

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 15, 2021 - 5:00 PM

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

I. Call Public Meeting to Order

II. Executive Session.

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

1. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).

III. Adjourn Executive Session

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

V. Invocation and Pledge of Allegiance - Councilmember Johannesen

VI. Proclamations/Awards/Recognitions

1. Parks Maintenance Champions Day

VII. Open Forum

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

VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

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

1. Consider approval of the minutes from the March 1, 2021 regular city council meeting, and take any action necessary.
2. Consider awarding a bid to Casco Industries and authorizing the Interim City Manager to execute a Purchase Order for new Firefighter Bunker Gear in the amount of \$30,220 to be funded out of the General Fund, Fire Operations Budget, and take any action necessary.
3. Consider awarding a bid to Axis Construction and authorizing the City Manager to execute a contract for new fences at the Justin Road and Shores Lift Stations in the amount of \$56,233 to be funded out of the Water and Sewer Fund, Wastewater Operations Budget, and take any action necessary.
4. Consider an **ordinance** amending the Code of Ordinances in Chapter 36 "Streets, Sidewalks, and Public Places", Article II "Driveways," Section 36-11 "Culverts" to include provisions for the maintenance, repair, and replacement of driveways and culverts, and take any action necessary. **(2nd reading)**

5. **Z2021-001** - Consider a request by Otoniel Jaramillo for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.50-acre parcel of land identified as Lot 17, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for Single-Family 10 (SF-10) District land uses, addressed as 2825 Marcie Lane, and take any action necessary (**2nd Reading**).
6. **P2021-004** - Consider a request by Dewayne Cain of EVSR (D), LLC for the approval of a *Final Plat* for Lots 1 & 2, Block A, DC Addition being a 22.27-acre tract of land identified as Tracts 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 Cornelius Road, and take any action necessary.
7. **P2021-005** - Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a *Preliminary Plat* for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM-549, and take any action necessary.
8. **P2021-007** - Consider a request by Danielle Porten of REP Investments, LLC for the approval of a *Preliminary Plat* for Lots 1-5, Block A and Lot 1, Block X, Blackland Industrial Park Addition being a 10.27-acre tract of land identified as Tract 3-04 of the A. M. Wilson Survey, Abstract No. 223, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 3500 Blackland Road, and take any action necessary.
9. Consider authorizing the Interim City Manager to enter into a Boundary Agreement with the City of Heath to make minor corrections to the City's corporate limits, including approval of an **ordinance** concerning this matter, and take any action necessary. (**1st reading**)
10. Discuss and consider approval of a resolution for the annual adoption of pro-rata equipment fees in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.
11. Discuss and consider approval of a resolution for the annual adoption of cash-in-lieu of land fees in accordance with the Mandatory Neighborhood Park Land Dedication Ordinance, and take any action necessary.

X. Appointment Items

1. Appointment with Planning & Zoning Commission chairman to discuss and answer any questions regarding planning-related cases on the agenda.
2. Appointment with Brittany Hardin, owner of Bonafide Betties Pie Co., to discuss and consider a request for approval of a mural design to be located on the side of her business at 109 E. Washington St., and take any action necessary.

XI. Public Hearing Items

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

1. **Z2021-002** - Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing a *Self Service Car Wash and Auto Detail* on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [§H-205], and take any action necessary (**1st Reading**).
2. **Z2021-004** - Hold a public hearing to discuss and consider a request by Juan Maldonado for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and take any action necessary (**1st Reading**).

3. **Z2021-005** - Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses on a 37.844-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary **(1st Reading)**.

XII. Executive Session.

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

1. Discussion regarding agreements between the City of Rockwall and Blackland Water Supply Corporation (WSC) pursuant to Section §551.071 (Consultation with Attorney).

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

XIV. Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-7700 or FAX (972) 771-7727 for further information.

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

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 12th day of March, 2021 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

Date Removed



Proclamation

Whereas, the Texas Recreation and Parks Society (TRAPS) is a nonprofit educational and professional organization founded in 1937 to advance the profession of parks, recreation and leisure services in Texas; and

Whereas, TRAPS annually hosts a “State Championship Maintenance Rodeo,” which consists of seven events - Truck & Trailer Competition, Zero Turn Mower Obstacle Course, Backhoe Competition, Blower Competition, Irrigation Assembly, Nail Driving Competition, and Plant Identification; and

Whereas, City of Rockwall’s Parks Maintenance personnel participated in the north region’s competition in October of last year, with Rockwall winning that competition and qualifying them for the State Championships; and

Whereas, at the State Championship competition, Rockwall placed in the top 5 in all but one event, which included 2 State Champions in individual events, successfully achieving State Champion Runner Up (2nd place); and

Whereas, the City’s team will now host the 2021 north region competition in Rockwall in October 2021 at Leon Tuttle Athletic Complex.

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, do hereby proclaim March 15, 2021 as

Parks Maintenance Champions Day

in the City of Rockwall, and urge all citizens to applaud the city’s team for this most notable achievement and wish them well as they move on to compete in the 2021 north region competition, hoping to win the event for the 3rd year in a row, which has never been accomplished since the competition began in 1988.

In Witness Whereof, I here unto set my hand and official seal this 15th day of March, 2021.



Jim Pruitt, Mayor

ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, March 01, 2021 - 4:00 PM

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

I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 4:05 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler, and City Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were Interim City Manager, Mary Smith; Assistant City Manager, Joey Boyd; and City Attorney, Frank Garza. Councilmember Dana Macalik arrived to the meeting at 4:07 p.m.

II. WORK SESSION

1. Hold a work session with Jim Rosenberg to discuss Harbor Bay Marina agreement.

Mayor Pruitt indicated that the City of Rockwall and the City of Dallas has had an agreement in place for many, many years with Jim Rosenberg, and that agreement is expiring in December of this year (2021). Mr. Rosenberg then went on to share a 'redevelopment and expansion' proposal with the Council for its consideration related to potential renewal of the franchise agreement between him and the City of Rockwall. He shared that he did meet with the homeowner representatives in Lakeside Village, and some changes to the previously discussed proposal were made. Following Mr. Rosenberg's presentation and lengthy discussion with council members, indication was given that the city attorney will work with Mr. Rosenberg on renewal of the franchise agreement. Council took no formal action as a result of this work session item at this time.

Mayor Pruitt then read the below listed discussion items into the record before recessing the public meeting to go into Executive Session at 4:40 p.m.

III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding city's lease of property on Ridge Road pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney)
2. Discussion regarding land lease and airport management agreements at the Ralph M Hall / Rockwall Municipal Airport pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding the Texas Department of Transportation (TXDOT) and property along John King Blvd pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
4. Action Item #2 (pulled from public meeting agenda)
Discuss and consider winter weather event of February 13-20, 2021 to include, but not be limited to, the impact to the city and possible relief to utility customers, and take any action necessary. (Pursuant to Section §551.071 (Consultation with Attorney)
5. Public Hearing Item #2 (pulled from public meeting agenda)

Z2021-002 - Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a *Self Service Car Wash and Auto Detail* on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [SH-205], and take any action necessary **(1st Reading)**. (Pursuant to Section §551.071 (Consultation with Attorney))

IV. ADJOURN EXECUTIVE SESSION

Council adjourned from Executive Session at 6:00 p.m.

V. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:04 p.m. with all seven council members being present.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER DANIELS

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

VII. PROCLAMATIONS

1. 'Certificate of Merit' Awards - Rockwall Police Officers:
 - a) Wener Perez
 - b) Stephen Nagy and Mitchell Attaway

Rockwall Police Chief Max Geron, Lieutenant Aaron McGrew and Mayor Pruitt came forth. City Secretary Kristy Cole then read write-ups for each of the above listed officers, recognizing them for recent activities which demonstrated good police work and thwarted crime(s). Each officer was presented with a "Certificate of Merit" award.

2. "Theater in Our Schools Month" Proclamation
Mayor Pruitt read this proclamation into the record.

VIII. OPEN FORUM

This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. Per Council policy, public comment is limited to 3 minutes out of respect for other citizens' time. If you have a topic that warrants longer time, please contact the City Secretary at kcoble@rockwall.com to be placed on the Agenda during the 'Appointment Items' portion of the meeting. This will allow your topic to be provided sufficient time for discussion and will permit proper notice to be given to the public. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting (the Texas Open Meetings Act requires that topics of discussion/deliberation be specifically posted on an agenda not less than 72 hours in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.

**Johanna Runnels
7140 Harlan Drive
Rockwall, TX 75087**

Ms. Runnels briefly spoke about the proposed carwash (Public Hearing Item #Z2021-002 on this evening's meeting agenda), expressing concern about its potential approval (especially related to noise).

Terri Nevitt
201 Becky Lane
Rockwall, TX 75087

Ms. Nevitt came forth and provided a suggestion related to the design associated with future “roundabouts” on city streets. Secondly, she would like to see the City consider creating a good, reliable internet service for all Rockwall residents. She went on to suggest that there be a ‘task force’ established that could go door-to-door to inform residents about power outages and check on their wellbeing should another notable winter weather storm event occur in our city. She urged the City and County of Rockwall to speak to the legislature about its dissatisfaction with how ERCOT handled the power outages throughout Texas.

Jim Turner
1691 Old E. Quail Run Road
Rockwall, TX

Mr. Turner came forth and expressed concern about the future reconstruction of IH-30 through the City of Rockwall. He urged that the City do notable pre-planning to address traffic-related issues that will likely be caused by that project.

IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler moved to authorize the interim city manager to execute a land lease and airport management agreement. Councilmember Hohenshelt seconded the motion, which passed unanimously of Council (7 ayes to 0 nays).

X. CONSENT AGENDA

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

1. Consider approval of the minutes from the February 1, 2021 regular City Council meeting, and take any action necessary.
2. **P2021-006** - Consider a request by Joseph Hornisher of Kimley-Horn on behalf of Mark Andrews of 2424 MTA Realty, LLC for the approval of a Replat for Lots 4 & 5, Block A, MTA Andrews Addition being an 8.6234-acre tract of land identified as Lots 1 & 2, Block A, MTA Andrews Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, addressed as 2424 Ridge Road, and take any action necessary.
3. **P2021-008** - Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf of Dr. Mary Courtin of BLBP Property Group for the approval of a Replat for Lot 1, Block A, BLPB-Mims Addition being a 1.743-acre tract of land identified as a portion of Lot 9, Block A, Flagstone Corners Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 54 (PD-54) for Commercial (C) District land uses, situated at the southeast corner of the intersection of E. Ralph Hall Parkway and Mims Road, and take any action necessary.
4. **P2021-001** - Consider a request by Bill Thomas of Engineering Concepts and Design, LP on behalf of Joshua Swiercinsky of 7.1 Ridge, LLC for the approval of a Preliminary Plat for Lots 1-7, Block A, Sky Ridge Addition being a 8.583-acre parcel of land identified as Lot 1, Block A, Sky Ridge Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the Scenic Overlay (SOV) District, generally located west of the intersection of Ridge Road [FM-740] and W. Yellow Jacket Lane, and take any action necessary.

5. Consider an **ordinance** amending the Code of Ordinances in Chapter 36 “Streets, Sidewalks, and Public Places”, Article II “Driveways,” Section 36-11 “Culverts” to include provisions for the maintenance, repair, and replacement of driveways and culverts, and take any action necessary. **(1st reading)**
6. Consider authorizing the Interim City Manager to enter into an Interlocal Cooperation Agreement with Collin County for Subdivision Regulation in the Extraterritorial Jurisdiction (ETJ), and take any action necessary.
7. Consider authorizing the Interim City Manager to execute a contract with the Rockwall County Elections Administrator for Election Services related to administering the May 1, 2021 joint, general election with RISD and the City of Rockwall, and take any action necessary.
8. Consider authorizing the Interim City Manager to execute a Facility Use Agreement with Lakepointe Church, and take any action necessary.
9. Consider approval of the Rockwall Police Department's 2020 Racial Profiling Report, and take any action necessary.
10. Consider awarding a bid to SRH Landscapes and authorizing the Interim City Manager to execute a Contract for Grounds Maintenance Services II (Small) in the amount of \$87,661 to be funded out of the General Fund, Parks Operations Budget, and take any action necessary.
11. Consider authorizing the Interim City Manager to execute a contract renewal to SLM Landscape and Maintenance for Grounds Maintenance Services (Large) in the amount of \$569,110.23 to be funded out of the General Fund, Parks Operations budget, and take any action necessary.

Councilmember Hohenshelt moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11). Councilmember Macalik seconded the motion. The ordinance caption for #5 was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 21-**

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 36, ARTICLE II, BY AMENDING SECTION 36-11 OF THE CODE OF ORDINANCES, CLARIFYING MAINTENANCE OF DRIVEWAYS AND DRIVEWAY CULVERTS ON CITY PROPERTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

The motion passed by a vote of 7 ayes to 0 nays.

Mayor Pruitt then reordered the agenda to address Action Item #2 next.

XI. APPOINTMENT ITEMS

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

Jerry Welch from the city’s Planning & Zoning Commission came forth and updated the Council on recommendations of the Commission relative to planning-related items on tonight’s meeting agenda. Council took no action following Mr. Welch’s report.

2. Appointment with Brett Merritt to request waiving of the rental fees for the use of the City of Rockwall Portable Restroom facility and a fire hydrant meter related to the Youth Fair of Rockwall, and take any action necessary.

Mr. Merritt came forth and addressed the Council, explaining details pertaining to his request. Mayor Pro Tem Fowler moved to approve the waiving of rental and other fees, as

requested. Councilmember Macalik seconded the motion, which passed by a vote of 7 ayes to 0 nays.

XII. PUBLIC HEARING ITEMS

If you would like to speak regarding an item listed below, please turn in a (yellow) 'Request to Address City Council' form to the City Secretary either before the meeting or as you approach the podium. The Mayor or Mayor Pro Tem will call upon you to come forth at the proper time. Please limit comments to no more than 3 minutes.

1. **Z2021-001** - Hold a public hearing to discuss and consider a request by Otoniel Jaramillo for the approval of an **ordinance** for a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.50-acre parcel of land identified as Lot 17, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) for Single-Family 10 (SF-10) District land uses, addressed as 2825 Marcie Lane, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. 59 notices were sent out to property owners and residents within 500'. One notice was received back in favor. Also, nearby HOAs were notified. The Planning & Zoning Commission has recommended approval of this item.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak. There being no one indicating such, he closed the Public Hearing.

Councilmember Johannesen moved to approve Z2021-001. Councilmember Campbell seconded the motion. The ordinance caption was read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. ~~21-XX~~
SPECIFIC USE PERMIT NO. ~~S-2XX~~**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [~~ORDINANCE NO. 20-02~~] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.50-ACRE TRACT OF LAND, IDENTIFIED AS LOT 17, BLOCK B, LAGO VISTA 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.

The motion passed by a vote of 7 ayes to 0 nays.

2. **Z2021-002** - Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) allowing a *Self Service Car Wash and Auto Detail* on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [*SH-205*], and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller provided background information pertaining to this agenda item. He went on to explain several aspects of the most current proposal that the applicant has put forth that are not in conformance with city regulations. On January 22, 2021, staff mailed 40 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Castle Ridge, Harlan Park, and Rockwall Shores Homeowner's Association (HOA), which are the only Homeowner's Associations (HOA's)/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 had received the following:

- (1) Four (4) property owner notifications and one (1) email from property owners within the notification area (i.e. within the 500- foot buffer) opposed to the applicant's request.
- (2) Two emails from property owners within the Homeowner's Association (HOA) notification area (i.e. within the 1,500-foot buffer) opposed to the applicant's request.

Mayor Pruitt moved to remand Z2021-002 back to the Planning & Zoning Commission to ask the Commission to review sound-related issues/concerns, the change in the drawing(s), the orientation of the building, which is not in conformance with city Code, and any and all other issues which do not conform to city standards before the Council considers this SUP request. Councilmember Johannesen seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mr. Miller shared that a public hearing will be held at the Planning & Zoning Commission meeting on March 9 at 6:00 p.m. pertaining to this case.

- 3. MIS2021-002 - Hold a public hearing to discuss and consider a request by Reubin Harle for the approval of a Special Exception for On-Site Sewage Facilities (OSSFs) on two (2) residential tracts of land both identified as being a portion of a 4.632-acre parcel of land identified as Lot 5R, Block A, Zion Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 1 (SF-1) District, addressed as 825 Zion Hill Circle, and take any action necessary.

Planning Director, Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to 12 adjacent property owners and residents. One notice was received back in favor.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Charles Miller
821 Zion Hill Circle
Rockwall, TX

Mr. Miller came forth and shared that he would like to know where, specifically, on the property that Mr. Harle plans to place this septic system. He generally expressed concern about the potential smell and spreading (via strong winds) of septic particles in the air. He asked if there is any way of knowing where on the property the septic system and related sprinklers will be placed. Mr. Miller shared that the city is not aware of where exactly on

the property it will be placed – it must be in conformance with the County’s OSSF regulations, as the County handles the city’s OSSF program on its behalf. He has concerns about an “aerobic” system.

Rocky Murphy
837 Zion Hill Circle
Rockwall, TX

Mr. Murphy wonders how much land a person must have in order to place a septic system on it. Mayor Pruitt indicated that a person must typically have 1.5 acres in order to do so. He wants to make sure that if this gets approved, his property will not be inadvertently impacted with “run off” or other residual impacts.

There being no one else wishing to come forth and speak at this time, Mayor Pruitt closed the public hearing.

Mayor Pruitt made a motion to deny the request associated with MIS2021-002. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 against (Hohenshelt).

XIII. ACTION ITEMS

If your comments are regarding an agenda item below, you are asked to wait until that particular agenda item is up for discussion, and the Mayor or Mayor Pro Tem will call you forth to the podium to hear your comments (please limit to 3 minutes). This allows for all public comments to be grouped with each specific agenda item for the Council to consider, and they are then easily referenced in meeting recordings.

1. Discuss and consider Parks & Recreation Department’s upcoming special events, and take any action necessary.

Parks Director, Travis Sales, came forth and briefed the Council on this agenda item. Staff is proposing moving the annual Easter Egg Hunt event to The Harbor and making some changes to how it is handled (vendors will hand out eggs). Regarding Concerts by the Lake, staff is asking Council for input on proceeding in the same manner as took place last year (in 2020) (social distancing, sanitation stations, etc.). Regarding “Founder’s Day,” it has been cancelled for the last two years (two years ago because of storms, one year ago because of COVID). Wade Bowin and Jack Ingram are still on contract to come and play if Council is ok with proceeding with holding the event. Council generally indicated that they are in agreement with staff moving forward. Mr. Sales shared that staff has been keeping an eye on facility usage at the building called “The Center” (up the hill from City Hall) and is now proposing to modify hours of operations at this venue. Hours would be 8 AM to 5 PM Monday thru Friday and then closed on Saturdays and Sundays unless the facility is reserved for a private event. Council took no formal action on this Action Item (only gave direction to staff).

2. Discuss and consider winter weather event of February 13-20, 2021 to include, but not be limited to, the impact to the city and possible relief to utility customers, and take any action necessary.

Mayor Pruitt spoke about this agenda item, expressing great concern about how power outages were handled during the February 2021 winter storms and sharing that the city put out a press release based on complete misinformation provided by Atmos concerning

‘rolling blackouts’ that supposedly were going to occur. That did not happen – people were either totally without power for very long, extended periods of time or they had power almost the entire time. How decisions were made related to which neighborhoods would be cut off and which ones would not is unknown and very concerning. The City opened up a warming center at The Center (city owned building), and city staff members, including interim City Manager Mary Smith and HR Director, Shawn Yerks, manned that location and ensured things ran smoothly.

Interim City Manager, Mary Smith, then provided extensive comments, thanking city staff – especially water/sewer and streets department employees as well as police and fire department personnel. She shared that about 120 people (mostly from outside of our community) came and stayed at The Center (warming center) over the course of the week. Fire and police and other city personnel helped relocate nursing home residents from their facility that lost power and was frigidly cold to two other nursing home facilities within the city – they did so with a high level of professionalism and compassion.

Mayor Pruitt thanked Judge Sweet for all of his help during the recent storms as well. He then asked Mrs. Smith to provide information on details pertaining to the city possibly granting some financial relief to city water customers who had (1) faucets dripping for extended periods of times and related water loss and/or (2) had pipes burst and associated water loss. She explained that our current city policies do not allow for more than (somewhat minor) courtesy adjustments, so staff will need Council direction and/or approval before possibly granting more notable relief to water utility customers (residential customers, not commercial).

Mayor Pruitt made a motion to authorize the interim city manager to make changes to the sewer side of utility bills, beginning with April bills, by not including February 2021 usage in the sewer average calculations. In addition, adjust every residential customer by increasing the base rate to include the first 4,000 gallons of water usage for the month of February (instead of the base rate including 2,000 gallons as the rates currently are set). Following additional comments, the motion passed by a vote of 7 ayes to 0 nays.

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

- 1. Building Inspections Monthly Report - January 2021**
- 2. Fire Department Monthly Report - January 2021**
- 3. Parks & Recreation Monthly Report - January 2021**
- 4. Police Department Monthly Report - January 2021**
- 5. Sales Tax Historical Comparison**
- 6. Water Consumption Historical Statistics**
- 7. Recap of February 2021 Winter Weather Event (snow, ice, freezing temps.)**

Mrs. Smith thanked all of the local restaurants and others (i.e. Lakepointe Church) who provided food for people who were displaced and housing at the “warming center” during the winter storms. The food and drinks were much appreciated, and it was also utilized to feed city streets and water/wastewater crews. She indicated that monthly reports have been included in the packet for Council’s review, and staff is happy to answer any questions

the Council may have concerning said reports. No questions were asked, no discussion took place, and no action was taken.

XV. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

- 1.** Discussion regarding city's lease of property on Ridge Road pursuant to Section 551.072 (Real Property) and Section 551.071 (Consultation with Attorney).
- 2.** Discussion regarding land lease and airport management agreements at the Ralph M Hall / Rockwall Municipal Airport pursuant to Section §551.071 (Consultation with Attorney).
- 3.** Discussion regarding the Texas Department of Transportation (TXDOT) and property along John King Blvd pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

Council did not reconvene in Ex. Session following the close of the public meeting agenda. See action taken earlier in the meeting as a result of the pre-public meeting executive session.

XVII. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 7:45 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 15th DAY OF MARCH, 2021.

JIM PRUITT, MAYOR

ATTEST:

KRISTY COLE, CITY SECRETARY



MEMORANDUM

TO: Mary Smith, Interim City Manager
CC: Honorable Mayor and City Council
FROM: Lea Ann Ewing, Purchasing Agent
DATE: March 15, 2021
SUBJECT: PURCHASE OF FIREFIGHTER BUNKER GEAR

Attachments

Summary/Background Information

Budgeted in the General Fund, Fire Operations Fire Fighting Supply line are funds to purchase new bunker gear for the recent new hires (coats, trousers, helmets and boots). The coat and trousers are available from Casco Industries at a total cost of \$30,220 and this amount is within budget.

This gear is available for purchase from Casco Industries through the Texas Association of School Board (Buy Board) cooperative purchasing program contract #603.20. As a member and participant in this cooperative program, the City has met all formal bidding requirements pertaining to the purchase of the new gear.

Action Needed

For Council consideration are bid award to Casco for the gear at the cost stated above and authorize the Interim City Manager to execute a purchase order.



MEMORANDUM

TO: Mary Smith, Interim City Manager
CC: Honorable Mayor and City Council
FROM: Lea Ann Ewing, Purchasing Agent
DATE: March 15, 2021
SUBJECT: CONTRACT FOR NEW FENCES

Attachments

Summary/Background Information

Approved in the Water Sewer Fund, Wastewater operating budget is \$57,000 to install new aluminum fencing at two lift stations. Sealed competitive bids were solicited for new fencing at the Justin Road and Shores lift stations. The bid opening was held on March 1, 2021. Bids were received from Axis Construction \$56,233, Riverstone Fence \$61,718, Llano River Fence \$58,000, Dallas Automatic Gate \$79,140, and Team North Texas \$93,394.

Apparent low bidder is Axis Construction.

Action Needed

For Council consideration is the bid award to Axis Construction for \$56,233 and authorize the Interim City Manager to execute a contract for the new fencing.

CITY OF ROCKWALL

ORDINANCE NO. 21-13

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING CHAPTER 36, ARTICLE II, BY AMENDING SECTION 36-11 OF THE CODE OF ORDINANCES, CLARIFYING MAINTENANCE OF DRIVEWAYS AND DRIVEWAY CULVERTS ON CITY PROPERTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Rockwall (the *City*), a Home Rule City and by State law and City Charter is permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, currently Section 36-11 of the City Code of Ordinances requires that any installation of driveway culverts on city property must be approved by the City prior to construction, but there is no language in the Code as to who is required to maintain, repair, and replace such culverts or driveways located on city property;

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

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. AMENDMENT. Chapter 36, Article II, Section 36-11 is hereby amended to read as follows:

Sec. 36-11. – DRIVEWAYS AND CULVERTS.

- (a) Property owner or tenant to purchase and deliver to installation site. All driveway and driveway culvert materials shall be purchased and delivered to the site of the installation by the property owner or tenant.
- (b) Materials, specifications. Driveway and culverts must be constructed of material approved by the city and the culverts must be designed with sufficient diameter to carry drainage water that may accumulate at the place of installation. They shall have a minimum length of ten feet and a maximum length of 24-feet.
- (c) City approval prerequisite to installation on city property. Any installation of driveways and/or driveway culverts on city property must be approved by the city prior to beginning construction.
- (d) Any driveways and/or driveway culverts on city property must be maintained, repaired and replaced, by the property owner. Any driveway and/or driveway culvert not approved by the City that is still located on city property must also be maintained, repaired and replaced by the property owner(s) utilizing such driveway and/or culvert.

SECTION 3. REPEALING ORDINANCES IN CONFLICT. 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 6. SEVERABILITY CLAUSE. 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. EFFECTIVE DATE. 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 15TH DAY OF MARCH, 2021.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: March 1, 2021

2nd Reading: March 15, 2021

CITY OF ROCKWALL

ORDINANCE NO. 21-14

SPECIFIC USE PERMIT NO. S-244

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.50-ACRE TRACT OF LAND, IDENTIFIED AS LOT 17, BLOCK B, LAGO VISTA ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Otoniel Jaramillo for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.50-acre tract of land being described as Lot 17, Block B, Lago Vista Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 18 (PD-18) District for Single-Family 10 (SF-10) District land uses, addressed as 2825 Marcie Lane, 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 03.09, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] and to the requirements set forth in Planned Development

District 18 (PD-18) -- 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 15TH DAY OF MARCH, 2021.**

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: March 1, 2021

2nd Reading: March 15, 2021

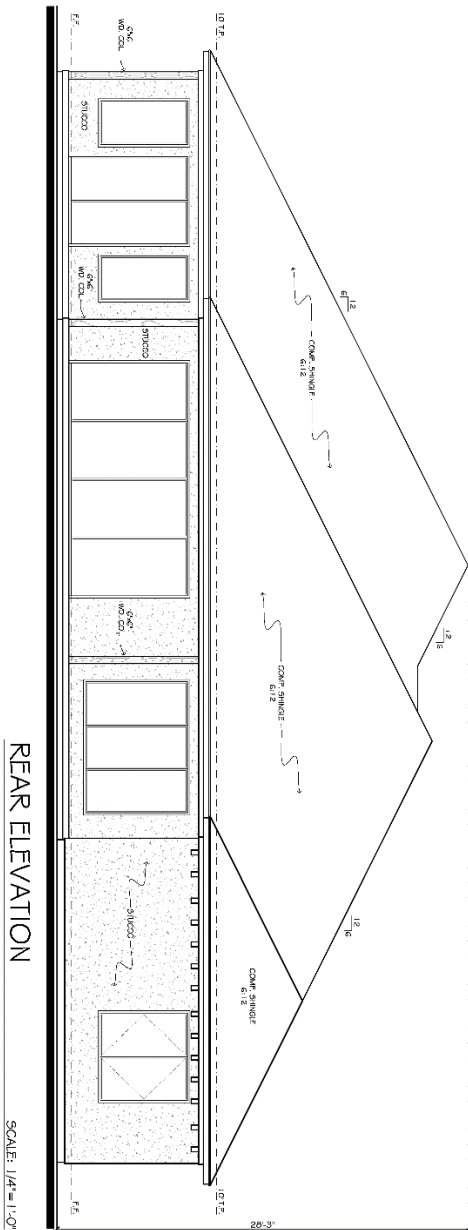
Exhibit 'A'
Location Map and Survey

Address: 2825 Marcie Lane

Legal Description: Lot 17, Block B, Lago Vista Addition

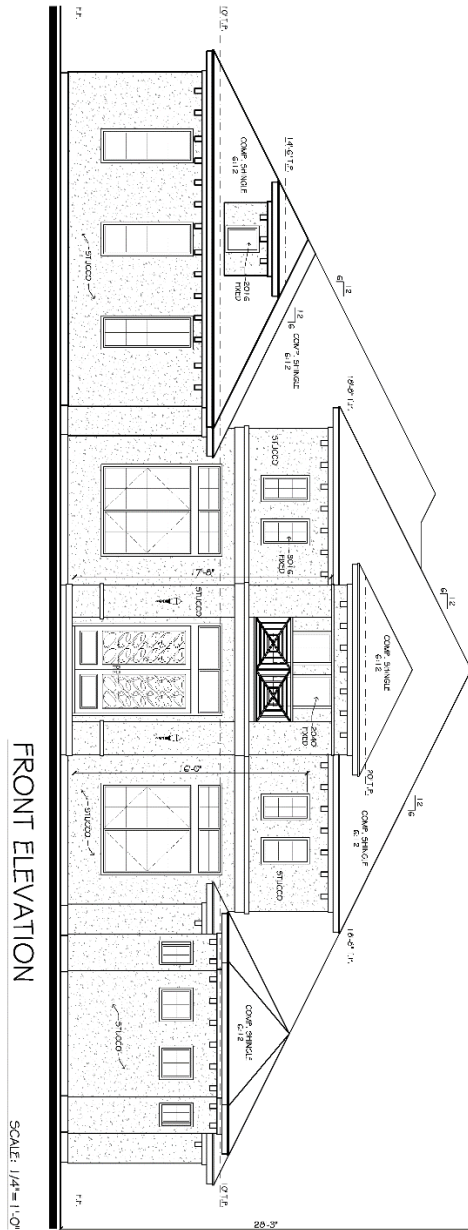


**Exhibit 'C':
Building Elevations**



REAR ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

A2.00

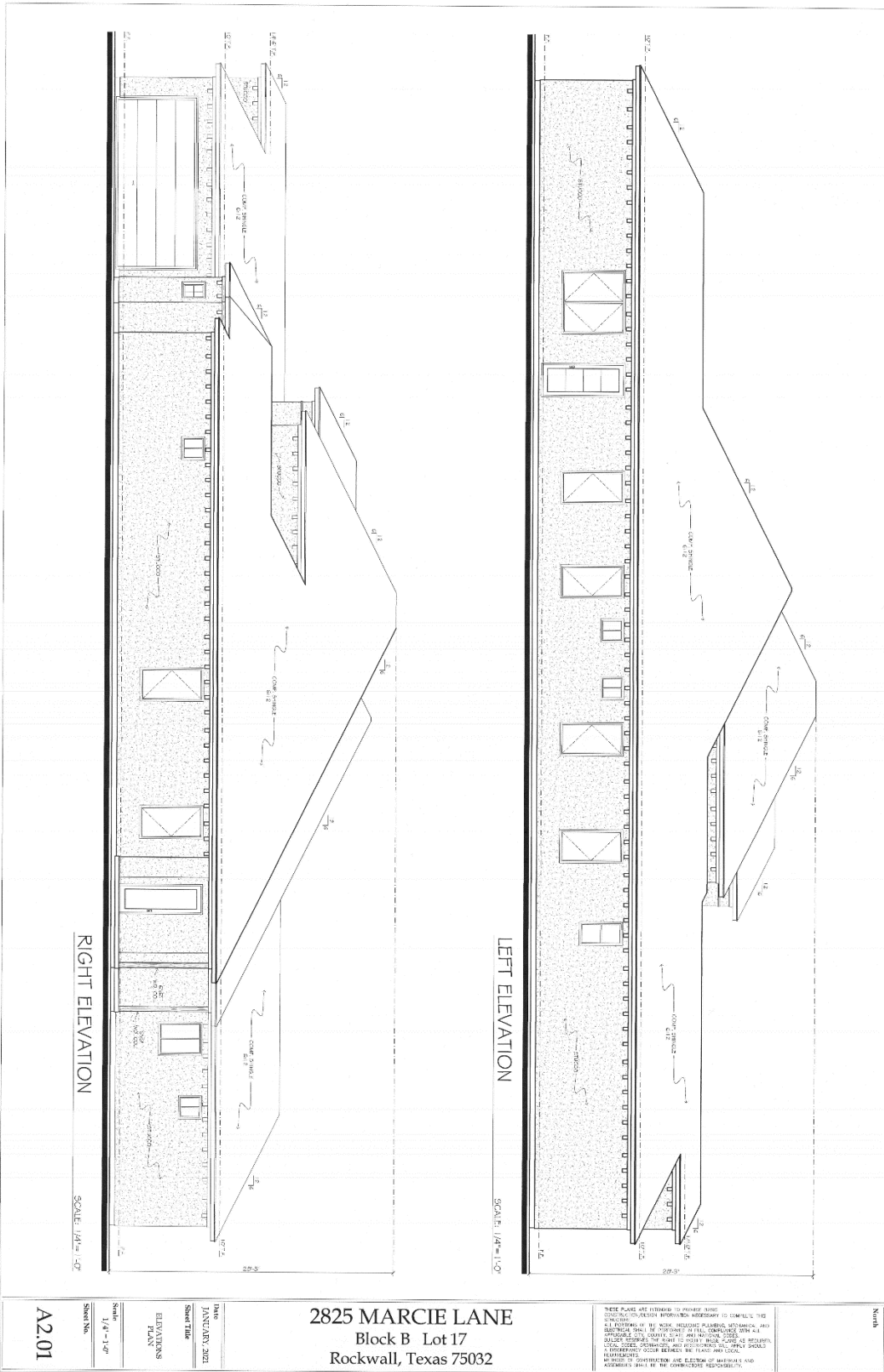
Sheet Title	ELEVATIONS PLAN
Date	JANUARY, 2021
Scale	1/4" = 1'-0"
Sheet No.	

2825 MARCIE LANE
Block B Lot 17
Rockwall, Texas 75032

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION/DESIGN INFORMATION NECESSARY TO CONSTITUTE THIS STRUCTURE. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF ROCKWALL, TEXAS, AND ALL APPLICABLE STATE AND FEDERAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON.

North

**Exhibit 'C':
Building Elevations**





MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: March 15, 2021

SUBJECT: P2021-004; FINAL PLAT FOR LOTS 1 & 2, BLOCK A, DC ADDITION

Attachments

Case Memo
Development Application
Location Map
Final Plat

Summary/Background Information

Consider a request by Dewayne Cain of EVSR (D), LLC for the approval of a *Final Plat* for Lots 1 & 2, Block A, DC Addition being a 22.27-acre tract of land identified as Tracts 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 Cornelius Road, and take any action necessary.

Action Needed

The City Council is being as to approve, approve with condition or deny the proposed final plat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 15, 2021
APPLICANT: Dewayne Cain; *EVSR (D), LLC*
CASE NUMBER: P2021-004; *Final Plat for Lots 1 & 2, Block A, DC Addition*

SUMMARY

Consider a request by Dewayne Cain of EVSR (D), LLC for the approval of a Final Plat for Lots 1 & 2, Block A, DC Addition being a 22.27-acre tract of land identified as Tracts 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 777 Cornelius Road, and take any action necessary.

PLAT INFORMATION

- The purpose of this request is to Final Plat a 22.27-acre tract of land (i.e. *Tract 2 & 2-4 of the W. M. Dalton Survey, Abstract No. 72*) into two (2) parcels of land to facilitate the construction of a single-family home on the proposed *Lot 2, Block A*. According to the Rockwall Central Appraisal District (RCAD), currently situated on the tract of land -- *on the area that is designated as Lot 1, Block A on the proposed Final Plat* -- is a 1,104 SF single-family home. As part of the Final Plat, a portion of Cornelius Road is required to be dedicated.
- The subject property was annexed into the City of Rockwall on January 4, 2010 by *Ordinance No. 10-01*. At the time of annexation, the subject property was zoned Agricultural (AG) District. On June 3, 2019 City Council approved a Specific Use Permit (SUP) [*Ordinance No. 19-23; Case No. Z2019-010*] allowing for a guest quarters and agricultural accessory building.
- On March 2, 2021, 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 \$577.00 (i.e. $\$577.00 \times 1 \text{ Lot}$), 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 \$609.00 (i.e. $\$609.00 \times 1 \text{ Lot}$), which will be due prior to the issuance of a building permit.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Final Plat -- *conforming to the requirements for plats as stipulated by Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Final Plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section below, this Final Plat is in substantial compliance with the requirements of Chapter 38, *Subdivision*, of the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Final Plat for *Lots 1 & 2, Block A, DC 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 subdivision plat;
- (2) The subdivision of land shall adhere to the recommendations of the Parks and Recreation Board; 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.

PLANNING AND ZONING COMMISSION

On March 9, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the final plat with the conditions of approval by a vote of 5-0, with Commissioners Deckard and Womble absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- REPLAT (\$300.00 + \$20.00 ACRE) ¹ Paid 2/9/21 OK 6782
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS: 700 & 800 Blocks of Cornelius Road Rockwall, Tx. 75027

SUBDIVISION: LOT BLOCK

GENERAL LOCATION: ON Cornelius Road BETWEEN FM 1141 & FM 549

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING: Agriculture CURRENT USE: Hay Field

PROPOSED ZONING: Residential PROPOSED USE: Home Construction

ACREAGE: 20 ± Acres LOTS [CURRENT]: 1 LOTS [PROPOSED]: 2

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

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

OWNER: EVSR (D) LLC (Dewayne Cain) APPLICANT: SAME AS OWNER

CONTACT PERSON: DEWAYNE CAIN CONTACT PERSON:

ADDRESS: 305 Stonebridge Dr. ADDRESS:

CITY, STATE & ZIP: Rockwall, Tx. 75027 CITY, STATE & ZIP:

PHONE: 214-533-8641 PHONE:

E-MAIL: DewayneCain25@gmail.com E-MAIL:

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Dewayne Cain [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 \$ 745.40 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 9th DAY OF FEBRUARY, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 10 DAY OF February, 2021.

OWNER'S SIGNATURE: Dewayne Cain


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Linda Sandhoff



MY COMMISSION EXPIRES

0 160 320 640 960 1,280 Feet

P2021-004- LOTS 1 & 2, BLOCK A, DC ADDITION
FINAL PLAT - LOCATION MAP = 

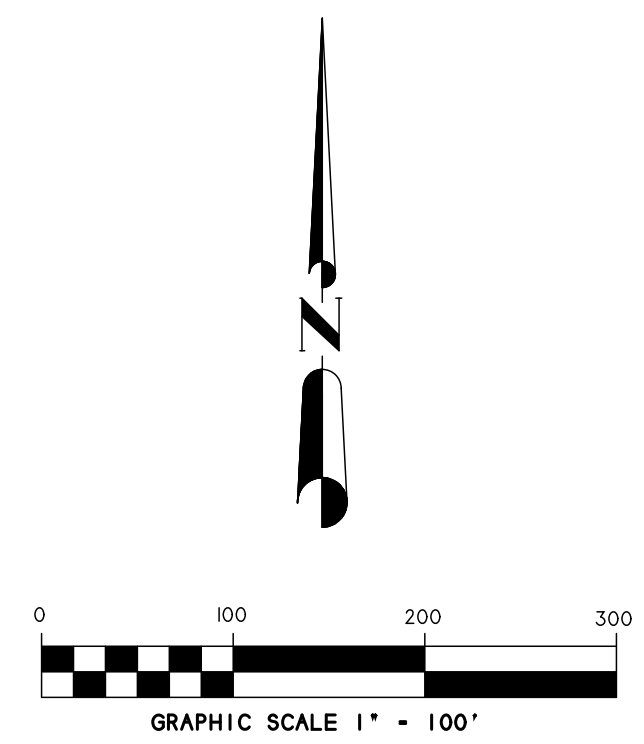
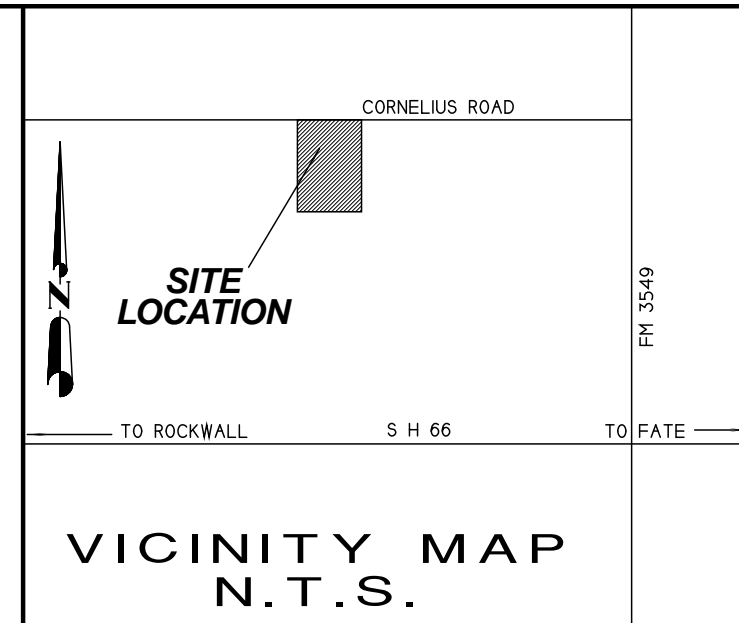
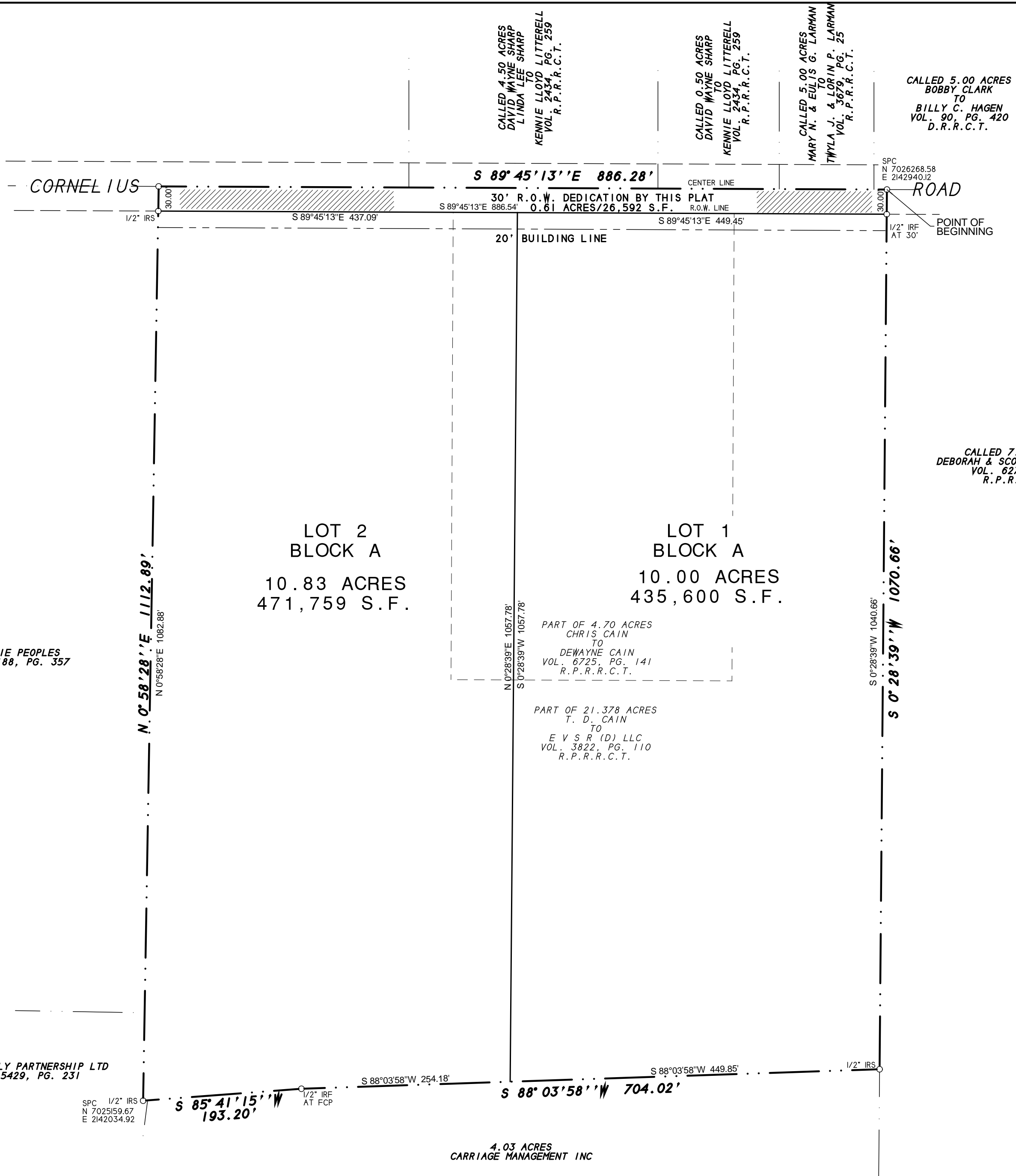


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(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.





FINAL PLAT
DC ADDITION
 LOTS 1 & 2, BLOCK A

22.27 ACRES OR 969,920 S.F.
 (1 LOT)
 WILLIAM DALTON SURVEY, ABSTRACT NO. 72
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CAIN FAMILY PARTNERSHIP LTD
 VOL. 5429, PG. 231

DONNIE PEOPLES
 VOL. 188, PG. 357

- NOTES**
- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 48397C0035L dated SEPT 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
 - 2) BEARING SOURCE: CITY OF ROCKWALL CONTROL MONUMENT SYSTEM.
 - 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

OWNER:
 DEWAYNE CAIN
 P.O. BOX 1119
 ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC
 Firm Registration no. 101509-00
 6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SHEET 1 OF 2

SYMBOL LEGEND	
TV	TELEVISION
GA	GAS
TEL	TEL
PH	PHONE
FI	FIRE
PP	POWER
CB	CABLE BINDER
MR	METER
BS	BORER
HP	HORIZONTAL
PL	POLE
IR	1/2" IRF
RF	IRON ROD FOUND
EB	ELECTRIC BOX
WP	WATER
LP	LIGHT
CB	CONCRETE
JB	JUNCTION BOX
PT	PIT
AC	AIR COND. UNIT
PT	PROFANE TANK
EL	EASEMENT LINE
PL	PROPERTY LINE

SURVEY DATE: DECEMBER 5, 2018
 SCALE: 1" = 100' FILE # 2018/20010034
 CLIENT: CAIN

OWNER'S CERTIFICATE
(Public Dedication)

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS, E V S R (D) LLC and DEWAYNE CAIN, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

All that certain lot, tract or parcel of land situated in the WILLIAM DALTON SURVEY, ABSTRACT NO. 72, City of Rockwall, Rockwall County, Texas, and being a part of a 21.378 acres tract of land as described in a Warranty deed from T.D. Cain to E V S R (D) LLC, as recorded in Volume 3822, Page 110 of the Official Public Records of Rockwall County, Texas, and also a part of a 4.70 acres tract of land as described in a Warranty deed from Chris Cain to Dewayne Cain, as recorded in Volume 6725, Page 141 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point in the center of Cornelius Road, at the northeast corner of said 21.378 acres tract of land and being the northwest corner of a 7.768 acres tract of land as described in a Warranty deed to Deborah Hammons and Scott Hammons, Sr., as recorded in Volume 627, Page 38 of the Real Property Records of Rockwall County, Texas;

THENCE S. 00 deg. 28 min. 39 sec. W., at 30.00 feet pass a 1/2" iron rod found for witness and continuing along the east line of said 21.378 acres tract for a total distance of 1070.66 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE S. 88 deg. 03 min. 58 sec. W. a distance of 704.02 feet to a 1/2" iron rod found at fence post for corner;

THENCE S. 85 deg. 41 min. 15 sec. W. a distance of 193.20 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner;

THENCE N. 00 deg. 58 min. 28 sec. E. at 1082.89 feet pass a 1/2" iron rod found for witness and continuing for a total distance of 1112.89 feet to a point in the center of Cornelius Road and being the northwest corner of said 4.70 acres Cain tract;

THENCE S. 89 deg. 45 min. 13 sec. E. along the center of said road, a distance of 886.28 feet to the POINT OF BEGINNING and containing 969,920 square feet or 22.27 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as DC ADDITION LOTS 1 & 2, BLOCK A, an Addition to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the DC ADDITION LOTS 1 & 2, BLOCK A, have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same.

I also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer, subdivision engineer and owner shall bear total responsibility for storm drainage improvements. The property owner is responsible for all maintenance, repair, and replacement of all systems in drainage easements
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

7) PROPERTY OWNER TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE SYSTEMS ON SITE.

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exaction's made herein.

DEWAYNE CAIN, Individually
and for E V S R (D) LLC

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me on this day personally appeared DEWAYNE CAIN known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this _____ day of _____.

Notary Public in and for the State of Texas My Commission Expires: _____

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Harold D. Fetty, III, R.P.L.S. No. 5034, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.



Harold D. Fetty, III
Registered Professional Land Surveyor No. 5034

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission Date _____

APPROVED

I hereby certify that the above and foregoing plat of DC ADDITION, LOTS 1 & 2, BLOCK A, an addition to the City of Rockwall, Texas, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred eighty (180) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this _____ day of _____, _____.

Mayor, City of Rockwall City Secretary City of Rockwall

City Engineer Date _____

FINAL PLAT
DC ADDITION
LOTS 1 & 2, BLOCK A

22.27 ACRES OR 969,920 S.F.
(1 LOT)
WILLIAM DALTON SURVEY, ABSTRACT NO. 72
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 2 OF 2

SYMBOL LEGEND

⊗ TELEPHONE	⊗ GAS	⊗ TEL	⊗ F-I	⊗ F-P
⊗ CABLE WIRE	⊗ METER	⊗ METER	⊗ HYDRANT	⊗ POWER POLE
⊗ ELEC. BOX	⊗ ELEC. METER	⊗ WATER METER	⊗ LIGHT POLE	⊗ 1/4" IRF
⊗ ELEC. JUNCTION BOX	⊗ SUBURFACE	⊗ WATER	⊗ LIGHT POLE	⊗ 1/4" IRF (CORNER)
⊗ FENCE	⊗ EASEMENT LINE	⊗ AIR COND. UNIT	⊗ PROpane TANK	

SURVEY DATE DECEMBER 5, 2018
SCALE 1" = 100' FILE # 2018/20010034
CLIENT CAIN

OWNER:
DEWAYNE CAIN
P.O. BOX 1119
ROCKWALL, TEXAS 75087

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 101509-00
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE trac@hdfetty.com



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: March 15, 2021

SUBJECT: P2021-005; PRELIMINARY PLAT FOR LOTS 1 & 2, BLOCK A, NELLER ADDITION

Attachments

Case Memo
Development Application
Location Map
Preliminary Plat
Closure Report

Summary/Background Information

Consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a *Preliminary Plat* for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM-549, and take any action necessary.

Action Needed

The City Council is being as to approve, approve with condition or deny the proposed preliminary plat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 15, 2021
APPLICANT: Bryan Connally; *CBG Surveying Texas, LLC*
CASE NUMBER: P2021-005; *Preliminary Plat for Lots 1 & 2, Block A, Neller Addition*

SUMMARY

Discuss and consider a request by Bryan Connally of CBG Surveying Texas, LLC on behalf Helen Comeav Neller for the approval of a Preliminary Plat for Lots 1 & 2, Block A, Neller Addition being an 11.368-acre parcel of land identified as Lot 7, Block 1, Lofland Lake Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family Estates 4.0 (SFE-4.0) District, addressed as 2380 FM549, and take any action necessary.

PLAT INFORMATION

- The purpose of the applicant's request is to Preliminary Plat an 11.368-acre parcel of land (*i.e. Lot 7, Block 1, Lofland Lake Estates*) into two (2) lots (*i.e. Lots 1 & 2, Block A, Neller Addition*) for the purpose of conveying the two (2) lots. The site is located directly east of the intersection of S. FM 549 and Willow Ridge Circle, and is zoned Single Family Estate 4.0 (SFE-4.0) District.
- On October 17, 1994, the City Council approved the Lofland Lake Estates Subdivision that established the subject property as Lot 7, Block 1, Lofland Lake Estates Addition. The subject property was annexed into the City of Rockwall on July 21, 1997 by *Ordinance No. 97-14*. The subject property was rezoned from an Agricultural (AG) District to a Single-Family Estate 4.0 (SFE-4.0) District on June 3, 2002 by *Ordinance No. 02-28 [Case No. PZ2001-103-01]*.
- On March 2, 2021, the Parks and Recreation Board reviewed the Preliminary Plat and made the following recommendations concerning the proposed subdivision:
 - (1) The property owner shall pay pro-rata equipment fees of \$512.00 (*i.e. \$512.00 x 1 Lot*), 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 \$541.00 (*i.e. \$541.00 x 1 Lot*), which will be due prior to the issuance of a building permit.
- The surveyor has completed the majority of the technical revisions requested by staff, and this Preliminary 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 and submittal requirements.
- Conditional approval of this Preliminary Plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of the *Subdivision Ordinance* in the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the Preliminary Plat for *Lots 1 & 2, Block A, Neller Addition*, 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;
- (2) The subdivision of land shall adhere to the recommendations of the Parks and Recreation Board; and,
- (3) Any construction resulting from the approval of this Preliminary 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.

PLANNING AND ZONING COMMISSION

On March 9, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the preliminary plat with the conditions of approval by a vote of 5-0, with Commissioners Deckard and Womble absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) †
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) †
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) †

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

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.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2380 South Farm to market 549

SUBDIVISION Lofland Lake Estates LOT 7 BLOCK 1

GENERAL LOCATION across the street from Willow Ridge Circle

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING SFE-4

CURRENT USE Residential

PROPOSED ZONING N/A

PROPOSED USE Residential

ACREAGE 11.368 LOTS [CURRENT] 1 lot LOTS [PROPOSED] 2 lots

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

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

OWNER Helen Comeau Neller
 CONTACT PERSON "Helen"
 ADDRESS 148 Harvest Hill Drive
 Rockwall, Tx. 75032
 CITY, STATE & ZIP Rockwall, Tx. 75032
 PHONE 972-772-9911
 E-MAIL helen.comeau@me.com

APPLICANT CBG Surveying Texas, LLC.
 CONTACT PERSON Bryan Connolly
 ADDRESS 12025 Shiloh Rd.
 CITY, STATE & ZIP Dallas, Tx. 75228
 PHONE 214-249-9485
 E-MAIL bryanC@cbgtxllc.com

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Comeau-Neller Helen, Marie (OWNER) THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

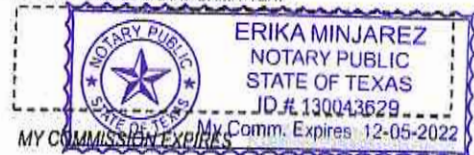
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$_____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 20____. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 02 DAY OF FEBRUARY, 2021


OWNER'S SIGNATURE

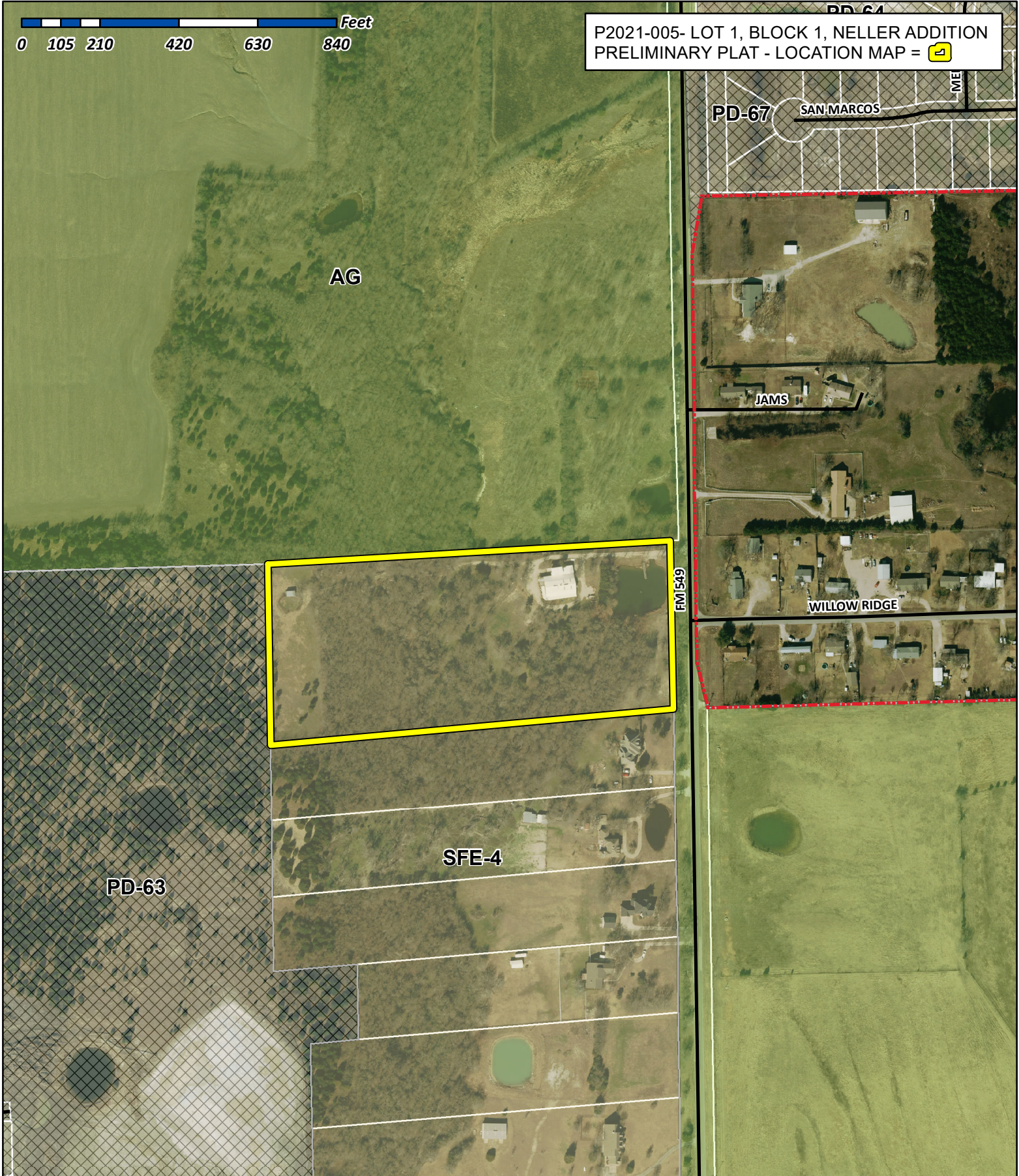
[Signature]
ERIKA MINJAREZ

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



0 105 210 420 630 840 Feet

P2021-005- LOT 1, BLOCK 1, NELLER ADDITION
PRELIMINARY PLAT - LOCATION MAP = 

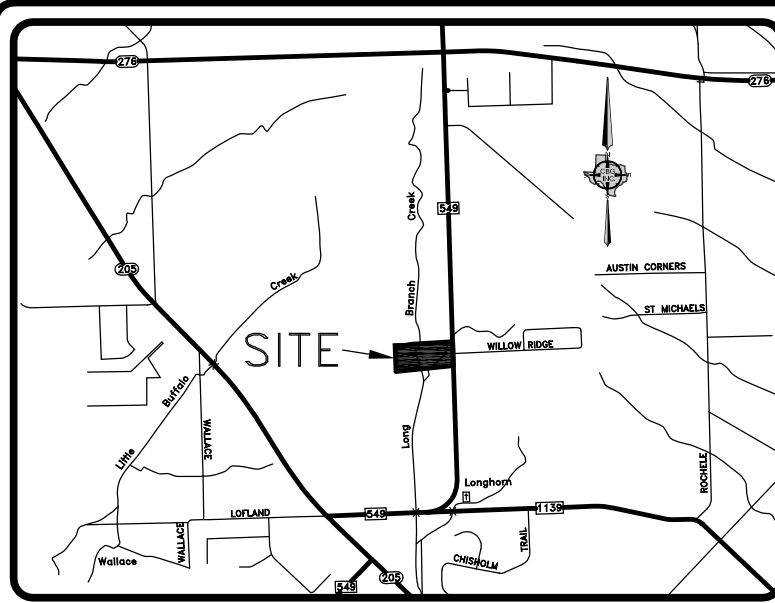


City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(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.





VICINITY MAP - NOT TO SCALE

GENERAL NOTES:

- 1) THE BASIS OF BEARINGS FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.
- 3) THE PURPOSE OF THIS PLAT IS TO CREATE 2 LOTS.
- 4) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- 5) ACCORDING TO THE F.I.R.M. IN MAP NO. 48397C0045L, THIS PROPERTY DOES LIE IN ZONE X & ZONE A AND DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE.
- 6) PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE, REPAIR, AND RECONSTRUCTION OF ALL DRAINAGE AND DETENTION SYSTEMS ON SITE.

LEGEND:

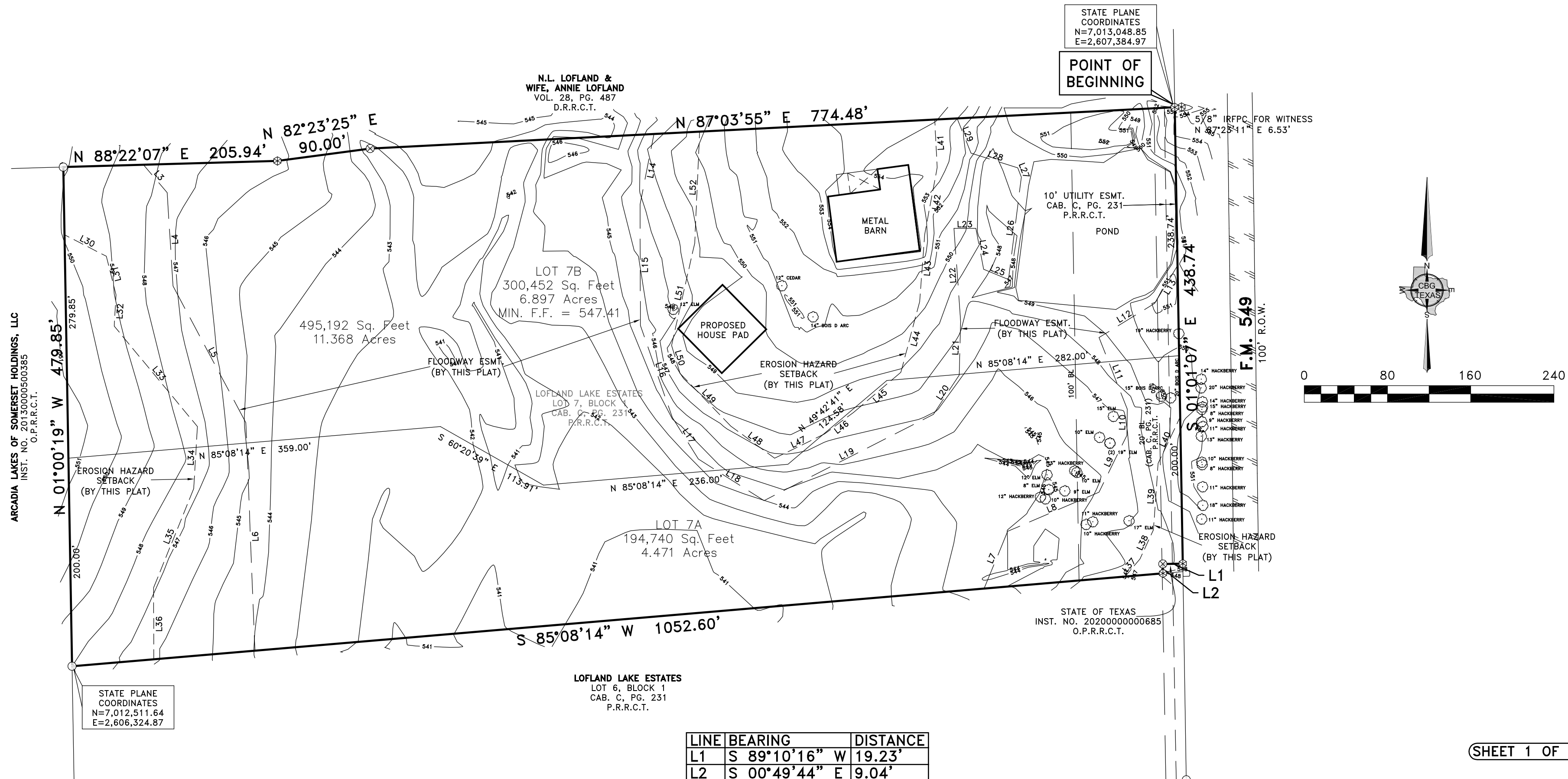
- 5/8" IRF = 5/8 INCH IRON ROD FOUND
- 5/8" IRFPC = 5/8 INCH IRON ROD FOUND WITH PINK CAP STAMPED "TX DOT"
- 1/2" IRF = 1/2 INCH IRON ROD FOUND
- 1/2" IRS = 1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "CBG SURVEYING"
- CM CONTROLLING MONUMENT
- VOL. VOLUME
- PG. PAGE
- CAB. CABINET
- R.O.W. RIGHT-OF-WAY
- SQ.FT. SQUARE FEET
- INST. NO. INSTRUMENT NUMBER
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS

FLOODWAY ESMT.

LINE	BEARING	DISTANCE
L3	S 40°16'47" E	35.22'
L4	S 03°35'38" E	89.85'
L5	S 28°04'02" E	148.88'
L6	S 02°16'11" E	219.28'
L7	N 22°22'33" E	59.53'
L8	N 66°48'29" E	95.52'
L9	N 26°09'56" E	60.72'
L10	N 00°54'59" E	25.26'
L11	N 21°29'28" W	74.05'
L12	N 58°25'59" E	62.67'
L13	N 31°15'11" E	42.45'
L14	S 11°13'04" W	68.80'
L15	S 00°09'57" E	116.50'
L16	S 19°07'17" E	93.57'
L17	S 32°00'19" E	47.17'
L18	S 57°40'31" E	74.81'
L19	N 63°00'51" E	182.69'
L20	N 33°16'57" E	45.18'
L21	N 01°36'42" E	51.63'
L22	N 04°09'19" W	89.84'
L23	N 89°49'04" E	21.06'
L24	S 10°52'47" W	40.09'
L25	S 67°34'48" E	25.76'
L26	N 07°09'54" E	99.22'
L27	N 21°02'01" W	9.58'
L28	N 72°39'13" W	47.05'
L29	N 21°46'01" W	35.98'

EROSION HAZARD SETBACK

LINE	BEARING	DISTANCE
L30	S 62°44'59" E	45.22'
L31	S 14°12'21" E	38.18'
L32	S 03°24'39" W	30.15'
L33	S 39°39'50" E	125.42'
L34	S 03°27'05" W	59.84'
L35	S 22°01'56" W	102.63'
L36	S 00°04'12" E	68.81'
L37	N 40°17'32" E	22.11'
L38	N 24°51'07" E	30.86'
L39	N 04°02'59" E	64.12'
L40	N 25°27'18" E	49.38'
L41	S 02°56'11" E	46.00'
L42	S 10°33'09" W	65.38'
L43	S 04°19'19" W	64.87'
L44	S 14°52'47" W	70.41'
L45	S 49°47'46" W	59.78'
L46	S 53°23'41" W	34.51'
L47	S 64°00'01" W	53.35'
L48	N 53°46'12" W	52.24'
L49	N 43°59'29" W	70.37'
L50	N 16°45'21" W	28.21'
L51	N 12°46'28" E	100.70'
L52	N 02°32'11" E	107.29'



LINE	BEARING	DISTANCE
L1	S 89°10'16" W	19.23'
L2	S 00°49'44" E	9.04'

(SHEET 1 OF 2)

REPLAT
LOT 7A AND 7B, BLOCK 1, NELLER ADDITION
 BEING A REPLAT OF LOT 7, BLOCK 1, LOFLAND LAKE ESTATES
 495,192 SQ.FT. / 11.368 ACRES
 ABNER JOHNSTON SURVEY, ABSTRACT NO. 123
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

CBG
 SURVEYING TEXAS LLC
 PROFESSIONAL LAND SURVEYORS
 DFW - Houston - East Texas - Austin - San Antonio

PLANNING & SURVEYING
 Main Office
 12025 Shiloh Road, Ste. 230
 Dallas, TX 75228
 P 214.349.9485
 F 214.349.2216
 Firm No. 10168800
 www.cbginctx.com

OWNER: GARY K. NELLER & HELEN COMEAU NELLER
 148 HARVEST HILL DRIVE
 ROCKWALL, TEXAS 75032
 PHONE: 972-772-9911

SCALE: 1"=80' / DATE: 1/19/2021 / JOB NO. 2013875-PLAT / DRAWN BY: TO

CASE NO. _____

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF ROCKWALL

Whereas, Gary K. Neller and Helen Comeau Neller, BEING THE OWNERS OF A TRACT OF LAND in the County of Rockwall, State of Texas, said tract being described as follows:

Being a tract of land situated in the Abner Johnston Survey, Abstract No. 123, Rockwall County, Texas, and being Lot 7, Block 1, Lofland Lake Estates, an addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet C, Page 231, Plat Records, Rockwall County, Texas, and being a tract of land conveyed to Gary K. Neller and wife, Helen Comeau Neller by deed recorded in Volume 2272, Page 139, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at 5/8 inch iron rod found with pink cap stamped "TX DOT" for corner, said corner being the Northeast corner of Lot 7, Block 1 of said Lofland Lake Estates, said corner being along the West right of way line of F.M. 549 (100 foot right of way), said corner being the Southeast corner of a tract of land conveyed to N.L. Lofland and wife, Annie Lofland by deed recorded in Volume 28, Page 487, Deed Records, Rockwall County, Texas;

THENCE South 01 degrees 01 minutes 07 seconds East along the West right of way line of F.M. 549, a distance of 438.74 feet to a 5/8 inch iron rod found with pink cap stamped "TX DOT" for corner, said corner being the Northeast corner of a tract of land conveyed to State of Texas by deed recorded in Instrument No. 2020000000685, Official Public Records, Rockwall County, Texas;

THENCE South 89 degrees 10 minutes 16 seconds West along the North line of said State of Texas tract, a distance of 19.23 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner;

THENCE South 00 degrees 49 minutes 44 seconds East along the West of said State of Texas tract, a distance of 9.04 feet to a 5/8 inch iron rod found with pink plastic cap stamped "TX DOT" for corner, said corner being along the North line of Lot 6, Block 1, of said Lofland Lake Estates;

THENCE South 85 degrees 08 minutes 14 seconds West along the North line of Lot 6, Block 1, of said Lofland Lake Estates, a distance of 1,052.60 feet to a 1/2 inch iron rod found for corner, said corner being the Northwest corner of Lot 6, Block 1, of said Lofland Lake Estates, said corner being along the East line of a tract of land conveyed to Arcadia Lakes of Somerest Holdings, LLC by deed recorded in Instrument No. 20130000500385, Official Public Records, Rockwall County, Texas;

THENCE North 01 degrees 00 minutes 19 seconds West along the East line of said Arcadia Lakes of Somerest Holdings, LLC tract, a distance of 479.85 feet to a 1/2 inch iron rod found for corner, said corner being along the South line of said Lofland tract;

THENCE North 88 degrees 22 minutes 07 seconds East along the South line of said Lofland tract, a distance of 205.94 feet to a 5/8 inch iron rod found for corner;

THENCE North 82 degrees 23 minutes 25 seconds East along the South line of said Lofland tract, a distance of 90.00 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "CBG SURVEYING" for corner;

THENCE North 87 degrees 03 minutes 55 seconds East along the South line of said Lofland tract, a distance of 774.48 feet to the POINT OF BEGINNING and containing 495,192 square feet or 11.368 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

We the undersigned owner(s) of the land shown on this plat, and designated herein as the LOT 7A and 7B, BLOCK 1, NELLER ADDITION, an addition to Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the LOT 7A and 7B, BLOCK 1, NELLER ADDITION, have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.

6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

We further acknowledge that the dedications and/or exaction's made herein are proportional to the impact of the Subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that We may have as a result of the dedication of exactions made herein.

By: _____
Gary K. Neller, Owner

By: _____
Helen Comeau Neller, Owner

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Gary K. Neller, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____day of _____, _____.

By: _____
printed name: _____
Notary Public in and for the State of Texas

STATE OF TEXAS
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Helen Comeau Neller, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein stated.

Given upon my hand and seal of office this ____day of _____, _____.

By: _____
printed name: _____
Notary Public in and for the State of Texas

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.

SURVEYOR'S CERTIFICATE:

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Bryan Connally, a Registered Professional Land Surveyor, licensed by the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Dated this the _____ day of _____, _____.

RELEASED FOR REVIEW 2/03/2021 PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally
Texas Registered Professional Land Surveyor No. 5513

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas within one hundred eighty (180) days from said date of final approval.

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

Mayor, City of Rockwall

City Secretary

City Engineer

(SHEET 2 OF 2)

REPLAT
LOT 7A AND 7B, BLOCK 1, NELLER ADDITION
BEING A REPLAT OF LOT 7, BLOCK 1, LOFLAND LAKE ESTATES
495,192 SQ.FT. / 11.368 ACRES
ABNER JOHNSTON SURVEY, ABSTRACT NO. 123
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS



OWNER: GARY K. NELLER & HELEN COMEAU NELLER
148 HARVEST HILL DRIVE
ROCKWALL, TEXAS 75032
PHONE: 972-772-9911

SCALE: 1"=80' / DATE: 1/19/2021 / JOB NO. 2013875-PLAT / DRAWN BY: TO

CASE NO. _____

Parcel Map Check Report

Date: 2/9/2021 5:40:58 PM

Parcel Name: Site 1 - Standard : 1

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

Client: *Helen Comeau*

Prepared by: *CBG Surveying Texas, LLC*

North: 7,011,686.3241'

East: 2,606,686.5372'

Segment# 1: Line

Course: N87° 03' 55.00"E

Length: 774.48'

North: 7,011,725.9761'

East: 2,607,460.0015'

Segment# 2: Line

Course: S1° 01' 06.79"E

Length: 438.74'

North: 7,011,287.3054'

East: 2,607,467.8006'

Segment# 3: Line

Course: S89° 10' 15.93"W

Length: 19.23'

North: 7,011,287.0272'

East: 2,607,448.5726'

Segment# 4: Line

Course: S0° 49' 44.07"E

Length: 9.04'

North: 7,011,277.9881'

East: 2,607,448.7034'

Segment# 5: Line

Course: S85° 08' 14.22"W

Length: 1,052.60'

North: 7,011,188.7608'

East: 2,606,399.8921'

Segment# 6: Line

Course: N1° 00' 18.68"W

Length: 479.85'

North: 7,011,668.5369'

East: 2,606,391.4741'

Segment# 7: Line

Course: N88° 22' 07.47"E

Length: 205.94'

North: 7,011,674.3994'

East: 2,606,597.3306'

Segment# 8: Line

Course: N82° 23' 24.55"E

Length: 90.00'

North: 7,011,686.3178'

East: 2,606,686.5380'

Perimeter: 3,069.88'

Area: 495,192.11Sq.Ft.

2/9/2021

Parcel Map Check Report

Error Closure: 0.0063
Error North : -0.00630

Course: S6° 45' 01.61"E
East: 0.00075

Precision 1: 487,282.54



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: March 15, 2021

SUBJECT: P2021-007; PRELIMINARY PLAT FOR LOTS 1-5, BLOCK A AND LOT 1, BLOCK X, INDUSTRIAL PARK ADDITION

Attachments

Case Memo
Development Application
Location Map
Preliminary Plat
Preliminary Lot Layout
Preliminary Site Utility Plan
Preliminary Drainage Area Map
Preliminary Grading Plan

Summary/Background Information

Consider a request by Danielle Porten of REP Investments, LLC for the approval of a *Preliminary Plat* for Lots 1-5, Block A and Lot 1, Block X, Blackland Industrial Park Addition being a 10.27-acre tract of land identified as Tract 3-04 of the A. M. Wilson Survey, Abstract No. 223, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 3500 Blackland Road, and take any action necessary.

Action Needed

The City Council is being asked to approve, approve with condition or deny the proposed preliminary plat.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 15, 2021
APPLICANT: Danielle Porten; *REP Investments, LLC*
CASE NUMBER: P2021-007; *Preliminary Plat for Lots 1-5, Block A and Lot 1, Block X, Industrial Park Addition*

SUMMARY

Discuss and consider a request by Danielle Porten of REP Investments, LLC for the approval of a Preliminary Plat for Lots 1-5, Block A and Lot 1, Block X, Blackland Industrial Park Addition being a 10.27-acre tract of land identified as Tract 3-04 of the A. M. Wilson Survey, Abstract No. 223, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), addressed as 3500 Blackland Road, and take any action necessary.

PLAT INFORMATION

- The applicant is requesting the approval of a preliminary plat for a non-residential subdivision (*i.e. Blackland Industrial Park Addition*), which will be situated on a 10.27-acre tract of land located within the City of Rockwall's Extraterritorial Jurisdiction (ETJ). According to the preliminary plat, the development will consist of five (5) non-residential lots that will be a minimum of 1½-acres in size. The development will be accessible via a 50-foot private road (*i.e. Blackland Court*) that will connect to the existing Blackland Road. The preliminary plat also shows that an additional 30-feet of right-of-way will be dedicated to the existing Blackland Road right-of-way. This dedication conforms to the *Rockwall County Thoroughfare Plan*.
- In addition to the preliminary plat, the applicant has submitted preliminary drainage and utility plans indicating how the development will be served. According to Section 38-5(d)(1), *Policy*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances, "(l)and proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including water facilities, wastewater facilities, roadway and pedestrian facilities, drainage facilities and park facilities Land shall not be approved for platting or development unless and until adequate public facilities necessary to serve the development exist or provision has been made for the facilities whether the facilities are to be located within the property being developed or offsite." The applicant's submission appears to show the provision of sufficient public facilities; however, staff has requested that the applicant provide a will serve letter from the Blackland Water Supply Corporation (WSC) prior to the approval of a final plat. This has been added as a condition of approval.
- The preliminary plat is required to meet all of the requirements of the *Interim Interlocal Cooperation Agreement for Subdivision Regulation in the Extraterritorial Jurisdiction of a Municipality* between Rockwall County and the City of Rockwall, the City of Rockwall's *Standards of Design and Construction Manual*, and Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.
- The purpose of the *preliminary plat* is to provide sufficient information to evaluate and review the general design of the development ensuring compliance with Chapter 38, *Subdivisions*, of the City's Municipal Code of Ordinances, the City's *Standards of Design and Construction Manual*, and *Exhibit 'A', Subdivision Regulations for Review of Plats in the Extraterritorial Jurisdiction (ETJ) of the City of Rockwall*, of the *Interim Interlocal Agreement between Rockwall County and the City of Rockwall*.
- 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 Chapter 38, Subdivisions, of the Municipal Code of Ordinances and Exhibit 'A' of*

the Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.

- ☑ Conditional approval of this plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances and *Exhibit 'A'* of the *Interim Interlocal Cooperation Agreement between Rockwall County and the City of Rockwall*.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the *Preliminary Plat* for *Lots 1-5, Block A and Lots 1 & 2, Block X, Blackland Industrial Park Addition*, staff would propose the following conditions of approval:

- (1) All technical comments from City Staff (*i.e. Engineering, Planning and Fire Department*) and Rockwall County shall be addressed prior to submittal of civil engineering plans.
- (2) The applicant shall provide a will serve letter from Blackland Water Supply Corporation (WSC) prior to the approval of a final plat for the subject property.
- (3) Any construction resulting from the approval of this 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.

PLANNING AND ZONING COMMISSION

On March 9, 2021, the Planning and Zoning Commission approved a motion to approve the preliminary plat with the conditions of approval by a vote of 5-0, with Commissioners Womble and Deckard absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

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

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 3500 Blackland Rd Royse City

Subdivision _____ Lot _____ Block _____

General Location Blackland + 276

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning	_____	Current Use	<u>Salvage / Raw land</u>
Proposed Zoning	_____	Proposed Use	<u>Industrial / Flex space</u>
Acreage	<u>10.27</u>	Lots [Current]	<u>1</u>
		Lots [Proposed]	<u>5</u>

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

<input checked="" type="checkbox"/> Owner	<u>REP Investments LLC</u>	<input type="checkbox"/> Applicant	_____
Contact Person	<u>Danielle Porter</u>	Contact Person	_____
Address	<u>260 Myers Rd</u>	Address	_____
City, State & Zip	<u>Heath, TX 75032</u>	City, State & Zip	_____
Phone	<u>214-293-2826</u>	Phone	_____
E-Mail	<u>Danielle@rdwirelessllc.com</u>	E-Mail	_____

NOTARY VERIFICATION [REQUIRED]

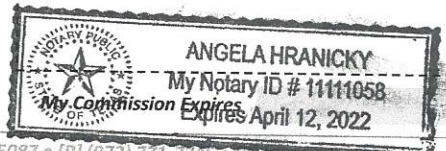
Before me, the undersigned authority, on this day personally appeared Danielle Porter REP Investments LLC [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"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 10 day of February, 2021. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."


Given under my hand and seal of office on this the 10 day of February, 2021.

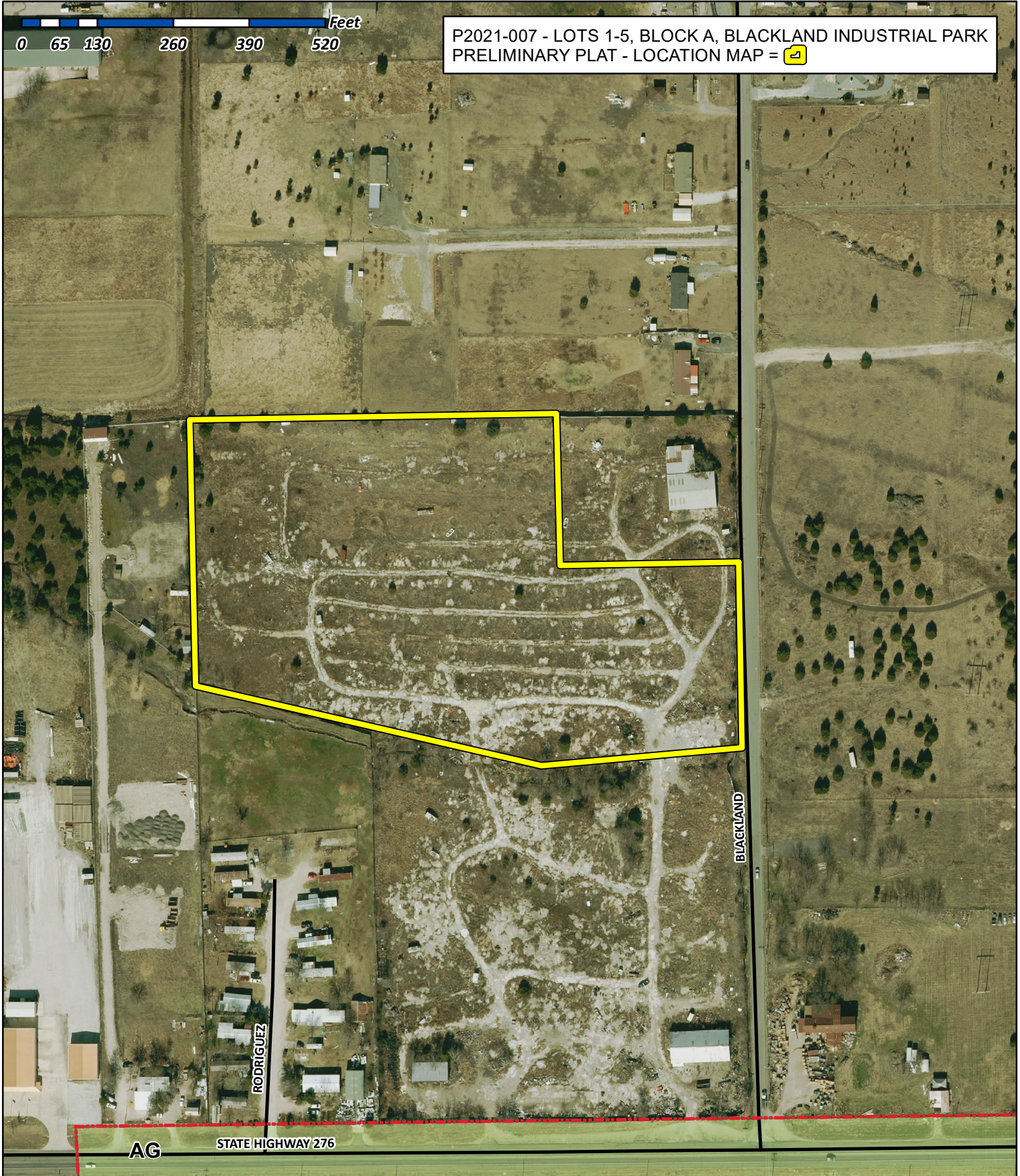
Owner's Signature Danielle Porter

Notary Public in and for the State of Texas Angela Hranicky



0 65 130 260 390 520 Feet

P2021-007 - LOTS 1-5, BLOCK A, BLACKLAND INDUSTRIAL PARK
PRELIMINARY PLAT - LOCATION MAP = 



AG

STATE HIGHWAY 276

RODRIGUEZ

BLACKLAND



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(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.



LOT 11, BLOCK B
REMINGTON PARK PHASE ONE
CABINET F. SLIDE 207
P.R.R.C.T.

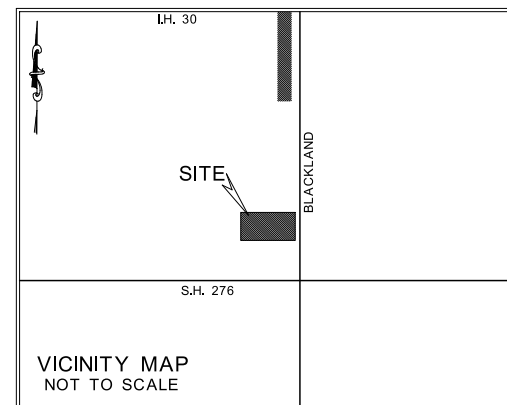
S 89° 29' 10" E
23.70'

LOT 21

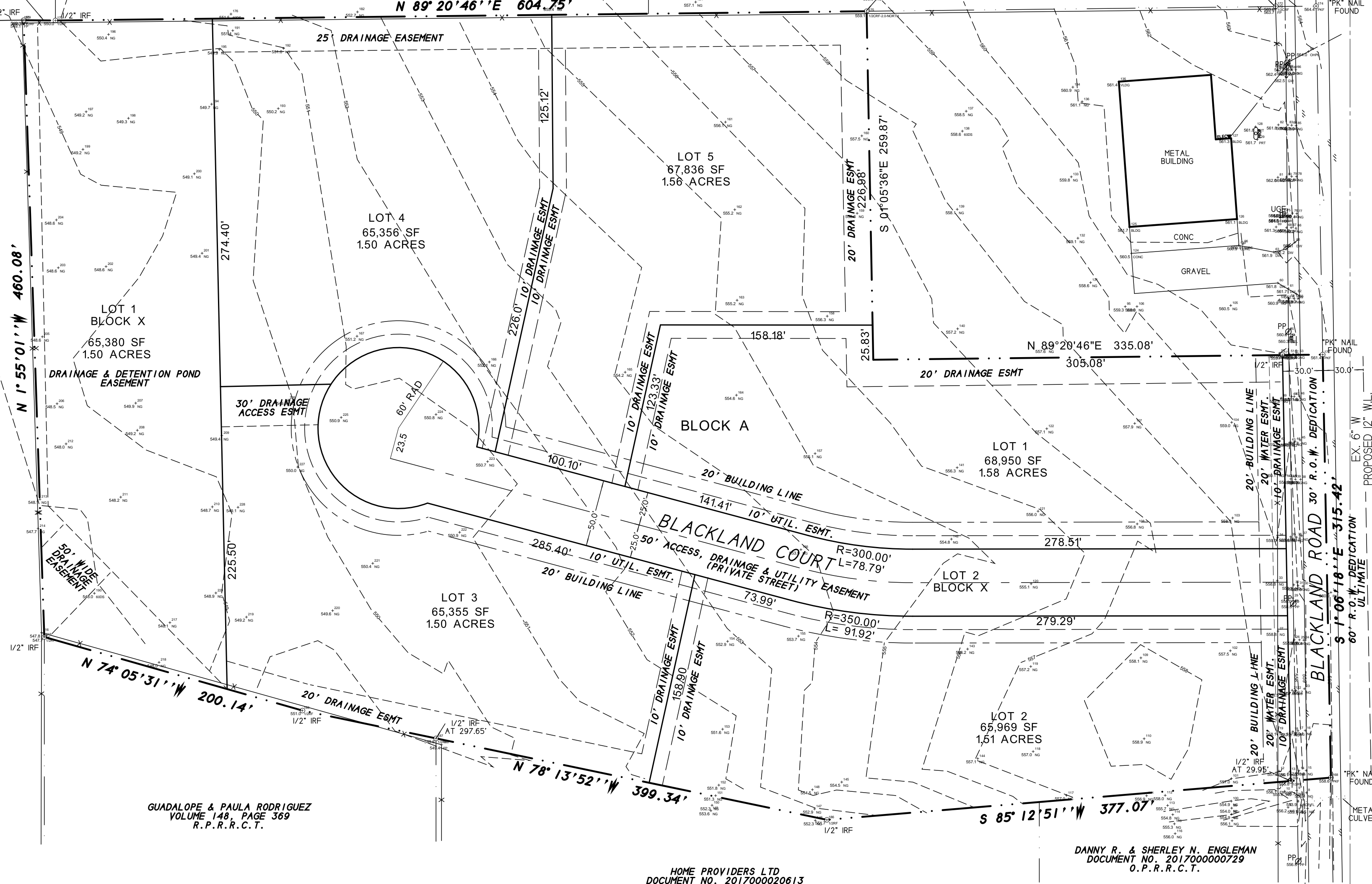
BLACKLAND ADDITION
CABINET D. SLIDE 117
P.R.R.C.T.

LOT 20

N 89° 20' 46" E 604.75'



JOSE TORRES
DOCUMENT NO. 2018000002498
O.P.R.C.T.



GUADALOPE & PAULA RODRIGUEZ
VOLUME 148, PAGE 369
R.P.R.C.T.

HOME PROVIDERS LTD
DOCUMENT NO. 2017000020613
O.P.R.C.T.

DANNY R. & SHERLEY N. ENGLEMAN
DOCUMENT NO. 2017000000729
O.P.R.C.T.

PRELIMINARY PLAT
BLACKLAND INDUSTRIAL PARK
ADDITION
LOTS 1-5, BLOCK A AND
LOT 1 & 2, BLOCK X

10.27 ACRES OF LAND
OUT OF THE
A.M. WILSON SURVEY ABST-223
IN THE EXTRATERRITORIAL JURISDICTION (ETJ)
OF THE
ROCKWALL COUNTY, TEXAS

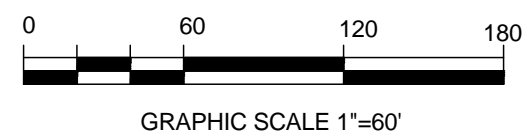
OWNER: R & D WIRELESS
751 TURTLE COVE BLVD
ROCKWALL, TEXAS 75032
DANIELLE PORTEN

H.D. Fetty Land Surveyor, LLC

Firm Registration no. 10150900
6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SYMBOL LEGEND	
TV	TELEVISION
GC	GAS
PC	PHONE
FC	FIRE
PP	POWER
TR	TRAILER
RF	ROCK FOUND
CP	CORNER
W	WATER
LP	LIGHT
SP	SUBSURFACE
SB	BOX
JP	JUNCTION
ES	EASEMENT
FL	FENCE
IR	IRON ROD FOUND
PP	PROPOSED
PP	PROPOSED
PP	PROPOSED

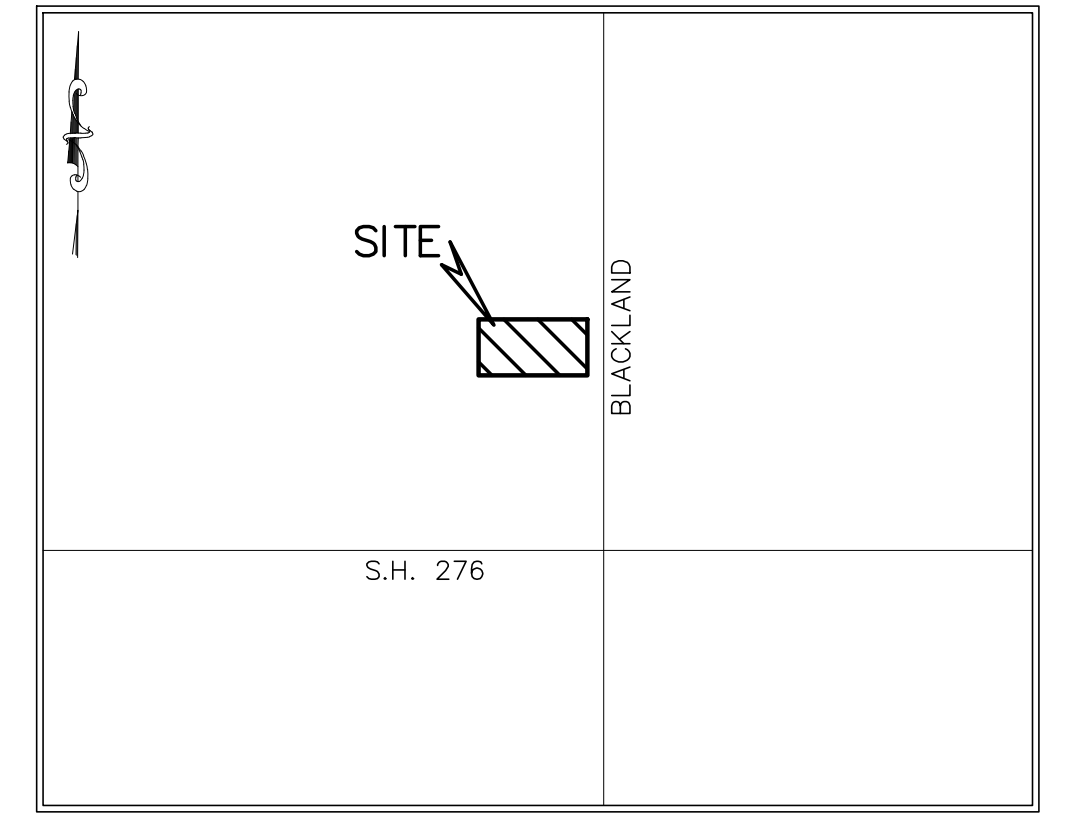
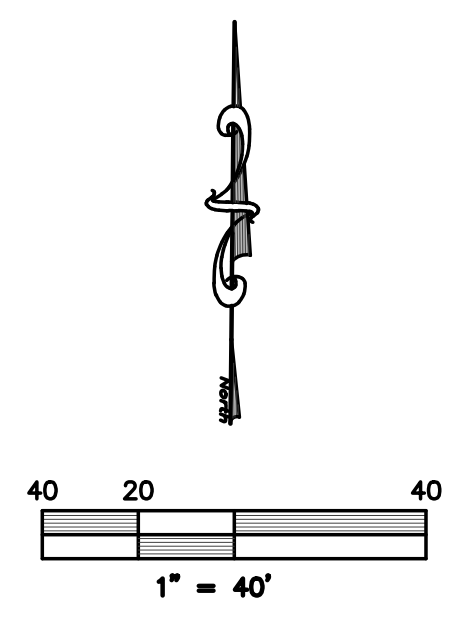
SURVEY DATE AUGUST 31, 2020
SCALE 1" = 60' FILE # 20200318
CLIENT MONK GF # NONE



NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0065 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: ROCKWALL MONUMENT SYSTEM.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."
- 4) WATER SUPPLY TO PROPERTY WILL BE SERVED BY A NEW 12" WATER LINE TO BE INSTALLED AND ADDED TO BLACKLAND WATER SUPPLY SYSTEM.
- 5) PRIVATE SEPTIC SYSTEMS TO BE PERMITTED BY ROCKWALL COUNTY.

EX. 6" W
PROPOSED 12" WL
TO BE INSTALLED
(BLACKLAND WATER SUPPLY)

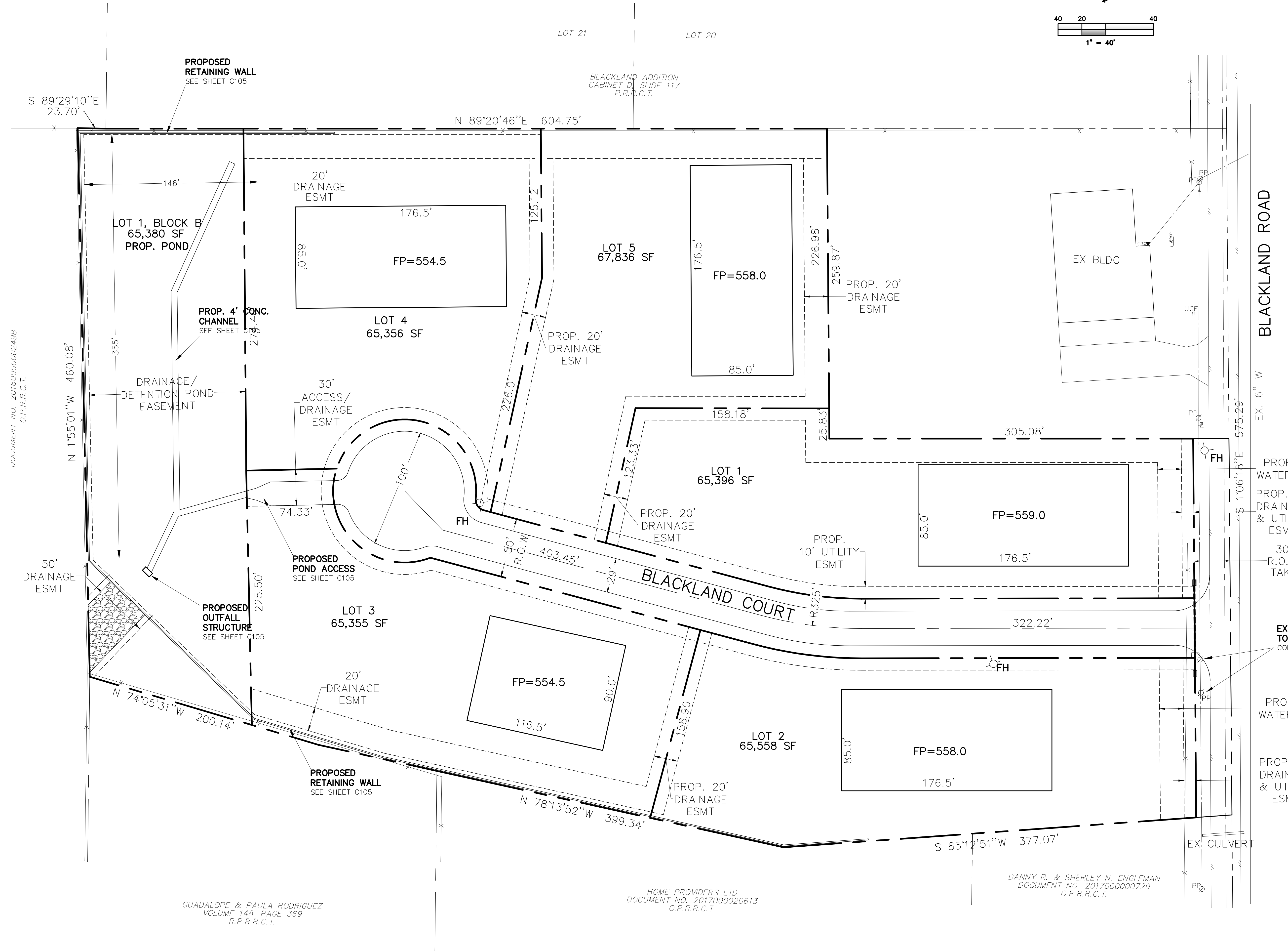


VICINITY MAP
NOT TO SCALE

LEGEND

- = PROPERTY LINE
- = EX. WATER
- = EX. POWER POLE
- = EX. TELEPHONE BOX
- = PROP. FIRE HYDRANT
- EXIST. or EX. = EXISTING
- ESMT. = EASEMENT

- NOTES:**
- 1) ALL WORK MUST CONFORM TO CITY OF ROCKWALL & NCTCOG STANDARDS AND DETAILS 5th EDITION.
 - 2) ALL WORK IN PUBLIC RIGHT-OF-WAY SHALL CONFORM TO CITY OF ROCKWALL STANDARDS AND DETAILS
 - 3) SEE PLAT FOR ALL INFORMATION REGARDING EASEMENTS, PROPERTY LINES, ETC.
 - 4) ALL PRIVATE DETAILS ARE SUPERSEDED BY STD. CITY DETAILS
 - 5) ALL DIMENSIONS ARE FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - 6) THE PROPERTY OWNER WILL NEED TO MAINTAIN, REPAIR, AND REPLACE DRAINAGE AND DETENTION SYSTEM ONSITE



DOCUMENT NO. 2017000002498
O.P.R.R.C.T.

GUADALOPE & PAULA RODRIGUEZ
VOLUME 148, PAGE 369
R.P.R.R.C.T.

HOME PROVIDERS LTD
DOCUMENT NO. 2017000020613
O.P.R.R.C.T.

DANNY R. & SHERLEY N. ENGLEMAN
DOCUMENT NO. 2017000000729
O.P.R.R.C.T.

PRELIMINARY REVIEW
NOT FOR CONSTRUCTION
CASE #P2021-007

**PRELIMINARY
LOT LAYOUT
BLACKLAND ADDITION**

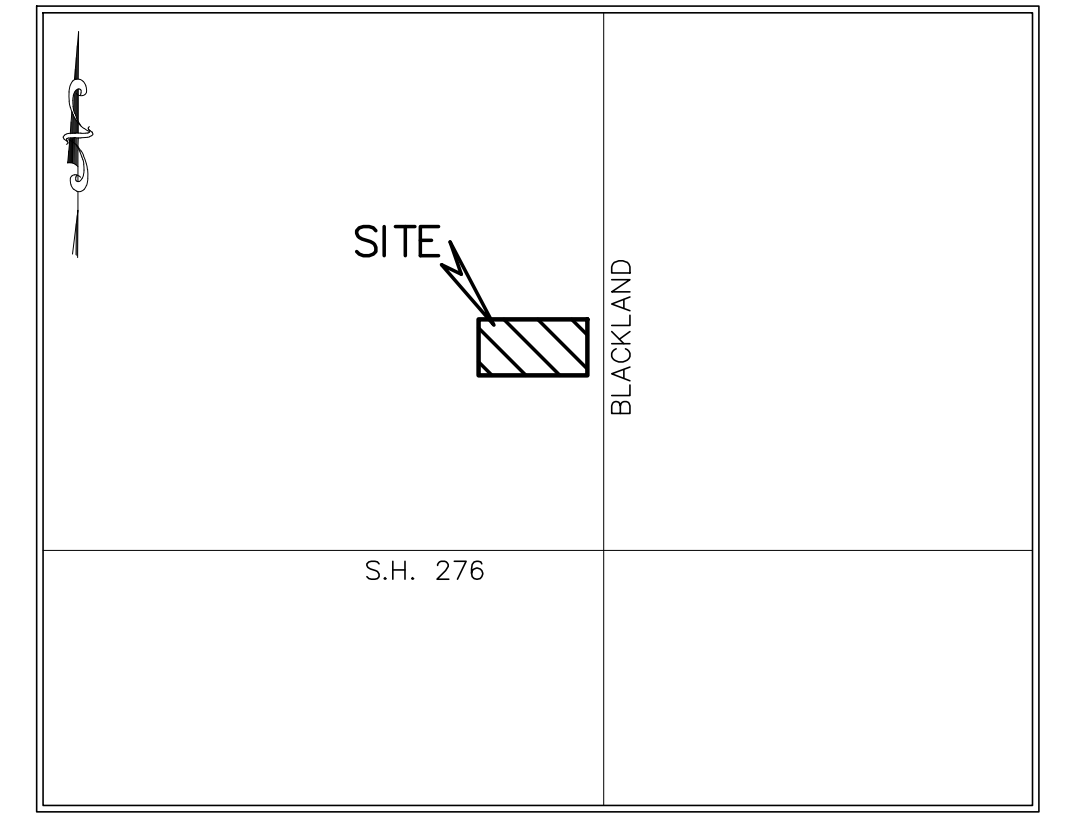
BLACKLAND INDUSTRIAL PARK ADDITION
Lots 1-5, Blk A, & Lot 1, Block X
10.27 ACRES
City of Royse City, Rockwall County, Texas
owner

R&D WIRELESS, LLC
751 Turtle Cove Blvd, Rockwall, Texas 75087
Contact: Danielle Porten 214 293-2826

prepared by
MONK CONSULTING ENGINEERS
1200 W. State Street, Garland Texas 75040
972 272-1763 Fax 972 272-8761

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PROJECT NO.: REG. NO.: F-2567

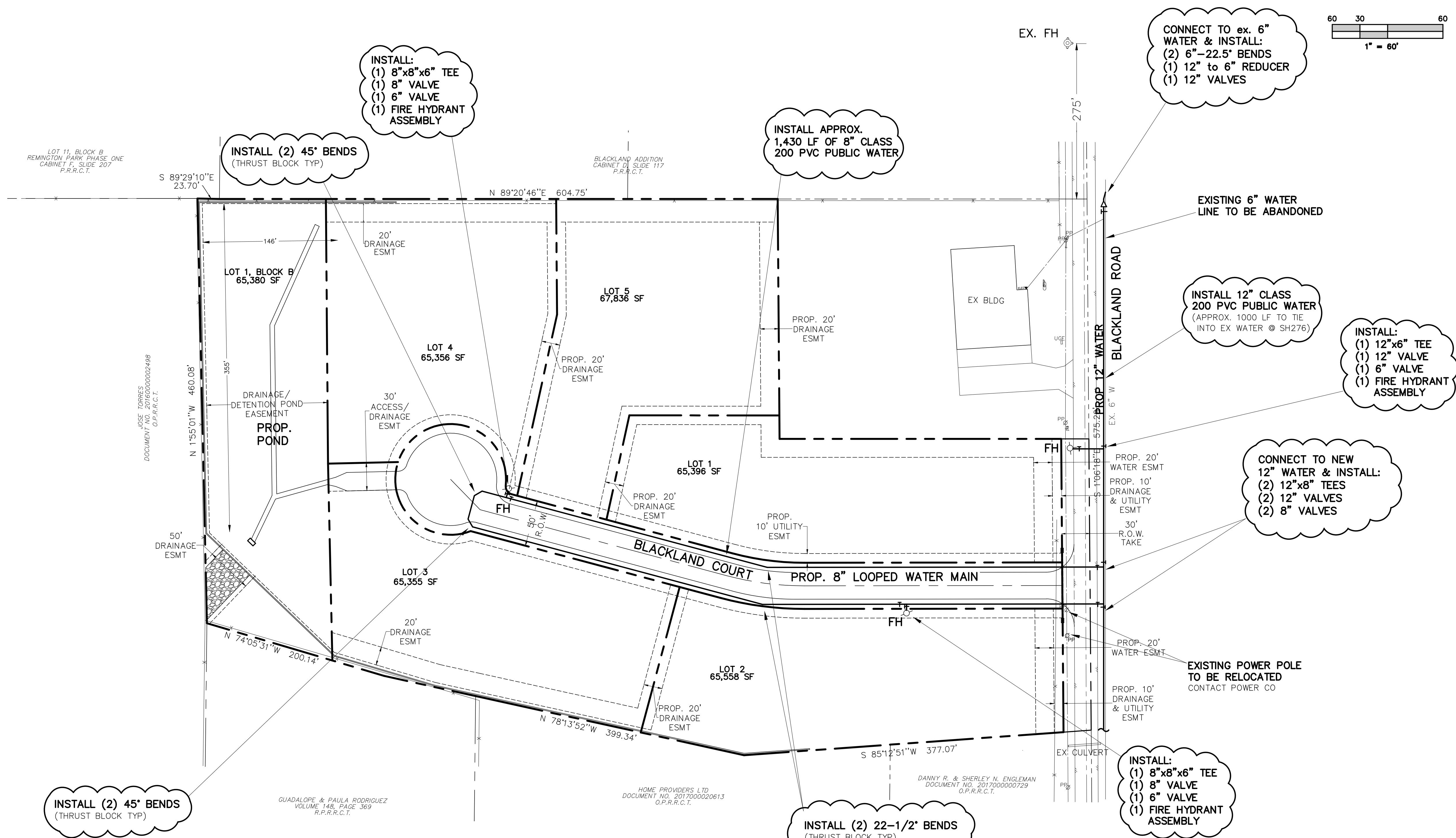
date: 3/2/21 scale: 1"=40' sheet: C101



VICINITY MAP
NOT TO SCALE

LEGEND

- = PROPERTY LINE
- EX. W — = EX. WATER
- PP = EX. POWER POLE
- = EX. TELEPHONE BOX
- FH = EX. FIRE HYDRANT
- FH T = PROP. FIRE HYDRANT
- EXIST. or EX. = EXISTING
- ESMT. = EASEMENT



INSTALL (2) 45' BENDS
(THRUST BLOCK TYP)

INSTALL:
(1) 8"x8"x6" TEE
(1) 8" VALVE
(1) 6" VALVE
(1) FIRE HYDRANT ASSEMBLY

INSTALL APPROX.
1,430 LF OF 8" CLASS
200 PVC PUBLIC WATER

CONNECT TO ex. 6" WATER & INSTALL:
(2) 6"-22.5' BENDS
(1) 12" to 6" REDUCER
(1) 12" VALVES

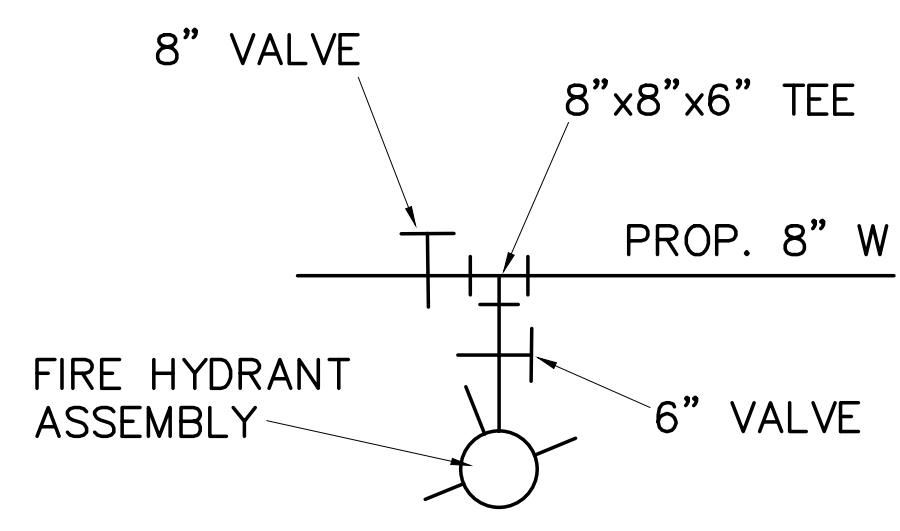
INSTALL 12" CLASS
200 PVC PUBLIC WATER
(APPROX. 1000 LF TO TIE INTO EX WATER @ SH276)

INSTALL:
(1) 12"x6" TEE
(1) 12" VALVE
(1) 6" VALVE
(1) FIRE HYDRANT ASSEMBLY

CONNECT TO NEW 12" WATER & INSTALL:
(2) 12"x8" TEES
(2) 12" VALVES
(2) 8" VALVES

INSTALL:
(1) 8"x8"x6" TEE
(1) 8" VALVE
(1) 6" VALVE
(1) FIRE HYDRANT ASSEMBLY

INSTALL (2) 22-1/2' BENDS
(THRUST BLOCK TYP)



FIRE HYDRANT CONNECTION
NOT TO SCALE

WATER LINE: DR14 C-900 CLASS 200

NOTE:
ALL SANITARY SEWER WORK DESIGNATED AS "PRIVATE" IN THIS SET OF PLANS SHALL BE INSTALLED IN ACCORDANCE WITH THE IPC (INTERNATIONAL PLUMBING CODE), PERMITTED AND INSPECTED BY THE CITY BUILDING INSPECTION DEPARTMENT BY A LICENSED PLUMBER.

- NOTES:**
- 1) ALL WORK MUST CONFORM TO CITY OF ROCKWALL & NCTCOG STANDARDS AND DETAILS 5th EDITION.
 - 2) ALL WORK IN PUBLIC RIGHT-OF-WAY SHALL CONFORM TO CITY OF ROCKWALL STANDARDS AND DETAILS
 - 3) SEE PLAT FOR ALL INFORMATION REGARDING EASEMENTS, PROPERTY LINES, ETC.
 - 4) ALL WATER SERVICES WILL BE PROVIDED & PERMITTED BY BLACKLAND WATER SUPPLY & MUST BE APPROVED BY THE CITY OF ROCKWALL.
 - 5) CONTRACTOR TO INSTALL BLUE EMS DISKS ON THE WATER LINE AT EVERY CHANGE IN DIRECTION, VALVE, FIRE HYDRANT, AND SERVICE CONNECTION.
 - 6) NO PERMANENT STRUCTURES (INCLUDING LIGHT POLES AND INLETS) MAY BE PLACED WITHIN A PUBLIC UTILITY EASEMENT. BACKFLOW PREVENTION DEVICES MUST BE PLACED ON PRIVATE PROPERTY (NOT IN AN EASEMENT)
 - 7) PRIVATE UTILITIES TO BE MAINTAINED, REPAIRED, AND REPLACED BY PROPERTY OWNER.

PRELIMINARY REVIEW
NOT FOR CONSTRUCTION.
CASE #P2021-007

**PRELIMINARY
SITE UTILITY PLAN**

BLACKLAND ADDITION

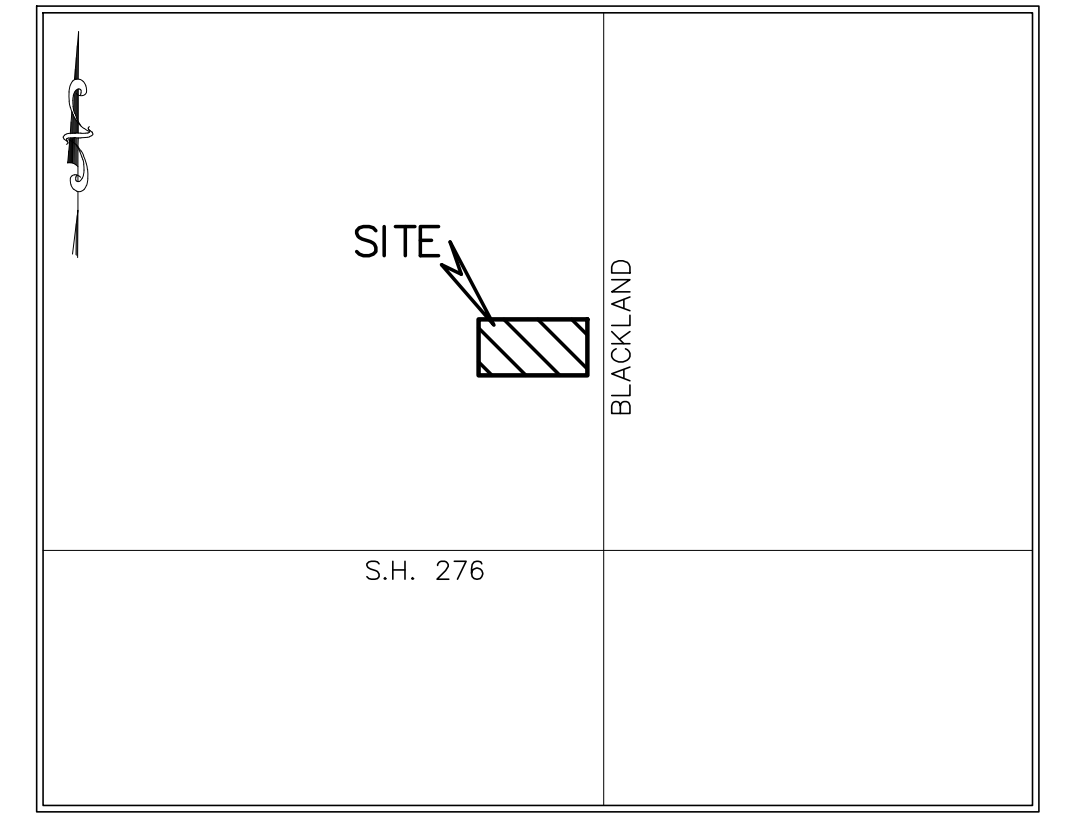
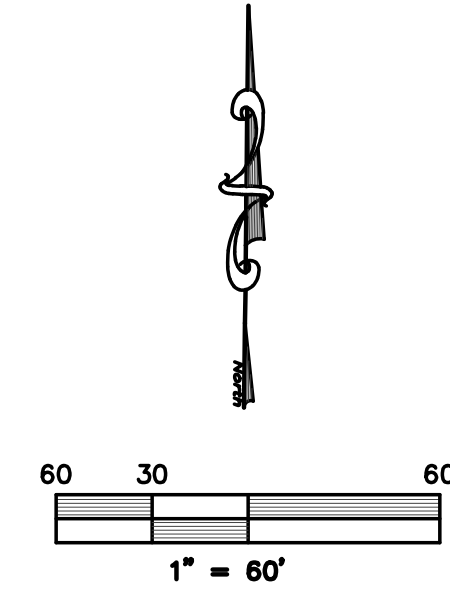
BLACKLAND INDUSTRIAL PARK ADDITION
Lots 1-5, Blk A, & Lot 1, Block X
10.27 ACRES
City of Roysse City, Rockwall County, Texas
owner

R&D WIRELESS, LLC
751 Turtle Cove Blvd, Rockwall, Texas 75087
Contact: Danielle Porten 214 293-2826

prepared by
MONK CONSULTING ENGINEERS
1200 W. State Street, Garland Texas 75040
972 272-1763 Fax 972 272-8761

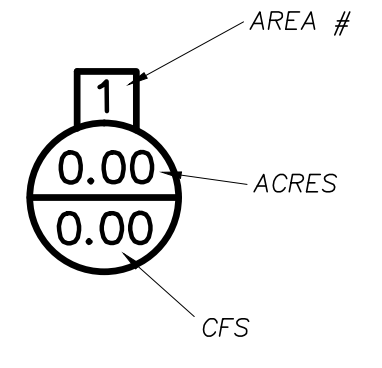
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PROJECT NO.:	REG. NO.:
date:	scale:
3/2/21	1"=60'
sheet:	C102



LEGEND

- = PROPERTY LINE
- = EXISTING CONTOURS
- = PROPOSED CONTOURS



Present Conditions

DRAINAGE AREA CALCULATIONS												
DESIGN POINT ID	RUNOFF COEF. "C"	"Ca"	AREA "A" Acres	TOTAL "CA"	Time of Concentration (Min.)	Intensity 110yr in/hr	Discharge Q 10yr cfs	Intensity 1100yr in/hr	Discharge Q 100yr cfs	Comments		
1	2		3,000	4	5	8	9	10	11	12		
1	0.35	1	1,550	0.54	20.00	5.90	3.20	8.30	4.50	undeveloped Offsite		
2	0.35	1	1,810	0.63	20.00	5.90	3.74	8.30	5.26	undeveloped		
3	0.35	1	0.400	0.14	20.00	5.90	0.83	8.30	1.16	undeveloped		
4	0.35	1	10,060	3.52	20.00	5.90	20.77	8.30	29.22	undeveloped		
			13,820									

Developed

DRAINAGE AREA CALCULATIONS												
DESIGN POINT ID	RUNOFF COEF. "C"	"Ca"	AREA "A" Acres	TOTAL "CA"	Time of Concentration (Min.)	Intensity 110yr in/hr	Discharge Q 10yr cfs	Intensity 1100yr in/hr	Discharge Q 100yr cfs	Comments		
1	2		3,000	4	5	8	9	10	11	12		
1	0.35	1	1.55	0.54	10.00	7.10	3.85	9.80	5.32	undeveloped Offsite		
2	0.9	1	1.81	1.63	10.00	7.10	11.57	9.80	15.96	DEV		
3	0.9	1	0.4	0.36	10.00	7.10	2.56	9.80	3.53	DEV		
4	0.9	1	9.89	8.90	10.00	7.10	63.20	9.80	87.23	DEV		
5	0.9	1	0.16	0.14	10.00	7.10	1.02	9.80	1.41	DEV By Pass		
			12,260									
										106.13		

PRELIMINARY REVIEW
NOT FOR CONSTRUCTION.
CASE #P2021-007

**PRELIMINARY DRAINAGE AREA MAP
BLACKLAND ADDITION**

BLACKLAND INDUSTRIAL PARK ADDITION
Lots 1-5, Blk A, & Lot 1, Block X
10.27 ACRES
City of Royse City, Rockwall County, Texas
owner

R&D WIRELESS, LLC
751 Turtle Cove Blvd, Rockwall, Texas 75087
Contact: Danielle Porten 214 293-2826

prepared by
MONK CONSULTING ENGINEERS
1200 W. State Street, Garland Texas 75040
972 272-1763 Fax 972 272-8761

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PROJECT NO.: REG. NO.: F-2567

date: 3/2/21 scale: 1"=60' sheet: C103



MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: March 15, 2021

SUBJECT: BOUNDARY AGREEMENT WITH THE CITY OF HEATH

Attachments

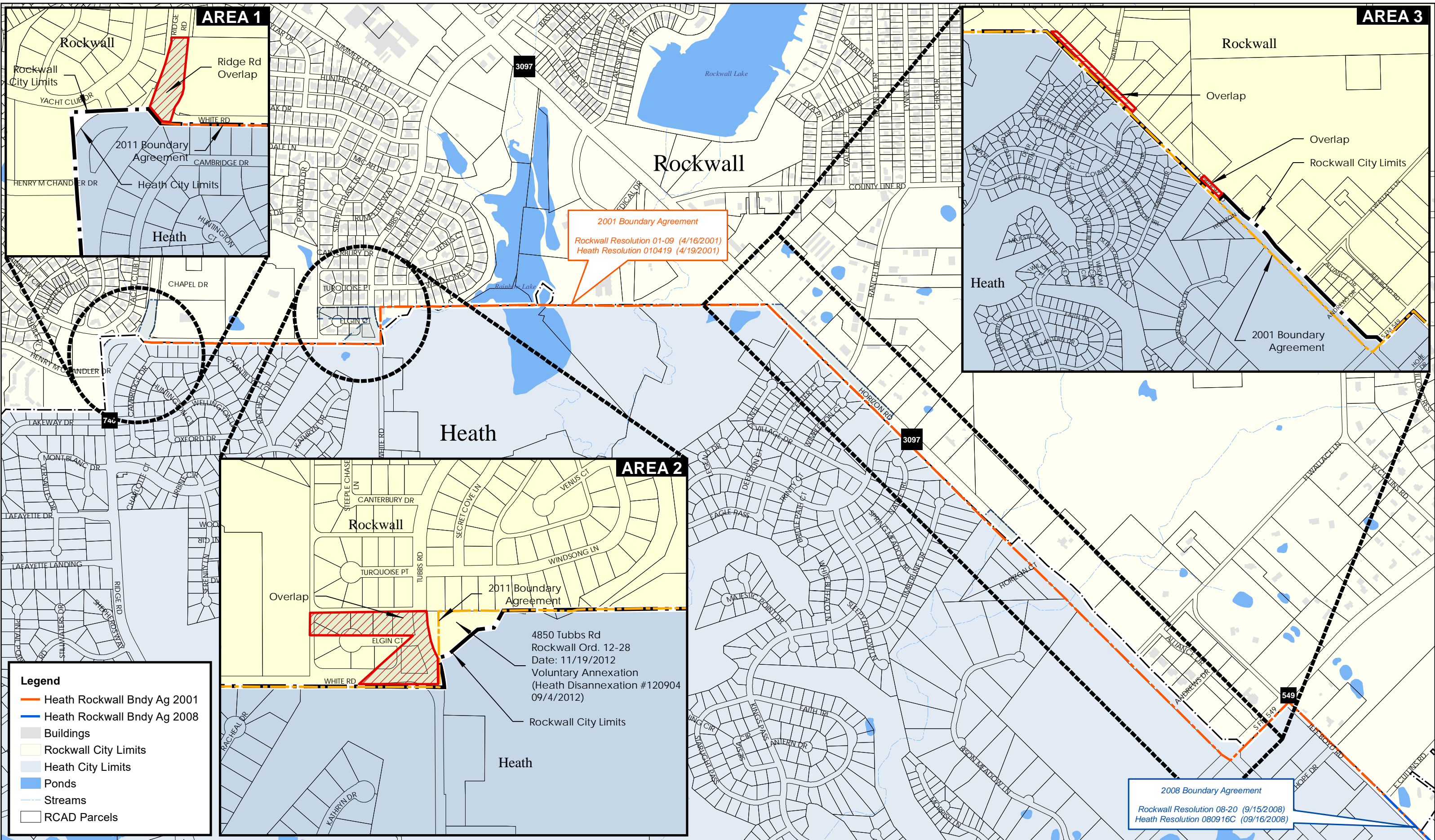
Overview Map
Area 1 Map
Area 2 Map
Draft Ordinance and Boundary Agreement

Summary/Background Information

Recently, the City's Geographic Information Systems (GIS) Division identified two (2) small discrepancies in the corporate boundaries between the City of Rockwall and the City of Heath. After reviewing these discrepancies with staff from the City of Heath, it was determined that a boundary agreement would be the best way to deal with these inconsistencies. Attached to this memorandum is a draft ordinance and boundary agreement that would correct the corporate boundaries of both cities. Staff has also included maps of each of the differences in corporate boundaries. If the City Council chooses to approve this agreement, the Heath City Council will consider this item on March 23, 2021. Should the City Council have any questions concerning this request staff and the City Attorney will be available at the meeting on March 15, 2021.

Action Needed

The City Council is being asked to approve or deny the proposed boundary agreement with the City of Heath (including associated ordinance).

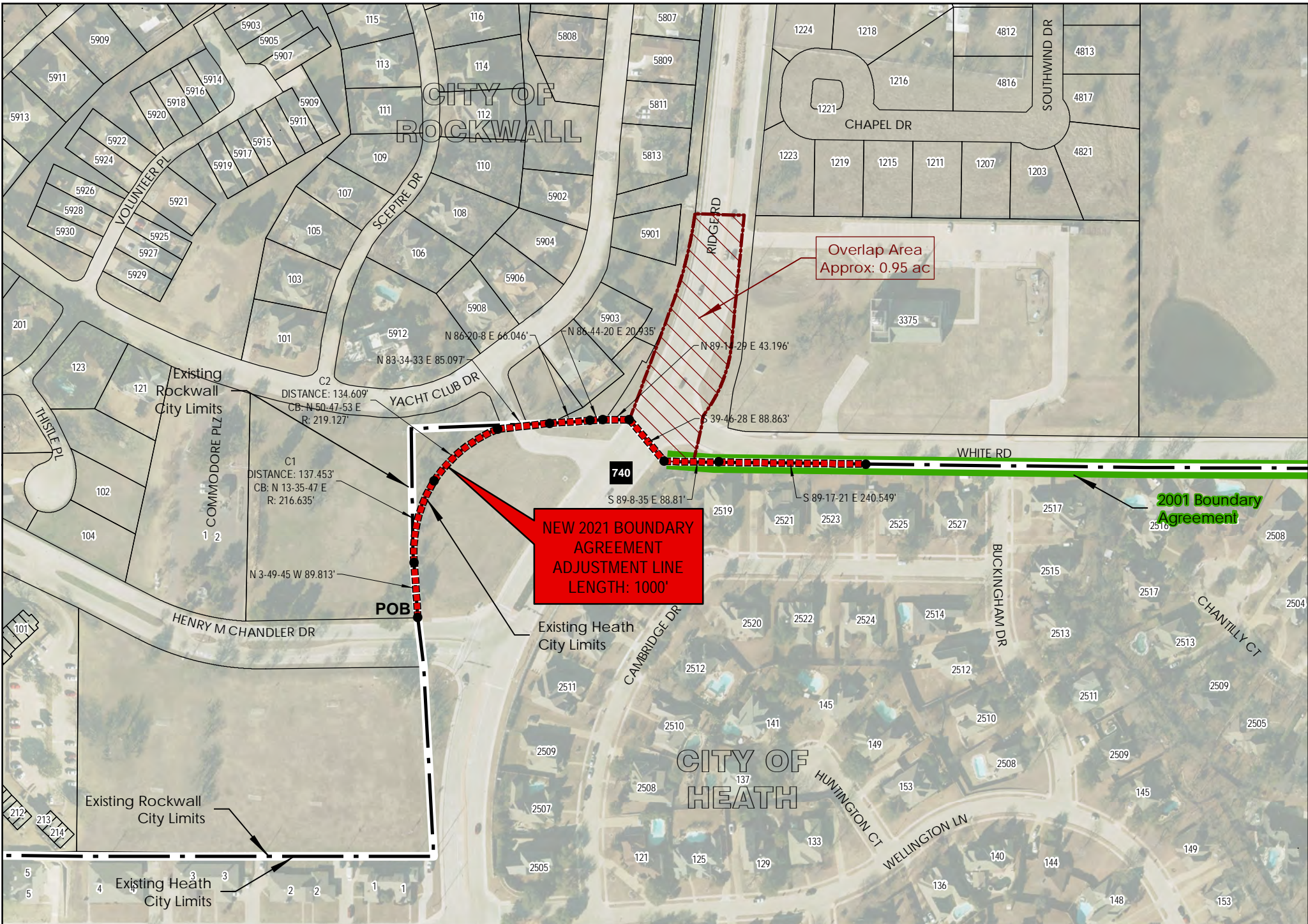


2001 Boundary Agreement
 Rockwall Resolution 01-09 (4/16/2001)
 Heath Resolution 010419 (4/19/2001)

4850 Tubbs Rd
 Rockwall Ord. 12-28
 Date: 11/19/2012
 Voluntary Annexation
 (Heath Disannexation #120904
 09/4/2012)

2008 Boundary Agreement
 Rockwall Resolution 08-20 (9/15/2008)
 Heath Resolution 080916C (09/16/2008)

- Legend**
- Heath Rockwall Bndy Ag 2001
 - Heath Rockwall Bndy Ag 2008
 - Buildings
 - Rockwall City Limits
 - Heath City Limits
 - Ponds
 - Streams
 - RCAD Parcels



The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All information is provided 'As Is' with no warranty being made, either expressed or implied.

BOUNDARY AGREEMENT - AREA 1

CITY OF
ROCKWALL

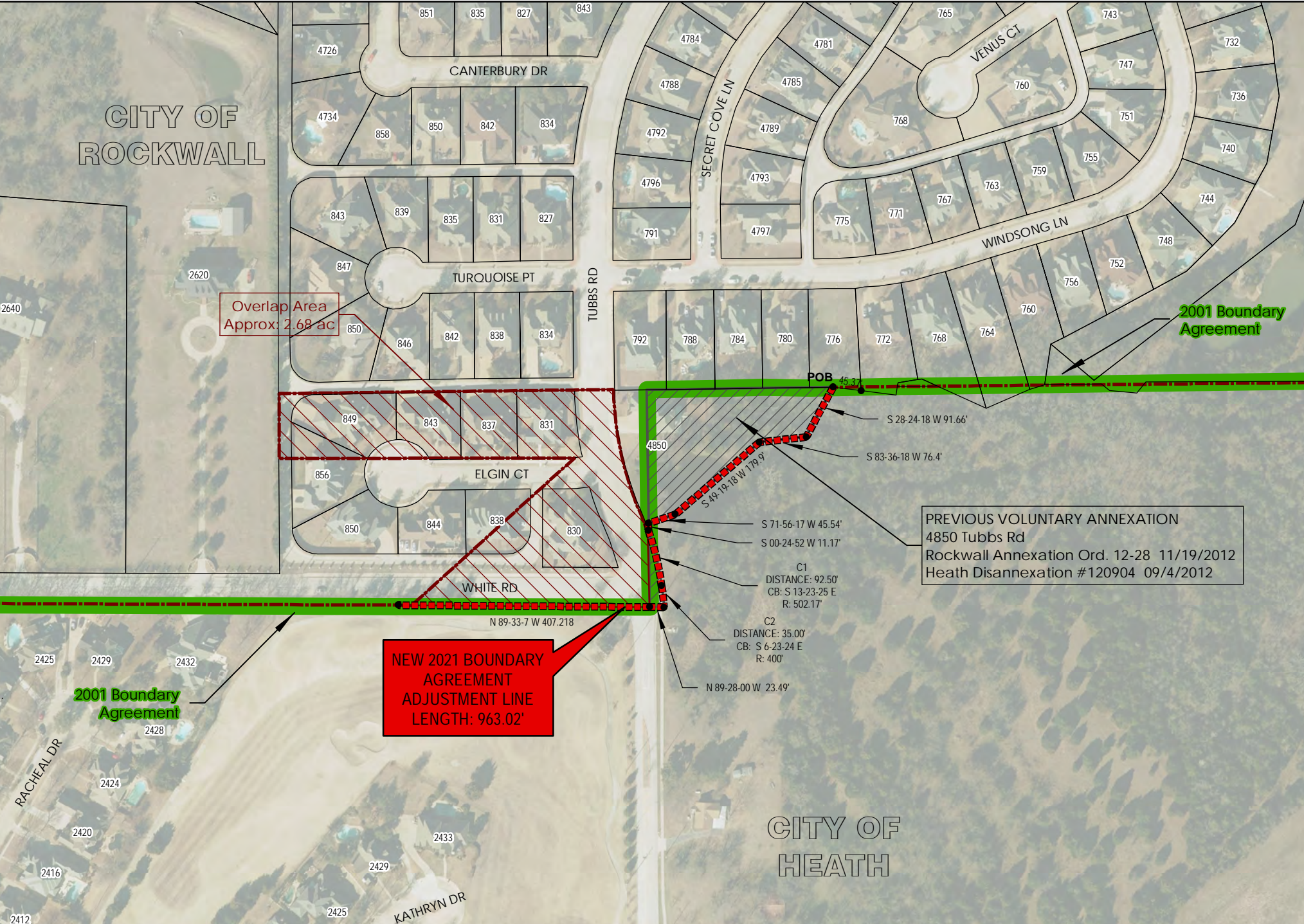
2001 Boundary Agreement

Overlap Area
Approx: 2.68 ac

PREVIOUS VOLUNTARY ANNEXATION
4850 Tubbs Rd
Rockwall Annexation Ord. 12-28 11/19/2012
Heath Disannexation #120904 09/4/2012

NEW 2021 BOUNDARY AGREEMENT
ADJUSTMENT LINE
LENGTH: 963.02'

POB 45.37
S 28-24-18 W 91.66'
S 83-36-18 W 76.4'
S 71-56-17 W 45.54'
S 00-24-52 W 11.17'
C1
DISTANCE: 92.50'
CB: S 13-23-25 E
R: 502.17'
C2
DISTANCE: 35.00'
CB: S 6-23-24 E
R: 400'
N 89-28-00 W 23.49'



0 50 100 Feet
Date: 1/27/2021

The data represented on this map was obtained with the best methods available. Data is supplied from various sources and accuracy may be out of the City of Rockwall's control. The verification of accuracy and / or content lies entirely with the end user. The City of Rockwall does not guarantee the accuracy of contained information. All Information is provided 'As Is' with no warranty being made, either expressed or implied.

BOUNDARY AGREEMENT - AREA 2

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS CONFIRMING AND APPROVING A JOINT ORDINANCE AND BOUNDARY AGREEMENT SETTING FORTH UPDATED CORPORATE BOUNDARIES FOR THE CITY OF ROCKWALL AND THE CITY OF HEATH; PROVIDING FOR CERTAIN AGREEMENTS AND ADJUSTMENTS TO THE CORPORATE BOUNDARIES OF THESE CITIES; PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall and the City of Heath are adjacent and neighboring municipalities that currently share a common boundary, and which are empowered by the constitution of the State of Texas to establish their respective corporate boundaries; and,

WHEREAS, the City of Rockwall and the City of Heath seek to avoid conflicts and uncertainty relative to the extent of their corporate boundaries; and,

WHEREAS, the City of Rockwall and the City of Heath have determined it necessary to adjust their corporate boundaries through a *Joint Ordinance and Boundary Agreement* to address minor inconsistencies in said boundaries in the interest of public safety; and,

WHEREAS, Section 43.015, *Authority of Adjacent Municipalities to Change Boundaries*, of the Texas Local Government Code allows for adjacent municipalities to make mutually agreeable changes to the their boundaries that are less than 1,000-feet in width.

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

SECTION 1. The City Council of the City of Rockwall finds that the above and foregoing recitals are true and accurate and are hereby incorporated for all purposes as official findings of the City Council of the City of Rockwall.

SECTION 2. The terms and conditions of the *Joint Ordinance and Boundary Agreement*, attached in *Exhibit 'A'* of this ordinance -- *which herein after shall be referred to as the Agreement and incorporated by reference herein* -- are hereby approved, authorized and accepted, which confirm and adjust the respective corporate boundaries of the City of Rockwall and the City of Heath, as more specifically described and depicted in *Exhibit 'B'* and *Exhibit 'C'* of this ordinance -- *which herein after shall be referred to as the Boundary Maps and incorporated by reference herein*. The Mayor is hereby authorized and directed to execute this *Ordinance* and the attached *Agreement* in *Exhibit 'A'* and deliver the *Agreement* to the City of Heath for consideration and execution.

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

SECTION 4. All prior annexations or actions by the City of Rockwall in conflict with the boundaries reflected in the *Boundary Maps* are hereby rescinded, voided, and repealed to the extent of that conflict.

SECTION 5. 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 6. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 5TH DAY OF APRIL, 2021.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 15, 2021

2nd Reading: April 5, 2021

Exhibit 'A'

Joint Ordinance and Boundary Agreement

CITY OF ROCKWALL ORDINANCE NO. 21-XX
CITY OF HEATH ORDINANCE NO. 2102XXX

WHEREAS, the City of Rockwall (hereinafter referred to as *ROCKWALL*) is a home-rule city located in Rockwall County; and,

WHEREAS, the City of Heath (hereinafter referred to as *HEATH*) is a home-rule city located in Rockwall County; and,

WHEREAS, *ROCKWALL* and *HEATH* share a common boundary; and,

WHEREAS, *ROCKWALL* and *HEATH* desire to adjust the boundary between the two (2) cities to insure public safety and effective delivery of municipal serves; and,

WHEREAS, Section 43.015, *Authority of Adjacent Municipalities to Change Boundaries by Agreement*, of the Texas Local Government Code authorizes adjacent municipalities to make mutually agreeable changes to their boundaries that are less than 1,000-feet in width; and,

WHEREAS, Section 43.142, *Disannexation According to Municipal Charter in Home Rule Municipality*, of the Texas Local Government Code allows a home-rule municipality to disannex areas in the municipality in accordance with the rules as maybe provided by its City Charter.

NOW, THEREFORE, BE IT ORDAINED AND MUTUALLY AGREED by the City Council of the *ROCKWALL*, Texas and the City Council of the *HEATH*;

SECTION 1. Pursuant to Section 43.015, *Authority of Adjacent Municipalities to Change Boundaries by Agreement*, of the Texas Local Government Code, *ROCKWALL* and *HEATH* hereby agree that the boundary between the cities will be adjusted as set out herein so that ~0.95-acres of land, described and depicted in *Exhibit 'B'* of the ordinance -- *which herein after shall be referred to as Area 1 and incorporated by reference herein* -- and with a width of less than 1,000-linear feet, will be located within the corporate limits of *ROCKWALL*. In accordance with this *Joint Ordinance and Boundary Agreement*, *HEATH* hereby relinquishes claim to the ~0.95-acres of land described as *Area 1* to *ROCKWALL* and discontinues to depicted such property as within the corporate limits of *HEATH*.

SECTION 2. Pursuant to Section 43.015, *Authority of Adjacent Municipalities to Change Boundaries by Agreement*, of the Texas Local Government Code, *ROCKWALL* and *HEATH* hereby agree that the boundary between the cities will be adjusted as set out herein so that ~2.68-acres of land, described and depicted in *Exhibit 'C'* of the ordinance -- *which herein after shall be referred to as Area 1 and incorporated by reference herein* -- and with a width of less than 1,000-linear feet, will be located within the corporate limits of *ROCKWALL*. In accordance with this *Joint Ordinance and Boundary Agreement*, *HEATH* hereby relinquishes claim to the ~2.68-acres of land described as *Area 1* to *ROCKWALL* and discontinues to depicted such property as within the corporate limits of *HEATH*.

SECTION 3. This ordinance shall be cumulative of all provisions of the ordinances of the *ROCKWALL* and the *HEATH*, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Exhibit 'A'
Joint Ordinance and Boundary Agreement

SECTION 4. It is hereby declared to be the intention of the City Council of the *ROCKWALL* and the City Council of the *HEATH* that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgement of decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5. The *ROCKWALL* and the *HEATH* do hereby covenant and agree to protect, preserve, and defend the herein described boundary adjustment.

SECTION 6. *ROCKWALL* and *HEATH* agree and ordain that the adoption by both cities of this *Joint Ordinance Boundary Agreement*, and the boundary change resulting from this *Agreement* do not mitigate diminish or lessen in any way the rights that either party may have, at law or in equity, to challenge or contest any other annexations, attempted annexations or Extraterritorial Jurisdiction (ETJ) claims made by the other party.

SECTION 7. This *Joint Ordinance Boundary Agreement* shall become effective and shall become a binding agreement upon *ROCKWALL* and *HEATH* by the adoption of same in regular open City Council meetings of *ROCKWALL* and *HEATH*.

SECTION 8. The Mayor of each City shall execute this *Joint Ordinance Boundary Agreement*, upon adoption by both cities.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE [] DAY OF FEBRUARY, 2021.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

Exhibit 'A'
Joint Ordinance and Boundary Agreement

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HEATH, TEXAS, THIS
THE [] DAY OF FEBRUARY, 2021.**

Kelson Elam, *Mayor*

ATTEST:

Norma Duncan, *City Secretary*

APPROVED AS TO FORM:

Wm. Andrew Messer, *City Attorney*

Exhibit 'B':
Area 1: Boundary Agreement Map

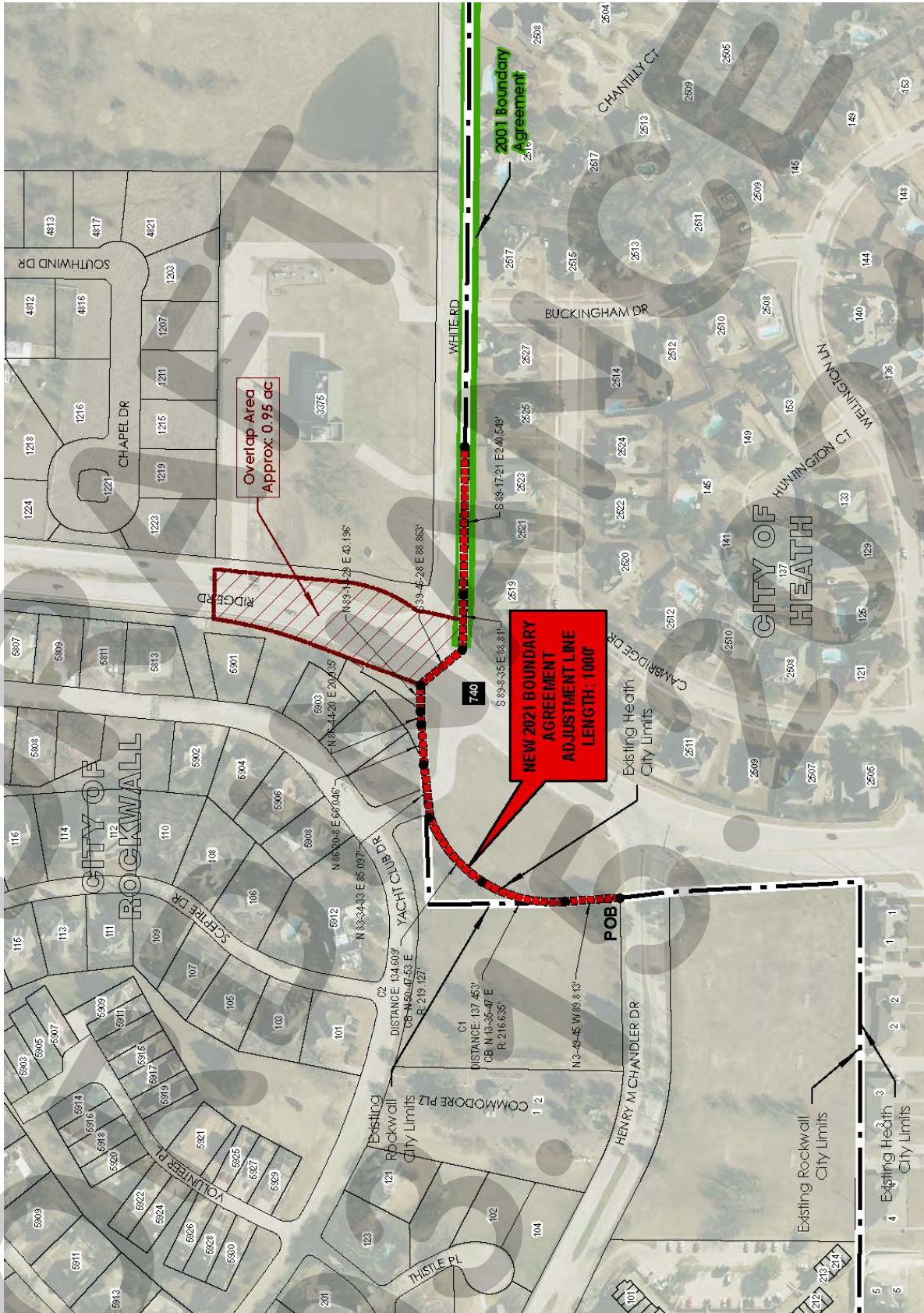


Exhibit 'B':
Area 1: Legal Description

BEGINNING at a point at the southeastern corner of Abstract 207, E. Teal Survey, Tract 134; RCAD#12833 (also being near the northwestern corner of Henry M. Chandler Drive and Ridge Road), City of Rockwall, for a **POINT OF BEGINNING**;

THENCE N 03° 49' 45" W along the western right-of-way of Ridge Road (FM-740) a distance of 89.813-feet to the beginning of a curve to the right having a radius of 216.635-feet;

CONTINUING along said curve to the right, through a chord distance of 137.453-feet, chord bearing of N 13° 35' 47" E to the beginning of a curve to the right having a radius of 219.127-feet;

CONTINUING along said curve to the right, through a chord distance of 134.609-feet, chord bearing of N 50° 47' 53" E to a point;

THENCE N 83° 34' 33" E a distance of 85.097-feet to a point;

THENCE N 86° 20' 08" E continuing along said right-of-way line a distance of 66.046-feet to a point;

THENCE N 86° 44' 20" E a distance of 20.935-feet to a point;

THENCE N 89° 14' 29" E a distance of 43.196-feet to a point;

THENCE S 39° 46' 28" E crossing Ridge Road a distance of 88.863-feet to a point;

THENCE S 89° 8' 35" E a distance of 88.81-feet to a point;

THENCE S 89° 17' 21" E for a distance of 240.549-feet to a **POINT OF ENDING** along the 2001 Rockwall-Heath Boundary Agreement, also being a projection of the south right of way line of White Road.

NOTE: The above description is intended to follow all existing City Limits, right of way, and parcel lines where intended.

Exhibit 'C':
Area 2: Boundary Agreement Map

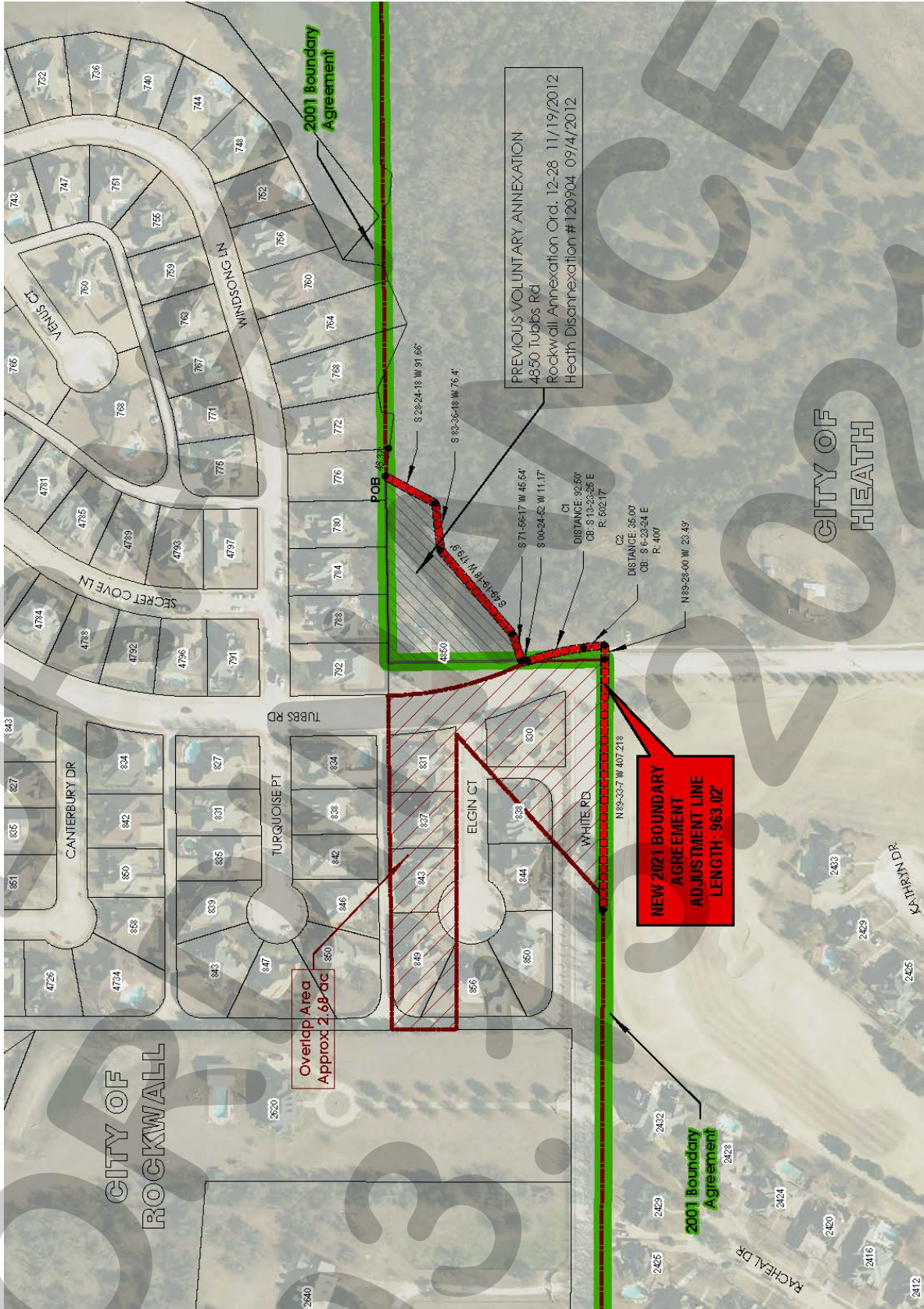


Exhibit 'C':
Area 2: Legal Description

COMMENCING at a point at the southeastern corner of Rainbow Lakes Addition Lot 21 (776 Windsong Lane), City of Rockwall, thence N 83° 0' 53" W a distance of 45.37-feet for a **POINT OF BEGINNING**;

THENCE S 28° 24' 18" W along an eastern boundary of Lot 1, Block B, Foxchase Addition, Phase 7, City of Rockwall subdivision plat for a distance of 91.66-feet to a point;

THENCE S 83° 36' 18" W continuing along said boundary line a distance of 76.40-feet to a point;

THENCE S 49° 19' 18" W a distance of 179.90-feet to a point;

THENCE S 71° 56' 17" W a distance of 45.54-feet to a point;

THENCE S 00° 24' 52" E along the 2001 City of Rockwall and City of Heath Boundary Agreement Line a distance of 11.17-feet to the beginning of a curve to the right having a radius of 502.17-feet;

CONTINUING along said curve to the right, through a chord distance of 92.50-feet, chord bearing of S 13° 23' 25" E to the beginning of a curve to the right having a radius of 400.00-feet;

CONTINUING along said curve to the right, through a chord distance of 35.00 feet, chord bearing of S 6° 23' 25" E to a point;

THENCE N 89° 28' 00" W a distance of 23.49-feet to a point;

THENCE N 89° 33' 07" W for a distance of 407.218-feet to a **POINT OF ENDING** along the said 2001 Boundary Agreement, also being a projection of the south right of way line of White Road.

NOTE: The above description is intended to follow all existing City Limits, right of way, and parcel lines where intended.



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Park Board

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: March 2, 2021

SUBJECT: Park Land Dedication Fee Ordinance

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in January of 2021 to determine the average cost per acre of land and provided a final report. To establish comparable parcels, the properties evaluated must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries' report, the average cost of one acre of neighborhood park land with the above restrictions within the City limits is \$60,000.

Each year the cost to develop an 11 acre neighborhood park should be considered and set by Council resolution as well. It is currently set at \$1,250,000. Staff does see that this needs to be increased to \$1,285,000 for 2021. I have attached the appraisal letter completed by Mr. Humphries. \$625,000.00 would be the "per neighborhood park" cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer's share of the park. Ordinance and Resolutions are attached in the packet for your review.

At the March meeting, Park Board voted unanimously to recommend that Council set the per acre price of park land by resolution in the amount of \$60,000. Park Board also voted unanimously to recommend that the neighborhood park cost be set at \$625,000. Staff will be available to answer any questions. Parks and Recreation Staff request that the City Council review and consider this request.



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC Mary Smith, Interim City Manager
Joey Boyd, Assistant City Manager

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: March 15, 2021

SUBJECT: Park Land Dedication Fee Ordinance

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in January of 2021 to determine the average cost per acre of land and provided a final report. To establish comparable parcels, the properties evaluated must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries' report, the average cost of one acre of neighborhood park land with the above restrictions within the City limits is \$60,000.

Each year the cost to develop an 11 acre neighborhood park should be considered and set by Council resolution as well. It is currently set at \$1,250,000. Staff does see that this needs to be increased to \$1,285,000 for 2021. I have attached the appraisal letter completed by Mr. Humphries. \$625,000.00 would be the "per neighborhood park" cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer's share of the park. Ordinance and Resolutions are attached in the packet for your review.

At the March meeting, Park Board voted unanimously to recommend that Council set the per acre price of park land by resolution in the amount of \$60,000. Park Board also voted unanimously to recommend that the neighborhood park cost be set at \$625,000. Staff will be available to answer any questions. Parks and Recreation Staff request that the City Council review and consider this request.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 21-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ADOPTING THE PER NEIGHBORHOOD PARK DEVELOPMENT COST TO BE USED IN CALCULATION OF A NEW DEVELOPMENT'S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK DEVELOPMENT EQUIPMENT FEES; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Rockwall desires to provide a park system which includes adequately sized and appropriately equipped Neighborhood Parks, and

WHEREAS, the City of Rockwall has adopted a Park and Recreation Master Plan designed to facilitate development of its Park Systems; and

WHEREAS, in Chapter 38. "Subdivisions," Article II. "Parkland Dedication" of the Code of Ordinances, the City of Rockwall has adopted Mandatory Neighborhood Parkland Dedication regulations designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks; and

WHEREAS, said ordinance provisions provide that the City Council shall annually adopt a resolution establishing the "per neighborhood park development cost" to be used in calculation of a new development's pro-rata share contribution for neighborhood park development equipment fees.

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

Section 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, \$625,000.00 per neighborhood park is hereby adopted as the "per neighborhood park" park development cost to be used in calculation of pro-rata neighborhood park development equipment fees;

Section 2. This resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 15th day of MARCH, 2020.

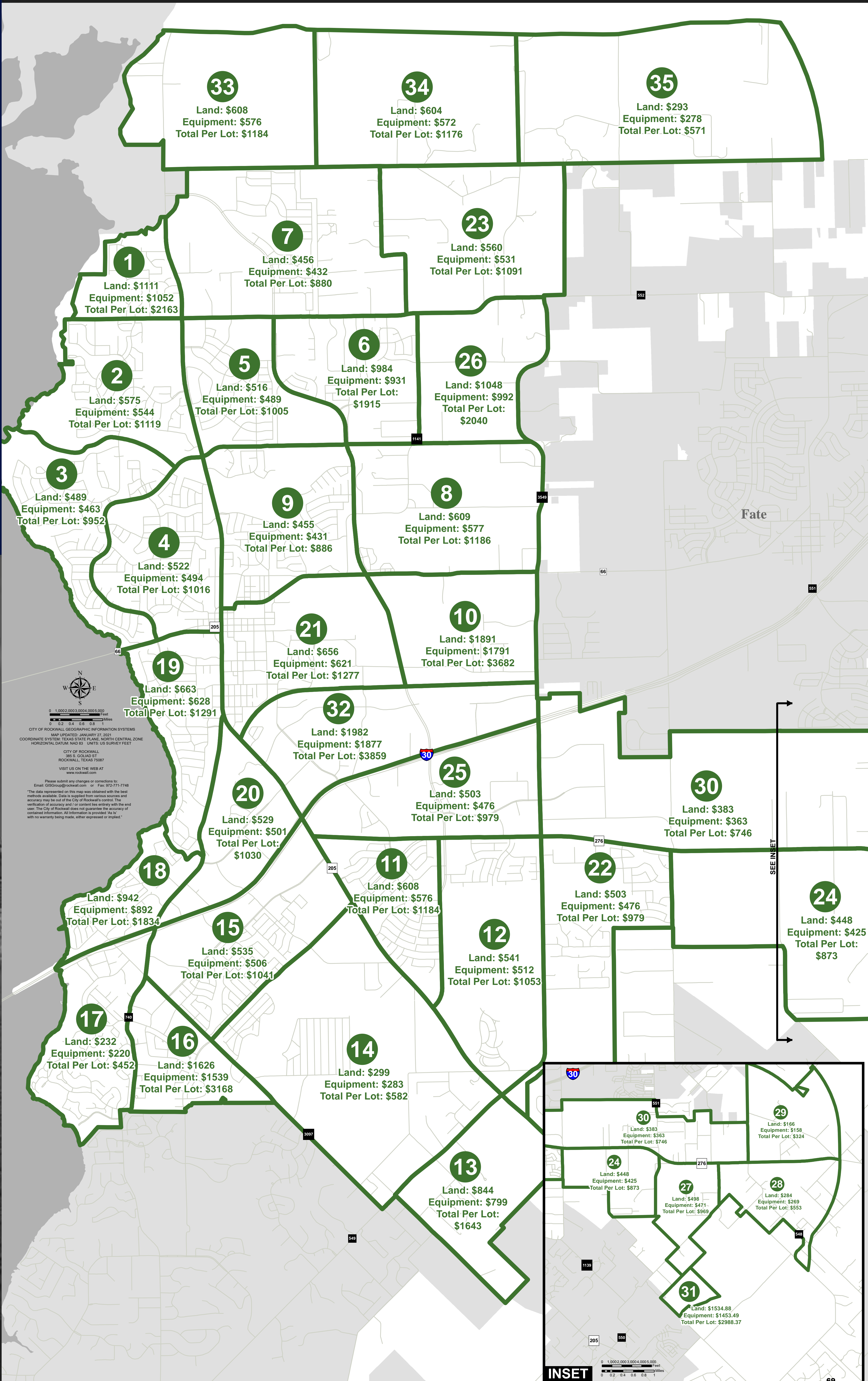
Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

PARK LAND DEDICATION FEE MAP

2021



0 1,000 2,000 3,000 4,000 5,000 Feet

 0 0.2 0.4 0.6 0.8 Miles

 CITY OF ROCKWALL GEOGRAPHIC INFORMATION SYSTEMS

 MAP UPDATED: JANUARY 27, 2021

 COORDINATE SYSTEM: TEXAS STATE PLANE, NORTH CENTRAL ZONE

 HORIZONTAL DATUM: NAD 83 UNITS: US SURVEY FEET

 CITY OF ROCKWALL

 305 S. COLLARD ST.

 ROCKWALL, TEXAS 75087

 VISIT US ON THE WEB AT

 www.rockwall.com

 Please submit any changes or corrections to:

 Email: GISGroup@rockwall.com or Fax: 972-271-7748

 *The data represented on this map was obtained with the best

 methods available. Data is supplied from various sources and

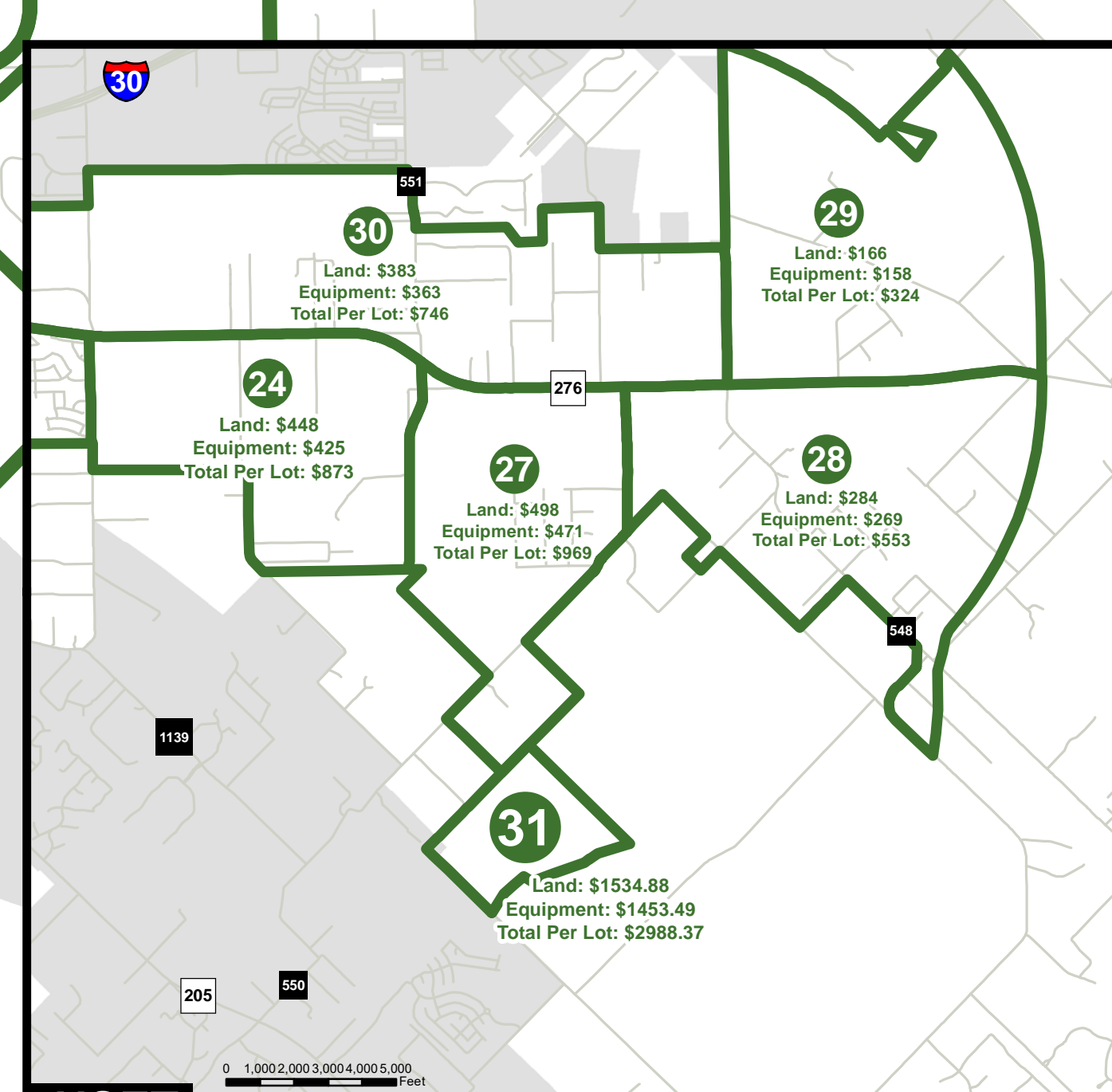
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 with no warranty being made, either expressed or implied."



MARKET STUDY
REAL PROPERTY APPRAISAL CONSULTING REPORT

Prepared For
Travis Sales, Parks and Recreation Director
City of Rockwall
108 E. Washington
Rockwall, Texas, 75087

MARKET STUDY
Average Price Per-Acre of Land in the City of Rockwall
The City of Rockwall, Rockwall County, Texas
EFFECTIVE DATE OF CONSULTING ASSIGNMENT
JANUARY 1, 2021

Prepared By
Bryan E. Humphries & Associates
4050 McKinney Avenue
Suite 210
Dallas, Texas 75204

BRYAN E. HUMPHRIES & ASSOCIATES
REAL ESTATE VALUATION AND SERVICES

January 7, 2021

Travis Sales, Park and Recreation Director
City of Rockwall
108 E. Washington
Rockwall, TX 75807

Re: Average Price Per- Acre of Land in the City of Rockwall
City of Rockwall, Rockwall County, Texas

Mr. Travis Sales,

We are pleased to transmit this gross market study/real property appraisal consulting report that was prepared for the purpose of valuing typical parkland in the City of Rockwall, This parkland is typically five acres and in the early stages of development. Please refer to identification of project on page 4 for further explanation of the project scope. This report is a gross market study (real property appraisal consulting report) and does not involve analysis of or the inspection of a physical subject property. The purpose of this gross market study is to derive an opinion of a fee simple market value of the average price per-acre of land in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). The effective date of this gross market study is January 1, 2021.

The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes. This consulting report is only intended to assist the City of Rockwall, in establishing a general value trend and current market value of the average price per- acre of land in the City of Rockwall.

4054 McKinney Avenue, Suite 210, Dallas, Texas 75204

214/528-7584 E-Mail: behinc@flash.net FAX 214/528-2921

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CERTIFICATE

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, unbiased professional analyses, opinions, and conclusions.

As of the date of the appraisal only, I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent on the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

Bryan Humphries has made a personal inspection of the property that is the subject of this report.

No one provided significant real property appraisal assistance to the persons signing this certificate.

I have performed a previous appraisal (1/1/13, 1/1/14, 1/1/15, 1/1/16, 1/1/17, 1/1/18, 1/1/19, 1/1/20) involving the subject property within the three years prior to this assignment.

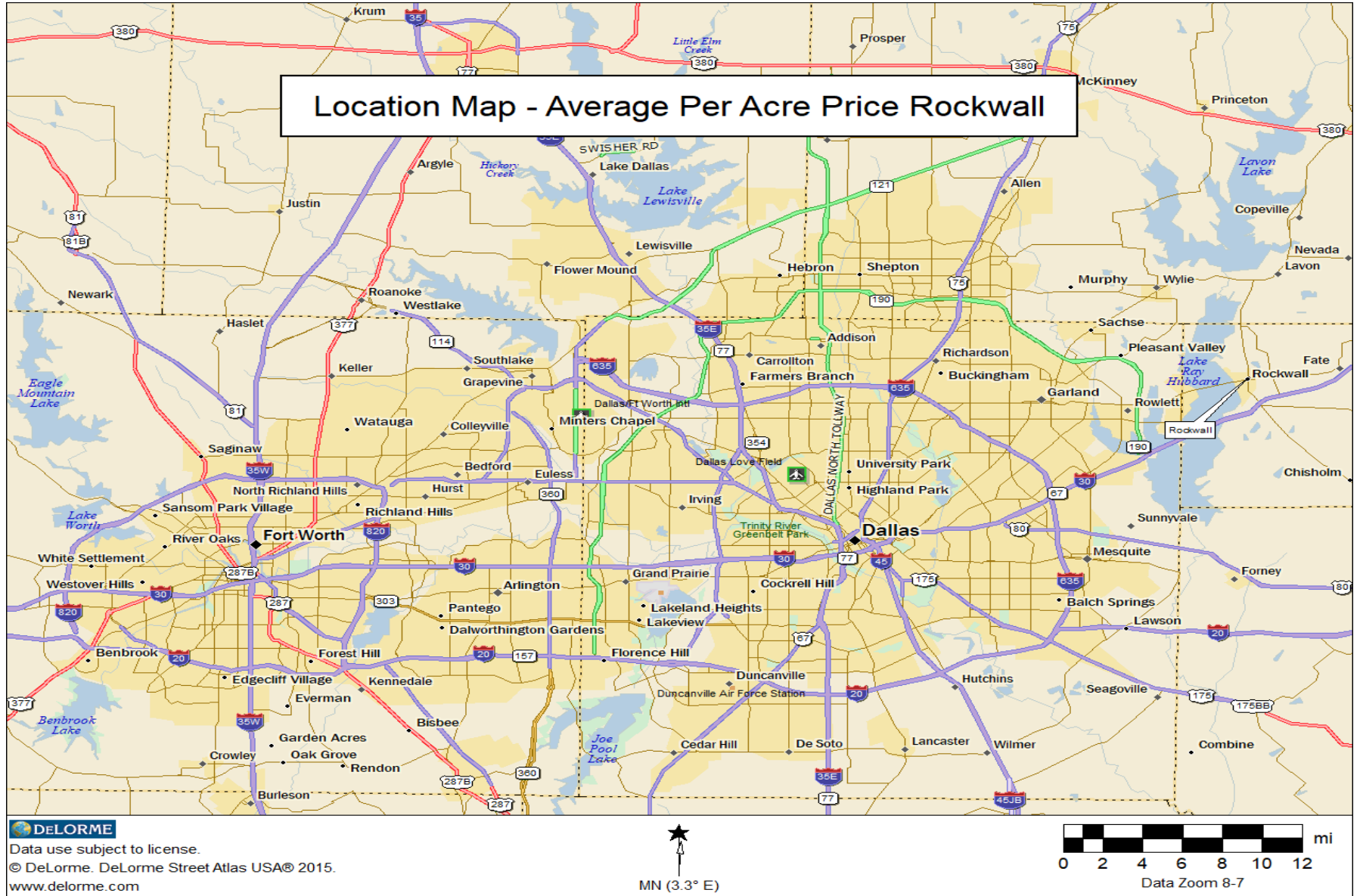
The report analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Uniform Standards of Professional Appraisal Practice of the Appraisal Institute.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this Study, I have completed the requirements of the continuing education program of the Appraisal Institute.



Bryan Humphries, MAI, TX-1320676-G



GENERAL INFORMATION & SCOPE OF WORK

Identification of Subject and Project

The subject property is a typical, underdeveloped, Parcel in the City of Rockwall. The parcel represents the average in the City of Rockwall, as set forth in the City of Rockwall Park Land Dedication Ordinance, Section 24-45 (b). According to the ordinance, from time to time, developers must dedicate land to the City of Rockwall in order to meet the need for park land in the area. If the dedication is not feasible, the developers must then give the City cash in lieu of land that is reflective of typical residential land in Rockwall. The client has indicated that this average residential land is typically 5 acres and in the early stages of development.

Inspection Information, Effective Date and Date of Report

This analysis does not involve a physical subject property, only a hypothetical property, thus no inspection is required. The effective date of the assignment is January 1, 2021. The date of the report is the date of the signature on the first page of this report. Unless otherwise stated, all factors pertinent to a determination of value are considered as of this date.

Identification of the Client/Intended User

This real property appraisal consulting report is prepared for the City of Rockwall, Mr. Travis Sales, 108 E. Washington, Rockwall, Texas 75087. Any other use or users are not intended or authorized.

Objective of the Assignment/Intended Use

This consulting assignment is only intended to assist the client in establishing an average price per-acre of land. The client should not conclude that an appraisal has been prepared, and this report should not be used for condemnation purposes.

General Information & Scope of Work, continued

Appraisal Report Option

This is a real property appraisal consulting assignment that complies with the reporting requirements set forth under Standard 5 of the *Uniform Standards of Professional Appraisal Practices (USPAP)*. As such, it presents sufficient information to enable the client and other intended users, as identified, to understand it properly. The depth of discussion contained in this report is specific to the needs of the client and the intended users of this property appraisal consulting report.

Analysis Overview

As part of this consulting assignment, we have completed the following steps to gather, confirm, and analyze the data.

- ▶ Physically inspected the subject markets and the surrounding neighborhoods.
- ▶ Collected factual information about the surrounding market and confirmed that information with various sources.
- ▶ Collected market information needed to consider the three traditional approaches to value: Cost approach, sales comparison approach and income capitalization approach (if applicable).
- ▶ Prepared a real property appraisal consulting report setting forth the conclusion derived in this analysis as well as a summary of the information upon which the conclusions are based.

Extraordinary Assumptions

An extraordinary assumption is something that is assumed to be true, but it is not certain. If it turns out to be untrue, the value conclusion could be impacted. Extraordinary assumptions are those assumptions that are specific to the assignment, as opposed to general assumptions, which could be applicable to any assignment. In this assignment, we have assumed typical general assumptions and limiting conditions as cited above. In this particular assignment, the following extraordinary assumptions were made:

- ▶ Sales and listing data obtained from the Multiple Listing Service is deemed to be sufficiently reliable data to establish overall market trends and the current market value of an average, price per-acre of land. While some knowledgeable real estate brokers and salespeople have been contacted to obtain and confirm data, the reader should be aware that not all of the sales and listing data analyzed was independently confirmed.

General Information & Scope of Work, continued

- ▶ The client should not conclude that an appraisal has been prepared, and this consulting report should not be used for condemnation purposes. This gross market study (real property appraisal consulting report) is only intended to assist the City of Rockwall in establishing a general value trend and current market value of an average price per-acre in the City of Rockwall.
- ▶ The purpose of this consultation report is to establish the average price per acre of land in the City of Rockwall. As set forth in the City of Rockwall, Park Land Dedication Ordinance, Section 24-45(b). However, it is beyond the scope of this consultation report to estimate the actual costs of adjacent street and site utilities as stated in the ordinance (see addenda).

Jurisdictional Exceptions

The Jurisdictional Exception Rule provides for severability preserving the balance of the *Uniform Standards of Professional Appraisal Practice (USPAP)*. If one or more parts of *USPAP* are “contrary to the law or public policy of any jurisdiction, only that part shall be void and of no force or effect in that jurisdiction.” According to *USPAP*, “A law means a body of rules with binding legal force established by the controlling governmental authority.” This includes federal and state constitutions, legislative and court made law, administrative rules, regulations and ordinances. In this assignment, there are no known conflicts of law or public policy that disregard the *USPAP*.

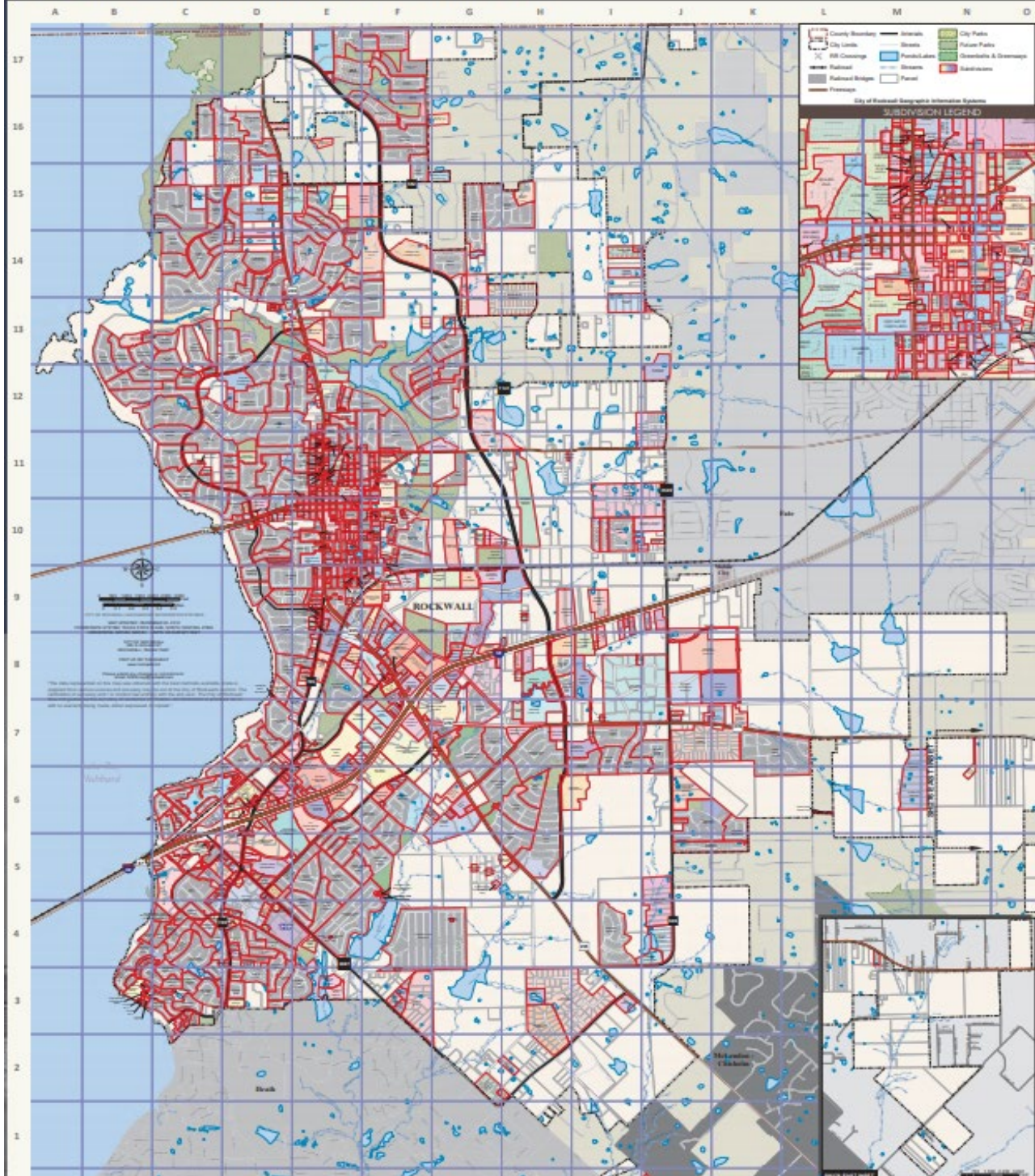
Hypothetical Conditions

A hypothetical condition is that which is contrary to what exists but is supposed for the purpose of analysis. In this particular assignment, the following hypothetical condition was made:

For purposes of this analysis, the subject property is a hypothetical, undeveloped, parcel in the City of Rockwall.

SUBDIVISION MAP

2020



Residential Market Analysis

Boundaries

The neighborhood boundaries are generally defined as follows:

City of Rockwall (Urban)

Outlying areas of the City of Rockwall (Suburban)

Development Activities and Trends

Residential development comprises approximately $\pm 80\%$ of the development in Rockwall. According to ESRI, the median 2020 home value within a 1-mile, 3-mile, and 5-mile radius of the Subject is \$260,596, \$268,176, and \$263,358 respectively.

Recent single family building permit activity in Rockwall County summarized as follows:

Rockwall County Single Family Building Permits¹				
Year	Units	% Change	Average Value	% Change
2000	955	-	\$194,400	-
2001	1,267	32.7%	\$171,000	-12%
2002	1,224	-3.4%	\$171,000	0.0%
2003	1,219	-0.4%	\$168,500	-1.5%
2004	1,598	31.1%	\$168,100	-0.2%
2005	1,756	9.9%	\$183,400	9.1%
2006	1,190	-32.2%	\$201,800	10.0%
2007	759	-36.2%	\$240,200	19.0%
2008	589	-22.4%	\$192,800	-19.7%
2009	545	-7.5%	\$166,500	-13.6%
2010	489	-10.3%	\$200,800	20.6%
2011	411	-16.0%	\$233,800	16.4%
2012	675	+64.2%	\$247,700	5.9%
2013	741	+9.8%	\$256,900	3.7%
2014	965	+30.2	\$288,800	12.4%
2015	1046	+8.4	\$284,600	-1.5%
2016	1116	+6.7	\$317,000	11.4
2017	1468	+31.5	\$293,700	-7.4%
2018	1517	+3.3%	\$305,200	+3.9%
2019	1283	-15.4	\$325,800	6.7%
YTD Nov 20	2058		\$316,500	

¹ Data provided by Texas A&M Real Estate Center

As indicated by the preceding chart, new single family home activity peaked in 2005 at 1,756 permits. Building permit activity dropped significantly in 2006, 2007, and 2008, but slowed to 7.5% in 2009. New construction continued to decline in 2010, but appears to have bottomed in 2011 with 411 homes as 487 building permits were issued through September 2012. For 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 and 2020 permits have rebounded significantly, being up over $\pm 400\%$ from 2011 levels.

Residential Market Analysis, continued

Demographic Trends

Population growth in Rockwall County had been slow in relation to the Dallas-Fort Worth CMSA after Lake Ray Hubbard was impounded in the 1960's. That changed when IH-30 was upgraded and the bridge widened in the 1990s. While the entire county has benefited, most of the growth has taken place along or near IH-30, and from west to east. Access remains an important factor in Rockwall County's growth pattern.

Area	1980	1990	2000	2010	2010 to 2020 Compounded Annual %Change	Estimated 2020
City of Fate	NA	477	463	6,357	10.1%	16,660
City of Heath	1,459	2,108	4,149	6,921	2.50%	8,860
City of Rockwall	5,939	10,486	17,976	37,490	1.84%	45,010
City of Rowlett	7,522	23,260	44,503	56,199	2.14%	69,460
City of Royse City	1,566	2,206	2,957	9,349	3.50%	13,190
Rockwall County	14,528	25,600	43,080	78,337	3.10%	106,340

Source: U.S. Bureau of the Census & State of Texas

The population in the City of Rockwall increased 1.84% compounded annually from 2010 to its 2020 level of 45,010. The Rockwall County grew 3.10% annually to 106,340 during the same period.

Demographics

The following chart summarizes demographic data in the Subject Neighborhood. The data was provided by ESRI, Inc., and is based on demographics in a 1,3, and 5-mile radius from the Subject Property.

Residential Market Analysis, continued

2010-2020 Demographic Data (Source, ERSI, Inc.)			
Item	1 Mile	3 Mile	5 Mile
2010 Population	7,331	31,380	82,803
2020 Population	8,603	41,501	105,744
2010-2020 Population Growth Rate	17.4%	32.2%	27.89%
Projected 2025 Population	9,690	46,796	117,891
Projected 5-Year Growth Rate- annually	2.41%	2.43%	2.2%
2020 Households	3,136	14,504	34,900
2020 Average Household Size	2.67	2.83	3.01
2020 Median Household Income	\$91,748	\$100,533	\$101,610
2020 Average Household Income	\$110,273	\$114,557	\$119,648
2020 Per Capita Income	\$40,282	\$40,261	\$39,734
2020 Housing Units	3,259	15,140	36,353
2020 Owner Occupied Housing Units	75.3%	75.5%	79.1%
2020 Renter Occupied Housing Units	20.9%	20.3%	16.9%
2020 Vacant Housing Units	3.8%	4.2%	4.0%
Projected 2025 Housing Units	3,692	17,184	40,512
2020 Median Home Value	\$260,596	\$268,176	\$263,358

The following data is compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2020 (includes residential, commercial and farm and ranch) the number of closed transactions year-to-date for lots and vacant land in the Rockwall market area has increased 1% and the average price has increased 19%. The average sold to list price has decreased \pm 1% and the average days on market has increased 21%. Pending sales have increased by 12% and month's inventory has decreased to 15 months. The increase in pending sales is an indicator of possible increase transaction levels in the coming months.

Year-to-Date Sales Closed by Area for: December 2020 Lots and Vacant Land – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	151	+1%	\$31,463,719	+21%	\$208,369	+19%	\$149,900	+25%

Residential Market Analysis, continued

Year-to-Date Sales Closed by Area for: December 2020								
Lots and Vacant Land – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34			89%	-1%	66%	-3%	184	+21%

Year-to-Date Sales Closed by Area for: December 2020								
Lots and Vacant Land – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	184	+12%	253	-26%	189	-21%	15	-22%

The following data is also compiled from the North Texas Real Estate Information Systems and analyzed by the Real Estate Center at Texas A&M University. According to the data as of December 2020 the number of closed transactions year-to-date for single family residences in the Rockwall market area increased 19% and the average price increased 8%. The average price per square foot has increased 6% and the average days on market has decreased 10%. Pending sales have increased 26% and months of inventory has decreased 45%.

Year-to-Date Sales Closed by Area for: December 2020								
Single Family – Part 1								
Area	Sales	%Change Year Ago	Dollar Volume	% Change Year Ago	Average Price	% Change Year Ago	Median Price	% Change Year Ago
34	2,677	+19%	\$985,687,462	+29%	\$368,206	+8%	\$316,000	+8%

Year-to-Date Sales Closed by Area for: December 2020								
Single Family – Part 11								
Area	Price per SF	%Change Year Ago	Sold to List Price	% Change Year Ago	Co-op Sales	% Change Year Ago	DOM	% Change Year Ago
34	\$137	+6%	98%	+1%	92%	+2%	57	-10%

Year-to-Date Sales Closed by Area for: December 2020								
Single Family – Part 111								
Area	Pending Sales	%Change Year Ago	New Listings	% Change Year Ago	Active Listings	% Change Year Ago	Months Inventory	% Change Year Ago
34	2,999	+26%	2,911	-3%	404	-35%	1.8	-45%

Residential Market Analysis, continued

Conclusions

Rockwall has shown strong population growth over the past twenty years and employment trends are positive. The area is rapidly being developed with commercial and residential uses. In the future, Rockwall County is anticipated to be a strong growing area of the Metroplex. The neighborhood is considered to be in a growth life stage and the overall aspects are considered to be good.

DATA ANALYSIS

Description and Analysis of the Subject

For purposes of this analysis, the subject property is a typical, undeveloped, parcel in the City of Rockwall. According to the client, the City of Rockwall will be using the data to value parklands ranging in size from 1 to 10 acres. The client instructed the appraisers to base adjustments on a typical 5 acre residential parcel.

Description of the Data and Analysis

The purpose of this analysis is to determine the average value of a residential, undeveloped, parcel within the City of Rockwall. The parcel is assumed to have paved street access, utilities and to be in the early stages of development.

Sales and listing data was obtained from the NTREIS Multiple Listing Service. Our queried data included all residential land sales from one tenth of an acre to twenty acres in the City of Rockwall. Included within the data are land sales of parcels improved with typical subdivision infra-structure (i.e. paved streets, utilities, engineering, platting, etc.) and those that do not have these improvements. These sales have been adjusted to reflect their condition above and below the average undeveloped parcel. Within our analysis we have also considered historical land sale prices and trends as these are good indicators of current prices and prices going forward and provide a helpful frame of reference for the overall market. Other factors considered and adjusted for within the sales data include parcel size and location.

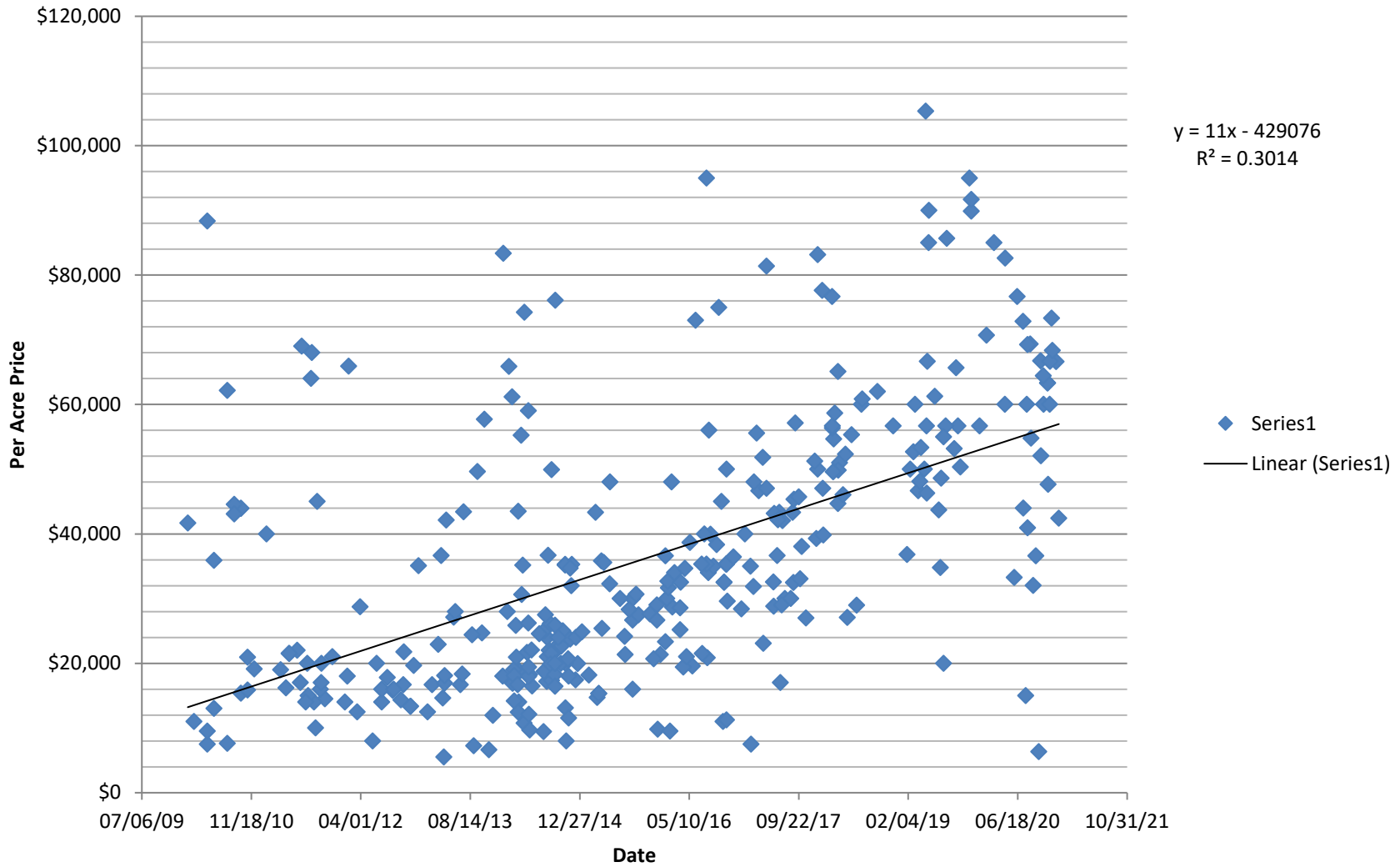
Our queries presented the following raw data. The data is not adjusted to reflect the average, undeveloped parcel. The raw average price per acre is heavily biased and influenced by sales of lake front lots.

	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total Sales	90	97	68	92	84	61	57	55	46
Sale to List Ratio	88%	92%	92%	97%	93%	93%	92%	93%	95%
Avg. Price Per Acre	\$59,877	\$89,958	\$67,148	\$80,105	\$84,744	170,548	\$163,390	\$128,744	\$192,133
Avg. Days on Market	90	282	154	255	247	184	225	113	91
Percentage of Sales Under 1 Acre	37%	41%	53%	57%	48%	41%	40%	40%	33%

Data Analysis, continued

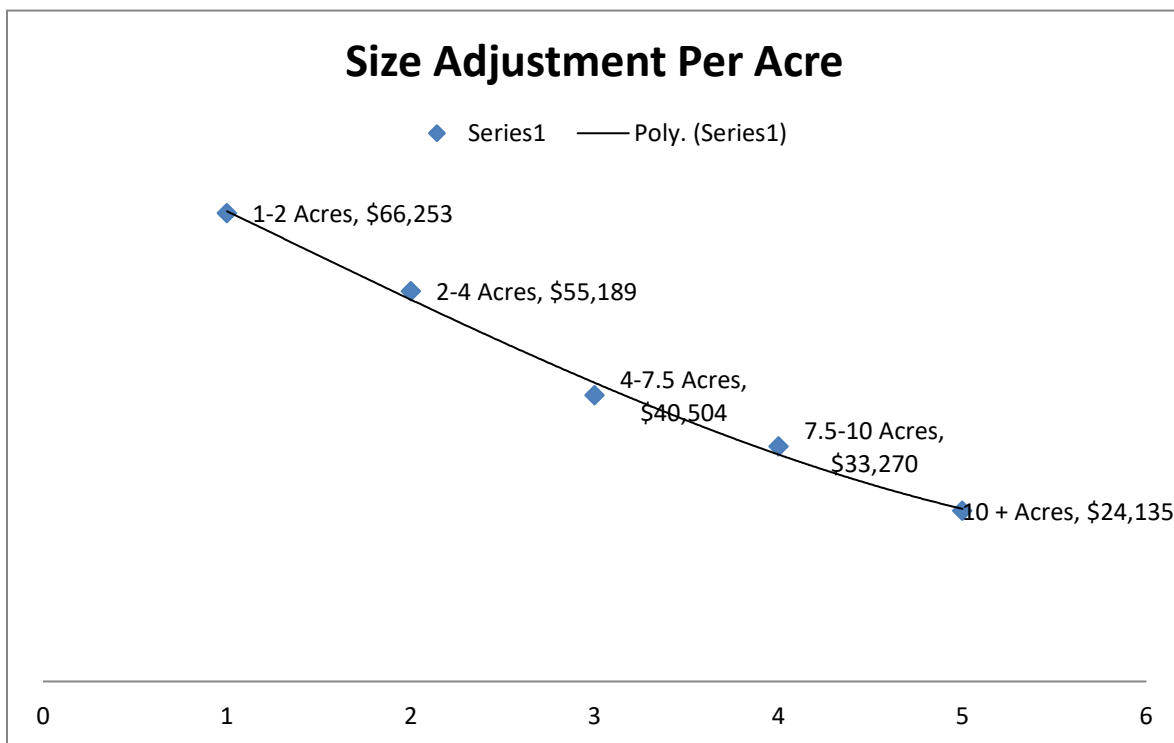
A trend analysis of the raw price per acre of lot sales listed in MLS from 2010 to 2020 suggests the price trend is to be slightly increasing. The Trend Line graph is shown on page 15. However, little weight should be given in this data as it is heavily upward biased because of small lots located on or near the lake which sale at a premium price due to location and higher unit prices due to economies of scale. Likewise, at the other end of the spectrum, a few sales sold for \$300,000+. Only lot sales stated by MLS to be in the City of Rockwall were considered. In an attempt to reduce the skewing for the 2010 thru 2020 time period, the data set is narrowed to sales greater than 1.00 acres and up to 20 acres with a price \pm less than \$100,000. The following chart reflects the trend of these sales. The data indicates that the lots sales from 2010 to 2020 had an increasing trend. From 2010, the typical price per acre was \pm \$20,000, the price per acre increase to \pm \$56,808 in 2020. The average per acre price was \$36,267 for 2010 to 2020.

2010 - 2020 Raw Per Acre Sales



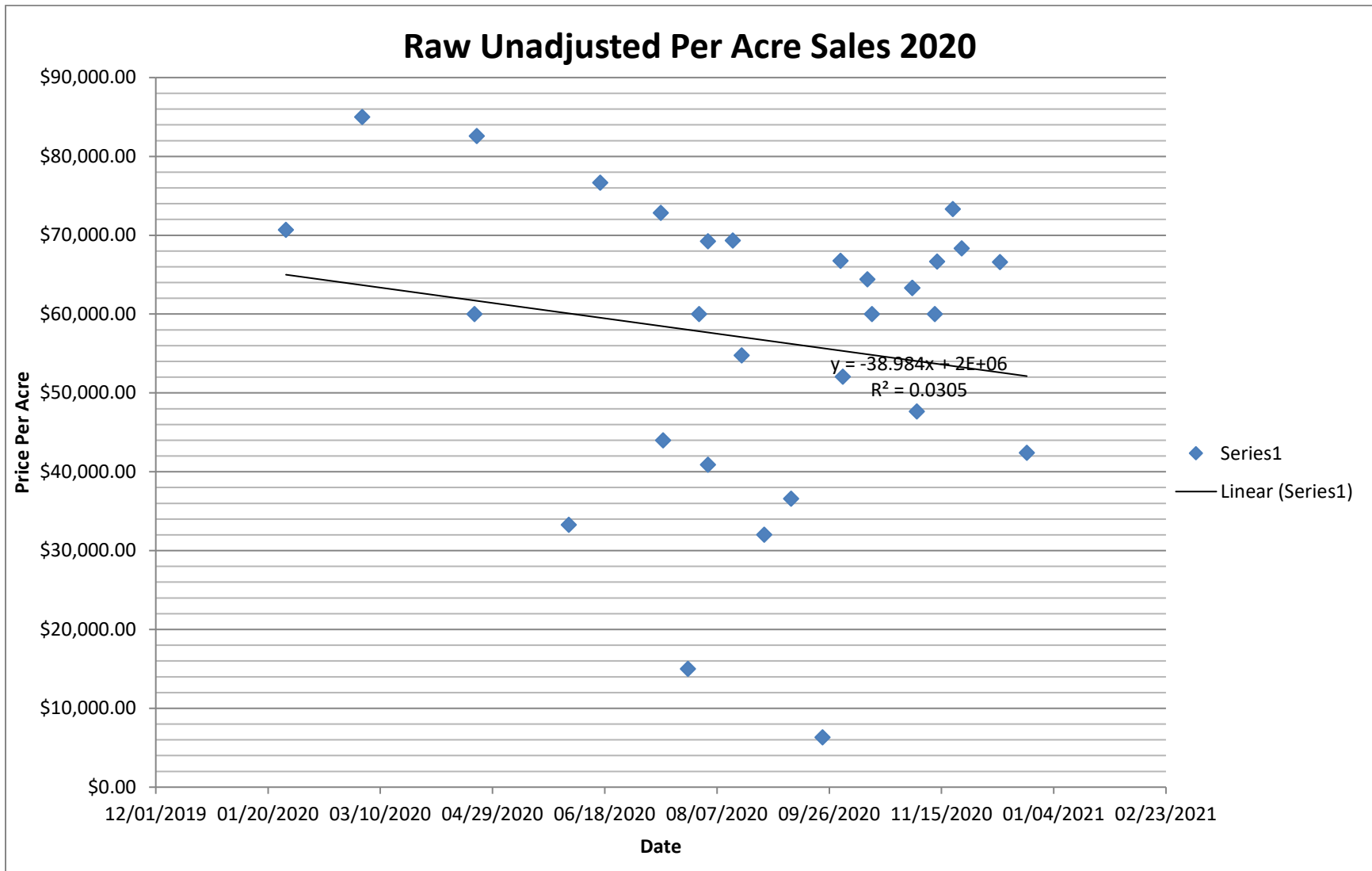
The most recent sales of lots is the 2020 data set and our analysis will focus on the 2020 sales . This data set contains 29 sales that MLS lists as in the City of Rockwall. The sales are all greater than 1.00 Acre up to 20 Acre and less than \$100,000/acre.

The data will first be adjusted for location and in infrastructure. These adjustments considered information included in the detail MLS write up sheets. The next adjustment is a lot size adjustment. The following chart represents the size adjustment of the data set.



Approximately 86% of the data is between 1 to 5 Acres, with 59% being between 1 & 2 Acres. Thus, the majority of the data is within the target size range, no size adjustment will be applied to the analysis.

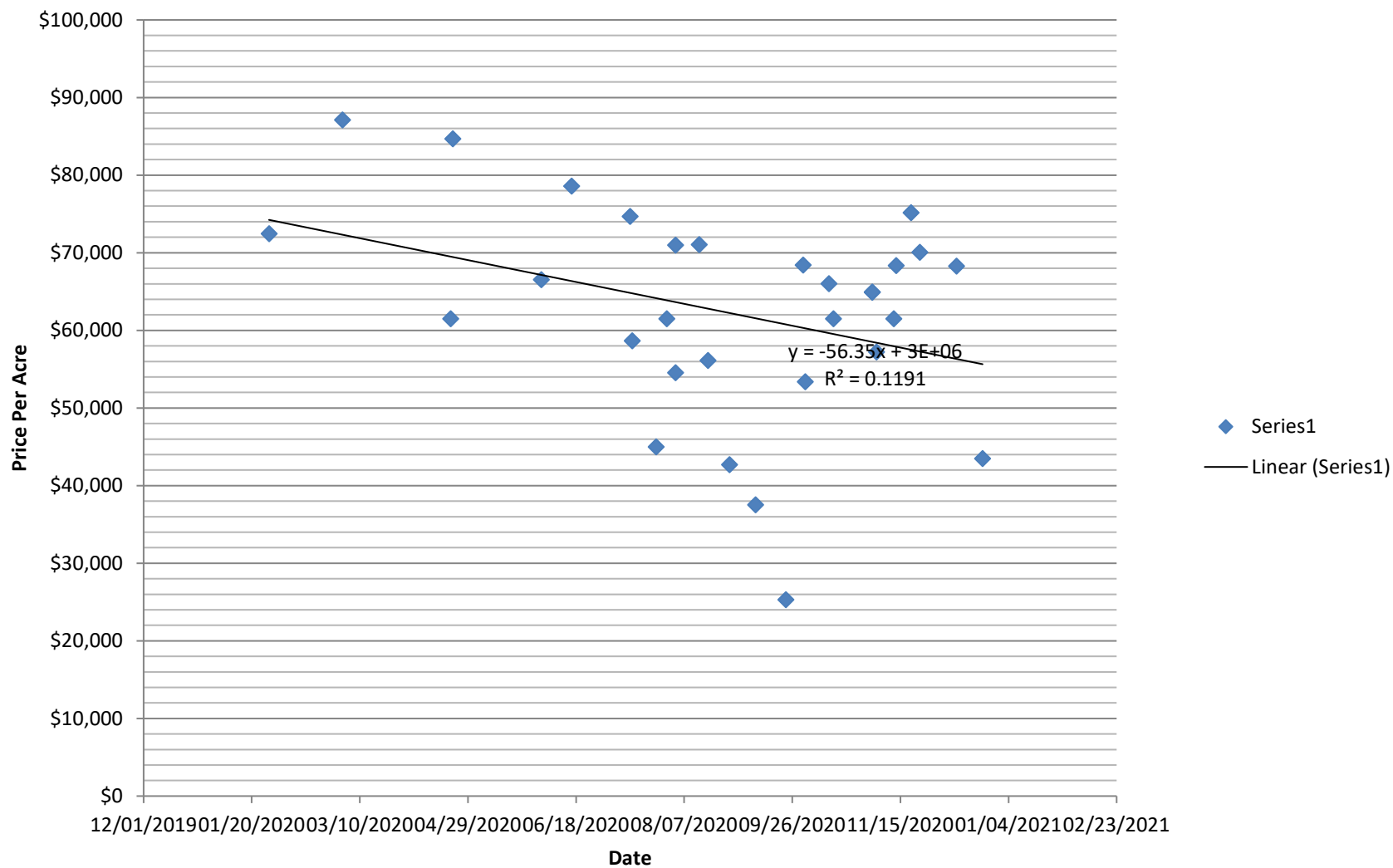
Following are two charts. The first shows the 2020 per acre raw lot sales date unadjusted. This chart shows the data between \$6,322 per acre price to a \$85,000 per acre price. The average 2020 per acre price was \$56,808/Acre. The trend line indicates that the price per acre starting 2020 at \$65,000/AC and ending 2020 at \$54,000/AC.



Data Analysis, continued

The second chart represents the 2020 data after adjustments for location and infrastructure. As shown on the chart, the data is represented in a range from \$25,289/Acre to \$87,125/Acre. The average for the adjusted data is \$62,403/Acre. The trend line indicates the price per acre starting 2020 at \$74,000/AC and ending 2020 at \$56,000/AC.

2020 Adjusted Price Per Acre



Data Analysis, continued

Conclusions

Over the last seven years lot sales actively has been improving for both the number of sales as well as the price.

The following list a summary of our data findings over the past years.

Average Per Acre Price 2010 to 2020 Unadjusted:	\$36,267/Acre
Average Per Acre Price 2020 Unadjusted:	\$56,808/Acre
Average per Acre Price 2020 Adjusted for Location, Infrastructure and Size:	\$62,403/Acre

The adjusted 2020 data represents the most recent range of lot sales. The trend line of the data indicates per acre lot sales remained relatively flat during the year.

Based upon our analysis and conclusions, subject to parameters defined, my opinion of the average market value price per acre of residential land in the City of Rockwall as of 1/1/2021 is:

\$60,000/Acre

Respectfully Submitted,



Bryan Humphries, MAI, TX-1320676-G

Addendum

Qualifications

Assumptions & Limiting Conditions

City of Rockwall Park Land Ordinance

SUMMARY OF QUALIFICATIONS - Bryan E. Humphries, MAI

Currently

Owner, BRYAN E. HUMPHRIES, INC.

Experience

Over 40 years' experience in the appraisal of real properties, including commercial, multi-family, industrial, and special purpose properties, for mortgage bankers, savings and loan associations, insurance companies, attorneys, private individuals, public utilities, and governmental agencies.

Education

Graduated from Texas Tech University in 1974: B.B.A. Business

Graduated from Texas Tech University in 1976: M.S. Finance

Completed college, SREA, and AIREA courses in real estate appraisal

Qualified as "Expert" in real estate valuation in various courts

Professional Designations and Affiliations

MAI	Member (#6514), Appraisal Institute
AI	Admissions Committee, North Texas Chapter 17, 1983-1992 (Chairman, 1989-1990); National Admissions Review (1994-1996); Education Committee (1988); Region 8 Representative (1994, 1996, 1997, 2002); North Texas Chapter 17 Board of Directors (1993 - 1995; 1999 - 2001) Appraisal Institute National Screener (1996-2005)
Broker	Licensed Broker (#216136-12), Texas Real Estate Commission
State Certified	Texas State Certified - General Real Estate Appraiser (#TX 1320676-G)
State Certified	Texas State Certified - Property Tax Consultant (00003440)
Member	North Texas Commercial Association of Realtors
Member	Real Estate Financial Executive Association

ASSUMPTIONS AND LIMITING CONDITIONS

1. It is assumed that title to the property herein appraised is good and merchantable, and in fee simple. The value is reported without regard to questions of title, boundaries, encroachments, environmental regulations, licenses, or other matters of a legal nature unless noncompliance has been stated, defined, and considered in the appraisal report.
2. The value is estimated under the assumption that there will be no international or domestic political, economic, or military actions that will seriously affect real estate values throughout the country.
3. Certain information concerning market and operating data was obtained from others. This information is verified and checked, where possible, and is used in this appraisal only if it is believed to be accurate and correct. However, such information is not guaranteed. Dimensions and areas of the Subject Property and of the comparables were obtained by various means and are not guaranteed to be exact.
4. Real estate values are influenced by a number of external factors. The information contained herein is all of the data we consider necessary to support the value estimate. We have not knowingly withheld any pertinent facts, but we do not guarantee that we have knowledge of all factors, which might influence the value of the Subject Property. Due to rapid changes in external factors, the value estimate is considered to be reliable only as of the date of the appraisal.
5. Opinions of value contained herein are estimates. This is the definition of an appraisal. There is no guarantee, written or implied, that the Subject Property will sell for the estimated value. The estimated value assumes that the property is under responsible ownership and has competent and prudent management.
6. The appraiser will not be required to provide testimony or attendance in court or before other legal authority by reason of this appraisal without prior agreement and arrangement between the employer and the appraiser.
7. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any opinions, analyses, or conclusions concerning value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or the M.A.I. or SRA Designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media, prospectus for securities, or any other public means of communication without prior written consent and approval of the undersigned.

Assumptions & Limiting Conditions, continued

8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable, except as stated in this report. No responsibility is assumed for such conditions or for engineering, which may be required to discover them. It is assumed that a prudent owner/buyer would allow inspection of the property by a qualified soils or structure engineer if conditions so required.
9. The distribution of the total valuation in this report between land and improvements applies only under the reported highest and best use of the land. The allocation of value for land and improvements, if presented, must not be used in conjunction with any other appraisal and are invalid if so used.
10. Estimates of costs to cure deferred maintenance are difficult at best. Contractors approach such problems in various ways. The estimates, if any, provided within this report are probable costs given current market conditions, available information, and the appraiser's expertise.
11. No environmental impact studies were requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, and/or rescind the value opinions based upon any subsequent environmental impact studies, research, or investigation.
12. This appraisal was prepared by Bryan E. Humphries & Associates and consists of trade secrets and commercial or financial information, which is privileged and confidential and is exempted from disclosure under 5 U.S.C. 552 (b) (4). Please notify Bryan E. Humphries & Associates of any request of reproduction of this appraisal.
13. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property or other environmental conditions, were not called to the attention of nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is

Assumptions & Limiting Conditions, continued

no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them.

14. Anyone acting in reliance upon the opinions, judgments, conclusions, or data contained herein, who has the potential for monetary loss due to the reliance thereon, is advised to secure an independent review and verification of all such conclusions and/or facts.

The user agrees to notify the appraiser prior to any irrevocable loan or investment decision of any error, which would reasonably be determined from a thorough and knowledgeable review.

15. By acceptance and use of this report, the user agrees that any liability for errors, omissions or judgment of the appraiser is limited to the amount of the fee charged.
16. The limiting condition relating to the ADA is as follows:

This appraisal has not considered the effects of the enactment of the Americans with Disabilities Act of 1990 (ADA), which initially became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. Standards of this act are designed to provide access to all public facilities to all persons, regardless of mobility limitations. The act provides forceful encouragement for commercial establishments to enhance their accessibility and requires that renovations after this date fully comply with the access standards established by the Architectural and Transportation Barriers Compliance Board. Enhancements to buildings must be readily achievable and able to be carried out without much difficulty or expense. The act recognizes that "readily achievable" is different for companies depending on their resources. The first priority is to provide access from sidewalks, parking and transportation areas, with the second priority being to provide access to areas where goods and services are available to the public. Finally, access to restroom facilities must accommodate all persons. The modifications and costs that may be necessary for the property to conform to ADA can be ascertained only by a qualified architect. Should such a study be undertaken, and should the retrofit costs, if any, become known, then the appraisers reserve the right to re-evaluate the Subject Property.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING ARTICLE II. PARK LAND DEDICATION OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That the Subdivision Regulations of the Code of Ordinances shall be amended in Article II. Park Land Dedication, which shall hereafter read in its entirety as follows:

"ARTICLE II. PARK LAND DEDICATION

Sec. 24-41. Purpose.

(a) This article [Ordinance Number 87-1] is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the City of Rockwall, Texas. This article is enacted in accordance with the Home Rule powers of the City of Rockwall, granted under the Texas Constitution, in statutes of the State of Texas, including but not by way of limitation, articles 974a and 1175. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

(b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of ten acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the City of Rockwall, Texas, and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the following requirements are adopted to effect the purposes stated. (Ord. No. 87-1, § I, 1-5-87)

Sec. 24-42. Definitions.

For the purposes of this article, the following definitions shall apply:

Develop (VJ): The act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Development (NJ): A parcel or tract of land proposed for subdivision in accordance with and as defined by the City of Rockwall Subdivision Ordinance.

Park development. The development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Recreational Improvements - Facilities: The park features set forth for a neighborhood park in the Activity Menu of the Park Plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the City Council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements - facilities.

Pro rata share of required dedication. The amount of land that shall be dedicated (or the acreage figure used to calculate cash in lieu of land donation) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: Pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 10 "acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit(s) is located.

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the Impact Fee Land Use Assumptions as set forth in Table 1, Park Dedication Acreage Factor per Dwelling Unit, below. (Ord. No. 87-1, § II, 1-5-87)

TABLE 1
PARK DEDICATION ACREAGE FACTOR PER DWELLING UNIT

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	653	.015
2	1151	.009
3	962	.010
4	1660	.006
5	1558	.007
6	978	.010
7	1282	.008
8	1856	.005
9	1524	.007
10	1041	.010
11	948	.011

12	2663	.004
13	728	.014
14	1940	.005
15	870	.015
16	728	.014
17	1235	.008
18	801	.012
19	1071	.009
20	699	.014
21	1473	.007
22	1598	.006
Total	27,419	

Sec. 24-43. General Requirement for SF-16, SF-10, SF-7, ZL-5, 2-F and MF-15, to be used for single-family, zero lot line, duplex, and/or apartment multi family residential purposes.

(a) Whenever a final plat is filed of record with the county clerk of Rockwall County for development of a residential area in accordance with the planning and zoning ordinances of the City of Rockwall, such plat shall contain a clear fee simple dedication of an area of land to the City of Rockwall for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the Park Master Plan. In addition, the developer shall make payment of money for pro-rata share and recreational improvement facilities as defined in this article. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.

(b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by Section 24-45(c) of this article, rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

(c) In instances where an area of less than six (6) acres but more than one acre is calculated to be the pro rata share of a development the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with Section 24-45(c) of this article after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the City determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by

expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.

(d) The dedication required by this article shall be made by filing of final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by Section 24-45(c) of this article, or by the conveyance of an entire numbered lot to the city. (Ord. No.87-1, § III, 1-5-87)

Sec. 24-44. Prior dedication; absence of prior dedication.

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section. (Ord. No. 87-1, § IV, 1-5-87)

Sec. 24-45. Money in lieu of land.

(a) Subject to the veto of the city council and the terms of Section 24-43 of this article, a land owner responsible for dedication under this article may elect to meet the requirements of Section 24-43 in whole or in part by a cash payment in lieu of land, in an amount set forth in Section 24-45(c). Such payment in lieu of land shall be made at or prior to final plat approval.

(b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of (1) the average price per acre of such land, and (2) the actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the Park Master Plan for neighborhood parks. Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

(c) To the extent that Section 24-45(b) is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the City. . Once established the Council shall adopt the value(s) by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the Park Master Plan. (Ord. No. 87-1, § V, 1-5-87)

Sec. 24-46. Dedication of more than the pro rata share of park land.

The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required park land area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with the City of Rockwall Subdivision Regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.

The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five (5) years from the date of dedication. (Ord. No. 87-1, § VI, 1-5-87)

Sec. 24-47. Special fund established; right to refund.

(a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."

(b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight (8) years from the date received by the city for acquisition and development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement; in writing, or such rights shall be barred. (Ord. No. 87-1, § VII, 1-5-87)

Sec. 24-48. Additional requirements and provisions.

(a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:

- (1) Any area located in the one hundred-year floodplain;
- (2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The above characteristics of park land dedication area may be grounds for refusal of a plat.

(b) Each park must have ready access to a public street.

(c) Unless provided otherwise herein, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five (5) members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.

(d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(e) This article shall become effective upon adoption by the city council. (Ord. No. 87-1, § VIII, 1-5-87)

Sec. 24-49. Review and updating park master plan.

The City of Rockwall Parks and Recreation Department shall consider the need to update the Park Master Plan at least annually to insure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Ord. No. 87-1, § XI, 1-5-87)

Sec. 24-50. Waiver of mandatory neighborhood park land dedication in the case of private developments.

If a development is proposed to be a private development where no public streets are dedicated for use by the public the city shall:

- (1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.
- (2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under Section 24-50(1) above.
- (3) Decrease the total acreage shown in the Park Master Plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under Section 24-50(1) above (for the purpose of future calculations of pro rata shares for future developments).
- (4) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of park land is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight foot wide trail.

(Ord. No. 87-1, § IX, 1-5-87)

Sec. 24-51. Waiver of article requirements by city council.

The city council of the City of Rockwall, Texas may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the City of Rockwall. (Ord. No. 87-13, § I, 3-16-87)"

Section 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction be subject to a fine in accordance with the general provisions of the Code of Ordinances.

Section 3. 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 4. That this ordinance shall take effect immediately from and after its passage and approval, and it is so ordained.

CITY OF ROCKWALL

ORDINANCE NO. 15-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AMENDING ARTICLE II, *PARK LAND DEDICATION*, OF CHAPTER 38, *SUBDIVISIONS*, OF THE CODE OF ORDINANCES AS SET FORTH HEREIN; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall has adopted a resolution updating the *Park District Map* and the *Park Land Dedication* ordinance needs to be codified to reflect these updates; and

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

Section 1. That Section 38-50 through Section 38-61 of Article II, *Parkland Dedication*, of Chapter 38, *Subdivisions*, of the Code of Ordinances, is heretofore amended, be and the same is hereby amended, which shall hereafter read in its entirety as follows:

Sec. 38-50. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Develop (V) means the act of subdividing a parcel or tract of land and installation of community facilities in accordance with and as defined by these subdivision regulations.

Development (N) means a parcel or tract of land proposed for subdivision in accordance with and as defined by these subdivision regulations.

Park Development means the development of a park site by construction of streets, drainage, utilities, and recreational improvements to serve a neighborhood park district.

Pro Rata Share of Required Dedication means the amount of land that shall be dedicated (*or the acreage figure used to calculate cash in lieu of land donation*) as prescribed within this article. The pro rata share of required dedication in a neighborhood park district shall be calculated as follows: pro rata share of required acreage dedication per new dwelling unit is the factor obtained when the 11-acre area of park is divided by the ultimate residential dwelling unit holding capacity for park district in which the unit is located.

Note: The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the *Impact Fee Land Use Assumptions* as set forth in *Table 1, Park Dedication Acreage Factor per Dwelling Unit*, below.

Table 1: Park Dedication Acreage Factor per Dwelling Unit

Park District	Ultimate Dwelling Unit Holding Capacity	Dwelling Unit Dedication Factor (Acre)
1	457	0.024
2	1,212	0.009
3	1,398	0.008
4	1,295	0.008
5	879	0.013
6	1,227	0.009
7	2,450	0.004
8	1,194	0.009
9	1,822	0.006
10	436	0.025
11	1,110	0.010
12	1,343	0.008
13	989	0.011
14	2,780	0.004
15	1,256	0.009
16	347	0.032
17	2,774	0.004
18	687	0.016
19	1,057	0.010
20	1,174	0.009
21	1,212	0.009
22	1,178	0.009
23	1,775	0.006
24	2,115	0.005
25	490	0.022
26	966	0.011
27	2,079	0.005
28	2,418	0.005
29	2,219	0.005
30	973	0.011
31	994	0.011
32	561	0.020
33	1,875	0.006
34	2,050	0.005
35	3,004	0.004

Recreational Improvements Facilities means the park features set forth for a neighborhood park in the activity menu of the park plan. A uniform cost shall be prepared annually for these features and adopted by resolution by the city council. The dedication factor shall be applied to this cost to determine the pro rata share per new dwelling unit for recreational improvements facilities.

(Code 1982, § 24-42; Ord. No. 87-1, § II, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999; Ord. No. 03-29, § 1, 9-2-2003; Ord. No. 05-04, § 1, 1-18-2005)

Sec. 38-51. Purpose

- (a) This article is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision development in the city. This article is enacted in accordance with the home rule powers of the city, granted under the state

constitution, in statutes of the state including, but not limited to, V.T.C.A., Local Government Code § 212.001 et seq. It is hereby declared by the city council that recreation areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding structures on existing residential property.

- (b) Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities, be a minimum of 11-acres, and be within convenient distances for a majority of the residents to be served thereby. Park districts are established by the official park plan for the city and shall be prima facie proof that any park located therein is within such convenient distance from any residence located therein. Primary cost of neighborhood parks shall be borne by the ultimate residential property owners, who, by reason of the proximity of their property to such parks, shall be the primary beneficiary of such facilities. Therefore, the requirements of this article are adopted to affect the purposes stated.

(Code 1982, § 24-41; Ord. No. 87-1, § I, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-52. Impact Fee Land Use Assumptions

The total number of residential units which a neighborhood park district is projected to have when fully developed shall be determined by the impact fee land use assumptions as set forth in Table 1 Park Dedication Acreage Factor per Dwelling Unit which is on file with the City Secretary's office.

(Code 1982, § 24-42; Ord. No. 87-1, § II, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999; Ord. No. 03-29, § 1, 9-2-2003; Ord. No. 05-04, § 1, 1-18-2005)

Sec. 38-53. General Requirements for SF-E, SF-1, SF-16, SF-10, SF-8.4, SF-7, ZL-5, 2-F and MF-14, to be Used for Single-Family, Zero Lot Line, Duplex, and/or Apartment/Multifamily Residential Purposes

- (a) Whenever a final plat is filed of record with the county clerk for development of a residential area in accordance with the planning and zoning ordinances of the city, such plat shall contain a clear fee simple dedication of an area of land to the city for park purposes, which area shall be equal to or greater than the property being subdivided's pro rata share of neighborhood park property required for the neighborhood park district in which the property being platted or subdivided is located as shown by the park master plan. Any proposed plat submitted to the city for approval shall show the area proposed to be dedicated under this article. The requirement for dedication under this article may be met by a payment of money in lieu of land when permitted or required by the other provisions of this article.
- (b) The city council declares the development of an area smaller than one acre for public park purposes to be impractical. Therefore, if less than one acre is calculated to be the pro rata share of a development plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount provided for by section 38-55(c), rather than dedicate any land area. No plat showing a dedication of less than one acre shall be approved.

- (c) In instances where an area of less than six acres but more than one acre is calculated to be the pro rata share of a development, the city council shall have the option of requiring land dedication or cash in lieu of land in accordance with section 38-55(c) after consideration of the recommendation of the planning and zoning commission and the parks and recreation board. If the city determines that sufficient park area is already in the public domain in the area of the proposed development or the neighborhood park district, or if the recreation potential for that zone would be better served by expanding or improving an existing park, dedication may also be refused and cash in lieu of land may, likewise, be required.
- (d) The dedication required by this article shall be made by filing of the final plat or contemporaneously by separate instrument. If the actual number of completed dwelling units exceeds the figures upon which the original dedication is based, additional dedication shall be required and shall be made by payment in lieu of land amount described by section 38-55(c), or by the conveyance of an entire numbered lot to the city.

(Code 1982, § 24-43; Ord. No. 87-1, § III, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-54. Prior Dedication; Absence of Prior Dedication

At the discretion of the city council, any former gift of land to the city may be credited on a per acre basis toward the eventual land dedication requirements imposed on the donor of such land. The city council shall consider recommendations of the planning and zoning commission and the parks and recreation board in exercising its discretion under this section.

(Code 1982, § 24-44; Ord. No. 87-1, § IV, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-55. Money in Lieu of Land

- (a) Subject to the veto of the city council and the terms of section 38-53, a landowner responsible for dedication under this article may elect to meet the requirements of section 38-53 in whole or in part by a cash payment in lieu of land, in an amount set forth in subsection (c) of this section. Such payment in lieu of land shall be made at or prior to final plat approval.
- (b) The city may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the city does purchase park land in a neighborhood park district and said land purchased is used to meet the need for a neighborhood park, subsequent land dedications for that district shall be in cash only and calculated on a pro rata share basis to reimburse the city's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of:
 - (1) The average price per acre of such land; and
 - (2) The actual cost of adjacent streets and site utilities, or an estimate of such actual costs provided by the city engineer and the recreation improvement costs for facilities as set forth in the park master plan for neighborhood parks.

Once the city has been reimbursed entirely for all park land within a park zone, this section shall cease to apply and the other sections of this article shall be applicable.

- (c) To the extent that subsection (b) of this section is not applicable, the dedication requirements shall be met by a cash payment in lieu of land on the basis of a per acre price. Said per acre price shall be determined annually by the city council and shall be based on current land values within the city. Once established the council shall adopt the value by resolution for appreciation as required in this subsection. Cash payments may be used only for acquisition or improvement of neighborhood parks located within the same neighborhood park district as the development in accordance with the park master plan.

(Code 1982, § 24-45; Ord. No. 87-1, § V, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-56. Dedication of more than the Pro Rata Share of Parkland

- (a) The developer of a residential subdivision which is subject to the terms of this article may dedicate more land than the pro rata share calculated for the development if approved by the city council. If the developer dedicates an amount equal to or greater than the total required parkland area for the neighborhood park district in which his subdivision is located, the city and the developer shall execute a pro rata refunding agreement in accordance with these subdivision regulations which shall recover the cost of land dedicated in excess of the developer's pro rata share after streets, drainage, and utilities are constructed on the dedicated property.
- (b) The developer shall install the streets, drainage, and utilities to serve the neighborhood park, and the cost of same shall be included in the pro rata refunding agreement. The pro rata refunding agreement shall provide that future developers in the same neighborhood park district shall pay their pro rata share of the actual cost of park development which shall be calculated based on the per acre cash in lieu of land cost in effect at the time of dedication, plus the costs of streets, drainage, utilities, and recreational facilities installed to serve the dedicated neighborhood park. The cost of streets, drainage and utilities installed to serve the park shall be certified by the city engineer. In no case shall the developer receive pro rata payments after he has recovered an amount equal to the number of acres actually dedicated in excess of his pro rata share multiplied by the per acre cash in lieu of land figure in effect at the time of actual dedication, plus the costs of streets, drainage, and utilities as certified by the city engineer necessary to serve the neighborhood park. In no case shall the term of any pro rata agreement provided by this article be for a period in excess of five years from the date of dedication.

(Code 1982, § 24-46; Ord. No. 87-1, § VI, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-57. Special Fund Established; Refunds

- (a) There is hereby established a special fund for the deposit of all cash funds in lieu of land dedication under this article, which fund shall be known as the "Park Land Dedication Fund."
- (b) The city shall account for all sums paid in lieu of land dedication under this article referenced to individual plats involved. Any funds paid for such purposes must be expended by the city within eight years from the date received by the city for acquisition and development of a neighborhood park as defined in this article. Such funds shall be considered to be spent on a first/in first/out basis. If not so expended,

the owners of the property on the last day of such period shall be entitled to a pro rata refund of such funds, calculated on a square footage basis. The owners of such property must request such refund within one year of entitlement, in writing, or such rights shall be barred.

(Code 1982, § 24-47; Ord. No. 87-1, § VII, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-58. Additional Requirements and Provisions

- (a) Any land dedicated to the city under this article shall be suitable for park and recreation use. The following characteristics of a proposed area are generally unsuitable:
- (1) Any area located in the 100-year floodplain;
 - (2) Any area of unusual topography or slope which renders same unusable for organized recreational activities.

The characteristics of the parkland dedication area mentioned in this subsection may be grounds for refusal of a plat.

- (b) Each park must have ready access to a public street.
- (c) Unless provided otherwise in this article, action by the city shall be by the city council after consideration of the recommendations of the planning and zoning commission and the parks and recreation board. Any proposal considered by the planning and zoning commission under this article shall have been reviewed by the parks and recreation board and its recommendation given to the commission. The commission may make a decision contrary to such recommendation only by a vote of at least five members. Should the commission be unable to get this vote, the matter shall then be referred to the city council for final decision.
- (d) If any provision of this article or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(Code 1982, § 24-48; Ord. No. 87-1, § VIII, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-59. - Review and Updating Park Master Plan

The city parks and recreation department shall consider the need to update the park master plan at least annually to ensure that the plan remains current and provides an equitable, effective framework from which to pursue the acquisition and development of neighborhood park services for each neighborhood park district.

(Code 1982, § 24-49; Ord. No. 87-1, § XI, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-60. Waiver of Mandatory Neighborhood Parkland Dedication in the Case of Private Developments

- (a) If a development is proposed to be a private development where no public streets are dedicated for use by the public, the city shall:

- (1) Calculate the pro rata share of the proposed private development as if it were to be a development where public streets were to be dedicated.
 - (2) Waive the requirement for mandatory dedication if the private amenities of the proposed development meet or exceed the calculated pro rata share as calculated under subsection (a)(1) of this section.
 - (3) Decrease the total acreage shown in the park master plan as being required to meet the ultimate need for neighborhood parks in the applicable neighborhood park district by the acreage calculated under subsection (1) of this section (for the purpose of future calculations of pro rata shares for future developments).
- (b) In a private development within a park district or a private development encompassing an entire park district, the park property within the private development must be easily accessible to the general public either through the use of the city trail system or public roadways. If the private development encompasses the entire park district and the ten acres of parkland is not continuous, each separate section of park property must be accessible to the general public and connected by way of a minimum eight-foot-wide trail.

(Code 1982, § 24-50; Ord. No. 87-1, § IX, 1-5-1987; Ord. No. 99-20, § 1, 6-7-1999)

Sec. 38-61. Waiver of Article Requirements by City Council

The city council may waive the requirements of this article upon a finding by the city council that said waiver is clearly in the best interest of the city.

(Code 1982, § 24-51; Ord. No. 87-13, § I, 3-16-1987; Ord. No. 99-20, § 1, 6-7-1999)

Section 2. That any person, firm or corporation who violates any provision of this ordinance or who fails to obtain a special event permit shall be deemed guilty of a misdemeanor and upon conviction thereof, in the Municipal Court of Rockwall, TX, shall be subject to a fine in accordance with the general provisions of the Code of Ordinances;

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict;

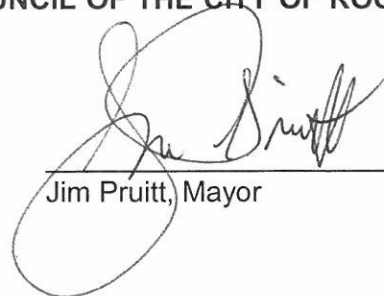
Section 4. That the Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance;

Section 5. That should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable;

Section 6. That it is hereby found and determined that the meeting at which this ordinance was passes was open to the public as required by *Section 551.001 et seq., Texas Government Code*, and that advance public notice of the time, place and purpose of said meeting was given;

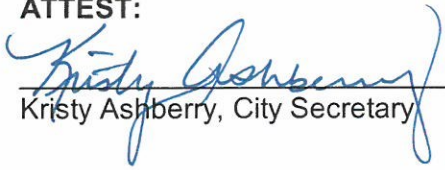
Section 7. That this Ordinance shall take effect immediately upon its second reading and newspaper publication as required by the *City Charter, Section 3.11*;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 1ST DAY OF JUNE, 2015.



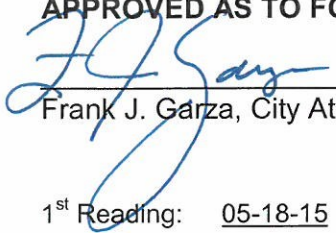
Jim Pruitt, Mayor

ATTEST:



Kristy Ashberry, City Secretary

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: 05-18-15

2nd Reading: 06-01-15



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Park Board

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: March 2, 2021

SUBJECT: Park Land Dedication Fee Ordinance

A component of our Mandatory Park Land Dedication Ordinance is the cash in lieu of land fee. This fee is applied when the Park Board feels that it is in the best interest of the City to accept cash-in-lieu of land for neighborhood parkland. According to our Mandatory Parkland Dedication Ordinance, the Park Board shall annually make a recommendation to the City Council and Council will set the fee by resolution. The fee is based on the average cost of neighborhood park land across the entire City.

Bryan E. Humphries and Associates completed their appraisal in January of 2021 to determine the average cost per acre of land and provided a final report. To establish comparable parcels, the properties evaluated must have easy access to utilities, public street, not be within the 100 year flood plain and not possess any unusual topography rendering the land useless for organized recreational activities. According to Mr. Humphries' report, the average cost of one acre of neighborhood park land with the above restrictions within the City limits is \$60,000.

Each year the cost to develop an 11 acre neighborhood park should be considered and set by Council resolution as well. It is currently set at \$1,250,000. Staff does see that this needs to be increased to \$1,285,000 for 2021. I have attached the appraisal letter completed by Mr. Humphries. \$625,000.00 would be the "per neighborhood park" cost to be used in calculation of pro-rata neighborhood park development equipment fees associated with the developer's share of the park. Ordinance and Resolutions are attached in the packet for your review.

At the March meeting, Park Board voted unanimously to recommend that Council set the per acre price of park land by resolution in the amount of \$60,000. Park Board also voted unanimously to recommend that the neighborhood park cost be set at \$625,000. Staff will be available to answer any questions. Parks and Recreation Staff request that the City Council review and consider this request.



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

CC Mary Smith, Interim City Manager
Joey Boyd, Assistant City Manager

FROM: Travis E. Sales, Director of Parks and Recreation

DATE: March 15, 2021

SUBJECT: Park Land Dedication Fee Ordinance

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CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 21-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ESTABLISHING THE “COST PER ACRE” TO BE USED IN CALCULATION OF A NEW DEVELOPMENT’S PRO RATA SHARE CONTRIBUTION FOR NEIGHBORHOOD PARK LAND; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall desires to provide a park system which includes adequately sized and appropriately equipped Neighborhood Parks, and

WHEREAS, the City of Rockwall has adopted a Park and Recreation Master Plan designed to facilitate development of its Park Systems, and

WHEREAS, in Chapter 38. “Subdivisions” Article II. “Parkland Dedication” of the Code of Ordinances, the City of Rockwall has adopted Mandatory Neighborhood Parkland Dedication Ordinance, designed to facilitate participation by developers (on a pro-rata basis) in acquisition and development of neighborhood parks, and

WHEREAS, said ordinance provisions provide that the City Council shall annually adopt a resolution establishing the “cost per acre” to be used in calculation of a new development’s pro rata share contribution for neighborhood park land;

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

Section 1. Based upon a recommendation of the City of Rockwall Parks and Recreation Board, \$60,000.00 is hereby adopted as the “cost per acre” park development cost to be used in calculation of pro-rata neighborhood park development matters;

Section 2. This resolution shall be in force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS 15th day of MARCH, 2021.

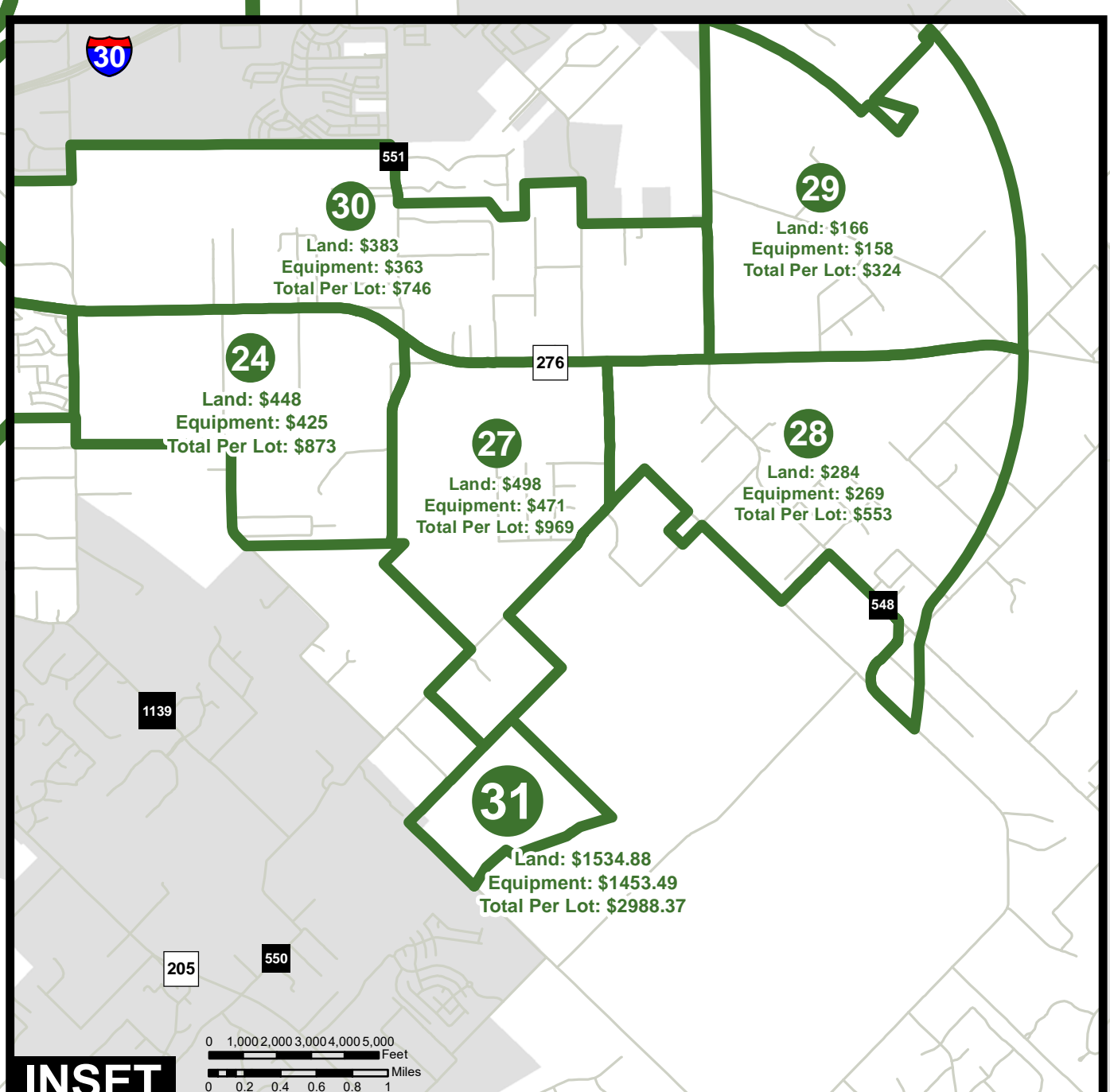
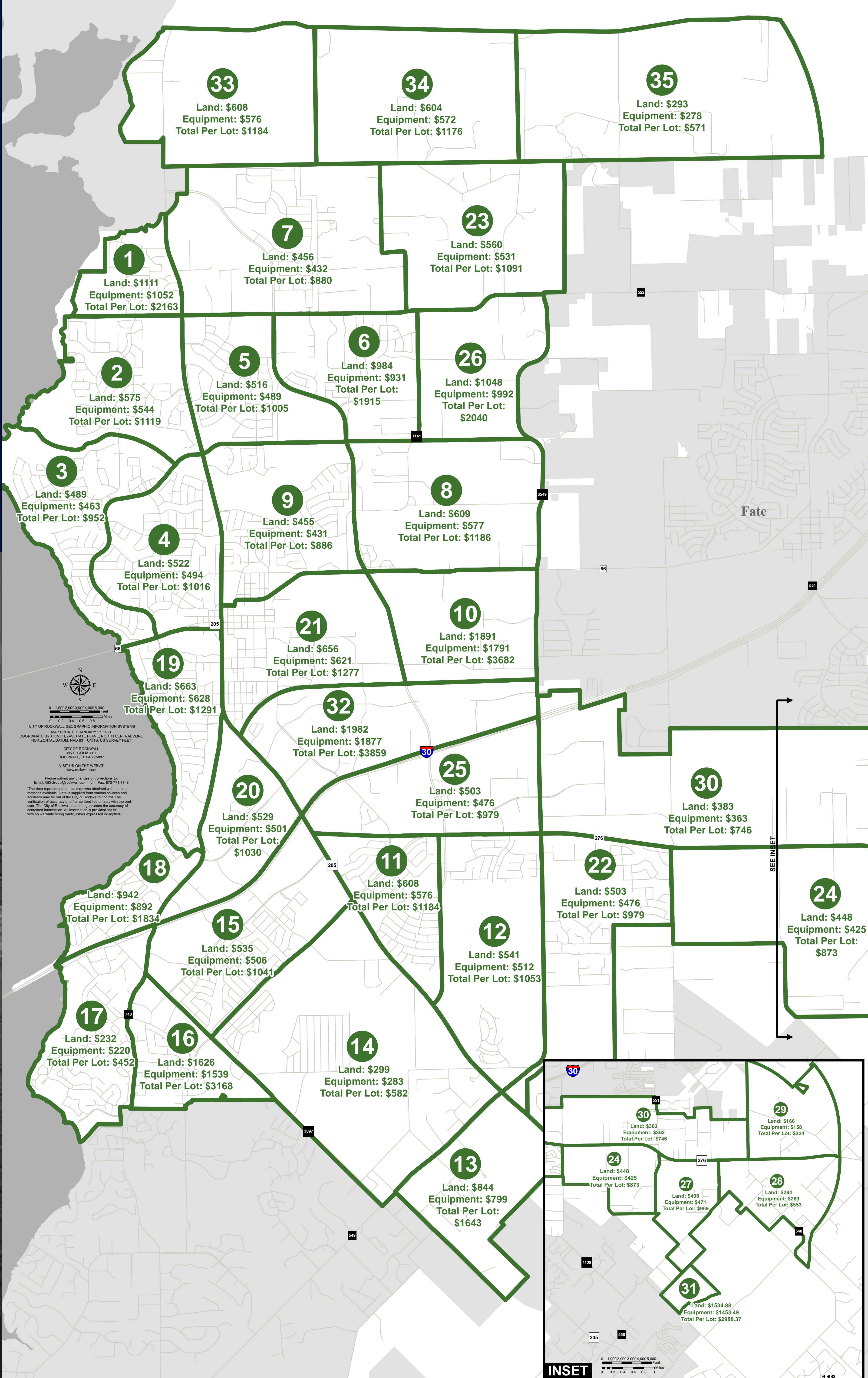
Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

PARK LAND DEDICATION FEE MAP

2021





City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Councilmembers
FROM: Bethany Browning, Main Street Manager/Community Relations
DATE: March 15, 2021
SUBJECT: Mural Approval

Brief:

Brittany Hardin, owner of Bonafide Betties Pie Co., is seeking approval to install a mural at her business, located at 109 E. Washington Street (Downtown). Ms. Hardin plans to open in her new location in late April. She has submitted building plans to renovate both the interior and exterior of the property. Ms. Hardin signed a 5-year lease with the owner, Zach Shipley.

Mural Description:

Ms. Hardin commissioned Andrea Holmes to create and install the artwork on the south (fronts Washington Street) and east (Plaza) facades. The mural content is a representation of Bonafide Betties brand. The artwork is attached for your review. Please note the mural background will be in the color “Waterloo” not in black as shown in the attachment. Ms. Hardin will bring a color swatch sample of the Waterloo with her to the Council meeting.

For Councilmembers Consideration:

- The City’s Art Commission reviewed Ms. Hardin’s mural request at their March meeting and voted to recommend the mural for the Council’s final approval. The mural does not contain Ms. Hardin’s business name; therefore, it is public art and requires Council approval. This is a privately funded project.

Business Owner: <https://www.bonafidebettiespieco.com/>

Muralist: <https://www.aholmesartstudio.com/>

Art Board Members

Kathleen Morrow
Doug Agee
Ginger Womble
Chris Kosterman

The exterior and masonry and trim will be painted in “Waterloo” color.

The mural background will be in Waterloo.





MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: March 15, 2021

SUBJECT: Z2021-002; SPECIFIC USE PERMIT (SUP) FOR SELF-SERVICE CAR WASH AT 3611 N. GOLIAD STREET

Attachments

Memorandum
P&Z Memorandum from March 9, 2021
Concept Landscape Plan
Concept Plan
Landscape Plan
Building Elevations
City Council Packet from March 1, 2021
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* allowing a *Self Service Car Wash and Auto Detail* on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [SH-205], and take any action necessary (**1st Reading**).

Action Needed

The City Council is being asked to approve, approve with conditions, or deny the Specific Use Permit (SUP) request. This request will require a super-majority vote (*i.e. six [6] out of the seven [7] City Council members*) for approval.



CITY OF ROCKWALL
CITY COUNCIL MEMORANDUM

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

TO: Mayor and City Council

CC: Mary Smith, *Interim City Manager*
Joey Boyd, *Assistant City Manager*
Ryan Miller, *Director of Planning and Zoning*

FROM: David Gonzales, *Planning and Zoning Manager*

DATE: March 15, 2021

SUBJECT: Z2021-002; *Specific Use Permit (SUP) for Self-Service Car Wash at 3611 N. Goliad Street*

On March 1, 2021, the City Council remanded Case No. Z2021-002 back to the Planning and Zoning Commission for consideration of new evidence (*i.e. Concept Plan and the Sound Study that does not comply with the City's ordinance*) that was provided to the City Council that had not been considered by the Planning and Zoning Commission during the February 9, 2021 public hearing. On March 9, 2021, the Planning and Zoning Commission held a second public hearing at the direction of City Council for the purpose of re-reviewing the case with the new evidence. Prior to the meeting, staff had reviewed the materials submitted by the applicants for compliance with the Unified Development Code (UDC) and the Municipal Code of Ordinances and provided the Planning and Zoning with a brief synopsis of deficiencies in the documents. A summary of these deficiencies is provided in the attached memorandum that was provided to the Planning and Zoning Commission on March 9, 2021. Staff should note that during the public hearing the applicant indicated they are currently working on a new sound study that is specific to the subject property; however, based on the new evidence and the information provided by the applicant, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 5-0 with Commissioners Womble and Deckard absent. Since this case is being recommended for denial, it will require a super-majority vote or six (6) out of the seven (7) members of the City Council for approval. Should the City Council have any questions concerning this case, staff and the applicant will be available at the March 15, 2021 meeting.



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

FROM: David Gonzales, *Planning and Zoning Manager*

DATE: March 9, 2021

SUBJECT: Z2021-002; *Specific Use Permit (SUP) for Self-Service Car Wash at 3611 N. Goliad Street*

On March 1, 2021, the City Council remanded *Case No. Z2021-002* back to the Planning and Zoning Commission. The catalyst for this action, as cited by the City Council, was the submission of additional documentation provided by the applicant that was not considered by the Planning and Zoning Commission, and the realization by staff that the submitted sound studies did not comply with Article IV, *Noise*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances (*this fact was not conveyed to the Planning and Zoning Commission at the time of their consideration*). According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), “(n)ew matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council ... [in] the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council ... the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence.” The applicant has contended that the submitted information was provided in response to the Planning and Zoning Commission’s recommendation; however, staff found the exhibits to lack conformance to the City’s code requirements. After a conversation with staff the applicant again revised the exhibits and resubmitted them for consideration by the Planning and Zoning Commission. Based on the materials submitted after the City Council meeting, staff has identified the following issues:

- (1) Noise. According to Section 16-183, *Limits on Environmental Sound Levels*, of the Municipal Code of Ordinances, the highest readings permitted within a commercial or agricultural land use district is 72 dbA (62 dbA ambient) from 7:00 AM to 10:00 PM and 67 dbA (57 dbA ambient) from 10:00 PM to 7:00 AM. According to the sound study for the proposed 10 HP and 15 HP vacuums, the readings for vacuums with and without sound attenuation range between 79.5 dbA and 95.8 dbA (*all of which exceed the City’s maximum sound requirements*). In addition, another sound study was submitted that the applicant indicated is from a comparable site in Barrie, Ontario. This study shows that the sound during peak hours (*i.e. 12:32 PM – 1:49 PM*) ranges from 73.2 dbA to 92.1 dbA, which is in excess of the City’s maximum sound requirements. Staff should note that this is the same sound study that was originally provided to Planning and Zoning Commission. The applicant has stated that they are providing an updated sound study that will show compliance; however, as of the time of this case memo staff had not received any updates.
- (2) Building Elevations. The applicant has submitted new buildings elevations showing the incorporation of a pitched roof, which does appear to conform to the *General Overlay District Requirements* stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC); however, the roof is not visible from the front or rear of the building and the elements that remain in these areas do not conform to the articulation requirements stipulated by the *General Commercial District* standards contained in the same article.
- (3) Side Yard Setback. The minimum side yard setback for a property in a General Retail (GR) District is ten (10) feet. In this case, the applicant’s proposed building is 6.8-feet from the southern property line. This is permissible if the applicant incorporates a fire rated wall along the entire southern façade of the proposed building. This is also significant because this would put the tunnel less than ten (10) feet from this property line, and according to the sound study provided by the applicant this is the location that produced the largest dbA value (*i.e. 92.1 dbA*). This means that the proposed development will most likely not be able to meet the City’s sound requirements if the building is situated as it is depicted on the concept plan.

- (4) Screening. The screening plan provided by the applicant do not appear to meet the recommendation provided by the Planning and Zoning Commission. Specifically, the Planning and Zoning Commission asked that the tunnel be screened by three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*). These three (3) rows of shrubs are supposed to be stacked in front of each other to create a thick vegetative screen; however, the screening depicted on the concept plan does not show this is being achieved. Staff should also point out that this is primarily due to the parking provided adjacent to SH-205, which only allows a two (2) foot area for the planting of trees and shrubs, and does not provide a sufficient amount of space to provide three (3) tiered screening.

In addition to these deficiencies, the tunnel of the carwash is still not in compliance with the land use requirements stipulated in Article 04, *Permissible Uses*, of the Unified Development Code (UDC). Staff should note that this was specifically cited as an issue for the City Council in their motion to remand the case back to the Planning and Zoning Commission. Should the Planning and Zoning Commission have any questions concerning this case, staff and the applicant will be available at the March 9, 2021 meeting.



Rockwall Car Wash - CONCEPTUAL LANDSCAPE

3611 N. GOLIAD STREET | ROCKWALL, TEXAS

MARCH 4, 2021



LOT 27, BLOCK C
HARLAN PARK -
PHASE TWO
CAB. C, SLD. 266
P.R.R.C.T.

LOT 28, BLOCK C
HARLAN PARK -
PHASE TWO
CAB. C, SLD. 266
P.R.R.C.T.

LOT 29, BLOCK C
HARLAN PARK -
PHASE TWO
CAB. C, SLD. 266
P.R.R.C.T.

LOT 30, BLOCK C
HARLAN PARK - PHASE TWO
CAB. C, SLD. 266
P.R.R.C.T.

SITE DATA

PROJECT NAME: CAR WASH USA EXPRESS OF ROCKWALL, TX
 SITE ADDRESS: 3611 N. GOLLAD ST. ROCKWALL, TX
 TOTAL PARCEL AREA: ±0.894 AC
 JURISDICTION: CITY OF ROCKWALL
 ZONING: GR - GENERAL RETAIL
 INTENDED USE: CAR WASH
 EXISTING USE: VACANT
 FLOOD ZONE: MAP 48397C0030L DATED SEPTEMBER 26, 2008

SETBACKS:
 FRONT: 15 FT.
 REAR: 0 FT. (W/ FIRE RETARDANT WALL)
 SIDE: 0 FT. (W/ FIRE RETARDANT WALL)

PARKING CALCULATIONS

PARKING PROVIDED: 19 SPACES (15 VACS)

SITE NOTES

- THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EXISTING IMPROVEMENTS AND TREES AND OTHER DEBRIS WITHIN THE LIMITS OF THE WORK FROM THE SITE. THE BURIAL OF TREES AND OTHER DEBRIS ON-SITE WILL NOT BE ALLOWED.
- ALL CONSTRUCTION ACTIVITIES/WORK SHALL COMPLY WITH ALL GOVERNING JURISDICTIONS, STATE OF TEXAS, AND FEDERAL CODES AND ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY THE OWNER.
- ALL WORK SHALL BE PERFORMED IN A FINISHED AND WORKMANLIKE MANNER TO THE ENTIRE SATISFACTION OF THE OWNER, AND IN ACCORDANCE WITH THE BEST RECOGNIZED TRADE PRACTICES.
- ALL MATERIALS SHALL BE NEW UNLESS USED OR SALVAGED MATERIALS ARE AUTHORIZED BY THE OWNER PRIOR TO USE.
- ALL WORK PERFORMED ON CITY, COUNTY, AND/OR STATE OR FEDERAL RIGHT-OF-WAY SHALL BE IN STRICT CONFORMANCE WITH APPLICABLE STANDARDS AND SPECIFICATIONS OF THE APPROPRIATE GOVERNING AGENCIES.
- PRIOR TO COMMENCEMENT OF CONSTRUCTION BUILDING DIMENSIONS SHALL BE COORDINATED AND CHECKED WITH THE ARCHITECTURAL PLANS.
- ALL DISTURBED AREAS WITHIN SIDEWALK/ CURB AND GUTTER/ ROAD PAVEMENT SHALL BE RESTORED TO ITS ORIGINAL OR BETTER CONDITIONS.
- ALL DIMENSIONS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED.
- ALL SIDEWALKS SHALL HAVE A WIDTH OF 5 FEET, UNLESS OTHERWISE NOTED.

SIGN KEYNOTES

- (S1) TRUCK OWNER'S SIGN
- (S2) ILLUMINATED MONUMENT SIGN
- (S3) TUNNEL EXIT LIGHT
- (S4) 'COME BACK SOON' SIGN
- (S5) 'FREE VACUUM' SIGN

PAY KIOSK KEYNOTES

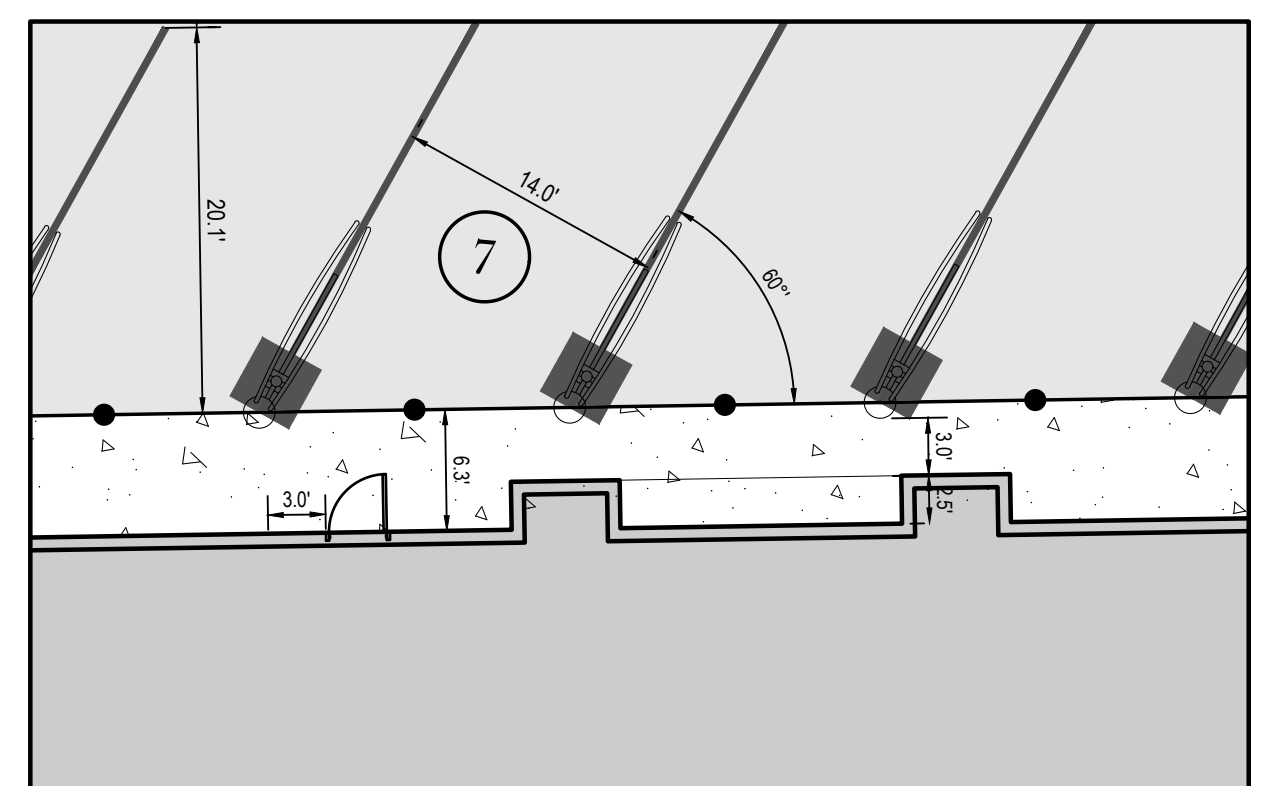
- (X1) PAY STATION CANOPY. REFERENCE ARCH PLANS FOR DETAILS.
- (X2) XPT MENU BOARD. REFERENCE ARCH PLANS FOR DETAILS.
- (X3) KIOSK. REFERENCE ARCH PLANS FOR DETAILS.
- (X4) FAST PASS READER. REFERENCE ARCH PLANS FOR DETAILS.
- (X5) GATE. REFERENCE ARCH PLANS FOR DETAILS.

LEGEND

- (Grey Box) PROPOSED CONCRETE PAVEMENT SIDEWALK (SEE DETAIL THIS SHEET)
 - (Dashed Line) PROPOSED CONCRETE SIDEWALK
 - (Dashed Line) BUILDING SETBACK
 - (Circle with 10) PARKING SPACE COUNTER
- NOTE: LIGHTER SHADE DENOTES EXISTING CONDITION.

SITE FEATURES KEYNOTES

- (A1) RHINO-MAT WASH STATION WITH GUM WALL. REFERENCE ARCH SITE DETAILS.
- (A2) VACUUM EQUIPMENT. REFERENCE ELECTRICAL DETAILS.
- (A3) VENDING MACHINE. REFERENCE ARCH PLANS FOR DETAILS.
- (A4) GUM DUMPSTER ENCLOSURE. REFERENCE ARCH PLANS FOR DETAILS.
- (A5) VACUUM CANOPY. REFERENCE ARCH PLANS DETAILS.
- (C1) PAVEMENT MARKINGS. REFERENCE SHEET C-4 FOR DETAILS.
- (C2) PAD MOUNTED TRANSFORMER. REFERENCE SHEET C-4 FOR DETAILS.
- (C3) WHEEL STOP. REFERENCE SHEET C-4 FOR DETAILS.
- (C4) ACCESSIBLE SIGN IN BOLLARD. REFERENCE SHEET C-4 FOR DETAILS.
- (C5) 4" WHITE STRIPING. REFERENCE SHEET C-4 FOR DETAILS.
- (C6) BOLLARD TYPE I. REFERENCE SHEET C-4 FOR DETAILS.
- (C7) BARRIER FREE RAMP. REFERENCE SHEET C-4 FOR DETAILS.
- (C8) ACCESSIBLE PARKING. REFERENCE SHEET C-4 FOR DETAILS.
- (C9) WATER RECLAMATION SUMP. REFERENCE MEP DETAILS.
- (C10) SAND AND OIL INTERCEPTOR. REFERENCE MEP DETAILS.
- (C11) BOLLARD TYPE II. REFERENCE SHEET C-4 FOR DETAILS.
- (C12) 4" SOLID WHITE LANE STRIPE.
- (C13) PROPOSED FIRE HYDRANT



DETAIL 'A'
SCALE: 1" = 10'

CAI
 CARTER ASSOCIATES, INC.
 CONSULTING ENGINEERS
 AND LAND SURVEYORS
 1708 21ST STREET
 VERO BEACH, FL 32960
 TEL: 0789 562-4191
 EMAIL: Trevor@CarterAssoc.com

BOING US HOLDCO, INC
 dba "CAR WASH USA EXPRESS"
 6300 S SYRACUSE WAY #205
 CENTENNIAL, CO 80111
 EMAIL: LISAWHITE@BOING.COM
 TEL: (214) 208-0339

NO.	REVISION	DATE

TAKE 5 EXPRESS CAR WASH
 3611 N. GOLLAD STREET
 ROCKWALL, TX 75087

STATE OF TEXAS
 TREVOR STUBBS
 138964
 LICENSED PROFESSIONAL ENGINEER

TREVOR STUBBS, P.E.
 TX LIC. NO. 138964
 CARTER ASSOCIATES, INC.
 COA 205 / LB 205

DATE: 3/3/21
 PROJ. #: 20-419 E
 DRAWN BY: TGS
 DATUM: SEE SURVEY
 REF. #: SEE SURVEY
 F.B. & PG.: SEE SURVEY

SHEET TITLE:
SITE PLAN

SHEET
C-3

DWG. NO.:

Mar. 3, 21, 3:38 PM P:\20-419E-CAR WASH\TX\Map\20-419E-C-3.dwg: ang, Siba, Hahn, Trevor, Stubbs



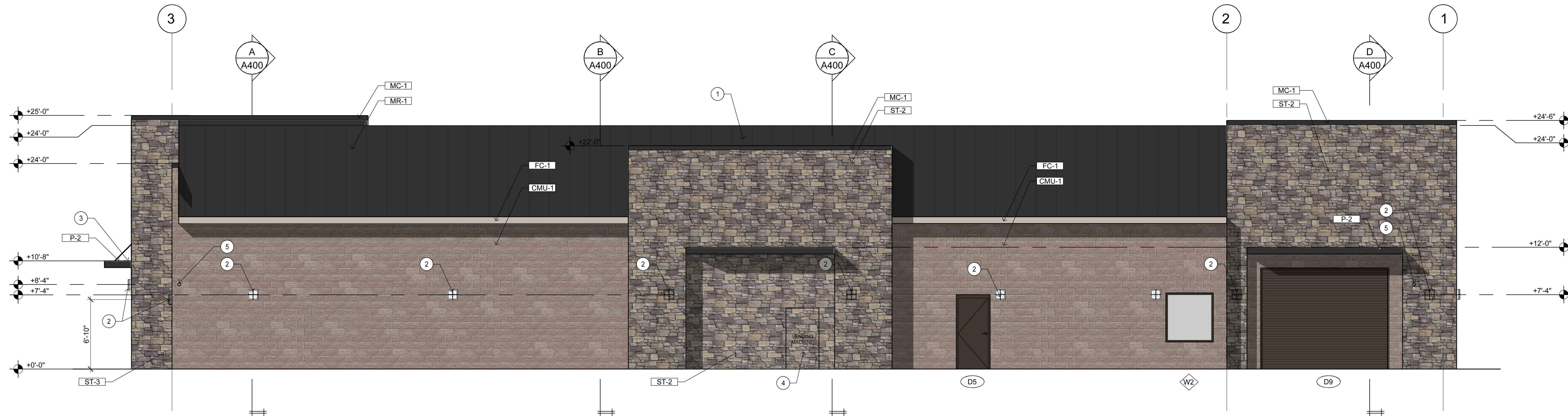
DATE	DESCRIPTION	DELTA
XX-XX-XX		1 X
XX-XX-XX		2 X
XX-XX-XX		3 X
XX-XX-XX		4 X
XX-XX-XX		5 X
XX-XX-XX		6 X

TAKE 5 CAR WASH
 NORTH GOLIAD STREET
 ROCKWALL, TX

ARCHITECT:
NEPTUNE
 DESIGN STUDIO

ENGINEER:

STAMPS



NORTH ELEVATION
 3/16" = 1'-0" 1



SOUTH ELEVATION
 3/16" = 1'-0" 2

EXTERIOR MATERIAL AND FINISH SCHEDULE							
MARK	DESCRIPTION	MANUFACTURER	MODEL/STYLE	SIZE	COLOR	FINISH	REMARKS
CMU-1	CONCRETE MASONRY UNIT	ESHELON	SPLIT FACE	8X8X16	APACHE BROWN	-	REFER TO STRUCTURAL FOR MATERIAL SPECIFICATIONS
MR-1	METAL ROOFING	FIRESTONE	UNA-CLAD	-	CHARCOAL GRAY	-	
FC-1	ROOF FASCIA	JAMES HARDIE	HARDI	-	CREAM	-	
MP-1	METAL PANEL(SOFFIT)	FIRESTONE	UNA-CLAD UC-501	-	ELECTRIC BLUE	-	
MC-1	METAL COPING	METAL-ERA	PERMA-TITE	-	DARK BRONZE	-	TAPERED
P-1	EXTERIOR PAINT	SHERWIN WILLIAMS	PER SUBSTRATE	-	SW6539 SOOTHING WHITE	SEE REMARKS	WALLS: PAINT SPECIFICATIONS #1
P-2	EXTERIOR PAINT	SHERWIN WILLIAMS	PER SUBSTRATE	-	SW6991 BLACK MAGIC	SEE REMARKS	CANPOIES: PAINT SPECIFICATION #5 DOORS AND FRAMES: PAINT SPECIFICATION #5
F-1	SHADE FABRIC - VACUUM ARCHES	POLYFAB	COMTEX	-	865227 RED	-	RESPONSIBILITY
PC-1	POWDER COAT - VACUUM ARCHES	CARDINAL PAINTS VIA VACUTECH	-	-	SILVER METALLIC 30 GLOSS T353-GR08	-	FACTORY POWDER COATED
PC-2	POWDER COAT - TSS CANOPY	TSS	-	-	BLUE	-	FACTORY POWDER COATED
H-1	VACUUM HOSE	VACUTECH	-	-	RED	-	
ST-1	STONE WALL CAP	MODERN PRE-CAST	FLAT COPING	8"	CHARCOAL	-	
ST-2	CULTURED STONE	ELDORADO	LUCERA	VARIES	TAN/STONE	-	
ST-3	NATURAL STONE	TBD	TBD	12"	NATURAL	-	

REFER TO SHEET A803 FOR FINISH SPECIFICATIONS

EXTERIOR FINISHES
 N.T.S

KEYNOTES

- ① METAL ROOF 6:12 PITCH
- ② EXTERIOR LIGHT FIXTURE "W". REFER TO E500 FOR LIGHT FIXTURE SCHEDULE.
- ③ PAINTED STEEL CANOPY.
- ④ VENDING MACHINE. FURNISHED AND INSTALLED BY OWNER'S CONTRACTOR. REFER TO ELECTRICAL FOR POWER AND DATA REQUIREMENTS.
- ⑤ SECURITY CAMERA. FURNISHED AND INSTALLED BY OWNER'S CONTRACTOR. REFER TO E301 FOR CONDUIT REQUIREMENTS
- ⑥ ROOF DRAIN LEADER AND OVERFLOW OUTLETS

GENERAL NOTES

- A. CONTRACTOR TO COORDINATE WITH FIRE MARSHALL FOR REQUIREMENTS OF ADDRESS NUMBER.
- B. BUILDING SIGNAGE UNDER SEPARATE PERMIT. CONTRACTOR TO OBTAIN FINAL SIGNAGE DRAWINGS FOR CONFIRMATION OF ELECTRICAL ROUGH-IN PRIOR TO THE COMMENCEMENT OF WORK. SEE ELECTRICAL.
- C. REFER TO E301 FOR SECURITY PLAN. COORDINATE FINAL LOCATIONS OF CAMERAS WITH THE OWNER PRIOR TO THE COMMENCEMENT OF WORK.
- G. UNLESS NOTED OTHERWISE, MASONRY CONTROL JOINTS SHALL BE LOCATED SUCH THAT NO STRAIGHT RUN OF MASONRY WALL EXCEEDS 24'-0". REFER TO GENERAL STRUCTURAL NOTES ON S100.
- F. REFER TO DOOR AND WINDOW SCHEDULE ON A802 FOR DOOR AND FRAME FINISHES AND WINDOW GLASS TYPE AND FRAME FINISHES.

SHEET TITLE
EXTERIOR ELEVATIONS
 PROJECT NUMBER
20-018
 DATE 01.14.2021
 SCALE AS NOTED
 DRAWN TMS
 CHECKED JDE
 SHEET NO

A300



DATE	DESCRIPTION	DELTA
XX-XX-XX	1 X	
XX-XX-XX	2 X	
XX-XX-XX	3 X	
XX-XX-XX	4 X	
XX-XX-XX	5 X	
XX-XX-XX	6 X	

TAKE 5 CAR WASH

NORTH GOLIAD STREET
ROCKWALL, TX

ARCHITECT:
NEPTUNE
DESIGN STUDIO

ENGINEER:

STAMPS

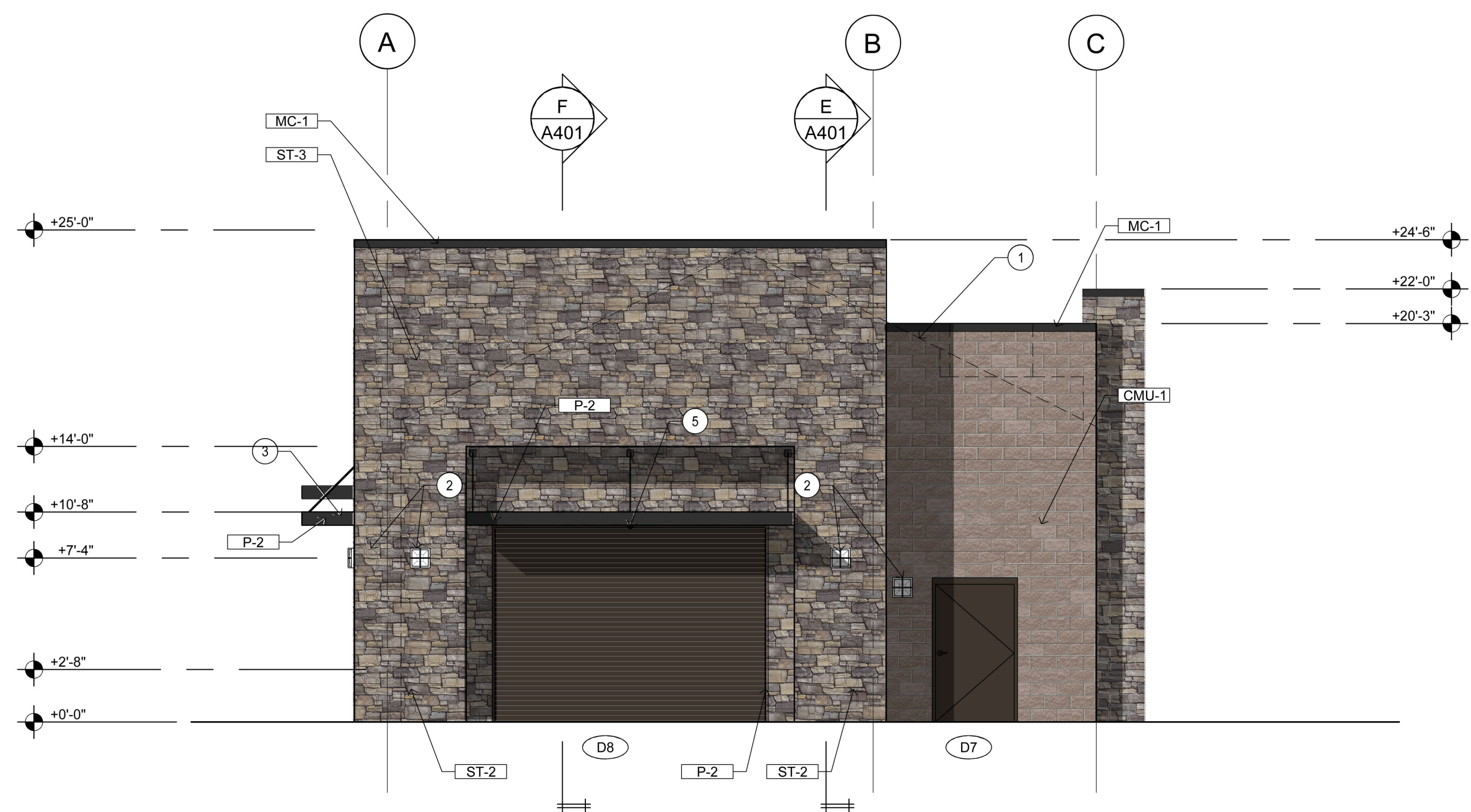
SHEET TITLE

EXTERIOR ELEVATIONS

PROJECT NUMBER
20-018

DATE: 01.14.2021
SCALE: AS NOTED
DRAWN: TMS
CHECKED: JDE
SHEET NO:

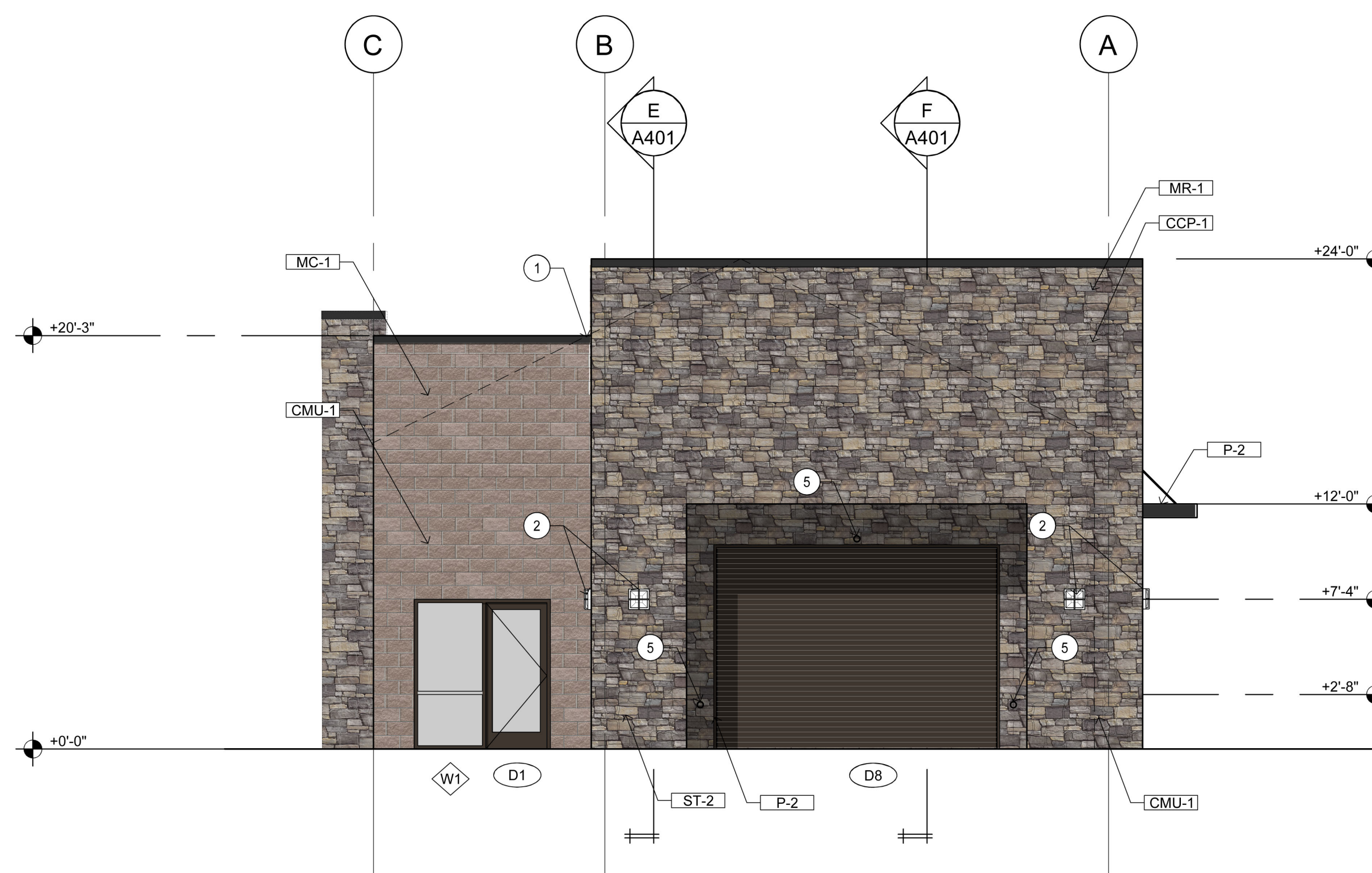
A301



WEST ELEVATION

4

3/16" = 1'-0"



EAST ELEVATION

3

3/16" = 1'-0"

EXTERIOR MATERIAL AND FINISH SCHEDULE

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EXTERIOR FINISHES

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CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 1, 2021
APPLICANT: Lisa White; *Boing US HoldCo, Inc.*
CASE NUMBER: Z2021-002; *Specific Use Permit (SUP) for Self-Service Carwash at 3611 N. Goliad Street*

SUMMARY

Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a Specific Use Permit (SUP) for *Self-Service Carwash and Auto Detail* on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [SH-205], and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council on November 7, 1983 by *Ordinance No. 83-57*. Based on the City's historic zoning maps the subject property was rezoned from an Agricultural (AG) District to a General Retail (GR) District at some point between November 7, 1983 and December 7, 1993. On February 15, 2016, the City Council approved a preliminary plat [Case No. P2016-004] for Lots 1-6, Block A, Dalton Goliad Addition. This approval was followed by a final plat [Case No. P2016-034], which was approved by the City Council on August 1, 2016. This final plat created Lots 1-3, Block A, Dalton Goliad Addition. On December 4, 2017, the City Council approved a replat [i.e. Case No. P2017-062] subdividing Lot 2, Block A into Lots 4 & 5, Block A and establishing the subject property (i.e. Lot 4, Block A, Dalton Goliad Addition); however, this replat was never filed. Prior to the replat, a Specific Use Permit (SUP) [SUP #S-171; Ordinance No. 17-39; Case No. Z2017-029] was approved by the City Council on August 7, 2017. This approval allowed a *Restaurant, Greater Than 2,000 SF with a Drive-Through or Drive-In* (i.e. *Freddy's Frozen Custard*) on the subject property. On September 12, 2017, the Planning and Zoning Commission approved a site plan [Case No. SP2017-024] for the proposed restaurant; however, the restaurant was never constructed, and the site plan and Specific Use Permit (SUP) have since expired. On December 7, 2020, the City Council approved a conveyance plat [i.e. Case No. P2020-048] for the purpose of subdividing one (1) lot (i.e. Lot 2, Block A, Dalton Goliad Addition) into four (4) lots (i.e. Lots 4-7, Block A, Dalton Goliad Addition) to convey property. This conveyance plat established the subject property as Lot 5, Block A, Dalton Goliad Addition. The subject property is currently vacant.

PURPOSE

The applicant, is requesting the approval of a Specific Use Permit (SUP) to allow for a *Self-Service Carwash* on the subject property in accordance with the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is located at 3611 N. Goliad Street [SH-205]. The land uses adjacent to the subject property are as follows:

North: Directly north and adjacent to the subject property is a vacant 1.033-acre parcel of land (i.e. Lot 4, Block A, Dalton Goliad Addition). Beyond this is a single-family residential subdivision, consisting of 30 single-family residential lots, and being identified as Harlan Park, Phase 2 Addition. Beyond this is Harlan Park, Phase 1 Addition, which consists of 65 single-family residential lots. Both of these subdivisions are zoned Single-Family 10 (SF-10) District.

South: Directly south of the subject property are Lots 1, 3, & 6, Block A, Dalton Goliad Addition. Lot 3 is currently occupied by a strip retail center with several tenants (i.e. *Marco's Pizza, Hittson Dental, and Venice Nail Salon*). Adjacent to and south of the strip center is Lot 1, which is occupied with an Aldi's Grocery Store. These properties are zoned General Retail (GR) District. South of this is Dalton Road, which is identified as a M4U (i.e. *major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the Free Methodist Church, which is zoned Single-Family 16 (SF-16) District.

East: Directly east of the subject property is N. Goliad Street [SH-205], which is identified 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 the corporate limits of the City followed by properties in the City's Extraterritorial Jurisdiction (ETJ) that have existing single-family homes situated on them. Adjacent to and south of this area is a Sonic Drive-In and 7-Eleven convenience store, which are situated within the City limits and are zoned General Retail (GR) District.

West: Directly west of the subject property is a vacant 2.402-acre parcel of land (i.e. *Lot 6, Block A, Dalton Goliad Addition*). This property is zoned General Retail (GR) District. Beyond this is the Nebbie Williams Elementary School, which is situated on a 11.599-acre parcel of land (i.e. *Lot 1, Block A, Rockwall School North Addition*). This property is zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a ~4,164 SF *Self-Service Carwash*. The proposed carwash will consist of a single entrance tunnel, 15 vacuum stalls, and ten (10) parking spaces. Based on the concept plan, the carwash tunnel will be oriented so that the exit of the tunnel will be facing onto N. Goliad Street, with the building being setback ~101-feet from the public right-of-way. Staff should point out that the carwash will be located within 300-feet of both the Harlan Park Subdivision and Nebbie Williams Elementary School. Based on this staff is requesting that the applicant provide additional landscaping for sound attenuation. These have been included in the draft ordinance as operational conditions should the SUP be approved. The landscaping for the subject property will be considered at the time of site plan.

CONFORMANCE TO THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) a *Self-Service Car Wash* requires a Specific Use Permit (SUP) in the General Retail (GR) District. In addition, Subsection 02.03.(H)(4), *Conditional Land Use Standards*, of Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also provides the following requirements relating to regulating the land use:

- (a) Entrances and exits to the car wash shall not directly face any public right-of-way.
- (b) The carwash shall be set back a minimum of 50-feet from any street frontage.

In this case, the submitted concept plan indicates the exit of the carwash tunnel will be directly facing N. Goliad Street, which is not in compliance with the land use conditions required for this land use in the Unified Development Code (UDC). Staff should point out that a similar orientation for a full-service carwash was approved by the Planning and Zoning Commission along N. Goliad Street; however, staff should note that in that case the proposed carwash was [1] situated in a Commercial (C) District with no adjacent residentially zoned or used land, [2] primarily situated behind a standalone structure that served as the point of sale, and [3] that incorporated heavy screening along the SH-205 frontage. In this case, no mitigating measures are being proposed. In addition, staff should point out that due to existing easements along SH-205, increased landscape screening cannot be provided in front of the tunnel in the landscape buffer.

According to Subsection 01.06(A), *Residential Adjacency Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he general objectives of residential adjacency standards are to preserve and protect the integrity, enjoyment and property values of residential neighborhoods within the City of Rockwall, through the establishment of standards for certain nonresidential uses that may impact surrounding residential land uses." This section goes on to state that the residential adjacency standards are to be applied to a carwash when it is adjacent to or within 150-feet of a residential district boundary. In this case, the applicant replatted the property (i.e. *Case No. P2020-048*) so that the carwash is more than 150-

feet from the adjacent residential zoning districts (*i.e.* ~152-feet from the Harlan Park Subdivision and ~173-feet from Nebbie Williams Elementary School); however, Subsection 01.06(D)(6)(a) this section of the Unified Development Code (UDC) grants the Planning and Zoning Commission the ability to require wing walls, landscape screens, changes in building orientation, and/or other design elements to screen and minimize the impact of the proposed land use. Although the subject property is in compliance with the 150-foot distance requirement, staff has requested that the applicant provide additional landscape screening adjacent to the northern and western property lines to provide screening and sound attenuation. Staff should also point out that the applicant has provided staff a noise assessment for the carwash and vacuum bays. With this being said, the determination of if the landscaping is sufficient screening/sound attenuation remains a discretionary decision for the Planning and Zoning Commission and City Council.

With the exception of these items the concept plan appears to meet the design requirements for the General Retail (GR) District. Staff should note that the submitted building elevations do not appear to meet the minimum standards of the N. SH-205 Overlay (N. SH-205 OV) District and will need to be reviewed by the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of site plan.

STAFF ANALYSIS

The intent of the General Retail (GR) District is to provide limited retail and service uses for nearby residential neighborhoods. Development in these areas should not include intensive commercial land uses that carry large volumes of retail traffic. Developments should also be adequately buffered and screened from residential land uses. Since the General Retail (GR) District is located close to residential areas, the development standards are typically more stringent and similar to the Residential-Office (RO) and Neighborhood Services (NS) Districts. All of these districts are intended to create a transition from the adjacent residential neighborhoods to less intense non-residential land uses. According to the *ITE Trip Generation Rates (9th Edition)* a carwash carries around 108 weekday trips, which makes it a medium to low traffic generator; however staff should point out that -- *with the exception of one (1) self-service car wash that was built in 1992 according to the Rockwall Central Appraisal District* -- no other carwashes (*self-service or full-service*) have been constructed in a General Retail (GR) District. The four (4) standalone carwashes (*i.e. Horizon Car Wash, Hacienda Car Wash, Speedy Bee Car Wash, and Carmel Car Wash*) are all located within a Commercial (C) District, which allows both a self-service and full-service carwash *by-right*. With all of this being said, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On January 22, 2021, staff mailed 40 notices to property owners and residents within 500-feet of the subject property. Staff also notified the Castle Ridge, Harlan Park, and Rockwall Shores Homeowner's Association (HOA), which are the only Homeowner's Associations (HOA's)/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 had received the following:

- (1) Four (4) property owner notifications and one (1) email from property owners within the notification area (*i.e. within the 500-foot buffer*) opposed to the applicant's request.
- (2) Two (2) emails from property owners within the Homeowner's Association (HOA) notification area (*i.e. within the 1,500-foot buffer*) opposed to the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Self-Service Carwash* on the subject property, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The *Self-Service Carwash* facility shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* and the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance;

- (b) No outside display of merchandise or outside storage (*e.g. ice machine, propane cage, vending machines, and DVD rental kiosk*) shall be allowed on the *subject property*; with the exception of vending machines that are integrated into the façade of the building.
 - (c) Additional landscaping (*i.e. trees and shrubs*) shall be required adjacent to the vacuum bays to provide additional sound attenuation for the residential subdivision north of the *subject property*; and
 - (d) The exit tunnel of the *Self-Service Carwash* facility shall be screened from N. Goliad Street [*i.e. SH-205*] utilizing landscape screening (*e.g. trees, pampas grass, etc.*) and a berm; and,
- (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.

PLANNING AND ZONING COMMISSION

On February 9, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) allowing for a *Self-Service Carwash* subject to the conditions of approval and the following additional recommendations:

- (1) A masonry screening wall a minimum of six (6) feet in height be constructed adjacent to the northern property line of the subject property.
- (2) Three (3) tiered screening (*i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) be incorporated in front of the carwash to screen the tunnel and vacuum bays adjacent to the eastern property line of the subject property.

This motion passed by a vote of 5-0, with Commissioners Moeller and Welch absent. Staff has incorporated these recommendations into the draft ordinance for the City Council's consideration.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre) ¹
- Preliminary Plat (\$200.00 + \$15.00 Acre) ¹
- Final Plat (\$300.00 + \$20.00 Acre) ¹
- Replat (\$300.00 + \$20.00 Acre) ¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre) ¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre) ¹
- Specific Use Permit (\$200.00 + \$15.00 Acre) ¹
- PD Development Plans (\$200.00 + \$15.00 Acre) ¹

Other Application Fees:

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

Notes:

¹ In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address: To Be Determined

Subdivision: Dalton Goliad Addition Lot: 2 Block: A

General Location: NW Corner of Dalton RD and N Goliad Street (Lot North of Existing Development)

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning: General Retail (SH205 Overlay) Current Use: Vacant

Proposed Zoning: General Retail (SH205 Overlay) Proposed Use: Car Wash

Acreage: 0.89 AC Lots [Current]: 1 Lots [Proposed]: 1

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

<input type="checkbox"/> Owner	<u>Rockwall 205-552 LLC</u>	<input type="checkbox"/> Applicant	<u>BOING US HOLDCO, INC.</u>
Contact Person	<u>Donald L. Silverman</u>	Contact Person	<u>Lisa White</u>
Address	<u>4622 Maple Ave #200</u>	Address	<u>6300 S Syracuse Way</u>
City, State & Zip	<u>Dallas, Tx 75219</u>	City, State & Zip	<u>Centennial, CO 80111</u>
Phone	<u>972-980-8807</u>	Phone	<u>214-208-0339</u>
E-Mail	<u>DSilverman@MQcompanies.com</u>	E-Mail	<u>Lisawhite@ICWG.com</u>

NOTARY VERIFICATION [REQUIRED]

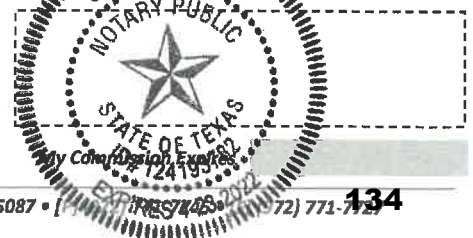
Before me, the undersigned authority, on this day personally appeared Donald L. Silverman [Owner] the undersigned, who stated the information on this application to be true and certified the following:

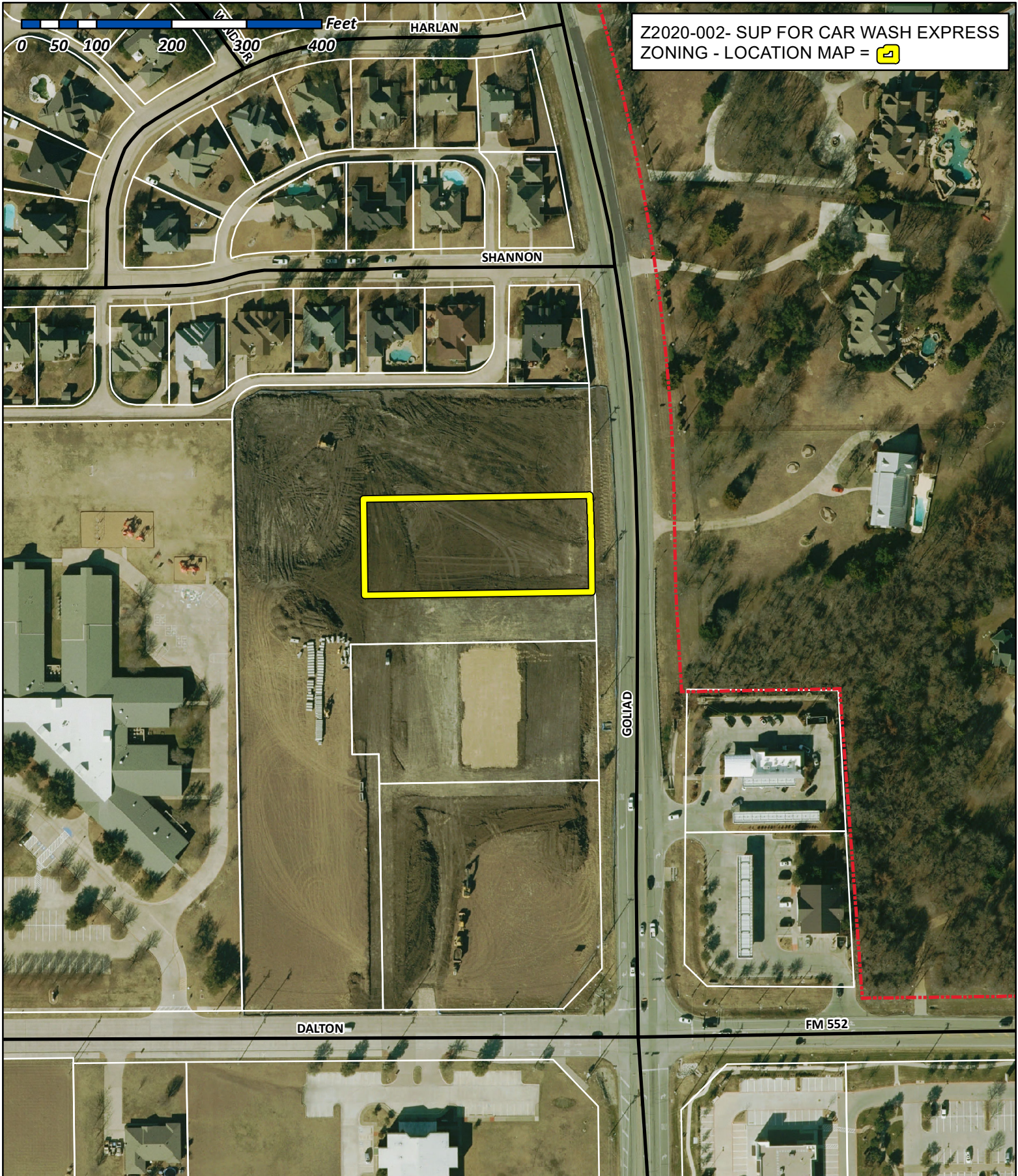
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 14th day of January, 2021. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. I am also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is requested or in response to a request for public information."

Given under my hand and seal of office on this the 14th day of January, 2021.

Owner's Signature _____

Notary Public in and for the State of Texas _____





Z2020-002- SUP FOR CAR WASH EXPRESS
 ZONING - LOCATION MAP = [icon]



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

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

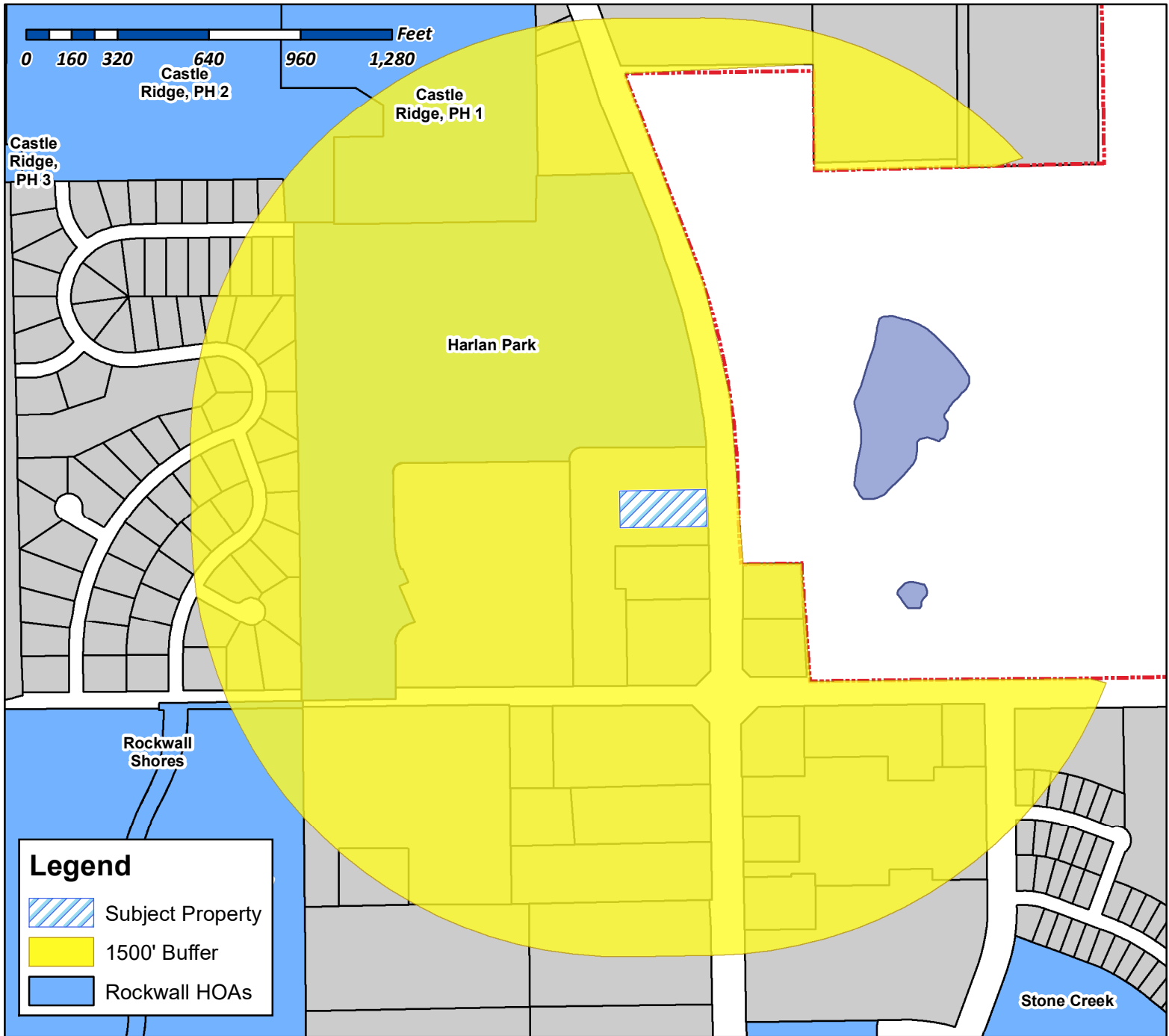
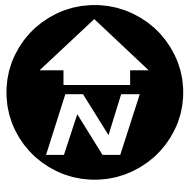




City of Rockwall

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

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Case Number: Z2021-002
Case Name: SUP for Car Wash
Case Type: Zoning
Zoning: General Retail (GR) District
Case Address: 3611 N. Goliad Street

Date Created: 1/19/2021
 For Questions on this Case Call (972) 771-7745



From: [Gamez, Angelica](#)
Cc: [Miller, Ryan](#); [Gonzales, David](#); [Lee, Henry](#)
Subject: Neighborhood Notification Program [Z2021-002]
Date: Friday, January 22, 2021 9:00:06 AM
Attachments: [Public Notice \(01.19.2021\).pdf](#)
[HOA Map Z2021-002.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 [January 29, 2021](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, February 9, 2021 at 6:00 PM](#), and the City Council will hold a public hearing on [Tuesday, February 16, 2021 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>.

Z2021-002 SUP for a Full Service Car Wash & Auto Detail

Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a [Specific Use Permit \(SUP\)](#) for Full Service Car Wash and Auto Detail on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. Goliad Street [SH-205], and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

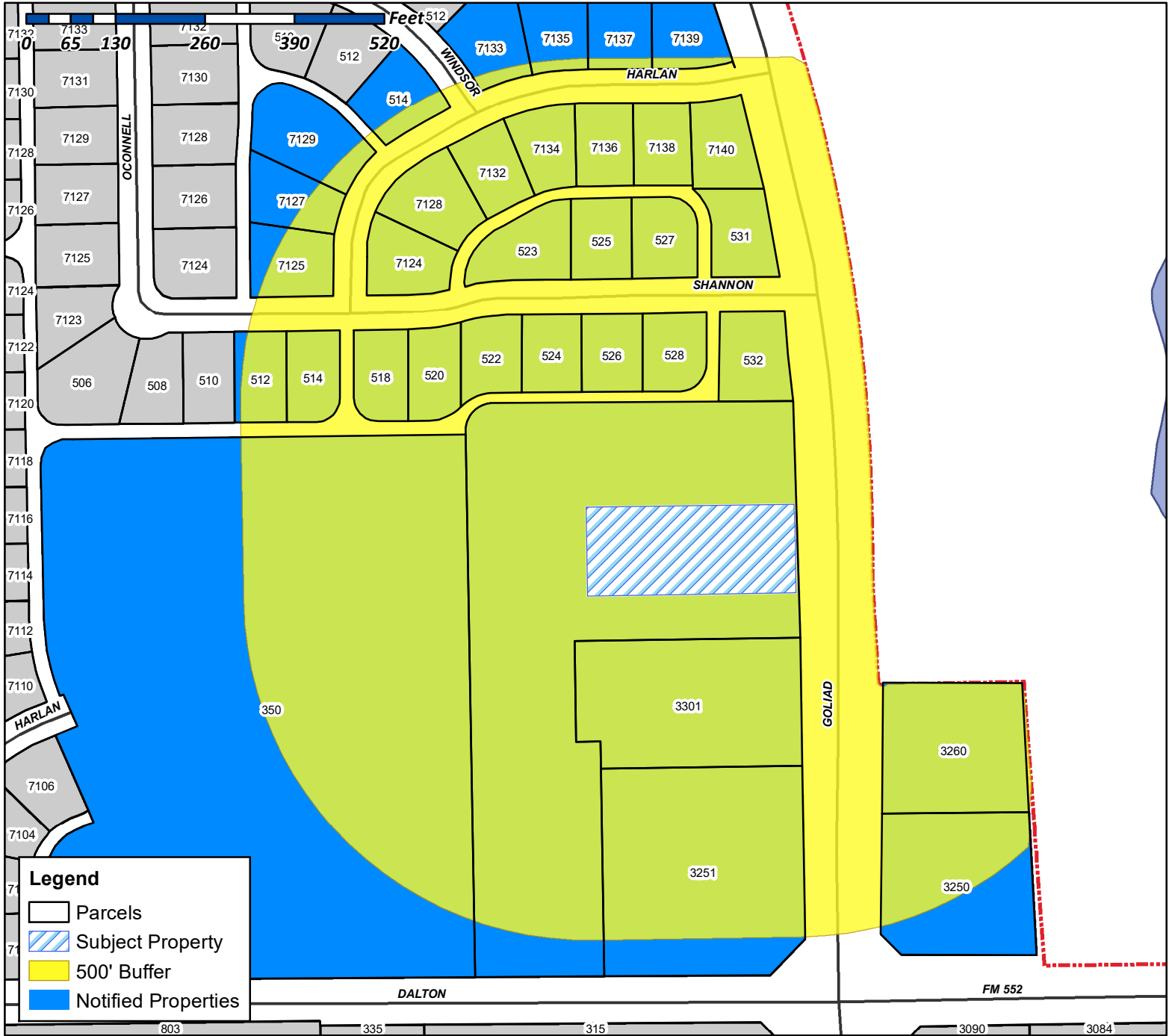
<http://www.rockwall.com/planning/>



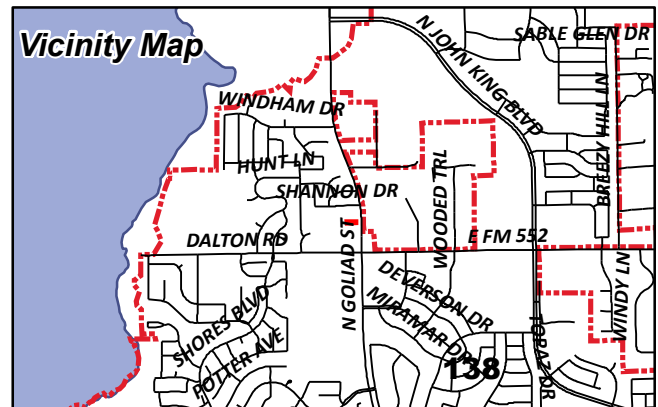
City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75087
 (P): (972) 771-7745
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Case Number: Z2021-002
Case Name: SUP for Car Wash
Case Type: Zoning
Zoning: General Retail (GR) District
Case Address: 3611 N. Goliad Street



Date Created: 1/19/2021
For Questions on this Case Call (972) 771-7745

 = RESPONSE RECEIVED

ERVIN RICHARD L
1155 W WALL ST STE 101
GRAPEVINE, TX 76051

ALDI TEXAS LLC
2500 WESTCOURT ROAD
DENTON, TX 76207

DALTON RETAIL LLC
2954 ARBORIDGE COURT
FULLERTON, CA 92835

LIU LIRONG AND FENG XIN
3116 DEEP SPRINGS DR
PLANO, TX 75025

GOLIAD 711 ROCKWALL LLC
SILVER OAK ADVISORS LLC
3250 N GOLIAD
ROCKWALL, TX 75087

ALDI TEXAS LLC
3251 N GOLIAD
ROCKWALL, TX 75087

ERVIN RICHARD L
3260 N GOLIAD
ROCKWALL, TX 75087

DALTON RETAIL LLC
3301 N GOLIAD
ROCKWALL, TX 75087

ROCKWALL I S D
350 DALTON ROAD
ROCKWALL, TX 75087

ROCKWALL 205-552 LLC
4622 MAPLE AVE SUITE 200
DALLAS, TX 75219

MILAZZO DENNIS M SHELLY A
512 SHANNON DRIVE
ROCKWALL, TX 75087

WOLFE KENNETH & PAMELA
514 SHANNON DR
ROCKWALL, TX 75087

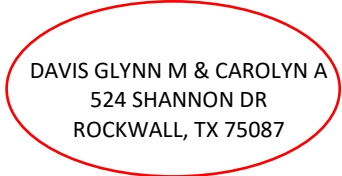
WAGONER LISA M
514 WINDSOR WAY
ROCKWALL, TX 75087

PRICE ELLIOTT & LATOYA DUNCAN
518 SHANNON DRIVE
ROCKWALL, TX 75087

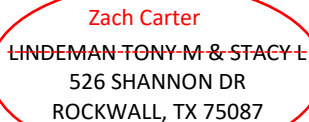
DRENNON CHRISTINA LYNN
520 SHANNON DR
ROCKWALL, TX 75087

HAN SANG HWA
522 SHANNON DR
ROCKWALL, TX 75087

BELL WILLIAM L JR & PAMELA S
523 SHANNON DR
ROCKWALL, TX 75087

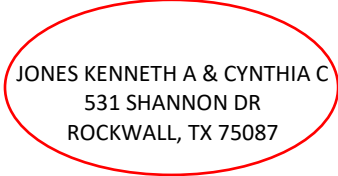
 DAVIS GLYNN M & CAROLYN A
524 SHANNON DR
ROCKWALL, TX 75087

YATES GLEN M & DORIS A
525 SHANNON DR
ROCKWALL, TX 75087

 Zach Carter
~~LINDEMAN TONY M & STACY L~~
526 SHANNON DR
ROCKWALL, TX 75087

MCDANIEL DREW & TYLER
527 SHANNON DR
ROCKWALL, TX 75087

CHERUKURU NANDGOPAL
528 SHANNONDR
ROCKWALL, TX 75087

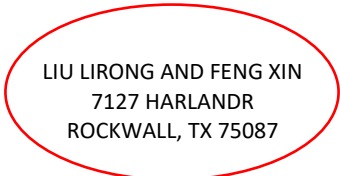
 JONES KENNETH A & CYNTHIA C
531 SHANNON DR
ROCKWALL, TX 75087

SANFORD DAVID A & ANNETTE F
532 SHANNON DR
ROCKWALL, TX 75087

CHERUKURU NANDGOPAL
609 S GOLIAD ST #2498
ROCKWALL, TX 75087

TRAN STEVE & CATHERINE
7124 HARLAN DRIVE
ROCKWALL, TX 75087

BENNETT R LANGDON & LINDA
7125 HARLAN DR
ROCKWALL, TX 75087

 LIU LIRONG AND FENG XIN
7127 HARLANDR
ROCKWALL, TX 75087

MASSEY WILLIAM C JR AND LACY
7128 HARLAN DR
ROCKWALL, TX 75087

GREEN DORIS M
7129 HARLAN DR
ROCKWALL, TX 75087

VINES THOMAS & SHERRY
7132 HARLAN DR
ROCKWALL, TX 75087

FRYER CRAIG RYAN
7133 HARLAN DRIVE
ROCKWALL, TX 75087

MARTINEZ MICHELE L
7134 HARLAN DRIVE
ROCKWALL, TX 75087

WILLIAMS BUCK AND JESSICA
7135 HARLAN DRIVE
ROCKWALL, TX 75087

KELLY CASEY & CRYSTIE
7136 HARLAN DR
ROCKWALL, TX 75087

DOSS JAMES B & JENNIFER
7137 HARLAN DR
ROCKWALL, TX 75087

HORTON BILL D & JOYCE
7138 HARLAN DR
ROCKWALL, TX 75087

FAVRE JOSH GABRIEL AND TINA MARIA
7139 HARLAN DRIVE
ROCKWALL, TX 75087

RUNNELS NEVILLE J & JOHANNA E REVOCABLE
LIVING TRUST
NEVILLE J & JOHANNA E RUNNELS CO TRUSTEES
7140 HARLAN DRIVE
ROCKWALL, TX 75087

GOLIAD 711 ROCKWALL LLC
SILVER OAK ADVISORS LLC
ATTN GARSON C SOE 1630 RIVIERA AVE
WALNUT CREEK, CA 94596

PUBLIC NOTICE



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

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

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

Case No. Z2021-002: Specific Use Permit for a Car Wash

Hold a public hearing to discuss and consider a request by Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a Specific Use Permit (SUP) for Full Service Car Wash and Auto Detail on a 0.89-acre tract of land identified as a portion of Lot 2, Block A, Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 3611 N. 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, February 9, 2021 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 16, 2021 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:

David Gonzales
Rockwall Planning and Zoning Dept.
385 S. Goliad Street
Rockwall, TX 75087

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

Your comments must be received by Tuesday, February 16, 2021 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. Z2021-002: Specific Use Permit for a Car Wash

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.

[Redacted area]

Name: [Redacted]
Address: [Redacted]

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. Z2021-002: Specific Use Permit for a Car Wash

Please place a check mark on the appropriate line below:

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

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

The carwash is too noisy to abut a residence. It needs to be in a commercial area like other carwashes in the city

Name:

Amylla & Johanna Runnel

Address:

7140 Harlan Dr., Rockwall, TX

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

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PLANNING AND ZONING DEPARTMENT
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EMAIL: PLANNING@ROCKWALL.COM

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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

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Please place a check mark on the appropriate line below:

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



Name:

Address:

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Case No. Z2021-002: Specific Use Permit for a Car Wash

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.

→ DO NOT APPROVE

TRAFFIC IS TERRIBLE ON 205/GOLIAD AS IS. THIS WILL CREATE EVEN MORE, AS THE NEIGHBORHOOD IS TRYING TO GET HOME. I DO NOT WANT ALL THOSE CHEMICALS RIGHT NEXT TO MY HOUSE. DON'T WANT PEOPLE CONGREGATED IN BACK YARD

Name: EALH CARTER

Address: 526 SHANNON DR. 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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PLANNING AND ZONING DEPARTMENT
PHONE: (972) 771-7745
EMAIL: PLANNING@ROCKWALL.COM

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Rockwall, TX 75087

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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. Z2021-002: Specific Use Permit for a Car Wash

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.

too much traffic + too close to residential neighborhoods.

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

Miller, Ryan

From: [REDACTED]
Sent: Saturday, February 13, 2021 2:22 PM
To: Planning
Subject: Case No. Z2021-002 comments

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

My name is Lirong Liu and I am the owner of the property at 7127 Harlan Dr, Rockwall TX 75087. I am writing to voice my strong opposition to the request of specific use permit for a car wash Case No. Z2021-002. The use of the land for a car wash doesn't align with the interest of the properties. I have multiple concerns. 1. With the Nebbie Williams Elementary school just blocks away, the proposed car wash can It will bring unnecessary traffic and noise. It is disturbing to the school and parents. 2. The current lot is insufficient. It doesn't not provide enough parking or circulation. 3. The neighborhood will be adversely impacted by additional cars lingering / backing up, making u-turns etc, especially considering the school near by. This will inevitably impact the property value.

Best,
Lirong Liu

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From: Dennis Dayman <[REDACTED]>
Sent: Monday, January 25, 2021 10:19 PM
To: Planning
Cc: Jennifer Dayman
Subject: Z2021-002 - SUP for Car Wash USA Express & Take 5 Oil Change

We are filing this letter in protest AGAINST Project Number: Z2021-002; Project Name: SUP for Car Wash USA Express & Take 5 Oil Change.

We can definitely understand the need for a Specific Use Permit for this project, given this property is currently zoned as a General Retail (GR) district. What becomes more difficult to understand, though, is the actual end result of this project. In reviewing the documents provided as Public Notice, Neighborhood Notification Program Letter, and the City's Project Comments, we are left wondering about the full scope of this project because of potentially mismatched information.

For example:

- In the Project Comments, the Project Name is "SUP for CarWash USA Express and Take 5 Oil Change."
- In Section I.1 of the same document, it references a request for the approval of a "Specific Use Permit for 3611 N. Goliad Street for a Full Service Car Wash and Auto Detail." (No mention of an Oil Change business.)
- In the Neighborhood Notification Program Letter, it lists Z2021-002 as "SUP for Full Service Car Wash & Auto Detail." (Again, no mention of an Oil Change business.)
- In the Public Notice, Case No, Z2021-002 is listed as an "Specific Use Permit for a Car Wash." (No mention of an Oil Change business, and in this case it appears that the higher standard and expectation of a full-service car wash and auto detailing has also been dropped.)

While we understand that the intention of all of these might indeed be the same, according to the website for Car Wash Express USA, the majority of their locations, including their four closest locations (Rowlett, Terrell, DeSoto, and Grand Prairie) offer only exterior car washes with vacuum bays for self-service. So, our unresolved questions would be these: What IS this actual project? Will it really be a full-service car wash with auto detailing? Will there be an oil change business, too? If we're getting a regular drive-through car wash with do-it-yourself vacuum bays, is this really a special enough project to warrant a zoning change?

In addition to our first example of potential mismatching information, we'd also like to mention this conflicting information:

- In the Project Comments, section I.3 (A)(2), there is a directive that there should be no outside display of merchandise (e.g. vending machines) allowed on the subject property.
- In the North Elevation provided for the project, #4 is specifically listed as a vending machine.

Of course, this is just a small detail in what we believe is an entirely unnecessary project, however, all of these small details that appear to be conflicting raise red flags to us about this project from the start.

Beyond all of the informational details that have created doubt, we are most opposed to this project for the following reasons:

- We are concerned about the incredibly close proximity (according to Google Maps, less than a football field) of these types of businesses to the playground and open spaces at Nebbie Williams Elementary.
- We are concerned about the noises, smells, and potential toxins that could impact not only the public elementary school, but also the nearby neighborhood. (This must be a reasonable concern, given the Project Comments section I.3(A)(3) requires additional landscaping to provide sound attenuation for the residential

subdivision. Related: it's surprising to us that this 'noise barrier' was not extended to the area adjacent to the school.)

- We are concerned for the standard of development in this area.
- We are concerned with adding more traffic to the already busy intersection at Dalton Road and 205.
- We are concerned with the inconsistent messaging and lack of clarity on the business plan for this property.

We feel that a business of this type should be located in more commercial or industrial areas of our city, especially near the I-30 corridor. Roads that are main arteries to the city seem more suitable for auto care facilities than this section of road that is primarily residential.

According to our understanding, a Specific Use Permit is required because city code recognizes that some areas may be suitable for this use, while others will not be. It is our personal opinion that this specific area is not suitable for a car wash (whether full-service or not), an oil change business, or any other type of auto care facility.

Previously, the City Council and Planning & Zoning had rejected Z2018-041 - SUP FOR FIRESTONE COMPLETE AUTO CARE in this same area, and it is our hope that you will again do that again in this case.

Thank you for your time and consideration -

Jennifer & Dennis Dayman
519 Cellars Court
Rockwall, TX 75087

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

From: GammieX4 Callaway <[REDACTED]>
Sent: Tuesday, January 26, 2021 12:21 AM
To: Planning
Subject: SUP request Z2021-002
Attachments: Car Wash Oil Change SUP Z2021-002.docx

January 25, 2021

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

RE: Z2021-002
SUP for Car Wash USA Express and Take 5 Oil Change

To the Planning and Zoning Commission:

My husband and I live at 517 Cellars Ct, Rockwall, TX 75087 (Harlan Park Phase 1). We are opposed to the referenced SUP (Z2021-002) proposing zoning approval of Car Wash USA Express and Take 5 Oil Change at 3611 N. Goliad.

First, we are confused by the Project name – P/Z agenda refers to SUP Z2021-002, full service car wash and auto detail. From review of the P/Z website, the neighborhood SUP request notification reflects **a car wash**, not a *full service car wash and auto detail*. Only in examination of the site plan documents, is an oil change facility noted as the title. We are not able to determine the location of the oil change segment from the site drawing or the elevation drawings. To us, it does not appear that an oil change business is a part of this SUP. It is noted on the site drawing that “O’Reilly Auto Parts development by others” for the remainder of Lot 2, Block A of Dalton Goliad Addition, CAB J, Slide 17. If it is not, the drawing title is quite deceptive. So our initial question is “WHAT DOES THIS PROJECT ENTAIL”? Is this SUP for a full service car wash and auto detail concept, for a car wash only, or for a car wash (full service or not) and an oil change facility?

Currently, this property is zoned General Retail (GR). This zoning requires a Specific Use Permit (SUP) for this particular type of retail to be located at this address. This raises concerns from our family, due to the “out the back door” proximity to Nebbie Williams Elementary School (public school) and for the standard of development in this area. Our primary concerns revolve around the chemicals and odors this type of establishment (car wash/ car wash and oil change) involves. Children and teachers should not be exposed to those odors and toxins every day on the adjoining playground. And what about our neighbors whose property backs up to this property? We hope they are in total opposition to this SUP request. Since this does require a SUP approval, we recognize, as the city does, that some areas may be more suitable than others for retail purposes. We are of the mindset that this specific area is not suitable for a car wash/oil change business. We strongly feel this type of business should be located in a more commercial area. We realize commercial lot availability is at a premium in our no longer small town, however, the residuals from this type of business have no place in this general retail (GR) area that borders schools and residential areas.

If you, Planning and Zoning, our city representatives, approve this SUP request, we plead that a substantial mature landscape line of sight barrier be mandated to provide and protect privacy to the adjacent school and neighboring homes.

Also it bears mentioning that access and egress will only put additional strain on the clog of traffic already at Goliad (Hwy 205) and Dalton Rd/FM552.

SuLaine and Wendell Callaway

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Miller, Ryan

From: Ryan Phelan <[REDACTED]>
Sent: Tuesday, February 23, 2021 1:40 PM
To: Planning
Subject: Z2021-002 SUP for Self Service Car Wash & Auto Detail - Opposition

Afternoon.

I would like to submit my comments for the upcoming meeting in opposition to the SUP for Z2021-002 SUP for Self Service Car Wash & Auto Detail.

We do not need that type of property in the neighborhood. Realistically, a self-service car wash degrades the neighborhood, not enhance it. I cannot imagine that the homeowners on the other side of Goliad are pleased with this SUP.

The north end of town desperately needs more businesses to draw people to the north end. Restaurants, bars, shops – that's what's needed. Not car washes, tire repair, nail salons or pizza joints.

We have a fairly growing area up here that is more affluent and frankly, investment is needed that does not look like a car wash. That type addition does not add value to the surrounding property. What we need is leadership from the City to drive investment up here.

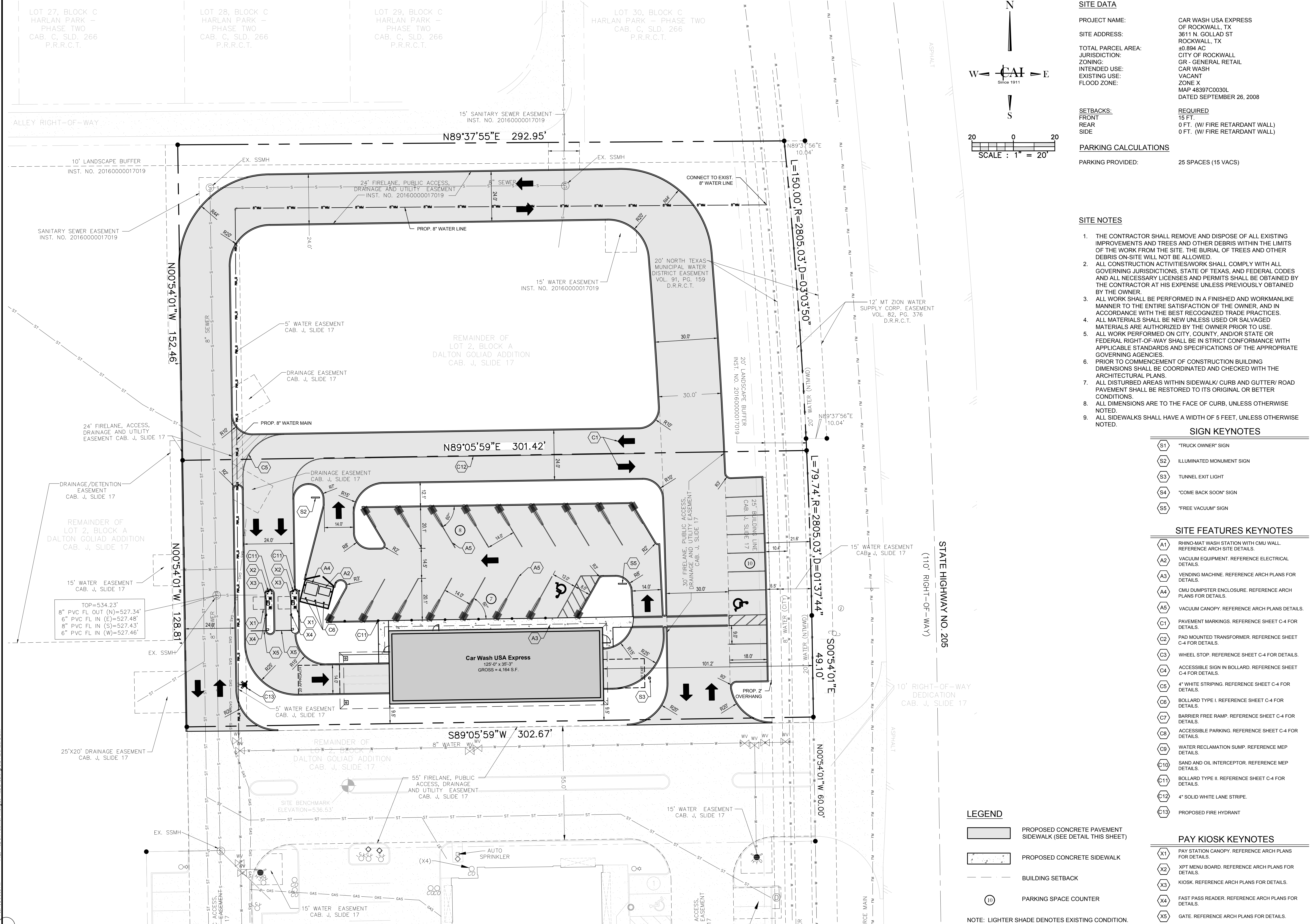
This SUP should be opposed.

Thanks for your time.

Ryan Phelan
782 Bordeaux Drive
[REDACTED]

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SITE DATA

PROJECT NAME: CAR WASH USA EXPRESS OF ROCKWALL, TX
 SITE ADDRESS: 3611 N. GOLIAD ST. ROCKWALL, TX 75087
 TOTAL PARCEL AREA: 40.894 AC
 JURISDICTION: CITY OF ROCKWALL
 ZONING: GR - GENERAL RETAIL
 INTENDED USE: CAR WASH
 EXISTING USE: VACANT
 FLOOD ZONE: ZONE X
 MAP # 48397C0030L
 DATED SEPTEMBER 26, 2008

SETBACKS:
 FRONT: 15 FT.
 REAR: 0 FT. (W/ FIRE RETARDANT WALL)
 SIDE: 0 FT. (W/ FIRE RETARDANT WALL)

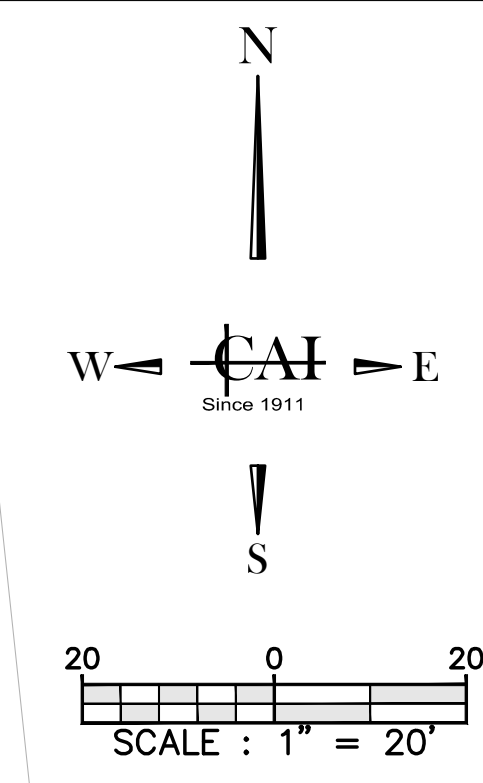
PARKING CALCULATIONS
 PARKING PROVIDED: 25 SPACES (15 VACS)

- SITE NOTES**
- THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EXISTING IMPROVEMENTS AND TREES AND OTHER DEBRIS WITHIN THE LIMITS OF THE WORK FROM THE SITE. THE BURIAL OF TREES AND OTHER DEBRIS ON-SITE WILL NOT BE ALLOWED.
 - ALL CONSTRUCTION ACTIVITIES/WORK SHALL COMPLY WITH ALL GOVERNING JURISDICTIONS, STATE OF TEXAS, AND FEDERAL CODES AND ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY THE OWNER.
 - ALL WORK SHALL BE PERFORMED IN A FINISHED AND WORKMANLIKE MANNER TO THE ENTIRE SATISFACTION OF THE OWNER, AND IN ACCORDANCE WITH THE BEST RECOGNIZED TRADE PRACTICES. ALL MATERIALS SHALL BE NEW UNLESS USED OR SALVAGED MATERIALS ARE AUTHORIZED BY THE OWNER PRIOR TO USE.
 - ALL WORK PERFORMED ON CITY, COUNTY, AND/OR STATE OR FEDERAL RIGHT-OF-WAY SHALL BE IN STRICT CONFORMANCE WITH APPLICABLE STANDARDS AND SPECIFICATIONS OF THE APPROPRIATE GOVERNING AGENCIES.
 - PRIOR TO COMMENCEMENT OF CONSTRUCTION BUILDING DIMENSIONS SHALL BE COORDINATED AND CHECKED WITH THE ARCHITECTURAL PLANS.
 - ALL DISTURBED AREAS WITHIN SIDEWALK/ CURB AND GUTTER/ ROAD PAVEMENT SHALL BE RESTORED TO ITS ORIGINAL OR BETTER CONDITIONS.
 - ALL DIMENSIONS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED.
 - ALL SIDEWALKS SHALL HAVE A WIDTH OF 5 FEET, UNLESS OTHERWISE NOTED.

- SIGN KEYNOTES**
- S1 TRUCK OWNER'S SIGN
 - S2 ILLUMINATED MONUMENT SIGN
 - S3 TUNNEL EXIT LIGHT
 - S4 "COME BACK SOON" SIGN
 - S5 "FREE VACUUM" SIGN

- SITE FEATURES KEYNOTES**
- A1 RHINO-MAT WASH STATION WITH CMU WALL. REFERENCE ARCH SITE DETAILS.
 - A2 VACUUM EQUIPMENT. REFERENCE ELECTRICAL DETAILS.
 - A3 VENDING MACHINE. REFERENCE ARCH PLANS FOR DETAILS.
 - A4 CMU DUMPSTER ENCLOSURE. REFERENCE ARCH PLANS FOR DETAILS.
 - A5 VACUUM CANOPY. REFERENCE ARCH PLANS DETAILS.
 - C1 PAVEMENT MARKINGS. REFERENCE SHEET C-4 FOR DETAILS.
 - C2 PAD MOUNTED TRANSFORMER. REFERENCE SHEET C-4 FOR DETAILS.
 - C3 WHEEL STOP. REFERENCE SHEET C-4 FOR DETAILS.
 - C4 ACCESSIBLE SIGN IN BOLLARD. REFERENCE SHEET C-4 FOR DETAILS.
 - C5 4" WHITE STRIPING. REFERENCE SHEET C-4 FOR DETAILS.
 - C6 BOLLARD TYPE I. REFERENCE SHEET C-4 FOR DETAILS.
 - C7 BARRIER FREE RAMP. REFERENCE SHEET C-4 FOR DETAILS.
 - C8 ACCESSIBLE PARKING. REFERENCE SHEET C-4 FOR DETAILS.
 - C9 WATER RECLAMATION SUMP. REFERENCE MEP DETAILS.
 - C10 SAND AND OIL INTERCEPTOR. REFERENCE MEP DETAILS.
 - C11 BOLLARD TYPE II. REFERENCE SHEET C-4 FOR DETAILS.
 - C12 4" SOLID WHITE LANE STRIPE.
 - C13 PROPOSED FIRE HYDRANT

- PAY KIOSK KEYNOTES**
- X1 PAY STATION CANOPY. REFERENCE ARCH PLANS FOR DETAILS.
 - X2 XPT MENU BOARD. REFERENCE ARCH PLANS FOR DETAILS.
 - X3 KIOSK. REFERENCE ARCH PLANS FOR DETAILS.
 - X4 FAST PASS READER. REFERENCE ARCH PLANS FOR DETAILS.
 - X5 GATE. REFERENCE ARCH PLANS FOR DETAILS.



LEGEND

- PROPOSED CONCRETE PAVEMENT SIDEWALK (SEE DETAIL THIS SHEET)
 - PROPOSED CONCRETE SIDEWALK
 - BUILDING SETBACK
 - PARKING SPACE COUNTER
- NOTE: LIGHTER SHADE DENOTES EXISTING CONDITION.

CAI

CARTER ASSOCIATES, INC.
SERVING FLORIDA SINCE 1911
CONSULTING ENGINEERS
AND LAND SURVEYORS
1708 21ST STREET
VERO BEACH, FL 32960
TEL: 878-562-4191
EMAIL: Trevor@CarterAssoc.com

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BOING US HOLDCO, INC

dba "CAR WASH USA EXPRESS"
6300 S SYRACUSE WAY #205
CENTENNIAL, CO 80111
EMAIL: LISAWHITE@CWG.COM

NO.	REVISION	DATE

CAR WASH USA EXPRESS

3611 N. GOLIAD STREET
ROCKWALL, TX 75087

STATE OF TEXAS
TREVOR STUBBS
138964
LICENSED PROFESSIONAL ENGINEER

TREVOR STUBBS, P.E.
TX LIC. NO. 138964
CARTER ASSOCIATES, INC.
COA 205 / LB 205

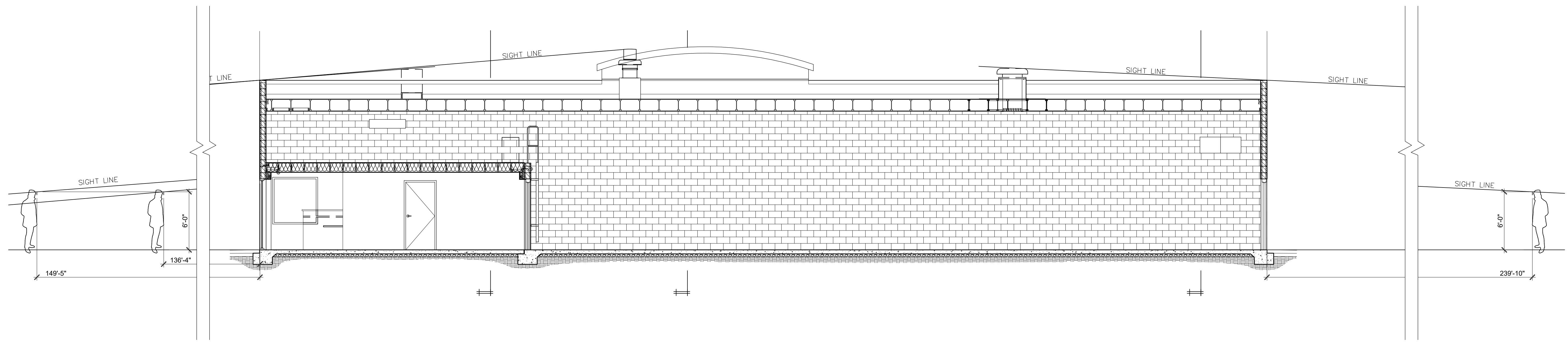
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PROJ. #: 20-419 E
DRAWN BY: TGS
DATUM: SEE SURVEY
REF. #: SEE SURVEY
F.B. & PG.: SEE SURVEY

SHEET TITLE:
SITE PLAN

SHEET
C-3

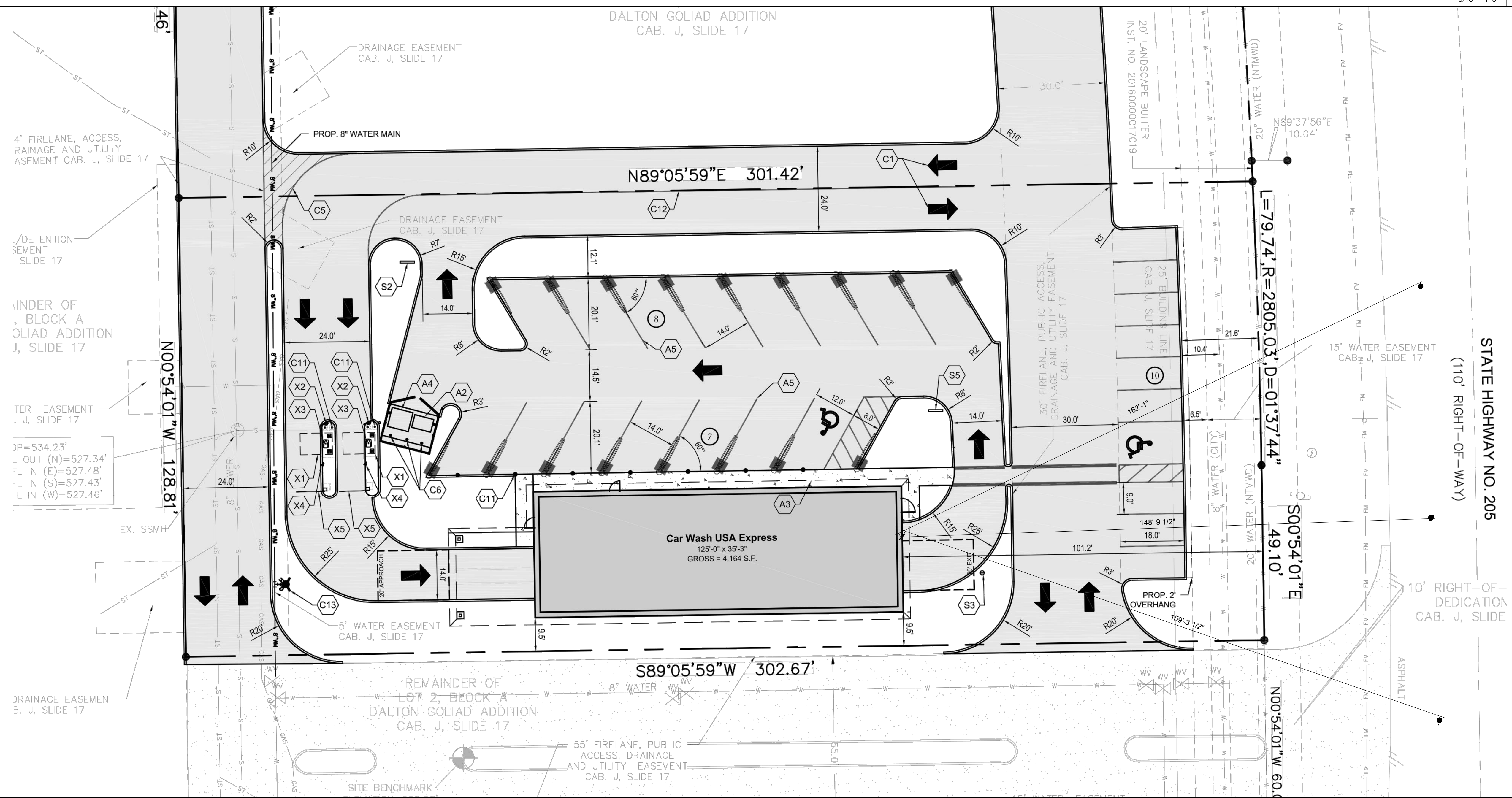
DWG. NO.:

Feb. 12, 2021 1:33 PM P:\20-419 E-CW-Rockwall\TX\Map\20-419 E-CW-Rockwall.dwg: S18, Keith Brown



SIGHT LINE STUDY
3/16" = 1'-0"

1



SIGHT LINE STUDY
3/16" = 1'-0"

2



DATE	DESCRIPTION	DELTA
XX-XX-XX		1 X
XX-XX-XX		2 X
XX-XX-XX		3 X
XX-XX-XX		4 X
XX-XX-XX		5 X
XX-XX-XX		6 X

TAKE 5 CAR WASH
NORTH GOLIAD STREET
ROCKWALL, TX

ARCHITECT:
NEPTUNE
DESIGN STUDIO

ENGINEER:

STAMPS:

SHEET TITLE
EXTERIOR ELEVATIONS

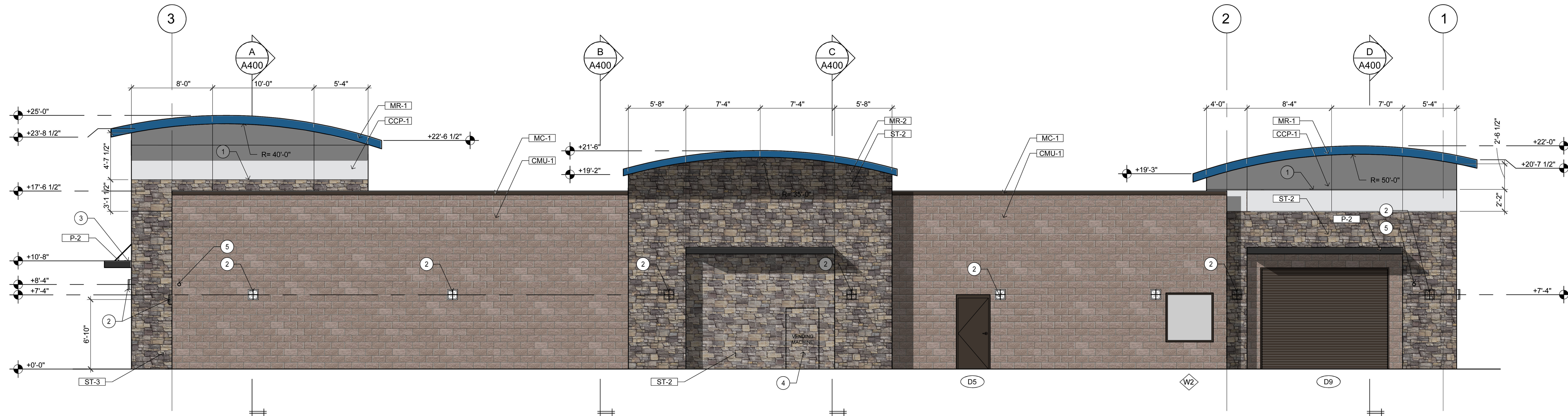
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20-018

DATE: 01.14.2021
SCALE: AS NOTED
DRAWN: TMS
CHECKED: JDE
SHEET NO:

A300A



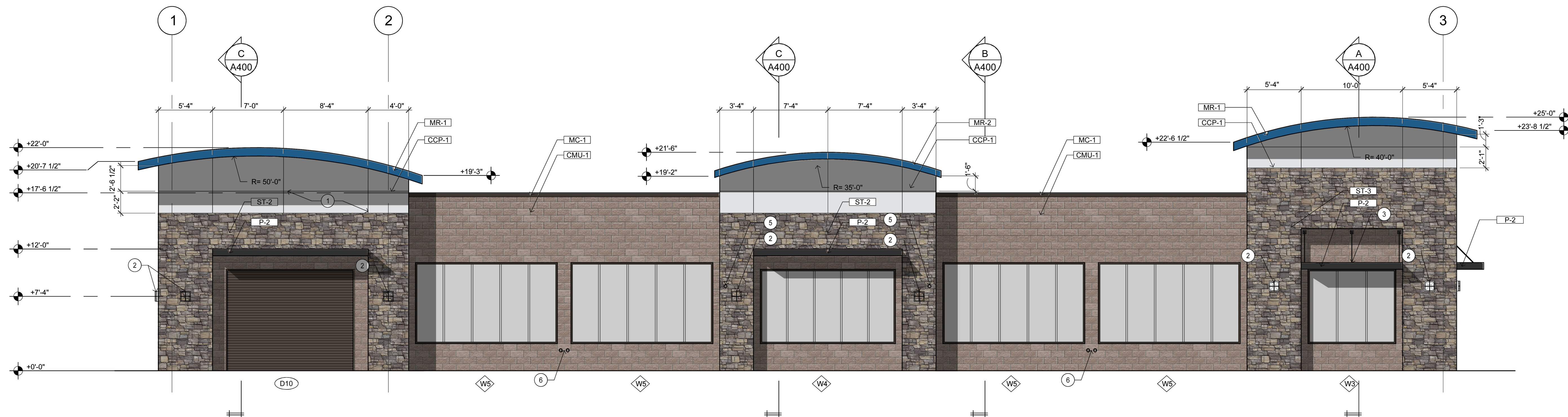
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XX-XX-XX		2 X
XX-XX-XX		3 X
XX-XX-XX		4 X
XX-XX-XX		5 X
XX-XX-XX		6 X



NORTH ELEVATION

3/16" = 1'-0"

1



SOUTH ELEVATION

3/16" = 1'-0"

2

TAKE 5 CAR WASH

NORTH GOLIAD STREET
ROCKWALL, TX

ARCHITECT:

NEPTUNE
DESIGN STUDIO

ENGINEER:

STAMPS

EXTERIOR MATERIAL AND FINISH SCHEDULE

MARK	DESCRIPTION	MANUFACTURER	MODEL/STYLE	SIZE	COLOR	FINISH	REMARKS
CMU-1	CONCRETE MASONRY UNIT	ESHELON	SPLIT FACE	8X8X16	APACHE BROWN	-	REFER TO STRUCTURAL FOR MATERIAL SPECIFICATIONS
CCP-1	COMMERCIAL CEMENT PLASTER (STUCCO)	LAHABRA PAREX USA	-	-	P-1	SAND	
MR-1	METAL ROOFING	FIRESTONE	UNA-CLAD	-	ELECTRIC BLUE	-	
MR-2	METAL ROOFING (ARCHED COPING)	FIRESTONE	UNA-CLAD	-	ELECTRIC BLUE	-	
MP-1	METAL PANEL(SOFFIT)	FIRESTONE	UNA-CLAD UC-501	-	ELECTRIC BLUE	-	
MC-1	METAL COPING	METAL-ERA	PERMA-TITE	-	DARK BRONZE	-	TAPERED
P-1	EXTERIOR PAINT	SHERWIN WILLIAMS	PER SUBSTRATE	-	SW6539 SOOTHING WHITE	SEE REMARKS	WALLS: PAINT SPECIFICATIONS #1
P-2	EXTERIOR PAINT	SHERWIN WILLIAMS	PER SUBSTRATE	-	SW6991 BLACK MAGIC	SEE REMARKS	CANPOIES: PAINT SPECIFICATION #5 DOORS AND FRAMES: PAINT SPECIFICATION #5
F-1	SHADE FABRIC - VACUUM ARCHES	POLYFAB	COMTEX	-	865227 RED	-	RESPONSIBILITY
PC-1	POWDER COAT - VACUUM ARCHES	CARDINAL PAINTS VIA VACUTECH	-	-	SILVER METAL LIC 30 GLOSS T353-GR06	-	FACTORY POWDER COATED
PC-2	POWDER COAT - TSS CANOPY	TSS	-	-	BLUE	-	FACTORY POWDER COATED
H-1	VACUUM HOSE	VACUTECH	-	-	RED	-	
ST-1	STONE WALL CAP	MODERN PRE-CAST	FLAT COPING	8"	CHARCOAL	-	
ST-2	CULTURED STONE	ELDO RADO	LUCERA	VARIABLES	TAN/STONE	-	
ST-3	NATURAL STONE	TBD	TBD	12"	NATURAL	-	

REFER TO SHEET A803 FOR FINISH SPECIFICATIONS

EXTERIOR FINISHES

N.T.S.

KEYNOTES

- 1 COMMERCIAL CEMENT PLASTER CONTROL JOINT, TYPICAL.
- 2 EXTERIOR LIGHT FIXTURE 'W'. REFER TO E500 FOR LIGHT FIXTURE SCHEDULE.
- 3 PAINTED STEEL CANOPY.
- 4 VENDING MACHINE. FURNISHED AND INSTALLED BY OWNER'S CONTRACTOR. REFER TO ELECTRICAL FOR POWER AND DATA REQUIREMENTS.
- 5 SECURITY CAMERA. FURNISHED AND INSTALLED BY OWNER'S CONTRACTOR. REFER TO E301 FOR CONDUIT REQUIREMENTS
- 6 ROOF DRAIN LEADER AND OVERFLOW OUTLETS

GENERAL NOTES

- A. CONTRACTOR TO COORDINATE WITH FIRE MARSHALL FOR REQUIREMENTS OF ADDRESS NUMBER.
- B. BUILDING SIGNAGE UNDER SEPARATE PERMIT. CONTRACTOR TO OBTAIN FINAL SIGNAGE DRAWINGS FOR CONFIRMATION OF ELECTRICAL ROUGH-IN PRIOR TO THE COMMENCEMENT OF WORK. SEE ELECTRICAL.
- C. REFER TO E301 FOR SECURITY PLAN. COORDINATE FINAL LOCATIONS OF CAMERAS WITH THE OWNER PRIOR TO THE COMMENCEMENT OF WORK.
- G. UNLESS NOTED OTHERWISE, MASONRY CONTROL JOINTS SHALL BE LOCATED SUCH THAT NO STRAIGHT RUN OF MASONRY WALL EXCEEDS 24'-0". REFER TO GENERAL STRUCTURAL NOTES ON S100.
- F. REFER TO DOOR AND WINDOW SCHEDULE ON A802 FOR DOOR AND FRAME FINISHES AND WINDOW GLASS TYPE AND FRAME FINISHES.

SHEET TITLE

EXTERIOR ELEVATIONS

PROJECT NUMBER
20-018

DATE 01.14.2021
SCALE AS NOTED
DRAWN TMS
CHECKED JDE
SHEET NO

A300



DATE	DESCRIPTION	DELTA
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XX-XX-XX	2 X	
XX-XX-XX	3 X	
XX-XX-XX	4 X	
XX-XX-XX	5 X	
XX-XX-XX	6 X	

TAKE 5 CAR WASH
NORTH GOLIAD STREET
ROCKWALL, TX

ARCHITECT:
NEPTUNE
DESIGN STUDIO

ENGINEER:

STAMPS

SHEET TITLE

EXTERIOR ELEVATIONS

PROJECT NUMBER
20-018

DATE 01.14.2021

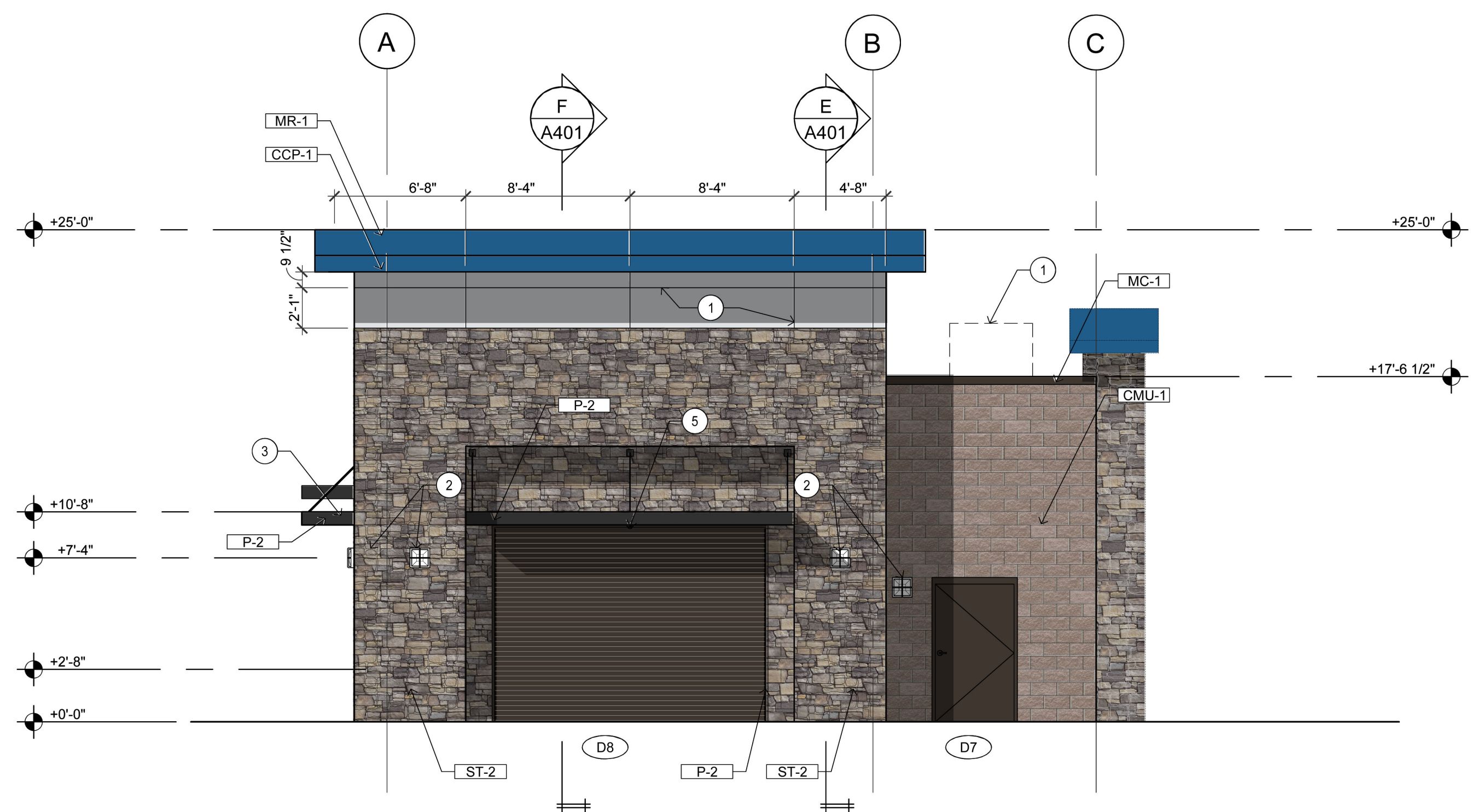
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DRAWN TMS

CHECKED JDE

SHEET NO

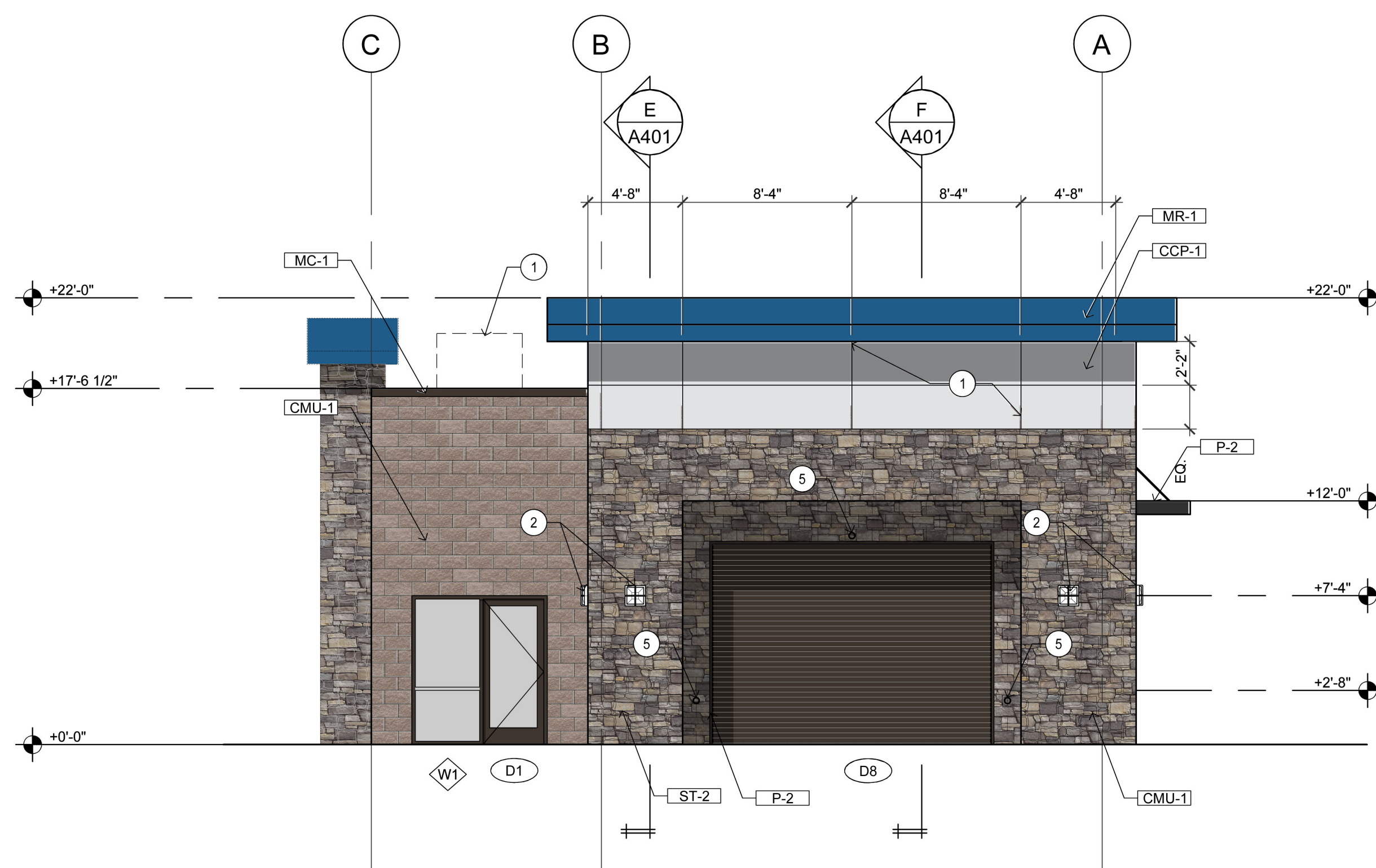
A301



WEST ELEVATION

4

3/16" = 1'-0"



EAST ELEVATION

3

3/16" = 1'-0"

EXTERIOR MATERIAL AND FINISH SCHEDULE

MARK	DESCRIPTION	MANUFACTURER	MODEL/STYLE	SIZE	COLOR	FINISH	REMARKS
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P-1	EXTERIOR PAINT	SHERWIN WILLIAMS	PER SUBSTRATE	-	SW6539 SOOTHING WHITE	-	SEE REMARKS WALLS: PAINT SPECIFICATIONS #1
P-2	EXTERIOR PAINT	SHERWIN WILLIAMS	PER SUBSTRATE	-	SW6991 BLACK MAGIC	-	SEE REMARKS CANPOIES: PAINT SPECIFICATION #5 DOORS AND FRAMES: PAINT SPECIFICATION #5
F-1	SHADE FABRIC - VACUUM ARCHES	POLYFAB	COMTEX	-	865227 RED	-	RESPONSIBILITY
PC-1	POWDER COAT - VACUUM ARCHES	CARDINAL PAINTS VIA VACUTECH	-	-	SILVER METALLIC 30 GLOSS T353-GR06	-	FACTORY POWDER COATED
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ST-2	CULTURED STONE	ELDORADO	LUCERA	VARIABLES	TAN/STONE	-	
ST-3	NATURAL STONE	TBD	TBD	12"	NATURAL	-	

REFER TO SHEET A803 FOR FINISH SPECIFICATIONS

EXTERIOR FINISHES

N.T.S

KEYNOTES

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- C. REFER TO E301 FOR SECURITY PLAN. COORDINATE FINAL LOCATIONS OF CAMERAS WITH THE OWNER PRIOR TO THE COMMENCEMENT OF WORK.
- D. UNLESS NOTED OTHERWISE, MASONRY CONTROL JOINTS SHALL BE LOCATED SUCH THAT NO STRAIGHT RUN OF MASONRY WALL EXCEEDS 24'-0". REFER TO GENERAL STRUCTURAL NOTES ON S100.
- E. REFER TO DOOR AND WINDOW SCHEDULE ON A802 FOR DOOR AND FRAME FINISHES AND WINDOW GLASS TYPE AND FRAME FINISHES.



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March 11, 2008

Reference: BAEN00286072B

Mr. Bob MacNeil
MacNeil Wash Systems
423 Welham Road,
Barrie, Ontario L4N 8Y4

**Noise Assessment – Car Wash System
623 Yonge Street / Big Bay Point Road
Barrie, Ontario**

Dear Mr. MacNeil:

1. Introduction

At the request of PetroCanada and MacNeil Wash Systems (MacNeil), Trow Associates Inc. (Trow) performed a noise assessment of the car wash system located at 623 Yonge Street junction with Big Bay Point Road in Barrie, Ontario. The assessment was performed on August 27, 2007.

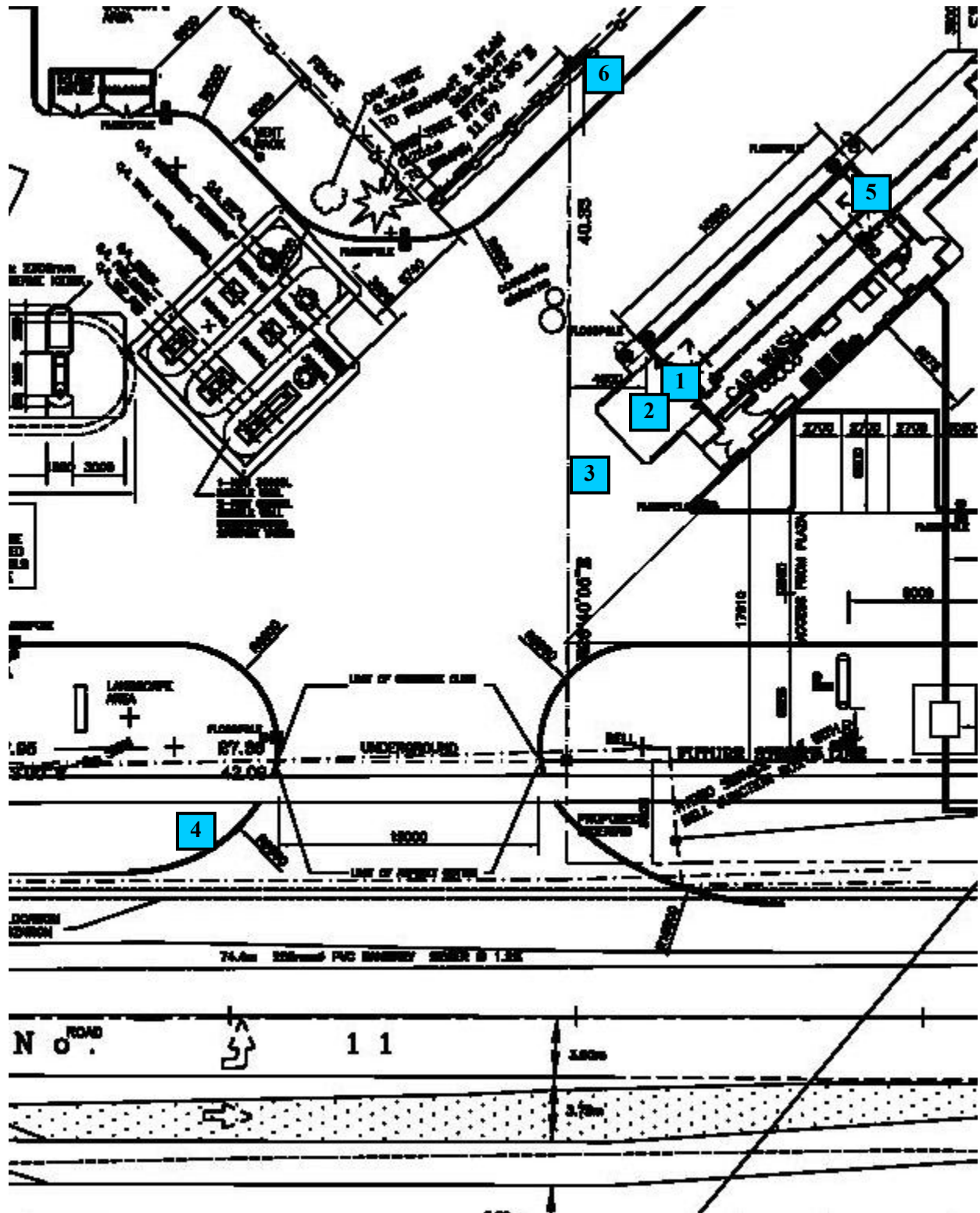
Trow understands that the assessment is required to compare a car wash system using standard dryer fans with a system equipped with MacNeil dryer fans. The assessment protocol evaluated the total noise (dBA weighting) at the site with the car wash system dryer and conveyor components running and heat saver doors open. Measurements were also collected with the car wash system shut down to assess the level of background noise at the site.

2. Equipment and Assessment Protocol

Sound pressure level was measured by a Quest 2900 Integration Sound Level Meter (S/N CDF04002). Measurement of total noise was made using dBA weighting.

The microphone was positioned in an upright position, 1 m above ground level for all measurements. Measurements were collected from locations in front of the exit to the car wash at distance of 0 m (Location 1), 4.6 m (Location 2), 9.1 m (Location 3), and 36.6 m (Location 4). Additional measurements were made at the entrance to the car wash (Location 5) and at 90° to the car wash system at the fence line of the property (Location 6). Monitoring locations are shown in Figure 1.

Figure 1: Monitoring Locations



1 Noise Measurement Location

The car wash was closed to commercial traffic throughout the monitoring period. The adjacent PetroCanada gas bar was in operation during the measurement period, resulting in commercial traffic using the roadway directly in front of the exit to the car wash (see Appendix 1: Site Plan).

Extraneous noise sources at neighbouring facilities were outside the control of PetroCanada, MacNeil and Trow. Trow considers that the primary source of extraneous noise was due to road traffic on Yonge Street. The impact of noise arising from traffic on Yonge Street was assessed by conducting a limited traffic survey immediately following completion of noise measurements. Data from the traffic survey has been interpreted using the Ontario Road Noise Analysis Method for Environment and Transportation (ORNAMENT) developed by the Ontario MOE.

3. Background Noise Assessment

Trow’s traffic survey indicated the following traffic volumes on Yonge Street to the south-east of the junction between Yonge Street and Big Bay Point Road in Barrie:

Table 1: Traffic Survey Data

Vehicle Type	Vehicle Count (14:20 – 14:40)	Vehicle Volume (vehicles / hour)	Vehicle Percentage by Type	Truck Type Percentage
Cars	350	1050	94	-
Light Trucks	4	12	1	17
Heavy Trucks	19	57	5	83

The anticipated background noise level arising from Yonge Street at each noise monitoring location was assessed using ORNAMENT. Basing calculations on the posted speed limit of 50 km/hr; an hourly traffic volume of 1000 vehicles / hour (closest ORNAMENT category to actual vehicle volume); 6% truck volume; 12.5% medium trucks (closest ORNAMENT category to actual truck percentage); and, noise attenuation due only to distance from source for a reflective surface:

Table 2: Calculated Background Noise at Monitoring Locations due to Yonge Street Traffic

Location ID	Distance from Source (m)	Calculated Background Noise (dBA)
1	40.5	64.2
2	38.5	64.2
3	36.0	64.2
4	15.0	68.5
5	52.0	63.3
6	58.0	62.5

4. Monitoring Results

Equivalent noise levels (L_{eq}) and peak noise levels at each monitoring location under specified conditions are provided in tabular form below.

Table 3: Noise Monitoring Results

Time	Location	Conditions	Leq (dBA)	Peak (dBC)
11:24 – 11:44	2	Background, Dryer off	63.0	98.4
11:45 – 12:05	3	Background, Dryer off	62.2	101.2
12:06 – 12:26	4	Background, Dryer off	68.1	104.6
12:32 – 12:52	2	Dryer and conveyor on, heat saver doors open	80.8	102.0
12:55 – 13:15	3	Dryer and conveyor on, heat saver doors open	73.2	101.7
13:17 – 13:37	4	Dryer and conveyor on, heat saver doors open	68.4	101.8
13:38 – 13:43	1	Dryer and conveyor on, heat saver doors open	92.1	109.8
13:44 – 13:49	5	Dryer and conveyor on, heat saver doors open	87.8	106.5
13:50 – 13:55	6	Dryer and conveyor on, heat saver doors open	58.5	91.7
13:58 – 14:04	6	Dryer on, heat saver & overhead doors closed	55.7	91.5
14:05 – 14:09	6	Background, Dryer off	56.9	91.7

5. Predicted Impact of Noise Arising from Car Wash

The theoretical impact of sound at a receptor arising from a distant source can be calculated following procedures detailed in CSA Z107.55 Recommended Practice for the Prediction of Sound Levels Received at a Distance from an Industrial Plant. The standard recommends that sound levels be predicted using the following equation:

$$L_p = L_w + DI - DIS - A - \Delta$$

Where: L_p = Sound pressure level at receiving location

L_w = Source sound power level

DI = Directivity Index

DIS = Effect of geometric spreading

A = Atmospheric absorption

Δ = Barrier effect

There are presently no barriers between the exit of the car wash and Yonge Street and the distance is small (<100 m); the impact of atmospheric absorption and the barrier effect are therefore considered negligible. Taking the sound pressure level reading of 92.1 dBA at the entrance to the car wash as equivalent to the source sound power level (L_w) and the sound to have a quarter sphere radiation pattern due to the surface configuration of car wash exit intersecting with the ground gives the following calculation of predicted sound level at Monitoring Locations 2 – 4:

Table 4: Predicted Sound Levels

Receptor Location	L_w	DI	DIS	L_p	Leq
2	92.1	6	21.2	76.9	80.8
3	92.1	6	27.2	70.9	73.2
4	92.1	6	39.3	58.8	68.4

6. Discussion

The measured background noise level at Monitoring Location 4 (68.1 dBA), the closest location to Yonge Street is in good agreement with the value predicted by ORNAMENT (68.5 dBA) using the traffic survey data obtained immediately following noise measurements. The measured background levels of 63.0 and 62.2 dBA at Monitoring Locations 2 and 3 respectively (between the car wash exit and Yonge Street) are also in good agreement with the predicted value of 64.2 dBA for both locations. In contrast, the measured background noise level of 56.9 dBA at Monitoring Location 6 (adjacent to the property line to the north west of the car wash) is significantly lower than the predicted value of 62.5 dBA. The lower measured value suggests that the car wash shields the property line from noise arising from a segment of Yonge Street.

The measured sound levels of 80.8 and 73.2 dBA at Monitoring Locations 2 and 3 respectively are in reasonable agreement with the predicted values of 76.9 and 70.9 dBA respectively. The observed differences may be due to impact of background noise, underestimation of the source power level, and / or underestimation of the directivity index. The car wash design may be expected to give rise to a greater directivity index than predicted.

The measured sound level of 68.4 dBA at Monitoring Location 4 is significantly greater than the predicted value of 58.8 dBA, but consistent with the predicted and measured sound level due to road traffic on Yonge Street indicating that road traffic is the dominant noise source at this location.

The measured sound level at the car wash entrance of 87.8 dBA is below that at the exit (92.1 dBA) as anticipated given that the dryers, considered to be a primary noise source, are located towards the exit of the car wash. The sound level is however significant indicating a strong directivity index at the entrance as well as at the exit of the car wash.

The measured sound level (58.5 dBA) at Monitoring Location 6, at the property line to the north west of the car wash, is greater than the measured background sound level (56.9 dBA) but below the predicted background sound level (62.5 dBA) due to road traffic on Yonge Street. The results suggest that the reduction of noise level due to the screening of road traffic more than off-sets the noise arising from operation of the car wash.

7. Conclusions

The noise emissions from the car wash located on the PetroCanada facility at the junction of Yonge Street and Big Bay Point Road in Barrie have a strong directivity index away from both the entrance and exit of the car wash. Noise levels are highest at the car wash exit however the impact on receptors in the direction of the exit is limited due to high background sound levels arising from road traffic on Yonge Street.

Potential impact on receptors located towards the car wash entrance were not within the scope of this assessment but may be greater than on receptors towards the car wash exit due to the relative impact of Yonge Street road traffic noise.

The car wash provides a net reduction in noise impact at the monitoring location situated at the property line to the north west of the car wash with shielding of road traffic noise more than off-setting the noise arising from operation of the car wash.

We trust the aforementioned meets your immediate requirements.

Yours truly,

Trow Associates Inc.



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July 25, 2007

Reference: BAEN00286072A

Mr. Bob MacNeil
MacNeil Wash Systems
423 Welham Road,
Barrie, Ontario L4N 8Y4

**Noise Assessment – 10 & 15 HP Fans
423 Welham Road
Barrie, Ontario**

Buildings

Environment

Geotechnical

Infrastructure

Materials & Quality

Dear Mr. MacNeil:

1. Introduction

At the request of MacNeil Wash Systems (MacNeil), Trow Associates Inc. (Trow) performed a noise assessment of 10 HP and 15 HP car wash dryer fans at 423 Welham Road located in Barrie, Ontario. The assessment was performed on July 6, 10, and 13, 2007.

Trow understands that MacNeil develops and manufactures car wash systems and required a noise assessment of dryer fans to assess impact of baffle and foam insulation on noise produced by the fans. The assessment protocol evaluated the frequency distribution of noise and total noise (A weighting) produced by the fans under client defined operating conditions.

2. Equipment and Assessment Protocol

Noise produced by the fans was measured by a Quest 2900 Integrating Sound Level Meter (S/N CDC030016) equipped with a Quest OB300 filter for measurement of frequency distribution. Measurement of total noise was made using dBA weighting and frequency measurements were made using dB Linear weighting.

The microphone was positioned in an upright position, 1 m above ground level for all measurements. Measurements were made within the MacNeil Wash Systems research and development facility located at 423 Welham Road. Fan location was in the centre of the facility, as far as practicable from all noise reflective surfaces. Extraneous noise within the facility was kept to a minimum during measurement activities. Extraneous noise sources at neighbouring facilities were outside the control of MacNeil and Trow, however Trow considers that such sources generally made minimal contribution to recorded noise values. In instances where

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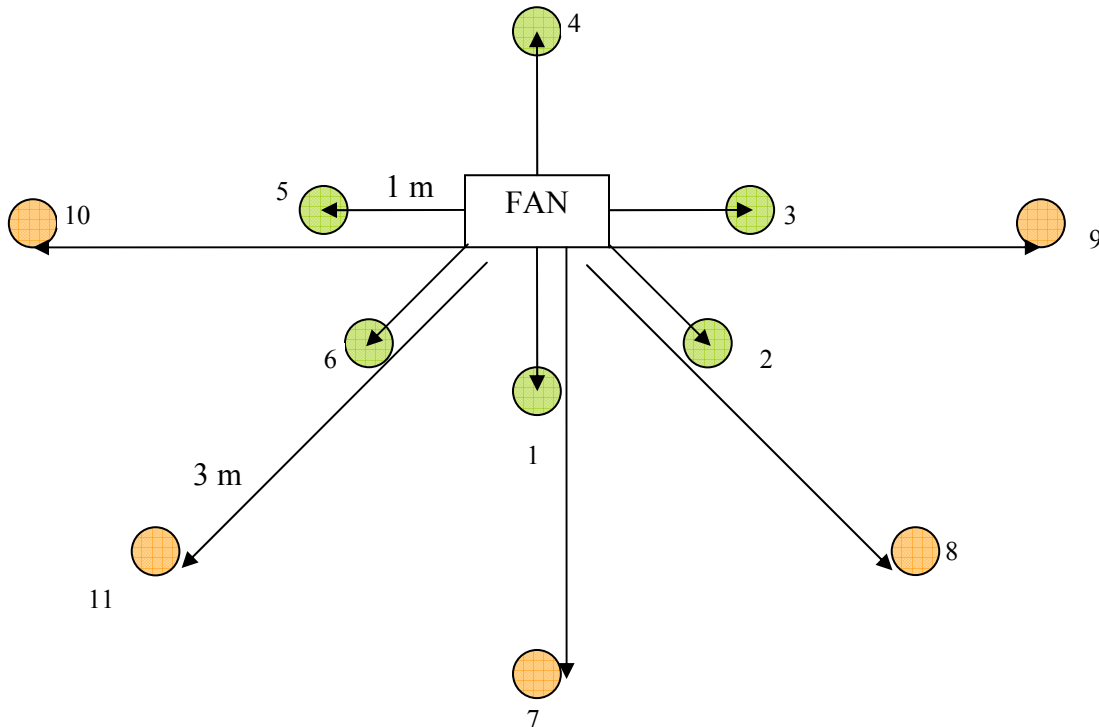
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measurements may have been impacted by extraneous noise sources data has been highlighted. Trow recommends caution when evaluating highlighted data.

Measurements were made in a semi-circle to the front of each fan at distances of 1 m and 3m, with an additional measurement point located 1 m directly behind the fans. See Figure 1 below for measurement locations:

Figure 1. Noise Measuring Point Locations



Measurements of noise produced by 10 HP and 15 HP fans were made under the following operating conditions:

- No attenuation device fitted
- Baffle fitted (no foam), maximum air flow
- Baffle fitted (no foam), minimum air flow
- Baffle with foam insulation fitted, maximum air flow
- Baffle with foam insulation fitted, minimum air flow

Results

Equivalent noise levels (L_{eq}) for each measurement period are provided in tabular form below. Bar charts of significant data are also provided to facilitate evaluation of the impact of noise attenuation due to installation of the baffle, operation of fans at reduced air flow, and installation of foam insulation within the baffle.

Table 1. – Noise Produced by 10 HP Fan with No Attenuation

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	92.2	65.8	76.1	82.3	84.4	86.1	91.3	89.7	83.7	86.4	74.4	73.4
2	89.6	62.9	73.3	78.6	82.2	84.7	87.8	87.2	83.1	84.6	72.2	72.5
3	86.7	57.4	67.8	74	78.8	82.7	85	84.4	82.1	79.5	74.2	71.6
4	87.8	58.7	68.1	75.3	80.3	81.4	85.7	81.9	78.8	84	77.4	74.5
5	90	58	68	75.2	80.6	83.6	85.9	84.6	81.1	78.4	74.5	74.3
6	87.3	62.7	73	78.9	83.1	85.4	87.8	86.5	82.4	83.8	72.4	73.4
7	86.6	58.7	69.2	75	79	81.3	85.6	80.8	80.7	80.8	68.2	66.6
8	85	56.7	67.7	73.7	78	80	82.9	80.8	80.8	79.4	68.8	80.3
9	83.3	52.7	64	70.7	75.8	78.9	81.1	77.9	78.6	79.8	69.2	87.1
10	83.8	53.1	64.3	71.6	77.1	79.2	81.9	77.7	78	76	71.4	71.4
11	86.2	58.5	68.5	75.2	79.6	81.8	83.6	80.2	80.2	78.2	69.2	69.2

Table 2. – Noise Produced by 10 HP Fan with Baffle at Maximum Air Flow (No Foam Insulation)

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	89.2	58	68.4	74.9	81.8	83.6	87.4	87.4	82.8	85.3	72.7	72.2
2	89.2	60.6	71.3	77.3	82.3	84	85.7	87.1	83.2	84.9	74.2	85.4
3	88	58.6	69.4	75.6	80.9	83.2	85.4	84.9	82.4	79.8	77.4	82.7
4	88.5	58.3	68.1	75.2	81.2	83.3	87.3	83.9	79.1	84.4	78.5	74.4
5	89.1	59.4	70	76.7	82.5	84.5	86.4	85.6	81.5	79.3	76.7	74.4
6	89.2	60.2	70.9	77.4	82.9	84	85.8	87.1	82.7	84.2	74.2	73.5
7	84.9	53.8	64.4	71.2	77.5	80.6	82.1	82	80.8	80.6	70.3	73.5
8	84.3	54.3	65.2	72.2	78.5	79.5	80.8	80.6	80.6	78.9	69.3	67.6
9	84.1	54.1	65.5	72	77.1	81.2	81.2	78.4	76.3	77.8	69.8	68.1
10	84.8	54.4	65.6	72.7	78.6	79.9	81.8	79.4	76.9	77	74.2	73.4
11	85	55.2	66.3	73.3	79.4	81.3	81.2	81.6	80.9	80	71.5	80.9

Table 3. – Noise Produced by 10 HP Fan with Baffle at Minimum Air Flow (No Foam Insulation)

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	84.9	63.6	74.1	78	77.5	78.7	79.8	82.4	79.6	82.9	79.7	79
2	86.4	68.3	77.9	80.6	77.9	78.5	80	83.7	82.5	85.5	81.6	80.4
3	83.7	59.7	71.5	74	75.4	78.5	80	83.1	78.7	83.9	87.1	87.3
4	84.2	56.6	67.2	72.7	75.7	79.4	83.9	82.2	78.3	86.7	88.2	70.3
5	84.8	61.2	71	75.2	76.5	78.7	81.5	84.1	77	81.7	84.3	71.1
6	86.8	67.8	77.7	81.5	78.6	78	80.4	82.3	78.7	82.5	80.7	75.6
7	81.2	59.7	69.5	73.7	73.6	75.1	76.8	77.7	79.3	83.2	78.2	71.6
8	81.6	61	71.3	75	73.9	74.7	75.7	76.5	77.4	80.1	76.9	69.4
9	80.4	57.7	67.2	71.4	72.5	74.7	77	74.7	75.4	81.9	80.4	71.9
10	81.1	58.3	67.7	72.4	73.3	75.3	78.2	74.9	73.4	81.3	82.4	70.5
11	82.4	61.7	71.8	76.2	74.5	75.1	75.9	77.4	78.8	81.7	78.9	67.7

Table 4. – Noise Produced by 10 HP Fan with Baffle and Foam Insulation at Maximum Air Flow

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	87.9	55.2	65.7	73.3	79	82.4	87.1	87.8	82.9	85.2	75	73.1
2	88.4	57	68	75.4	80.3	83.7	85.6	88	83.5	84.8	74.1	71
3	87.2	56.8	67.4	73.9	79.5	82.8	84.6	85.2	81.6	79.4	77.9	86.3
4	88	57.2	66.9	74.2	79.6	82	87.4	83.2	78.5	84.1	79.1	75.8
5	88.2	59.3	67.8	74.9	80.9	83.7	85.6	85.3	81.5	78.3	76	73.1
6	88.1	56.6	67.8	75.7	80.7	83	85.5	87.1	82.6	84.2	74.7	72.3
7	83.6	51.4	67.6	70.1	75.6	79	81.7	82.1	80.5	80.6	71.2	67.3
8	83.4	56.2	62.6	70.9	76.7	79.1	80.5	81	80.3	79	68.8	63.9
9	83	51.6	63.8	70.1	75.6	78.3	80.1	78.4	76.7	78.7	71.3	66.3
10	84.2	51.8	63.9	71.2	76.9	79.2	81.6	79.3	77.2	76.9	72.7	68.2
11	84.3	52.2	63.9	71.6	77.6	79.6	80.9	80.7	80.7	80	70.7	66.8

Table 5. – Noise Produced by 10 HP Fan with Baffle and Foam Insulation at Minimum Air Flow

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	84.9	62.5	72.7	77	76.4	77.4	79.5	82.3	78.7	82.8	80	70.1
2	86.6	67.9	77.4	80.5	77.6	78.1	80	83.5	82.3	86.2	81.8	77.7
3	83.3	59.6	69	73.1	74.7	78	79.4	82.9	79.4	84.2	84.4	78.9
4	84.2	55.3	65.9	71.7	74.7	78.6	84.5	82.9	77.9	86.6	86.7	69.7
5	84.4	62.2	69.8	74.5	75.9	78.6	81.8	84.5	77.7	82.2	84.7	69
6	86.3	67.1	77.2	80.8	77.9	77.3	80.1	82	79.1	83.2	80.5	64.3
7	80.8	58.8	68.2	72.8	72.6	74	76.4	75.5	79.9	83.6	77.8	62.1
8	81.2	60.2	70.3	75	73.7	74.3	75.9	77.9	77.3	79.7	78.2	70.8
9	79.5	56.6	66.4	71.1	71.6	74	75.8	75.6	72.6	79.6	79.5	66.2
10	80.8	58.2	67.2	72.3	73	75.5	78.4	74.4	73.4	80.6	83.3	70.4
11	82	61.3	71.5	76.6	74.3	74.7	75.9	78	76.7	79.6	79.9	66.6

Table 6. – Noise Produced by 15 HP Fan with No Attenuation

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	95.8	66.2	76.6	82.4	85.7	89.6	96.2	92.5	83.6	86.1	74.1	68
2	94.5	64.2	75.2	80.8	84.6	87.5	93.1	89.7	83.9	85.1	73.1	67
3	92.6	61.7	71.6	78.5	83.9	87.2	90.8	87.9	85.4	81.3	77.2	72.2
4	92.6	62.8	72.8	79.2	84.4	87.1	92	84.2	84.4	86.1	79.4	72.8
5	92.9	61.4	72.2	79.7	85.4	87.6	91.6	88.2	84.6	82.7	74.5	69.4
6	95.5	66.1	76	82.1	86.5	90.6	94.1	90.9	84.2	85.7	74.1	68.9
7	89.9	60	70.9	77.6	81.4	84.6	89.4	83.5	81.3	81.6	70.6	63.6
8	89.4	59	70.8	77	81.1	84.3	87.7	82.8	81.8	81.1	72.2	68.9
9	89.2	55.3	67.4	74.8	79.9	84.1	87.4	81.3	80.4	78.6	71	63.1
10	89	56.2	68	75.7	80.7	84.5	87.5	81.3	80.5	77.8	73.1	69.2
11	90.3	60.1	71	77.7	82.3	86.1	87.9	82.4	82.5	81.4	71.8	64.2

Table 7. – Noise Produced by 15 HP Fan with Baffle at Maximum Air Flow (No Foam Insulation)

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	93.4	60.6	71.8	79.5	84.4	88.3	93.6	90.8	83.9	85.8	74.3	68.2
2	92.7	63	74.8	81.1	85.4	87.3	91.3	89.4	84.5	85.4	75	69.7
3	92.9	63.3	73.4	80.3	85.6	87.2	89.9	88.4	85.1	82.1	77.9	72.6
4	92.6	62.7	72.5	79.2	84.9	87.6	92.3	85.1	83.8	85.9	79.7	74.7
5	93.3	63.1	73.9	80.9	86	87.6	91.5	88.6	84.6	82.8	77.3	74.2
6	93.8	62.3	73.9	81	86.1	88.2	92.2	89.1	84.2	85.9	74.4	69.6
7	89.4	56.1	67.7	75.6	81	84.8	87.9	83.6	81.6	83	76	63.1
8	89	57.4	68.9	76.3	81.2	83.6	86	82.5	81.6	82	70.7	66.9
9	89.2	56.8	68.4	75.8	80.9	84	87.7	81.8	80.1	78.5	72.7	68.1
10	90	58	69	76.5	81.5	84.4	87.9	81.2	80.4	78.9	73.7	67.8
11	89.1	57.5	69.1	76.7	81.6	84	87.1	82.4	82.6	81.4	71.4	67.9

Table 8. – Noise Produced by 10 HP Fan with Baffle at Minimum Air Flow (No Foam Insulation)

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	89.2	67.1	78.4	81.4	80.4	80.9	81.9	84.6	83	81.2	75.8	71.1
2	91.1	70.9	81.8	84.7	81.4	81.9	82.6	86.3	82.1	80.6	76.9	66.3
3	88.3	65.2	75.6	79.1	79.3	82.7	82.8	86.8	79.8	81	80.6	69.3
4	88	60.6	71.9	76.6	78.9	83.3	83.7	85.5	80.5	87.5	84.3	71.5
5	88.3	67.9	76.9	79.8	79.2	80.8	83.6	85.6	80.8	80.5	79.3	70.1
6	91.3	71.5	82.4	85.4	81	80.7	83.5	86	83	81.4	76.8	64.3
7	85.8	62.4	74	77.8	76.7	77.9	79.7	78.7	81.5	79.2	74	62.7
8	86.4	64.7	75.8	79.6	77.2	78.3	79.1	79.5	78.2	78.5	74	62.9
9	85.1	61	71.9	76	76.5	79.1	79.9	78.5	76.7	82	78.4	68.9
10	84.8	61.9	72.4	76.2	75.9	78.6	80.4	78.8	77.8	80.8	78.5	66.1
11	86.1	64.6	76	79.4	77.3	78	78.5	78.9	81.6	79.8	75.3	66.1

Table 9. – Noise Produced by 15 HP Fan with Baffle and Foam Insulation at Maximum Air Flow

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	92.2	58.7	69.7	77.8	82.3	86.5	93.1	90.7	84.3	86.5	74.5	71.7
2	91.5	60.6	73.4	79.5	83.5	86.7	90.5	89.1	84.4	85.4	75	70.6
3	91.6	61.8	71.8	78.6	84.6	86.9	89.5	88.5	84.7	81.8	76	71.9
4	92.1	62.2	71.9	78.2	83.3	86.8	92.3	84.4	84	86.2	79.1	75.1
5	92.3	61.5	72.2	79.6	84.8	87.1	90.9	88.2	84.3	82.6	75	73
6	92.3	59.7	71.6	79.3	83.6	86.6	91.4	89.3	84	85.6	74	68.7
7	88.1	54.4	65.9	74.3	79.3	83.3	88.2	83.6	81.7	82.1	70	64.6
8	87.2	55.5	67.6	74.8	79.8	83.1	86.3	82.7	81.9	81.9	71.7	70.8
9	88.2	55.6	66.9	74.4	80	83.6	87.5	81.6	79.6	79	72.4	72.5
10	88.5	56	67.6	75	80.2	84	88.3	81.1	80	78.6	73.2	73.5
11	87.6	55.3	67.4	75.1	80	82.7	86.1	82	82.3	81.6	70.5	63.5

Table 10. – Noise Produced by 15 HP Fan with Baffle and Foam Insulation at Minimum Air Flow

Measurement Station	Leq (dBA)	Leq 16k Hz (dBL)	Leq 8k Hz (dBL)	Leq 4k Hz (dBL)	Leq 2k Hz (dBL)	Leq 1k Hz (dBL)	Leq 500 Hz (dBL)	Leq 250 Hz (dBL)	Leq 125 Hz (dBL)	Leq 63 Hz (dBL)	Leq 31.5 Hz (dBL)	Leq 16 Hz (dBL)
1	87.1	65.9	77.3	80.5	79.5	80.1	81.2	84.5	82.9	81	75.7	69.4
2	89.3	69.9	80.7	83.8	80.5	81.7	82.2	85.9	81.8	80.3	77.1	72.5
3	87.3	63.7	74.2	77.9	78.5	83	82.7	86.1	79.6	80.7	80.4	72.2
4	86.8	58.8	70.4	75.5	78.6	82.5	84.2	84.2	80.5	86.7	84.5	69.2
5	86.8	66.3	75.2	78.4	78.6	80.4	83.2	85.3	80.3	79.8	79.3	69.7
6	89.1	70.2	80.8	83.9	79.8	80.4	83	85.7	82.3	81.1	77	68.7
7	84.4	61.2	72.7	76.8	75.9	77.5	80	78.6	81	78.8	74	65.7
8	83.7	63	74.7	78.5	76.4	78.1	78.5	79.4	78.4	78.1	74	73.5
9	83.7	59.3	70.7	74.9	80.5	79.1	80.2	77.9	77.3	82.1	77.8	72.2
10	83.3	60.7	71.5	75.2	75.4	78.3	80.2	78	78.1	80.9	78.1	72.2
11	84.6	63.3	74.9	78.8	76.4	77.8	79.1	78.1	81.3	79.5	75.6	66.2

Figure 2. Sound Pressure Levels Produced by 10HP Fan

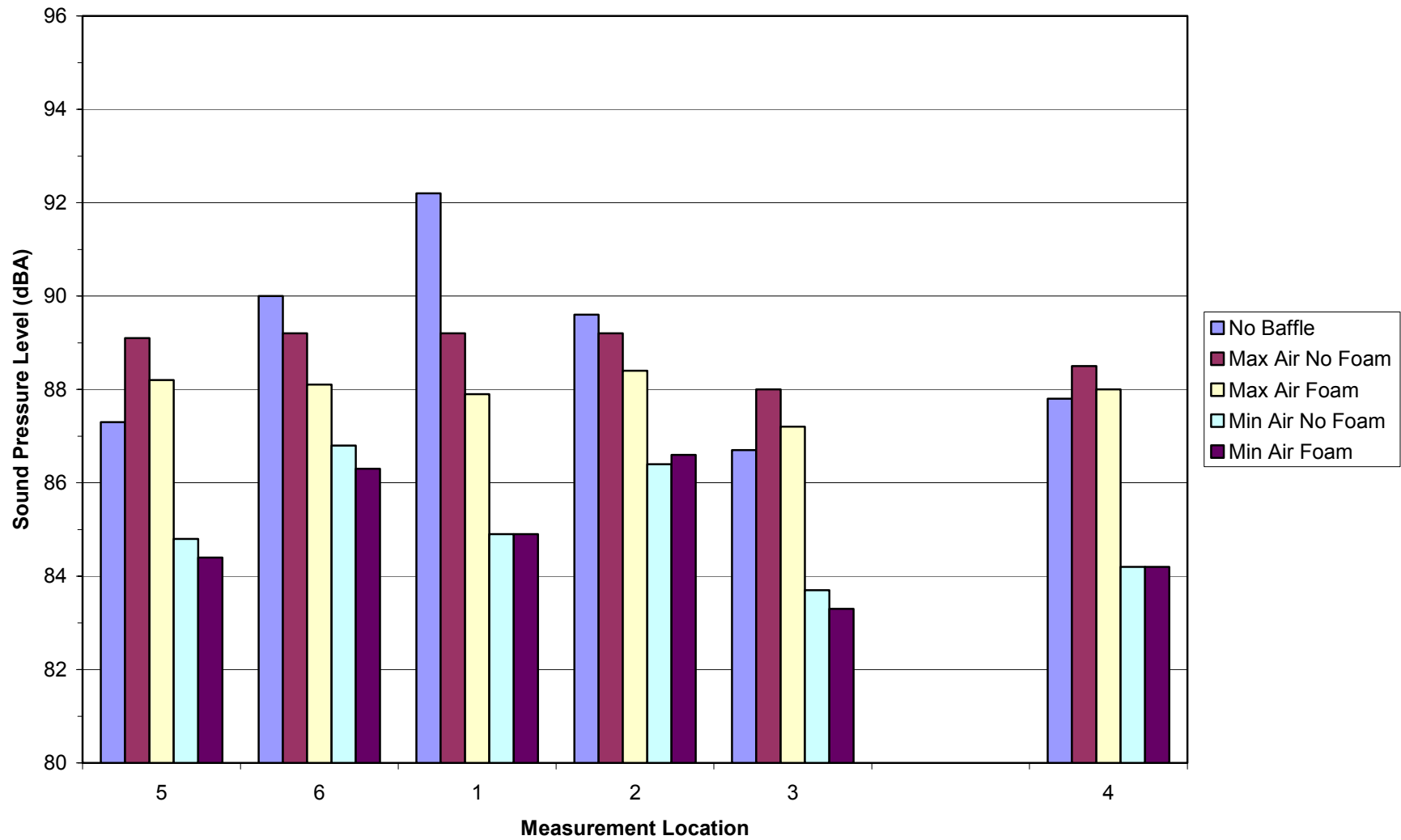


Figure 3. Sound Pressure Levels Produced by 15HP Fan

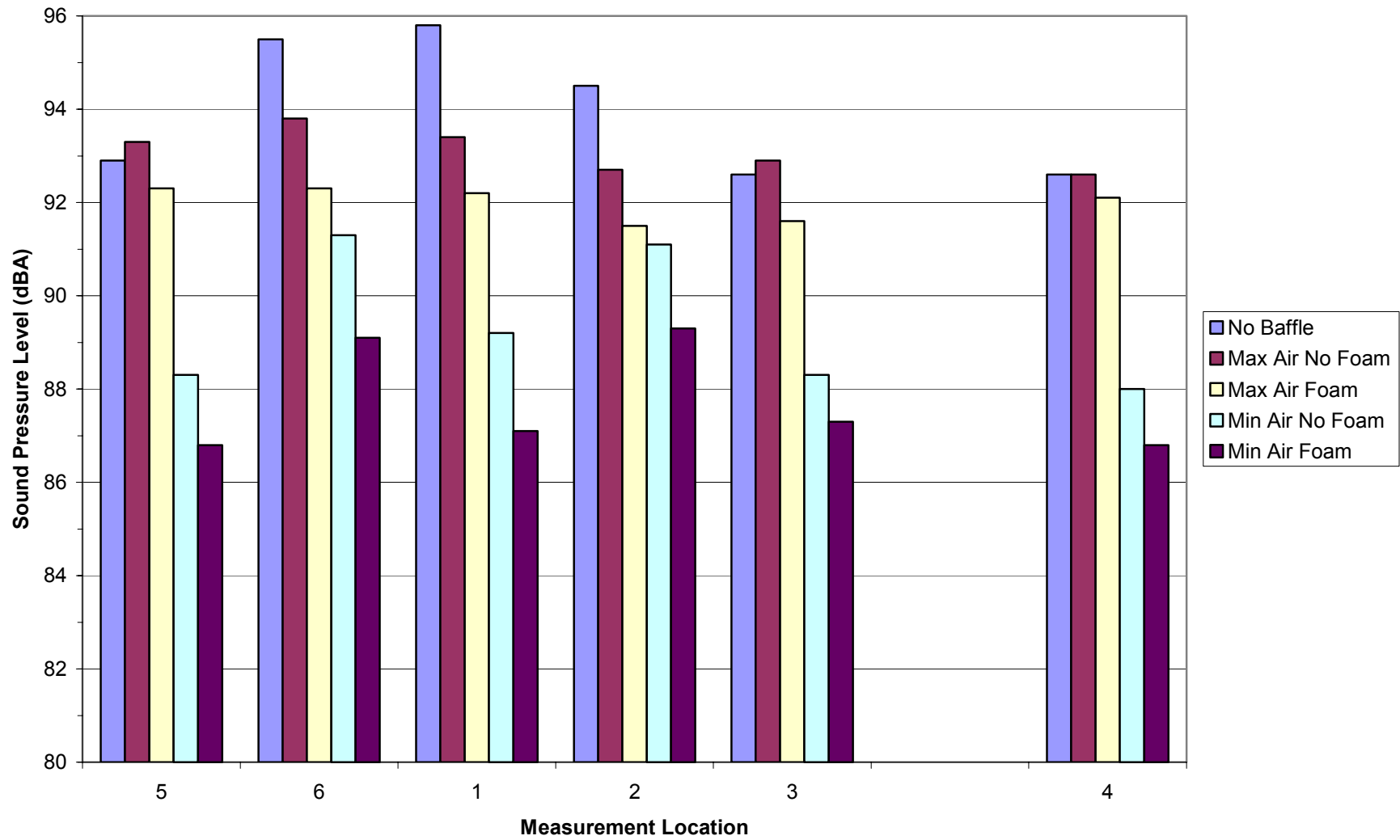


Figure 4. 10HP Fan Maximum Air Flow with Baffle. Frequency Distribution at 1m

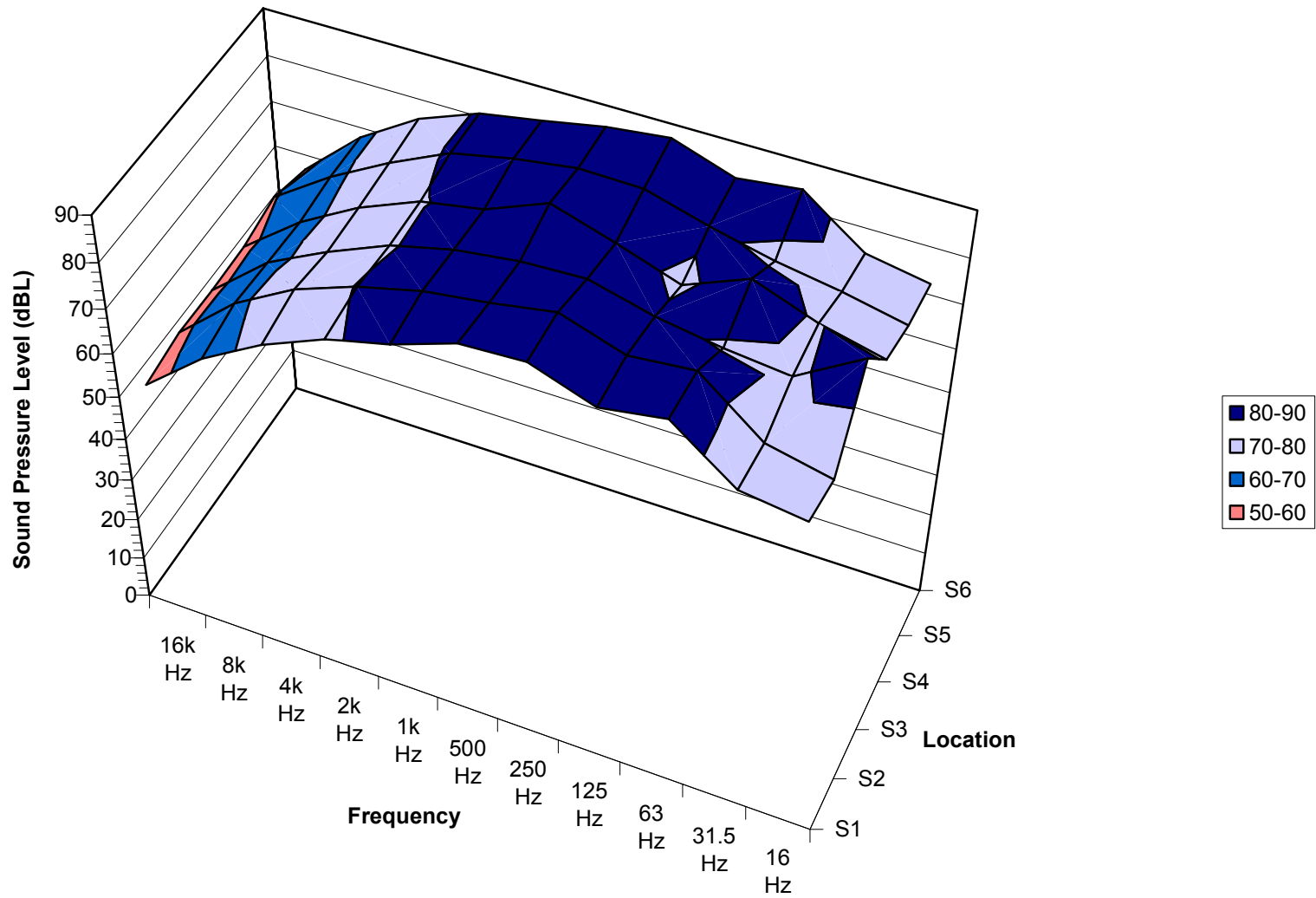


Figure 5. Change in Sound Pressure Level with Frequency on Installation of Baffle to 10HP Fan

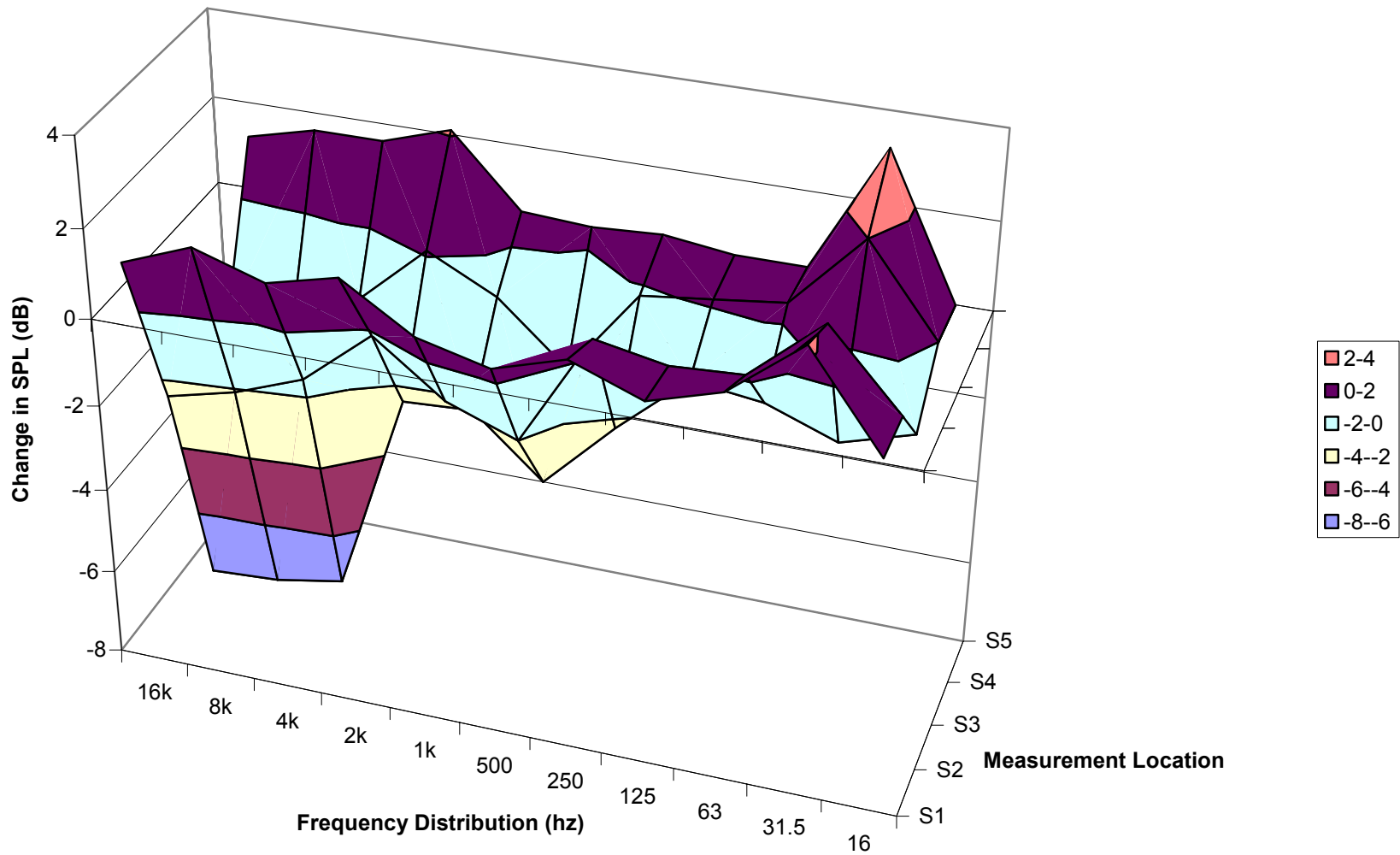


Figure 6. Change in Sound Pressure Level with Frequency on Installation of Baffle to 15HP Fan

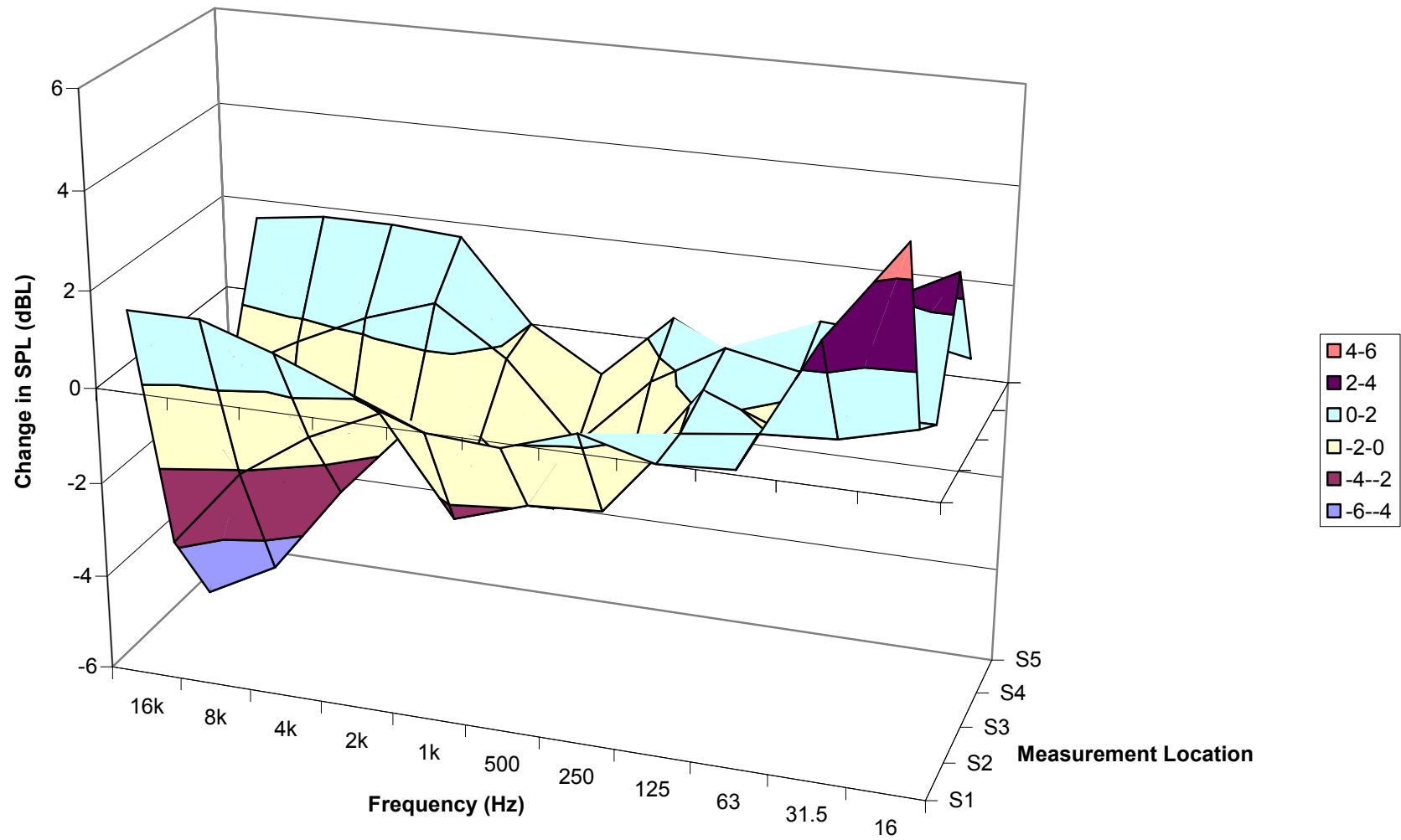


Figure 7. Change in SPL with Frequency on Installation of Baffle and Foam to 15HP Fan (Max Air Flow)

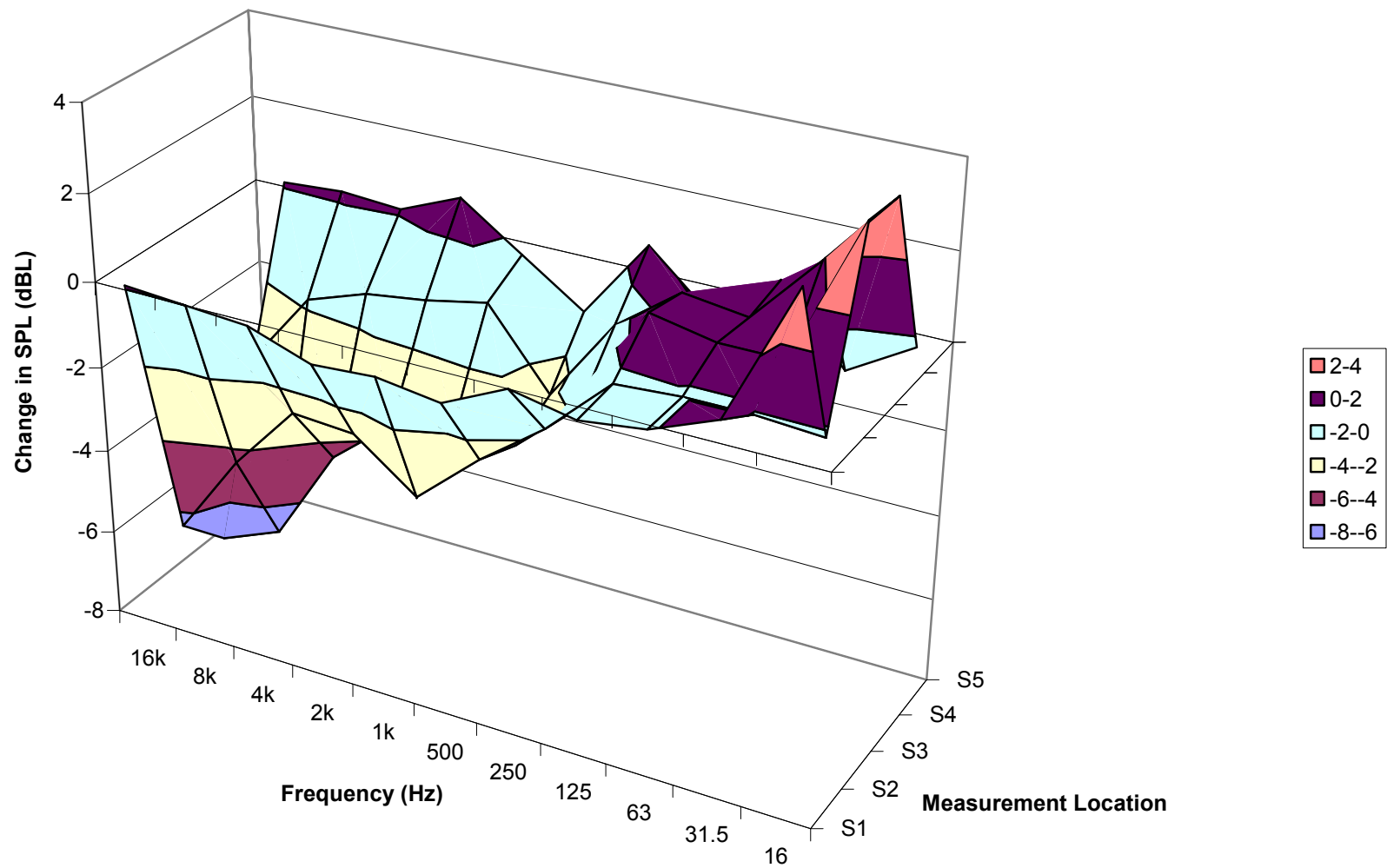
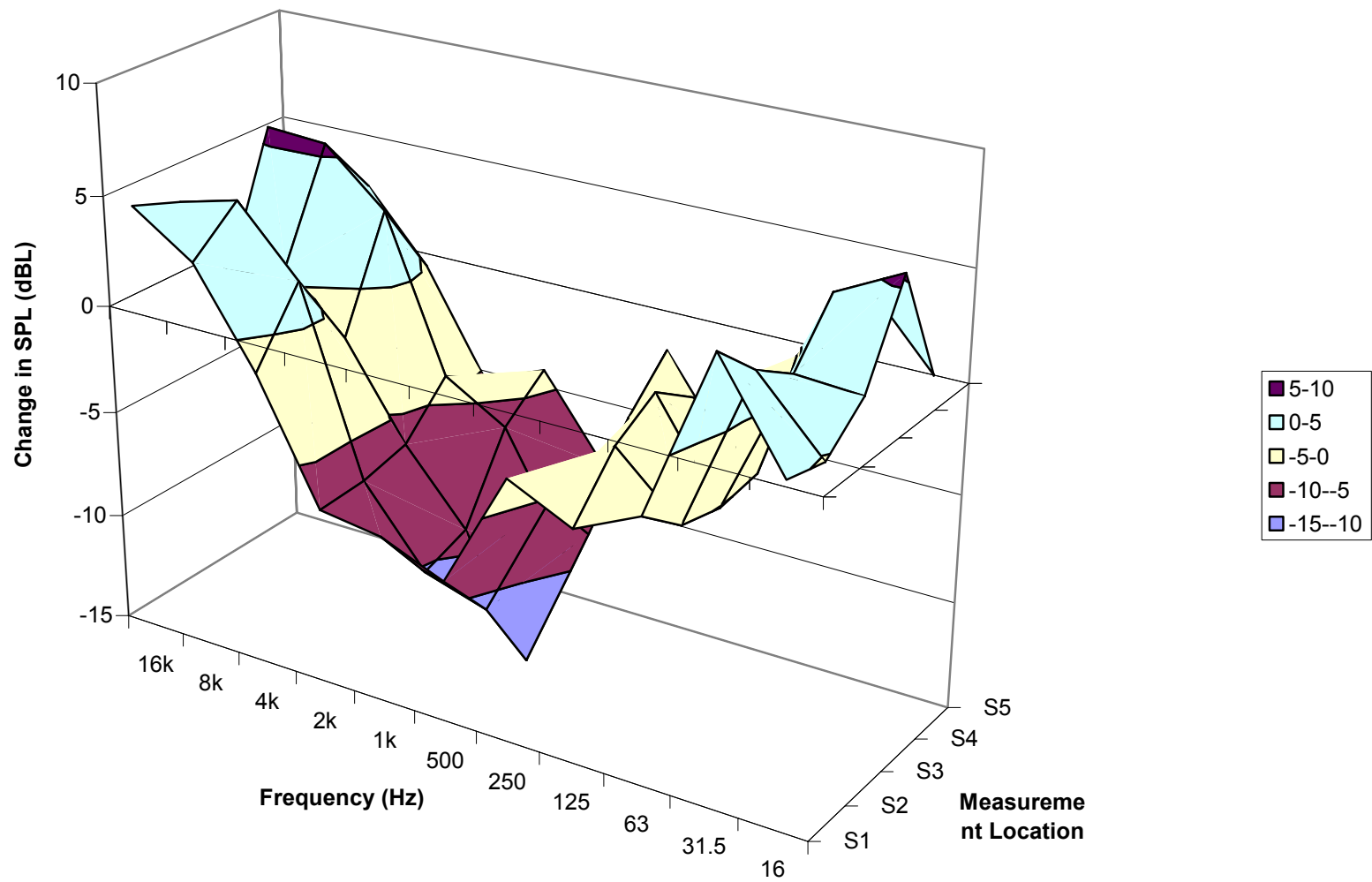


Figure 8. Change in SPL with Frequency on Installation of Baffle with Foam to 15HP Fan and Operation at Minimum Flow



5. Comments

Sound pressure levels are anticipated to decrease by 3 dB with a doubling of distance from the source. Measurements were taken 1 m and 3 m from each fan under each chosen operating condition, the anticipated decrease in sound pressure level at 3 m from source in comparison to 1 m from source is 4.8 dB. Recorded decreases in sound pressure level were, on average, in the range of 4.5 to 5.2 dB showing good agreement with theoretical sound attenuation with distance. Trow concludes that interference due to sound reflection, extraneous noise sources, etc. were maintained at acceptable level during the measurement periods.

Attenuation of Sound by Baffle at Maximum Air Flow

Installation of the baffle whilst operating the 10 HP and 15 HP fans at maximum air flow rate resulted in a change in the directional distribution of the sound emitted from the fans. Sound pressure levels directly in front of the fans were reduced by 2 – 3 dB. Conversely, sound pressure levels at 180° to the fans increased by 0 – 2 dB. (See Figures 2 and 3).

Attenuation of Sound by Baffle at Minimum Air Flow

Operation of the baffle at minimum flow resulted in a further change in the directional distribution of sound emitted from the fans, with maxima values being recorded at 45° to the face of the fans. Sound pressure levels at all measurement locations were reduced by 2 – 5 dB by operating at minimum air flow in comparison to operating without the baffle or with the baffle at maximum air flow. (See Figures 2 and 3).

Attenuation of Sound by Foam Insulation

Introduction of foam insulation into the baffle resulted in a decrease in measured sound pressure level by <2dB under the majority of operating conditions for both the 10HP and 15HP fans. (See Figures 2 and 3).

Sound Pressure Level Frequency Distribution

The frequency distribution for the 10HP fan operating at maximum air flow with baffle is shown in Figure 4. Under all operating conditions the sound pressure level frequency distribution showed maxima at central frequency ranges (e.g. 250 – 1000 hertz), however operating parameters were shown to impact on frequency distribution. Installation of baffles to the 10HP and 15HP fans (see Figures 5 and 6) resulted in:

- a 4 – 8 dB reduction in high and mid frequency (250 – 16,000 Hz) sound pressure levels in front of the fans;
- a 0 – 2 dB increase in high frequency sound pressure levels at 180° to the fans;
- minimal impact on low frequency (16 – 125 Hz) sound pressure levels in front of the fans; and,
- a 0 – 4 dB increase in low frequency sound pressure levels at 180° to the fans.

Reduction of air flow (see Figures 7 and 8) resulted in:

- a decrease in mid frequency (250 – 2,000 Hz) sound pressure levels at all measurement locations;
- minimal impact on low and high frequency sound pressure levels in front of the fans;
- a 0 – 6 dB increase in low and high frequency sound pressure levels at an angle of 45° to the fan orientation; and,
- a 0 – 5 dB increase in low and high frequency sound pressure levels at 180° to the fans.

The redistribution of sound pressure level frequencies has the potential to impact on perception of noise nuisance through fan operation. Increased reduction of high frequencies as observed on installation of baffle (with or without foam insulation) is likely to reduce perceived nuisance as high frequency noise is considered more obtrusive. Any increases in low frequency sound pressure levels (e.g. during operation of baffles at minimum air flow) may increase the area of impact of any noise nuisance as low frequency sound travels further and is more difficult to attenuate than high frequency sound.

Conclusions

The above measurements provide a fundamental understanding of noise generated by 10HP and 15HP car dryer fans operating under controlled conditions.

Trow understands that car dryer fans are operated in banks of 6 – 18 within car wash units. Theory predicts that sound pressure levels will increase by 3 dB on doubling of noise source, e.g. two 15HP fans each generating a sound pressure level of 90 dB would provide a combined sound pressure level of 93 dB, four fans would provide 96 dB etc. Other factors can impact on predicted noise generation, resonance can increase noise impact whilst sound adsorbing materials may provide attenuation. Vibration is also a consideration.

Trow strongly recommends that in situ sound measurements be made to assess noise impact of car dryer fans installed within a car wash system. In situ measurements should consider appropriate receptors including, but not necessarily limited to, occupational noise and environmental receptors as well as car wash operation and design.

We trust the aforementioned meets your immediate requirements. If you have any questions, concerns or if we can be of any further assistance, please do not hesitate to contact the undersigned at your earliest convenience.

Yours truly,

Trow Associates Inc.



Bob Jowett, B.Sc., C.E.P.I.T.
Environmental Scientist
Environmental Division



Ron Taylor, M.Sc., C. Chem.
Senior Project Manager
Environmental Division



SOUND LEVEL METER READINGS

MODEL: FT-DD-T450HP4 (50hp T4 VACSTAR TURBINE VACUUM PRODUCER)

READING ONE: 73 DB-A, 3 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING TWO: 69 DB-A, 10 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING THREE: 54 DB-A, 20 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING FOUR: 38 DB-A, 30 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

NOTE: THESE READINGS WERE TAKEN OUTSIDE IN THE OPEN ON A CONCRETE SLAB.

SOUND LEVEL METER USED:

SIMPSON MODEL #40003 – MSHA APPROVED.
MEETS OSHA & WALSH-HEALY REQUIREMENTS FOR NOISE CONTROL.
CONFORMS TO ANSI S1.4-1983, IEC 651 SPECS FOR METER TYPE.

Vacutech
1350 Hi-Tech Drive, Sheridan WY, 82801
PHONE: (800) 917-9444 FAX: (303) 675-1988
EMAIL: info@vacutechllc
WEB SITE: vacutechllc.com

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

SPECIFIC USE PERMIT NO. S-2XX

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 FOR A SELF SERVICE CAR WASH ON A 0.89-ACRE TRACT OF LAND, IDENTIFIED AS A PORTION OF LOT 2, BLOCK A, DALTON GOLIAD 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 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 Lisa White of Boing US HoldCo, Inc. on behalf of Donald L. Silverman of Rockwall 205-552, LLC for the approval of a Specific Use Permit (SUP) for a *Self Service Car Wash* on a 0.89-acre tract of land, zoned General Retail (GR) District, situated within the North SH-205 Overlay (N SH-205 OV) District, being identified as a portion of Lot 2, Block A of the Dalton Goliad Addition, City of Rockwall, Rockwall County, Texas, addressed as 3611 N. Goliad 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 [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 [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 *Self Service Car Wash* in accordance with 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 subject to the requirements set forth in Subsection 02.03(H)(4), *Car Wash (Full-Service or Self-Service)*, of Article 04, *Permissible Uses*; Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development*

Standards; and Subsection 06.11, *North SH-205 Overlay (N SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall -- as heretofore amended and as my be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of the *Self Service Car Wash* land use on the *Subject Property* and conformance to these conditions is necessary for continued operations:

- (1) The *Self Service Car Wash* facility shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance.
- (2) The *Self Service Car Wash* facility shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of this ordinance; however, the *Building Elevations* shall be subject to changes based on the requirements of the Unified Development Code (UDC) and recommendations by the Architectural Review Board (ARB).
- (3) No outside display of merchandise or outside storage (e.g. *ice machine, propane cage, vending machines, and DVD rental kiosk*) shall be allowed on the *subject property*; with the exception of vending machines that are integrated into the façade of the building.
- (4) A masonry screening wall a minimum of six (6) feet in height with landscaping shall be constructed adjacent to the northern property line of the subject property.
- (5) Three (3) tiered screening (i.e. *small to mid-sized shrubs, large shrubs or accent trees, and canopy trees*) shall be incorporated in front of the carwash to screen the tunnel and vacuum bays adjacent to the eastern property line of the subject property.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits*, 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 any 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 5TH DAY OF APRIL, 2021.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 15, 2021

2nd Reading: April 5, 2021

Exhibit 'A'
Legal Description and Location Map

Legal Description: Lot 2, Block A, Dalton Goliad Addition
Address: 3611 N. Goliad Street



Exhibit 'B' Concept Plan

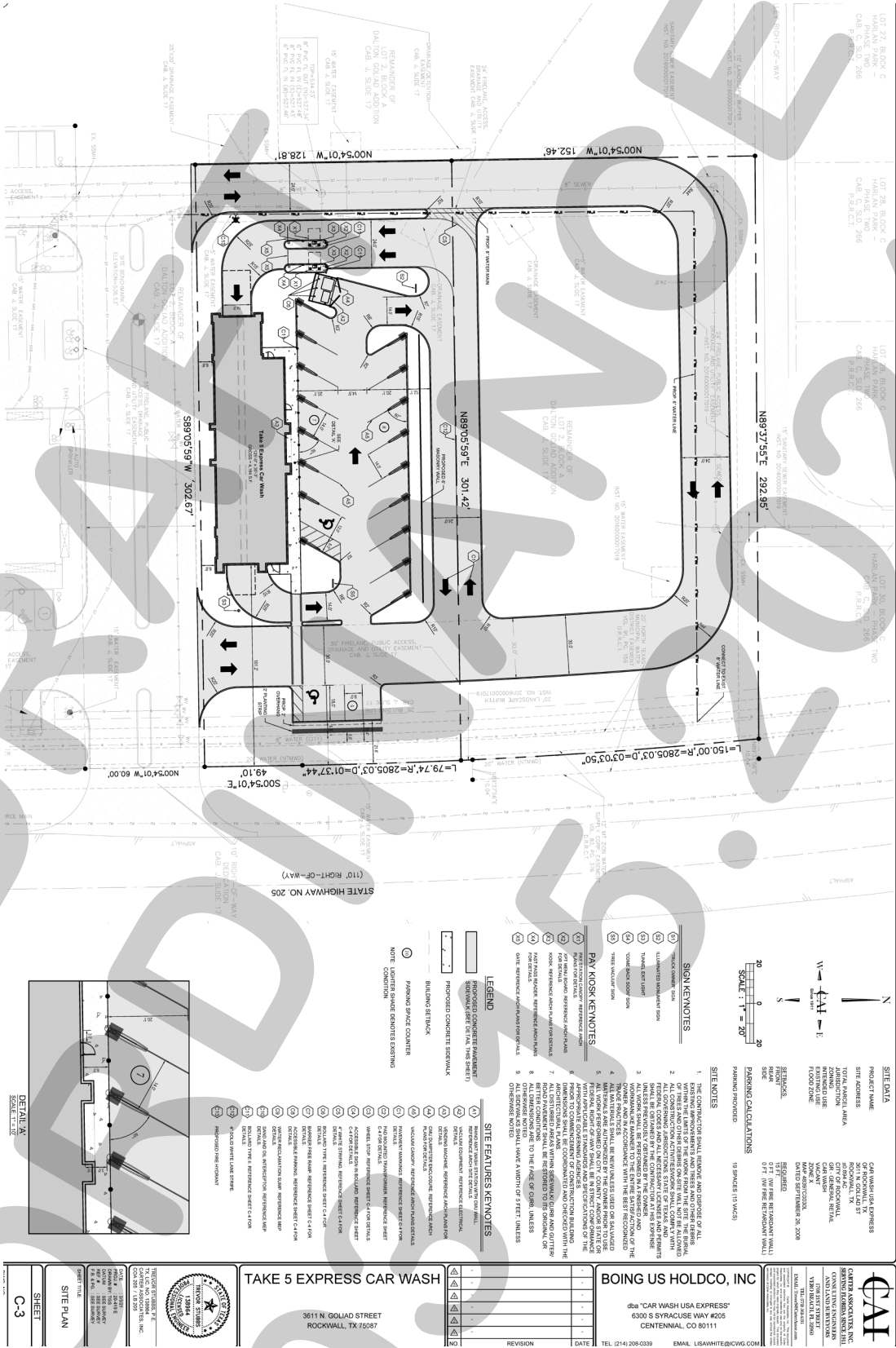
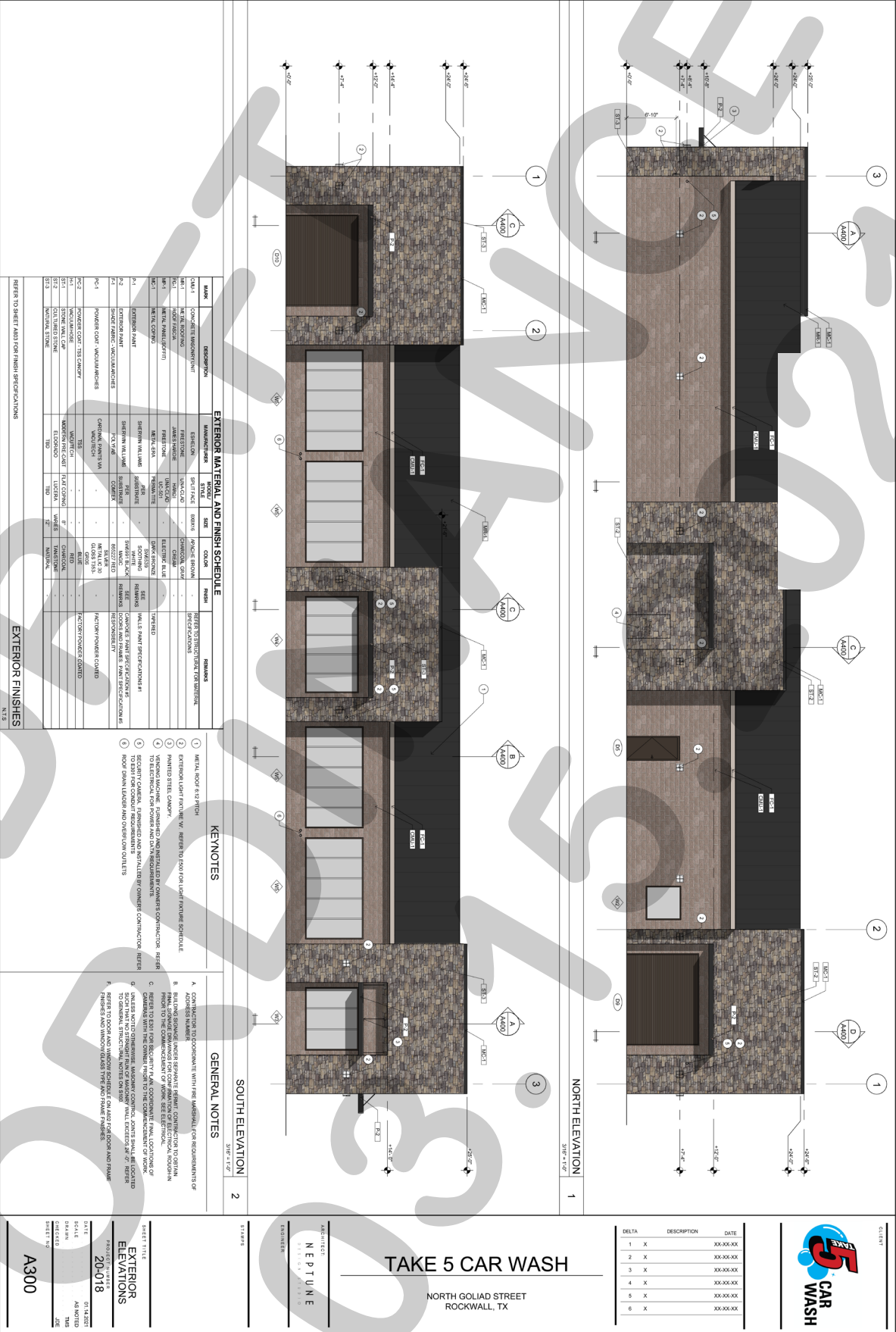


Exhibit 'C' Building Elevations

PLOT DATE : 3/4/2021 TIME: 9:53 PM



CLIENT

S

DELTA	DESCRIPTION	DATE
1	X	00.00.00
2	X	00.00.00
3	X	00.00.00
4	X	00.00.00
5	X	00.00.00
6	X	00.00.00

TAKE 5 CAR WASH
NORTH GOLIAD STREET
ROCKWALL, TX

ARCHITECT
NEPTUNE
DESIGN GROUP

SHEET TITLE

EXTERIOR ELEVATIONS

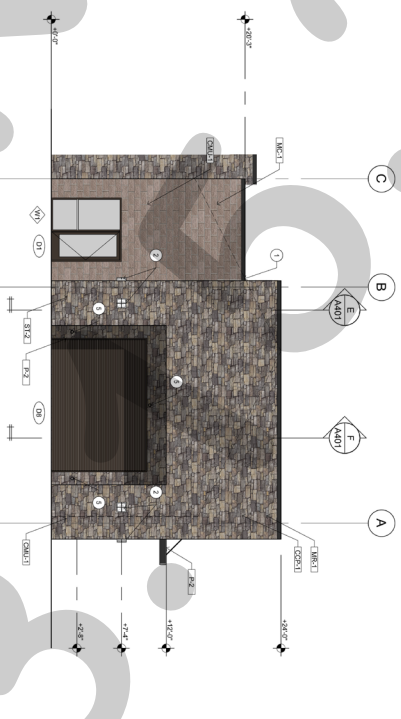
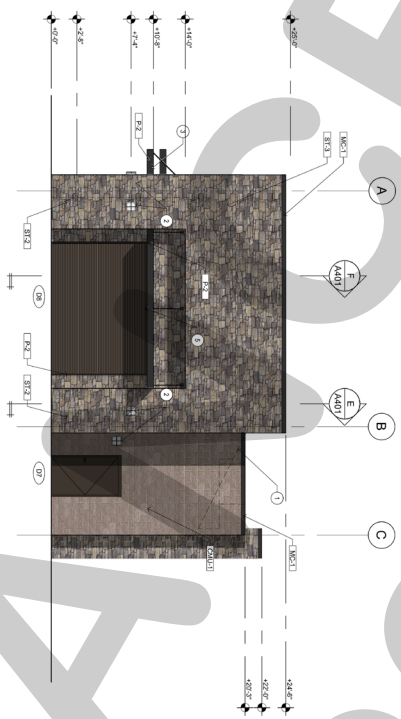
20-018

DATE: 01/14/2021
SCALE: AS NOTED
SHEET NO: THIS
PROJECT NO: A300

N C

Exhibit 'C'
Building Elevations

PLOT DATE : 3/4/2021 TIME: 9:58 PM



WEST ELEVATION
3/8" = 1'-0"

4

Code	Description	Manufacturer	Shelf Life	Color	Notes
MC-1	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-2	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-3	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-4	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-5	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-6	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-7	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-8	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-9	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
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MC-11	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-12	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-13	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-14	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-15	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-16	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-17	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-18	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-19	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
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MC-25	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-26	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-27	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-28	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-29	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-30	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR

REFER TO SHEET A301 FOR FINISH SPECIFICATIONS

EAST ELEVATION
3/8" = 1'-0"

3

Code	Description	Manufacturer	Shelf Life	Color	Notes
MC-1	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-2	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-3	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-4	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-5	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
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MC-28	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-29	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR
MC-30	CONCRETE FLOORING UNIT	TERAZOL		CONCRETE	REFER TO THE SUB CONTRACTOR

REFER TO SHEET A301 FOR FINISH SPECIFICATIONS

KEYNOTES

1. METAL ROOF PROFILE
2. EXTERIOR LIGHT FIXTURE. REFER TO SHOP DRAWING FOR REQUIREMENTS.
3. PAINTED STEEL COLUMNS. REFER TO SHOP DRAWING FOR REQUIREMENTS.
4. REBAR. REFER TO STRUCTURAL DRAWINGS FOR REQUIREMENTS.
5. REBAR. REFER TO STRUCTURAL DRAWINGS FOR REQUIREMENTS.

GENERAL NOTES

A. COMPARE ALL COMPONENTS WITH THE MATERIAL FOR REQUIREMENTS OF BUILDING. BUILDING SHALL UNDER SEPARATE PERMIT. COMPARE TO OTHER PERMITS TO THE COMMENCEMENT OF WORK. SET OF ELECTRICAL DRAWINGS TO ELECTRICAL FOR POWER AND DATA REQUIREMENTS.
B. COMPARE WITH THE OWNER FROM THE COMMENCEMENT OF WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
C. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
D. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
E. REFER TO OTHER DRAWINGS FOR REQUIREMENTS.

TAKE 5 CAR WASH
NORTH GOLIAD STREET
ROCKWALL, TX

DELTA	DESCRIPTION	DATE
1	X	XXXXXXXXXX
2	X	XXXXXXXXXX
3	X	XXXXXXXXXX
4	X	XXXXXXXXXX
5	X	XXXXXXXXXX
6	X	XXXXXXXXXX





MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: March 15, 2021

SUBJECT: Z2021-004; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL FOR 418 PERCH ROAD

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Neighborhood Notification Email
Property Owner Notification Map
Property Owner Notification List
Public Notice
Building Elevations
Survey
Residential Plot Plan
Housing Analysis
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Juan Maldonado for the approval of a n **ordinance** for a *Specific Use Permit (SUP) for Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and take any action necessary (**1st Reading**).

Action Needed

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



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 15, 2021
APPLICANT: Juan Maldonado
CASE NUMBER: Z2021-004; *Specific Use Permit (SUP) for a Residential Infill for 418 Perch Road*

SUMMARY

Hold a public hearing to discuss and consider a request by Juan Maldonado 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 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and take any action necessary.

BACKGROUND

According to the Rockwall Central Appraisal District (RCAD), a 609 SF single-family home was constructed on the subject property in 1955. On April 23, 1968, the subject property was platted as Lot 890 of the Rockwall Lake Properties Development No. 1 Addition. On February 17, 2009, the subject property was annexed into the City of Rockwall by *Ordinance No. 09-07*. On September 21, 2009, the City Council rezoned the subject property 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. On January 21, 2021, the City of Rockwall issued a demolition permit [*RES2021-316*] to allow for the demolition of the existing 609 SF single-family home.

PURPOSE

The applicant 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 located at 418 Perch Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are four (4) parcels of land, two (2) vacant parcels (425 & 437 Bass Road) and two (2) parcels with single-family homes (436 Perch Road and 451 Bass Road). All four (4) properties are zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond this is Bass 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. North of this are several parcels of land with single-family homes zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses.

South: Directly south of the subject property is the intersection of Sunfish Road and Perch Road, which are both identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land with single-family homes zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses.

East: Directly east of the subject property is Perch 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. East of this are several parcels of land with single-family homes zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) land uses.

West: Directly west of the subject property Sunfish 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. Beyond this is a 0.115-acre parcel of vacant land zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses. Beyond this is Bass 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. West of this are several parcels of land with single-family homes zoned Planned Development District 75 (PD-75) for Single Family 7 (SF-7) District land uses.

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 East Subdivision. This subdivision has been in existence for more than ten (10) years, consists of more than five (5) lots, and is more than 90% of the developable lots are 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 in Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) 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 Perch Road and Sunfish Road compared to the house proposed by the applicant:

Housing Design and Characteristics	Existing Housing on Perch Road, Sunfish Road, and the Subject Property	Proposed Housing
Building Height	One (1) & Two (2) 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 southeast towards Perch Road.
Year Built	1975-2015	N/A
Building SF on Property	894 SF – 2,848 SF	2,245
Building Architecture	Single-Family Homes	Comparable Architecture to the Surrounding Single-Family Homes
Building Setbacks:		
Front	The front yard setbacks are 12-25-Feet	20-Feet
Side	The side yard setbacks are 0-32-Feet.	5-Feet & 6-Feet
Rear	The rear yard setbacks are greater than ten (10) feet.	10-Feet
Building Materials	Brick and Siding	Brick
Paint and Color	Red, Blonde, Grey, White, & Green	N/A
Roofs	Composite Shingles	Composite Shingle
Driveways/Garages	All garages are flat-front entry.	The garage will be 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 is proposing to put the garage 11-feet, 9-inches in front of the front façade of the single-family home, and if approved the Planning and Zoning Commission and City Council will be waiving this requirement. Staff should note that this waiver has been approved in the Lake Rockwall Estates Subdivision in the past.

According to the *Lot Dimensional Requirements* within Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] the minimum side yard setback adjacent to a street is 20-feet. In this case, the applicant is proposing a six (6) foot side yard setback. Typically, these types of request are sent to the Board of Adjustments (BOA); however, Planned Development District 75 (PD-75) allows the City Council to consider a special request to the standards of *Ordinance No. 16-01* pending the request does not relate to land use. According to Planned Development District 75 (PD-75), “(t)he City Council may consider special requests in the Lake Rockwall Estates Subdivision (*i.e. Area 1 and Area 2 as depicted in Exhibit ‘B’ [the concept plan] of this ordinance*). Such requests may include, but not necessarily be limited to the use of alternate building materials, reductions in the building setbacks, exceptions to the fencing requirements, or other requests submitted for consideration to the Planning and Zoning Department.” In this case, should the Planning and Zoning Commission and City Council choose to grant the applicant’s request, the exception would allow for a reduction of 14-feet in the required setback. Staff should note that based on the aerial images very few if any homes meet the required 20-foot building setback.

With the exception of the items noted above, the proposed single-family home meets all of the density and dimensional requirements for the Single-Family 7 (SF-7) District as stipulated by Planned Development District 75 (PD-75) 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 Perch Road and Sunfish Road. The proposed building elevations have also been provided 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 February 23, 2021, staff mailed 196 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Lynden Park Homeowner’s Associations (HOAs), which was the only HOA’s/Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received no notices in regard to the applicant’s request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant’s request for a Specific Use Permit (SUP) for *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 ‘B’* 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 ‘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.

PLANNING AND ZONING COMMISSION

On March 9, 2021, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 5-0, with Commissioners Deckard and Womble absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 418 Perch Road

SUBDIVISION

LOT 890 BLOCK

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS [CURRENT]

LOTS [PROPOSED]

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

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

OWNER Juan Maldonado

APPLICANT

CONTACT PERSON Juan Maldonado

CONTACT PERSON

ADDRESS 17226 Wynn Joyce

ADDRESS

CITY, STATE & ZIP Garland, TX, 75043

CITY, STATE & ZIP

PHONE 214-228-7257

PHONE

E-MAIL skillfulmendoza@gmail.com

E-MAIL

NOTARY VERIFICATION [REQUIRED]

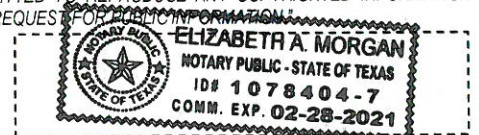
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Juan Maldonado [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF February, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF February, 2021.


OWNER'S SIGNATURE Juan Maldonado

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Elizabeth Morgan



MY COMMISSION EXPIRES 02-28-2021

0 20 40 80 120 160 Feet

Z2021-004- SUP FOR 418 PERCH ROAD
ZONING - LOCATION MAP = 



City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(P): (972) 771-7745
(W): www.rockwall.com

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

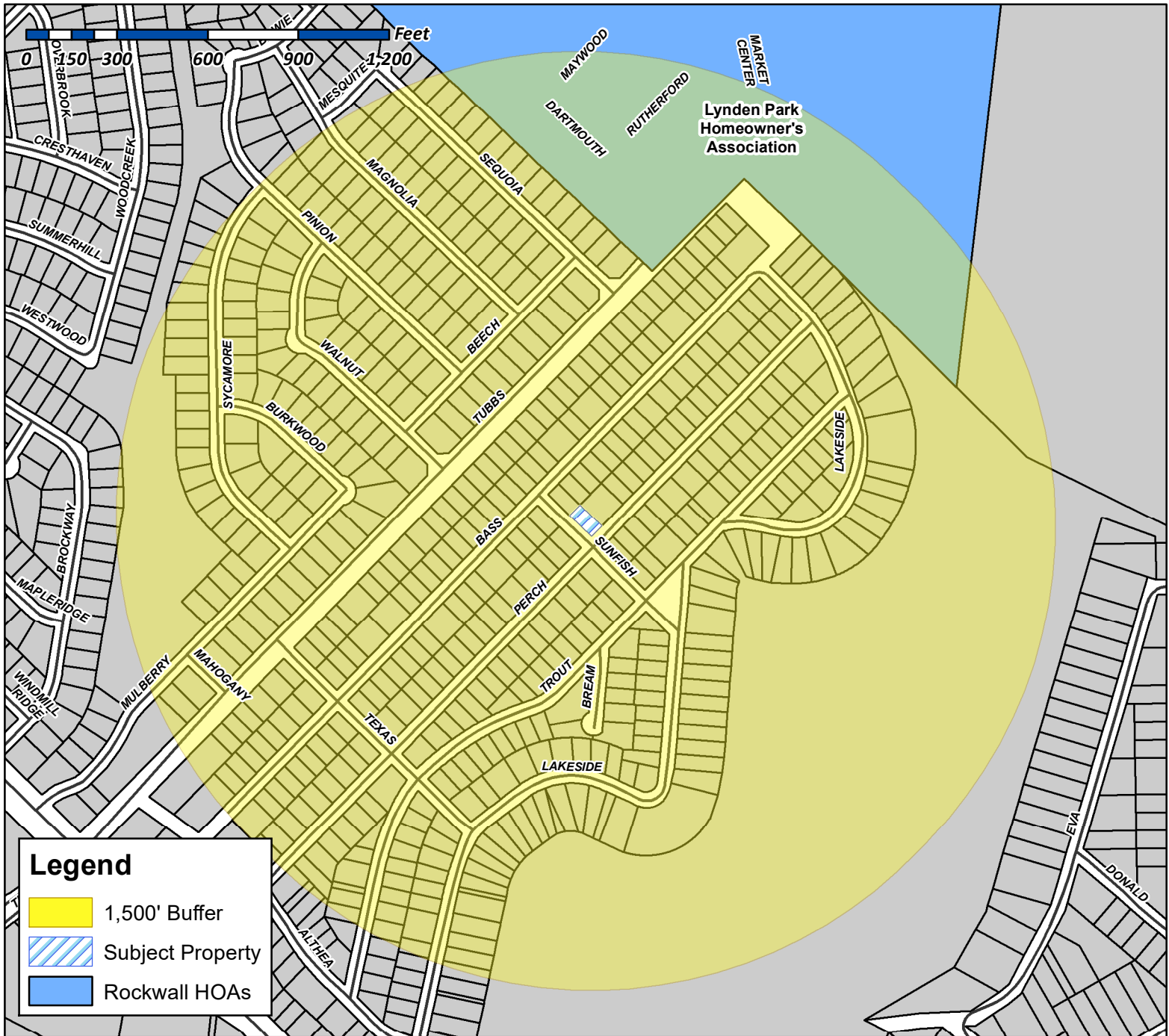
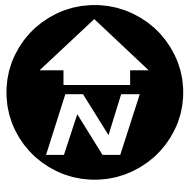




City of Rockwall

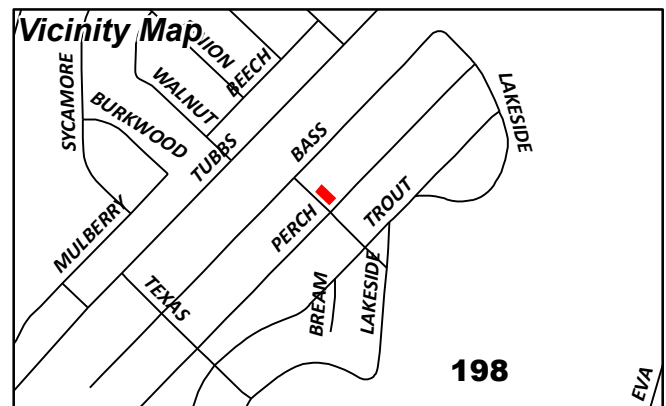
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Case Number: Z2021-004
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: PD-75
Case Address: 418 Perch Road

Date Created: 2/18/2021
For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, February 23, 2021 10:34 AM
Cc: Miller, Ryan; Gonzales, David; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-004]
Attachments: HOA Map (02.18.2021).pdf; Public Notice (02.18.2021).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 *February 26, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, March 9, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, March 15, 2021 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>.

Z2021-004 SUP for Residential Infill at 418 Perch Road

Hold a public hearing to discuss and consider a request by Juan Maldonado 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 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

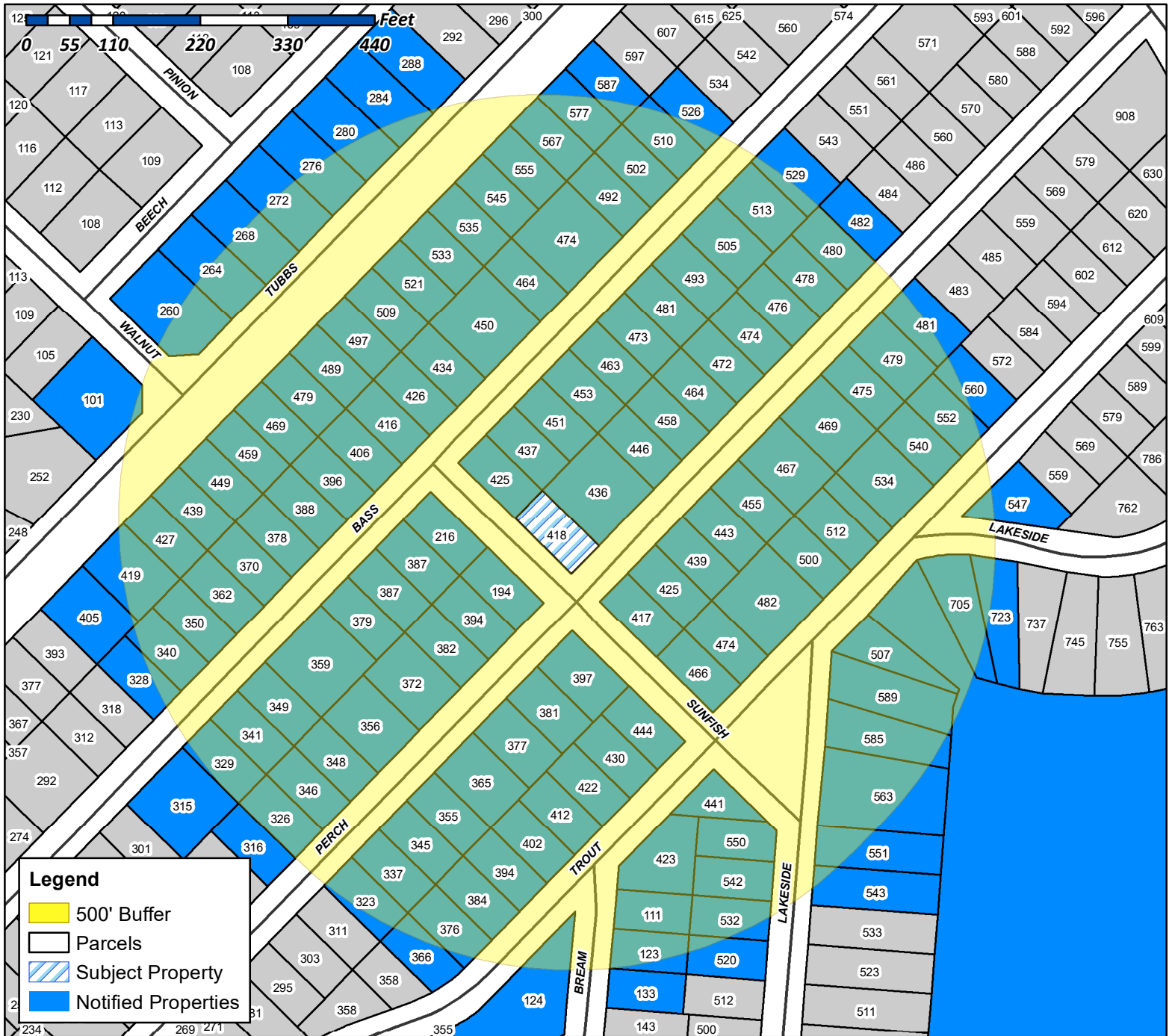
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City of Rockwall

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Rockwall, Texas 75087
(P): (972) 771-7745
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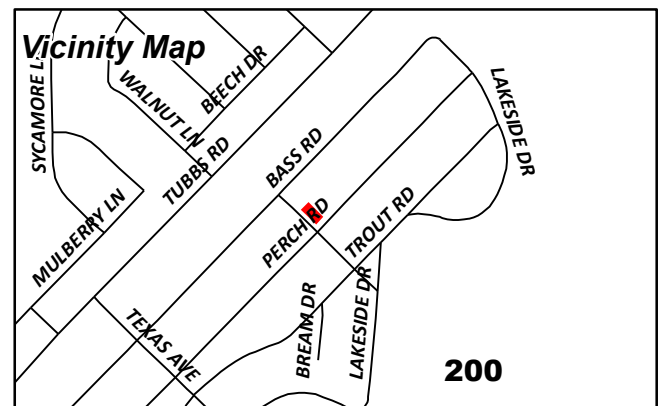
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Legend

- 500' Buffer
- Parcels
- Subject Property
- Notified Properties

Case Number: Z2021-004
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: PD-75
Case Address: 418 Perch Road



Date Created: 2/18/2021
For Questions on this Case Call (972) 771-7745

FREENEY MARIA
101 WALNUT LN
ROCKWALL, TX 75032

SILVA MANUEL AVALOS
1041 E FM 552
ROCKWALL, TX 75087

WHITE CURTIS C
10902 BARBAROSA DR
DALLAS, TX 75228

MURPHY KIM
111 BREAMDR
ROCKWALL, TX 75032

US REO LLC SERIES M
1200 JUPITER ROAD #940414
PLANO, TX 75094

REYES PERLA JOCELYN
123 BREAM DRIVE
ROCKWALL, TX 75032

CRUMLEY RONALD LEE
124 BREAM DR
ROCKWALL, TX 75032

FORNEY MEADOW LLC
12801 N CENTRAL EXPY SUITE 1675
DALLAS, TX 75243

BT ORIOLE ONE LLC
12801 N CENTRAL EXPY SUITE 1675
DALLAS, TX 75243

WB MAGNOLIA LLC
12801 N CENTRAL EXPY STE 1675
DALLAS, TX 75243

MENDEZ GLORIA
132 PINION LN
ROCKWALL, TX 75032

GARZA GABRIELA J
133 BREAM DR
ROCKWALL, TX 75032

YIM STEVE K AND ELLA K
1407 LANDSFORD DR
ALLEN, TX 75013

BURCHFIEL FAMILY SEPTEMBER 2002
REVOCABLE TRUST
1500 E DANA PL
ORANGE, CA 92866

AGUILLON JOSE LUIS
163 BASS RD
ROCKWALL, TX 75032

DETWEILER RICHARD P AND SHANGTING
17839 BENCHMARK DR
DALLAS, TX 75252

PAIGE RYAN PROPERTIES
1816 DOVES LANDING
WYLIE, TX 75098

FAIR TRAVIS
1905 GLENBROOK MEADOWS DR
GARLAND, TX 75040

JOSEPH SABU & ANITAH
194 SUNFISH RD
ROCKWALL, TX 75032

DAVIS BLAKE C AND KATHRYN E
2 PINTAIL PT
HEATH, TX 75032

TRUONG LONG & TUYET
2037 SUNNY CIR
ROCKWALL, TX 75032

MILLER MICHAEL & MELODIE AND
JAIME LOPEZ
20576 FM 2755
ROYSE CITY, TX 75189

AGUILLON PABLO & JULIA
2080 GARRISON DR
ROCKWALL, TX 75032

MURPHY KIM
215 LAKEVIEW DR
ROCKWALL, TX 75087

HOPFAUF RICK
216 SUNFISH RD
ROCKWALL, TX 75032

OSORNIO ARTURO AND JENNIFER GUEVARA
2308 WHITE RD
ROCKWALL, TX 75032

THREE STARS INVESTMENT GROUP INC
2524 RIVER OAKS LN
MESQUITE, TX 75150

AMH 2015-1 BORROWER LLC
260 BEECH DR
ROCKWALL, TX 75032

CHANTACA MAURICIO & IRMA
261 TUBBS RD
ROCKWALL, TX 75032

DAVIS BLAKE C AND KATHRYN E
264 BEECH DR
ROCKWALL, TX 75032

POTTS DANNY & VONDA
268 BEECH DR
ROCKWALL, TX 75032

CLARK ASHLEY MICHELLE
272 BEECH DRIVE
ROCKWALL, TX 75032

ILCHENKO LIUDMYLA
2738 RAINTREE CIR
CARROLLTON, TX 75006

ANDERSON TROY
276 BEECH DR
ROCKWALL, TX 75032

SALEHI DIANOOSH
280 BEECH DR
ROCKWALL, TX 75032

CHAN RYAN Y
284 BEECH DR
ROCKWALL, TX 75032

SOMMERS KAREN LEE
288 BEECH DR
ROCKWALL, TX 75032

ANDERSON TROY
3049 S COYOTE CANYON
MESA, AZ 85212

AMH 2015-1 BORROWER LLC
30601 AGOURA RD SUITE 200
AGOURA HILLS, CA 91301

SILVA JORGE & ELIZABETH
3078 S FM 551
ROYSE CITY, TX 75189

520 LAKESIDE LLC
3105 CORNELL AVE
DALLAS, TX 75205

OLIVAS ROSA LINA MEZA
315 BASS
ROCKWALL, TX 75032

TRAN THERESA THU PHUONG
316 PERCH ROAD
ROCKWALL, TX 75032

ALMAZAN LORENZO R & IRMA O SANTOS
323 PERCH RD
ROCKWALL, TX 75032

ESTRADA GUSTAVO
326 PERCH RD
ROCKWALL, TX 75032

CORTEZ MANUEL
328 BASS RD
ROCKWALL, TX 75032

YIM STEVE K AND ELLA K
329 BASS RD
ROCKWALL, TX 75032

JIZMEJIAN VARTAN &
SONYA KOVKLADZHYN
33171 ELISA DR
DANA POINT, CA 92629

ZALDIVAR CARLOS N
337 PERCH RD
ROCKWALL, TX 75032

RUBIO LORENA L & ALEJANDRO
3371 STATE HIGHWAY 276
ROCKWALL, TX 75032

JIMENEZ AGUSTIN &
GUMERCINDA LIMON
340 BASS RD
ROCKWALL, TX 75032

CHANTACA EMILIANO & MARIA
341 BASS RD
ROCKWALL, TX 75032

MBA CUSTOM HOMES LLC
345 PERCH DR
ROCKWALL, TX 75032

OSORNIO ARTURO AND JENNIFER GUEVARA
345 PERCH RD
ROCKWALL, TX 75032

SILVA BERTHA
346 PERCH RD
ROCKWALL, TX 75032

JIZMEJIAN VARTAN &
SONYA KOVKLADZHYN
348 PERCH DR
ROCKWALL, TX 75032

MILLER MICHAEL & MELODIE AND
JAIME LOPEZ
349 BASS RD
ROCKWALL, TX 75032

LIU YONGBO
LIU YONGBO
350 BASSRD
ROCKWALL, TX 75032

HOME SFR BORROWER LLC
C/O HAVENBROOK HOMES
3505 KOGER BLVD SUITE 400
DULUTH, GA 30096

ALEJO CECILIA AND
MARTIN NARVAEZ
355 PERCH ROAD
ROCKWALL, TX 75032

WHITE CURTIS C
356 PERCH RD
ROCKWALL, TX 75032

JIMENEZ NESTOR J AND
SAMIRA ROSAS JIMENEZ LORENA
359 BASS RD
ROCKWALL, TX 75032

VELASCO GERARDO GRANADOS AND ADRIANA
ZAPATERO PUERTO
362 BASS RD
ROCKWALL, TX 75032

WANDA REALTY LLC
SERIES 455 PERCH ROAD
3621 BINKLEY AVE
DALLAS, TX 75205

FIG RE TEXAS I LLC
365 PERCH RD
ROCKWALL, TX 75032

LIMON AMADOR & SEFENINA
366 TROUT ST
ROCKWALL, TX 75032

MALDONADO CARLOS & MARIA E
370 BASS RD
ROCKWALL, TX 75032

AGUILLON PABLO & JULIA
372 PERCH RD
ROCKWALL, TX 75032

COX DANNY SHAYNE
376 TROUT RD
ROCKWALL, TX 75032

BT ORIOLE ONE LLC
377 PERCH RD
ROCKWALL, TX 75032

CHANTACA MAURICIO & IRMA
378 BASS RD
ROCKWALL, TX 75032

ALVARADO MARGARITA S
379 BASS RD
ROCKWALL, TX 75032

MARSH CYNTHIA & CODY
381 PERCH ROAD
ROCKWALL, TX 75032

CARRANZA ALEJANDRO & MARIA
382 PERCH RD
ROCKWALL, TX 75032

ESTRADA SALVADOR A & MARIA I
384 TROUT STREET
ROCKWALL, TX 75032

LONAC SLAVICA
387 BASS RD
ROCKWALL, TX 75032

HOPFAUF RICK
387 BASSRD
ROCKWALL, TX 75032

MYHOMESTEAD PARTNERS LLC
388 BASS RD
ROCKWALL, TX 75032

LE THUY
394 PERCH RD
ROCKWALL, TX 75032

ESTRADA GERARDO & FRANCISCA
SALADORE ESTRADA
394 TROUT ST
ROCKWALL, TX 75032

GUTIERREZ JAVIER
396 BASS RD
ROCKWALL, TX 75032

CARRILLO GERARDO
397 PERCH RD
ROCKWALL, TX 75032

MENDEZ GLORIA
402 TROUT RD
ROCKWALL, TX 75032

KENDALL MARCIA W
405 TUBBS
ROCKWALL, TX 75032

SILVA MANUEL AVALOS
406 BASS RD
ROCKWALL, TX 75032

JACKSON PHYLLIS ELAINE
412 TROUT ST
ROCKWALL, TX 75032

ALVISO HERADIO V
416 BASS ROAD
ROCKWALL, TX 75032

FORNEY MEADOW LLC
417 PERCH RD
ROCKWALL, TX 75032

MONTELONGO ERVEY
418 PERCH RD
ROCKWALL, TX 75032

CAMACHO ALBERTO CAMACHO & JOSEFINA
CARMONA DE CAMACHO
419 TUBBS RD
ROCKWALL, TX 75032

VALADEZ JOANA ARLETTE FLORES
422 TROUT RD
ROCKWALL, TX 75032

YAMASA CO LTD., A JAPANESE CORPORATION
423 TROUT RD
ROCKWALL, TX 75032

TRANSITO AND MARTHA CASTELLANOS LIVING
TRUST
TRANSITO A CASTELLANOS AND MARHA L
CASTELLANOS- TRUSTEES
425 BASS RD
ROCKWALL, TX 75032

AGUILAR BONIFACIO
425 PERCH RD
ROCKWALL, TX 75032

DETWEILER RICHARD P AND SHANGTING
426 BASS RD
ROCKWALL, TX 75032

ZAPIEN LEONARDO &
ANA MARIA DOMINGUEZ
427 TUBBS RD
ROCKWALL, TX 75032

LEATHERS FRAN
430 TROUT RD
ROCKWALL, TX 75032

ROSAS ALICIA
4314 STATE HIGHWAY 276
ROCKWALL, TX 75032

MORALES JOSE L
434 BASS RD
ROCKWALL, TX 75032

BT ORIOLE ONE LLC
436 PERCH RD
ROCKWALL, TX 75032

MBA CUSTOM HOMES LLC
437 BASS RD
ROCKWALL, TX 75032

ANAYA JUAN C & RAUL
439 PERCH RD
ROCKWALL, TX 75032

FAIR TRAVIS
439 TUBBS RD
ROCKWALL, TX 75032

DELGADO RAUL & ELIA
441 TROUT DR
ROCKWALL, TX 75032

FACUNDO JOSE C
443 PERCH RD
ROCKWALL, TX 75032

ROSAS ALICIA
444 TROUT RD
ROCKWALL, TX 75032

OCHOA GABRIEL AND
RAFAEL DESANTIAGO PIEDRA
446 PERCH ROAD
ROCKWALL, TX 75032

S AND S FAITH FUND LLC
449 TUBBS RD
ROCKWALL, TX 75032

CLARK SEAN D & KATHERINE R
450 BASS RD
ROCKWALL, TX 75032

DETWEILER RICHARD P AND SHANGTING
451 BASSRD
ROCKWALL, TX 75032

MNSF T2 SPE LLC
453 BASS RD
ROCKWALL, TX 75032

WANDA REALTY LLC
SERIES 455 PERCH ROAD
455 PERCH
ROCKWALL, TX 75032

MARQUEZ ANA MARIA MERCEDES GRANADOS
458 PERCH ROAD
ROCKWALL, TX 75032

AVITIA JESUS
459 TUBBS RD
ROCKWALL, TX 75032

CHAN RYAN Y
4614 KOCUREK STREET
AUSTIN, TX 78723

LUNA JOSE ALFREDO LOPEZ
463 BASS RD
ROCKWALL, TX 75032

BURCHFIEL FAMILY SEPTEMBER 2002
REVOCABLE TRUST
464 BASS RD
ROCKWALL, TX 75032

TRUONG LONG & TUYET
464 PERCHRD
ROCKWALL, TX 75032

ACOSTA JESUS ETUX
466 TROUT ST
ROCKWALL, TX 75032

MIER MARCO A AND CELINA DEJ RESENDIZ
467 PERCH RD
ROCKWALL, TX 75032

JIMENEZ JOSE MODESTO & FRANCISCA
469 PERCH RD
ROCKWALL, TX 75032

THREE STARS INVESTMENT GROUP INC
469 TUBBS RD
ROCKWALL, TX 75032

WB MAGNOLIA LLC
472 PERCH RD
ROCKWALL, TX 75032

RENOVA ROSALBA
473 BASS RD
ROCKWALL, TX 75032

GAMEZ CHRISTOPHER
474 BASS RD
ROCKWALL, TX 75032

MORENO NOE & ORALIA
474 BASS RD
ROCKWALL, TX 75032

CONTRERAS DAVID & ELIZABETH
474 PERCH RD
ROCKWALL, TX 75032

ORTIZ CENOBIO & MARIA T
474 TROUT ST
ROCKWALL, TX 75032

LI FAMILY TRUST
NANYING LI AND JIANRU SONG LI
475 PERCH RD
ROCKWALL, TX 75032

NEVAREZ LUIS & ALMA
476 PERCH
ROCKWALL, TX 75032

MARTINEZ PEDRO
478 PERCH RD
ROCKWALL, TX 75032

GRASMICK RACHEL AND
RONNY BERMUDEZ
479 PERCH RD
ROCKWALL, TX 75032

NOBLE JAMES & LINDA
479 TUBBS RD
ROCKWALL, TX 75032

CARRIZALEZ JOSE NINO
FLORENCIO CARRIZALEZ
480 PERCH RD
ROCKWALL, TX 75032

LIMON EVARISTO AND ROSALBA RENOVA
481 BASS RD
ROCKWALL, TX 75032

PAIGE RYAN PROPERTIES
481 PERCH RD
ROCKWALL, TX 75032

WHITE LILA P
C/O FRANCISCO N HERNANDEZ
482 PERCH RD
ROCKWALL, TX 75032

ZARATE EMANUEL
482 TROUT STREET
ROCKWALL, TX 75032

AGUILLON JOSE LUIS
489 TUBBS RD
ROCKWALL, TX 75032

GAMEZ CHRISTOPHER
492 BASS
ROCKWALL, TX 75032

LIMON EVARISTO AND ROSALBA RENOVA
493 BASS RD
ROCKWALL, TX 75032

JACKSON LINDA
497 TUBBS RD
ROCKWALL, TX 75032

ILCHENKO LIUDMYLA
500 TROUT RD
ROCKWALL, TX 75032

PENA-RUIZ MARISELA
502 BASS RD
ROCKWALL, TX 75032

ALMARAZ MARIA M
505 BASS RD
ROCKWALL, TX 75032

ANDERSEN HAROLD E AND
CHERYL P AND VERNON L KURPIESKI
507 TROUT ST
ROCKWALL, TX 75032

BECKHAM JAY
509 TUBBS RD
ROCKWALL, TX 75032

PENA JERONIMO & JUANA
510 BASS RD
ROCKWALL, TX 75032

AMAYA MARTIN &
ANA VIGIL
512 TROUT ST
ROCKWALL, TX 75032

LORENZ MICHAEL P AND SABINA
513 BASS RD
ROCKWALL, TX 75032

520 LAKESIDE LLC
520 LAKESIDE DR
ROCKWALL, TX 75032

CARRIZALEZ JOSE NINO
FLORENCIO CARRIZALEZ
520 PERCH RD
ROCKWALL, TX 75032

SILVA JORGE & ELIZABETH
521 TUBBS RD
ROCKWALL, TX 75032

OGAN LOCKLIN & SHEILA
526 BASSRD
ROCKWALL, TX 75032

RODRIGUEZ MARIA VERONICA
529 BASS RD
ROCKWALL, TX 75032

FORTUNA FRANCISCO AND LUISA
532 LAKESIDE DR
ROCKWALL, TX 75032

LLOYD MUSSAH AND
ALFRED E WOLO
533 TUBBS RD
ROCKWALL, TX 75032

LEATHERS FRAN
5335 COUNTY ROAD 597
FARMERSVILLE, TX 75442

LOMAS JOSE C & ANDREA GUADALUPE
534 TROUT ST
ROCKWALL, TX 75032

RUBIO MARCELINO M &
RITA ESQUEDA ZUNIGA
535 TUBBS RD
ROCKWALL, TX 75032

RODRIGUEZ MARIA M
540 TROUT ST
ROCKWALL, TX 75032

AKUMA AYALEW AND
HIWOT DESIBELEW
542 LAKESIDE DRIVE
ROCKWALL, TX 75032

HOME SFR BORROWER LLC
C/O HAVENBROOK HOMES
543 LAKESIDE DR
ROCKWALL, TX 75032

CHEN XIANSONG
545 TUBBS RD
ROCKWALL, TX 75032

SIMMONS VAN R & TERESA R
547 TROUTRD
ROCKWALL, TX 75032

DELGADO RAUL & ELIA
550 LAKESIDE DR
ROCKWALL, TX 75032

CITY OF ROCKWALL
ATTN;MARY SMITH
551 LAKESIDEDR
ROCKWALL, TX 75032

OLIVER JERRY & PAMELA
552 TROUT ST
ROCKWALL, TX 75032

PRIETO GUSTAVO & ISABEL DEL ROSARIO
555 TUBBS RD
ROCKWALL, TX 75032

MONTELONGO ERVEY
5558 CR 2526
ROYSE CITY, TX 75189

OSORNIO ARTURO
560 TROUTDR
ROCKWALL, TX 75032

ELIAS ALBERT SOBERANES
563 LAKESIDE DR
ROCKWALL, TX 75032

TRAN DAVID T
567 TUBBSRD
ROCKWALL, TX 75032

SIMMONS VAN R & TERESA R
569 TROUT ST
ROCKWALL, TX 75032

RUBIO LORENA L & ALEJANDRO
577 TUBBSRD
ROCKWALL, TX 75032

US REO LLC SERIES M
585 LAKESIDEDR
ROCKWALL, TX 75032

MAYO JOSHUA ANDREW
587 TUBBS RD.
ROCKWALL, TX 75032

GONZALEZ BENJAMIN & ALICIA G
589 LAKESIDE DR
ROCKWALL, TX 75032

LIU YONGBO
LIU YONGBO
609 BELHAVEN DR
ALLEN, TX 75013

CHEN XIANSONG
609 BELHAVEN DRIVE
ALLEN, TX 75013

LI FAMILY TRUST
NANYING LI AND JIANRU SONG LI
6620 TARANTO CT
ELKGROVE, CA 95757

MNSF T2 SPE LLC
6836 MORRISON BLVD, SUITE 320
CHARLOTTE, NC 28211

ESTRADA NOHEMA M & RODOLFO CARDENAS
705 LAKESIDE DR
ROCKWALL, TX 75032

LOMAS JOSE C & ANDREA GUADALUPE
723 LAKESIDEDR
ROCKWALL, TX 75032

FIG RE TEXAS I LLC
7290 VIRGINIA PARKWAY #3200
MCKINNEY, TX 75071

LONAC SLAVICA
7302 SHAWN DR
ROWLETT, TX 75088

COX DANNY SHAYNE
7425 PEBBLE RIDGE DR
FORT WORTH, TX 76132

SALEHI DIANOOSH
8 CRYSTAL GLEN
ALISO VIEJO, CA 92656

AGUILAR BONIFACIO
862 E 800 S
OREM, UT 84097

ELIAS ALBERT SOBERANES
903 ST PAUL DR #208
RICHARDSON, TX 75080

MYHOMESTEAD PARTNERS LLC
9720 COIT RD STE 220 PMB 306
PLANO, TX 75025

OGAN LOCKLIN & SHEILA
PO BOX 2304
ROCKWALL, TX 75087

S AND S FAITH FUND LLC
PO BOX 2931
GRAPEVINE, TX 76099

YAMASA CO LTD., A JAPANESE CORPORATION
PO BOX 4090
SCOTTSDALE, AZ 85261

KENDALL MARCIA W
PO BOX 497882
GARLAND, TX 75049

TRAN DAVID T
PO BOX 894578
MILILANI, HI 76789

PUBLIC NOTICE



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

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

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

Case No. Z2021-004: Specific Use Permit for Residential Infill

Hold a public hearing to discuss and consider a request by Juan Maldonado 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 0.1150-acre parcel of land identified as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 9, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 15, 2021 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, March 15, 2021 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. Z2021-004: Specific Use Permit for Residential Infill

Please place a check mark on the appropriate line below:

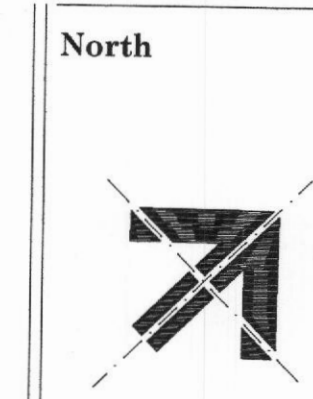
- I am in favor of the request for the reasons listed below.
- I am opposed to the request for the reasons listed below.

[Redacted area]

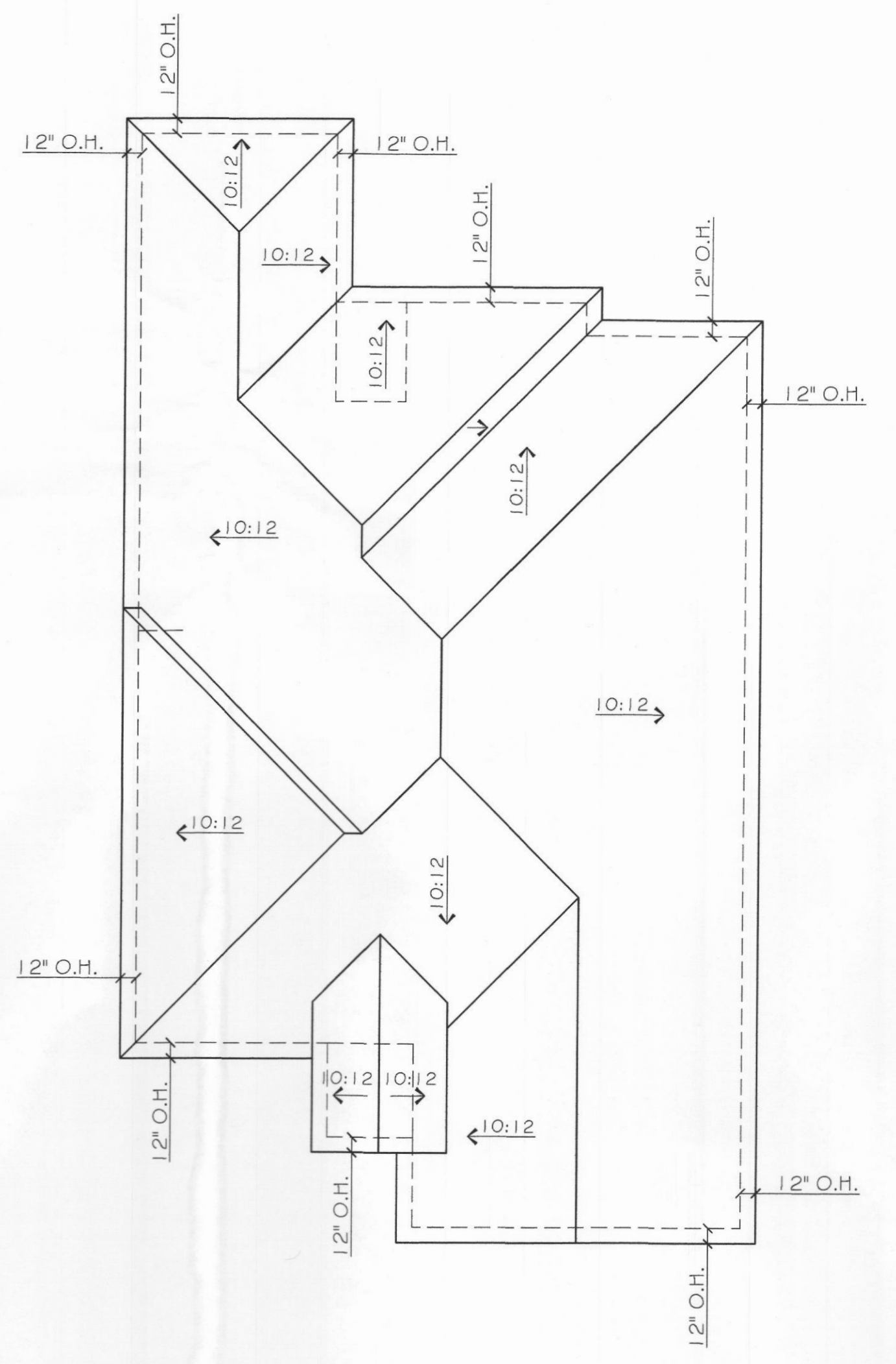
Name: [Redacted]
Address: [Redacted]

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

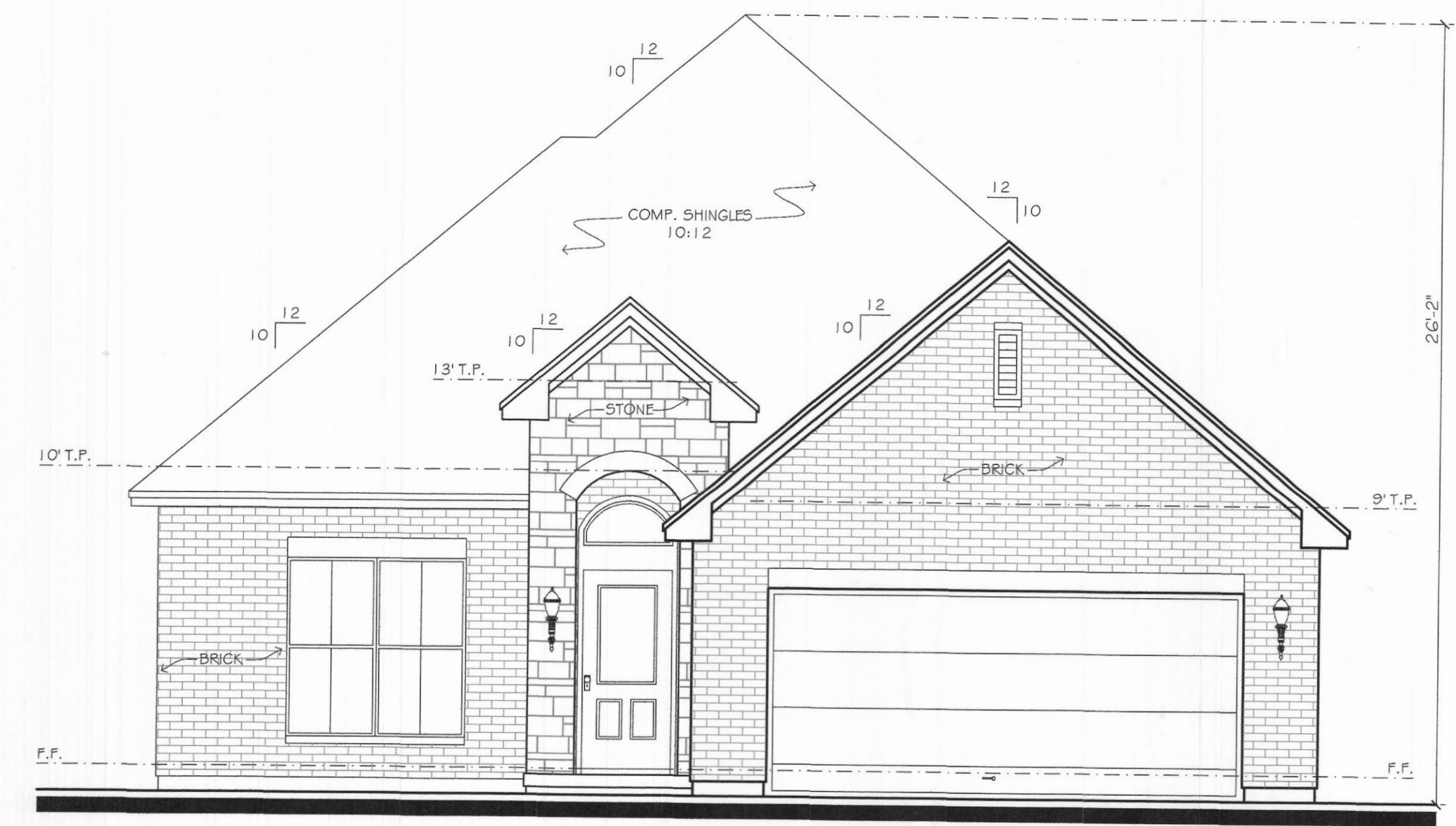


THESE PLANS ARE INTENDED TO PROVIDE BASIC DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, AND SHALL VERIFY ALL REQUIREMENTS WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND SHALL BE RESPONSIBLE FOR VERIFYING ALL REQUIREMENTS WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL REQUIREMENTS WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL REQUIREMENTS WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES.



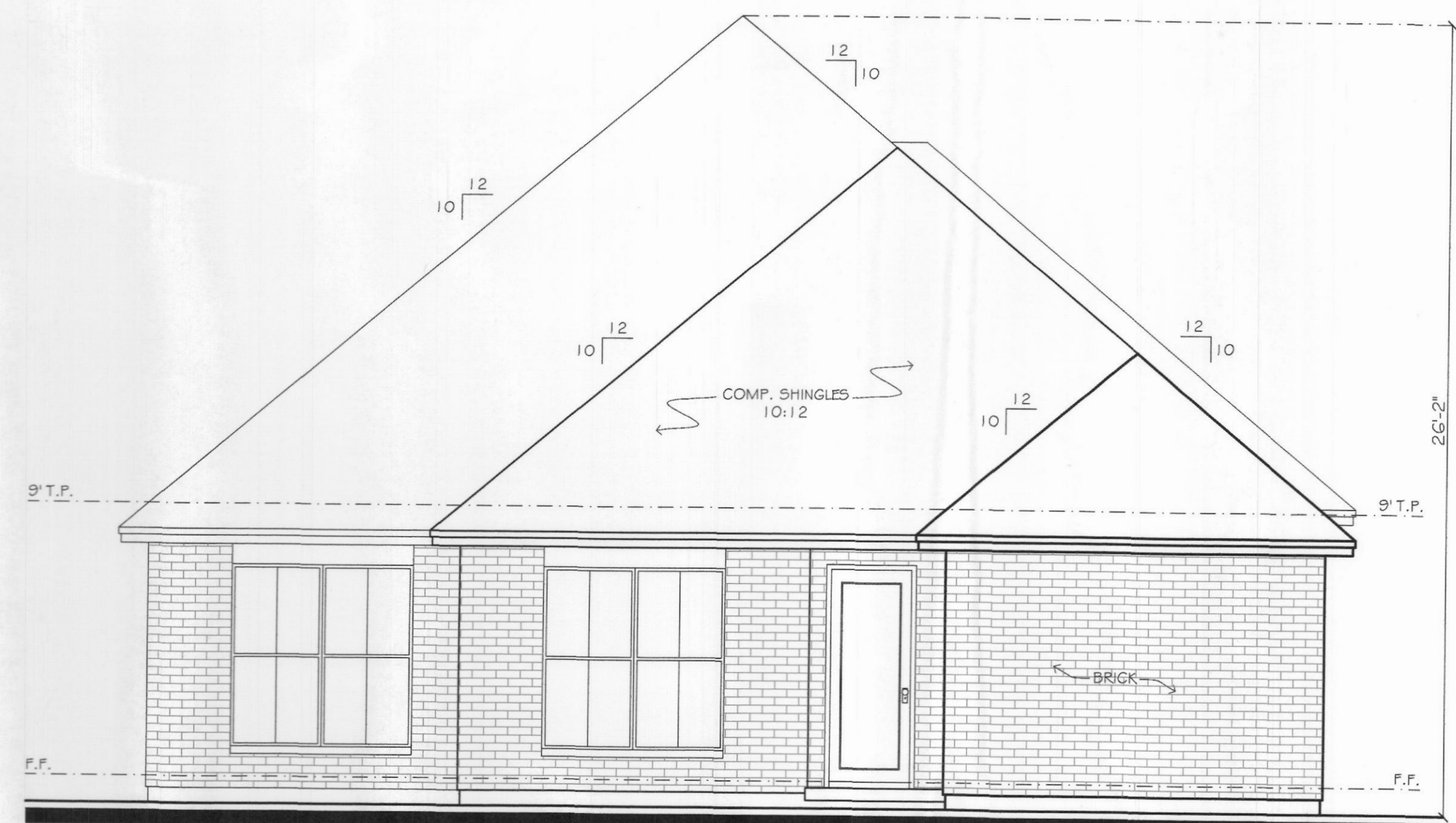
ROOF PLAN

SCALE: 1/8" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

418 PERCH ROAD
Block E Lot 890
Rockwall, Texas 75032

Date
FEBRUARY, 2021

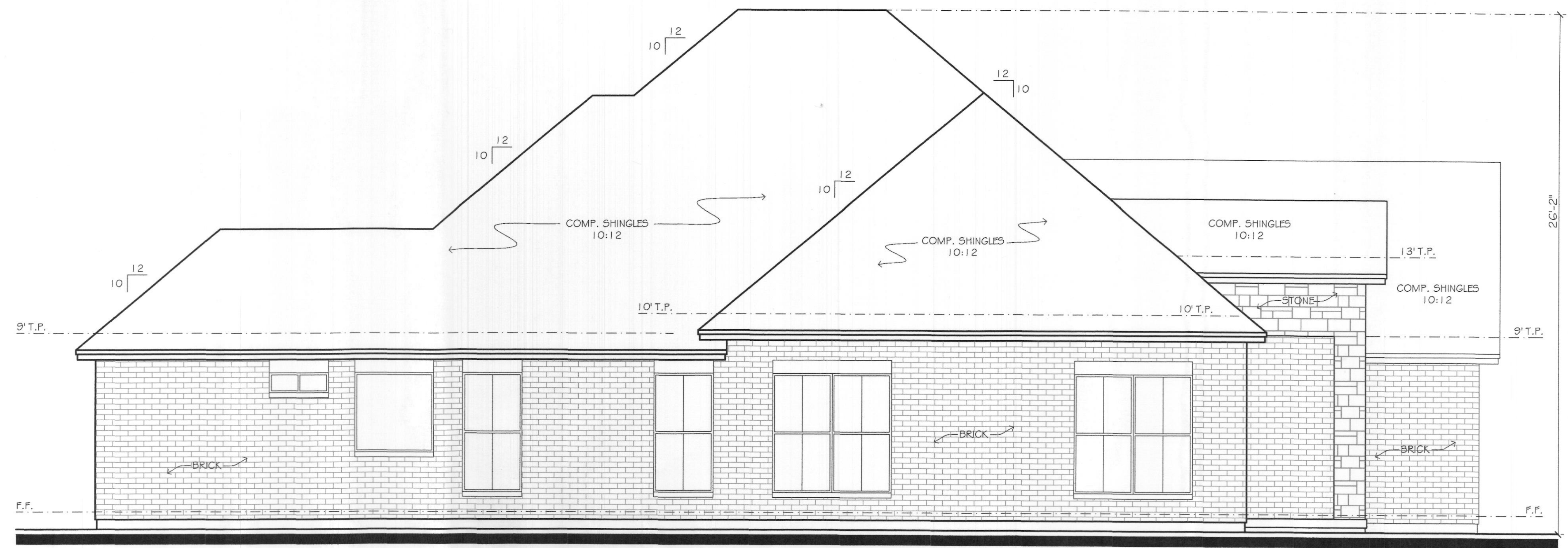
Sheet Title

INDICATES

Scale
INDICATES

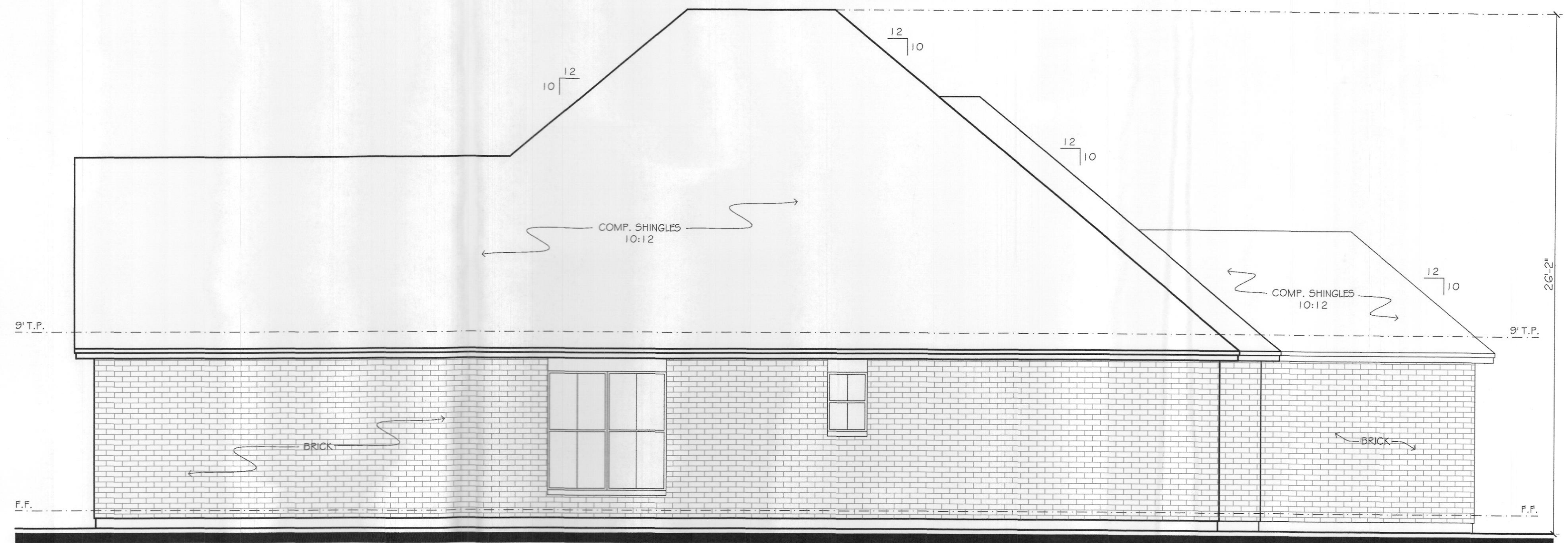
Sheet No.

A2.00



LEFT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

North

THESE PLANS ARE INTENDED TO PROVIDE BASIC DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. THE ARCHITECT MAKES NO WARRANTY AS TO THE ACCURACY OF THESE PLANS AS REQUIRED. A DISCREPANCY OCCURS BETWEEN THE PLANS AND LOCAL METHODS OF CONSTRUCTION AND ELECTION OF MATERIALS AND ASSEMBLIES SHALL BE THE CONTRACTOR'S RESPONSIBILITY.

418 PERCH ROAD
Block E Lot 890
Rockwall, Texas 75032

Date
FEBRUARY, 2021

Sheet Title

INDICATES

Scale
INDICATES

Sheet No.

A2.01



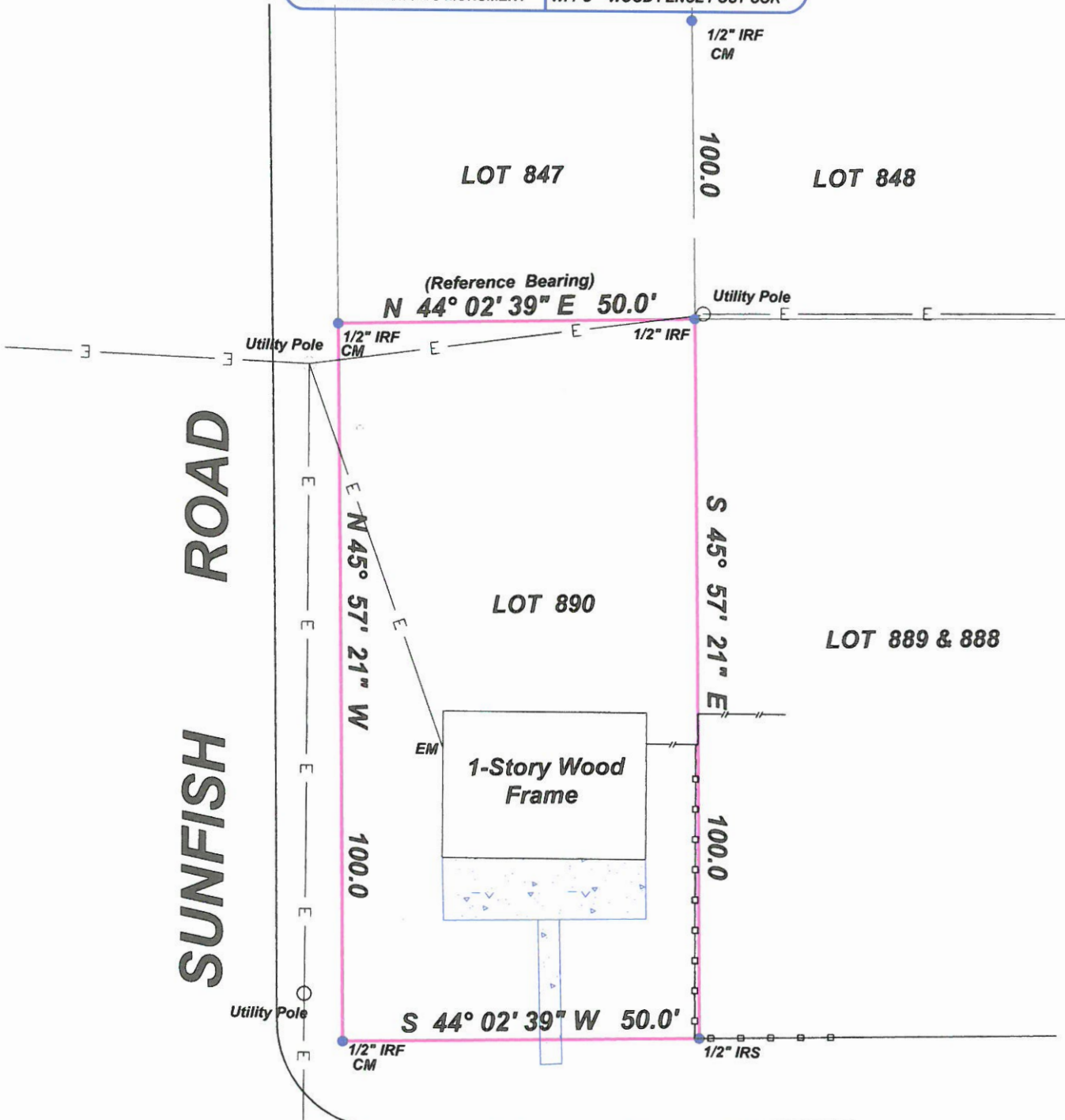
209 LAKEHURST DRIVE
WYLIE, TX 75098
PHONE: 214-478-7879

LEGEND

GRAVEL	WOOD FENCE
BRICK	CHAIN LINK FENCE
ASPHALT	WROUGHT IRON FENCE
WOOD	WIRE FENCE
STONE	R.R. TIE RETAINING WALL
CONCRETE	BRICK WALL
COVERED AREA	STONE WALL
CM = CONTROLLING MONUMENT	OVERHEAD TELEPHONE LINE
	OVERHEAD ELECTRIC LINE
	IRF = IRON ROD FOUND
	IRS = IRON ROD SET
	CM = CONTROLLING MONUMENT
	EM = ELECTRIC METER
	WFPC = WOOD FENCE POST COR



N
1" = 20.0'



SUNFISH ROAD

418 PERCH ROAD

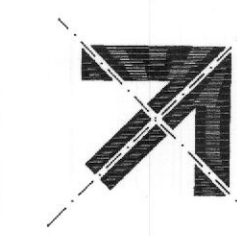
LOT 890, BLOCK E, ROCKWALL LAKE ESTATES #1, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE DEED THEREOF RECORDED IN VOLUME 2020, PAGE 31986, DEED RECORDS, ROCKWALL COUNTY, TEXAS.

Surveyor's Certification:

This is to certify that on this date a survey was made on the ground, under my supervision, that the survey reflects dimensions and calls of property lines, location and type of improvements, there are no visible and apparent easements except as shown. The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the map published by the federal emergency management agency, and has a zone "X" rating as shown by MAP NO. 48397C0040 L, Dated September 26, 2008. This survey is not to be used for construction purposes and is for the exclusive use of the hereon named purchaser, mortgage company, and title company and this survey is pursuant to that certain title commitment under the GF NO. shown hereon, provided by the title company named hereon and that this date, the easements, rights of way, or other locatable matters of record that the undersigned has knowledge or has been advised are as shown or noted hereon.

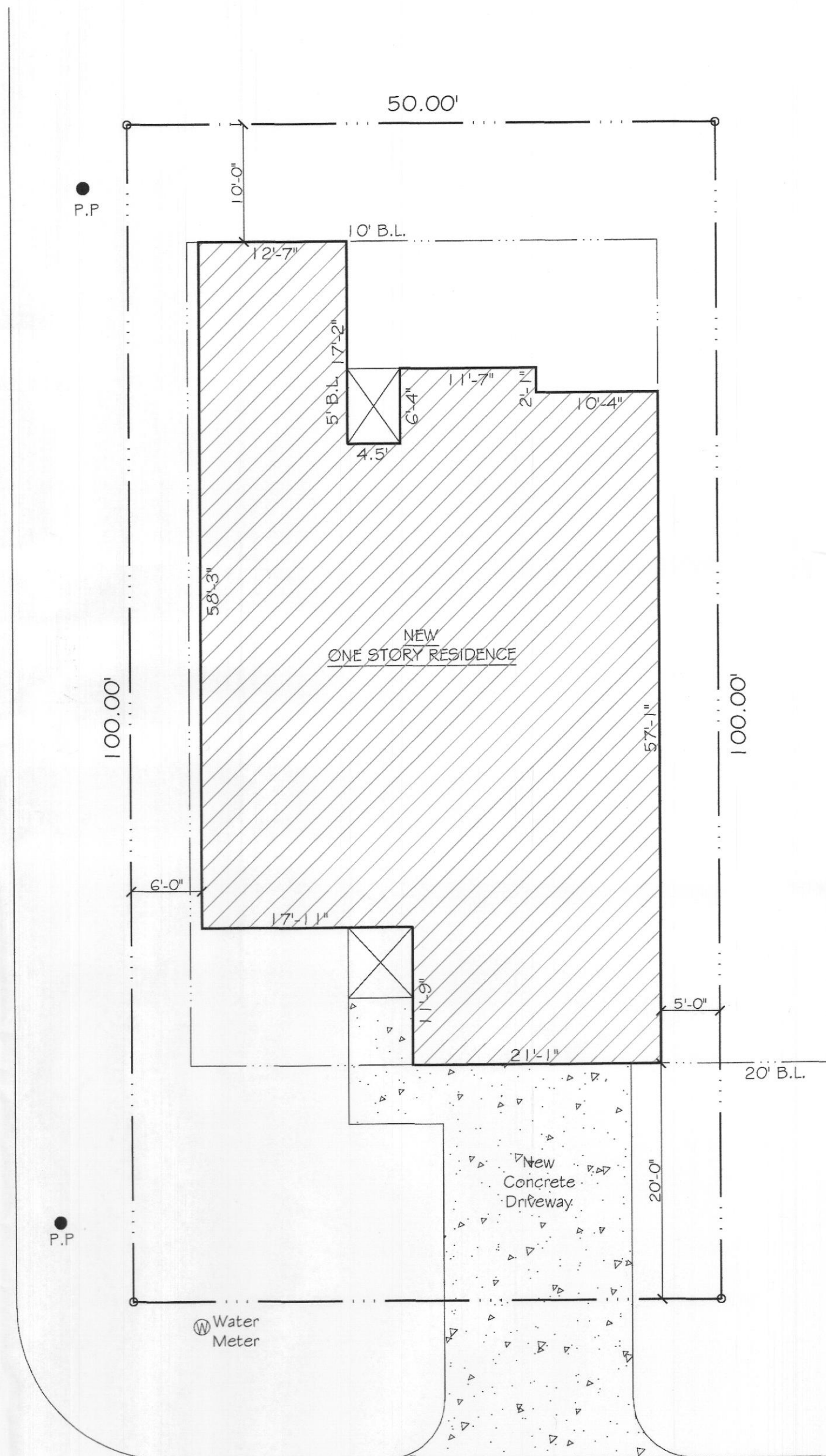


Raul Reyes
REGISTERED PROFESSIONAL LAND SURVEYOR
FIELD SURVEY DATE: 04/22/2020



THESE PLANS ARE INTENDED TO PROVIDE BASIS FOR CONSTRUCTION AND INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, BEFORE BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, BEFORE BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, BEFORE BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, BEFORE BEGINNING CONSTRUCTION.

SUNFISH ROAD



PERCH ROAD

GENERAL NOTES

1. ALL WORK MUST BE DONE ACCORDING TO MANUFACTURER'S SPECIFICATIONS & INDUSTRY STANDARDS.
2. ALL WORK MUST BE DONE ACCORDING TO ALL CONCERNED CODE & REGULATIONS.
3. A STRUCTURAL ENGINEER MUST BE CONSULTED FOR ALL CONSTRUCTION DETAILS.
4. CONTRACTOR TO FIELD VERIFY BUILDING ELEVATIONS AND EXISTING UTILITIES.
5. VERIFY CLEARANCES ARE REQUIRED FOR ALL EQUIPMENT.
6. BEFORE PROCEEDING WITH ANY WORK OR ORDERING ANY MATERIALS, THE CONTRACTOR AND/OR SUBCONTRACTOR SHALL VERIFY ALL MEASUREMENTS AND LOCATIONS OF BUILDING COMPONENTS AND THEIR INTERRELATIONSHIP AT THE BUILDING SITE, AND SHALL BE RESPONSIBLE FOR THEIR CORRECTNESS.
7. CONTRACTOR AND/OR SUBCONTRACTOR IS ULTIMATELY RESPONSIBLE FOR VERIFYING AND MAKING ADJUSTMENTS TO ANY DISCREPANCIES BETWEEN THE PLANS AND THE BUILDING SITE.

SITE PLAN INFORMATION

LOT SIZE	5,000 S.F.
BUILDING AREA	2,245 S.F.
PERCENT LOT COVERED	44.9%

A MINIMUM OF 70% OF THE NON-ROOF AREA OF THE LOT COVERED WILL HAVE LANDSCAPE (GRASS, TREES, ETC.)

418 PERCH ROAD
Block E Lot 890
Rockwall, Texas 75032

Date
FEBRUARY, 2021

Sheet Title

SITE PLAN

Scale
1" = 10'-0"

Sheet No.

A0.00

Adjacent Housing Attributes

Address	Housing Type	Year Built	House SF	Accessory Building SF	Exterior Materials
345 Perch Road	Single-Family Home	1985	1,800	N/A	
348 Perch Road	Single-Family Home	1975	1,241	N/A	Siding
355 Perch Road	Single-Family Home	2015	2,848	N/A	Brick
356 Perch Road	Single-Family Home	1993	1,908	N/A	Brick
365 Perch Road	Single-Family Home	1982	1,160	N/A	Brick
372 Perch Road	Single-Family Home	1996	2,052	100	Brick
377 Perch Road	Single-Family Home	1982	1,406	N/A	Brick
381 Perch Road	Single-Family Home	1978	1,174	N/A	Brick
382 Perch Road	Single-Family Home	2011	2,109	N/A	Brick
394 Perch Road	Single-Family Home	2002	1,520	N/A	Brick
397 Perch Road	Single-Family Home	1976	1,160	640	Brick
417 Perch Road	Single-Family Home	1975	1,653	N/A	Siding
418 Perch Road	Subject Property	1955	609	N/A	Wood Siding
425 Perch Road	Single-Family Home	1995	1,472	N/A	Brick
436 Perch Road	Single-Family Home	2000	1,821	N/A	Brick
439 Perch Road	Single-Family Home	2002	1,626	N/A	Brick
443 Perch Road	Single-Family Home	2002	1,806	N/A	Brick
446 Perch Road	Single-Family Home	1975	894	240	Siding
455 Perch Road	Single-Family Home	2002	1,406	N/A	Brick
458 Perch Road	Single-Family Home	2004	2,108	N/A	Brick
464 Perch Road	Single-Family Home	2005	1,780	N/A	Brick
467 Perch Road	Single-Family Home	2001	1,680	100	Brick
469 Perch Road	Single-Family Home	2001	1,856	N/A	Brick
472 Perch Road	Single-Family Home	1992	1,165	N/A	Siding
194 Sunfish Road	Single-Family Home	2002	1,640	N/A	Brick

Averages: 1992 1,596 270



348 Perch Road



355 Perch Road



356 Perch Road



365 Perch Road



372 Perch Road



377 Perch Road



381 Perch Road



382 Perch Road



394 Perch Road



397 Perch Road



417 Perch Road



418 Perch Road



425 Perch Road



436 Perch Road



439 Perch Road



443 Perch Road



446 Perch Road



455 Perch Road



458 Perch Road



464 Perch Road



467 Perch Road



469 Perch Road



472 Perch Road



194 Sunfish Road

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], 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 0.115-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 890, BLOCK E, ROCKWALL LAKE ESTATES #1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Juan Maldonado for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.115-acre parcel of land being described as Lot 890, Block E, Rockwall Lake Estates #1 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 418 Perch Road, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 75 (PD-75) [Ordinance No. 16-01] 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] and Planned Development District 75 (PD-75) [Ordinance No. 16-01] 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 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] and to the requirements set forth in Planned Development District 75 (PD-75) [Ordinance No. 16-01] -- 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 5TH DAY OF APRIL, 2021.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 15, 2021

2nd Reading: April 5, 2021

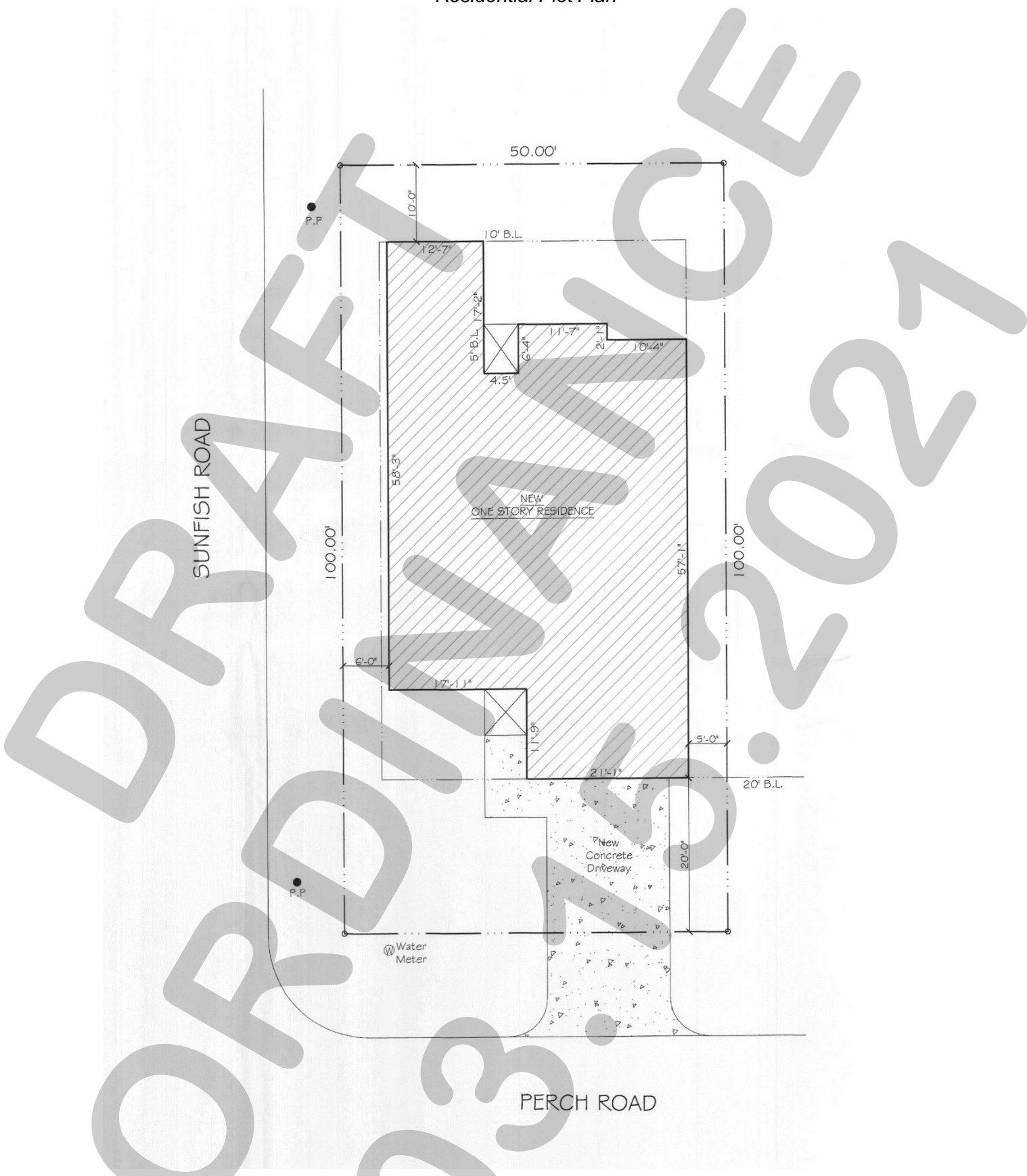
Exhibit 'A'
Location Map

Address: 418 Perch Road

Legal Description: Lot 890, Block E, Rockwall Lake Estates #1 Addition



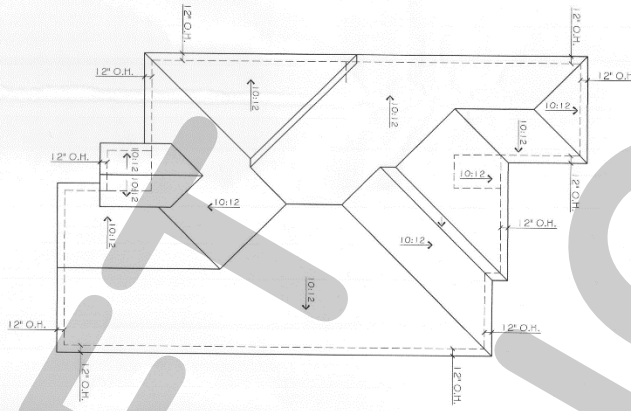
Exhibit 'B':
Residential Plot Plan



**Exhibit 'C':
Building Elevations**

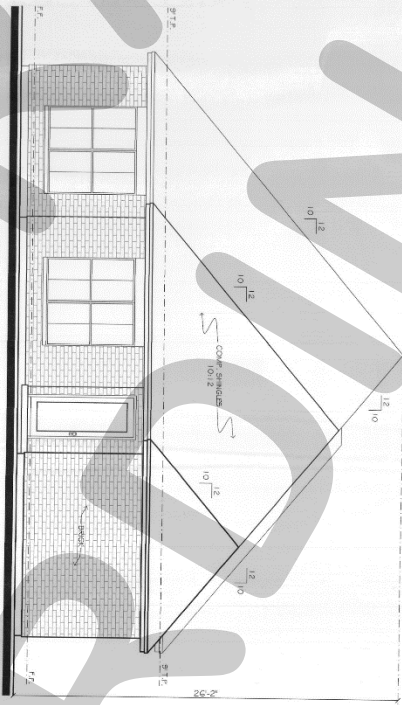
ROOF PLAN

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

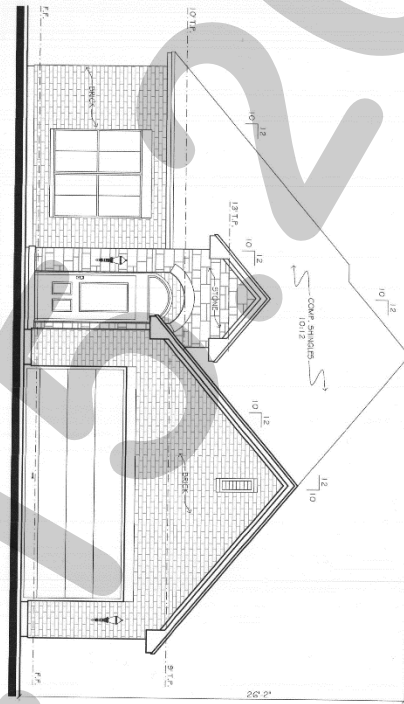
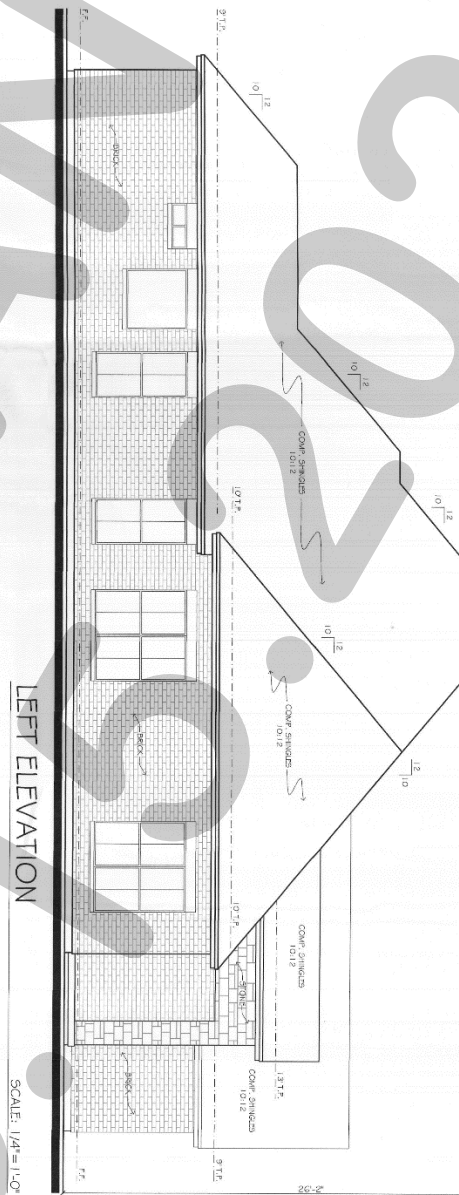
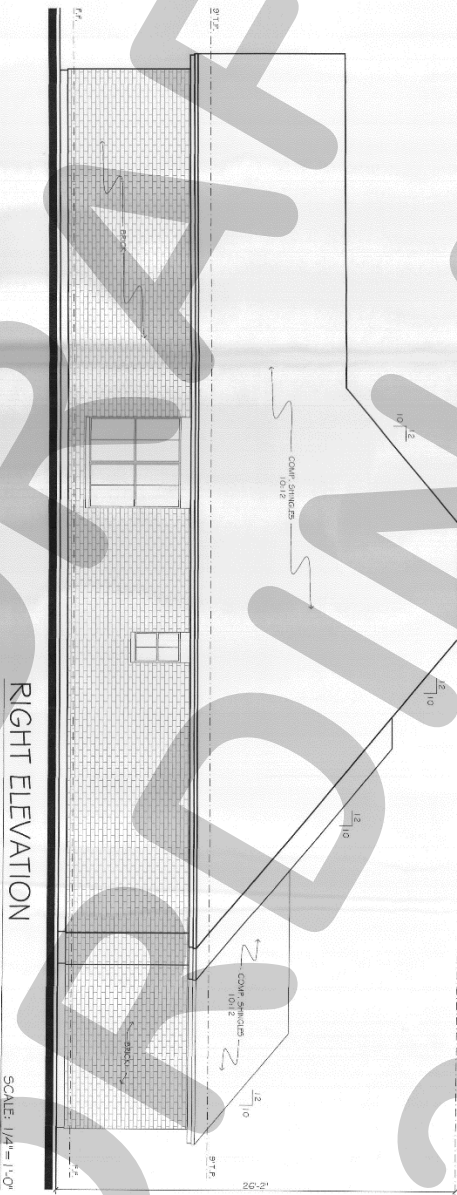


Exhibit 'C':
Building Elevations





MEMORANDUM

TO: Mary Smith, Interim City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: March 15, 2021

SUBJECT: Z2021-005; ZONING CHANGE (AG TO PD) FOR WINDING CREEK SUBDIVISION

Attachments

Case Memo
Development Application
Location Map
HOA Notification Map
Property Owner Notification Map
Property Owner Notification List
Public Notice
Property Owner Notifications
Petition Provided by Steve Curtis
Applicant's Letter
Concept Plan
Comprehensive Plan Excerpts
Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses on a 37.844-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary (**1st Reading**).

Action Needed

The City Council is being as to approve, approve with condition or deny the proposed zoning change.



CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: March 15, 2021
APPLICANT: Kevin Harrell; *Skorburg Company*
CASE NUMBER: Z2021-005; *Zoning Change (AG to PD) for Winding Creek Subdivision*

SUMMARY

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses on a 38.012-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

BACKGROUND

The subject property consists of two (2) existing tracts of land. The 26.012-acre tract of land (*i.e. Tract 17-01 of the W. M. Dalton Survey, Abstract No. 72*) -- identified as a 25.844-acre tract of land by the Rockwall Central Appraisal District (RCAD) and is heretofore referenced as *Tract 1* -- is currently undeveloped and is considered to be raw land. The 12.00-acre tract of land (*i.e. Tract 17-01 of the W. M. Dalton Survey, Abstract No. 72*) -- which is currently located directly east of the *Tract 1* and is heretofore referenced as *Tract 2* -- is currently occupied with a single-family home. According to the Rockwall Central Appraisal District (RCAD), the single-family home is 4,456 SF and was constructed in 1992. Also situated on the subject property is a 2,100 SF accessory building and two (2), 600 SF canopies that were constructed in 1995. A 500 SF carport was added to the home in 2005. On January 18, 2011, the City Council annexed the subject property by adopting *Ordinance No. 11-03 [Case No. A2010-002]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. No additional changes or improvements have been made to the subject property since its annexation.

PURPOSE

On February 12, 2021, the applicant -- *Kevin Harrell of the Skorburg Company* -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses. Specifically, the applicant is proposing to entitle the subject property for a 56-lot single-family, residential subdivision that will incorporate lots that are a minimum of 16,000 SF in size.

ADJACENT LAND USES AND ACCESS

The subject property is located at southeast corner of the intersection of FM-1141 and Clem Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Clem Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are the City's corporate limits followed by multiple residential properties located within the City's Extraterritorial Jurisdiction (ETJ). Also, north of the subject property -- and located within the City's corporate limits -- is the Saddle Brook Estates Subdivision, which consists of 45 single-family residential lots on 51.47-acres of land. These homes were constructed in 2002, and are zoned Single-Family 16 (SF-16) District.

South: Directly south of the subject property is the City's corporate limits followed by the Meadowview Ranch Estates Subdivision, which is situated within the City's Extraterritorial Jurisdiction (ETJ). The Meadowview Ranch Estates

Subdivision consists of 24 single-family residential lots on 38.97-acres of land. These homes were constructed in 1977.

East: Directly east of the subject property is the City's corporate limits followed by a 20.74-acre tract of land (*i.e. Tract 22 of the W. M. Dalton Survey, Abstract No. 72*), which is currently under a 212 Development Agreement [Case No. A2010-002]. Beyond this are the City's corporate boundaries followed a 20.00-acre tract of land (*i.e. Tract 22-05 of the W. M. Dalton Survey, Abstract No. 72*), which has a single-family home situated on it. This property is zoned Agricultural (AG) District.

West: Directly west of the subject property are the City's corporate limits followed FM-1141. FM-1141 is identified 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 thoroughfare are multiple residential properties situated within the City's Extraterritorial Jurisdiction (ETJ).

CHARACTERISTICS OF THE REQUEST

The applicant has submitted a concept plan and development standards for the proposed residential subdivision. The concept plan shows that the 38.012-acre tract of land will be subdivided to create 56 single-family residential lots. All of the proposed lots will be a minimum of 16,000 SF, and have a minimum lot width of 90-feet and a minimum lot depth of 100-feet. The overall density of the proposed subdivision will be *1.48* dwelling units per acre. The minimum dwelling unit size (*i.e. air-conditioned space*) will be 3,000 SF; however, the Planned Development District ordinance does allow this to be reduced to 2,800 SF for ten (10) percent of the lots (*i.e. five [5] lots*). According to the applicant, the proposed housing product will be of the same quality as the Breezy Hill and Stone Creek Subdivisions, but will incorporate updated floor plans. Staff has incorporated anti-monotony and masonry standards into the proposed Planned Development District ordinance. Specifically, the ordinance will require a minimum of 90% masonry (*with a minimum of 85% on each façade*), and be subject to the City's upgraded anti-monotony standards. The proposed subdivision will be subject to the land uses and density and dimensional requirements stipulated for properties within a Single-Family 16 (SF-16) District. These density and dimensional requirements are summarized as follows:

TABLE 1: LOT DIMENSIONAL REQUIREMENTS

<i>Minimum Lot Width</i> ⁽¹⁾	90'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	16,000 SF
<i>Minimum Front Yard Setback</i> ^{(2) & (5)}	25'
<i>Minimum Side Yard Setback</i>	8'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	10'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i> ⁽⁶⁾	3,000 SF
<i>Maximum Lot Coverage</i>	60%

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 curvilinear 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* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

The proposed concept plan shows approximately 9.29-acres of open space (or 24.4%) will be provided, and that a six (6) foot trail system will traverse the site. In addition, a six (6) foot meandering trail will be provided along FM-1141, and a five (5) foot sidewalk will be constructed along Clem Road. Along the lots on the southside of the subject property, the applicant has indicated that a ten (10) foot wide landscape buffer with evergreen trees planted on 20-foot centers will be provided.

INFRASTRUCTURE

Based on the applicant's concept plan and the proposed density, the following infrastructure is required to be constructed to provide adequate public services for the proposed development:

- (1) Roadways. The applicant shall verify the right-of-way width of FM-1141 to ensure there is 85-feet of right-of-way, and dedicate any of the subject property that is within 42.50-feet of the centerline of the roadway. The applicant will also need to verify the current right-of-way width of Clem Road, and dedicate any area within 30-feet of the centerline of the roadway.
- (2) Water. The applicant shall be required to provide a letter from Mt. Zion Water Supply -- *the holder of the Certificate of Convenience and Necessity (CCN) for the subject property* -- stating that they can serve domestic and fire protection meeting the City's minimum standards. As an alternative, the applicant can pursue opting out of the Mt. Zion's CCN. Any water system utilized to provide water to the site will be required to be looped through the property.
- (3) Wastewater. The applicant will need to connect the subdivision to the City's existing sewer system. Plans for this will be required at the time of civil engineering.
- (4) Drainage. The applicant shall be required to perform a flood study to delineate the fully developed 100-year localized floodplain for all ponds, creeks or streams, and draws on the subject property. Detention will be required and sized per the required detention study. The applicant will also be required to perform a Wetlands and Waters of the United States (WOTUS) study for the existing pond.

CONFORMANCE TO THE CITY'S CODES

The proposed Planned Development District conforms to all of the requirements of the Unified Development Code (UDC) and the Engineering Department's *Standards of Design and Construction Manual*.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is located within the Northeast Residential District and is designated for Low Density Residential land uses on the Future Land Use Plan. According to the Comprehensive Plan, Low Density Residential land uses are defined as "... residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses ..." In this case, the applicant is proposing an overall density of 1.48 dwelling units per acre, which is in conformance with the Future Land Use Plan. In addition, the zoning change does not change the current land use ratio of residential to commercial, which is at 76.24% residential to 23.76% commercial. According to the OURHometown Vision 2040 Comprehensive Plan, the desired land use ratio for the City of Rockwall is 80% residential to 20% commercial land uses [*Goal 01, Policy 1; Section 02.01 of Chapter 1*].

According to the Northeast Residential District, the district "... is characterized by its established low-density residential subdivisions and rural/estate style lots ... [and] is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development." In addition, the *District Strategies for Suburban Residential* (i.e. the correct designation for the proposed development according to the Comprehensive Plan) under the Northeast Residential District state, "(a)ny new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district." In this case, the applicant proposed lot size is similar to or larger than the lots in several subdivisions within this district (e.g. *Saddle Star, Dalton Ranch, Gideon Grove, Nelson Lake, Maytona Ranch Estates and Stoney Hollow Subdivisions*). Based on this the applicant's proposed concept plan, lot size, and proposed density are in conformance with the *District Strategies* of the Northeast Residential District.

Looking at the guidelines for residential developments contained in the Comprehensive Plan, the applicant's request does appear to be in conformance with nearly all of the residential goals and policies. Staff did identify the following one (1) area of non-conformance:

RED: NOT INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

BLUE: INCORPORATED INTO THE PLANNED DEVELOPMENT DISTRICT ORDINANCE.

- (1) **CH. 08 / Sec. 02.03 / Goal 1; Policy 2:** To maximize the value of properties that are directly adjacent to or across the street from a park and/or public open space, the house on the property should face onto the park and/or public open space, and should not back or side to the park and/or open space. If homes face onto a park and/or public open space and there is no public street, then the homes should be accessed via a mew-type street design.

However, taking into account the concept plan and zoning requirements being proposed, the applicant's request is in substantial conformance with the Future Land Use Plan, District Strategies, and Residential Guidelines contained in the OURHometown Vision 2040 Comprehensive Plan.

NOTIFICATIONS

On February 19, 2021, staff mailed 17 notices to property owners and occupants within 500-feet of the subject property. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). There were no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. At the time this report was drafted, staff had received the following:

- (1) One (1) email from a property owner within the notification area opposed to the applicant's request.
- (2) Five (5) emails from property owners outside of the notification area, but within the City limits, opposed to the applicant's request.
- (3) One (1) email from a property owner outside of the City limits within the City's Extraterritorial Jurisdiction (ETJ).

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the conditions contained in the Planned Development District ordinance; and,
- (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.

PLANNING AND ZONING COMMISSION

On March 9, 2021 the Planning and Zoning Commission approved a motion to recommend approval of the applicant's request to rezone the subject property from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses by a vote of 5-0, with Commissioner Deckard and Womble absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
- Preliminary Plat (\$200.00 + \$15.00 Acre)¹
- Final Plat (\$300.00 + \$20.00 Acre)¹
- Replat (\$300.00 + \$20.00 Acre)¹
- Amending or Minor Plat (\$150.00)
- Plat Reinstatement Request (\$100.00)

Site Plan Application Fees:

- Site Plan (\$250.00 + \$20.00 Acre)¹
- Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

Zoning Application Fees:

- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
- PD Development Plans (\$200.00 + \$15.00 Acre)¹

Other Application Fees:

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

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address 237 Clem Rd at FM 1141 Rockwall, TX

Subdivision DALTON SURVEY

Lot

Block

General Location SEC of FM 1141 and Clem Rd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Agricultural District (AG)

Current Use AG

Proposed Zoning Planned Development District SF - 16

Proposed Use PD (SF-16)

Acreage Approx 39

Lots [Current] 0

Lots [Proposed]

Approx 59

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

Owner Mark Taylor

Applicant Skorburg Company

Contact Person Mark Taylor

Contact Person Kevin Harrell

Address 237 Clem RD

Address 8214 Westchester

Suite 900

City, State & Zip Rockwall, TX 75087

City, State & Zip Dallas, TX 75225

Phone 972-772-4171

Phone 214-888-8859

E-Mail mtaylor1045@gmail.com

E-Mail kHarrell@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared Mark Taylor [Owner] the undersigned, who stated the information on this application to be true and certified the following:

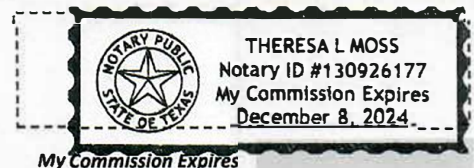
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the _____ day of _____, 20 _____. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 12 day of February, 20 21.

Owner's Signature

Notary Public in and for the State of Texas

Mark Taylor
Theresa L Moss





DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

Please check the appropriate box below to indicate the type of development request [SELECT ONLY ONE BOX]:

Platting Application Fees:

- Master Plat (\$100.00 + \$15.00 Acre)¹
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- Site Plan (\$250.00 + \$20.00 Acre)¹
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- Zoning Change (\$200.00 + \$15.00 Acre)¹
- Specific Use Permit (\$200.00 + \$15.00 Acre)¹
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Other Application Fees:

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

Notes:

¹: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

Address Clem Rd at FM 1141 Rockwall, TX

Subdivision DALTON SURVEY

Lot

Block

General Location SEC of FM 1141 and Clem Rd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning Agricultural District (AG)

Current Use AG

Proposed Zoning Planned Development District SF - 16

Proposed Use PD (SF-16)

Acreage 39

Lots [Current] 0

Lots [Proposed]

Approx 59

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3167 the City no longer has flexibility with regard to its approval process, and failure to address any of staff's comments by the date provided on the Development Calendar will result in the denial of your case.

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

Owner Alex Freeman

Applicant Skorburg Company

Contact Person Alex Freeman

Contact Person Kevin Harrell

Address 100 N Central Expy
STE 1008

Address 8214 Westchester
Suite 900

City, State & Zip Richardson, TX 75080

City, State & Zip Dallas, TX 75225

Phone 469-233-4774

Phone 214-888-8859

E-Mail afreeman@pinnaclemontessori.com

E-Mail KHarrell@skorburgcompany.com

NOTARY VERIFICATION [REQUIRED]

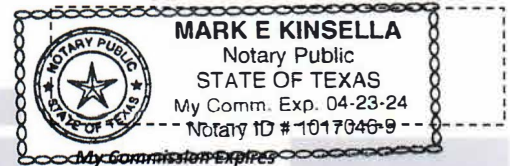
Before me, the undersigned authority, on this day personally appeared _____ [Owner] the undersigned, who stated the information on this application to be true and certified the following:

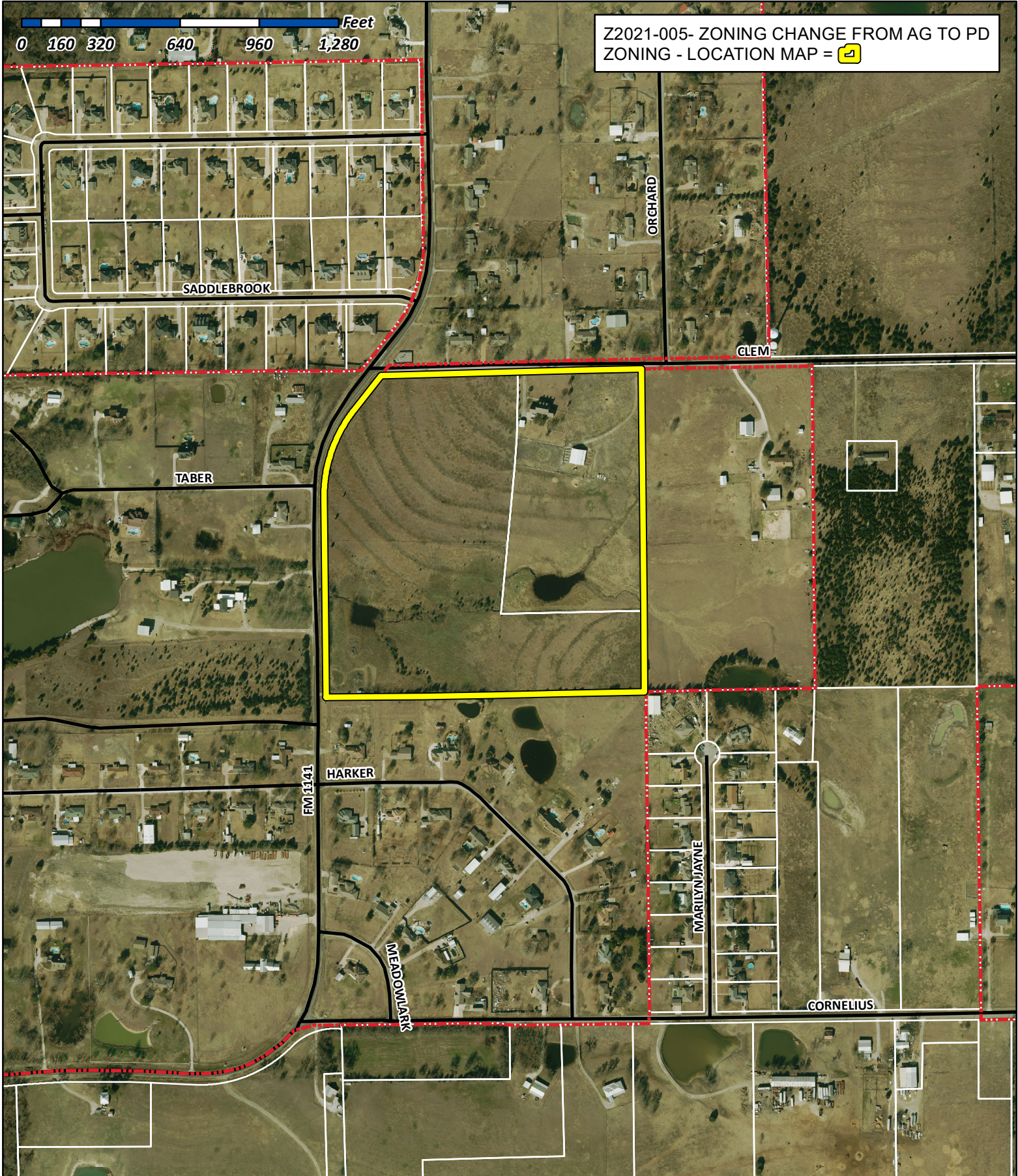
"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the _____ day of _____, 20____. By signing this application, I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 18th day of February, 2021.

Owner's Signature

Notary Public in and for the State of Texas





Z2021-005- ZONING CHANGE FROM AG TO PD
 ZONING - LOCATION MAP =



City of Rockwall

Planning & Zoning Department
 385 S. Goliad Street
 Rockwall, Texas 75032
 (P): (972) 771-7745
 (W): www.rockwall.com

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

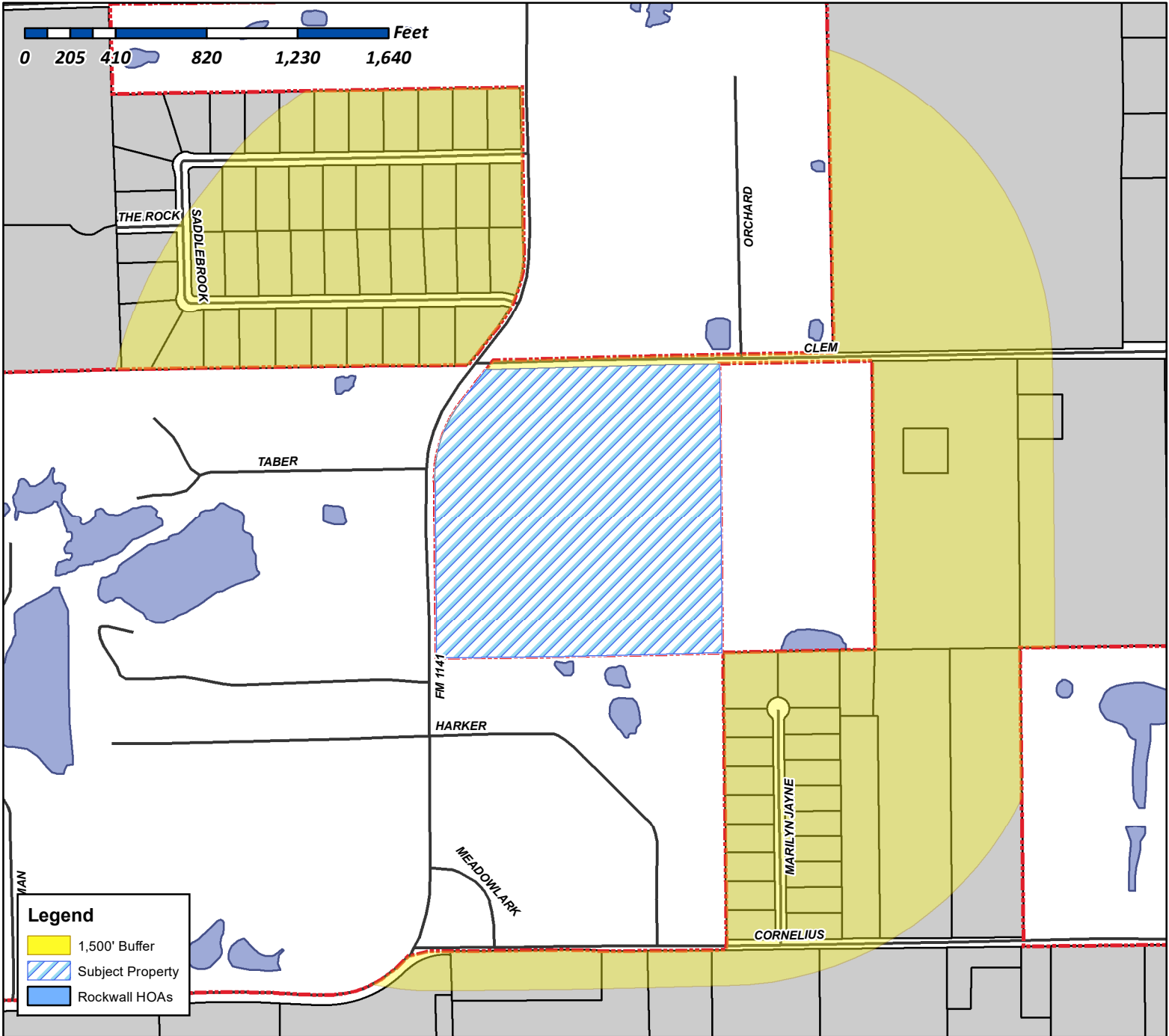
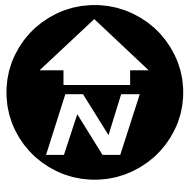




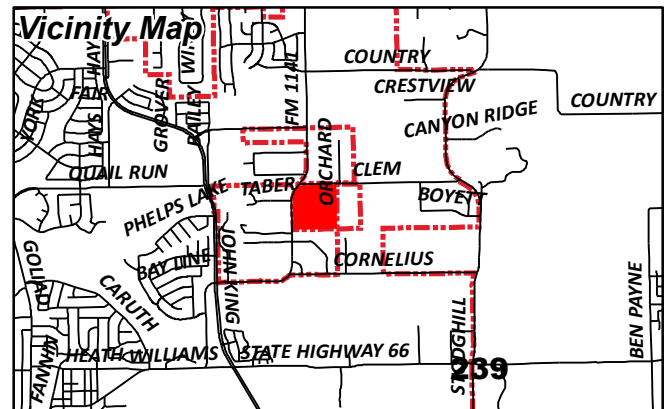
City of Rockwall

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

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Case Number: Z2021-005
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: AG
Case Address: SEC of Clem Road and FM-1141



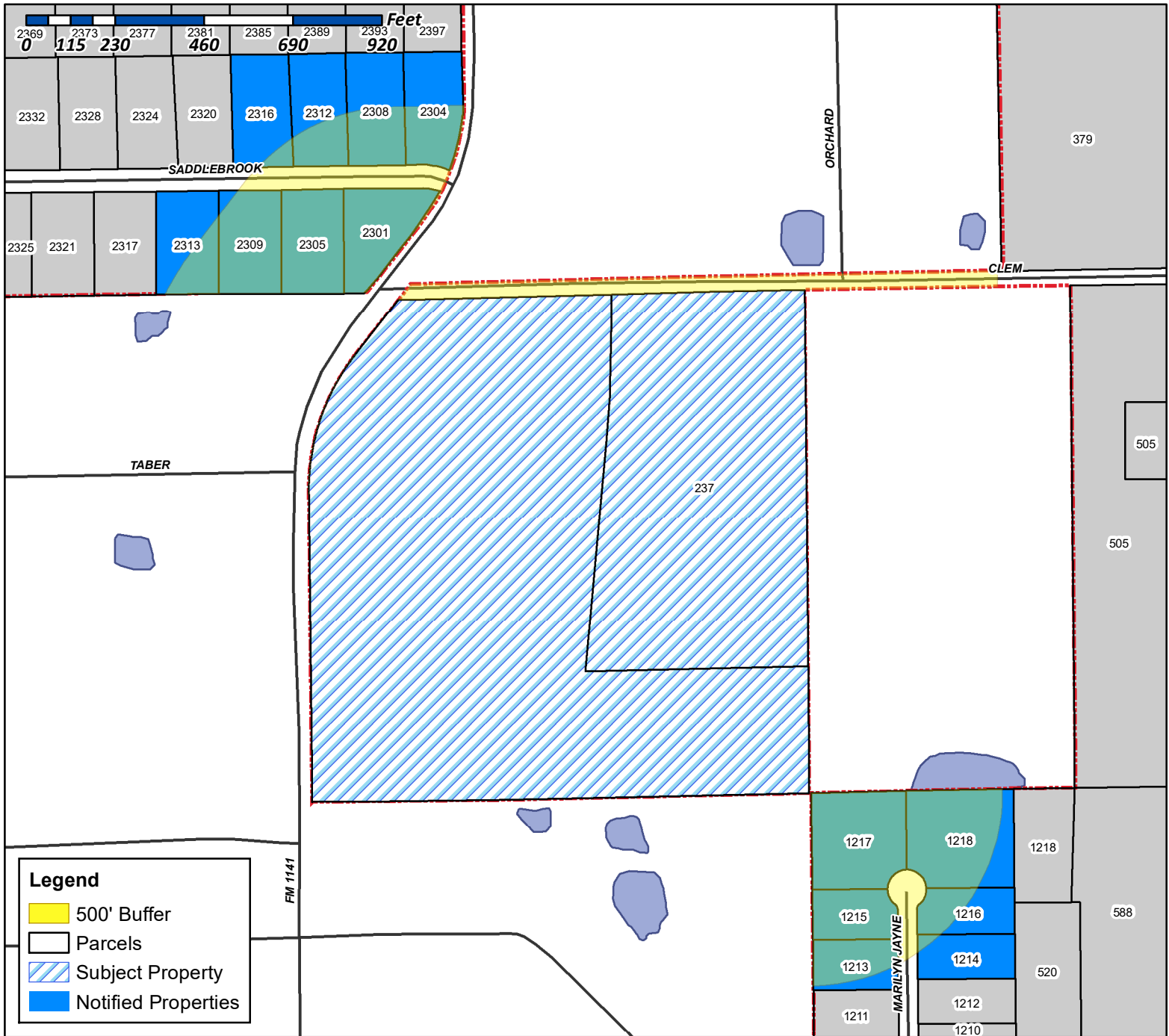
Date Created: 2/18/2021
 For Questions on this Case Call (972) 771-7745



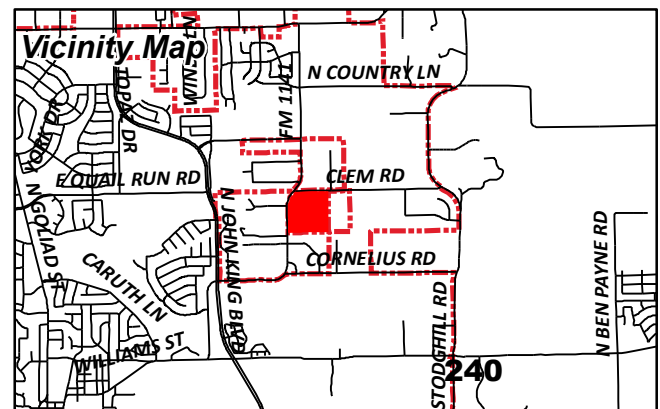
City of Rockwall

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Case Number: Z2021-005
Case Name: Zoning Change from AG to PD
Case Type: Zoning
Zoning: AG
Case Address: SEC of Clem Road and FM-1141



Date Created: 2/18/2021
 For Questions on this Case Call (972) 771-7745

 = RESPONSE RECIEVED

VASUNDHARA REDDY K AND
ALEX R FREEMAN
100 N CENTRAL EXPWY SUITE 1008
RICHARDSON, TX 75080

BERGERHOUSE PHILLIP & KERRI
1213 MARILYN JAYNE DR
ROCKWALL, TX 75087

SOUTHALL MARK P & KATHY L
1214 MARILYN JAYNE LN
ROCKWALL, TX 75087

CONFIDENTIAL
1215 MARILYN JAYNE DRIVE
ROCKWALL, TX 75087

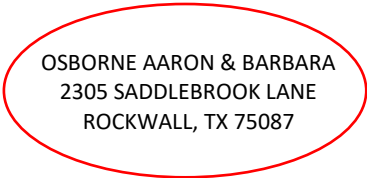
COUCH MITCHELL E AND PATRICIA M
1216 MARILYN JAYNE DR
ROCKWALL, TX 75087

KELLY JAMES B & DEA S
1217 MARILYN JAYNE DR
ROCKWALL, TX 75087

MENDOZA ROBERT E AND SANDRA J WILKINS
1218 MARILYN JAYNE DR
ROCKWALL, TX 75087

CULP TERRI L
2301 SADDLEBROOK LN
ROCKWALL, TX 75087

MURPHEY HARVEY W & BETTY J
2304 SADDLEBROOK LN
ROCKWALL, TX 75087

 OSBORNE AARON & BARBARA
2305 SADDLEBROOK LANE
ROCKWALL, TX 75087

CONFIDENTIAL
2308 SADDLEBROOK LN
ROCKWALL, TX 75087

JONES JAMES E
2309 SADDLEBROOK LN
ROCKWALL, TX 75087

SMITH WILLIAM CLEVE JR &
EDITH LILLIAN
2312 SADDLEBROOK LN
ROCKWALL, TX 75087

ROMERO MARGARET ALLEN-
2313 SADDLEBROOK LANE
ROCKWALL, TX 75087

LLOYD DANIEL AND REBECCA R
2316 SADDLEBROOK LANE
ROCKWALL, TX 75087

M G & J K TAYLOR LIVING TRUST
MARK G TAYLOR AND JESSICA K TAYLOR-
TRUSTEES
237 CLEM ROAD
ROCKWALL, TX 75087

SOUTHALL MARK P & KATHY L
P. O. BOX 2214
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2021-005: Zoning Change AG to PD (Winding Creek)

Hold a public hearing to discuss and consider a request by Kevin Harrell of the Skorburg Company on behalf of Alex Freeman and Mark G. & Jessica K. Taylor for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses on a 37.844-acre tract of land identified as Tracts 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located at the southeast corner of the intersection of FM-1141 and Clem Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 9, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 15, 2021 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 15, 2021 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. Z2021-005: Zoning Change AG to PD (Winding Creek)

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.

[Redacted area]

Name: [Redacted]
Address: [Redacted]

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

Miller, Ryan

From: Judy Morris <[REDACTED]>
Sent: Tuesday, February 23, 2021 6:03 PM
To: Miller, Ryan
Subject: 56 houses to be built at 1141 and Clem Road

Hello Mr. Miller,

My name is Judith Morris and I live at 3047 Cobblestone Dr., Rockwall, TX 75087. I understand a Public Hearing at the Planning and Zoning Department at City Hall is happening tonight. I am not able to attend this meeting but I want to stress that I am opposed to the building of these homes in this particular area unless the proper infrastructure is in place before building.

My reasons are as follows:

- FM1141 is a single lane road. Additional traffic will make this road more congested during peak hours. Also, road maintenance and widening of FM1141 would be necessary. This road has several curves that should be straightened out.
- Rockwall ISD is planning on building a new school at FM1141 which will provide additional traffic.
- Police, Fire, EMT, Schools, and other services are stressed to the max as it is.
- Water shortage is also a concern in this area.

Rockwall's infrastructure needs to be upgraded before any new building happens.

Thank you,

Judith Morris

[REDACTED]
214.558.2993

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Miller, Ryan

From: Barbara Osborne <[REDACTED]>
Sent: Monday, March 8, 2021 10:32 AM
To: Planning
Cc: Aaron Osborne
Subject: Case Z2021-005

Please confirm receipt of this email. Thank you!

To: Rockwall City Planning Department
Rockwall Planning Commission
Rockwall City Council

This letter is in reference to the proposed development on the corner of FM1141 and Clem Rd – Z2021-005. We own the residence at 2305 Saddlebrook Lane (within the 500' buffer) and have serious concerns about the current plans. We would like to begin by stating that we are not against appropriate development, however we purchased our home, and paid top dollar to enjoy a quieter way of life. We are against the currently proposed development for a few reasons, and moving forward there are several points we would ask you to consider.

1. 16,000 square foot lot sizes are too small and allow for too much density than is appropriate for the area. The developers should be held to a higher standard of lot sizes of at least an acre. The average lot size within a miles radius is at least an acre, but likely more. The new Northgate development at the east end of Clem is much more appropriate for the area with their 1-2 acre lots. By allowing 16,000 sq/ft lots you are undermining the existing neighborhood. A densely built subdivision will only serve to reduce the quality of life desired and risk lowering the property values for us and for our neighbors in the surrounding area.
2. The current plan has no upgrade for Clem Road, which is completely unacceptable. The developer needs be held responsible for updating its section of Clem. Why should they be allowed to ignore Clem when Northgate wasn't? Clem is an important road in this area, and will prove to be even more important when 552 goes through it's upcoming widening. In addition, any homes built on the proposed site will put a strain on this already dilapidated road, as it is an important connector to Fate and areas east of that. And furthermore, when we discuss improving the road it must be done so properly. We are already unimpressed with the shameful "improvements" that were made by the Northgate development that has ruined the driveway of every property on north side of Clem where they improved it. On a side note, the fact that you did not insist the Northgate builder reconnect the properties to the new street shows that better restrictions need to be implemented by the city before ANY development continues. If this is allowed to stand you have failed at your job to ensure the best for the people of Rockwall. Developers are very profitable, and they would be even if you insisted on them pulling their weight. We, the taxpayers should not have to pay to improve the roads near where they decide to build. Fair is fair.
3. It is a safety and traffic hazard to have two entrances to this development from 1141. 1141 is a two-lane road with curves and a regular speed of 55mph. It is no John King as it relates to Breezy Hill. It has no turn lanes, and the combination of the proposed density of this development (and future developments) and having the entrance/exit at and near that curve on 1141 will cause traffic problems and major accidents. There will be injuries, and potentially fatalities should you allow the higher density and terrible road design of this development to stand without major improvements to 1141.
4. With this phase of development, the developer is trying to convince us all that the 16,000 sq ft lots are appropriate. However, we also know from the clear pattern of development (see Breezy Hill and Stone Creek) that once they have the first round of concessions from the city, they are going to attempt (so far successfully) to reduce the size of the lots. There is a lot of property behind the initial proposed development and anyone with any sense knows the developer's goal will be to do the same with this development. It's obvious that if they are allowed to build lots that are inappropriately small for the area, they will come back next round and cut them down even smaller.

We realize that it is unrealistic to expect no development on the proposed site and surrounding area, but we do hope that the context of the surrounding area will be given much more respect and consideration when it comes to density and traffic design. My degree is in Planning, and I have never seen a proposed development in the 3 cities I have worked for be allowed to ignore road and traffic improvements on the parcel that is being improved. The fact that we are dealing with

areas on the border of county land and city land should not be a reason for developers to not be held to those standards. After all, it is not only possible, but likely, that the county land surrounding this development will eventually be annexed into the city. Hold them accountable now, as this is an investment for all parties and surrounding landowners in the future look and function of this development.

Sincerely,

Aaron & Barbara Osborne
2305 Saddlebrook Lane
Rockwall, TX 75087
(469) 264-9120



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Miller, Ryan

From: Danjamtexas <[REDACTED]>
Sent: Monday, March 8, 2021 1:37 PM
To: Planning
Subject: Fwd: Opposed to No. Z2021-005: Zoning Change AG to PD

To the Rockwall Planning and Zoning Dept:

As residents of the Saddlebrook neighborhood, we are very much opposed to the nearby development proposed in Case No. Z2021-005: Zoning Change AG to PD. In reading the documents, they are proposing building 56 homes in the first phase. This is packing in way too many homes in such a tight neighborhood. The developer called these large lots which is not at all the case. Just across the road is our neighborhood of one home on one acre lots, compared to their proposal of three homes per one acre. And Clem Road is such a worn-out, skinny country road that will not support the large amount of traffic this development will bring. This high-density development will definitely not keep with the current aesthetics of the area which I'm sure we all want to protect to keep Rockwall a beautiful community.

Dave and Alicia Amundson
2328 Saddlebrook, Rockwall, TX 75087
[REDACTED]

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Miller, Ryan

From: Chris White <[REDACTED]>
Sent: Friday, March 5, 2021 11:37 AM
To: Miller, Ryan
Subject: Request for no zoning change for corner of FM1141/Clem

I believe this is too late, but I wanted to submit my request that the zoning NOT be changed for the property at the corner of FM1141 and Clem. I would prefer to not have a new housing development there.

Thanks,
John White
2332 Saddlebrook, Rockwall, TX 75087

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Miller, Ryan

From: MARTHA GRIFFEY <[REDACTED]>
Sent: Saturday, March 6, 2021 6:42 PM
To: Miller, Ryan
Subject: AG to PD fm 1141 & Clem Rd.

I am opposed to the housing development at the corner of FM 1141 and Clem Rd. This said property is across from my neighborhood Saddlebrook.

This development will bring more traffic along 1141, which already has traffic. And would bring construction noise to a peaceful and quiet area.

I am not quite sure why Rockwall is allowing so many new homes to be built. The traffic in this town has gotten out of control. And with this new development it brings even more people on the roads. Rockwall is losing its small town feel.

I moved to Saddlebrook in 2002 because of the "country feel". This development will certainly take away from the "country feel".

Please consider not approving this development.

Martha Griffey

[Sent from AT&T Yahoo Mail on Android](#)

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Miller, Ryan

From: Ruth Josey <[REDACTED]>
Sent: Tuesday, March 9, 2021 5:12 PM
To: Planning
Subject: Case No. Z2021-005 Zoning Change AG to PD (Winding Creek)

Hello Mr. Miller,

While I would prefer that our idyllic rural areas remain just that, I realize that we'll lose most of our AG land to developers. Not a problem. I'm sure they're now able to create all manner of delicious food out of synthetic materials. The complaint I'd like to register is the size of the proposed lots. The houses would all be on 1/3-acre lots. Those lots are smaller than our neighboring developments of Saddlebrook, Maytona Ranch, Willow Bend, and Northgate and I feel that larger lots (more than 3/4 acre) are more in line with the community. I'm not looking forward to the traffic and noise that this will bring to the area and I hope you'll count me in as opposed to the builders' request.

Best regards,

Ruth Josey
50 Orchard Ln.
Rockwall, TX 75087

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We the citizens of Rockwall respectfully protest and object to the Zoning Request #Z2021-005.

Name: Guthrie Chase Troise PIN # 27310
Address: 2341 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: William & Cortney Schale PIN # 27311
Address: 2345 Saddlebrook Lane Phone: (214) 649-9492
Signature: _____ Email: _____

Name: Stephen J Griffin PIN # 27312
Address: 2348 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Bradley K & Susan M Jones PIN # 27313
Address: 2352 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Robert & Beverly Cox PIN # 27314
Address: 2356 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Arthur Orozco PIN # 27316
Address: 2360 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Kevin M & Debbie R Berger PIN # 27317
Address: 2364 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Wade L & Misty M Stelzer PIN # 27318
Address: 2368 Saddlebrook Lane Phone: 972-878-2045
Signature: _____ Email: _____

Name: Melissa A & Chima O Ellis PIN # 27319
Address: 2372 Saddlebrook Lane Phone: 972 977 9186
Signature: _____ Email: _____

We the citizens of Rockwall respectfully protest and object to the Zoning Request #Z2021-005.

Name: *Brandon G & Amanda H Taylor PIN # 27330
Address: 2320 Saddlebrook Lane Phone: _____
Signature: A. Taylor Email: _____

Name: Jeffrey Michael & Jeanne Marie Baron PIN # 27331
Address: 2324 Saddlebrook Lane Phone: 707 481-1125
Signature: Jeanne M. Baron Email: _____

Name: David O & Alicia K Amundson PIN # 27332
Address: 2328 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: John C & Pamela E White PIN # 27333
Address: 2332 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Randy & Jamie Shack PIN # 27334
Address: 2336 Saddlebrook Lane Phone: _____
Signature: Randy Shack Email: _____

Name: Marty Allen & Debra Kay Wright PIN # 27335
Address: 2340 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Lee L Harvey PIN # 27336
Address: 2361 Saddlebrook Lane Phone: 214-608-7305
Signature: _____ Email: _____

Name: Carolyn Proctor PIN # 27337
Address: 2365 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Doyle D & Lora A Gilkinson PIN # 27338
Address: 2369 Saddlebrook Lane Phone: _____
Signature: D. Gilkinson Email: _____

We the citizens of Rockwall respectfully protest and object to the Zoning Request #Z2021-005.

Name: Eric B Basham PIN # 27320
Address: 2376 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Walter W & Dawn A Defebaugh PIN # 27321
Address: 2380 Saddlebrook Lane Phone: 409-338-6862
Signature: Walter & Dawn Defebaugh Email: [REDACTED]

Name: Ryan D & Marisa C Gray PIN # 27322
Address: 2384 Saddlebrook Lane Phone: _____
Signature: My & Marisa Email: [REDACTED]

Name: George & Judy Callicoatt PIN # 27323
Address: 2388 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Karl M Thomahlen Sr PIN # 27324
Address: 2392 Saddlebrook Lane Phone: _____
Signature: Karl M Thomahlen Sr Email: _____

Name: Shawn C & Wendy A Minnich PIN # 27325
Address: 2396 Saddlebrook Lane Phone: 972-722-0783
Signature: Shawn & Wendy Email: [REDACTED]

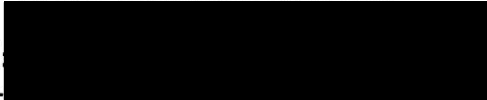
Name: Harvey W & Betty J Murphey #59 PIN # 27326
Address: 2304 Saddlebrook Lane Phone: 972-722-1258
Signature: HW Murphey Email: [REDACTED]

Name: William Cleve Smith PIN # 27328
Address: 2312 Saddlebrook Lane Phone: 817-874-6325
Signature: Edie Smith Email: [REDACTED]

Name: Daniel & Rebecca Lloyd PIN # 27329
Address: 2316 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Zoning Request Z2021-005

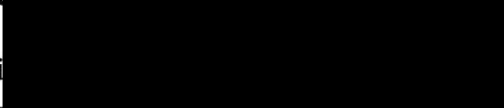
We the citizens of Rockwall respectfully protest and object to the Zoning Request #Z2021-005.

Name: Mitchell E & Patricia M Couch
Address: 1216 Marilyn Jayne Lane
Signature: *Mitchell Couch*
Signature: *Patricia Couch*
PIN # 19611
Phone: 214 3009360
Email: 

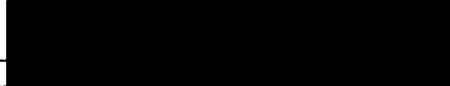
Name: Mark P & Kathy L Southall
Address: 1214 Marilyn Jayne Lane
Signature: _____
PIN # 19612
Phone: _____
Email: _____


Name: Donnie B Peoples
Address: 1212 Marilyn Jayne Lane
Signature: _____
PIN # 19613
Phone: _____
Email: _____

Name: John & Sheryl Emra
Address: 1210 Marilyn Jayne Lane
Signature: *John Emra*
Signature: _____
PIN # 19614
Phone: 469-338-3086
Email: _____

Name: Conrado Rodriguez Jr
Address: 1208 Marilyn Jayne Lane
Signature: *Conrado Rodriguez*
Signature: _____
PIN # 19615
Phone: _____
Email: 

Name: Robert M Cook
Address: 1206 Marilyn Jayne Lane
Signature: *Robert M Cook*
Signature: _____
PIN # 19616
Phone: 214-232-1832 (TEXT)
Email: _____

Name: Gracie & Leon Walker
Address: 1204 Marilyn Jayne Lane
Signature: *Gracie Walker*
Signature: *Leon Walker*
PIN # 19617
Phone: 469-323-1291
Email: 

Name: Brian & Kimberly James
Address: 1202 Marilyn Jayne Lane
Signature: *Brian James*
Signature: *Kimberly James*
PIN # 19618
Phone: 469-371-8597
Email: 

Name: Stephen R & Sharon C Thomas
Address: 1200 Marilyn Jayne Lane
Signature: *Stephen Thomas*
Signature: *Sharon Thomas*
PIN # 19619
Phone: _____
Email: _____

Zoning Request Z2021-005

We the citizens of Rockwall respectfully protest and object to the Zoning Request #Z2021-005.

his not home

Name: Randy and Kay Wilson Revocable Trust
Address: 1201 Marilyn Jayne Lane

PIN # 19601
Phone: _____

Signature: _____

Email: _____

Name: Daniel T Smith
Address: 1203 Marilyn Jayne Lane

PIN # 19602
Phone: _____

Signature: _____

Email: _____

Name: David L James
Address: 1205 Marilyn Jayne Lane

PIN # 19603
Phone: _____

Signature: _____

Email: _____

Name: Carl Dean Cantrell
Address: 1207 Marilyn Jayne Lane

PIN # 19604
Phone: _____

Signature: *Carl Cantrell*

Email: [REDACTED]

Name: Forris Woodrow Barton Jr. & Dixie D
Address: 1209 Marilyn Jayne Lane

PIN # 19605
Phone: _____

Signature: *Forris Barton Dixie Barton*

Email: [REDACTED]

Name: Gregory L Rylander & Pamela J
Address: 1211 Marilyn Jayne Lane

PIN # 19606
Phone: _____

Signature: *Pamela Rylander Gregory Rylander*

Email: [REDACTED]

Name: Phillip & Kerri Bergerhouse (copy)
Address: 1213 Marilyn Jayne Lane

PIN # 19607
Phone: _____

Signature: _____

Email: _____

Name: James B & Dea S Kelly
Address: 1217 Marilyn Jayne Lane

PIN # 19609
Phone: *214 505 2739*
972-571-4150

Signature: *Dea Kelly*

Email: [REDACTED]

Name: Robert E Mendoza & Sandra J Wilkins
Address: 1218 Marilyn Jayne Lane

PIN # 19610
Phone: *214 991 4552*

Signature: _____

Email: [REDACTED]

We the citizens of Rockwall respectfully protest and object to the Zoning Request #Z2021-005.

Name: Terri L Culp PIN # 27301
Address: 2301 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Aaron & Barbara Osborne PIN # 27302
Address: 2305 Saddlebrook Lane Phone: ~~(469)~~ (469) 264-9120
Signature: *Barbara Osborne* Email: [REDACTED]

Name: James E Jones *SICK - COME BACK* PIN # 27303
Address: 2309 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Margaret Allen-Romero PIN # 27304
Address: 2313 Saddlebrook Lane Phone: 979-229-6324
Signature: *Margaret Allen Romero* Email: [REDACTED]

Name: Thomas & Patricia Muggeo PIN # 27305
Address: 2317 Saddlebrook Lane Phone: _____
Signature: *Thomas Muggeo* Email: _____

Name: Ronnie D & Veronica AA Robinson PIN # 27306
Address: 2321 Saddlebrook Lane Phone: 405-923-4874
Signature: *Ronnie* Email: [REDACTED]

Name: Christopher & Shelly Brown PIN # 27346
Address: 2329 Saddlebrook Lane Phone: _____
Signature: _____ Email: _____

Name: Dan & Tammy Whannell PIN # 27308
Address: 2333 Saddlebrook Lane Phone: _____
Signature: *Dan Whannell* Email: _____

Name: Willard L Peggy J Thomas PIN # 27309
Address: 2337 Saddlebrook Lane Phone: 903-459-5880
Signature: *Willard Thomas* Email: _____

Skorburg Company
8214 Westchester Dr., Ste. 900
Dallas, TX 75225
Phone: 214/522-4945
Fax: 214/522-7244



February 12, 2021

City of Rockwall
Attn: Ryan Miller, AICP
385 S Goliad St
Rockwall, TX 75087

Dear Mr. Miller,

Skorburg Company is requesting that our project be taken to the March 9th, 2021 Planning and Zoning Meeting. This project is the development of ±38 Acres in the William Dalton Survey, City of Rockwall, Rockwall County, located at the Southeast corner of F.M. 1141 and Clem Rd.

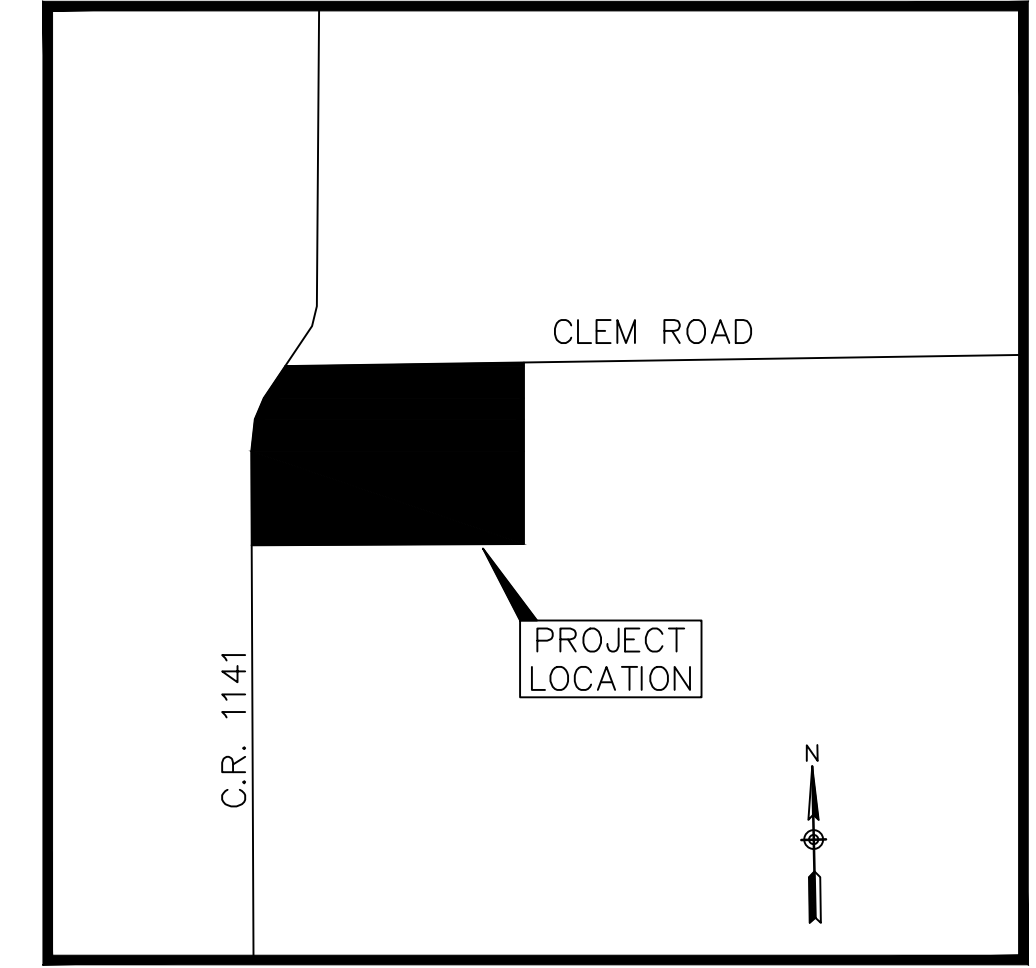
The property is currently zoned AG. We are proposing a development of Single-Family Residential homes on 16,000 square foot lots. This community will feature high quality homes on large lots and add to the beautiful aesthetics of other high quality Skorburg communities like Stone Creek Estates, Breezy Hill Estates, and Gideon Grove.

We look forward to working with the City once again to develop another gorgeous development.

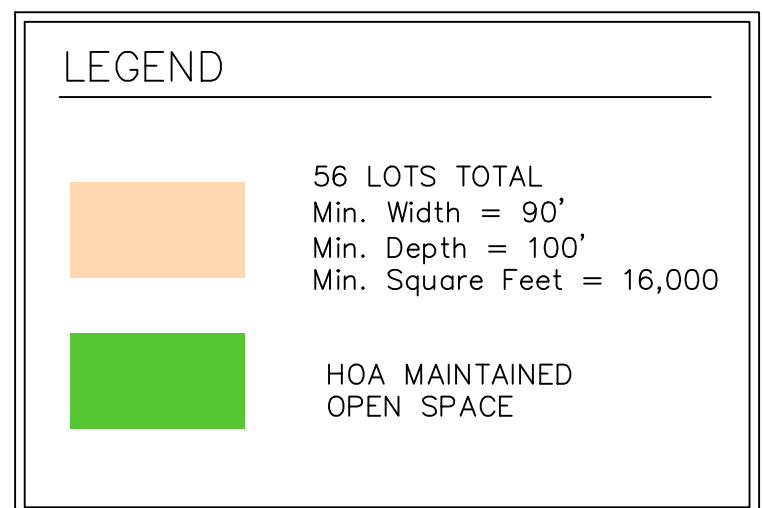
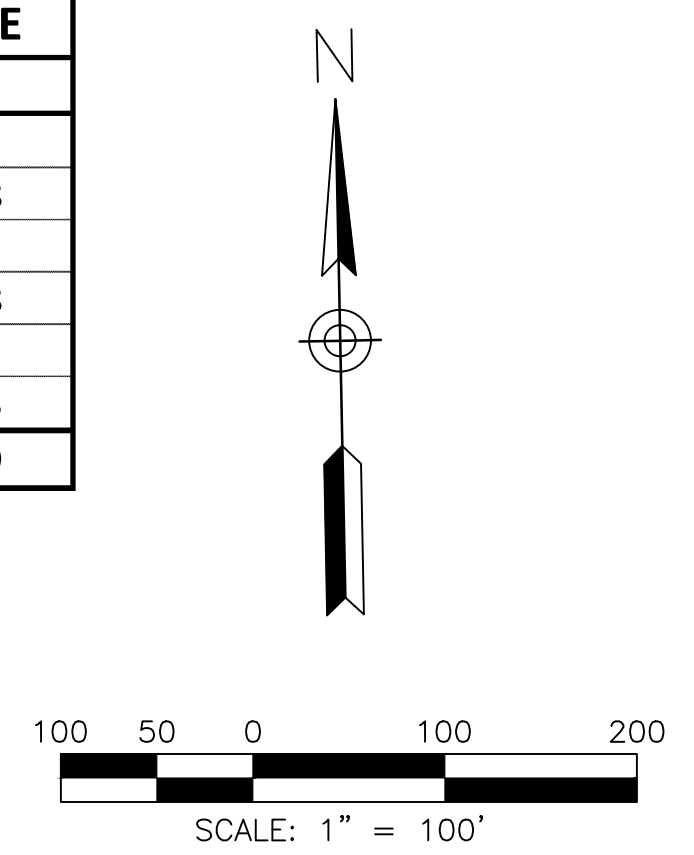
Cordially Yours,

A handwritten signature in blue ink, appearing to read "K Harrell", written over a light blue horizontal line.

Kevin Harrell
Land Acquisition Manager



HOA OPEN SPACE AREA TABLE		
HOA LOT	SF	AC
A	264845	6.08
B	60113	1.38
C	79715	1.83
TOTAL		9.29



NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL LOTS SHALL NOT EXCEED 56 LOTS.

ALL OPEN SPACE LOTS TO BE MAINTAINED BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 38.012
 TOTAL OPEN SPACE: 9.29 (24.4%)
 TOTAL RESIDENTIAL LOTS: 56
 RESIDENTIAL DENSITY: 1.48

CONCEPT PLAN
OF
WINDING CREEK
 SITUATED IN THE
WILLIAM DALTON SURVEY,
ABSTRACT NO. 72
 IN THE
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS
 PREPARED BY
MACATEE ENGINEERING, LLC
12655 N. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1180
OWNER
REDDY K VASUNDHARA & ALEX R FREEMAN
OWNER
M G & J K TAYLOR LIVING TRUST
237 CLEM ROAD, ROCKWALL, TX 75087

MARCH 2021
SCALE: 1"=100'
CASE NO. Z2021-005

05 FUTURE LAND USE PLAN

01 LAND USE PLAN DESIGNATIONS

01.01 RESIDENTIAL ● ● ●

LAND USE DESIGNATION OF THE SUBJECT PROPERTY

● LOW DENSITY RESIDENTIAL (LDR)

The *Low Density Residential* land use category consists of residential subdivisions that are two (2) units per gross acre or less; however, a density of up to two and one-half (2½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses (see Chapter 8, *Residential Developments, of this Comprehensive Plan*).

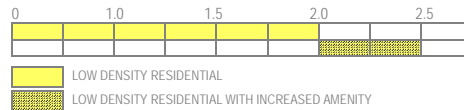
DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban, Estate and Rural Residential (i.e. *Single-Family Detached Homes*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: All Single-Family Estate (SFE) Districts (i.e. SFE 1.5, 2.0 & 4.0), certain Planned Development (PD) Districts and the Single-Family One (SF-1) District.

EXISTING LAND USE EXAMPLES

- 1 Breezy Hill Subdivision
- 2 Stone Creek Subdivision
- 3 Oaks of Buffalo Way Subdivision

RESIDENTIAL DENSITY CHART



● MEDIUM DENSITY RESIDENTIAL (MDR)

The *Medium Density Residential* land use category consists of residential subdivisions that are greater than two and one-half (2½) units per gross acre, but not higher than three (3) units per gross acre; however, a density of up to three and one-half (3½) units per gross acre may be permitted for developments that incorporate increased amenity and a mix of land uses (see Chapter 8, *Residential Developments, of this Comprehensive Plan*).

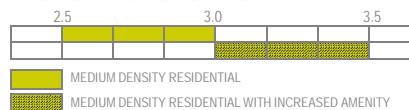
DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban Residential (i.e. *Single-Family Detached Homes*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Certain Planned Development (PD) Districts and the Single-Family 16 (SF-16) District

EXISTING LAND USE EXAMPLES

- 1 Caruth Lakes Subdivision
- 2 Lago Vista Subdivision
- 3 Park Place Subdivision

RESIDENTIAL DENSITY CHART



● HIGH DENSITY RESIDENTIAL (HDR)

The *High Density Residential* land use category may consist of single-family residential homes, duplexes, townhomes, apartments, lofts, condominiums or other forms of housing that exceed three and one-half (3½) units per gross acre. These developments should contain increased amenities and open space, and incorporate pedestrian connectivity to adjacent land uses.

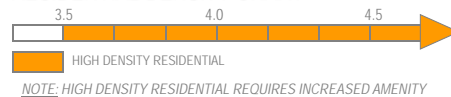
DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Suburban and Urban Residential (i.e. *Single-Family Detached, Single-Family Attached, Zero Lot Line Homes, Townhomes, Duplexes, Condominiums and Multi-Family Apartments*)
- 2 Secondary Land Uses: Amenities, Parks, Open Space, and Institutional/Civic Land Uses
- 3 Zoning Districts: Certain Planned Development (PD) Districts, Single-Family 10 (SF-10) District, Single-Family 8.4 (SF-8.4) District, Single-Family 7 (SF-7) District, Zero Lot Line (ZL-5) District, Two Family (2F) District, and the Multi-Family 14 (MF-14) District.

EXISTING LAND USE EXAMPLES

- 1 Turtle Cove Subdivision
- 2 Sixteen50 @ Lake Ray Hubbard Apartments
- 3 Mission Rockwall Apartment Complex

RESIDENTIAL DENSITY CHART



11 NORTHEAST RESIDENTIAL DISTRICT

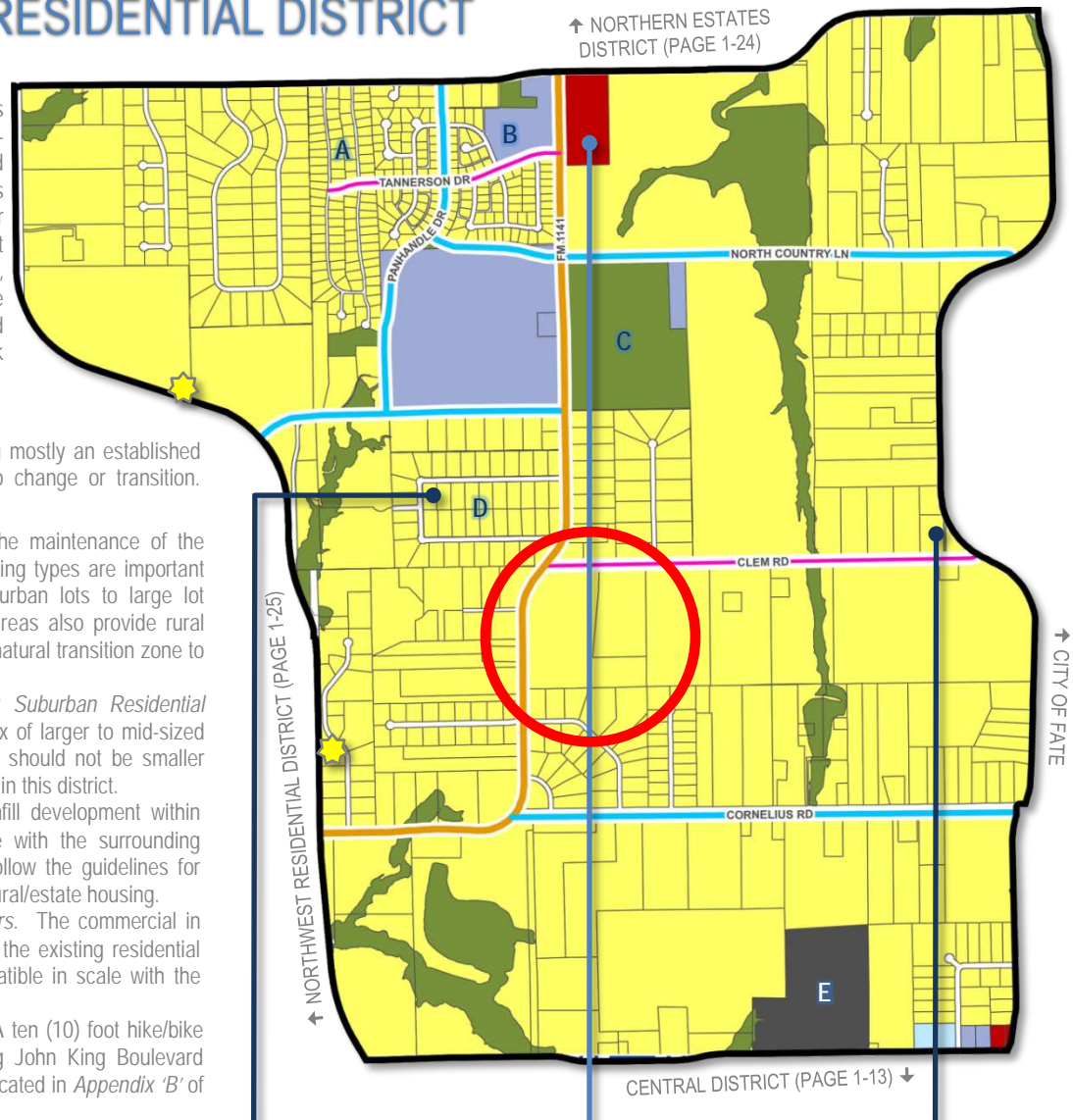
DISTRICT DESCRIPTION

The *Northeast Residential District* is characterized by its established low-density residential subdivisions and rural/estate style lots. This district is anticipated to be a future growth center for the City, having several large vacant tracts of land suitable for low-density, residential development. In addition, the City currently owns a large tract of land that will be a northern community park and serve this district in the future.

DISTRICT STRATEGIES

The *Northeast Residential District* being mostly an established residential district, is not anticipated to change or transition. The strategies for this district are:

- 1 *Estate and Rural Residential.* The maintenance of the *Estate and Rural Residential* housing types are important to balancing the diversity of suburban lots to large lot housing within the City. These areas also provide rural reserves for the City and create a natural transition zone to the east, towards FM-3549.
- 2 *Suburban Residential.* Any new *Suburban Residential* developments should include a mix of larger to mid-sized lots. Lots in these developments should not be smaller than existing *Suburban Residential* in this district.
- 3 *Infill Development.* Residential infill development within this district should be compatible with the surrounding structures and should generally follow the guidelines for low density, suburban housing or rural/estate housing.
- 4 *Neighborhood/Convenience Centers.* The commercial in this district is intended to support the existing residential subdivisions and should be compatible in scale with the adjacent residential structures.
- 5 *John King Boulevard Trail Plan.* A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in *Appendix 'B'* of this Comprehensive Plan.



POINTS OF REFERENCE

- A. Stoney Hollow Subdivision
- B. Celia Hays Elementary School
- C. North Country Lane Park
- D. Saddlebrook Estates Subdivision
- E. Resthaven Funeral Home

LAND USE PALETTES

-  Current Land Use
-  Future Land Use



2 Current Suburban Residential



4 Future Neighborhood/Convenience Center



1 Current Rural Residential

 John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon

BUILD OUT  1,964

 5,794

% OF ROCKWALL  3.13%

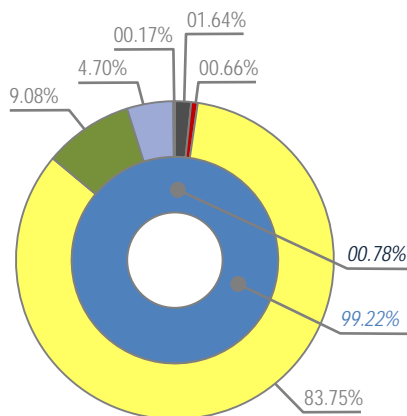
 0.99%













 3.10%

CURRENT  625

 18

 1,844



	MINOR COLLECTOR	
	M4U	
	M4D	
	COMMERCIAL	0.78%
	RESIDENTIAL	99.22%
	MIXED USE	0.00%
	CEMETERY (CEM)	32.34-ACRES
	COMMERCIAL/RETAIL (CR)	13.02-ACRES
	LOW DENSITY RESIDENTIAL (LDR)	1,646.83-ACRES
	PARKS AND OPEN SPACE (OS)	178.54-ACRES
	PUBLIC (P)	92.45-ACRES
	QUASI-PUBLIC (QP)	3.25-ACRES

CITY OF ROCKWALL

ORDINANCE NO. 21-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE-FAMILY 16 (SF-16) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 38.012-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 & 17-01 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A' AND DEPICTED HEREIN BY EXHIBIT 'B'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Kevin Harrell of the Skorburg Co. on behalf of Mark Taylor and Alex Freeman for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single-Family 16 (SF-16) District land uses, on a 38.012-acre tract of land identified as Tract 17 & 17-01 of the W. M. Dalton Survey, Abstract No. 72, City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Density and Development Standards*, outlined in *Exhibit 'D'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'D'*, which is deemed hereby to be a

condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 4. That a *Master Parks and Open Space Plan* for the *Subject Property*, prepared in accordance with this ordinance and consistent with the *Planned Development Concept Plan* described in *Exhibit 'C'* of this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 5. That development of the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

- (a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 5(b) through 5(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.
- (b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.
 - (1) Master Parks and Open Space Plan
 - (2) Master Plat
 - (3) Preliminary Plat
 - (4) PD Site Plan
 - (5) Final Plat
- (c) *Master Parks and Open Space Plan.* A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.
- (d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.
- (e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.
- (f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.
- (g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

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

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5TH DAY OF APRIL, 2021.

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 15, 2021

2nd Reading: April 5, 2021

Exhibit 'A':
Legal Description

Tract 1 (+26.012-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas. Being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 60D nail found for corner at the intersection near the center of Clem Road and the recognized southeast line of FM-1141, said point being the northwest corner of herein described tract;

THENCE North 89 Degrees 06 Minutes 09 Seconds East, within said Clem Road and the recognized north line of said *Walker Tract*, a distance of 533.77-feet to a point for corner, said point being the northeast corner of herein described tract and the northwest corner of a tract of land described in deed to Mark G. and Jessica K. Taylor, recorded in *Volume 7106, Page 191*, Official Public Records, Rockwall County, Texas;

THENCE South 01 Degrees 23 Minutes 21 Seconds West, along the west line of said *Taylor Tract*, passing a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for witness at a distance of 17.18-feet and continuing for a total distance of 283.63-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 06 Minutes 43 Seconds West, along the west line of said *Taylor Tract*, a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE South 05 Degrees 35 Minutes 13 Seconds West, along the west line of said *Taylor Tract*, a distance of 597.75-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner, said point being an inner ell corner of herein described tract and the southwest corner of said *Taylor Tract*,

THENCE North 89 Degrees 06 Minutes 09 Seconds East, along the south line of said *Taylor Tract*, a distance of 574.09-feet to a ½-inch iron rod found with yellow cap stamped *BG&A RPLS 5569* for corner in the west line of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, said point being the southeast corner of said *Taylor Tract* and the most southerly northeast corner of herein described tract;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the recognized east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 334.12-feet to a 3/8-inch iron rod found for corner, the apparent northeast corner of Lot 5 of Meadowview Ranch Estates, recorded in *Cabinet A, Slide 247*, Plat Records, Rockwall county, Texas, said point being the recognized southeast corner of said *Walker Tract* and the apparent southwest corner of said *Stevenson Tract*,

THENCE South 89 Degrees 13 Minutes 16 Seconds West, along the recognized south line of said *Walker Tract*, a distance 510.41-feet to a 3/8-inch iron rod found for angle point;

THENCE North 89 Degrees 58 Minutes 55 Seconds West, along the recognized south line of said *Walker Tract*, a distance of 778.67-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner in the recognized east line of said FM-1141, said point being the southwest corner of herein described tract;

THENCE North, along the recognized east line of said highway, passing a 60D nail found on a wood highway monument for witness at a distance of 734.11-feet and continuing for a total distance of 810.94-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the beginning of a curve to right having a central angle of 39 Degrees 09 Minutes 01 Seconds, a radius of 533.14-feet and a chord bearing and distance of North 19 Degrees 34 Minutes 34 Seconds East - 357.25-feet;

THENCE along the recognized southeast line of said highway and said curve to the right an arc length of 364.29-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* at the end of said curve;

Exhibit 'A':
Legal Description

THENCE North 39 Degrees 09 Minutes 00 Seconds East along the recognized southeast line of said highway, a distance of 215.67-feet to the place of beginning and containing 1,133,124.22 square-feet or 26.012-acres of land.

Tract 2 (±12.0-Acres)

All that certain lot, tract or parcel of land situated in the William Dalton Survey, Abstract No. 72, Rockwall County, Texas, being a part of that certain tract of land conveyed to Glen D. Walker and wife, Nita A. Walker, recorded in *Volume 542, Page 12*, Real Property Records, Rockwall County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point for corner near the center of Clem Road, said point being the northeast corner of said *Walker Tract* and the northwest corner of a tract of land conveyed to Allen and Lisa Stevenson, recorded in *Volume 171, Page 885*, Real Property Records, Rockwall County, Texas, from which a ½-inch iron rod found for witness bears South 00 Degrees 06 Minutes 20 Seconds East - 17.25-feet;

THENCE South 00 Degrees 06 Minutes 20 Seconds East along the east line of said *Walker Tract* and the west line of said *Stevenson Tract* a distance of 990.13-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE South 89 Degrees 06 Minutes 09 Seconds West a distance 574.09-feet to a ½-inch iron rod set with yellow cap stamped *BG&A RPLS 5569* for corner;

THENCE North 05 Degrees 35 Minutes 13 Seconds East a distance of 597.75-feet to a 4-inch metal fence corner for angle point;

THENCE North 05 Degrees 06 Minutes 43 Seconds East a distance of 113.32-feet to a 4-inch metal fence corner for angle point;

THENCE North 01 Degrees 23 Minutes 21 Seconds East a distance of 283.63-feet to a point for corner in the north line of said *Walker Tract*, said point being near the center of Clem Road from which a ½-inch iron set with yellow cap stamped *BG&A RPLS 5569* for witness bears South 01 Degrees 23 Minutes 21 Seconds West - 17.18-feet;

THENCE North 89 Degrees 06 Minutes 09 Seconds East along the north line of said *Walker Tract* and within said Clem Road a distance of 497.09-feet to the *PLACE OF BEGINNING* and containing 522,720.00 square-feet or 12.000-acres of land.

Exhibit 'B':
Location Map

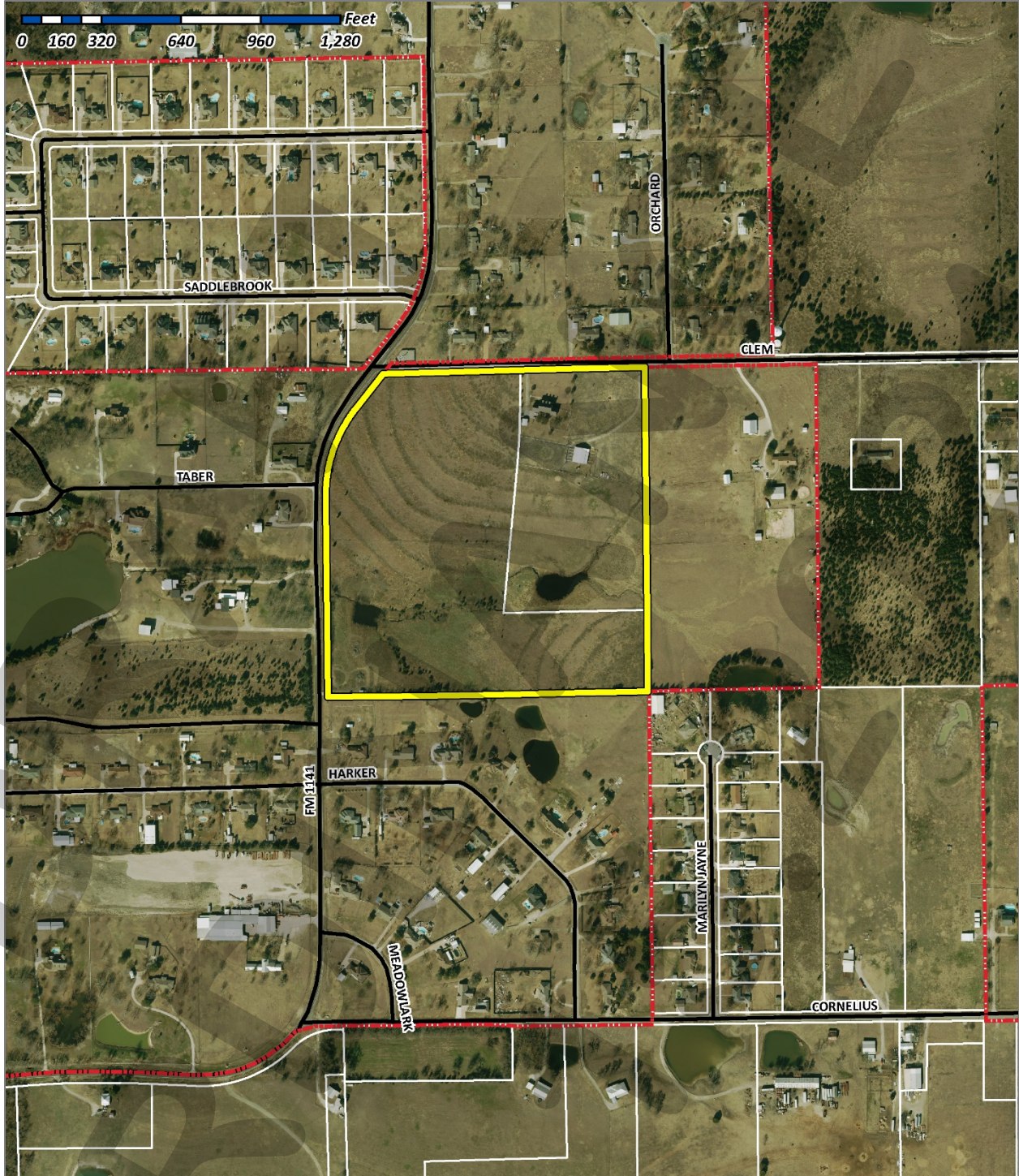
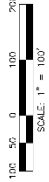
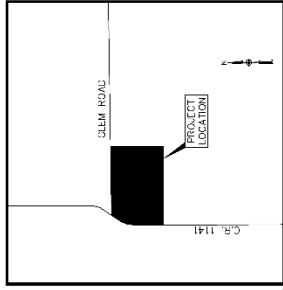


Exhibit 'C': Concept Plan

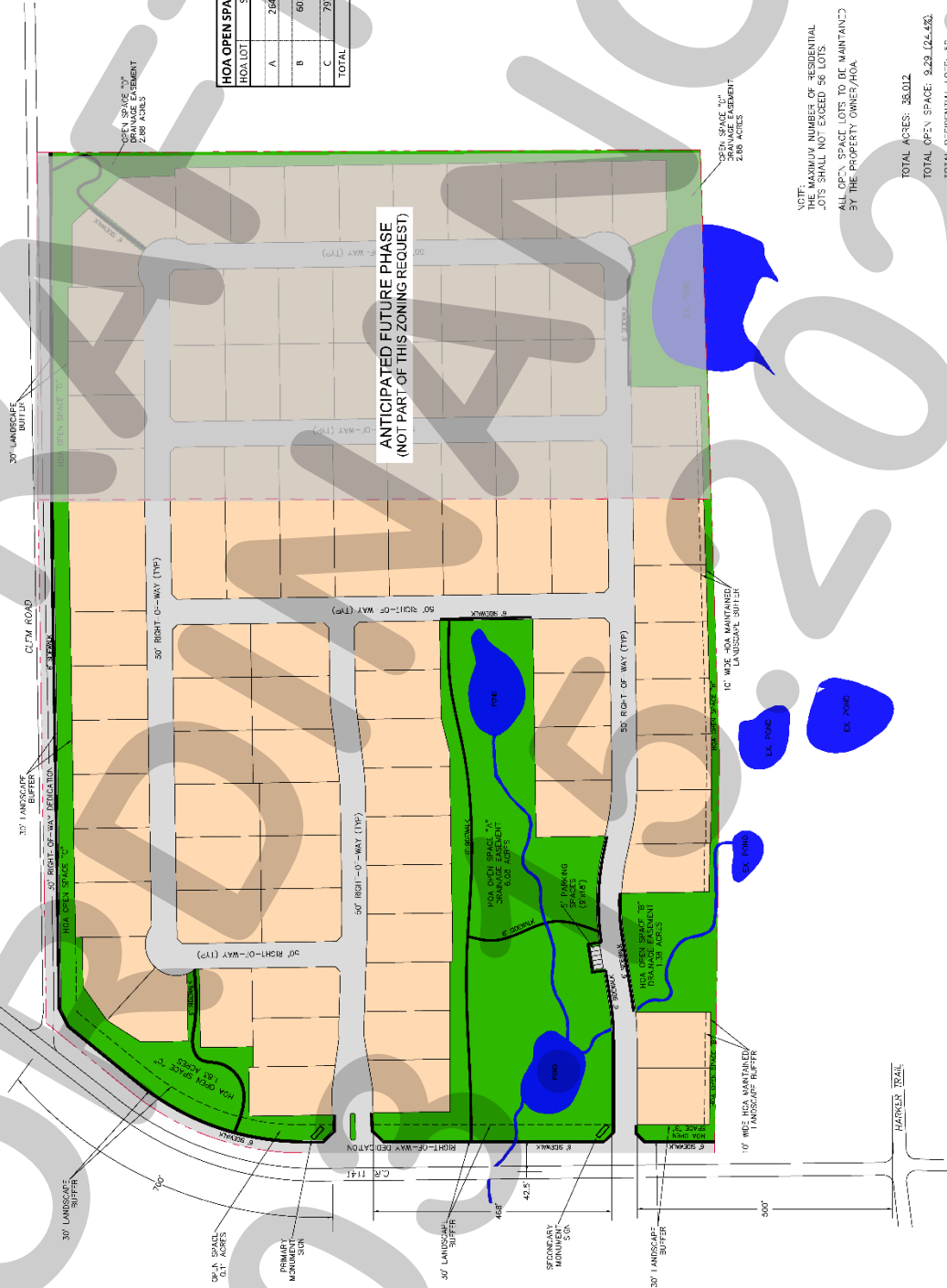


LEGEND

- 36'-0\"/>

HOA OPEN SPACE AREA TABLE

HOA LOT	SF	AC
A	246845	6.08
B	60113	1.38
C	79715	1.83
TOTAL		9.29



WINDING CREEK
CONCEPT PLAN
STATED IN THE
WILLIAM DUNCAN SURVEY
ADDITION NO. 72
IN THE
CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS
MACATEE ENGINEERING, LLC
12055 W. CENTRAL EXPRESSWAY, SUITE 420
DALLAS, TEXAS 75243
214-373-1800
OWNER
REDDY K. VASINDRAN
OWNER ALEX R. FREEMAN
M.G. & K. LAMOR LIVING IRREV.
237 CLEM ROAD, ROCKWALL, TX 75087
MAKSDI 2221
SCALE: 1" = 100'
CASE NO. Z2021-005

NOTE:
THE MAXIMUM NUMBER OF RESIDENTIAL
LOTS SHALL NOT EXCEED 50 LOTS.
ALL OPEN SPACE LOTS TO BE MAINTAINED
BY THE PROPERTY OWNER/HOA.

TOTAL ACRES: 35.012
TOTAL OPEN SPACE: 9.29 (24.4%)
TOTAL RESIDENTIAL LOTS: 58
RESIDENT DENSITY: 1.68

Exhibit 'D':
Density and Development Standards

Density and Development Standards.

- (1) Permitted Uses. Unless specifically provided by this Planned Development District ordinance, only those uses permitted within the Single Family 16 (SF-16) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), are allowed on the *Subject Property*.
- (2) Lot Composition and Layout. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* of this ordinance.
- (3) Density and Dimensional Requirements. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated by the Single Family 16 (SF-16) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 1.48 dwelling units per gross acre of land; however, in no case should the proposed development exceed 56 units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

Table 2: Lot Dimensional Requirements

<i>Minimum Lot Width</i> ⁽¹⁾	90'
<i>Minimum Lot Depth</i>	100'
<i>Minimum Lot Area</i>	16,000 SF
<i>Minimum Front Yard Setback</i> ^{(2) & (5)}	25'
<i>Minimum Side Yard Setback</i>	8'
<i>Minimum Side Yard Setback (Adjacent to a Street)</i> ^{(2) & (5)}	10'
<i>Minimum Length of Driveway Pavement</i>	25'
<i>Maximum Height</i> ⁽³⁾	36'
<i>Minimum Rear Yard Setback</i> ⁽⁴⁾	10'
<i>Minimum Area/Dwelling Unit (SF) [Air-Conditioned Space]</i> ⁽⁶⁾	3,000 SF
<i>Maximum Lot Coverage</i>	60%

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 curvilinear 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* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. 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: A maximum of ten (10) percent of the lots may have a minimum area/dwelling unit of 2,800 SF [*Air-Conditioned Space*].

- (4) Building Standards. All development shall adhere to the following building standards:
 - (a) Masonry Requirement. The minimum masonry requirement for the total exterior façade area of all buildings shall be 90% (*excluding dormers and walls over roof areas*); however, no individual façade shall be less than 85% masonry. For the

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purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard horizontal lap-siding (e.g. *HardiBoard* or *Hardy Plank*) and stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) may be used for up to 50% of the masonry requirement; however, stucco (i.e. *three [3] part stucco* or a comparable -- to be determined by staff) shall be permitted through a Specific Use Permit (SUP) only. Excluding dormers and walls over roof areas, siding products (e.g. *HardiBoard* or *Hardy Plank*) shall not be visible on homes abutting any major thoroughfare (i.e. *FM-1141* as shown on *Exhibit 'C'* of this ordinance).

- (b) Roof Pitch. A minimum of an 8:12 roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a 4:12 roof pitch.
- (c) Garage Orientation and Garage Doors. Garages shall be oriented in a *traditional swing* (or *j-swing*) (i.e. where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration). On *traditional swing* (or *j-swing*) garage configurations, a second single or double garage door facing the street is permitted if it is located behind the width of the double garage door. All garage configurations not conforming to this section shall meet the requirements of Article 09, *Parking and Loading*, of the Unified Development Code (UDC).

All garage doors shall be required to have decorative wood doors or wood overlays on insulated metal doors. The design between the garage door and home shall use the same or complementary colors and materials. All garages shall include carriage style hardware. An example of carriage style hardware is depicted in *Figure 1*.

Figure 1. Examples of Enhanced Garage Door



- (5) Anti-Monotony Restrictions. The development shall adhere to the following *Anti-Monotony* standards:

- (a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of

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differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

(b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces, FM-1141, or Clem Road shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

- (1) Number of Stories
- (2) Permitted Encroachment Type and Layout
- (3) Roof Type and Layout
- (4) Articulation of the Front Façade

(c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

Figure 3: Properties line up on the opposite side of the street. Where **RED** is the subject property.



Figure 4: Properties do not line up on opposite side of the street. Where **RED** is the subject property.

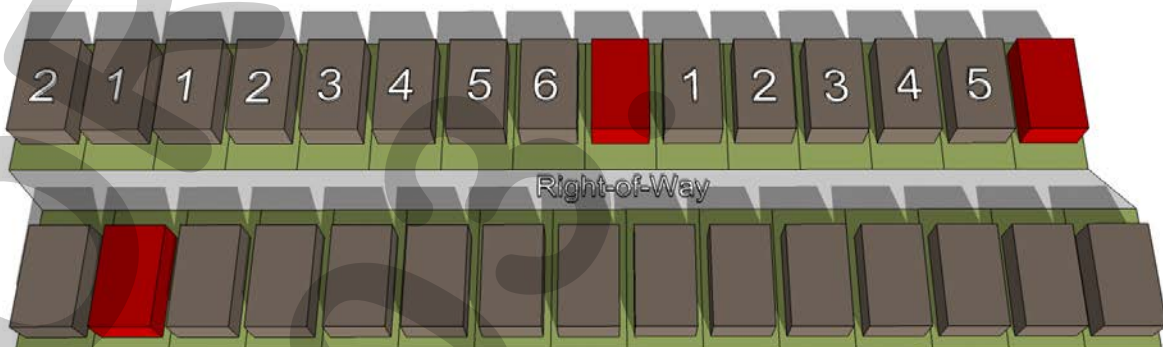


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- (6) Fencing Standards. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:
- (a) Front Yard Fences. Front yard fences shall be prohibited.
 - (b) Wood Fences. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.
 - (c) Wrought Iron/Tubular Steel. Lots located along the perimeter of roadways (*i.e. FM-1141 and Clem Road*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height.
 - (d) Corner Lots. Corner lots fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-feet off center spacing that begins at the rear of the property line. A maximum of six (6) foot solid *board-on-board panel* fence constructed utilizing cedar fencing shall be allowed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of five (5) feet. The property owner shall be required to maintain both sides of the fence.
 - (e) Solid Fences (including Wood Fences). All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.
- (7) Landscape and Hardscape Standards.
- (a) Landscape. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).
 - (b) Landscape Buffers. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA).
 - (1) Landscape Buffer and Sidewalks (FM-1141). A minimum of a 30-foot landscape buffer shall be provided along FM-1141 (*outside of and beyond any*

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required right-of-way dedication), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering six (6) foot sidewalk shall be constructed within the 30-foot landscape buffer.

- (2) Landscape Buffers (Clem Road). A minimum of a 30-foot landscape buffer shall be provided along Clem Drive (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, a *built-up* berm and shrubbery along the entire length of the frontage. Berms and/or shrubbery shall have a minimum height of 30-inches and a maximum height of 48-inches. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering five (5) foot sidewalk shall be constructed within the 30-foot landscape buffer.
- (3) Landscape Buffers (Southern Property Line). A minimum of a 10-foot landscape buffer shall be incorporated at the rear of the residential lots that back to the southern property line of the subject property. This landscape buffer shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless approved otherwise approved by the Director of Planning and Zoning --*, a minimum of four (4) caliper inches in size, that will be planted on 20-foot centers.
- (c) Street Trees. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-foot vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.
- (d) Irrigation Requirements. Irrigation shall be installed for all required landscaping located within common areas, landscape buffers and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).
- (e) Hardscape. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.
- (8) Street. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.
- (9) Lighting. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.
- (10) Sidewalks. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be five (5) feet in overall width.
- (11) Buried Utilities. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the

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perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered *existing lines* at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

- (12) Open Space. The development shall consist of a minimum of 20% open space (or a minimum of 7.5688-acres -- as calculated by the formula stipulated in the *Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. All open space areas (including landscape buffers) shall be maintained by the Homeowner's Association (HOA).
- (13) Trails. A concrete trail system shall be constructed in generally the same areas and of the same sizes as what is depicted in *Exhibit 'C'* of this ordinance.
- (14) Neighborhood Signage and Enhancements. Permanent subdivision identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*.
- (15) Homeowner's Association (HOA). A Homeowner's Association shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (including drainage facilities), floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development.
- (16) Variiances. The variance procedures and standards for approval that are set forth in the Unified Development Code (UDC) shall apply to any application for variances to this ordinance.