## (I) CALL TO ORDER

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

## (III) OPEN FORUM

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

These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.
(2) Approval of minutes for the March 28, 2023 Planning and Zoning Commission meeting.
(3) P2023-006 (BETHANY ROSS)

Discuss and consider a request by Matthew Deyermond on behalf of Donald Wallace for the approval of a Final Plat for Lots 1-3, Block A, Wallace Addition being a 8.17-acre tract of land being identified as all of Tracts $45-02 \& 45-07$ and a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80 of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, generally located on the northside of Wallace Lane, and take any action necessary.
(4) P2023-007 (HENRY LEE)

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LLC for the approval of a Final Plat for the Terraces Subdivision consisting of 181 single-family residential lots on a 94.144 -acre tract of land being identified as a portion of Tract 4 \& 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts $13 \& 25$ and a portion of Tracts $25-1$ \& 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

## (5) SP2023-010 (BETHANY ROSS)

Discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Howard Barrett for the approval of a Site Plan to convert two (2) single-family homes to office buildings on a 1.60 -acre tract of land identified as Lots $1 \& 2$ of the Greenvalley Addition and Tract 32 of the H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1203 \& 1205 S. Goliad Street [SH-205], and take any action necessary.
(6) SP2023-012 (HENRY LEE)

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LLC for the approval of a Site Plan for the Terraces Subdivision consisting of 181 single-family residential lots on a 94.144 -acre tract of land being identified as a portion of Tract 4 \& 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 \& 25 and a portion of Tracts $25-1 \& 26$ of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Planning and Zoning Commission (i.e. the yellow forms available at the podium or from staff). The Planning and Zoning Commission Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.
(7) Z2023-014 (ANGELICA GUEVARA)

Hold a public hearing to discuss and consider a request by Julius Waffer for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 1.0620 -acre parcel of land identified as Lot 22 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 512 Dickey Street, and take any action necessary.
(8) Z2023-015 (ANGELICA GUEVARA)

Hold a public hearing to discuss and consider a request by Martha Balleza and Ana Quezada for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.1650 -acre parcel of land identified as Lot 1290 of the Lake Rockwall Estates \#2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for SingleFamily 7 (SF-7) District, addressed as 223 Russell Drive, and take any action necessary.
(9) Z2023-016 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Johnathan Martinez on behalf of Donna C. Pritchard for the approval of a Specific Use Permit (SUP) allowing a Bail Bond Service on a 0.423 -acre parcel of land identified as Lot 1, Block 1, Garland Federal Savings \& Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1901 S. Goliad Street [SH-205], and take any action necessary.
(10) Z2023-017 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Javier Silva on behalf of Nixon Estate and Judy Wible the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.16 -acre parcel of land identified as Lot 11, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 711 Parks Avenue, and take any action necessary.

## (11) Z2023-019 (RYAN MILLER)

Hold a public hearing to discuss and consider a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) to create a Credit Access Business land use, and take any action necessary.
(12) Z2023-020 (RYAN MILLER)

Hold a public hearing to discuss and consider an Amendment to the Comprehensive Plan for the purpose of adopting changes to the Master Thoroughfare Plan contained in Appendix ' ${ }^{\prime}$ ', Maps, and take any action necessary.

## (VI) ACTION ITEMS

These items are not advertised public hearings and deal with discretionary approvals for the Planning and Zoning Commission related to variances and special exceptions to the technical requirements of the Unified Development Code (UDC) or Chapter 38, Subdivisions, of the Municipal Code of Ordinances.
(13) SP2023-011 (BETHANY ROSS)

Discuss and consider a request by Paul Cragun of Cumulus Design on behalf of Campfire Shops, LLC for the approval of a Site Plan for a Carwash and Commercial/Retail Shopping Center on a 2.003-acre parcel of land identified Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, situated along the east side of White Hills Drive south of Suncrest Drive, and take any action necessary.

## (VII) DISCUSSION ITEMS

(14) Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

- P2023-005: Replat for Lots 8-10, Block A, Sky Ridge Addition (APPROVED)
- Z2023-009: Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit and Detached Garage at 504 Nash Street (APPROVED; $2^{\text {ND }}$ READING)
- Z2023-010: Zoning Change (AG to LI) for 1760 Airport Road (APPROVED; $2^{\text {ND }}$ READING)
- Z2023-011: SUP for a Residential Infill in an Established Subdivision for 104 Glenn Avenue (APPROVED; 2ND READING)
- Z2023-012: Specific Use Permit (SUP) for a Detached Garage at 2333 Saddlebrook Lane (APPROVED; 2ND READING)
- Z2023-013: Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for 118 Blanche Drive (APPROVED; $2^{\text {ND }}$ READING)
- Subdivision Ordinance (APPROVED; $2^{\text {ND }}$ READING)


## (VIII) ADJOURNMENT

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

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

I, Melanie Zavala, Planning and Zoning Coordinator for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on April 7, 2023 at 5:00 PM, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

PLANNING AND ZONING COMMISSION WORK SESSION MEETING CITY HALL, 385 SOUTH GOLIAD STREET, ROCKWALL, TEXAS MARCH 28, 2023 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

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

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

APPOINTMENTS

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

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

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

Chairman Thomas explained how open forum is conducted and asked if anyone wished to speak to come forward at this time.
Ryan Joyce
767 Justin Road
Rockwall, TX
Mr. Joyce came forward and announced that the Rockwall Youth Fair was this upcoming weekend.
Chairman Thomas asked if anyone else wished to speak to come forward at this time; there being no one indicating such, Chairman Thomas closed the open forum.

CONSENT AGENDA
These agenda items are administrative in nature or include cases that meet all of the technical requirements stipulated by the Unified Development Code (UDC) and Chapter 38, Subdivisions, of the Municipal Code of Ordinances, and do not involve discretionary approvals.
2. Approval of minutes for the February 7, 2023 Planning and Zoning Commission meeting.
3. Approval of minutes for the February 14, 2023 Planning and Zoning Commission meeting.
4. Approval of minutes for the February 28, 2023 Planning and Zoning Commission meeting.
5. Approval of minutes for the March 14, 2023 Planning and Zoning Commission meeting.
6. P2023-005 (HENRY LEE)

Consider a request by Josh Swiercinsky of 7.1 Ridge, LLC for the approval of a Replat for Lots 8-10, Block A, Sky Ridge Addition being a 2.293 -acre tract of land identified as Lots 2-4, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located at the southwest corner of the intersection of Yellow Jacket Lane and Ridge Road [FM-740], and take any action necessary.

Commissioner Welch made a motion to approve the consent agenda. Commissioner Llewelyn seconded the motion which passed by a vote of 7-0.

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ACTION ITEMS

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

## 7. MIS2023-004 (BETHANY ROSS)

Discuss and request by Tim Wolf for the approval of a Miscellaneous Case for an Exception to the residential fence material requirements on a 0.2498 -acre parcel of land identified as Lot 17, Block D, Promenade Harbor Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 1670 Avonlea Drive, and take any action necessary.

Planner Bethany Ross provided a brief summary in regard to the request. The applicant is requesting an exception to the fence material standards as stipulated by the UDC. In this case, the applicant is requesting to replace their existing 6 -foot fence with a 6 -foot fence constructed of composite materials- specifically Trex board. Planner Ross advised that this does not appear to create a negative or adverse effect on any of the adjacent properties. Staff would like to note that exceptions to the fence material standards are a discretionary decision for the Planning and Zoning Commission.

Commissioner Conway wanted clarification on the color of the fence.
Commissioner Womble asked if this type of fencing has been approved before.
Vice-Chairman Deckard asked if the material is produced by Trex itself.
Tim Wolf
1670 Avonlea Drive
Rockwall, TX 75087
Mr. Wolf came forward and provided additional details in regard to the request.
Commissioner Llewelyn expressed with being in favor of the request.
Commissioner Womble agreed with being in favor.
Commissioner Llewelyn made a motion to approve MIS2023-004. Commissioner Welch seconded the motion which passed by a vote of 7-0.
8. MIS2023-005 (HENRY LEE)

Discuss and consider a request by Frank A. Polma, PE of R-Delta Engineers, Inc. on behalf of Stephen Geiger of Rayburn Country Electric Cooperative for the approval of a Miscellaneous Case for Exception to allow vertical walls in a detention pond on a 99.849-acre tract of land identified as Lots $6,7,8 \& 9$, Block A, Rayburn Country Addition and Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 950 \& 980 Sids Road, and take any action necessary

Planner Henry Lee provided a brief summary in regard to the request. The applicant is requesting approval to allow vertical walls in a detention pond on a tract of land for the purpose to be an amenity feature in their campus to incorporate a fishing pier.

Frank Polma
618 Main Street
Garland, TX 75040
Mr. Polma came forward and provided additional details in regard to the request.
Commissioner Conway made a motion to approve MIS2023-005. Vice-Chairman Deckard seconded the motion which passed by a vote of 7-0.
DISCUSSION ITEMS
These items are for discussion between staff and the Planning and Zoning Commission and relate to administrative information and/or cases that will come forward for action or public hearing at a future Planning and Zoning Commission meeting. Public comment on these cases can take place when these items are considered for action by the Planning and Zoning Commission. The anticipated Planning and Zoning Commission public hearing and/or action date for the following cases is April 11, 2023.

## 9. Z2023-014 (ANGELICA GUEVARA)

Hold a public hearing to discuss and consider a request by Julius Waffer for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 1.0620 -acre parcel of land identified as Lot 22 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 512 Dickey Street, and take any action necessary.

Planning Technician Angelica Guevara expressed that this was a request for approval of a SUP for Residential Infill for the purpose of constructing a single-family home on the property. The proposed home does meet all of the density and dimensional requirements for this zoning district with the exception of the garage orientation.

Julius Waffer
512 Dickey Street
Rockwall, TX 75087
Mr. Waffer came forward and provided additional details in regard to the request.

Chairman Thomas advised this item will come back before the Commission for discussion or action on April 11, 2023.
10. Z2023-015 (ANGELICA GUEVARA)

Hold a public hearing to discuss and consider a request by Martha Balleza and Ana Quezada for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.1650-acre parcel of land identified as Lot 1290 of the Lake Rockwall Estates \#2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District, addressed as 223 Russell Drive, and take any action necessary.

Planning Technician Angelica Guevara advised that this was a request for approval of a SUP for the purpose of constructing a single-family home. The proposed home does meet all of the density and dimensional requirements with the exception of the garage orientation.

Chairman Thomas advised this item will come back before the Commission for discussion or action on April 11, 2023.
11. Z2023-016 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Johnathan Martinez on behalf of Donna C. Pritchard for the approval of a Specific Use Permit (SUP) allowing a Bail Bond Service on a 0.423 -acre parcel of land identified as Lot 1 , Block 1 , Garland Federal Savings \& Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1901 S. Goliad Street [SH-205], and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting a SUP allowing a bail bond service land use in a Commercial (C) District. He explained that staff made a note that there is another bail bond service provider on the adjacent parcel to the northeast of the subject property.

Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
12. Z2023-017 (HENRY LEE)

Hold a public hearing to discuss and consider a request by Javier Silva on behalf of Nixon Estate and Judy Wible the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.16 -acre parcel of land identified as Lot 11, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 711 Parks Avenue, and take any action necessary.

Planner Henry Lee provided a brief summary in regards to the request. The applicant is requesting a SUP for residential infill in an established subdivision. The request meets all of the density and dimensional requirements with the exception of the garage orientation.

Javier Silva
58 Windsor Drive
Rockwall, TX 75032
Mr. Silva came forward and provided additional details in regard to the request.
Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
13. Z2023-019 (RYAN MILLER)

Hold a public hearing to discuss and consider a Text Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the Unified Development Code (UDC) to create a Credit Access Business land use, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided additional details in regard to the request. He explained that at the last City Council meeting, the issue about regulating credit access businesses was brought up. Staff is looking to establish this as a land use and establish some land use criteria.

Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
14. Z2023-020 (RYAN MILLER)

Hold a public hearing to discuss and consider an Amendment to the Comprehensive Plan for the purpose of adopting changes to the Master Thoroughfare Plan contained in Appendix ' C ', Maps, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided additional details in regard to the request. He explained that back in January 2022, staff initiated a review and update of our Master Thoroughfare Plan. However, due to some issues, the project got delayed a little bit. The changes were brought up at the last Council meeting and Council directed Staff to move forward with the amendment process.

Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
15. P2023-006 (BETHANY ROSS)

Discuss and consider a request by Matthew Deyermond on behalf of Donald Wallace for the approval of a Final Plat for Lots 1-3, Block A, Wallace Addition being a 8.17-acre tract of land being identified as all of Tracts 45-02 \& 45-07 and a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80 of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, generally located on the northside of Wallace Lane, and take any action necessary.

Planner Bethany Ross provided a brief summary in regard to the request. The applicant is requesting approval of a final plat for the purpose of creating three (3) lots on the property. She advised this will go before Parks Board on April 4, 2023.

Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
16. P2023-007 (HENRY LEE)

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LLC for the approval of a Final Plat for the Terraces Subdivision consisting of 181 single-family residential lots on a 94.144 -acre tract of land being identified as a portion of Tract $4 \& 4-01$ of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 \& 25 and a portion of Tracts $25-1 \& 26$ of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

Planner Henry Lee advised that this item will go before Parks Board on April 4, 2023.
Ryan Joyce
767 Justin Road
Rockwall, TX 75087
Mr. Joyce came forward and provided additional details in regard to the request.
Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
17. SP2023-010 (BETHANY ROSS)

Discuss and consider a request by Dub Douphrate of Douphrate and Associates on behalf of Howard Barrett for the approval of a Site Plan to convert two (2) single-family homes to office buildings on a 1.60 -acre tract of land identified as Lots $1 \& 2$ of the Greenvalley Addition and Tract 32 of the H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1203 \& 1205 N. Goliad Street [SH-205], and take any action necessary.

Planner Bethany Ross provided a brief summary in regard to the request. The applicant is requesting approval of a site plan to convert (2) singlefamily homes to offices. The applicant has a few outstanding comments such as getting the cross-access easement along the north side of the property, mitigating for the 24 -inch caliper elm tree which is being removed through the development, and removing the existing accessory structures. Planner Ross added that ARB did recommend approval with the recommendation that the applicant keep a cohesive neutral color on 1205 N. Goliad.

Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
18. SP2023-011 (BETHANY ROSS)

Discuss and consider a request by Paul Cragun of Cumulus Design on behalf of Campfire Shops, LLC for the approval of a Site Plan for a Carwash and Commercial/Retail Shopping Center on a 2.003-acre parcel of land identified Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the $\mathrm{IH}-30$ Overlay ( $\mathrm{IH}-30 \mathrm{OV}$ ) District, situated along the east side of White Hills Drive south of Suncrest Drive, and take any action necessary.

Planner Bethany Ross provided a brief summary in regard to the request. The applicant is requesting the approval of a site plan for a car wash and commercial retail shopping center. Also, staff has identified two (2) variances to the Overlay District Standards for which the applicant will need to provide four (4) compensatory measures. Planner Ross wanted to get clarification on the land use associated with the proposed drive thru building.

Paul Cragun
2080 North Highway 360
Grand Prairie, TX 75050
Mr. Cragun came forward and provided additional details in regards to the request.
Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
19. SP2023-012 (HENRY LEE)

Discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LCC for the approval of a Site Plan for the Terraces Subdivision consisting of 181 single-family residential lots on a 94.144 -acre tract of land being identified as a portion of Tract $4 \& 4-01$ of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 \& 25 and a portion of Tracts 25-1 \& 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.

Planner Henry Lee provided a brief summary in regard to the request. The applicant is requesting approval of a PD site plan for the Terraces subdivision and it already has zoning completed by engineering. Staff has not identified any variances at this time but is working through small changes with the applicant.

Chairman Thomas advised this item will come back before the commission for discussion or action on April 11, 2023.
20. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

- SP2023-005: Alternative Tree Mitigation Settlement Agreement for the Pregnancy Resource Center [APPROVED]
- SP2023-008: Alternative Tree Mitigation Settlement Agreement for the Harbor Residences [APPROVED]
- Z2023-008: Specific Use Permit (SUP) for Heritage Christian Academy [APPROVED]
- Z2023-009: Specific Use Permit (SUP) for a Guest Quarters/Secondary Living Unit and Detached Garage at 504 Nash Street [APPROVED; 1ST READING]
- Z2023-010: Zoning Change (AG to LI) for 1760 Airport Road [APPROVED; $1^{S T}$ READING]
- Z2023-011: SUP for a Residential Infill in an Established Subdivision for 104 Glenn Avenue [APPROVED; ${ }^{\text {ST }}$ READING]
- Z2023-012: Specific Use Permit (SUP) for a Detached Garage at 2333 Saddlebrook Lane [APPROVED; 1 1ST READING]
- Z2023-013: Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for 118 Blanche Drive [APPROVED; $1^{\text {ST }}$ READING]
- Subdivision Ordinance [APPROVED; ${ }^{\text {ST }}$ READING]

Director of Planning and Zoning Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.
ADJOURNMENT
Chairman Thomas adjourned the meeting at 6:42 pm.
PASSED AND APPROVED BY THE PLANNING \& ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this $\qquad$ day of $\qquad$ 2023.

Sedric Thomas, Chairman
Attest:
Angelica Guevara, Planning Technician

TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
April 11, 2023
Matthew Deyermond
P2023-006; Final Plat for Lots 1-3, Block A, The Wallace Addition

## SUMMARY

Consider a request by Matthew Deyermond on behalf of Donald Wallace for the approval of a Final Plat for Lots 1-3, Block A, Wallace Addition being a 8.17-acre tract of land being identified as all of Tracts 45-02 \& 45-07 and a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80 of Rockwall, Rockwall County, Texas, zoned Single-Family Estate 1.5 (SFE-1.5) District, generally located on the northside of Wallace Lane, and take any action necessary.

## PLAT INFORMATION

$\square$ Purpose. The applicant is requesting the approval of a Final Plat for a 8.17-acre tract of land (i.e. Tracts 45-02 \& 45-07 and a portion of Tract 44-01 of the W. W. Ford Survey, Abstract No. 80) for the purpose of creating three (3) parcel of land (i.e. Lot 1-3, Block A, The Wallace Addition). Currently, there is an existing 2,676 SF single-family home, situated on Tract 45 02, of the W.W. Ford Survey, Abstract No. 80, which was constructed in 1981.
$\square$ Background. The subject property was annexed on February 18, 2008 by Ordinance No. 08-13 [Case No. A2008-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. On August 3, 2020, the City Council approved a zoning change from Agricultural (AG) District to Single Family Estate 2.0 (SFE-2.0) District for a portion of Tract 44-01 of the W.W. Ford Survey, Abstract No. 80 by Ordinance No. 20-31 [Case No. Z2020-029]. On February 1, 2021, the City Council approved a zoning change from Agricultural (AG) District and Single-Family Estate 2.0 (SFE-2.0) District to Single-Family Estate 1.5 (SFE-1.5) District for the subject property by Ordinance No. 21-12 [Case No. Z2020-060]. The zoning has remained Single-Family Estate 1.5 (SFE-1.5) District since then.

V Parks Board. On April 4, 2023, the Parks and Recreation Board reviewed the Final Plat and made the following recommendations concerning the proposed subdivision:
(1) The property owner shall pay pro-rata equipment fees of $\$ 566.00$ (i.e. $\$ 283.00 \times 2$ Lots), which will be due prior to the issuance of a building permit.
(2) The property owner shall pay cash-in-lieu of land fees of $\$ 598.00$ (i.e. $\$ 299.00 \times 2$ Lots), which will be due prior to the issuance of a building permit.
$\square$ Conformance to the Subdivision Ordinance. The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

V Conditional Approval. Conditional approval of this Final Plat by the City Council shall constitute approval subject to the conditions stipulated in the Conditions of Approval section below.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the Final Plat for Lots 1-3, Block A, The Wallace Addition staff would propose the following conditions of approval:
(1) All technical comments from the Engineering, Planning and Fire Departments shall be addressed prior to the filing of this Final Plat, and,
(2) Any construction resulting from the approval of this Final Plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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

STAFF USE ONLY
PLANNING \& ZONING CASE NO.
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING:
CITY ENGINEER:

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

## PLATTING APPLICATION FEES:

- MASTER PLAT $\left(\$ 100.00+\$ 15.00\right.$ ACRE) ${ }^{1}$
$\square$ PRELIMINARY PLAT $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\boxed{\square}$ FINAL PLAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ REPLAT ( $\$ 300.00+\$ 20.00$ ACRE) ${ }^{1}$
$\square$ AMENDING OR MINOR PLAT ( $\$ 150.00$ )
$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )
SITE PLAN APPLCATION FEES:
$\square$ SITE PLAN $\left(\$ 250.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN $(\$ 100.00)$

ZONING APPLICATION FEES:
$\square$ ZONING CHANGE ( $\$ 200.00+\$ 15.00$ ACRE $)^{1}$
$\square$ SPECIFIC USE PERMIT ( $\$ 200.00+\$ 15.00$ ACRE) 182
$\square$ PD DEVELOPMENT PLANS $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
OTHER APPLICATION FEES:
$\square$ TREE REMOVAL ( $\$ 75.00$ )
VARIANCE REQUESTISPECIAL EXCEPTIONS $(\$ 100.00)^{2}$

## NOTES:

1: IN DETERMNING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MUETTPLYNG BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUNDUP TO ONE (1) ACRE. 2: A SI,00000 FEE WLL BE ADDED TO THE APPLCATON FE FOR ANY REQUEST THAT INVOLVES CONSTRUCTOO WITHOUT OR NOT IN COMPLANCE TO AN APPROVED BUILDNG PERMIT.

## PROPERTY INFORMATION PLEASE PRINTI

ADDRESS
330 Wallace Lane
SUBDIVIISION AD OOBO wW Ford LOT


H wallace Lane + collins eoad
general location
ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

| CURRENT ZONING | SFE 1.5 | CURRENTUSE | Residential - Vacant |  |
| ---: | :---: | :---: | :---: | :---: |
| PROPOSED ZONING |  | PROPOSEDUSE | Residential |  |
| ACREAGE | 8.17 | LOTS [CURRENT] | 1 | LOTS [PROPOSED] 3 |

§ STE PLANS AND PLATS: BY CHEGKING 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 RESULTIN THE DENIAL OF YOUR CASE.
OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINTICHECK THE PRIMARY CONTACTIORIGINAL SIGNATURES ARE REQURED]



## City of Rockwall

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.

owners


SURVEYOR'S STATEMENT




dated this the $\qquad$ day of $\qquad$ , 202.
 SRIAN RHODES TEXAS REGITTERED PROFESSIIONAL LAND SURVVE No. 5962
STATE OF fexas)
COUNTY OF
 SUBSCRBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE
GIVEN UNDER MY HAND AND SEAL OF OOFICE THIS THE THOL

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, MY COMMISSION EXPriRES


## SURVEYOR

ATN: ERIAN RHODES, RPLS
RHODES SURVEYING



State of texas
Whers DoNaLD. 8 CaTHERINE WALIACE are the sole owners of atract of fand


 HENCE North 46 degrees 20 minutes 56 seconds West ata a distance of






##  




Notary Public in and for the state of texas, My commission
$\qquad$
-



THE WALLACE ADDITION LOT 1-3


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

TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
April 11, 2023
Ryan Joyce; Michael Joyce Properties
P2023-007; Final Plat for the Terraces Subdivision


#### Abstract

SUMMARY Consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LCC for the approval of a Final Plat for the Terraces Subdivision consisting of 181 single-family residential lots on a 94.144 -acre tract of land being identified as a portion of Tract $4 \& 4-01$ of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 \& 25 and a portion of Tracts $25-1$ \& 26 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District and Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses, situated within the SH-66 Overlay (SH-66 OV) District, located south of the intersection of Cornelius Road and FM-1141, and take any action necessary.


## PLAT INFORMATION

$\square$ Purpose. The applicant is requesting the approval of a Final Plat for a 94.144 -acre parcel of land (i.e. a portion of Tract 4 \& 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 \& 25 and a portion of Tracts 25-1 \& 26 of the W. M. Dalton Survey, Abstract No. 72) for the purpose of establishing Phase 1 of the Terraces Subdivision, which consists of 181 single-family residential lots and five (5) open space lots (i.e. Lots 1-26, Block A; Lots 1-14, Block B; Lots 1-23, Block C; Lots 1-16, Block D; Lots 1-31, Block E; Lots 1-13, Block F; Lots 1-8, Block G; Lots 1-31, Block H; Lots 1-18, Block I; Lots 1-7, Block J, Terraces Subdivision). Staff should note that the applicant has submitted a Site Plan [i.e. Case No. SP2023-012] concurrently with this Final Plat.

■ Background. The subject property was annexed on March 16, 1998 by Ordinance No. 98-10 [Case No. A1998-001]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is: [1] a $2,500 \mathrm{SF}$ single-family home constructed in 1958, [2] a ~1,856 SF covered porch constructed in 1958, [3] a 400 SF storage building constructed in 1900, and [4] a 96 SF storage building with a 240 SF covered canopy constructed in 2007. On April 18, 2022, the City Council approved a zoning change [Case No. Z2022-010; Ordinance No. 22-22] for the subject property from Agricultural (AG) District to Planned Development District 93 (PD-93) for Single-Family 10 (SF-10) District land uses. On May 16, 2022, the City Council approved a preliminary plat [Case No. P2022-015] and a master plat [Case No. P2022-016] for the subject property. On September 6, 2022, the City Council approved a zoning case [Case No. Z2022-038] that amended Planned Development District 93 (PD-93) to incorporate an additional 21.83-acres into the subdivision along with an additional 82 single-family residential lots. On October 17, 2022, the City Council approved a preliminary plat [Case No. P2022-049] and a master plat [Case No. P2022-048] for the subject property.

च Parks Board. On April 4, 2023, the Parks and Recreation Board reviewed the Final Plat and made the following recommendations concerning the proposed subdivision:
(1) The parks fees associated with this request include the pro-rata equipment fees of $\$ 104,437.00$ (i.e. $\$ 577.00 \times 181$ Lots), and the cash-in-lieu of land fees of $\$ 110,229.00$ (i.e. $\$ 609.00 \times 181$ Lots). In lieu of paying, the fees will be used to provide amenity to the four (4) acre tract of land (i.e. Tract 13-01 of the W. M. Dalton Survey, Abstract No. 72) owned by the City of Rockwall north of the subject property in accordance with Ordinance No. 22-22 (i.e. Planned Development District 93 [PD-93]).
(2) The property owner shall provide receipts to the Director of Parks and Recreation showing that the amenities provided are equal to or greater than the fees assessed.

V Conformance to the Subdivision Ordinance. The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- conforming to the requirements for plats as stipulated by the Subdivision Ordinance in the Municipal Code of Ordinances -- - is recommended for conditional approval pending the completion of final technical modifications, submittal requirements, and conformance to the items listed in the Conditions of Approval section of this case memo.

V Conditions of Approval. Conditional approval of this Final Plat by the City Council shall constitute approval subject to the conditions stipulated in the Conditions of Approval section below.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of a Final Plat for Phase 1 of the Terraces Subdivision, staff would propose the following conditions of approval:
(1) All technical comments from City Staff (i.e. Engineering, Planning and Fire Department) shall be addressed prior to submittal of civil engineering plans; and,
(2) The development shall adhere to the Parks and Recreation Department's recommendations as outlined above in this case memo; and,
(3) Any construction resulting from the approval of this Final Plat 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.

| PLATTHGG APPLLCATION FEES: <br> MASTER PLAT ( $\$ 100.00+\$ 15.00$ ACRE) |  |
| :---: | :---: |
| $\square$ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) |  |
| 18 FNAL PLAT (\$300.00 + \$20.00 ACRE) |  |
| $\square$ REPLAT ( $\$ 300.00+\$ 20.00$ ACRE) ${ }^{1}$ |  |
| $\square$ AMENDING OR MINOR PLAT (\$150.00) |  |
| $\square$ PLAT REINSTATEMENT REQUEST (\$100.00) |  |
| STTE PLAN APPLICATION FEES: |  |
|  | DSITE PLAN ( $\$ 250.00+\$ 20.00$ ACRE) |
|  | $\square$ AMENDED SITE PLANELEVATIONSHANDSCAPING PLAN (\$100.00) |

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1649 FM 1141, Rockwall, 75087
SUBDIVSION ABS A0122, MB Jones, Tract 4-01 LOT BLOCK
GENERAL LOCATION Approximately 1250 feet east of the intersection John King \& FM 1141 South of 1141
ZONING, SITE PLAN AND PLATTING INFORMATION [PLEAEE PRNT] REGARD TO ITS APPROVAL PROCESS, AND FAHURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT GALENDAR WRL RESULTIN THE DENAL OF YOUR CASE.
OWNERIAPPLICANTIAGENT INFORMATION (PLEASE PRNTICHECK THE PRMARY CONTACTIORIGIMLI MCHATURES ARE RECOURED]

| D OWNER | TM Terraces, LLC | © APPLICANT | Michael Joyce Properties |
| ---: | :--- | ---: | :--- |
| CONTACT PERSON | Ryan Joyce |  |  |

NOTARY VERIFICATION [IAEQURED]
GEFORE ME, THE UNOERSIGNED AUIHORTTY, ON THIS DAY PERSONALY APPEARED Bret I edigo STATED THE INFORMATHON ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWANG:

THEREPY GERTYY THAT IAM THE OMMER FOR THE PUPPOSE OF THS APPLKATKOH ALL MFORMATKON SUGUITED HEREN IS TRUE AND CORPECT: AND TLEAPPLICATION FEE OF
$\qquad$ 17 $\qquad$



Notary Public, State of Texas
Comm. Expires 04-16-2025
Notary 10133044766


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




LEGAL DESCRIPTION:

EEGINNNG ot $a 1 / 2$ inch iron rod found in the south line of Farm to Market Road No. 1141 an 80 fod
HENCE Esoterly, with soid south line, the following four (4) courses ond distonces
 Essterly, with soid curve to the right, on orc distonce of 361.57 feet
 Northestery, with soid curve to the left, on ore distance of 520.55 feet to a $1 / 2$ inch iron rod with a yellow plostic cap stamped "JVC" found for
Corner ot the intersection of soid south line with the south line of Cornelius Rood, $a 60$ foot right--of-woy
 THENCE South oo deerees 29 minutes 15 seconds East, leoving soid south line ond generally with on existing fence, a distance of 300.96 feet to a ferce
corner post found for correr; THENCE South 61 degrees 44 minutes 36 seconds Est, generally with on existing fence, a distonce of 134.73 feet to a fence corner post found for corner






THENCE Southeasterly, with said curve to the right, on orc distance of 80.92 feet to a $1 / 2$ inch iron rod with a yellow plostic cap stanped "uvc" set for
correr;


 THENCE South 83 degress 16 minutes 15 seconds West, leoving soid west line ond generally with on existing fence, a distonce of 25.34 feet to a fence THENCE South o5 degrees 53 minutes 32 seconds East, generally with on existing fence, a distance of 78.43 feet to a $1 / 2$ inch iron rod with a yelow THENCE South 83 degrees 38 minutes 06 seconds West, a distance of 415.44 feet to a fence corner post found for correr;


THENCE Northwesterly, with the common south line of soid TM Terroces, LLC troct recorded in Document No. 20220000012425 and north line of said Lot
he following five (5) courses ond distoncesi. North 63 derreses 59 minutes 31 seconds West, leoving
a yelow plostic cop stomped "Hci found for corner;
 North 65 degrees 59 minutes 31 seconds west, a distance of 278.64 feet to a 1-inch red boundary morker stamped G\&A MCAAAMS CO" found Southt 88 degrees 32 minutes 20 seconds West, a distonce of 252.79 feet to a 1 -inch red boundary morker stamped GedA MCADAMS c0" found for
corner



## owner's Certification

now therefore, know All Men by these presents
STATE OF TEXAS
COUNTY OF ROCKWALL
S.

 on the purpose and consideration therein expressed. I (we) further certify that oll other porties who hove
mortgage or lien interest in the TERRACES subdivision hove been notified and signed this
not


1. No buildings shall be constructed or placed upon, over, or ocross the utility easements os described heren
2. Any public utility shall have the right to remove ond keep removed oll or port of ony buildings, fences, trees shrubs, or other growths or improvements which in ony way endanger or interfere with construction,


3. The City of Rockeneil will not be responsible for ony climims of ony noture resulting from or occosioned by
the estobishment of grade of streets in the subdivion. 4. The developer and ssubdivision enenifeer shal near total responsibility for storm drain improvements.




Until on escrow deposit, sufficient to poy for the cost of such improvements, as determined by the citys
engineer ond/or city odmministrator, computed on o private commerciol rate basis, hos been mode with the




俍

Signoture
Nome
Title

STATE OF TEXAS
COUNTY OF DALLAS

Given under my hand and seal of office, this _-_ day of

Notory public in ond for the Stote of Texos

SURVEYOR'S CERTIFICATE:
Now, THerefore know all men by these presents

PRELMINARY, THIS DOCUMENT SHALL NOT BE
RECORED FOR ANY PURPOSE AND SHALL
NO FE SEED OR MEWD OR RELIED UPON AS
A FINAL SURVEY DOCUMENT.

STATE OF TEXAS
COUNTY OF COUIN
8

$\qquad$

Notary Public for ond in the Stote of Texos

iamning \& Z Zoning Commisision, Chiirperson

Dote
 Tis opproval shall be involid unless the opproved plat for such odadition is rearrded in the office of the
County Clerk of Rockuol, County, Texas, within one hundred eighty (180) doys Som soid dote of ITNESS OUR HANOS, this ___ doy of _-_-___ 2023

Moyor, City of Rockwoll
cher
$\qquad$
$\qquad$ 2023.

My Commission Expires

## FINAL PLAT

TERRACES
LOTS 1-26, BLOCK A; LOTS 1-14, BLOCK LOTS 1-23, BLOCK C; LOTS 1-16, BLOCK D; LOTS 1-31, BLOCK E; LOTS 1-13, BLOCK ; LOTS 1-8, BLOCK G; LOTS 1-31, BLOCK H, LOTS 1-18, BLOCK I; LOTS 1-7, BLOCK J 144 ACRES OR $4,100,893$ SQ. 181 SINGLE FAMILYLOTS, 1 AMENITY CENTER SITUATED WITHIN A PORTION OF TRACTS 25-1, 26 AND ALL OF TRACT $13 \& 25$ OF THE LIAM DALTON SURVEY, ABSTRACT NO. AND TRACT 4 \& 4-01 OF THE
M.B. JONES SURVEY, ABSTRACT NO. CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS

JOHNSON VOLK
CONSULTING


Mapcheck 1: TERRACES
Closure Summary
Precision, 1 part in: $821673.942^{\prime}$
Error distance: $0.011^{\prime}$
Error direction: $\quad$ S69 ${ }^{\circ} 12^{\prime} 34.20$ "W
Area: $\quad 4100912.74$ Sq. Ft.
Square area: 4100912.735
Perimeter: 8939.120'
Point of Beginning
Easting: 2600676.3200'
Northing: 7032279.2820'
Side 1: Line
Direction: $\quad N 83^{\circ} 33^{\prime} 49.00$ " E
Angle: $\quad[-096.4364$ (d)]
Deflection angle: $\quad$ [083.5636 (d)]
Distance: 62.350'
Easting: $\quad 2600738.2770^{\prime}$
Northing: 7032286.2714'
Side 2: Curve
Curve direction: Clockwise
Radius: [2824.943']
Arc length: 361.570'
Delta angle: 007.3333 (d)
Tangent: $181.030^{\prime}$
Chord direction: $\quad$ N86 ${ }^{\circ} 53^{\prime} 49.00$ " E
Chord angle: $\quad[-176.6667$ (d)]
Deflection angle: [003.3333 (d)]
Chord distance: $361.320^{\prime}$
Easting: $\quad 2601099.0672^{\prime}$
Northing: 7032305.8304'
Side 3: Line
Direction: $\quad$ S86 ${ }^{\circ} 46^{\prime} 56.00^{\prime \prime} \mathrm{E}$
Angle: $\quad[-177.3458$ (d)]
Deflection angle: [002.6542 (d)]
Distance: 289.880'
Easting: 2601388.4902'
Northing: 7032289.5591'
Side 4: Curve
Curve direction: Counter-clockwise
Radius: [517.684']
Arc length: $\quad 520.550$
Delta angle: $\quad 057.6136$ (d)
Tangent: 284.680'

| Chord direction: | N64 ${ }^{\circ} 24^{\prime} 40.00$ " |
| :---: | :---: |
| Chord angle: | [151.1933 (d)] |
| Deflection angle: | [-028.8067 (d)] |
| Chord distance: | 498.900' |
| Easting: | 2601838.4562' |
| Northing: | 7032505.0394' |
| Side 5: Line |  |
| Direction: | N89 ${ }^{\circ} 31{ }^{\prime} 25.00$ " |
| Angle: | [-126.0807 (d)] |
| Deflection angle: | [053.9193 (d)] |
| Distance: | 37.010' |
| Easting: | 2601875.4650' |
| Northing: | 7032505.3471' |
| Side 6: Line |  |
| Direction: | S00 ${ }^{\circ} 29^{\prime} 15.00{ }^{\prime \prime} \mathrm{E}$ |
| Angle: | [-090.0111 (d)] |
| Deflection angle: | [089.9889 (d)] |
| Distance: | $300.960 '$ |
| Easting: | 2601878.0256' |
| Northing: | $7032204.3980^{\prime}$ |
| Side 7: Line |  |
| Direction: | S61 ${ }^{\circ} 44^{\prime} 36.00{ }^{\prime \prime} \mathrm{E}$ |
| Angle: | [118.7442 (d)] |
| Deflection angle: | [-061.2558 (d)] |
| Distance: | 134.730' |
| Easting: | 2601996.7006' |
| Northing: | 7032140.6139' |
| Side 8: Line |  |
| Direction: | N00 ${ }^{\circ} 5^{\prime} 20.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [061.6544 (d)] |
| Deflection angle: | [-118.3456 (d)] |
| Distance: | $152.260{ }^{\prime}$ |
| Easting: | 2601996.4644' |
| Northing: | 7032292.8737' |
| Side 9: Line |  |
| Direction: | N89 ${ }^{\circ} 12{ }^{\prime} 20.00{ }^{\prime \prime} \mathrm{E}$ |
| Angle: | [-090.7056 (d)] |
| Deflection angle: | [089.2944 (d)] |
| Distance: | $657.000{ }^{\prime}$ |
| Easting: | 2602653.4013' |
| Northing: | 7032301.9831' |
| Side 10: Line |  |
| Direction: | S01 ${ }^{\circ} 28^{\prime} 22.00{ }^{\prime \prime} \mathrm{E}$ |


| Angle: | [-090.6783 (d)] |
| :---: | :---: |
| Deflection angle: | [089.3217 (d)] |
| Distance: | $63.060 '$ |
| Easting: | $2602655.0220^{\prime}$ |
| Northing: | $7032238.9440^{\prime}$ |
| Side 11: Curve |  |
| Curve direction: | Clockwise |
| Radius: | [450.042'] |
| Arc length: | 27.400' |
| Delta angle: | 003.4889 (d) |
| Tangent: | $13.710^{\prime}$ |
| Chord direction: | S65 ${ }^{\circ} 41^{\prime} 59.00{ }^{\prime \prime} \mathrm{E}$ |
| Chord angle: | [115.7731 (d)] |
| Deflection angle: | [-064.2269 (d)] |
| Chord distance: | 27.400' |
| Easting: | 2602679.9944' |
| Northing: | 7032227.6684' |
| Side 12: Line |  |
| Direction: | S26 ${ }^{\circ} 02^{\prime} 41.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [-090.0000 (d)] |
| Deflection angle: | [090.0000 (d)] |
| Distance: | $125.00{ }^{\prime}$ |
| Easting: | 2602625.1104' |
| Northing: | 7032115.3619' |
| Side 13: Curve |  |
| Curve direction: | Clockwise |
| Radius: | [324.994'] |
| Arc length: | 80.920' |
| Delta angle: | 014.2658 (d) |
| Tangent: | 40.670' |
| Chord direction: | S56 ${ }^{\circ} 49^{\prime} 20.00$ " |
| Chord angle: | [097.1331 (d)] |
| Deflection angle: | [-082.8669 (d)] |
| Chord distance: | 80.710' |
| Easting: | $2602692.6627^{\prime}$ |
| Northing: | 7032071.1943' |
| Side 14: Line |  |
| Direction: | S40 ${ }^{\circ} 18{ }^{\prime} 38.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [-090.0001 (d)] |
| Deflection angle: | [089.9999 (d)] |
| Distance: | 50.000' |
| Easting: | 2602660.3162' |
| Northing: | 7032033.0668 ${ }^{\prime}$ |


| Side 15: Line |  |
| :---: | :---: |
| Direction: | S01 ${ }^{\circ} 28^{\prime} 22.00{ }^{\prime \prime} \mathrm{E}$ |
| Angle: | [138.2167 (d)] |
| Deflection angle: | [-041.7833 (d)] |
| Distance: | $566.490{ }^{\prime}$ |
| Easting: | 2602674.8761' |
| Northing: | $7031466.7640 '$ |
| Side 16: Line |  |
| Direction: | S01 ${ }^{\circ} 35^{\prime} 19.00{ }^{\prime \prime} \mathrm{E}$ |
| Angle: | [179.8842 (d)] |
| Deflection angle: | [-000.1158 (d)] |
| Distance: | 1090.270' |
| Easting: | 2602705.1016' |
| Northing: | 7030376.9130' |
| Side 17: Line |  |
| Direction: | S83 ${ }^{\circ} 16^{\prime} 15.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [-095.1406 (d)] |
| Deflection angle: | [084.8594 (d)] |
| Distance: | 258.340 ' |
| Easting: | 2602448.5413' |
| Northing: | 7030346.6417' |
| Side 18: Line |  |
| Direction: | S05 ${ }^{\circ} 53{ }^{\prime} 32.00$ "E |
| Angle: | [090.8369 (d)] |
| Deflection angle: | [-089.1631 (d)] |
| Distance: | 78.430 ' |
| Easting: | $2602456.5927^{\prime}$ |
| Northing: | $7030268.6260 '$ |
| Side 19: Line |  |
| Direction: | S83 ${ }^{\circ} 38{ }^{\prime} 06.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [-090.4728 (d)] |
| Deflection angle: | [089.5272 (d)] |
| Distance: | 290.290' |
| Easting: | 2602168.0921' |
| Northing: | $7030236.4440 '$ |
| Side 20: Line |  |
| Direction: | S83 ${ }^{\circ} 38{ }^{\prime} 06.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [180.0000 (d)] |
| Deflection angle: | [000.0000 (d)] |
| Distance: | 125.160' |
| Easting: | 2602043.7036 ${ }^{\prime}$ |
| Northing: | 7030222.5685' |
| Side 21: Line |  |


| Direction: | S01 ${ }^{\circ} 18^{\prime} 41.00{ }^{\prime \prime} \mathrm{E}$ |
| :---: | :---: |
| Angle: | [095.0536 (d)] |
| Deflection angle: | [-084.9464 (d)] |
| Distance: | $334.840 '$ |
| Easting: | 2602051.3668' |
| Northing: | 7029887.8162' |
| Side 22: Line |  |
| Direction: | S89 ${ }^{\circ} 38{ }^{\prime} 42.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [-089.0436 (d)] |
| Deflection angle: | [090.9564 (d)] |
| Distance: | 241.040' |
| Easting: | 2601810.3314' |
| Northing: | 7029886.3227' |
| Side 23: Line |  |
| Direction: | N63 ${ }^{\circ} 59^{\prime} 31.00{ }^{\prime \prime W}$ |
| Angle: | [-153.6369 (d)] |
| Deflection angle: | [026.3631 (d)] |
| Distance: | $347.400 '$ |
| Easting: | 2601498.1118' |
| Northing: | $7030038.6568^{\prime}$ |
| Side 24: Line |  |
| Direction: | N29 ${ }^{\circ} 59^{\prime} 31.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [-146.0000 (d)] |
| Deflection angle: | [034.0000 (d)] |
| Distance: | 384.580' |
| Easting: | 2601305.8686' |
| Northing: | 7030371.7398' |
| Side 25: Line |  |
| Direction: | N65 ${ }^{\circ} 59{ }^{\prime} 31.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [144.0000 (d)] |
| Deflection angle: | [-036.0000 (d)] |
| Distance: | 278.640' |
| Easting: | 2601051.3343' |
| Northing: | 7030485.1087' |
| Side 26: Line |  |
| Direction: | S88 ${ }^{\circ} 32{ }^{\prime} 20.00{ }^{\prime \prime} \mathrm{W}$ |
| Angle: | [154.5308 (d)] |
| Deflection angle: | [-025.4692 (d)] |
| Distance: | 252.790 |
| Easting: | 2600798.6265' |
| Northing: | 7030478.6630' |
| Side 27: Line |  |
| Direction: | N37 ${ }^{\circ} 46{ }^{\prime} 31.00{ }^{\prime \prime}$ |


| Angle: | $[-126.3142(\mathrm{~d})]$ |
| :--- | :---: |
| Deflection angle: | $[053.6858(\mathrm{~d})]$ |
| Distance: | $128.780^{\prime}$ |
| Easting: | $2600719.7402^{\prime}$ |
| Northing: | $7030580.4532^{\prime}$ |
| Side 28: Line |  |
| Direction: | $\mathrm{N} 01^{\circ} 27^{\prime} 52.00^{\prime \prime} \mathrm{W}$ |
| Angle: | $[-143.6892(\mathrm{~d})]$ |
| Deflection angle: | $[036.3108(\mathrm{~d})]$ |
| Distance: | $1699.380^{\prime}$ |
| Easting: | $2600676.3098^{\prime}$ |
| Northing: | $7032279.2781^{\prime}$ |

TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
April 11, 2023
Dub Douphrate; Douphrate and Associates
SP2023-010; Site Plan for Offices at 1203 \& 1205 N. Goliad Street

## SUMMARY

Consider a request by Dub Douphrate of Douphrate and Associates on behalf of Howard Barrett for the approval of a Site Plan to convert two (2) single-family homes to office buildings on a 1.60 -acre tract of land identified as Lots $1 \& 2$ of the Greenvalley Addition and Tract 32 of the H. B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 69 (PD-69) for Residential-Office (RO) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 1203 \& 1205 S. Goliad Street [SH-205].

## BACKGROUND

The subject property was annexed into the City of Rockwall on June 20, 1959 by Ordinance No. 59-02 [Case No. A1959-002]. At the time of annexation, the subject property was zone Agricultural (AG) District. According to the City's historic zoning maps, at some point between June 20, 1959 and January 3, 1972, the subject property was rezoned from Agricultural (AG) District to Single Family 2 (SF-2) District. Between January 3, 1972 and May 16, 1983, the subject property was rezoned from a Single Family 2 (SF-2) District to a Single Family 10 (SF-10) District. On March 5, 2007, the City Council approved a zoning change from Single Family 10 (SF-10) District to Planned Development District 69 (PD-69) for Residential Office (RO) District land uses. The subject property currently has one (1), $2,410 \mathrm{SF}$ single family home and one (1), $2,530 \mathrm{SF}$ single family home situated on it. Both of these homes were built in 1976. The subject property also has seven (7) accessory structures situated on it of various sizes which will be required to be removed from the subject property as part of this case. The property has been used for residential uses and has remained zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses since March 5, 2007.

## PURPOSE

On March 17, 2023, the applicant -- Dub Douphrate of Douphrate and Associates -- submitted an application requesting the approval of a Site Plan for the purpose of converting two (2) single-family homes into Offices on the subject property.

## ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1203 and 1205 N. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are three (3) parcels of land (i.e. 1207, 1209, \& 1211 N. Goliad Street) developed with single-family homes and zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses. Beyond this is a 0.74-acre parcel of land (i.e. 1213 N. Goliad Street) developed with a single-family home that was converted into a commercial property in 2007 (i.e. State Farm), and zoned Planned Development 69 District (PD-69) for Residential Office (RO) District land uses. Beyond this are four (4) parcels of land (i.e. 1213B, 1215, \& 1401 N. Goliad Street and 401 Sonoma Drive) zoned Planned Development 69 District (PD-69)t for Residential Office (RO) District land uses. Beyond this is Sonoma Drive, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South:
Directly south of the subject property is one (1), 1.237-acre parcel of land (i.e. 1201 N. Goliad Street) developed with a single-family home, which has been converted into a commercial property, and is zoned Planned Development District 69 (PD-69) for Residential Office (RO) District land uses. Beyond this is one (1), vacant parcel of land used as green space for the Lakeview Summit Homeowners Association (HOA), that is zoned Single Family 10 (SF-10) District. Beyond this is Los Altos Drive, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: $\quad$ Directly east of the subject property is N. Goliad Street, which is identified as a M4D (i.e. major collector, four [4] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is one (1), 3.133-acre vacant parcel of land (i.e. Common Area, Caruth Lakes Phase I) used as green space for Caruth Ridge Estates Homeowners Association (HOA) and zoned Planned Development District 5 (PD-5) for open space/public park land uses. Beyond this is the rest of Caruth Lakes Subdivision, which is zoned Planned Development District 5 (PD-5).

West: Directly west of the subject property is Phase I of the Lakeview Summit subdivision, which consists of 104 singlefamily homes and was established on October 19, 2000. Beyond this is Phase IA of the Lakeview Summit subdivision, which consists of 156 single-family homes and was established on February 22, 2001.

## DENSITY AND DIMENSIONAL REQUIREMENTS

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

| Ordinance Provisions | Zoning District Standards | 1203 N Goliad <br> Conformance to the Standards | 1205 N Goliad Conformance to the Standards |
| :---: | :---: | :---: | :---: |
| Minimum Lot Area | 6,000 SF | $X=0.805-$ Acres; In Conformance | $\begin{gathered} X=0.788-\text { Acres ; In } \\ \text { Conformance } \end{gathered}$ |
| Minimum Lot Frontage | 60-Feet | $X=100-$ feet; In Conformance | X= 100-feet; In Conformance |
| Minimum Lot Depth | 100-Feet | X=387-feet; In Conformance | $X=363$-feet; In Conformance |
| Minimum Front Yard Setback | 25-Feet | X=56-feet; In Conformance | X=62-feet; In Conformance |
| Minimum Rear Yard Setback | 30-Feet | $X=170$-feet; In Conformance | X=159-feet; In Conformance |
| Minimum Side Yard Setback | 10-Feet | $X=5$-feet, 10 -inches; Legally NonConforming | $X=6.5-$-feet; Legally NonConforming |
| Maximum Building Height | 36-Feet | X<36-feet; In Conformance | X<36-feet; In Conformance |
| Max Building/Lot Coverage | 40\% | $X=7 \%$; In Conformance | $x=7 \%$; In Conformance |
| Minimum Number of Parking Spaces | 1 Parking Space/300 SF <br> (6 Required) | X=8; In Conformance | $X=11$; In Conformance |
| Minimum Landscaping Percentage | 30\% | $x>30.00 \%$; In Conformance | $x>30.00 \%$; In Conformance |
| Maximum Impervious Coverage | 75-80\% | X<75\%; In Conformance | X<75\%; In Conformance |

## TREESCAPE PLAN

The landscape plan provided by the applicant indicates that a 24 -inch caliper Elm tree will be removed from the subject property as a result of the proposed development. The landscape plan also indicates that: [1] one (1), 38-inch caliper Oak tree will be saved, [2] one (1), 35 -inch caliper Live Oak tree will be saved, and [3] one (1), 30 -inch caliper Live Oak tree will be saved. According to Section 05, Tree Mitigation Requirements, of Article 08, Landscape and Screening Standards, of the Unified Development Code (UDC), "(f)or each saved oak, pecan or elm tree(s) 25 -inches DBH or greater the mitigation balance can be reduced on an inch-for-inch basis for up to $20 \%$ of the total mitigation balance (i.e. total mitigation balance $\times$ $20 \%=$ total eligible tree preservation credit)". For this property, the tree mitigation balance can be reduced by 4.8 inches (i.e. $24 \times 20 \%=4.8$ ). The total tree mitigation as presented will be 19.2 caliper inches (i.e. 24 caliper inches removed - 4.8 caliper inches preserved = 19.2 caliper inches). The landscape plan provided by the applicant indicates that four (4), four (4) inch
caliper trees will be planted (i.e. 20 caliper inches of trees). Given this, the proposed landscape plan satisfies the mitigation balance.

## CONFORMANCE WITH THE CITY'S CODES

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

## CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The Future Land Use Plan adopted with the OURHometown Vision 2040 Comprehensive Plan identifies the subject property as being situated in the North Lakeshore District and is designated for Live/Work land uses. The North Lakeshore District is "... an established district that is significantly developed with medium density, suburban housing ..." and "... it is not anticipated that this district's development patterns will drastically change moving forward". The Live/Work designation in this district is "... intended to provide a low intensity transition from residential properties to N. Goliad Street [SH-205]." In this case, the applicant is proposing two (2) Office Buildings that adaptively reuse the existing single-family homes and provide a buffer between the current suburban residential areas and N. Goliad Street [SH-205]. Based on this the applicant's proposal appears to conform to the goals and policies of the Comprehensive Plan.

## ARCHITECTURAL REVIEW BOARD (ARB) RECOMMENDATION

On March 28, 2023, the Architecture Review Board reviewed the proposed building elevations provided by the applicant on March 17, 2023 and made a motion to recommend approval of the building elevations with the suggestion that the applicant paint 1205 N Goliad a cohesive neutral color to match the district. The motion passed with a vote of $5-0$, with Board Members Lefere and Meyrat absent.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's Site Plan for the establishment of two (2) Office Buildings on the subject property, then staff would propose the following conditions of approval:
(1) All staff comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of engineering plans.
(2) The existing accessory buildings will need to be removed from the subject property prior to the issuance of a Certificate of Occupancy (CO).
(3) Any construction resulting from the approval of this Site 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.

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:<br>$\square$ MASTER PLAT $(\$ 100.00+\$ 15.00 \text { ACRE })^{1}$<br>$\square$ PRELIMINARY PLAT $(\$ 200.00 \text { + } \$ 15.00 \text { ACRE })^{1}$<br>$\square$ FINAL PLAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$<br>$\square$ REPLAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$<br>$\square$ AMENDING OR MINOR PLAT ( $\$ 150.00$ )<br>$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )<br>SITE PLAN APPLICATION FEES:<br>7 SITE PLAN $(\$ 250.00+\$ 20.00 \text { ACRE })^{1}$<br>AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN $(\$ 100.00)$

## ZONING APPLICATION FEES:

$\square$ ZONING CHANGE $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ SPECIFIC USE PERMIT $\left(\$ 200.00+\$ 15.00\right.$ ACRE) ${ }^{1 \& 2}$
$\square$ PD DEVELOPMENT PLANS $\left(\$ 200.00+\$ 15.00\right.$ ACRE) ${ }^{9}$
OTHER APPLICATION FEES:
TREE REMOVAL (\$75.00)
VARIANCE REQUEST/SPECIAL EXCEPTIONS $(\$ 100.00)^{2}$

## notes:

YiN 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 TIL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLINE TO AN APPROVED BULLING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]


## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRiNT]


$\square$ 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 STAFFS 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 CONTACTIoriginal SIGNATURES ARE REQuired]


NOTARY VERIFICATION [REQUiRED]
before me, the undersigned authority on this day personally appeared Howard Barrett $\qquad$ [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

II HEREBY CERTIFY THATIAM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF
$\qquad$ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWELL ON THIS THE $\qquad$ 16 th DAY OF 2023 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (TIE. "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."




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







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

TO:
FROM:
DATE:
SUBJECT:

Planning and Zoning Commission
Henry Lee, Planner
April 11, 2023
SP2023-012; PD Site Plan for Phase 1 of the Terraces Subdivision

The applicant, Ryan Joyce on Michael Joyce Properties on behalf of Bret Pedigo of TM Terraces, LCC, is requesting the approval of a Site Plan for Phase 1 of the Terraces Subdivision. The subject property is a 94.144 -acre tract of land (i.e. a portion of Tract 4 \& 4-01 of the M. B. Jones Survey, Abstract No. 122 and Tracts 13 \& 25 and a portion of Tracts 25-1 \& 26 of the W. M. Dalton Survey, Abstract No. 72) generally located south of the intersection of Cornelius Road and FM-1141. Concurrently with this Site Plan, the applicant has submitted a Final Plat [Case No. P2023-007].

The subject property is zoned Planned Development District 93 (PD-93) [Ordinance No. 22-47] for Single-Family 10 (SF-10) District land uses. Based on this Planned Development District, the proposed subdivision will consist of five (5) lots sizes (i.e. [Type A Lots] 9, 100' x 130' lots; [Type B Lots] 26, 82' x 120' lots; [Type C Lots] 86, 72' x 110 lots; [Type D Lots] 34, 72' x 110' lots; and [Type E Lots] 108, $62^{\prime} \times 110^{\prime}$ ), and be subject to the following density and dimensional requirements:

| Lot Type (see Concept Plan) | A | B | C | D | E |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Minimum Lot Width ${ }^{(1)}$ | 100' | 82' | 72' | 72' | 62' |
| Minimum Lot Depth | 130' | 120' | 115' | 110' | 110' |
| Minimum Lot Area | 13,000 SF | 10,000 SF | 9,000 SF | 8,400 SF | 7,200 SF |
| Minimum Front Yard Setback ${ }^{(2), ~(5) ~ \& ~(6) ~}$ | 25 | 20' | 20' | 20' | 20' |
| Minimum Side Yard Setback | 15' | 6 ' | 6 ' | 6 ' | 6 ' |
| Minimum Side Yard Setback (Adjacent to a Street) ${ }^{(2), ~(5) ~ \& ~(7) ~}$ | 15' | 15' | 15 | $15^{\prime}$ | 15' |
| Minimum Length of Driveway Pavement | 20' | 20' | 20' | 20' | 20' |
| Maximum Height ${ }^{(3)}$ | 35 | 35 | 35 | 35 | 35 |
| Minimum Rear Yard Setback ${ }^{(4)}$ | 25' | 20' | 20' | 20' | 20' |
| Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space] | 2,400 SF | 2,200 SF | 2,200 SF | 2,200 SF | 2,000 SF |
| Maximum Lot Coverage | 45' | 45' | 45' | 65 | 65 ' |

## GENERAL NOTES

1: LOTS FRONTING ONTO CURVILINEAR STREETS, CUL-DE-SACS AND EYEBROWS MAY HAVE THE FRONT LOT WIDTH REDUCED BY 20\% AS MEASURED AT THE FRONT PROPERTY LINE PROVIDED THAT THE LOT WIDTH WILL BE MET AT THE FRONT YARD BUILDING SETBACK. ADDITIONALLY, THE LOT DEPTH ON LOTS FRONTING ONTO CURVIIINEAR STREETS, CUL-DE-SACS AND EYEBROWS MAY BE REDUCED BY UP TO TEN (10) PERCENT, BUT SHALL MEET THE MINIMUM LOT SIZE FOR EACH LOT TYPE REFERENCED IN TABLE 1.
2: THE LOCATION OF THE FRONT YARD BUILDING SETBACK AS MEASURED FROM THE FRONT PROPERTY LINE
3: THE MAXIMUM HEIGHT SHALL BE MEASURED TO THE EAVE OR TOP PLATE (WHICHEVER IS GREATER) OF THE SINGLE-FAMILY HOME.
4: THE LOCATION OF THE REAR YARD BUILDING SETBACK AS MEASURED FROM THE REAR PROPERTY LINE.
5: SUNROOMS, PORCHES, STOOPS, BAY WINDOWS, BALCONIES, MASONRY CLAD CHIMNEYS, EAVES AND SIMILAR ARCHITECTURAL FEATURES MAY ENCROACH BEYOND THE FRONT YARD BUILDING SETBACK AND SIDE YARD BUILDING SETBACK BY UP TO FIVE (5) FEET FOR ANY PROPERTY. A SUNROOM IS AN ENCLOSED ROOM NO MORE THAN 15-FEET IN WIDTH THAT HAS GLASS ON AT LEAST 50\% OF EACH OF THE ENCROACHING FACES.
6: J-SWING OR TRADITIONAL SWING GARAGES ARE PERMITTED TO ENCROACH INTO THE FRONT YARD BUILDING SETBACK A MINIMUM OF FIVE (5) FEET.
7: ALL CORNER LOTS THAT BACK TO A LOT THAT FRONTS ONTO THE SAME STREET THAT THE CORNER LOT SIDES TO (I.E. A KEYSTONE LOT), SHALL HAVE A SETBACK THAT IS EQUAL TO THE FRONT SETBACK OF THE FRONTING LOT. IN ADDITION, NO SOLID FENCE SHALL BE SITUATED WITHIN THIS SETBACK.

The proposed Site Plan appears to conform to all requirements stipulated by Ordinance No. 22-47. In addition, the submitted Treescape Plan and Landscape Plan show that the tree mitigation balance will be satisfied by the required landscape plantings, and the additional requirement for two (2) canopy trees per residential lot (four [4] canopy trees for corner lots). Staff should note, that as part of the zoning process, the applicant agreed to amenitize a 4.0 -acre tract of land (i.e. Tract 13-01 of the W. M. Dalton Survey, Abstract No. 72) in instead of paying the cash in leu of land fees (i.e. $\$ 609.00 \times 181$ lots $=$ $\$ 110,229.00$ ) and pro-rata equipment fees (i.e. $\$ 577.00 \times 181$ Lots). The Hardscape Plan shows the proposed entry monumentation signage, sidewalks, and trails. With this being said, since the request generally conforms to the requirements of Planned Development District 93 (PD-93) [Ordinance No. 22-47] and the Unified Development Code (UDC), this case is
being placed on the consent agenda. Should the Planning and Zoning Commission have any questions concerning the applicant's request, staff and the applicant will be available at the April 11, 2023 Planning and Zoning Commission meeting.


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STAFF USE Ont
PLANMMG YAGCASENO. SP2023-012
MOTE: THE APPLICATION IS NOT CONSDEEED ACCEPTED BY THE CIT UNTL THE PLANNNG DIRECTOR AND CITY ENGNEER HAVE SIGNED BELOW.
DiRECTOR OF PLANING:
CIT ENG MERE:
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PLEASE CHECK THE APPROPRIATE BOX BELOW TO MDICATE THE TYPE OF DEVELOPMENT REQUEST /SELECT ONE YOKE BOX]:


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ZONMUG APPLICATION FEES;
\squareZONHNG CHANGE ($200.00 + $15.00ACRE)
\square SPECIFIC USE PERNTT ($200.00+$15.00 ACRE) \
\squarePD DEVELOPMENT PLANS ($200.00+$15.00 ACRE)
OTHER APPLIGATON FEES;
\square TREE REMOVAL ($75.00)
\squareVRIANCE REQUESTISPECIAL EXCEPTIONS ($100,00) 2
```

MorS:
 PER ACRE AMOUNT. FOR REOUESTS ON LESS THANONEACRE, ROLHO UP TO ONE (1) ACRE
 WOLVES CONSTRUCTION WTHOUT OR NOT W COMPLLUCE TO AN APPROVED BULDHO Permit.

## PROPERTY INFORMATION PLEASE PRINT


$\square$ SITE FLAM AND PLATE: BY CHECKHE THU BOX YOU ACKNOWLEDGE THY DUE TO THE PASSAGE OF HES 1 GT THE CITY NO LONGER HAS FLEXBRITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFFS COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WII RESULT IN THE DENIAL OF YOUR CASE.



NOTARY VERIFICATION [RRQUREDI
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED Br et DedigO $\qquad$ COMER THE UNDERSIGNED, WHO STATED THE WFOPSATION ON THE APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWNG:

THEREBY CERTIFYTHGT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL FORMATION SUBMITTED HERE IS TRUE AND CORRECT; ALP THE APPLICATION FEE OF - +132.8 Ch TO COVER THE COST OF THIS APPLCATION, HAS BEENPAD TO THE CITY OF ROCNWALL ONTHS THE $\qquad$ DAY OF

 GEN UNDER MY HAND AND SEAL OF OFFICE ON THE THE I OWNERS SIGNATURE
NOTARY PUBLIC N AND FOR THE STATE OF TEXAS



## City of Rockwall

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



CIVIL ENGINEER:
JOHNSON VOLK CONSULTING
704 CENTRAL PARKWAY
EAST, SUITE 1200
LANO, TEXAS 7507

LANDSCAPE ARCHITECT:
JOHNSON VOLK CONSULTING
704 CENTRAL PARKWAY EAST, SUITE 1200
PLANO, TEXAS 7507
PH 972-201-3100
CONTACT: CODY JOHNSON, RLA, ASLA, LI


$\overbrace{\text { SCAIE }{ }^{10}=150^{\circ}}^{150} \overbrace{\Delta}^{150}{ }_{\Delta}^{15}$












(1) MAIN ENTRY SIGN WALL


## TERRaces

(2) CORTEN SIGN PANEL


1) $\frac{\text { LOGO WALL }}{\text { ELEVATION }}$ ${ }^{\text {SCAIE: } 1 / 22^{n}=1 \cdot 0^{n}}$

(4) LOGO COLUMN ATOP OF RETAINING WALL $\frac{\text { LCLEVATION }}{\text { ELIT }}=$$\frac{\text { LOGO COLUMN ATOP OF RETAINING WALL }}{\text { SECTION }}$


- 

$\frac{\text { PARTIAL 8'-0" HT. WOOD FENCE }}{\text { ELEVATION }}$

(2)

8'-0" HT. WOOD FENCE
SECTION

WOOD FENCE NOTES



 -


ORNAMENTAL METAL FENCE NOTES











(3) $\frac{6^{\prime}-0 " \mathrm{HT} \text {. ORNAMENTAL METAL FENCE }}{\text { ELEVATION }}$


6'-0" HT. ORN. METAL FENCE ATOP RET. WALL

GENERAL NOTES - HARDSCAPE CONSTRUCTION















Honcinitin













| PLANT LIST |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| KEY | ESTIMATED QUANTITY | COMMON NAME | SCIENTIFIC NAME | SIzE | SPACING | Remarks |
| ${ }^{10}$ | 22 | ${ }^{\text {LIVE OAK }}$ | quercus uiginiana | ${ }^{\text {3/CALIPER }}$ | asshovn |  |
| so | 20 | shumard Oak | Quercus shumardin | $3^{\text {3'Caliper }}$ | asshown |  |
| во | 21 | вигомк | Quercus macrocikp | 3'caliper | asshown |  |
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|  | 2775 | oki.hhoma river rock | N/A |  |  |  |
|  | ${ }_{5}^{5,5}$ |  | N/A | ron | asshown |  |


2) TYPICAL


## $\frac{\text { NSPECTINSS }}{\text { NO KXCNNTIN }}$













 TREE PROTECTION NOTES:






TYPICAL SHRUB AND GROUNDCOVER PLANTING

(1) OKLAHOMA RIVER ROCK BED
BLACK STAR CRUSHED STONE DETAIL


TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
April 11, 2023
Julius Waffer
Z2023-014; Specific Use Permit (SUP) for a Residential Infill for 512 Dickey Street

## SUMMARY

Hold a public hearing to discuss and consider a request by Julius Waffer for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 1.0620-acre parcel of land identified as Lot 22 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 512 Dickey Street, and take any action necessary.

## BACKGROUND

According to Ordinance No. 59-02, the subject property was annexed on June 20, 1959. The subject property was originally platted as Lot 22 of the Canup Subdivision on December 1, 1944. According to the City's historic zoning maps, the subject property was zoned Commercial (C) District as of January 3, 1972. Between May 16, 1983 and December 7, 1993, the subject property was rezoned from a Commercial (C) District to a Single-Family 7 (SF-7) District. Based on previous aerial imagery there was a single-family home situated on the subject property that was recently removed from the property; however, there is no record of a demolition permit. The subject property is currently vacant.

## PURPOSE

The applicant -- Julius Waffer -- is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), Residential Infill in or Adjacent to an Established Subdivision, of Article 04, Permissible Uses, of the Unified Development Code (UDC).

## ADJACENT LAND USES AND ACCESS

The subject property is addressed as 512 Dickey Street. The land uses adjacent to the subject property are as follows:
North: Directly north of the subject property are three (3) lots (i.e. 900, 901, \& 903 Davy Crockett Street) that are zoned Planned Development District 52 (PD-52). Beyond this is E. Bourn Street, which is classified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is a variable width right-of-way owned by the Missouri, Kansas \& Texas Railroad. Beyond this is S. Goliad Street, which is classified as a P6D (i.e. principal arterial, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: $\quad$ Directly east of the subject property is a variable width right-of-way owned by the Missouri, Kansas \& Texas Railroad. Beyond this are 47 single-family residential homes that make up The Standard Rockwall Subdivision, which was established on November 28, 2018. This subdivision is zoned Planned Development District 68 (PD68) for Single-Family 7 (SF-7) District land uses. Beyond this is the Evergreen Apartments, which are zoned Planned Development District 68 (PD-68).

West: Directly west of the subject property are four (4) residential lots (i.e. 504, 506, 508, \& 510 Dickey Street) and one (1) vacant lot identified as Lot 27 of the Canup Addition. All of these properties zoned Single-Family 7 (SF-7) District and are situated within the Southside Neighborhood Residential Overlay (SRO) District. Beyond this is Sam Houston Street, which is classified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

## CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, Definitions, of the Unified Development Code (UDC) defines Residential Infill in or Adjacent to an Established Subdivision as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An established subdivision is further defined in Subsection 02.03(B) (11) of Article 04, Permissible Uses, of the UDC as "...a subdivision that consists of five (5) or more lots, that is $90 \%$ developed, and that has been in existence for more than ten (10) years." In this case, the subject property is located within the Canup's Subdivision, which has been in existence since December 1, 1944, consists of 51 residential lots, and is more than $90 \%$ developed. The Permissible Use Charts contained in Article 04, Permissible Uses, of the UDC, requires a Specific Use Permit (SUP) for Residential Infill in or Adjacent to an Established Subdivision in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being within an established subdivision, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, Permissible Uses, of the UDC states that, "...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. Residential Infill in or Adjacent to an Established Subdivision] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ..." The following is a summary of observations concerning the housing within close proximity of Dickey Street compared to the house proposed by the applicant:

| Housing Design and Characteristics | Existing Housing on Dickey Street in a Close Proximity to the Subject Property | Proposed Housing |
| :---: | :---: | :---: |
| Building Height | One (1) Story | One (1) Story |
| Building Orientation | All of the homes are oriented toward the street they are built along. | The front elevation of the home will face Dickey Street. |
| Year Built | 1947-2008 | N/A |
| Building SF on Property | 962 SF - 2,016 SF | 1,662 SF |
| Building Architecture | Single Family Homes | Comparable Architecture to the surrounding SingleFamily Homes |
| Building Setbacks: |  |  |
| Front | The front yard setbacks appear to conform to the required 20 -foot front yard setback. | 20-Feet |
| Side | The side yard setbacks are estimated to be between zero (0) and greater than ten (10) feet. | 6-Feet |
| Rear | The rear yard setbacks appear to be greater than ten (10) feet. | 69-Feet |
| Building Materials | Brick and Siding | Brick and Siding |
| Paint and Color | Red, Blue, White, Gray, Brown | N/A |
| Roofs | Composite and Asphalt Shingles | Composite Shingle |
| Driveways/Garages | Driveways all front the same street the single-family home faces. Homes consist of front-facing, carports, or no garages. | The garage will be attached and located approximately $2^{\prime}-3^{\prime}$ behind of the front façade. |

According to Section 04, Residential Parking, of Article 06, Parking and Loading, of the Unified Development Code (UDC), "(i)n single-family or duplex districts, parking garages must be located at least 20 -feet behind the front façade for front entry garages ..." In this case, the applicant's proposed garage is oriented in front of the front façade of the proposed single-family home; however, staff should point out that this is not atypical for this subdivision or proeprties located within the Southside Neighborhood Residential Overlay (SRO) District. A waiver to the garage orientation is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If this Specific Use Permit (SUP) request is approved by the Planning and Zoning Commission and City Council, the garage setback requirement will be waived. With the
exception of the garage orientation, the proposed single-family home meets all of the density and dimensional requirements as stipulated by the Unified Development Code (UDC) for a property in a Single-Family 7 (SF-7) District and the Southside Residential Neighborhood Overlay (SRO) District.

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the subject property, staff has provided photos of the properties along Dickey Street, Davy Crockett, Emma Jane, and Sam Houston and also provided the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## NOTIFICATIONS

On March 21, 2023, staff mailed 47 notices to property owners and occupants within 500 -feet of the subject property. Staff also notified the Highridge Estates Homeowner's Association (HOA), which is the only HOA 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 within the 500 -foot buffer in favor of the applicant's request.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision, 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) Development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in Exhibit 'A' of the draft ordinance.
(b) Construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit ' $B$ ' of the draft ordinance; and,
(c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
(2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.


DEVELOPMENT APPLICATION City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
STAFF USE ONLY
PLANNING \& ZONING CASE NO.
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.
DIRECTOR OF PLANNING:
CITY ENGINEER:
PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE THE TYPE OF DEVELOPMENT REQUEST [SELECT ONLY ONE BOX]:

PLATTING APPLICATION FEES:
$\square$ MASTER PLAT $\left(\$ 100.00+\$ 15.00\right.$ ACRE) ${ }^{1}$
$\square$ PRELIMINARY PLAT $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ FINAL PLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ REPLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ AMENDING OR MINOR PLAT (\$150.00)
$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )
SITE PLAN APPLICATION FEES:
$\square$ SITE PLAN $(\$ 250.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:
$\square$ ZONING CHANGE $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
Z SPECIFIC USE PERMIT $(\$ 200.00+\$ 15.00 \text { ACRE) })^{1 \& 2}$
$\square$ PD DEVELOPMENT PLANS $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
OTHER APPLICATION FEES:
$\square$ TREE REMOVAL (\$75.00)
$\square$ VARIANCE REQUEST/SPECIAL EXCEPTIONS $(\$ 100.00){ }^{2}$
NOTES:
i: IN DETERMINNG 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 BULLING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]
ADDREss 512 Dickey st., Rockwall, Tx. 75087 sUbdIVISION Can up.
oenerallocation An Addition to the town of Rockwall
ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]
current zoning Residential
PROPOSED ZONING
ACREAGE 1.0620 LOTS [CURRENT]

CURRENT USE
PROPOSED USE
PROPOSED USE
LOTS [PROPOSED]

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3167 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS, AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.
OWNER/APPLICANT/AGENT INFORMATION [PLEASE PRINTICHECK THE PRIMARY Contactioriginal signatures are required]
b owner
CONTACT PERSON Julius Waffer Julius Waffer ADDRESS

CITY, STATE \& ZIP 609 S. Goliad unit 2275 CONTACT PERSON Rockwall, Texas 75087 city, state z zip PHONE 972 -768-1196
EMail Juwaffez@ gmail.comAPPLICANT


NOTARY VERIFICATION [REQUIRED]
beFore me, the undersigned authority, on this day personally appeared julius unacifer [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 $\qquad$ DAY OF
$\qquad$ 2013 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (IE. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE
 SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUE T
$\qquad$ 2023 $1^{--}{ }^{-}$ INFORMATION."

-     - CARLOS ARANGQ -
Notary 10 \# 134033619 My Commission Expires October 25, 2026


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


| From: | Guevara, Angelica |
| :--- | :--- |
| Cc: | Miller, Ryan; Ross, Bethany; Lee, Henry |
| Bcc: |  |
| Subject: | Neighborhood Notification Program [Z2023-014] |
| Date: | Tuesday, March 21, 2023 2:37:43 PM |
| Attachments: | $\underline{\text { Public Notice Z2023-014.pdf }}$ |
|  | $\underline{\text { HOA Map Z2023-014.pdf }}$ |

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 March 24, 2023. The Planning and Zoning Commission will hold a public hearing on Tuesday. April 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, April 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.

Z2023-014: SUP for Residential Infill at 512 Dickey Street
Hold a public hearing to discuss and consider a request by Julius Waffer for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 1.0620-acre parcel of land identified as Lot 22 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 512 Dickey Street, and take any action necessary.

Thank you,
Angefica 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
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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


Case Number: Z2023-014
Case Name: $\quad$ SUP for Residential Infill Case Type: Zoning: Case Address:

Zoning
Single-Family 7 (SF-7) District 512 Dickey Street


RESIDENT
1005 SAM HOUSTON
ROCKWALL, TX 75087

1007 SAM HOUSTON ROCKWALL, TX 75087

CASTILLO PEDRO 1009 SAM HOUSTON ST ROCKWALL, TX 75087

RESIDENT
1011 S GOLIAD ST
ROCKWALL, TX 75087

BCL REAL ESTATE LLC
103 GROSS RD
MESQUITE, TX 75149

RESIDENT
1105 S GOLIAD ROCKWALL, TX 75087

ANDERSON ALLEN<br>1208 S LAKESHORE DR ROCKWALL, TX 75087

EFENEY WILLIAM M
1406 S LAKESHORE DR ROCKWALL, TX 75087

RESIDENT 1008 SAM HOUSTON ROCKWALL, TX 75087

ROCKWALL COUNTY
c/O COUNTY TREASURER
101 E RUSK ST SUITE 101 ROCKWALL, TX 75087

RESIDENT
1012 SAM HOUSTON
ROCKWALL, TX 75087

POTTS DANNY \& VONDA 1100 T LTOWNSEND DR ROCKWALL, TX 75087

LUKE LINDA FAYE
1109 S GOLIAD ST ROCKWALL, TX 75087

RESIDENT 1275 S GOLIAD ST ROCKWALL, TX 75087

LRG GROUP LLC
202 E RUSKST
ROCKWALL, TX 75087

GE QIQING AND
JINGJINGZHANG
207 GASPAR
IRVINE, CA 92618

RESIDENT
302 EMMA JANE ROCKWALL, TX 75087

REEDER PERRY R AND JIMMIE
1006 DAVY CROCKETT ST ROCKWALL, TX 75087

ANTHONY ARENIA ANN \&
WILMER HUMPHREY \& CHARLOTTE M TRUETT \& JAMES EARL BROWN 1008 DAVY CROCKETT ST ROCKWALL, TX 75087

RESIDENT 1010 SAM HOUSTON ROCKWALL, TX 75087

RESIDENT 1013 S GOLIAD ROCKWALL, TX 75087

RESIDENT 1101 S GOLIAD ROCKWALL, TX 75087

MICHAEL WAYNE ROGERS GST TRUST DATED MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE 1404 RIDGE ROAD ROCKWALL, TX 75087

RESIDENT
206-207 EMMA JANE ST ROCKWALL, TX 75087

WAFFER JULIUS
3002 WELDON LN ROYSE CITY, TX 75189

HERNANDEZ SAMUEL AND VANESSA TYSON-
HERNANDEZ
304 E BOURN ST ROCKWALL, TX 75087

RESIDENT
306 BOURN AVE
ROCKWALL, TX 75087

RESIDENT
310 EMMA JANE
ROCKWALL, TX 75087

ANGULAR PIEDRAA/G
418 E BOURN ST
ROCKWALL, TX 75087

LIU HOWARD HEYUN
4577 JAGUAR DR
PLANO, TX 75024

RODRIGUEZMARIA
507 DICKEY ST
ROCKWALL, TX 75087

RESIDENT
512 DICKEY ST
ROCKWALL, TX 75087

RESIDENT
603 JUBILEE ST
ROCKWALL, TX 75087
RESIDENT
607 JUBILEE ST
ROCKWALL, TX 75087

RESIDENT
611 JUBILEEST
ROCKWALL, TX 75087

RESIDENT
615 JUBILEE ST
ROCKWALL, TX 75087

ELLERD TERESA
308 EMMA JANE ST
ROCKWALL, TX 75087
BONNER JACK L AND VALERIE N 309 EMMA JANE ST
ROCKWALL, TX 75087

WALTER MARY 408 E BOURN ST ROCKWALL, TX 75087

ANGULAR PIEDRA A/G
418 E BOURN ST
ROCKWALL, TX 75087

RUSZKOWSKI SKYLER E 506 DICKEY STREET
ROCKWALL, TX 75087

SALGADO HAROLD G 510 DICKIE ST
ROCKWALL, TX 75087

THOMAS LOU BERTHA 602 JUBILEE STREET ROCKWALL, TX 75087

RESIDENT 606 JUBILEEST ROCKWALL, TX 75087

RESIDENT
610 JUBILEEST ROCKWALL, TX 75087

ALFRED T WILLIAMS AND PATRICIA M WILLIAMS REVOCABLE LIVING TRUST

MARET WENDY A 614 JUBILEE STREET ROCKWALL, TX 75087

RESIDENT
618 MONARCH DR
ROCKWALL, TX 75087

WINCH TERRIL 620 PROSPERITY TRAIL ROCKWALL, TX 75087

RESIDENT 707 MONARCH DR ROCKWALL, TX 75087

EMMANUELTABERNACLE CHURCH 7903 FERGUSON RD DALLAS, TX 75228

JPH ROCKWALL LLC
901 DAVY CROCKETT STREET ROCKWALL, TX 75087

DIXON MARSHALL WADE 905 SAM HOUSTON ROCKWALL, TX 75087

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

BRANNON ERMA LEE EST AND
MARVIN RAY BRANNON ETAL 6819 CLIFFWOOD DR DALLAS, TX 75237

RESIDENT
711 MONARCH DR
ROCKWALL, TX 75087

THE STANDARD MCP LTD
8235 DOUGLAS AVENUE SUITE 1030 DALLAS, TX 75225

RESIDENT
902 DAVY CROCKETT
ROCKWALL, TX 75087

RESIDENT
907 SAM HOUSTON
ROCKWALL, TX 75087

PAIGE RYAN PROPERTIES LLC
P. O. BOX 853 WYLIE, TX 75098

RESIDENT
703 MONARCH DR
ROCKWALL, TX 75087

RESIDENT
713 MONARCH DR
ROCKWALL, TX 75087

DENTON GLENDA K \& LANCE
900 DAVY CROCKETT
ROCKWALL, TX 75087

RESIDENT
903 DAVY CROCKETT
ROCKWALL, TX 75087

RESIDENT
950 TOWNSEND RD
ROCKWALL, TX 75087

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

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

## Z2023-014: SUP for Residential Infill at 512 Dickey Street

Hold a public hearing to discuss and consider a request by Julius Waffer for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 1.0620-acre parcel of land identified as Lot 22 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Southside Residential Neighborhood Overlay (SRO) District, addressed as 512 Dickey Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, April 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, April 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:

## Angelica Guevara

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087
You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, April 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. Z2023-014: SUP for Residential Infill at 512 Dickey Street

## Please place a check mark on the appropriate line below:

$\square \mathrm{I}$ am in favor of the request for the reasons listed below.I am opposed to the request for the reasons listed below.

## Name:

## Address:

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

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

## Case No. 22023-014: SUP for Residential Infill at 512 Dickey Street

## Please place a check mark on the appropriate line below:

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


Name:
Address:
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of ail 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






## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-014
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM

## ADJACENTHOUSING ATTRIBUTES

| ADDRESS | HOUSING TYPE | YEAR BUILT | HOUSE SF | ACCESSORY BUILDING | EXTERIOR MATERIALS |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 504 DickeyStreet | Single-Family Home | 2000 | 2,016 | N/A | Brick |
| 506 Dickey Street | Single-Family Home | 2008 | 1,318 | 110 | Siding |
| 508 DickeyStreet | Single-Family Home | 2007 | 1,691 | N/A | Brick |
| 510 Dickey Street | Single-Family Home | 1947 | 962 | N/A | Siding |
| 512 Dickey Street | Vacant | N/A | N/A | N/A | N/A |
| 903 Davy Crockett Street | Commercial | 1980 | 8,824 | N/A | Stucco |
| 901 Davy Crockett Street | Commercial | 1983 | 9,050 | N/A | Stucco |
| 310 Emma Jane Street | Single-Family Home | 1975 | 1,128 | 72 | Siding |
| 1006 Daw Crockett Street | Single-Family Home | 1940 | 1,542 | 420 | Siding |
| 1008 Davy Crockett | Single-Family Home | 1968 | 1,245 | 96 | Siding |
| 507 Dickey Street | Single-Family Home | 2004 | 1,460 | 480 | Brick |
| 1009 Sam Houston | Single-Family Home | 2004 | 1,500 | 80 | Brick and Siding |
|  | AVERAGES: | 1983 | 2,794 | 210 |  |

## CITY OF ROCKWALL

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


## 504 Dickey Street



[^0]
## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-014
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


508 Dickey Street


510 Dickey Street

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-014
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


512 Dickey Street


903 Davy Crockett

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-014
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


901 Davy Crockett


[^1]
## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-014
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


1006 Davy Crockett


1008 Davy Crockett

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-014
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


507 Dickey Street


1009 Sam Houston

## CITY OF ROCKWALL

ORDINANCE NO. $\underline{23-X X}$
SPECIFIC USE PERMIT NO. S-2XX


#### Abstract

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 SINGLEFAMILY HOME ON A 1.0620-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 22 OF THE CANUP 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 by Julius Waffer for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 1.0620-acre parcel of land identified as Lot 22 of the Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 512 Dickey Street, and being more specifically described and depicted in Exhibit 'A' of this ordinance, which herein after shall be referred to as the Subject Property and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (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 Residential Infill in an Established Subdivision to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the Subject Property, and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, General Residential District Standards, and Subsection 03.09, Single-Family 7 (SF-7) District, 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 single-family home on the Subject Property and conformance to these operational conditions are required:

1) The development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in Exhibit ' $A$ ' of this ordinance.
2) The construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit ' $B$ ' of this ordinance.
3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

### 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 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 $1^{\text {st }}$ DAY OF MAY, 2023.


## APPROVED AS TO FORM:

Frank J. Garza, City Attorney
$1^{\text {st }}$ Reading: April 17, 2023


Exhibit ' A '
Location Map and Residential Plot Plan
Address: 512 Dickey Street
Legal Description: Lot 22, Canup Addition



Exhibit 'B':

## Building Elevations



Exhibit 'B':
Building Elevations


TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
April 11, 2023
Martha Balleza and Ana Quezada
Z2023-015; Specific Use Permit (SUP) for Residential Infill in an Established Subdivision at 223 Russell Drive

## SUMMARY

Hold a public hearing to discuss and consider a request for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home a 0.1650 -acre parcel of land identified as Lot 1290 of the Rockwall Lake Estates \#2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 223 Russell Drive, and take any action necessary.

## BACKGROUND

The subject property was originally platted as Lot 1290 of the Rockwall Lake Estates \#2 Addition on April 23, 1968. On February 17, 2009, the subject property -- along with the rest of the Lake Rockwall Estates Subdivision -- was annexed into the City of Rockwall by Ordinance No. 09-07. On September 21, 2009, the City Council rezoned the Lake Rockwall Estates Subdivision from an Agricultural (AG) District to Planned Development District 75 (PD-75) [Ordinance No. 09-37] for Single-Family 7 (SF-7) District land uses. On January 4, 2016, the City Council amended Planned Development District 75 (PD-75) with Ordinance No. 16-01, which made minor changes to the Consideration of a Special Request section of the ordinance. The subject property is currently vacant.

## PURPOSE

The applicants -- Martha Balleza and Ana Quezada -- are requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), Residential Infill in or Adjacent to an Established Subdivision, of Article 04, Permissible Uses, of the Unified Development Code (UDC).

## ADJACENT LAND USES AND ACCESS

The subject property is located at 223 Russell Drive. The land uses adjacent to the subject property are as follows:
North: Directly north of the subject property are several vacant lots that are zoned Planned Development District 75 (PD75) for Single Family 7 (SF-7) District land uses. Beyond that is Evans Road, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are two (2) lots developed with modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond this is County Line Road, which is identified as a Minor Collector on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: $\quad$ Directly east of the subject property Nicole Drive, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond that are several residential lots developed with modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses.

West: Directly west of the subject property are several residential lots developed with modular homes that are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond this is Wayne Drive, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

## CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, Definitions, of the Unified Development Code (UDC) defines Residential Infill in or Adjacent to an Established Subdivision as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An established subdivision is further defined in Subsection 02.03(B)(11) of Article 04, Permissible Uses, of the UDC as "...a subdivision that consists of five (5) or more lots, that is $90 \%$ developed, and that has been in existence for more than ten (10) years." In this case, the subject property is located within the Lake Rockwall Estates \#2 Addition in the Lake Rockwall Estates Subdivision. This subdivision has been in existence since prior to 1968, consists of more than five (5) lots, and is considered to be more than $90 \%$ developed. The Permissible Use Charts contained in Article 04, Permissible Uses, of the UDC, requires a Specific Use Permit (SUP) for Residential Infill in or Adjacent to an Established Subdivision in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the ResidentialOffice (RO) District. This property, being in Planned Development District 75 (PD-75) and designated for Single-Family 7 (SF7) District land uses, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, Permissible Uses, of the UDC states that, "...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. Residential Infill in or Adjacent to an Established Subdivision] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ..." The following is a summary of observations concerning the housing on Russell Drive compared to the house proposed by the applicant:

| Housing Design and Characteristics | Existing Housing on Russell Drive in a Close Proximity to the Subject Property | Proposed House |
| :---: | :---: | :---: |
| Building Height | One (1) story | One (1) Story |
| Building Orientation | Orientation differs. | The front elevation of the home will face onto Russell Drive. |
| Year Built | 1978-1998 | N/A |
| Building SF on Property | 1,180 SF - 1,984 SF | 2,817 SF |
| Building Architecture | Modular Homes and Single-Family homes | Comparable Architecture to the Surrounding Newer Single-Family Homes |
| Building Setbacks: |  |  |
| Front | The front yard setbacks appear to conform to the required 20 -foot front yard setback. | 20-Feet |
| Side | The side yard setbacks appear to conform to the required five (5) foot side yard setback. | 5-Feet |
| Rear | The rear yard setbacks appear conform to the required ten (10) feet rear yard setback. | 10-Feet |
| Building Materials | Modular Panels, Metal, Brick | Brick, Board \& Batten |
| Paint and Color | White, Gray, Tan, \& Green | N/A |
| Roofs | Composite Shingles \& Metal | Composite Shingles |
| Driveways/Garages | Carports and Single-Family Homes without Garages | Front Entry Garage |

According to Section 04, Residential Parking, of Article 06, Parking and Loading, of the Unified Development Code (UDC), "(i)n single-family or duplex districts, parking garages must be located at least 20 -feet behind the front façade for front entry garages ..." In this case, the applicant's proposed garage is oriented in front of the front façade of the proposed single-family home by six (6) feet, three (3) inches. Staff should point out that this is not atypical for this subdivision. A waiver to the garage orientation is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If approved as part of the Specific Use Permit (SUP) request, the City Council will be waiving the garage orientation requirement. With this being said, staff should point out -- that with the exception of the garage orientation -- the proposed single-family home
meets all of the density and dimensional requirements stipulated by Planned Development District 75 (PD-75) [Ordinance No. 09-37] and the Unified Development Code (UDC).

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the subject property, staff has provided photos of the properties along Russell Drive and also provided the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## NOTIFICATIONS

On March 21, 2023, staff mailed 147 notices to property owners and occupants within 500 -feet of the subject property. There are no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500 -feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received one (1) notification in favor of the request.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision, 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) Development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in Exhibit ' $A$ ' of the draft ordinance.
(b) Construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit ' $B$ ' of the draft ordinance; and,
(c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
(2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.


DEVELOPMENT APPLICATION
City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
STAFF USE ONLY
PLANNING \& ZONING CASE NO.
NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

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

PLATTING APPLICATION FEES:
$\square$ MASTER PLAT $(\$ 100.00+\$ 15.00 \text { ACRE })^{1}$
$\square$ PRELIMINARY PLAT $(\$ 200.00+\$ 15.00 \text { ACRE })^{4}$
$\square$ FINAL PLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ REPLAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDING OR MINOR PLAT ( $\$ 150.00$ )
$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )
SITE PLAN APPLICATION FEES:
$\square$ SITE PLAN $(\$ 250.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN $(\$ 100.00)$

ZONING APPLICATION FEES:
$\square$ ZONING CHANGE $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
A SPECIFIC USE PERMIT ( $\$ 200.00+\$ 15.00$ ACRE $)^{182}$ $\square$ PD DEVELOPMENT PLANS $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
OTHER APPLICATION FEES:

- TREE REMOVAL ( $\$ 75.00$ )
$\square$ VARIANCE REQUEST/SPECIAL EXCEPTIONS $(\$ 100.00)^{2}$
NOTES:
\%: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE. 2: A $\$ 1,000.00$ FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]
ADDRESS
SUBDIVISION
GENERAL LOCATION
223 RUSSell Dr.

$$
\text { Rockwall Lake Est \#z tor } 1290 \text { воск }
$$

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING
PROPOSED ZONING
ACREAGE
 residential Home .25 Lots (current)

CURRENT USE PROPOSED USE
vacant lot residential
LoTs PRoposesel
.25

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.


史 owner Martha Balleba/Ana Quezadbגдaplicant CONTACT PERSON 11 11

4408 Aiken TI 4408 Aiken Tr l 214-984-7232
EMAIL marthaballezal gmaícom
ADDRESS

CITY, STATE \& ZIP 4408 Alien CITY, STATE \& ZIP PHONE EMAIL
 sachs, TX 75048 $214-984-7232$ ana9828 © yahoocom NOTARY VERIFICATION [REQUIRED]
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Ihartha BullezQ_ IOWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING: An a Quezaaa
"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 $\$$ $\qquad$ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKY INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITI SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQ
$\qquad$


$\qquad$



Case Number: Z2023-015
Case Name: $\quad$ SUP for Residential Infill
Case Type:
Zoning: Zoning
Planned Development District 75 (PD-75)
Case Address: 223 Russell Drive


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

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


Case Number:
Case Name: Case Type:
Zoning:

Z2023-015
SUP for Residential Infill Zoning
Planned Development District 75
(PD-75)
223 Russell Drive


SHEPHERD PLACE HOMES INC 10527 CHURCH RD \# 201 DALLAS, TX 75238

RESIDENT
116 NICOLE
ROCKWALL, TX 75032

RAMIREZ ZACARIAS
1244 COUNTY RD 2278
QUINLAN, TX 75474

VASQUEZ FRANSISCO
125 NICOLE DR
ROCKWALL, TX 75032

RESIDENT
133 RUSSELLDR
ROCKWALL, TX 75032

RESIDENT
142 RUSSELLDR ROCKWALL, TX 75032

RESIDENT 143 WAYNE DR ROCKWALL, TX 75032

MARQUEZ FELIXC<br>154 RUSSELL DR ROCKWALL, TX 75032

RODRIGUEZYUNIOR ARROYO 158 WAYNE DR
ROCKWALL, TX 75032

RESIDENT
164 NICOLE DR
ROCKWALL, TX 75032

ROCKWALL HABITAT FOR HUMANITY
1101 RIDGERD
ROCKWALL, TX 75087

RESIDENT
116 RUSSELLDR
ROCKWALL, TX 75032

## SIERRA ZACARIASRAMIREZ <br> 1244 COUNTY RD 2278 <br> QUINLAN, TX 75474

RESIDENT
128 RUSSELLDR
ROCKWALL, TX 75032

RESIDENT
137 NICOLE DR
ROCKWALL, TX 75032

CONTRERAS JOSE A 142 RENEE DR ROCKWALL, TX 75032

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            RESIDENT
        1 4 9 ~ N I C O L E D R
    ROCKWALL, TX75032
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            RESIDENT
        155 RUSSELLDR
    ROCKWALL, TX 75032
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        RESIDENT
        159 NICOLE DR
    ROCKWALL, TX 75032
        RESIDENT
        167 RUSSELLDR
        ROCKWALL, TX 75032
    DIAZ CARLOS O \& YOVANA M CHAVEZ 115 RUSSELLDR ROCKWALL, TX 75032

OLIVARES JAIME
1209 QUAILDR GARLAND, TX 75040

RESIDENT
125 WAYNE DR ROCKWALL, TX 75032

IBARRA MATEO CASTRO 140 NICOLE DR ROCKWALL, TX 75032

RESIDENT 143 RUSSELLDR ROCKWALL, TX 75032

RESIDENT 152 NICOLE DR ROCKWALL, TX 75032

RESIDENT
157 WAYNE DR ROCKWALL, TX 75032

VASQUEZ JESUS AND ROSA
162 RENEE DR
ROCKWALL, TX 75032

VASQUEZ JESUS
167 RENEE DR
ROCKWALL, TX 75032

| RESIDENT | RESIDENT | RESIDENT |
| :---: | :---: | :---: |
| 168 RUSSELLDR | 169 WAYNE DR | 176 NICOLE DR |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| MEJIA JULIO \& MARIA | RESIDENT | MEDRANO CESAR AND ANDREA MARTINEZ |
| 176 RENEE DR | 181 RUSSELLDR | 181 RENEE DR |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| RESIDENT | HERNANDEZ FELICITAS | YANEZ FERNANDO AND |
| 182 RUSSELLDR | 183 NICOLE DR | JUAN A YANEZ |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| UC JOSE LUIS GPE XOOL | UC JOSE LUIS \& GELLY DELR | UC JOSE LUIS GPE XOOL |
| GELLY DELROSARIO | 186 NICOLE DR | GELLY DELROSARIO |
| 186 NICOLE DR | ROCKWALL, TX 75032 | 186 NICOLE DR |
| ROCKWALL, TX 75032 |  | ROCKWALL, TX 75032 |
| UC JOSE LUIS \& GELLY DEL R | JON \& JOY CO., LLCN | RESIDENT |
| 186 NICOLE DR | 187 TEJAS TRAIL | 191 RENEE DR |
| ROCKWALL, TX 75032 | ROYSE CITY, TX 75189 | ROCKWALL, TX 75032 |
| AVILA LUZ MARIA | FASTINVESTMENTS LLC | MONTOYA YVONNE |
| 1924 DEVONSHIRE | 193 RUSSELL DR | 193 RUSSELL DRIVE |
| GARLAND, TX 75041 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| CARMONA JOSE | RESIDENT | RESIDENT |
| 194 RENEE DRIVE | 195 NICOLE DR | 195 WAYNE DR |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |
| RESIDENT | RESIDENT | RAMIREZ RUBIN \& MARTHA |
| 196 NICOLE DR | 198 RUSSELLDR | 200 CHAMBERLAIN DR |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | FATE, TX 75189 |
| RUIZ SONIA | RUIZ SONIA | LEDEZMA J SOCORRO AGUILAR |
| 2009 WORCESTER LN | 2009 WORCESTER LN | 201 RENEE DRIVE |
| GARLAND, TX 75040 | GARLAND, TX 75040 | ROCKWALL, TX 75032 |
| LEDEZMA J SOCORRO AGUILAR | YANEZ JUAN | RESIDENT |
| 201 RENEE DRIVE | 201 YVONNE DR | 204 WAYNE DR |
| ROCKWALL, TX 75032 | ROCKWALL, TX 75032 | ROCKWALL, TX 75032 |

RESIDENT
207 NICOLE DR
ROCKWALL, TX 75032

RESIDENT
211 RENEEDR
ROCKWALL, TX 75032

RESIDENT
216 WAYNE DR
ROCKWALL, TX 75032

RESIDENT
221 RENEEDR
ROCKWALL, TX 75032

RESIDENT
223 RUSSELLDR
ROCKWALL, TX 75032

RESIDENT
227 WAYNE DR ROCKWALL, TX 75032

VAZQUEZ JORGE A AND SYLVIA
230 RENEE DR
ROCKWALL, TX 75032

RESIDENT
236 WAYNE DR
ROCKWALL, TX 75032

RESIDENT 245 RENEEDR ROCKWALL, TX 75032

SANCHEZ PABLO
248 NICOLE DR
ROCKWALL, TX 75032

RESIDENT
208 NICOLE DR
ROCKWALL, TX 75032

RESIDENT
211 WAYNE DR ROCKWALL, TX 75032

PATINO SYLVIA AND ZEFERINO BUSTAMANTE 2168 DOVE DR QUINLAN, TX 75474

CARMONA JOEL
221 NICOLE DR ROCKWALL, TX 75032

GURRUSQUIETA CELIA
225 LYNNE DR
ROCKWALL, TX 75032

KENDALLLEAH T
227 YVONNE DR
ROCKWALL, TX 75032

RESIDENT
233 RENEEDR
ROCKWALL, TX 75032

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RESIDENT
238 RUSSELLDR ROCKWALL, TX 75032
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## RESIDENT

247 RUSSELLDR
ROCKWALL, TX 75032

SMITH ROY
248 WAYNE DR
ROCKWALL, TX 75032

PROCK CHARLES A AND EVELYN
209 RUSSELL DR
ROCKWALL, TX 75032

RESIDENT 215 YVONNE DR ROCKWALL, TX 75032

RENO PATRICIA JEAN 218 RUSSELL DRIVE
ROCKWALL, TX 75032

RESIDENT 222 NICOLE DR ROCKWALL, TX 75032

RESIDENT
226 WAYNEDR ROCKWALL, TX 75032

VAZQUEZ JORGE A AND SYLVIA
230 RENEE DR ROCKWALL, TX 75032

RESIDENT 235 RUSSELLDR ROCKWALL, TX 75032

MORENO IGNACIO \& CRISPIN
241 TROUTST ROCKWALL, TX 75032

RESIDENT 248 RUSSELLDR ROCKWALL, TX 75032

LINDOPNAJR
248 WAYNE DR ROCKWALL, TX 75032

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GARCIA ERIK URBINA AND ISABEL GONZALEZ
    2 4 9 ~ Y V O N N E ~
ROCKWALL, TX }7503
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250 NICOLE DR
ROCKWALL, TX 75032

NGO LINH T 2505 WESTBANK TRAIL GARLAND, TX 75042

RESIDENT
311 RUSSELLDR
ROCKWALL, TX 75032

AYALA FRANCISCO \& MARIA L
265 RENEE DR ROCKWALL, TX 75032

LINDOP JOYCE ANN
274 WAYNE DR
ROCKWALL, TX 75032

RESIDENT
285 RUSSELLDR ROCKWALL, TX 75032

RIVERA DORIS MABEL
288 RENEE DR
ROCKWALL, TX 75032

GARCIA RICARDO 298 WAYNE DR ROCKWALL, TX 75032

RESIDENT 302 NICOLE DR ROCKWALL, TX 75032

RESIDENT
262 RUSSELLDR
ROCKWALL, TX 75032

RESIDENT
274 NICOLE DR ROCKWALL, TX 75032

RESIDENT
283 NICOLE DR ROCKWALL, TX 75032
$\qquad$

SOSA LORENA
293 NICOLE DR
ROCKWALL, TX 75032
GUERRERO JUAN
299 RUSSELL DR
ROCKWALL, TX 75032

MACIELJENNIFERE 303 WAYNE DR ROCKWALL, TX 75032

RESIDENT<br>312 NICOLE DR ROCKWALL, TX 75032

CERVANTES LUIS \& ELSA
251 WAYNE DR
ROCKWALL, TX 75032

CRUZ DEBRAJ
262 RENEE DR
ROCKWALL, TX 75032

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ESPARZA MARCO \& ANGELICA
275 WAYNE DR ROCKWALL, TX 75032
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FLORES LISANDRA CONTRERAS
288 NICOLE DRIVE ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE
296 RUSSELLDR ROCKWALL, TX 75032

GUERRERO JUAN
299 RUSSELL DR ROCKWALL, TX 75032

ARCINIEGA D ODIN A 310 RUSSELL DR ROCKWALL, TX 75032

## ESPARZA MARCO

312 RENEE ROCKWALL, TX 75032

RESIDENT
313 WAYNE DR
ROCKWALL, TX 75032

RESIDENT
314 WAYNE DR
ROCKWALL, TX 75032

RESIDENT
321 WAYNE DR
ROCKWALL, TX 75032
BENITES ROSA
322 NICOLE DR
ROCKWALL, TX 75032

RESIDENT
335 RUSSELLDR
ROCKWALL, TX 75032

DIAZ FRANCISCO \& MANUELA
352 WAYNE DR ROCKWALL, TX 75032

SANCHEZ ARNULFO
398 NICOLE DR
ROCKWALL, TX 75032

GEMINI VL LLC \&
ROCKWALL LAKE PROP LLC 5713 SECREST CT GOLDEN, CO 80403

ESTRADA NOHEMA
705 LAKESIDE DR
ROCKWALL, TX 75032

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EMZ REAL ESTATE LLC
9110 TAMPAS LANE
DALLAS, TX 75227
```

BARRON GILDARDO
P.O. BOX 2044

ROCKWALL, TX 75087

RODARTE PASCUALAND SARAI
322 RUSSELL DR
ROCKWALL, TX 75032

ESPARZA ABEL AND MONICA CARMONA
336 NICOLE DR ROCKWALL, TX 75032

CARRENZA ALEJANDRO AND MARIA
GUADALUPE
382 PERCH RD ROCKWALL, TX 75032

SALAS MIGUEL ANGEL LEDEZMA AND YAJAIRA GUADALUPE GARCIA FERNANDEZ

416 BASS RD ROCKWALL, TX 75032

GALICIA VANESSA
5801 LAKE HUBBARD PKWY APT 103 GARLAND, TX 75043

ROCKWALL HOUSING DEVCORP A TEXAS NON-PROFIT CORP OF RW

787 HAIL DR ROCKWALL, TX 75032

M6 HOME LLC SEWDAT PERSAUD 920 YOSEMITE TRAIL MESQUITE, TX 75149

GLEASON DIANE
PO BOX 670041
DALLAS, TX 75367

Property Owner and/or Resident of the City of Rockwall:
You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Z2023-015: SUP for Residential Infill at 223 Russell Drive

Hold a public hearing to discuss and consider a request by Martha Balleza and Ana Quezada for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.1650 -acre parcel of land identified as Lot 1290 of the Lake Rockwall Estates \#2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District, addressed as 223 Russell 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, April 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, April 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:

## Angelica Guevara

Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087
You may also email your comments to the Planning Department at planning@rockwall.com. If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, April 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. Z2023-015: SUP for Residential Infill at 223 Russell Drive

## Please place a check mark on the appropriate line below:

$\square \mathrm{I}$ am in favor of the request for the reasons listed below.
$\square$ I am opposed to the request for the reasons listed below.

## Name:

## Address:

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

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

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:

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- . PLEASE RETURN THE BELOW FORM

Case No. Z2023-015: SUP for Residential Infill at 223 Russell Drive
Please place a check mark on the appropriate line below:
Xfam in favor of the request for the reasons listed below.I am opposed to the request for the reasons listed below.


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.



[^2]


223 Russell Dr
12-07-2022

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A104.1






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$(4)$ B2-1
5 B2-2 $\begin{aligned} & \text { SCALE: } 3 / 8^{\prime \prime}=1^{\prime}-0^{\prime \prime}\end{aligned}$
A106.1

$(1)$ MB 3

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\text { (2) } \begin{aligned}
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& \text { SCALE: } 3 / 8^{\prime \prime}=1^{\prime}-0^{\prime \prime}
\end{aligned}
$$



[^3]A106.2

| Door Schedule |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Type <br> Mark | Coun <br> t | Width | Height | Description |
| D1-1 | 1 | $3^{\prime}-0^{\prime \prime}$ | $8^{\prime}-0^{\prime \prime}$ | EXTERIOR DOOR - SINGLE SWING - OWNER SELECT |
| D1-2 | 1 | $3^{\prime}-0^{\prime \prime}$ | $8^{\prime}-0^{\prime \prime}$ | EXTERIOR DOOR - SINGLE SWING - OWNER SELECT |
| D1-3 | 1 | $16^{\prime}-0^{\prime \prime}$ | $7^{\prime}-0^{\prime \prime}$ | GARAGE DOOR - OWNER SELECT |
| ID1-A | 3 | $2^{\prime}-0^{\prime \prime}$ | $6^{\prime}-8^{\prime \prime}$ | INTERIOR DOOR - SINGLE SWING - OWNER SELECT |
| ID1-B | 2 | $2^{\prime}-6^{\prime \prime}$ | $6^{\prime}-8^{\prime \prime}$ | INTERIOR DOOR - SINGLE SWING - OWNER SELECT |
| ID1-C | 5 | $2^{\prime}-8^{\prime \prime}$ | $6^{\prime}-8^{\prime \prime}$ | INTERIOR DOOR - SINGLE SWING - OWNER SELECT |
| ID4-A | 1 | $4^{\prime}-0^{\prime \prime}$ | $6^{\prime}-8^{\prime \prime}$ | INTERIOR DOUBLE DOOR - SINGLE SWING -OWNER SELECT |
| ID5-B | 2 | $4^{\prime}-8^{\prime \prime}$ | $6^{\prime}-8^{\prime \prime}$ | INTERIOR BIFOLDING DOOR - OWNER SELECT |
| O1-E | 1 | $5^{\prime}-0^{\prime \prime}$ | $8^{\prime}-0^{\prime \prime}$ | DOOR OPENING |
| O1-F | 1 | $2^{\prime}-11 / 2^{\prime \prime}$ | $4^{\prime}-61 / 2^{\prime \prime}$ | ATTIC ACCESS DOOR - OWNER SELECT |


| Window Schedule |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Type Mark | Count | Width | Height | Description | Head Height | ExteriorFinish Color | Interior Finish Color | Grids |
| W1-1 | 2 | $6^{\prime \prime}$ - ${ }^{\prime \prime}$ | 6' - 0 ' | DOUBLE - SINGLE HUNG WINDOW - OWNER SELECT | 8' - 0 " | T.B.D. BY OWNER | T.B.D. BY OWNER | Yes |
| W1-2 | 6 | $3^{\prime}$ - 0 " | $6^{\prime}$ - 0 ' | SINGLE HUNG WINDOW - OWNER SELECT | $8^{\prime}-01$ | T.B.D. BY OWNER | T.B.D. BY OWNER | Yes |
| W1-3 | 5 | $3^{\prime}$ - $0^{\prime \prime}$ | 5' - 0 " | SINGLE HUNG WINDOW - OWNER SELECT | 8' - 0 " | T.B.D. BY OWNER | T.B.D. BY OWNER | Yes |
| W1-4 | 1 | 3' - ${ }^{\prime \prime}$ | 4' - 0 " | SINGLE HUNG WINDOW - OWNER SELECT | 8' - ${ }^{\prime \prime}$ | T.B.D. BY OWNER | T.B.D. BY OWNER | Yes |
| W5-F | 2 | $0^{\prime}$ - 8' | $2^{\prime}-8$ " | LOUVER - OWNER SELECT | <varies> | T.B.D. BY OWNER | T.B.D. BY OWNER | Yes |

## 

12-07-2022Rensions

(1) Typical Wall Details - Interior

(2) Typical Wall Details -Brick

(3) Typical Wall Details -Siding


A108

(1) 3D View - 1

(2) 3D View - 2


E101.1

1．ALL TELEPHONE LINES ARE TO BE CONCEALED \＆OUTLETS RECESSED．ALL
TELEPHONE SERVICE TO BE CAPABLE OF CARRYING LINES IN MAIN HOUSE． 2．INSTALL SWITCHES 48＂ABOVE FLOOR HEIGHT，INSTALL RECEPTACLE OUTLETS，
CABLE，AND TELEPHONE 18 ＂ABOVE FLOOR HEIGHT．INTALL SWITCHES LOCATED CABLE，AND TELEPHONE 18＂ABOVE FLLOR
3．SWITCHES，OUTLETS，AND COVER PLATES ARE TO BE WHITE．INSTALL DIMMERS s shown． 4．ALL DIMMERS ARE TO BE
WIRING TO BE CONCEALLD．
5．ALL SMOKE DETECTORS TO BE NEW \＆bATTERY OPERATED．
6．VERIFY FIXTURE AND OUTLET LOCATIONS WITH OWNER PRIOR TO RUNNING ELECTRICAL FEEDS
7．VERIFY OVERHEAD GARAGE DOOR OPENER SPECIFICATIONS AND SELECTION
WITH OWNER．

1．ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LOCAL ELECTrical codes．
2．THE PROVIIION OF THE CODE SHALL APPLY TO THE ERECTION，INSTALLATION，ALTERATION，REPAIRS，HEALTH，PROPERTY，\＆PUBLLC WELFARE REGULATING，AND CONTROLLING THE DESIGN，CONSTR
MAITENANCE OR USE OF ELECTRICAL EQUPMENT \＆SYTTEMS．
3．CONTRACTOR SHALL VERRF ALL CELING TYPES \＆COORDINATE TRIMS PRIOR TO PURCHASE OF LIGHTING FIXTURES．FURNISH ALL
LiGHTING EIXTURES COMPIETE WITH MOUNTING ACCESSORIES TO MEET OOB REOUREMENTS．LECTRICAL CONTRACTOR SHALL BE LIGHTING FIXTURES COMPLETE WITH MOUNTING ACCESSORIES TO MEET JOB REQU
RESPONSIBLE FOR ANY FIXURES ARRIVING ON SITE WITH INCORRECT MOUNTING．
 WALL MOUNTED \＆PENDANT MOUNTED LIGHTING FIXTURES SHALL BE DETERMINED BY DESIGNER．REFER TO ARCHITECTURAL SECTIONS
LLEVATIONS．

5．LOCATION \＆Grouping Arrangement／Orientation of all switches shall be coordinated with the designer prior to
6．Coordinate location of all lighting fixtures with the mechanical \＆Plumbing prior to electrical rough－in．
7．FINAL INSPECTION SHALL BE MADE AFTER THE WORK IS COMPLETE，ALL ELECTRICAL FIXTURES WILL BE INSPECTED TO VERIFY CORRECT


8．SMOKE DETECTOR dEVICE TO be SELECTED BY OWNER．LOCATIONS SHOWN ARE PRELIMINARY－COORDINATE FINAL LOCATIONS WITH FIRE MARSHALL．
9．CARBON MONOXIDE DEVICE TO BE SELECTED BY OWNER．
10．COORDINATE TELEPHONE，CABLE，FIBER OPTIC，WIFI，DATA，SPEAKER LOCATIONS，AND SECURITY ALARM WITH AUDIO VSUALTECHNOLOGY CONTRACTOR AND DESIGNER．
11．ALL Lighting located in damp or wet locations to be rated for such
12．LIGHTING IN SHOWER STALLS TO BE VAPOR TIGHT FIXTURES．
13．LIGHTING IN SMALL CLOSET TO HAVE DOOR ACTIVATED SWITCH
14．Coordinate location of main and sub electrical panels with designer and owner．
15．COORDINATE POWER FOR ALL FIXTURES．
16．Coordinate additional power requirements for equipment，lighting，and interio
17．Indicates Fixture shall be connected to＂Constant－on＂emergency（LIFe－SAFETY）CIRCUIT，Provide＂Lock－on＂emergency panelboard．
18．CUTTING OF FLOors，walls，\＆\＆EIINGS SHALL BE REQUIRED FOR THE INSTALLATION OF PIPES，CONDUITS，DUCTS，WIRING，SLEEVES，\＆
SEAL AS REOUIRED BY THE DESIGNER．

| － | $2 \times 8$ mexerex | $\odot$ | Ssame oumeomer |
| :---: | :---: | :---: | :---: |
| $0$ | －CEILING FAN W／LIGHT KIT | $\begin{aligned} & \frac{\pi}{0} \\ & 6 \end{aligned}$ | －GFCI DUPLEX OUTLET |
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|  | －ELECTRIC METER | $\stackrel{\square}{\square}$ | treamosar |
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Lighting Fixtures Legend
SCALE：3／32＂＝1＇－0＂


SINGLE PHASE 200 AM
$120 / 240$ VOLT $\underset{\substack{\text { INcoming } \\ \text { SERVIICE }}}{ }$
Electrical Devise Heishts
（1）Power Riser Details


## MECHANICAL GENERAL NOTES

1．ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LOCAL ELECTRICAL CODES，
2．FURNISH ALL LABOR，MATERIALS，FIXTURES，EQUIPMENT，\＆SERVICES NECESSARY FOR THE INSTALLATION OF A COMPLETE \＆FUNCTIONAL H．V．A．C SYSTEM，PLUMBING SYSTEM，\＆ELECTRICAL SYSTEM

3．CONTRACTOR SHALL APPLY \＆PAY FOR ALL PERMITS \＆CONNECTION FEES REQUIRED FOR WORK．
4．THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE WORK TO BE DONE \＆SHALL EXAMINE SITE \＆CONSIDER THE CONDITIONS UNDER WHICH HE WILL BE OBLIGATED TO OPERATE IN THE PERFORMANCE OF THE CONTRACTED WORK．NO ALLOWANCES SHALL BE MADE SUBSEQUENTLY IN THIS CONNECTION，FOR ANY ERRORS，THROUGH
NEGHGENCE ON HIS PART THE CONTRACTOR IS HERE BY ADVISED THAT HE WHL BE REQHRED TO OBSERVE NECESSARY PRACTICES FOR FIRE \＆SAFETY PRECAUTIONS FOR THE PROTECTION OF THE FACILITY．THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS，LOCATIONS，\＆CLEARANCES \＆COORDINATE WORK WITH ALL OTHER TRADES PRIOR TO START OF WORK．

5．ALL DUCTWORK SHALL BE FABRICATED FROM FILED TAKEN DIMENSIONS AND NOT FROM DRAWINGS，PRIOR TO DUCT FABRICATION，CEILING CLEARANCES SHALL BE VERIFIED WITH ALL ELECTRICAL，PLUMBING，\＆ARCHITECTURAL DRAWINGS．

6．SUBMIT 6 COPES OF EACH SHOP DRAWINGS FOR THE FOLLOWING：HIGH－ENERGY EFFICIENCY EQUIPMENT，SPLIT SYSTEM COOLING COILS，AIR COOLED CONDENSING UNIT， THERMOSTAT，GRILLES，REGISTERS，DUCTS，TRIMS，PIPES，JOINING METHODS，WATER HEATER，GUY GRAY UNITS，FLOOR DRAINS，BREAKER PANEL，CIRCUIT BREAKERS， SWITCHES，LUMINARIES，MOTION DETECTORS，DISCONNECT SWITCHES，\＆OUTLETS．

7．ELECTRICAL CONTRACTOR SHALL FURNISH ALL MOTOR CONTROLLERS，PILOT OTHER DEVICES，\＆SHALL IMPLEMENT ALL ALL REQUIRED WIRING EXCEPT A．T．C．WIRING．
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8．ALL SUPPLY \＆RETURN DUCTS IN UNCONDITIONED SPACES SHALL BE INSULATED WITH $1 / 2$ FIBERGLASS WITH A．S．I．VAPOR BARRIER OR EOUAL．
9．GRILLES，REGISTERS，\＆DIFFUSER SHALL BE OF CAPACITIES \＆INDICATED SIZES IN ACCORDANCE WITH MANUFACTURERS PRINTED LITERATURE FOR RESIDENTIAL SOUND LEVELS \＆THROWS．MOUNT TIGHT TO CONSTRUCTION USING GASKETS TO PREVENT AIR LEAKAGE \＆STREAKING．BRANCHES FROM MAIN TO OUTLETS SHALL BE MADE USING ADJUSTABLE DEFLECTORS POSITIONED \＆SECURED TO PROVIDE SPECIFIED AIR QUANTITIES．，REGISTERS \＆GRILLES SHALL BE PROVIDED BY LIMA OR EQUAL．AND SHALL MATCH COLOR OF ADJACENT CEILING OF WALL．COORDINATE ALL REGISTERS IN CEILINGS WITH LIGHT FIXTURES


| PLUMBING LEGEND |  |
| :---: | :---: |
|  | SANITARY SEWER |
| ----------- | COLD WATER |
| - - - - - - | HOT WATER |
| - ${ }^{-G}$ - - ${ }^{-}$ | PROPANE GAS LINE |



1 - ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LOCAL PLUMBING CODES.
2 - THE PROVISIONS OF THE CODE SHALL APPLY TO THE ERECTION, INSTALLATION, ALTERATION, HEALTH, PROPERTY AND PUBLIC WELFARE REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, INSTALLATION, QUALITY OF MATERIALS, LOCATION, OPERATION OR USE OF PLUMBING EQUIPMENT.
3. ALL PLUMBING SYSTEMS, MATERIALS APPURTENANCES SHALL BE MAINTAINED IN PROPER CONDITION IN ACCORDANCE WITH

THE ORIGINAL DESIGN IN A SAFE AND SANITARY CONDITION. ALL DEVICES OR SAFEGUARDS REQUIRED BY CODE SHALL BE MAINTAINED IN COMPLIANCE WITH THE CODE EDITION UNDER WHICH INSTALLED. THE OWNER OR OWNERS REPRESENTATIVE SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PLUMBING SYSTEMS. TO DETERMINE COMPLIANCE WITH THIS PROVISION, THE CODE OFFICIAL SHALL HAVE THE AUTHORITY TO REQUIRE ANY PLUMBING SYSTEMS TO BE RE-INSPECTED.
4. FINAL INSPECTION SHALL BE MADE AFTER THE BUILDING IS COMPLETE, ALL PLUMBING FIXTURES ARE IN PLACE AND PROPERLY CONNECTED, AND THE STRUCTURE IS READY FOR OCCUPANCY. THE HOLDER OF THE PLUMBING SHALL BE RESPONSIBLE FOR THE SCHEDULING OF SUCH INSPECTIONS.
5. PROVIDE AND INSTALL NEW PLUMBING FIXTURES. CONNECT TO EXISTING WASTE, COLD WATER AND HOT WATER LINES AS SHOWN.


front view
STANDRD FIIING DIMENSIONS OF
SHOWER WITH FLOOR TRAP SHOWER WITH FLOOR TRAP

SIDE VIEW


front View
STANDARD FIXING DIMENSIONS OF
ENGLISH STYLE WATER CLOSET, (IWC)


FRONT VIEW STANDARD IIIING DIMENSION OF


SIDEVIEW
lumbing
P103

## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-015
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM

## ADJACENTHOUSING ATTRIBUTES

| ADDRESS | HOUSING TYPE | YEAR BUILT | HOUSE SF | ACCESSORY BUILDING | EXTERIOR MATERIALS |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 223 Russell Drive | Vacant | N/A | N/A | N/A | N/A |
| 235 Russell Drive | Vacant | N/A | N/A | N/A | N/A |
| 247 Russell Drive | Vacant | N/A | N/A | N/A | N/A |
| 250 Nicole Drive | Modular Home | 1998 | 1,344 | 820 | Siding |
| 222 Nicole Drive | Vacant | N/A | N/A | N/A | N/A |
| 208 Nicole Drive | Vacant | N/A | N/A | N/A | N/A |
| 196 Nicole Drive | Vacant | N/A | N/A | N/A | N/A |
| 186 Nicole Drive | Vacant | N/A | N/A | N/A | N/A |
| 181 Russell Drive | Vacant | N/A | N/A | N/A | N/A |
| 193 Russell Drive | Modular Home | 1997 | 1,984 | N/A | N/A |
| 209 Russell Drive | Modular Home | 1978 | 1,180 | 296 | Siding |
| 198 Russell Drive | Vacant | N/A | N/A | N/A | N/A |
|  | AVERAGES | 1991 | 1,503 | 558 |  |

## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-015
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


223 Russell Drive


[^4]CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-015
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


## 247 Russell Drive



250 Nicole Drive

## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-015
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


222 Nicole Drive


208 Nicole Drive


## 196 Nicole Drive



186 Nicole Drive

## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-015
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


181 Russell Drive


193 Russell Drive

## CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-015
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


209 Russell Drive


198 Russell Drive

CITY OF ROCKWALL
ORDINANCE NO. $\underline{23-X X}$
SPECIFIC USE PERMIT NO. S-2XX


#### Abstract

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01] 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 RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1690ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1290 OF THE LAKE ROCKWALL ESTATES \#2 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 by Martha Balleza and Ana Quezada for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.1690-acre parcel of land identified as Lot 1290 of the Lake Rockwall Estates \#2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 223 Russell Drive, 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 75 (PD-75) [Ordinance No. 16-01] 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 Planned Development District 75 (PD-75) [Ordinance No. 16-01] and 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 Residential Infill in an Established Subdivision to allow for the construction of a single-family home in an established subdivision 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 75 (PD-75) [Ordinance No. 16-01] and Subsection 03.01, General Residential District Standards, and Subsection 03.09, Single-Family 7 (SF-7) District, of Article 05, District Development Standards, of the Unified Development Code (UDC) [Ordinance No. 2002] -- 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 single-family home on the Subject Property and conformance to these operational conditions are required:

1) The development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in Exhibit ' $A$ ' of this ordinance.
2) The construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit ' $B$ ' of this ordinance.
3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

### 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 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 $1^{\text {st }}$ DAY OF MAY, 2023.

ATTEST:


Kevin Fowler, Mayor

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney
$1^{\text {st }}$ Reading: April 17, 2023
$2^{\text {nd }}$ Reading: May 1, 2023


Exhibit 'A' Location Map and Residential Plot Plan

## Address: 223 Russell Drive

Legal Description: Lot 1290 of the Lake Rockwall Estates \#2 Addition


Exhibit ' A ':
Location Map and Residential Plot Plan


Exhibit 'B':
Building Elevations


Exhibit 'B':


TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
April 11, 2023
Jonathan Martinez
Z2023-016; Specific Use Permit for a Bail Bond Service

## SUMMARY

Hold a public hearing to discuss and consider a request by Johnathan Martinez on behalf of Donna C. Pritchard for the approval of a Specific Use Permit (SUP) allowing a Bail Bond Service on a 0.423 -acre parcel of land identified as Lot 1 , Block 1, Garland Federal Savings \& Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1901 S . Goliad Street [SH-205], and take any action necessary.

## BACKGROUND

A portion of the subject property was originally annexed into the City of Rockwall on June 20, 1959 by Ordinance No. 59-02. The remainder of the subject property was annexed into the City of Rockwall on September 5, 1960 by Ordinance No. 60-02. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the January 3, 1972 historic zoning map, at some point between the time of annexation and January 3, 1972 the subject property was rezoned from Agricultural (AG) District to Commercial (C) District. On March 1, 1976, the City Council approved a final plat that establish the subject property at Lot 1, Block 1, Garland Federal Savings \& Loan Addition. According to the Rockwall Central Appraisal District (RCAD) there is a 2,984 SF shopping center constructed in 1992.

## PURPOSE

The applicant - Jonathan Martinez -- is requesting the approval of a Specific Use Permit (SUP) to allow a Bail Bond Service in a Commercial (C) District on the subject property.

## ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1901 S . Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is E. Yellow Jacket Lane, which is classified as a M4D (i.e. major collector, four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.8323 -acre parcel of land (i.e. Lot 1, Block 1, 7 Eleven/Goliad Addition) developed with a Retail Store with Gasoline Sales, zoned Commercial (C) District. Following this are two (2) vacant parcels of land (i.e. Lots 6 \& 8, Block 1, First United Methodist Church Addition) zoned Commercial (C) District.

South: $\quad$ Directly south of the subject property are two (2) tracts of land (i.e. Lot 1, Block A875, JJ Jones Addition \& tract 19 of the J. Cradle Survey, Abstract No. 65) developed with a Retail Store and a Small Animal Clinic, zoned Commercial (C) District. Beyond this is S. Goliad Street, which is classified as a P6D (i.e. principle arterial, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this is a 4.82-acre parcel of land (i.e. Lot 1, I-30/205 Plaza Phase 1 Addition) developed with a Retail Store (i.e. Hobby Lobby), zoned Commercial (C) District.

East: $\quad$ Directly east of the subject property is a 2.198 -acre parcel of land (i.e. part of Lot 1, Rockwall Business Park) developed with a multi-tenant commercial building, zoned Commercial (C) District. Beyond this is a vacant parcel of land (i.e. part of Lot 1, Rockwall Business Park) zoned Commercial (C) District. Following this is a 12.79-acre parcel of land (i.e. Lot 1, Block A, Rockwall County Courthouse Addition) developed with the Rockwall County Courthouse, zoned Commercial (C) District.

West: Directly west of the subject property is the intersection of E. Yellow Jacket Lane and S. Goliad Street, which are classified as a M4D (i.e. major collector, four [4] lane, divided roadway) and a P6D (i.e. principle arterial, six [6] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 1.30-acre parcel of land (i.e. Lot 1A, Block A, Braum's Addition) developed with a Restaurant with a Drive-Through, zoned General Retail (GR) District. Following this is a 11.579-acre parcel of land (i.e. Lot 1, Block A, Pebblebrook Addition) developed with a Multi-Family Development, zoned Multi-Family 14 (MF-14) District.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY


## CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, letter, and a zoning exhibit requesting a Specific Use Permit (SUP) for a Bail Bond Service on the subject property. According to the Rockwall Central Appraisal District (RCAD) there is an existing 2,984 SF shopping center situated on the subject property. In this case, the applicant is requesting to operate out of one (1) of the three (3) suites in the existing building. According to the applicant's letter, the applicant currently has four (4) employees that would work at this location. The business would operate seven (7) days a week from $8 \mathrm{am}-8 \mathrm{pm}$, with the phone lines staying open 24-hours a day. Staff has included all of the applicant's submitted materials in the attached packet for the Planning and Zoning Commission and City Council's review.

## CONFORMANCE WITH THE CITY'S CODES

Subsection 02.01 (G), Commercial and Business Services Land Uses, of Article 13, Definitions, of the Unified Development Code (UDC), defines a Bail Bond Service as "(a)n establishment that solicits, negotiates, and executes bonds or other security to guarantee the appearance in court of a person accused of a crime." In this case, the applicant's proposed use falls under this classification. According to the Permissible Use Charts contained in Article 04, Permitted Uses, of the Unified Development Code (UDC), a Bail Bond Service requires a Specific Use Permit (SUP) in a Commercial (C) District. The purpose of this requirement is to acknowledge that the Bail Bond Service land use is not appropriate within all of the City's commercial areas, and that the City Council should have discretionary oversite with regard to this land use and their impacts within these types of districts.

## STAFF ANALYSIS

According to Subsection 02.02, Specific Use Permits (SUP), of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), "(t)he purpose of a Specific Use Permit (SUP) is to allow discretionary consideration of certain uses that would typically be considered incompatible within certain locations of a zoning district." In addition, the Specific Use Permit (SUP) allows the Planning and Zoning Commission and City Council the discretion to consider certain land uses to mitigate for the proliferation of one (1) land use within close proximity to each other. In this case, there is another Bail Bond Service within the adjacent multi-tenant retail building, which is approximately $\sim 100$-feet of the subject property (i.e. ~285-feet from the subject property to the lease space of the existing Bail Bond Service). That being said, approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

## OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the Land Use Plan contained in the OURHometown Vision 2040 Comprehensive Plan, the subject is situated within the $\underline{I H-30}$ Corridor District. This district is composed primarily of a Special Commercial Corridor (SC). The $\underline{I H-30}$ Corridor District classifies the SC into three (3) zones: Preservation Zone, Transitional Zone, and Opportunity Zone. In this case, the subject property is located within the Opportunity Zone, which is defined as "(a) segment of the existing corridor with vacant or strategically placed or underutilized land that could be developed or redeveloped with the highest and best use for the corridor." It is at the discretion of the Planning and Zoning Commission and City Council if the proposed Bail Bond Service meets the District Strategies outlined within the OURHometown Vision 2040 Comprehensive Plan.

## NOTIFICATIONS

On March 21, 2023, staff mailed 34 notices to property owners and occupants within 500 -feet of the subject property. Staff also notified the Waterstone Homeowner's Association (HOA), which is the only HOA/Neighborhood Organization within 1,500 -feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). Staff has received no notices in favor or opposed to the applicant's request.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a Bail Bond Service within a Commercial (C) District, 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 SUP ordinance and which are detailed as follows:
(a) The development and operation of the Bail Bond Service shall generally conform to the Survey depicted in Exhibit 'B' of this ordinance and shall not occupy the entire existing building; and
(b) The proposed Bail Bond Service shall comply with all signage requirements.
(2) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.


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

PLANNNNG \& ZONNG CASE NO. 22023-016
NOTE: THE APPLICATION IS NDT 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:
$\square$ MASTER PLAT $(\$ 100.00+\$ 15.00$ ACRE)
$\square$ PRELIMINARY PLAT ( $\$ 200.00+\$ 15.00$ ACRE):
$\square$ FINAL PLAT $(\$ 300.00+\$ 20.00 \text { ACRE })^{1}$
$\square$ REPLAT $\left(\$ 300.00+\$ 20.00\right.$ ACRE) ${ }^{1}$
$\square$ AMENDING OR MINOR PLAT $(\$ 150.00)$
$\square$ PLAT REINSTATEMENT REQUEST ( $\$ 100.00$ )
SITE PLAN APPLICATION FEES:
$\square$ SITE PLAN $(\$ 250.00+\$ 20.00$ ACRE $)$
$\square$ AMENDED SITE PLANELEVATIONS/LANDSCAPING PLAN ( $\$ 100.00$ )

ZONING APPLICATION FEES:
$\square Z O N$ NG CHANGE $(\$ 200.00+\$ 15.00$ ACRE)
E SPECIFIC USE PERMIT $(\$ 200.00+\$ 15.00 \text { ACRE })^{182}$
$\square$ PD DEVELOPMENT PLANS $(\$ 200.00+\$ 15.00 \text { ACRE })^{1}$
OTHER APPLICATION FEES:
$\square$ TREE REMOVAL ( $\$ 75.00$ )
$\square$ VARIANCE REQUEST/SPECIAL EXCEPTIONS $(\$ 100.00)^{\text {² }}$
NOTES:
1: WDETERMINWG 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. I. A S1,000.00 FEE WLL BE ADDED TO THE APPLICATION FEE FOR ANY REOUEST THAT INVOIVES CONSTRUCTKN WTHOUT OR NOT IN COMPLANCE TO AN APPROVEO BUILDING PERMIT.

PROPERTY INFORMATION PLLEASE PRINT]
adoress 1901 S. Goliad, Rockwall Tx 75087 subdivion Coarland FederalSovings FLOAN blot 1 block $/$ GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING
PROPOSED ZONING

CURRENT USE
proooseouse bail bonds
acteage 0.423
LOTS [CURRENT]

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 PROVIDEO ON THE DEVELOPMENT CALENDAR WILL RESULTIN THE DENLAL OF YOUR CASE.
OWNERIAPPLICANT/AGENT INFORMATION [PLEASE PRINTCHECK THE PRIMARY CONTACTIORIGINAL SIGNATURES ARE REQUIRED] Yowner DONNA C Prítchard a aphlañ Jonathan Martiner CONTACT PERSON conract pessow Jonathom Martinez aooress 1610 Shores Blud aooress 331 S. Ruveffout Bird
 PHONE $2 / 49237031 \quad$ PHONE 2,4235 - 3421
Emwu dcp 627 e yahoocom eman expressbail bonds 19 (Oyahoo.com
NOTARY VERIFICATION [REQuIREDI $\quad$ before me, the undersigned authority, on this day personally appeared donina c. Pitchard iowneri the undersigned, who STATED THE INFORMATION ON THIS APPLICATION TOBE TRUE AND CERTIFIED THE FOLLOWING:

II HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; ANP THE APPLICATION FEE OF $\$$ $\qquad$ - TO COVER THE COST OF THIS APPLCATION, HAS EEEN PAID TO THE CITY OF ROCKWALL ON THIS THE $\qquad$ DAY OF INFORMATION CONTAINEO WITHIN THIS APPLICATION TO THE PUBLIC THE CITY IS ALSO AUTHORIZED AND PERMITIED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONUUNCTION WITH THIS APPLICATION, IF SUCH REPROOUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR FUBLIC INFORMATION."
$\qquad$ aracmorch 2023


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS $/ 4010$



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


| From: | Guevara, Angelica |
| :--- | :--- |
| Sent: | Tuesday, March 21, 2023 2:37 PM |
| Cc: | Miller, Ryan; Ross, Bethany; Lee, Henry |
| Subject: | Neighborhood Notification Program [Z2023-016] |
| Attachments: | Public Notice Z2023-016.pdf; HOA Map Z2023-016.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 March 24, 2023. The Planning and Zoning Commission will hold a public hearing on Tuesday, April 11, 2023 at $6: 00$ PM, and the City Council will hold a public hearing on Monday, April 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.

## Z2023-016: SUP for Bail Bond Service

Hold a public hearing to discuss and consider a request by Johnathan Martinez on behalf of Donna C. Pritchard for the approval of a Specific Use Permit (SUP) allowing a Bail Bond Service on a 0.423-acre parcel of land identified as Lot 1, Block 1, Garland Federal Savings \& Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1901 S. Goliad Street [SH-205], and take any action necessary.

## Thank you

## Angelica Guevara

## Plaming Technician

Oty of Rockwall Planning \& Zoning
385 S Goliad Street
Rockwall, TX75087
Office: 972-771-7745
Drect: 972-772-6438

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

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


Case Number:
Case Name: Case Type:
Zoning: Case Address:

Z2023-016
SUP for Express Bail Bonds Zoning
Commercial (C) District 1901 S. Goliad Street


RESIDENT
1101 YELLOW JACKET LN
ROCKWALL, TX 75087

RESIDENT
1121 YELLOW JACKET LN ROCKWALL, TX 75087

RESIDENT
1410 S GOLIAD
ROCKWALL, TX 75087

PRITCHARD DONNA CULLIN
1610 SHORES BLVD
ROCKWALL, TX 75087

RESIDENT
1815 S GOLIAD
ROCKWALL, TX 75087

RESIDENT 1902 S GOLIAD
ROCKWALL, TX 75087

ROCKWALL VET CLINIC
C/O JOE LOFTIS
2001 S GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
2004 S GOLIAD
ROCKWALL, TX 75087

ROCKWALL COUNTY
C/O CRIMINAL DIST ATT
1101 RIDGE RD STE 105 ROCKWALL, TX 75087

1111 E YELLOWJACKET LN ROCKWALL, TX 75087

MTK REAL ESTATE INVESTMENTS LLC 1131 RIDGE ROAD ROCKWALL, TX 75087

RESIDENT
1415 S GOLIAD ST ROCKWALL, TX 75087

RESIDENT 1801 S GOLIAD ROCKWALL, TX 75087

WDC PEBBLEBROOK APARTMENTS LLC ATTN: MLG FUND ACCOUNTING 19000 W. BLUEMOUND ROAD BROOKEFIELD, WI 53045

UHLIG JANET KAY \&
JEFFERY DAVID JOLLEY 1903 S GOLIAD ST ROCKWALL, TX 75087

RESIDENT
2002 S GOLIAD ROCKWALL, TX 75087

RESIDENT<br>2005 S GOLIAD ROCKWALL, TX 75087

DAIRYROCK LLC 300 SE 5TH AVENUE \#4100 BOCA RATON, FL 33432

COX MORRIS G
6902 ELLSWORTH AVENUE DALLAS, TX 75214

## FIRST UNITED METHODIST CHURCH FINANCE OFFICE 1200 E YELLOW JACKET LN ROCKWALL, TX 75087

SMAJLI MARIO 1426 MURPHY DRIVE ROCKWALL, TX 75087

LONE STAR CHICKEN LP 1810 S GOLIAD ST ROCKWALL, TX 75087

RESIDENT 1901 S GOLIAD ROCKWALL, TX 75087

RESIDENT 1920 S GOLIAD ROCKWALL, TX 75087

CARMEL CAR WASH ROCKWALL LLC 2003 S GOLIAD ST ROCKWALL, TX 75087

LANDLOW LLC 2070 PONTCHARTRAIN ROCKWALL, TX 75087

RETAIL BUILDERS INC 3000 NE 63RD ST OKLAHOMA CITY, OK 73121

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

YELLOW JACKET OB 1 LLC
800 EAGLE PASS
HEATH, TX 75032

RESIDENT
811 YELLOW JACKET
ROCKWALL, TX 75087

MIAN REAL ESTATE HOLDINGS LLC-FUND III SERIES
8660 THOMAS CHARLES LANE HICKORY HILLS, IL 60457

BOOMPA LTD
PO BOX 999
ROCKWALL, TX 75087

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

Property Owner and/or Resident of the City of Rockwall:
You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

## Z2023-016: SUP for Bail Bond Service

Hold a public hearing to discuss and consider a request by Johnathan Martinez on behalf of Donna C. Pritchard for the approval of a Specific Use Permit (SUP) allowing a Bail Bond Service on a 0.423 -acre parcel of land identified as Lot 1, Block 1, Garland Federal Savings \& Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, addressed as 1901 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, April 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, April 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<br>Rockwall Planning and Zoning Dept.<br>385 S. Goliad Street<br>Rockwall, TX 75087

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

Your comments must be received by Monday, April 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. Z2023-016: SUP for Bail Bond Service
Please place a check mark on the appropriate line below:I am in favor of the request for the reasons listed below.I am opposed to the request for the reasons listed below.

## Name:

## Address:

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

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

Case No. Z2023-016: SUP for Bail Bond Service
Please place a check mark on the appropriate line below:
$\square$ I am in favor of the request for the reasons listed below.
A am opposed to the request for the reasons listed below.
My Dairy Queen is loentel within a mile of this
location. I do Not feel this is an appropriate
Business to be so close in proximity to a family
destination
Name.
Address: 1801 Goliard Lie St., Rookwall, TX 75087

Tex. Lock. 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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MORE INFORMATION ON THIS CASE CAN BE FOUND AT: https://sites.google.com/siteirockwallplanning/developmentrdeveloprreent-cases

## - - P PLEASE RETURN THE BELOW FORM

## Case No. Z2023-016: SUP for Bail Bond Service

## Please place a check mark on the appropriate line below:

$\square$ I am in favor of the request for the reasons listed below.
I am opposed to the request for the reasons listed below.
No we are opposed to that property being used for that type of business. We feel that would not be a quality use for this location and would cause a loss of property values for other owners, Name: John Brodersen
Adders: 2003 S. Goliad St. 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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Please place a check mark on the appropriate line below:
$\square \mathrm{I}$ am in favor of the request for the reasons listed below.
$\square$ I am opposed to the request for the reasons listed below.


Name:

$$
\begin{aligned}
& \text { Tyler L. Sales, Authorized Representative of Hob-Rak, LLC } \\
& 2004 \text { S Golisad Street, Rockwell, TX } 75087
\end{aligned}
$$

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.

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Please place a check mark on the appropriate line below:

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

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


LIC\#264
331 S. Riverfront Blvd
Dallas Tx, 75207
Office (214) 760-1644
Fax (214) 760-1202
Email: expressbailbonds19@yahoo.com

March 13, 2023

My company as a bail bond office and bondsmen. We provide a service allowing a person (s) to post bail for who is charge with crimes and who do not have the money necessary to post the entire bail with the court. The bail bondsman acts as a surety by providing money to the court for the person(s) bail, promising the defendant will appear in court. We are an office of four people total. Our days and hours is known to be 24 hours, how ever will operate cordially as we provide service. I hope to be apart of Rockwall County to be of service to the community.

Thank you,



## CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-XXX


#### Abstract

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A BAIL BOND SERVICE ON A 0.423ACRE PARCEL OF LAND IDENTIFIED AS LOT 1, BLOCK 1, GARLAND FEDERAL SAVINGS AND LOAN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS $(\$ 2,000.00)$ FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.


WHEREAS, a request has been made by Johnathan Martinez on behalf of Donna Pritchard for the approval of a Specific Use Permit (SUP) for a Bail Bond Service on a 0.423 -acre parcel of land identified as Lot 1, Block 1, Garland Federal Savings and Loan Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH205 OV) District, addressed as 1901 S. Goliad Street [SH-205], and being more specifically described in Exhibit ' $A$ ' of this ordinance, which herein after shall be referred to as the Subject Property and incorporated by reference herein; and

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

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

SECTION 1. The Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a Bail Bond Service as stipulated by Article 04, Permissible Uses, of the Unified Development Code [Ordinance No. 20-02] on the Subject Property; and

SECTION 2. That the Subject Property shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in Subsection 01.01, Land Use Schedule, of Article 04, Permissible Uses, and Subsection 04.01, General Commercial District Standards; Subsection 04.05, Commercial (C) District; and Subsection 06.02, General Overlay District Standards, of Article 05, District Development Standards, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and may be amended in the future -- and with the following conditions:

### 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a Bail Bond Service on the Subject Property and conformance to these requirements is necessary for continued operations:

1) The proposed Bail Bond Service shall be limited to the area depicted in Exhibit ' $B$ ' of this 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 Certificate of Occupancy (CO), should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), Revocation, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

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

## PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

 THIS THE $1^{\text {st }}$ DAY OF MAY, 2023.
## ATTEST:

## APPROVED AS TO FORM:

Frank J. Garza, City Attorney
$1^{\text {st }}$ Reading: April 17, 2023
$2^{\text {nd }}$ Reading: May 1, 2023

## Exhibit 'A':

## Location Map

## LEGAL DESCRIPTION: LOT 1, BLOCK 1, GARLAND FEDERAL SAVINGS AND LOANS ADDITION



Exhibit 'B':
Survey


TO:
DATE:
APPLICANT:
CASE NUMBER:

Planning and Zoning Commission
April 11, 2023
Javier Silva; JMS Custom Homes, LLC
Z2023-017; Specific Use Permit (SUP) for a Residential Infill in an Established Subdivision for 711 Parks Avenue

## SUMMARY

Hold a public hearing to discuss and consider a request by Javier Silva on behalf of Nixon Estate and Judy Wible the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.16 -acre parcel of land identified as Lot 11, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 711 Parks Avenue, and take any action necessary.

## BACKGROUND

Based on the City's annexation ordinances, the subject property was annexed prior to June 20, 1959, and based on the 1934 Sanborn Maps the subject property was annexed between May 16, 1911 and August 25, 1934. According to the to the City's Historic Zoning Maps, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. Between January 3, 1972 and May 16, 1983, this zoning designation was changed to a Single-Family 7 (SF-7) District. According to the Rockwall Central Appraisal District (RCAD) there is a 1,164 SF single-family home situated on the subject property, constructed in 1975.

## PURPOSE

The applicant -- Javier Silva of JMS Custom Homes -- is requesting the approval of a Specific Use Permit (SUP) for the purpose of constructing a single-family home on the subject property in accordance with Subsection 02.03(B)(11), Residential Infill in or Adjacent to an Established Subdivision, of Article 04, Permissible Uses, of the Unified Development Code (UDC).

## ADJACENT LAND USES AND ACCESS

The subject property is addressed as 711 Parks Avenue. The land uses adjacent to the subject property are as follows:
North: Directly north of the subject property is a 0.161 -acre parcel of land (i.e. Lot 12, Block C, Foree Addition) that is developed with a single-family home, and that is zoned Single-Family 7 (SF-7) District. Beyond this is Heath Street, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this are the Stark and Wade Additions, which are established single-family subdivisions that are zoned Single-Family 7 (SF-7) District.

South: Directly south of the subject property is the rest of the Foree Addition, which was established in 1913, consists of 25 residential lots, and is zoned Single-Family 7 (SF-7) District. Bisecting the Foree Addition is Lillian Street, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

East: Directly east of the subject property is Parks Street, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.161 -acre parcel of land (i.e. Lot 11, Block D, Foree Addition) that is developed with a single-family home, and that is zoned Single-Family 7 (SF-7) District. Following this is N . Clark

Street, which is identified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. East of this are two (2) parcels of land (i.e. Block 84A \& part of 84A of the B. F. Boydston Addition) that are developed with single-family homes, and that are zoned Single-Family 7 (SF-7) District.

West: $\quad$ Directly west of the subject property are three (3) parcels of land (i.e. Lots 6-8, Block 16, F\&M Addition) that are developed with single-family homes, and that are zoned Single-Family 7 (SF-7) District. Beyond this is Austin Street, which is identified as a R2U (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this are four (4) parcels of land (i.e. Lot 1, Block A \& Lots A-C, Block 10, F\&M Addition) that are developed with single-family homes, and that are zoned Single-Family 7 (SF-7) District.

## CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY'S CODES

Article 13, Definitions, of the Unified Development Code (UDC) defines Residential Infill in or Adjacent to an Established Subdivision as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An established subdivision is further defined in Subsection 02.03(B)(11) of Article 04, Permissible Uses, of the UDC as "...a subdivision that consists of five (5) or more lots, that is $90 \%$ developed, and that has been in existence for more than ten (10) years." The subject property is part of the Foree Addition, which has been in existence since 1913, consists of 25 residential lots, and is $100 \%$ developed. The Permissible Use Charts contained in Article 04, Permissible Uses, of the UDC, requires a Specific Use Permit (SUP) for Residential Infill in or Adjacent to an Established Subdivision in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the ResidentialOffice (RO) District. This property, being zoned Single-Family 7 (SF-7) District, requires a Specific Use Permit (SUP).

In addition, Subsection 02.03(B)(11) of Article 04, Permissible Uses, of the UDC states that, "...the Planning and Zoning Commission and City Council shall consider the proposed size, location, and architecture of the home compared to the existing housing ... [and] (a)ll housing proposed under this section [i.e. Residential Infill in or Adjacent to an Established Subdivision] shall be constructed to be architecturally and visually similar or complimentary to the existing housing ..." The following is a summary of observations concerning the housing on Heath Street and Parks Avenue compared to the house proposed by the applicant:

| Housing Design and Characteristics | Existing Housing on Heath Street and Parks Avenue | Proposed Housing |
| :---: | :---: | :---: |
| Building Height | One (1) \& Two (2) Story. | One (1) Story |
| Building Orientation | The homes are oriented towards their front property line. | The front elevation of the home will face onto Parks Avenue |
| Year Built | 1929-2021 | N/A |
| Building SF on Property | 946 SF-3,100SF | $\sim 1,730$ SF |
| Building Architecture | Traditional/Craftsman with Horizontal Lap-Siding or Brick | Comparable Architecture to the Existing Homes |
| Building Setbacks: |  |  |
| Front | The front yard setbacks appear to conform to the required 20 -foot front yard setback. | $X=20-F e e t$ |
| Side | The side yard setbacks appear to conform to the required six (6) foot side yard setback. | $X=6-$ Feet |
| Rear | The rear yard setbacks appear conform to the required ten (10) feet rear yard setback. | $X>10-F e e t$ |
| Building Materials | Horizontal Lap-Siding and Brick | Horizontal Siding |
| Paint and Color | Blue, Yellow, Tan, Brown, Green, White | Unknown |
| Roofs | Composite Shingles | Composite Shingle |
| Driveways | Driveways are in the front or rear with the existing garages being flat front entry or rear entry. | The garage is proposed to be situated as a flat front entry. |

According to Section 04, Residential Parking, of Article 06, Parking and Loading, of the Unified Development Code (UDC), "(i)n single-family or duplex districts, parking garages must be located at least 20 -feet behind the front façade for front entry garages ..." In this case, the applicant's proposed garage is oriented in front of the front façade of the proposed single-family
home. A waiver to the garage orientation is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. If approved as part of the Specific Use Permit (SUP) request, the City Council will be waiving the garage orientation requirement. With this being said, staff should point out -- that with the exception of the garage orientation -- the proposed single-family home meets all of the density and dimensional requirements for a property located in a Single-Family 7 (SF-7) District.

For the purpose of comparing the proposed home to the existing single-family housing located adjacent to or in the vicinity of the subject property, staff has provided photos of the properties along Parks Avenue, and the building elevations for the proposed single-family home in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

## NOTIFICATIONS

On March 21, 2023, staff mailed 115 notices to property owners and occupants within 500 -feet of the subject property. Staff also sent a notice to the Caruth Lakes Homeowner's Association (HOA), which is the only HOAs or Neighborhood Organizations within 1,500 -feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has not received any notice in regard to the applicant's request.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) to construct a single-family home as a Residential Infill within an Established Subdivision, 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) Development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in Exhibit 'B' of the draft ordinance.
(b) The construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit ' $C$ ' of the draft ordinance; and,
(c) Once construction of the single-family home has been completed, inspected, and accepted by the City, the Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.
(2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

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

STAFF USE ONLY
PLANNHO \& ZOHMG CASE NO. 乙2023-017

 GIGGED ELOY

DIRECTOR OF PLANNING:
aTT ENOMEER

PLEASE CHECK THE APPROPRATE BOX BELOW TO NDICATE THE TYPE OF DENE O AMENT REQUEST SELECT CAI Y ONE BOX.

## PLATTING APPLICATION FEES:

- MASTER PLAT ( $\hat{\mathbf{\beta}} 10000+\$ 1500$ ACRE)!
$\square$ PRELIMNARY PLAT $(\$ 200.00+\$ 15.00 \text { ACRE) })^{1}$
$\square$ FINAL PLAT $(\$ 300,00+\$ 20,00$ ACRE)
$\square$ REPEAT $\$ 300.00+\$ 20.00$ ACRE) ${ }^{\prime}$
$\square$ ABENDNG OR MAOR PLAT (\$150.00)
$\square$ PLAT RENSTATEMENI REQUEST ( $\$ 100.00$ )
SITE PLAN APPLICATION FEES:
$\square$ STE PLAN $(\$ 250 \mathrm{C})+520.00$ ACRE $){ }^{\circ}$
$\square$ AMENDED SITE PLAVELEVATONS LANDSCAPING PLAN $(\$ 100.00)$


## ZONING APPLICATION FEES: <br> $\square$ ZONING CHANGE ( $\$ 200.00+315.00$ ACRE) :

TSPECFIC USE PERT ( $2200.00+\$ 15.00$ ACRE )
$\square$ PD DEVELOPMENT PLANS ( $3200 . C 0+\$ 15.00$ ACRE)

## OTHER APPLICATION FEES:

$\square$ TREE REMOVAL ( $\$ 75.00$ )

- VARIANCE REQUESTISPECIAL EXCEPTIONS (

Notes.



 MOVES
PERMIT

PROPERTY INFORMATION [PLEASE PRINT]
wooers 711 Parks Ave. Rockwall, TX 75087
subonvion Force's Addition lo r /l sick C GEEERALLOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT] cunearrame Residential curarusus Residential peocossiozomes Residential

ACREAGE
0.16

LOTS (CURRENT)
proposes Residential
1 bors peoposelel
 REGARD TO ITS APPROVAL PROCESS, AND FAURE TO ADDRESS ANY OF STAFFS COMMENTS BY THE DATE PROVED ON THE DEVELOPMENT CALENDAR WII RECUT IN THE LENA OF YOUR CASE.
OWNERIAPPLICANT/AGENT INFORMATION [PLEASE PRINTICHECK THE PRIMARY CONTACTIORIGINAL SIGNATURES ARE REQUIRED]

- owner Nixon Estate
coifacipresom Judy Wile contact person Javier Silva
ADDRESS 114 Wicks burg Loop noDes 58 Windsor D.
cry.starezzip Elgon TX 78621 ary.streszar Rackwall, TX 75032
PHONE $512-944-2652$
small jo $\omega \mathrm{hn}+$ email. com email supporter jmscustom homes, net
Notary Verification fieungo

 $5 \quad 215$ $\qquad$




w COMASSTONEWRE



## 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

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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.


| From: | Guevara, Angelica |
| :--- | :--- |
| Sent: | Tuesday, March 21, 2023 2:38 PM |
| Cc: | Miller, Ryan; Ross, Bethany; Lee, Henry |
| Subject: | Neighborhood Notification Program [Z2023-017] |
| Attachments: | Public Notice Z2023-017.pdf; HOA Map Z2023-017.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 March 24, 2023. The Planning and Zoning Commission will hold a public hearing on Tuesday, April 11, 2023 at $6: 00$ PM, and the City Council will hold a public hearing on Monday, April 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.

## Z2023-017: SUP for Residential Infill at 711 Parks Avenue

Hold a public hearing to discuss and consider a request by Javier Silva on behalf of Nixon Estate and Judy Wible the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.16-acre parcel of land identified as Lot 11, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 711 Parks Avenue, and take any action necessary.

## Thank you

## Angelica Guevara

## Plaming Technician

Oty of Rockwall Planning \&Zoning
385 S Goliad Street
Rockwall, TX75087
Office: 972-771-7745
Drect: 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:
Case Name: Case Type: Zoning: Case Address:

Z2023-017
SUP for Residential Infill Zoning
Single-Family 7 (SF-7) District 711 Parks Avenue


ROLAND RANDY C AND ANDREA B
101 JOE WHITE ST
ROCKWALL, TX 75087

RESIDENT
103 JOE WHITE ST
ROCKWALL, TX 75087

RESIDENT
109 JOE WHITE ST
ROCKWALL, TX 75087

SABRSULA MELISSA
1571 ANNA CADR RD
ROCKWALL, TX 75087

KINSEY DONALD H \& TARI L
2 MANOR COURT
HEATH, TX 75032

RICHARD HARRIS AND JUDY HARRIS FAMILY TRUST
RICHARD AND JUDY HARRIS- TRUSTEES
210 GLENN AVENUE
ROCKWALL, TX 75087

GLASS JERRY R
301 MEADOWDALE DR
ROCKWALL, TX 75087

ABEAR HOMES LLC SERIES 3
3400 N CENTRAL EXPY \#110 RICHARDSON, TX 75080
DOLLINS ROBIN KAY AND GEORGE OEN
403 E HEATH
ROCKWALL, TX 75087

DOLLINS ROBIN KAY AND GEORGE OEN ROCKWALL, TX 75087

REDDEN POLLY PEOPLES
213 SOVEREIGN CT ROCKWALL, TX 75032

LASKY KRISTINE ELIZABETH 3021 RIDGE RD STE A-66 ROCKWALL, TX 75032

DAVILA JUAN CARLOS
3740 CASA DEL SOL LANE
DALLAS, TX 75228

RESIDENT
405 E HEATH ST ROCKWALL, TX 75087

RESIDENT
501 LILLIAN ST
ROCKWALL, TX 75087

SUCH ANNIE ROSE AND RICHARD M FISKE 1022 TEXAN TRAIL GRAPEVINE, TX 76051

KRIZAN RASTISLAV 107 JOE WHITE ROCKWALL, TX 75087

CELINE ESTATES INC 149 BRENTWOOD DRIVE HEATH, TX 75032

CELINE ESTATES INC 1925 BROKEN LANCE LN ROCKWALL, TX 75032

> KINSEY TARI L AND DONALD H
> 2 MANOR CT HEATH, TX 75032

PARK STUFF LLC 2301 LAFAYETTE DR HEATH, TX 75032

CLARK APRIL N 313 NAKOMA DRIVE ROCKWALL, TX 75087

TIPPING VIVIAN E AND EARNEST TIPPING 401 EAST HEATH STREET ROCKWALL, TX 75087

HODGES TERESA ANN
481 ARACADIA WAY
ROCKWALL, TX 75087

HOLZHEIMER THOMAS R AND NICOLE M 501 CORNELIA ST ROCKWALL, TX 75087

BARNETT GEORGE S<br>502 CORNELIA ST<br>ROCKWALL, TX 75087

RESIDENT
503 LILLIAN ST
ROCKWALL, TX 75087

RESIDENT
505 LILLIAN ST
ROCKWALL, TX 75087

RESIDENT
505 E HEATH ST
ROCKWALL, TX 75087

> RICHARDSON PATRICE 510 COVE RIDGE RD HEATH, TX 75032

GREENAWALT PATRICK AND COURTNEY 513 E HEATH ST ROCKWALL, TX 75087

RESIDENT
601 E HEATH ST
ROCKWALL, TX 75087
SUTTON JUDITH A
603 E HEATH ST
ROCKWALL, TX 75087

LINDSAY WILLIAM \& JULIA
605 NASH ST
ROCKWALL, TX 75087

RESIDENT<br>607 NASH ST<br>ROCKWALL, TX 75087

MCINTIRE J M \& ERLINDA<br>502 E HEATH ST ROCKWALL, TX 75087

RESIDENT 504 CORNELIA ROCKWALL, TX 75087

ALSOBROOK HAROLD DAVID JR 505 CARRIAGE TR ROCKWALL, TX 75087

RESIDENT
506 CORNELIA
ROCKWALL, TX 75087

RESIDENT
511 E HEATH ST ROCKWALL, TX 75087

JMB NEWBYGINNIGS, LLC 5250 HWY 78 SUITE 750-208 SACHSE, TX 75048

EICH CHRIS AND ELENA 601 PARKS AVENUE ROCKWALL, TX 75087

FUQUA MATTHEW 604 PARKS AVE ROCKWALL, TX 75087

DINGWELL MARGUERITE NASH \& ADAM
605 PARKS AVE
ROCKWALL, TX 75087

> SPERLING SANDY
> 607 E HEATH ST
> ROCKWALL, TX 75087

RESIDENT
503 CORNELIA ROCKWALL, TX 75087

TANTON MELVIN V JR 504 E HEATH ST ROCKWALL, TX 75087

WILLIAMS JULI ANN AND JOH CHRISTOPHER
AND
MICHAEL ANTHONY BOSMA AND LAURA L
BOSMA
505 CORNELIA ST
ROCKWALL, TX 75087

RESIDENT
509 E HEATH ST
ROCKWALL, TX 75087

COATS LOIS LOUISE
512 E HEATH ST
ROCKWALL, TX 75087

JMS CUSTOM HOMES LLC 58 WINDSOR DRIVE ROCKWALL, TX 75032

MURPHY MICHAEL 602 PARKS AVE ROCKWALL, TX 75087

RESIDENT 605 E HEATH ST ROCKWALL, TX 75087

RESIDENT 606 PARKS AVE ROCKWALL, TX 75087

STARK ROBERT S \& TINA J 607 SAINT MARY ST ROCKWALL, TX 75087

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OGDEN BRANDON & LIDIA
    6 0 8 \text { NASH ST}
        ROCKWALL, TX 75087
```

        TORRES ROSIE
        RESIDENT
        610 NASH ST
    ROCKWALL, TX 75087
    RESIDENT
701 NASH ST ROCKWALL, TX 75087

MOONEY DAVID AARON 701 AUSTIN ST
ROCKWALL, TX 75087

## CASTILLO AGAPITO \& ESTELA 701 PARKS AVE ROCKWALL, TX 75087

TEMPLETON LORRAINE BIEGLER
702 NASH ST
ROCKWALL, TX 75087

HENRY AMANDA A
ELLISTON REBECCA S 703 NASH STREET
ROCKWALL, TX 75087

HANSON BRANDON R
703 PARKS AVE
ROCKWALL, TX 75087

```
SIDDALL ANNA AND JAMES
704 NASH ST ROCKWALL, TX 75087
```

ARELLANO JESUS L \&
CYNTHIA A HERRERA
706 NASH ST
ROCKWALL, TX 75087

RESIDENT
707 PARKS AVE
ROCKWALL, TX 75087

KOLWINSKA GERALDINE D
708 PARKS AVE ROCKWALL, TX 75087
STARK ROBERT C
710 AGAPE ST
ROCKWALL, TX 75087

FLANAGAN RONNY LYNN JR AND JULIE
MICHELLE
714 PARKS AVENUE ROCKWALL, TX 75087

THOMAS TRACY
704 KERNODLE ST
ROCKWALL, TX 75087

## RUSHING BRIAN AND CHANEL KENTOPP

 705 NASH ST ROCKWALL, TX 75087PECINA JOE \& LORETHIA ANN 706 PARKS AVE ROCKWALL, TX 75087

RESIDENT
708 JACKSON ST
ROCKWALL, TX 75087

JORDAN JOHN \& ALLISON
709 NASH STREET
ROCKWALL, TX 75087

KING MISTY
710 NASH STREET
ROCKWALL, TX 75087

EMBRY ASHLEY
801 AUSTIN STREET
ROCKWALL, TX 75087

BARRON ARMANDO 709 PARKS AVE ROCKWALL, TX 75087

NIXON LINDA LOUISE
711 PARKS AVENUE
ROCKWALL, TX 75087

RESIDENT
802 KERNODLE ST
ROCKWALL, TX 75087

RESIDENT
802 NASH ST
ROCKWALL, TX 75087

RESIDENT
804 NASH ST
ROCKWALL, TX 75087

RESIDENT
806 KERNODLE ST
ROCKWALL, TX 75087
DEL BOSQUE MARIO ETUX
807 KERNODLE ST
ROCKWALL, TX 75087

RESIDENT
809 AUSTIN ST
ROCKWALL, TX 75087

MCCLAIN LOUETTA 8309 TURNBERRY ST ROWLETT, TX 75089

RESIDENT
902 N FANNIN ST ROCKWALL, TX 75087

RESIDENT
908 N FANNIN ST ROCKWALL, TX 75087

BELANGER CORKY
921 N ALAMO RD ROCKWALL, TX 75087

RESIDENT
803 AUSTIN ST ROCKWALL, TX 75087

RUSTY ENTERPRISES LLC 804 WILLIAMS STREET ROCKWALL, TX 75087

RESIDENT
806 NASH ST
ROCKWALL, TX 75087

RESIDENT
808 AUSTIN ST
ROCKWALL, TX 75087

JOSEY BROOKE
810 KERNODLE ST ROCKWALL, TX 75087

WARDELL JOHN P \& JULIE C
880 IVY LN
ROCKWALL, TX 75087

HALL WYNNE \& JOANN CAMPBELL 904 N FANNIN ST ROCKWALL, TX 75087

HAGENY MARY
910 N FANNIN STREET
ROCKWALL, TX 75087

JOHNSON BRADLEY K AND GINGER M
803 KERNODLE ST
ROCKWALL, TX 75087

BUSHNELL MICHAEL S \& TIFFANIE C 805 KERNODLE ST
ROCKWALL, TX 75087

AUSTIN TRENTON C 806 AUSTIN ST ROCKWALL, TX 75087

## RESIDENT

808 KERNODLE ST ROCKWALL, TX 75087

JENNINGS AMANDA L 811 AUSTIN ST ROCKWALL, TX 75087

WIEHE JOHN THOMAS 900 N FANNIN ST ROCKWALL, TX 75087

WILLIAMS BROOKS
906 FANNIN STREET
ROCKWALL, TX 75087

MOORE NICKY A \& JUDY A
912 N FANNIN ST ROCKWALL, TX 75087

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

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

## Z2023-017: SUP for Residential Infill at 711 Parks Avenue

Hold a public hearing to discuss and consider a request by Javier Silva on behalf of Nixon Estate and Judy Wible the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.16 -acre parcel of land identified as Lot 11, Block C, Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 711 Parks Avenue, 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, April 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, April 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 Monday, April 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. Z2023-017: SUP for Residential Infill at 711 Parks Avenue

## Please place a check mark on the appropriate line below:

$\square \mathrm{I}$ am in favor of the request for the reasons listed below.I am opposed to the request for the reasons listed below.

## Name:

## Address:

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

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

| From: | Ruth Coats [ruthanncoats@yahoo.com](mailto:ruthanncoats@yahoo.com) |
| :--- | :--- |
| Sent: | Monday, March 27, 2023 3:54 PM |
| To: | Planning |
| Subject: | Z2023-017: SUP for Residential Infill at 711 Parks Avenue |

I have lived in my home, next door to 711 Parks Avenue, since March 8, 1978.
There has always been a problem I did not know how to remedy. When we have a lot of rain, because their land it higher than mine, the water comes through my garage.
Is there anything the NEW OWNERS can do about this? It would really help me.
Lois Louise Coats
512 East Heath Street
Rockwall, TX 75087-2221
Other than this I have no objections.

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

## Case No. Z2023-017: SUP for Residential Infill at 711 Parks Avenue

## 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.I HAVE LIVED MN MY GOUSE, NEXT DOOR TO TII PARKS AVENUE, SINCE MARCH 8 , IGTH. THEREHAS ALWAYS BEEN A PROBLEM / DID NAT KNOW HOW TO REMETSY WHEN WE HAVE A LDT OF RAIN, RECAUSE THEIR LAND IS HIGHER THAN MINE, THE WATEVGOMES

THROUGH MY EARAGE, IS THERE ANYTHING THAT THE NEW OWNER CAN DO Name: LOIS L DUISE CMATS TO STOP THS?

Address: 512 East heath Street Rockwall, Texas 750S7-2221
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

[^5]






CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM

## ADJACENT HOUSING ATTRIBUTES

| ADDRESS | HOUSING TYPE | YEAR <br> BUILT | HOUSE SF | EXTERIOR MATERIALS | ACCESSORY BUILDING |
| :--- | :--- | :--- | :--- | :--- | :--- |
| 512 Health Street | Single-Family Home | 1961 | 1,120 | Brick | N/A |
| 601 Parks Avenue | Single-Family Home | 1929 | 2,264 | Brick | N/A |
| 602 Parks Avenue | Single-Family Home | 1940 | 2,192 | Siding | N/A |
| 604 Parks Avenue | Single-Family Home | 1955 | 1,873 | Brick | N/A |
| 605 Parks Avenue | Single-Family Home | 1948 | 1,759 | Siding | Not Found |
| 606 Parks Avenue | Single-Family Home | 1990 | 1,468 | Siding | N/A |
| 610 Parks Avenue | Single-Family Home | 2020 | 2,800 | Siding | N/A |
| 701 Parks Avenue | Single-Family Home | 1980 | 1,269 | Siding | N/A |
| 702 Parks Avenue | Single-Family Home | 2020 | 3,100 | Siding | N/A |
| 703 Parks Avenue | Single-Family Home | 1990 | 960 | Siding | N/A |
| 704 Parks Avenue | Single-Family Home | 2021 | 2,900 | Siding | N/A |
| 706 Parks Avenue | Single-Family Home | 1981 | 1,087 | Brick | Not Found |
| 707 Parks Avenue | Single-Family Home | 1995 | 946 | Siding | N/A |
| 708 Parks Avenue | Single-Family Home | 1985 | 1,361 | Brick | Not Found |
| 709 Parks Avenue | Single-Family Home | 1992 | 1,081 | Siding | N/A |
| 711 Parks Avenue | Subject Property | 1975 | 1,164 | Siding | 100 |
| 714 Parks Avenue | Single-Family Home | 1980 | 1,800 | Brick | N/A |
| Averages |  | 1980 | 1,714 |  | 100 |



512 Heath Street


601 Parks Avenue

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


602 Parks Avenue


604 Parks Avenue

HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMALL: PLANNING@ROCKWALL.COM


605 Parks Avenue


606 Parks Avenue

HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMALL: PLANNING@ROCKWALL.COM


610 Parks Avenue


701 Parks

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


702 Parks Avenue


703 Parks Avenue

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


704 Parks Avenue



704 Parks Avenue


706 Parks Avenue

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


704 Parks Avenue


706 Parks Avenue


707 Parks Avenue


708 Parks Avenue

CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMALL: PLANNING@ROCKWALL.COM


709 Parks Avenue


[^6]CITY OF ROCKWALL
HOUSING ANALYSIS FOR CASE NO. Z2023-013
PLANNING AND ZONING DEPARTMENT
385 S. GOLIAD STREET • ROCKWALL, TX 75087
PHONE: (972) 771-7745•EMAIL: PLANNING@ROCKWALL.COM


714 Parks Avenue

## CITY OF ROCKWALL

ORDINANCE NO. 23-XX
SPECIFIC USE PERMIT NO. S-2XX


#### Abstract

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 SINGLEFAMILY HOME ON A 0.16-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 11, BLOCK C, FOREE 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 by Javier Silva of the JMS Custom Homes, LLC on behalf of the Nixon Estate for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.16 -acre parcel of land identified as Lot 11, Block C, of the Foree Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 711 Parks Avenue, and being more specifically described and depicted in Exhibit ' $A$ ' of this ordinance, which herein after shall be referred to as the Subject Property and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (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 Residential Infill in an Established Subdivision to allow for the construction of a single-family home in an established subdivision in accordance with Article 04, Permissible Uses, the Unified Development Code (UDC) [Ordinance No. 20-02] on the Subject Property; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, General Residential District Standards, and Subsection 03.07, Single-Family 7 (SF-7) District, 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 single-family home on the Subject Property and conformance to these operational conditions are required:

1) The development of the Subject Property shall generally conform to the Residential Plot Plan as depicted in Exhibit ' $B$ ' of this ordinance.
2) The construction of a single-family home on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit ' $C$ ' of this ordinance.
3) Once construction of the single-family home has been completed, inspected, and accepted by the City of Rockwall, this Specific Use Permit (SUP) shall expire, and no further action by the property owner shall be required.

### 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 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 $1^{\text {st }}$ DAY OF MAY, 2023.


## APPROVED AS TO FORM:

Frank J. Garza, City Attorney
$1^{\text {st }}$ Reading: April 17, 2023


## Exhibit 'A':

Legal Description

## Address: 711 Parks Avenue

Legal Description: Lot 11, Block C, Foree Addition


Exhibit ' $B$ ':
Residential Plot Plan


Exhibit ' $C$ ': Building Elevations


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

TO:
FROM:
DATE:
SUBJECT:

Planning and Zoning Commission
Ryan Miller, Director of Planning and Zoning
April 11, 2023
Z2023-019; Amendment to Article 04, Permissible Uses, and Article 13, Definitions, of the UDC to Create a Credit Access Business Land Use

On March 20, 2023 -- following a work session with staff --, the City Council directed staff to proceed with the creation of a Credit Access Business land use. According to Section 393.601 of the Texas Finance Code, a Credit Access Business is "...a credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of consumer credit in the form of a deferred presentment transaction or a motor vehicle title loan." Examples of these types of businesses include auto title loan and payday lending businesses. Currently, the City of Rockwall has two (2) businesses that would fall under this category (i.e. Kastle Lending and Check ' $n \mathrm{Go}$ ); however, it is anticipated that this number could increase in the near future.

In 2021 the City of Dallas expanded its regulation of Credit Access Businesses to include more types of high-cost, small dollar loans. In other metropolitan areas across Texas, it has been observed that when a larger municipality (e.g. Austin, San Antonio, etc.) adopts restrictions or additional regulations against Credit Access Businesses, smaller cities in a close proximity to the larger municipality start to see an increase of these types of businesses locating within their corporate limits. In addition, these types of uses -- from a land use perspective -- tend to locate along high visibility corridors and intersections of major roadways in clusters (i.e. they tend to located in close proximity to each other) [see Figures 1-3]. They also tend to cluster in shopping centers. Based on these trends, staff is proposing the following as a proactive approach to ensuring that the City's major corridors and shopping centers are not inundated with Credit Access Businesses:
(1) A Credit Access Business land use be added to the Permissible Use Charts contained in Article 04, Permissible Uses, and a definition of Credit Access Business be added to Article 13, Definitions, of the Unified Development Code (UDC).
(2) A Credit Access Business shall be allowed in the same zoning districts as the Financial Institution without Drive-Through land use; however, since the work session meeting on March 28, 2023, staff has changed the land use from a permitted by-right land use in the Residential Office (RO), Neighborhood Services (NS), and General Retail (GR) District to requiring a Specific Use Permit (SUP). The purpose of this change is due to these zoning districts typically being in a close proximity to residentially zoned or used property.
(3) Conditional Land Use Standards be added to Article 04, Permissible Uses, of the Unified Development Code (UDC) prohibiting these land uses from locating within 1,000 -feet of a like land use, and 500 -feet from a residentially zoned property. The 500 -foot requirement is being added from the work session to

FIGURES 1-3. EXAMPLES OF LAND
PATTERNS OF CREDIT ACCESS bUSINESSES IN OTHER CITIES


FIGURE 1. GRAND PRAIRIE


FIGURE 2. MESQUITE


FIGURE 3. ROWLETT
provide protection from these businesses from locating in close proximity to residentially zoned or used property (e.g. the commercially zoned areas along Ranch Trail adjacent to the Lake Rockwall Estates Subdivision). Both spacing requirements shall be measured from the property line of one (1) property to property line of another property.

A redlined copy of the proposed changes along with a draft ordinance has been provided in the attached packet. In accordance with Subsection 02.01(C) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), the Director of Planning and Zoning is bringing forward the proposed text amendment to the City Council for consideration, and -- in accordance with Section 02.04(B) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC) -- staff is bringing the proposed amendment forward to the Planning and Zoning Commission for a recommendation to the City Council. The schedule for this text amendment is as follows:

Planning and Zoning Commission Work Session: March 28, 2023
Planning and Zoning Commission Public Hearing: April 11, 2023
City Council Public Hearing/First Reading: April 17, 2023
City Council Second Reading: May 1, 2023
Staff has sent out a 15 -day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on April 11, 2023.

TO:
FROM:
DATE:
SUBJECT:

Planning and Zoning Commission
Ryan Miller, Director of Planning and Zoning
April 11, 2023
Z2023-020; Master Thoroughfare Plan Update

On January 10, 2022, the City of Rockwall entered into a Professional Services Engineering Contract with Freese and Nichols, Inc. to review the City's Master Thoroughfare Plan (MTP) and provide recommendations concerning the classification of the City's roadways. Due to some issues concerning the North Central Texas Council of Government's (NCTOG's) regional model, the project was delayed; however, on February 28, 2023, the City's consultant provided staff with the final recommendations and their memorandum to the City Council (see attached). These recommendations include:

DOWNGRADES
(1) Promenade Place from a Minor Collector to an R2U.
(2) Tannerson Drive from a Minor Collector to an R2U.
(3) Panhandle Drive from a M4U to a R2U.
(4) Los Altos Drive from a Minor Collector to an R2U.
(5) Fannin Street from SH-66 to Midnight Pass from a Minor Collector to an R2U.
(6) Renfro Street from a Minor Collector to an R2U.
(7) S. Lakeshore Drive from W. Rusk Street to Lakeview Drive from a Minor Collector to an R2U.
(8) Lakeview Drive from S. Lakeshore Drive to Lakedale Drive from a Minor Collector to an R2U.
(9) Summit Ridge from a Minor Collector to an R2U.
(10) Lakedale Drive from a Minor Collector to an R2U.
(11) M4U from John King Boulevard to IH-30 Frontage Road to Minor Collector.
(12) Mims Road from SH-205 to Sids Road from an M4U to a Minor Collector.
(13) Sids Road from Mims Road to SH-205 from a M4U to a Minor Collector.
(14) Glen Hill Way from FM-740 [Ridge Road] to Summer Lee Drive from a Minor Collector to a Local Road.
(15) Old SH-276 [Caddo Ridge Drive] from M4U to Minor Collector.

## UPGRADES

(1) SH-66 from John King Boulevard to FM-3549 from a M4D to P6D.
(2) Minor Collector from IH-30 Frontage Road to Justin Road to a A4D.
(3) Turtle Cove Boulevard from an R2U to a Minor Collector.
(4) M4U from SH-205 to FM-3097 [Horizon Road] from Minor Collector to M4U.
(5) FM-551 from the edge of the Extraterritorial Jurisdiction (ETJ) [i.e. in between Smith Acres and Jamestown Lane] to SH276 from a M4U to an A4D.
(6) FM-548 [Poetry Road] from SH-276 to S. Munson Road from a Minor Collector to M4U.
(7) Blackland Road from SH-276 to FM-550 from M4U to an A4D.
(8) FM-550 from Hodges Lane to the edge of the Extraterritorial Jurisdiction (ETJ) [i.e. in between Lone Star Drive and Dowell Road] from M4U to an A4D.

## REMOVED

(1) Old SH-66 Alignment from FM-1141 to John King Boulevard.
(2) M4U from Justin Road to John King Boulevard to Minor Collector.
(3) Village Drive.

## NOMENCLATURE CHANGES

(1) M4D changed to A4D.

The Master Thoroughfare Plan (MTP) is contained within the OURHometown Vision 2040 Comprehensive Plan, and according to Section 213.003, Adoption or Amendment of the Comprehensive Plan, of the Texas Local Government Code, "(a) comprehensive plan may be adopted or amended by ordinance following: (1) a hearing at which the public is given the opportunity to give testimony and represent written evidence; and (2) review by the municipality's planning commission or department, if one exists." In addition, Section 9.03, Master Plan, of the City's Home Rule Charter states that "(r)eccomended changes to the Master Plan must be submitted to the City Manager after the Planning and Zoning Commission holds at least one [1] public hearing on the proposed change." Section 9.04, Procedure for Amending Master Plan, goes on to state that the "City Manager will submit the proposed changes to the Council, together with any recommendations. The Council, after a public hearing, shall adopt or reject such proposed revisions or any part thereof as submitted within sixty (60) days following its submission by the City Manager. If the proposed revisions or part thereof should be rejected by the Council, the Planning and Zoning Commission may make modifications and again forward it to the City Manager for submission to the Council." On March 20, 2023, the City Council reviewed these changes and directed staff to proceed with amending the Comprehensive Plan in accordance with the City's Charter and the Texas Local Government Code. In accordance with this direction, staff advertised the public hearings in the Rockwall Harald Banner and will be bringing the case forward in accordance with the following schedule:

Planning and Zoning Commission Work Session: March 28, 2023
Planning and Zoning Commission Public Hearing: April 11, 2023
City Council Public Hearing/First Reading: April 17, 2023
City Council Second Reading: May 1, 2023
Staff has sent out a 15 -day notice to the Rockwall Herald Banner in accordance with all applicable state laws and Section 02.03(A)(3) of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC). Should the Planning and Zoning Commission have any questions staff will be available at the meeting on April 11, 2023.



Due to ongoing development within the City of Rockwall and adjacent communities, and the expansion of adjacent roadway facilities on $\mathrm{IH}-30$ and SH 66, the City of Rockwall determined that a review of its Thoroughfare Plan was required. The City of Rockwall contracted the services of Freese and Nichols, Inc. to conduct and demographic and network review, assess the ability of its roadway network to accommodate buildout demographic conditions, and provide roadway network improvement recommendations.

## Data Collection

The project team received thoroughfare plan networks, boundary data, and demographic information from the City of Rockwall and used the buildout data from the Summary Land Use Plan on page 32 of the Rockwall 2018 Comprehensive Plan and NCTCOG employment data as a guide to develop buildout demographics.

## Demographics Update

The project team used this data and GIS-based zones data (city districts and traffic analysis zones) to determine the buildout demographics at the TAZ level for incorporation into the NCTCOG travel demand model. All demographic development of buildout demographics was completed in coordination, consultation, review, and approval of the City of Rockwall GIS Services Division.

Stakeholder Involvement
The FNI project met both virtually and in-person throughout the study timeline. There was a total of three (3) in-person meetings with City of Rockwall staff; a project scoping meeting on November 16, 2021, the project kick-off meeting on February $8^{\text {th }}, 2022$, and a project coordination meeting on June 7 , 2022.

## Thoroughfare Network Assessment

A revised thoroughfare plan with approved buildout demographics was submitted to NCTCOG to determine which roadways would be congested at buildout. The NCTCOG model development group used the 2045 demographics and networks from its 2022 model update as the background data for the buildout demographics and proposed roadway network improvements. All model outputs were reviewed in consultation with NCTCOG, the FNI project team, and the City of Rockwall.

## Network Review / Roadway Right-Sizing

After reviewing the congested roadway network, a series of proposed improvements were proposed for the existing Thoroughfare Plan. The FNI project team worked in collaboration with the City of Rockwall to determine which roadway improvements were feasible and identified additional modifications based on ongoing development activity and available ROW. Additional updates were put forward by the City of Rockwall as part of an iterative editing process resulting in the final Thoroughfare Plan. Network updates were compared with the Rockwall County Thoroughfare Plan to ensure consistency and continuity with external roadways. The proposed 2023 City of Rockwall Thoroughfare Plan is shown in Figure 2 on the last page of the memorandum. Figure 1 shows the changes from the previous Thoroughfare Plan.

## Roadway Cross-Section Review

Thoroughfare roadway cross sections were reviewed from the 2018 Comprehensive Plan and current thoroughfare plan. While all cross sections provide adequate lane-widths and parking, several recommendations are suggested for consideration. It was noted by both Freese Nichols and NCTCOG staff that the functional classification is heavily weighted towards collectors, although several sections operate as arterials. Some of these collector classes are not compatible with the NCTCOG travel demand model roadway classifications and had to be modified in order for the network to be run through the regional model. It is recommended that the city consider reclassifying major 4-lane divided collectors (M4D) as minor 4-lane arterials (A4D) and modified major undivided collector (M4U-M) as 5-lane undivided arterials (A5U). It was also noted that designs standards show sidewalk widths at five feet wide with a three-foot buffer from the roadway. It is recommended, where feasible, that the sidewalk and buffer widths be increased on arterials to support the growth of the bicycle-pedestrian network, accommodate future micro-mobility technologies, and improve user safety.

Recommendations

It is recommended that the City of Rockwall adopt the Thoroughfare Plan as shown in Figure 2 and revise its roadway functional classification to replace the M4D collector class with an A4D arterial class and the M4U-M class with an A5U arterial class.

It is also recommended that the City of Rockwall consider increasing the size of its sidewalks and sidewalk buffers, where ROW permits, to improve bicycle and pedestrian safety, support safe routes to school, and accommodate emerging micro-mobility technologies.

Figure 1: Changes from Previous Thoroughfare Plan



City of Rockwall Proposed Thoroughfare Plan Changes

Legend
$\bigcirc$ Addition
OUpgrade
ODowngrade

- Downgrade
Removal
- Remova
- P63
- 30
- ${ }^{\text {P3U }}$
-A5U
-A4D
- ${ }^{\text {M4U }}$
- MC
Interstate
$=$ outer Loop
$=0$ county
$=\sum_{\substack{\text { Boundary } \\ \text { City Linits }}}$
Cily Limits
ETD
Flod
Flood Zon

- FREESE

Figure 2: The 2022 City of Rockwall Thoroughfare Plan


## CITY OF ROCKWALL

## ORDINANCE NO. 23-XX

> AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ADOPTING REVISIONS TO THE MASTER THOROUGHFARE PLAN CONTAINED WITHIN THE OURHOMETOWN VISION 204O COMPREHENSIVE PLAN IN ACCORDANCE WITH THE CITY'S HOME RULE CHARTER.

WHEREAS, the Home Rule Charter of the City of Rockwall, Texas, states that the Comprehensive Plan will contain recommendations for the growth, development and beautification of the City and its Extraterritorial Jurisdiction (ETJ); and

WHEREAS, the City Council of the City of Rockwall has previously authorized a study to update the Comprehensive Plan, also referred to as the Master Plan; and

WHEREAS, the citizens of the City of Rockwall were involved in the development of the Comprehensive Plan through participation in committee and public meetings; and

WHEREAS, the Comprehensive Plan shall serve as a guide to all future City Council action concerning land use and development regulations and expenditures for capital improvements; and

WHEREAS, Section 213.003, Adoption or Amendment of Comprehensive Plan, of Chapter 213, Municipal Comprehensive Plans, of the Texas Local Government Code states that the adoption of, or amendment to, a Comprehensive Plan requires a hearing at which the public is given the opportunity to give testimony and present written evidence, and as required by the Home Rule Charter of the City of Rockwall a public hearing has been held on the proposed revisions to the Comprehensive Plan, and the governing body -- in the exercise of its legislative discretion -- has concluded that the Comprehensive Plan should be amended as follows:

## NOW, THEREFORE, BEIT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,

 TEXAS:SECTION 1. The Master Thoroughfare Plan contained within the OURHometown Vision 2040 Comprehensive Plan be amended as depicted in Exhibit ' $A$ ' of this ordinance; and,

SECTION 2. The Comprehensive Plan shall be used by the City Staff in planning and as a guide for future development of the City of Rockwall; and,

SECTION 3. 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 $3^{\text {RD }}$ DAY OF APRIL, 2023.

## ATTEST:

Kristy Teague, City Secretary

## APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: $\quad$ March 20, 2023


Exhibit 'A'
Master Thoroughfare Plan Amendment



TO:<br>DATE:<br>APPLICANT:<br>CASE NUMBER:<br>Planning and Zoning Commission<br>April 11, 2023<br>Paul Cragun; Cumulus Design<br>SP2023-011; Site Plan for Rockwall Retail

## SUMMARY

Discuss and consider a request by Paul Cragun of Cumulus Design on behalf of Campfire Shops, LLC for the approval of a Site Plan for a Carwash and Commercial/Retail Shopping Center on a 2.003-acre parcel of land identified Lot 4, Block A, Wal-Mart Super Center Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the $\mathrm{HH}-30$ Overlay (IH-30 OV) District, situated along the east side of White Hills Drive south of Suncrest Drive.

## BACKGROUND

On November 7, 1960 the subject property was annexed by Ordinance $60-03$ [Case No. A1960-003]. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to City's historic zoning maps, at some point between November 7, 1960 and January 3, 1972, the subject property was rezoned from Agricultural (AG) District to Commercial (C) District. On February 1, 2016, the City Council approved a Specific Use Permit (SUP) [Case No. Z2015-039] for a Residence Hotel; however, this Specific Use Permit (SUP) has since expired. The subject property has remained vacant since annexation.

## PURPOSE

The applicant -- Paul Cragun of Cumulus Design-- is requesting the approval of a Site Plan for a Carwash and Commercial/Retail Shopping Center.

## ADJACENT LAND USES AND ACCESS

The subject property is situated along the east side of White Hills Drive south of Suncrest Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a 25.9263 -acre parcel of land identified as Lot 6 , Block A, Wal-Mart Super Center Addition, zoned Commercial (C) District, and developed with a 202,607 SF General Retail Store. Beyond this is a 1.67-acre parcel of land identified as Lot 1 , Block A, The Woods of Rockwall that is zoned Commercial (C) District and is currently vacant. Beyond this is Ridge Road which is classified as a M4D (i.e. major collector, four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is White Hills Drive, which is classified as a Minor Collector on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.3294 -acre parcel of land, zoned Commercial (C) District, and developed with a 5,445 SF Office Complex (i.e. Controlled Fitness, Jackson Hewitt, and Armstrong McCall Beauty Supply). Beyond this is a 0.7536 -acre parcel of land identified as Lot 2A, Block A, Panex LTD Addition that is zoned Commercial (C) District, and developed with an 8,871 SF Office Building. Beyond this is the westbound frontage road for $\mathrm{IH}-30$.

East: $\quad$ Directly east of the subject property is a 0.74 -acre parcel of land identified as Lot 3A, Block A, Wal-Mart Super Center Addition that is zoned Commercial (C) District, and developed with a 2,828 SF Restaurant with DriveThrough (i.e. Taco Bueno). Beyond this is a 25.9263 -acre parcel of land (i.e. Lot 6, Block A, Wal-Mart Super Center

Addition) that is zoned Commercial (C) District and developed with a 202,607 SF General Retail Store. Beyond that is the westbound frontage road for $\mathrm{IH}-30$.

West: Directly west of the subject property is White Hills Drive, which is classified as a Minor Collector on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.67 -acre parcel of land identified as Lot 1, Morris Addition that is zoned Commercial (C) District, and developed with a 6,150 SF Daycare Facility (i.e. White Hills Child Development Center). Beyond that is a 0.987 -acre tract of land identified as Tract 20-01, of the E.P.G. Chisum Survey, Abstract No. 64 that is owned by the City of Rockwall, zoned Commercial (C) District, and is developed with a Water Tower (i.e. Southside Water Tower). Beyond this is a 7.68acre parcel of land identified as Lot 9 , Block A of the Rockwall Towne Center, Phase 4 Addition zoned Commercial (C) District and developed with a Shopping Center (i.e. Ridge Road Towne Center). Beyond that is Vigor Way, which is classified as a R2 (i.e. residential, two [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

## DENSITY AND DIMENSIONAL REQUIREMENTS

According to Section 01, Land Use Schedule, of Article 04, Permissible Uses, of the Unified Development Code (UDC), a Carwash, and Commercial/Retail Center is permitted by-right in a Commercial (C) District. The submitted site plan, landscape plan, and building elevations generally conform to the technical requirements contained within the Unified Development Code (UDC) for a property located within a Commercial (C) District with the exception of the variances outlined in the Variances by the Applicant section below. The applicant has also provided staff with the Shared Access Agreement with Walmart and a noise study, which is provided in the attached packet. A summary of the density and dimensional requirements for the subject property and the proposed projects conformance to these requirements are as follows:

| Ordinance Provisions | Zoning District Standards | Conformance to the Standards |
| :---: | :---: | :---: |
| Minimum Lot Area | 43,560 SF | $X=87,319$ SF; In Conformance |
| Minimum Lot Frontage | 25-Feet | X 116-Feet; In Conformance |
| Minimum Lot Depth | 100-Feet | X 261-Feet; In Conformance |
| Minimum Front Yard Setback | 25-Feet | $x \geq 25-$ Feet; In Conformance |
| Minimum Rear Yard Setback | 10-Feet | $x>10$-Feet; In Conformance |
| Minimum Side Yard Setback | 10-Feet | X $\geq 10$-Feet; In Conformance |
| Maximum Building Height | 60-Feet | X 22 -feet; In Conformance |
| Max Building/Lot Coverage | 60\% | X=10\%; In Conformance |
| Minimum Number of Parking Spaces | $\begin{aligned} & \text { Retail (1/250): } 11 \\ & \text { Car Wash (1/250):15 } \\ & \text { Total:26 spaces } \end{aligned}$ | X $=35$; In Conformance |
| Minimum Landscaping Percentage | 15\% | $X=33.14 \%$; In Conformance |
| Maximum Impervious Coverage | 85-90\% | C=50.4\%; In Conformance |

## TREESCAPE PLAN

The applicant has indicated that all existing trees onsite will be protected during the development of the subject property.

## CONFORMANCE WITH THE CITY'S CODES

Based on Subsection 02.02, Land Use Standards, of Article 13, Definitions, of the Unified Development Code (UDC), the applicant is requesting the approval of a Self-Service Car Wash and a General Retail Store, which both conform to the land uses listed in Section 01, Land Use Schedule, of Article 04, Permissible Uses, of the Unified Development Code (UDC) for a property situated in a Commercial (C) District. According to Subsection 02.03(H)4, Conditional Land Use Standards, of Article 13, Definitions, of the Unified Development Code (UDC), a Self-Service Car Wash shall adhere to the following two (2) conditional land use standards; [1] "(e)ntrances and exits to the car wash shall not directly face any public right-of-way. On corner sites, car wash entrances or exits shall not open toward the street with the highest traffic volume, or as determined by the Director of Planning and Zoning." and [2] "(t)he carwash shall be set back a minimum of 50 -feet from any street frontage." The provided site plan is in compliance with both of these conditional land use standards. The applicant has also indicated that a Restaurant with Less than 2,000 SF with a Drive-Through is proposed in building B. According to Section 01, Land Use

Schedule, of Article 04, Permissible Uses, of the Unified Development Code (UDC), a Restaurant with Less than 2,000 SF with a Drive-Through requires a Specific Use Permit (SUP) for a property situated in a Commercial (C) District which will need to be approved prior to issuance of a Certificate of Occupancy (CO). The proposed site plan generally conforms to the General Overlay District Standards and the General Commercial (C) District Standards as stipulated by Article 05, District Development Standards, of the Unified Development Code (UDC), with the exception of the variance being requested in the Variance Requested by the Applicant section of this case memo.

## VARIANCE BY THE APPLICANT

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

## Variances:

(1) Roof Design Standards. According to Article 05, General Overlay District Development Standards, of the Unified Development Code (UDC), "(a)ll structures that have a building footprint of less than $6,000 \mathrm{SF}$ shall be constructed with a pitched roof. Those structures having a footprint $6,000 \mathrm{SF}$ or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides. Standing seam metal roofs shall be constructed of a factory-treated, non-metallic, matte finish to avoid glare. Metal roofs with lapped seam construction, bituminous built-up roofs, and/or flat membrane type roofs that are visible from adjacent public right-of-way shall be prohibited." In this case, all three (3) of the proposed buildings do not meet this standard; however, this is not atypical for buildings situated within the $\mathrm{IH}-30$ corridor.

According to Subsection 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), an applicant may request the Planning and Zoning Commission grant exceptions and variances to the provisions contained in the Unified Development Code (UDC), where unique or extraordinary conditions exist or where strict adherence to the technical requirements of the Unified Development Code (UDC) would create an undue hardship. In addition, the code requires that applicants provide compensatory measures that directly offset the requested exceptions and variances. In this case, as compensatory measures, the applicant is proposing: [1] providing an additional 5inch caliper canopy tree and [2] providing extra shrub screening around the vacuum bays. Requests for exceptions and variances are discretionary decisions for the Planning and Zoning Commission. Staff should note that a supermajority vote (e.g. six [6] out of the seven [7] commissioners) -- with a minimum of four (4) votes in the affirmative -- is required for the approval of an exception.

## CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

The Future Land Use Plan adopted with the OURHometown Vision 2040 Comprehensive Plan identifies the subject property as being situated in the $I H-30$ Corridor District and is designated for Special Commercial Corridor land uses. According to the plan, the Special Commercial Corridor "....is intended to provide an area for commercial/retail activity centers that are intended to support and serve the entire region." The primary land uses in the Special Commercial Corridor include Regional Shopping Centers, Entertainment, Retail, Personal Services, Restaurant, Corporate Offices, Employment and Recreational Land Uses. In this case, the applicant is requesting approval of a site plan for a Carwash, Restaurant, and Commercial/Retail Shopping Center. Based on this, the applicant's request appears to conform to the goals and policies of the OURHometown Vision 2040 Comprehensive Plan.

## ARCHITECTURAL REVIEW BOARD (ARB) RECOMMENDATION

On March 28, 2023, the Architecture Review Board reviewed the building elevations provided by the applicant on March 17, 2023. The Board requested that the applicant provide updated building elevations that take the brick all the way up the building and remove the stone wainscot. The applicant has provided updated elevations that will be reviewed by the Architectural Review Board (ARB) prior to the April 11, 2023 Planning and Zoning Commission meeting.

## CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to approve the applicant's Site Plan for the construction of a Self-Service Car Wash and a General Retail Store on the subject property, then staff would propose the following conditions of approval:
(1) All staff comments provided by the Planning, Engineering and Fire Department must be addressed prior to the submittal of engineering plans.
(2) Any construction resulting from the approval of this Site 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.


## DEVELOPMENT APPLICATION

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

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 ISELECT ONLY ONE BOX]:


PROPERTY INFORMATION [PLEASE PRINT]

| address | 607 White Hills Drive |  |  |  |
| ---: | :--- | :---: | :---: | :---: |
| SUBDIVISION | WAL-MART SUPER CENTER | LOT | 4 | BLOCK A |
| GENERAL LOCATION | To the East of the intersection of Suncrest and White Hills Drives |  |  |  |

## ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

| CURRENT ZONING | C | CURRENT USE | Vacant |
| ---: | :--- | ---: | ---: |
| PROPOSED ZONING | NA |  | PROPOSED USE | Restaurant/Retail/Carwash

凹 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]

| ם OWNER Campfire Shops LLC |  |
| ---: | :--- |
| CONTACT PERSON | Sammy Jibrin |
| ADDRESS | 1625 Ferris Road |
|  |  |
| CITY, STATE \& ZIP Garland, Texas 75044 |  |
| PHONE $214-215-1186$ |  |
| E-MAIL SJibrin@gmail.com |  |

## 凹applicant Cumulus Design

contact person Paul Cragun
AdDRESS PO Box 2119

CITY, STATE \& ZIP Euless, Texas 76039
PHONE 214-235-0367
E-MALL Paul@Cumulusdesign.net

NOTARY VERIFICATION [REQuIRED]
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:
$\because$ 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 8290.00


City of Rockwall


## BUILDING A




02 South East Elevation



03 NORTH WEST ELEVATION
Adjacent to Access Easememt PG 305




| REV No. | DATE | REVISIONS |
| :--- | :--- | :--- |
|  |  |  |




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## BUILDING B



O4 SOUTH WEST ELEVATION
Approx. $150^{\circ}$ adjacent to White Hills Drive


| REV No. | DATE | REVISIONS |
| :--- | :---: | :---: |
|  |  |  |



 Directoro de panannco and zonnco


BUILDING A



ANTRASITE METAL


BRICK


STONE

BUILDING B



ANTRASITE METAL


BRICK


STONE






DUMPSTER DETAILS







AZ Office
4960 S. Gilbert Road, Ste 1-461
Chandler, AZ 85249
p. (602) 774-1950

CA Office
1197 Los Angeles Avenue, Ste C-256
Simi Valley, CA 93065
p. (805) 426-4477

Mr. Sammy Jibrin
Majestic Entreprises LLC
1625 Ferris Rd.
Garland, TX 75044

## Subject: White Hills Drive Express Car Wash - Noise Impact Study - Rockwall, TX

Dear Mr. Jibrin:

MD Acoustics, LLC (MD) has completed a noise assessment for the proposed car wash located on White Hills Drive in the City of Rockwall, TX. This assessment reviews the projected car wash operational noise levels and compares them to the City's noise ordinance. The project proposes a 100' covered car wash tunnel with 14 vacuum stations.

### 1.0 Assessment Overview

This assessment evaluates the projections of operational noise and compares them to the relevant noise ordinance for informational purposes. The project location map is located in Exhibit A. The site plan utilized for the project is indicated in Exhibit B.

### 2.0 Local Acoustical Requirements

The Code of Ordinances of Rockwall, Texas, Chapter 16 Section 16-183 states the following:

It shall be a violation of this article for any person to operate or permit to be operated any stationary source of sound which creates a unit percentile sound level ( $L_{1}$ ) greater than 15 dBA above the ambient sound pressure level ( $\mathrm{L}_{90}$ ) as set forth in the table below in any residential use zone, or creates a tenth percentile sound level ( $\mathrm{L}_{10}$ ) or a 90th percentile sound level ( $\mathrm{L}_{90}$ ) which exceeds the limits set forth in the table below for the receiving land use districts when measured at the property boundary. For the purpose of enforcing these provisions, a measurement period shall not be less than ten minutes or more than 30 minutes.

Table 1: Rockwall Noise Limits

| Land Use District | Tenth Percentile (L $\mathbf{L}_{10}$ ) | Ambient, or 90 ${ }^{\text {th }}$ Percentile (L90) |
| :--- | :---: | :---: |
| Residential: |  |  |
| 7:00 a.m. $-10: 00$ p.m. | 65 dBA | 55 dBA |
| 10:00 p.m.-7:00 a.m. | 60 dBA | 50 dBA |
| Commercial/Agriculture: | 72 dBA | 62 dBA |
| 7:00 a.m. $-10: 00$ p.m. | 67 dBA | 57 dBA |
| 10:00 p.m. $-7: 00$ a.m. | 85 dBA | 75 dBA |
| Industrial: | 85 dBA | 75 dBA |
| 7:00 a.m. $-10: 00$ p.m. | 10:00 p.m. $-7: 00$ a.m. |  |




### 3.0 Study Method and Procedure

## SoundPLAN Acoustic Model

SoundPLAN (SP) acoustical modeling software was utilized to model future worst-case stationary noise impacts to the adjacent land uses. SP is capable of evaluating multiple stationary noise source impacts at various receiver locations. SP's software utilizes algorithms (based on the inverse square law and reference equipment noise level data) to calculate noise level projections. The software allows the user to input specific noise sources, spectral content, sound barriers, building placement, topography, and sensitive receptor locations.

The model assumes that the car wash tunnel has 10.3 -foot-tall by 11.3 -foot-wide openings and is covered by a solid roof. The blowers ( 120 HP IDC Stealth system or equivalent) were modeled at 7 to 10 feet high as point sources. The blowers are modeled approximately 5 feet inside the exit of the tunnel. The reference equipment sound level data is provided in Appendix B. Equivalent systems include axial fan systems such as the IDC Predator, Aerodry Advantage Drying System, and the Proto-Vest Windshear with silencers. To meet L90 codes, the system must include technology that allows the drying system to idle between cars, such as a variable frequency drive, or blowers must be off between cars. These idling periods for at least $10 \%$ of operational time will reduce the overall operational hours by at least 5 dB .

The SP model assumes a total of 14 vacuums and the dryer system are operating simultaneously (worstcase scenario) when in actuality, the noise will be intermittent and lower in noise level. The project proposes to house all other equipment (e.g., compressors, pumps, vacuum turbine motors) inside equipment rooms. Vacuum producers must be at least 25 feet away from any property line or shielded from adjacent properties within 25 feet to meet the commercial L90 code, as vacuum producers may operate without idling for a significant amount of time. The reference vacuum equipment sound level data is provided in Appendix B. Appendix C contains the model's inputs and outputs.

### 4.0 Existing Ambient Noise Levels

Three short-term ( $15-\mathrm{min}$ ) ambient noise measurements were performed on March 10, 2023, to determine the existing ambient noise levels at the project site. Appendix A contains the locations of each measurement and the recorded data. The results of the short-term noise measurements are presented in Table 2.

Table 2: Short-Term Measurement Ambient Noise Data (dBA) ${ }^{1}$

| Location | Date | Start Time | $\mathbf{L}_{\mathbf{e q}}$ | $\mathbf{L}_{\max }$ | $\mathbf{L}_{\min }$ | $\mathbf{L}_{\mathbf{1}}$ | $\mathbf{L}_{\mathbf{1 0}}$ | $\mathbf{L}_{\mathbf{2 5}}$ | $\mathbf{L}_{\mathbf{5 0}}$ | $\mathbf{L}_{\mathbf{9 0}}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| ST1 | $3 / 10 / 2023$ | $11: 24 \mathrm{AM}$ | 64.0 | 84.4 | 58.2 | 69.7 | 64.4 | 63.1 | 61.9 | 60.1 |
| ST2 | $3 / 10 / 2023$ | $11: 40 \mathrm{AM}$ | 61.1 | 72.6 | 57.4 | 66.7 | 62.4 | 61.4 | 60.4 | 59.0 |
| ST3 | $3 / 10 / 2023$ | $11: 57 \mathrm{AM}$ | 57.8 | 70.5 | 54.3 | 64.8 | 58.6 | 57.5 | 56.7 | 55.5 |

Notes:

1. Measurement locations are indicated in Appendix A.

These locations represent the levels at the adjacent properties. ST1 represents the commercial properties to the south. ST2 represents the commercial properties to the east. ST3 represents the commercial properties to the north. The data indicate the ambient noise levels at nearby land uses range between 58 to 64 dBA Leq during operational hours. The measured noise levels and field notes indicate that traffic noise along l-30 is the main source of noise impacting the project site.

### 5.0 Findings and Recommendations

A total of four (4) receptors were modeled to accurately evaluate the future operational noise levels near the project site. In Exhibit C, a yellow dot denotes a receptor. Receptors 1 through 4 must meet the commercial noise standards. All yellow dots represent the property line of the project site.

Table 4 presents the project's predicted noise levels and the project plus ambient noise levels. Table 4 compares both sets of noise levels to the maximum permitted $L_{10}$ noise level. The model assumes that the car wash blowers and vacuums operate with $10 \%$ idling time. Likely, the idling will be greater even during peak operations.

Table 4: Worst-Case Predicted Operational Noise Levels (dBA, $\left.\mathrm{L}_{10}\right)^{1}$

| Receptor ${ }^{\mathbf{1}}$ | Existing $\mathrm{L}_{\mathbf{1 0}}$ <br> Noise Level $^{\mathbf{2}}$ | Project <br> Noise Level $^{\mathbf{3}}$ | Rockwell Texas <br> $\mathbf{L}_{\mathbf{1 0}}$ Limit 7 AM to <br> $\mathbf{1 0 ~ P M ~}$ | Total <br> Combined <br> Noise Level | Change in $\mathrm{L}_{\mathbf{1 0}}$ <br> Noise Level as <br> Result of Project |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 59 | 54 | 72 | 60 | 1 |
| 2 | 64 | 50 | 72 | 64 | 0 |
| 3 | 62 | 61 | 72 | 65 | 3 |
| 4 | 62 | 67 | 72 | 68 | 6 |

Exhibit C shows the future noise level projections and contours based on the proposed project design. The project noise level at the residential properties is $50 \mathrm{~S}-67 \mathrm{dBA}$ and meets the commercial standard of 72 dBA $L_{10}$. The blowers will idle or be shut down between cars which takes up more than $10 \%$ of operational time. Idling reduces the blower noise levels by 5 dB or more, and therefore the project will also meet the 62 dBA L90 commercial code with project noise levels of 45-62 dBA.

### 6.0 Conclusions

MD has reviewed the applicable noise ordinances and modeled the noise levels for the proposed car wash. The proposed car wash does not exceed the maximum permitted noise levels and does not perceptibly increase the overall ambient noise level.

MD is pleased to provide this noise review for the car wash project. If you have any questions regarding this analysis, please call our office at (602) 774-1950.

Sincerely,
MD Acoustics, LLC
Cli Prak
Claire Pincock, INCE-USA
Acoustical Consultant


## Appendix A

Noise Measurement Field Sheets

| Project Name: | White Hills Drive | Site Observations: |
| :--- | :--- | :--- |
| Project: \#/Name: | $1125-2023-001$ | Clear, 60 degrees, wind 10mph, flat terrain |

Site Address/Location: White Hill
Date:
03/10/2023
Field Tech/Engineer:
Matthew Gyles

Sound Meter:
XL2, NTI
SN: A2A-16164-E0
Settings: A-weighted, slow, 1-sec, 15-minute interval
Site Id:
NM1, NM2, NM3


MD ACOUSTICS

## Project Name: White Hills Drive

Site Address/Location: White Hill
Site Id: NM1, NM2, NM3


Figure 2: NM2


Figure 3: NM3


Table 1: Baseline Noise Measurement Summary

| Location | Start | Stop | Leq | Lmax | Lmin | L2 | 18 | L25 | L50 | L90 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| NM1 | 11:24 AM | 11:39 AM | 64 | 84.4 | 58.2 | 67.6 | 64.8 | 63.1 | 61.8 | 60 |
| NM2 | 11:40 AM | 11:55 AM | 61.1 | 72.6 | 57.4 | 65.1 | 62.7 | 61.4 | 60.4 | 58.8 |
| NM3 | 11:57 AM | 12:12 PM | 57.8 | 70.5 | 54.3 | 63.2 | 59 | 57.6 | 56.8 | 55.5 |

MD ACOUSTICS

| Project Name: | White Hills Drive | Site Topo: | Flat | Noise Source(s) w/ Distance: |
| :--- | :--- | :--- | :--- | :--- |
| Site Address/Location: | White Hill | Meteorological Cond.: | 60 degrees, clear, 10mph wind | Traffic moderate, car horn a few minutes in |
| Site Id: | NM1 | Ground Type: | Soft Side |  |



MD ACOUSTICS

| Project Name: | White Hills Drive | Site Topo: | Flat | Noise Source(s) w/ Distance: |
| :--- | :--- | :--- | :--- | :--- |
| Site Address/Location: | White Hill | Meteorological Cond.: | 60 degrees, clear, 10mph wind | Traffic moderate |
| Site Id: | NM2 | Ground Type: | Soft Side |  |



MD ACOUSTICS

15-Minute Continuous Noise Measurement Datasheet - Cont.

| Project Name: | White Hills Drive | Site Topo: | Flat | Noise Source(s) w/ Distance |
| :--- | :--- | :--- | :--- | :--- |
| Site Address/Location: | White Hill | Meteorological Cond.: | 60 degrees, clear, 10mph wind | Traffic moderate |
| Site Id: | NM3 | Ground Type: | Soft Side |  |



MD ACOUSTICS

Appendix B
Sound Reference Data

TABLE 1: Sound Measurement Summary (in dB)

| 1/3 Octave Band Frequency |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 25.0 | 31.5 | 40.0 | 50.0 | 63.0 | 80.0 | 100 | 125 | 160 | 200 | 250 | 315 | 400 | 500 | 630 | 800 | 1000 | 1250 | 1600 | 2000 | 2500 | 3150 | 4000 | 5000 | 6300 | 80001 | 000 | 2500 | 000 |  | dBA |
| 75 | 75 | 76 | 79 | 79 | 78 | 73 | 72 | 76 | 73 | 67 | 75 | 83 | 81 | 66 | 65 | 66 | 65 | 66 | 65 | 65 | 62 | 60 | 59 | 57 | 56 | 55 | 52 | 47 | 39 | 82 |
| 63 | 67 | 69 | 70 | 74 | 67 | 66 | 61 | 64 | 62 | 60 | 64 | 76 | 71 | 55 | 57 | 55 | 56 | 54 | 56 | 54 | 51 | 51 | 50 | 48 | 46 | 45 | 42 | 36 | 29 | 74 |
| 60 | 61 | 60 | 64 | 68 | 65 | 62 | 61 | 59 | 57 | 54 | 59 | 68 | 64 | 50 | 50 | 48 | 50 | 49 | 49 | 48 | 45 | 44 | 43 | 40 | 37 | 34 | 30 | 24 | 16 | 67 |
| 57 | 55 | 57 | 61 | 62 | 63 | 64 | 56 | 53 | 52 | 49 | 55 | 64 | 58 | 45 | 46 | 45 | 45 | 45 | 44 | 43 | 40 | 39 | 37 | 34 | 30 | 27 | 22 | 16 | 10 | 62 |
| 69 | 73 | 74 | 76 | 79 | 80 | 80 | 74 | 74 | 77 | 73 | 68 | 73 | 81 | 81 | 74 | 66 | 69 | 67 | 67 | 66 | 66 | 63 | 62 | 61 | 59 | 58 | 56 | 53 | 49 | 81 |
| 65 | 65 | 68 | 70 | 74 | 70 | 66 | 64 | 65 | 63 | 58 | 66 | 73 | 71 | 60 | 57 | 57 | 57 | 57 | 56 | 57 | 53 | 52 | 51 | 49 | 47 | 46 | 43 | 38 | 30 | 73 |
| 60 | 60 | 62 | 64 | 69 | 66 | 61 | 61 | 59 | 58 | 53 | 60 | 67 | 65 | 59 | 52 | 51 | 52 | 51 | 50 | 50 | 47 | 45 | 44 | 41 | 39 | 36 | 32 | 26 | 17 | 67 |
| 61 | 57 | 59 | 64 | 64 | 62 | 59 | 58 | 54 | 54 | 49 | 55 | 62 | 59 | 46 | 48 | 47 | 47 | 47 | 46 | 46 | 41 | 41 | 39 | 36 | 32 | 29 | 23 | 16 | 9 | 62 |
| 76 | 76 | 77 | 78 | 80 | 82 | 74 | 76 | 78 | 73 | 71 | 75 | 84 | 80 | 68 | 67 | 69 | 68 | 69 | 67 | 68 | 64 | 63 | 63 | 60 | 59 | 57 | 54 | 51 | 44 | 83 |
| 65 | 67 | 68 | 70 | 74 | 73 | 66 | 64 | 66 | 63 | 59 | 67 | 77 | 72 | 59 | 58 | 57 | 56 | 57 | 56 | 56 | 54 | 53 | 52 | 49 | 47 | 46 | 42 | 37 | 29 | 75 |
| 61 | 62 | 63 | 64 | 69 | 68 | 61 | 60 | 61 | 59 | 55 | 62 | 70 | 65 | 51 | 52 | 51 | 52 | 51 | 50 | 50 | 47 | 46 | 45 | 42 | 39 | 36 | 32 | 26 | 17 | 68 |
| 59 | 58 | 58 | 60 | 63 | 65 | 58 | 58 | 55 | 53 | 51 | 56 | 65 | 60 | 45 | 47 | 46 | 46 | 47 | 45 | 45 | 43 | 41 | 39 | 35 | 32 | 28 | 23 | 16 | 9 | 63 |
| 74 | 75 | 76 | 80 | 81 | 80 | 75 | 76 | 78 | 75 | 69 | 72 | 80 | 84 | 73 | 67 | 71 | 69 | 69 | 68 | 68 | 65 | 64 | 62 | 61 | 59 | 57 | 55 | 50 | 42 | 84 |
| 65 | 65 | 68 | 72 | 75 | 73 | 68 | 66 | 66 | 65 | 59 | 63 | 72 | 74 | 63 | 59 | 58 | 59 | 59 | 59 | 58 | 56 | 54 | 53 | 51 | 49 | 48 | 45 | 39 | 31 | 74 |
| 61 | 62 | 62 | 66 | 70 | 67 | 63 | 61 | 61 | 60 | 55 | 59 | 65 | 67 | 58 | 52 | 51 | 53 | 53 | 52 | 51 | 49 | 47 | 46 | 43 | 41 | 38 | 34 | 28 | 19 | 68 |
| 58 | 57 | 59 | 63 | 64 | 64 | 60 | 58 | 56 | 55 | 52 | 54 | 60 | 62 | 58 | 49 | 47 | 48 | 49 | 48 | 46 | 44 | 42 | 41 | 37 | 34 | 30 | 25 | 18 | 11 | 63 |
| 77 | 77 | 79 | 80 | 84 | 84 | 77 | 79 | 81 | 76 | 73 | 74 | 81 | 83 | 73 | 69 | 73 | 71 | 72 | 71 | 71 | 67 | 66 | 66 | 63 | 62 | 60 | 58 | 54 | 46 | 85 |
| 68 | 69 | 71 | 72 | 77 | 75 | 69 | 67 | 68 | 65 | 61 | 67 | 75 | 75 | 64 | 61 | 60 | 60 | 61 | 61 | 60 | 57 | 56 | 56 | 53 | 51 | 50 | 47 | 42 | 34 | 76 |
| 63 | 63 | 63 | 66 | 72 | 70 | 63 | 62 | 63 | 61 | 57 | 61 | 67 | 68 | 60 | 54 | 54 | 55 | 54 | 54 | 53 | 50 | 49 | 48 | 45 | 42 | 40 | 36 | 30 | 21 | 69 |
| 59 | 59 | 60 | 62 | 64 | 66 | 61 | 61 | 58 | 56 | 51 | 56 | 62 | 63 | 54 | 49 | 49 | 49 | 50 | 49 | 48 | 45 | 44 | 42 | 38 | 35 | 32 | 26 | 19 | 11 | 64 |
| 76 | 76 | 78 | 79 | 82 | 82 | 75 | 77 | 79 | 74 | 72 | 76 | 83 | 81 | 75 | 68 | 70 | 69 | 69 | 68 | 69 | 65 | 64 | 63 | 61 | 59 | 58 | 55 | 51 | 43 | 84 |
| 66 | 68 | 69 | 71 | 76 | 74 | 67 | 65 | 67 | 64 | 60 | 68 | 76 | 72 | 63 | 59 | 57 | 58 | 59 | 58 | 58 | 55 | 54 | 53 | 50 | 49 | 47 | 44 | 39 | 31 | 75 |
| 62 | 62 | 62 | 64 | 71 | 69 | 62 | 60 | 61 | 59 | 56 | 61 | 68 | 64 | 55 | 53 | 52 | 52 | 52 | 51 | 51 | 48 | 47 | 46 | 42 | 39 | 37 | 33 | 27 | 18 | 68 |
| 58 | 58 | 58 | 62 | 63 |  | 60 | 59 |  | 55 | 5 | 55 | 63 |  | 50 |  | 5 | 47 | 5 | 5 |  |  |  |  |  |  |  |  | 17 | 10 | 63 |

Location A: 1 meter from exterior door opening
Location B: 20 feet from exterior door opening Location C: 50 feet from exterior door opening Location D: 90 feet from exterior door opening
 Condition 5: Model A120
Condition 6: Model A75

Results are exclusive to the Advantage Drying System manufactured by Aerodry Systems, LLC. Use and interpretation for other equipment models or brands is expressly prohibited. Aerodry Systems, LLC is an independent, certified WBE.

Thank you for considering our vacuum systems. Here at Auto Vac we excel at manufacturing an extremely smooth, high performance machine that is also very quiet.

The decibel levels on our vacuum producers are as follows:

| $10 \mathrm{HP}, 3$ 3-Stage | 59 decibels |
| :--- | :--- |
| 15 HP, 4-Stage | 62 decibels |
| 20 HP, 5-Stage | 66 decibels |
| 25 HP, 6-Stage | 68 decibe1s |
| 30 HP, 7-Stage | 70 decibe1s |

These ratings are taken at 10 feet from the machine with no background noise or outside interference. We hope that these Ratings are satisfactory. If you have any further questions, please contact me at our toll free number 888-628-8682.

Thank you,

AVI / Sales

## General Description

The Proto-Vest "Silencer Package" was developed to enable our dryers to meet OSHA, federal, state and local noise reduction standards. The OSHA permissible noise exposure is 85 dB for an 8 -hour shift. By reducing noise levels into the 70 dB to 80 dB range, you can be assured of a pleasant environment for both your employees and customers. The Silencer Package reduces decibel levels on Proto-Vest dryers on an average of 10 decibels making them approximataly 10 times quintor than the un silonood modols!
The Silencing Package is an optional product for any Proto-Vest dryer.

Must use silencer package to meet code. Any model listed below will suffice.

## With Silencer (WS)

Windshear InBay - (2) 30hp Dryer: WS: $10 \mathrm{ft}=88 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=94 \mathrm{dBa}$ WS: $20 \mathrm{ft}=82 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=88 \mathrm{dBa}$ WS: $30 \mathrm{ft}=78.4 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=84.5 \mathrm{dBa}$ WS: $40 \mathrm{ft}=76 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=82 \mathrm{dBa}$ WS: $50 \mathrm{ft}=74 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=80 \mathrm{dBa}$ WS: $60 \mathrm{ft}=72.4 \mathrm{dBa} ; \quad$ WOS: $60 \mathrm{ft}=78.4 \mathrm{dBa}$

## Windshear - 30hp Dryer:

WS: $10 \mathrm{ft}=76.9 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=91 \mathrm{dBa}$ WS: $20 \mathrm{ft}=70.9 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=84.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=67.4 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=81.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=64.9 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=78.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=63 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=77 \mathrm{dBa}$

## Windshear II - (2) 30hp Dryer:

WS: $10 \mathrm{ft}=88 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=99 \mathrm{dBa}$ WS: $20 \mathrm{ft}=81.9 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=92.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=78.4 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=89.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=75.4 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=86.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=74 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=85 \mathrm{dBa}$

## S130-30hp Dryer:

WS: $10 \mathrm{ft}=76.9 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=91 \mathrm{dBa}$ WS: $20 \mathrm{ft}=70.9 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=84.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=67.4 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=81.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=64.9 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=78.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=63 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=77 \mathrm{dBa}$

## SideShot - 15hp Dryer:

WS: $10 \mathrm{ft}=74.5 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=82.9 \mathrm{dBa}$ WS: $20 \mathrm{ft}=68.5 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=76.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=64.9 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=73.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=62.4 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=70.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=60.5 \mathrm{dBa}$; WOS: $50 \mathrm{ft}=69 \mathrm{dBa}$

## SideShot II - 30hp Dryer:

WS: $10 \mathrm{ft}=76.9 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=91 \mathrm{dBa}$
WS: $20 \mathrm{ft}=70.9 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=84.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=67.4 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=81.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=64.9 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=78.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=63 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=77 \mathrm{dBa}$

Put motors on north side of tunnel as feasible to block as much line-of-site to adjacent PL as possible

## IP Stripper - 30hp Dryer:

WS: $10 \mathrm{ft}=85 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=91 \mathrm{dBa}$ WS: $20 \mathrm{ft}=79 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=85 \mathrm{dBa}$ WS: $30 \mathrm{ft}=75.5 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=81.5 \mathrm{dBa}$ WS: $40 \mathrm{ft}=73 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=79 \mathrm{dBa}$ WS: $50 \mathrm{ft}=71 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=77 \mathrm{dBa}$

## IP330-30hp Dryer:

WS: $10 \mathrm{ft}=76.9 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=91 \mathrm{dBa}$ WS: $20 \mathrm{ft}=70.9 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=84.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=67.4 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=81.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=64.9 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=78.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=63 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=77 \mathrm{dBa}$

## IP345-45hp Dryer:

WS: $10 \mathrm{ft}=76.9 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=91 \mathrm{dBa}$ WS: $20 \mathrm{ft}=70.9 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=84.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=67.4 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=81.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=64.9 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=78.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=63 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=77 \mathrm{dBa}$

## TailWind - 30hp Dryer:

## WS: $10 \mathrm{ft}=85 \mathrm{dBa}$; <br> WOS: $10 \mathrm{ft}=91 \mathrm{dBa}$

WS: $20 \mathrm{ft}=79 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=85 \mathrm{dBa}$
WS: $30 \mathrm{ft}=75.5 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=83.5 \mathrm{dBa}$
WS: $40 \mathrm{ft}=73 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=79 \mathrm{dBa}$
WS: $50 \mathrm{ft}=71 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=77 \mathrm{dBa}$

## 90N/90XS - 15hp Dryers:

WS: $10 \mathrm{ft}=74.5 \mathrm{dBa} ; \quad$ WOS: $10 \mathrm{ft}=82.9 \mathrm{dBa}$ WS: $20 \mathrm{ft}=68.5 \mathrm{dBa} ; \quad$ WOS: $20 \mathrm{ft}=76.9 \mathrm{dBa}$ WS: $30 \mathrm{ft}=64.9 \mathrm{dBa} ; \quad$ WOS: $30 \mathrm{ft}=73.4 \mathrm{dBa}$ WS: $40 \mathrm{ft}=62.4 \mathrm{dBa} ; \quad$ WOS: $40 \mathrm{ft}=70.9 \mathrm{dBa}$ WS: $50 \mathrm{ft}=60.5 \mathrm{dBa} ; \quad$ WOS: $50 \mathrm{ft}=69 \mathrm{dBa}$ (Proto-Vest's Silencing Package is standard on all of the Untouchable series.)

[^7]
Proto-Vestinc.

7400 N. Glen Harbor Blvd., Glendale, AZ 85307 800-521-8218 • 623-872-8300 • Fax 623-872-6150 www.protovest.com


## Appendix C

SoundPLAN Inputs/Outputs

Octave spectra of the sources in dB(A) - 004-120HP Stealth - Standard: Outdoor SP

| Name | Source type | $\begin{aligned} & \text { I or } \mathrm{A} \\ & \mathrm{~m}, \mathrm{~m}^{2} \end{aligned}$ | $\begin{array}{\|c\|} \hline \mathrm{Li} \\ \mathrm{~dB}(\mathrm{~A}) \\ \hline \end{array}$ | R'w $\mathrm{dB}$ | $\begin{array}{\|c\|} \hline \mathrm{L} \text { 'w } \\ \\ \mathrm{dB}(\mathrm{~A}) \\ \hline \end{array}$ | $\begin{array}{\|c\|} \hline \mathrm{Lw} \\ \mathrm{~dB}(\mathrm{~A}) \\ \hline \end{array}$ | DO-Wall dB | Emission spectrum | $\begin{array}{r} 63 \mathrm{~Hz} \\ \text { dB(A) } \end{array}$ | $\begin{aligned} & 125 \mathrm{~Hz} \\ & \mathrm{~dB}(\mathrm{~A}) \end{aligned}$ | $\begin{aligned} & 250 \mathrm{~Hz} \\ & \mathrm{~dB}(\mathrm{~A}) \end{aligned}$ | $\begin{aligned} & 500 \mathrm{~Hz} \\ & \mathrm{~dB}(\mathrm{~A}) \\ & \hline \end{aligned}$ | $\begin{aligned} & 1 \mathrm{kHz} \\ & \mathrm{~dB}(\mathrm{~A}) \end{aligned}$ | $\begin{aligned} & 2 \mathrm{kHz} \\ & \mathrm{~dB}(\mathrm{~A}) \end{aligned}$ | $\begin{aligned} & 4 \mathrm{kHz} \\ & \mathrm{~dB}(\mathrm{~A}) \end{aligned}$ | $\begin{gathered} 8 \mathrm{kHz} \\ \mathrm{~dB}(\mathrm{~A}) \\ \hline \end{gathered}$ | $\begin{aligned} & 16 \mathrm{kHz} \\ & \mathrm{~dB}(\mathrm{~A}) \end{aligned}$ |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
|  | Point |  |  |  | 81.0 | 81.0 | 0 | Vacutech - in car | 61.6 | 69.0 | 76.6 | 72.9 | 71.4 | 73.2 | 72.6 | 67.6 | 58.1 |  |
| $001-120 \mathrm{HP}$ Stealth - Standard Tunnel-Entrance | Area | 10.80 | 79.7 | 0.0 | 79.7 | 90.0 | 3 | 598_Transmissive area 01 | 63.2 | 67.8 | 82.4 | 88.5 | 80.0 | 67.3 | 53.5 | 39.5 |  |  |
| 001-120 HP Stealth - Standard Tunnel-Exit | Area | 10.80 | 89.3 | 0.0 | 89.3 | 99.7 | 3 | 601_Transmissive area 01 | 71.5 | 76.6 | 87.4 | 96.1 | 94.1 | 91.7 | 86.7 | 77.9 |  |  |
| 001-120 HP Stealth - Standard Tunnel-Facade 01 | Area | 24.83 | 79.9 | 57.0 | 30.4 | 44.4 | 3 | 597_Facade 01 | 37.0 | 27.6 | 40.3 | 40.3 | 23.0 | 6.7 | -10.0 |  |  |  |
| 001-120 HP Stealth - Standard Tunnel-Facade 02 | Area | 160.20 | 86.5 | 57.0 | 35.1 | 57.2 | 3 | 599_Facade 02 | 50.9 | 42.0 | 51.4 | 53.5 | 41.6 | 34.7 | 26.4 | 18.4 |  |  |
| 001-120 HP Stealth - Standard Tunnel-Facade 03 | Area | 24.83 | 89.0 | 57.0 | 37.0 | 51.0 | 3 | 600_Facade 03 | 44.9 | 36.0 | 44.7 | 47.4 | 36.3 | 29.9 | 21.9 | 14.7 |  |  |
| 001-120 HP Stealth - Standard Tunnel-Facade 04 | Area | 160.20 | 86.5 | 57.0 | 35.1 | 57.2 | 3 | 602_Facade 04 | 50.9 | 42.0 | 51.4 | 53.5 | 41.6 | 34.7 | 26.4 | 18.4 |  |  |
| 001-120 HP Stealth - Standard Tunnel-Roof 01 | Area | 264.03 | 86.2 | 57.0 | 34.8 | 59.0 | 0 | 590_Roof 01_ | 52.7 | 43.8 | 53.2 | 55.4 | 43.4 | 36.5 | 28.3 | 20.5 |  |  |

Octave spectra of the sources in $\mathrm{dB}(\mathrm{A})$ - 004-120HP Stealth - Standard: Indoor SP



# Rockwall TX <br> Contribution level - 004-120HP Stealth - Standard: Outdoor SP 



|  | MD Acoustics LLC 4960 S. Gilbert Rd Chandler, AZ 85249 Phone: 6027741950 | 1 |
| :--- | :--- | :--- | :--- |

# Rockwall TX <br> Contribution level - 004-120HP Stealth - Standard: Outdoor SP 



|  | MD Acoustics LLC 4960 S. Gilbert Rd Chandler, AZ 85249 Phone: 6027741950 | ${ }^{2}$ |
| :--- | :--- | :--- |

## AMENDMENT TO DECLARATION OF EASEMENTS AND RESTRICTIONS

STATE OF TEXAS
COUNTY OF ROCKWALL

## KNOW ALL MEN BY THESE PRESETS

THIS AMENDMENT TO DECLARATION OF EASEMENTS AND RESTRICTIONS (this "Amendment") is executed to be effective as of May 13, 2021, by WALMART REAL ESTATE BUSINESS TRUST ("Wal-Mart"), CAMPFIRE SHOPS, LLC, a Texas limited liability company ("CSL"), JLIU ASSET MANAGEMENT LTD., a Texas limited partnership ("JAM"), 609 WHITE HILLS LTD., a Texas limited partnership (" 609 ") and SAYED PROPERTY MANAGEMENT, LLC, a Texas limited liability company ("SPM" and, together with CSL, JAM, and 609, collectively, the "Outlot Owners").

## RECITALS

WHEREAS, Wal-Mart Stores, Inc. executed and caused to be recorded that certain Declaration of Easements and Restrictions dated July 29, 1996, recorded in Volume 1143, Page 236 in the Deed Records of Rockwall County, Texas (the "Declaration") pertaining to approximately 34.419 acres of land located in Rockwall, Rockwall County, Texas, as more particularly described in the Declaration (the "Project").

WHEREAS, Wal-Mart is the owner of Tract 1, as described in Exhibit A to the Declaration, JAM is the owner of Lot 1, as described in Exhibit B to the Declaration ("Exhibit B"), 609 and SPM are the owners of Lot 3, as described in Exhibit B, and CSL is the owner of Lot 4, as described in Exhibit B.

WHEREAS, Wal-Mart and the Outlot Owners collectively own all of the Project and desire to amend certain terms of the Declaration as set forth below.

## AGREEMENT:

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Wal-Mart and the Outlot Owners agree as follows:

1. Access Easement 1. In addition to the easement areas described in Section 1 of the Declaration, the term "Access Area" as used in the Declaration shall also include the property described on Exhibit A attached hereto (the "Additional Access Area"). Wal-Mart hereby grants to the Outlot Owners, their successors and assigns, and their respective customers, employees, tenants and invitees a perpetual, nonexclusive easement for vehicular (passenger cars and light trucks) ingress and egress over and across the Additional Access Area. Use of the Additional Access Area shall be subject to Section 1 of the Declaration.
2. Miscellaneous. All capitalized but undefined terms in this Amendment are defined as in the Declaration. In the event of any conflict between the terms and provisions of this Amendment and the terms and provisions of the Declaration, the terms and provisions of this Amendment shall supersede and control. This Amendment shall be part of the original Declaration.

This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, and all of such counterparts shall constitute one agreement.

Executed to be effective as of the date first above written.

## WAL-MART:

WAL-MART REAL ESTATE BUSINESS
TRUST

By: $\qquad$
Name: Nick Goodner
Title: Senior Director II

## THE STATE OF Arkansas_ § <br> COUNTY OF Benton <br> $\qquad$ §

This instrument was acknowledged before me on May 13, 2021, by Nick Goodner, SR. Director II of Wal-Mart Real Estate Business Trust, on behalf of said entity.


NOTARY PUBLIC IN AND FOR THE STATE OF Arkansas

My commission Expires:
$12 / 01 / 2027$

Linda Stelljes
Printed Name of Notary Public

LINDA STELLJES NOTARY PUBLIC BENTON COUNTY, ARKANSAS COMM. EXP. 12/01/2027 COMMISSION NO. 12703323

## OUTLOT OWNERS:



THE STATE OF TEXAS county of Dallas ${ }_{8}^{8}$

$$
J \operatorname{lin}_{0}, 17
$$

This instrument was acknowledged before me on May c, 2021, by Sammy Jibrin, President of Campfire Shops, LLC, a Texas limited liability company, on behalf of said limited liability company.


My commission Expires:
$4-19-2022$


Printed Name of Notary Public



THE STATE OF TEXAS
COUNTY OF Dallas
§
§
§

This instrument was acknowledged before me on July 2, 2021, by CRoBin, Liu of JLIU Asset Management Ltd., a Texas limited partnership, on behalf of said entity.


My commission Expires:
Dhnielle ledmt
$11 \cdot 16 \cdot 2023$
Printed Name of Notary Public


609 WHITE HILLS LTD., a Texas limited partnership

By: $\qquad$
Name: RH. RICHMOND IR
Title: PRESIDENT
REMINGTON PARTNERS, INC

THE STATE OF TEXAS COUNTY OF Dalles

GENERAL PARTNER

June

This instrument was acknowledged before me on May 17, 2021, by R.H.Rechmend J. of 609 White Hills Ltd., a Texas limited partnership, on behalf of said entity.
$\qquad$

My commission Expires:
W. C Yetes

Printed Name of Notary Public
$11 \cdot 27.22$



Name


Title:


THE STATE OF TEXAS
$\S$
$\S$
$\S$

$-\mathrm{K}_{12} \mathrm{vi}$ of Sayed Property Management, LLC, a Texas limited liability company, on behalf of said limited liability company.
 STATE OF TEXAS

My commission Expires:

$12-17-23$

## EXHIBIT "A"



Electronically Filed and Recorded Official Public Records Jennifer Fogg, County Clerk
Rockwall County, Texas 07/14/2021 09:31:41 AM
Fee: $\$ 50.00$
20210000018836



[^0]:    506 Dickey Street

[^1]:    310 Emma Jane

[^2]:    (1) Level 1 Dimensions

[^3]:    3 MB 2

[^4]:    235 Russell Drive

[^5]:    CITY OF ROCKWALL • PLANNING AND ZONING DEPARTMENT • 385 S . GOLIAD STREET • ROCKWALL, TEXAS 75087 • P: (972) 771-7745 • E: PLANNING@ROCKWALL.COM

[^6]:    711 Parks Avenue

[^7]:    *Specifications subject to change without notice. NOTE: Proto-Vest dryer's dimensions will vary with the Silencer Package.

