northwest right-of-way line of Summer Lee Drive, a variable width public right-of-way, from which a ½-inch iron rebar with a cap (illegible) found in said northwest right-of-way line bears South 45°23'07" East, a distance of 38.12-feet;

THENCE with the southeast line of said 0.160-acre tract and said northwest right-of-way line, the following courses and distances;

South 49°50'10" West, a distance of 25.57-feet to a ½-inch iron rebar with a cap stamped "RPLS 5034" found for corner;

North 45°40'41" West, a distance of 20.93-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for corner in the southeast line of said Lot 1, Block 6 and the northwest line of said Lot 4, Block 6;

South 44°13'18" West, a distance of 39.98-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the south corner of said 0.160-acre tract, the south corner of said Lot 1, Block 6, the west corner

Exhibit 'A':
Legal Description and Location Map

of said Lot 4, Block 6 the north corner of Lot 3, Block 6 of said addition, the east corner of Lot 2, Block 6 of said addition, and the east corner of a called 0.18-acre tract described in a General Warranty Deed to Allen Anderson, recorded in Instrument No. 2008-00394440 of said Official Public Records;

THENCE North 45°21'44" West, with the southwest line of said 0.160-acre tract, the southwest line of said Lot 1, Block 6, the northeast line of said 0.18-acre tract, and the northeast line of said Lot 2, Block 6, passing at a distance of 77.43-feet, a 1/2inch iron rebar with a cap stamped "RPLS 6484" set for the west corner of said Lot 1, Block 6, the north corner of said Lot 2, Block 6 and in the southeast line of a 40foot wide easement, recorded in said addition, in all, a total distance of 97.43-feet to the west corner of said 0.160-acre tract, the north corner of said 0.18-acre tract and in the center of said 40 foot wide easement;

THENCE North 43°50'43" East, with the center of said 40-foot-wide easement, a distance of 65.51-feet to the north corner of said 0.160-acre tract;

THENCE South 45°23'21" East, with the northeast line of said 0.160-acre tract, passing at a distance of 20.00-feet, a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the north corner of said Lot 1, Block 6, the west corner of said Lot 2, Block 4 of said addition, continuing with said northeast line of the 0.160-acre tract, the northeast line of said Lot 1 and Lot 4, Block 6, and the southwest line of said Lot2 and Lot 3, Block 4, in all, a total distance of 121.30-feet to the *POINT OF BEGINNING* and containing 0.160-acres (6,964 square-feet) of gross area, 0.130-acres (5,654 square-feet) of net area of land.

Parcel 3

All that certain 0.175-acre tract of land in the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas and being Lot 2 and part of Lot 3, Block 6 of George Morton Estate, an addition to the City of Rockwall, recorded in Cabinet A, Slide 47B of the Plat Records of said county, and being a called 0.18-acre tract of land described a General Warranty Deed to Allen Anderson, recorded in Instrument No. 2008-00394440 of the Official Public Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rebar with a cap stamped "RPLS 5034" found for the south corner of said 0.18-acre tract, in the southwest line of said Lot 3, Block 6 and in the northwest right-of-way line of Summer Lee Drive, a variable width public right-of-way, from which a ½-inch iron rebar with a cap stamped "RPLS 5034" found in said right-of-way bears South 45°21'27" East, a distance of 19.89-feet;

THENCE North 45°21'27" West, with the southwest line of said 0.18-acre tract, said southwest line of Lot 3, Block 6 and, in said northwest right-of-way line, passing at a distance of 43.01-feet, a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the south corner of said Lot 2, Block 6, the west corner of said Lot 3, Block 6 and the west corner of Lot 1, Block 8 of said addition, departing said northwest right-of-way line and continuing with said southwest line of the 0.18-acre tract, the southwest line of said Lot 2, Block 6 and the northwest line of said Lot 1, Block 8, passing at a distance of 119.67-feet, a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the west corner of said Lot 2, Block 6, the north corner of said Lot 1, Block 8 and in the southeast line of a 40 foot wide easement recorded in said addition, continuing with said southwest line of the 0.18-acre tract, in all, a total distance of 139.67-feet to the west corner of said 0.18-acre tract and in the center of said 40 foot wide easement;

THENCE North 43°50'43" East, with the northwest line of said 0.18-acre tract and in the center of said 40 food wide easement, a distance of 65.50-feet to the north corner of said 0.18-acre tract and the west corner of a called 0.160-acre tract of land described a General Warranty Deed to Mark R. Carson, recorded in Instrument Number 2008-00394439 of said Official Public Records;

THENCE South 45°21'44" East, with the northeast line of said 0.18-acre tract and the southwest line of said 0.160-acre tract, passing at a distance of 20.00-feet, a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the north corner of said Lot 2, Block 6 and the west corner of said Lot 1, Block 6, continuing with said northeast line of the 0.18-acre tract, the northeast line of said Lot 2, Block 6, said southwest line of the 0.160-acre tract and the southwest line of said Lot 1, Block 6, in all, a total distance of 97.43-feet to

Exhibit 'A':
Legal Description and Location Map

a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the west corner of said 0.18-acre tract, the west corner of said Lot 2, Block 6, the south corner of said 0.160-acre tract, the south corner of said Lot 1, Block 6 and, in said northwest right-of-line of Summer Lee Drive;

THENCE with the southeast line of said 0.18-acre tract and said northwest right-of-way line, the following courses and distances;

South 44°13'18" West, a distance of 19.50-feet to a ½-inch iron rebar with a cap stamped "RPLS 5034" found for corner;

South 09°43'47" East, a distance of 46.51-feet to a ½-inch iron rebar with a cap stamped "RPLS 5034" found for corner;

South 29°14'41" West, a distance of 19.61-feet to the *POINT OF BEGINNING* and containing 0.175-acres (7,635 square-feet) of gross area and 0.145-acres (6,325 square-feet) of net area of land.

Parcel 4

All that certain 0.230-acre tract of land in the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas and being Lots 1 and 2, Block 8 of George Morton Estate, an addition to the City of Rockwall, recorded in Cabinet A, Slide 47B of the Plat Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rebar with a cap stamped "RPLS 5034" found for the south corner of said Lot 2, Block 8, the west corner of Lot 3, Block 8 of said addition, the east corner of Lot 1, Block 10 of said addition and the north corner of Lot 4, Block 8 of said addition, from which, a ½-inch iron rebar with a cap stamped "RPLS5034" found bears South 45°21'46" East, a distance of 63.39-feet;

THENCE North 45°21'46" West, with the southwest line of said Lot 2, Block 8 and the northeast line of said Lot 1, Block 10, a distance of 76.12-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the west corner of said Lot 2, Block 8, the north corner of said Lot 1, Block 10 and in the southeast line of a 40 foot wide easement recorded in said addition;

THENCE North 43°50'43" East, with the northwest line of said Lot 1 and Lot 2 Block 8 and said southeast line of the 40 foot wide easement, a distance of 130.96feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the north corner of said Lot 1, Block 8, the west corner of Lot 2, Block 6 of said addition and in the southwest line of a called 0.18-acre tract of land described a General Warranty Deed to Allen Anderson, recorded in Instrument No. 2008-00394440 of the Official Public Records of said county;

THENCE South 45°21'27" East, with the northeast line of said Lot 1, Block 8, the southwest line of said Lot 2, Block 6 and said southwest line of the 0.18-acre tract, a distance of 76.66-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the east corner of said Lot 1, Block 8, the south corner of said Lot 2, Block 6, the west corner of Lot 3, Block 6 of said addition and the north corner of said Lot 4, Block 8, from which a ½-inch iron rebar with a cap stamped "RPLS 5034" found for the south corner of said 0.18-acre tract and in the northwest right-of-way line of Summer Lee Drive, a variable width public right-of-way bears South 45°21'27" East, a distance of 43.01-feet;

THENCE South 44°04'51" West, with the southeast line of said Lot 1 and Lot 2, Block 8 and the northwest line of said Lot 3 and Lot 4, Block 8, passing at a distance of 114.25-feet, a ½-inch iron rebar found, in all, a total distance of 130.95feet to the *POINT OF BEGINNING* and containing 0.230-acres (10,002 square-feet) of land.

Parcel 5

All that certain 1.245-acre tract of land in the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas and being Lots 1, 3 and 4, and part of Lot 2 Block 5, Lots 3 and 4 and part of Lot 2, Block 7 and Lots 1, 2, 3 and 4, Block 9 of George Morton Estate, an addition to the City of Rockwall, recorded in Cabinet A,

Exhibit 'A':
Legal Description and Location Map

Slide 47B of the Plat Records of said county, and being all of the tract of land described in a General Warranty Deed to Dimensions Real Estate Services, recorded in Instrument No.2011-00451974 of the Official Public Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the west corner of Lot 2, Block 9, the north corner of Lot 1, Block 11 of said addition, and in the southwest line of a 20 foot wide easement recorded in said addition;

THENCE North 43°50'43" East, with the northwest lines of said Lot 1 and Lot 2, Block 9 and Lot 2, Block 7 and said southeast line of the 20 foot wide easement, a distance of 135.22-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for corner in the northwest line of said Lot 2, Block 7 and in the south right-of-way line of Pinnacle Way, a 58 foot wide public right-of-way, from which a ½-inch iron rebar found at the intersection of said south right-of-way line of Pinnacle Way and the east right-of-way line of Sunset Ridge Drive, a variable width public right-of-way bears South 72°49'03" West, a distance of 184.95-feet;

THENCE North 72°49'03" East, with said south right-of-way line of Pinnacle Way, a distance of 69.48-feet to a ½-inch iron rebar with a cap stamped "RPLS 5034" found for corner in the northeast line of said Lot 2, Block 9;

THENCE South 45°37'46" East, continuing with said south right-of-way line of Pinnacle Way and with the northeast line of said Lot 2, Block 9, a distance of 42.61-feet to a ½-inch iron rebar with a cap stamped "RPLS 5034" found for the east corner of said Lot 2, Block 9, the north corner of said Lot 3, Block 9 and the west corner of said Lot 4, Block 7;

THENCE North 44°12'16" East, continuing with said south right-of-way line of Pinnacle Way and with the northwest line of said Lot 4, Block 7, a distance of 65.39feet to a 5/8 inch iron rebar with a cap stamped "Maddox" found for the north corner of said Lot 4, Block 7, the west corner of said Lot 3, Block 7, the south corner of said Lot 2, Block 7, and the east corner of the terminus of said Pinnacle Way;

THENCE North 45°28'03" West, with the east right-of-way line of said Pinnacle Way and the southwest line of said Lot 2, Block 7, a distance of 41.44-feet to a 5/8-inch iron rebar with a cap stamped "Maddox" found in said east right-of-way line of Pinnacle Way;

THENCE North 17°34'51" West, departing said southwest line of said Lot 2, Block 7 and continuing with said east right-of-way line of Pinnacle Way, passing at a distance of 28.13-feet to the north corner of the terminus of said Pinnacle Way, in all, a total distance of 40.12-feet to a ½-inch iron rebar with a cap stamped "RPLS6484" set in the northwest line of said Lot 2, Block 5 and in the southeast line of a20 foot wide easement recorded in said addition;

THENCE North 43°50'43" East, with the northwest lines of said Lot 1 and Lot 2, Block 5 and said southeast line of the 20 foot wide easement, a distance of 112.80feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the north corner of said Lot 1, Block 5 and the intersection of said southeast line of the 20 foot wide easement and the southwest line of another 20 foot wide easement recorded in said addition, from which a 5/8 inch iron rebar with a cap stamped "Sam Inc" bears North 44°39'37" West, a distance of 19.25-feet;

THENCE South 45°21'44" East, with the northwest lines of said Lot 1 and Lot 4, Block 5 and said southwest line of the 20 foot wide easement, a distance of 154.01-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the west corner of said Lot 4, Block 5 and the intersection of said southwest line of the 20 foot wide easement and the northwest line of a 40 foot wide easement recorded in said addition;

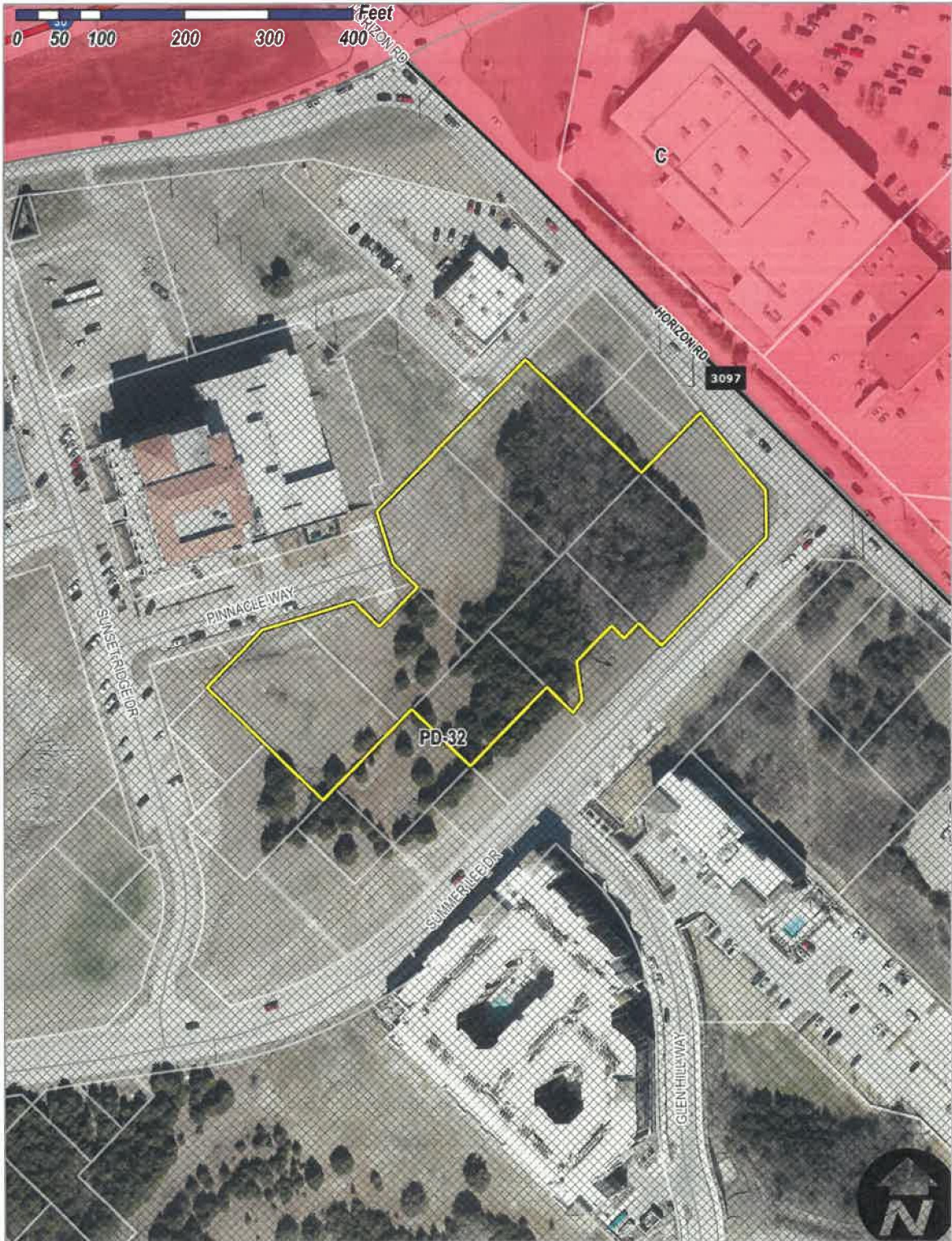
THENCE South 43°50'43" West, with the southeast lines of said Lots 3 and 4, Block 5, Lots 3 and 4, Block 7 and Lots 3 and 4, Block 9 and said northwest line of the 40 foot wide easement, a distance of 393.33-feet to a ½-inch iron rebar with a cap stamped "RPLS 6484" set for the south corner of said Lot 3, Block 9 and the east corner of said Lot 4, Block 11 of said addition, from which a ½-inch iron rebar found bears South

Exhibit 'A':
Legal Description and Location Map

45°25'13" East, a distance of 18.07-feet;

THENCE North 45°25'13" West, with the southwest lines of said Lots 2 and 3, Block 9 and the northwest lines of said Lots 1 and 4, Block 11, passing at a distance of 78.94-feet, a ½-inch iron rebar with a cap stamped "RPLS 5034" found for the west corner of said Lot 3, Block 9, the south corner of said Lot 2, Block 9, the east corner of said Lot 1, Block 11, and the north corner of said Lot 4, Block 11, in all, a total distance of 154.01-feet to the *POINT OF BEGINNING* and containing 1.245-acres (54,217 square-feet) of land.

Exhibit 'A':
Legal Description and Location Map



**Exhibit 'B':
Concept Plan**

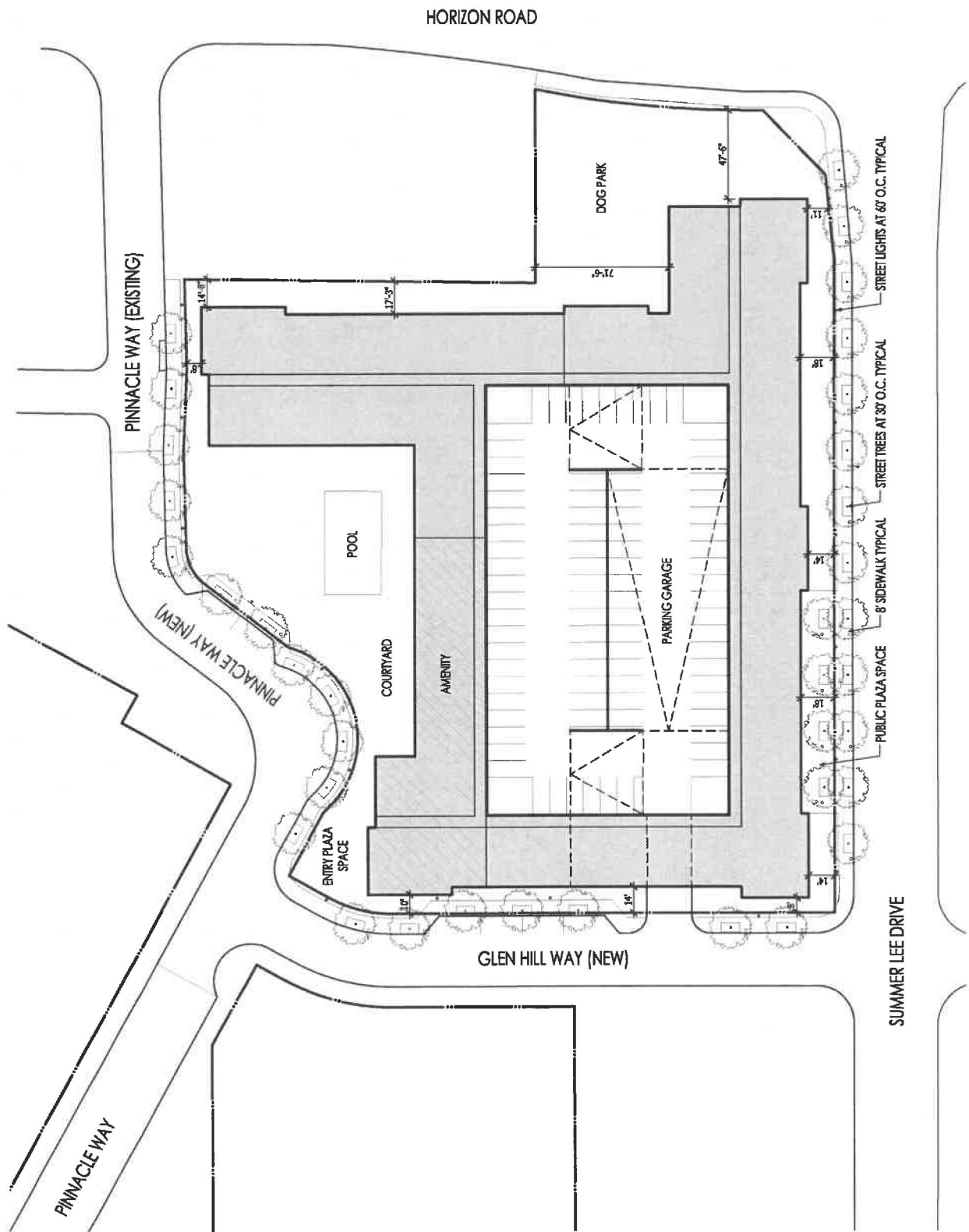


Exhibit 'C':
Conceptual Building Elevations



Exhibit 'C':
Conceptual Building Elevations



CITY OF ROCKWALL

ORDINANCE NO. ~~23-XX~~

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 32 (PD-32) [*ORDINANCE NO. 17-22*] AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A PD DEVELOPMENT PLAN FOR A CONDOMINIUM BUILDING ON 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, 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 OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED AND DEPICTED HEREIN BY *EXHIBIT 'A'*; 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 Asher Hamilton on behalf of RIV Properties; Alvin Moton Jr.; James Moton; Debra Heard; Beulah Robertson; Tony Moton; and Kathy Moton for the approval of a *PD Development Plan* for a 176-unit, condominium building to be situated within the *Hillside Mixed-Use Subdistrict* and the *Horizon/Summer Lee*, on a 3.95-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, 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 of Rockwall, Rockwall County, Texas 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 Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and 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 the approval of this ordinance shall supersede *Ordinance No. 22-10*; and,

SECTION 2. That Planned Development District 32 (PD-32) [*Ordinance No. 17-22*] and the Unified Development Code [*Ordinance No. 20-02*], as heretofore amended, shall be further amended by adopting this *PD Development Plan* and amending the official zoning map of the City of Rockwall for the *Subject Property*; and,

SECTION 3. That development of the *Subject Property* shall generally be in accordance with

the *Concept Plan*, depicted in *Exhibit 'B'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'B'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 4. That development of the *Subject Property* shall generally be in accordance with the *Conceptual Building Elevations*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*; and,

SECTION 5. That the *Subject Property* shall be used only in the manner and for the purposes provided for in Planned Development District 32 (PD-32) [*Ordinance No. 17-22*], the Unified Development Code [*Ordinance No. 20-02*], and in compliance with the following conditions and requirements:

- (1) The development of the subject property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
- (2) The development of the subject property shall generally conform to the proposed *Conceptual Building Elevations* depicted in *Exhibit 'C'* of this ordinance and to the design guidelines contained in *Resolution No. 10-40*.
- (3) The proposed condominium building shall not contain more than 176 urban residential units.
- (4) All building materials and color schemes proposed for this development should conform to the requirements stipulated by Planned Development District 32 (PD-32) [*as amended*].
- (5) A 20-foot landscape buffer along Horizon Road [*FM-3097*] shall be provided that includes two (2) canopy and four (4) accent trees per 100-linear feet, and a generally continuous berm and evergreen shrub row.
- (6) Prior to the issuance of a building permit the applicant shall submit and seek approval for a detailed *PD Site Plan* that demonstrates compliance with all applicable standards of Planned Development District 32 (PD-32) [*as amended*] and with the requirements approved in this ordinance.
- (7) All buildings throughout the development shall be constructed with a consistent design scheme, incorporate four (4) sided architecture that creates an entry appearance on all four (4) sides, and be approved by the Architectural Review Board (ARB) at the time of the *PD Site Plan*.

SECTION 6. 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 7. 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, 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 8. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 9. 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 6TH DAY OF FEBRUARY, 2023.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 17, 2023

2nd Reading: February 6, 2023

Exhibit 'A':
Legal Description and Location Map

BEING a tract of land situated in the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, being a portion of that tract of land described as George Morton Estate, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet A, Slide 47, Plat Records, Rockwall County, Texas, same being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" for the intersection of the east corner of Pinnacle Way (called 44' right-of-way) and the southwest right-of-way line of Horizon Road (variable width right-of-way);

THENCE along the said southwest right-of-way line of Horizon Road the following bearings and distances;

THENCE South 44 degrees 18 minutes 46 seconds East, a distance of 96.72 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" for an ell corner;

THENCE South 44 degrees 47 minutes 34 seconds West, a distance of 0.17 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" for an ell corner, same being the start of a tangent curve to the right having a radius of 489.50 feet a delta angle of 10 degrees 20 minutes 09 seconds and a chord bearing and distance of South 38 degrees 37 minutes 33 seconds East 88.18 feet;

THENCE with the curve to the right, an arc distance of 88.30 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the end of said curve, same being the start of a tangent curve to the left having a radius of 510.50 feet a delta angle of 05 degrees 00 minutes 25 seconds and a chord bearing and distance of South 35 degrees 45 minutes 12 seconds East 44.60 feet, from which a 1/2 inch iron rod found with yellow plastic cap stamped "WEIR ASSOC" bears North 33 degrees 21 minutes 06 seconds West 1.81 feet;

THENCE with the curve to the left, an arc distance of 44.61 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "WEIR ASSOC." for the end of said curve, same being the start of a tangent curve to the right having a radius of 576.50 feet a delta angle of 07 degrees 02 minutes 15 seconds and a chord bearing and distance of South 41 degrees 46 minutes 32 seconds East 70.77 feet;

THENCE with the curve to the right, an arc distance of 70.81 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "WEIR ASSOC." for the end of said curve;

THENCE South 45 degrees 02 minutes 23 seconds East, a distance of 17.32 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "WEIR ASSOC." for the north corner of a clip corner at the intersection of the present northwest right-of-way line of Summer Lee Drive (variable width right-of-way) and said southwest right-of-way line of Horizon Road;

THENCE South 00 degrees 21 minutes 42 seconds East, along the clip corner transition from said Horizon Road to Summer Lee Drive, a distance of 47.83 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "WEIR ASSOC." for an angle point;

THENCE along the said present northwest right-of-way line of Summer Lee Drive the following bearings and distances;

Exhibit 'A':
Legal Description and Location Map

THENCE South 38 degrees 15 minutes 42 seconds West, a distance of 44.82 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "WEIR ASSOC. for an angle point"

THENCE South 43 degrees 56 minutes 20 seconds West, a distance of 539.17 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for corner;

THENCE North 45 degrees 10 minutes 59 seconds West, said present northwest right-of-way line of Summer Lee Drive, passing at a distance of 50.90 feet a 1/2 inch iron rod found with yellow plastic cap stamped "RSCI 5034" for the southeast corner of that tract of land described as Tract 2 in Special Warranty Deed to Olumide Adebowale as recorded in Document No. 2021-0000035046, Official Public Records, Rockwall County, Texas and continuing for a total distance of 63.07 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "RSCI 5034" for the east corner of that tract of land described as Tract 2 in Special Warranty Deed to Olumide Adebowale as recorded in Document No. 2021-0000034977, Official Public Records, Rockwall County, Texas;

THENCE North 45 degrees 30 minutes 04 seconds West, along the northeast line of said Olumide Adebowale tracts, a distance of 97.78 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for an ell corner;

THENCE South 43 degrees 34 minutes 18 seconds West, along the northwest line of said Adebowale 2021-0000035046 tract, a distance of 20.05 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "RSCI 5034" for the east corner of that tract of land described in General Warranty Deed to Olumide Adebowale as recorded in Document No. 2021-0000015472, Official Public Records, Rockwall County, Texas;

THENCE North 45 Degrees 27 minutes 27 seconds West, along the northeast line of said Adebowale 2021-0000015472 tract, passing at a distance of 96.96 feet the north corner of said Adebowale 2021-0000015472 tract, same being the east corner of that tract of land described in General Warranty Deed to City of Rockwall as recorded in Document No. 2011-0000451634, Official Public Records, Rockwall County, Texas, and continuing for a total distance of 172.17 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" in the southeast line of that tract of land described in General Warranty Deed to RIV Rockwall LLC as recorded in Document No. 2011-0000342870, Official Public Records, Rockwall County, Texas;

THENCE North 43 degrees 56 minutes 50 seconds East, along the southeast line of RIV ROCKWALL LLC tract 2011-0000342870, a distance of 135.24 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" in the southeast right-of-way line of Pinnacle Way (called 58' right-of-way);

THENCE North 72 degrees 48 minutes 50 seconds East, along the said southeast right-of-way line of Pinnacle Way, a distance of 69.59 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "RSCI 5034";

THENCE North 45 degrees 47 minutes 44 seconds East, traversing said Pinnacle Way, a distance of 65.45 feet to a 5/8 inch iron rod found with orange plastic cap stamped "MADDOX 5403" for an angle corner;

THENCE North 17 degrees 11 minutes 07 seconds West, along the northeast end of said Pinnacle way,

Exhibit 'A':
Legal Description and Location Map

passing a 5/8 inch iron rod found at a distance of 28.53 feet for the northeast corner of said Pinnacle Way, same being the east corner of Lot 6, Block A, Harbor District Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Document No. 2021000005570, Plat Records, Rockwall County, Texas, and continuing along the south northeast line of said Lot 6, Block A for a total distance of 40.12 feet to a 1/2 inch iron rod found for the south corner of the remainder of that tract of land described in General Warranty Deed to City of Rockwall recorded in Volume 4324, Page 290, Deed Records, Rockwall, County, Texas;

THENCE North 17 degrees 03 minutes 53 seconds West, continuing along the south northeast line of said Lot 6, Block A, a distance of 24.13 feet to a 1/2 inch iron rod found with red plastic cap stamped "RDS";

THENCE North 43 degrees 53 minutes 04 seconds East, along the southeast line of said City of Rockwall remainder tract, a distance of 39.31 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for an angle point;

THENCE North 08 degrees 59 minutes 31 seconds West, traversing said City of Rockwall remainder tract, a distance of 18.52 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the start of a tangent curve to the right having a radius of 75.00 feet a delta angle of 52 degrees 59 minutes 15 seconds and a chord bearing and distance of North 17 degrees 30 minutes 06 seconds East 66.92 feet;

THENCE along said curve to the right, continuing to traverse said City of Rockwall remainder tract, an arc distance of 69.36 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the end of said curve;

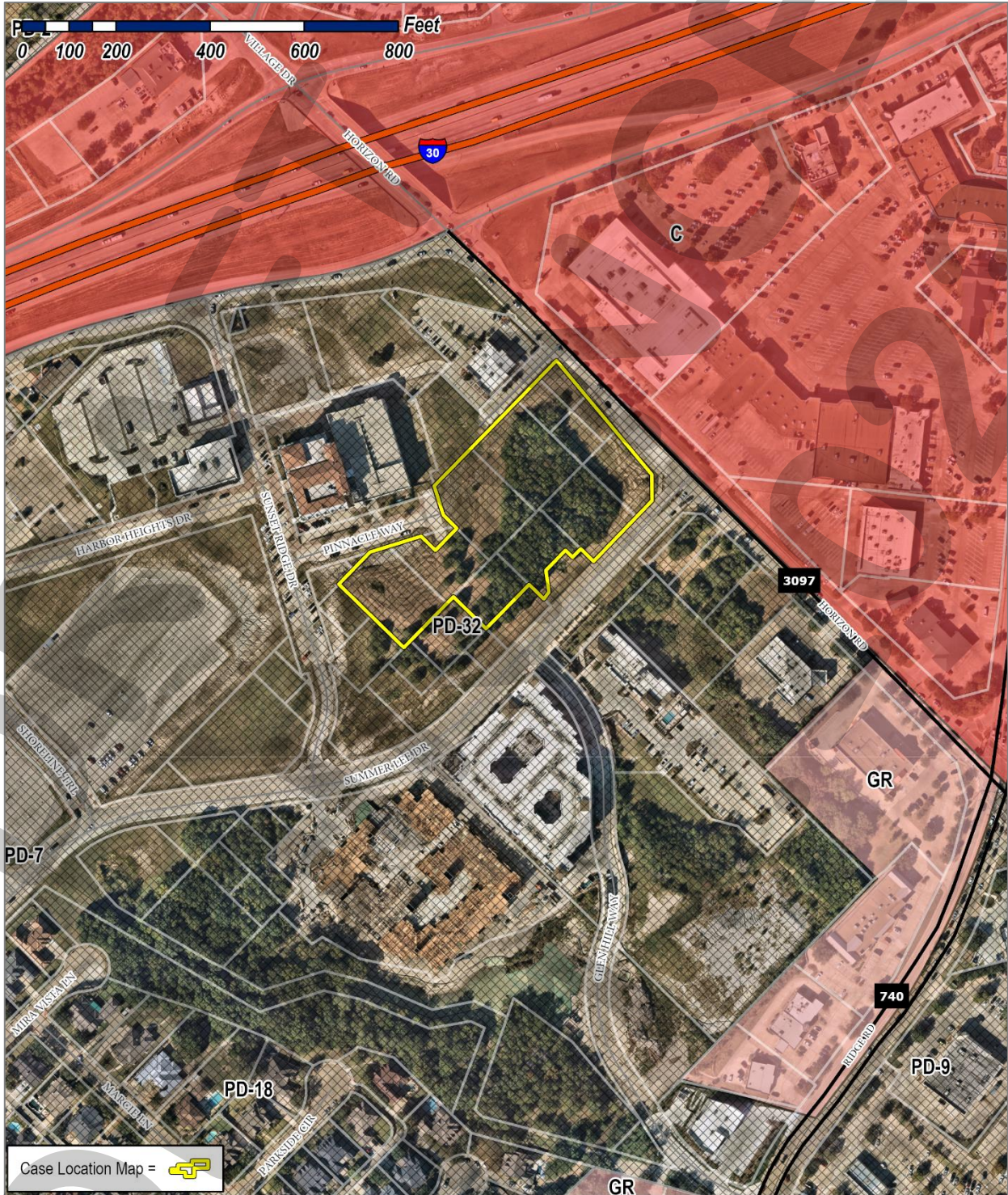
THENCE North 43 degrees 59 minutes 44 seconds East, continuing to traverse said City of Rockwall remainder tract, a distance of 68.22 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the south corner of Lot 4, Block A, Briscoe / Hillcrest Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet J, Slide 279, Plat Records, Rockwall County, Texas;

THENCE South 46 degrees 00 minutes 16 seconds East along the northeast line of said City of Rockwall remainder tract, along the southwest end of Pinnacle Way, a distance of 44.37 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the south corner of said Pinnacle Way at the northwest line of the northwest 20' easement of the George Morton Estate plat;

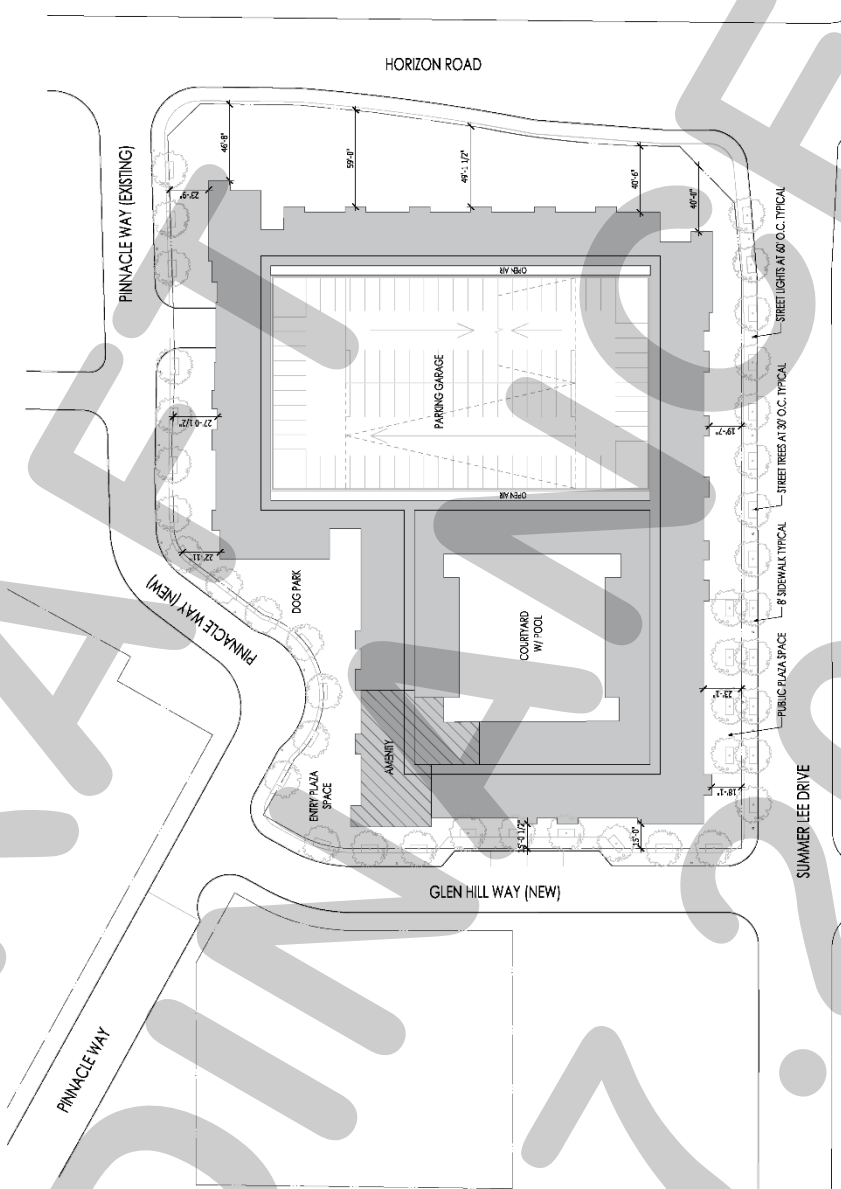
THENCE North 43 degrees 53 minutes 04 seconds East, along the southeast line of said Pinnacle Way, a distance of 191.23 feet to the POINT OF BEGINNING and containing 221,408 square feet of 5.083 acres of land more or less.

Exhibit 'A':
Legal Description and Location Map

Legal Description: Lots 1 & 2, Block 1; Lots 1, 2, 3, & 4, Block 2; Lots 1, 2, 3, & 4, Block 3; Lots 1, 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



**Exhibit 'B':
Concept Plan**



PROJECT DATA	
SITE AREA	3.3 ACRES (ESTIMATED)
468' LOT COVERAGE	
REQUIRED PARKING:	
1 BR UNITS	108 UNITS
2 BR UNITS	60 UNITS
3 BR UNITS	8 UNITS
TOTAL UNITS	176 UNITS
REQUIRED PARKING:	
CARAGES	305 SPACES
TOTAL PARKING	305 SPACES
PROVIDED PARKING:	
CARAGES	305 SPACES
TOTAL PARKING	305 SPACES
INTERIOR AMENITY SPACE	302 PARKING SPACES PROVIDED
5,789' GSF	80.17' SPACE / UNIT

Exhibit 'C':
Conceptual Building Elevations





MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 17, 2023

SUBJECT: Z2022-059; SPECIFIC USE PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH OR DRIVE-IN AT 150 PECAN VALLEY DRIVE

Attachments
Memorandum

Summary/Background Information

Hold a public hearing to discuss and consider a request by Dewayne Zinn of Cross Engineering Consultants, Inc. on behalf of Chad Dubose of JCDB Goliad Holdings, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Restaurant with 2,000 SF or more with a Drive-Through (i.e. Smoothie King)* on a 0.579-acre portion of a larger 2.542-acre parcel of land identified as Lot 1, Block A, Pecan Valley Retail Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, located at the northwest corner of the intersection of Pecan Valley Drive and N. Goliad Street [SH-205], and take any action necessary (**1st Reading**).

Action Needed

The City Council will need to announce the new public hearing date of February 21, 2023. No further action or motions are required for this case.



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

DATE: January 17, 2023

APPLICANT: Dwayne Zinn; *Cross Engineering Consultants, Inc.*

CASE NUMBER: Z2022-059; *Specific Use Permit for a Restaurant with Drive-Through or Drive-In at 150 Pecan Valley Drive*

On January 10, 2023, the Planning and Zoning Commission -- *at the request of the applicant* -- approved a motion to postpone Case No. Z2022-059 to the February 14, 2023 Planning and Zoning Commission meeting. The reason for the request was the inability of the applicant to fully address staff's comments by the January 3, 2023 deadline. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a) public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required." This means the City Council will need to announce the new public hearing date of February 21, 2023 for Case No. Z2022-059. No further action or motions are required for this case. Should the City Council have any questions, staff will be available at the January 17, 2023 City Council Meeting.



MEMORANDUM

TO: Mary Smith, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: January 17, 2023

SUBJECT: Z2022-060; AMENDMENT TO SUBSECTION 02.03(K)(7), SOLAR ENERGY COLLECTOR PANELS AND SYSTEM, OF ARTICLE 04, PERMISSIBLE USES, OF THE UDC

Attachments

Memorandum
Proposed Text Amendment
Solar Panel Permits
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider approval of an **ordinance** for a *Text Amendment* to Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] for the purpose of making changes to the *Solar Collector Panels and Systems* requirements for residential properties, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve or deny the proposed Text Amendment.



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: January 17, 2023

SUBJECT: Z2022-060; *Amendment to Subsection 02.03(K)(7), Solar Energy Collector Panels and System, of Article 04, Permissible Uses, of the UDC*

Recently, the City of Rockwall has seen an increased number of building permits for *Solar Energy Collector Panels and Systems*. Since the City of Rockwall started tracking *Solar Energy Collector Panels and Systems* as a separate permit type in 2020, the number of permits has nearly doubled each year with 27 permits being issued in 2020, 64 permits being issued in 2021, and 124 permits being issued in 2022 (as of November 16, 2022). More recently, the City received a development application for a Specific Use Permit (SUP) [Case No. Z2022-045] requesting to exceed 1,000.00 SF coverage area for *Solar Energy Collector Panels* in a residentially zoned district. In reviewing this case on October 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the case to the City Council, and requested that staff review the City's current requirements for *Solar Energy Collector Panels and Systems* and bring back recommendations concerning changes to the ordinance. On November 15, 2022, staff presented their findings to the Planning and Zoning Commission, and the Planning and Zoning Commission directed staff to bring forward a text amendment with the recommendations.

The attached text amendment proposes the following changes to Subsection 02.03(K)(7), *Solar Energy Collector Panels and System, of Article 04, Permissible Uses, of the Unified Development Code (UDC)*:

- (1) Remove the 1,000.00 SF coverage area maximum requirement, and change the coverage area to a scaled percentage of the roof area (i.e. 45.00%).
- (2) Add a requirement that *Solar Energy Collector Panels and Systems* not be located on accessory buildings or structures in a residentially zoned or used property.
- (3) Adds requirements that addresses *Solar Shingles*, and allows/requires them to be installed on 100.00% of the total roof area less any accent roofing materials (e.g. *metal roofs over gabled windows, porches, entryways, and etcetera*).
- (4) Adds a requirement that allows *Solar Shingles* on accessory structures.

For reference, an example of 45.00% roof coverage (that meets all applicable codes) has been provided in Figure 1. Staff should note that at the Planning and Zoning Commission's direction, staff has removed all requirements associated with the visibility of *Solar Energy Collector Panels and Systems* from public right-of-way.

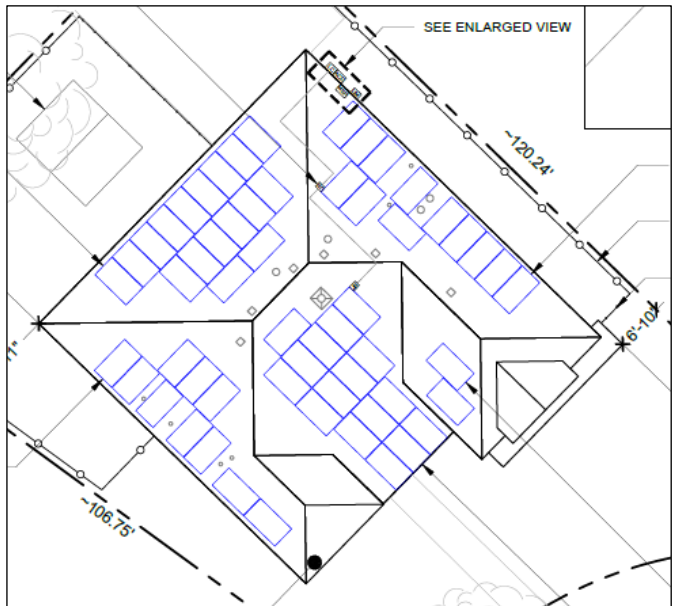


FIGURE 1: EXAMPLE OF 45% ROOF COVERAGE OF SOLAR ENERGY COLLECTOR PANELS

To assist the City Council in evaluating the proposed text amendment, staff has provided a breakdown of all building

permits issued for *Solar Collector Panels and Systems -- from 2020 to present --*, indicating the size (*in square footage*) and the type (*i.e. Solar Collector Panels or Solar Shingles*) of the permitted system. Staff has also included a redlined copy of the proposed changes along with a draft ordinance in the attached packet. In accordance with Subsection 02.04(B) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), staff brought the proposed text amendment to the Planning and Zoning Commission for a recommendation to the City Council, and on January 10, 2023 the Planning and Zoning Commission approved a motion to recommend approval by a vote of 6-0 (*with Commissioner Hustings absent*). In addition, 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 January 10, 2023.



(7) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).

(7) Solar Energy Collector Panels and System.

(a) ~~Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:

- (1) ~~Solar Energy Collector Panels~~ shall not extend beyond the roofline or eave lines of a roof.
- (2) ~~Solar Energy Collector Panels~~ shall not exceed more than 45.00% of the total roof area of the primary structure on a residentially zoned or used property.

~~(1)~~(3) Configuration of ~~Solar Energy Collector Panels~~ on a pitched roof ~~solar energy collector panels~~ shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.

(4) The surface of the ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panel~~ ~~Panel~~ shall not be more than six (6) inches above the surface of the pitched roof.

~~(2)~~(5) ~~Solar Energy Collector Panels~~ shall not be located on an accessory building or structure of a residentially zoned or used property.

(b) ~~Solar Shingles~~ may be installed on a pitched roof; however, ~~Solar Shingles~~ are subject to the following requirements:

- (1) ~~Solar Shingles~~ shall be installed on 100.00% of the total roof area -- *excluding accent roof materials (e.g. metal roofs over gabled windows, porches, entryways, and etcetera)* --, and shall not be installed alongside another roof mounted ~~Solar Energy Collector System~~.
- (2) ~~Solar Shingles~~ may be located on the primary structure and accessory buildings of a residentially zoned or used property.

~~(b)~~(c) ~~Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view, and meet the following requirements:-

- (1) The height of such screening, at the minimum, shall be the height of the ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panel~~ ~~Panel~~.
- (2) The screening may be by a parapet or screening wall replicating the materials of the building.

~~(e)~~(d) Reflective ~~flare~~ ~~glare~~ of ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ shall be minimized by the positioning of the ~~solar Solar collector~~ ~~Collector panels~~ ~~Panels~~ or by the use of non-glare glazing.

~~(e)~~(e) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panel~~ ~~Panel~~. If some portion of the piping, wiring or other mechanical

accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.

~~(e)~~(f) Ground mounted or pole mounted ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the ~~city~~ City of Rockwall.

~~(f)~~(g) The maximum overall height of ground mounted or pole mounted ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ shall not exceed ~~12~~eight (8) feet.

~~(g)~~ In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 SF on a single lot.

(h) Any ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ or ~~systems~~ ~~Systems~~ not meeting these requirements, or any installation of ~~solar Solar energy~~ ~~Energy systems~~ ~~Systems~~ as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 03 | OTHER SPECIAL USE STANDARDS

SUBSECTION 03.01: FARM ANIMALS AND HORSES

(A) Grazing Animals. 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) Other Animals. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#)), 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) General Conditions. Notwithstanding the conditions above,

(1) 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 [Section 6-1, Definitions, of Chapter 6, Animals, 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 [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#).



- (7) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).
- (7) Solar Energy Collector Panels and System.
- (a) *Solar Energy Collector Panels* installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:
- (1) *Solar Energy Collector Panels* shall not extend beyond the roofline or eave lines of a roof.
 - (2) *Solar Energy Collector Panels* shall not exceed more than 45.00% of the total roof area of the primary structure on a residentially zoned or used property.
 - (3) Configuration of *Solar Energy Collector Panels* on a pitched roof shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.
 - (4) The surface of the *Solar Energy Collector Panel* shall not be more than six (6) inches above the surface of the pitched roof.
 - (5) *Solar Energy Collector Panels* shall not be located on an accessory building or structure of a residentially zoned or used property.
- (b) *Solar Shingles* may be installed on a pitched roof; however, *Solar Shingles* are subject to the following requirements:
- (1) *Solar Shingles* shall be installed on 100.00% of the total roof area -- *excluding accent roof materials (e.g. metal roofs over gabled windows, porches, entryways, and etcetera)* --, and shall not be installed alongside another roof mounted *Solar Energy Collector System*.
 - (2) *Solar Shingles* may be located on the primary structure and accessory buildings of a residentially zoned or used property.
- (c) *Solar Energy Collector Panels* installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view, and meet the following requirements:
- (1) The height of such screening, at the minimum, shall be the height of the *Solar Energy Collector Panel*.
 - (2) The screening may be by a parapet or screening wall replicating the materials of the building.
- (d) Reflective glare of *Solar Energy Collector Panels* shall be minimized by the positioning of the *Solar Collector Panels* or by the use of non-glare glazing.
- (e) Piping, wiring and other mechanical accessories shall be concealed within a roof mounted *Solar Energy Collector Panel*. If some portion of the piping, wiring or other mechanical accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.
- (f) Ground mounted or pole mounted *Solar Energy Collector Panels* shall be located behind the primary building, and

shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the City of Rockwall.

- (g) The maximum overall height of ground mounted or pole mounted *Solar Energy Collector Panels* shall not exceed eight (8) feet.
- (h) Any *Solar Energy Collector Panels* or *Systems* not meeting these requirements, or any installation of *Solar Energy Systems* as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 03 | OTHER SPECIAL USE STANDARDS

SUBSECTION 03.01: FARM ANIMALS AND HORSES

- (A) *Grazing Animals*. 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) *Other Animals*. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#)), 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) *General Conditions*. Notwithstanding the conditions above,
- (1) 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 [Section 6-1, Definitions, of Chapter 6, Animals, 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 [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#).

SUBSECTION 03.02: TEMPORARY ACCOMMODATION FOR EMPLOYEES, CUSTOMERS 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;

Residential Solar Permits

	2020 (7/8-12/31)	2021	2022 (1/1-11/16)
Case Count	27	64	124
Avg. Size	577.35	556.68	665.78
Avg. %	19.50%	17.63%	20.77%
Over 1,000	2	4	10
Fronts	11	17	34
Sides	2	2	10

Residential Solar Panel Permits 2020

Type	Size	Percent	Fronts	Sides
Panel	571.70			
Panel	474.32			
Panel	695.28			
Panel	451.10			
Panel	366.05			
Shingles				
Panel	216.50			
Panel	446.00			
Panel	809.17			
Panel	627.39			
Panel	812.00			
Panel	1,061.40			
Panel	819.90			
Panel	655.90			
Panel	485.19	27.75%		
Panel	338.12			
Panel	575.04	18.86%		
Panel	262.70	6.70%		
Panel	1,019.40			
Panel	628.95	24.70%		
Panel	646.80			
Panel	836.30			
Panel	713.77			
Panel	539.20			
Panel	164.69			
Panel	215.70			
Panel	578.42			


Case Count **27**
 Avg Size **577.35**
 Avg % **19.50%**
 Over 1,000 **2**
 Fronts **11**
 Sides **2**

Residential Solar Panel Permits 2021





















Type	Size	Percent	Fronts	Sides
Panel	825.66			
Panel	598.02			
Panel	479.65			
Panel	714.00			
Panel	292.90			
Panel	145.00	9.79%		
Panel	470.60			
Panel	752.35			
Panel	306.00			
Panel	347.24			
Panel	1,089.37			
Panel	208.50			
Panel	210.50			
Panel	1,064.95	24.77%		
Panel	817.35	25.34%		
Panel	280.67			
Panel	395.24			
Panel	448.90			
Panel	529.40			
Panel	448.79			
Panel	540.65			
Panel	789.37			
Panel	443.69			
Panel	926.50			
Panel	422.05			
Panel	897.00			
Panel	89.63			
Panel	1,025.00			
Panel	643.50			
Panel	1,223.37			
Panel	948.92			
Panel	381.51			
Panel	561.90			
Panel	450.90			
Panel	315.20			
Panel	634.56			
Panel	594.90			
Panel	562.95			
Panel	636.90			
Panel	646.94	20.50%		
Panel	473.62			
Panel	997.51			
Panel	594.90			
Panel	754.79			
Panel	195.16			
Panel	415.38	13.00%		
Panel	247.40			
Panel	477.00			
Panel	299.20			
Shingle				
Panel	449.55			
Panel	360.00	15.60%		
Panel	757.31			
Panel	696.32	19.03%		
Panel	897.80			
Panel	358.00			
Panel	396.15			
Panel	532.86	14.96%		
Panel	506.90	15.72%		


Residential Solar Panel Permits 2022

Type	Size	Percent	Fronts	Sides
Panel	374.83			
Panel	507.00	15.49%		
Panel	1,026.00			
Panel	1,252.38			
Panel	726.40			
Panel	983.92			
Panel	529.43			
Panel	289.80			
Panel	819.55	22.86%		
Panel	944.30			
Panel	331.50	11.97%		
Panel	778.77			
Panel	650.31			
Panel	638.82			
Panel	354.02			
Panel	1,288.37	30.00%		
Panel	760.00	19.00%		
Panel	275.35			
Panel	696.76			
Panel	464.98			
Panel	1,031.42			
Panel	749.20			
Panel	510.97			
Panel	532.98	31.00%		
Panel	908.20	19.45%		
Panel	697.50			
Panel	804.47			
Panel	710.10	44.65%		
Panel	454.73			
Panel	689.50	22.00%		
Panel	413.70	11.00%		
Panel	378.66			
Panel	612.51	24.20%		
Panel	336.00			
Panel	996.80	18.68%		
Panel	788.83	16.41%		
Panel	625.50			
Panel	311.69			
Panel	718.61			
Panel	588.00	19.33%		
Panel	894.00			
Panel	1,569.26			
Panel	394.81			
Panel	1,035.64			
Shingle				
Panel	943.00			
Panel	887.69			
Panel	504.00	21.10%		
Panel	421.17			
Panel	436.37			
Panel	733.48			
Panel	810.67	21.62%		
Panel	328.05			
Panel	375.30			
Panel	793.25			
Panel	359.05	16.25%		
Panel	570.30			
Panel	633.60			
Panel	673.53			

Panel	981.29	
Panel	270.08	
Panel	431.40	
Panel	350.00	
Panel	467.48	

Case Count	64
Avg Size	556.68
Avg %	17.63%
Over 1,000	4
Fronts	17
Sides	2

Panel	387.60	14.65%	
Panel	739.30		
Panel	525.00		
Panel	477.92		
Panel	249.35		
Panel	462.29		
Panel	510.96		
Panel	887.65		
Panel	503.93	11.14%	
Panel	401.23	27.22%	
Panel	317.10		
Panel	987.60		
Panel	477.92		
Panel	1,150.00	42.00%	
Panel	594.90		
Panel	1,365.90		
Panel	380.48	9.00%	
Panel	372.59	23.48%	
Panel	530.24		
Panel	735.00		
Panel	749.83	13.25%	
Panel	836.50		
Panel	510.96	23.04%	
Panel	431.30		
Panel	509.86		
Panel	654.75	26.61%	
Panel	533.78		
Panel	929.30		
Panel	992.68		
Panel	792.30		
Panel	985.44	18.96%	
Panel	354.45		
Panel	372.57	9.14%	
Panel	987.94	29.62%	
Panel	591.80		
Panel	546.35	13.81%	
Panel	987.94	29.62%	
Panel	609.56		
Panel	451.00	17.00%	
Panel	981.93		
Panel	1,336.88		
Panel	946.79	15.00%	
Panel	328.02		
Panel	745.01	27.00%	
Panel	991.50		
Panel	996.32	24.83%	
Panel	316.00		
Panel	196.63		
Panel	963.34		
Panel	327.98		
Panel	798.60		
Panel	438.00	18.00%	
Panel	860.56		
Panel	1,372.86		
Panel	906.20	18.00%	
Panel	736.77	29.47%	
Panel	736.75	26.36%	
Panel	531.90	12.00%	
Panel	366.00		
Panel	497.00		
Panel	595.30	15.00%	

Panel	538.81	
Panel	585.00	22.42% 
Panel	468.29	16.19%
Panel	528.02	16.19%

Case Count	124
Avg Size	665.78
Avg %	20.77%
Over 1,000	10
Fronts	34
Sides	10

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING SUBSECTION 02.03(K)(7), SOLAR ENERGY COLLECTOR PANELS AND SYSTEMS, OF ARTICLE 04, PERMISSIBLE USES, 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 Subsection 02.03(K)(7), *Solar Energy Collector Panels and Systems*, of Article 04, *Permissible Uses*, of the Unified Development Code [*Ordinance No. 20-02*]; 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 Subsection 02.03(K)(7), *Solar Energy Collector Panels and Systems*, of Article 04, *Permissible Uses*, 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 6TH DAY OF FEBRUARY, 2023.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 17, 2023

2nd Reading: February 6, 2023

DRAFT
ORDINANCE
01.17.2023

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ORDINANCE
01.17.2023

See Next Page ...



(7) The antenna will meet all applicable requirements of [Subsection 03.06, Antennas](#).

(7) Solar Energy Collector Panels and System.

(a) ~~Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ installed on a pitched roof shall be of a flat configuration and shall be subject to the following requirements:

- (1) ~~Solar Energy Collector Panels~~ shall not extend beyond the roofline or eave lines of a roof.
- (2) ~~Solar Energy Collector Panels~~ shall not exceed more than 45.00% of the total roof area of the primary structure on a residentially zoned or used property.

~~(1)(3)~~ Configuration of ~~Solar Energy Collector Panels~~ on a pitched roof ~~solar energy collector panels~~ shall be a regular quadrangular shape, flat to the roof or integrated with the roof, and aligned with the natural roof edges.

(4) The surface of the ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panel~~ ~~Panel~~ shall not be more than six (6) inches above the surface of the pitched roof.

~~(2)(5)~~ ~~Solar Energy Collector Panels~~ shall not be located on an accessory building or structure of a residentially zoned or used property.

(b) ~~Solar Shingles~~ may be installed on a pitched roof; however, ~~Solar Shingles~~ are subject to the following requirements:

- (1) ~~Solar Shingles~~ shall be installed on 100.00% of the total roof area -- *excluding accent roof materials (e.g. metal roofs over gabled windows, porches, entryways, and etcetera) --*, and shall not be installed alongside another roof mounted ~~Solar Energy Collector System~~.
- (2) ~~Solar Shingles~~ may be located on the primary structure and accessory buildings of a residentially zoned or used property.

~~(b)(c)~~ ~~Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ installed on a flat roof, whether rack-mounted or flat-mounted, shall be screened from public view, and meet the following requirements:-

- (1) The height of such screening, at the minimum, shall be the height of the ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panel~~ ~~Panel~~.
- (2) The screening may be by a parapet or screening wall replicating the materials of the building.

~~(e)(d)~~ Reflective ~~flare~~ ~~glare~~ of ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ shall be minimized by the positioning of the ~~solar Solar collector~~ ~~Collector panels~~ ~~Panels~~ or by the use of non-glare glazing.

~~(e)(e)~~ Piping, wiring and other mechanical accessories shall be concealed within a roof mounted ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panel~~ ~~Panel~~. If some portion of the piping, wiring or other mechanical

accessories cannot be practically concealed then those portions shall be painted so as to blend with the roofing material.

~~(e)(f)~~ Ground mounted or pole mounted ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ shall be located behind the primary building, and shall be fully screened from public view by a solid screening fence or wall that meets all code requirements of the ~~city~~ City of Rockwall.

~~(f)(g)~~ The maximum overall height of ground mounted or pole mounted ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ shall not exceed ~~42~~ ~~eight~~ (8) feet.

~~(g)~~ In residential zoning districts, the total coverage area of solar energy collector panels shall not exceed 1,000 SF on a single lot.

(h) Any ~~solar Solar energy~~ ~~Energy collector~~ ~~Collector panels~~ ~~Panels~~ or ~~systems~~ ~~Systems~~ not meeting these requirements, or any installation of ~~solar Solar energy~~ ~~Energy systems~~ ~~Systems~~ as the principal use on any property, shall require approval of a Specific Use Permit (SUP).

SECTION 03 | OTHER SPECIAL USE STANDARDS

SUBSECTION 03.01: FARM ANIMALS AND HORSES

(A) Grazing Animals. 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) Other Animals. An SUP is required for other farm animals, including chickens and swine (except for "potbellied pigs" as defined in [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#)), 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) General Conditions. Notwithstanding the conditions above,

- (1) 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 [Section 6-1, Definitions, of Chapter 6, Animals, 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 [Section 6-1, Definitions, of Chapter 6, Animals, of the Municipal Code of Ordinances](#).