

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 07, 2023 - 5:00 PM

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

**I. Call Public Meeting to Order**

**II. Executive Session.**

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

1. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters)
2. Discussion regarding state law requirements for local option elections and petitions, pursuant to §551.071 (Consultation with Attorney)
3. Discussion regarding status of *City of Rockwall vs. Richard Brooks & Lake Pointe Health Science Center*, pursuant to §551.071 (Consultation with Attorney)

**III. Adjourn Executive Session**

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

**V. Invocation and Pledge of Allegiance - Councilmember Jorif**

**VI. Proclamations / Awards / Recognitions**

**1. Life Saving Awards**

- Brian Escobar - City Parks & Rec. Dept. Employee
- Daniel Ramirez - City Parks & Rec. Dept. Employee
- Garrett Stewart, Police Officer
- Lewis Johnson, Fire Dept. Captain
- Bogdan Rusmanica, Firefighter
- Clay Crawford, Firefighter

**Related Honorable Mentions**

- Jose Urive, Police Dept. Sergeant
- Sonja Doss, Police Officer
- Cameron Parker, Police Officer
- Aaron Woolverton, Police Officer

**VII. Appointment Items**

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

**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 comments should be limited to three minutes out of respect for everyone's time. 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).*

**IX. Take any Action as a Result of Executive Session**

## X. 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 speak during 'Open Forum,' 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.*

1. Consider approval of the minutes from the July 17, 2023 city council meeting, and take any action necessary.
2. **Z2023-029** - Consider a request by the City of Rockwall for the approval of an **ordinance** for a Zoning Change amending Planned Development District 8 (PD-8) [Ordinance No.'s 73-48, 84-04, 84-16, 84-19, 85-43, 86-04, 86-64, 86-87, 87-45, 88-17, 88-51, 90-38, 91-43, 92-39, 92-41, 92-43, 02-50, 05-30, 14-15, & 21-38 and Resolution No.'s 87-19 & 87-20] for the purpose of consolidating the regulating ordinances and resolutions for a 230.80-acre tract of land situated within the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), generally located south of Summer Lee Drive and west of Ridge Road [FM-740], and take any action necessary **(2nd Reading)**.
3. **Z2023-030** - Consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1780 Airport Road, and take any action necessary **(2nd Reading)**.
4. **P2023-022** - Consider a request by Jeff Carroll of Carroll Architects on behalf of Eric Borkenhagen of Kohl's for the approve of a Replat for Lots 8 & 9, Block A, Rockwall Market Center East Addition being a 7.383-acre parcel of land identified as Lot 7, Block A, Rockwall Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 828 Rochell Court, and take any action necessary.
5. Consider approval of a quote from Nema 3 Electric, Inc. and authorize the City Manager to execute associated purchase order(s) for the installation of electrical services, lights, outlets for block heaters, battery chargers, and general electrical equipment needs at the City Service Center in the amount of \$57,176 to be funded by the Streets Operations Budget, 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. **Z2023-031** - Hold a public hearing to discuss and consider a request by Manuel Tijerina 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 0.248-acre parcel of land identified as Lot 13, Block A, Highridge Estate Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 709 Forest Trace, and take any action necessary **(1st Reading)**.
2. **Z2023-032** - Hold a public hearing to discuss and consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of an **ordinance** for a Specific Use Permit (SUP) superseding Ordinance No. 22-02 [S-266] and allowing the expansion of an existing Motor Vehicle Dealership (i.e. Clay Cooley Hyundai) being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary **(1st Reading)**.

## XII. Action Items

*If your comments are regarding an agenda item below, you are asked to speak during Open Forum.*



1. Discuss and consider directing staff to amend Subsection 06.16, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) to allow Homeowner's Associations (HOAs) to lease certain areas of the takeline, and take any action necessary.
2. **A2023-001** - Discuss and consider the expiration of an existing 212 Development Agreement for a 2.77-acre tract of land that is contiguous with the City of Rockwall's city limits, situated within the City's Extraterritorial Jurisdiction (ETJ), addressed as 417 & 463 Green Circle and identified as Tract 8 of the R. Dickens Survey, Abstract No. 73, City of Rockwall, Rockwall County, Texas, and take any action necessary.

**XIII. City Manager's Report, Departmental Reports and related discussions pertaining to current city activities, upcoming meetings, future legislative activities, and other related matters.**

1. Building Inspections Department Monthly Report - June 2023
2. Budget Report - Quarter End June 30, 2023
3. Fire Department Monthly Report - June 2023
4. Parks & Recreation Monthly Report - June 2023
5. Police Department Monthly Report - June 2023
6. Sales Tax Historical Comparison
7. Water Consumption Historical Statistics

**XIV. Adjournment**

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

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

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 4th day of August, 2023 at 4PM and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

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Date Removed

# Citizen Lifesaving Award



ROCKWALL FIRE

## *Rockwall Fire Department*

*takes great pleasure in recognizing with pride  
and admiration*

*Brian Escobar*

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On July 1, 2023 City of Rockwall employee Brian Escobar was in the Downtown Square area of Rockwall assisting with the Farmers Market when he noticed a citizen experiencing a medical emergency. Recognizing the urgency of the situation, Brian approached the citizen who was laying on the ground, performed a rapid assessment and noted he was not breathing and had no pulse. Brian and another City of Rockwall employee, Daniel Ramirez, began CPR while other nearby citizens called 9-1-1 and simultaneously flagged down a nearby police officer. Brian and Daniel continued CPR until relieved by the responding police officer and Fire/EMS crews.

Whereas Brian Escobar acted quickly and decisively in recognizing a serious medical condition and performed lifesaving measures that played a direct role in saving the life of a fellow citizen, be it resolved that the Rockwall Fire Department is proud to recognize him with the department's Lifesaving Award.

*Given in grateful appreciation this 7<sup>th</sup> day of August 2023.*

*Kenneth D. Cull*

Fire Chief

*8/7/23*

Date

# Citizen Lifesaving Award



ROCKWALL FIRE

## *Rockwall Fire Department*

*takes great pleasure in recognizing with pride  
and admiration*

*Daniel Ramirez*

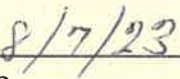
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On July 1, 2023 City of Rockwall employee Daniel Ramirez was in the Downtown Square area of Rockwall assisting with the Farmers Market when he noticed a citizen experiencing a medical emergency. Recognizing the urgency of the situation, Daniel approached the citizen who was laying on the ground, performed a rapid assessment and noted he was not breathing and had no pulse. Daniel and another City of Rockwall employee, Brian Escobar, began CPR while other nearby citizens called 9-1-1 and simultaneously flagged down a nearby police officer. Daniel and Brian continued CPR until relieved by the responding police officer and Fire/EMS crews.

Whereas Daniel Ramirez acted quickly and decisively in recognizing a serious medical condition and performed lifesaving measures that played a direct role in saving the life of a fellow citizen, be it resolved that the Rockwall Fire Department is proud to recognize him with the department's Lifesaving Award.

*Given in grateful appreciation this 7<sup>th</sup> day of August 2023.*

  
\_\_\_\_\_  
Fire Chief

  
\_\_\_\_\_  
Date





**LIFE-SAVING AWARD  
OFFICER GARRETT STEWART  
ROCKWALL POLICE DEPARTMENT**

**On Saturday, July 1, 2023, Officer Garrett Stewart was flagged down by a group of citizens at the Farmer’s Market. A vendor had fallen unconscious while setting up his booth and Officer Stewart quickly responded to the medical emergency.**

**Officer Stewart administered chest compressions to the patient upon arrival and reestablished the patient’s pulse. Rockwall County EMS personnel indicated, “Early application of external chest compressions is tantamount for providing any chance of a positive outcome in cardiac arrest, and Officer Stewart gave the patient the best shot at life one could have in such a grave condition”.**

**The patient is reported to have walked out the hospital with little deficit. This is attributed to the patient’s positive outcome to his receiving chest compressions from Officer Stewart very shortly after experiencing cardiac arrest”.**

**Officer Stewart actions aided in saving the life of this citizen. Based on his swift action, Officer Stewart is hereby awarded the Life-Saving Award for being directly responsible for saving a human life.**

**Rockwall Police Department**


**LIFE SAVING AWARD**

**PRESENTED TO**

**Officer Garrett Stewart**

**FOR HIS SWIFT ACTIONS AND BEING  
DIRECTLY RESPONSIBLE FOR SAVING  
A HUMAN LIFE ON JULY 1, 2023**

**PRESENTED ON AUGUST 7, 2023**

  
**Edward Fowler  
Chief of Police  
Rockwall Police Department**



# Lifesaving Award



ROCKWALL FIRE

## Rockwall Fire Department

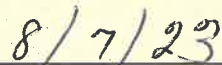
*takes great pleasure in recognizing with pride  
and admiration the members of*

EN01 "A" Shift  
CA Lewis Johnson  
FF Bogdan Rusmanica  
FF Clay Crawford

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On July 1, 2023 at 7:09 AM the Rockwall Fire Department responded to a reported unconscious person in the 100 block of E. Rusk Street. Upon arrival the crew from EN01 "A" shift noted that a unit from the Rockwall Police Department was on scene and performing CPR on a male patient who had been setting up his booth at the weekly Farmers Market when he suddenly collapsed. The crew quickly began resuscitation efforts by providing ventilations with a bag valve mask and applying their automatic external defibrillator (AED). During the course of patient care the patient was defibrillated with the AED one time after which a palpable pulse was detected along with an improved respiratory rate. Firefighters continued to assist with patient care after the arrival of Rockwall County EMS who transported the patient to an area hospital. As a result of the professionalism and teamwork displayed by all involved the patient was released from the hospital only days later having suffered no deficits due to the incident.

  
\_\_\_\_\_  
Fire Chief

  
\_\_\_\_\_  
Date





## **HONORABLE MENTIONS**

**OFFICER SONJA DOSS  
OFFICER CAMERON PARKER  
SERGEANT JOSE URIVE  
OFFICER AARON WOOLVERTON**

## **ROCKWALL POLICE DEPARTMENT**

**On Saturday, July 1, 2023, a Farmer's Market vendor had fallen unconscious while setting up his booth. Officer Garrett Stewart was on-scene providing CPR to the patient when Police Officers Sonja Doss, Cameron Parker, Aaron Woolverton, and Sergeant Jose Urive arrived on the scene. These officers provided additional help and support to Officer Stewart while he was administering chest compressions.**

**Officers Doss, Parker, Woolverton, and Sergeant Urive, without hesitation, began packing, loading, and securing the vendor's products at the curb while the patient was being transported by Rockwall County EMS. These officers returned hours later to assist in loading the vendor's products onto his vehicle.**

**The officers exemplified compassion and the basics of "just doing the right thing" for this citizen in his time of crisis. The officers are, therefore, being honorably recognized for their unselfish call to action in helping a citizen in need.**

**ROCKWALL CITY COUNCIL REGULAR MEETING**

**Monday, July 17, 2023 - 5:00 PM**

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

**I. CALL PUBLIC MEETING TO ORDER**

Mayor Johannesen called the public meeting to order at 5:00 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Anna Campbell, and Councilmembers Sedric Thomas, Mark Moeller, Clarence Jorif, Dennis Lewis, and Tim McCallum. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd and City Attorney Frank Garza.

Mayor Johannesen then read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session at 5:01 p.m.

**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 RCH Water and Blackland Water Supply contracts, pursuant to §551.071 (Consultation with Attorney)
2. Discussion regarding Brandy Lutz v. The Shores at Lake Ray Hubbard Homeowners Association, Cause No. I-22-0425, pursuant to §551.071 (Consultation with Attorney)
3. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters)

**III. ADJOURN EXECUTIVE SESSION**

**Council adjourned from Ex. Session at 6:00 p.m.**

**IV. RECONVENE PUBLIC MEETING (6:00 P.M.)**

**Mayor Johannesen called the public meeting back to order at 6:04 p.m.**

**V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MOELLER**

**VI. PROCLAMATIONS / AWARDS / RECOGNITIONS**

1. Parks & Recreation Month

**In the absence of Parks & Rec Director, Travis Sales, who was away at a work conference, Mayor Johannesen called forth Cory Dentler (Recreation Superintendent) and a few additional staff members. He then read and presented them with this proclamation, in recognition of Parks & Recreation Month.**

2. Lifesaving Award - Rockwall Fire Department - Engine 2 Shift B  
Mike Burden - Captain  
Tony Raymond - Driver Engineer  
Zach Yates - Firefighter  
Ben Sumrak - Firefighter

**Mayor Johannesen called forth Fire Chief Kenneth Cullins. Chief Cullins, along with two of the above-listed staff members came forth to be recognized for helping to save a patient's life back in May of this year. The**

**patient was not breathing and had no pulse. So these fire personnel / first responders began performing CPR and utilized an AED, shocking the patient and resulting in circulation beginning again.**

3. Lifesaving Award - Rockwall Fire Department - Engine 3 Shift B  
Jason Arrington - Driver Engineer  
Jason Frankenfield - Firefighter  
Connor Campbell - Firefighter

**Fire Chief, Kenneth Cullins and the above-named fire department personnel came forth to be recognized for recently helping to save a patient's life back in May of 2023 after the patient had been stabbed in the neck.**

#### **VII. APPOINTMENT ITEMS**

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

**Derek Deckard came forth and briefed the Council on recommendations of the Commission relative to planning-related items on tonight's meeting agenda. Council took no action following his briefing.**

#### **VIII. OPEN FORUM**

**Adriene Balkum  
1518 Firenza Court  
McLendon-Chisholm, TX 75032**

**Mrs. Balkum, Mayor Pro Tem of the City of McLendon-Chisholm, came forth and briefed Council on the status of water-related issues pertaining to her city (with RCH Water Supply). She generally indicated that they are currently in a "request for proposals" (RFP) process currently. They are ensuring they follow laws, including the Water Code and Public Utility Commission regulations, very closely. She indicated that the city's ultimate goal is to become a direct customer of the N. TX Municipal Water District (NTMWD).**

**Colin Huffines  
8200 Douglas Avenue  
Dallas, TX 75225**

**Mr. Huffines came forth indicating that he is speaking on behalf of several meter holders within the RCH / CCN area to express support for the City of McLendon-Chisholm taking over the water service in that city.**

#### **IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION**

**Regarding the city's Board of Adjustments, Councilmember Jorif moved to reappoint Glenn Carr and Kevin Hadawi to serve an additional two-year term. Regarding Joseph Wright – he would like to move that he be moved up and named a regular, voting (instead of "alternate") board member – taking the place of former member, Kyle Thompson - for a one year term to expire in August of 2024. Also, he would like to move James Smith up from an "alternate" board member to a regular board member, taking the place of David Lowrey, for a two-year term to expire in August of 2025. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Regarding the Architectural Review Board, Councilmember Thomas moved to reappoint Patra Phillips and Robert Miller to an additional two-year term on the ARB (expiring August of 2025). Mayor Pro Tem Campbell seconded the motion, which passed unanimously.**

**Councilmember Thomas moved to reappoint Ross Hustings and Jean Conway to an additional (three-year) term on the P&Z Commission. Councilmember Thomas seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Councilmember Lewis moved to reappoint the following members to serve an additional two-year term on the ART Commission: Kathy Howard; Ashlei Neill, Susan Guzman, and Kindsay Carter. Councilmember Jorif seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

**Regarding the Airport Advisory Board, Councilmember Jorif moved to reappoint Fred Hansen, Tim Wolf and Guy White to serve an additional, two-year term (expiring August of 2025). Councilmember Moeller seconded the motion, which passed by a vote of 7 ayes to 0 nays.**

#### **X. CONSENT AGENDA**

1. Consider approval of the minutes from the June 19, 2023 city council meeting, and take any action necessary.
2. **Z2023-025** - Consider a request by Gene McCorkle of Tuff Shed on behalf of Deborah Julian for the approval of an **ordinance** for a Specific Use Permit (SUP) for an Accessory Building on a 0.1515-acre parcel of land identified as Lot 11, Block C, Highland Meadows #1 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 3065 Winecup Lane, and take any action necessary **(2nd Reading)**.
3. **Z2023-026** - Consider a request by Gerzim Daniel for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Single-Family 16 (SF-16) District for a 0.93-acre tract of land identified as Tract 17 of the E. M. Elliott Survey, Abstract No. 77, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 2065 Airport Road, and take any action necessary **(2nd Reading)**.
4. **Z2023-027** - Consider a request by Vanio Dilov 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 0.2250-acre parcel of land identified as Lot 16, Block A, Chandler's Landing, Phase 20 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for single-family homes, addressed as 110 Mischief Lane, and take any action necessary **(2nd Reading)**.
5. **Z2023-028** - Consider a request by Alex Flores 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 0.1650-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates Phase 2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary **(2nd Reading)**.
6. **P2023-015** - Consider a request by Robert Howman of Glenn Engineering on behalf of Tim Lyssy of Rockwall Independent School District (RISD) for the approval of a Final Plat for Lot 1, Block A, Rochell Elementary School Addition being a 10.664-acre tract of land identified as Tract 17- 01 of the E. P. G. Chisum Survey, Abstract No. 64, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 899 Rochell Court, and take any action necessary.
7. **P2023-016** - Consider a request by Meredith Joyce of Michael Joyce Properties on behalf of John Vick of Qualico Development, Inc. for the approval of a Master Plat for the Peachtree Meadows Subdivision consisting of 292 single-family residential lots on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 101 (PD-101) [*Ordinance No. 23-11*] for Single-Family 10 (SF-10) District land uses, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.
8. **P2023-017** - Consider a request by Meredith Joyce of Michael Joyce Properties on behalf of John Vick of Qualico Development, Inc. for the approval of a Preliminary Plat for the Peachtree Meadows Subdivision consisting of 292 single-family residential lots on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 101 (PD-101) [*Ordinance No. 23-11*] for Single-Family 10 (SF-10) District

land uses, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

9. **P2023-018** - Consider a request by Wayne Terry of R-Delta Engineers, Inc. on behalf of Stephen Geiger of Rayburn Country Electric Cooperation for the approval of a Final Plat for Lots 1-3, Block A, REC Campus Addition being a 84.796-acre tract of land identified as a Lots 6-9, Block A, Rayburn Country Addition and Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, located at the northwest corner of the intersection of S. Goliad Street [*SH-205*] and Mims Road, and take any action necessary.
10. **P2023-019** - Consider a request by Greg Helsel of Spiars Engineering, Inc. on behalf of Katherine Hamilton of Arcadia Lakes of Somerset Holdings, LLC for the approval of a Replat of Phase 2 of the Somerset Park Subdivision consisting of 165 single-family residential lots on a 82.809-acre tract of land identified as Tract 7 of the A. Johnson Survey, Abstract No. 123, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 63 (PD-63) for Single-Family 10 (SF-10) District land uses, generally located at the northwest corner of the intersection of S. Goliad Street [*SH-205*] and FM-549, and take any action necessary.
11. **P2023-020** - Consider a request by Fred Gans of Garages of America for the approval of a Replat for Lot 22, Block A, Rainbo Acres Addition being a 13.53-acre tract of land identified as Lots 8R, 9R & 10 of the Rainbo Acres Subdivision, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 96 (PD-96) for limited Commercial (C) District land uses, addressed as 5879, 5917 & 5981 Horizon Road [*FM-3097*], and take any action necessary.
12. Consider approval of a recommendation from the Hotel Occupancy Tax (HOT) Subcommittee awarding funding for the RPFA Charities Firefighters Ball in the amount of \$20,000 and authorize the City Manager to execute the associated contract, and take any action necessary.
13. Consider authorizing the City Manager to execute an interlocal agreement with the North Central TX Emergency Communications District ('NCT9-1-1') for regional 9-1-1 dispatch services, and take any action necessary.
14. Consider a resolution denying an application by Oncor Electric Delivery Company LLC to amend its Distribution Cost Recovery Factor and Update Generation Rider to increase distribution rates in the City, authorizing participation with the Steering Committee of Cities Served by Oncor to evaluate the filing, to negotiate on the City's behalf, and take any action necessary.
15. Consider approval of a proposal by Bluefrog Plumbing in the amount of \$31,750 for plumbing repairs at the Rockwall Police Department, amending the FY 23 Internal Operations Department Operating Budget for the same amount, utilizing General Fund Reserves, and take any action necessary.
16. Consider approval of expenditures associated with emergency repairs to The Harbor pump control room and panels in the amount of \$77,885.00 to be funded by General Fund Reserves, and take any action necessary.

**Councilmember McCallum pulled items #7 and #8 for further discussion.**

**Councilmember Jorif moved to approve the remaining Consent Agenda items (#s 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, and 16). He briefly provided commentary regarding Consent Agenda #16 and the expense related to The Harbor pump control room. Councilmember McCallum seconded the motion. The ordinance captions were read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 23-36  
SPECIFIC USE PERMIT NO. S-306**

**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 AN *ACCESSORY STRUCTURE* ON A 0.1515-ACRE PARCEL OF LAND IDENTIFIED AS LOT 11, BLOCK C, HIGHLAND MEADOWS #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.**

**CITY OF ROCKWALL  
ORDINANCE NO. 23-37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO SINGLE-FAMILY 16 (SF-16) DISTRICT FOR A 0.93-ACRE TRACT OF LAND IDENTIFIED AS TRACT 17 OF THE E. M. ELLIOT SURVEY, ABSTRACT NO. 77, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**CITY OF ROCKWALL  
ORDINANCE NO. 23-38  
SPECIFIC USE PERMIT NO. S-307**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.2250-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 16, BLOCK A, OF THE CHANDLER'S LANDING PHASE 20 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**CITY OF ROCKWALL  
ORDINANCE NO. 23-39  
SPECIFIC USE PERMIT NO. S-308**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.1650-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 873-A OF THE LAKE ROCKWALL ESTATES PHASE 2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**



Following the ordinance caption readings, the motion to approve passed by a vote of 7 ayes to 0 nays.

Regarding Consent Agenda items #7 and #8, Councilmember McCallum asked for and received some clarifications from Planning Director, Ryan Miller regarding this 292 home development (i.e. regarding what this development backs up to; screening / landscape buffering (to create division from the 'heavy commercial' that exists adjacent to this in the rear; 'cash in lieu of land' fees and equipment fees that will be paid by the developer; Renee Drive being bollarded off and how emergency personnel will access the area / the street; heavily trafficked gravel road beyond Mims Road; paving work that will go a little beyond Sids Road). Councilmember McCallum expressed that he is not in favor of this subdivision, so – therefore – he will be voting against these agenda items this evening.

Regarding Consent Agenda items #7 and #8, Mayor Johannesen moved to approve both of them, as presented. Councilmember Lewis seconded the motion, which passed by a vote of 6 ayes with 1 nay (McCallum).

#### XI. PUBLIC HEARING ITEMS

1. **Z2023-024** - Hold a public hearing to discuss and consider a request by Chris Curra 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 0.1278-acre parcel of land identified as Lot 6, Block C, Chandler's Landing #16 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8) for zero lot line homes, addressed as 311 Valiant Drive, and take any action necessary (1st Reading).

Planning Director, Ryan Miller provided background information regarding this agenda item. He explained that Council is being asked to consider the size, location and architecture of the proposed home when compared to adjacent, existing housing currently in existence related to this SUP request. Mr. Miller expressed that the architecture of the proposed home does *not* appear to be similar when compared to existing architecture immediately adjacent to this home. The building elevations that were submitted by the applicant do not seem to blend with existing, surrounding housing. The city's P&Z Commission reviewed this case and voted 5 ayes to 1 nay to recommend denial of this request to the City Council. Staff sent out 120 notices to nearby homeowners and land owners. Two notices in opposition with one notice in favor were received back by staff.

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

Jeff Macalik  
6102 Volunteer Place  
Rockwall, TX 75032

Mr. Macalik came forth and indicated that he serves on the subdivision's Homeowners Association (HOA) board. He is Chairman of the Architectural Committee within the Chandler's Landing HOA, and his team met last week. His committee unanimously voted in opposition of the approval of this proposed home.

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

Councilmember Lewis echoed that there are no other existing houses in this particular area that look architecturally similar to this proposed home. Therefore, Councilmember Lewis moved to deny Z2023-024 based on it being architecturally incompatible with the surrounding housing product currently in existence. Councilmember Moeller seconded the motion. Moeller then asked for clarification regarding drainage-related concerns. Mr. Miller shared that the applicant would have to adhere to all of the city's drainage requirements too, should this get approved. Following additional, brief comments, the motion to deny passed by a vote of 7 ayes to 0 nays.

2. **Z2023-029** - Hold a public hearing to discuss and consider a request by the City of Rockwall for the approval of an ordinance for a Zoning Change amending Planned Development District 8 (PD-8) [*Ordinance No.'s 73-48, 84-04, 84-16, 84-19, 85-43, 86-04, 86-64, 86-87, 87-45, 88-17, 88-51, 90-38, 91-43, 92-39, 92-41, 92-43, 02-50, 05-30, 14-15, & 21-38 and Resolution No.'s 87-19 & 87-20*] for the purpose of consolidating the regulating ordinances and resolutions for a 230.80-acre tract of land situated within the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 8 (PD-8), generally located south of Summer Lee Drive and west of Ridge Road [FM-740], and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller provided background information related to this agenda item. Staff has prepared a consolidating ordinance (i.e. writing one [1] ordinance that superseded all previous ordinances for a Planned Development District) for Planned Development District 8 (PD-8), also known as the Chandler's Landing Subdivision. Indication was given that Planned Development District 8 (PD-8) currently consists of over 200 pages of regulations within 20 regulating ordinances and two (2) resolutions and over 100 development cases (see attached Planned Development District 8 [PD-8]). To give an idea of the size of this Planned Development District, the current Unified Development Code (UDC) (i.e. the zoning code for the City of Rockwall) is only 248 pages. The proposed draft ordinance consolidates these regulating ordinances, resolutions, and development cases into a single document. Staff should note that under the proposed amendment, staff is required to initiate zoning; however, the proposed consolidating ordinance will not change any of the requirements, concept plans, or development standards stipulated for any property in the Chandler's Landing Subdivision. The main purpose of this consolidated ordinance is to [1] make the document easier for residents, homebuilders, and City staff to interpret, and [2] to make staff more efficient when reviewing and issuing permits in the subdivision. Currently, there are only 37 vacant lots left in the Chandler's Landing Subdivision; however, from June 2022 to the date of this memorandum the City has received 355 permit requests for properties in the subdivision. These permits consist of requests for new homes, remodels of existing homes, and accessory structures. Due to the number of ordinances associated with the existing Planned Development District and the disjointed nature of these ordinances, it can take staff an extended amount of time and effort to research zoning requirements for simple permits in this Planned Development District. The consolidated ordinance should alleviate this moving forward. This being a zoning case, staff sent out 1,809 notices to all property owners and occupants of the Chandler's Landing Subdivision and within 500-feet of the Chandler's Landing Subdivision. In addition, staff notified the Chandler's Landing, The Cabana's at Chandler's Landing, Cutter Hill, Spyglass, Benton Woods, Rainbow Lakes, Fox Chase, Signal Ridge, Water's Edge at Lake Ray Hubbard, and the Lago Vista Homeowner's Associations (HOA's), which were the only HOA's within 1,500-feet of the subject property. Included within the notice was a link to the City's website -- which has all of the zoning documents (i.e. the old Planned Development District 8 (PD-8) ordinances and the proposed draft ordinance) associated with the case --, and included with the notice was a letter explaining the purpose of the zoning amendment. To date, staff has received nine (9) property owner notifications from nine (9) property owners in the Chandler's Landing Subdivision. Three (3) of these notices were in favor of the amendment and six (6) notices were opposed to the amendment. Staff should note that two (2) of the notices stated opposition to the amendment indicating that the amendment would create an unsafe condition or was suspicious; however, as stated by staff the proposed amendment does not change any of the requirements, concept plans, or development standards stipulated for any property in the Chandler's Landing Subdivision. In addition, staff received one (1) email from a resident of the subdivision requesting a work session with the neighborhood, City staff, and the Chandler's Landing Homeowner's Association (HOA); however, staff did not receive a request for a work session from the Chandler's Landing Homeowner's Association (HOA), and as a result did not hold a work session. Mr. Miller emphasized that the purpose of this ordinance is to consolidate hundreds of pages of prior ordinances into one, more easily-to-understand ordinance that is far shorter in length.

Following Mr. Miller's comments, Mayor Johannesen opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating such, he then closed the public hearing.

Mayor Pro Tem Campbell expressed that she does understand some citizens being suspicious. She thanked staff for helping to citizens better understand, commenting that staff has done a good job addressing their concerns. Councilmember Jorif reiterated that nothing about this new ordinance changes past ordinances – it only essentially consolidates them into one, more concise document. Councilmember Lewis received clarification from Mr. Miller that the city can amend this matter further at a later date if the need to do so were to ever arise. Councilmember Lewis then moved to approve Z2023-029. Councilmember Thomas seconded the motion. The ordinance caption was read as follows:

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CONSOLIDATE THE REGULATING ORDINANCES OF THE PLANNED DEVELOPMENT DISTRICT, BEING A 230.80-ACRE TRACT OF LAND SITUATED WITHIN THE E. TEAL SURVEY, ABSTRACT NO. 207, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

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

3. **Z2023-030** - Hold a public hearing to discuss and consider a request by Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels Senior Service of Rockwall County for the approval of an ordinance for a Zoning Change from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 of the D Harr. Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the Airport Overlay (AP OV) District, addressed as 1780 Airport Road, and take any action necessary (**1st Reading**).

Councilmember Lewis recused himself from this discussion and associated vote, and he filed the appropriate affidavit of recusal with the City Secretary. Planning Director, Ryan Miller then went on to provide background information related to this agenda item. This is located on the South side of Airport Road just east of the intersection of John King Boulevard and Airport Road. The applicant would like to change the zoning for the purpose of subdividing this land into two, separate parcels. The designated land usage is “technology/employment,” so the proposal does adhere to the city’s future land use map and is in conformance with the city’s Comprehensive Plan. Adjacent properties have already been rezoned to “Light Industrial” districts. Staff sent out 16 notices to adjacent land and property owners; however, no notices were received back by staff to date. In addition, the P&Z Commission did review this case and has recommended its approval by a vote of 6 to 0.

Mayor Johannesen opened the public hearing, but no one came forth to speak. So he close the public hearing.

Councilmember McCallum moved to approve Z2023-030. Councilmember Moeller seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO LIGHT INDUSTRIAL (LI) DISTRICT FOR A 6.21-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4 AND ALL OF TRACT 2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

4. **Z2023-031** - Hold a public hearing to discuss and consider a request by Manuel Tijerina 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 0.248-acre parcel of land identified as Lot 13, Block A, Highridge Estate Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 709 Forest Trace, and take any action necessary (**1st Reading**).

Mayor Johannesen announced that this item will be heard for Public Hearing and considered by Council at the Monday, August 7 city council meeting.

5. **Z2023-032** - Hold a public hearing to discuss and consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* superseding *Ordinance No. 22-02 [S-266]* and allowing the expansion of an existing *Motor Vehicle Dealership (i.e. Clay Cooley Hyundai)* being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary (**1st Reading**).

Planning Director, Ryan Miller, provided brief comments pertaining to this agenda item. He shared that the city's P&Z Commission reviewed this case and voted 6 to 0 to recommend its denial. The P&Z Commission noted the applicant's failure to address staff's comments, and that was the primary reason for denial. Immediately following that meeting, the applicant requested that the case be remanded back to the P&Z Commission to allow them more time to address staff's comments. So, Council may either decide to remand this back to the P&Z Commission for further consideration; or, Council may hold the public hearing and proceed with deciding on the case tonight.

Councilmember Jorif moved to remand Z2023-032 back to the Planning & Zoning Commission to be reconsidered at its July 25 regular P&Z Meeting. Councilmember Moeller seconded the motion to remand it back. Following brief comments by Councilmember Thomas, the motion passed by a vote of 6 ayes with 1 nay (Campbell). Councilmember Thomas expressed the hope that the applicant will take steps to come into compliance with the city's Unified Development Code (UDC) when they return to the P&Z Commission.

XII. ACTION ITEMS

1. **MIS2023-008** - Discuss and consider a request by Guicherme Credidio Braga for the approval of a *Miscellaneous Case* for a *Special Exception* to the *Minimum Lot Width/Frontage* requirements stipulated by *Ordinance No. 16-01* to allow a lot less than 50-feet in width on a 0.495-acre tract of land identified as a portion of Lots 1354 & 1359 and all of Lots 1355 & 1356 of Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned

Development District 75 (PD-75) [*Ordinance No. 16-01*] for Single-Family 7 (SF-7) District land uses, addressed as 327 Nicole Drive, and take any action necessary.

**Planning Director, Ryan Miller provided background information concerning this agenda item. This case deals with a property that is located on the east side within the Lake Rockwall Estates subdivision. Currently the lot contains a single-family home that is about 900 square feet and also has about a 900 square feet, attached garage and a 390 square foot carport, roughly all built in 1975. The applicant is essentially asking to subdivide the existing lot into three, separate lots. While the applicant's request does not appear to create a negative or adverse effect on any of the adjacent properties, the case could create a precedence in the area. In addition, the request is considered to be a self-created hardship; however, the approval of a Special Request in the Lake Rockwall Estates Subdivision is a discretionary decision for City Council pending a recommendation from the Planning and Zoning Commission. In the attached packet, staff has included a copy of the applicant's letter and an exhibit showing the proposed three (3) lots. On July 11, 2023, the Planning and Zoning Commission passed a motion to approve the Special Exception by a vote of 4-2, with Commissioners Welch and Llewellyn dissenting and Commissioner Conway being absent. No public hearing is required in order for Council to consider this item, and its potential approval is discretionary on the part of Council.**

**Following brief questions and answers between Council and staff and additional commentary on the part of Council, Councilmember shared he is not in support of this request because of the 'self-created hardship' that exists associated with this request.**

**Councilmember McCallum then moved to deny MIS2023-008. Councilmember Thomas seconded the motion. The motion to deny this request/case passed by a vote of 7 ayes to 0 nays.**

2. Discuss and consider approval of a resolution (of intent) to establish the City of Rockwall Property Assessed Clean Energy ('PACE') Program, and direct the City Manager to publish the program report on the city's website, as required by statute, and take any action necessary.

**City Manager Mary Smith shared that the gentlemen from the PACE Program are here tonight to answer any additional questions Council may have. Mrs. Smith shared that, even if Council is in support of moving forward with this program this evening, notices will need to be published and public hearings will need to be held. Those would be 'next steps.' Councilmember Thomas shared (again) that he has been pretty pessimistic of this proposed program. He (again) indicated he would like the program overseers to provide a list of benefits the City itself will experience / realize if it moves forward with support of this program.**

**Councilmember McCallum moved to approve the resolution of intent and move forward with scheduling the required public hearing. Councilmember Lewis seconded the motion. Lewis shared that he has a myriad of unanswered questions related to this program, some of which are related to indemnification clauses mentioned in the documents. Following additional comments, the motion passed by a vote of 7 ayes to 0 nays.**

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

1. Building Inspections Department Monthly Report - May 2023
2. Fire Department Monthly Report - May 2023
3. Parks & Recreation Monthly Report - May 2023
4. Police Department Monthly Report - May 2023
5. Sales Tax Historical Comparison - May 2023
6. Water Consumption Historical Statistics - May 2023

Mrs. Smith, City Manager, indicated she is happy to answer any questions regarding monthly reports provided to the Council. She shared that two, additional Concerts by the Lake are scheduled. Also, Farmers Market will run through September, and the San Jacinto Music Series will run through October.

XIV. ADJOURNMENT

Mayor Johannesen adjourned the meeting at 7:23 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 7<sup>th</sup> DAY OF AUGUST, 2023.

\_\_\_\_\_  
TRACE JOHANNESSEN, MAYOR

ATTEST:

\_\_\_\_\_  
KRISTY TEAGUE, CITY SECRETARY



CITY OF ROCKWALL

ORDINANCE NO. 23-40

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 8 (PD-8) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CONSOLIDATE THE REGULATING ORDINANCES OF THE PLANNED DEVELOPMENT DISTRICT, BEING A 230.80-ACRE TRACT OF LAND SITUATED WITHIN THE E. TEAL SURVEY, ABSTRACT NO. 207, 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 of Rockwall has initiated an amendment to the Planned Development District 8 (PD-8) for the purpose of consolidating the regulating ordinances [*Ordinance No.'s 73-48, 84-04, 84-16, 84-19, 85-43, 86-04, 86-64, 86-87, 87-45, 88-17, 88-51, 90-38, 91-43, 92-39, 92-41, 92-43, 02-50, 05-30, 14-15, & 21-38* and *Resolution No.'s 87-19 & 87-20*].

**WHEREAS**, Planned Development District 8 (PD-8) is a 293.80-acre tract of land situated within the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and which is more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 8 (PD-8) [*Ordinance No.'s 73-48, 84-04, 84-16, 84-19, 85-43, 86-04, 86-64, 86-87, 87-45, 88-17, 88-51, 90-38, 91-43, 92-39, 92-41, 92-43, 02-50, 05-30, 14-15, & 21-38* and *Resolution No.'s 87-19 & 87-20*] and the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

**SECTION 1.** That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 73-48, 84-04, 84-16, 84-19, 85-43, 86-04, 86-64, 86-87, 87-45, 88-17, 88-51, 90-38, 91-43, 92-39, 92-41, 92-43, 02-50, 05-30, 14-15, & 21-38* and *Resolution No.'s 87-19 & 87-20*;

**SECTION 2.** 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 3.** 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 4.** 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 5.** Prior to the issuance of any building permit in Planned Development District 8 (PD-8), a final development plan prepared in accordance with the requirements of the Unified Development Code (UDC) [*Ordinance No. 20-02*] shall be filed with the City Council of the City of Rockwall and shall be approved by said governing body after review and recommendation from the Planning and Zoning Commission and filed as a part of this ordinance. Such required development plan shall set forth the requirements for ingress and egress to the property, public or private streets or drive, with adequate right-of-way to conform to the Master Thoroughfare Plan contain in the OURHometown Vision 2040 Comprehensive Plan of the City of Rockwall, sidewalks, utilities, drainage, parking, open space, all area requirements and maximum lot coverage, screening walls or fences, amenities, greenbelt areas, and all other development and protective requirements considered necessary by the City Council to create a reasonable transition to and protection of the adjacent property. Such approval by the City Council of the detailed final development plan shall be considered as an amendment to this ordinance and shall be applicable to the property involved.

**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 7<sup>TH</sup> DAY OF AUGUST, 2023.**

\_\_\_\_\_  
Trace Johannesen, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: July 17, 2023

2<sup>nd</sup> Reading: August 7, 2023

BEING 293.80 acres of land situated in the Abstract 207, E. Teal Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a point in the North Right of Way of Henry M. Chandler Dr. at the City of Rockwall Geodetic Control Monument #5. (NAD83 Texas State Plane GPS Coordinate (Grid): E 2,589,936.483, N 7,007,500.489 Feet) bearing South 37° 22' 04" East, a distance of 488.384 feet to the POINT OF BEGINNING;

BEGINNING at a Southeastern corner of Abstract 207, E. Teal Survey, Tract 134-02, also known as Henry M. Chandler Park, (NAD83 Texas State Plane GPS Coordinate (Grid): E 2,590,225.307, N 7,007,160.123 Feet);

- 1 THENCE North 88°-18'-11" West along the Southern City of Rockwall Limits line, a distance of 582.443 feet to a point;
- 2 THENCE North 89°-48'-59" West continuing along said City Limits line, a distance of 355.507 feet to a point;
- 3 THENCE South 43°-0'-23" West, a distance of 919.737 feet to a point;
- 4 THENCE South 67°-4'-25" West, a distance of 35.098 feet for a corner;
- 5 THENCE North 14°-30'-14" West along the City of Dallas Lake Ray Hubbard Takeline, a distance of 583.017 feet to a point;
- 6 THENCE North 29°-2'-31" West continuing along said Takeline, a distance of 137.581 feet for a corner;
- 7 THENCE North 56°-8'-41" East, a distance of 128.545 feet for a corner;
- 8 THENCE North 30°-32'-7" West, a distance of 69.156 feet to a point;
- 9 THENCE North 37°-8'-45" West, a distance of 390.351 feet to a point;
- 10 THENCE North 52°-36'-21" West, a distance of 145.287 feet to a point;
- 11 THENCE North 58°-32'-34" West, a distance of 118.386 feet to a point;
- 12 THENCE North 69°-16'-12" West, a distance of 73.067 feet to a point;
- 13 THENCE South 74°-15'-59" West, a distance of 77.354 feet to a point;
- 14 THENCE North 65°-43'-7" West, a distance of 256.437 feet to a point;
- 15 THENCE North 51°-11'-9" West, a distance of 281.288 feet to a point;
- 16 THENCE North 51°-53'-10" West, a distance of 279.71 feet to a point;
- 17 THENCE North 62°-32'-22" West, a distance of 447.671 feet to a point;
- 18 THENCE North 17°-20'-59" West, a distance of 37.541 feet to a point;
- 19 THENCE North 26°-11'-34" West, a distance of 17.364 feet to a point;
- 20 THENCE North 23°-38'-49" West, a distance of 92.977 feet to a point;
- 21 THENCE North 29°-3'-32" West, a distance of 15.446 feet to a point;
- 22 THENCE North 75°-11'-11" West, a distance of 79.16 feet to a point;
- 23 THENCE North 40°-51'-30" West, a distance of 103.986 feet to a point;
- 24 THENCE South 48°-53'-36" West, a distance of 22.644 feet to a point;
- 25 THENCE North 24°-19'-40" West, a distance of 248.667 feet to a point;
- 26 THENCE North 26°-7'-15" West, a distance of 28.5 feet to a point;
- 27 THENCE North 17°-59'-7" East, a distance of 281.413 feet to a point;
- 28 THENCE North 57°-36'-17" East, a distance of 106.753 feet to a point;
- 29 THENCE North 3°-51'-8" West, a distance of 137.544 feet to a point;
- 30 THENCE North 44°-49'-51" East, a distance of 136.993 feet to a point;
- 31 THENCE North 15°-21'-46" East, a distance of 138.342 feet to a point;
- 32 THENCE North 39°-56'-11" East, a distance of 15.252 feet to a point;
- 33 THENCE North 57°-56'-35" East, a distance of 236.839 feet to a point;
- 34 THENCE North 28°-19'-43" East, a distance of 98.253 feet to a point;
- 35 THENCE North 29°-9'-48" East, a distance of 92.112 feet to a point;
- 36 THENCE North 36°-59'-49" East, a distance of 15.953 feet to a point;
- 37 THENCE North 40°-49'-32" East, a distance of 64.585 feet to a point;
- 38 THENCE North 39°-57'-21" East, a distance of 79.555 feet to a point;
- 39 THENCE North 40°-17'-52" East, a distance of 102.428 feet to a point;
- 40 THENCE North 39°-59'-46" East, a distance of 45.353 feet to a point;

41 *THENCE* North 41°-24'-4" East, a distance of 55.609 feet to a point;  
42 *THENCE* North 39°-1'-18" East, a distance of 102.883 feet to a point;  
43 *THENCE* North 39°-56'-1" East, a distance of 51.761 feet to a point;  
44 *THENCE* North 36°-1'-35" East, a distance of 21.146 feet to a point;  
45 *THENCE* North 40°-3'-54" East, a distance of 55.794 feet to a point;  
46 *THENCE* North 70°-51'-23" East, a distance of 25.361 feet to a point;  
47 *THENCE* North 74°-3'-0" East, a distance of 53.495 feet to a point;  
48 *THENCE* North 71°-19'-43" East, a distance of 59.736 feet to a point;  
49 *THENCE* North 57°-6'-5" West, a distance of 85.273 feet for a corner;  
50 *THENCE* North 57°-21'-4" West, a distance of 153.393 feet for a corner;  
51 *THENCE* North 46°-48'-21" East, a distance of 115.66 feet for a corner;  
52 *THENCE* South 58°-8'-28" East along the boundary of the Signal Ridge Place Addition, a distance of 390.89 feet to a point;  
53 *THENCE* South 56°-59'-48" East continuing along said Signal Ridge Place boundary, a distance of 351.404 feet for a corner;  
54 *THENCE* North 45°-48'-4" East, a distance of 112.664 feet to a point;  
55 *THENCE* North 44°-19'-51" East, a distance of 247.254 feet to a point;  
56 *THENCE* North 44°-19'-51" East, a distance of 206.252 feet to a point;  
57 *THENCE* North 46°-3'-5" East, a distance of 314.449 feet to a point;  
58 *THENCE* North 46°-3'-5" East, a distance of 303.267 feet to a point;  
59 *THENCE* North 46°-3'-6" East, a distance of 93.323 feet to a point;  
60 *THENCE* North 44°-27'-14" East, a distance of 188.011 feet to a point;  
61 *THENCE* North 46°-20'-42" East, a distance of 211.787 feet to a point;  
62 *THENCE* North 45°-53'-44" East, a distance of 40.132 feet to the beginning of a curve found in the Centerline of Summer Lee Dr.  
63 said being the beginning of a curve to the left having a tangent of 49.883 feet and a radius of 525.622 feet with a chord distance of 99.319 feet and a chord bearing of South 60°-9'-24" East to a point;  
64 *THENCE* South 46°-32'-42" East, a distance of 65.598 feet to a point;  
65 *THENCE* South 45°-32'-36" East along the Southern boundary of the Newport Place Addition, a distance of 61.079 feet to a point;  
66 *THENCE* South 44°-4'-56" East continuing along said Newport Place boundary, a distance of 90.696 feet to a point;  
67 *THENCE* South 45°-42'-7" East, a distance of 127.883 feet to a point;  
68 *THENCE* South 44°-41'-28" East, a distance of 93.59 feet to a point;  
69 *THENCE* South 44°-12'-37" East along the Southern boundary of the Orleans on the Lake Addition, a distance of 91.186 feet to a point;  
70 *THENCE* South 44°-11'-59" East continuing along said Orleans on the Lake boundary, a distance of 288.305 feet to a point;  
71 *THENCE* South 44°-9'-51" East, a distance of 140.065 feet to a point;  
72 *THENCE* South 43°-26'-16" East along said Orleans on the Lake boundary, a distance of 39.385 feet to the beginning of a curve,  
73 said being the beginning of a curve to the left having a tangent of 117.273 feet and a radius of 86.764 feet with a chord distance of 139.499 feet and a chord bearing of North 77°-17'-18" East to a point;  
74 *THENCE* North 19°-17'-22" East, a distance of 69.972 feet to a point;  
75 *THENCE* North 19°-8'-59" East, a distance of 101.965 feet to a point;  
76 *THENCE* North 18°-34'-28" East, a distance of 179.36 feet to a point;  
77 *THENCE* North 9°-3'-26" East, a distance of 40.216 feet for a corner;  
78 *THENCE* South 42°-45'-6" East, a distance of 208.889 feet for a corner;  
79 *THENCE* North 41°-41'-29" East, a distance of 52.007 feet to a point;  
80 *THENCE* North 38°-39'-57" East to the Centerline of Ridge Road, a distance of 80.613 feet to the beginning of a curve,  
81 said being the beginning of a curve to the left having a tangent of 34.265 feet and a radius of 486.839 feet with a chord distance of 68.36 feet and a chord bearing of South 30°-3'-27" East to the beginning of a curve,  
82 Continuing along a curve to the right having a tangent of 43.415 feet and a radius of 728.077 feet with a chord distance of 86.675 feet and a chord bearing of South 32°-43'-26" East to the beginning

of a curve,

83 Continuing along a curve to the right having a tangent of 159.757 feet and a radius of 766.621 feet  
with a chord distance of 312.794 feet and a chord bearing of South 17°-33'-54" East to a point;

84 *THENCE* South 5°-54'-11" East, a distance of 252.075 feet to the beginning of a curve,

85 said being the beginning of a curve to the left having a tangent of 121.934 feet and a radius of  
3593.301 feet with a chord distance of 243.727 feet and a chord bearing of South 6°-48'-53" East to  
the beginning of a curve,

86 Continuing along a curve to the left having a tangent of 115.369 feet and a radius of 15094.377 feet  
with a chord distance of 230.732 feet and a chord bearing of South 8°-49'-25" East to the beginning  
of a curve,

87 Continuing along a curve to the right having a tangent of 123.432 feet and a radius of 938.92 feet  
with a chord distance of 244.758 feet and a chord bearing of South 3°-34'-39" East to a point;

88 *THENCE* South 6°-45'-10" West, a distance of 726.609 feet to a point;

89 *THENCE* South 6°-36'-9" West, a distance of 894.838 feet to a point;

90 *THENCE* South 19°-43'-59" West to a point intersecting the City of Heath City Limits, as described  
in the adopted Boundary Agreement, City of Rockwall Ordinance 21-15 (exhibit area 1, dated March  
23, 2021), a distance of 236.664 feet for a corner;

91 *THENCE* North 38°-39'-37" West continuing along said City Limits line, a distance of 88.874 feet to  
the beginning of a curve,

92 said being the beginning of a curve to the left having a tangent of 20.272 feet and a radius of  
1327.182 feet with a chord distance of 40.539 feet and a chord bearing of North 89°-14'-41" West  
to the beginning of a curve,

93 Continuing along a curve to the left having a tangent of 44.837 feet and a radius of 3408.623 feet  
with a chord distance of 89.666 feet and a chord bearing of South 87°-26'-59" West to the beginning  
of a curve,

94 Continuing along a curve to a curve to the left having a tangent of 42.557 feet and a radius of  
3577.031 feet with a chord distance of 85.108 feet and a chord bearing of South 84°-41'-24" West  
to the beginning of a curve,

95 Continuing along a curve to the left having a tangent of 153.911 feet and a radius of 213.23 feet with  
a chord distance of 249.594 feet and a chord bearing of South 34°-28'-51" West to a point;




96 *THENCE* South 2°-41'-7" East, a distance of 100.099 feet to a point;

97 *THENCE* South 5°-36'-7" East, a distance of 80.149 feet to a point;

98 *THENCE* South 1°-55'-40" East, a distance of 308.063 feet, to the *POINT OF BEGINNING AND  
CONTAINING* 293.80 acres of land (12,797,923.461 square feet) more or less.






**City of Rockwall**


 Date: 5/9/2023      1 inch = 600 feet

**PLANNED DEVELOPMENT NO. 8**





**TABLE OF CONTENTS**

(1)	GENERAL REQUIREMENTS .....	10
(2)	CHANDLER'S LANDING, PHASES 1, 2, & 3 .....	13
(3)	CHANDLER'S LANDING, PHASE 4 .....	17
(4)	CHANDLER'S LANDING, PHASE 5 .....	19
(5)	CHANDLER'S LANDING, PHASE 6 .....	21
(6)	CHANDLER'S LANDING, PHASE 7 .....	23
(7)	CHANDLER'S LANDING, PHASE 9 .....	25
(8)	CHANDLER'S LANDING, PHASE 9, SECTION 1 .....	27
(9)	CHANDLER'S LANDING, PHASE 10 .....	29
(10)	CHANDLER'S LANDING, PHASE 14 .....	31
(11)	CHANDLER'S LANDING, PHASE 15 .....	33
(12)	CHANDLER'S LANDING, PHASE 16 .....	35
(13)	CHANDLER'S LANDING, PHASE 17 .....	37
(14)	CHANDLER'S LANDING, PHASE 18/SECTION 1 .....	40
(15)	CHANDLER'S LANDING, PHASE 18/SECTION 2 .....	43
(16)	CHANDLER'S LANDING, PHASE 19 .....	45
(17)	CHANDLER'S LANDING, PHASE 20 .....	47
(18)	THE CABANAS AT CHANDLER'S LANDING .....	49
(19)	THE CABANAS .....	51
(20)	MATCH POINT .....	53
(21)	CUTTER HILL, PHASES 1, 2, & 3 .....	55
(22)	HARBOR LANDING, PHASES 1 & 2 .....	57
(23)	MARINA VILLAGE .....	59
(24)	SPYGLASS, PHASES 1, 2, & 3 .....	64

## **GENERAL REQUIREMENTS**

- (A) **PD Concept Plan.** Planned Development District 8 (PD-8) shall be developed in accordance with the Concept Plan depicted in Exhibit 'C' of this ordinance, and no substantial change in the development shall be permitted except after obtaining approval of the change in the manner required for amendments as stipulated by the Unified Development Code (UDC) of the City of Rockwall, as heretofore amended, as amended herein by this zoning change, and as maybe amended in the future.
- (B) **Development Plan.** Prior to the issuance of any *Building Permit* in Planned Development District 8 (PD-8), a final *Development Plan* prepared in accordance with the requirements of the Unified Development Code (UDC) shall be filed with the City Council of the City of Rockwall and shall be approved by said governing body after review and recommendation by the Planning and Zoning Commission and filed as part of this ordinance. Such required *Development Plan* shall set forth the requirements for ingress and egress to the property, public or private streets or drive, with adequate right-of-way to conform to the Master Thoroughfare Plan of the City of Rockwall, sidewalks, utilities, drainage, parking spaces, all area requirements and maximum lot coverage, yards and open space, screening walls or fences, amenities, greenbelts areas, and all other development and protective requirements considered necessary by the City Council to create a reasonable transition to and protection of the adjacent property. Such approval by the City Council of the detailed final *Development Plan* shall be considered as an amendment to this ordinance and shall be applicable to the property involved.
- (C) **Greenbelts and Open Space.**
- (1) **Greenbelt 'A'.** That the area north of the existing entrance at the southeast corner of Planned Development District 8 (PD-8) [*designated as Greenbelt 'A' on the Concept Plan depicted in Exhibit 'C' of this ordinance*] shall be designated and maintained as a permanent greenbelt area.
  - (2) **Greenbelt 'B'.** That the area south of the existing entrance at the southeast corner of Planned Development District 8 (PD-) [*designated as Greenbelt 'B' on the Concept Plan depicted in Exhibit 'C' of this ordinance*] may be developed in a manner that would not interfere with the contemplated realignment and improvement of FM-740 [*i.e. Ridge Road*], and the governing body of the City of Rockwall must consider and specifically approve further development of said area.
- (D) **Amenities (Per Ordinance No. 84-04).** That the construction and development of amenities for Planned Development District 8 (PD-8) for all future development thereof shall be based upon recreational units with each single-family dwelling unit equaling one-half (½) recreation unit and each multi-family dwelling unit equaling one (1) recreation unit, said amenities are to consist of the follow:
- (1) **Sports Park.** A sports park will include a combination of one (1) sports court -- *lighted if properly located as not to disturb residences* --, exercise areas, rest areas, basketball, badminton, volleyball, racket tennis, paths and parking. All of the sports parks will be landscaped.  
  
**Ratio Required:** 1/300 Recreation Unit  
**Number Required:** 3
  - (2) **Swim Club.** The swim club will contain a minimum of a 1,500 SF swimming pool, 1,800 SF club pavilion, restrooms, manager's office, parking for guests, lighting and landscaping.  
  
**Ratio Required:** 1/225 Recreation Unit  
**Number Required:** 4
  - (3) **Play Park.** Each play park will be devoted to the young residents of Chandler's Landing and will have a large self-contained sand area with creative wood play equipment. These parks will be landscaped with shaded rest areas for adults.  
  
**Ratio Required:** 1/250 Recreation Unit  
**Number Required:** 4



(4) Upland Lakes. These are lakes either existing or to be built. These lakes will be kept clean and maintained to the shoreline for residents to enjoy. No swimming or motorized boating will be allowed.

Ratio Required: 1/300 Recreation Unit  
Number Required: 3

(5) Security Entrances. These entries will be well lighted, landscaped, and maintained. They are to be secured by guards, or by a mechanical system. These entrances are strategically located throughout the development in order to provide proper ingress and egress.

(6) Landscape Developments. These entries are to be paved with a brick or cobblestone pattern. On either side of the landscaped boulevard there will be lush plantings, berms, and decorative fencings.

(7) Architectural Graphics. These graphics and signs will be designated in harmony for all developable parcels in the remainder of Chandler's Landing. These signs will be very pleasing and will direct visitors through the development.

(8) Common Greenbelts and Paths. These areas will flow through the development following the low areas as designated on the Master Plan. They will have paths for jogging, walking and golf carts. Along some areas of the greenbelts, we are planning an aerobic course.

NOTE: It should be noted that all of the above described recreation uses must be designated in detail at the time of Final Plat.

(E) Amenities (Per Ordinance No. 85-43). That the construction and development of amenities for Planned Development District 8 (PD-8) shall be as depicted in the *Concept Plan* depicted in Subsection (G) below and as follows:

(1) Yacht Club Area.

- (a) Seven (7) tennis courts to be resurfaced.
- (b) A new improved lighting system will be installed on five (5) courts.
- (c) Landscaped retaining walls will be constructed around all steep slopes adjacent to the courts.
- (d) A subsurface drainage system will be installed to pick up surface run-off.
- (e) A new sidewalk system will be installed to accommodate golf carts that is a minimum of six (6) feet wide around the existing golf courts.
- (f) Major grading will be performed to improve landscaping and better maintain the erosion ditch.
- (g) The courts will have spectator accommodations where the terrain permits.
- (h) The existing children's play area will be renovated and enlarged.
- (i) Outdoor tennis pavilion.
- (j) Additional major improvements will be made to the Yacht Club, which will include better acoustics, carpeting, renovation of Commodore State Room, outside lounging accommodations, structure cosmetics, and landscaping.

(2) Area 'A': Swimming and Tennis Park.

- (a) Parking.
- (b) Swimming Pool.
- (c) Gazebo.
- (d) Children's Play Area.
- (e) Restrooms/Dressing.
- (f) Two (2) Tennis Courts with Lights.
- (g) General Landscaping.
- (h) Large Trees, Small Trees, Shrubs and Ground Cover, Lawn, Elevated Planters and Lights.

(3) Area 'B': Recreation Park.

- (a) Limited Parking and Access.

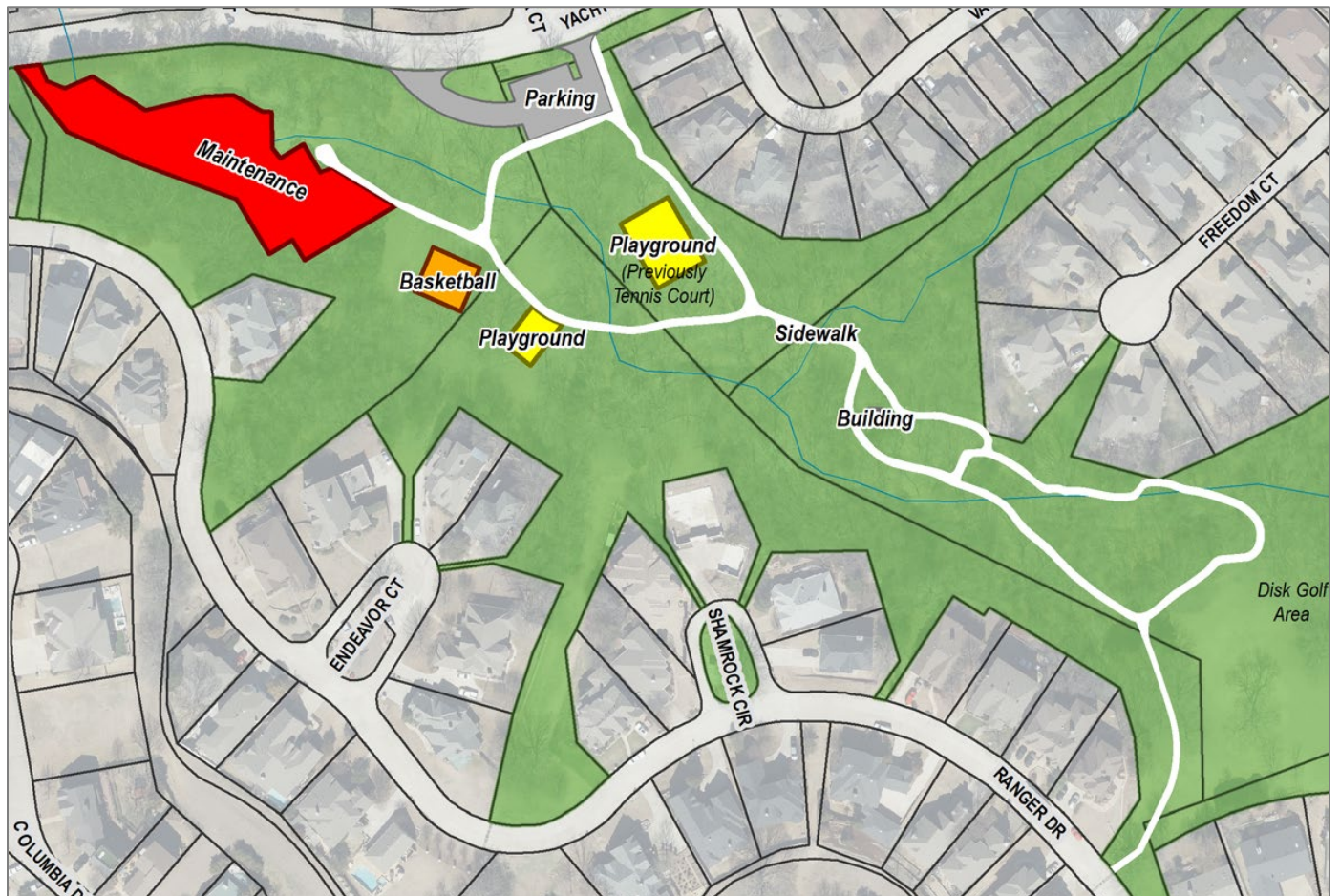


- (b) Park Shelter.
- (c) Two (2) Children's Play Areas.
- (d) Four (4) Picnic Spots.
- (e) Volleyball Court.
- (f) Half Basketball Court.
- (g) Open Lawn Area.
- (h) Seven (7) Exercise Stations.
- (i) Pedestrian Trail.
- (j) Four (4) Bridges.
- (k) General Clearing and Channel Work.
- (l) Tree Pruning, Stone Boulders, Retaining Walls and Fencing, Flowering Trees, and Plants.

(F) Amenities (Per Ordinance No. 86-87). That the construction and development of amenities for Planned Development District 8 (PD-8) shall be as depicted in *Concept Plan* depicted in Subsection (G) below and as follows:

- (1) The tract of land shown in the *Concept Plan* depicted in Subsection (G) shall only be used for park and recreation purposes and as a Community Association maintenance facility.
- (2) The development of the tract of land shown in the *Concept Plan* depicted in Subsection (G) shall be in conformance with the *Concept Plan* depicted in Subsection (G) below.

(G) Concept Plan.



**CHANDLER'S LANDING, PHASES 1, 2 & 3**

(H) Land Uses. Zero Lot Line Homes

(I) Development Cases.

PHASE 1.

- (1) Subdivision Plat. Approved by the Commissioners Court on July 9, 1973.
- (2) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.

PHASE 2.

- (3) Subdivision Plat. Approved by the Commissioners Court on July 9, 1973.
- (4) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.

PHASE 3.

- (5) Subdivision Plat. Approved by the Commissioners Court on July 9, 1973.
- (6) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.

(J) Regulating Ordinance. Ordinance No. 73-48

(K) Concept Plans.

PHASE 1. ZERO LOT LINE HOMES.



PHASE 2. ZERO LOT LINE AND SINGLE-FAMILY HOMES.





**PHASE 3. ZERO LOT LINE SINGLE-FAMILY ATTACHED HOMES.**



**(L) Density and Development Standards.**

	SINGLE-FAMILY	ZERO-LOT-LINE	SINGLE-FAMILY ATTACHED	MULTI-FAMILY OR CONDOMINIUM
MINIMUM LOT WIDTH	50'	40'	20'	70'
MINIMUM LOT DEPTH	100'	100'	100'	100'
MINIMUM LOT AREA	6,000 SF	4,000 SF	3,000 SF	2,000 SF
MINIMUM FRONT YARD SETBACK	25'	25'	25'	25'
MINIMUM SIDE YARD SETBACK	5'	10' <sup>(1)</sup>	0'	(2) & (3) <sup>(3)</sup>
MINIMUM REAR YARD SETBACK	10'	10'	10' <sup>(2)</sup>	10'
MINIMUM PARKING SPACES REQUIRED PER UNIT	2	2	2	1½
MAXIMUM BUILDING COVERAGE	40%	60%	60%	40%

**NOTES:**

- <sup>1</sup>: NO SIDE YARD REQUIRED ON ONE (1) SIDE.
- <sup>2</sup>: NONE REQUIRED WHEN ADJOINING A COMMON AREA.
- <sup>3</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.



**CHANDLER'S LANDING, PHASE 4**

(A) Land Uses. Zero Lot Line Homes

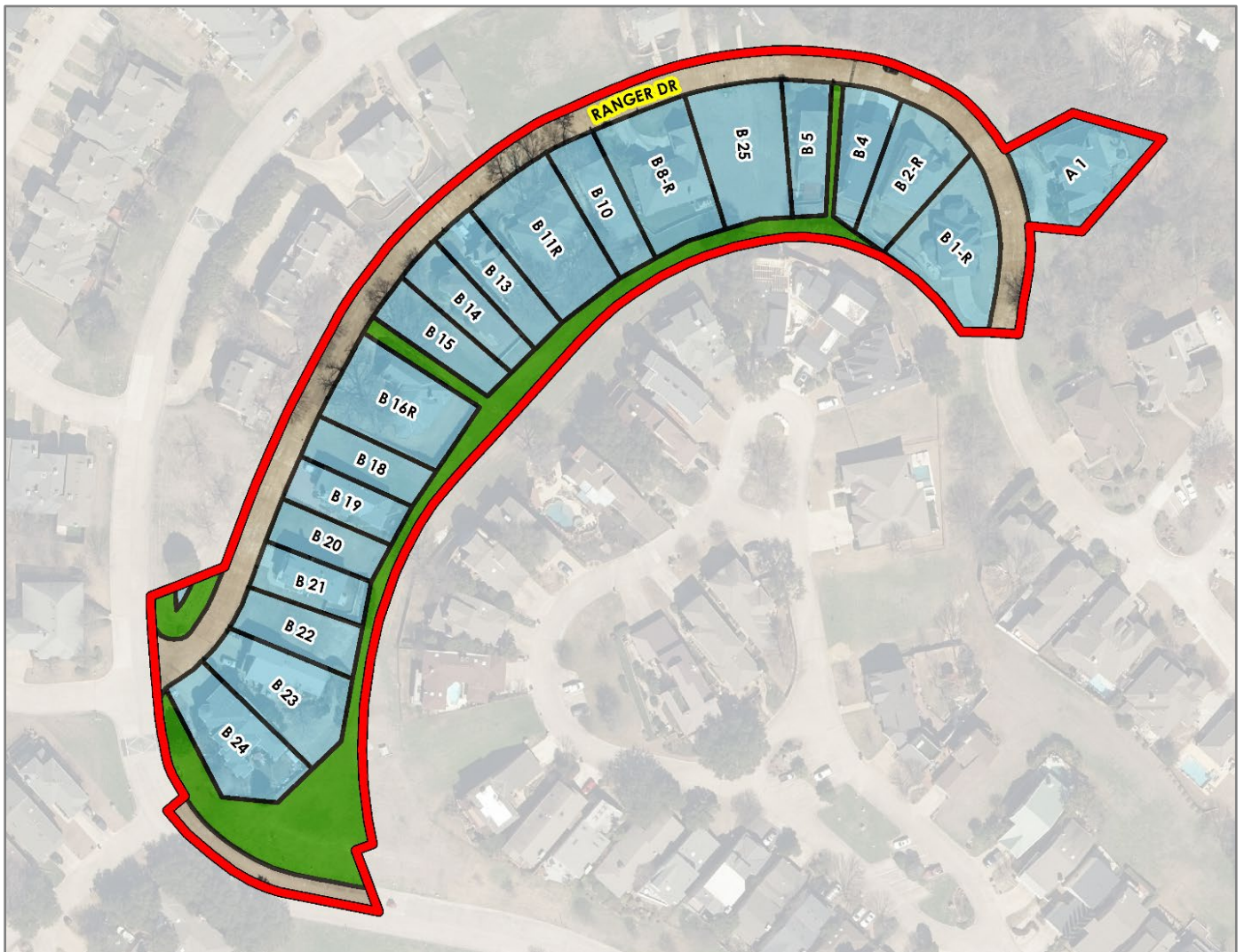
(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan, and Zoning Change [*Ordinance No. 84-04*]. Adopted on January 9, 1984.
- (4) PZ1984-023-01. Preliminary Plat. Adopted on March 5, 1985.
- (5) PZ1984-023-02. Concept Plan. Adopted on March 5, 1985.
- (6) PZ1984-045-01. Final Plat. Adopted on May 7, 1984.
- (7) PZ1996-005-01. Replat. Adopted on March 18, 1996.
- (8) PZ1999-030-01. Replat. Adopted on May 17, 1999.

(C) Original Regulating Ordinance. Ordinance No. 84-04

(D) Concept Plans.

PHASE 4. ZERO LOT LINE HOMES.



(E) Development Standards.

**ZERO LOT LINE HOMES.**

MINIMUM LOT WIDTH	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	4,000 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	0'/10'
MINIMUM REAR YARD SETBACK	15'
MINIMUM PARKING SPACES REQUIRED <sup>(1)</sup>	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,500 SF
MAXIMUM BUILDING COVERAGE	60%

**NOTES:**

<sup>1</sup>: EXCLUDING GARAGE SPACES.

**CHANDLER'S LANDING, PHASE 5**

(A) Land Uses. Single-Family, Single-Family Attached, and Zero Lot Line Homes

(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1976: Replat. Adopted on September 7, 1976.
- (3) 1977: Replat. Adopted on March 7, 1977.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(M) Concept Plans.

PHASE 5. SINGLE-FAMILY, SINGLE-FAMILY ATTACHED, AND ZERO LOT LINE HOMES.



(N) Density and Development Standards.

	SINGLE-FAMILY	ZERO-LOT-LINE	SINGLE-FAMILY ATTACHED	MULTI-FAMILY OR CONDOMINIUM
MINIMUM LOT WIDTH	50'	40'	20'	70'
MINIMUM LOT DEPTH	100'	100'	100'	100'
MINIMUM LOT AREA	6,000 SF	4,000 SF	3,000 SF	2,000 SF

<i>MINIMUM FRONT YARD SETBACK</i>	25'	25'	25'	25'
<i>MINIMUM SIDE YARD SETBACK</i>	5'	10' <sup>(1)</sup>	0'	(2) & (3) <sup>(3)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'	10'	10' <sup>(2)</sup>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	2	2	2	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%	60%	60%	40%

**NOTES:**

<sup>1</sup>: NO SIDE YARD REQUIRED ON ONE (1) SIDE.

<sup>2</sup>: NONE REQUIRED WHEN ADJOINING A COMMON AREA.

<sup>3</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.



**CHANDLER'S LANDING, PHASE 6**

(A) Land Uses. Single-Family, Single-Family Attached, and Zero Lot Line Homes

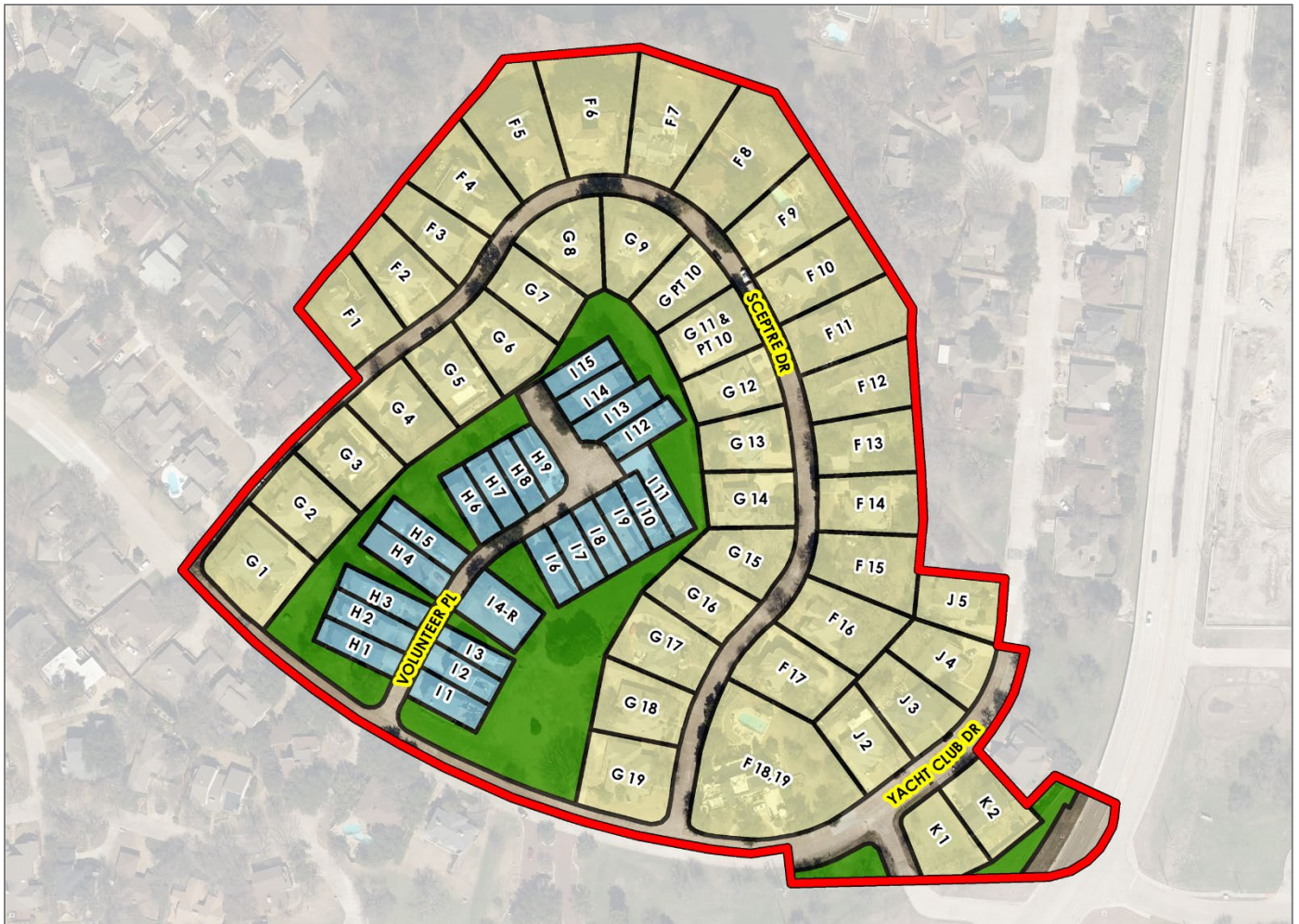
(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1977: Replat. Adopted on February 1, 1977.

(C) Original Regulating Ordinance. Ordinance No. 73-48

(D) Concept Plans.

PHASE 6. SINGLE-FAMILY, SINGLE-FAMILY ATTACHED, AND ZERO LOT LINE HOMES.



(E) Density and Development Standards.

	SINGLE-FAMILY	ZERO-LOT-LINE	SINGLE-FAMILY ATTACHED	MULTI-FAMILY OR CONDOMINIUM
MINIMUM LOT WIDTH	50'	40'	20'	70'
MINIMUM LOT DEPTH	100'	100'	100'	100'
MINIMUM LOT AREA	6,000 SF	4,000 SF	3,000 SF	2,000 SF



<i>MINIMUM FRONT YARD SETBACK</i>	25'	25'	25'	25'
<i>MINIMUM SIDE YARD SETBACK</i>	5'	10' <sup>(1)</sup>	0'	(2) & (3) <sup>(3)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'	10'	10' <sup>(2)</sup>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	2	2	2	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%	60%	60%	40%

**NOTES:**

<sup>1</sup>: NO SIDE YARD REQUIRED ON ONE (1) SIDE.

<sup>2</sup>: NONE REQUIRED WHEN ADJOINING A COMMON AREA.

<sup>3</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.

**CHANDLER'S LANDING, PHASE 7**

(A) Land Uses. Single-Family Homes

(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1976: Final Plat of Phase 7, Installment 1. Adopted on June 7, 1976.
- (3) 1976: Final Plat of Phase 7, Installment 2. Adopted on June 7, 1976.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(D) Concept Plans.

PHASE 7. SINGLE-FAMILY HOMES.



(E) Density and Development Standards.

	SINGLE-FAMILY	ZERO-LOT-LINE	SINGLE-FAMILY ATTACHED	MULTI-FAMILY OR CONDOMINIUM
MINIMUM LOT WIDTH	50'	40'	20'	70'
MINIMUM LOT DEPTH	100'	100'	100'	100'
MINIMUM LOT AREA	6,000 SF	4,000 SF	3,000 SF	2,000 SF

<i>MINIMUM FRONT YARD SETBACK</i>	25'	25'	25'	25'
<i>MINIMUM SIDE YARD SETBACK</i>	5'	10' <sup>(1)</sup>	0'	(2) & (3) <sup>(3)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'	10'	10' <sup>(2)</sup>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	2	2	2	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%	60%	60%	40%

**NOTES:**

<sup>1</sup>: NO SIDE YARD REQUIRED ON ONE (1) SIDE.

<sup>2</sup>: NONE REQUIRED WHEN ADJOINING A COMMON AREA.

<sup>3</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.

**CHANDLER'S LANDING, PHASE 9**

(A) Land Uses. Single-Family and Zero Lot Line Homes

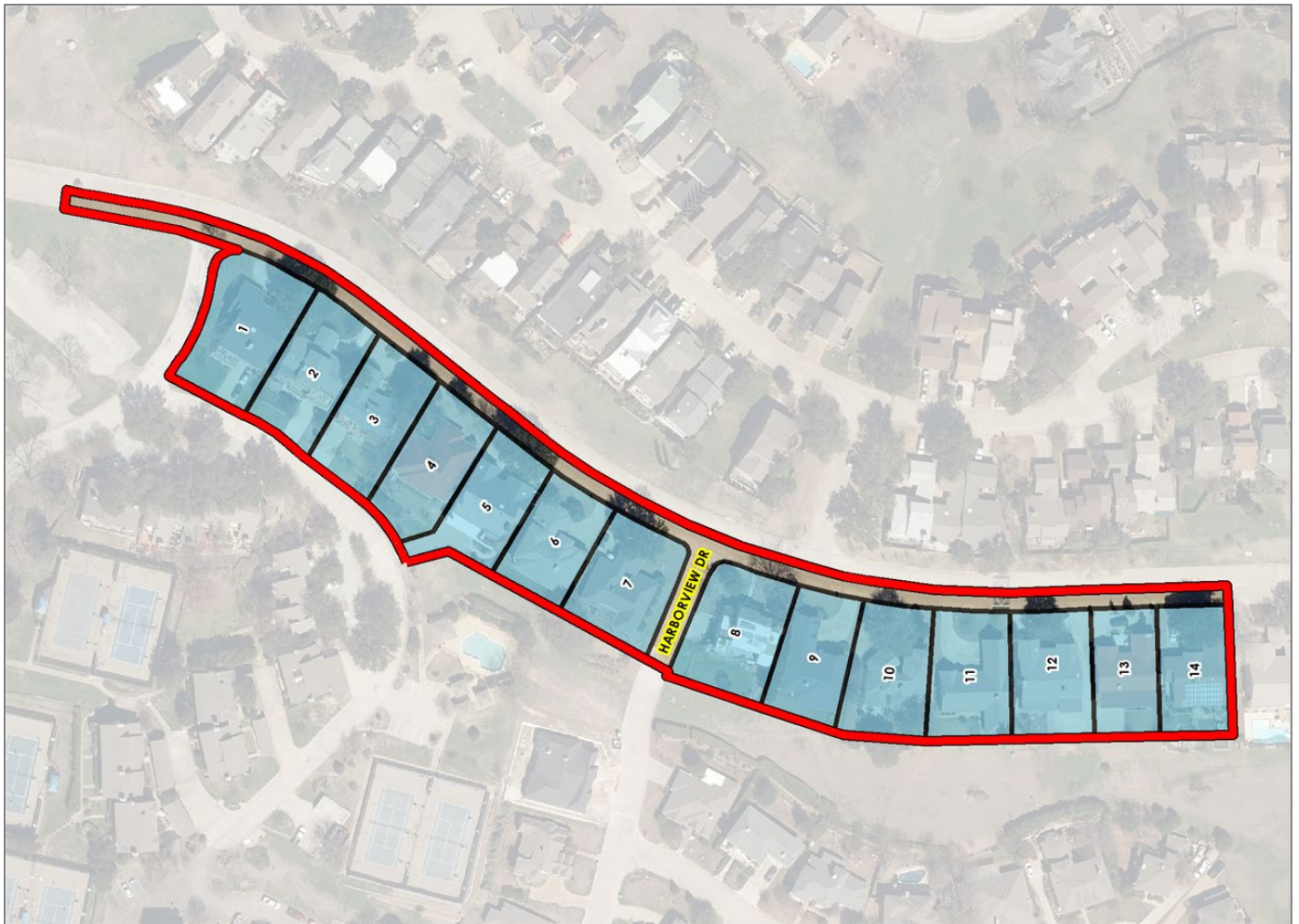
(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1975: Replat. Adopted on April 1, 1975.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(D) Concept Plans.

PHASE 9. SINGLE-FAMILY AND ZERO LOT LINE HOMES.



(E) Density and Development Standards.

	SINGLE-FAMILY	ZERO-LOT-LINE	SINGLE-FAMILY ATTACHED	MULTI-FAMILY OR CONDOMINIUM
MINIMUM LOT WIDTH	50'	40'	20'	70'
MINIMUM LOT DEPTH	100'	100'	100'	100'
MINIMUM LOT AREA	6,000 SF	4,000 SF	3,000 SF	2,000 SF



<i>MINIMUM FRONT YARD SETBACK</i>	25'	25'	25'	25'
<i>MINIMUM SIDE YARD SETBACK</i>	5'	10' <sup>(1)</sup>	0'	(2) & (3) <sup>(3)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'	10'	10' <sup>(2)</sup>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	2	2	2	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%	60%	60%	40%

**NOTES:**

<sup>1</sup>: NO SIDE YARD REQUIRED ON ONE (1) SIDE.

<sup>2</sup>: NONE REQUIRED WHEN ADJOINING A COMMON AREA.

<sup>3</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.



**CHANDLER'S LANDING, PHASE 9, SECTION 1**

(A) Land Uses. Single-Family Home

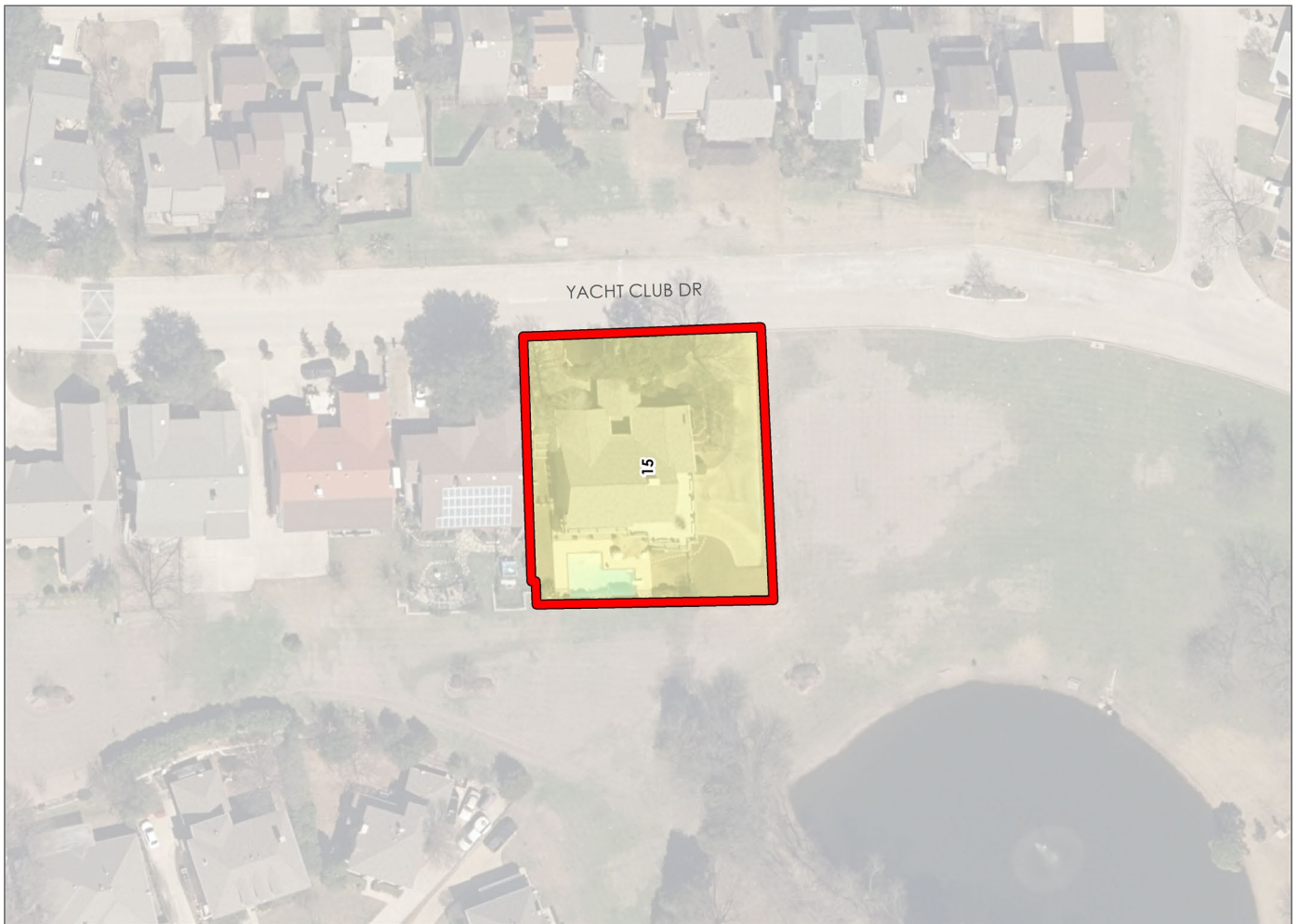
(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1975: Replat. Adopted on April 1, 1975.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(D) Concept Plans.

PHASE 9, SECTION 1. SINGLE-FAMILY HOME.



(E) Density and Development Standards.

	SINGLE-FAMILY	ZERO-LOT-LINE	SINGLE-FAMILY ATTACHED	MULTI-FAMILY OR CONDOMINIUM
<i>MINIMUM LOT WIDTH</i>	50'	40'	20'	70'
<i>MINIMUM LOT DEPTH</i>	100'	100'	100'	100'
<i>MINIMUM LOT AREA</i>	6,000 SF	4,000 SF	3,000 SF	2,000 SF

<i>MINIMUM FRONT YARD SETBACK</i>	25'	25'	25'	25'
<i>MINIMUM SIDE YARD SETBACK</i>	5'	10' <sup>(1)</sup>	0'	(2) & (3) <sup>(3)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'	10'	10' <sup>(2)</sup>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	2	2	2	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%	60%	60%	40%

**NOTES:**

<sup>1</sup>: NO SIDE YARD REQUIRED ON ONE (1) SIDE.

<sup>2</sup>: NONE REQUIRED WHEN ADJOINING A COMMON AREA.

<sup>3</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.

**CHANDLER'S LANDING, PHASE 10**

(A) Land Uses. Single-Family and Zero Lot Line Homes

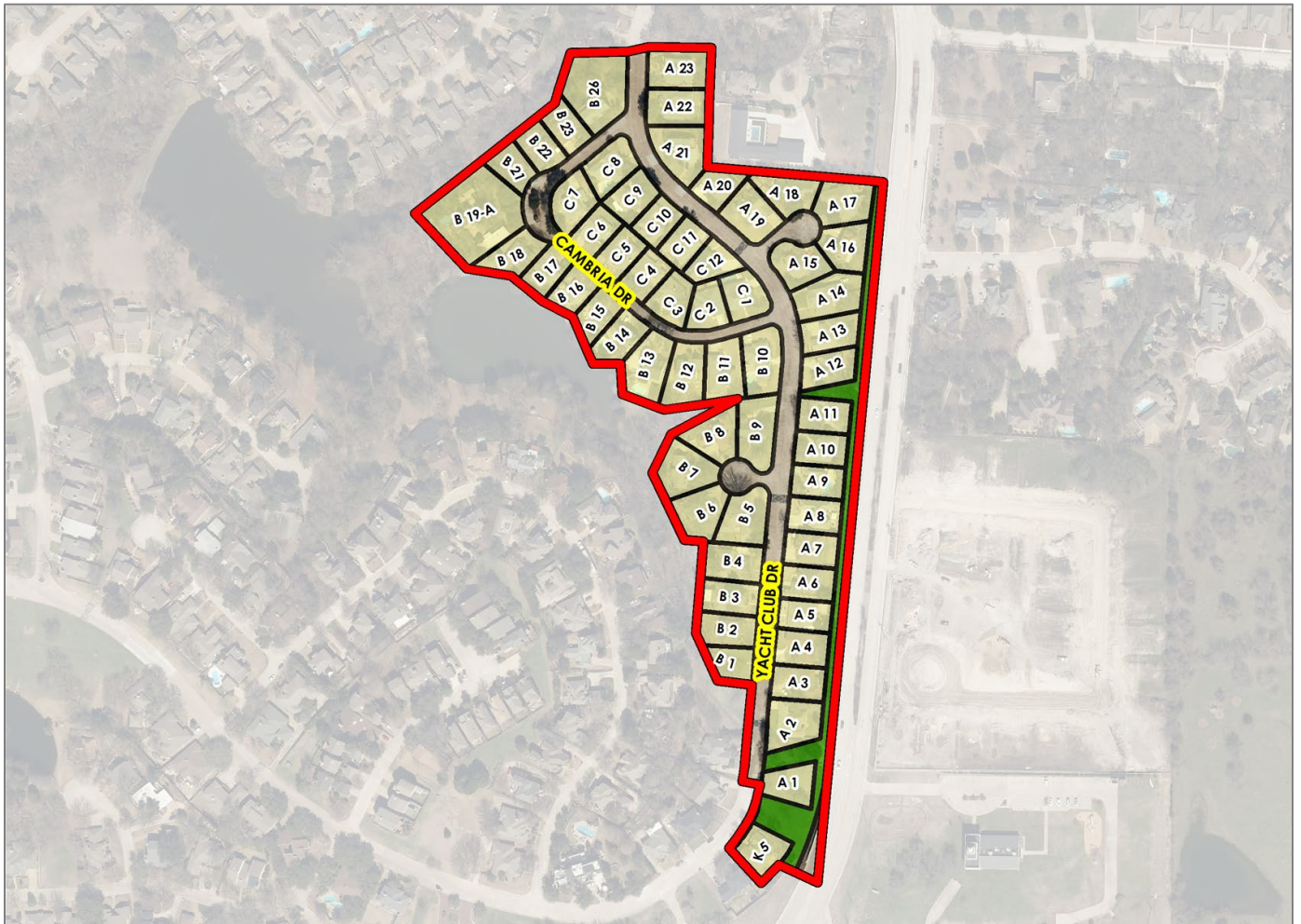
(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1975: Replat. Adopted on August 1, 1975.
- (3) PZ1996-051-01. Replat [*Lot 11 and part of Lot 10*]. Adopted on August 19, 1996.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(D) Concept Plans.

PHASE 10. SINGLE-FAMILY AND ZERO LOT LINE HOMES.



(E) Density and Development Standards.

	SINGLE-FAMILY	ZERO-LOT-LINE	SINGLE-FAMILY ATTACHED	MULTI-FAMILY OR CONDOMINIUM
MINIMUM LOT WIDTH	50'	40'	20'	70'
MINIMUM LOT DEPTH	100'	100'	100'	100'
MINIMUM LOT AREA	6,000 SF	4,000 SF	3,000 SF	2,000 SF

<i>MINIMUM FRONT YARD SETBACK</i>	25'	25'	25'	25'
<i>MINIMUM SIDE YARD SETBACK</i>	5'	10' <sup>(1)</sup>	0'	(2) & (3) <sup>(3)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'	10'	10' <sup>(2)</sup>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	2	2	2	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%	60%	60%	40%

**NOTES:**

<sup>1</sup>: NO SIDE YARD REQUIRED ON ONE (1) SIDE.

<sup>2</sup>: NONE REQUIRED WHEN ADJOINING A COMMON AREA.

<sup>3</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.



**CHANDLER'S LANDING, PHASE 14**

(A) Land Uses. Single-Family Homes

(B) Development Cases.

- (1) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [Ordinance No. 84-04]. Adopted on January 9, 1984.
- (4) PZ1983-040-01. Preliminary Plat [Lots 1-21, Block B]. Adopted on December 5, 1983.
- (5) PZ1983-059-01. Final Plat. Adopted on December 5, 1983.
- (6) PZ1984-112-01. Final Plat. Adopted on December 3, 1984.
- (7) PZ1985-039-01. Zoning [Ordinance No. 85-43]. Adopted on August 26, 1985.
- (8) PZ1985-046-01. Final Plat. Adopted on July 2, 1985.
- (9) PZ1994-030-01. Replat. Adopted on November 21, 1994.
- (10) PZ1999-045-01. Replat [Lots 6 & 7, Block A]. Adopted on July 19, 1999.
- (11) PZ1999-046-01. Replat [Lots 6 & 7, Block B into Lot 6R, Block B]. Adopted on July 19, 1999.
- (12) PZ1999-111-01. Replat [Lots 11 -13, Block B into Lots 11R & 12R, Block B]. Adopted on January 28, 2000.
- (13) PZ2000-083-01. Replat [Lots 3-6, Block D]. Adopted on October 2, 2000.

(C) Original Regulating Ordinance. Ordinance No. 85-43

(D) Concept Plans.

PHASE 14. SINGLE-FAMILY HOMES.



(E) Density and Development Standards.

BLOCK A. SINGLE-FAMILY HOMES.

MINIMUM LOT WIDTH	50'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	6,500 SF
MAXIMUM UNITS PER LOT	1
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM REAR YARD SETBACK	10'
MINIMUM PARKING SPACES REQUIRED	2
MINIMUM NUMBER OF GARAGE PARKING SPACES	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS ON THE SAME LOT	10'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,200 SF
MAXIMUM BUILDING COVERAGE	40%

BLOCK B. PATIO HOMES.

MINIMUM LOT WIDTH <sup>1</sup>	40'
MINIMUM LOT DEPTH	105'
MINIMUM LOT AREA	4,200 SF
MINIMUM FRONT YARD SETBACK	25'
MINIMUM SIDE YARD SETBACK	0'/10'
MINIMUM REAR YARD SETBACK	10'
MINIMUM PARKING SPACES REQUIRED	2
MINIMUM NUMBER OF PARKING SPACES <sup>2</sup>	2
MAXIMUM HEIGHT	28'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM FLOOR AREA PER DWELLING UNIT	1,500 SF
MAXIMUM BUILDING COVERAGE	60%

NOTES:

<sup>1</sup>: AT FRONT BUILDING LINE.

<sup>2</sup>: EXCLUDING GARAGE PARKING SPACES.



**CHANDLER'S LANDING, PHASE 15**

(A) Land Uses. Single-Family Homes

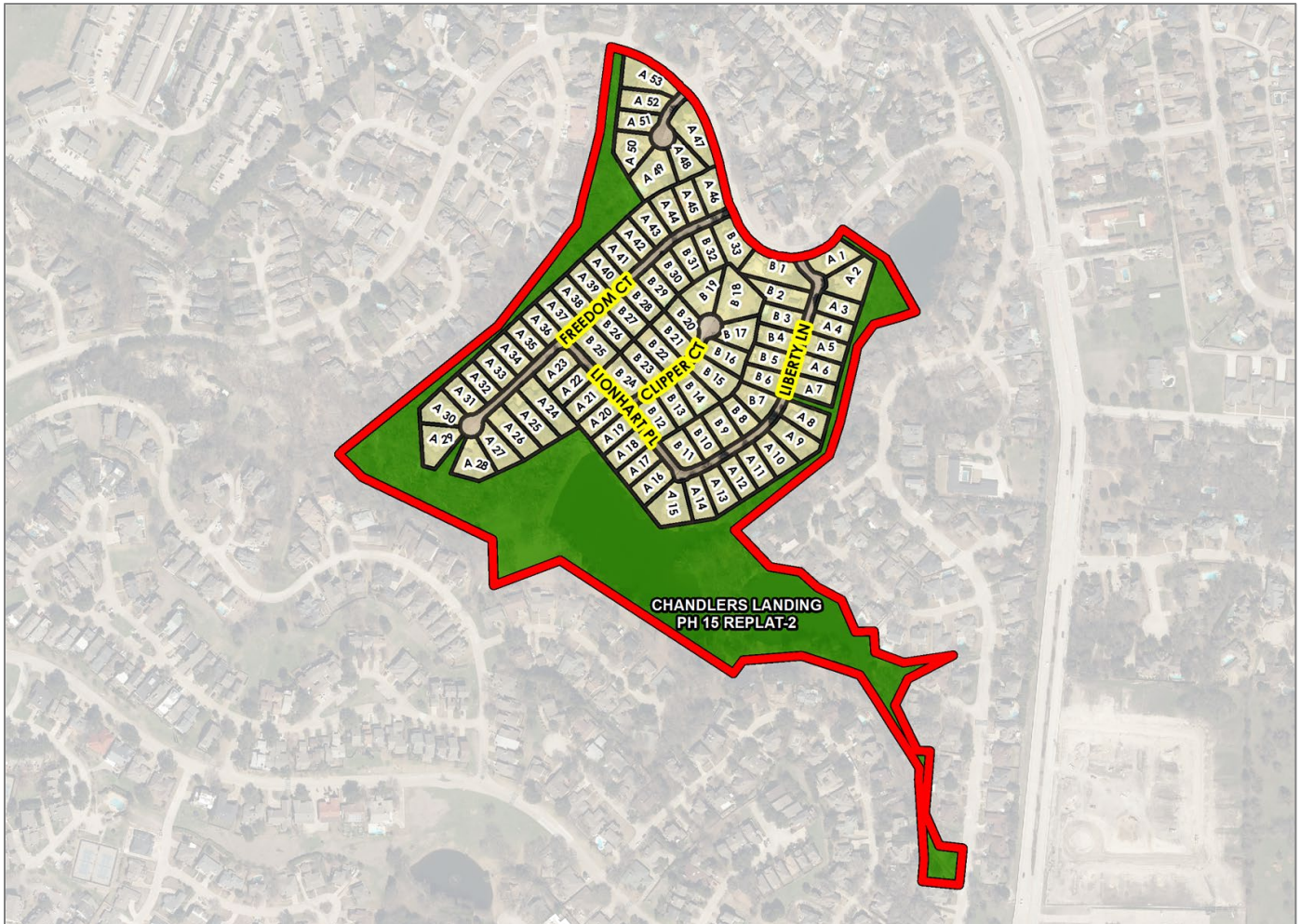
(B) Development Cases.

- (1) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [Ordinance No. 84-04]. Adopted on January 9, 1984.
- (4) PZ1983-076-01. Preliminary Plat. Adopted on January 9, 1984.
- (5) PZ1983-076-02. Concept Plan. Adopted on January 9, 1984.
- (6) PZ1984-032-01. Final Plat. Adopted on April 2, 1984.
- (7) PZ1986-045-01. Zoning [Ordinance No. 86-64; Zero Lot Line and Single-Family Homes]. Adopted on July 28, 1986.
- (8) PZ1986-058-01. Final Plat. Adopted on December 15, 1986.
- (9) PZ1992-038-01. Zoning (Ordinance No. 92-41; Superseded 84-04 & 86-64) [Single-Family Homes]. Adopted on November 16, 1992.
- (10) PZ1992-043-01. Preliminary Plat. Adopted on November 16, 1992.
- (11) PZ1994-012-01. Final Plat. Adopted on November 16, 1992.

(C) Original Regulating Ordinance. Ordinance No. 92-41

(D) Concept Plan.

PHASE 15. SINGLE-FAMILY HOMES.



(E) Development Standards. Unless specifically provided by this Planned Development ordinance, any development within Chandler's Landing, Phase 15 shall be subject to the density and dimensional requirements required for a property situated within the Single-Family 7 (SF-7) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however the following additional requirements shall apply:

<i>MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]</i>	1,500 SF
<i>MINIMUM INTERNAL SIDE YARD SETBACK</i>	5'



**CHANDLER'S LANDING, PHASE 16**

(A) Land Uses. Zero Lot Line Homes

(B) Development Cases.

- (1) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [Ordinance No. 84-04]. Adopted on January 9, 1984.
- (4) PZ1984-009-01. Preliminary Plat [Lots 1-19, Block C and Lots 1-7, Block D]. Adopted on February 6, 1984.
- (5) PZ1984-063-01. Final Plat. Adopted on June 11, 1984.
- (6) PZ1985-082-01. Final Plat and Zoning [Ordinance No. 86-04; Lots 1-22, Block E and Lots 1-12, Block F]. Adopted on January 20, 1986.
- (7) PZ1996-093-01. Replat [Lots 1 & 2, Block D]. Adopted on December 16, 1996.
- (8) PZ1999-034-01. Replat [Lots 1 & 2, Block E]. Adopted on May 17, 1999.
- (9) PZ2000-025-01. Replat [Lots 5-9 & 17-19, Block E and Lots 8-10, Block F]. Adopted on April 3, 2000.

(C) Original Regulating Ordinance. Ordinance No. 86-04

(D) Concept Plan.

PHASE 16. ZERO LOT LINE HOMES.



(E) Dimensional Standards. Unless specifically provided by this Planned Development ordinance, any development within Chandler's Landing, Phase 16 shall be subject to the density and dimensional requirements required for a property

situated within the Zero Lot Line (ZL-5) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however the following additional requirements shall apply:

MINIMUM LOT WIDTH	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	4,000 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	0'/10'
MINIMUM REAR YARD SETBACK	15'
MINIMUM PARKING SPACES REQUIRED <sup>(1)</sup>	2
MINIMUM NUMBER OF GARAGE PARKING SPACES	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,500 SF
MAXIMUM BUILDING COVERAGE	60%

**NOTES:**

<sup>1</sup>: EXCLUDING GARAGE SPACES.

**CHANDLER'S LANDING, PHASE 17**

(A) Land Uses. Townhomes, Single-Family Homes, and Zero Lot Line Homes

(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [*Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20*]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [*Ordinance No. 84-04*]. Adopted on January 9, 1984.
- (4) PZ1984-010-01. Preliminary Plat. Adopted on February 6, 1984.
- (5) PZ1984-046-01. Final Plat. Adopted on June 11, 1984.
- (6) PZ1985-047-01. Replat. Adopted on July 2, 1985.
- (7) PZ1987-040-01. Replat [*Lots 1-4, Block C*]. Adopted on August 17, 1987.
- (8) PZ1987-041-01. Preliminary Plat and Zoning [*Ordinance No. 87-45; Single-Family to Townhomes*]. Adopted on August 17, 1987.
- (9) PZ1991-025-01. Replat. Adopted September on 16, 1991.
- (10) PZ1991-025-02. Zoning [*Ordinance No. 91-43*]. Adopted on October 7, 1991.
- (11) PZ1994-047-01. Replat [*Lot 21, Block A*]. Adopted on January 12, 1995.
- (12) PZ1996-025-01. Replat [*Lots 1-6, Block A into Lots 1R – 3R, Block A*]. Adopted on May 20, 1996.
- (13) PZ1996-042-01. Replat and Zoning Change [*Ordinance No. 96-18; Changed Zoning for Lots 1R – 3R, Block A*]. Adopted on July 1, 1996.
- (14) PZ2002-017-01. Replat [*Lot 21, Block A*]. Adopted on March 18, 2002.

(C) Original Regulating Ordinance. *Ordinance No.'s 87-45, 91-43 & 96-18*



(D) Concept Plan.

PHASE 17. TOWNHOMES, SINGLE-FAMILY HOMES, AND ZERO LOT LINE HOMES.



(E) Dimensional Standards.

LOTS 1-25. BLOCK A, CHANDLER'S LANDING PHASE 17.

MINIMUM LOT WIDTH <sup>(1)</sup>	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	4,000 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	0'/10'
MINIMUM REAR YARD SETBACK	15'
MINIMUM PARKING SPACES REQUIRED <sup>(2)</sup>	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,500 SF
MAXIMUM BUILDING COVERAGE	60%

**NOTES:**

<sup>1</sup>: AT FRONT YARD BUILDING SETBACK.

<sup>2</sup>: EXCLUDING GARAGE SPACES.

BLOCKS B, C, D, E, & F, CHANDLER'S LANDING PHASE 17.

MINIMUM LOT WIDTH	26'
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MINIMUM LOT AREA	3,000 SF
MINIMUM FRONT YARD SETBACK <sup>(1)</sup>	20'
MINIMUM SIDE YARD SETBACK	0'
MINIMUM SIDE YARD ADJACENT TO A STREET	10'
MINIMUM REAR YARD SETBACK	10'
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS <sup>(2)</sup>	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,000 SF
MAXIMUM BUILDING COVERAGE	60%

**NOTES:**

- <sup>1</sup>: 15-FEET WITH A SIDE ENTRY GARAGE.
- <sup>2</sup>: MINIMUM OF 20-FEET BETWEEN BUILDINGS EVERY 250-FEET.

**LOTS 1-4, BLOCK C, CHANDLER'S LANDING PHASE 17.**

Unless specifically provided by this Planned Development ordinance, any development on Lots 1-4, Block C, Chandler's Landing, Phase 17 shall be subject to the density and dimensional requirements required for a property situated within the Zero Lot Line (ZL-5) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however the following additional requirements shall apply:

MINIMUM LOT WIDTH	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	5,000 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	0'/10'
MINIMUM PARKING SPACES REQUIRED <sup>(1)</sup>	2
MINIMUM REAR YARD SETBACK	15'
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,750 SF
MAXIMUM BUILDING COVERAGE	60%

**NOTES:**

- <sup>1</sup>: EXCLUDING GARAGE SPACES.

**LOTS 1-R – 8-R, BLOCK B; LOTS 1-R, BLOCK C; AND LOTS 13-R & 14-R, BLOCK F, CHANDLER'S LANDING PHASE 17.**

Unless specifically provided by this Planned Development ordinance, any development on Lots 1-R – 8-R, Block B; Lots 1-R, Block C; and Lots 13-R & 14-R, Block F, Chandler's Landing Phase 17 shall be subject to the density and dimensional requirements required for a property situated within the Single-Family 10 (SF-10) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however the following additional requirements shall apply:

MINIMUM LOT WIDTH	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	5,500 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM SIDE YARD ADJACENT TO A STREET	15'
MINIMUM REAR YARD SETBACK	10'
MINIMUM PARKING SPACES REQUIRED <sup>(1)</sup>	2
MINIMUM GARAGE PARKING SPACES REQUIRED	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,750 SF
MAXIMUM BUILDING COVERAGE	40%

**NOTES:**

- <sup>1</sup>: EXCLUDING GARAGE SPACES.

**CHANDLER'S LANDING, PHASE 18/SECTION 1**

(A) Land Uses. Townhomes and Single-Family Homes

(B) Development Cases.

- (1) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [Ordinance No. 84-04]. Adopted on January 9, 1984.
- (4) PZ1984-024-01. Preliminary Plat and Concept Plan. Adopted on April 2, 1984.
- (5) PZ1985-039-01. Preliminary Plat, Final Plat, Site Plan, and Zoning [Ordinance No 85-43]. Adopted on August 26, 1985.
- (6) PZ1985-048-01. Final Plat. Adopted on July 2, 1985.
- (7) PZ1991-025-01. Replat [Lots 1-10, Block A to Lots 1-R – 5-R, Block A]. Adopted on September 16, 1991.
- (8) PZ1991-025-02. Zoning [Ordinance No. 91-43; Lots 1-R – 5-R, Block A]. Adopted on October 7, 1991.
- (9) PZ1992-041-01. Replat [Lots 11-15, Block A to Lots 6-R – 8-R, Block A] and Zoning [Ordinance No. 92-43; Lots 6-R – 8-R]. Adopted on December 7, 1992.
- (10) PZ1994-006-01. Replat [Lots 1-R & 2-R, Block A]. Adopted on March 21, 1994.
- (11) PZ1999-002-01. Replat [Lots 7 & 8, Block A to Lot 7RA, Block A]. Adopted on February 9, 1999.

(C) Original Regulating Ordinance. Ordinance No.'s 85-43, 91-43 & 92-43

(F) Concept Plan.

PHASE 18/SECTION 1. TOWNHOMES AND SINGLE-FAMILY HOMES.



(D) Dimensional Standards.

TOWNHOMES.

MINIMUM LOT WIDTH <sup>(1)</sup>	26'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	3,000 SF
MAXIMUM UNITS PER LOT	1
MINIMUM FRONT YARD SETBACK [FRONT ENTRY GARAGE] <sup>(2)</sup>	20'
MINIMUM SIDE YARD SETBACK	0'
MINIMUM SIDE YARD SETBACK ADJACENT TO A STREET	10'
MINIMUM REAR YARD SETBACK	10'
MINIMUM PARKING SPACES REQUIRED	2
MINIMUM NUMBER OF GARAGE PARKING SPACES	2
MAXIMUM HEIGHT	30'
MINIMUM LENGTH OF DRIVEWAY PAVEMENT ON SIDE OR REAR	20'
MINIMUM DISTANCE BETWEEN BUILDINGS <sup>(3)</sup>	20'
MAXIMUM NUMBER OF ATTACHED UNITS <sup>(4)</sup>	8
MAXIMUM DENSITY [DWELLING UNITS PER ACRE]	8
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,000 SF
MINIMUM LANDSCAPING PERCENTAGE	10%
MAXIMUM BUILDING COVERAGE	60%

**NOTES:**

- 1: THE MINIMUM LOT WIDTH SHALL BE MEASURE AT THE FRONT YARD BUILDING SETBACK.
- 2: THE FRONT YARD SETBACK CAN BE REDUCED TO 15-FEET FOR SIDE AND REAR ENTRY GARAGES.
- 3: EVERY 250-FEET.
- 4: UP TO 250-FEET.

LOTS 1-R – 5-R, BLOCK A, CHANDLER'S LANDING PHASE 18/SECTION 1.

Unless specifically provided by this Planned Development ordinance, any development on Lots 1-R – 5-R, Block A, Chandler's Landing Phase 18/Section 1 shall be subject to the density and dimensional requirements required for a property situated within the Single-Family 10 (SF-10) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however the following additional requirements shall apply:

MINIMUM LOT WIDTH	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	6,000 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM SIDE YARD ADJACENT TO A STREET	15'
MINIMUM REAR YARD SETBACK	10'
MINIMUM PARKING SPACES REQUIRED <sup>(1)</sup>	2
MINIMUM GARAGE PARKING SPACES REQUIRED	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,750 SF
MAXIMUM BUILDING COVERAGE	40%

**NOTES:**

- 1: EXCLUDING GARAGE SPACES.

LOTS 6-R – 8-R, BLOCK A, CHANDLER'S LANDING PHASE 18/SECTION 1.

Unless specifically provided by this Planned Development ordinance, any development on Lots 6-R – 8-R, Block A, Chandler's Landing Phase 18/Section 1 shall be subject to the density and dimensional requirements required for a property situated within the Single-Family 10 (SF-10) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however the following additional requirements shall apply:

MINIMUM LOT WIDTH	40'
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<i>MINIMUM LOT DEPTH</i>	100'
<i>MINIMUM LOT AREA</i>	5,700 SF
<i>MINIMUM FRONT YARD SETBACK</i>	25'
<i>MINIMUM SIDE YARD SETBACK</i>	5'
<i>MINIMUM REAR YARD SETBACK</i>	20'
<i>MINIMUM PARKING SPACES REQUIRED <sup>(1)</sup></i>	2
<i>MINIMUM GARAGE PARKING SPACES REQUIRED</i>	2
<i>MAXIMUM HEIGHT</i>	30'
<i>MINIMUM DISTANCE BETWEEN BUILDINGS</i>	10'
<i>MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]</i>	1,750 SF
<i>MAXIMUM BUILDING COVERAGE</i>	40%

**NOTES:**

<sup>1</sup>: EXCLUDING GARAGE SPACES.



**CHANDLER'S LANDING, PHASE 18/SECTION 2**

(A) Land Uses. Zero Lot Line Homes and Single-Family Homes

(B) Development Cases.

- (1) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [Ordinance No. 84-04]. Adopted on January 9, 1984.
- (4) PZ1984-024-01. Preliminary Plat and Concept Plan. Adopted on April 2, 1984.
- (5) PZ1985-039-01. Preliminary Plat, Final Plat, Site Plan, and Zoning [Ordinance No 85-43]. Adopted on August 26, 1985.
- (6) PZ1985-048-01. Final Plat. Adopted on July 2, 1985.
- (7) PZ1988-008-01. Replat [Lots 1, 7 & 8, Block A and Lots 1-3, Block C]. Adopted on May 2, 1988.
- (8) PZ1988-032-01. Replat [Lots 1-32, Block A and Lots 4-16, Block B]. Adopted on August 1, 1988.
- (9) PZ1988-038-01. Zoning [Ordinance No. 88-51; Single Family Homes for Lots 9-23, Block A]. Adopted on October 3, 1988.
- (10) PZ1988-059-01. Replat [Lots 1, 7 & 8, Block A and Lots 1-3, Block C]. Adopted on March 20, 1989.
- (11) PZ1991-025-01. Replat [Lots 1-10, Block A to Lots 1-R – 5-R, Block A]. Adopted on September 16, 1991.
- (12) PZ1991-025-02. Zoning [Ordinance No. 91-43; Lots 1-R – 5-R, Block A]. Adopted on October 7, 1991.

(C) Original Regulating Ordinance. Ordinance No.'s 84-04, 88-51 & 91-43

(D) Concept Plan.

PHASE 18/SECTION 2, ZERO LOT LINE HOMES AND SINGLE-FAMILY HOMES



(E) *Dimensional Standards.*

ZERO LOT LINE HOMES.

MINIMUM LOT WIDTH <sup>(1)</sup>	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	4,000 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	0'/10'
MINIMUM REAR YARD SETBACK	15'
MINIMUM PARKING SPACES REQUIRED <sup>(2)</sup>	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,750 SF
MAXIMUM BUILDING COVERAGE	60%

**NOTES:**

- <sup>1</sup>: THE MINIMUM LOT WIDTH SHALL BE MEASURE AT THE FRONT YARD BUILDING SETBACK.
- <sup>2</sup>: EXCLUDING GARAGE SPACES.

LOTS 9-23, BLOCK A, CHANDLER'S LANDING PHASE 18/SECTION 2 (SINGLE-FAMILY DETACHED HOMES).

MINIMUM LOT WIDTH <sup>(1)</sup>	45'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	6,500 SF
MAXIMUM HOMES PER LOT	1
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM REAR YARD SETBACK	15'
MINIMUM PARKING SPACES REQUIRED	2
MINIMUM GARAGE PARKING SPACES REQUIRED	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN SEPARATE BUILDINGS <sup>(2)</sup>	10'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,500 SF
MAXIMUM BUILDING COVERAGE	40%

**NOTES:**

- <sup>1</sup>: THE MINIMUM LOT WIDTH SHALL BE MEASURE AT THE FRONT YARD BUILDING SETBACK.
- <sup>2</sup>: ON THE SAME LOT OR PARCEL OF LAND.

LOT 1-R, BLOCK B AND LOTS 1-R, 4-R & 5-R, BLOCK C, CHANDLER'S LANDING PHASE 18/SECTION 2.

Unless specifically provided by this Planned Development ordinance, any development on Lot 1-R, Block B and Lots 1-R, 4-R, & 5-R, Block C, Chandler's Landing Phase 18/Section 2 shall be subject to the density and dimensional requirements required for a property situated within the Single-Family 10 (SF-10) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however the following additional requirements shall apply:

MINIMUM LOT WIDTH	40'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	6,000 SF
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK	5'
MINIMUM SIDE YARD ADJACENT TO A STREET	15'
MINIMUM REAR YARD SETBACK	10'
MINIMUM PARKING SPACES REQUIRED <sup>(1)</sup>	2
MINIMUM GARAGE PARKING SPACES REQUIRED	2
MAXIMUM HEIGHT	30'
MINIMUM DISTANCE BETWEEN BUILDINGS	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,750 SF
MAXIMUM BUILDING COVERAGE	40%

**NOTES:**

- <sup>1</sup>: EXCLUDING GARAGE SPACES.



**CHANDLER'S LANDING, PHASE 19**

(A) Land Uses. Single-Family Homes

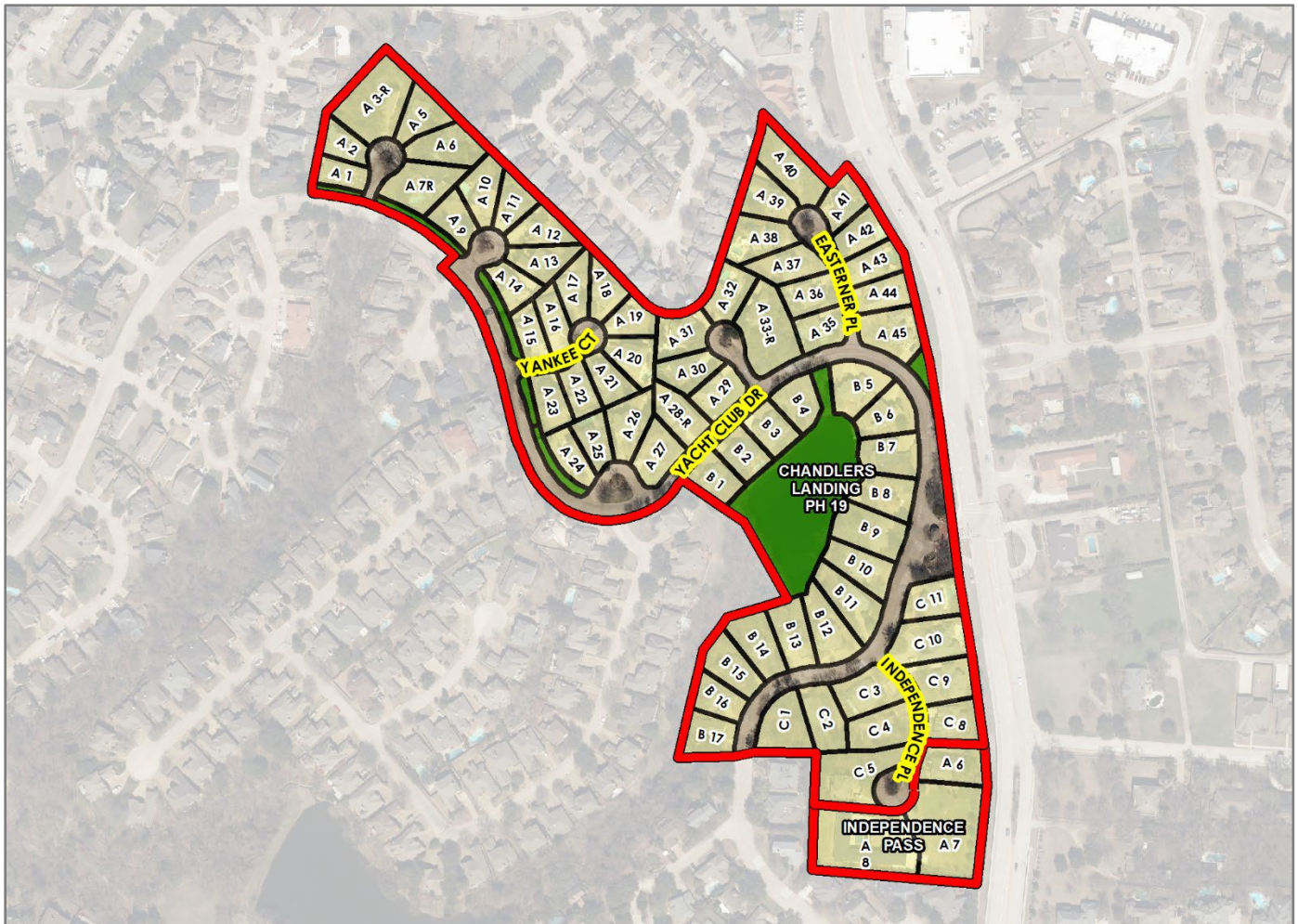
(B) Development Cases.

- (1) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [Ordinance No. 84-04]. Adopted on January 9, 1984.
- (4) PZ1985-025-01. Preliminary Plat. Adopted on April 2, 1984.
- (5) PZ1985-025-01. Concept Plan. Adopted on April 2, 1984.
- (6) PZ1985-039-01. Preliminary Plat, Final Plat, Site Plan, and Zoning Change [Ordinance No. 85-43]. Adopted on July 2, 1985.
- (7) PZ1985-045-01. Preliminary Plat and Concept Plan. Adopted on July 2, 1985.
- (8) PZ1985-056-01. Final Plat. Adopted on July 2, 1985.
- (9) PZ1996-015-01. Replat [Lots 7 & 8, Block A to Lot 7R, Block A]. Adopted on May 20, 1996.
- (10) PZ1998-040-01. Replat [Lots 33 & 34, Block A]. Adopted on September 21, 1998.
- (11) PZ1999-015-01. Replat. Adopted on March 15, 1999.
- (12) PZ2000-009-01. Replat [Lot 1R, Block B]. Adopted on March 20, 2000.

(C) Original Regulating Ordinance. Ordinance No. 85-43

(D) Concept Plan.

PHASE 19. SINGLE-FAMILY HOMES



(E) *Dimensional Standards.*

SINGLE-FAMILY HOMES.

<i>MINIMUM LOT WIDTH</i>	50'
<i>MINIMUM LOT DEPTH</i>	100'
<i>MINIMUM LOT AREA</i>	6,000 SF
<i>MAXIMUM UNITS PER LOT</i>	1
<i>MINIMUM FRONT YARD SETBACK</i>	20'
<i>MINIMUM SIDE YARD SETBACK</i>	5'
<i>MINIMUM REAR YARD SETBACK</i>	10'
<i>MINIMUM PARKING SPACES REQUIRED</i>	2
<i>MINIMUM NUMBER OF GARAGE PARKING SPACES</i>	2
<i>MAXIMUM HEIGHT</i>	30'
<i>MINIMUM DISTANCE BETWEEN BUILDINGS ON THE SAME LOT</i>	10'
<i>MINIMUM DISTANCE BETWEEN BUILDINGS</i>	10'
<i>MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]</i>	1,200 SF
<i>MAXIMUM BUILDING COVERAGE</i>	40%



**CHANDLER'S LANDING, PHASE 20**

(A) Land Uses. Single-Family Homes

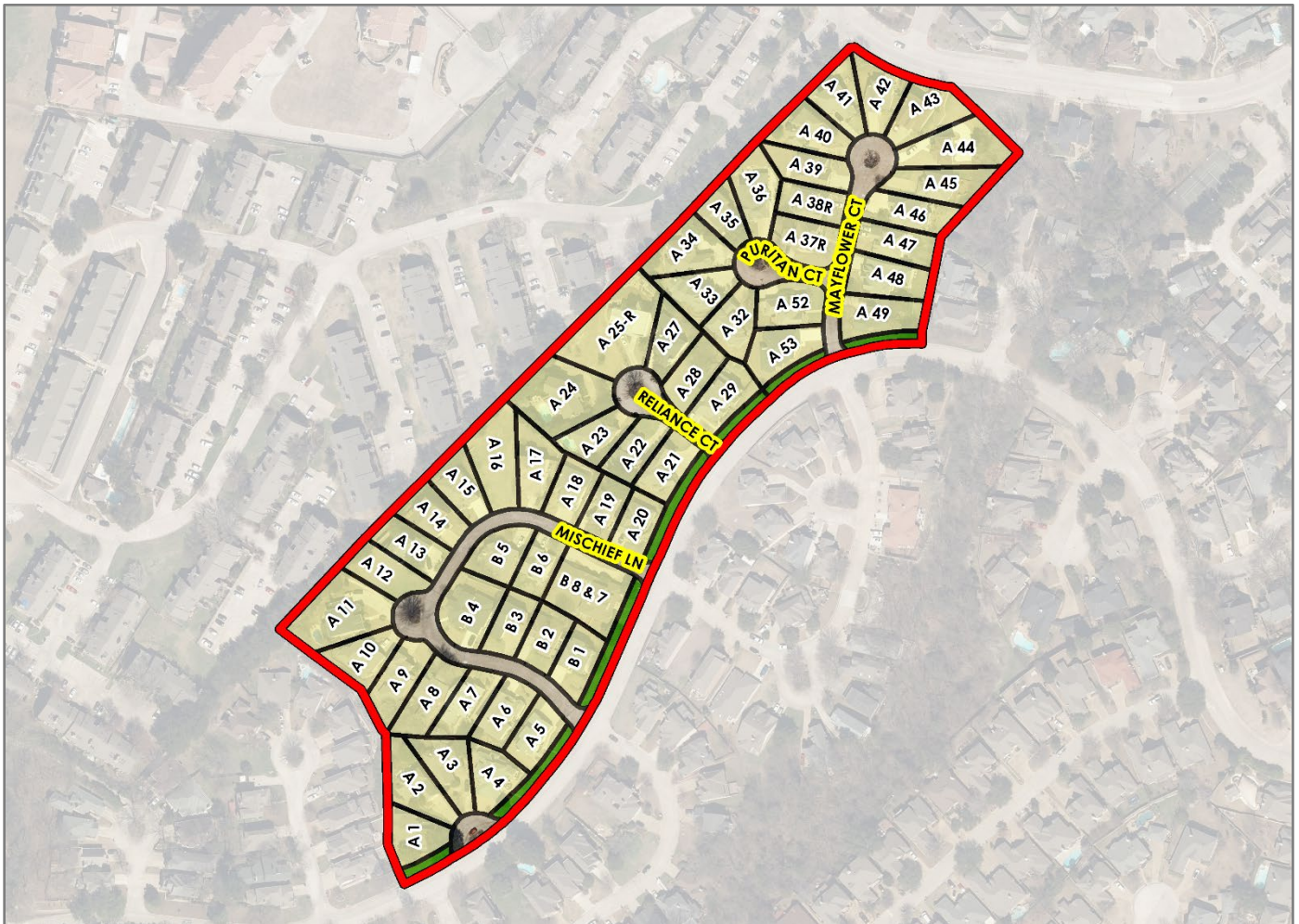
(B) Development Cases.

- (1) 1973: Zoning (Ordinance No. 73-48). Adopted on November 12, 1973.
- (2) PZ1983-012-01. Site Plan [Phases 4, 14, 15, 16, 17, 18, 18A, 19 & 20]. Adopted on May 2, 1983.
- (3) PZ1983-037-01. Preliminary Plat, Site Plan and Zoning Change [Ordinance No. 84-04]. Adopted on January 9, 1984.
- (4) PZ1985-039-01. Preliminary Plat, Final Plat, Site Plan, and Zoning Change [Ordinance No. 85-43]. Adopted on July 2, 1985.
- (5) PZ1985-049-01. Preliminary Plat and Concept Plan. Adopted on July 2, 1985.
- (6) PZ1985-051-01. Final Plat. Adopted on July 2, 1985.
- (7) PZ1994-029-01. Replat. Adopted on November 21, 1994.
- (8) PZ2002-034-01. Replat [Lots 37 & 38, Block A to Lot 37A, Block A]. Adopted on May 20, 2002.

(C) Original Regulating Ordinance. Ordinance No. 85-43

(D) Concept Plan.

PHASE 20. SINGLE-FAMILY HOMES



(E) Dimensional Standards.

SINGLE-FAMILY HOMES.

MINIMUM LOT WIDTH

50'

<i>MINIMUM LOT DEPTH</i>	100'
<i>MINIMUM LOT AREA</i>	6,000 SF
<i>MAXIMUM UNITS PER LOT</i>	1
<i>MINIMUM FRONT YARD SETBACK</i>	20'
<i>MINIMUM SIDE YARD SETBACK</i>	5'
<i>MINIMUM REAR YARD SETBACK</i>	10'
<i>MINIMUM PARKING SPACES REQUIRED</i>	2
<i>MINIMUM NUMBER OF GARAGE PARKING SPACES</i>	2
<i>MAXIMUM HEIGHT</i>	30'
<i>MINIMUM DISTANCE BETWEEN BUILDINGS ON THE SAME LOT</i>	10'
<i>MINIMUM DISTANCE BETWEEN BUILDINGS</i>	10'
<i>MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]</i>	1,200 SF
<i>MAXIMUM BUILDING COVERAGE</i>	40%

**THE CABANAS AT CHANDLER'S LANDING.**

(A) Land Uses. Townhomes

(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) PZ1984-081-01. Development Plan. Adopted on September 10, 1984.
- (3) PZ1985-072-01. Concept Plan. Adopted on September 10, 1984.
- (4) PZ1990-029-01. Zoning Change [*Ordinance No. 90-38*]. Adopted on November 5, 1990.
- (5) Z2014-006. Zoning [*Ordinance No. 14-15*]. Adopted on April 7, 2014.
- (6) P2014-007. Replat. Adopted on July 7, 2014.

(C) Original Regulating Ordinance. *Ordinance No. 14-15*

(D) Concept Plan.

THE CABANAS AT CHANDLER'S LANDING. TOWNHOMES



(E) Development Standards.

- (1) Purpose. It was the intent of *Ordinance No. 14-15* to maintain the current conditions of the subject property, while permitting property owners to physically subdivide their properties into lots to delineate the open space that will be dedicated to the *Chandler's Landing Homeowner's Association*.

(2) Permitted Uses. The following are the only permitted land uses that shall be established on the *Subject Property*:

- (a) Permitted Uses. Uses permitted *by right* or by *Specific Use Permit (SUP)* in Planned Development District 8 (PD-8). Uses subject to the approval of a *Specific Use Permit (SUP)* shall be required to follow the procedure for requesting a *SUP* as set forth in Article 11, *Development Applications and Review Procedures*, of the Unified Development Code.
- (b) Townhomes. A single-family dwelling unit constructed in a series, or group of units that share common walls, and are situated on an individual or separate lot.

NOTE: All development of the *Subject Property* should conform to the *Concept Plan* depicted above.

(3) Maximum Number of Units. The *Subject Property* may contain no more than nine (9) townhomes that conform to the *Concept Plan* depicted above.

(4) Density and Development Requirements.

TOWNHOMES

MINIMUM LOT WIDTH	20'
MINIMUM LOT DEPTH	40'
MINIMUM LOT AREA	2,200 SF
MAXIMUM UNITS PER LOT	1
MINIMUM FRONT YARD SETBACK	0'
MINIMUM SIDE YARD SETBACK <sup>1</sup>	0'
MINIMUM REAR YARD SETBACK	0'
MINIMUM OFF-STREET PARKING SPACES REQUIRED	2
MAXIMUM HEIGHT	30'
MAXIMUM BUILDING COVERAGE (AS PERCENTAGE OF LOT AREA)	100%

NOTES:

<sup>1</sup>: THE INTERNAL SIDE YARD SETBACK SHALL BE SUBJECT TO ALL BUILDING CODES AND THE SIDE YARD ABUTTING A STRUCTURE SHALL BE REQUIRED TO BE SEPERATED BY A FIRE-RETARDANT WALL.

(5) Additional Restrictions. No fences or any other type of barricade shall be permitted on any property depicted in the *Concept Plan* depicted above.



**THE CABANAS.**

(A) Land Uses. Townhomes

(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) PZ1990-029-01. Zoning Change [*Ordinance No. 90-38*]. Adopted on November 5, 1990.
- (3) PZ1990-029-02. Final Plat. Adopted on November 5, 1990.

(C) Original Regulating Ordinance. *Ordinance No. 90-38*

(D) Concept Plan.

THE CABANAS. TOWNHOMES



(E) Development Standards.

- (1) Permitted Uses. One (1) attached townhouse unit with fire walls on an individual lot with a maximum of two (2) attached units on two (2) separate lots.
- (2) Density. Development or redevelopment of the above described tract shall be limited to no more than six (6) single-family townhouse lots.

(3) Density and Development Requirements.

TOWNHOMES

MINIMUM LOT WIDTH <sup>1</sup>	25'
MINIMUM LOT DEPTH	42'
MINIMUM LOT AREA	1,050 SF
MAXIMUM UNITS PER LOT	1
MINIMUM SQUARE FOOT PER DWELLING UNIT	1,200 SF
MINIMUM FRONT YARD SETBACK	0'
MINIMUM SIDE YARD SETBACK <sup>2</sup>	0'
MINIMUM REAR YARD SETBACK	0'
MINIMUM OFF-STREET PAVED PARKING SPACES REQUIRED <sup>3</sup>	2
MAXIMUM HEIGHT	23'
MAXIMUM BUILDING COVERAGE (AS PERCENTAGE OF LOT AREA)	100%

NOTES:

<sup>1</sup>: ON A PUBLIC STREET OR APPROVED PRIVATE ACCESS.

<sup>2</sup>: THE INTERNAL SIDE YARD SETBACK SHALL BE SUBJECT TO ALL BUILDING CODES AND THE SIDE YARD ABUTTING A STRUCTURE SHALL BE REQUIRED TO BE SEPERATED BY A FIRE-RETARDANT WALL.

<sup>3</sup>: REQUIRED FOR EACH RESIDENTIAL DWELLING UNIT.

**MATCH POINT.**

(A) Land Uses. Townhomes

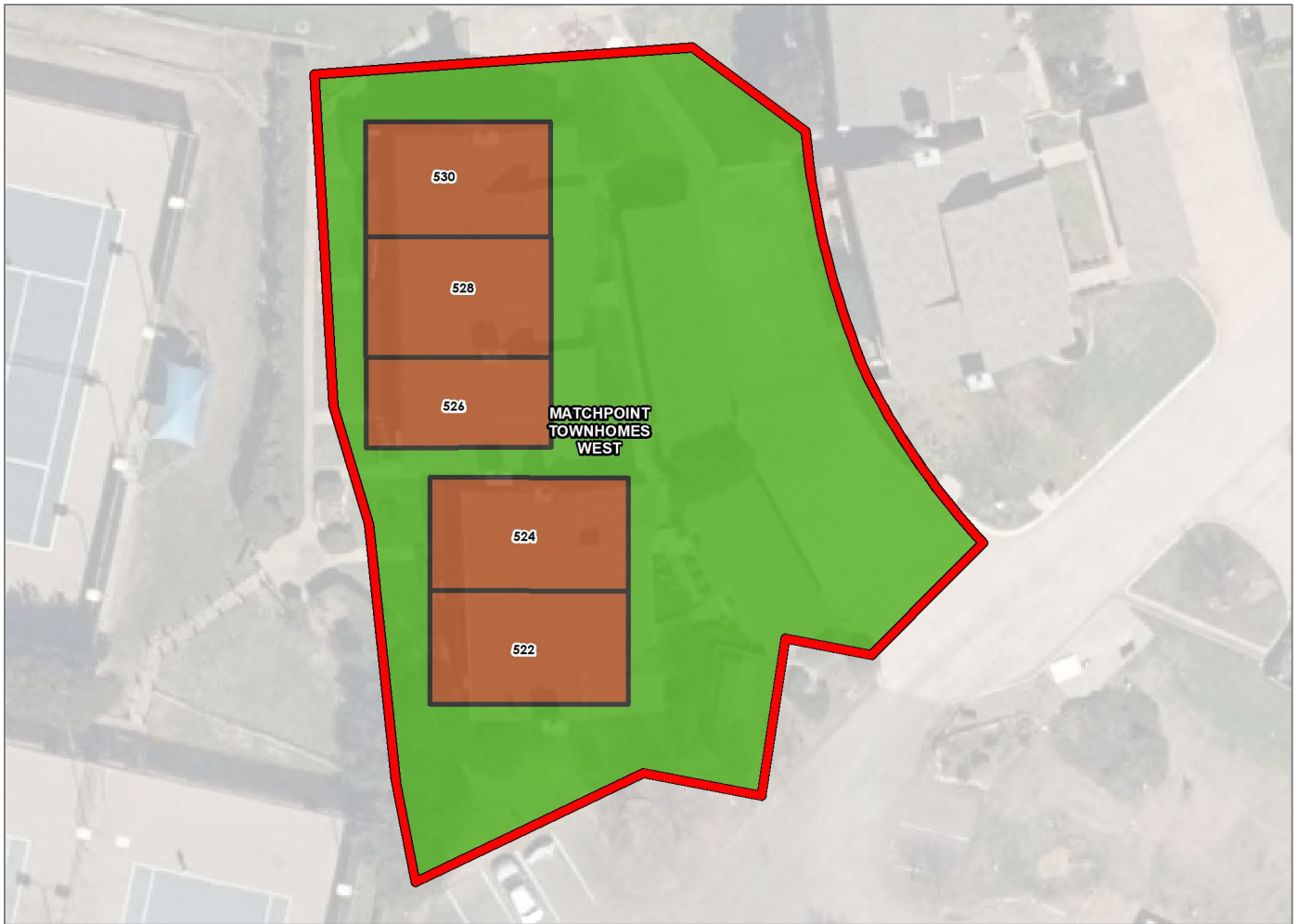
(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1981: Final Plat. Adopted on August 5, 1981.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(D) Concept Plan.

MATCH POINT. MULTI-FAMILY STRUCTURE OR CONDOMINIUM



(E) Density and Development Standards.

MULTI-FAMILY STRUCTURE OR CONDOMINIUM

MINIMUM LOT WIDTH	70'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	2,000 SF
MINIMUM FRONT YARD SETBACK	25'
MINIMUM SIDE YARD SETBACK	(2) & (3) <sup>(1)</sup>
MINIMUM REAR YARD SETBACK	10'

<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%

**NOTES:**

<sup>1</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.



**CUTTER HILL, PHASES 1, 2, & 3**

(A) Land Uses. Condominiums

(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1977: Final Plat for Phase 1. Adopted on January 4, 1977.
- (3) 1977: Final Plat for Phase 2. Adopted on November 17, 1977.
- (4) 1981: Final Plat for Phase 3. Adopted on June 15, 1981.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(D) Concept Plan.

**CUTTER HILL, PHASES 1, 2, & 3. MULTI-FAMILY STRUCTURE OR CONDOMINIUM**



(E) Density and Development Standards.

**MULTI-FAMILY STRUCTURE OR CONDOMINIUM**

<i>MINIMUM LOT WIDTH</i>	70'
<i>MINIMUM LOT DEPTH</i>	100'
<i>MINIMUM LOT AREA</i>	2,000 SF
<i>MINIMUM FRONT YARD SETBACK</i>	25'

<i>MINIMUM SIDE YARD SETBACK</i>	(2) & (3) <sup>(1)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%

**NOTES:**

<sup>1</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (2) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (3) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.

**HARBOR LANDING, PHASES 1 & 2**

(A) Land Uses. Single-Family Homes

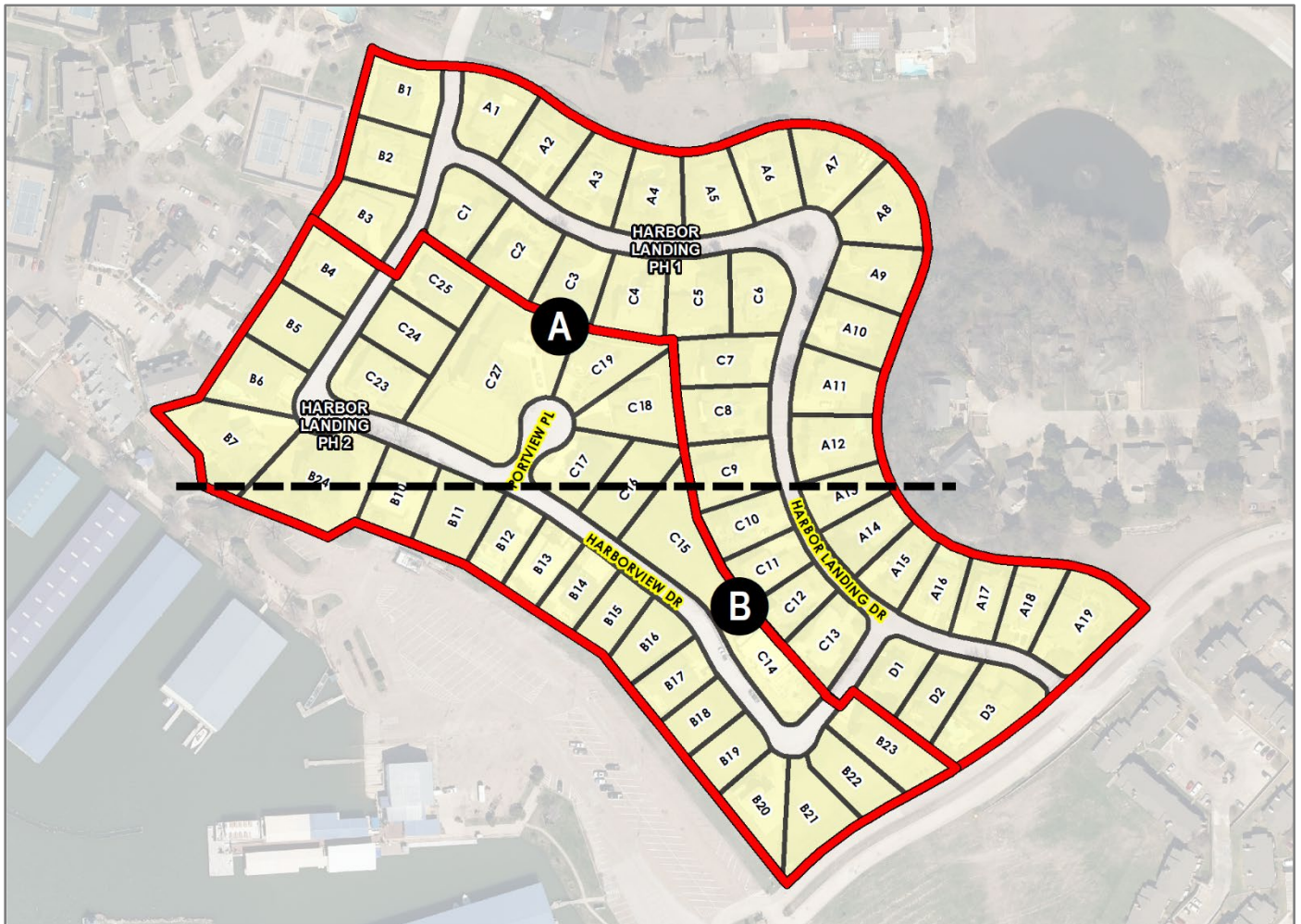
(B) Development Cases.

- (1) PZ1984-030-01: Zoning Change [Ordinance No. 84-16; Single-Family 10 (SF-10) District & Single-Family 7 (SF-7) District Land Uses]. Adopted on April 2, 1984.
- (2) PZ1984-030-01: Resolution [Resolution No. 87-19; Settlement Agreement]. Adopted on June 15, 1987.
- (3) PZ1984-030-01: Resolution [Resolution No. 87-20; Settlement Agreement]. Adopted on June 15, 1987.
- (4) PZ1986-048-01: Final Plat for Phase 1. Adopted on December 15, 1986.
- (5) PZ1987-022-01: Preliminary Plat for Phase 2. Adopted on April 20, 1987.
- (6) PZ1987-030-01: Final Plat for Phase 2. Adopted on June 15, 1987.

(C) Original Regulating Ordinance. Ordinance No. 84-16

(D) Concept Plan.

PHASES 1 & 2. SINGLE-FAMILY HOMES



(E) Elevations Per Settlement Agreement.

**BLOCK B.**

LOT NO.	MAXIMUM ROOFTOP ELEVATION PER COURT ORDER	MAXIMUM PAD ELEVATION PER COURT ORDER	AS-BUILT PAD ELEVATION	MAXIMUM HEIGHT PER COURT ORDER	ADJUSTED MAXIMUM HEIGHT
4	488.00	466.00		22.00'	
5	488.00	459.00		29.00'	
6	471.00	448.00	450.00	23.00'	21.00'
7	471.00	448.00		23.00'	
8	471.00	448.00		23.00'	
9	469.00	447.00		22.00'	
10	469.00	447.00		22.00'	
11	478.50	452.00		26.50'	
12	489.00	451.00		29.00'	
13	474.50	451.50		23.00'	
14	469.00	446.00		23.00'	
15	469.00	446.00		23.00'	
16	468.00	445.00	446.00	23.00'	22.00'
17	468.00	445.00	447.00	23.00'	21.00'
18	468.00	445.00	448.00	23.00'	20.00'
19	477.00	449.00		28.00'	
20	480.00	450.00		30.00'	
21	477.00	450.00		27.00'	
22	484.00	458.00	454.00	26.00'	30.00'
23	490.00	460.00		30.00'	

**BLOCK C.**

LOT NO.	MAXIMUM ROOFTOP ELEVATION PER COURT ORDER	MAXIMUM PAD ELEVATION PER COURT ORDER	AS-BUILT PAD ELEVATION	MAXIMUM HEIGHT PER COURT ORDER	ADJUSTED MAXIMUM HEIGHT
14	479.00	456.00	459.00	23.00'	20.00'
15	481.00	456.00		25.00'	
16	482.00	457.00		25.00'	
17	485.50	462.50		23.00'	
18	495.00	470.00		25.00'	
19	496.50	473.50		23.00'	
20	493.00	470.00		23.00'	
21	492.00	466.50		26.50'	
22	478.50	456.00		22.50'	
23	479.00	457.00		22.00'	
24	479.00	457.00		22.00'	
25	489.00	467.00		22.00'	

(F) **Dimensional Standards.** That all development in Area 'A' (i.e. Lots A1 – A12; Lots B1 - B7, & B24; Lots C1 – C9, C17 – C19, C23 – C25; & C27) on the above *Concept Plan* shall meet the requirements of the Single-Family 10 (SF-10) District as stipulated by the Unified Development Code (UDC). That all development in Area 'B' (i.e. Lots A13 – A19; Lots B10 – B23; C10 – C16; Lots D1 – D3) on the above *Concept Plan* shall meet the requirements of the Single-Family 7 (SF-7) District as stipulated by the Unified Development Code (UDC).

(G) **Maximum Height.** That all development shall meet the height restrictions of no more than 30-feet above existing grade nor 12-feet above the building line of the uphill lot.



**MARINA VILLAGE.**

(A) Land Uses. Townhomes

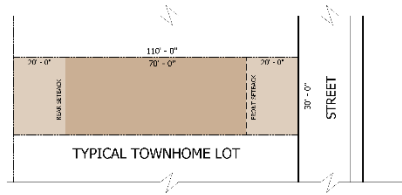
(B) Development Cases.

- (1) PZ1992-008-01. Zoning Change [*Ordinance No. 92-39*]. Adopted on October 19, 1992.
- (2) PZ1992-008-02. Preliminary Plat. Adopted on November 5, 1992.
- (3) Z2021-026. Zoning Change [*Ordinance No. 21-38*]. Adopted on August 16, 2021.

(C) Original Regulating Ordinance. *Ordinance No. 21-38*

(D) Concept Plan.

**MARINA VILLAGE. TOWNHOMES HOMES**



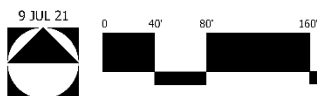
**Data Summary**

	Townhome Lots (30' x 100')	36 Lots	2.77 ac.
	Open Space	37.8%	2.60 ac.
	R.O.W		1.51 ac.
	<b>TOTAL</b>	<b>36 Lots</b>	<b>6.88 ac.</b>

**Applicant:**  
 NEWSTREAM CAPITAL PARTNERS, LLC  
 311 South Dixie St. #250  
 Rockwall, Texas 75087  
 817-464-8193

**Planner:**  
 SAGE GROUP, INC.  
 Master Planning  
 Urban Design  
 Architecture  
 Landscape Architecture  
 1180 N. Central Ave., Ste. 300  
 Southlake, Texas 76092  
 817-494-9206

TAN HATCH INDICATES GARAGE IS AT GRADE ON THE UPPER FLOOR  
 BLUE HATCH INDICATES GARAGE IS AT GRADE ON THE LOWER FLOOR  
 VISITOR PARKING - 23 SPOTS



**Marina Village - Rockwall**

Rockwall, Rockwall County, Texas

(E) Dimensional Standards.

(1) Permitted Uses. Unless specifically provided by this Planned Development ordinance, only those uses permitted within the Two Family (2F) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future are permitted on the *Subject Property*; however, the following additional land uses shall be permitted *by-right*:

- Townhomes/Townhouses

(2) Density and Dimensional Standards. Unless specifically provided by this Planned Development ordinance, any development on the *Subject Property* shall be subject to the density and dimensional requirements required for a Two Family (2F) District, as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future. In addition, the maximum permissible density for the *Subject Property* shall be 5.23 dwelling units per gross acre of land; however, in no case should the proposed development exceed 36-units. All development on the *Subject Property* shall conform to the standards stipulated by *Table 2: Lot Dimensional Requirements* below, and generally conform to the lot layout depicted in *Exhibit 'B'* of this ordinance.

Table 2: Lot Dimensional Requirements

MINIMUM LOT WIDTH	30'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	3,000 SF
MINIMUM FRONT YARD SETBACK <sup>(1)</sup>	20'
MINIMUM SIDE YARD SETBACK <sup>(2)</sup>	0'/25'
MINIMUM SIDE YARD SETBACK (ADJACENT TO A STREET)	15'
MINIMUM LENGTH OF DRIVEWAY PAVEMENT FROM FRONT PROPERTY LINE	25'
MAXIMUM HEIGHT <sup>(3)</sup>	30'
MINIMUM REAR YARD SETBACK	10'
MINIMUM AREA/DWELLING UNIT (SF) [SUM OF ALL FLOOR AREA'S]	1,900 SF
MAXIMUM LOT COVERAGE	90%

**NOTES:**

- <sup>1</sup>: PORCHES, STOOPS, BAY WINDOWS, BALCONIES, EAVES AND SIMILAR ARCHITECTURAL FEATURES MAY ENCROACH BEYOND THE *FRONT YARD BUILDING SETBACK* BY UP TO FIVE (5) FEET FOR ANY PROPERTY; HOWEVER, THE ENCROACHMENT SHALL NOT EXCEED FIVE (5) FEET ON *SIDE YARD SETBACKS* WHERE APPROPRIATE FOR SUCH USE AND SHALL NOT ENCROACH INTO THE PRIVATE RIGHT-OF-WAY.
- <sup>2</sup>: THE SIDE YARD SETBACK ON THE ATTACHED SIDE MAYBE ZERO (0) IF DIRECTLY ABUTTING A STRUCTURE ON AN ADJACENT LOT.
- <sup>3</sup>: THE MAXIMUM HEIGHT SHALL BE MEASURED TO THE MIDPOINT OF THE ROOF OF THE SINGLE-FAMILY HOME, AND IN NO CASE SHOULD ANY HOME EXCEED AN ELEVATION OF 500-FEET ABOVE SEA LEVEL.

(3) Garage Orientation. Garages shall be permitted to be forward facing (*i.e. facing onto the private street in a flat front entry configuration*) with a minimum driveway length of 25-feet.

(4) Building Standards. The building elevations shall differ in appearance through the use of varying entry features, use of detail and trim, use of materials, articulation and setback, and shall conform to the following requirements:

(i) Masonry Requirements. The minimum masonry requirement for the exterior façades of all buildings shall be 90%. For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementaceous 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 exterior of the building and shall be limited to the anti-monotony restrictions as outlined in this ordinance.

(ii) Roof Design Requirements. All buildings shall be designed such that no roof mounted mechanical equipment (*i.e. HVAC, satellite, vents, etc.*) shall be visible from any direction.

Note: Screening of mechanical equipment is necessary for all equipment regardless of location (*i.e. roof mounted, ground mounted, or otherwise attached to the building and/or located on the site*).

(iii) Architectural Requirements. All units shall be architecturally finished on all sides of the building with the same materials, detailing and features.

(5) Anti-Monotony Restrictions. All development shall adhere to the following anti-monotony restrictions:

(i) Identical brick blends, paint colors and, cementaceous products (*i.e. Hardy Plank lap siding, etc.*) may not occur on adjacent (*i.e. side-by-side*) properties within the development without at least two (2) intervening townhomes of differing materials on the same side of the adjacent townhome beginning with the adjacent property.

(ii) Front building elevations shall not repeat along any block face without at least two (2) intervening homes of differing appearance on the same block face within the development.

(iii) The rear elevation of homes shall not repeat without at least two (2) (*i.e. side-by-side*) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following two (2) items deviate:

- (a) Front Encroachment (*i.e. Porch and/or Sunroom*) Type and Layout
- (b) Roof Type and Layout
- (c) Articulation of the Front Façade
- (d) Differing Primary Exterior Materials

(6) Landscaping Standards.

(i) Landscape Requirements. 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.

(ii) Landscape Buffers. A minimum of a ten (10) foot landscape buffer shall be provided along the frontage of Henry M. Chandler Drive, and shall incorporate a minimum of one (1) canopy tree and one (1) accent tree per 50-feet of linear frontage.

(iii) 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.

(7) Trash Dumpster Enclosure. If proposed trash dumpster enclosures shall be four (4) sided, with eight (8) foot walls constructed and clad with materials matching the primary structures of the townhomes, and have a self-latching opaque gate. All trash dumpster enclosures shall be internal to the site and not be situated within any established building setbacks or landscape buffers.

(8) Fence Standards. All fences shall be required to be wrought iron or a tubular steel fence. Wrought iron/tubular steel fences shall be a minimum of four (4) feet in height; however, may not exceed a maximum of eight (8) feet in height.

(9) Open Space. A minimum of 20% open space shall be provided which generally conforms to the *Concept Plan* contained in *Exhibit 'B'* of this ordinance. The Homeowner's Association (HOA) shall be responsible for maintaining all open space areas.

(10) Private Right-of-Way. The proposed private right-of-way shall incorporate a minimum of a 29-foot *back-to-back* concrete street built to the City's standards.

(11) 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 neighborhood parks,



open space and common areas, irrigation, landscaping, screening fences and the private roadways, drive aisles and drive approaches for the subject property associated with this development.

(12) Variances. The variance procedures and standards for approval that are set forth in the UDC shall apply to any application for variances to this ordinance

**SPYGLASS HILL, PHASES 1, 2, & 3**

(A) Land Uses. Condominiums

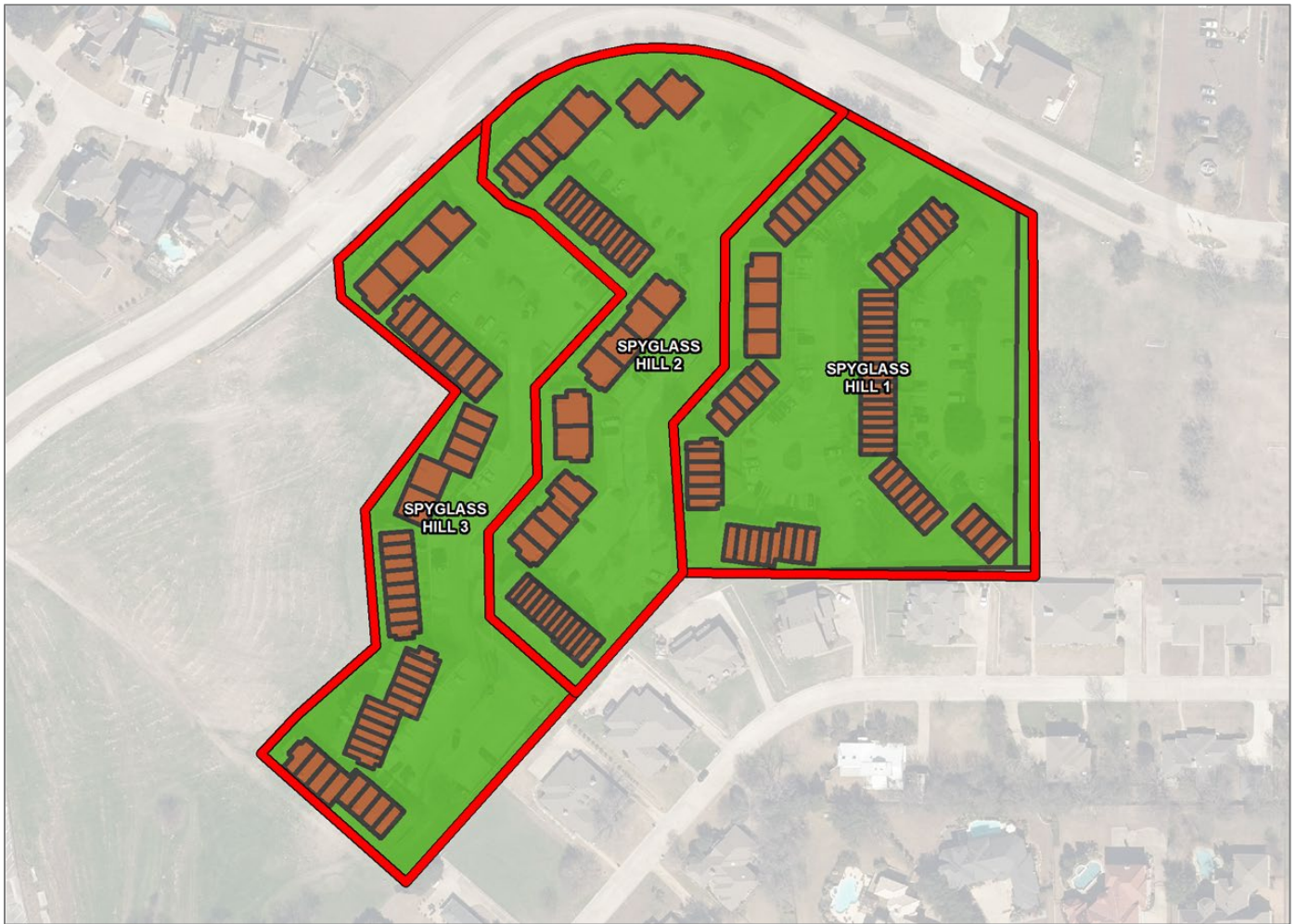
(B) Development Cases.

- (1) 1973: Zoning (*Ordinance No. 73-48*). Adopted on November 12, 1973.
- (2) 1982: Final Plat for Phase 1. Adopted on April 5, 1982.
- (3) 1982: Final Plat for Phase 2. Adopted on August 2, 1982.
- (4) 1985: Final Plat for Phase 3. Adopted on January 15, 1985.

(C) Original Regulating Ordinance. *Ordinance No. 73-48*

(D) Concept Plan.

**SPYGLASS HILL, PHASES 1, 2, & 3. MULTI-FAMILY STRUCTURE OR CONDOMINIUM**



(E) Density and Development Standards.

**MULTI-FAMILY STRUCTURE OR CONDOMINIUM**

MINIMUM LOT WIDTH	70'
MINIMUM LOT DEPTH	100'
MINIMUM LOT AREA	2,000 SF
MINIMUM FRONT YARD SETBACK	25'

<i>MINIMUM SIDE YARD SETBACK</i>	(2) & (3) <sup>(1)</sup>
<i>MINIMUM REAR YARD SETBACK</i>	10'
<i>MINIMUM PARKING SPACES REQUIRED PER UNIT</i>	1½
<i>MAXIMUM BUILDING COVERAGE</i>	40%

**NOTES:**

<sup>1</sup>: AS PER 9-602 OF THE 1972 ZONING ORDINANCE:

- (4) MULTIPLE FAMILY DWELLINGS NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL PROVIDE A MINIMUM SIDE YARD OF FIFTEEN (15) FEET BETWEEN ANY BUILDING WALL CONTAINING OPENINGS FOR WINDOWS, LIGHT, AND AIR AND ANY SIDE LOT LINE EXCEPT THAT ANY SUCH BUILDING FACE OR WALL NOT EXCEEDING 35-FEET IN WIDTH MAY PROVIDE A MINIMUM SIDE YARD OF TEN (10) FEET. WHERE A BUILDING WALL CONTAINS NO OPENINGS FOR WINDOWS, LIGHT OR AIR, A MINIMUM SIDE YARD OF TEN (10) FEET SHALL BE PROVIDED BETWEEN SUCH WALL AND THE SIDE LOT LINE.
- (5) ON A CORNER LOT, A SIDE YARD ADJACENT TO A STREET FOR A MULTIPLE FAMILY DWELLING NOT EXCEEDING THREE (3) STORIES IN HEIGHT SHALL NOT BE LESS THAN 15-FEET AND NO BALCONY OR PORCH OR ANY PORTION OF THE BUILDING MAY EXTEND INTO SUCH REQUIRED SIDE YARD EXCEPT THAT A ROOF MAY OVERHANG SUCH SIDE YARD NOT TO EXCEED FOUR (4) FEET.

CITY OF ROCKWALL

ORDINANCE NO. 23-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO LIGHT INDUSTRIAL (LI) DISTRICT FOR A 6.21-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF TRACT 4 AND ALL OF TRACT 2 OF THE D. HARR SURVEY, ABSTRACT NO. 102, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN *EXHIBIT 'A'* AND FURTHER DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Christopher Touoboun on behalf of Dennis Lewis of Meals on Wheels for the approval of a *Zoning Change* from an Agricultural (AG) District to Light Industrial (LI) District on a 6.21-acre tract of land identified as a portion of Tract 4 and all of Tract 2 of the D. Harr Survey, Abstract No. 102, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, 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 (UDC) [*Ordinance No. 20-02*] should be amended as follows:

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

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

**SECTION 2.** That the *Subject Property* shall be used only in the manner and for the purposes provided for a Light Industrial (LI) District as stipulated in Section 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses* and Section 05.01, *General Industrial District Standards*; Section 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;



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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>th</sup> DAY OF AUGUST, 2023.**

\_\_\_\_\_  
Trace Johannesen, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: July 17, 2023

2<sup>nd</sup> Reading: August 7, 2023

**Exhibit 'A'**  
*Legal Description*

**EXHIBIT A**

All that certain lot, tract or parcel of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, City of Rockwall, Rockwall County, Texas, and being a part of Tract D-1 described in a deed to Jackie Ray Athey, as recorded in Volume 4875, Page 140 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner in the south line of Airport Road, said point also being at the northeast corner of a 0.70 acres tract of land as described in a Warranty deed to Arupa Holdings, LLC, dated January 21, 2021 and being recorded in Document number 20210000001559 of the Official Public Records of Rockwall County, Texas;

THENCE N. 89 deg 46 min. 28 sec. E. along the south line of Airport Road, a distance of 253.27 feet to a 1/2" iron rod found for corner at the northwest corner of said tract as recorded in Deed to Jo Ann Athey and Jackie Ray Athey, as recorded in Document no. 20200000022373 of the Official Public Records of Rockwall County, Texas,

THENCE S. 01 deg. 11 min. 10 sec. W. a distance of 686.93 feet to a 1/2" iron rod found for corner in the north right-of-way of Union Pacific Railroad, at the southeast corner of Tract D-1;

THENCE S. 89 deg. 12 min. 30 sec. W. along said right-of-way line, a distance of 371.89 feet to a 1/2" iron rod found for corner at the southwest corner of said Tract D-1;

THENCE N. 00 deg. 13 min. 58 sec. E. along the west boundary line of said tract, a distance of 455.85 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the southwest corner of said 0.70 acres tract of land;

THENCE N. 89 deg. 46 min. 28 sec. E. a distance of 130.00 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 5034" set for corner at the southeast corner of said 0.70 acres tract of land;

THENCE N. 00 deg. 13 min. 58 sec. E. a distance of 234.56 feet to the POINT OF BEGINNING and containing 5.27 acres of land.

**Exhibit 'A'**  
*Legal Description*

**EXHIBIT A**

**BEING** a 0.940 acre tract of land situated in the **DAVID HARR SURVEY, ABSTRACT NO. 102**, in the City Rockwall, Rockwall County, Texas, being a portion of that certain tract of land described in a deed to Ruby L. Athey, recorded in Volume 254, Page 916, Deed Records, Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for the northwest corner of a tract of land described in a deed to RBB/GCF Properties, LP, recorded in Volume 6690, Page 217, Deed Records, Rockwall County, Texas, said point being in the south right-of-way line of Airport Road (a variable width public right-of-way);

**THENCE** S 47°15'09" E, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 38.73 feet to a 1/2 inch iron rod with plastic cap stamped "BLUESTAR SURVEYING" set for corner;

**THENCE** S 04°48'43" W, crossing said Ruby L. Athey tract, and along the west line of said RBB/GCF Properties, LP tract, a distance of 665.73 feet to a 1/2 inch iron rod found for the southwest corner of said RBB/GCF Properties, LP tract, said point being in the north right-of-way line of M. K. & T. Railroad;

**THENCE** S 89°37'27" W, crossing said Ruby L. Athey tract, a distance of 32.02 feet to a 1/2 inch iron rod found for corner, said point being the southeast corner of a tract of land described in a deed to Jackie Ray Athey, recorded in Volume 4875, Page 140, Deed Records, Rockwall County, Texas;

**THENCE** N 00°10'05" E, crossing said Ruby L. Athey tract, and along the east line of said Jackie Ray Athey tract, a distance of 638.17 feet to a 1/2 inch iron rod with cap stamped "BRITTON & CRAWFORD" set for corner, said point being in the south right-of-way line of said Airport Road;

**THENCE** N 88°17'24" E, crossing said Ruby L. Athey tract, a distance of 57.43 feet to the **POINT OF BEGINNING** and containing 40,959 square feet or 0.940 acres of land more or less.

**Exhibit 'B'**  
*Zoning Exhibit*







## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** August 7, 2023

**SUBJECT:** P2023-022; REPLAT FOR LOTS 8 & 9, BLOCK A, ROCKWALL MARKET CENTER EAST ADDITION

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### Attachments

Case Memo  
Development Application  
Location Map  
Replat

### Summary/Background Information

Consider a request by Jeff Carroll of Carroll Architects on behalf of Eric Borkenhagen of Kohl's for the approve of a *Replat* for Lots 8 & 9, Block A, Rockwall Market Center East Addition being a 7.383-acre parcel of land identified as Lot 7, Block A, Rockwall Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 828 Rochell Court, and take any action necessary.

### Action Needed

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



**CITY OF ROCKWALL**  
CITY COUNCIL MEMORANDUM

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

---

**TO:** Mayor and City Council  
**DATE:** August 7, 2023  
**APPLICANT:** Jeff Carroll; *Carroll Architects*  
**CASE NUMBER:** P2023-022; *Replat for Lots 8 & 9, Block A, Rockwall Market Center East Addition*

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**SUMMARY**

Consider a request by Jeff Carroll of Carroll Architects on behalf of Eric Borkenhagen of Kohl's for the approve of a Replat for Lots 8 & 9, Block A, Rockwall Market Center East Addition being a 7.383-acre parcel of land identified as Lot 7, Block A, Rockwall Market Center East Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 828 Rochell Court, and take any action necessary.

**PLAT INFORMATION**

- The applicant is requesting the approval of a Replat for a 7.383-acre parcel of land (*i.e. Lot 7, Block A, Rockwall Market Center East Addition*) for the purpose of establishing the fire lanes and utility easements necessary to develop an *Animal Clinic for Small Animals without Outside Pens* on the subject property.
- On November 7, 1960 the subject property was annexed by *Ordinance 60-03 [Case No. A1960-003]*. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to City's historic zoning maps, at some point between November 7, 1960 and January 3, 1972, the subject property was rezoned from an Agricultural (AG) District to a Commercial (C) District. In 1999, the subject property was developed with an 86,484 SF *General Retail Store (i.e. Kohl's)*. On November 29, 2022, the Planning and Zoning Commission approved a miscellaneous case [*Case No. MIS2022-021*] for the adjacent property (*i.e. Kohls*) to allow the deficiency of 87 parking spaces. On January 10, 2023, the Planning and Zoning Commission approved a site plan [*Case No. SP2022-062*] to allow the construction of a 6,800 SF *Animal Clinic for Small Animals without Outside Pens* on the subject property.
- The surveyor has completed the majority of the technical revisions requested by staff, and this plat -- *conforming to the requirements for plats as stipulated by the Chapter 38, Subdivisions, of the Municipal Code of Ordinances* -- is recommended for conditional approval pending the completion of final technical modifications and submittal requirements.
- Conditional approval of this Replat 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.

**CONDITIONS OF APPROVAL**

If the City Council chooses to approve the Replat for *Lots 8 & 9, Block A, Rockwall Market Center East 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 plat; and,
- (2) Any construction resulting from the approval of this Replat 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 July 25, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Replat by a vote of 4-0, with Chairman Deckard and Commissioners Womble and Llewellyn 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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

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

### NOTES:

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

## PROPERTY INFORMATION (PLEASE PRINT)

ADDRESS 828 ROCHELL CT.

SUBDIVISION ROCKWALL MARKET CENTER EAST LOT 7R-B BLOCK A

GENERAL LOCATION KOHL'S PARKING LOT Adj. ROCHELL CT.

## ZONING, SITE PLAN AND PLATTING INFORMATION (PLEASE PRINT)

CURRENT ZONING C-COMMERCIAL

CURRENT USE PARKING LOT

PROPOSED ZONING C-COMMERCIAL

PROPOSED USE PET DOCTOR VET CLINIC

ACREAGE 1.117

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 KOHL'S

APPLICANT CARROLL ARCHITECTS

CONTACT PERSON ERIC BORKENHAGEN

CONTACT PERSON JEFF CARROLL

ADDRESS N 56 W. 17000 Ridgewood DR

ADDRESS 750 E. I-30

SUITE 110

CITY, STATE & ZIP MENOMONEE FALLS, WI. 53051

CITY, STATE & ZIP ROCKWALL, TX 75087

PHONE 262-703-6014

PHONE 214.632.1762

E-MAIL eric.borkenhagen@kohls.com

E-MAIL JC@CARROLLARCH.COM

## NOTARY VERIFICATION (REQUIRED)

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

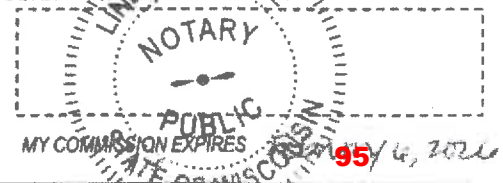
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION, ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT AND THE APPLICATION FEE OF \$ \_\_\_\_\_ TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. BY 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 11 DAY OF July, 2023.

OWNER'S SIGNATURE Eric Borkenhagen

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

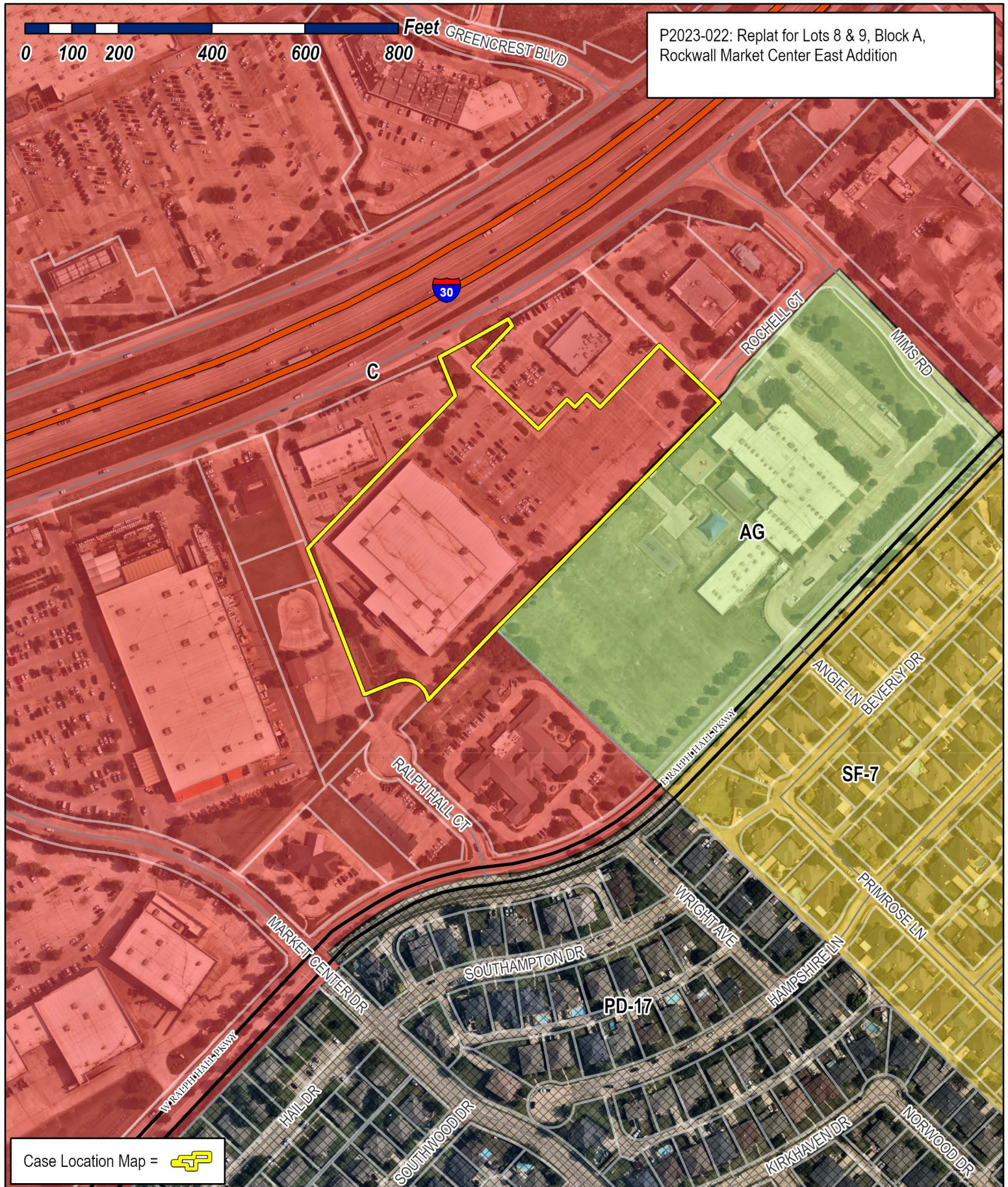
Handwritten Notary Signature







P2023-022: Replat for Lots 8 & 9, Block A, Rockwall Market Center East Addition



Case Location Map =



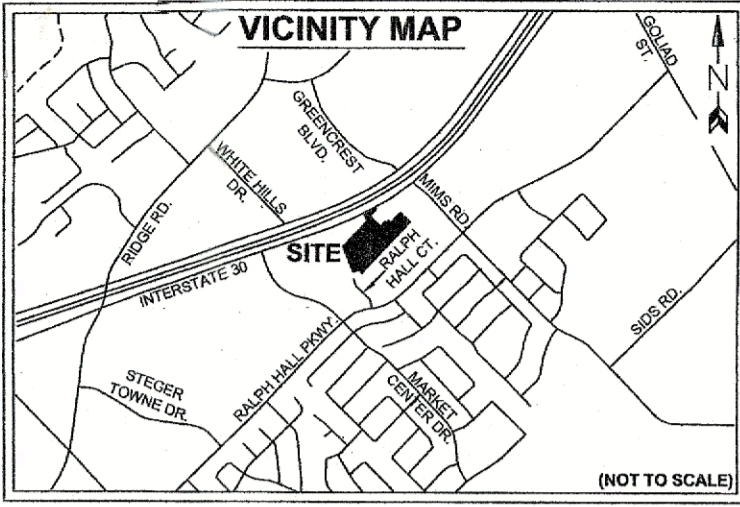
# City of Rockwall

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

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

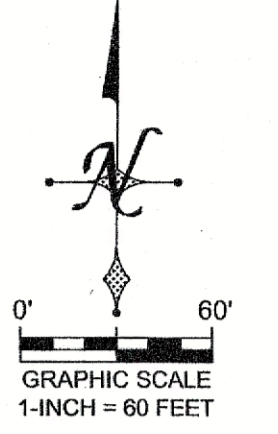
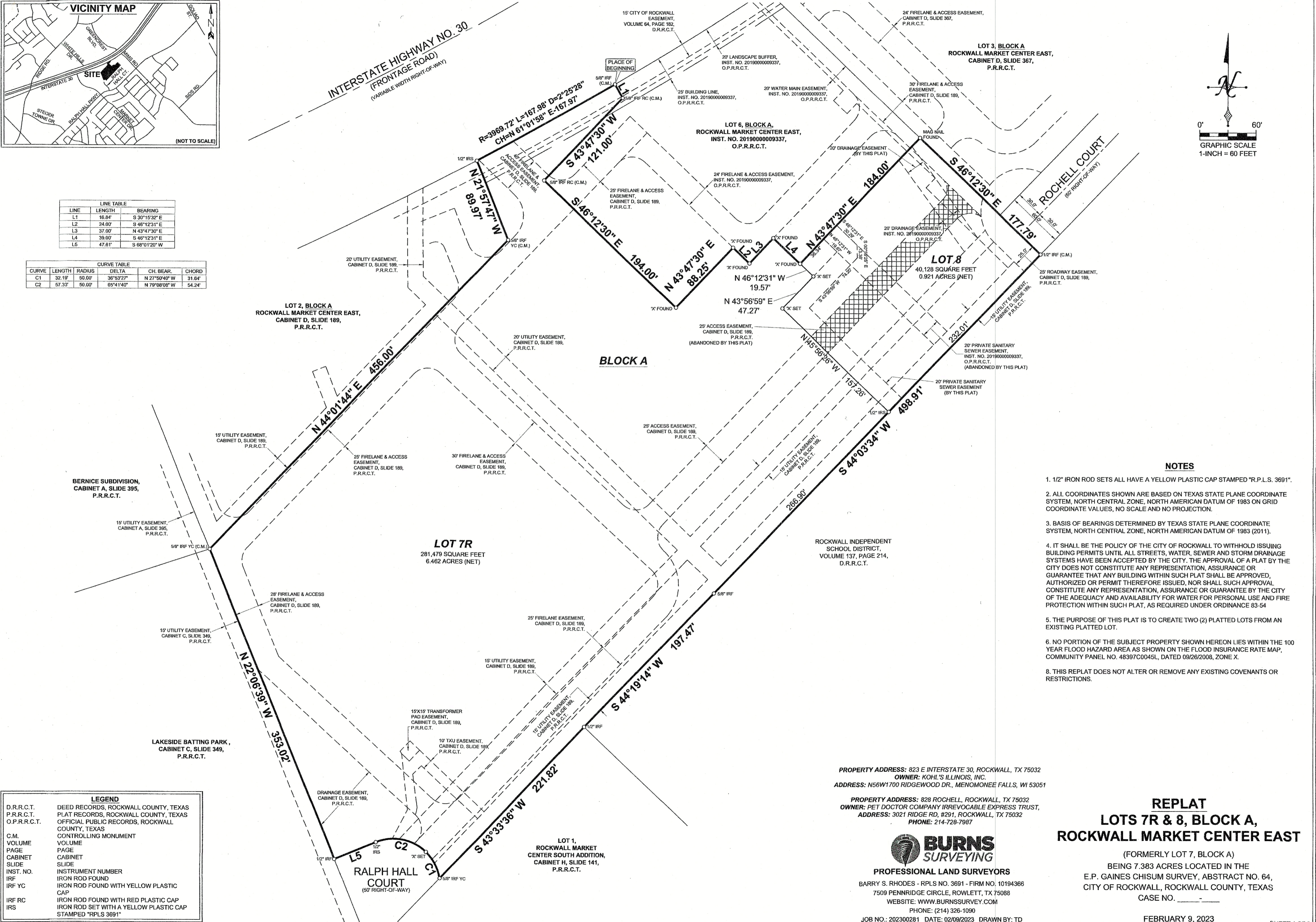






LINE	LENGTH	BEARING
L1	16.84'	S 30°15'32" E
L2	24.00'	S 46°12'31" E
L3	37.00'	N 43°47'30" E
L4	39.00'	S 46°12'31" E
L6	47.61'	S 68°01'20" W

CURVE	LENGTH	RADIUS	DELTA	CH. BEAR.	CHORD
C1	32.19'	50.00'	36°53'27"	N 27°50'40" W	31.64'
C2	57.33'	50.00'	65°41'40"	N 79°08'08" W	54.24'



**NOTES**

- 1/2" IRON ROD SETS ALL HAVE A YELLOW PLASTIC CAP STAMPED "R.P.L.S. 3691".
- ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- BASIS OF BEARINGS DETERMINED BY TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (2011).
- 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
- THE PURPOSE OF THIS PLAT IS TO CREATE TWO (2) PLATTED LOTS FROM AN EXISTING PLATTED LOT.
- NO PORTION OF THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48397C0045L, DATED 09/26/2008, ZONE X.
- THIS REPLAT DOES NOT ALTER OR REMOVE ANY EXISTING COVENANTS OR RESTRICTIONS.

LEGEND	
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
C.M.	CONTROLLING MONUMENT
VOLUME	VOLUME
PAGE	PAGE
CABINET	CABINET
SLIDE	SLIDE
INST. NO.	INSTRUMENT NUMBER
IRF	IRON ROD FOUND
IRF YC	IRON ROD FOUND WITH YELLOW PLASTIC CAP
IRF RC	IRON ROD FOUND WITH RED PLASTIC CAP
IRS	IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "RPLS 3691"

PROPERTY ADDRESS: 823 E INTERSTATE 30, ROCKWALL, TX 75032  
 OWNER: KOHL'S ILLINOIS, INC.  
 ADDRESS: N56W1700 RIDGEWOOD DR., MENOMONEE FALLS, WI 53051  
 PROPERTY ADDRESS: 828 ROCHELL, ROCKWALL, TX 75032  
 OWNER: PET DOCTOR COMPANY IRREVOCABLE EXPRESS TRUST,  
 ADDRESS: 3021 RIDGE RD, #291, ROCKWALL, TX 75032  
 PHONE: 214-728-7987



**PROFESSIONAL LAND SURVEYORS**  
 BARRY S. RHODES - RPLS NO. 3691 - FIRM NO. 10194366  
 7509 PENNRIDGE CIRCLE, ROWLETT, TX 75088  
 WEBSITE: WWW.BURNSSURVEY.COM  
 PHONE: (214) 326-1090  
 JOB NO.: 202300281 DATE: 02/09/2023 DRAWN BY: TD

**REPLAT**  
**LOTS 7R & 8, BLOCK A,**  
**ROCKWALL MARKET CENTER EAST**

(FORMERLY LOT 7, BLOCK A)  
 BEING 7.383 ACRES LOCATED IN THE  
 E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64,  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
 CASE NO. \_\_\_\_\_

FEBRUARY 9, 2023



**OWNER'S DEDICATION**

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Kohl's Illinois, Inc. and Pet Doctor Company Irrevocable Express Trust, the undersigned owners of the land shown on this plat, and designated herein as the **LOTS 7R & 8, BLOCK A, ROCKWALL MARKET CENTER EAST**, subdivision 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 **LOTS 7R & 8, BLOCK A, ROCKWALL MARKET CENTER EAST**, subdivision 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:

- 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.

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 exactions made herein.

Name:
Title:

Name:
Title:

STATE OF TEXAS:
COUNTY OF
Before me, the undersigned authority, on this day personally appeared, 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 expressed, in the capacity therein stated.

Given upon my hand and seal of office this day of 20.

Notary Public in and for the State of Texas

My commission expires

STATE OF TEXAS:
COUNTY OF
Before me, the undersigned authority, on this day personally appeared, 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 expressed, in the capacity therein stated.

Given upon my hand and seal of office this day of 20.

Notary Public in and for the State of Texas

My commission expires

**OWNER'S CERTIFICATE**

**STATE OF TEXAS
COUNTY OF ROCKWALL**

WHEREAS, Kohl's Illinois, Inc., and Pet Doctor Company Irrevocable Express Trust, are the sole owners of portions of a tract of land located in the E.P. GAINES CHISUM SURVEY, Abstract No. 64, City of Rockwall, Rockwall County, Texas, being Lot 7, Block A, of Rockwall Market Center East, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Instrument No. 2019000009337, Official Public Records, Rockwall County, Texas, a portion of said tract of land being described in deed to Kohl's Illinois, Inc., recorded in Instrument No. 2008-00392109, Official Public Records, Rockwall County, Texas, and a portion of said tract of land being described in deed to Pet Doctor Company Irrevocable Express Trust, as recorded in Instrument No. 2023000010555, Official Public Records, Rockwall County, Texas, and being more particularly described as follows:

Beginning at a 5/8 inch iron rod found in the Southeast line of Interstate Highway No. 30, at the Northwest corner of Lot 6, Block A, of said Rockwall Market Center East, same being the Northerly Northeast corner of said Lot 7, Block A;

Thence South 30 deg. 15 min. 32 sec. East, along the common line of said Lots 6 and 7, a distance of 16.84 feet to a 5/8 inch iron rod with a red plastic cap found for corner;

Thence South 43 deg. 47 min. 30 sec. West, along said common line, a distance of 121.00 feet to a 5/8 inch iron rod with a red plastic cap found at the West corner of said Lot 6, Block A;

Thence South 46 deg. 12 min. 30 sec. East, along said common line, a distance of 194.00 feet to an 'X' found at the Westerly South corner of said Lot 6, Block A;

Thence North 43 deg. 47 min. 30 sec. East, along said common line, a distance of 88.25 feet to an 'X' found for corner;

Thence South 46 deg. 12 min. 31 sec. East, along said common line, a distance of 24.00 feet to an 'X' found for corner;

Thence North 43 deg. 47 min. 30 sec. East, along said common line, a distance of 37.00 feet to an 'X' found for corner;

Thence South 46 deg. 12 min. 31 sec. East, along said common line, a distance of 39.00 feet to an 'X' found for corner;

Thence North 43 deg. 47 min. 30 sec. East, a distance of 184.00 feet to a Mag nail found in the Southwest line of Lot 3, Block A, of Rockwall Market Center East, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet D, Slide 367, Plat Records, Rockwall County, Texas, at the common Easterly corner of said Lots 6 and 7, Block A;

Thence South 46 deg. 12 min. 30 sec. East, a distance of 177.79 feet to a 1/2 inch iron rod found in the Northwest line of a tract of land described in deed to Rockwall Independent School District, recorded in Volume 137, Page 214, Deed Records, Rockwall County, Texas, at the South corner of Rochell Court, same being the East corner of said Lot 7, Block A;

Thence South 44 deg. 03 min. 34 sec. West, along said Northwest line, a distance of 498.91 feet to a 5/8 inch iron rod found for corner;

Thence South 44 deg. 19 min. 14 sec. West, a distance of 197.47 feet to a 1/2 inch iron rod found at the West corner of said Rockwall Independent School District tract, same being the North corner of Lot 1, of Rockwall Market Center South Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet H, Slide 141, Plat Records, Rockwall County, Texas;

Thence South 43 deg. 33 min. 36 sec. West, along the Northwest line of said Lot 1, a distance of 221.82 feet to a 5/8 inch iron rod with a yellow plastic cap found in the Northeast line of Ralph Hall Court, at the beginning of a non-tangent curve to the left, having a central angle of 36 deg. 53 min. 27 sec., a radius of 50.00 feet, and a chord bearing and distance of North 27 deg. 50 min. 40 sec. West, 31.64 feet;

Thence Northwesterly along said Northeast line and said curve to the left, an arc distance of 32.19 feet to an 'X' set for corner at the beginning of a curve to the left, having a central angle of 65 deg. 41 min. 40 sec., a radius of 50.00 feet, and a chord bearing and distance of North 79 deg. 08 min. 08 sec. West, 54.24 feet;

Thence Northwesterly, along said curve to the left and North line of said Ralph Hall Court, an arc distance of 57.33 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set for corner;

Thence South 68 deg. 01 min. 20 sec. West, along said North line, a distance of 47.61 feet to a 1/2 inch iron rod found in the Northeast line of Lakeside Batting Park, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet C, Slide 349, Plat Records, Rockwall County, Texas, at the Southwest corner of said Lot 7, Block A;

Thence North 22 deg. 06 min. 39 sec. West, a distance of 353.02 feet to a 5/8 inch iron rod with a yellow plastic cap found at the Northeast corner of said Lakeside Batting Park, same being the Southeast corner of Bernice Addition, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet A, Slide 395, Plat Records, Rockwall County, Texas, same being the Southwest corner of Lot 2, Block A, of said Rockwall Market Center East;

Thence North 44 deg. 01 min. 44 sec. East, a distance of 456.00 feet to a 5/8 inch iron rod with a yellow plastic cap found at the East corner of said Lot 2, Block A;

Thence North 21 deg. 57 min. 47 sec. West, a distance of 89.97 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 3691" set in the said Southeast line of Interstate Highway No. 30, at the common Northerly corner of said Lots 2 and 7, Block A, and being at the beginning of a non-tangent curve to the left, having a central angle of 02 deg. 25 min. 28 sec., a radius of 3969.72 feet, and a chord bearing and distance of North 61 deg. 01 min. 58 sec. East, 167.97 feet;

Thence Northeasterly, along said curve to the left and said Southeast line, an arc distance of 167.98 feet the PLACE OF BEGINNING and containing 321,606 square feet or 7.383 acres of land.

**SURVEYOR'S CERTIFICATE**

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Barry S. Rhodes, do hereby certify that I prepared this plat from an actual on the ground survey of the land and that the corner monuments shown thereon were placed under my personal supervision.

WITNESS MY HAND AT, TEXAS this day of 2023

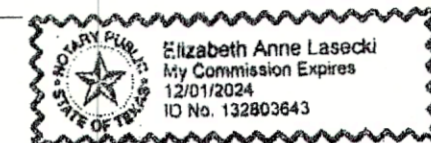
Barry S. Rhodes
Registered Professional Land Surveyor R.P.L.S. No. 3691



STATE OF TEXAS
COUNTY OF DALLAS
BEFORE ME, the undersigned, a Notary Public in and for the said County and State on this day personally appeared Barry S. Rhodes, R.P.L.S. 3691, State of Texas, 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 purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this day of 2023

Notary Public in and for the State of Texas
My commission expires:



**CERTIFICATE OF APPROVAL**

**CITY SIGNATURE BLOCK**

Planning & Zoning Commission, Chairman 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.

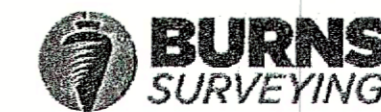
WITNESS OUR HANDS, this day of

Mayor, City of Rockwall City Secretary

City Engineer

PROPERTY ADDRESS: 823 E INTERSTATE 30, ROCKWALL, TX 75032
OWNER: KOHL'S ILLINOIS, INC.
ADDRESS: N56W1700 RIDGEWOOD DR., MENOMONEE FALLS, WI 53051

PROPERTY ADDRESS: 828 ROCHELL, ROCKWALL, TX 75032
OWNER: PET DOCTOR COMPANY IRREVOCABLE EXPRESS TRUST,
ADDRESS: 3021 RIDGE RD, #291, ROCKWALL, TX 75032
PHONE: 214-728-7987



PROFESSIONAL LAND SURVEYORS

Barry S. Rhodes - RPLS No. 3691 - Firm No. 10194366
7509 PENNRIDGE CIRCLE, ROWLETT, TX 75088
WEBSITE: WWW.BURNSURVEY.COM
PHONE: (214) 326-1090

JOB NO.: 202300281 DATE: 02/09/2023 DRAWN BY: TD

**REPLAT
LOTS 7R & 8, BLOCK A,
ROCKWALL MARKET CENTER EAST**

(FORMERLY LOT 7, BLOCK A)

BEING 7.383 ACRES LOCATED IN THE
E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64,
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
CASE NO. -

FEBRUARY 9, 2023





## MEMORANDUM

---

**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

**FROM:** Misty D. Farris, Purchasing Agent

**DATE:** August 7, 2023

**SUBJECT:** ELECTRICAL FOR NEW EQUIPMENT COVERS AT THE SERVICE CENTER

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### Attachments

#### Summary/Background Information

Approved in the General Fund, Streets and Drainage operating budget is \$95,000 for electric service for equipment shelters built in FY 2022. These services will include the installation of electrical services, lights, outlets for block heaters, battery chargers, and general electrical needs for the equipment utilizing these structures. Nema 3 Electric, Inc. is a member of the BuyBoard, therefore eliminating the need for the formal bidding process.

#### Action Needed

Council is asked to consider approving the quote from Nema 3 Electric, Inc. in the amount of \$57,176 and authorize the City Manager to execute a purchase order for electric services to the new equipment covers.



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** August 7, 2023

**SUBJECT:** Z2023-031; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION AT 709 FOREST TRACE

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Neighborhood Notification Email  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Residential Plot Plan  
Floor Plan  
Building Elevations  
Roof Plan  
Housing Analysis  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Manuel Tijerina 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 0.248-acre parcel of land identified as Lot 13, Block A, Highridge Estate Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 709 Forest Trace, and take any action necessary (**1st Reading**).

### Action Needed

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



# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council

**DATE:** August 7, 2023

**APPLICANT:** Manuel Tijerina

**CASE NUMBER:** Z2023-031; *Specific Use Permit (SUP) for a Residential Infill in an Established Subdivision at 709 Forest Trace*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Manuel Tijerina 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 0.248-acre parcel of land identified as Lot 13, Block A, Highridge Estate Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 709 Forest Trace, and take any action necessary.

### BACKGROUND

The subject property was annexed into the City of Rockwall on June 20, 1959 by *Ordinance No. 59-02 [Case No. A1959-002]*. According to the January 3, 1972 *Historic Zoning Maps*, the subject property was zoned Single-Family 2 (SF-2) District. Sometime between January 3, 1972 and May 16, 1983, the subject property was rezoned to Single-Family 10 (SF-10) District, and has remained zoned Single-Family 10 (SF-10) District since this change. The subject property has remained vacant since its annexation.

### PURPOSE

The applicant -- *Manuel Tijerina* -- 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 709 Forest Trace. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is are three (3) parcels of land (*i.e. 703, 705, and 707 Forest Trace*) developed with single-family homes. North of these properties is W. Boydston Avenue, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown 2040 Comprehensive Plan. Beyond this is one (1) parcel of land (*i.e. 202 W. Boydston Avenue*) developed with a single-family home. All of these properties are zoned Single-Family 10 (SF-10) District.

South: Directly south of the subject property are four (4) parcels of land (*i.e. 711, 713, 715, and 201 Forest Trace*) developed with single-family homes. Beyond this is the Lake Meadows Subdivision, which consists of 26 single-family residential lots on 18.53-acres. These properties and this subdivision are zoned Single-Family 10 (SF-10) District. South of this is Glenn Avenue, which is identified as an R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown 2040 Comprehensive Plan.

East: Directly east of the subject property are two (2) parcels of land (*i.e. 706 and 710 S. Alamo Road*) developed with single-family homes that are zoned Single-Family 10 (SF-10) District. East of this is the intersection of S. Alamo Road and W. Ross Street. Both of these roadways are identified as an R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown 2040 Comprehensive Plan. Beyond



this are Lots 1-7 of the Amachris Place Subdivision and Lot 5, Block F, of the Sanger Addition which are zoned Planned Development District 12 (PD-12), as well as a portion of the Sanger Subdivision (*i.e. Lots 6-13, Block M, Sanger Addition*) zoned Zero Lot Line 5 (ZL-5) District.

West: Directly west of the subject property are two (2) parcels of land (*i.e. 708 and 710 Forest Trace*) developed with single-family homes. East of these are an additional two (2) parcels of land (*i.e. 707 and 709 Ridgeview Drive*) developed with single-family homes and are zoned Single-Family 10 (SF-10) District. Beyond this is Ridgeview Drive, which is identified an R2 (*i.e. residential, two (2) lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown 2040 Comprehensive Plan.

**CHARACTERISTICS OF THE REQUEST AND CONFORMANCE TO THE CITY’S CODES**

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B)(11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years.” The subject property is located in the Highridge Estates Subdivision, which has been in existence since 1972, consists of 99 single-family residential lots, and is more than 90.00% 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 a Single-Family 10 (SF-10) District, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Forest Trace	Proposed Housing
Building Height	One (1) & Two (2) Story	Two (2) Story
Building Orientation	All of the homes located along Forest Trace are oriented towards Forest Trace.	The front elevation of the home will face onto Forest Trace.
Year Built	1976-2003	N/A
Building SF on Property	2,509 SF – 4,730 SF	4,237 SF
Building Architecture	Traditional Brick/Stone Suburban Residential	Comparable Architecture to the Existing Homes
Building Setbacks:		
Front	The front yard setbacks appear to conform to the required 20-foot front yard setback.	20-Feet
Side	The side yard setbacks appear to conform to the required six (6) foot side yard setback.	6-Feet
Rear	The rear yard setbacks appear conform to the required ten (10) foot rear yard setback.	10-Feet
Building Materials	HardiBoard/HardiePlank, Brick, and Stone.	Combination of Brick, Stone, and Siding
Paint and Color	White, Cream, Red, Pink, Beige, and Brown	<i>Undefined by the Applicant</i>
Roofs	Composite Shingles	Composite Shingle
Driveways	Driveways are all in the rear of the homes and not visible from Forest Trace.	The garage will be located in the rear of the proposed home.

Staff should note that the proposed single-family home meets all of the density and dimensional requirements for the Single Family 10 (SF-10) District as stipulated by 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 Forest Trace and the proposed building elevations in the attached packet. The approval of this request is a discretionary decision to the Planning and Zoning Commission and City Council pending a finding that the proposed house will not have a negative impact on the existing subdivision.

## **NOTIFICATIONS**

On June 22, 2023, staff mailed 85 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Bent Creek Condos, Stonebridge Meadows, and Highridge Estates Homeowner's Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received two (2) emails in opposition to the applicant's request.

## **CONDITIONS OF APPROVAL**

If City Council chooses to approve of the applicant's request for a Specific Use Permit (SUP) to construct a single-family home as a *Residential Infill within an Established Subdivision*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
  - (a) Development of the *Subject Property* shall generally conform to the Residential Plot Plan as depicted in *Exhibit 'B'* of the draft ordinance.
  - (b) 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 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 July 11, 2023, the Planning and Zoning Commission made a motion to continue the public hearing to the July 25, 2023 Planning and Zoning Commission meeting which passed by a vote of 5-1, with Commissioner Llewelyn dissenting and Commissioner Conway absent. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC), "(a) public hearing may be continued by the Planning and Zoning Commission or City Council any time after the public hearing has commenced. The continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing. A continued public hearing shall be presumed to be held in the same location as the initial public hearing, unless a different location is announced. The announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required."

On July 25, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 4-0, with Chairman Deckard, and Commissioners Womble and Llewelyn absent.

## **CITY COUNCIL**

On July 17, 2023, the City Council announced the new public hearing date of August 7, 2023.



# 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: *Hyli*

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

#### SITE PLAN APPLICATION FEES:

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

#### ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1&2</sup>
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

#### OTHER APPLICATION FEES:

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

#### NOTES:

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

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 709 Forest Trace

SUBDIVISION High Ridge Estates

LOT 13 BLOCK A

GENERAL LOCATION Skolisel & Boydston Ave

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

CURRENT ZONING \_\_\_\_\_

CURRENT USE Vgent

PROPOSED ZONING \_\_\_\_\_

PROPOSED USE New Home Construction

ACREAGE \_\_\_\_\_

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

OWNER Manuel Tijerina

APPLICANT \_\_\_\_\_

CONTACT PERSON Manuel Tijerina

CONTACT PERSON Olivia Pasados

ADDRESS 7922 Garner Rd

ADDRESS 41 Anna Leis Dr

CITY, STATE & ZIP Rowlett, TX 75088

CITY, STATE & ZIP Waxahatchie TX 75167

PHONE 214-773-9971

PHONE 214 284 5571

E-MAIL \_\_\_\_\_

E-MAIL \_\_\_\_\_

### NOTARY VERIFICATION [REQUIRED]

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

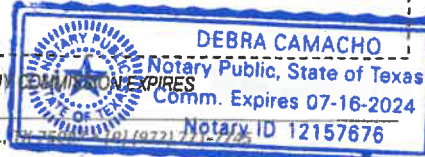
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ June TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 15<sup>th</sup> DAY OF June 2023. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15 DAY OF June, 2023

OWNER'S SIGNATURE Manuel Tijerina

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Debra Camacho







# City of Rockwall

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

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



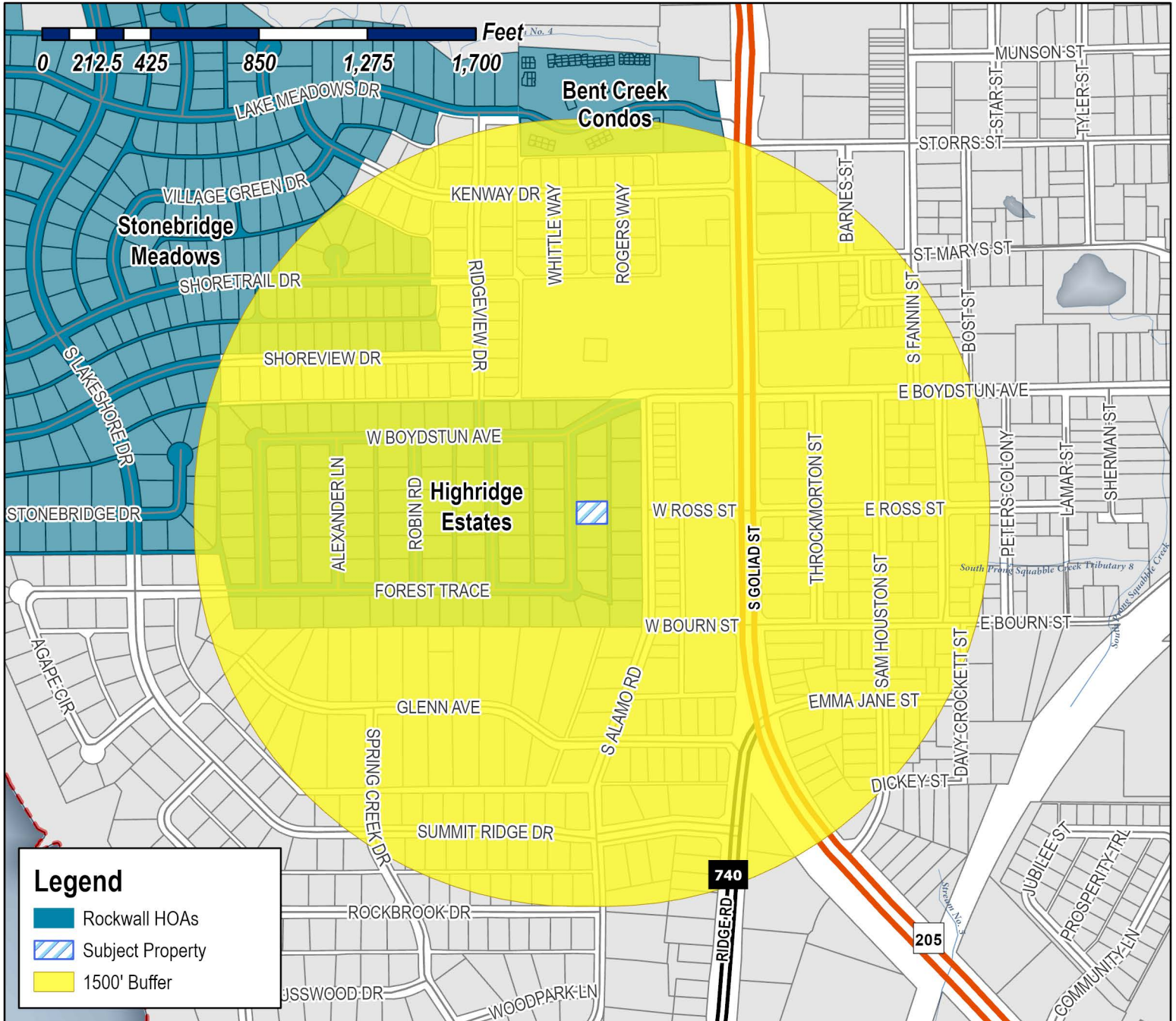




# City of Rockwall

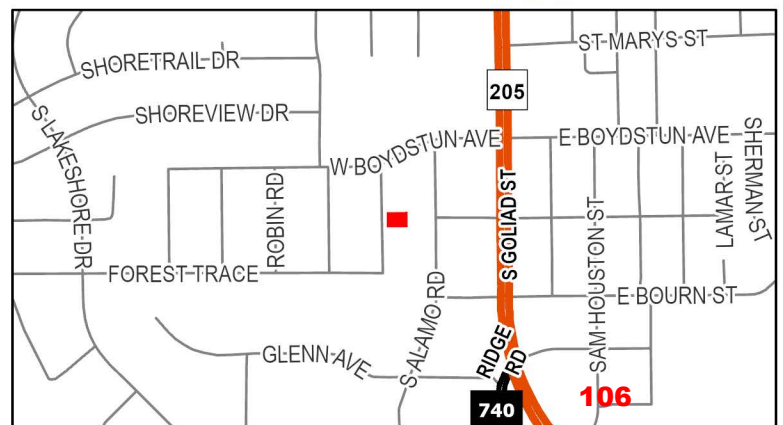
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**Case Number:** Z2023-031  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 10 (SF-10) District  
**Case Address:** 709 Forest Trace

**Date Saved:** 6/16/2023  
 For Questions on this Case Call (972) 771-7745



**From:** [Zavala, Melanie](#)  
**Cc:** [Miller, Ryan](#); [Ross, Bethany](#); [Guevara, Angelica](#); [Lee, Henry](#)  
**Subject:** Neighborhood Notification Program [Z2023-031]  
**Date:** Monday, June 19, 2023 3:54:11 PM  
**Attachments:** [HOA Map \(06.16.2023\).pdf](#)  
[Public Notice \(P&Z\) - \(06.19.2023\).pdf](#)

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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 [June 23, 2023](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, July 11, 2023 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, July 17, 2023 at 6:00 PM](#). Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

-  
**Z2023-031: SUP for Residential Infill**

Hold a public hearing to discuss and consider a request by Manuel Tigering 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 0.248-acre parcel of land identified as Lot 13, Block A, Highridge Estate Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 709 Forest Trace, and take any action necessary.

Thank you,

*Melanie Zavala*

Planning Coordinator  
City of Rockwall Planning & Zoning  
385 S. Goliad Street  
Rockwall, TX 75087  
Office: 972-771-7745  
Direct: 972-771-6568

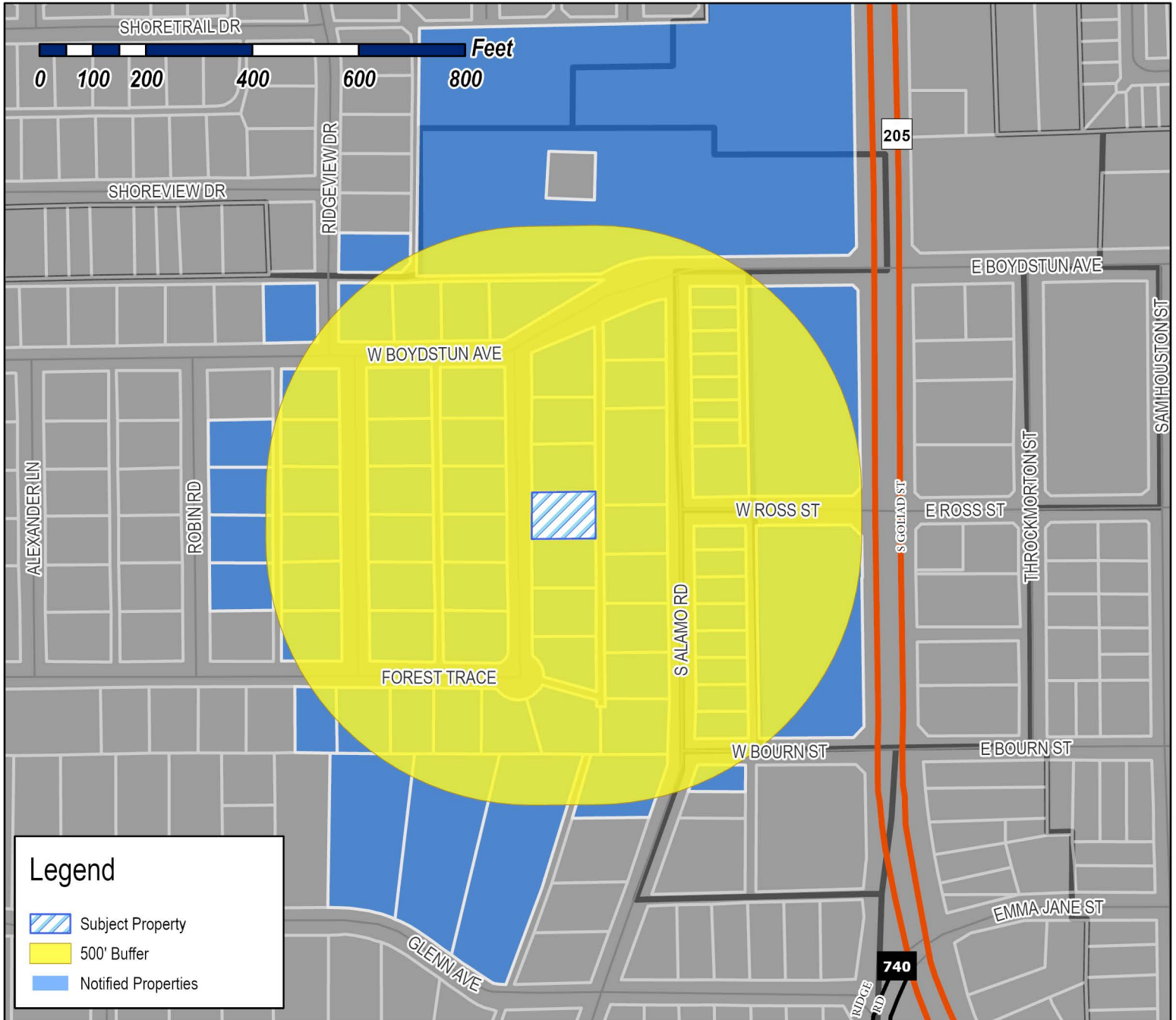




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
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(P): (972) 771-7745  
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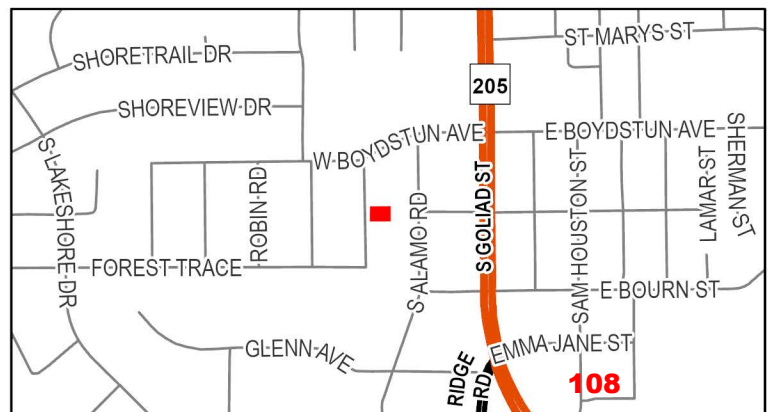
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**Case Number:** Z2023-031  
**Case Name:** SUP for Residential Infill  
**Case Type:** Zoning  
**Zoning:** Single-Family 10 (SF-10) District  
**Case Address:** 709 Forest Trace

**Date Saved:** 6/16/2023

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



BAUMANN HARRY EDWARD  
10 WATERS EDGE CT  
HEATH, TX 75032

MCCAMPBELL CHARLES C & PATRICIA S  
1203 WYNDEN CREEK DR  
HOUSTON, TX 77056

OTTO IRIS  
1502 S 1ST ST STE 3  
GARLAND, TX 75040

TIJERINA MANUEL  
1713 MISSION DR  
GARLAND, TX 75042

SCROGGS CHARLES E AND MARLA D  
1748 BISON MEADOW LANE  
HEATH, TX 75032

RADNEY JAMES C  
1972 CR 2296  
QUINLAN, TX 75474

GIBSON CHARLES D AND LINDSAY K  
201 FOREST TRACE  
ROCKWALL, TX 75087

SHIPMAN EARL RAPHE & DELAMIE  
202 GLENN AVE  
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP  
202 N SAN JACINTO ST  
ROCKWALL, TX 75087

RUESS JOHN CHARLES & KATHY LEA  
202 W BOYDSTUN ST  
ROCKWALL, TX 75087

RESIDENT  
203 FOREST TRACE  
ROCKWALL, TX 75087

CHANHMISAY KESONE & SYAMPHAY  
204 GLENN AVE  
ROCKWALL, TX 75087

MARKS RICHARD R & JUNE  
TRUSTEES OF THE MARKS FAMILY LIVING TRUST  
204 W BOYDSTUN AVE  
ROCKWALL, TX 75087

HAYDICKY JOSEPH N  
205 FOREST TRACE  
ROCKWALL, TX 75087

ANGIEL JOHN H & KAY M  
206 GLENN AVE  
ROCKWALL, TX 75087

REX AND PATTY PREDDY FAMILY TRUST OF 2011  
REX M PREDDY AND PATTI S PREDDY- TRUSTEES  
206 WEST BOYDSTUN AVE  
ROCKWALL, TX 75087

BROWN BREANNE ELIZABETH STRAWN AND  
AARON KRISTOPHER  
207 FOREST TRACE  
ROCKWALL, TX 75087

JUSTICE BLAKE AND CHELSEA  
208 BOYDSTUN AVE  
ROCKWALL, TX 75087

STOVALL RAYMOND P  
2404 DOVE CREEK DR  
LITTLE ELM, TX 75068

ST CLAIR DOUG & KELLY  
301 FOREST TRACE  
ROCKWALL, TX 75087

COMPTON HAYDEN AND TAYLOR LOVERA  
302 W BOYDSTUN AVE  
ROCKWALL, TX 75087

CONFIDENTIAL  
303 FOREST TRACE  
ROCKWALL, TX 75087

ROGGE CONNIE PENNINGTON  
517 RIDGEVIEW DR  
ROCKWALL, TX 75087

RESIDENT  
602 S GOLIAD  
ROCKWALL, TX 75087

FIRST BAPTIST CHURCH OF ROCKWALL  
610 S GOLIAD ST  
ROCKWALL, TX 75087

THE SCUDDER FAMILY LIVING TRUST  
664 SORITA CIR  
HEATH, TX 75032

REED DARLENE  
701 S ALAMO RD  
ROCKWALL, TX 75087

RESIDENT  
702 S ALAMO DR  
ROCKWALL, TX 75087

CRESPO DENYS AND HALEY  
703 FOREST TRACE  
ROCKWALL, TX 75087

JOHNSON ROBERT M AND CATHY  
703 RIDGEVIEW DRIVE  
ROCKWALL, TX 75087

RESIDENT  
703 S ALAMO  
ROCKWALL, TX 75087

FREED SARAH  
704 FOREST TRACE  
ROCKWALL, TX 75087

PASSON BRETT A & LAURIE J  
704 RIDGEVIEW DR  
ROCKWALL, TX 75087

RESIDENT  
704 S ALAMO DR  
ROCKWALL, TX 75087

CULLINS JENNIFER L  
705 FOREST TRACE  
ROCKWALL, TX 75087

SCHLUMPF REVOCABLE TRUST  
C/O ROBERT LOUIS AND  
705 RIDGEVIEW DR  
ROCKWALL, TX 75087

STROMAN ROBERT E & JUDY DANIELS  
705 ROBIN RD  
ROCKWALL, TX 75087

RESIDENT  
705 S ALAMO  
ROCKWALL, TX 75087

FORD CLYDE G  
706 FOREST TRACE  
ROCKWALL, TX 75087

REYNOLDS MICHAEL EUGENE & FRANCES S  
706 RIDGEVIEW DRIVE  
ROCKWALL, TX 75087

MILLS CHARLES O  
706 S ALAMO RD  
ROCKWALL, TX 75087

WRIGHT MELISSA ANN &  
DAVID SCOTT  
707 FOREST TRCE  
ROCKWALL, TX 75087

BRADFORD KENNETH AND LESLIE  
707 RIDGEVIEW DR  
ROCKWALL, TX 75087

FLOWERS DONALD  
707 ROBIN DR  
ROCKWALL, TX 75087

RESIDENT  
707 S ALAMO  
ROCKWALL, TX 75087

KELEMEN ANNA V AND  
MATTHEW BURBRIDGE  
708 FOREST TRACE  
ROCKWALL, TX 75087

FLOURA ROSEANN EXECUTOR  
708 RIDGEVIEW DR  
ROCKWALL, TX 75087

RESIDENT  
709 FOREST TRACE  
ROCKWALL, TX 75087

RESIDENT  
709 ROBIN RD  
ROCKWALL, TX 75087

FALCON ANN L & LEONARD  
709 RIDGEVIEW DR  
ROCKWALL, TX 75087

FLEMING LINDA  
709 S ALAMO RD  
ROCKWALL, TX 75087

RESIDENT  
710 RIDGEVIEW DR  
ROCKWALL, TX 75087

PERSYN KYLE AND LINDSEY  
710 FOREST TRACE  
ROCKWALL, TX 75087

BRYANT KRISTI & BRENT  
710 S ALAMO ROAD  
ROCKWALL, TX 75087

RESIDENT  
710 S GOLIAD ST  
ROCKWALL, TX 75087

SMITH MARY AND KEITH H  
711 FOREST TRACE  
ROCKWALL, TX 75087

CONWAY SCOTT A & DEIRDRE M  
711 RIDGEVIEW  
ROCKWALL, TX 75087

MUNOZ THOMAS & SUZANNE  
711 ROBIN DR  
ROCKWALL, TX 75087

POPP KATHLEEN  
711 S ALAMO  
ROCKWALL, TX 75087

GRAY JIM  
712 FOREST TRACE  
ROCKWALL, TX 75087



MORI DANIEL J & JUDY  
712 RIDGEVIEW DR  
ROCKWALL, TX 75087

HILLMAN DORIANN AND  
JOEL OTT  
713 FOREST TRACE  
ROCKWALL, TX 75087

COHEN MARK A  
713 RIDGEVIEW DR  
ROCKWALL, TX 75087

SHERA DEBORAH K  
713 S ALAMO RD  
ROCKWALL, TX 75087

COLLETT CYNTHIA DAVISS  
714 FOREST TRCE  
ROCKWALL, TX 75087

SIPLE MARIAN C  
714 RIDGEVIEW DR  
ROCKWALL, TX 75087

DELBOSQUE ROLOLFO & LORENA P  
715 FOREST TRCE  
ROCKWALL, TX 75087

MILLS CHARLES O  
715 S ALAMO RD  
ROCKWALL, TX 75087

WATSON RONNIE BILL AND BARBARA JEAN  
801 S ALAMO ROAD  
ROCKWALL, TX 75087

RESIDENT  
802 S GOLIAD  
ROCKWALL, TX 75087

TALLEY CRAIG J AND JAMIE S  
803 S ALAMO RD  
ROCKWALL, TX 75087

RESIDENT  
804 S ALAMO DR  
ROCKWALL, TX 75087

LOTT JOHN DOUGLAS AND CYNTHIA  
805 S ALAMO RD  
ROCKWALL, TX 75087

FRENCH SHARON K LIVING TRUST  
SHARON K FRENCH, TRUSTEE  
806 SOUTH ALAMO ROAD  
ROCKWALL, TX 75087

RESIDENT  
807 S ALAMO RD  
ROCKWALL, TX 75087

KELLY RYAN AND  
LACEY WALLACE  
808 S ALAMO ROAD  
ROCKWALL, TX 75087

RESIDENT  
809 ALAMO RD  
ROCKWALL, TX 75087

BRANNON CHRISTOPHER AND MELANIE  
810 S ALAMO ROAD  
ROCKWALL, TX 75087

SHIELDS MIKE AND DEBBIE  
811 S ALAMO RD  
ROCKWALL, TX 75087

RESIDENT  
813 S ALAMO RD  
ROCKWALL, TX 75087

RAMSEY JUDY LYNN  
815 S ALAMO RD  
ROCKWALL, TX 75087

CROSBY SILAS SAMUEL AND RACHEL E  
8706 WESTFIELD DRIVE  
ROWLETT, TX 75088

BRUNNER WILLIAM E & MARGIE L  
895 S ALAMO ROAD  
ROCKWALL, TX 75087

RESIDENT  
902 S ALAMO  
ROCKWALL, TX 75087

ANDREWS VIRGINIA  
PO BOX 254  
REPUBLIC, MO 65738

# PUBLIC NOTICE



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

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

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

**Z2023-031: SUP for Residential Infill**

Hold a public hearing to discuss and consider a request by Manuel Tigering 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 0.248-acre parcel of land identified as Lot 13, Block A, Highridge Estate Subdivision, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 709 Forest Trace, 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, July 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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, July 17, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2023-031: SUP 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.

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

Name: [Grey input field]

Address: [Grey input field]

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

## Ross, Bethany

---

**From:** Brent Bryant [REDACTED]  
**Sent:** Tuesday, July 11, 2023 1:45 PM  
**To:** Planning  
**Subject:** Case 2023-031

Hi Angelica,

This is Brent Bryant at [REDACTED] in Rockwall. In reference to case 2023-031, I would like to oppose the 2 story home being built on the lot on Forrest Trace and directly behind my house . I assume the building restrictions were put in place to protect the Alamo Rd properties view and I would like to keep that protection.

Thank you,

Brent Bryant  
[REDACTED]

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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:** [Sarah Freed](#)  
**To:** [Planning](#)  
**Subject:** SUP Z2023-031 - Response  
**Date:** Monday, July 17, 2023 10:46:59 AM

---

Good morning,

I am opposed to the request for the following reasons: 1. The proposed house is too large for the property and will set a precedence for future "McMansions" and 2. Zoning and UDC rules are put in place, and should be followed in most circumstances.

This is a mature neighborhood, with few few lots in it. As some of the homes are older in the neighborhood, this could reset the standards for tear downs and houses on top of each other. It is not in keeping with the aesthetic of our neighborhood.

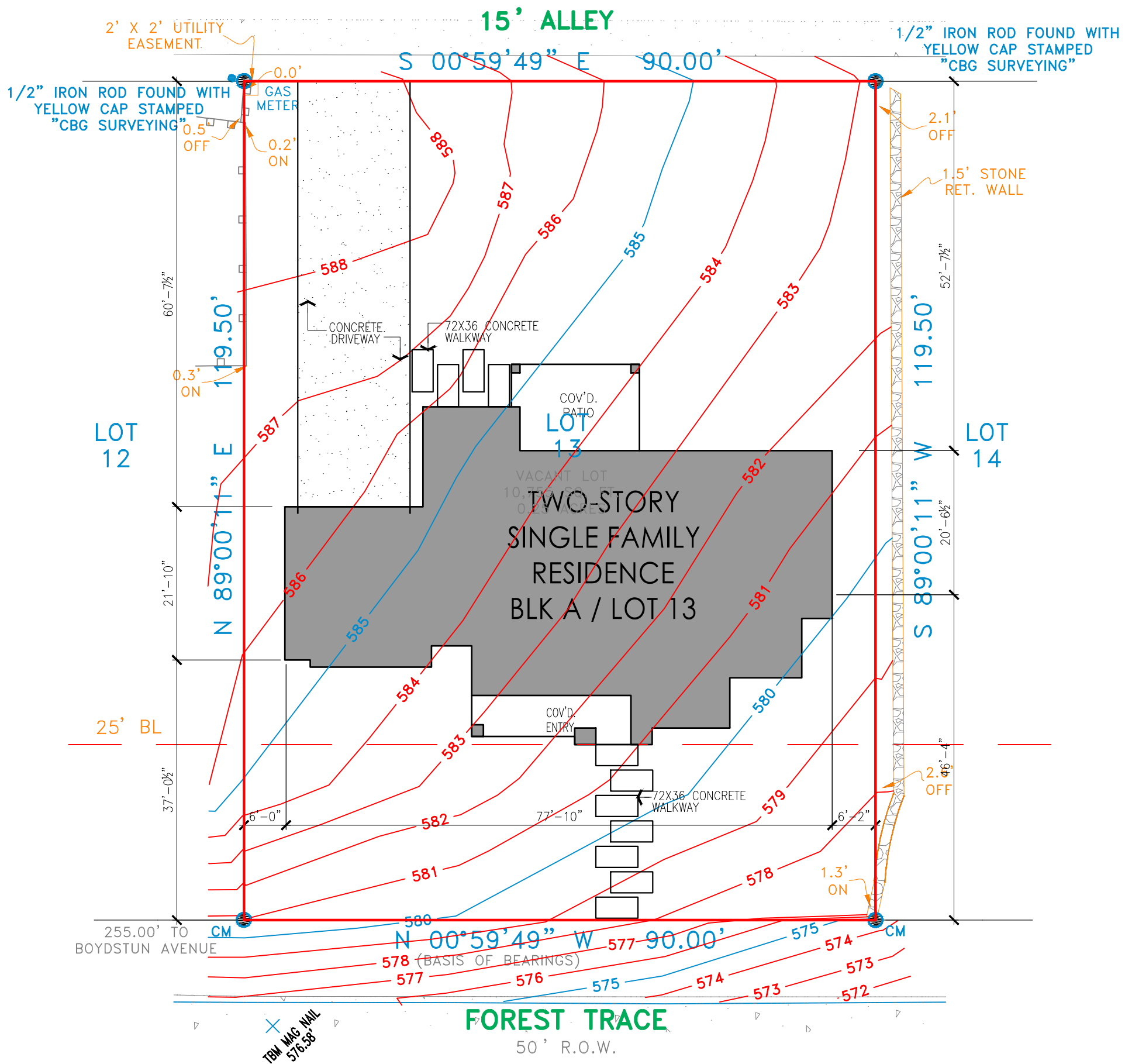
Thank you,

Sarah E. Freed



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709 FOREST TRACE  
 BLK A / LOT 13 / HIGH RIDGE STATE  
 ROCKWALL, ROCKWALL COUNTY, TX



**LEGEND:**

- DRAINAGE ARROW
- REAR PATIO AREA
- NOTE: CROSS HATCHED AREA INDICATES REAR YARD OPEN SPACE.
- NOTE: BUILDER SHOULD PLANT TREE AS PER COMMUNITY STANDARD AS REQUIRED.

FLATWORK AREA TABULATIONS			
LEAD WALK	APPROX.	18	S.F.
CITY WALK	APPROX.	0	S.F.
DRIVE	APPROX.	970	S.F.
APPROACH	APPROX.	0	S.F.
<b>TOTAL</b>	<b>APPROX.</b>	<b>988</b>	<b>S.F.</b>

LOT COVERAGE			
LOT AREA	APPROX.	10755	S.F.
MAIN BUILDING AREA	APPROX.	2982	S.F.
LOT COVERAGE	APPROX.	27.73	%

1 SITE PLAN  
 SP1 SCALE: 1/16" = 1'-0"

SHEET NO. SP1 OF 13	DRAWN BY: LRN	DESIGN PLAN NAME/NUMBER: 3235 PLAN	NEW RESIDENCE FOR: MANUEL TIJERILLA	ADDRESS: 709 FOREST TRACE ROCKWALL, ROCKWALL COUNTY, TX BLK A/LOT 13/HIGH RIDGE STATE
	ISSUED FOR REVIEW 06-28-2023	ELEVATION: STONE GARAGE: REAR ENTRY		

ADDRESS: 709 FOREST TRACE  
 ROCKWALL, ROCKWALL COUNTY, TX  
 BLK A/LOT 13/HIGH RIDGE STATE

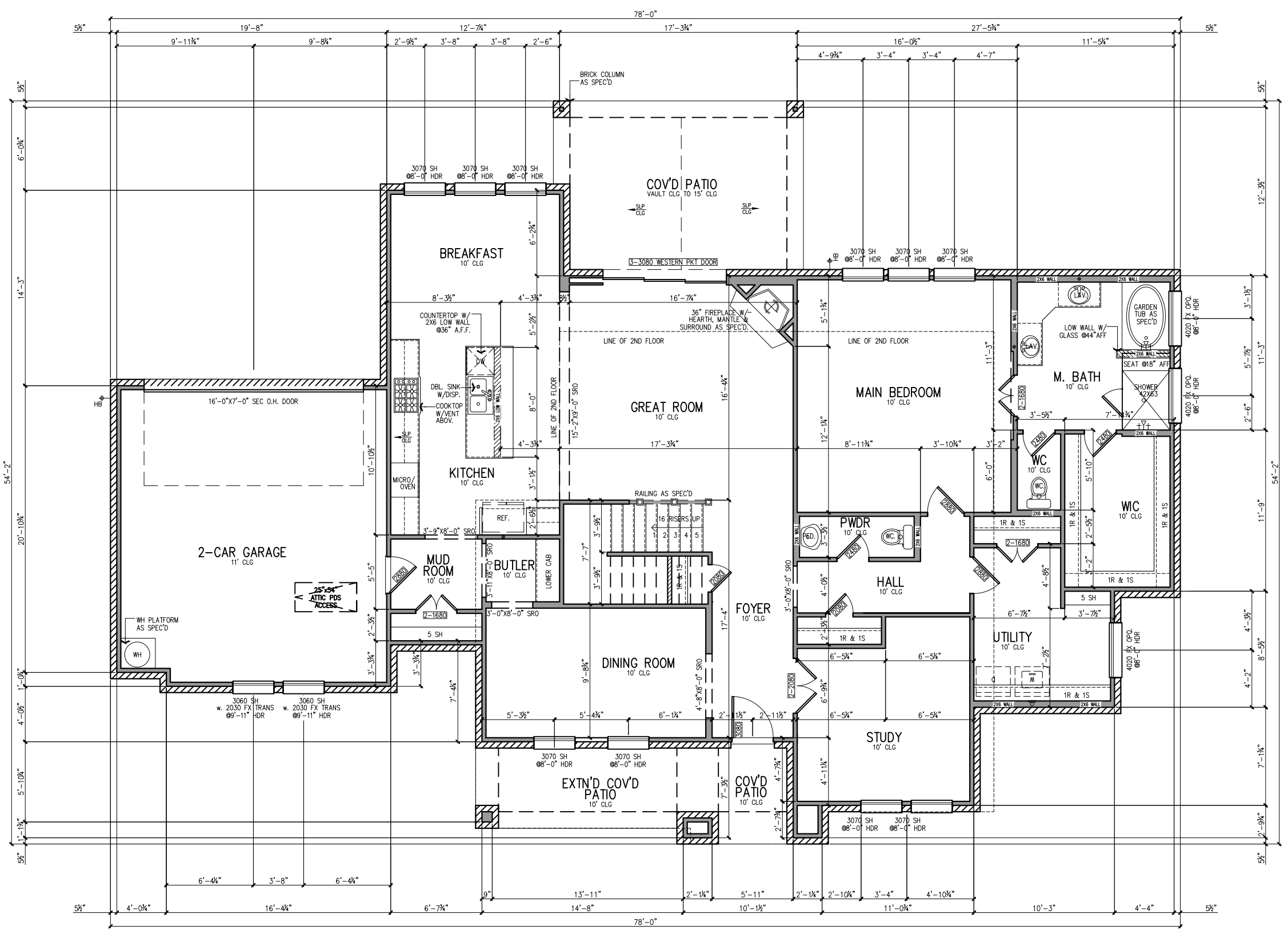
NEW RESIDENCE FOR:  
**MANUEL TIJERILLA**

DESIGN PLAN NAME/NUMBER:  
**3235 PLAN**  
 ELEVATION: STONE  
 GARAGE: REAR ENTRY

DRAWN BY:  
 LRN

ISSUED ON  
 06-28-2023

SHEET NO.  
**A1**  
 OF  
**116** 13



AREA CALCULATIONS\_709 FOREST TRACE

	INTERIOR FRAME	EXTERIOR FRAME	W/MASONRY		
First Floor	1,911	SQ. FT.	1,970	SQ. FT.	2,055
Second Floor	981	SQ. FT.	1,046	SQ. FT.	1,052
Total	2,892	SQ. FT.	3,016	SQ. FT.	3,107
Total Living Area					3,107
1-Car Garage	0	SQ. FT.	0	SQ. FT.	0
2-Car Garage	411	SQ. FT.	429	SQ. FT.	458
3-Car Garage	0	SQ. FT.	0	SQ. FT.	0
Total Garage Area	411	SQ. FT.	429	SQ. FT.	458
Covered Porch	0	SQ. FT.	147	SQ. FT.	149
Covered Patio	0	SQ. FT.	211	SQ. FT.	217
Covered Balcony	0	SQ. FT.	151	SQ. FT.	167
Total Covered Porch/Patio Area	0	SQ. FT.	509	SQ. FT.	533
Total Slab Area					2,879
Total Under Roof					4,098
Total Interior Frame	3,303	SQ. FT.			
Total Exterior Frame			3,954	SQ. FT.	
Overall Width = 78'-0"			Overall Depth = 54'-2"		

**1** FIRST FLOOR PLAN  
**A1** SCALE: 1/8" = 1'-0"

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ADDRESS: 709 FOREST TRACE  
 ROCKWALL, ROCKWALL COUNTY, TX  
 BLK A/LOT 13/HIGH RIDGE STATE

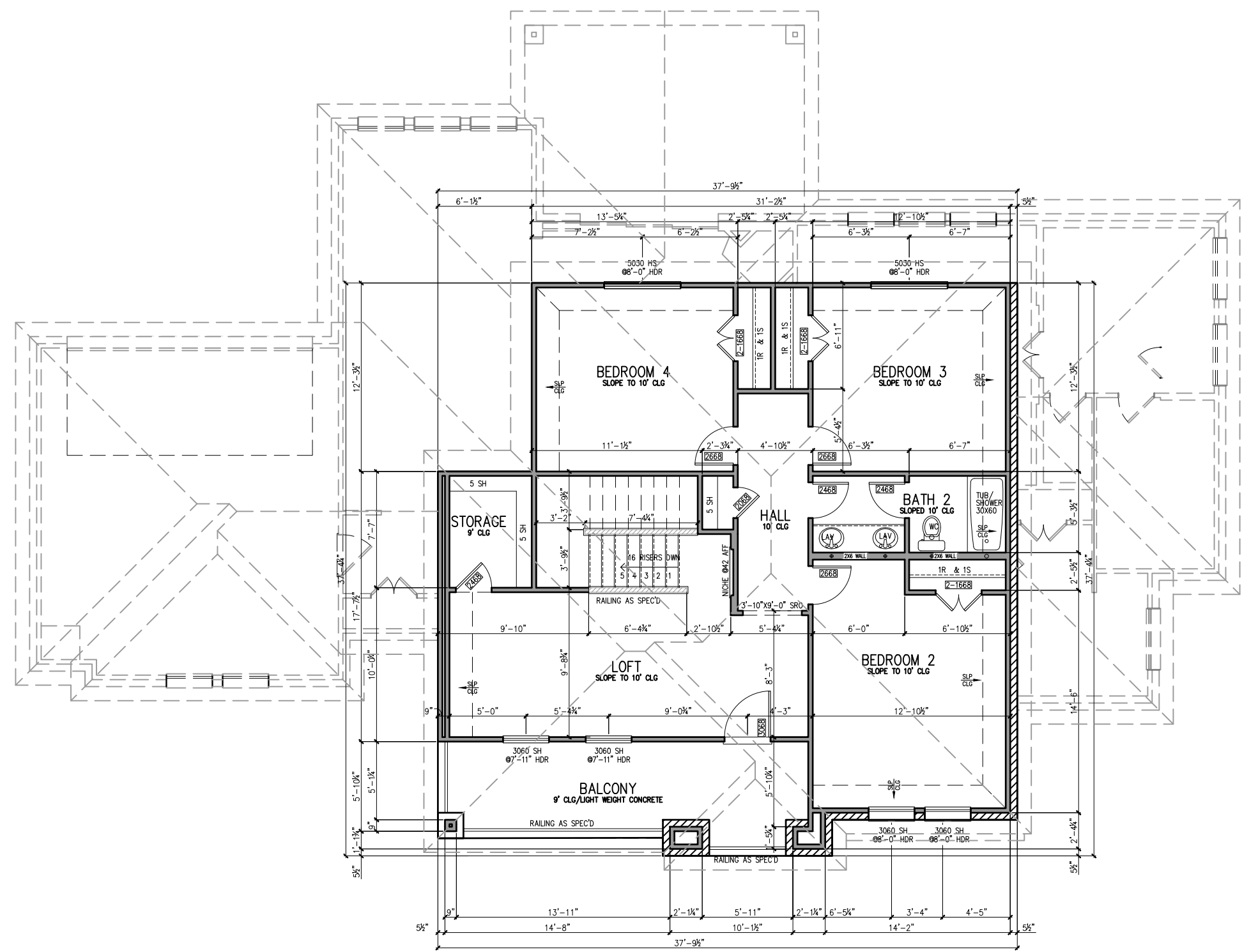
NEW RESIDENCE FOR:  
**MANUEL TIJERILLA**

DESIGN PLAN NAME/NUMBER:  
**3235 PLAN**  
 ELEVATION: STONE  
 GARAGE: REAR ENTRY

DRAWN BY:  
 LRN

ISSUED ON  
 06-28-2023

SHEET NO.  
**A1.1**  
 OF  
**117** 13



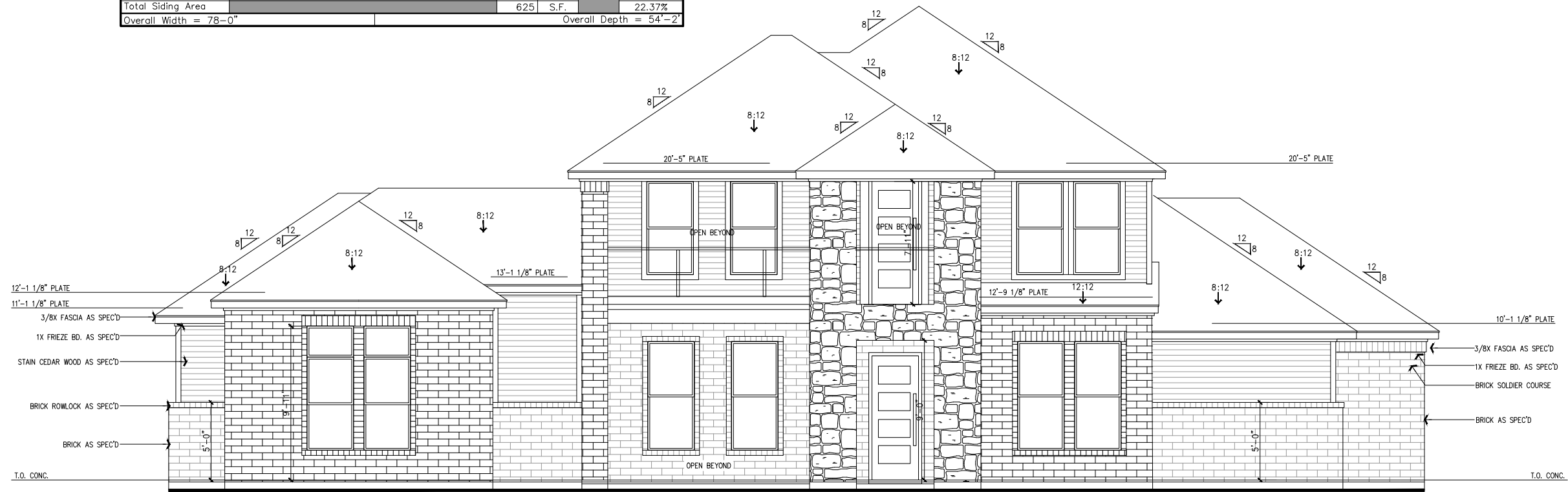
AREA CALCULATIONS\_709 FOREST TRACE

	INTERIOR FRAME	EXTERIOR FRAME	W/MASONRY		
First Floor	1,911 SQ. FT.	1,970 SQ. FT.	2,055 SQ. FT.		
Second Floor	981 SQ. FT.	1,046 SQ. FT.	1,052 SQ. FT.		
Total	2,892 SQ. FT.	3,016 SQ. FT.			
Total Living Area			3,107 SQ. FT.		
1-Car Garage	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.		
2-Car Garage	411 SQ. FT.	429 SQ. FT.	458 SQ. FT.		
3-Car Garage	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.		
Total Garage Area	411 SQ. FT.	429 SQ. FT.	458 SQ. FT.		
Covered Porch	0 SQ. FT.	147 SQ. FT.	149 SQ. FT.		
Covered Patio	0 SQ. FT.	211 SQ. FT.	217 SQ. FT.		
Covered Balcony	0 SQ. FT.	151 SQ. FT.	167 SQ. FT.		
Total Covered Porch/Patio Area	0 SQ. FT.	509 SQ. FT.	533 SQ. FT.		
Total Slab Area			2,879 SQ. FT.		
Total Under Roof			4,098 SQ. FT.		
Total Interior Frame	3,303 SQ. FT.				
Total Exterior Frame		3,954 SQ. FT.			
Overall Width = 78'-0"		Overall Depth = 54'-2"			

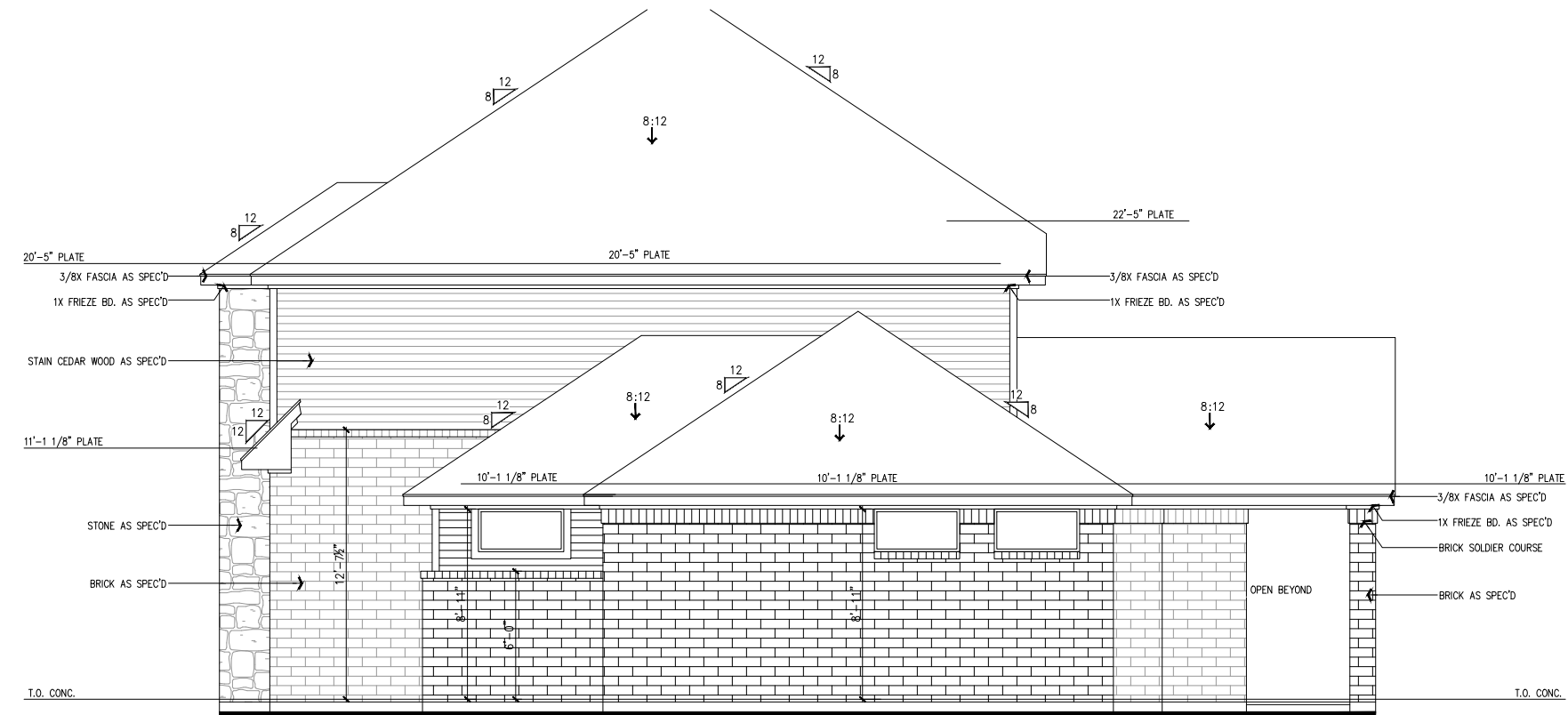
**1** SECOND FLOOR PLAN  
 A1.1 SCALE: 1/8" = 1'-0"

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MATERIAL AREA TABULATIONS		709 FOREST TRACE									
		BRICK VENEER		STONE VENEER		SIDING/STUCCO		TOTAL			
Front Elevation	487	S.F.	53.22%	256	S.F.	27.98%	172	S.F.	18.80%	915	S.F.
Right Side Elevation	413	S.F.	67.48%	44	S.F.	7.19%	155	S.F.	25.33%	612	S.F.
Rear Elevation	458	S.F.	71.23%	0	S.F.	0.00%	185	S.F.	28.77%	643	S.F.
Left Side Elevation	489	S.F.	78.37%	22	S.F.	3.53%	113	S.F.	18.11%	624	S.F.
Total Area	1,847	S.F.		322	S.F.		625	S.F.		2,794	S.F.
Total Brick Area							1,847	S.F.		66.11%	
Total Stone Area				322	S.F.					11.52%	
Total Siding Area						625	S.F.			22.37%	
Overall Width = 78'-0"		Overall Depth = 54'-2"									



1 FRONT ELEVATION  
A3 SCALE: 1/8" = 1'-0"



2 RIGHT SIDE ELEVATION  
A3 SCALE: 1/8" = 1'-0"

ADDRESS: 709 FOREST TRACE  
ROCKWALL, ROCKWALL COUNTY, TX  
BLK A/LOT 13/HIGH RIDGE STATE

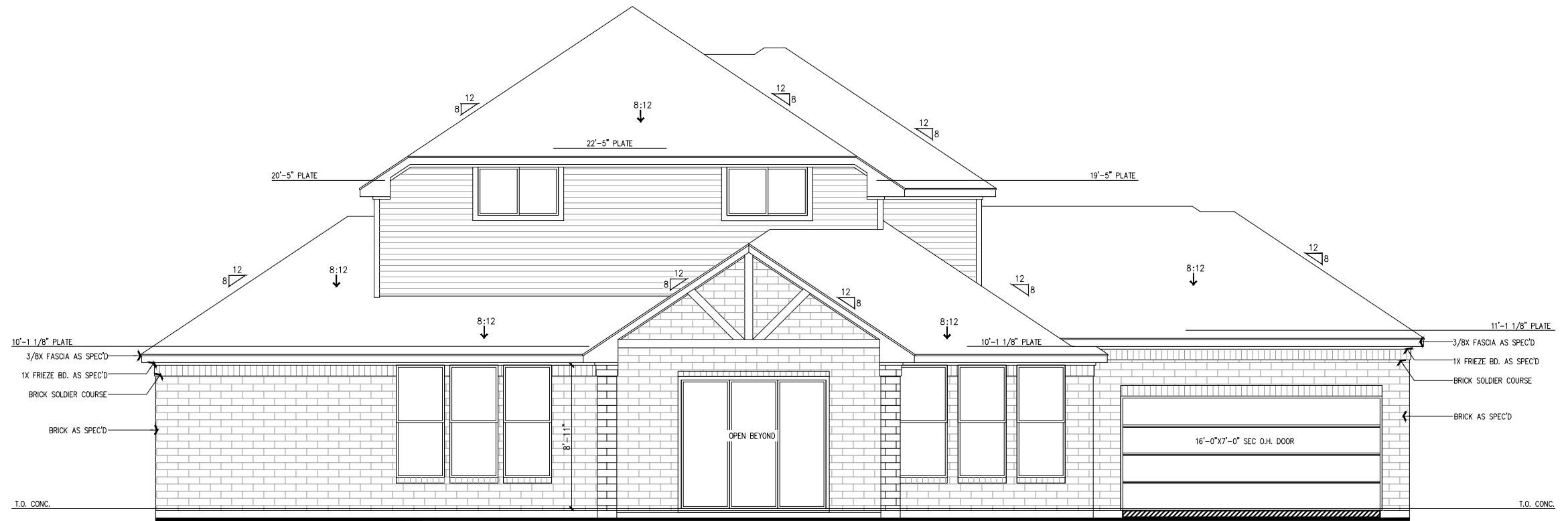
NEW RESIDENCE FOR:  
MANUEL TIJERILLA

DESIGN PLAN NAME/NUMBER:  
3235 PLAN  
ELEVATION: STONE  
GARAGE: REAR ENTRY

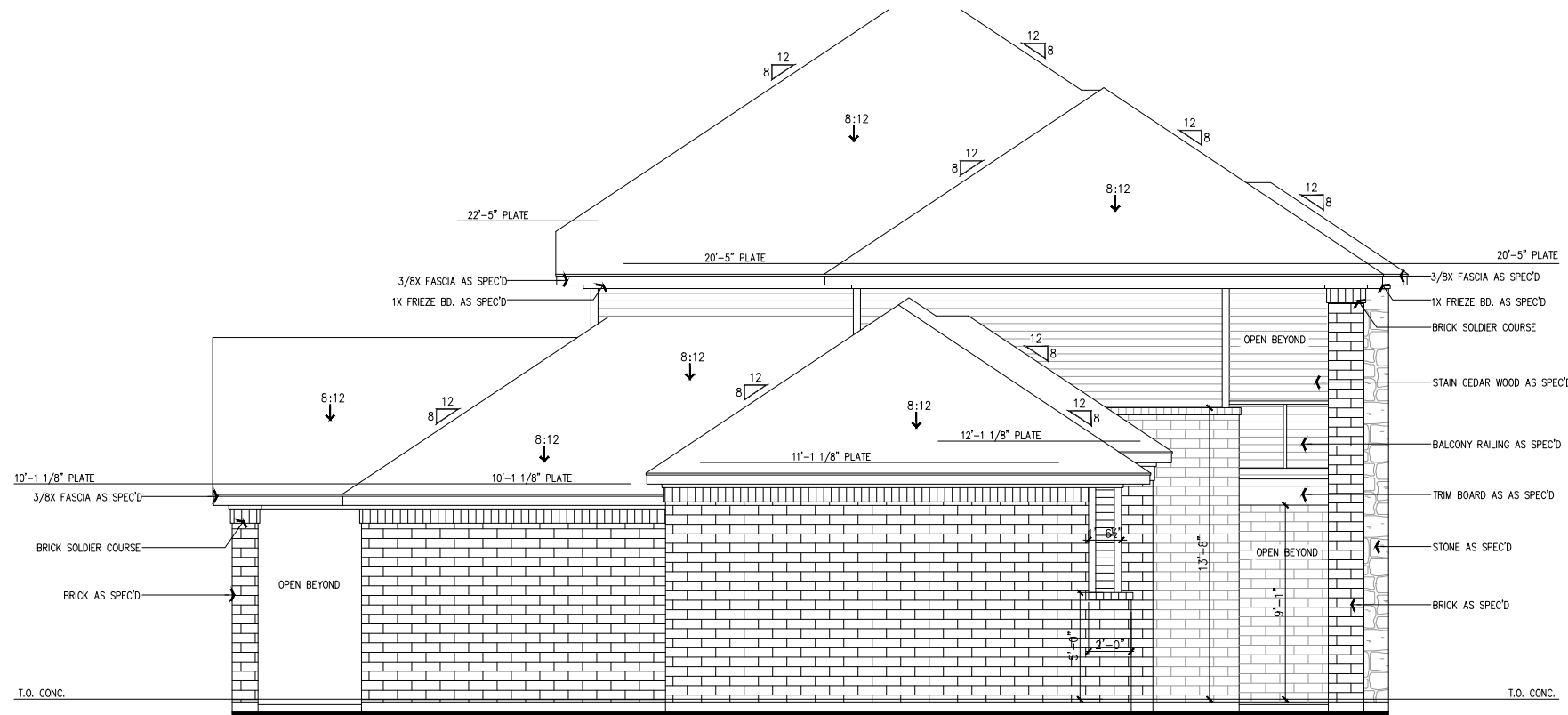
DRAWN BY:  
LRN

ISSUED ON  
06-28-2023

SHEET NO.  
A3  
OF  
118 13



1 REAR ELEVATION  
 A4 SCALE: 1/8" = 1'-0"



2 LEFT SIDE ELEVATION  
 A4 SCALE: 1/8" = 1'-0"

ADDRESS: 709 FOREST TRACE  
 ROCKWALL, ROCKWALL COUNTY, TX  
 BLK A/LOT 13/HIGH RIDGE STATE

NEW RESIDENCE FOR:  
 MANUEL TIJERILLA

DESIGN PLAN NAME/NUMBER:  
 3235 PLAN  
 ELEVATION: STONE  
 GARAGE: REAR ENTRY

DRAWN BY:  
 LRN

ISSUED ON  
 06-28-2023

SHEET NO.  
 A4  
 OF  
 119 13

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GENERAL ROOF NOTES:

ROOF PITCH:  
8:12 UNLESS OTHERWISE NOTED.

OVERHANG:  
1'-4 1/2" FROM FRAME UNLESS OTHERWISE NOTED.

SLOPE DOWN IN DIRECTION OF ARROWS.

GUTTER & DOWNSPOUT LOCATIONS AS SPECIFIED.

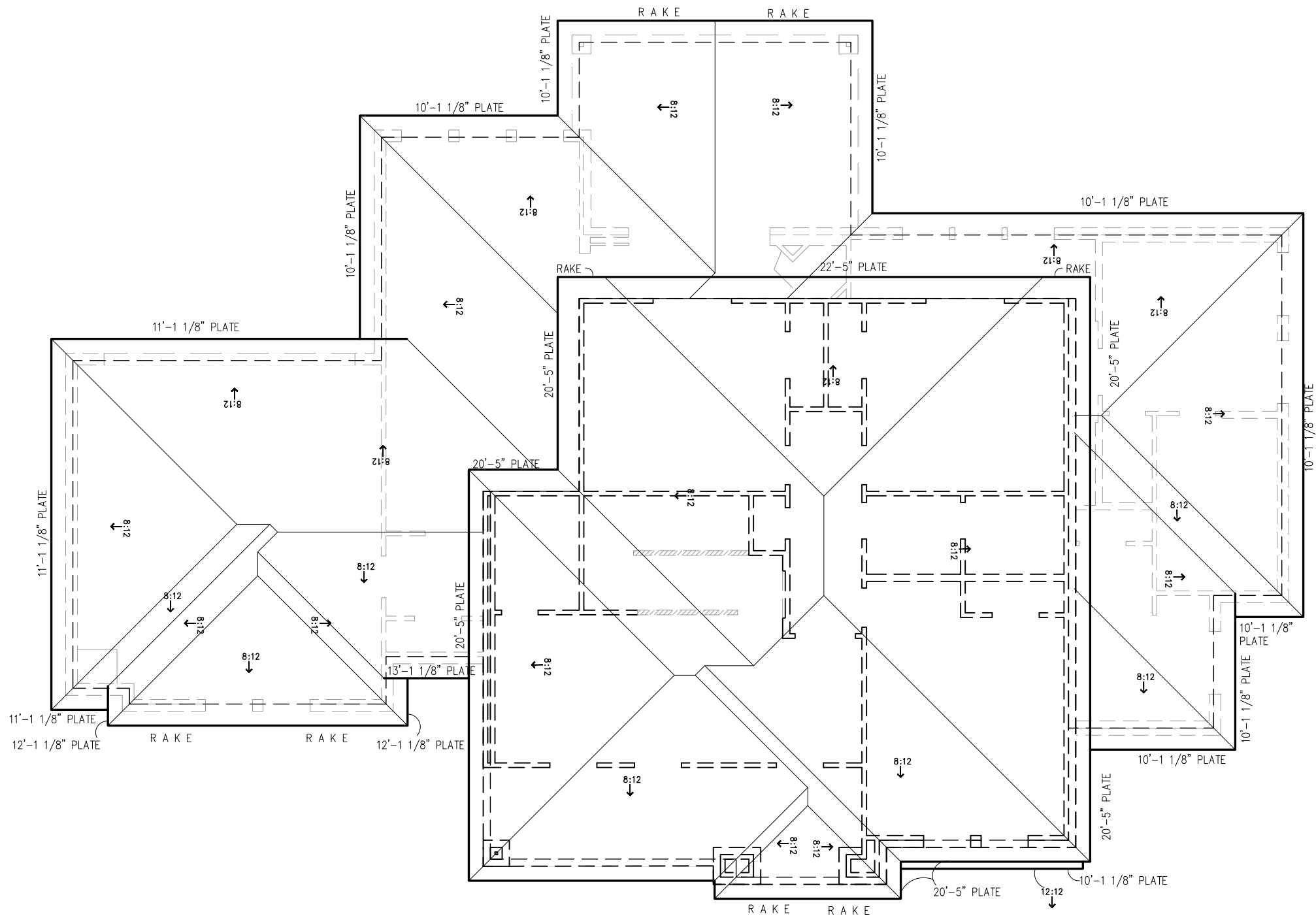
ROOFING MATERIAL AS SPECIFIED.

PRE-FINISHED GALV. METAL FLASHING AND DRIP EDGE SHALL BE USED AT ALL APPLICABLE LOCATIONS.

METAL VENT STACKS SHALL BE PRE-FINISHED OR PAINTED TO MATCH ROOF.

REFER TO ROOF PLAN FOR ROOF SLOPES, PLATE HEIGHTS AND INFORMATION NOT PROVIDED IN THESE NOTES.

PROPER ATTIC VENTILATION REQUIRES THAT THE RATIO OF TOTAL NET FREE VENTILATING AREA TO THE AREA OF THE CEILING SHALL BE NO LESS THAN 1/300 PROVIDED THAT A VAPOR RETARDED HAVING A PERMANENCE NOT EXCEEDING ONE PERM IS INSTALLED ON THE WARM SIDE OF THE CEILING OR AT LEAST 50% OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED (AT LEAST 3' ABOVE EAVE OR CORNICE VENTS) WITH THE BALANCE OF THE REQUIRED VENTILATION PROVIDED BY EAVE OR CORNICE VENTS. VERIFY VENTILATION REQUIREMENTS WITH ROOF SYSTEM MANUFACTURER



1 ROOF PLAN  
A5 SCALE: 1/8" = 1'-0"

ADDRESS: 709 FOREST TRACE  
ROCKWALL, ROCKWALL COUNTY, TX  
BLK A/LOT 13/HIGH RIDGE STATE

NEW RESIDENCE FOR:  
MANUEL TIJERILLA

DESIGN PLAN NAME/NUMBER:  
3235 PLAN  
ELEVATION: STONE  
GARAGE: REAR ENTRY

DRAWN BY:  
LRN

ISSUED ON  
06-28-2023

SHEET NO.  
A5  
OF  
120 13





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-031

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

### ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
703 Forest Trace	Single-Family Home	1978	4,730	N/A	Brick
705 Forest Trace	Single-Family Home	2003	4,085	N/A	Brick and Stone
707 Forest Trace	Single-Family Home	1976	3,346	90	Brick, Stone, and Siding
709 Forest Trace	Vacant	N/A	N/A	N/A	N/A
711 Forest Trace	Single-Family Home	1985	3,540	N/A	Brick
713 Forest Trace	Single-Family Home	1993	2,509	N/A	Brick
715 Forest Trace	Single-Family Home	1980	4,075	N/A	Brick
714 Forest Trace	Single-Family Home	1981	3,165	N/A	Brick and Siding
712 Forest Trace	Single-Family Home	1985	3,631	384	Brick
710 Forest Trace	Single-Family Home	1979	3,818	N/A	Brick
708 Forest Trace	Single-Family Home	1981	3,016	164	Brick
706 Forest Trace	Single-Family Home	1976	4,103	N/A	Brick
	AVERAGES:	1983	3,638	213	



# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-031

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



703 Forest Trace



705 Forest Trace





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-031

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



707 Forest Trace



709 Forest Trace





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-031

## PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



711 Forest Trace



713 Forest Trace





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-031

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



715 Forest Trace



714 Forest Trace





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-031

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



712 Forest Trace



710 Forest Trace





# CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2023-031

**PLANNING AND ZONING DEPARTMENT**

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



708 Forest Trace



706 Forest Trace



CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING 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 0.248-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 13, BLOCK A, HIGHRIDGE ESTATES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request by Manuel Tijerina for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.248-acre parcel of land identified as Lot 13, Block A, of the Highridge Estates Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 709 Forest Trace, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- as heretofore amended and may be amended in the future -- and with the following conditions:

## 2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a single-family home on the *Subject Property* and conformance to these operational conditions are required:

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

## 2.2 COMPLIANCE

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

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

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

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

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

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7<sup>th</sup> DAY OF AUGUST, 2023.**

\_\_\_\_\_  
Trace Johannesen, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: July 17, 2023

2<sup>nd</sup> Reading: August 7, 2023



**Exhibit 'A':  
Location Map**

Address: 709 Forest Trace

Legal Description: Lot 13, Block A, Highridge Estates Addition



**Exhibit 'B':  
Residential Plot Plan**

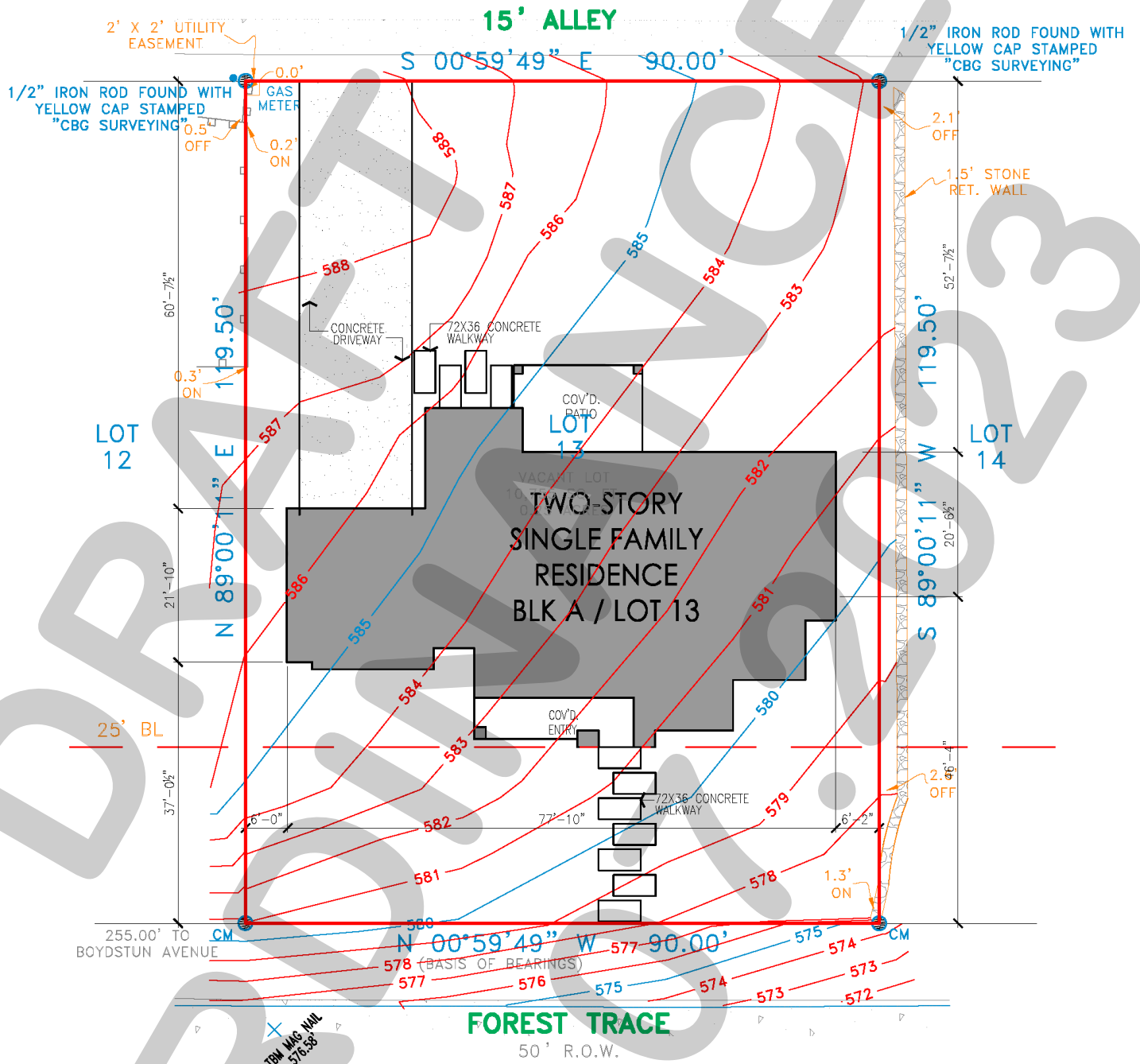


Exhibit 'C':  
Building Elevations

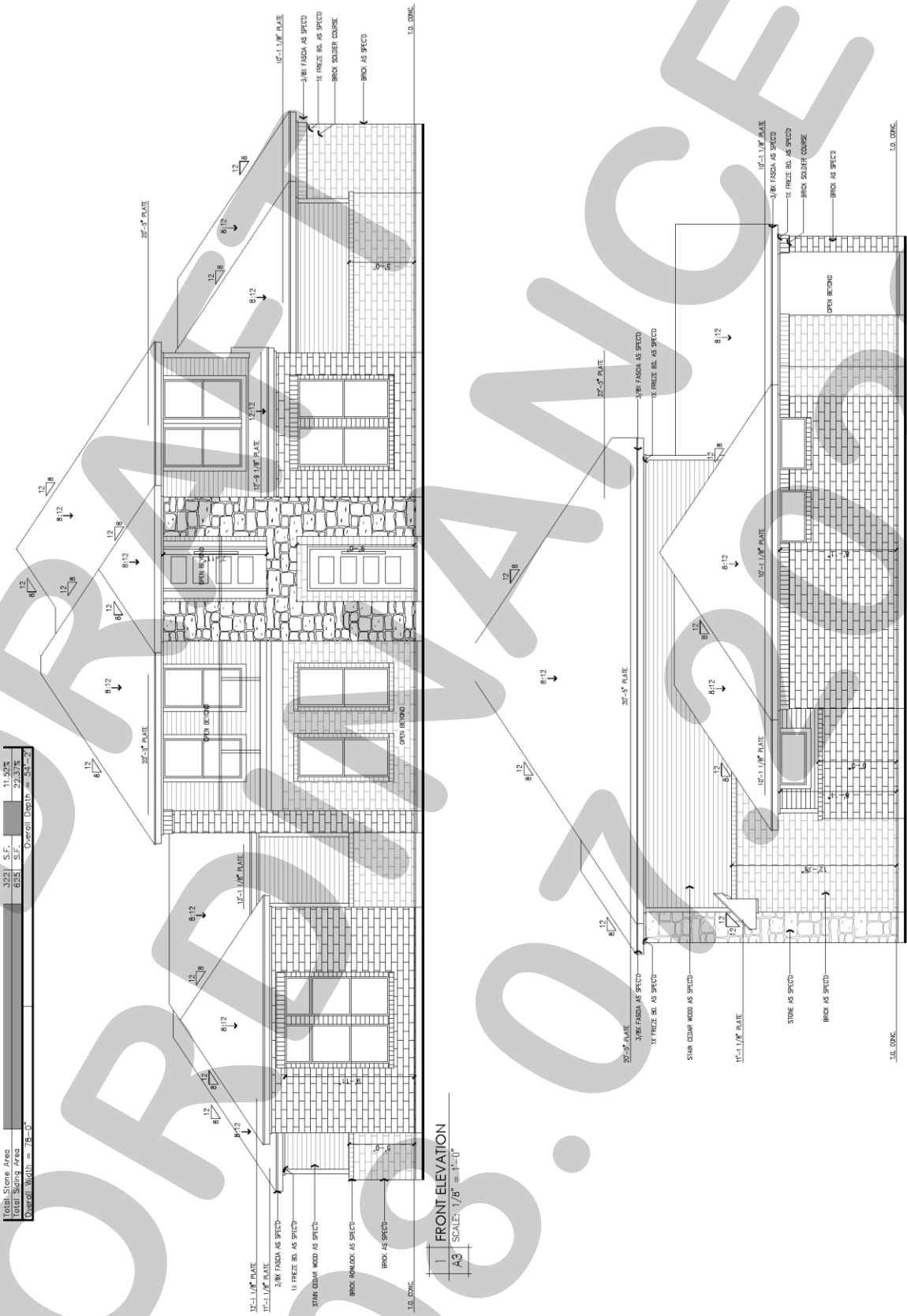
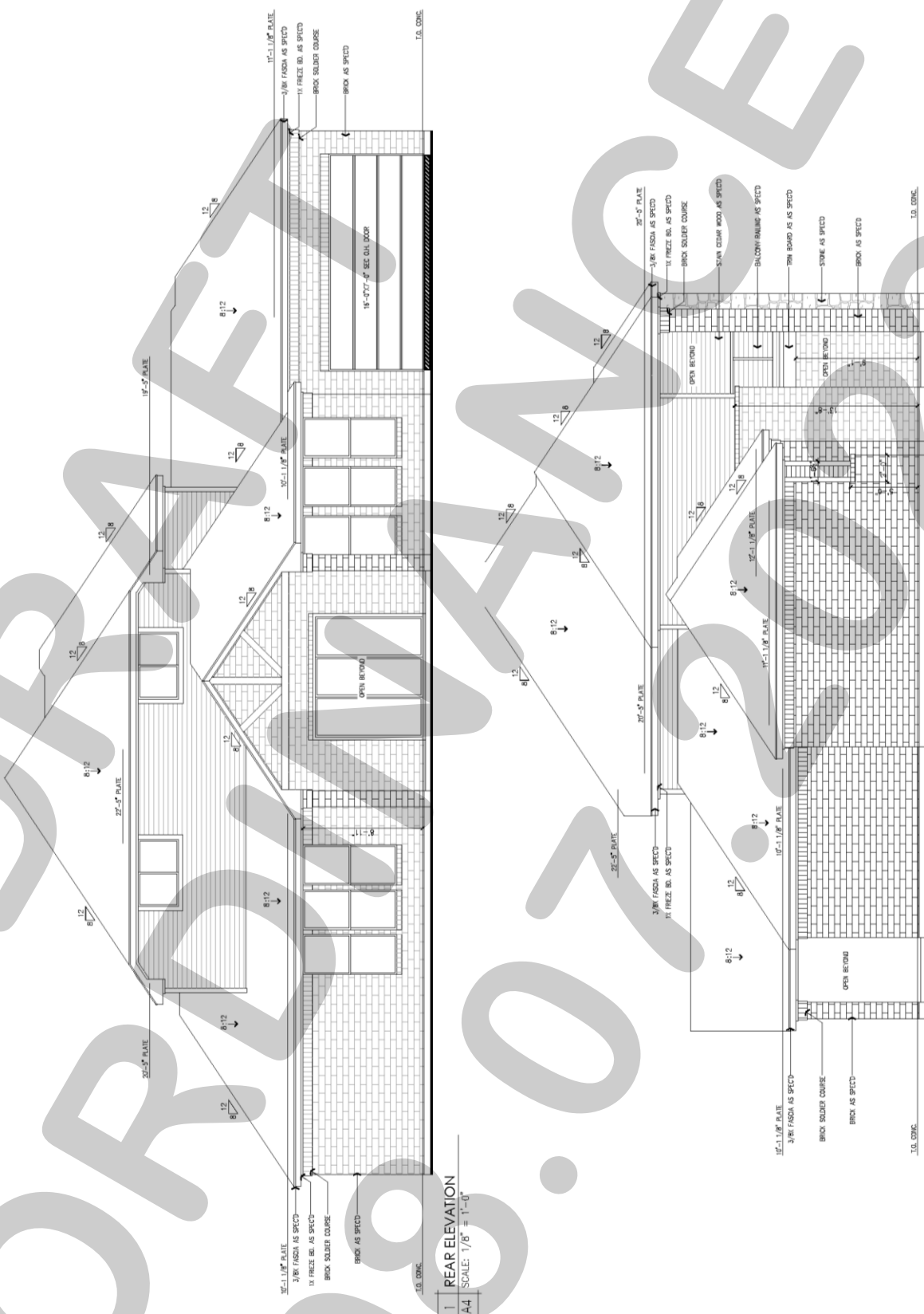




Exhibit 'C':  
Building Elevations



1 REAR ELEVATION  
A4 SCALE: 1/8" = 1'-0"



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** August 7, 2023

**SUBJECT:** Z2023-032; SPECIFIC USE PERMIT (SUP) FOR THE EXPANSION OF AN EXISTING MOTOR VEHICLE DEALERSHIP AT 1540 E. IH-30

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### Attachments

Case Memo  
Development Application  
Location Map  
HOA Notification Map  
Property Owner Notification Map  
Property Owner Notification List  
Public Notice  
Property Owner Notifications  
Applicant's Letter  
Applicant's Letter for Variances  
Concept Plan  
Conceptual Building Elevations  
Conceptual Landscape Plan  
Subdivision Plat  
Draft Ordinance

### Summary/Background Information

Hold a public hearing to discuss and consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* superseding *Ordinance No. 22-02 [S-266]* and allowing the expansion of an existing *Motor Vehicle Dealership* (i.e. *Clay Cooley Hyundai*) being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary (**1st Reading**).

Action Needed

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





# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** August 7, 2023  
**APPLICANT:** Drew Donosky; Claymoore Engineering  
**CASE NUMBER:** Z2023-032; *Specific Use Permit (SUP) for the Expansion of an Existing Motor Vehicle Dealership at 1540 E. IH-30*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a Specific Use Permit (SUP) superseding *Ordinance No. 22-02 [S-266]* and allowing the expansion of an existing *Motor Vehicle Dealership (i.e. Clay Cooley Hyundai)* being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and take any action necessary.

### BACKGROUND

The subject property was annexed on December 3, 1985 by *Ordinance No. 85-69 (Case No. A1985-002)*. At the time of annexation, the subject property was zoned Agricultural (AG) District. The subject property remained zoned Agricultural (AG) District until June 6, 2005 when the City Council approved *Ordinance No. 05-25 (Case No. Z2005-019)* changing the zoning to a Light Industrial (LI) District. The building on the subject property was constructed as a house of worship (*i.e. Church of Christ*) in 1990 and was remodeled in 2012-2013 after the City Council approved *Ordinance No. 12-11 (Case No. Z2012-005)* -- on June 18, 2012 -- allowing a *New Motor Vehicle Dealership for Cars and Light Trucks* on property. The changes to the exterior of the building were approved by site plan under *Case No. SP2012-010* on June 12, 2012.

On January 14, 2013, the then owner of the property applied for a sign variance to [1] allow two (2) pole signs along the IH-30 frontage road (*i.e. a 40-foot tall sign with 400 SF of sign area and a 50-foot tall sign with 600 SF of sign area*), [2] to have the 40-foot tall pole sign situated one (1) foot from the property line, [3] allow a 600 SF electronic message display, and [4] to have a 16-foot tall by 16-foot wide (*i.e. 256 SF*) wall sign. At the time, the code allowed one (1) pole sign a maximum of 30-foot tall and 167 SF in size to be situated on a property as long as it was setback a minimum of ten (10) feet from all property lines. In addition, wall signs were permitted to be a maximum of six (6) feet tall and six (6) feet wide. This request was approved by the City Council on January 22, 2013 and the permits for these signs (*Case No.'s SGN2013-015 & SGN2013-0017*) were issued on February 7, 2013.

In 2017, the current owner (*i.e. Clay Cooley Hyundai*) purchased the property. In 2021, staff engaged the property owner about building a metal fence without a permit around an area being used for outside storage. At this time, outside storage was not permitted on the subject property. In addition, automotive work was being done on vehicles in this unenclosed area, which is expressly prohibited by the Unified Development Code (UDC) and the Specific Use Permit (SUP) that was in effect at the time. On January 3, 2022, a Specific Use Permit (SUP) [*Case No. Z2021-049; Ordinance No. 22-02*] was approved by City Council allowing the expansion of the *New Motor Vehicle Dealership*, and adding the *Minor Automotive Repair Garage, Car Wash, and Outside Storage* land uses to the subject property. On February 15, 2022, the Planning and Zoning Commission approved a site plan [*Case No. SP2022-003*] allowing the expansion of the *New Motor Vehicle Dealership* and adding the two (3) accessory uses (*i.e. a Car Wash, Outside Storage, and a Minor Auto Repair Garage*) in compliance with the approved Specific Use Permit (SUP) [*Ordinance No. 22-02*].

Recently, the applicant approached staff about increasing the size of the proposed expansion of the *New Motor Vehicle Dealership* and changing the proposed *Minor Automotive Repair Garage* to a *Major Automotive Repair Garage*. Staff explained to the applicant that since this would constitute a major change to the approved conceptual site plan and building

elevations and the land uses permitted in the approved Specific Use Permit (SUP), that the current Specific Use Permit (SUP) would need to be superseded with a new Specific Use Permit (SUP). On June 16, 2023, the applicant submitted an application requesting to amend the previously approved Specific Use Permit (SUP) to allow for the further expansion of the existing *New Motor Vehicle Dealership*, and changing the proposed accessory land use of a *Minor Automotive Repair Garage* to *Major Automotive Repair Garage*.

## **PURPOSE**

The applicant -- *Drew Donosky of Claymoore Engineering* -- is requesting to amend the previously approved Specific Use Permit (SUP) to allow for the expansion of an existing *New Motor Vehicle Dealership for Cars and Light Trucks*, and adding the *Major Auto Repair Garage* as an accessory land use in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

## **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 1540 E. IH-30 and is currently being used as a *Motor Vehicle Dealership (i.e. Clay Cooley Hyundai of Rockwall)*. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are the eastbound frontage roads for IH-30, followed by the main lanes for IH-30, and the westbound frontage roads. Beyond this are three (3) parcels of land currently occupied by an appliance store (*i.e. North Texas Appliance*), a house of worship (*i.e. Landmark Fellowship Church*), and a multi-tenant facility consisting of two (2) metal buildings. All of these properties are zoned Light Industrial (LI) District.

South: Directly south of the subject property is a dedicated 60-foot right-of-way followed by a 2.40-acre parcel of vacant land (*i.e. Lot 1, Block 2, Rockwall Recreational Addition*) zoned Light Industrial (LI) District. South of this parcel of land is a 21.684-acre tract of vacant land (*i.e. Tract 4-09 of the N. M. Ballard Survey, Abstract No. 24*) zoned Light Industrial (LI) District.

East: Directly east of the subject property is a *Motor Vehicle Dealership (i.e. Rockwall Honda)*, which is situated on an 8.686-acre parcel of land (*i.e. Lot 1, Block 1, Honda of Rockwall Addition*) that is zoned Commercial (C) District. Beyond this are two (2) vacant tracts of land (*i.e. Tract 2 of the J. Lockhart Survey, Abstract No. 134 and Tract 3 of the J. M. Allen Survey, Abstract No. 2*) that are zoned Commercial (C) District.

West: Directly west of the subject property is Commerce Street, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an overflow sales/inventory storage lot for the motor vehicle dealership operating on the subject property (*i.e. Clay Cooley Hyundai of Rockwall*). This property is zoned Light Industrial (LI) District and has a Specific Use Permit (SUP) for a *New Motor Vehicle Dealership (i.e. S-189; Ordinance No. 18-22)*. Beyond this are two (2) metal buildings (*i.e. Rockwall Utility Trailers, M & P Concrete, Living Earth Rockwall, and Elliott Electric Supply*) on one (1) tract of land (*i.e. Tract 4-4 of the N. M. Ballard Survey, Abstract No. 24*) and one (1) parcel of land (*i.e. Lot 1, Block A, Lane Business Park Addition*). These properties are zoned Planned Development District 31 (PD-31) for limited Heavy Commercial (HC) District land uses and Planned Development District 26 (PD-26) for limited Light Industrial (LI) District land uses.

## **CHARACTERISTICS OF THE REQUEST AND CONFORMANCE WITH THE CITY'S CODE**

The applicant has submitted a new concept plan and building elevations in conjunction with the request to amend the Specific Use Permit (SUP). The submitted concept plan shows that the proposed detached *Minor Automotive Repair Garage* will be increased from three (3) bays to eight (8) bays, and -- *based on the applicant's response to staff's comments* -- will be changed to a *Major Automotive Repair Garage*. The proposed concept also shows that the proposed transformer and fuel storage islands will be moved to the parking islands along the southern most drive isle. In addition, the canopy structure on the west side of the main building will be increased in size. These changes have been annotated on excerpts from the approved and proposed concept plans as depicted in *Figure 1* and *Figure 2* below.

FIGURE 1: APPROVED CONCEPT PLAN

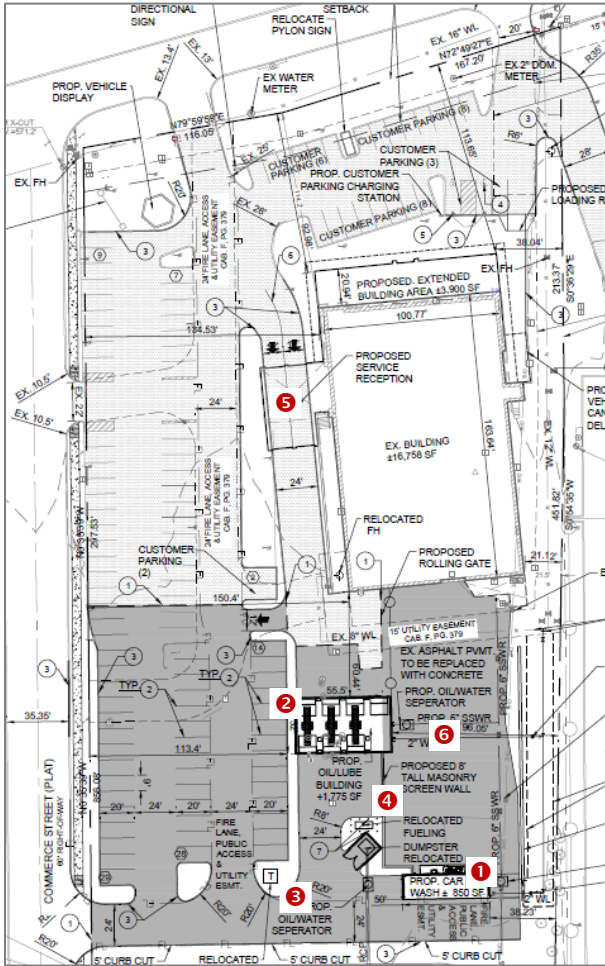
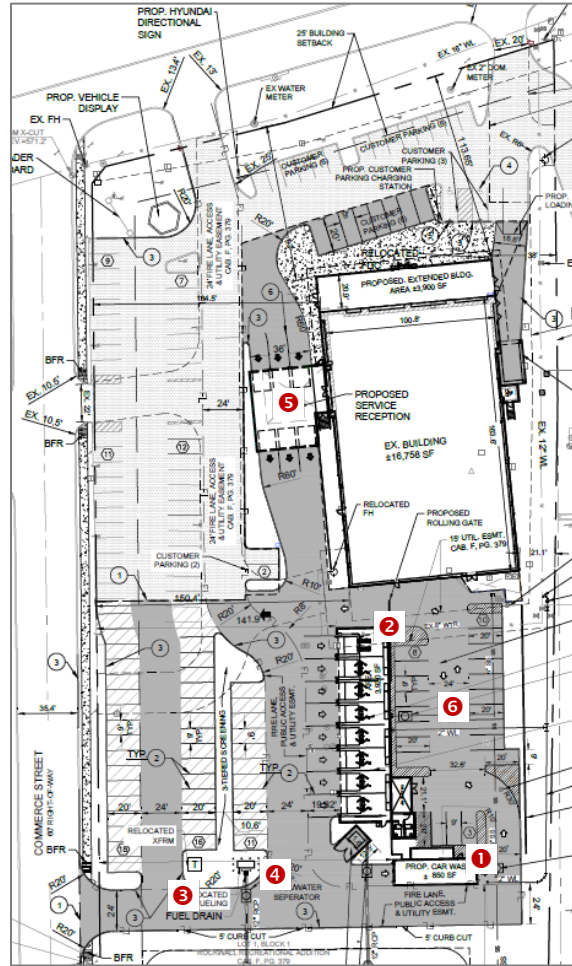


FIGURE 2: PROPOSED CONCEPT PLAN



1: CARWASH; 2: AUTOMOTIVE REPAIR GARAGE; 3: TRANSFORMER; 4: FUEL STORAGE ISLAND; 5: CANOPY; 6: OUTSIDE STORAGE

According to Article 13, *Definitions*, of the Unified Development Code (UDC) a *New Motor Vehicle Dealership for Cars and Light Trucks* is defined as the “(r)etail sales of new automobiles or light load vehicles, including, as a minor part of the business, the sale of used automobiles or light load vehicles and the service of new or used vehicles within an area or enclosed building.” In addition, Article 04, *Permissible Uses*, of the Unified Development Code (UDC) sets forth the following *Conditional Land Use Standards* for this land use: [1] all outside display of vehicles must be on an approved concrete, or enhanced concrete surface, and [2] all vehicle display areas must meet the landscape standards for parking areas. Currently, the subject property is considered to be in compliance with these requirements. The landscaping on the site was originally approved in 2012, and is considered to be legally non-conforming; however, staff has included a condition of approval of this case that the landscaping be upgraded as part of the required site plan in accordance with the requirements of Subsection 02, *Application of Article*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC). This section of the code states that “(t)he landscape and screening provisions of this Article shall apply to ... (t)he expansion of a non-residential parking lot that increases the existing impervious area by 30.00% or that adds 2,000 SF of impervious areas.

With regard to the definitions and *Conditional Land Use Standards* for the proposed accessory land uses, the Unified Development Code (UDC) states the following:

- (1) **Car Wash.** A Car Wash is defined by Article 13, *Definitions*, of the Unified Development Code (UDC) as “(a) facility or area for the cleaning or steam cleaning, washing, polishing, or waxing of passenger vehicles by machine or hand-operated facilities. A car wash may be [1] a single unit type that has a single bay or a group of single bays with each bay to accommodate one vehicle only; or [2] a tunnel type that allows washing of multiple vehicles in a tandem arrangement while moving through the structure.” The code goes on to list the following *Conditional Land Use Standards* for the Car Wash land use: [1] entrances and exists to the car was shall not directly face any public right-of-way; however, on corner lots, the entrances and exists shall not open toward the street with the highest traffic volume as determined by the Director of Planning and Zoning, and [2] the car was shall be setback a minimum of 50-feet from any street frontage.



Conformance to the Conditional Land Use Standards for a Car Wash: Based on the submitted materials, the applicant's concept plan is in conformance with the *Conditional Land Use Standards for a Car Wash*. Specifically, the proposed *Car Wash* is oriented towards Commerce Street as opposed to IH-30, and is setback approximately 150-feet from the right-of-way along Commerce Street.

- (2) Major Automotive Repair Garage. Article 13, *Definitions*, of the Unified Development Code (UDC) defined a *Major Automotive Repair Garage* as consisting of "(m)ajor repair, rebuilding or reconditioning of engines, transmissions, or other major components for motor vehicles; collision services including body, frame, or fender straightening or repair; customizing; overall painting or paint shop; automotive glass and upholstery; those uses listed under *Minor Auto Repair Garage*, and other similar uses. All repair work shall be performed inside an enclosed building. Vehicles shall not be stored on site no longer than 90-days." Article 04, *Permissible Uses*, of the Unified Development Code (UDC) goes on to list the *Conditional Land Use Standards* for this land use as [1] garage doors shall not face a public right-of-way, park or open space, or residentially zoned or used property, and [2] vehicles, equipment, parts or inventory shall not be stored outside overnight unless granted by the Planning and Zoning Commission and City Council through Specific Use Permit (SUP). If permitted all stored items shall be screened from public right-of-way, sidewalks and open space, and any residentially zoned or used property in accordance with the screening standards in the Unified Development Code (UDC).

Conformance to the Conditional Land Use Standards for a Major Automotive Repair Garage: In this case, the proposed *Major Automotive Repair Garage* has bay doors facing onto Commerce Street. Staff did recommend that the applicant consider combining the two (2) middle rows of parking, which would allow [1] the ability to provide additional landscaping to properly screen the bay doors and [2] additional width to the drive aisle in front of the bay doors for turning movements. The applicant has provided an updated site plan and landscape plan which incorporates this design shown in *Figure 3*. With regard to the outside storage, the applicant is proposing an outside storage area that will be situated behind an eight (8) foot masonry wall and canopy trees planted on 20-foot centers. Staff did include a provision prohibiting the outside storage of tires and maintenance equipment -- as *this can create mosquito harborage* -- and from maintenance work being performed outside.

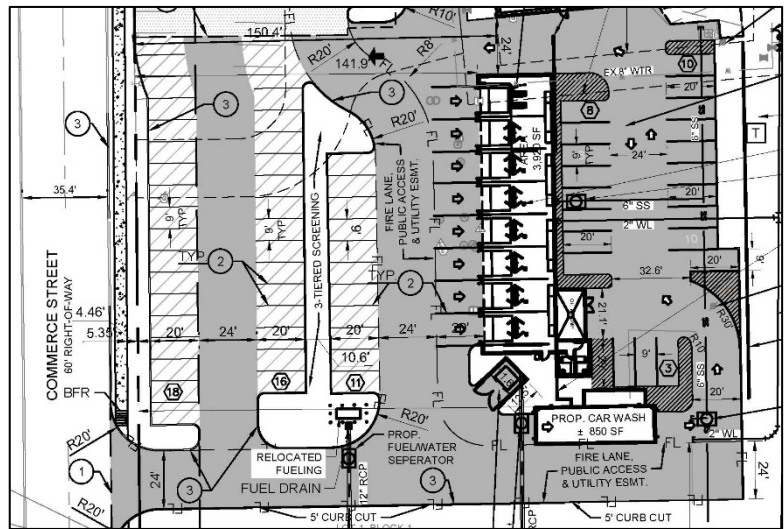


FIGURE 3: MAJOR AUTOMOTIVE REPAIR GARAGE SCREENING

- (3) Outside Storage. *Outside Storage* is defined by Article 13, *Definitions*, of the Unified Development Code (UDC) as "(t)he permanent or continuous keeping, displaying, or storing of unfinished goods, material, merchandise, equipment, service vehicles or heavy vehicles outside of a building on a lot or tract overnight or for more than 24-hours." In addition, Article 04, *Permissible Uses*, of the Unified Development Code (UDC) list the following *Conditional Land Use Standards* for this land use as: [1] all outside storage areas shall be screened in accordance with the screening standards of the Unified Development Code (UDC), and [2] no outside storage shall be allowed adjacent to IH-30; however, on Light Industrial (LI) District property the Planning and Zoning Commission and City Council may allow outside storage on a case-by-case basis through a Specific Use Permit (SUP).

Conformance to the Conditional Land Use Standards for Outside Storage: According to Subsection 01.05(E), *Outside Storage*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "... screening must be at least one (1) foot taller than the material or vehicles being stored and shall be achieved using a masonry wall (*excluding tilt wall or concrete masonry units [CMU] unless otherwise approved by the Planning and Zoning Commission*) and Canopy Trees on 20-foot centers." In this case, the applicant has indicated that the outside storage area will be screened with an eight (8) foot masonry wall and has provided canopy trees on 20-foot centers. Based on this the applicant's request is in conformance with the requirements for outside storage.

In addition to the requirements for the proposed primary and accessory land uses, staff has identified the following deficiencies in the proposed conceptual site plan and building elevations:

- (1) Cementitious Materials. According to Article 05, *General Overlay District Development Standards*, of the Unified Development Code (UDC), “(t)he use of cementitious materials (e.g. stucco) shall be limited to 50.00% of the building’s exterior façade; however, stucco shall not be used within the first four (4) feet of grade on a building’s façade.” In this case, the applicant is requesting to use primarily stucco on all the building’s facades but has incorporated brick and stone accents which is typical of industrial buildings. This will require a variance.
- (2) Stone. According to Article 05, *General Overlay District Development Standards*, of the Unified Development Code (UDC), “(a) minimum of 20% natural or quarried stone is required on all building façades.” In this case, the proposed building elevations for the main structure does not incorporate any stone but the applicant has provided at least 12% stone on the proposed *Major Auto Repair Garage* and the *Car Wash*. This will require a variance.
- (3) Four (4) Sided Architecture. According to Article 05, *General Overlay District Development Standards*, of the Unified Development Code (UDC), “(a)ll buildings shall be architecturally finished on all four (4) sides utilizing the same materials, detailing, articulation and features. In addition, a minimum of one (1) row of trees (i.e. four [4] or more accent or canopy trees) shall be planted along perimeter of the subject property to the rear of the building.” In this case, the proposed building does not meet the articulation standards for all four (4) facades of all buildings proposed and there is not an additional row of trees proposed at the back of the property. This will require a variance.
- (4) Garage Door Orientation. According to Article 04, *Permissible Uses*, of the Unified Development Code (UDC), “(g)arage doors shall not face a public right-of-way, park or open space, or residentially zoned or used property.” In this case, the proposed building elevations and concept plan shows the garage doors facing on to Commerce Street. This will require an exception.

If the proposed case is approved, the Planning and Zoning Commission and City Council will be granting the abovementioned variances and exception. Typically, when variances and exceptions are requested as part of a site plan, the Unified Development Code (UDC) requires compensatory or off-setting measures. In this case, the applicant has provided a letter indicating the following as compensatory measures: [1] additional projecting elements on the front elevation of the *Major Auto Repair Garage*, [2] varied roof heights, [3] an additional canopy on the front elevation, [4] an additional articulated cornice at the top of the parapet wall, [5] addition of stone accents separating the stucco from stone finish, [6] included parapet walls on all four (4) elevations to provide additional screening of the roof, [7] increased shrub size in three-tiered screening to 7 gallons, [8] increased all canopy trees to five (5) inch caliper, [9] increased all accent trees to a minimum of eight (8) foot to provide more mature screening at planting. In addition, variances and exceptions being requested through the site plan process require a three-quarter majority vote of the Planning and Zoning Commission for approval. In this case, the requested variances and exceptions are essential to the applicant’s Specific Use Permit (SUP) request and -- *since they are associated with the zoning request* -- will only require a simple majority vote of the City Council for approval. All of these aspects of this case are considered to be discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

## **STAFF ANALYSIS**

The proposed building was originally converted from an existing *House of Worship*, and as a result many aspects of the site are considered to be legally non-conforming. The applicant’s current request does increase the non-conformities existing on the site and does not conform to many of the standards of the *General Overlay District Requirements* and the *Conditional Land Use Standards* for the *Major Automotive Repair Garage* and *Outside Storage* land uses. Staff should point out that some of the variances listed in the above sections relating to the design standards associated with the existing buildings have been granted through previous Specific Use Permit (SUP) requests; however, based on the applicant’s current request, these variances have been increased or changed. This is why they have been relisted as part of this Specific Use Permit (SUP) request and should be reconsidered with the applicant’s current proposal. With this being said, requests for Specific Use Permits (SUPs) are discretionary decisions for the City Council pending a recommendation from the Planning and Zoning Commission.

## **NOTIFICATIONS**

On June 22, 2023, staff mailed 17 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received two (2) notices in favor of the applicant's request.

## **CONDITIONS OF APPROVAL**

If City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for the expansion of an existing *Motor Vehicle Dealership*, 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) All operations on this property shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
  - (b) The development or redevelopment of the Subject Property shall generally conform to the Landscape Plan depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
  - (c) The development or redevelopment of the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'D'* of this ordinance; however, these elevations shall be subject to review and recommendation by the Architectural Review Board (ARB) and approval by the Planning and Zoning Commission through the site plan review process.
  - (d) No vehicle display areas shall be permitted within the required landscape buffers along IH-30 and Commerce Street.
  - (e) Motor vehicle inventory for the proposed *New Motor Vehicle Dealership for Cars and Light Trucks* shall not be stored on an unimproved surface.
  - (f) Motor vehicle inventory for the proposed *New Motor Vehicle Dealership for Cars and Light Trucks* shall not be stored within the Commerce Street right-of-way (*i.e. Commerce Street is for public parking only*).
  - (g) The outside storage of tires or any other automotive parts shall be prohibited.
  - (h) Any maintenance of motor vehicles shall be performed in a completely enclosed building, and no work on motor vehicles shall be performed outdoors.
  - (i) Outside storage shall be screened by an eight (8) foot masonry wall as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
- (2) The applicant will be required to submit a site plan with building elevations, a material sample board, a landscape plan, and photometric plan prior to the submittal of engineering plans or the issuance of a building permit.
- (3) The applicant shall provide a detail of the proposed masonry wall with the site plan submittal. The proposed masonry wall shall -- where feasible -- provide canopy trees on 20-foot centers to bring the request closer into conformance with the requirements for screening of outside storage.
- (4) All unpermitted improvements and activities that do not conform to the Unified Development Code (UDC) shall be brought into conformance with the City's code requirements at the time of site plan.
- (5) The applicant shall update the site to conform to the current requirements for landscaping as stipulated in Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) in accordance with the requirements outline in



Subsection 02, *Application of Article*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC).

- (6) The applicant's landscape plan submitted with the site plan shall provide landscape screening for the proposed transformer and fuel storage island in conformance with the requirements of the Unified Development Code (UDC).
- (7) 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 July 11, 2023, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 6-0, with Commissioner Conway absent. According to the Unified Development Code (UDC), "...if such change [*i.e. zoning change or Specific Use Permit (SUP)*] is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

On July 25, 2023, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 4-0, with Chairman Deckard, and Commissioners Womble and Llewellyn absent.

### **CITY COUNCIL**

On July 17, 2023, the City Council approved a motion -- *at the applicant's request* -- to be remanded back to the Planning and Zoning Commission to allow for the applicant to address comments and for the Planning and Zoning Commission's reconsideration of the changes. The motion passed by a vote of 7-0.



# 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) <sup>1</sup>
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

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

### ZONING APPLICATION FEES:

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

### OTHER APPLICATION FEES:

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

### NOTES:

<sup>1</sup>: 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	1540 I30 Rockwall TX		
SUBDIVISION	Rockwall Recreational Addition	LOT	1&2 BLOCK 1
GENERAL LOCATION	IH30 & Clay Cooley Drive		

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

CURRENT ZONING	F1	CURRENT USE	Auto Dealer
PROPOSED ZONING		PROPOSED USE	
ACREAGE	7.17	LOTS [CURRENT]	2
		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]

<input type="checkbox"/> OWNER	1540 East IH 30 Rockwall LLC	<input checked="" type="checkbox"/> APPLICANT	Claymoore Engineering
CONTACT PERSON	Clay Cooley	CONTACT PERSON	Drew Donosky
ADDRESS	PO Box 570809	ADDRESS	1903 Central Drive, Suite 406
CITY, STATE & ZIP	Dallas TX 75357	CITY, STATE & ZIP	Bedford TX 76012
PHONE		PHONE	817-458-4008
E-MAIL		E-MAIL	Drew@claymooreeng.com

## NOTARY VERIFICATION [REQUIRED]

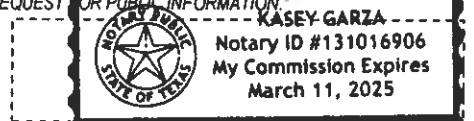
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Clay Cooley (OWNER) THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ November TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 11 DAY OF November, 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 11 DAY OF November 2021

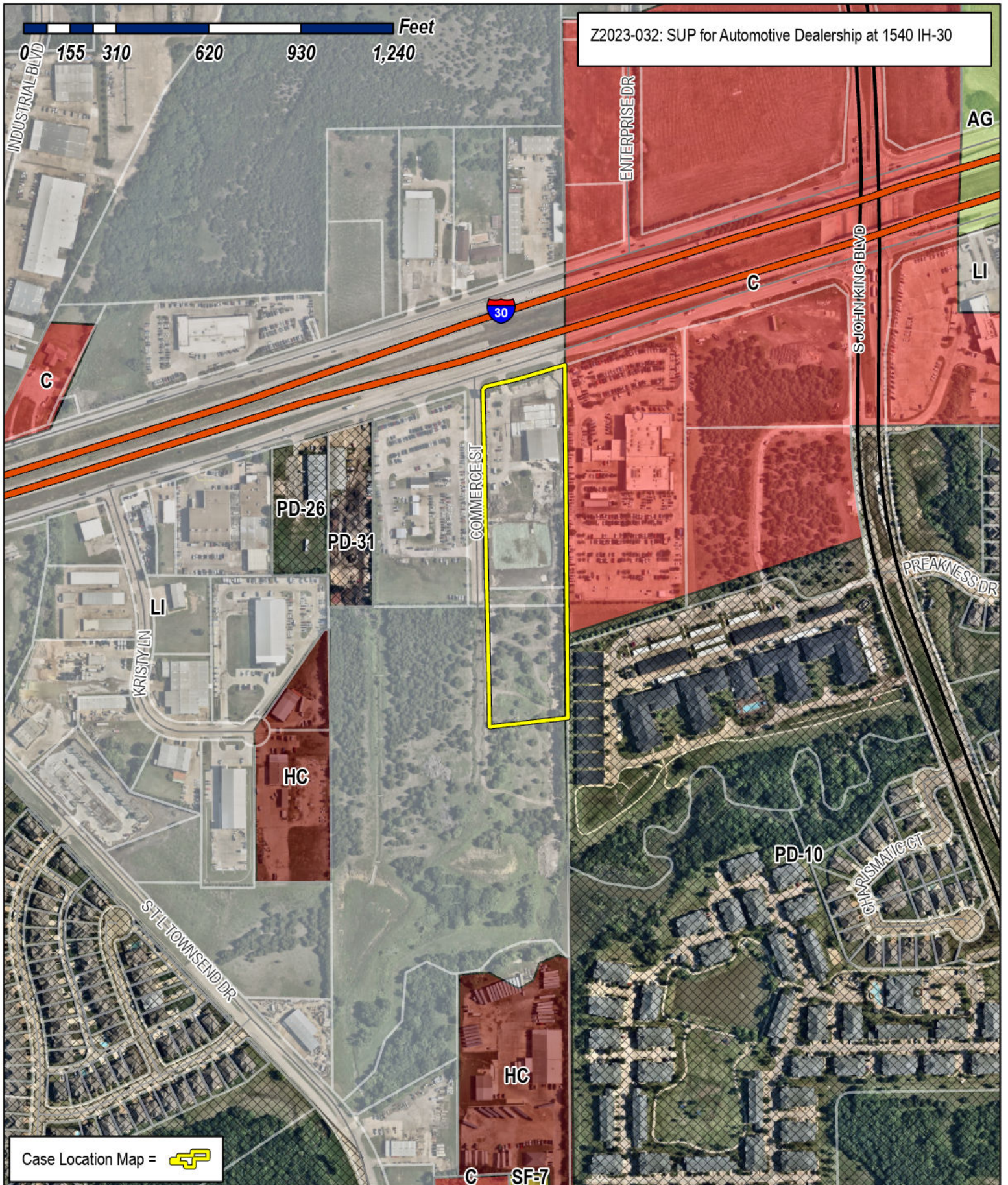
OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



MY COMMISSION EXPIRES 03/11/2025





# City of Rockwall

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

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



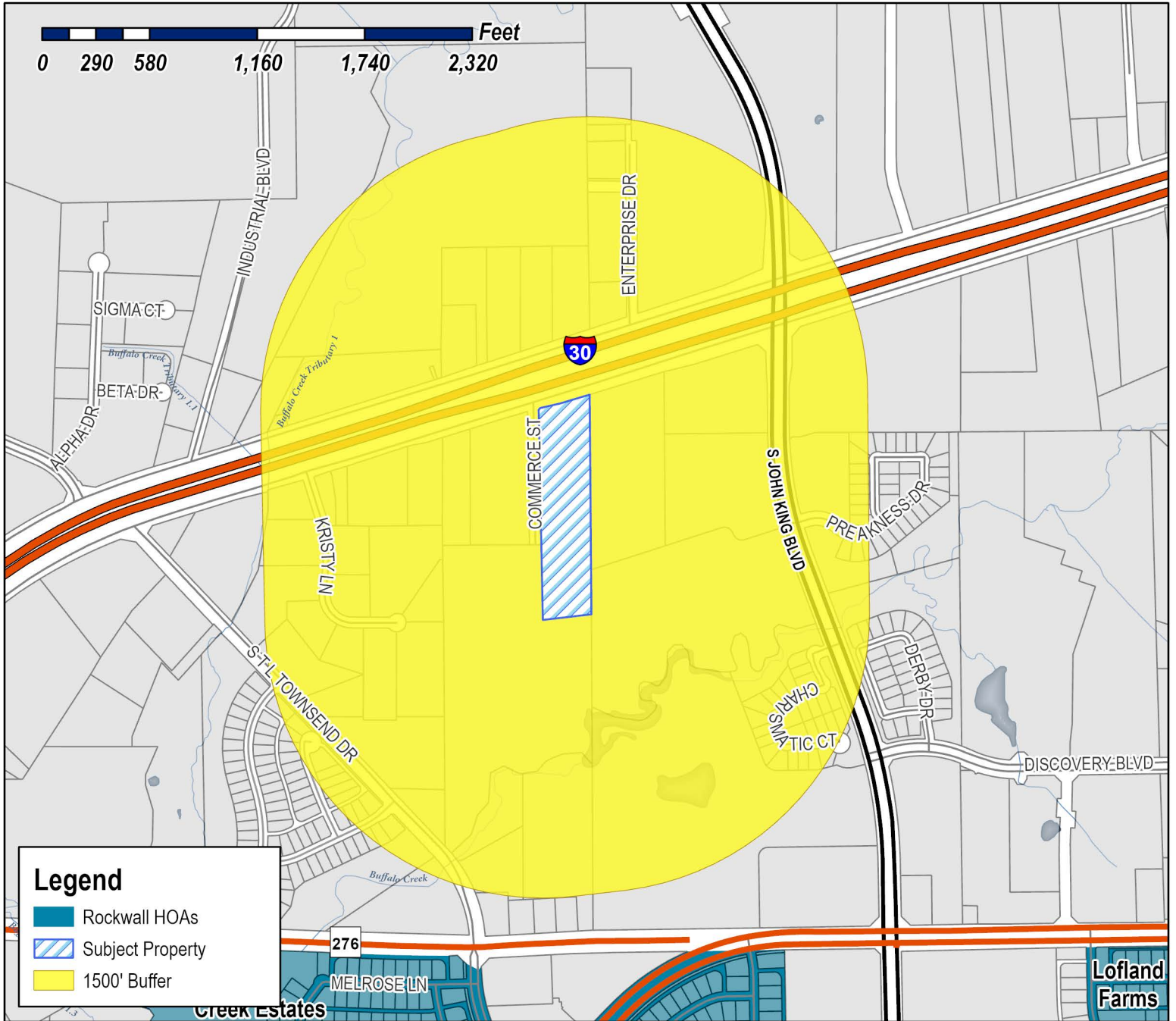




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**Case Number:** Z2023-032  
**Case Name:** SUP for Automotive Dealership  
**Case Type:** Zoning  
**Zoning:** Light Industrial (LI) District  
**Case Address:** 1540 IH-30

**Date Saved:** 6/16/2023  
 For Questions on this Case Call (972) 771-7745

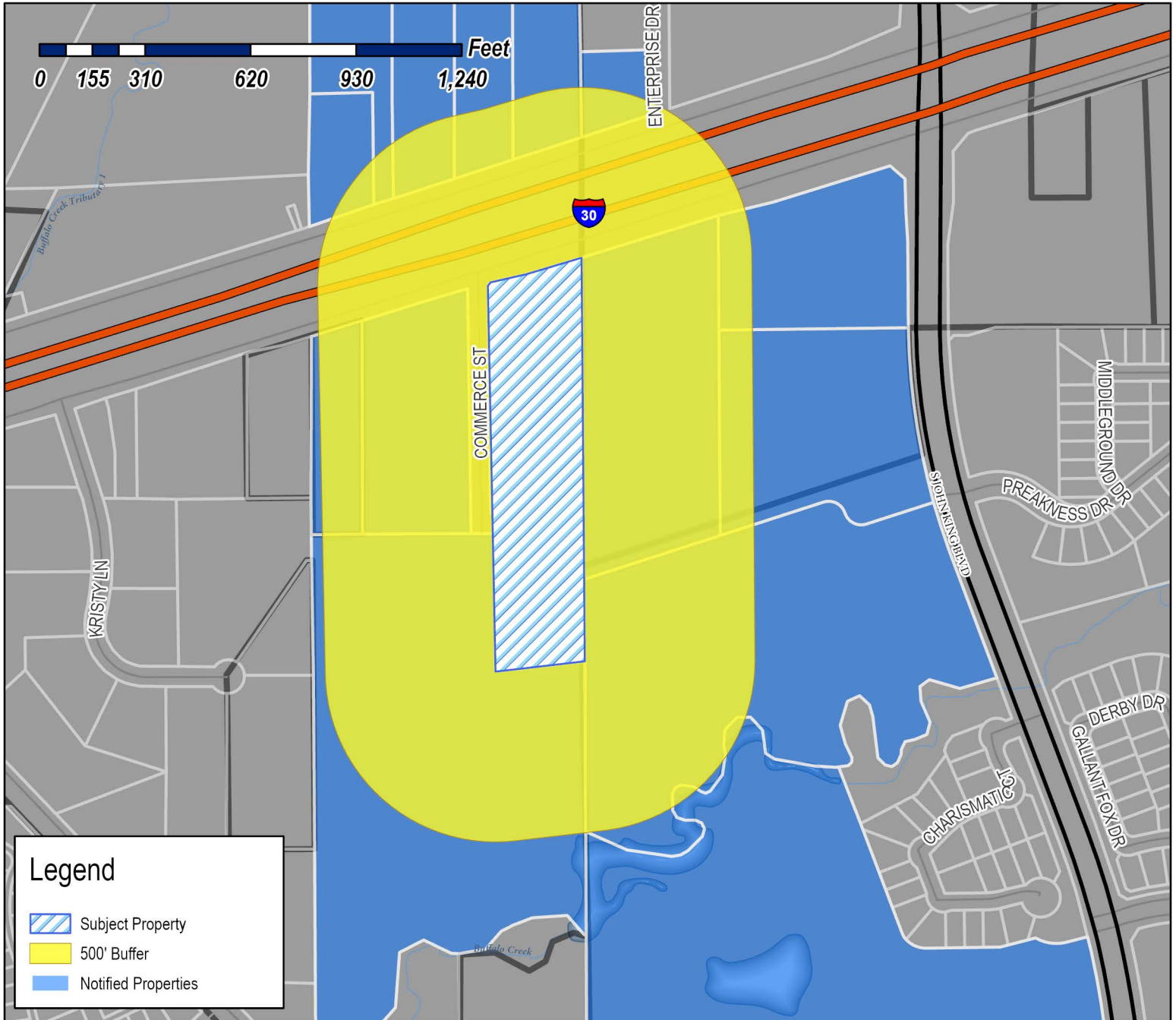




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**Date Saved:** 6/16/2023

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

LITHIA REAL ESTATE INC  
150 N BARTLETT STREET  
MEDFORD, OR 97501

RESIDENT  
1520 E I30  
ROCKWALL, TX 75087

RESIDENT  
1530 S I30  
ROCKWALL, TX 75087

RESIDENT  
1535 I30  
ROCKWALL, TX 75087

RESIDENT  
1540 I30  
ROCKWALL, TX 75087

RESIDENT  
1545 E INTERSTATE 30  
ROCKWALL, TX 75087

RESIDENT  
1550 E I30  
ROCKWALL, TX 75087

AM ROCKWALL INVESTMENTS LP  
A TEXAS LTD PARTNERSHIP  
1551 E INTERSTATE 30 STE A  
ROCKWALL, TX 75087

RESIDENT  
1650 S JOHN KING  
ROCKWALL, TX 75087

DVB FAMILY LIMITED PARTNERSHIP  
2421 KATHRYN DR  
HEATH, TX 75032

H E B LP  
646 SOUTH FLORES STREET  
SAN ANTONIO, TX 78204

DYNACAP HOLDINGS LTD &  
CHARLES SMITH  
709 W RUSK ST STE B  
ROCKWALL, TX 75087

ZBH/1535 E INTERSTATE 30 LTD  
9669 JOURDAN WAY  
DALLAS, TX 75230

ROCKWALL CREDIT SERVICES LC  
PO BOX 1870  
ROCKWALL, TX 75087

STAR HUBBARD LLC  
C/O STEADFAST COMPANIES  
PO BOX 530292  
BIRMINGHAM, AL 35253

1540 EAST IH 30 ROCKWALL LLC  
PO BOX 570809  
DALLAS, TX 75357

ROCKWALL RENTAL PROPERTIES LP  
PO BOX 818  
TERRELL, TX 75160



# PUBLIC NOTICE



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

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

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

**Z2023-032: SUP for Automotive Dealership**

Hold a public hearing to discuss and consider a request by Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a *Specific Use Permit (SUP)* superseding Ordinance No. 22-02 [S-266] and allowing the expansion of an existing Motor Vehicle Dealership (i.e. Clay Cooley Hyundai) being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreation Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, 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, July 11, 2023 at 6:00 PM, and the City Council will hold a public hearing on Monday, July 17, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

**Bethany Ross**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto: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, July 17, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2023-032: SUP for Automotive Dealership**

Please place a check mark on the appropriate line below:

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

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

Name: [Grey box]  
Address: [Grey box]

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

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

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

**Case No. Z2023-032: SUP for Automotive Dealership**

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.

100% YES Dealerships between 205 & John King  
Are good to have. We need to designate this  
Area for car dealerships and Automotive

Name: David Block

Address: 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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**Ryan Miller, AICP**  
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PLEASE RETURN THE BELOW FORM

**Case No. Z2023-032: SUP for Automotive Dealership**

Please place a check mark on the appropriate line below:

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

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

I believe this will improve the auto dealership's capacity to service Hyundai owners here in Rockwall.

Empty text input fields for comments.

Name: Chase Cooley  
Address: 1540 I-30 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.

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





June 16, 2023

Planning Dept.  
City of Rockwall  
385 S Goliad St.  
Rockwall, Texas 75087

Re: SUP Zoning Request  
Letter of Intent

To Whom It May Concern,

Please let this letter serve as the Letter of Intent for the SUP Zoning request of approximately 7.17 acres of land located off I-30 in Rockwall, Texas. It is our understanding that a SUP rezoning is required to amend the site plan and building elevations on the subject tract. The proposed development will include a building renovation, expansion on the front façade, expanded service canopy, addition of a new customer delivery canopy, a carwash, and an oil/lube building. The property currently has open storage in the rear of the building that is non-conforming. This SUP requests this area be allowed given improved screening and paving are to be provided as a part of this project.

This SUP request is in response to a change in the site plan, from the previously approved SUP for the subject property. The major changes from the approved SUP are 1) an additional bay has been added to the service canopy attached to the east side of the existing building. 2) The oil/lube building has grown and rotated 90 degrees. Other minor site changes have been made in response to these changes for paving and parking stalls in the areas adjacent to the major changes.

Should you have any questions, please feel free to contact me.

Sincerely,

Claymoore Engineering, Inc.  
1903 Central Drive Ste. 406  
Bedford, TX 76021  
817-281-0572

A handwritten signature in blue ink that reads "Drew Donosky". The signature is written in a cursive style with a prominent flourish at the end.

Drew Donosky, P.E.

July 20, 2023

Bethany Ross  
Planner  
City of Rockwall - Planning & Zoning  
972.772.6488 Office  
[bross@rockwall.com](mailto:bross@rockwall.com)  
[City of Rockwall - Planning & Zoning](#)

Dear Bethany,

Thank you for meeting with us today. I appreciate your working with us to improve our project. This letter is to review the changes and confirm our intentions to revise and re-submit them tomorrow.

- 1) **Cementitious Materials:** We have revised the exterior finishes to reduce the stucco on front elevation below 50% of the proposed Automotive Repair Garage and Car Wash and included thin brick accents and manufactured stone below.
- 2) **Stone:** We have revised the exterior finishes to include manufactured stone on the first four (4) feet of grade on the proposed Automotive Repair Garage and Car Wash building's façade.
- 3) **Four-Sided Architecture:** As we discussed in the meeting, it is difficult to design small buildings such as the proposed Automotive Repair Garage and Car Wash with the correct articulation. However, to improve the architectural appeal and more closely follow the development code, we have revised our plans and included your suggestions with architectural finishes on all four (4) sides utilizing the same materials, design, and similar exterior elevations.
- 4) **Screening:** We have revised the site design to gain planting space for canopy trees, accent trees deciduous shrubs which will provide three-tiered screening of the garage bay doors facing Commerce Street. As we discussed, Commerce Street is not a thru street and not heavily traveled by the public.
- 5) **Car Wash:** we have moved the car wash approximately 10 feet west to provide better access.
- 6) **Outside Storage:** We are agreeable to relocating a minimum of 10 accent trees or more from the detention pond area to the 8' tall masonry screen wall on east side of the property as you suggested. This is subject to approval by the City of Rockwall Engineering department and Oncor as there are overhead power lines in this area and thus the reason there are no canopy trees.
- 7) **Compensatory Measures:**
  - a. Added projections in the front elevation both horizontality and vertically
  - b. Revised and varied roof heights.
  - c. Added an architectural metal canopy on the front elevation.
  - d. Added Articulated cornice at the top of the parapet wall.
  - e. Added Accent stone detail separating stucco from stone finish.
  - f. Included Parapet walls on all 4 elevations to provide additional screening of the roof.
  - g. We have increased the shrub size in the 3-tiered screening to 7 gallons and increased the size of all canopy trees to 5" and accent trees to a minimum of 6' to 8' to provide more mature screening immediately upon planting.

Please contact me if you have any questions or concerns about this project.

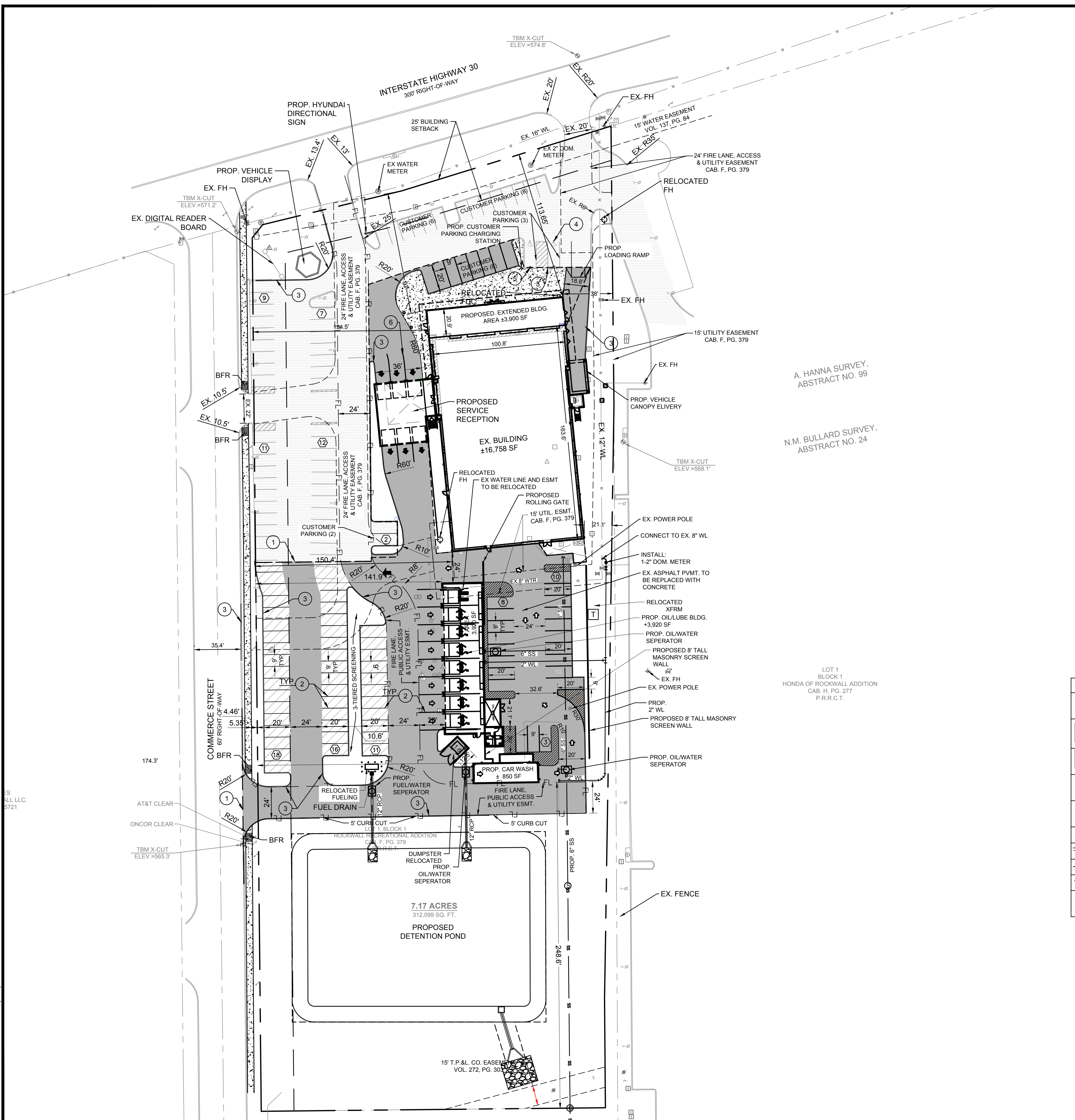
Thank you,



Zack Amick  
The Charles Morgan Group, LP.  
[za@tmgconst.com](mailto:za@tmgconst.com)  
214-507-9831



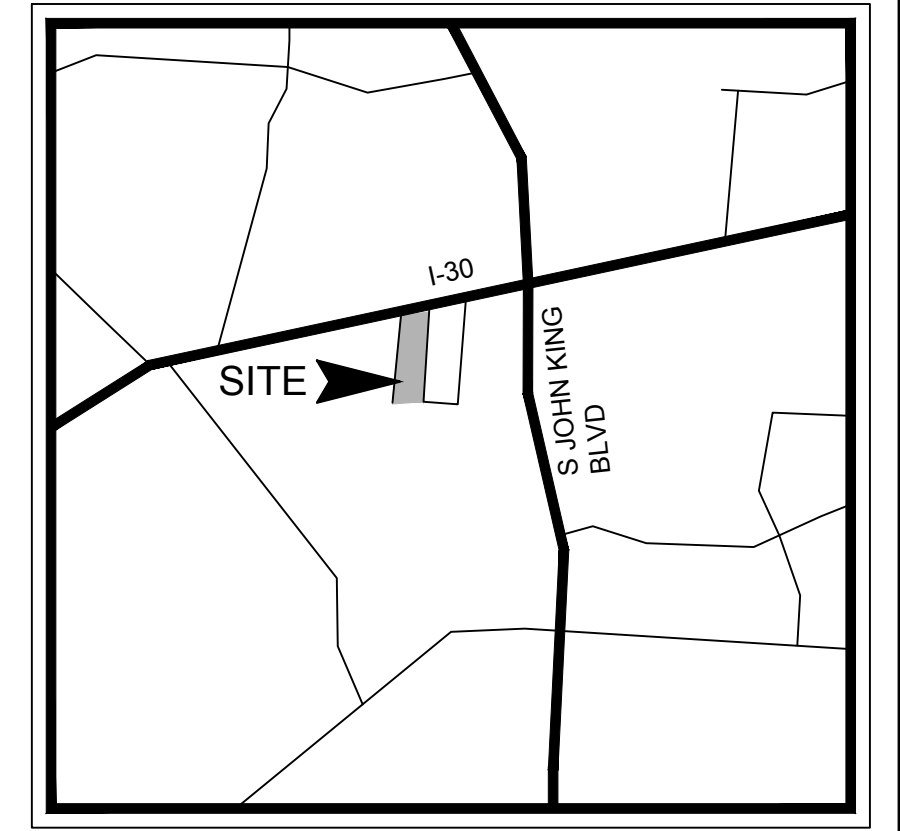
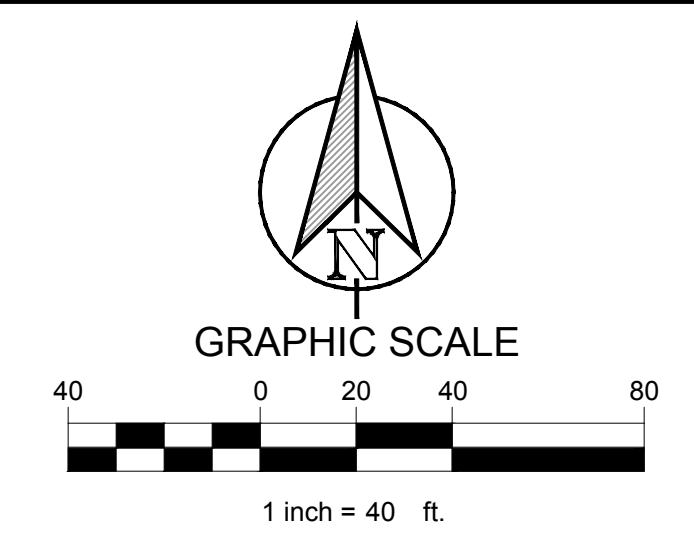
PLOTTED BY: LYNN ROWLAND  
 PLOT DATE: 7/18/2023 7:59 AM  
 LOCATION: Z:\PROJECTS\PROJECTS\2021-200 COOLEY ROCKWALL HYUNDAI\CADD\SHEETS\SP-1 CITY SITE PLAN.DWG  
 LAST SAVED: 7/18/2023 3:58 PM



SITE DATA TABLE	
SITE AREA	7.71 AC (312,099 SF)
ZONING	L1
PROPOSED USE	AUTO DEALER
BUILDING SIZE	20,658 SF (DEALERSHIP)
	850 SF (CARWASH)
	3,920 SF (OIL/LUBE)
LOT COVERAGE	0.07 %
FLOOR TO AREA RATIO	0.07 : 1
BUILDING HEIGHT	1 STORY
SALES FLOOR AREA	3,928 SF
OFFICE AREA	1,303 SF
# OF BAYS	12

PARKING DATA TABLE	
PARKING REQ.	
SALES FLOOR 1/ 250 SF	16 SPACES
OFFICE SF 1/ 300 SF	5 SPACES
2 PER 2 BAY	16 SPACES
TOTAL:	27 SPACES
PARKING PROVIDED	
DISPLAY PARKING	66 SPACES
CUSTOMER PARKING	27 (2 ADA) SPACES
SERVICE/STORAGE PARKING	21 SPACES

CONSTRUCTION SCHEDULE	
[Symbol]	EXISTING CONCRETE PAVEMENT
[Symbol]	FIRE LANE AND DRIVE ASILE 6", 3600 PSI (6.5 SACK/CY), #3 ON 18" ON 6" LIME STABILIZED SUBGRADE
[Symbol]	PARKING 5", 3600 PSI (6.5 SACK/CY), #3 ON 24" ON 6" LIME STABILIZED SUBGRADE
[Symbol]	PROPOSED DUMPSTER ENCLOSURE MIN. 7" THICK
[Symbol]	PROPOSED CONCRETE SIDEWALK PER DETAIL SHEET C-16
[Symbol]	PROPERTY LINE
[Symbol]	PROPOSED CONCRETE CURB AND GUTTER
[Symbol]	PROPOSED FIRE LANE
[Symbol]	PROPOSED SAWCUT
[Symbol]	PARKING COUNT



VICINITY MAP N.T.S.	
CONSTRUCTION SCHEDULE	
①	PROP. SAW CUT FULL DEPTH EXISTING PAVEMENT
②	PROP. 4" PARKING STALL STRIPING COLOR: WHITE (TYP)
③	PROP. CONCRETE CURB & GUTTER
④	EX. HANDICAP SYMBOL
⑤	EX. HANDICAP SIGN
⑥	PROP. PAVEMENT STRIPING
⑦	PROP. PROPOSED BOLLARD

- NOTES:
- A SEPARATE SIGNAGE PERMIT IS REQUIRED BY THE CITY OF ROCKWALL.
  - ALL WALLS 3' IN HEIGHT OR GREATER SHALL BE DESIGNED BY AN ENGINEER, LICENSED IN THE STATE OF TEXAS.
  - ALL WALLS MUST BE ROCK OR STONE FACE. NO WALLS SHALL BE SMOOTH CONCRETE.
  - NO TREES SHALL BE PLANTED WITHIN 10' OF NON-STEEL ENCASED PUBLIC UTILITIES.
  - SOD MUST BE LAID WITHIN ALL DISTURBED R.O.W. BEFORE ACCEPTANCE OF PROJECT.
  - ALL DUMPSTERS TO HAVE SELF LATCHING GATES.
  - ADDITIONAL LANDSCAPING SHALL BE ADDED AS A COMPENSATORY MEASURE FOR THE SITE PLAN VARIANCES.

<b>CLAY COOLEY HYUNDAI</b> <b>ROCKWALL, TX 75087</b>
LEGAL DESCRIPTION AND/OR ADDRESS: <b>ROCKWALL RECREATION ADDITION</b> <b>LOT 1 BLOCK 1</b> <b>7.17 AC (312,099 SF)</b>
OWNER: CLAY COOLEY AUTO 1251 E. AIRPORT FREEWAY IRVING, TX 75062
APPLICANT: CLAYMOORE ENGINEERING, INC. 1903 CENTRAL DRIVE, SUITE #406 BEDFORD, TX 76021 PH: 817.281.0572
CASE NUMBER Z2021-049
I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SITE PLAN FOR A DEVELOPMENT IN THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ROCKWALL ON THE ____ DAY OF _____.
WITNESS OUR HANDS THIS ____ DAY OF _____.
DESIGN: LRR DRAWN: LRR CHECKED: CLC DATE: 7/21/2023
PLANNING AND ZONING COMMISSION, CHAIRMAN DIRECTOR OF PLANNING AND ZONING
SHEET <b>SP-1</b>

TEXAS REGISTRATION #14199  
**CLAY MOORE ENGINEERING**  
 1903 CENTRAL DRIVE, SUITE #406  
 BEDFORD, TX 76021  
 WWW.CLAYMOOREENR.COM

STATE OF TEXAS  
 DREW DONOSKY  
 25865  
 LICENSED PROFESSIONAL ENGINEER  
 7/21/2023

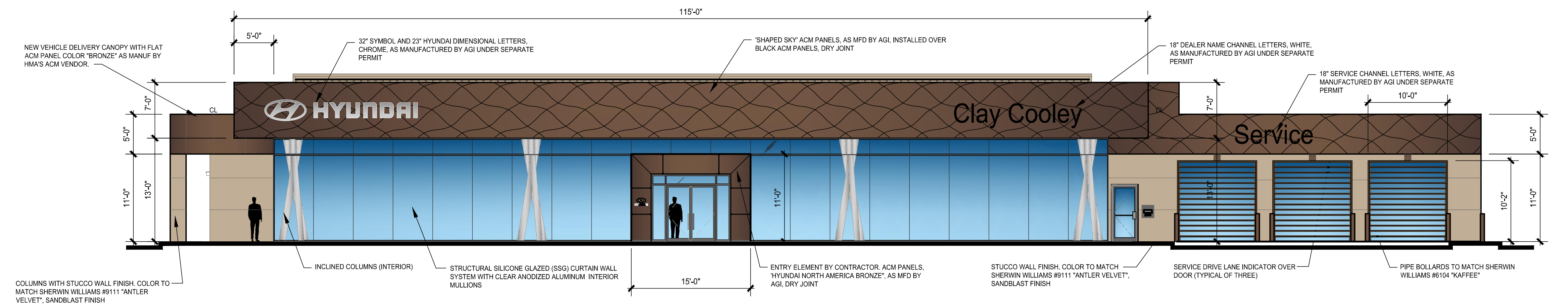
**CLAY COOLEY HYUNDAI**  
**1540 I-30**  
**ROCKWALL, TX 75087**

**CITY SITE PLAN**

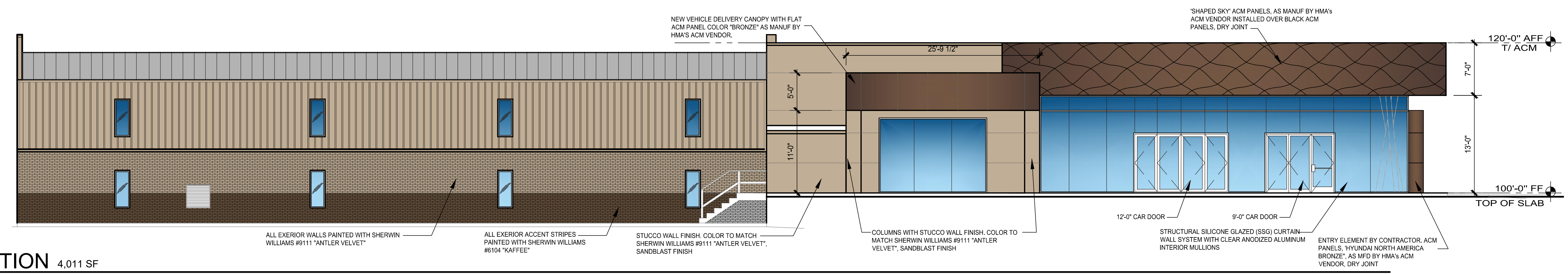
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 (SP2023-032)



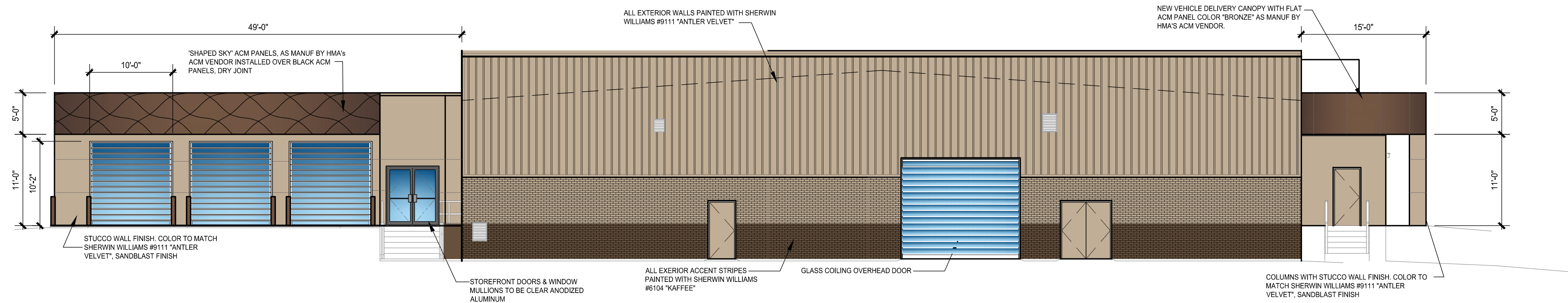
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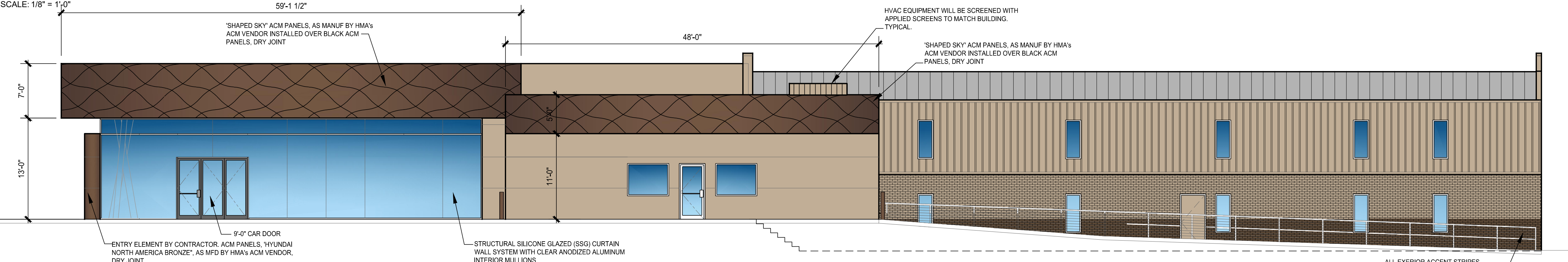
**4 NORTH ELEVATION - FACES I-30** 3,115 SF  
 SCALE: 1/8" = 1'-0"



**3 EAST ELEVATION** 4,011 SF  
 SCALE: 1/8" = 1'-0"



**2 SOUTH ELEVATION** 3,591 SF  
 SCALE: 1/8" = 1'-0"



**1 WEST ELEVATION** 3,908 SF  
 SCALE: 1/8" = 1'-0"

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING ARE TRUTHFUL  
 AND CORRECT AND THAT I AM A duly licensed and qualified  
 ARCHITECT IN THE STATE OF TEXAS AND AM REGISTERED  
 WITH THE ARCHITECTURAL BOARD OF THE STATE OF TEXAS  
 IN THE CITY OF ROCKWALL, TEXAS AND AM REGISTERED  
 WITH THE ARCHITECTURAL BOARD OF THE CITY OF  
 ROCKWALL, TEXAS. DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
 TITLE: ARCHITECT

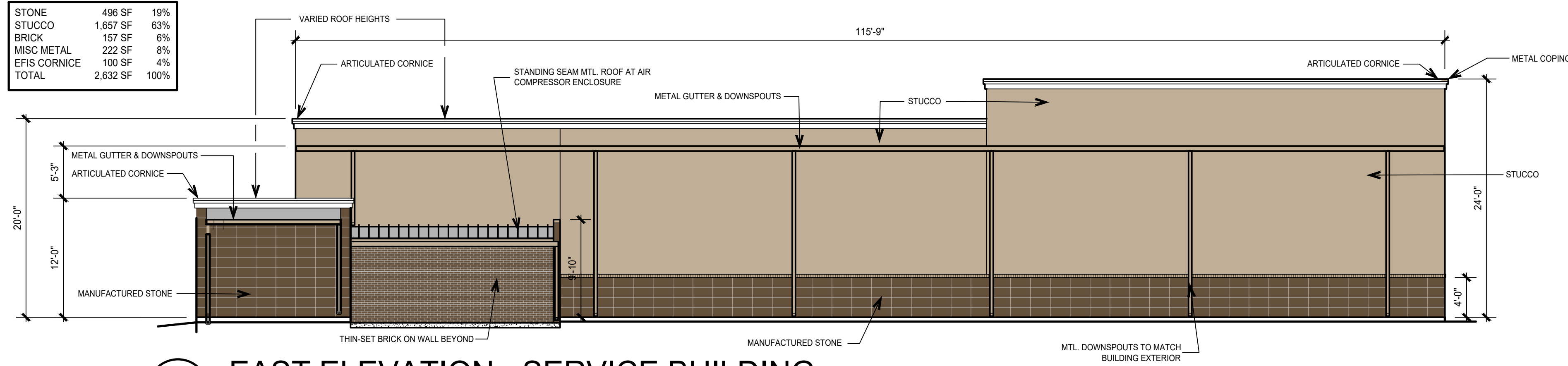
PLANNING AND ZONING COMMISSION CHAIRMAN  
 DIRECTOR OF PLANNING AND ZONING

**CLAY COOLEY HYUNDAI**  
**1540 I-30**  
**ROCKWALL, TX 75087**



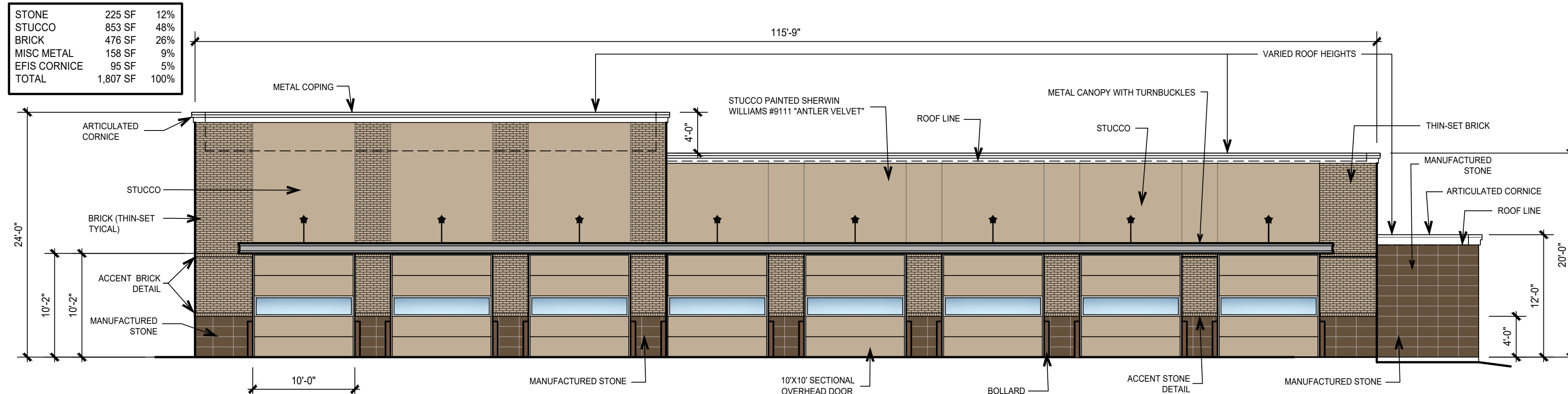
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STONE	496 SF	19%
STUCCO	1,657 SF	63%
BRICK	157 SF	6%
MISC METAL	222 SF	8%
EFIS CORNICE	100 SF	4%
TOTAL	2,632 SF	100%

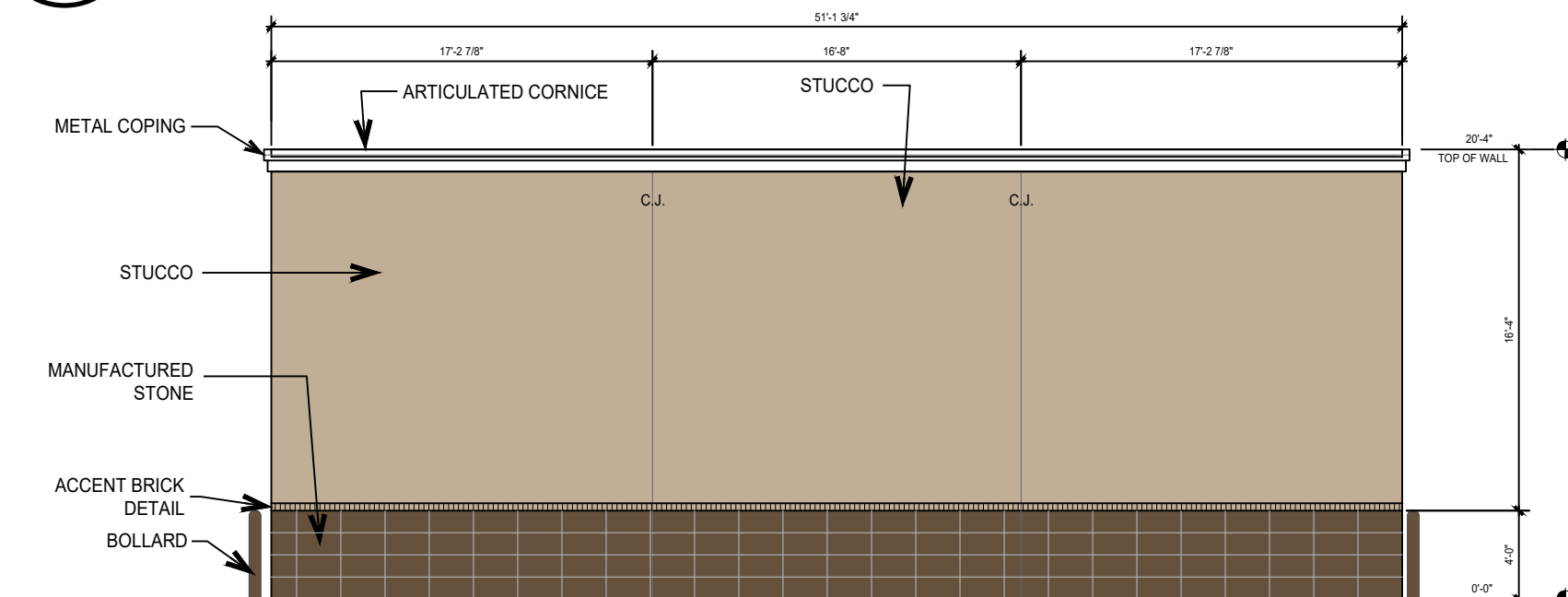


**8 EAST ELEVATION - SERVICE BUILDING**  
SCALE 1/8"=1'-0"

STONE	225 SF	12%
STUCCO	853 SF	48%
BRICK	476 SF	26%
MISC METAL	158 SF	9%
EFIS CORNICE	95 SF	5%
TOTAL	1,807 SF	100%

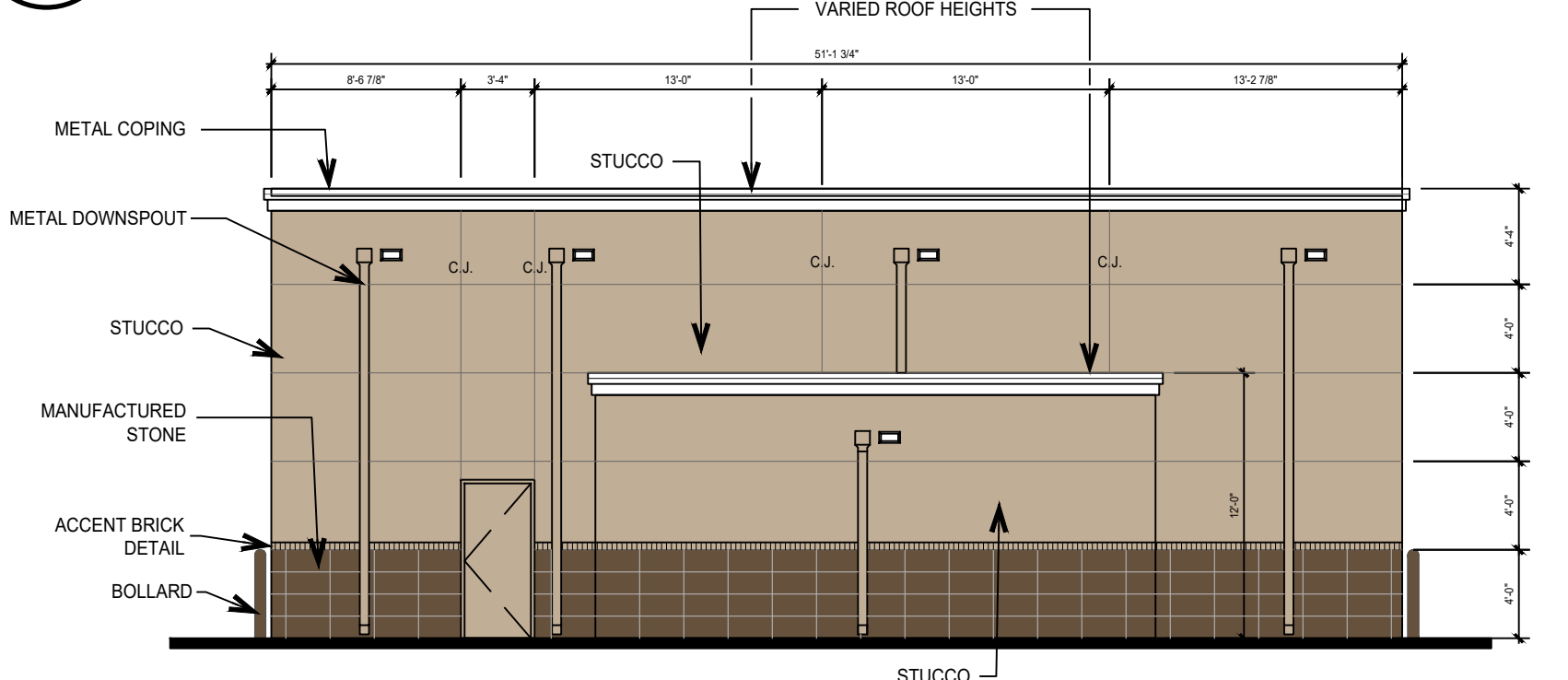


**6 WEST ELEVATION - SERVICE BUILDING - FACES CLAY COOLEY BLVD.**  
SCALE 1/8"=1'-0"



STONE	205 SF	20%
STUCCO	784 SF	75%
MISC METAL	12 SF	1%
EFIS CORNICE	39 SF	4%
TOTAL	1,040 SF	100%

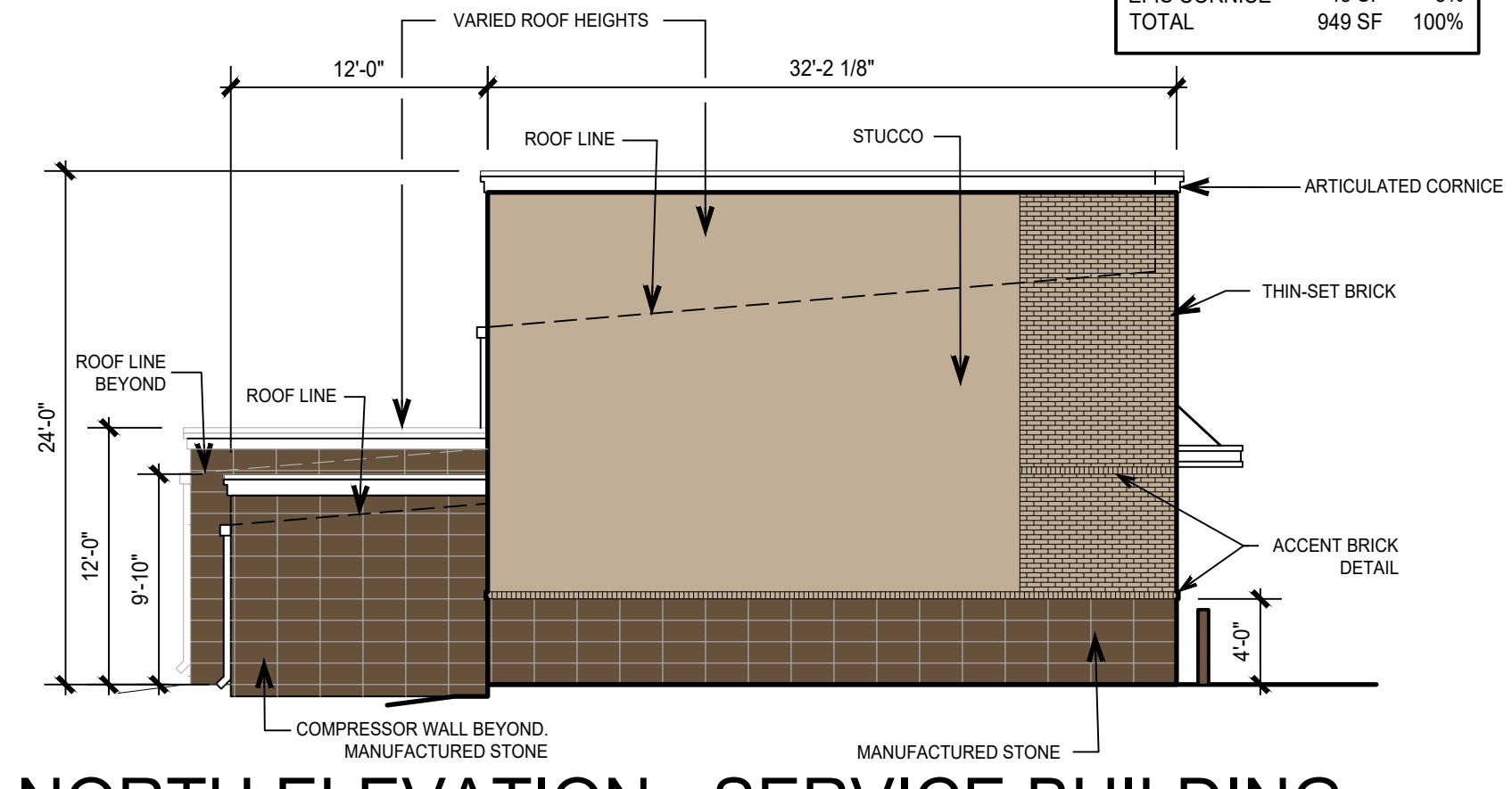
**4 SOUTH ELEVATION - CAR WASH**  
SCALE 1/8"=1'-0"



STONE	185 SF	18%
STUCCO	723 SF	71%
MISC METAL	50 SF	5%
EFIS CORNICE	58 SF	6%
TOTAL	1,016 SF	100%

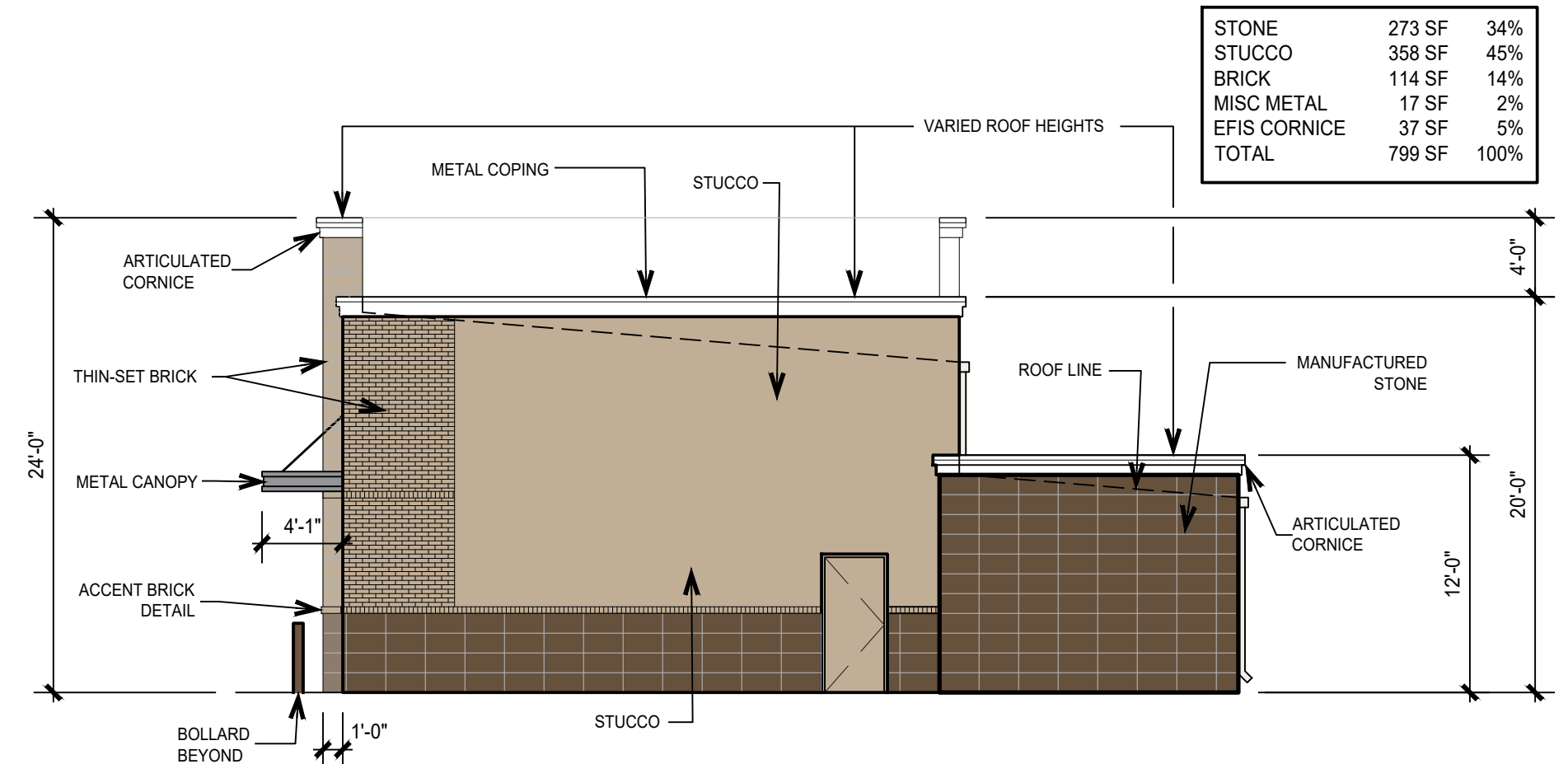
**2 NORTH ELEVATION - CAR WASH**  
SCALE 1/8"=1'-0"

STONE	273 SF	28%
STUCCO	464 SF	49%
BRICK	147 SF	15%
MISC METAL	24 SF	3%
EFIS CORNICE	45 SF	5%
TOTAL	949 SF	100%

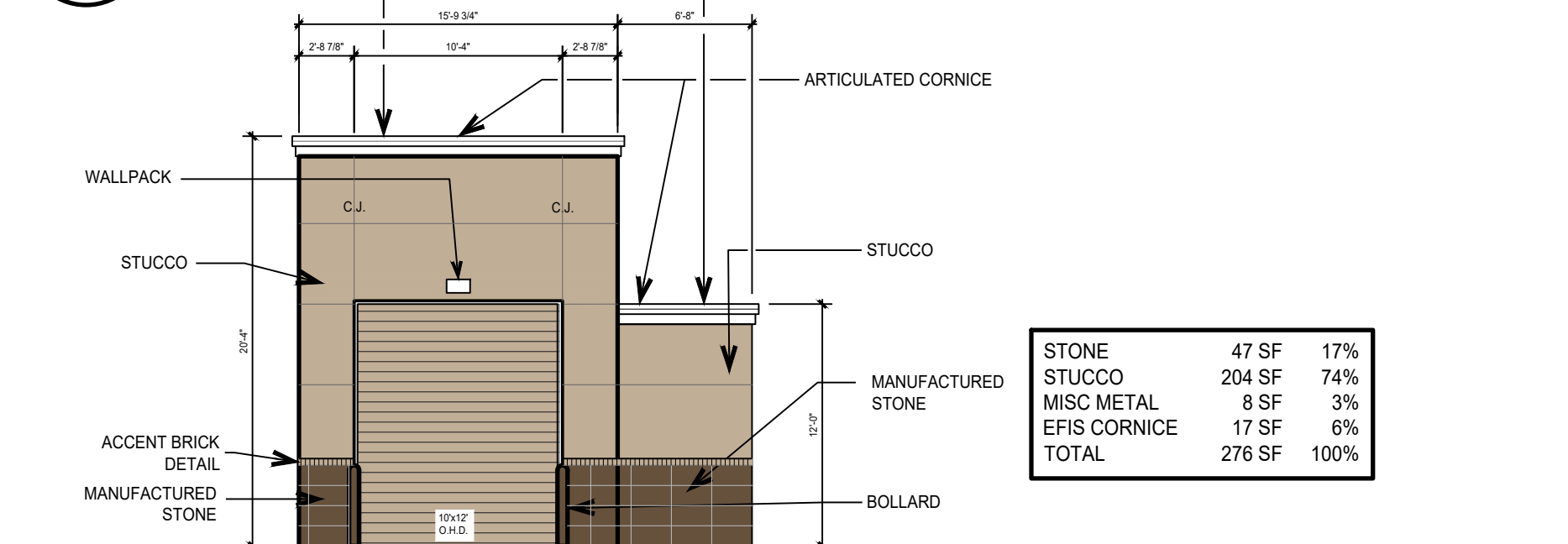


**7 NORTH ELEVATION - SERVICE BUILDING**  
SCALE 1/8"=1'-0"

STONE	273 SF	34%
STUCCO	358 SF	45%
BRICK	114 SF	14%
MISC METAL	17 SF	2%
EFIS CORNICE	37 SF	5%
TOTAL	799 SF	100%

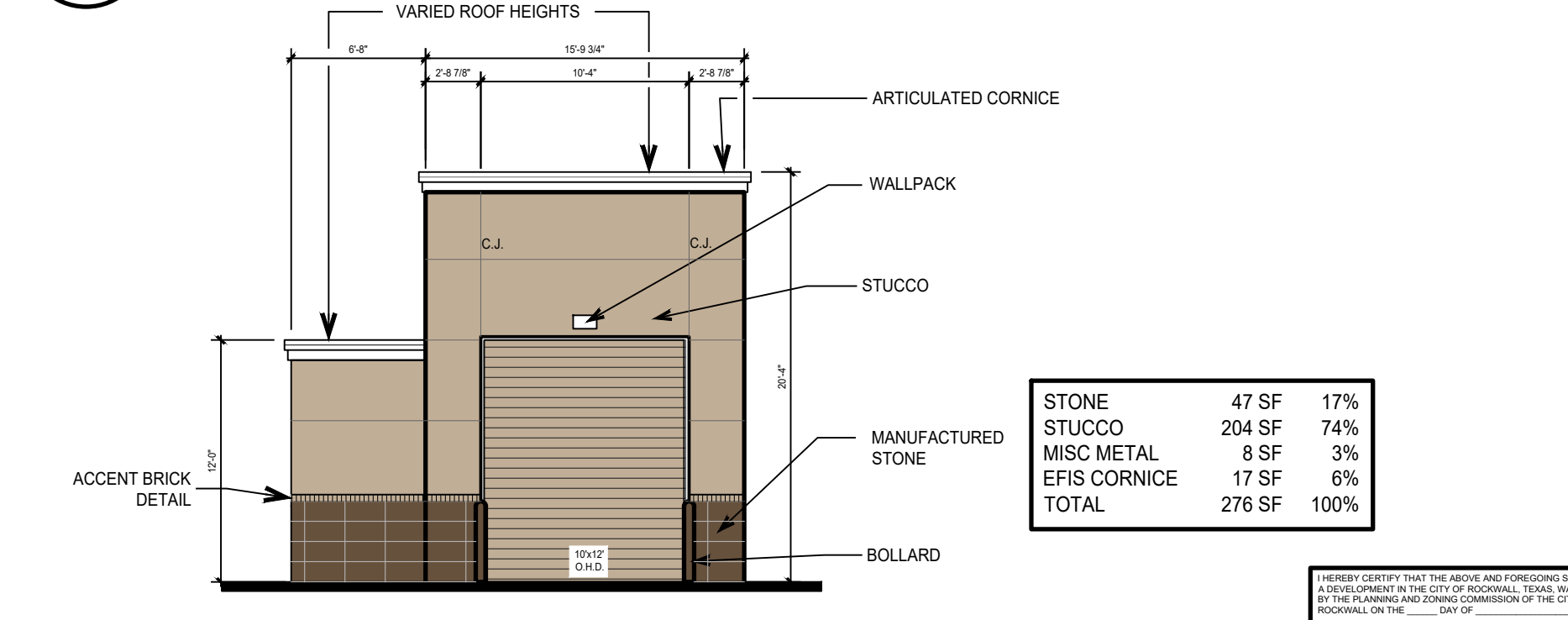


**5 SOUTH ELEVATION - SERVICE BUILDING**  
SCALE 1/8"=1'-0"



STONE	47 SF	17%
STUCCO	204 SF	74%
MISC METAL	8 SF	3%
EFIS CORNICE	17 SF	6%
TOTAL	276 SF	100%

**3 EAST ELEVATION - CAR WASH**  
SCALE 1/8"=1'-0"



STONE	47 SF	17%
STUCCO	204 SF	74%
MISC METAL	8 SF	3%
EFIS CORNICE	17 SF	6%
TOTAL	276 SF	100%

**1 WEST ELEVATION - CAR WASH**  
SCALE 1/8"=1'-0"

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SITE PLAN(S) IS/ARE PREPARED BY THE CITY OF ROCKWALL, TEXAS AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ROCKWALL, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.  
 \_\_\_\_\_ DAY OF \_\_\_\_\_  
 \_\_\_\_\_  
 PLANNING AND ZONING COMMISSION CHAIRMAN  
 \_\_\_\_\_  
 DIRECTOR OF PLANNING AND ZONING

**CLAY COOLEY HYUNDAI**  
**1540 I-30**  
**ROCKWALL, TX 75087**



**GENERAL GRADING AND PLANTING NOTES**

- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
- IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
  - BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN  $\pm 0.1'$  OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
  - CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
  - THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED. THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
  - ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
  - ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
  - SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ALL PLANT LOCATIONS ARE DIAGNOSTIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
  - THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES. PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
  - NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT. IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
  - THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE.
- REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS. THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

**IRRIGATION CONCEPT**

- AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
- THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
- ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
- ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.
- ALL IRRIGATION SHALL MEET THE REQUIREMENTS OF THE UDC. (ARTICLE 08, SUBSECTION 05.04)

**ROOT BARRIERS**

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

**MULCHES**

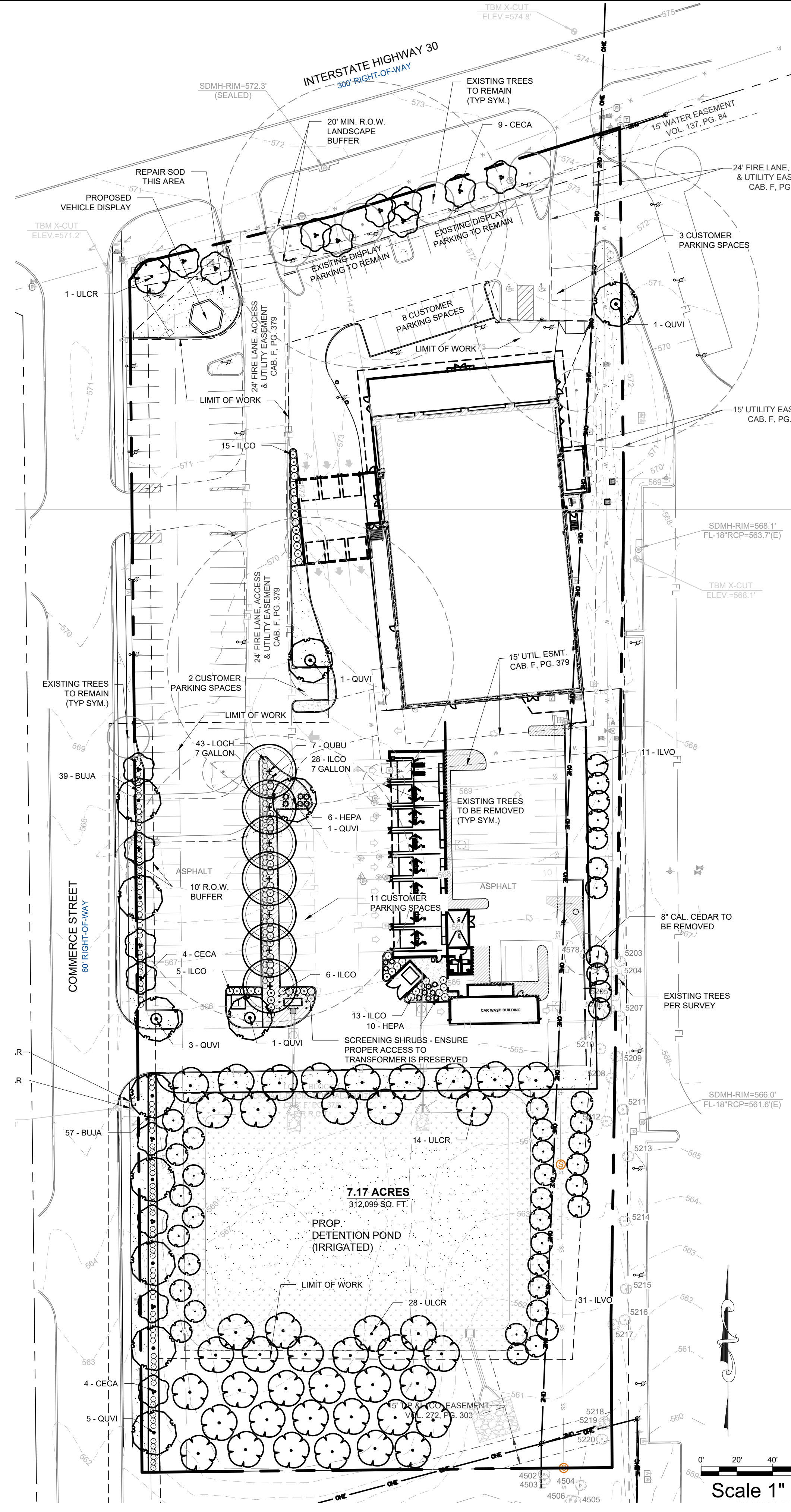
AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH, NATURAL (UNDYED), IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

**SITE DATA TABLE**

SITE AREA	7.71 AC / 312,099 SF
ZONING	LI (Light Industrial)
PROPOSED USE	AUTO DEALER
BUILDING SIZE	20,658 SF (DEALERSHIP)
	850 SF (CAR WASH)
	1,175 SF (OIL/LUBE)
LOT COVERAGE	0.07%
FLOOR TO AREA RATIO	0.07:1
BUILDING HEIGHT	1-STORY
SALES FLOOR AREA	3,928 SF
OFFICE AREA	1,303 SF
# OF BAYS	12

**PARKING DATA TABLE**

PARKING REQUIRED	
SALES FLOOR 1/250 SF	16 SPACES
OFFICE SF 1/300 SF	5 SPACES
1 SPACE PER 2 BAY	6 PARKING
TOTAL	27 SPACES
PARKING PROVIDED	
DISPLAY PARKING	87 SPACES
CUSTOMER PARKING	27 (2 ADA) SPACES



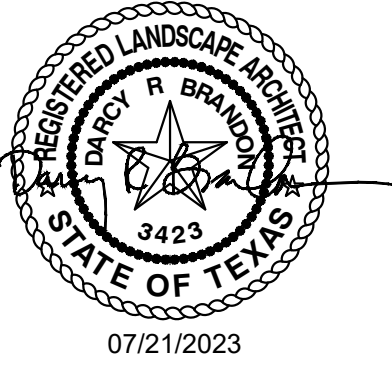
**PLANTING LEGEND**

SYMBOL	BOTANIC NAME	COMMON NAME	MIN. SIZE	SPACING	QUANTITY	REMARKS
<b>TREES</b>						
CECA	Cercis canadensis 'Texana'	Texas Redbud	6'-8" high	Per plan	17	Accent Tree
ILVO	Ilex vomitoria	Yaupon Holly	6'-8" high	Per plan	42	Accent Tree
QUBU	Quercus buckleyi	Texas Red Oak	5" cal., 12'-15' high	Per plan	7	Canopy Tree
QUVI	Quercus virginiana	Live Oak	5" cal., 12'-15' high	Per plan	12	Canopy Tree
ULCR	Ulmus crassifolia	Cedar Elm	5" cal., 12'-15' high	Per plan	43	Canopy Tree
<b>SHRUBS</b>						
BUJA	Buxus micro. japonica 'Green Beauty'	Green Beauty Boxwood	5 gallon	3" o.c.	96	
HEPA	Hesperaloe parviflora 'Brakelights'	Red Yucca	5 gallon	4" o.c.	16	
ILCO	Ilex cornuta 'Burfordii Nana'	Dwarf Burford Holly	5 gallon / 7 gallon	4" o.c.	39 / 28	See plan for 7 gal. locations
LOCH	Loropetalum chinense 'PILC-III'	Purple Daydream Loropetalum	7 gallon	3" o.c.	43	
<b>TURF AND SEED</b>						
	Cynodon 'Tifway 419'	Tifway Hybrid Bermuda Grass	Sod	- - -	~ 24,885 SF	
		Dam Slope Mix (Contact Native American Seed)	Hydromulch	20 lbs / acre	~ 20,481 SF	

NOTE: THE DEVELOPER SHALL ESTABLISH GRASS AND MAINTAIN THE SODDED AREA, INCLUDING WATERING, UNTIL A PERMANENT STAND OF GRASS IS OBTAINED AT WHICH TIME THE PROJECT WILL BE ACCEPTED BY THE CITY. A STAND OF GRASS SHALL CONSIST OF 75%-80% COVERAGE AND A MINIMUM OF 1" IN HEIGHT AS DETERMINED BY THE CITY.

**LANDSCAPE STANDARDS**

<b>08.05.01 LANDSCAPE BUFFERS - NON-RESIDENTIAL</b> REQ. ABUTTING A PUBLIC RIGHT-OF-WAY:	10' WIDE LANDSCAPE BUFFER W/ GROUND COVER, BERM, AND SHRUBBERY 30" HIGH + 1 CANOPY TREE & 1 ACCENT TREE PER 50 LIN. FEET OF FRONTAGE
<b>COMMERCE STREET:</b> ±398' OF STREET FRONTAGE	10' WIDE BUFFER REQUIRED W/ 1 CANOPY & 1 ACCENT TREE PER 50' OF FRONTAGE
<b>PROVIDED IN 10' BUFFER:</b>	8 OAKS, 8 REDBUDS, SHRUBS, & GROUND COVER
<b>05.06 GENERAL OVERLAY DISTRICT STANDARDS - IH-30 OVERLAY</b> REQ. LANDSCAPE BUFFER:	20' WIDE W/ GROUND COVER & BUILT-UP BERM & SHRUBBERY ALONG ENTIRE LENGTH OF FRONTAGE, 30"-48" HIGH; 2 CANOPY TREES + 4 ACCENT TREES PER 100 LIN. FT. OF PRIMARY ROADWAY
<b>±237 ROADWAY FRONTAGE REQ. PLANTING:</b> PROVIDED IN 20' BUFFER, EXISTING: PROPOSED IN 20' BUFFER:	4.7 (5) CANOPY TREES + 9.5 (10) ACCENT TREES 4 CANOPY TREES + 1 ACCENT TREE; SHRUBBERY 1 CEDAR ELM + 9 REDBUDS
<b>05.02 LANDSCAPE SCREENING</b> REQ. HEADLIGHT SCREENING:	HEAD-IN PARKING ADJ. TO STREET SHALL INCORP. MIN. 2' BERM W/ MATURE EVERGREEN SHRUBS ALONG ENTIRE PARKING AREAS BOXWOOD SHRUBS PROVIDED IN FRONT OF PARKING SPACES LOCATED ALONG STREET FRONTAGE TO MATCH EXISTING SHRUBS
<b>PROVIDED SCREENING:</b>	A WROUGHT IRON FENCE AND THREE (3) TIERED SCREENING (I.E. SMALL TO MID-SIZED SHRUBS, LARGE SHRUBS OR ACCENT TREES, AND CANOPY TREES) ALONG THE ENTIRE LENGTH OF THE ADJACENCY. THE CANOPY TREES SHALL BE PLACED ON 20-FOOT CENTERS.
<b>REQUIRED SCREENING OF SERVICE BAYS:</b>	TEXAS RED OAK TREES, DWARD BURFORD HOLLY, AND PURPLE DAYDREAM LOROPETALUM ARE PROPOSED TO PROVIDE THE THREE-TIER PLANTING SCREEN.
<b>05.03 LANDSCAPE REQUIREMENTS - L-1 DISTRICT</b> TOTAL SITE AREA: LANDSCAPE AREA REQUIRED TOTAL SITE: LANDSCAPE PROVIDED, TOTAL SITE:	312,099 SF 62,420 SF (20%) ±79,574 SF (25%)
<b>LOCATION OF LANDSCAPING:</b>	MIN. 100% OF REQ. LANDSCAPING SHALL BE LOCATED IN THE FRONT OF & ALONG THE SIDE OF BUILDINGS W/ STREET FRONTAGE.
<b>MIN. SIZE OF AREAS</b>	ALL REQ. LANDSCAPING SHALL BE NO LESS THAN 5' WIDE AND A MIN. OF 25 SF IN AREA
<b>DETENTION BASINS</b> DETENTION BASIN AREA: REQUIRED TREES: PROVIDED TREES:	MIN. 1 CANOPY & 1 ACCENT TREE PER 750 SF ±31,539 SF 42 CANOPY TREES & 42 ACCENT TREES 42 CEDAR ELM & 42 YAUPON HOLLY
<b>PARKING LOT LANDSCAPING</b>	MIN. 5% OR 200 SF OF LANDSCAPING, WHICHEVER IS GREATER, IN THE INTERIOR OF THE PARKING LOT AREA. I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SITE PLAN FOR A DEVELOPMENT IN THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ROCKWALL ON THE _____ DAY OF _____
<b>PROPOSED CUSTOMER PARKING AREA:</b> <b>PROPOSED DISPLAY PARKING AREA:</b> <b>REQ. PARKING LOT LANDSCAPING:</b> <b>PROPOSED PARKING LOT LANDSCAPING:</b>	27 (2 ADA) SPACES, ±20,759 SF 87 SPACES, ±27,124 SF 1,038 SF (5%) 3,734 SF (18%) REQ. PARKING SPACES MUST BE WITHIN 80' OF CANOPY TREE TRUNK



I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING SITE PLAN FOR A DEVELOPMENT IN THE CITY OF ROCKWALL, TEXAS, WAS APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ROCKWALL ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_

PLANNING AND ZONING COMMISSION, CHAIRMAN  
DIRECTOR OF PLANNING AND ZONING



**PRELIMINARY**  
FOR REVIEW ONLY  
Not for construction purposes.  
CLAYMOORE ENGINEERING  
ENGINEERING AND PLANNING  
CONSULTANTS  
DREW DONOSKY  
Engineer No. 125651, Date 7/21/2023  
17212023

**CLAY COOLEY HYUNDAI**  
**1540 I-30**  
**ROCKWALL, TX 75087**

**LANDSCAPE PLANTING PLAN**

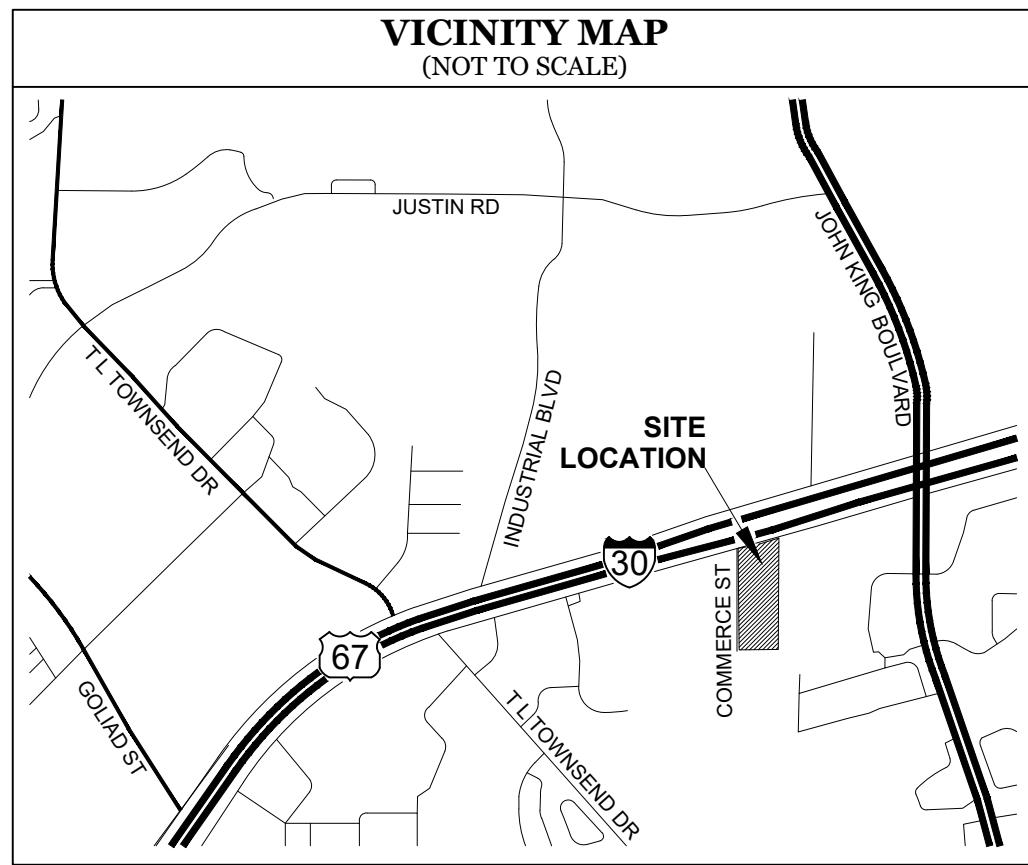
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CHECKED:	CLC
DATE:	02-02-2020
SHEET	
<b>LP-1</b>	
File No.	2020-021

PLOTTED BY: DARCY BRANDON  
 PLOT DATE: 7/21/2023 9:14 AM  
 LOCATION: C:\USERS\DARCY\DOCUMENTS\DBLA\_PROJECTS\2021\EDG\COOLEY HYUNDAI - ROCKWALL, TX\COOLEY HYUNDAI - ROCKWALL LP\_2023-07-20.DWG  
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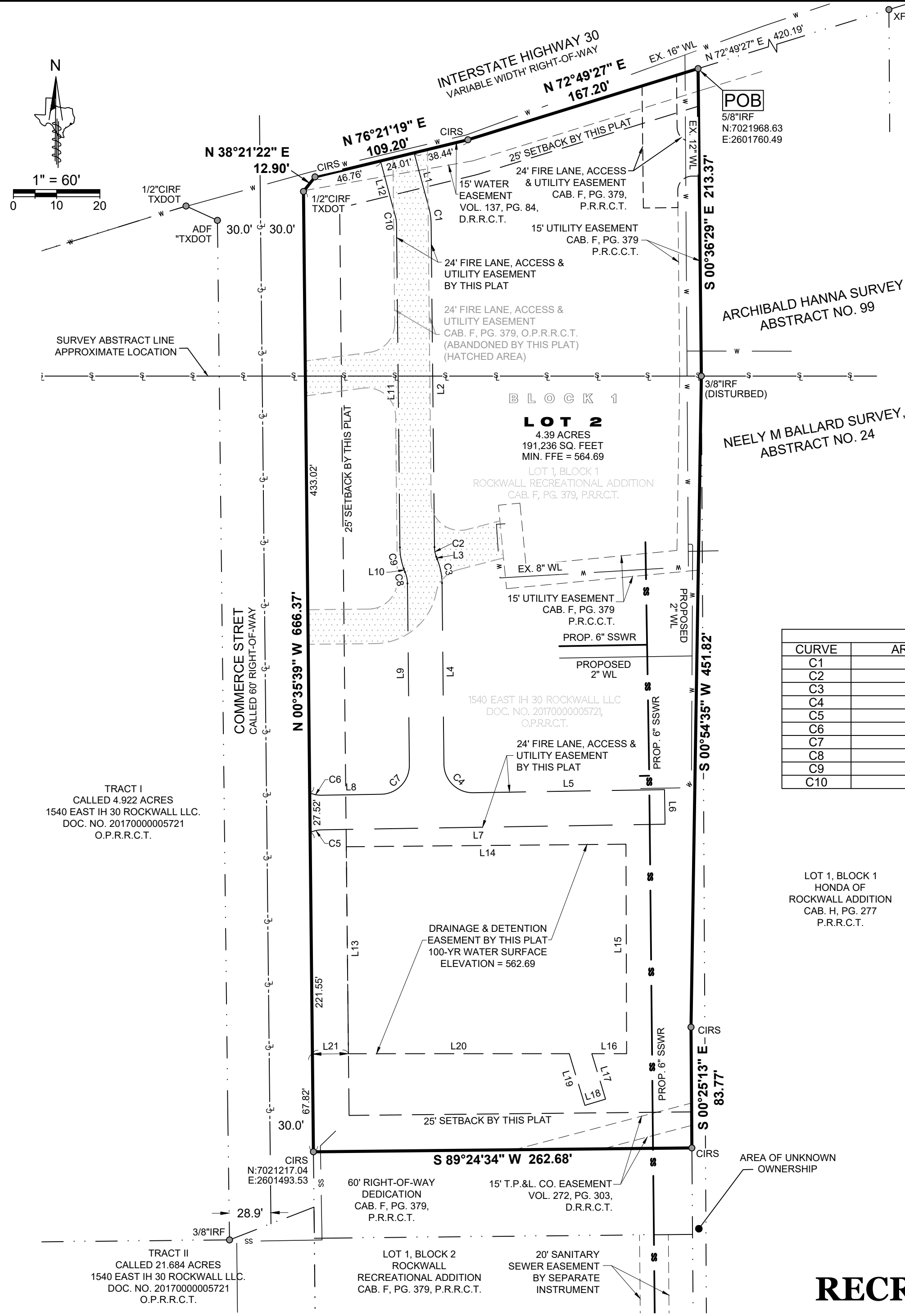


**GENERAL NOTES**

- The purpose of this plat is to dedicate easements for site development.
- This property is located in **Non-Shaded Zone "X"** as scaled from the F.E.M.A. Flood Insurance Rate Map dated September 26th, 2008 and is located in Community Number 480547 as shown on Map Number 48397C0045L. The location of the Flood Zone is approximate, no vertical datum was collected at the time of the survey. For the exact Flood Zone designation, please contact 1-(877) FEMA MAP.
- The grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) State Plane Coordinate System (Texas North Central Zone - 4202).
- Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and/or withholding of utilities and building permits.
- All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.
- The bearings shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011).
- Property owner is responsible for repair, replacement, and maintenance off all detention and drainage systems in easements on-site.
- 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.

**LEGEND**

- PG = PAGE
- CAB = CABINET
- POB = POINT OF BEGINNING
- CIRS = CAPPED IRON ROD SET
- CIRF = CAPPED IRON ROD FOUND
- DOC. NO. = DOCUMENT NUMBER
- D.R.R.C.T. = DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. = PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- = SUBJECT BOUNDARY
- - - = ADJOINER BOUNDARY
- W = WATER LINE
- SS = SANITARY SEWER LINE
- - - - = EASEMENT



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 15°03'39" W	39.66'
L2	N 00°35'39" W	224.29'
L3	N 19°58'51" W	1.97'
L4	N 00°35'39" W	125.72'
L5	S 89°03'46" W	132.78'
L6	N 00°56'14" W	24.00'
L7	N 89°03'46" E	238.24'
L8	S 89°03'47" W	41.21'
L9	S 00°35'39" E	126.11'
L10	S 19°58'51" E	2.63'
L11	S 00°35'39" E	224.29'
L12	S 15°03'39" E	40.25'
L13	N 00°35'39" W	143.59'
L14	N 89°28'24" E	194.12'
L15	S 00°10'06" E	145.33'
L16	S 89°59'29" W	24.13'
L17	S 16°50'46" E	32.94'
L18	S 73°09'14" W	15.00'
L19	N 16°50'46" W	37.48'
L20	S 89°59'29" W	153.25'
L21	S 89°24'21" W	25.00'

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	11.11'	44.00'	14°28'00"	N 07°49'39" W	11.08'
C2	6.77'	20.00'	19°23'12"	N 10°17'15" W	6.74'
C3	16.92'	44.00'	22°01'42"	N 11°36'30" W	16.81'
C4	31.54'	20.00'	90°20'35"	N 45°45'56" W	28.37'
C5	8.41'	20.00'	24°04'46"	N 77°01'23" E	8.34'
C6	8.51'	20.00'	24°22'18"	N 78°45'04" W	8.44'
C7	31.30'	20.00'	89°39'26"	S 44°14'04" W	28.20'
C8	8.14'	20.00'	23°18'19"	S 12°14'49" E	8.08'
C9	14.89'	44.00'	19°23'12"	S 10°17'15" E	14.82'
C10	5.05'	20.00'	14°28'00"	S 07°49'39" E	5.04'

LOT 1, BLOCK 1  
HONDA OF  
ROCKWALL ADDITION  
CAB. H, PG. 277  
P.R.R.C.T.

**REPLAT  
LOT 2, BLOCK 1  
ROCKWALL  
RECREATIONAL ADDITION  
4.39 ACRES (191,236 SF)**

BEING A REPLAT OF LOT 1, BLOCK 1  
OF ROCKWALL RECREATIONAL ADDITION,  
RECORDED IN CABINET F, PAGE 379, P.R.R.C.T.,  
SITUATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99,  
AND THE NEELY M BALLARD SURVEY, ABSTRACT NO. 24  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Project	2110.002	<p><b>EAGLE SURVEYING, LLC</b> 222 S. Elm Street, Suite: 200 Denton, TX 76201 (940) 222-3009 TX Firm #10194177</p>
Date	07/27/2022	
Drafter	BE	

**SURVEYOR**  
Eagle Surveying, LLC  
222 S. Elm Street, Suite: 200  
Denton, TX 76201  
(940) 222-3009

**ENGINEER**  
Claymoore Engineering, Inc.  
Contact: Drew Donosky  
1903 Central Drive, Suite: 406  
Bedford, TX 76021  
(817) 281-0572

**OWNER**  
1540 East IH 30 Rockwall LLC  
PO BOX 570809  
Dallas, TX 75357



**OWNER'S CERTIFICATE & DEDICATION**

STATE OF TEXAS §  
 COUNTY OF ROCKWALL §

**WHEREAS 1540 EAST IH 30 ROCKWALL LLC** is the sole owner of a 4.39 acre tract of land situated in the ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99 and the NEELY M BALLARD SURVEY, ABSTRACT NO. 24, in the City of Rockwall, Rockwall County, Texas, and being a portion of Lot 1, Block 1 of Rockwall Recreational Addition, a subdivision of record in Cabinet F, Page 379, of the Plat Records of Rockwall County, Texas, conveyed to 1540 East IH 30 Rockwall LLC by Special Warranty Deed With Vendor's Lien recorded in Document Number 2017000005721, of the Official Public Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING**, at a 5/8" iron rod found in the south right-of-way line of Interstate Highway 30 (a variable width right-of-way), at the northwest corner of Lot 1, Block 1, Honda of Rockwall Addition, a subdivision of record in Cabinet H, Page 277, of said Plat Records, and the northeast corner of said Lot 1, Block 1, Rockwall Recreational Center, from which an x-cut found at the northeast corner of said Lot 1, Block 1, Honda of Rockwall Addition bears N72°49'27"E, a distance of 420.19 feet;

**THENCE**, along the east line of said Lot 1, Block 1, Rockwall Recreational Center, the following three (3) courses and distances:

- S00°36'29"E, a distance of 213.37 feet to a 3/8" iron rod found (disturbed);
- S00°54'35"W, a distance of 451.82 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
- S00°25'13"E, a distance of 83.77 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set at the northeast corner of a 60' right-of-way dedication (unimproved) and the southeast corner of said Lot 1, Block 1, Rockwall Recreational Center;

**THENCE**, S89°24'34"W, along the north line of said 60' right-of-way dedication, being the common south line of said Lot 1, Block 1, Rockwall Recreational Center, a distance of 262.68 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the east right-of-way line of said Commerce Street (a called 60' right-of-way), at the northwest corner of said 60' right-of-way dedication and the southwest corner of said Lot 1, Block 1, Rockwall Recreational Center;

**THENCE**, N00°35'39"W, along the east right-of-way line of said Commerce Street, being the common west line of said Lot 1, Block 1, Rockwall Recreational Center, a distance of 666.37 feet to a 1/2" inch iron rod with plastic cap stamped "TXDOT" found in the south right-of-way line of said Interstate Highway 30, at the southwest corner of a called 0.0092 acre tract of land conveyed to the State of Texas by Deed of record in Document Number 2010-00429943, of said Official Public Records;

**THENCE**, along the south right-of-way line of said Interstate Highway 30, the following three (3) courses and distances:

- N38°21'22"E, a distance of 12.90 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
- N76°21'19"E, a distance of 109.20 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
- N72°49'27"E, a distance of 167.20 feet to the **POINT OF BEGINNING** and containing an area of 4.39 Acres, or (191,236 Square Feet) of land, more or less.

**NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

THAT, **1540 EAST IH 30 ROCKWALL LLC**, the undersigned owner of the land shown on this plat, and designated herein as **ROCKWALL RECREATIONAL ADDITION**, a subdivision 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 **ROCKWALL RECREATIONAL ADDITION**, subdivision 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:

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.

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 we may have as a result of the dedication of exactions made herein.

OWNER: 1540 EAST IH 30 ROCKWALL LLC

BY: \_\_\_\_\_  
 Signature Date

BY: \_\_\_\_\_  
 Printed Name & Title

STATE OF TEXAS §  
 COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, \_\_\_\_\_ of 1540 EAST IH 30 ROCKWALL LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
 Notary Public in and for the State of Texas

**CERTIFICATE OF SURVEYOR**

**NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

THAT I, **MATTHEW RAABE**, 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.

**PRELIMINARY**  
 this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

\_\_\_\_\_  
 Matthew Raabe Date  
 Registered Professional Land Surveyor #6402

**CERTIFICATE OF APPROVAL**

\_\_\_\_\_  
 Chairman Date  
 Planning & Zoning Commission

**APPROVED:**

I hereby certify that the above and foregoing plat of **ROCKWALL RECREATIONAL ADDITION**, an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

WITNESS OUR HANDS, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
 Mayor, City of Rockwall City Secretary, City of Rockwall

\_\_\_\_\_  
 City Engineer

**REPLAT  
 LOT 2, BLOCK 1  
 ROCKWALL  
 RECREATIONAL ADDITION  
 4.39 ACRES (191,236 SF)**

BEING A REPLAT OF LOT 1, BLOCK 1  
 OF ROCKWALL RECREATIONAL ADDITION,  
 RECORDED IN CABINET F, PAGE 379, P.R.R.C.T.,  
 SITUATED IN THE ARCHIBALD HANNA SURVEY, ABSTRACT NO. 99,  
 AND THE NEELY M BALLARD SURVEY, ABSTRACT NO. 24  
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

Project	2110.002	 <b>EAGLE SURVEYING, LLC</b> 222 S. Elm Street, Suite: 200 Denton, TX 76201 (940) 222-3009 TX Firm #10194177
Date	07/27/2022	
Drafter	BE	

**SURVEYOR**  
 Eagle Surveying, LLC  
 222 S. Elm Street, Suite: 200  
 Denton, TX 76201  
 (940) 222-3009

**ENGINEER**  
 Claymoore Engineering, Inc.  
 Contact: Drew Donosky  
 1903 Central Drive, Suite: 406  
 Bedford, TX 76021  
 (817) 281-0572

**OWNER**  
 1540 East IH 30 Rockwall LLC  
 PO BOX 570809  
 Dallas, TX 75357



CITY OF ROCKWALL

ORDINANCE NO. 23-XX

SPECIFIC USE PERMIT NO. S-3XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING *ORDINANCE NO. 22-02 [S-266]* AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A *NEW MOTOR VEHICLE DEALERSHIP FOR CARS AND LIGHT TRUCKS, A MAJOR AUTO REPAIR GARAGE, AND OUTSIDE STORAGE* ON A 7.17-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK 1 , ROCKWALL RECREATIONAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED 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 Drew Donosky of Claymoore Engineering on behalf of Clay Cooley of 1540 East IH-30 Rockwall, LLC for the approval of a Specific Use Permit (SUP) superseding *Ordinance No. 22-02 [S-266]* and allowing the expansion of an existing *New Motor Vehicle Dealership for Cars and Light Trucks (i.e. Clay Cooley Hyundai)* being a 7.17-acre tract of land identified as Lot 2, Block 1, Rockwall Recreational Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 1540 E. IH-30, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that *Ordinance No. 22-02 [S-266]* 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 approval of this ordinance shall supersede all requirements stipulated in *Ordinance No. 22-02*.

**SECTION 2.** 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) allowing a *New Motor Vehicle Dealership for Cars and Light Trucks, Major Auto*

*Repair Garage, and Outside Storage* as stipulated by Subsection 01.02, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 3.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 05.01, *General Industrial District Standards*, and Subsection 05.02, *Light Industrial (LI) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

### **3.1. OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of a *New Motor Vehicle Dealership for Cars and Light Trucks* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The development or redevelopment of the *Subject Property* shall generally conform to the Concept Plan depicted in *Exhibit 'B'* of this ordinance.
- (2) The development or redevelopment of the *Subject Property* shall generally conform to the Landscape Plan depicted in *Exhibit 'C'* of this ordinance.
- (3) The development or redevelopment of the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'D'* of this ordinance; however, these elevations shall be subject to review and recommendation by the Architectural Review Board (ARB) and approval by the Planning and Zoning Commission through the site plan review process.
- (4) No vehicle display areas shall be permitted within the required landscape buffers along IH-30 and Commerce Street.
- (5) Motor vehicle inventory for the proposed *New Motor Vehicle Dealership for Cars and Light Trucks* shall not be stored on an unimproved surface.
- (6) Motor vehicle inventory for the proposed *New Motor Vehicle Dealership for Cars and Light Trucks* shall not be stored within the Commerce Street Right-of-Way (*i.e. Commerce Street is for public parking only*).

The following conditions pertain to the operation of a *Major Auto Repair Garage* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The outside storage of tires or any other automotive parts shall be prohibited.
- (2) Any maintenance of motor vehicles shall be performed in a completely enclosed building, and no work on motor vehicles shall be performed outdoors.

The following conditions pertain to the operation of *Outside Storage* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) Outside storage shall be screened by an eight (8) foot masonry wall as depicted in *Exhibit 'B'* of this ordinance.

### 3.2. 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 compliance to the following:

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

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 5.** 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.** 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 7.** 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 8.** 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 21<sup>ST</sup> DAY OF AUGUST, 2023.**

\_\_\_\_\_  
Trace Johannesen, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristy Teague, City Secretary

**APPROVED AS TO FORM:**



---

Frank J. Garza, *City Attorney*

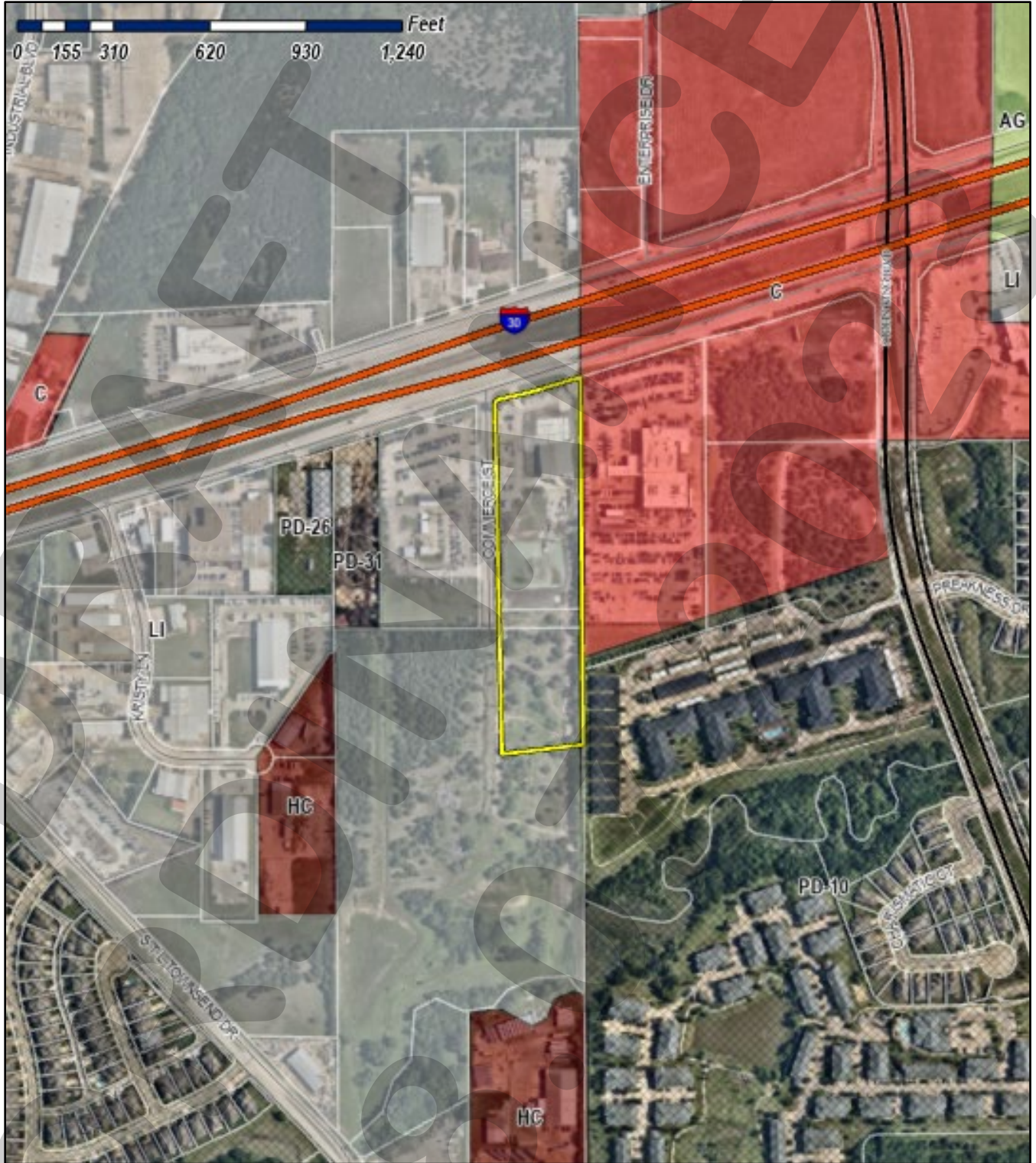
1<sup>st</sup> Reading: August 7, 2023

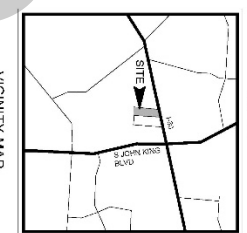
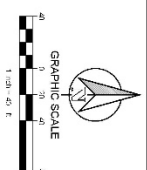
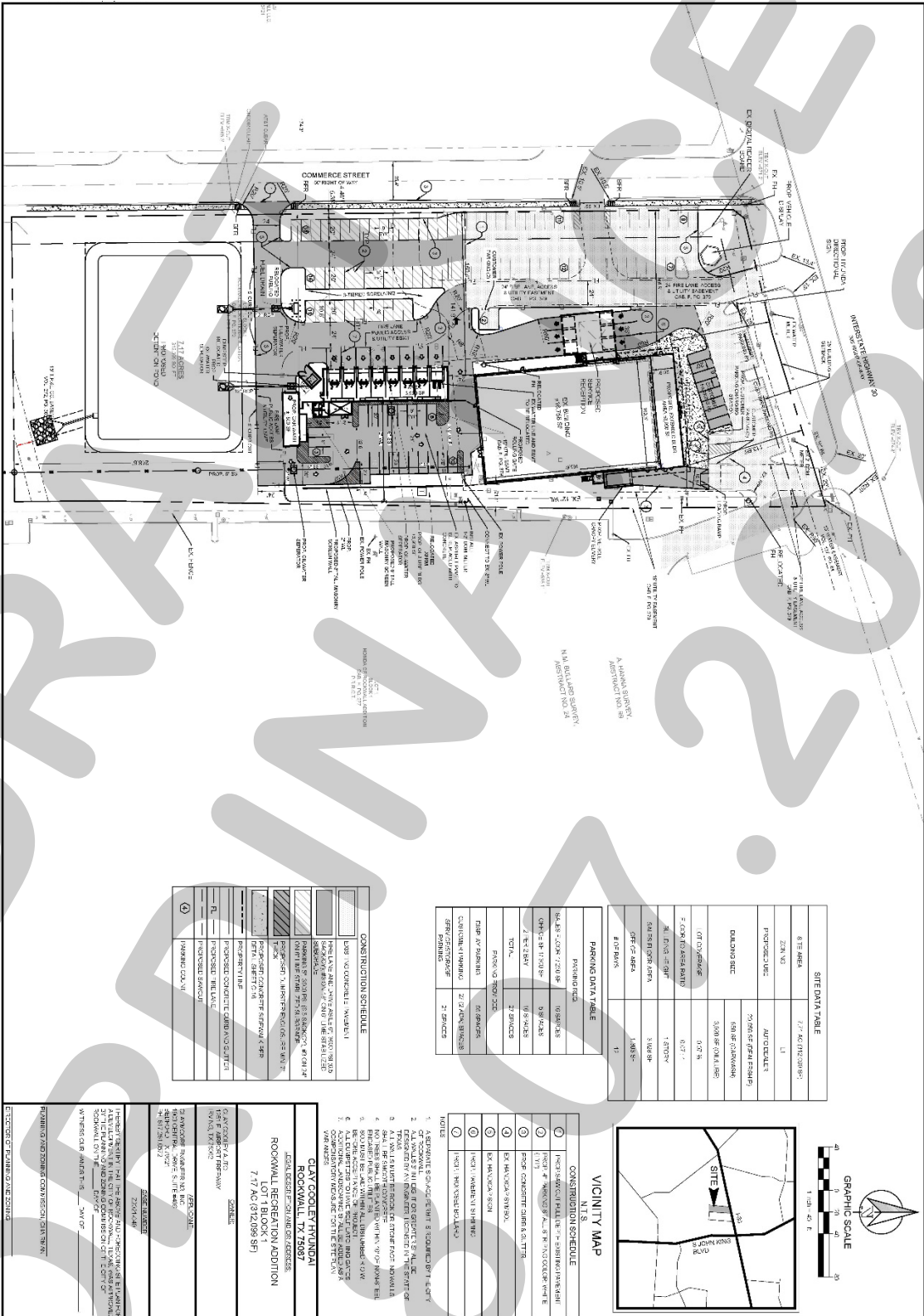
2<sup>nd</sup> Reading: August 21, 2023

DRAFT  
ORDINANCE  
08.07.2023

Address: 1540 E. IH-30

Legal Description: Lot 2, Block 1, Rockwall Recreational Addition





**VICINITY MAP**

SITE DATA TABLE	
6.18 ACRES	1.7 AC (25.2% IMP)
22A USE	LI
PROPOSED USE	APARTMENTS
BUILDING SIZE	15,000 SF PER FLOOR 500 SF PER GARAGE
FLOOR COVER	500 SF PER GARAGE
2 GARAGE PER FLOOR	0.02 N
ALL FLOOR AREA	0.02 -
500 PER GARAGE	1.0000
# OF PARKS	1.0000
# OF PARKS	1

PARKING DATA TABLE	
PERMITTED	10 SPACES
REQUIRED	10 SPACES
CHANGING	0 SPACES
TOTAL	20 SPACES
PERMITTED	0 SPACES
REQUIRED	20 SPACES
CHANGING	0 SPACES
TOTAL	20 SPACES

CONSTRUCTION SCHEDULE	
CONCRETE	CONCRETE
FOUNDATION	FOUNDATION
FRAMING	FRAMING
MECHANICAL	MECHANICAL
ELECTRICAL	ELECTRICAL
PLUMBING	PLUMBING
PAINTING	PAINTING
LANDSCAPE	LANDSCAPE
FINISH	FINISH

- CONSTRUCTION SCHEDULE**
1. SITE PREP
  2. FOUNDATION
  3. CONCRETE
  4. FRAMING
  5. MECHANICAL
  6. ELECTRICAL
  7. PLUMBING
  8. PAINTING
  9. LANDSCAPE
  10. FINISH

**CLAY COOLEY HUDDAI**  
 ROCKWALL REGENERATION ADDITION  
 7.11 AC (12,098 SF)  
 ROCKWALL, TX 75087

**DESIGNER**  
 CLAY COOLEY HUDDAI  
 10000 W. ROCKWALL AVENUE  
 SUITE 100  
 ROCKWALL, TX 75087  
 (972) 967-1100  
 WWW.CCHUDDAI.COM

**DATE**  
 08/20/2024

**PROJECT NO.**  
 24000000000000000000

**PROJECT NAME**  
 ROCKWALL REGENERATION ADDITION

**PROJECT ADDRESS**  
 7.11 AC (12,098 SF)

**PROJECT CITY**  
 ROCKWALL, TX

**PROJECT COUNTY**  
 ROCKWALL, TX

**PROJECT STATE**  
 TEXAS

**PROJECT ZIP**  
 75087

**PROJECT SCALE**  
 1/8" = 1'-0"

**PROJECT SHEET**  
 1 OF 1

**PROJECT DATE**  
 08/20/2024

**PROJECT STATUS**  
 PRELIMINARY

**PROJECT PHASE**  
 PRELIMINARY

**PROJECT TYPE**  
 REGENERATION ADDITION

**PROJECT OWNER**  
 CLAY COOLEY HUDDAI

**PROJECT CONTACT**  
 CLAY COOLEY HUDDAI

**PROJECT PHONE**  
 (972) 967-1100

**PROJECT FAX**  
 (972) 967-1100

**PROJECT EMAIL**  
 INFO@CCHUDDAI.COM

**PROJECT WEBSITE**  
 WWW.CCHUDDAI.COM

**PROJECT ADDRESS**  
 7.11 AC (12,098 SF)

**PROJECT CITY**  
 ROCKWALL, TX

**PROJECT COUNTY**  
 ROCKWALL, TX

**PROJECT STATE**  
 TEXAS

**PROJECT ZIP**  
 75087

**PROJECT SCALE**  
 1/8" = 1'-0"

**PROJECT SHEET**  
 1 OF 1

**PROJECT DATE**  
 08/20/2024

**PROJECT STATUS**  
 PRELIMINARY

**PROJECT PHASE**  
 PRELIMINARY

**PROJECT TYPE**  
 REGENERATION ADDITION

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 CLAY COOLEY HUDDAI

**PROJECT CONTACT**  
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 INFO@CCHUDDAI.COM

**PROJECT WEBSITE**  
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## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** August 7, 2023

**SUBJECT:** TEXT AMENDMENT TO ARTICLE 05, DISTRICT DEVELOPMENT STANDARDS, OF THE UDC TO ALLOW HOMEOWNER'S ASSOCIATIONS (HOA'S) THE ABILITY TO LEASE THE LAKE RAY HUBBARD TAKELINE

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### Attachments

Memorandum  
Proposed Sublease Agreement  
Proposed Text Amendment

### Summary/Background Information

Discuss and consider directing staff to amend Subsection 06.16, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) to allow Homeowner's Associations (HOAs) to lease certain areas of the takeline, and take any action necessary.

### Action Needed

Staff is requesting direction from the City Council regarding the proposed text amendment to Article 05, *District Development Standards*, of the Unified Development Code (UDC), which would create the ability for a Homeowner's Association (HOA) to sublease the Lake Ray Hubbard Takeline.



**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

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**TO:** Mayor and City Council  
**CC:** Mary Smith, *City Manager*  
Joey Boyd, *Assistant City Manager*  
**FROM:** Ryan Miller, *Director of Planning and Zoning*  
**DATE:** August 7, 2023  
**SUBJECT:** *Text Amendment to Article 05, District Development Standards, of the UDC to Allow Homeowner's Associations (HOA's) the Ability to Lease the Lake Ray Hubbard Takeline*

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On January 4, 2020, the City Council adopted changes to the *Lake Ray Hubbard Takeline Overlay (TL OV) District* [Case No. Z2020-041] for the purpose of [1] providing clearer requirements with regard to the land uses, building materials, and construction standards permitted within the takeline, [2] providing a process that incentivizes property owners to construct erosion control measures (*i.e. seawalls*) by allowing additional land uses when such measures are provided, and [3] providing for a process to try and facilitate more property owners to pursue takeline leases. Prior to the adoption of these changes, staff met with several citizens who owned property that backed up to areas of the takeline that were not leasable. These citizens were interested in creating a process that would allow Homeowner's Associations (HOA's) the ability to lease these areas of the takeline; however, this was ultimately not pursued in the changes that were brought forward to the City Council in January 2020. More recently, several residents of the Lakeside Village Subdivision have met with staff to express concern about erosion that is occurring along the banks of the takeline adjacent to this subdivision. Specifically, these residents were inquiring about constructing seawalls to correct the erosion issues. The problem that City staff encounter in considering this, is tied to the issue of allowing private property owners to make improvements on public land, and the fact that these improvements -- *after construction* -- would become the City's responsibility to maintain (*i.e. since these areas of the takeline were not leasable there is no way to tie the improvements in the takeline to the private property owner's property after construction*). To facilitate a solution to this issue, staff is proposing to amend the *Lake Ray Hubbard Takeline Overlay (TL OV) District* to allow Homeowner's Associations (HOA's) the ability to lease non-leasable areas adjacent to their jurisdictional boundaries. This would allow these property owners the ability to work with the Homeowner's Associations (HOA's) to make the necessary erosion control improvements without subjugating the City to the maintenance of these structures moving forward.

In researching this proposal, staff identified four (4) Homeowner's Associations (HOA's) that could be eligible to lease areas of the takeline that are currently unleaseable. These include: [1] the Chandler's Landing Subdivision (*i.e. adjacent to Blocks B & C, Chandler's Landing, Phase 17*), [2] the Signal Ridge Subdivision (*i.e. adjacent to Signal Ridge, Phase 4*), [3] the Water's Edge Subdivision at Lake Ray Hubbard (*aka Villas De Portofino*), and [4] the Lakeside Village Subdivision. If approved, the amendment prepared by staff -- *contained in the attached packet* -- would create the following requirements for the lease of the takeline for these Homeowner's Associations (HOA's):

- (1) A site plan would be required to be approved by the Planning and Zoning Commission that will be incorporated into the *Sublease Agreement*. This site plan will show all proposed improvements within the leased takeline area -- *which are required to be located within Activity Areas* -- and the required seawalls necessary to make these improvements.
- (2) All *Activity Areas* are permitted to be a maximum of 50-feet by 50-feet in size and be spaced a minimum of 200-feet apart.
- (3) Seawalls are required to be installed a minimum of 100-feet on either side of an *Activity Area*.
- (4) *Fixed Piers* and *Dock Decks* are required to be spaced a minimum of 200-feet apart along the leased area.
- (5) *Boathouses* are prohibited to be constructed in the takeline in these leased areas.
- (6) The Homeowner's Association (HOA) would be required to assume the responsibility for any existing improvements in the leased area.
- (7) Fees for a new lease, annual renewal of a lease, and reinstatement of an expired lease are the same as the fees established for a standard takeline sublease agreement.

In addition to the proposed amendment, staff has included an updated *Sublease Agreement* that allows Homeowner's Associations (HOA's) to sublease the takeline area. Staff should note that the City Attorney has reviewed the proposed text amendment and *Sublease Agreement*, and has provided staff with comments that have been incorporated into these documents. Should the City Council choose to direct staff to proceed with this text amendment, the proposed amendment would be subject to the following schedule:

Planning and Zoning Commission Work Session: August 29, 2023

Planning and Zoning Commission Public Hearing: September 12, 2023

City Council Public Hearing/First Reading: September 18, 2023

City Council Second Reading: October 2, 2023

Should the City Council have any questions concerning the proposed text amendment, staff will be available at the meeting on August 7, 2023.



THE STATE OF TEXAS           §  
CITY OF ROCKWALL           §

### HOMEOWNER'S ASSOCIATION (HOA) SUBLEASE AGREEMENT

This Sublease Agreement (hereinafter referred to as the "Sublease") is made and entered into this \_\_\_ day of \_\_\_\_\_ by and between the City of Rockwall, Texas, a political subdivision of the State of Texas herein called "Sublessor," and the \_\_\_\_\_ Homeowner's Association (HOA), herein called "Sublessee."

#### RECITALS

- (A) On or about the 16<sup>th</sup> day of January, 2001, Sublessor (as lessee) and the City of Dallas, Texas (as Lessor) entered into an Interlocal Agreement and Lease (hereinafter defined and described as the "Base Lease") covering the lease of the Lake Ray Hubbard take line area, which encompasses the Leased Area as hereinafter defined. Said Interlocal Agreement and Lease is incorporated herein by reference and said Lease shall expire on January 16, 2041.
- (B) Sublessor is a municipal corporation, which has leased from the City of Dallas the land adjacent to Lake Ray Hubbard, which encompasses the perimeter boundary of Dallas' property at the lake for the purposes as set out in the Base Lease.
- (C) Sublessor desires to sublease to Sublessee the leased area adjacent to Sublessee's jurisdictional boundary being depicted and described by the hereto attached *Exhibit 'A'* survey of the sublease property, during the term hereof, so as to permit use and enjoyment of same by said Sublessee.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are mutually acknowledged, the parties hereby agree as follows:

#### ARTICLE 1. DEFINITIONS

- (A) "**Interlocal Agreement**" means the Base Lease, or Master Lease, covering the lease of the Lake Ray Hubbard take line area by the City of Dallas to the City of Rockwall, dated January 16, 2001, which encompasses the Leased Area as defined herein.
- (B) "**Lake**" means Lake Ray Hubbard.
- (C) "**Take Line**" means the perimeter boundary of Dallas' property at the Lake.
- (D) "**Take Area**" means the land owned by Dallas between the Take Line and the normal Lake pool elevation (435.5 mean sea level).
- (E) "**Lake Area**" means the City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the Lake at normal Lake pool elevation (property at or below elevation 435.5 mean sea level).
- (F) "**Lake Ray Hubbard Overlay District Ordinance**" means Subsection 06.16 of the City of Rockwall Unified Development Code, known as the Lake Ray Hubbard Take line Overlay District.

- (G) **“Leased Area”** means the Take Area that is within the City Limits of Rockwall, or where the Take Line is directly adjacent to the City Limits of Rockwall.
- (H) **“Maintenance Responsibilities”** shall mean keeping the erosion control structure(s) in good condition throughout the term hereof so that such structures remain capable of proper protection against erosion.
- (I) **“Subleased Premises”** means the area hereby subleased and more particularly described in Article 3 herein.
- (J) **“HOA Area”** means the Leased Area where the Take Line is adjacent to the boundaries of the Homeowner’s Association (HOA) and where no commercial activity exists, or is proposed to exist, on Dallas property. If commercial activity occurs in a HOA Area, that portion of the Leased Area will be considered a Commercial Area.
- (K) **“Sublessee”** means a person or entity subleasing Dallas property in the Leased Area from City of Rockwall. Sublessee shall be an adjacent property owner.
- (L) **“Shoreline”** means the line along the shore of the Lake, established by the normal Lake pool elevation (435.5 mean sea level).
- (M) **“New Immediate Action Area”** means any section of the Leased Area where any of the following has occurred:
- (1) The shoreline is within 30 feet or less of the Take Line;
  - (2) A public hazard exists or can be expected to be created by erosion within a short period of time;
  - (3) Structures are at risk of structural damage due to erosion; or,
  - (4) Existing adjacent erosion protection is impeded if erosion is allowed to continue.
- (N) **“Critical Areas”** mean areas determined to be immediate action erosion control areas, as defined in the 1987 “Lake Ray Hubbard Erosion Control Study” by Bernard Johnson Incorporated (*the Bernard Johnson Report*), a copy of which is available for review at the City of Rockwall Parks and Recreation Department.

## ARTICLE 2. PURPOSE AND INTENT

The purpose of this sublease agreement is to permit the use of property along the take area of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth procedures for the development of said property and establishing an appeal process for the terms of Lake Ray Hubbard Overlay District Ordinance adopted by the City of Rockwall. The zoning overlay district has its basis in and is intended to serve as one implementation tool for the Lake Ray Hubbard Master Plan, adopted by the City of Dallas; the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the Lake Cities Coalition (Garland, Rockwall, and Rowlett, Texas) and the City of Dallas, Texas; and the Comprehensive Plan for the City of Rockwall, adopted on December 17, 2001. The adoption of the zoning district is intended to provide a means for the protection of water quality, water supply, and the preservation of the natural environment and to enhance the quality of the Lake Ray Hubbard shoreline through regulation of manmade facilities. For those properties that take part in the City of Rockwall Residential Sublease Agreement the overlay zoning ordinance is to be used in conjunction and in addition to the erosion control and engineering standards as well as other development related ordinances, such as but not limited to, landscaping ordinance, tree preservation ordinance and outdoor lighting.

### ARTICLE 3. SUBLEASED AREA

- (A) Sublessor, for and in consideration of the rents, covenants and promises herein contained to be kept, performed and observed by Sublessee has subleased to Sublessee, for and in consideration of the covenants and agreements herein does hereby accept from Sublessor, the Subleased Area as more specifically described by the hereto attached *Exhibit 'A'* (survey of the Take Area) and subsequent to the terms and conditions as hereafter described. Sublessee acknowledges that it has inspected the Subleased Area to their satisfaction and accepts the Subleased Area "As Is" and with all faults and defects, whether known or unknown to either Sublessor or Sublessee and without representation or warranty of any kind from Sublessor as to the status or condition thereof.
- (B) All structure and/or improvements that exist in the Take Area at the time this agreement is executed shall be the responsibility of the Sublessee, and shall be maintained in accordance with the requirements of the City of Rockwall.
- (C) All structures and/or improvements in the Take Area shall require a building permit issued by the City of Rockwall consistent with applicable ordinances and regulations of Takeline Area Overlay District allowed uses, and shall be constructed in accordance with the approved site plan depicted in *Exhibit 'B'* of this sublease agreement.
- (D) Sublessee acknowledges that the decision to lease the Subleased Area is based solely upon the Sublessee's comprehensive inspection of the Subleased Area and not upon any warranty or representation of Sublessor, or of Sublessor's employees, agents or representatives with regard thereto. Without limiting the foregoing, **THERE IS NO WARRANTY, EXPRESSED OR IMPLIED, OF SUITABILITY, MERCHANT ABILITY, HABITABILITY, OR FITNESS FOR ANY PARTICULAR PURPOSE GIVEN IN CONNECTION WITH THIS LEASE.**
- (E) **IT IS UNDERSTOOD BY BOTH THE CITY OF ROCKWALL AND SUBLESSEE THAT THE WATER LEVEL IN THE LAKE WILL NOT REMAIN CONSTANT AND THAT ALL LAND IN THE SUBLEASED PREMISES IS SUBJECT TO FLOODING. THE PARTIES AGREE THAT NEITHER THE CITY OF DALLAS NOR THE CITY OF ROCKWALL SHALL BE RESPONSIBLE FOR DAMAGES TO ANY STRUCTURES, FACILITIES, LANDSCAPING, OR OTHER PROPERTY DAMAGE ON THE SUBLEASED AREA DUE TO WIND, WATER, EROSION, FLUCTUATING WATER LEVELS, OR FLOATING DEBRIS.**

### ARTICLE 4. SUBLEASE TERM

- (A) Subject to the terms and conditions of this Sublease, the demise set forth in Article 3 above shall be for the Sublease Term, which shall **expire on January 16, 2041**, unless otherwise terminated. HOA Area subleases cannot be further subleased.
- (B) This sublease shall terminate and become null and void no later than **January 16, 2041**, unless extended by the parties hereto in writing subject to the provisions of the Base Lease or the Master Lease by and between the City of Dallas and the City of Rockwall. Any holding over or use and occupancy by Sublessee after the termination of this Sublease shall not constitute a renewal hereof or give Sublessee any rights hereunder in or to the Subleased Area upon termination. Upon termination of this Sublease, all improvements to the Subleased Area (whether or not constructed by Sublessee) shall be and become the property of Sublessor or its successors in interest; provided, however, Sublessee shall be entitled to remove from the Subleased Area removable equipment, provided that such removal can be accomplished without unreasonable injury to the Subleased Area or the removing improvements on the Subleased Premises.



- (C) This Sublease shall be terminated or canceled by the City of Rockwall in the event that the Interlocal Agreement between the City of Rockwall and the City of Dallas is terminated or canceled by agreement or operation of law. Sublessee shall be entitled to no compensation of any kind from the City of Rockwall or the City of Dallas if this Agreement is so canceled or terminated.
- (D) The annual sublease payment shall not exceed the estimated annual expenses of the City of Rockwall in administering all subleases and sublease areas, pursuant to the base lease, divided by the number of properties within the boundaries of the City of Rockwall within the Takeline area, and subleases or legally available for sublease.
- (E) Sublessee shall have the right to terminate this sublease if, at any time during this sublease, a material and substantial change in circumstances existing at the time of this sublease should occur. For the purpose of this paragraph, a "material and substantial change in circumstances" shall include but not be limited to a collective increase in the sublease payment of more than 100% over any ten (10) year period or less, or the elimination by the City Council of an authorized use for which the sublessee has in place.
- (F) Sublessor shall have the right to terminate this sublease if, at any time during this sublease, Sublessee breaches any provision of the sublease and fails to remedy the breach in accordance with Article VI. Sublessor shall not terminate sublease if Sublessee cures such breach within the cure period in Article VI.

#### **ARTICLE 5. SUBLEASE PAYMENT**

- (A) In accordance with Section III (C) of the Base Lease, Sublessee shall pay an initial payment of **\$200.00** to Sublessor and an annual payment of **\$100.00** due annually based on contract date. Said payment may be adjusted annually by the City during the term of the Sublease by majority vote of the City Council of the City of Rockwall.
- (B) Failure of sublessee to pay the annual payment as provided for in Section A shall be considered as an event of default. If Sublessee fails to pay the annual payment within thirty (30) days of receipt of notice, Sublessor may terminate this lease and take possession of any improvements on the leased premises subject to *Article 6, Section N* herein.

#### **ARTICLE 6. USE OF SUBLEASED AREA**

- (A) Sublessee agrees to use and maintain the Subleased Area in accordance with all City codes and regulations established by Sublessor for the Take Line area. Any violation of such regulations shall be considered a breach by Sublessee of this Agreement, for which Sublessor shall be entitled to take appropriate action if such violation is not cured. Sublessee specifically recognizes that the City of Dallas, as a third-party beneficiary, has the right to enforce the terms of this Agreement in the event of the Sublessee' breach of any of the terms contained herein.
- (B) Structures or appurtenances that shall be **prohibited** within the Subleased Area, without prior approval by Sublessor and the City of Dallas are as follows but not limited to:
  - (1) Propane tanks.
  - (2) Storage of gasoline, oils, diesel, or similar types of compounds.
  - (3) Storage of pesticides, herbicides, fungicides, or preservatives.

- (4) Use of pesticides, herbicides, fungicides, or preservatives that are not approved by the Texas Commission on Environmental Quality or US Environmental Protection Agency for use around water supplies, and on a listing approved provided by Dallas.
- (5) Storage of any hazardous materials, regardless of its nature.
- (6) Septic tanks and lateral lines (with the exception of city utilities).
- (7) Toilets.
- (8) Habitable structures.
- (9) Diving boards and slides over and/or into the lake.
- (10) Pets living quarters, livestock, maintenance of livestock or any such structure that houses or shelters livestock and/or pets, including but not limited to cattle, horses, swine, poultry.
- (11) Water wells.
- (12) Chemically preserved wood (e.g. railroad ties and telephone poles) in the water.

(C) Prohibited activities on the lake and shore area:

- (1) Shoreline (bank of the lake) will not be tapered, cut, smoothed, or altered in any way without a permit.
- (2) Leased shore area will not be excavated, channeled, cut, bored, dug, filled, smoothed, or altered in any manner unless specifically permitted.
- (3) Wheeled vehicles and all other motorized equipment are prohibited from operating on the lake bottom unless specifically authorized.
- (4) The construction of sandy beaches on the lake bottom at the shoreline are prohibited.
- (5) Removal of vegetation from the lake bottom at the shoreline is prohibited unless specifically authorized.
- (6) Railroad ties on the shoreline and Take Area are prohibited.
- (7) No dumping on the shoreline (bank of the lake) and take area of brush, leaves, bricks, logs, concrete rubble, asphalt rubble, soil, sand, gravel, rock, or any other material.
- (8) Garbage cans and waste receptacles are prohibited anywhere in the leased area.
- (9) No signage in the leased area unless specifically authorized.
- (10) No business activity will be performed from within the leased area.
- (11) No storage of personal items on the Take Area and shoreline unless specifically authorized by the City of Rockwall. Personal items includes but is not limited to boats, jet skis, rafts, watercraft, boat trailers, vehicles, campers, RVs, wood piles, lawn equipment, appliances, storage facilities, construction material, and storage of miscellaneous materials.
- (12) Drawing lake water for personal usage such as for irrigation is prohibited without a permit issued by Dallas Water Utilities.

Additional Requirements:

- (1) All tree removals will comply with the City of Rockwall Tree Preservation Ordinance.
- (2) A permit is required for any and all types of lake dredging and lake bottom earthwork.

- (3) Sublessee will immediately remove personal items littering the lake, particularly after a storm.
  - (4) No permit is required for minor repair or general maintenance of an authorized existing erosion control structure unless the repair or general maintenance will include different material than what was originally approved. A permit is required for modifications and alterations to existing erosion control structures.
  - (5) All boats on the shoreline must comply with the mooring time limit as specified in the Rockwall Takeline Overlay District Zoning Ordinance.
  - (6) Boats will in no way pollute lake waters from, but not limited to; bilge discharges, septic waste, fueling, cleaning, maintenance, and painting.
  - (7) Sublessee must first install an approved method of erosion control before the construction of lake structures. Lake structures will not be permitted without the placement of erosion control the entire length of the subleased shoreline.
- (D) Sublessee agrees that he/she will not make nor allow to be made, any unlawful, improper or offensive use of the premises, which would be injurious to any person or property, or which would violate the laws of the United States or the State of Texas, or any ordinance(s) of the City of Rockwall or the City of Dallas that may pertain to the demised premises. In the event of a conflict between the respective ordinances and/or the provisions of the lease the most restrictive shall apply. Sublessee shall be subject to the terms and penalties associated with ordinance and regulations violations in addition to the provisions of this Sublease.
- (E) The City of Rockwall and the City of Dallas retain the right to make regular or special inspections of the Subleased Premises to ensure that it is being maintained and used in accordance with the terms of this Sublease and the Base Lease and that all terms of this Sublease and the Base Lease are being upheld. The City of Rockwall will provide written notice of a breach or violation, or noncompliance with the terms of this Sublease or the Base Lease to Sublessee. Sublessee will have ten (10) days to correct and/or abate all violations, unless otherwise agreed by the City of Rockwall. If Sublessee has commenced and is pursuing the cure of the same, then after first advising the City Council of Rockwall or its designated representatives of Sublessee's effort to cure, Sublessee may utilize an additional ten (10) days, if approved by the City of Rockwall. Failure to correct all violations in the allotted time constitutes a material breach of this Sublease.
- (F) In the event of the default after the expiration of the applicable notice and cure periods (except for the non-payment of agreed sublease), the City of Rockwall shall be entitled in addition to any other penalties or fines to assess and receive from Sublessee as liquidated damages the sum of \$500.00 per day for each day the breach remains uncured.
- (G) Failure by the City to provide the ten (10) day notice described above shall not constitute a waiver of any breach of this Sublease. Waiver of any breach of any provision of this Sublease shall not be considered as a waiver of any subsequent breach of the same or any other provision of the Sublease.
- (H) The City of Rockwall has adopted the Takeline Area Overlay District Zoning Ordinance and policies for the construction of structures and/or other improvements in the Subleased Premises. A detailed site plan for construction of structures in accordance with the Take Area Zoning Ordinance adopted June 21, 2004, must be approved by the City of Rockwall and the City of Dallas prior to construction. If improvements or structures have been constructed in the Takeline area or the shoreline prior to the execution of this Sublease, all existing noncompliance items or encroachments that are not approved must be abated prior to the execution of this sublease agreement. No structures or improvements that are in noncompliance or are encroaching will be grandfathered.



- (I) Sublessee recognizes and consents to the City of Rockwall and the City of Dallas having the right of ingress and egress to the Subleased premises for any operational or maintenance purposes upon twenty-four (24) hours advance notification to Sublessee; except that no advance notice will be required in case of an emergency or possible health and/or safety hazards.
- (J) Sublessee understands that pursuant to the Base Lease Dallas will make a reasonable effort to repair any damage resulting from Dallas accessing the Take Area for utility maintenance and/or public safety vehicles, and will restore the damaged property as nearly as possible to its condition prior to the damage created by the City of Dallas accessing the Take Area; however, if the damage is located within a dedicated easement the requirements of that easement shall govern and no additional obligations are assumed by the City of Rockwall or the City of Dallas as a result of the execution of this Sublease. Likewise, the City of Rockwall will make a reasonable effort to repair any damage resulting from the City of Rockwall accessing the Take Area for utility maintenance and/or public safety vehicles, and will restore the damaged property as nearly as possible to its condition prior to the damage created by the City of Rockwall accessing the Takeline Area however, if the damage is located within a dedicated easement the requirements of that easement shall govern and no additional obligations are assumed by the City of Rockwall or the City of Dallas as a result of the execution of this Sublease.
- (K) Sublessee recognizes that the City of Rockwall may require easements in the future in the Subleased Area. Sublessee hereby agrees to approve future easements with the understanding that the Sublessor will make all reasonable efforts to avoid damage to existing improvements. If damage results from the use of a future easement, Sublessor will restore the damaged property as nearly as possible to its condition prior to the damage created by the Sublessor.
- (L) Sublessee recognizes that Sublessor has established specific setbacks, reservation of future easements or other development requirements unique to this Sublease. Such specific requirements are set forth in the Take Area Zoning Ordinance adopted June 21, 2004. Sublessee agrees to abide by all requirements during the term of the Sublease.
- (M) Sublessee recognizes that prior to placement of any structures and/or personal items, improvements, including, but not limited to: landscaping, construction or subgrade alterations on the Subleased Premises a construction alteration permit must first be obtained from the City of Rockwall. Such construction alteration permit will be in addition to any other permit or approval required by the City of Dallas. Time limits for completion of construction will be established at the issuance of the construction alteration permit. No construction will be considered complete and/or approved until a final inspection is conducted by the City of Rockwall and/or the City of Dallas or their appointed representatives.
- (N) If this lease is terminated for any reason stated within this agreement any structures and/or any improvements must be removed within 30 days.

#### **ARTICLE 7. EROSION PROTECTION**

- (A) For all subleases, the City of Rockwall will require sublessee of HOA Areas to either completely install, or pay for the installation of, Shoreline erosion protection in accordance with Section VI of the Base Lease or Master Lease in Critical Areas, whenever such Critical Areas may arise (as defined in Section VI (A) Base Lease), before execution of the sublease. Erosion protection required under the sublease must be completed no later than twelve (12) months from the date of execution of the sublease, but prior to, or concurrent with, a sublessee's commencement of construction of any improvements. If a Critical Area arises after execution of the sublease, the City of Dallas or the City of Rockwall are not responsible for any erosion control measures required and the

sublessee shall not look to the City of Dallas or the City of Rockwall for action. If any part of the subleased area becomes a Critical Area after execution of the sublease, the sublessee of a residential area may, at sublessee's option, install erosion protection in accordance with this sublease agreement and Base Lease. Erosion protection required under the sublease must be completed prior to a sublessee's commencement of construction of any improvements of any kind on the leased area, subject to the City of Rockwall's permitting process.

- (B) In areas determined to be Critical Areas or New Immediate Action Areas, as defined above (collectively referred to as "Critical Areas"), the Sublessee will be responsible for installation and maintenance of erosion control. Such required erosion protection must be completed no later than twelve (12) months from the date of execution of this Sublease, but prior to, or concurrent with, the Sublessee's commencement of construction of any improvement. If the City of Dallas has installed or performed maintenance or erosion control in any Critical Area, the Sublessee will reimburse the City of Dallas for the cost of installation and maintenance from the date of execution of the Base Lease to the later of, the date of execution of the Sublessee's sublease with the City of Rockwall, or the date of installation of the erosion control. If Dallas installed or performed maintenance or erosion control in any area that is not a Critical Area, the Sublessee will reimburse Dallas for the cost of installation and maintenance from the date of execution of the Base Lease to the date of execution of the Sublessee's sublease with the City of Rockwall (*i.e.* there will be no retroactive reimbursement obligations of the Sublessee in a non-Critical Area; the full extent of the erosion reimbursement obligations of the Sublessee in a non-Critical Area will be known at the time of execution of the sublease). Reimbursements can be paid in a lump sum or over a term to be determined by Dallas. Term payments will include interest charges and the term will not exceed the life of the asset. Sublessee shall assume maintenance responsibility for existing or proposed erosion control.
- (C) Sublessee may install erosion control subject to the written approval of the City of Dallas and the City of Rockwall. Sublessee will be responsible for maintenance of the installed erosion control in the same manner as set out above.
- (D) The City of Dallas and the City of Rockwall will establish a listing of types of erosion control approved for use around the Lake, based on the Bernard Johnson Report or engineering data or criteria list. The list may be expanded jointly by Dallas and the City of Rockwall should new and approved technology become available for such erosion control. If the City of Dallas or the City of Rockwall installs erosion control, it can install any type listed in the Bernard Johnson Report, or on the updated/approved listing, as it deems economically and/or environmentally feasible.
- (E) The Sublessee may reclaim lost Shoreline with the approval of the City of Rockwall and prior written approval of the City of Dallas, as determined on a case-by-case basis. Any reclamation or cut and fill in the Lake or at the Shoreline shall not reduce the usable water storage capacity or flood storage capacity of the Lake, as determined by the City of Dallas. Sublessee, or the parties performing the reclamation, will be responsible for obtaining all related permits for the reclamation, such as the U.S. Army Corps of Engineer permits.
- (F) No activities will be allowed which will increase the erosion of the Shoreline property, including any alteration of vegetation or property, as determined by the City of Dallas as described by the Bernard Johnson report.
- (G) Erosion control installations must comply with all local, state, and federal laws, regulations and requirements and shall be designed by a licensed professional engineer and installed by a competent contractor with demonstrated experience in the installation of that system.
- (H) Sublessee agrees to allow abutting Sublessee(s) to connect to the erosion protection mechanism so installed, so as not to create gaps between abutting properties in said erosion protection.

## ARTICLE 8. HOLD HARMLESS

Sublessee hereby agrees to defend, indemnify and hold the City of Dallas and City of Rockwall, their respective officers, agents and employees, fully harmless from any claims, lawsuits or expenses for personal injury (including death), property damage or other harm for which damages may be recovered under law, suffered by any person or persons (including but not limited to Sublessee), that may arise out of or be occasioned by Sublessee's fault or negligence in the use, occupancy, maintenance or operation of the Subleased Premises for any purpose, or that arises out of or is occasioned by erosion control improvements installed, used or maintained by Sublessee, or by Sublessee's failure to install erosion control devices as required under the Sublease, **REGARDLESS OF WHETHER OR NOT THE NEGLIGENCE OR FAULT OF THE CITY OF DALLAS OR THE CITY OF ROCKWALL IN OPERATING OR MAINTAINING THE LAKE AREA, OR ORIGINALLY INSTALLING OR MAINTAINING ANY EXISTING EROSION CONTROL IMPROVEMENTS ASSUMED BY SUBLESSEE, OR IN DETERMINING WHAT EROSION CONTROL IMPROVEMENTS WERE APPROPRIATE, CONTRIBUTED TO THE DAMAGE OR INJURY.**

## ARTICLE 9. COVENANT RUNNING WITH THE LAND

- (A) This Sublessee cannot be further subleased by Sublessee. Sublessee agrees to notify in writing, Sublessor of any change in ownership of the property within five (5) days prior to closing but no later than ten (10) days of closing. This covenant shall be considered as a covenant running with the land and shall be filed for record in the deed records of Rockwall County, Texas.
- (B) It is the understanding of the parties that this Sublease contains the entire understanding of the Sublessor and Sublessee and that any change, alteration, or modification of this Sublease shall only be effective if in writing approved by both parties.
- (C) Sublessee further asserts that the Homeowner's Association (HOA) has received a summary of the Base Lease and the Takeline Area Overlay District Zoning Ordinance which is incorporated herein by reference and that he/she has read said Base Lease and understands its terms and provisions.
- (D) Sublessee will endeavor to provide Sublessor with a certificate that extends coverage under Sublessee's Homeowners Insurance Policy to the leased premises.

## ARTICLE 10. SEVERABILITY

In case any one or more of the provisions contained in this Sublease shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Sublease shall be considered as if such invalid, illegal, unenforceable provision had never been contained in this Sublease.

## ARTICLE 11. MISCELLANEOUS

- (A) This sublease, its exhibits, addenda, and riders are the entire agreement of the parties concerning the sublease of the Subleased Area by Sublessor to Sublessee. There are no representations, warranties, agreements, or promises pertaining to the Subleased Area or the sublease of the Subleased Area by Sublessor to Sublessee, and Sublessee is not relying on any statements or representations of any agent of the Sublessor, that are not in this Sublease and any exhibits, addenda, and riders. This Sublease may be amended only by an instrument in writing signed by Sublessor and Sublessee.
- (B) Alternative Dispute Resolution. The parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this agreement, the parties shall first attempt to resolve the dispute by taking the steps



described in this Section. First, the dissatisfied party shall deliver to the other party a written notice substantially describing the nature of the dispute, which notice shall request a written response to be delivered to the dissatisfied party not less than five (5) days after receipt of the notice of dispute. Second, if those persons cannot or do not resolve the dispute, then the parties shall each appoint a person within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute. Third, if the dispute is not resolved after such effort, the Sublessor and Sublessee agree to mediate in good faith before filing a suit for damages.

- (C) Governing Law; Venue. This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Rockwall County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Rockwall County, Texas.
- (D) Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.
- (E) Notices. Any notice or other communication required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if (i) delivered to the party at the address set forth below, (ii) deposited in the U.S. Mail, registered or certified, return receipt requested, to the address set forth below, or (iii) given to a recognized and reputable overnight delivery service, to the address set forth below:

IF TO SUBLESSEE:

City of Rockwall  
City Manager  
385 S. Goliad  
Rockwall, TX 75987

WITH COPY TO:

City of Dallas  
ATTN:  
ADDRESS

IF TO SUBLESSEE

NAME OF HOA  
ADDRESS



**SUBLESSEE:**

\_\_\_\_\_  
HOMEOWNER'S ASSOCIATION REPRESENTATIVE

\_\_\_\_\_  
HOMEOWNER'S ASSOCIATION

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
SIGNATURE

**ACKNOWLEDGMENT**

THE STATE OF TEXAS                   §  
COUNTY OF DALLAS/ROCKWALL       §

BEFORE ME, the, undersigned, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_ day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

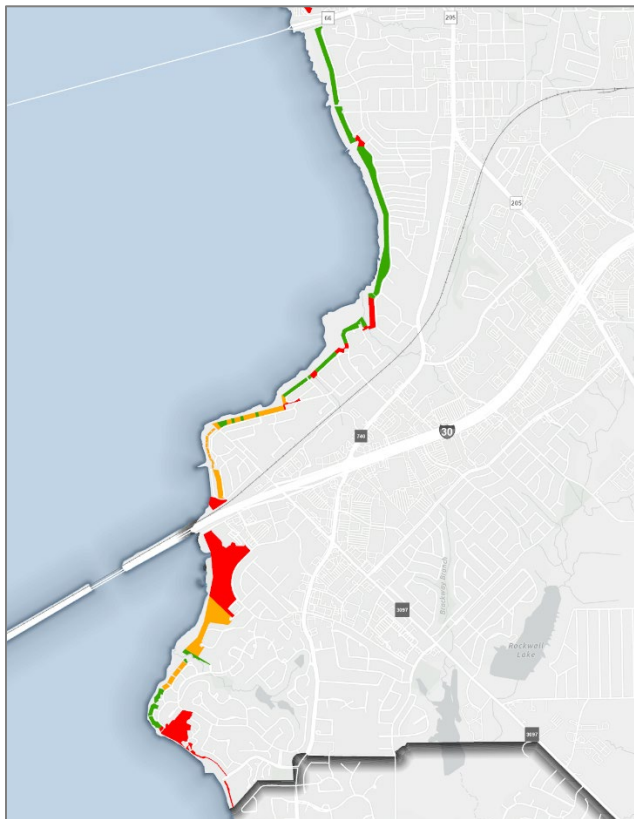
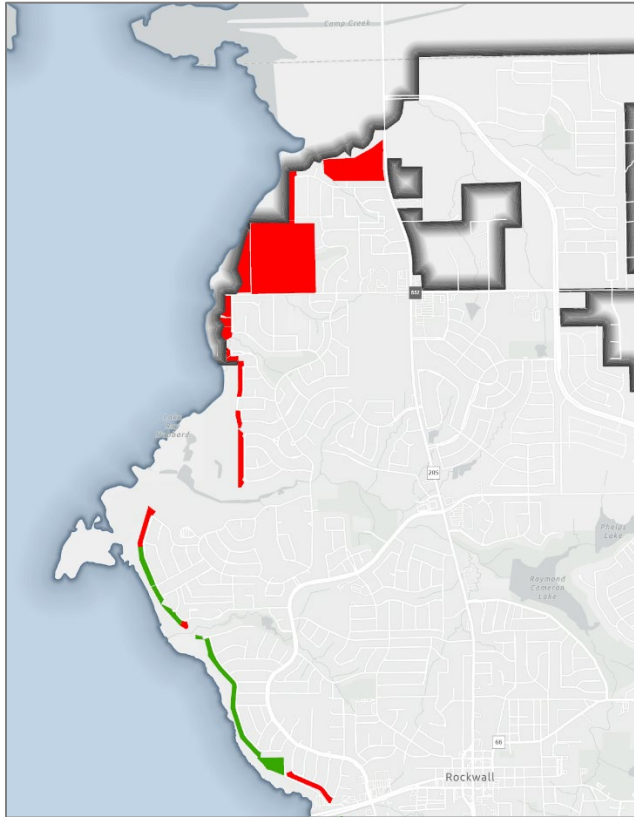
\_\_\_\_\_  
MY COMMISSION EXPIRES







FIGURE 32: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT MAP

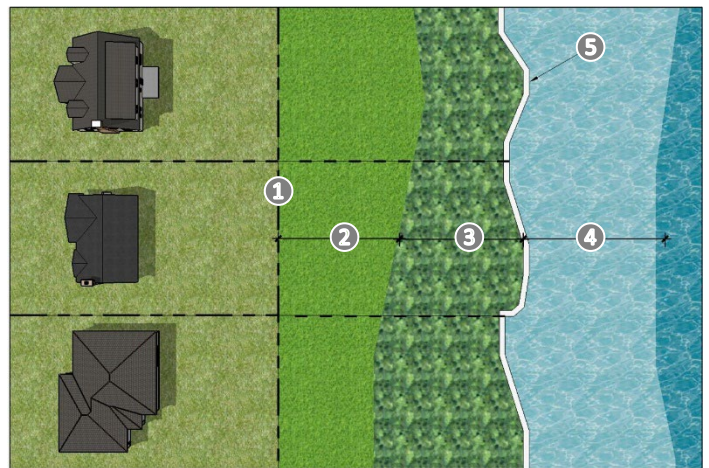


**RED:** NON-LEASEABLE PROPERTY  
**GREEN:** LEASABLE PROPERTY  
**ORANGE:** HOA LEASABLE AREA

SUBSECTION 06.16: LAKE RAY HUBBARD TAKELINE OVERLAY (TL OV) DISTRICT

- (A) **Purpose.** The purpose of the *Lake Ray Hubbard Takeline Overlay (TL OV) District* is to permit the development of property along the shoreline of Lake Ray Hubbard under certain regulatory conditions governing permitted uses and development standards, setting forth the procedures for the development of said property, and establishing an appeal process for the development standards of the district. This zoning district has its basis in and is intended to serve as an implementation tool for the Lake Ray Hubbard Master Plan (adopted by the City of Dallas), the Lake Ray Hubbard Interlocal Agreement as approved by those municipalities comprising the *Lake Cities Coalition* (i.e. Garland, Rockwall, and Rowlett) and the City of Dallas, and the OURHometown Vision 2040 Comprehensive Plan. The adoption of this zoning district is intended to provide a means for the protection of water quality.
- (B) **Boundaries.** The Lake Ray Hubbard Takeline (TL OV) District includes all property that is located between the City of Dallas Takeline as shown on the boundary map for Lake Ray Hubbard (i.e. File 612D-1 on file in the City of Dallas Records Vault and depicted below in Figure 2632, *Lake Ray Hubbard Takeline [TL OV] District Map*) and the meandering of the contour line 435.5-foot sea level elevation. In addition, *Figure 2733: Elevation Contours*, shows the elevation zones used to delineate where certain land uses are permitted.

FIGURE 33: ELEVATION CONTOUR ZONES



①: REAR PROPERTY LINE/TAKE LINE; ②: 438.0 ELEVATION ZONE; ③: 435.5 ELEVATION ZONE; ④: 425.5 ELEVATION ZONE; ⑤: SEAWALL;

- (C) **Applicability.**
  - (1) **Applicable Lots.** The standards set forth within Subsection 06.16, *Lake Ray Hubbard Takeline Overlay (TL OV) District*, shall apply only to those lots within the takeline that are zoned and used for detached, single-family residential land uses, and that either have a minimum lot width of 45-feet when measured at the front building line or a minimum width of 35-feet at the front building line when located on a curved street or cul-de-sac or Homeowner's Association (HOA) that are eligible to lease. The properties and Homeowner's Associations (HOA's) that are eligible to lease the takeline area are depicted in *Figure*



2632: Lake Ray Hubbard Takeline Overlay (TL OV) District Map above.

(2) Exceptions for Lots Not Meeting the Applicability Standards.

The City Council shall have the authority to consider special exceptions to the eligibility standards set forth within this section that apply to those lots within the Lake Ray Hubbard Takeline Overlay (TL OV) District that are zoned and used for detached, attached, or zero-lot-line single-family residential land uses and meet the minimum lot width requirements as prescribed in Subsection 06.15(C)(1) above.

(D) Definitions. The terms used in this section shall be as defined in this Unified Development Code (UDC), the Lake Ray Hubbard Interlocal Agreement, and the sublease agreements prepared by the City of Rockwall. For specific land use definitions refer to Subsection (JK), Specifications for Permitted Land Uses. In addition, the following terms shall be defined as follows:

- (1) Catwalk. The narrow walkway of a dock providing people access to moored watercraft.
- (2) Centerline. An established line that is equidistant from the surface or sides of something (e.g. *parcel boundaries*).
- (3) Cleat. A metal fitting with two (2) projecting pieces used to wrap a rope around to secure a watercraft in position.
- (4) Dredging. The process of deepening a waterway for the safe and efficient movement of watercraft by the removal of dirt either by digging or by suction.
- (5) Habitable Structure. A structure fit for human habitation usually containing amenities (e.g. *fireplace, furniture, plumbing, bathing facilities, and cooking facilities*). Structures allowed by this section shall not be habitable structures and may not contain such amenities.
- (6) Lake. Refers to Lake Ray Hubbard.
- (7) Lake Area. The City of Dallas property, known as Lake Ray Hubbard, that is normally submerged by the lake at a normal lake pool elevation (i.e. *property at or below an elevation of 435.5-foot mean sea level*).
- (8) Leased Area. Means the take area that is within the corporate limits of the City of Rockwall, or where the takeline is directly adjacent to the corporate limits of the City of Rockwall.
- (9) Lift. A temporary means of elevating a watercraft out of the water by use of a hoist.
- (10) Locker Box. A secured chest fixed onto a dock used for storage of watercraft equipment.
- (11) Moor. Securing a watercraft to a fixed object such as a fixed cleat on a seawall while the watercraft is still in the water.
- (12) Mooring. A place where a watercraft can be tied up and secured while in the water (e.g. *a slip*) for not more than 156-consecutive hours.
- (13) Power Source Station. Used as a power supply for lighting a dock just below watercraft level.

(14) Shoreline. Refers to the line along the shore of the lake, established by the normal lake pool elevations (i.e. *435.5-foot mean sea level*).

(15) Slip. A watercraft's berth between two (2) piers or between finger piers.

(16) Take or Takeline Area. Refers to the land owned by Dallas between the takeline and the normal lake pool elevations (i.e. *435.5-foot mean sea level*).

(17) Treated Wood. Wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction cause by insects, fungi, bacteria, or other wood destroying organisms.

(18) View Clear Zone. The area within the view preservation angle where no new structures or plantings shall exceed six (6) feet above the existing grade to maintain neighboring views.

(19) View Corridor. A sight passage recognized as holding an intangible asset for a property owner and for a community due to the unique visual qualities of distant terrain, woodlands, wetlands, grasslands, skylines, and manmade lakes expressed through a view preservation angle from either a generally recognized center point or various center points along a road corridor or public view area (see Figure 28: Visual Measurements for View Corridors of Subsection (E)).

(20) View Preservation Angle. The angle determined as the line extending from the center point -- or 30-foot point depending on lot size -- along the quarter distance line of the leased area extending back toward the opposite corner where the takeline area crosses the lease area's side yard (see Figure 28: Visual Measurements for View Corridors).

(21) Watercraft (or Boat). A craft for water transport. Examples of watercrafts are as follows:

- (a) Motorized Boat. A boat propelled by an internal combustion engine.
- (b) Sail Boat. A boat with a mast and sail propelled by the wind.

(E) Visual Measurements for View Corridors.

(1) View Corridors. View clear zones are established to protect a property owner's views of the lake and to maintain the aesthetic value of the lake's shoreline. The view clear zones for the takeline areas are established by the shoreline frontage of the takeline lease area. This measurement is determined by projecting the lease areas side yards to the normal pool elevation (i.e. *435.5-foot mean sea level*), and connecting these two (2) points in a straight line (see Figure 2834: Visual Measurements for View Corridors). Based on this linear measurement, the view clear zones are determined by the following:

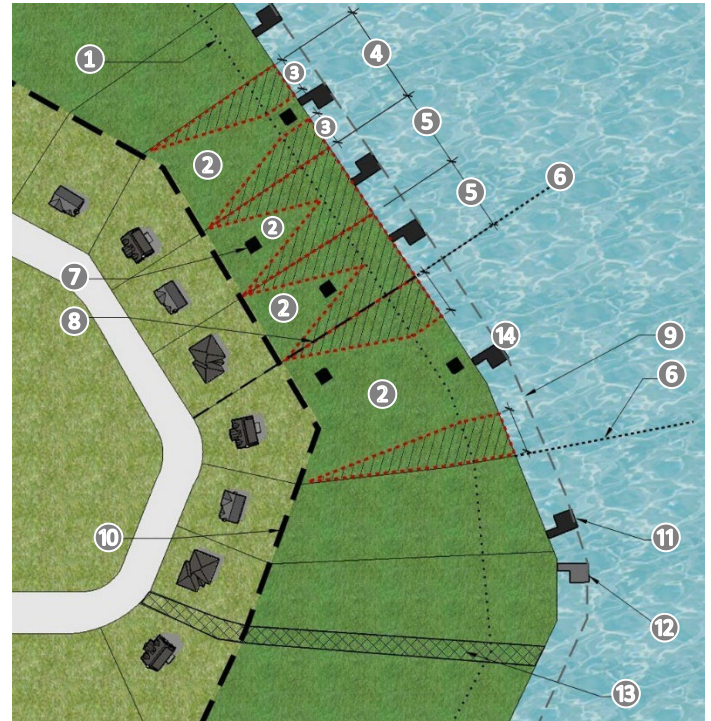
- (a) Lots That Have Less Than 100-Feet of Shoreline Frontage. The view corridor for lots that have less than 100-feet of shoreline frontage is defined by the view preservation angle determined as the quarter distance (i.e. 25%) center point from the shoreline frontage line

along the centerline of the leasing property owner's side yard with the angle running from the quarter distance center point to the opposite corners where the takeline area crosses the lease area's side yard. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

- (b) *Lots That Have More 100-Foot or More Shoreline Frontage*. The view corridor for lots that have 100-foot or more shoreline frontage are defined by the view preservation angle determined as the quarter distance (i.e. 25%) line projected from the shoreline frontage line extending from the leasing property owner's side yard 30-feet along the quarter distance line and running from this point to the opposite corners where the takeline area crosses the lease area's side yard, and in a straight line from the 30-foot point on the quarter distance line to the shoreline frontage line. Those areas that fall inside of the view clear zones will be restricted from any type of new improvements or plantings exceeding six (6) feet in height with the exception of boat-related uses, which will be allowed by an administrative exception in accordance with [Subsection \(F\)\(2\)\(d\)](#).

QUARTER DISTANCE LINE; 16: 25% OF THE TAKELINE AREA; 17: QUARTER DISTANCE LINE.

FIGURE 35 EXAMPLES OF VISUAL MEASUREMENTS FOR VIEW CORRIDORS AND STRUCTURE PLACEMENT

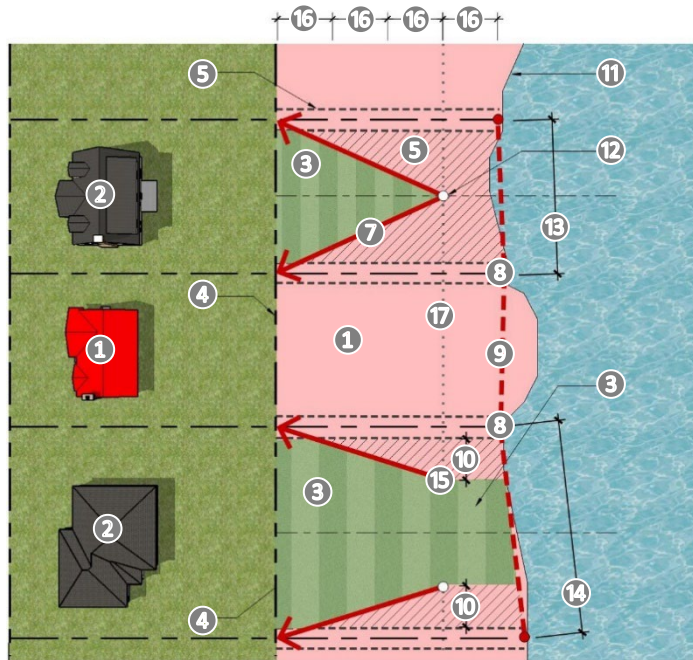


- 1: QUARTER DISTANCE LINE; 2: BUILDABLE AREA; 3: 30-FOOT; 4: A LOT WITH A SHORELINE FRONTAGE LINE 100-FOET OR MORE; 5: A LOT WITH A SHORELINE FRONTAGE LINE LESS THAN 100-FOET; 6: LEASE AREA'S PROJECTED SIDE YARD; 7: STRUCTURE BUILT IN THE 438.0 ELEVATION ZONE; 8: LEASE AREA'S SIDE YARD; 9: 40-FOOT BUILDING LINE; 10: REAR PROPERTY LINE/TAKELINE; 11: EXISTING BOATHOUSE; 12: BOATHOUSE LOCATION APPROVED ADMINISTRATIVELY BECAUSE OF DRAINAGE EASEMENT AND CLUSTERED WITH AN EXISTING BOATHOUSE; 13: DRAINAGE EASEMENT; 14: BOATHOUSE AND STRUCTURE IN THE 435.5 ELEVATION ZONE GENERALLY CENTERED IN THE LEASE AREA BEHIND THE PRIMARY STRUCTURE.

(F) *General Requirements*. The following general requirements shall apply for all property in the takeline area.

- (1) *Number of Permitted Structures*. The following is the maximum number of structures that shall be permitted in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (JK), Specifications for Permitted Land Uses that exceeds six [6] feet in height*):
  - (a) *438.0 Elevation Zone*: Two (2) structures shall be permitted in the 438.0 Elevation Zone.
  - (b) *435.5 Elevation Zone*. One (1) structure shall be permitted in the 435.5 Elevation Zone.
- (2) *General Location of Permitted Structures*. The following requirements relate to where structures should be generally located in each elevation zone (*NOTE: in this case a structure is defined as any of the permitted uses specified in Subsection (JK), Specifications for Permitted Land Uses that exceeds six [6] feet in height*):

FIGURE 34: VISUAL MEASUREMENTS FOR VIEW CORRIDORS



- 1: SUBJECT PROPERTY'S AND ITS VIEW CORRIDOR (PINK AREA); 2: NEIGHBORING PROPERTY; 3: NEIGHBORING PROPERTY'S BUILDABLE AREA (GREEN LINED AREA); 4: REAR PROPERTY LINE/TAKELINE; 5: VIEW CLEAR ZONE (LINED AREA); 6: LEASE AREA SIDE YARD SETBACK; 7: VIEW PRESERVATION ANGLE; 8: THE INTERSECTION OF THE 435.5 ELEVATION LINE AND THE LEASE AREA'S SIDE YARD; 9: SHORELINE FRONTAGE LINE (ESTABLISHED BY CONNECTING THE TWO [2] 3 POINTS IN A STRAIGHT LINE); 10: 30-FOOT; 11: SHORELINE; 12: CENTER POINT AT THE QUARTER DISTANCE LINE; 13: A LOT WITH A SHORELINE FRONTAGE LESS THAN 100-FOET; 14: A LOT WITH A SHORELINE FRONTAGE 100-FOET OR MORE; 15: 30-FOOT POINT ON THE



- (a) 438.0 Elevation Zone: Structures in the 438.0 Elevation Zone should be located outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (JK), Specifications for Permitted Land Uses.
  - (b) 435.5 Elevation Zone: Structures in the 435.5 Elevation Zone should be generally centered in the lease area -- equal distance from both leased side yard boundary lines -- behind the primary structure on the leasing property and outside of the view clear zones unless specifically permitted to be in the view clear zone by Subsection (JK), Specifications for Permitted Land Uses.
  - (c) 425.5 Elevation Zone: Structures located in the 425.5 Elevation Zone should be generally centered along the shoreline -- equal distance from both the leased side yard boundary lines -- behind the primary structure of the leasing property.
  - (d) Administrative Exception for the 435.5 & 425.5 Elevation Zone. In cases where it is [1] not feasible to construct a structure in the center of the lease area or along the shoreline, [2] will increase the view corridor or benefit the surrounding properties by not centering a structure in the lease area, or [3] where centering the structure will create an undue hardship to the property owner leasing the lease area, the Director of Planning and Zoning or his/her designee may approve an administrative exception to allow an alternate location that is not generally centered in the lease area as long as the location for the proposed structure is outside of the view clear zone. In approving these requests, the Director of Planning and Zoning or his/her designee shall consider the impact of the proposed structure on the adjacent property owners.
- (3) Building Materials. The permitted building materials shall be as stipulated in Subsection (JK), Specifications for Permitted Land Uses, and as permitted by the City Council through a Specific Use Permit (SUP); however, the use of canvas, cloth, or like materials shall be prohibited within the takeline area. In addition, loose ground materials (e.g. sand, fill, pea gravel) that could be used for trails, paths, play areas, active sports activities, or as exposed landscape bedding material are prohibited.
- (4) Trees. In order to plant or remove a tree in the takeline area, a Treescape Plan showing the exact location, size (i.e. trunk diameter and height), and common name of the tree to be planted or removed will be required to be submitted to the Parks and Recreation Department. A permit to plant or remove a tree may be approved administratively by the Director of Parks and Recreation or his/her designee, or forwarded to the Parks and Recreation Board for approval. In reviewing a request to plant or remove a tree, the following criteria shall apply:
- (a) Planting Trees. Trees are permitted to be planted within the 438.0 Elevation Zone pending they are [1] not a variety specifically listed in the prohibited tree list contained in Section 03, Tree Planting Guidelines and Requirements, of Appendix C, Landscaping Guidelines

and Requirements, and [2] they are not located within the view clear zone outlined Subsection (E), Visual Measurements. The Director of Parks and Recreation or his/her designee may grant an exception to allow a tree to be planted in the view clear zone where it is determined that the tree will not decrease the visibility of the lake or shoreline for the adjacent properties. In making this determination, the Director of Parks and Recreation shall consider the size of the proposed tree at maturity.

- (b) Removing Trees. Trees are permitted to be removed only if they are determined to be damaged or diseased, or if they create a hazardous or dangerous condition that could endanger the public health, safety or welfare of the general public.
- (5) Temporary Structures on Lease Property in the Takeline Area. Temporary structures (e.g. portable residential barbecue grills and ranges, trampolines, etc.) are permitted to be brought out into the takeline area providing that they are not allowed to remain in any part of the takeline area for more than 72 consecutive hours unless completely enclosed within a fenced area constructed in accordance with Subsection 06.15(JK)(6). For temporary structures on unleased property in the takeline area see Article III, Offenses Regarding the Use of the Lake Ray Hubbard Takeline, of Chapter 22, Miscellaneous Offenses of the Municipal Code of Ordinances.
- (G) Residential Sublease Agreement. A Residential Sublease Agreement is an agreement between a property owner and the City of Rockwall that grants the property owner certain rights to the exclusive use of the takeline area. A Residential Sublease Agreement shall be required to build certain structures within the takeline area. **The area to be leased by a single-family property owner shall be directly contiguous to the boundaries of the property and are only permitted in the areas depicted in GREEN on Figure 32, Lake Ray Hubbard Takeline (TL OV) District Map.** It shall be a violation of the zoning code to build or maintain a structure in the takeline area without a valid Residential Sublease Agreement. An owner in violation of this section shall be subject to the requirements of Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code (UDC). The following shall be the costs associated with a Residential Sublease Agreement:

Lease	Fees
New Lease (i.e. New Never Leased by Current Owner) <sup>2</sup>	\$200.00
Annual Renewal of a Lease	\$100.00
Change of Ownership of a Valid Lease	\$50.00
Reinstatement of an Expired Lease (i.e. Same Property Owner) <sup>3</sup>	\$500.00

NOTES:

- <sup>1</sup>: To be subject to these new fees, a lease entered into after January 1, 2021 will be required (i.e. the effective date of the amendment adopting these fees).
- <sup>2</sup>: A lease is considered to be new under the following circumstances: [1] the property has never had a valid lease agreement, or [2] the property had a valid lease under different ownership but that lease agreement expired prior to the current owner taking possession of the property.



<sup>3</sup>: A lease is considered to be a reinstatement when it lapses or expires under the current ownership, and then the same owner requests a new lease.

(H) Homeowner's Association (HOA) Sublease Agreement. A Homeowner's Association (HOA) Sublease Agreement is an agreement between a Homeowner's Association (HOA) and the City of Rockwall that grants the HOA certain rights to the exclusive use of the takeline area for their members. The area to be leased by the Homeowner's Association (HOA) shall be directly contiguous to the boundaries of the HOA and are only permitted in the areas depicted in ORANGE on Figure 32, Lake Ray Hubbard Takeline [TL OV] District Map. It shall be a violation of the zoning code to build or maintain a structure in the takeline area without a valid Homeowner's Association (HOA) Sublease Agreement. A Homeowner's Association (HOA) in violation of this section shall be subject to the requirements of Section 01, Penalties, of Article 12, Enforcement, of the Unified Development Code (UDC). The requirements for a Homeowner's Association (HOA) Sublease Agreement are as follows:

(1) Site Plan. Prior to the execution of a Homeowner's Association (HOA) Sublease Agreement, the Homeowner's Association (HOA) shall submit a Site Plan to the Director of Planning and Zoning in accordance with the procedures outlined in Subsection 01.02, Submission of an Application, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC). The Site Plan shall show all of the Activity Areas [see Subsection (H)(2) below], the proposed improvements for these areas, the required seawalls, fixed piers and/or dock decks, private walkways, and any landscaping for the leased area. The Planning and Zoning Commission shall review the Site Plan in accordance with the procedures contained in Section 03, Site Plans, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC). Upon approval of a Site Plan, the approved Site Plan shall be incorporated into the Homeowner's Association (HOA) Sublease Agreement. Should the Homeowner's Association (HOA) choose to amend the Site Plan, the Site Plan shall be amended in accordance with the procedures of Subsection 03.06, Amended Site Plan, of Article 11, Development Applications and Review Procedures, of the Unified Development Code (UDC). Upon approval of an amendment to the Site Plan, a new Homeowner's Association (HOA) Sublease Agreement shall be drafted containing the Amended Site Plan and superseding the original Homeowner's Association (HOA) Sublease Agreement.

(2) Activity Areas. In lieu of the requirements of Subsections (F)(1), Number of Permitted Structures, and (F)(2), General Location of Permitted Structures, -- and as part of the required Site Plan outlined in Subsection (H)(1) above -- the Homeowner's Association (HOA) shall identify Activity Areas where improvements can/will be made within the leased area. Improvements outside of the Activity Areas -- with the exception of landscaping and private walkways -- shall be prohibited for the purpose of preserving the view corridors of the existing residential properties. The Activity Areas shall generally adhere to the following requirements:

(a) Size. Activity Areas should not be larger than 50-feet by 50-feet, unless otherwise approved by the Planning and Zoning Commission. In reviewing the Activity Areas, the Planning and Zoning Commission shall consider how the proposed size affects the view corridors of the adjacent residential properties.

(b) Location. Activity Areas shall be spaced so that they are a minimum of 200-feet apart, and be setback a minimum of 25-feet from the rear or side yard property line of any residential property. In addition, the Activity Areas shall be located in a manner that will create the least amount of impact to the adjacent property owners and their view corridors.

(c) Seawalls. Prior to the construction of an Activity Area, a seawall, conforming to Subsection (K), Specifications for Permitted Land Uses, and extending 100-feet on either side of the Activity Area, shall be required to be constructed.

(3) Fixed Piers and Dock Decks. Fixed piers and dock decks, conforming to Subsection (K), Specifications for Permitted Land Uses and spaced a minimum of 200-feet apart, are permitted along the leased area; however, a seawall, conforming to Subsection (K), Specifications for Permitted Land Uses and extending 100-feet on either side of the fixed pier or dock deck, shall be required with the proposed improvements.

(4) Prohibited Land Uses. Boathouses, as defined in Subsection (K), Specifications for Permitted Land Uses, shall be prohibited in the leased area associated with any Homeowner's Association (HOA) Sublease Agreement; however, in the event a boathouse existed in the leased area prior to the execution of the Homeowner's Association (HOA) Sublease Agreement, the HOA shall assume responsibility for the existing improvement in accordance with Subsection (H)(5) below.

(5) Existing Improvements. As part of the Homeowner's Association (HOA) Sublease Agreement, the HOA shall be required to assume responsibility for any existing improvements and the maintenance of these improvements in the leased area.

(6) Fees. The following shall be the costs associated with a Homeowner's Association (HOA) Sublease Agreement:

Lease	Fees
New Lease (i.e. New Never Leased by HOA) <sup>1</sup>	\$200.00
Annual Renewal of a Lease	\$100.00
Reinstatement of an Expired Lease (i.e. Same HOA) <sup>2</sup>	\$500.00

NOTES:

<sup>1</sup>: A lease is considered to be new if the property has never had a valid lease agreement or if a site plan has been amended in accordance with the procedures of Subsection (H)(1).

<sup>2</sup>: A lease is considered to be a reinstatement when it lapses or expires, and then the Homeowner's Association (HOA) requests a new lease.

(H)(I) Permitted Uses. All of the uses permitted within the Lake Ray Hubbard Takeline Overlay (TL OV) District shall adhere to all other

applicable codes and the permitting requirements of the City of Rockwall. For a list of permitted land uses see [Subsection \(JL\), Specifications for Permitted Land Uses](#), or [Subsection 07.05, Lake Ray Hubbard Takeline Overlay \(TL OV\) District Development Standards](#).

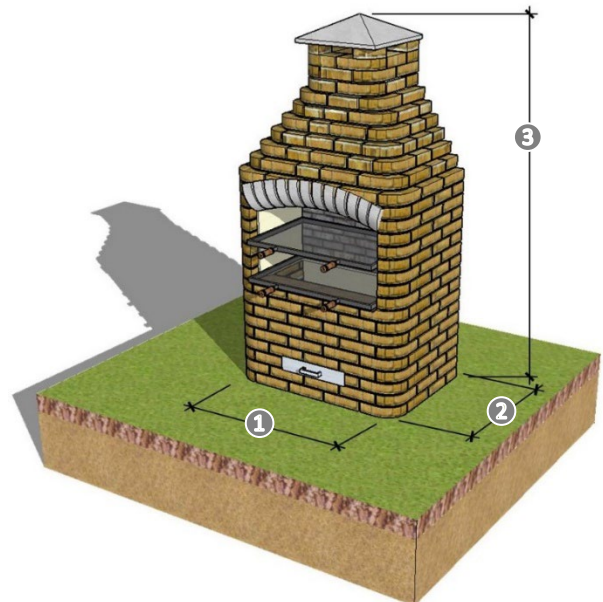
(H)(J) Specific Use Permits (SUPs). A Specific Use Permit (SUP) may be requested for: [1] any use that is not listed in [Subsection \(JK\), Specifications for Permitted Land Uses](#) or [2] any structure that does not adhere to the requirements stipulated for that use or structure as required by [Subsection \(JK\), Specifications for Permitted Land Uses](#); however, a request for a Specific Use Permit (SUP) cannot be requested if a dimensional, material, size, or location standard stipulated in [Subsection \(JK\), Specifications for Permitted Land Uses](#), or [Subsection \(F\), General Requirements](#), is expressly prohibited. In addition, no requests can be made that violate the view corridor requirements stipulated in [Subsection \(E\), Visual Measurements](#). A Specific Use Permit (SUP) may be requested for water related land uses that are not specifically addressed in [Subsection \(JK\), Specifications for Permitted Land Uses](#), (e.g. jet ski lift) pending the applicant provides a letter of consent from the City of Dallas prior to making the application. In considering a Specific Use Permit (SUP) request, the City Council shall consider how the proposed request [1] impacts adjacent properties, and [2] adheres to the intent of the Lake Ray Hubbard Takeline Overlay (TL OV) District.

(H)(K) Specifications for Permitted Land Uses. See [Subsection 07.05, Lake Ray Hubbard Takeline Overlay \(TL OV\) District Development Standards](#), for a summary of the development standards for each of the following conditional uses.

- (1) Barbecue Pit.
  - (a) Definition. A *barbecue pit* is a permanent fireplace structure over which meat, poultry and other foods are roasted (for *Fire Pit* see [Subsection 06.15\(JK\)\(9\)](#)).
  - (b) Prerequisites. A *barbecue pit* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
  - (c) Elevation Zone. A *barbecue pit* shall be allowed in the following zones:
    - (1) [438.0](#): Permitted.
    - (2) [435.5](#): Not Permitted.
    - (3) [425.5](#): Not Permitted.
  - (d) Conditional Use Standards. A *barbecue pit* can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).
  - (e) Construction Standards.
    - (1) Building Materials. A *barbecue pit* must be constructed utilizing a combination of natural stone, brick, concrete, and/or iron grating.
    - (2) Height. A *barbecue pit* shall not exceed a maximum of six (6) feet in height.
    - (3) Size. A *barbecue pit* shall not be smaller than a minimum size of three (3) feet in length by three (3)

feet in width; however, a *barbecue pit* should not exceed a maximum size of eight (8) feet in length by three (3) feet in width.

- (f) Setback Requirements. A *barbecue pit* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of a *barbecue pit* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A *barbecue pit* must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



①: A MINIMUM AND MAXIMUM OF THREE (3) FEET IN LENGTH; ②: A MINIMUM OF THREE (3) FEET AND A MAXIMUM OF EIGHT (8) FEET IN WIDTH; ③: A MAXIMUM OF SIX (6) FEET;

- (2) Boathouse.
  - (a) Definition. A *boathouse* is a roofed structure affixed to the end of an adjoining *fixed pier*, with a main waterside opening, containing an operating boatlift, and which is built to house and protect a watercraft and boat related equipment.
  - (b) Prerequisites. A *boathouse* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a *seawall* along the entire length of the shoreline within the leased area, and has constructed a *fixed pier*.
  - (c) Conditional Use Standards. *Boathouses* are used for storing boats that have a fuel efficiency rating greater than 95%; however, boathouses may also be used to store

sailboats. *Boathouses* will not be used for storing any other type of items except boats and boat-related equipment. In addition, *Boathouses* shall not be used as a habitable dwelling structure, or shelter for domestic or wild animals. All *boathouses* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a *boathouse* shall not be designed to prevent public access to an area of water. Accessories placed on the flat surface of a *boathouse* or catwalk must be placed in an orderly manner that allows for the safe movement of people.

(d) Elevation Zone. A *boathouse* shall be allowed in the following zones:

- (1) 438.0: Not Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

(e) Construction Standards.

- (1) Building Materials. All *boathouse* constructed below the 437.0-foot mean sea level contour shall use only pilings and materials approved by the City of Rockwall and the City of Dallas. *Boathouses* shall be constructed utilizing composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with high-tech plastic materials) -- products equivalent to Trex brand are preferred -- for decking, galvanized metal/iron/steel or aluminum (with a minimum color rating of AAMA 2604) for the support posts, all aforementioned materials and cedar or iron wood for the roof beams, and standing seam metal for the roof with a pre-finished color. Support posts may be wrapped in composite material. Water repellent sealants shall not be used to treat any cedar or ironwood used for roof beams. All fasteners binding materials together must be made out of stainless steel.
- (2) Height. A *boathouse* shall be a minimum of 16-feet and a maximum of 21-feet in height as measured from the top of the fixed pier's catwalk to the vertex of the *boathouse's* cupola; however, in no case should a *boathouse* exceed one (1) story in height.
- (3) Size. The footprint of the exterior sides of a *boathouse* will measure a minimum of eight (8) feet in width by 30-feet in length and a maximum of 12-feet in width and 30-feet in length. *Boathouses* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Roof. A *boathouse* will have a hip roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] two (2) cupolas each with hip roofs at either end of the top of the main hip roof. Cupolas will be designed to allow updraft air and winds to vent outward, and shall measure three (3)

feet by four (4) feet. All *boathouse* roofs shall be built with a minimum of a 2:1 roof pitch and will not have an overhang greater than 18-inches. *Boathouses* shall not incorporate a deck or platform.

(5) Lighting. Interior lighting for a *boathouse* will be directed downward from the ceiling of the structure and at the stored watercraft. Exterior lighting for a *boathouse* will be directed downwards toward the fixed pier with light fixtures incorporated either into the roof's overhang or the structure's columns. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public.

(6) Additional Construction Standards.

- (a) Deck Ladder. A deck ladder is permitted to be constructed inside a *boathouse*.
- (b) Storage Unit. A *boathouse* can incorporate one (1) storage unit measuring 72-inches in length by 20-inches in depth by 20-inches in height. Storage units shall be placed on the outer dockside, and shall only be used for storing boat-related equipment. The storage of fossil fuels and/or hazardous materials is prohibited.
- (c) Boat or Watercraft Lift(s). A *boathouse* must incorporate either one (1) regular boat lift or two (2) personal watercraft boat lifts. All boat or watercraft lifts must be able to hoist a watercraft above the 438.0-foot mean sea level contour, and be maintained in good operating condition. All watercrafts must be stored under the roof of the *boathouse*.
- (d) Pilings. The approved pilings used to support a *boathouse* must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
- (e) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
- (f) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.



(7) Location. All boathouses are required to be located in the water of the Lake. View corridor restrictions do not apply to boathouses; however, a boathouse should generally be located in line with the primary structure on the leasing property (i.e. generally centered on the lot). Boathouses shall not be designed to prevent or restrict public access to any portion of water within the Lake.

(f) Setback Requirements. A boathouse must adhere to the following setbacks:

- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

(g) Additional Requirements.

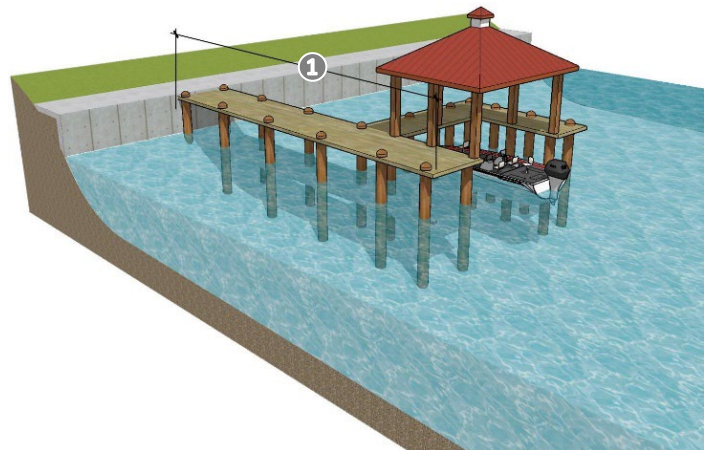
(1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a boathouse provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

(2) Compliance with Applicable Codes. A boathouse must comply with all other applicable City of Rockwall codes.

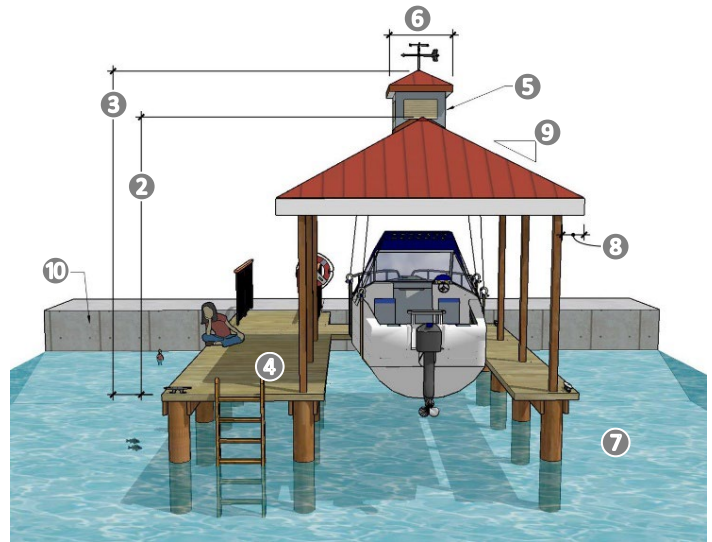
(3) Address. All boathouses shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.

(4) Easement Protection. No boathouse shall encroach into an existing or identified future easement, right-of-way, access road, or path.

(h) Visual Representation.



1: 40-FOOT MAXIMUM



1: 40-FOOT MAXIMUM; 2: 13-FOOT MINIMUM TO 18-FOOT MAXIMUM; 3: 16-FOOT MINIMUM TO 21-FOOT MAXIMUM; 4: CATWALK (UNDERSTRUCTURE TO BE ABOVE THE 437.0-FOOT ELEVATION); 5: CUPOLA; 6: THREE (3) FEET BY FOUR (4) FEET; 7: 435.5-FOOT NORMAL POOL ELEVATION; 8: 1.5-FOOT MAXIMUM OVERHANG; 9: 2:1 ROOF PITCH (HIP ROOF ONLY); 10: SEAWALL

(3) Covered Patio.

(a) Definition. A covered patio is a standalone structure that provides shade and/or rain coverage for a patio or deck. Covered patios have a solid roof.

(b) Prerequisites. A covered patio may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.

(c) Elevation Zone. A covered patio shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a Seawall has been constructed).
- (3) 425.5: Not Permitted.

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(d) Conditional Use Standards. A covered patio shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.

(e) Construction Standards.

(1) Building Materials. A covered patio must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. The roof of the structure should generally match the color of the roof on the primary structure, and be constructed using clay tiles, standing seam metal, slate shingles, concrete shingles, or ceramic shingles. Canvas, cloth, or mesh attachments to the structure shall be prohibited.

(2) Height. A covered patio shall not exceed a maximum height of 15-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the mid-point of the pitched roof.

(3) Size. A covered patio shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.

(4) Roof. A covered patio will have a hip or gable roof with either: [1] one (1) cupola with a hip roof centered at the top of the main hip roof, or [2] a clerestory built into the center of the main hip roof. Cupolas and clerestories will be designed to allow updraft air and winds to vent outward, and shall be proportional to the main roof. All covered patios should be built with a minimum of a 4:1 roof pitch. The roof shall not have an overhang greater than 18-inches.

(5) Location. A covered patio located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Covered patios shall not be placed in the view clear zone of a neighbor's view corridor.

(f) Setback Requirements. A covered patio must adhere to the following setbacks:

(1) Takeline Setback: 6-Feet (from the Concrete Cap of the Seawall)

(2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

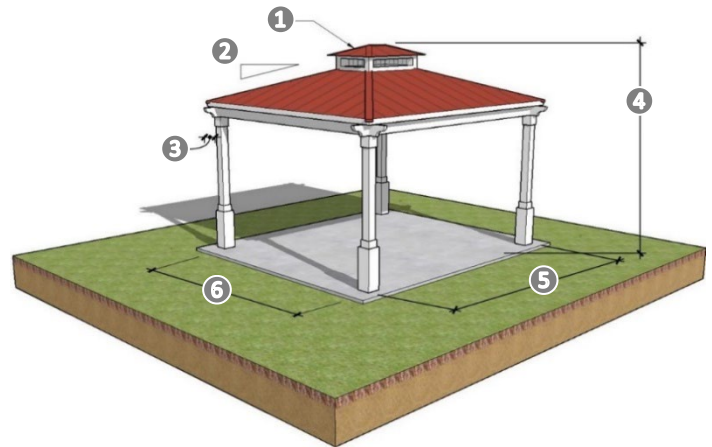
(1) Earth Work. Earth work required for the construction of a covered patio must comply with the erosion control standards set forth in the Interlocal Lease Agreement.

(2) Compliance with Applicable Codes. A covered patio must comply with all other applicable City of Rockwall codes.

(3) Emergency Response. The covered patio shall not be located in an area where it would block public safety personnel and their vehicles from accessing

or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



1: CUPOLA OR CLERESTORY; 2: 4:1 MINIMUM ROOF PITCH; 3: 18-INCHES MAXIMUM OVERHANG; 4: 15-FEET MAXIMUM HEIGHT; 5: 20-FEET MAXIMUM; 6: 12-FEET MAXIMUM;

(4) Deck.

(a) Definition. A deck is a roofless structure anchored to the ground that consists of planks running in a horizontal pattern and creating a flat surface area.

(b) Prerequisites. A deck may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.

(c) Elevation Zone. A deck shall be allowed in the following zones:

(1) 438.0: Permitted.

(2) 435.5: Permitted (if a Seawall has been constructed).

(3) 425.5: Not Permitted (see Dock Deck in [Subsection 06.15\(JK\)\(5\)](#)).

(d) Conditional Use Standards. A deck shall not incorporate walls or other none transparent structures to function as handrails or counter space.

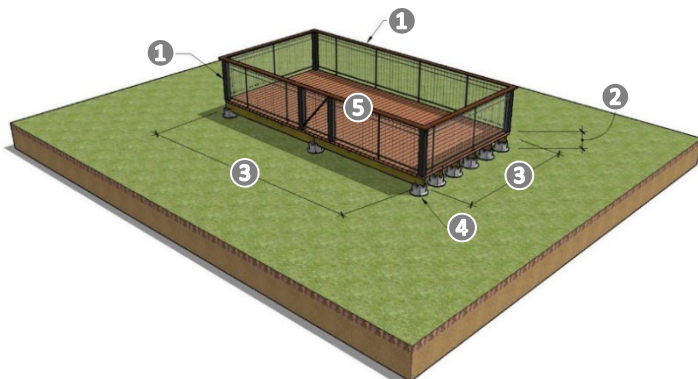
(e) Construction Standards.

(1) Building Materials. A deck must be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Handrails incorporated into a deck in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.

(2) Height. A deck shall not exceed a maximum height of 24-inches above grade.

(3) Size. A deck shall not exceed a maximum area of 1,000 SF.

- (4) Location. A deck located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Decks shall not be placed in the view clear zone of a neighbor's view corridor.
- (5) Foundation. A deck shall be anchored into the ground using concrete posts and footings as a foundation appropriate for the load and size of the proposed deck.
- (f) Setback Requirements. A deck must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a deck must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A deck must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. The deck shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.
- (h) Visual Representation.



①: WROUGHT IRON OR DECORATIVE METAL; ②: MAXIMUM OF 24-INCHES OR TWO (2) FEET ABOVE GRADE; ③: (L) X (W) SHALL NOT BE GREATER THAN 1,000 SF; ④: CONCRETE POSTS AND FOOTINGS FOR FOUNDATION; ⑤: COMPOSITE DECKING MATERIALS.

(5) Dock Deck.

- (a) Definition. A dock deck is a flat floor surface area built over the water adjoining the end of a fixed pier.
- (b) Prerequisites. A dock deck may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, has constructed a seawall along the entire length of the shoreline within the leased area, and has constructed fixed pier.
- (c) Elevation Zone. A dock deck shall be allowed in the following zones:

- (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Items that can be securely attached to the edge of a dock deck include the following: [1] a personal watercraft swing lift, [2] benches, [3] dock deck lighting that is either embedded in or on a pole, [4] locker box, and/or [5] power source station. A table may also be placed on the edge or in the center of a dock deck. A watercraft is only allowed to moor at any portion of a dock deck for no more than 156-consecutive hours during any given week. All dock decks shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers placed to a depth decided by a structural engineer; however, a dock deck shall not be designed to prevent public access to an area of water. Dock decks shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the Lake. Accessories placed on the flat surface of a dock deck or catwalk must be placed in an orderly manner that allows for the safe movement of people.
- (e) Construction Standards.
- (1) Building Materials. The catwalk and/or dock deck and any benches built on these structures shall utilize only composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a dock deck shall be constructed of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. Dock decks above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. Dock decks constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all dock decks shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
  - (2) Height. No pole structures incorporated into a dock deck shall be higher than eight (8) feet above the flat floor surface with no more than four (4) pole structures allowed.
  - (3) Size. The footprint of the exterior sides of a dock deck adjoining a fixed pier shall be a minimum of eight (8) feet by ten (10) feet (i.e. 80 SF) and a maximum of 12-feet by 30-feet (i.e. 360 SF). Dock



decks shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).

- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of a dock deck at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a maximum height of eight (8) feet can be placed along the periphery of a dock deck.

(5) Additional Construction Standards.

- (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
- (b) Catwalks. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
- (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

- (6) Location. View corridor restrictions do not apply to dock decks. Dock decks shall not be allowed on land.

- (f) Setback Requirements. A dock deck must adhere to the following setbacks:

- (1) Takeline Setback: 0-feet  
 (2) Leased Side Yard Setback: 10-feet  
 (3) Maximum Distance from Seawall: 40-feet

(g) Additional Requirements.

- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a dock deck provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area

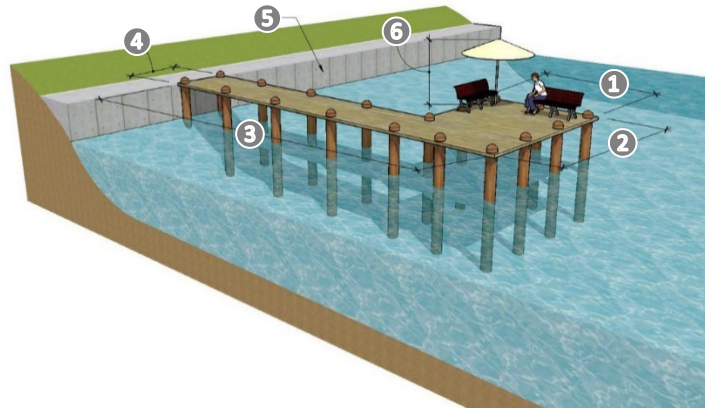
allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

- (2) Compliance with Applicable Codes. A dock deck must comply with all other applicable City of Rockwall codes.

- (3) Address. All dock decks shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the Lake to be recognizable for waterside public safety and emergency personnel.

- (4) Easement Protection. No dock deck shall encroach into an existing or identified future easement, right-of-way, access road, or path.

(h) Visual Representation.



1: MINIMUM OF TEN (10) FEET AND A MAXIMUM OF 30- FEET; 2: MINIMUM OF EIGHT (8) FEET AND A MAXIMUM OF 12- FEET; 3: 40- FOOT MAXIMUM; 4: SIX (6) FOOT MAXIMUM; 5: SEAWALL; 6: EIGHT (8) FOOT MAXIMUM;

(6) Fence.

- (a) Definition. A fence is a barrier, railing, or other upright structure, enclosing a specific area to mark a boundary or control access.

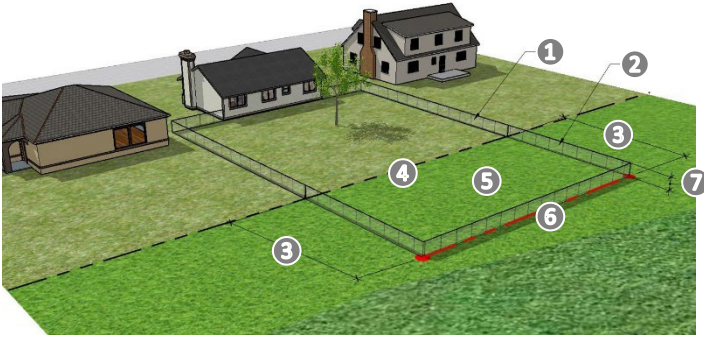
- (b) Prerequisites. A fence may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.

- (c) Elevation Zone. A fence shall be allowed in the following zones:

- (1) 438.0: Permitted.  
 (2) 435.5: Not Permitted.  
 (3) 425.5: Not Permitted.

- (d) Conditional Use Standards. A fence shall only be allowed to enclose an area beginning at the Takeline corners (i.e. the rear property line corners of the property leasing the

take area), extending 45-feet along the lease line, and connecting the two (2) points in a straight line (see example below).



①: EXISTING RESIDENTIAL FENCE ON THE LEASING PROPERTY; ②: WROUGHT IRON OR BLACK TUBULAR STEEL FENCE; ③: MAXIMUM OF 45- FEET ALONG THE LEASE LINE OF THE TAKELINE; ④: REAR PROPERTY LINE/BEGINNING OF THE TAKELINE; ⑤: 438.0 ELEVATION ZONE; ⑥: THE STRAIGHT-LINE CONNECTION BETWEEN THE TWO (2), 45-FOOT POINTS; ⑦: MAXIMUM OF 48-INCHES OR FOUR (4) FEET.

(e) Construction Standards.

- (1) Building Materials. A fence shall *only* be constructed of wrought iron or black tubular steel.
- (2) Height. A fence shall not exceed a maximum height of 48-inches from grade.
- (3) Location. A fence shall not be placed in the view clear zone of a neighbor's view corridor.

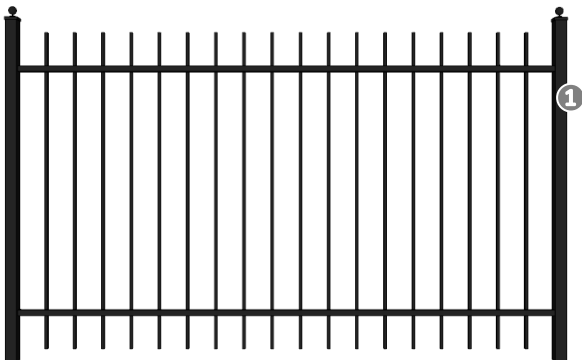
(f) Setback Requirements. A fence must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a fence must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A fence must comply with all other applicable City of Rockwall codes.

(h) Visual Representation.



①: FOUR (4) FOOT WROUGHT IRON FENCE

(7) Flagpole.

(a) Definition. A *flagpole* is an upright pole or staff, constructed at a 90-degree angle to the finished grade, which is used to raise a flag.

(b) Prerequisites. A flagpole may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.

(c) Elevation Zone. A flagpole shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a Seawall has been constructed).
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. A maximum of two (2) flagpoles, with one (1) flag on each pole shall be permitted within a lease area. The United States of America and State of Texas flags measuring a maximum of six (6) feet by four (4) feet will be the only flags permitted to be flown along the takeline. Lighting in association with a flagpole shall be prohibited.

(e) Construction Standards.

- (1) Building Materials. A flagpole shall *only* be constructed of either stainless steel or aluminum.
- (2) Height. A flagpole shall not exceed a maximum height of 20-feet from grade.
- (3) Size. At the ground base a flagpole shall measure a minimum size of five (5) inches and a maximum size of eight (8) inches.
- (4) Location. A flagpole located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Flagpoles shall not be placed in the view clear zone of a neighbor's view corridor.

(f) Setback Requirements. A flagpole must adhere to the following setbacks:

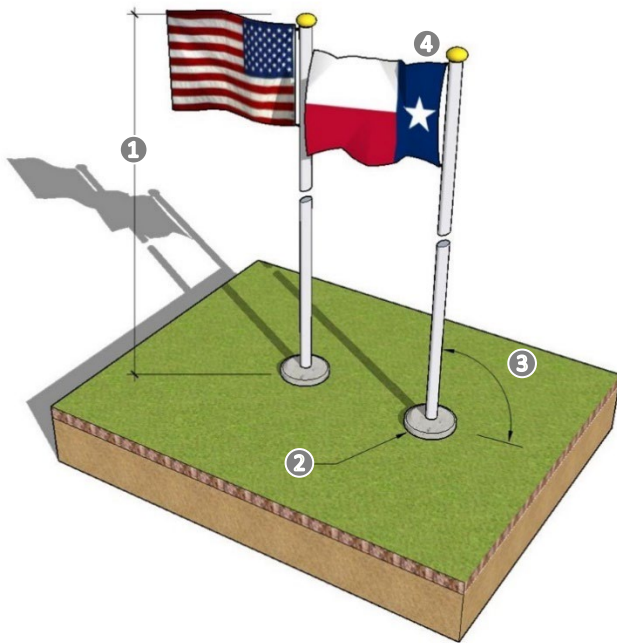
- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a flagpole must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A flagpole must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The flagpole shall not be located in an area where it would block public safety

personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: MAXIMUM OF 20- FEET FROM GRADE; ②: AT THE BASE THE FLAGPOLE CAN BE A MINIMUM OF FIVE (5) INCHES AND A MAXIMUM OF EIGHT (8) INCHES; ③: MAINTAINED TO BE 90-DEGREES FROM GRADE; ④: FLAGPOLES ARE PERMITTED ONE (1) FLAG A MAXIMUM OF FOUR (4) FEET BY SIX (6) FEET;

(8) Fixed Pier.

- (a) Definition. A *fixed pier* is a structure with a catwalk that extends from the shoreline out into the body of water with the structure being used to moor and land watercraft.
- (b) Prerequisites. A *fixed pier* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall, and has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *fixed pier* shall be allowed in the following zones:
  - (1) 438.0: Not Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Permitted.
- (d) Conditional Use Standards. Each eligible property adjacent to the takeline will be permitted one (1) *fixed pier* with an adjoining dock deck and/or boathouse. *Fixed piers* can be designed to be in an 'I', 'T', 'L' or 'U' shape (see [Subsection 06.15\(jk\)\(8\)\(h\)](#)). Items that can be securely attached to the edge of a *dock deck* include the following: [1] a personal watercraft swing lift, [2] benches, [3] cleats, [4] dock lighting, [5] locker box, and/or [6] power source station. A watercraft is only allowed to moor at any portion of a *fixed pier* for no more than 156-consecutive hours during any given week. All *fixed pier* shall be designed to discourage swimming, be durable, and have a base foundation construction of approved piling piers

placed to a depth decided by a structural engineer; however, a *fixed pier* shall not be designed to prevent public access to an area of water. *Fixed piers* shall also be designed to be clearly visible during all seasons of the year and fluctuations in pool elevation of the *Lake*. Accessories placed on the flat surface of a catwalk of a *fixed pier* must be placed in an orderly manner that allows for the safe movement of people.

(e) Construction Standards.

- (1) Building Materials. The catwalk and any benches built on these structures shall utilize only composite materials (e.g. *wood composite* or *synthetic wood* where natural timber fibers are mixed with a high-tech plastic material). Any railings built on a *fixed pier* shall be constructed of composite materials (e.g. *wood composite* or *synthetic wood* where natural timber fibers are mixed with a high-tech plastic material) or steel tubing railings. *Fixed piers* above 437.0 feet mean sea level are required to be constructed of metal pilings, concrete pilings, or plastic PVC pilings. *Fixed piers* constructed below 437.0 feet mean sea level must use only pilings and materials approved by the City of Dallas as specified in the City of Dallas' *Construction Permit Application Lake Structures Lake Ray Hubbard*. All pilings shall be engineered and approved to handle the pressures, stresses, and loads applicable to lakefront conditions. The exterior color of all *fixed piers* shall be a neutral or earth tone color and be subject to approval by the Planning and Zoning Department at the time of building permit. All fasteners binding materials together must be made of stainless steel. Water repellant sealants shall not be used.
- (2) Height. No pole structures incorporated into a *fixed pier* shall be higher than eight (8) feet above the flat floor surface with no more than two (2) pole structures allowed.
- (3) Size. The catwalk of a *fixed pier* will be a maximum of six (6) feet in width, as measured at a 90-degree angle to the main *fixed pier's* length, and will not enclose any portion of the water to allow the free movement of water underneath. *Fixed piers* shall not extend more than 40-linear feet into the water as measured from the normal pool elevation of the shoreline (i.e. 435.5).
- (4) Lighting. Lighting shall not hinder an adjacent property owner's lake views, negatively impact surrounding residents with unwanted brightness or glare, or interfere with the safety of the traveling public. Safety lighting may be placed onto the interior edges of the flat floor surface of the catwalk of a *fixed pier* at ten (10) foot increments, with the cover housing the lighting source no higher than six (6) inches. Two (2) light post structures with a



maximum height of eight (8) feet can be placed at the end of a *fixed pier*.

(5) Additional Construction Standards.

- (a) Pilings. The approved pilings used to support a boathouse must be built up to at least 17-inches above the normal pool elevation of 435.5-foot mean sea level. Vertical rub rails are required on all concrete piers and pilings.
- (b) Catwalks. The catwalk of a *fixed pier* will be allowed within nine (9) feet of the normal pool elevation of 435.5-foot mean sea level. The flat floor surface or catwalk for all structures must be no more and no less than 18-inches above the normal pool elevation of 435.5-foot mean sea level.
- (c) Safety Reflectors. All structures shall be designed with safety reflectors to be clearly visible on three (3) sides on the main waterside end of the end of the structure. Safety reflectors are required on either side of the main waterside end and the two (2) sides at a minimum increment of ten (10) feet starting at the structure's main waterside end and working back to the shoreline. Safety reflectors will be white, blue, or red and no less than three (3) inches in diameter or square in size, kept clean, firmly attached to the structure, and maintained in good condition.

(6) Location. View corridor restrictions do not apply to *fixed piers*.

(f) Setback Requirements. A *fixed pier* must adhere to the following setbacks:

- (1) Takeline Setback: 0-feet
- (2) Leased Side Yard Setback: 10-feet
- (3) Maximum Distance from Seawall: 40-feet

(g) Additional Requirements.

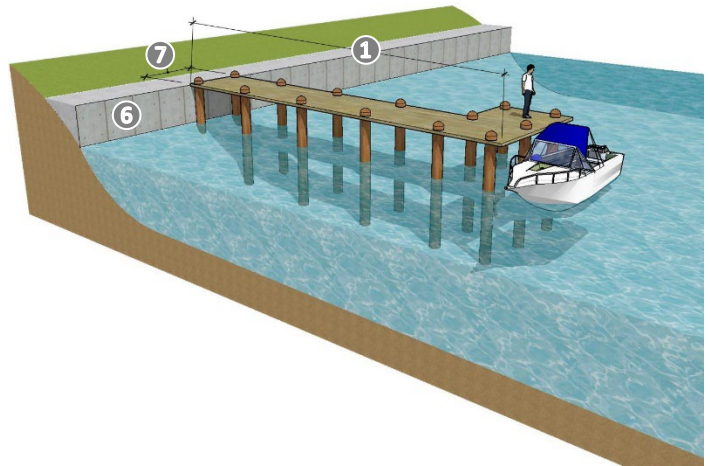
- (1) Dredging. Dredging of the lake area is allowed for the berthing of a motorized boat into a *fixed pier* provided that the dredging does not exacerbate shoreline erosion, lake siltation, water quality degradation, wetlands instability, or the integrity of any built structure, and the dredged channel is maintained for boating maneuverability to a depth of 425.0-foot mean sea level and a width area allowable for safe boating maneuverability. Property authorization to dredge must be obtained from the City of Rockwall, City of Dallas, US Army Corps of Engineers, and the Texas Parks and Wildlife Department. Disposal of dredging materials must be handled by a licensed establishment, properly treated and disposed of at an offsite location or disposed onsite only as part of land reclamation working under the City of Dallas guidelines and supervision.

(2) Compliance with Applicable Codes. A *fixed pier* must comply with all other applicable City of Rockwall codes.

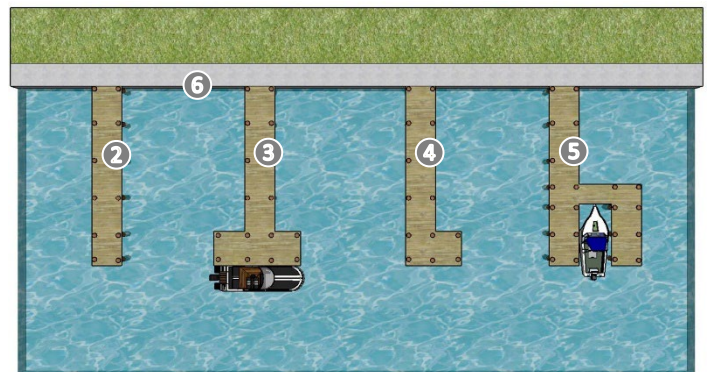
(3) Address. All *fixed pier* shall have a residential street address sign with six (6) inch black letters on a white background displayed outwards towards the main body of the *Lake* to be recognizable for waterside public safety and emergency personnel.

(4) Easement Protection. No *fixed pier* shall encroach into an existing or identified future easement, right-of-way, access road, or path.

(h) Visual Representation.



1 : 40-FOOT MAXIMUM; 2 : PIER IN AN 'I' SHAPE; 3 : PIER IN 'T' SHAPE; 4 : PIER IN A 'L' SHAPE; 5 : PIER IN A 'U' SHAPE; 6 : SEAWALL; 7 : SIX (6) FOOT MAXIMUM



(9) Fire Pit.

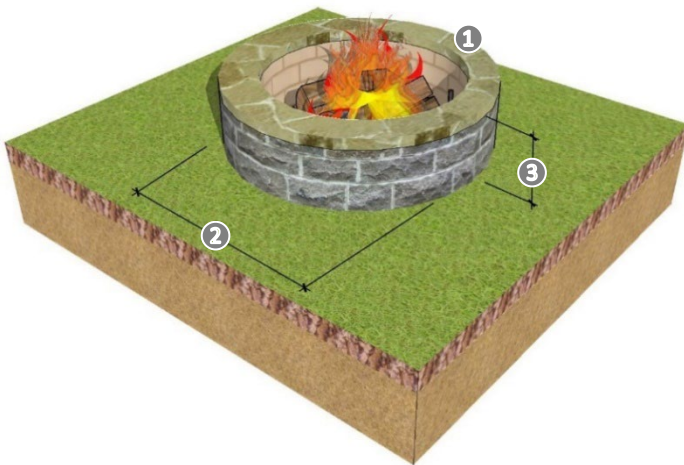
(a) Definition. A *fire pit* is a permanent fireplace that is dug into the ground or is in a freestanding structure in which a contained fire is made.

(b) Prerequisites. A *fire pit* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. A *fire pit* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (if a *Seawall* has been constructed).
- (3) 425.5: Not Permitted.

- (d) Conditional Use Standards. A fire pit can only be fueled by charcoal and wood products, and shall not be fueled by any permanently buried gas products (i.e. natural gas or propane).
- (e) Construction Standards.
- (1) Building Materials. The surround (i.e. the area used to contain the fire) for a fire pit must be constructed utilizing a combination of natural stone, brick, and/or concrete.
  - (2) Height. A fire pit shall not exceed a maximum of 36-inches in height.
  - (3) Size. A fire pit shall not be smaller than a minimum size of three (3) feet in length by three (3) feet in width; however, a fire pit should not exceed a maximum size of five (5) feet in length by five (5) feet in width.
- (f) Setback Requirements. A fire pit must adhere to the following setbacks:
- (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
- (1) Earth Work. Earth work required for the construction of a fire pit must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. A fire pit must comply with all other applicable City of Rockwall codes.
- (h) Visual Representation.



① : NATURAL STONE, BRICK, AND/OR CONCRETE; ② : MINIMUM SIZE OF THREE (3) FEET BY THREE (3) FEET AND A MAXIMUM SIZE OF FIVE (5) FEET BY FIVE (5) FEET; ③ : MAXIMUM HIEGHT OF 36-INCHES OR THREE (3) FEET.

(10) Gazebo.

- (a) Definition. A gazebo is a permanent stand-alone structure with a roof and trellis structure open on all sides with places for sitting.

- (b) Prerequisites. A gazebo may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A gazebo shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A gazebo shall not be used as a habitable dwelling structure, storage facility, deck, or shelter for domestic or wild animals.
- (e) Construction Standards.
- (1) Building Materials. A gazebo built in the 438.0 Elevation Zone must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. The side trellis of the gazebo may be built using wood; however, canvas, cloth, or mesh attachments to the structure shall be prohibited. A gazebo built in the 435.5 Elevation Zone shall only be built out of composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A gazebo will be constructed using steel reinforced concrete piers.
  - (2) Height. A gazebo shall not exceed a maximum height of 15-feet without a clerestory and 18-feet with a clerestory/cupola. The height of the gazebo shall be measured from grade to the vertex of the gazebo's main roof or clerestory/cupola roof. In either case a gazebo shall not be larger than one (1) story or incorporate a balcony.
  - (3) Size. A gazebo shall not exceed a maximum size of 12-feet by 12-feet or 144 SF.
  - (4) Roof. The roof of the gazebo shall be a hipped roof, gable roof, or hip and/or gable roof with or without a clerestory/cupola, and have a slope of 2:1. The roof shall not have an overhang greater than 18-inches. In addition, the roof of the gazebo can match the roof of the primary structure on the leasing property; otherwise, the roof shall be built out of a prefinished standing seam galvanized metal roof. If a clerestory/cupola is incorporated it shall be centered at the top of the main hip roof.
  - (5) Location. A gazebo located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Gazebos shall not be placed in the view clear zone of a neighbor's view corridor.

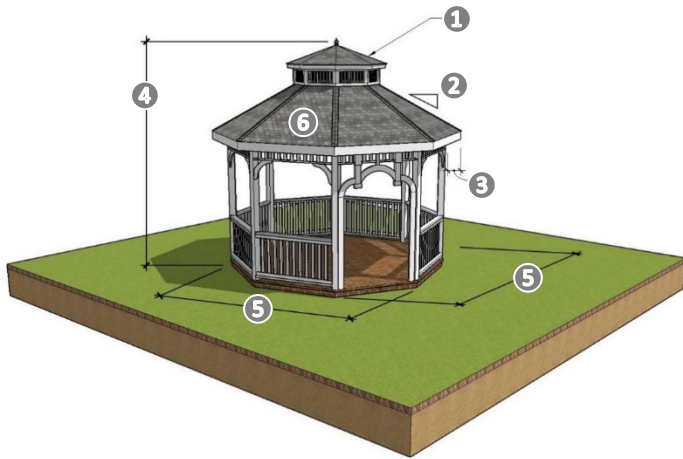
(f) Setback Requirements. A gazebo must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a gazebo must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A gazebo must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The gazebo shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



1: CUPOLA OR CLERESTORY; 2: 2:1 MINIMUM ROOF PITCH; 3: 1.5-FOOT MAXIMUM OVERHANG; 4: 18-FEET MAXIMUM HEIGHT WITH A CUPOLA OR CLERESTORY AND 15-FEET WITHOUT A CUPOLA OR CLERESTORY; 5: 12-FEET MAXIMUM; 6: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(11) Landing and Stairs.

- (a) Definition. A *landing* is the area of a floor near the top or bottom step of a stair. A *stair* is a set of steps leading from one floor of an area to another.
- (b) Prerequisites. A *landing and stairs* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- when constructing in the 435.5 or 425.5 Elevation Zones -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.
- (c) Elevation Zone. A *landing and stairs* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted (if a Seawall has been constructed).
  - (3) 425.5: Permitted (if a Seawall has been constructed).

*NOTE:* A *landing and stairs* located in the 425.5 Elevation Zone is permitted beside the lake but not upon or over the lake.

(d) Conditional Use Standards. A *landing and stairs* shall be allowed to be constructed in conjunction with a retaining wall if the retaining wall exceeds three (3) feet in height measured from the adjacent grade to the top of the wall.

(e) Construction Standards.

- (1) Building Materials. A *landing and stairs* shall be constructed of wrought iron or black tubular steel, natural stone, brick, and/or concrete.
- (2) Height. A *landing and stairs* shall not exceed the height of the adjacent retaining wall.
- (3) Size. A *landing and stairs* shall be limited to eight (8) feet by eight (8) feet measured at the top of the adjacent retaining wall and the staircase shall be parallel to the retaining wall with a maximum width of a six (6) foot projection from the wall.
- (4) Location. A *landing and stairs* shall not be placed in the view clear zone of a neighbor's view corridor.

(f) Setback Requirements. A *landing and stairs* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 5-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *landing and stairs* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *landing and stairs* must comply with all other applicable City of Rockwall codes.

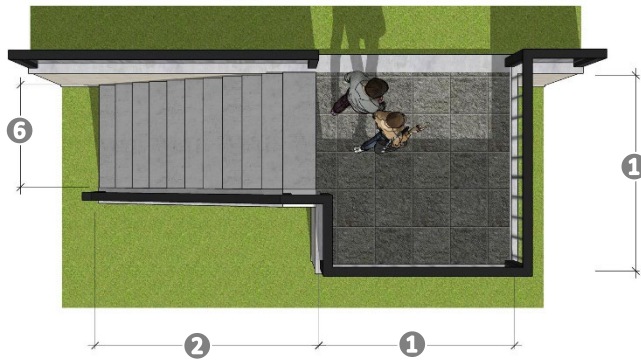
(h) Visual Representation.

PERSPECTIVE VIEW.





TOP VIEW.



1: MINIMUM OF EIGHT (8) FOOT BY EIGHT (8) FOOT LANDING; 2: VARIABLE LENGTH STAIRCASE; 3: WROUGHT IRON OR BLACK TUBULAR STEEL; 4: NATURAL STONE, BRICK, OR CONCRETE MATCHING THE RETAINING WALL; 5: VARIABLE HEIGHT BUT A MINIMUM OF THREE (3) FEET; 6: MAXIMUM OF SIX (6) FEET.

(12) Landscaping and Retaining Walls.

- (a) Definition. *Landscaping* is the minor modification or altering of the surrounding takeline area terrain and shoreline with trees, shrubs, ground cover, and native stone or interlocking retaining walls.
- (b) Prerequisites. *Landscaping and retaining walls* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. *Landscaping and retaining walls* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

**NOTE:** Remedial landscaping in the 425.5 Zone is permitted when the intent is to maintain the integrity of the shoreline. This will require the approval of the Director of Parks and Recreation.

- (d) Conditional Use Standards. *Landscaping and retaining walls* shall compliment and be integrated into the existing woodlands, wetlands, and general aesthetic of the takeline area. *Landscaping* shall not consist of hedge or shrub rows, or any plantings that may restrict views or lead to the siltation and/or erosion of the shoreline. The use of pesticides, herbicides, fungicides, or preservatives is *strictly prohibited*. All landscaping must comply with the requirements of [Article 08, Landscaping and Fence Standards, of the Unified Development Code \(UDC\)](#). For information regarding planting or removing trees see [Subsection \(F\)\(4\)](#) above.
- (e) Construction Standards.
  - (1) Building Materials. *Retaining walls* shall be finished in native stone and will only be allowed in the 438.0 Elevation Zone and the 435.5 Elevation Zone. The use of mulch is prohibited in all zones with the exception of the 438.0 Elevation Zone. The use of

railroad ties, treated wood, pea gravel -- with the exception of using it as a base --, and brick shall be prohibited.

- (2) Height. *Retaining walls* as part of landscaping will be limited to less than three (3) feet.
- (3) Location. *Landscaping and retaining walls* shall not hinder the view clear zone of an adjacent neighbor's view corridor. *Landscaping* shall not exceed six (6) feet in height in the view clear zone.
- (f) Setback Requirements. *Retaining walls* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 6-Feet
- (g) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of *landscaping and retaining walls* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
  - (2) Compliance with Applicable Codes. *Landscaping and retaining walls* must comply with all other applicable City of Rockwall codes.
  - (3) Emergency Response. *Landscaping and retaining walls* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(13) Municipal Utilities.

- (a) Definition. *Municipal utilities* represent all local utilities that consist of cable lines, pipelines, and wiring already existing and planned running through the take area used by both the local community and the region's communities to facilitate the distribution and collection of communications, water, electricity, natural gas, and waste byproducts.
- (b) Elevation Zone. *Municipal utilities* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Permitted.
- (c) Conditional Use Standards. All *municipal utilities'* infrastructure is permitted within the take area. *Municipal utilities* shall be placed underground.
- (d) Setback Requirements. *Municipal utilities* must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 0-Feet
- (e) Additional Requirements.
  - (1) Compliance with Applicable Codes. *Municipal utilities* must comply with all other applicable City of Rockwall codes.

(14) Outdoor Lighting.

- (a) Definition. Outdoor lighting is a structure or system of structures, fixtures, and/or devices used to provide artificial nighttime lighting over a defined broad area, on buildings and monuments, on docks for safety, and to emphasize landscaping but not directed to the detriment of the traveling public or surrounding residents in the light's path.
- (b) Prerequisites. Outdoor lighting may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. Outdoor lighting shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.

NOTE: Catwalk lighting in the 425.5 Elevation Zone is the only permitted outdoor lighting allowed below the 438.0 Elevation Zone.

- (d) Conditional Use Standards. Systems and structures associated with outdoor lighting include artificial landscape lighting, dock lighting, monument lighting, and flood lights. Cobra and florescent light fixtures are not allowed on poled structures. All lights are to have shields which deflect light downward. The operation of search or spot lighting shall be prohibited.
- (e) Photometric Plan. A photometric plan describing compliance with the provisions of [Article 07, Performance Standards, of the Unified Development Code \(UDC\)](#) shall be submitted to the Director of Planning and Zoning or his/her designee prior to the issuance of a building permit for outdoor lighting. This plan shall be prepared by an appropriate lighting professional (e.g. lighting engineer, architect, or other qualified lighting designer). Upon installation of the lighting, the lighting professional shall provide a letter certifying that the lighting is installed in accordance with the approved photometric plan. The Director of Planning and Zoning, or his/her designee, shall have the authority to interpret and determine compliance with the photometric plan and the Unified Development Code (UDC). The Planning and Zoning Commission may grant an exception to the provisions of the Unified Development Code (UDC) when strict compliance with the requirements of this section will result in substantial financial hardship or inequity, so long as such exception is without harm to the public. Decisions of the Planning and Zoning Commission may be appealed to the City Council in accordance with the procedures outline in [Section 09, Exceptions and Variances, of Article 11, Development Applications and Review Procedures, of the Unified Development Code \(UDC\)](#).
- (f) Construction Standards.

- (1) Building Materials. Outdoor lighting poles must be constructed of aluminum or steel. Wood and/or concrete poles are prohibited.
- (2) Height. The height of outdoor lighting shall range from light fixtures embedded into a catwalk periphery to a 12-foot maximum for post structures on land for broader illumination. Poled outdoor light fixtures within the 438.0 Elevation Zone should be no taller than one-third (1/3) the distance to a neighboring property and should not exceed 12-feet.
- (3) Location. Outdoor lighting fixtures shall not be placed in the view clear zone of a neighbor's view corridor; however, view corridor restrictions do not apply for outdoor lighting associated with boathouses, dock decks, or fixed piers except as described for each use due to brightness and glare to surrounding neighbors and the traveling public.
- (g) Setback Requirements. Outdoor lighting must adhere to the following setbacks:
  - (1) Takeline Setback: 0-Feet
  - (2) Leased Side Yard Setback: 20-Feet
- (h) Additional Requirements.
  - (1) Earth Work. Earth work required for the construction of outdoor lighting must comply with the erosion control standards set forth in the Interlocal Lease Agreement.
  - (2) Compliance with Applicable Codes. Outdoor lighting must comply with all other applicable City of Rockwall codes.
  - (3) Municipal or Government Installed Lighting. Outdoor lighting installed by and/or for a governmental agency for a public benefit that is used for activities for the public benefit (e.g. rights-of-way, ball fields, airports, and/or parks) shall be exempted from the requirements of this section; however, parking lot lighting for these activities shall meet the requirements of the Unified Development Code (UDC).

(15) Patio.

- (a) Definition. A patio is a paved, tiled, or rocked outdoor area that is generally used for dining or recreation.
- (b) Prerequisites. A patio may only be constructed on a property that has a valid Residential Sublease Agreement from the City of Rockwall.
- (c) Elevation Zone. A patio shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A patio shall not incorporate walls or other none transparent structures to function as handrails or counter space.

(e) Construction Standards.

- (1) Building Materials. A patio must be constructed with natural stone. Handrails incorporated into a patio in the 438.0 Elevation Zone shall be made of wrought iron or decorative metal. Handrails are not permitted in the 435.5 Elevation Zone.
- (2) Height. A patio shall not exceed a maximum height of 12-inches above grade.
- (3) Size. A patio shall not exceed a maximum area of 1,000 SF.
- (4) Location. Patios shall not be placed in the view clear zone of a neighbor's view corridor.

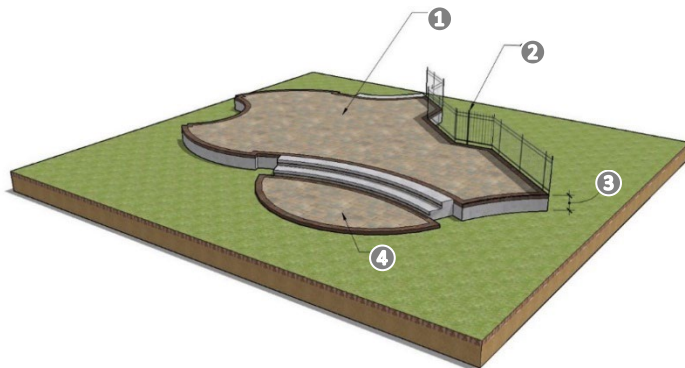
(f) Setback Requirements. A patio must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a patio must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A patio must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The patio shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



❶: NATURAL STONE; ❷: WROUGHT IRON OR BLACK TUBULAR STEEL; ❸: MAXIMUM OF 12-INCHES OR ONE (1) FOOT; ❹: PATIO AREA SHALL NOT BE GREATER THAN 1,000 SF

(16) Pergola.

- (a) Definition. A pergola is a stand along structure consisting of parallel columns supporting an open roof of girders and cross rafters.
- (b) Prerequisites. A pergola may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the*

435.5 Elevation Zone -- that has constructed a seawall along the entire length of the shoreline within the leased area.

(c) Elevation Zone. A pergola shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (*if a Seawall has been constructed*).
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. A pergola shall not be used as a habitable dwelling structure, storage facility, or shelter for domestic or wild animals.

(e) Construction Standards.

- (1) Building Materials. A pergola constructed within the 438.0 Elevation Zone must be constructed utilizing cedar, redwood, ironwood, composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material), or metal. A pergola constructed within the 435.5 Elevation Zone must be constructed using composite materials (e.g. wood composite or synthetic wood where natural timber fibers are mixed with a high-tech plastic material) or metal. Canvas, cloth, or mesh attachments to the structure shall be prohibited.
- (2) Height. A pergola shall not exceed a maximum height of 12-feet or one (1) story, and the roof shall not be used as a deck or lookout. The height shall be measured from grade to the highest point of the structure.
- (3) Size. A pergola shall not exceed a maximum size of 12-feet by 20-feet or 240 SF.

- (4) Roof. The roof of the pergola shall not have an overhang greater than 18-inches.
- (5) Location. A pergola located within the 435.5 Elevation Zone shall generally be located in line with the primary structure on the leasing property. Pergolas shall not be placed in the view clear zone of a neighbor's view corridor.

(f) Setback Requirements. A pergola must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

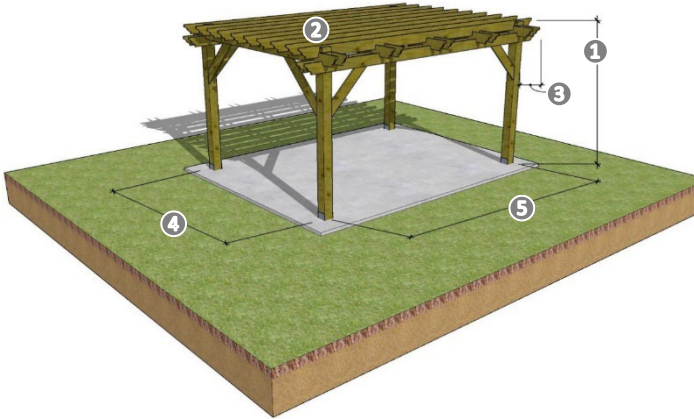
(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a pergola must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A pergola must comply with all other applicable City of Rockwall codes.



- (3) Emergency Response. The *pergola* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



1: 12-FOOT MAXIMUM HEIGHT; 2: OPEN ROOF OF GIRDERS OR RAFTERS; 3: 1.5-FOOT MAXIMUM OVERHANG; 4: 12-FOOT MAXIMUM; 5: 20-FOOT MAXIMUM; 6: ROOF CAN MATCH THE PRIMARY STRUCTURE OTHERWISE THE ROOF SHALL BE STANDING SEAM METAL.

(17) Picnic Table.

- (a) Definition. A *picnic table* is a permanent outdoor structure used for outdoor dining.
- (b) Prerequisites. A *picnic table* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *picnic table* shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *picnic table* must be a minimum of 12-feet from a *barbecue pit* or *fire pit*, and shall be open to the air (i.e. no roof covering) unless combined with a covered patio or pergola. A *picnic table* shall be built on level terrain.
- (e) Construction Standards.
- (1) Building Materials. The surface area of the *picnic table* shall be constructed out of concrete, brick, or native stone. *Picnic tables* constructed with wood shall be prohibited.
  - (2) Height. A *picnic table* shall not exceed a maximum of 36-inches in height.
  - (3) Size. A *picnic table* shall not exceed a maximum size of ten (10) feet in length by eight (8) feet in width.
  - (4) Location. A *picnic table* located within the 435.5 *Elevation Zone* shall generally be located in line with the primary structure on the leasing property. *Picnic*

*tables* shall not be placed in the view clear zone of a neighbor's view corridor.

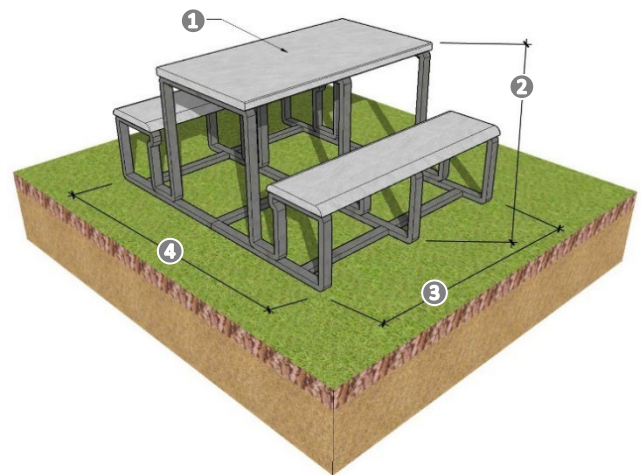
- (f) Setback Requirements. A *picnic table* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 6-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *picnic table* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *picnic table* must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The *picnic table* shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



1: SURFACE OF THE PICNIC TABLE SHALL BE CONCRETE, BRICK, OR NATIVE STONE; 2: NOT TO EXCEED 36-INCHES OR THREE (3) FEET; 3: EIGHT (8) FOOT MAXIMUM; 4: TEN (10) FOOT MAXIMUM.

(18) Private Play Structure.

- (a) Definition. A *private play structure* is a permanent outdoor structure used by children for play, which is installed by the private property owner.
- (b) Prerequisites. A *private play structure* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *private play structure* shall be allowed in the following zones:
- (1) 438.0: Permitted.
  - (2) 435.5: Not Permitted.
  - (3) 425.5: Not Permitted.
- (d) Conditional Use Standards. A *private play structure* can consist of arched ladders, vertical ladders, horizontal

ladders, clutter bridge, timber structures, slides, fort and slide playset, climbers, play walls, play climbers, play pods, moon houses, jungle gyms, see-saws, merry-go-rounds, domes, rocket riders, tire swings, buoy balls, monkey bars, drums, chin-up bars, trampoline and rock walls; however, sandboxes and/or sand play areas shall not be permitted.

(e) Construction Standards.

- (1) Building Materials. A private play structure shall be built out of aluminum, galvanized steel, rubber, and/or water-resistant wood; however, railroad ties and treated lumber are prohibited. The exterior color of a private play structure should blend and incorporate the same hues and tones of the surrounding landscaping.
- (2) Height. A private play structure shall not exceed a maximum of eight (8) feet in height.
- (3) Size. All private play structures will be situated in a collected area that is a maximum of 1,000 SF in area.
- (4) Location. Private play structures shall not be placed in the view clear zone of a neighbor's view corridor.

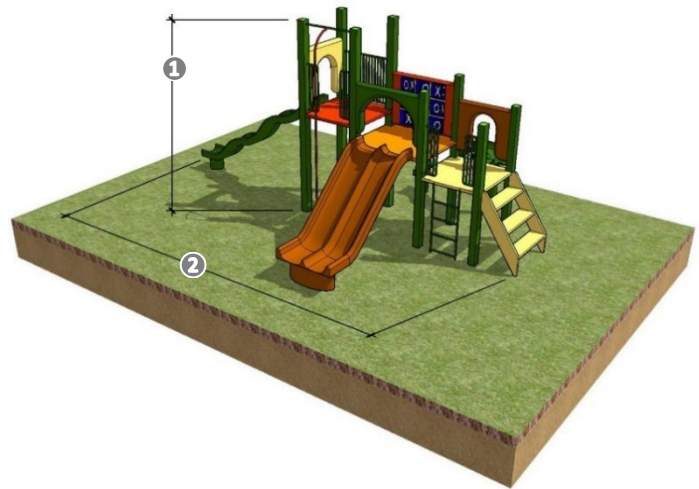
(f) Setback Requirements. A private play structures must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 20-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a private play structures must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A private play structure must comply with all other applicable City of Rockwall codes.
- (3) Emergency Response. The private play structure shall not be located in an area where it would block public safety personnel and their vehicles from accessing or responding to emergencies or clearing the shoreline.

(h) Visual Representation.



①: MAXIMUM OF EIGHT (8) FEET IN HEIGHT; ②: TOTAL SQUARE FOOTAGE SHALL NOT EXCEED A MAXIMUM OF 1,000 SF; ③: EXTERIOR COLOR SHOULD BLEND WITH THE SURROUNDING LANDSCAPING.

(19) Private Utilities.

(a) Definition. Private utilities are a system of underground cable line, pipelines, and wiring installed by the leasing property owner to maintain and operate improvements in the take area.

(b) Prerequisites. Private utilities may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. Private utilities shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted.
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. Private utilities are required to be buried in accordance with Chapter 38, *Subdivisions*, of the City of Rockwall's Municipal Code of Ordinances. No overhead private utility lines are permitted in the lease area. Private utilities containing natural gas, propane, gasoline, oil, diesel, or similar types of compounds shall not be permitted within the lease area. No part of any *On-Site Sanitary Sewer System* (OSSF) or any other private wastewater system or appurtenances shall be permitted within the lease area.

(e) Construction Standards.

(1) Building Materials. Private utilities shall only be constructed out of materials permitted by the City's Engineering Department.

(2) Location. Private utilities within 20-feet of the normal pool elevation shoreline (*i.e.* 435.5) shall be built to handle load factors associated with emergency and service vehicles. Private utilities containing electricity and communication lines built into structures over the water shall not be allowed below the 436.5-foot mean sea level elevation.

Continued on Next Page ...

(f) Setback Requirements. *Private utilities* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private utilities* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private utility* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private utility* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(20) Private Walkways.

(a) Definition. *Private walkways* can be a single path or a network of paths installed by the leasing property owner in the takeline area.

(b) Prerequisites. *Private walkways* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall and -- *when constructing in the 435.5 Elevation Zone* -- that has constructed a *seawall* along the entire length of the shoreline within the leased area.

(c) Elevation Zone. *Private walkways* shall be allowed in the following zones:

- (1) 438.0: Permitted.
- (2) 435.5: Permitted (*if a Seawall has been constructed*).
- (3) 425.5: Not Permitted.

(d) Conditional Use Standards. *Private walkways* with steps are permitted (see *Landing and Stairs in Subsection 06.15(J)(11)*).

(e) Construction Standards.

- (1) Building Materials. *Private walkways* shall be constructed using native stone, brick, concrete and/or rectangle pavers; however, *private walks* shall not consist of loose stone, gravel, sand, or asphalt.
- (2) Height. *Private walkways* shall be flush with the surrounding grade, or work within the gradient present of the surrounding grade.
- (3) Size. *Private walkways* shall be no greater than 48-inches in width.
- (4) Location. *Private walkways* may encroach into an existing easement or right-of-way, encroach into an identified future easement or right-of-way, or encroach into an identified or set aside access path, provided that the property owner or sublease is

responsible for repair and/or replacement of the walks in the event they are damaged or removed by the City or other public entity as a result of the necessary use of, or work within or around, said easements. An existing and future easement running through a lease property will be allowed to substitute for the 12-foot wide primary access right-of-way path provided it is 12-feet wide, suitable for access, and will connect to adjacent access paths.

(f) Setback Requirements. *Private walkways* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 10-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of *private walkways* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *private walkway* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any *private walkway* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

(21) Seawall.

(a) Definition. A *seawall* is an engineered concrete or steel structure at the water's edge that is typically designed to curb shoreline erosion where it is installed.

(b) Prerequisites. A *seawall* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.

(c) Elevation Zone. A *seawall* shall be allowed in the following zones:

- (1) 438.0: Not Permitted.
- (2) 435.5: Not Permitted.
- (3) 425.5: Permitted.

NOTE: Seawalls are only permitted along the shoreline.

(d) Construction Standards.

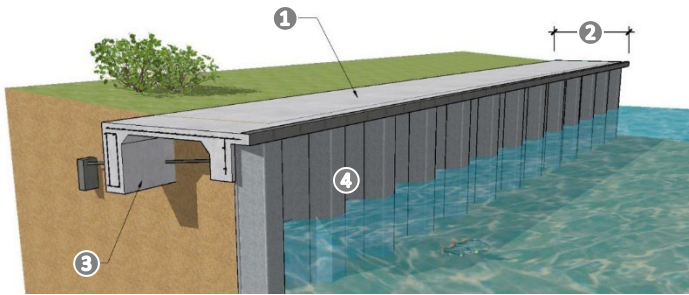
- (1) Concrete Cap. A six (6) foot wide concrete cap must be constructed along the entire length of the erosion control structure. In order to allow the backfill material to properly settle, the construction of the concrete cap may be delayed for several weeks/months after the construction of the erosion control structure; however, in no case should the construction of the concrete cap be delayed for a time period exceeding one (1) year from the date of construction of the erosion control structure.



(e) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a seawalls must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A seawall must comply with all other applicable City of Rockwall codes.

(f) Visual Representation.



1: CONCRETE WALKWAY; 2: SIX (6) FOOT MINIMUM; 3: 24-INCH BY TEN (10) INCH BEAM WITH #3 REBAR ON 18-INCH CENTERS; 4: RETAINING WALL.

(22) Sprinkler/Irrigation System.

- (a) Definition. A *sprinkler/irrigation system* is an underground irrigation network used to water and maintain trees, shrubs, grounds, and the foundations of improvements.
- (b) Prerequisites. A *sprinkler/irrigation system* may only be constructed on a property that has a valid *Residential Sublease Agreement* from the City of Rockwall.
- (c) Elevation Zone. A *sprinkler/irrigation system* shall be allowed in the following zones:
  - (1) 438.0: Permitted.
  - (2) 435.5: Permitted.
  - (3) 425.5: Not Permitted.

*Note: The prohibition of sprinkler/irrigation systems in the 425.5 Elevation Zone does not include the pumps or lines necessary to pump raw water, when a property owner has been granted permission to do so from the City of Dallas.*

- (d) Conditional Use Standards. A *sprinkler/irrigation system* must be connected to the leasing property owner's existing water supply source with approved backflow prevention devices.
- (e) Construction Standards.
  - (1) Building Materials. A *sprinkler/irrigation system* shall only be constructed utilizing *Schedule 40 PVC* pipe.
  - (2) Height. The heads of a *sprinkler/irrigation system* used for shrubs shall extend no higher than three (3) feet from the average base of the surrounding terrain within a three (3) foot radius of the head.
  - (3) Location. A *sprinkler/irrigation system* shall be allowed up to one (1) foot of the normal pool elevation shoreline (i.e. 435.5) provided no part of

the system could potentially result in lake siltation erosion.

(f) Setback Requirements. A *sprinkler/irrigation system* must adhere to the following setbacks:

- (1) Takeline Setback: 0-Feet
- (2) Leased Side Yard Setback: 0-Feet

(g) Additional Requirements.

- (1) Earth Work. Earth work required for the construction of a *sprinkler/irrigation system* must comply with the erosion control standards set forth in the *Interlocal Lease Agreement*.
- (2) Compliance with Applicable Codes. A *sprinkler/irrigation system* must comply with all other applicable City of Rockwall codes.
- (3) Damage to the System. Any damage or destruction to any part of a *sprinkler/irrigation system* by public safety, utility, maintenance, or inspection personnel and/or their vehicles will be the responsibility of the leasing property owner.

SUBSECTION 06.16: VARIANCES TO THE GENERAL OVERLAY DISTRICT STANDARDS

See [Subsection 09.02, Variances to the General Overlay Districts Standards, of Article 11, Development Applications and Review Procedures.](#)

SECTION 07 | DISTRICT DEVELOPMENT STANDARDS

See next page.



## MEMORANDUM

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**TO:** Mary Smith, City Manager

**CC:** Honorable Mayor and City Council

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

**DATE:** August 7, 2023

**SUBJECT:** A2023-001; EXPIRING 212 DEVELOPMENT AGREEMENT FOR TIMOTHY WHITE

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### Attachments

Memorandum

Location Map

180-Day Expiration Notice

Extension Request

212 Development Agreement

### Summary/Background Information

Discuss and consider the expiration of an existing 212 Development Agreement for a 2.77-acre tract of land that is contiguous with the City of Rockwall's city limits, situated within the City's Extraterritorial Jurisdiction (ETJ), addressed as 417 & 463 Green Circle and identified as Tract 8 of the R. Dickens Survey, Abstract No. 73, City of Rockwall, Rockwall County, Texas, and take any action necessary.

### Action Needed

The City Council is being asked to consider extending the existing 212 Development Agreement. The City Council has the discretion to extend the agreement, allow the agreement to expire and release the property back into the City's Extraterritorial Jurisdiction (ETJ), or annex the property.



# 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

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**TO:** Mayor and City Council

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

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

**DATE:** August 7, 2023

**SUBJECT:** A2023-001; *Expiring 212 Development Agreement for Timothy White*

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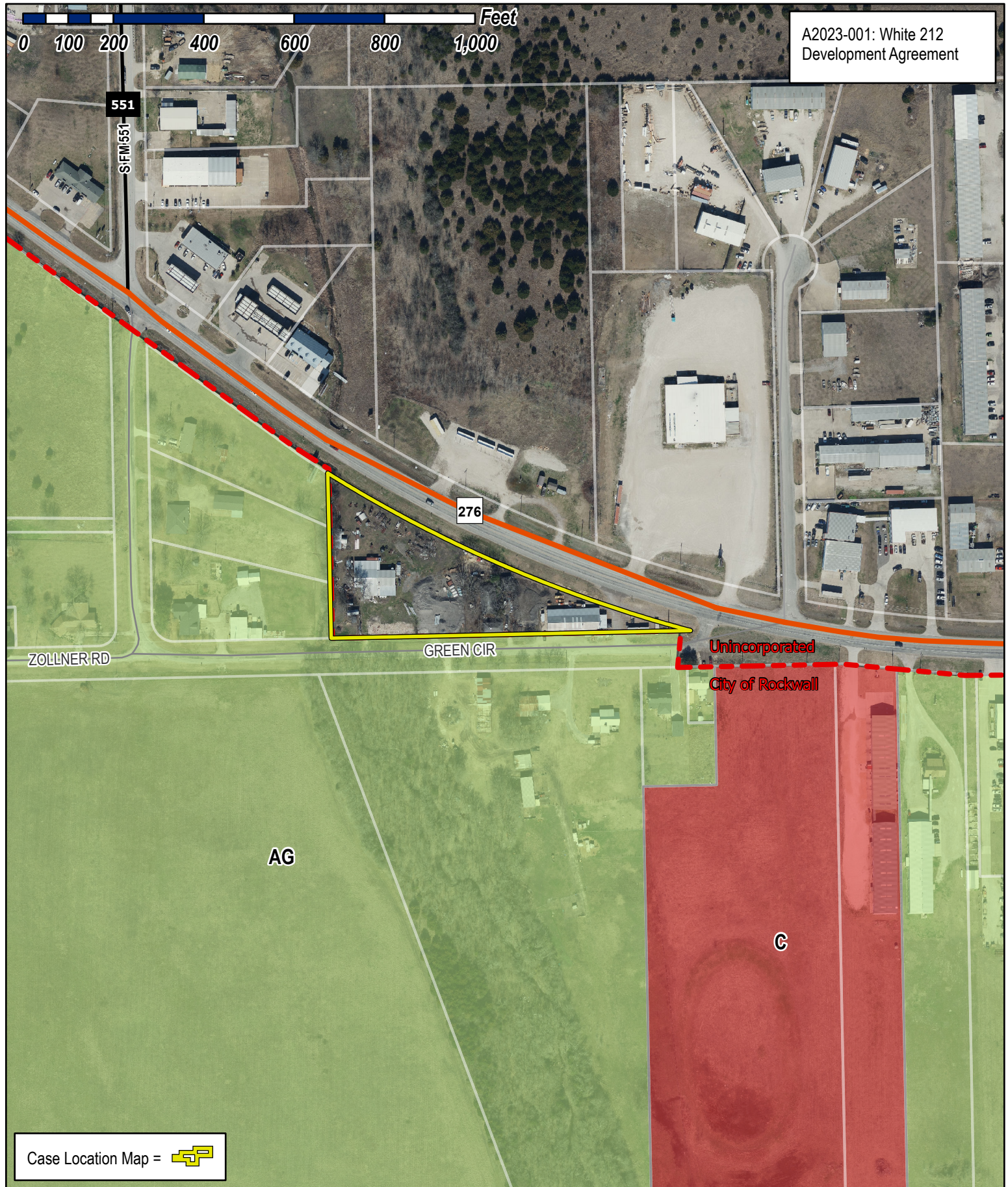
On November 15, 2010, the City Council approved a 212 Development Agreement [Case No. A2010-003] for the 2.77-acre tract of land, which is addressed as 417 & 463 Green Circle. The *subject property* is described as Tract 8 of the R. Dickens Survey, Abstract No. 73 and is situated within the City's Extraterritorial Jurisdiction (ETJ). The initial term of the 212 Development Agreement was for a period of seven (7) years. On June 8, 2017, the property owner, Timothy E. White, requested a subsequent term of seven (7) years in accordance with the 212 Development Agreement; however, on June 19, 2017, the City Council approved a three (3) year extension of the agreement [Case No. A2017-003] to December 8, 2020. On July 6, 2020, the property owner again requested a subsequent term of seven (7) years, and again was granted a three (3) year extension of the agreement [Case No. A2020-001] by the City Council extending the agreement to December 8, 2023. According to the *Texas Local Government Code*, the City Council has the authority to extend a 212 Development Agreement for successive time periods not to exceed a period of 15 years, with the total duration of the contract (*i.e. the initial time period plus each successive time period*) not to exceed 45 years. This agreement has been valid for a total duration of 13 years.

The subsequent term of the 212 Development Agreement is set to expire on December 8, 2023. In accordance with the agreement staff has notified the current property owner, Timothy E. White, of the pending expiration. In response to staff's notice, Mr. White has submitted a letter requesting the City Council extend the agreement for an additional subsequent term of seven (7) years. Staff has placed a copy of the 180-day expiration notice, extension request, and the 212 Development Agreement in the attached packet for the City Council's review. It should be noted that the City Council has the discretion to continue the 212 Development Agreement for a subsequent term, let the agreement expire returning the property to the Extraterritorial Jurisdiction (ETJ), or elect to annex the *subject property* at the termination of this agreement. Regardless of the City Council's choice, staff will be required to send a letter via certified mail notifying the affected *property owner* of the City Council's decision by September 9, 2023.



0 100 200 400 600 800 1,000 Feet

A2023-001: White 212  
Development Agreement



Case 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.







June 2, 2023

TO: Timothy E. White  
9104 Private Road 2325  
Terrell, TX 75160-8935

FROM: Ryan Miller, AICP  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087

SUBJECT: Extension of 212 Development Agreement for property that is generally contiguous with the City of Rockwall's city limits line and being described as follows:

- Tract 8 of the R. Dickens Survey, Abstract No.73 (2.77-Acres)

Mr. White,

On December 08, 2010 (*i.e. the effective date*), the City of Rockwall entered into a 212 Development Agreement (*Case No. A2010-003*) with you as authorized by the Texas Local Government Code. An additional three (3) year term (*i.e. Subsequent Term*) was granted to you by the City Council on June 19, 2017 (*i.e. Case No. A2017-003*) and again on July 6, 2020 (*i.e. Case No. A2023-001*). This extended the agreement to December 8, 2023. The following items included in the 212 Development Agreement address the terms for an extension or termination of this *Agreement*:

*Section 12. Term and Extension. The initial term of this Agreement shall be for a period of seven (7) years from the Effective Date (the "Term"). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. Within 180 days prior to end of the Term of the Agreement, the City shall notify the Owners in writing that the Agreement is due to expire. If Owners desire to extend the operation of this Agreement beyond its Term, the Owners, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (an "Extension Request"). The City, at least 90 days prior to the end of the Term shall notify Owners in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional seven (7) year term (referred to as a "Subsequent Term"). In the event such written notice from the City of its decision is not received by the Owners at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.*

If you intend to submit an *Extension Request*, the written request must be received by the City no later than July 11, 2023 (*which is 150 days prior to the end of Term*) to be considered by the City Council. If you have already submitted a request for extension, please disregard this requirement.

All extension requests should be submitted to the City of Rockwall Planning Department at 385 South Goliad Street, Rockwall, Texas, 75087. If you have any specific questions about your options under this procedure please feel free to contact the Planning Department staff at (972) 771-7745.

Sincerely,

Ryan Miller, AICP  
Director of Planning and Zoning

Timothy E. & Sue Ann White  
9104 Private Road 2325  
Terrell, Texas 75160  
(972) 322-0257

June 21, 2023

Attention:  
Ryan Miller, ALCP  
Director of Planning and Zoning  
City of Rockwall  
385 South Goliad  
Rockwall, Texas 75087

RE: Extension of 212 Development Agreement for property that is generally contiguous with the city limits line and being described as follows:

Tract 8 of the R. Dickens Survey, Abstract 73 (2.77 Acres)

City of Rockwall Planning Department:

We (Timothy E. and Sue Ann White) are requesting a seven-year extension to the existing 212 Development Agreement. We have owned the property for 53 years and want to keep the 212 Development Agreement in place.

Thank you so very much for working with us on the 212 Development Agreement. If you have any questions or need more information, please do not hesitate to contact us personally.

Sincerely,

---

*Timothy E. White*

Timothy E. White

---

*Sue Ann White*

Sue Ann White



Rockwall County  
Shelli Miller  
Rockwall County Clerk  
Rockwall, Texas 75087 (972) 204-6300



70 2011 00445926

Instrument Number: 2011-00445926

Recorded On: February 10, 2011

As  
Recordings

Parties: CITY OF ROCKWALL

To WHITE TIMOTHY E

Billable Pages: 10  
Number of Pages: 10

Comment: AGREEMENT

( Parties listed above are for Clerks reference only )

**\*\* Examined and Charged as Follows: \*\***

Recordings	48.00
Total Recording:	48.00

\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2011-00445926

Receipt Number: 251072

Recorded Date/Time: February 10, 2011 08:32:33A

Book-Vol/Pg: BK-OR VL-6366 PG-94

User / Station: F H - Cashier Station 1

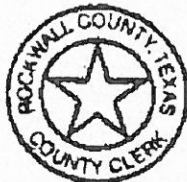
**Record and Return To:**

CITY OF ROCKWALL

385 S GOLIAD

ATTN KIM

Rockwall TX 75087



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records in Rockwall County, Texas

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color or race is invalid and unenforceable under Federal law.

*Shelli Miller*  
Shelli Miller  
Rockwall County Clerk

10  
48

CHAPTER 212 TEXAS LOCAL GOVERNMENT CODE  
DEVELOPMENT AGREEMENT

This Agreement is entered into pursuant to Section 212.172 Tex. Local Gov't Code by and between the City of Rockwall, Texas (the "City") and TIMOTHY E WHITE, the property owners of the hereinafter described property (the "Property") in Rockwall County, Texas, sometimes individually or collectively referred to as "Party" or "Parties":

That property described in a deed to TIMOTHY E WHITE which is recorded at Vol. \_\_\_\_\_ Page \_\_\_\_\_ of the Deed Records of Rockwall County, Texas, and commonly known as **Tax Parcel No. 0073-0000-0008-00-0R**, which is attached hereto as Exhibit A, consisting of approximately **2.77** acres of land.

WHEREAS, Owners represent that the Property is within the City's existing extraterritorial jurisdiction, and to the extent that a portion of the Property lies outside the City's extraterritorial jurisdiction, Owners have voluntarily petitioned for inclusion of such land within the City's ETJ; and

WHEREAS, the City has initiated annexation proceedings for the Property in accordance with Tex. Loc. Gov't Code ch. 43; and

WHEREAS, Owners desire that the Property remain in the City's extraterritorial jurisdiction ("ETJ") for the term of this Agreement;

WHEREAS, Owners and the City acknowledge that this Agreement between them is binding upon the City and the Owners and their respective successors and assigns for the term of the Agreement;

WHEREAS, the Rockwall County Appraisal District records show that the Property currently is appraised for ad valorem tax purposes as land for agriculture use pursuant to Tex. Tax Code chapter 23.C; and

WHEREAS, OWNERS represent that it is their intention not to develop the Property during the term of this Agreement; and

WHEREAS, Tex. Loc. Gov't Code section 43.035 authorizes a property owner and a municipality to enter into an agreement pursuant to Tex. Loc. Gov't Code section 212.172 for purposes of retaining land in the municipality's ETJ in exchange for the property owner's covenant not to develop the property and to authorize the municipality to apply development regulations not inconsistent with agricultural use; and

WHEREAS, the Parties are desirous of entering into an agreement authorized under Tex. Loc. Gov't Code section 43.035; and

WHEREAS, this Agreement is to be recorded in the Real Property Records of Rockwall County;



NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

Section 1. Continuation of ETJ Status. The City guarantees the continuation of the extraterritorial status of the Property and agrees not to annex the Property for the term of this Agreement, as hereinafter defined, and any subsequent renewals as may be agreed upon by the Parties, subject, however, to the provisions of this Agreement.

Section 2. Development Plan. The Owners covenant and agree that use of the Property for the term of this Agreement and any extensions agreed to by the Parties shall be limited to farm-related and ranch-related uses and customary accessory uses, and single-family detached farm or ranch dwellings, provided that no single-family dwelling may be located or constructed on a lot smaller than five (5) acres, **and the continued use of a single existing structure as a fireworks sales business, at its current location, which shall be exempt from the City of Rockwall Code of Ordinances which specifically prohibits the sale of fireworks within five thousand (5,000) feet of the city limits boundary, provided that such business shall cease upon the termination of this Agreement with the inclusion of the property into the City of Rockwall.** The property owner may apply to the City for division of the land subject to this Agreement into parcels each of which is at least five (5) acres in size for the purposes set forth herein without being in violation of this Agreement. Such uses and activities constitute the development plan for the Property in satisfaction of Tex. Loc. Gov't Code section 212.172(b).

Section 3. Governing Regulations

(A) The following Rockwall regulations shall apply to any development of the Property, as may be amended from time to time, provided that the application of such regulations does not result in interference with the use of the land for agricultural purposes and does not prevent the continuation of a use established prior to the effective date of this Agreement and which remains lawful at the time the Agreement is executed:

- (1) The Rockwall Unified Development Code Ordinance, Ord. No. 04-38, as amended; for purposes of evaluating any proposed development of the Property under the Unified Development Code, the regulations of the lowest intensity single-family residential district shall be used.
- (2) The Subdivision Regulations, Chapter 24 of the Code of Ordinances and as amended, together with Standards of Design and Construction, City of Rockwall Texas, as supplemented by the North Central Texas Council of Governments Standard Specifications for Public Works Construction, North Central Texas, 3rd Ed. 1998 (NCTCOG Manual).
- (3) The Building Codes, Ord. No. 08-03, adopting:
  - a. International Building Code, 2006 Edition with regional amendments;



- b. International residential Code, 2006 Edition with regional amendments;
- c. The International Fire Code, 2006 Edition with regional amendments;
- d. International Plumbing Code, 2006 Edition with regional amendments;
- e. International Fuel Gas Code, 2006 Edition with regional amendments;
- f. Rockwall Code of Ordinances, Property Maintenance Code, with amendments;
- g. International Private Sewage Disposal Code, 2006 Edition with regional amendments;
- h. Uniform Swimming Pool Code, 2006 Edition with regional amendments; and
- i. International Energy Conservation Code, 2006 Edition with regional amendments.
- j. National Electric Code, 2005 Edition with regional amendments.
- k. Rockwall Code of Ordinances, Fences, with amendments;
- l. Rockwall Code of Ordinances, Dangerous Buildings, with amendments;
- m. Rockwall Code of Ordinances, Moving of Buildings, with amendments.

(4) The Sign Regulations, Section 1 (C); Section II, Section III (B) (2); (Ordinance 84-45).

(B) If, pursuant to this Agreement or following termination of the Agreement, portions of the Property are annexed to the City, the Parties further covenant and agree that the use and development of such land thereupon shall be subject to the regulations of the lowest intensity single-family residential district and the subdivision regulations then in effect. In the event any portion of the Property following annexation is rezoned consistent with the City's approved Comprehensive Plan, as may be amended from time to time, the use and development of such land shall be governed by the regulations of the zoning district to which the land is reclassified and the subdivision regulations in effect at the time of approval of such rezoning.

Section 4. Agreement Deemed Void in Part; Voluntary Annexation.

(A) If an Owner files any application for or otherwise commences development of any portion of the Property inconsistent with the development plan provided in Section 2, sections 1 and 3 of this Agreement shall become null and void, except as herein expressly provided for.

(B) Thereafter the City may initiate annexation of the Property pursuant to Tex. Loc. Gov't Code subchapter C-1, or other such other provisions governing voluntary annexation of land as may then exist. Owners expressly and irrevocably consent to annexation of the Property under such circumstances. The Owners further agree that such annexation by the City shall be deemed voluntary, and not subject to the requirements and procedures for an annexation plan, as required by Tex. Loc. Gov't Code section 43.052, or successor statute.

(C) Any development application that is submitted to the City for the Property during the term of this Agreement or during any extension, that is inconsistent with the development plan and governing regulations, shall be denied based upon such plan and governing regulations, which collectively shall constitute regulations in effect at the time such application is submitted. The Owners expressly waive any vested rights that might otherwise arise under Tex. Loc. Gov't Code section 43.002 or Chapter 245, or successor statute, from the submittal of such inconsistent development application. The Owners further agree that no use commenced or completed on the Property that is inconsistent with the development plan shall be considered established or in existence prior to the date that the City annexes the Property pursuant to this section.

(D) If the City's right to annex, as of the date of this Agreement, is in any way diminished by a subsequent act by the Legislature of the State of Texas during the one year period or any additional period, that this Agreement is in effect, then such act shall be considered as a voluntary petition to annex.

Section 5. Notice of Sale. Any person who sells or conveys any portion of the Property shall, prior to such sale or conveyance, give 30 days written notice of this Agreement to the prospective purchaser or grantee. A copy of said notice shall be forwarded to the City at the following address:

City of Rockwall  
City Hall  
305 S. Goliad Street  
Rockwall, Texas 75087  
Attn: City Manager

Section 6. Recording. This Agreement is to run with the Property and be recorded in the real property records, Rockwall County, Texas.

Section 7. Severability. Invalidation of any provision of this Agreement by judgment or court order shall not invalidate any of the remaining provisions which shall remain in full force and effect. It is the intent of the parties that, should it be determined that any portion of the Property was outside of the City's then existing ETJ at the time this Agreement took effect, the provisions of this Agreement shall apply to the remainder of the Property located within the City's extraterritorial jurisdiction.



Section 8. Remedies. This Agreement may be enforced by either Owners or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter. Entry into this Agreement by Owners waive no rights as to matters not addressed in this Agreement.

Section 9. Change in Law. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement or the City's ability to annex the properties covered herein pursuant to Section 3.

Section 10. Venue. Venue for this Agreement shall be in Rockwall County, Texas.

Section 11. Execution in Multiple Copies. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

Section 12. Term and Extension. The initial term of this Agreement shall be for a period of seven (7) years from the Effective Date (the "Term"). The Effective Date of the Agreement shall be the date the Agreement is executed by the City. Within 180 days prior to end of the Term of the Agreement, the City shall notify the Owners in writing that the Agreement is due to expire. If Owners desire to extend the operation of this Agreement beyond its Term, the Owners, at least 150 days prior to the end of the Term, shall submit a written request to the City for such an extension (an "Extension Request"). The City, at least 90 days prior to the end of the Term shall notify Owners in writing, delivered by certified mail, with respect to its decision whether to extend this Agreement for an additional seven (7) year term (referred to as a "Subsequent Term"). In the event such written notice from the City of its decision is not received by the Owners at least 90 days prior to the end of that Term such Extension Request is deemed granted and this Agreement continues for another Subsequent Term.

Section 13. Termination. If the Owners do not provide an Extension Request pursuant to Section 12, or upon a written decision by the City not to extend the term of this Agreement for a Subsequent Term following the Term, then Owners shall be deemed to have filed a petition for voluntary annexation as of the end of the Term of this Agreement. If Owners submitted an Extension Request, then a notice pursuant to Section 13 by the City that it has decided not to extend the Term of this Agreement shall also include a notification whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. If Owners did not submit an Extension request then the City, at least 90 days prior to the end of the Initial Term, shall provide a written notification to Owners, by certified mail, whether it intends, subject to the procedures required by law, to accept the petition for voluntary annexation. Any annexation proceedings pursuant to this section shall be commenced within 180 days after the end of the Term.

Section 14. Negotiations. Upon termination of this Agreement and the decision by the City to accept the petition for voluntary annexation by the Owners, as provided in



Section 12 or Section 13, then Owners and the City will enter into good faith negotiations regarding the service plan to be implemented, provided that, unless the parties agree otherwise, the service plan for such land shall conform to, and be implemented in accordance with the City's then existing adopted comprehensive and utility master plans. Upon annexation the zoning shall initially be for the lowest intensity residential district, until an appropriate change in zoning is made pursuant to Chapter 211, Tex. Local Govt. Code or successor statute. In connection with annexation pursuant to this section, the Owners hereby waive any and all vested rights and claims that they may have under Section 43.002(a)(2) and Chapter 245 Texas Local Government Code that would otherwise exist by virtue of any actions Owners may take between the termination of this Agreement and the completion of annexation proceedings by the City. Unless the City declines to annex the land on the petition of the property owners, the development plan and governing regulations shall apply to any proposed development application prior to completion of annexation proceedings and the adoption of permanent zoning regulations for the Property, and the development plan and governing regulations shall be kept in effect for such purposes.

Section 15. Survival of Covenants. The covenants in Sections 2, 4, 14, and 15 shall survive termination of this Agreement, together with any other provisions, as may be necessary for the implementation of those sections.

The Parties hereto have executed this agreement as of November 29, 2010.

Owners:

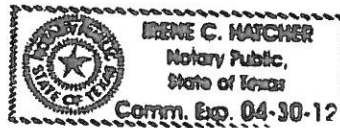
Timothy E. White  
\_\_\_\_\_

THE STATE OF TEXAS     }

COUNTY OF                    }

This instrument was acknowledged before me on the 29<sup>th</sup> day of November 2010.

Irene C. Hatcher  
Notary Public, State of Texas



THE STATE OF TEXAS     }

COUNTY OF                    }

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public, State of Texas

The City of Rockwall, Texas

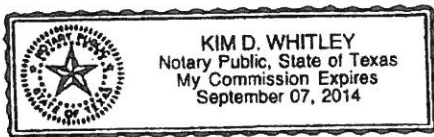
By: [Signature]

\_\_\_\_\_  
\_\_\_\_\_

THE STATE OF TEXAS }

COUNTY OF \_\_\_\_\_ }

This instrument was acknowledged before me on the 8th day of December 2010.



[Signature]



## Exhibit "A" to Development Agreement

RCAD ACCT NO: 0073-0000-0008-00-0R

LEGAL DESCRIPTION: A0073 R DICKENS, TRACT 8, ACRES 2.77

OWNER: TIMOTHY E WHITE

Inst # 00445926

Filed for Record in: Rockwall County  
On: Feb 10, 2011 at 08:32A



City of Rockwall  
*The New Horizon*

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# Building Inspections Department Monthly Report

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June 2023

## Permits

<b>Total Permits Issued:</b>	<b>348</b>
Building Permits:	27
Contractor Permits:	321
<b>Total Commercial Permit Values:</b>	<b>\$9,824,813.46</b>
Building Permits:	\$8,450,000.00
Contractor Permits:	\$1,374,813.46
<b>Total Fees Collected:</b>	<b>\$338,892.45</b>
Building Permits:	\$303,704.92
Contractor Permits:	\$35,187.53

## Board of Adjustment

Board of Adjustment Cases: 1

7/5/2023  
9:43:57AM

City of Rockwall  
PERMITS ISSUED - Summary by Type and Subtype  
For the Period 6/1/2023 to 6/30/2023

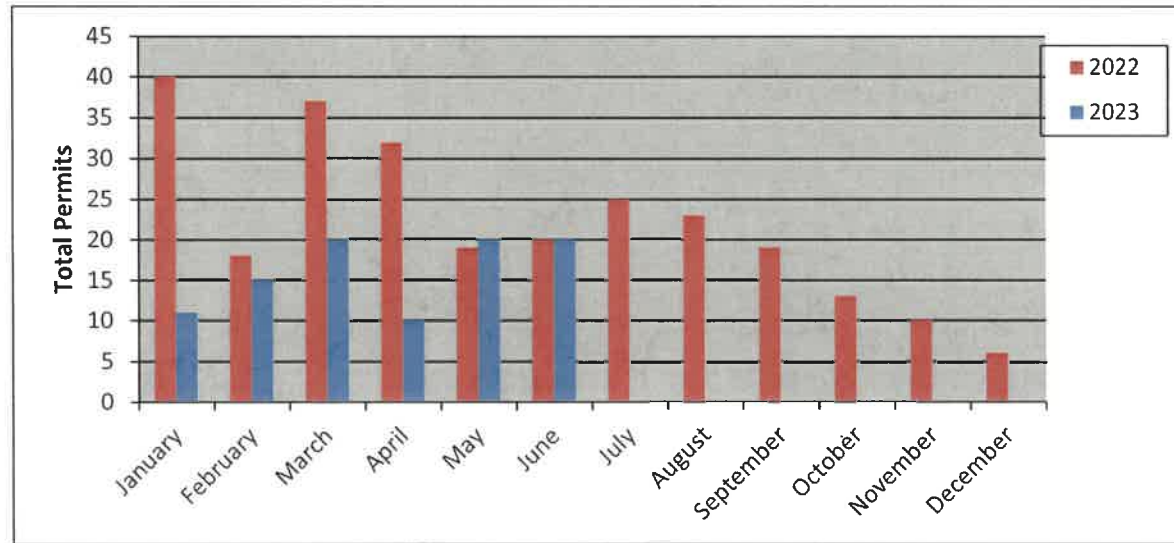
Type/Subtype	# of Permits Issued	Valuation of Work	Fees Charged
Commercial Building Permit	60	\$9,824,813.46	\$166,181.52
Certificate of Occupancy	15		\$1,138.50
Demolition	2		\$51.00
Electrical Permit	10	113,401.00	\$2,064.14
Irrigation Permit	3		\$153.00
New Construction	2	8,450,000.00	\$154,833.07
Plumbing Permit	9	39,889.08	\$1,077.49
Remodel	4	510,888.79	\$4,537.82
Roofing Permit	3	637,000.00	\$229.50
Sign Permit	7	73,634.59	\$585.00
Temporary Certificate of Occupancy	5		\$1,512.00
Residential Building Permit	288		\$172,710.93
Accessory Building Permit	5		\$1,546.22
Backflow Permit	2		\$153.00
Concrete Permit	14		\$1,676.12
Driveway Permit	3		\$1,155.46
Electrical Permit	6		\$609.50
Fence Permit	48		\$2,434.00
Irrigation Permit	22		\$1,675.50
Mechanical Permit	47		\$5,675.00
New Single Family Residential	20		\$147,325.63
Patio Cover/Pergola	14		\$1,562.44
Plumbing Permit	39		\$3,132.50
Pool	9		\$1,365.00
Remodel	2		\$255.00
Retaining Wall Permit	9		\$456.00
Roofing Permit	37		\$2,829.00
Solar Panel Permit	1		\$276.06
Window & Door Permit	10		\$584.50
<b>Totals:</b>	<b>348</b>		<b>\$338,892.45</b>



## New Residential Permits

## Calendar Year

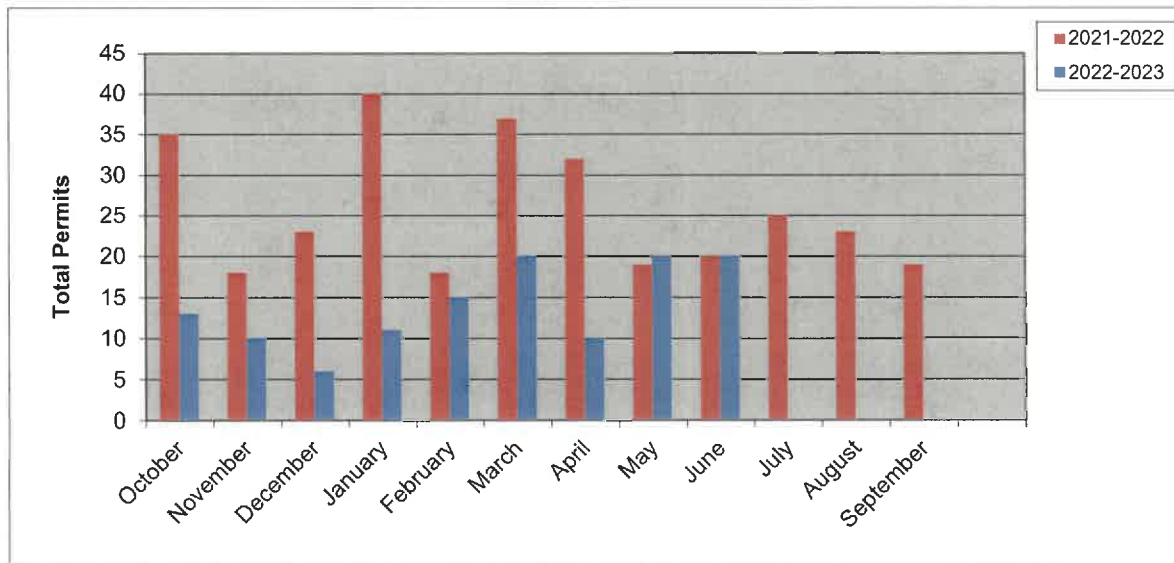
	Year	
	2022	2023
January	40	11
February	18	15
March	37	20
April	32	10
May	19	20
June	20	20
July	25	
August	23	
September	19	
October	13	
November	10	
December	6	
<b>Totals</b>	<b>262</b>	<b>96</b>



## New Residential Permits

## Fiscal Year

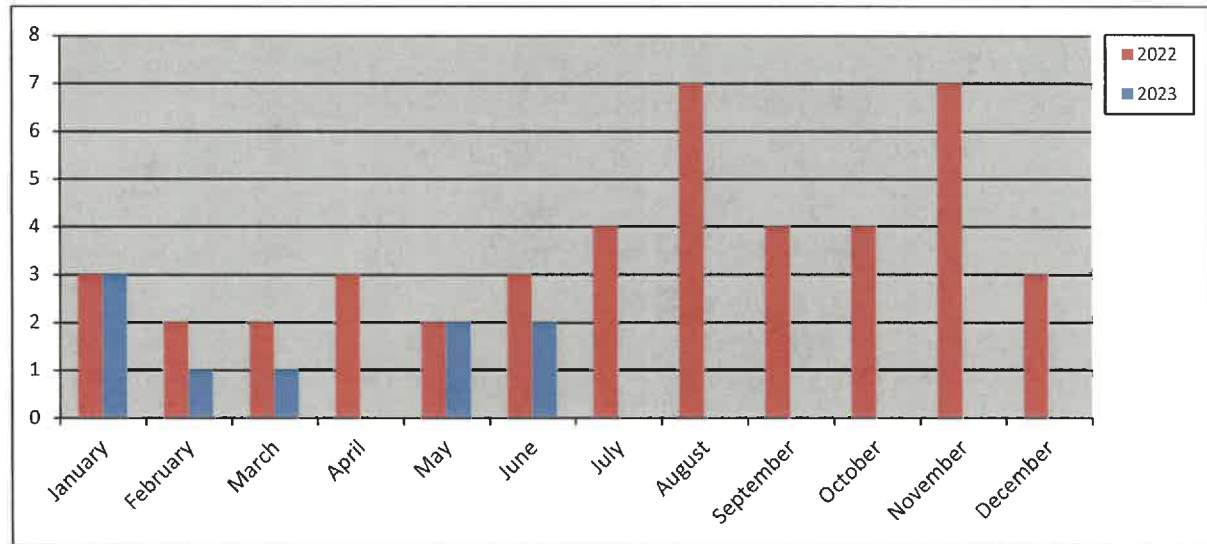
	Year	
	2021-2022	2022-2023
October	35	13
November	18	10
December	23	6
January	40	11
February	18	15
March	37	20
April	32	10
May	19	20
June	20	20
July	25	
August	23	
September	19	
<b>Totals</b>	<b>309</b>	<b>125</b>



## Residential Remodel Permits

## Calendar Year

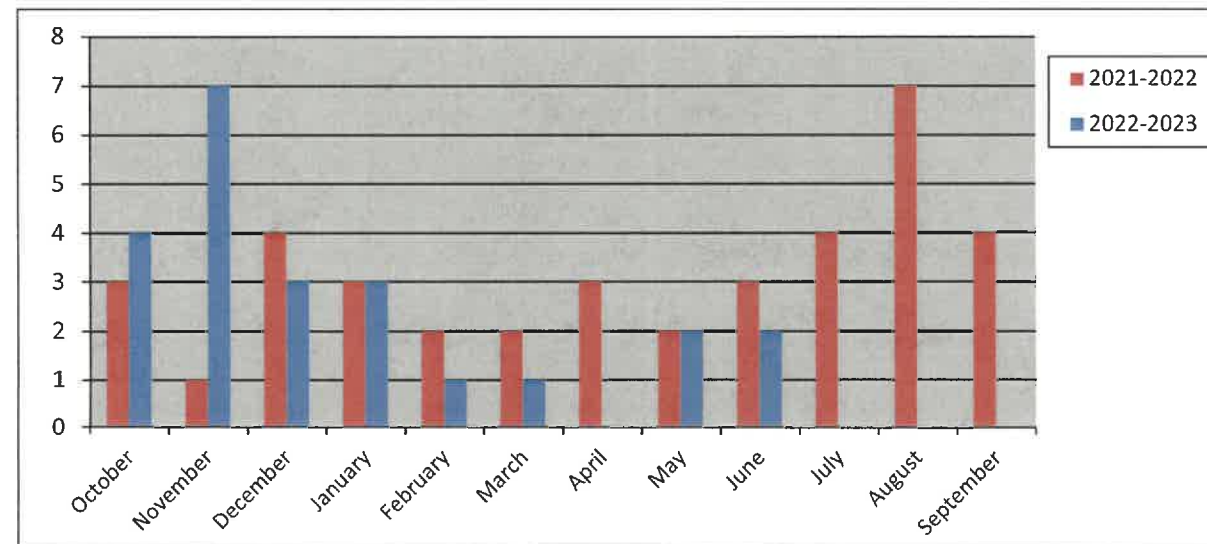
	Year	
	2022	2023
January	3	3
February	2	1
March	2	1
April	3	0
May	2	2
June	3	2
July	4	
August	7	
September	4	
October	4	
November	7	
December	3	
<b>Totals</b>	<b>44</b>	<b>9</b>



## Residential Remodel Permits

## Fiscal Year

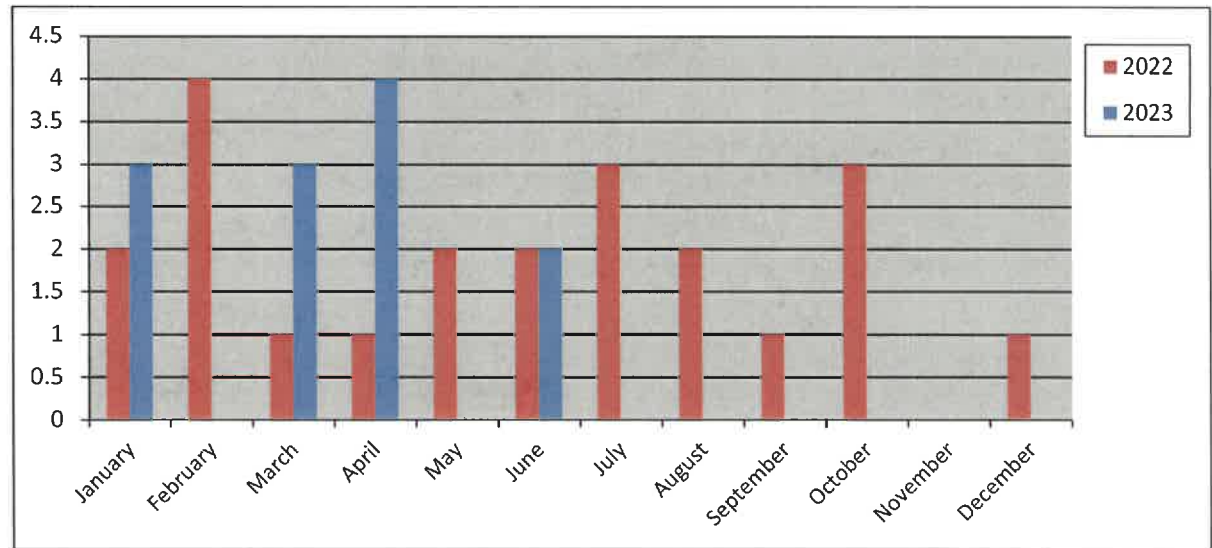
	Year	
	2021-2022	2022-2023
October	3	4
November	1	7
December	4	3
January	3	3
February	2	1
March	2	1
April	3	0
May	2	2
June	3	2
July	4	
August	7	
September	4	
<b>Totals</b>	<b>38</b>	<b>23</b>



## New Commercial Permits

## Calendar Year

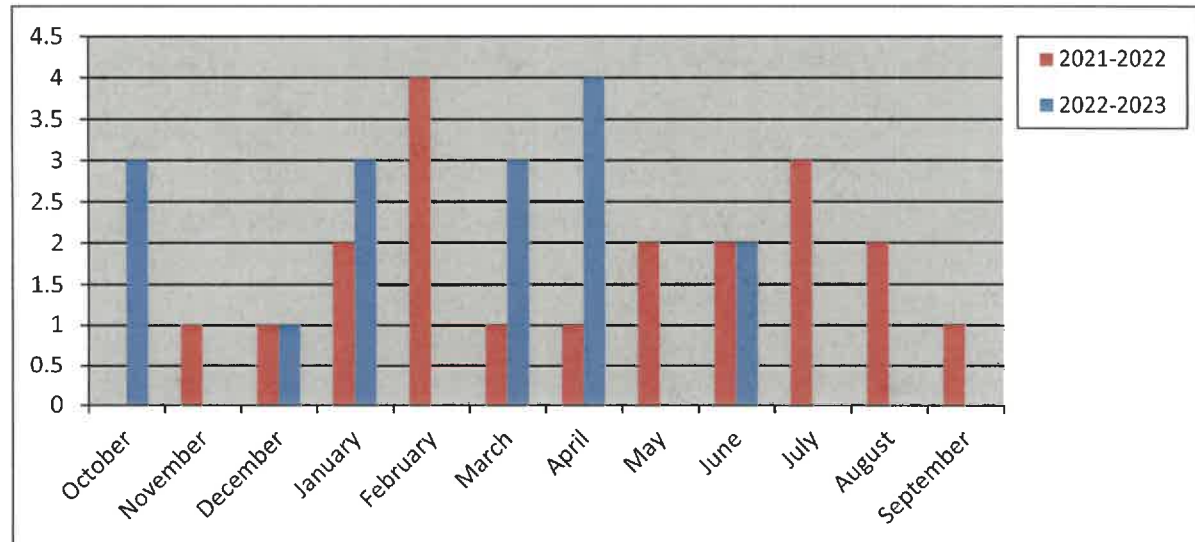
	Year	
	2022	2023
January	2	3
February	4	0
March	1	3
April	1	4
May	2	0
June	2	2
July	3	
August	2	
September	1	
October	3	
November	0	
December	1	
<b>Totals</b>	<b>22</b>	<b>12</b>



## New Commercial Permits

## Fiscal Year

	Year	
	2021-2022	2022-2023
October	0	3
November	1	0
December	1	1
January	2	3
February	4	0
March	1	3
April	1	4
May	2	0
June	2	2
July	3	
August	2	
September	1	
<b>Totals</b>	<b>20</b>	<b>16</b>

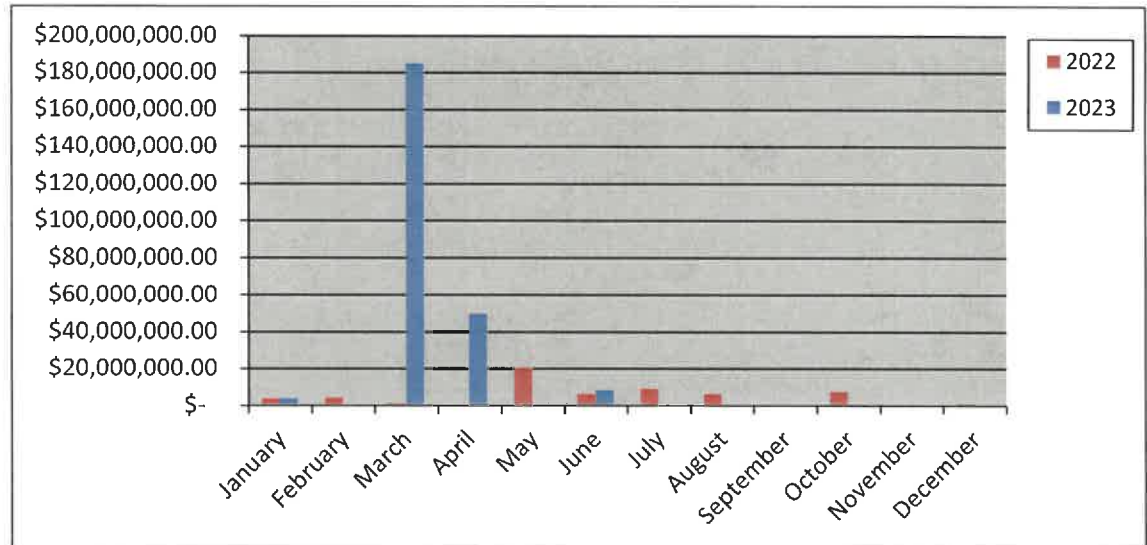




### New Commercial Value

### Calendar Year

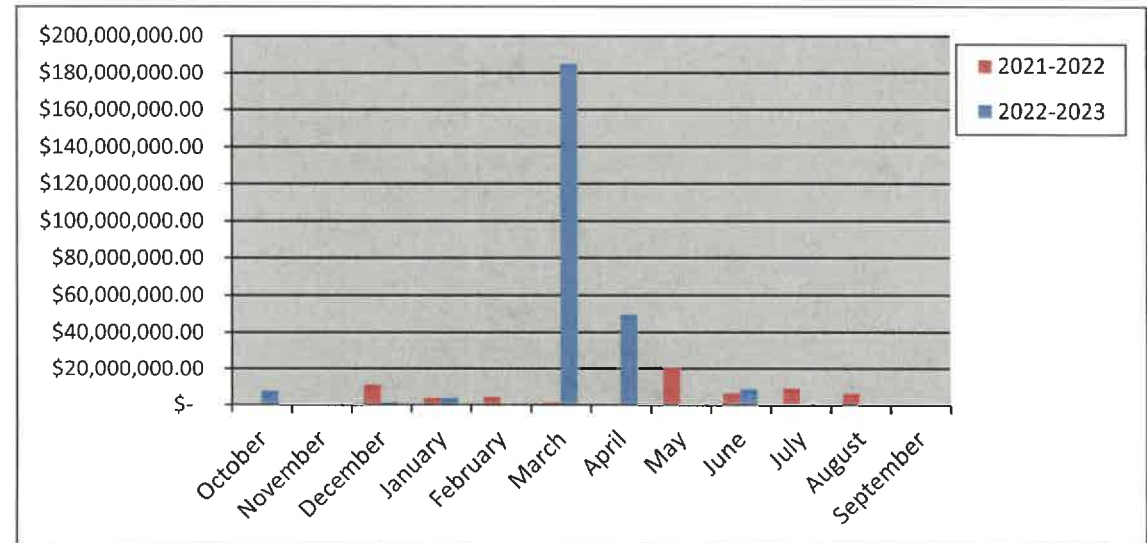
Year		
	2022	2023
January	\$ 3,625,000.00	\$ 3,684,500.00
February	\$ 4,186,300.00	\$ -
March	\$ 1,200,000.00	\$ 184,834,500.00
April	\$ 250,000.00	\$ 49,466,652.00
May	\$ 20,400,000.00	\$ -
June	\$ 6,300,000.00	\$ 8,450,000.00
July	\$ 9,075,000.00	
August	\$ 6,244,700.00	
September	\$ 550,000.00	
October	\$ 7,472,450.00	
November	\$ -	
December	\$ 1,000,000.00	
<b>Totals</b>	<b>\$ 60,303,450.00</b>	<b>\$ 246,435,652.00</b>



### New Commercial Value

### Fiscal Year

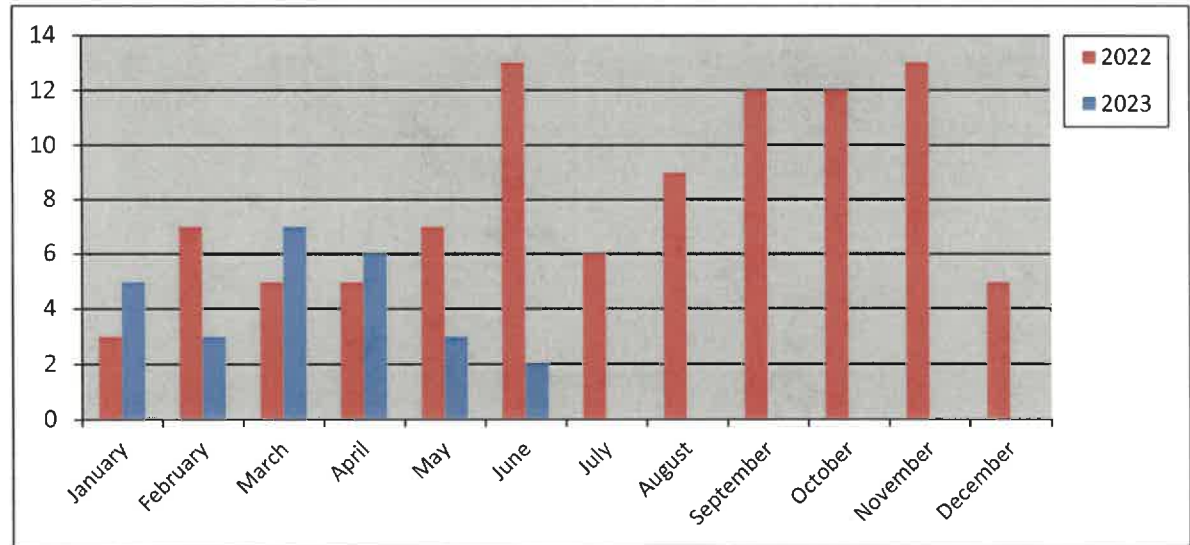
Year		
	2021-2022	2022-2023
October	\$ -	\$ 7,472,450.00
November	\$ 750,000.00	\$ -
December	\$ 11,000,000.00	\$ 1,000,000.00
January	\$ 3,625,000.00	\$ 3,684,500.00
February	\$ 4,186,300.00	\$ -
March	\$ 1,200,000.00	\$ 184,834,500.00
April	\$ 250,000.00	\$ 49,466,652.00
May	\$ 20,400,000.00	\$ -
June	\$ 6,300,000.00	\$ 8,450,000.00
July	\$ 9,075,000.00	
August	\$ 6,244,700.00	
September	\$ 550,000.00	
<b>Totals</b>	<b>\$ 63,581,000.00</b>	<b>\$ 254,908,102.00</b>



## Commercial Remodel Permits

## Calendar Year

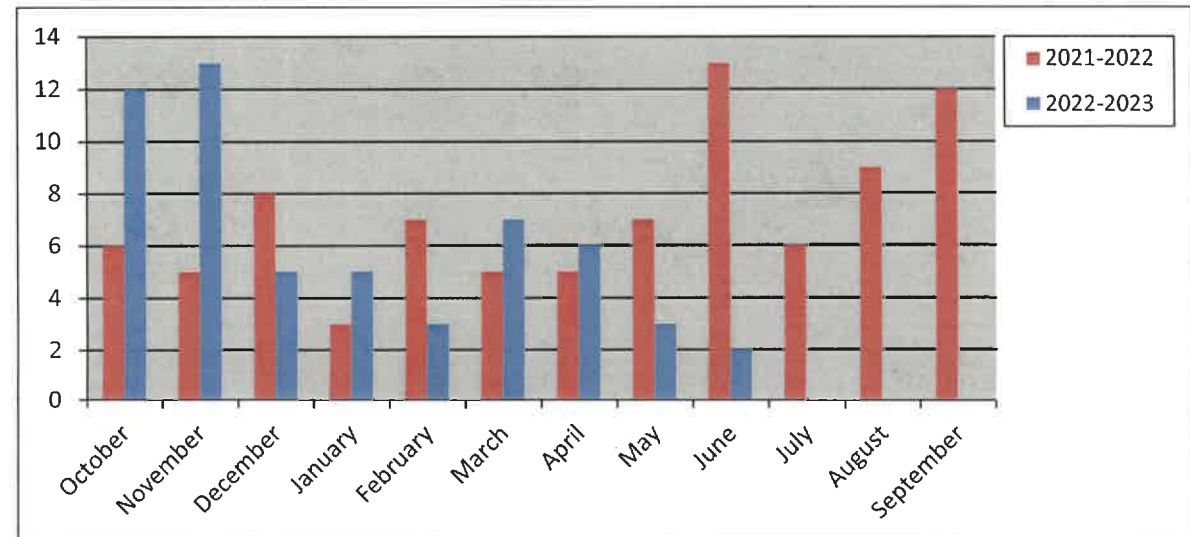
Year		
	2022	2023
January	3	5
February	7	3
March	5	7
April	5	6
May	7	3
June	13	2
July	6	
August	9	
September	12	
October	12	
November	13	
December	5	
<b>Totals</b>	<b>97</b>	<b>26</b>



## Commercial Remodel Permits

## Fiscal Year

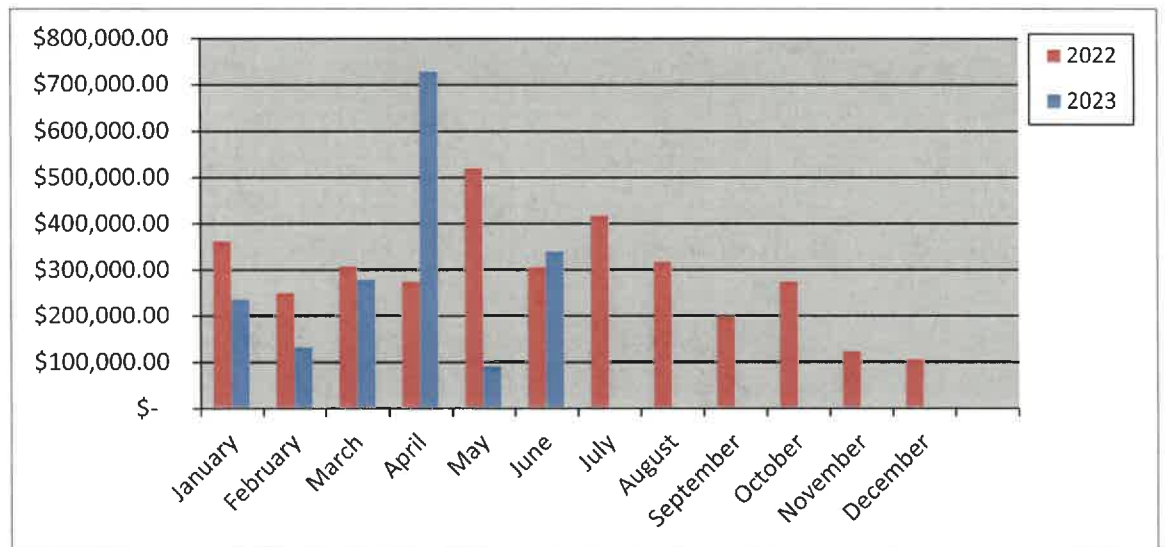
Year		
	2021-2022	2022-2023
October	6	12
November	5	13
December	8	5
January	3	5
February	7	3
March	5	7
April	5	6
May	7	3
June	13	2
July	6	
August	9	
September	12	
<b>Totals</b>	<b>86</b>	<b>56</b>



**Total Fees Collected**

**Calendar Year**

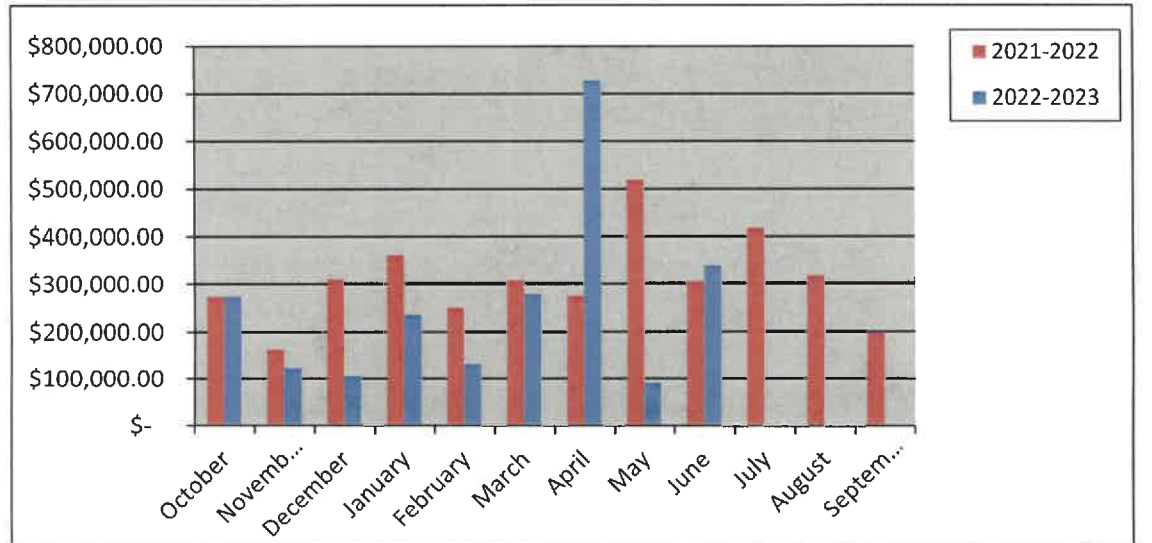
	Year	
	2022	2023
January	\$ 361,270.18	\$ 235,769.45
February	\$ 250,094.89	\$ 131,295.33
March	\$ 307,866.69	\$ 278,577.39
April	\$ 274,768.54	\$ 727,627.76
May	\$ 518,725.96	\$ 91,036.40
June	\$ 304,895.03	\$ 338,892.45
July	\$ 416,616.46	
August	\$ 317,170.14	
September	\$ 197,419.77	
October	\$ 274,314.07	
November	\$ 122,821.42	
December	\$ 105,480.50	
<b>Totals</b>	<b>\$ 3,451,443.65</b>	<b>\$ 1,803,198.78</b>



**Total Fees Collected**

**Fiscal Year**

	Year	
	2021-2022	2022-2023
October	\$ 273,670.22	\$ 274,314.07
November	\$ 163,206.06	\$ 122,821.42
December	\$ 310,002.73	\$ 105,480.50
January	\$ 361,270.18	\$ 235,769.45
February	\$ 250,094.89	\$ 131,295.33
March	\$ 307,866.69	\$ 278,577.39
April	\$ 274,768.54	\$ 727,627.76
May	\$ 518,725.96	\$ 91,036.40
June	\$ 304,895.03	\$ 338,892.45
July	\$ 416,616.46	
August	\$ 317,170.14	
September	\$ 197,419.77	
<b>Totals</b>	<b>\$ 3,695,706.67</b>	<b>\$ 2,305,814.77</b>





9:09:16AM

## CERTIFICATES OF OCCUPANCY ISSUED

For the Period 6/1/2023 to 6/30/2023

Permit Number	Permit Type	Site Address	Total Fees	Fees Paid
Application Date	Subtype	Parcel Number		
Issue Date	Status of Permit	Subdivision Name		
	Business Name	Plan Number	Valuation	Total SQFT
COM2022-7106	Commercial Building Permit			
11/10/2022	Certificate of Occupancy	1616 N LAKESHORE DR	\$76.50	\$76.50
06/26/2023	ISSUED			6,400.00
	St. Benedicts Anglican Church			

Contact Type	Contact Name	Contact Address			
	Business Phone				
Inspection Report C	Gary Akin, Agent/Member	1500 Sunset Hill Dr	Rockwall	TX	75087
Applicant	Gary Akin, Agent/Member	1500 Sunset Hill Dr	Rockwall	TX	75087

## Contractors

COM2023-1692	Commercial Building Permit				
04/19/2023	Temporary Certificate of Occupancy	1915 ALPHA DR, SUITE	\$300.00	\$300.00	
06/07/2023	ISSUED	100, ROCKWALL, TX		18,517.80	
	Cheer Athletics of Rockwall	75087			

Contact Type	Contact Name	Contact Address			
	Business Phone				
Business Owner	Claw the Wall LLC 972-885-2353	1915 Alpha Dr, Suite 100	Rockwall	TX	75087
Property Owner	QA Logistics Rockwall LP	c/o ATCAP Partners	Dallas	TX	75243

## Contractors

COM2023-1787	Commercial Building Permit				
04/25/2023	Certificate of Occupancy	525 NATIONAL DR,	\$75.00	\$75.00	
06/23/2023	ISSUED	ROCKWALL, TX 75032		5,676.00	
	Coast to Coast Communications				

Contact Type	Contact Name	Contact Address			
	Business Phone				
Business Owner	Andrew Marich 210-392-0095	525 National Dr	Rockwall	TX	75087
Property Owner	Rack Holdings, LLC	525 National Dr	Rockwall	TX	75032
Inspection Report C	Andrew Marich	3624 Lakeside Dr	Rockwall	TX	75087

## Contractors

COM2023-1980	Commercial Building Permit				
05/02/2023	Certificate of Occupancy	930 W RALPH HALL	\$76.50	\$76.50	
06/07/2023	ISSUED	PKWY, SUITE 114,		2,390.00	
	Ellie Mental Health	ROCKWALL, TX 75032			

9:09:16AM

## CERTIFICATES OF OCCUPANCY ISSUED

For the Period 6/1/2023 to 6/30/2023

Permit Number	Permit Type	Site Address		Total Fees	
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name			
	Business Name	Plan Number	Valuation	Total SQFT	Fees Paid
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>			
	<b>Business Phone</b>				
Business Owner	Juongil Jeffrey 661-747-0295	331 Chisholm Ranch Drd	Rockwall	TX	75032
Property Owner	Cory Anderson	500 E 4th St	Fort Worth	TX	76102
<b>Contractors</b>					
COM2023-2074	Commercial Building Permit				
05/05/2023	Certificate of Occupancy	2230 RIDGE RD,		\$76.50	\$76.50
06/15/2023	ISSUED	ROCKWALL, TX 75087		950.00	
	DUTCH BROS				
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>			
	<b>Business Phone</b>				
Business Owner	MMCG DBR DFW, LLC 817-505-8117	5750 GENESIS CT, SUITE 103	FRISCO	TX	75034
Property Owner	MMCG DBR DFW, LLC	5750 GENESIS CT, SUITE 103	FRISCO	TX	75034
Inspection Report C	Jason Rogers				
Contact	Justin Oliveri				
<b>Contractors</b>					
COM2023-2118	Commercial Building Permit				
05/09/2023	Certificate of Occupancy	231 RANCH TRL,		\$75.00	\$75.00
06/22/2023	ISSUED	ROCKWALL, TX 75032		5,700.00	
	Horizon Self Storage Building #9 - 13 Units				
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>			
	<b>Business Phone</b>				
Business Owner	Horizon Road Self Storage <del>460</del> -434-2707	231 Ranch Trail	Rockwall	TX	75032
Property Owner	Horizon Road Self Storage LLC	231 Ranch Trail	Rockwall	TX	75032
Inspection Report C	KEVIN WEBB				
<b>Contractors</b>					
COM2023-2119	Commercial Building Permit				
05/09/2023	Certificate of Occupancy	231 RANCH TRL		\$75.00	\$75.00
06/08/2023	ISSUED			11,200.00	
	Horizon Self Storage - Building #7 61 Units				

9:09:16AM

CERTIFICATES OF OCCUPANCY ISSUED

For the Period 6/1/2023 to 6/30/2023

Permit Number	Permit Type	Site Address		Total Fees
Application Date	Subtype	Parcel Number		
Issue Date	Status of Permit	Subdivision Name		
	Business Name	Plan Number	Valuation	Total SQFT Fees Paid
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>		
	<b>Business Phone</b>			
Business Owner	Horizon Road Self Storage 460-434-2707	231 Ranch Trail	Rockwall	TX 75032
Property Owner	Horizon Road Self Storage LLC	231 Ranch Trail	Rockwall	TX 75032
Inspection Report ( KEVIN WEBB				

Contractors

COM2023-2120	Commercial Building Permit			
05/09/2023	Certificate of Occupancy	231 RANCH TRL	\$75.00	\$75.00
06/08/2023	ISSUED		11,200.00	
	Horizon Self Storage - Building #8 63 Units			

Contact Type	Contact Name	Contact Address		
	Business Phone			
Business Owner	Horizon Road Self Storage 460-434-2707	231 Ranch Trail	Rockwall	TX 75032
Property Owner	Horizon Road Self Storage LLC	231 Ranch Trail	Rockwall	TX 75032
Inspection Report ( KEVIN WEBB				

Contractors

COM2023-2121	Commercial Building Permit			
05/09/2023	Certificate of Occupancy	231 RANCH TRAIL,	\$75.00	\$75.00
06/22/2023	ISSUED	ROCKWALL, TX 75032	11,200.00	
	Horizon Self Storage (Bldg 10) 68 Units			

Contact Type	Contact Name	Contact Address		
	Business Phone			
Business Owner	Horizon Road Self Storage 460-434-2707	231 Ranch Trail	Rockwall	TX 75032
Property Owner	Horizon Road Self Storage LLC	231 Ranch Trail	Rockwall	TX 75032
Inspection Report ( KEVIN WEBB				

Contractors

COM2023-2122	Commercial Building Permit			
05/09/2023	Certificate of Occupancy	231 RANCH TRL,	\$75.00	\$75.00
06/22/2023	ISSUED	ROCKWALL, TX 75032	11,200.00	
	Horizon Self Storage - Building #11 - 71 Units			



9:09:16AM

## CERTIFICATES OF OCCUPANCY ISSUED

For the Period 6/1/2023 to 6/30/2023

Permit Number	Permit Type	Site Address		Total Fees	
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name			
	Business Name	Plan Number	Valuation	Total SQFT	Fees Paid
Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	Horizon Road Self Storage 469-434-2707	231 Ranch Trail	Rockwall	TX 75032	
Property Owner	Horizon Road Self Storage LLC	231 Ranch Trail	Rockwall	TX 75032	
Inspection Report C	KEVIN WEBB				

## Contractors

COM2023-2195	Commercial Building Permit				
05/11/2023	Certificate of Occupancy	2876 RIDGE RD,	\$76.50	\$76.50	
06/06/2023	ISSUED	ROCKWALL, 75032		3,700.00	
	Northwestern Mutual				

Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	Blake Gunderson 972-342-3383	459 Keystone Bend	Rockwall	TX 75032	
Property Owner	Blake Gunderson	459 Keystone Bend	Rockwall	TX 75032	
Inspection Report C	Blake Gunderson	459 Keystone Bend	Rockwall	TX 75032	

## Contractors

COM2023-2258	Commercial Building Permit				
05/16/2023	Certificate of Occupancy	3045 N Goliad St, Suite	\$76.50	\$76.50	
06/30/2023	ISSUED	111, Rockwall, TX 75087		1,570.00	
	Los Marquez Tacos				

Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	Nuria I Hernandez-Rivera 469-750-9908	3045 N Goliad St, Suite 111	Rockwall	TX 75087	
Property Owner	Abdul Khan	3045 N Goliad St, Suite 111	Rockwall	TX 75087	

## Contractors

COM2023-2463	Commercial Building Permit				
05/25/2023	Temporary Certificate of Occupancy	3101 FIT SPORT LIFE	\$306.00	\$306.00	
06/02/2023	ISSUED	BLVD		83,000.00	
	Fitsport Life				

9:09:16AM

## CERTIFICATES OF OCCUPANCY ISSUED

For the Period 6/1/2023 to 6/30/2023

Permit Number	Permit Type	Site Address	Total Fees		
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name			
Contact Type	Business Name	Plan Number	Valuation	Total SQFT	Fees Paid
Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	Shane Keilty 206-488-3786	2801 E Camelback Rd	Phoenix	AZ	85016
Inspection Report (	Jose Avila				
Inspection Report (	Chance Peterson				
Property Owner	Structured Rea-Rockwall Land	2801 E Camelback Rd	Phoenix	AZ	85016

## Contractors

COM2023-2467	Commercial Building Permit				
05/25/2023	Certificate of Occupancy	1944 N LAKESHORE DR,		\$76.50	\$76.50
06/28/2023	ISSUED	ROCKWALL, TX 75087		3,486.00	
	Gem MD				

Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	Mackco LLC 972-961-4171	112 Chatfield Dr	Rockwall	TX	75087
Business Owner	Mackco LLC 972-961-4171	112 Chatfield Dr	Rockwall	TX	75087
Applicant	HARRY MAUGE				

## Contractors

COM2023-2470	Commercial Building Permit				
05/25/2023	Certificate of Occupancy	1942 N LAKESHORE DR,		\$76.50	\$76.50
06/28/2023	ISSUED	ROCKWALL, TX 75087		2,545.00	
	Doug Galloway (SHELL BUILDING ONLY)				

Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	Doug Galloway, Managing Partner 972-968-9494	750 N Saint Paul St, S. 250, PMB 63074	Dallas	TX	75201
Business Owner	Doug Galloway, Managing Partner 972-968-9494	750 N Saint Paul St, S. 250, PMB 63074	Dallas	TX	75201
Applicant	HARRY MAUGE				

## Contractors

9:09:16AM

## CERTIFICATES OF OCCUPANCY ISSUED

For the Period 6/1/2023 to 6/30/2023

Permit Number	Permit Type	Site Address	Total Fees		
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name	Valuation	Total SQFT	Fees Paid
	Business Name	Plan Number			
COM2023-2514	Commercial Building Permit				
05/30/2023	Temporary Certificate of Occupancy	3101 FIT SPORT LIFE		\$306.00	\$306.00
06/02/2023	ISSUED	BLVD Suite 100		83,000.00	
	Amerisport				
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>			
	<b>Business Phone</b>				
Business Owner	Amerisport 469-261-5803	3101 Fitsport Llife Blvd	Rockwall	TX	75032
Property Owner	Structured Rea-Rockwall Land	2801 E Camelback Rd	Phoenix	AZ	85016
<b>Contractors</b>					
COM2023-2524	Commercial Building Permit				
05/30/2023	Temporary Certificate of Occupancy	2350 DISCOVERY BLVD,		\$300.00	\$300.00
06/20/2023	ISSUED	ROCKWALL, 75032		39,940.00	
	The Royalton at Discovery Building 5(C) - 34 Units				
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>			
	<b>Business Phone</b>				
Business Owner	SWBC RW2, LP 469-889-1661	5949 SHERRY LN, SUITE 750	Dallas	TX	75225
Property Owner	Spencer Byinton	5949 Sherry Lane	Dallas	TX	75225
<b>Contractors</b>					
COM2023-2558	Commercial Building Permit				
06/01/2023	Temporary Certificate of Occupancy	1000 W YELLOW		\$300.00	\$300.00
06/14/2023	ISSUED	JACKET LN		0.00	
	Wilder Apartments (Temporary Outside Unit Only)				
<b>Contact Type</b>	<b>Contact Name</b>	<b>Contact Address</b>			
	<b>Business Phone</b>				
Business Owner	S2 Canyon Ridge LLC 214-763-1113	5950 Berkshire Ln	Dallas	TX	75225
Property Owner	S2 Canyon Ridge LLC	5950 Berkshire Ln	Dallas	TX	75225
<b>Contractors</b>					
COM2023-2580	Commercial Building Permit				
06/02/2023	Certificate of Occupancy	104 N SAN JACINTO ST		\$76.50	\$76.50
06/02/2023	ISSUED			2,500.00	
	Speak				



9:09:16AM

**CERTIFICATES OF OCCUPANCY ISSUED**

For the Period 6/1/2023 to 6/30/2023

Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number		Total Fees	
Issue Date	Status of Permit	Subdivision Name			
	Business Name	Plan Number	Valuation	Total SQFT	Fees Paid
Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	Tommy Kolleck 949-246-2806	104 N San Jacinto	Rockwall	TX	75032
Property Owner	Marlyn Hefernan	102 S Goliad St	Rockwall	TX	75032

**Contractors**

COM2023-947	Commercial Building Permit				
03/08/2023	Certificate of Occupancy	6601 HORIZON RD	\$76.50		\$76.50
06/28/2023	ISSUED			20,125.00	
	Alliance Shopping Center (Shell Only)				

Contact Type	Contact Name Business Phone	Contact Address			
Business Owner	N&H Legacy Partners LLC 214-869-5862	P.O. Box 818	Terrell	TX	75160
Property Owner	N&H Legacy Partners LLC	P.O. Box 818	Terrell	TX	75160

**Contractors**

20

**Total Valuation:**  
**Total Fees: \$2,650.50**  
**Total Fees Paid: \$2,650.50**



**City of Rockwall**  
*The New Horizon*

## MEMORANDUM

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**TO: Mayor and Council Members**

**FROM: Mary Smith, City Manager**

**DATE: August 4, 2023**

**SUBJECT: June 2023 Budget Report**

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The following analysis is offered for the period ended June 30, 2023 budget report. The budget is established in broad categories with line item estimates. In each category actual expenses as a whole should be considered rather than at the line item level. The typical budget threshold for this period is 75%. The below categories exceed the threshold but most are not unusual for this time of year. Those line items which may require increases or off-setting decreases will be developed as we finalize the budget setting process for the next fiscal year.

### General Fund Revenues

- All revenues are coming in at or above expected levels with a few exceptions. Overall revenues are at 92% of budget due to the timing of property tax payments early in the year.
- Sales tax – despite budgeting for sales tax revenue to be flat we are running close to 4.8% ahead of projection.
- Building Permits – continue to be in decline for new builds but remodels and upgrade like pools are still strong.
- Construction inspection fees are well ahead of budget projections due to several larger projects which began this year.

### General Fund Expenditures

There are not any remarkable variances from budgeted expenditures. Overall, the General Fund is running at 74% for 3 quarters of the budget year.

The exception is vehicles and other large capital items – we have a large number of vehicles which were ordered last budget year but are reflected as Purchase Orders in the report. We have had several delivered this year from order's placed as much as two years ago. The budget appropriation was in the year it was ordered so we will need to amend those received this year into the budget. They were planned from Reserves

This can be seen in the Fire Marshal, Police Administration, and CID so far this year. We hope to get a couple more vehicles in before the end of September. The Internal Operations capital category is due to the Generator project which has taken two years and is nearing completion.

### Water / Sewer Revenues

- Water sales – sales are on pace with other summers. The majority of our revenue is from July – September consumption. With the dry, hot weather this summer should be no exception.

- All other revenues are in line with projections – the majority of sales to wholesale customers takes place June – September and will be benefiting from the hot, dry weather but that bump is tempered by the contract maximum provision.

#### Water / Sewer Expenditures

- Generally, these accounts are within normal ranges for this period. NTMWD requires payments in advance for the various services they provide so those categories can seem ahead of budget projections but that will resolve itself when we pay the 12<sup>th</sup> invoice in August.
- Sewer Capital – same note as in the General Fund. We ordered a Dump Truck in October 2021 and finally received it in April 2023. All other accounts are within thresholds.



**CITY OF ROCKWALL  
REPORT OF REVENUES  
FOR THE PERIOD ENDED JUNE 30, 2023  
WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

**GENERAL FUND**

	Fiscal Year 2022			Fiscal Year 2023		
	Amended	Actual	Percentage	Amended	Actual	Percentage
<b>00 REVENUES</b>						
<b>311 - PROPERTY TAXES</b>						
4100 - CURRENT PROPERTY TAXES	13,388,800	13,609,455	101.65%	13,910,850	13,857,445	99.62%
4105 - DELIQUENT PROPERTY TAX	80,000	87,822	109.78%	80,000	60,589	75.74%
4110 - PENALTY AND INTEREST	60,000	75,223	125.37%	60,000	51,649	86.08%
<b>311 - PROPERTY TAXES Total</b>	<b>13,528,800</b>	<b>13,772,500</b>	<b>101.80%</b>	<b>14,050,850</b>	<b>13,969,683</b>	<b>99.42%</b>
<b>313 - SALES TAXES</b>						
4150 - CITY SALES TAX	25,800,000	25,720,309	99.69%	25,800,000	22,139,959	85.81%
4155 - BEVERAGE TAXES	200,000	344,053	172.03%	200,000	308,173	154.09%
<b>313 - SALES TAXES Total</b>	<b>26,000,000</b>	<b>26,064,362</b>	<b>100.25%</b>	<b>26,000,000</b>	<b>22,448,132</b>	<b>86.34%</b>
<b>315 - FRANCHISE FEES</b>						
4201 - ELECTRIC FRANCHISE FEES	1,960,000	2,182,951	111.38%	2,065,000	1,828,596	88.55%
4203 - TELEPHONE FRANCHISE FEES	95,000	75,186	79.14%	70,000	48,667	69.52%
4205 - GAS FRANCHISE FEES	70,500	706,315	1001.87%	650,000	898,277	138.20%
4207 - CABLE TV FRANCHISE FEE	295,000	281,667	95.48%	295,000	211,033	71.54%
4209 - GARBAGE FRANCHISE FEE	350,000	403,234	115.21%	360,000	297,126	82.53%
<b>315 - FRANCHISE FEES Total</b>	<b>2,770,500</b>	<b>3,649,353</b>	<b>131.72%</b>	<b>3,440,000</b>	<b>3,283,699</b>	<b>95.46%</b>
<b>318 - FEES</b>						
4250 - PARK & RECREATION FEES	15,000	30,353	202.35%	18,000	30,008	166.71%
4251 - MUNICIPAL POOL FEES	22,000	11,074	50.34%	22,000	6,881	31.28%
4253 - CENTER RENTALS-7%	10,000	26,037	260.37%	15,000	21,375	142.50%
4255 - HARBOR RENTALS	10,000	7,290	72.90%	1,000	7,400	740.00%
4270 - CODE ENFORCEMENT FEES	10,000	54,525	545.25%	15,000	48,466	323.11%
4280 - PLANNING AND ZONING FEES	88,000	108,412	123.20%	75,000	59,725	79.63%
4283 - CONSTRUCTION INSPECTION	1,300,000	1,307,276	100.56%	500,000	1,124,190	224.84%
4288 - MIXED BEVERAGE PERMIT FEE	15,000	10,855	72.37%	15,000	15,520	103.47%
4295 - FIRE-PLAN REVIEW FEES	4,500	10,855	241.22%	4,500	4,350	96.67%
<b>318 - FEES Total</b>	<b>1,474,500</b>	<b>1,566,677</b>	<b>106.25%</b>	<b>665,500</b>	<b>1,317,915</b>	<b>198.03%</b>
<b>321 - PERMITS</b>						
4300 - BUILDING PERMITS	1,150,000	1,123,763	97.72%	1,150,000	712,799	61.98%
4302 - FENCE PERMITS	20,000	28,225	141.13%	20,000	20,950	104.75%
4304 - ELECTRICAL PERMITS	25,000	60,141	240.56%	25,000	45,235	180.94%
4306 - PLUMBING PERMITS	50,000	73,640	147.28%	50,000	61,797	123.59%
4308 - MECHANICAL PERMITS	55,000	28,665	52.12%	55,000	24,650	44.82%
4310 - DAY CARE CENTER PERMITS	5,500	4,643	84.42%	5,500	4,370	79.45%
4312 - HEALTH PERMITS	132,000	117,096	88.71%	132,000	117,236	88.82%
4314 - SIGN PERMITS	20,000	17,425	87.13%	20,000	15,375	76.88%
4320 - MISC. PERMITS	50,000	108,083	216.17%	65,000	105,185	161.82%
<b>321 - PERMITS Total</b>	<b>1,507,500</b>	<b>1,561,681</b>	<b>103.59%</b>	<b>1,522,500</b>	<b>1,107,597</b>	<b>72.75%</b>

**322 - MUNICIPAL COURT**

4400 - COURT FINES	250,000	233,761	93.50%	275,000	192,673	70.06%
4402 - COURT FEES	50,000	58,485	116.97%	60,000	42,595	70.99%
4404 - WARRANT FEES	30,000	21,333	71.11%	30,000	18,535	61.78%
4406 - COURT DEFERRAL FEES	80,000	94,394	117.99%	90,000	71,894	79.88%
4408 - ANIMAL REGISTRATION FEE	5,000	4,716	94.32%	5,000	4,374	87.48%
4414 - ALARM FEES AND FINES	59,000	65,982	111.83%	62,000	31,714	51.15%
<b>322 - MUNICIPAL COURT Total</b>	<b>474,000</b>	<b>478,671</b>	<b>100.99%</b>	<b>522,000</b>	<b>361,785</b>	<b>69.31%</b>

**323 - MISCELLANEOUS REVENUE**

4001 - INTEREST EARNINGS	50,000	5,077	10.15%	50,000	1,097,891	2195.78%
4007 - SALE OF SUPPLIES	500	55	11.00%	500	113	22.60%
4010 - AUCTION /SCRAP PROCEEDS	20,000	13,636	68.18%	20,000	-	0.00%
4019 - MISCELLANEOUS REVENUE	245,000	269,247	109.90%	30,000	81,794	272.65%
<b>323 - MISCELLANEOUS REVENUE Total</b>	<b>315,500</b>	<b>288,015</b>	<b>91.29%</b>	<b>100,500</b>	<b>1,179,798</b>	<b>1173.93%</b>

**330 - INTERGOVERNMENTAL REVENUES**

4500 - GRANT PROCEEDS	1,013,850	5,977,109	589.55%	1,463,150	484,325	33.10%
4510 - SCHOOL PATROLS	621,850	82,357	13.24%	741,200	691,719	93.32%
4520 - COUNTY CONTRACTS	1,000	240	24.00%	1,000	640	64.00%
4530 - CITY CONTRACTS	525,650	635,149	120.83%	594,700	446,028	75.00%
<b>330 - INTERGOVERNMENTAL REVENUES Total</b>	<b>2,162,350</b>	<b>6,694,855</b>	<b>309.61%</b>	<b>2,800,050</b>	<b>1,622,712</b>	<b>57.95%</b>

## 391 - OPERATING TRANSFERS

4902 - TRANSFER IN - W/S	300,000	300,000	100.00%	400,000	400,000	100.00%
<b>391 - OPERATING TRANSFERS Total</b>	<b>300,000</b>	<b>300,000</b>		<b>400,000</b>	<b>400,000</b>	<b>100.00%</b>

**NON - NON-OPERATING REVENUES**

4480 - TOWER LEASES	25,000	23,516	94.06%	25,000	18,568	74.27%
4680 - DEVELOPER CONTRIBUTIONS	65,050	65,050	100.00%	30,000	-	0.00%
<b>NON - NON-OPERATING REVENUES Total</b>	<b>90,050</b>	<b>88,566</b>	<b>98.35%</b>	<b>55,000</b>	<b>18,568</b>	<b>33.76%</b>

<b>00 REVENUES Total</b>	<b>48,623,200</b>	<b>54,464,680</b>	<b>112.01%</b>	<b>49,556,400</b>	<b>45,709,889</b>	<b>92.24%</b>
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**CITY OF ROCKWALL  
REPORT OF EXPENDITURES  
FOR THE PERIOD ENDED JUNE 30, 2023  
WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

**GENERAL FUND**

	Fiscal Calendar 2022			Fiscal Calendar 2023		
	Amended Budget	Actual	Percentage	Amended Budget	Actual	Percentage
<b>01 MAYOR/COUNCIL</b>						
10 - PERSONNEL SERVICES	24,200	18,147	74.99%	24,200	18,166	75.07%
20 - CONTRACTUAL	42,100	56,297	133.72%	69,700	68,805	98.72%
30 - SUPPLIES	1,250	315	25.24%	1,250	920	73.58%
40 - OPERATIONS	58,000	27,534	47.47%	52,700	30,601	58.07%
<b>01 MAYOR/COUNCIL Total</b>	<b>125,550</b>	<b>102,293</b>	<b>81.48%</b>	<b>147,850</b>	<b>118,492</b>	<b>80.14%</b>
<b>05 ADMINISTRATION</b>						
10 - PERSONNEL SERVICES	1,025,550	739,570	72.11%	1,255,800	815,522	64.94%
20 - CONTRACTUAL	895,150	659,259	73.65%	946,800	697,141	73.63%
30 - SUPPLIES	19,500	16,216	83.16%	19,500	15,473	79.35%
391 - OPERATING TRANSFERS	4,049,500	4,086,500	100.91%	3,300,450	2,975,000	90.14%
40 - OPERATIONS	70,750	49,573	70.07%	59,000	55,193	93.55%
50 - UTILITIES	8,300	3,960	47.71%	8,300	4,148	49.98%
<b>05 ADMINISTRATION Total</b>	<b>6,068,750</b>	<b>5,555,079</b>	<b>91.54%</b>	<b>5,589,850</b>	<b>4,562,477</b>	<b>81.62%</b>
<b>06 ADMINISTRATIVE SERVICES</b>						
10 - PERSONNEL SERVICES	431,350	318,280	73.79%	411,850	339,745	82.49%
20 - CONTRACTUAL	6,500	6,920	106.46%	7,500	7,508	100.10%
30 - SUPPLIES	2,000	384	19.22%	1,500	896	59.71%
40 - OPERATIONS	52,250	32,086	61.41%	48,700	29,090	59.73%
50 - UTILITIES	3,500	1,674	47.83%	3,500	892	25.49%
<b>06 ADMINISTRATIVE SERVICES Total</b>	<b>495,600</b>	<b>359,345</b>	<b>72.51%</b>	<b>473,050</b>	<b>378,131</b>	<b>79.93%</b>
<b>07 INFORMATION TECHNOLOGY</b>						
10 - PERSONNEL SERVICES	550,100	336,249	61.13%	584,300	307,155	52.57%
20 - CONTRACTUAL	402,950	254,812	63.24%	510,500	373,485	73.16%
30 - SUPPLIES	22,100	17,426	78.85%	22,200	14,197	63.95%
40 - OPERATIONS	17,500	4,418	25.25%	17,500	2,946	16.83%
50 - UTILITIES	6,150	3,747	60.92%	6,150	3,779	61.45%
60 - CAPITAL	233,960	234,288	100.14%	-	-	0.00%
<b>07 INFORMATION TECHNOLOGY Total</b>	<b>1,232,760</b>	<b>850,940</b>	<b>69.03%</b>	<b>1,140,650</b>	<b>701,562</b>	<b>61.51%</b>
<b>09 INTERNAL OPERATIONS</b>						
10 - PERSONNEL SERVICES	689,400	493,971	71.65%	755,000	593,309	78.58%
20 - CONTRACTUAL	927,100	922,741	99.53%	1,401,000	1,284,663	91.70%
30 - SUPPLIES	83,900	75,481	89.97%	93,900	70,497	75.08%
40 - OPERATIONS	3,100	997	32.16%	3,100	461	14.88%
50 - UTILITIES	435,100	318,987	73.31%	410,100	330,547	80.60%
60 - CAPITAL	1,396,340	1,408,183	100.85%	110,900	515,658	464.98%
<b>09 INTERNAL OPERATIONS Total</b>	<b>3,534,940</b>	<b>3,220,360</b>	<b>91.10%</b>	<b>2,774,000</b>	<b>2,795,135</b>	<b>100.76%</b>
<b>15 FINANCE</b>						
<b>11 FINANCE</b>						
10 - PERSONNEL SERVICES	549,450	255,726	46.54%	568,800	315,754	55.51%
20 - CONTRACTUAL	417,300	336,656	80.67%	502,900	334,243	66.46%
30 - SUPPLIES	71,250	44,956	63.10%	64,250	49,240	76.64%
40 - OPERATIONS	9,000	3,251	36.12%	9,000	7,032	78.13%
50 - UTILITIES	1,250	846	67.68%	1,250	846	67.68%
<b>11 FINANCE Total</b>	<b>1,048,250</b>	<b>641,434</b>	<b>61.19%</b>	<b>1,146,200</b>	<b>707,114</b>	<b>61.69%</b>



<b>15 MUNICIPAL COURT</b>						
10 - PERSONNEL SERVICES	360,450	256,009	71.02%	387,900	291,098	75.04%
20 - CONTRACTUAL	130,300	90,213	69.24%	128,500	95,863	74.60%
30 - SUPPLIES	4,750	2,106	44.33%	4,750	4,091	86.13%
40 - OPERATIONS	5,000	2,177	43.54%	5,000	3,016	60.31%
<b>15 MUNICIPAL COURT Total</b>	<b>500,500</b>	<b>350,505</b>	<b>70.03%</b>	<b>526,150</b>	<b>394,068</b>	<b>74.90%</b>
<b>20 FIRE</b>						
<b>25 OPERATIONS</b>						
10 - PERSONNEL SERVICES	5,759,650	4,048,085	70.28%	6,295,200	4,491,315	71.35%
20 - CONTRACTUAL	236,500	234,145	99.00%	243,000	255,666	105.21%
30 - SUPPLIES	118,650	96,018	80.93%	161,650	93,236	57.68%
40 - OPERATIONS	53,100	34,202	64.41%	49,500	43,407	87.69%
50 - UTILITIES	4,300	2,700	62.79%	4,300	2,700	62.79%
60 - CAPITAL	-	-		560,000	48,625	8.68%
<b>25 OPERATIONS Total</b>	<b>6,172,200</b>	<b>4,415,151</b>	<b>71.53%</b>	<b>7,313,650</b>	<b>4,934,949</b>	<b>67.48%</b>
<b>29 FIRE MARSHAL</b>						
10 - PERSONNEL SERVICES	607,200	429,750	70.78%	640,000	464,004	72.50%
20 - CONTRACTUAL	29,400	27,227	92.61%	29,000	21,533	74.25%
30 - SUPPLIES	60,600	31,210	51.50%	74,900	48,558	64.83%
40 - OPERATIONS	23,000	9,888	42.99%	28,000	18,594	66.41%
50 - UTILITIES	5,000	3,384	67.68%	5,000	3,337	66.74%
60 - CAPITAL	47,000	45,188	96.14%	110,650	169,081	152.81%
<b>29 FIRE MARSHAL Total</b>	<b>772,200</b>	<b>546,647</b>	<b>70.79%</b>	<b>887,550</b>	<b>725,108</b>	<b>81.70%</b>
<b>30 POLICE</b>						
<b>31 POLICE ADMINISTRATION</b>						
10 - PERSONNEL SERVICES	1,310,000	923,835	70.52%	1,401,600	950,522	67.82%
20 - CONTRACTUAL	108,000	114,751	106.25%	126,300	107,073	84.78%
30 - SUPPLIES	20,500	21,729	105.99%	31,500	12,953	41.12%
40 - OPERATIONS	76,750	35,732	46.56%	89,150	34,787	39.02%
50 - UTILITIES	9,000	4,987	55.41%	9,000	4,630	51.44%
60 - CAPITAL	37,000	32,767	88.56%	-	34,673	-
<b>31 POLICE ADMINISTRATION Total</b>	<b>1,561,250</b>	<b>1,133,801</b>	<b>72.62%</b>	<b>1,657,550</b>	<b>1,144,637</b>	<b>69.06%</b>
<b>32 COMMUNICATIONS</b>						
10 - PERSONNEL SERVICES	1,098,500	771,842	70.26%	1,297,700	905,874	69.81%
20 - CONTRACTUAL	337,100	331,425	98.32%	415,300	363,729	87.58%
30 - SUPPLIES	5,950	3,894	65.45%	7,450	4,704	63.14%
40 - OPERATIONS	15,150	7,337	48.43%	13,150	7,416	56.40%
50 - UTILITIES	3,700	2,285	61.76%	4,900	2,323	47.41%
60 - CAPITAL	4,600	4,061	88.28%	-	-	0.00%
<b>32 COMMUNICATIONS Total</b>	<b>1,465,000</b>	<b>1,120,844</b>	<b>76.51%</b>	<b>1,738,500</b>	<b>1,284,046</b>	<b>73.86%</b>
<b>33 PATROL</b>						
10 - PERSONNEL SERVICES	5,896,550	4,557,685	77.29%	6,674,250	4,494,235	67.34%
20 - CONTRACTUAL	112,800	146,715	130.07%	157,000	133,864	85.26%
30 - SUPPLIES	393,800	363,557	92.32%	547,550	351,987	64.28%
40 - OPERATIONS	51,900	73,996	142.57%	86,000	54,024	62.82%
50 - UTILITIES	15,950	9,687	60.73%	15,950	8,928	55.97%
60 - CAPITAL	544,150	663,591	121.95%	691,000	679,141	98.28%
<b>33 PATROL Total</b>	<b>7,015,150</b>	<b>5,815,231</b>	<b>82.90%</b>	<b>8,171,750</b>	<b>5,722,179</b>	<b>70.02%</b>

<b>34 CRIMINAL INVESTIGATIONS</b>						
10 - PERSONNEL SERVICES	1,933,450	1,133,132	58.61%	2,002,200	1,542,542	77.04%
20 - CONTRACTUAL	102,300	85,382	83.46%	124,600	66,981	53.76%
30 - SUPPLIES	46,800	35,620	76.11%	50,800	31,740	62.48%
40 - OPERATIONS	13,700	17,832	130.16%	17,800	12,102	67.99%
50 - UTILITIES	19,550	8,122	41.54%	19,550	8,760	44.81%
60 - CAPITAL	87,200	108,636	124.58%	101,500	136,567	134.55%
<b>34 CRIMINAL INVESTIGATIONS Total</b>	<b>2,203,000</b>	<b>1,388,723</b>	<b>63.04%</b>	<b>2,316,450</b>	<b>1,798,692</b>	<b>77.65%</b>
<b>35 COMMUNITY SERVICES</b>						
10 - PERSONNEL SERVICES						
20 - CONTRACTUAL	1,475,500	1,132,885	76.78%	1,724,650	1,331,666	77.21%
30 - SUPPLIES	180,900	190,820	105.48%	189,750	173,682	91.53%
40 - OPERATIONS	85,550	53,209	62.20%	106,550	50,521	47.42%
50 - UTILITIES	9,900	5,484	55.40%	9,900	1,640	16.56%
60 - CAPITAL	4,900	2,774	56.61%	4,900	2,413	49.25%
<b>35 COMMUNITY SERVICES Total</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>	<b>111,000</b>	<b>85,795</b>	<b>77.29%</b>
	<b>1,756,750</b>	<b>1,385,174</b>	<b>78.85%</b>	<b>2,146,750</b>	<b>1,645,717</b>	<b>76.66%</b>
<b>36 WARRANTS</b>						
10 - PERSONNEL SERVICES	252,850	179,099	70.83%	276,500	195,008	70.53%
20 - CONTRACTUAL	2,600	462	17.77%	2,600	832	32.01%
30 - SUPPLIES	2,700	940	34.80%	3,150	735	23.33%
50 - UTILITIES	-	-	0.00%	-	-	0.00%
<b>36 WARRANTS Total</b>	<b>900</b>	<b>-</b>	<b>0.00%</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>
	<b>259,050</b>	<b>180,500</b>	<b>69.68%</b>	<b>282,250</b>	<b>196,575</b>	<b>69.65%</b>
<b>37 POLICE RECORDS</b>						
10 - PERSONNEL SERVICES						
20 - CONTRACTUAL	322,050	239,713	74.43%	345,400	265,701	76.93%
30 - SUPPLIES	7,150	3,195	44.68%	3,900	698	17.90%
40 - OPERATIONS	2,450	1,655	67.56%	2,950	2,127	72.09%
50 - UTILITIES	5,100	146	2.86%	5,100	2,737	53.67%
<b>37 POLICE RECORDS Total</b>	<b>1,750</b>	<b>399</b>	<b>22.83%</b>	<b>-</b>	<b>-</b>	<b>0.00%</b>
	<b>338,500</b>	<b>245,109</b>	<b>72.41%</b>	<b>357,350</b>	<b>271,263</b>	<b>75.91%</b>
<b>40 COMMUNITY DEVELOPMENT</b>						
<b>41 PLANNING</b>						
10 - PERSONNEL SERVICES	712,350	482,823	67.78%	829,800	544,752	65.65%
20 - CONTRACTUAL	99,150	87,570	88.32%	87,600	60,180	68.70%
30 - SUPPLIES	4,400	1,377	31.30%	4,400	3,040	69.09%
40 - OPERATIONS	35,000	12,370	35.34%	36,700	22,090	60.19%
50 - UTILITIES	1,300	846	65.08%	1,300	846	65.08%
<b>41 PLANNING Total</b>	<b>852,200</b>	<b>584,985</b>	<b>68.64%</b>	<b>959,800</b>	<b>630,907</b>	<b>65.73%</b>
<b>42 NEIGHBORHOOD IMPROVEMENT</b>						
10 - PERSONNEL SERVICES	380,900	240,046	63.02%	380,900	267,892	70.33%
20 - CONTRACTUAL	174,900	86,427	49.42%	184,700	102,298	55.39%
30 - SUPPLIES	19,050	10,786	56.62%	21,500	7,813	36.34%
40 - OPERATIONS	9,650	2,339	24.24%	9,650	2,425	25.12%
50 - UTILITIES	4,100	2,594	63.27%	3,750	1,912	50.97%
<b>42 NEIGHBORHOOD IMPROVEMENT Total</b>	<b>588,600</b>	<b>342,193</b>	<b>58.14%</b>	<b>600,500</b>	<b>382,339</b>	<b>63.67%</b>
<b>43 BUILDING INSPECTIONS</b>						
10 - PERSONNEL SERVICES	651,450	527,804	81.02%	787,350	558,037	70.88%
20 - CONTRACTUAL	95,400	84,436	88.51%	129,000	110,258	85.47%
30 - SUPPLIES	15,000	9,616	64.11%	19,800	5,608	28.32%
40 - OPERATIONS	13,250	6,589	49.73%	13,250	8,922	67.33%
50 - UTILITIES	6,400	4,390	68.59%	6,400	4,120	64.37%
<b>43 BUILDING INSPECTIONS Total</b>	<b>781,500</b>	<b>632,835</b>	<b>80.98%</b>	<b>955,800</b>	<b>686,944</b>	<b>71.87%</b>

<b>45 PARKS AND RECREATION</b>						
<b>45 PARKS</b>						
10 - PERSONNEL SERVICES	1,439,250	971,734	67.52%	1,497,800	1,059,510	70.74%
20 - CONTRACTUAL	876,700	520,746	59.40%	1,020,000	699,268	68.56%
30 - SUPPLIES	557,550	449,818	80.68%	611,500	527,354	86.24%
40 - OPERATIONS	18,250	10,168	55.71%	18,250	9,871	54.09%
50 - UTILITIES	342,500	187,436	54.73%	342,500	162,479	47.44%
60 - CAPITAL	49,000	48,910	99.82%	185,000	180,774	97.72%
<b>45 PARKS Total</b>	<b>3,283,250</b>	<b>2,188,811</b>	<b>66.67%</b>	<b>3,675,050</b>	<b>2,639,256</b>	<b>71.82%</b>
<b>46 HARBOR O &amp; M</b>						
10 - PERSONNEL SERVICES	129,850	96,755	74.51%	141,050	106,206	75.30%
20 - CONTRACTUAL	240,300	151,344	62.98%	260,300	174,857	67.18%
30 - SUPPLIES	98,000	33,301	33.98%	101,000	33,381	33.05%
40 - OPERATIONS	1,050	-	0.00%	1,050	320	30.48%
50 - UTILITIES	123,600	89,101	72.09%	123,600	92,068	74.49%
60 - CAPITAL	47,500	49,922	105.10%	-	-	0.00%
<b>46 HARBOR O &amp; M Total</b>	<b>640,300</b>	<b>420,424</b>	<b>65.66%</b>	<b>627,000</b>	<b>406,832</b>	<b>64.89%</b>
<b>47 RECREATION</b>						
10 - PERSONNEL SERVICES	865,100	490,654	56.72%	882,000	528,979	59.97%
20 - CONTRACTUAL	43,300	26,585	61.40%	50,500	30,798	60.99%
30 - SUPPLIES	66,250	42,230	63.74%	66,750	41,899	62.77%
40 - OPERATIONS	83,250	67,306	80.85%	83,250	71,271	85.61%
50 - UTILITIES	79,000	55,912	70.77%	79,000	62,219	78.76%
60 - CAPITAL	37,500	37,487	99.97%	20,000	21,669	108.35%
<b>47 RECREATION Total</b>	<b>1,174,400</b>	<b>720,173</b>	<b>61.32%</b>	<b>1,181,500</b>	<b>756,836</b>	<b>64.06%</b>
<b>48 ANIMAL SERVICES</b>						
10 - PERSONNEL SERVICES	219,700	144,335	65.70%	193,200	146,544	75.85%
20 - CONTRACTUAL	426,000	323,787	76.01%	426,000	323,637	75.97%
30 - SUPPLIES	14,250	11,361	79.73%	20,750	8,025	38.67%
40 - OPERATIONS	5,250	3,541	67.45%	5,250	4,337	82.61%
50 - UTILITIES	5,500	3,858	70.14%	5,500	2,076	37.75%
60 - CAPITAL	69,000	71,005	102.91%	-	-	0.00%
<b>48 ANIMAL SERVICES Total</b>	<b>739,700</b>	<b>557,887</b>	<b>75.42%</b>	<b>650,700</b>	<b>484,619</b>	<b>74.48%</b>
<b>50 PUBLIC WORKS</b>						
<b>53 ENGINEERING</b>						
10 - PERSONNEL SERVICES	929,900	642,349	69.08%	982,750	688,210	70.03%
20 - CONTRACTUAL	302,400	282,589	93.45%	200,100	88,615	44.29%
30 - SUPPLIES	21,850	19,229	88.01%	33,850	10,998	32.49%
40 - OPERATIONS	23,700	13,984	59.00%	23,700	13,292	56.09%
50 - UTILITIES	12,500	5,235	41.88%	12,500	6,480	51.84%
60 - CAPITAL				70,000	75,640	108.06%
<b>53 ENGINEERING Total</b>	<b>1,290,350</b>	<b>963,387</b>	<b>74.66%</b>	<b>1,322,900</b>	<b>883,235</b>	<b>66.77%</b>
<b>59 STREETS</b>						
10 - PERSONNEL SERVICES	912,350	546,488	59.90%	997,000	621,611	62.35%
20 - CONTRACTUAL	278,450	130,439	46.84%	289,000	173,219	59.94%
30 - SUPPLIES	3,224,600	1,777,074	55.11%	3,034,600	2,832,147	93.33%
40 - OPERATIONS	11,500	1,119	9.73%	11,500	5,791	50.36%
50 - UTILITIES	487,300	332,499	68.23%	486,000	367,337	75.58%
60 - CAPITAL	301,600	746,622	247.55%	143,500	84,801	59.09%
<b>59 STREETS Total</b>	<b>5,215,800</b>	<b>3,534,241</b>	<b>67.76%</b>	<b>4,961,600</b>	<b>4,084,907</b>	<b>82.33%</b>
<b>Grand Total</b>	<b>49,115,550</b>	<b>37,256,071</b>	<b>75.85%</b>	<b>51,604,400</b>	<b>38,367,020</b>	<b>74.35%</b>



**CITY OF ROCKWALL  
REPORT OF REVENUES  
FOR THE PERIOD ENDED JUNE 30, 2023  
WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

**WATER & SEWER**

	Fiscal Year 2022			Fiscal Year 2023		
	Amended Budget	Actual	Percentage	Amended Budget	Actual	Percentage
<b>00 REVENUES</b>						
<b>323 - MISCELLANEOUS REVENUE</b>						
4001 - INTEREST EARNINGS	30,000	13,138	43.79%	30,000	513,528	1711.76%
4010 - AUCTION /SCRAP PROCEEDS	15,000	6,442	42.95%	15,000	6,924	46.16%
4019 - MISCELLANEOUS REVENUE	15,000	176,174	1174.49%	15,000	33,761	225.07%
<b>323 - MISCELLANEOUS REVENUE Total</b>	<b>60,000</b>	<b>195,754</b>	<b>326.26%</b>	<b>60,000</b>	<b>554,213</b>	<b>923.69%</b>
<b>340 - UTILITY SALES</b>						
4601 - RETAIL WATER SALES	16,662,000	10,617,632	63.72%	17,025,000	10,682,492	62.75%
4603 - SEWER CHARGES	9,675,000	6,886,261	71.18%	11,500,000	6,976,394	60.66%
4605 - PRETREATMENT CHARGES	90,000	68,895	76.55%	100,000	68,761	68.76%
4609 - HOUSE HAZARDOUS WASTE FEE	176,000	107,616	61.15%	176,000	137,370	78.05%
4610 - PENALTIES	305,000	239,454	78.51%	250,000	265,804	106.32%
4611 - PORTABLE METER WATER SALES	115,000	79,854	69.44%	100,000	98,047	98.05%
<b>340 - UTILITY SALES Total</b>	<b>27,023,000</b>	<b>17,999,712</b>	<b>66.61%</b>	<b>29,151,000</b>	<b>18,228,866</b>	<b>62.53%</b>
<b>CONT - TOTAL CONTRACT SALES</b>						
4622 - RCH WATER CORP-WATER SALE	1,857,800	1,115,614	60.05%	2,045,950	1,001,560	48.95%
4632 - BLACKLAND-WATER SALES	921,200	626,374	68.00%	1,018,250	555,800	54.58%
4640 - MCLENDON CHISHOLM SEWER CHARG	345,000	241,694	70.06%	480,000	316,465	65.93%
4650 - CITY OF HEATH-WATER SALES	2,814,200	2,088,162	74.20%	3,335,000	2,801,957	84.02%
<b>TOTAL CONTRACT SALES Total</b>	<b>5,938,200</b>	<b>4,071,844</b>	<b>68.57%</b>	<b>6,879,200</b>	<b>4,675,781</b>	<b>67.97%</b>
<b>NON - NON-OPERATING REVENUES</b>						
4480 - TOWER LEASES	275,000	209,071	76.03%	275,000	216,476	78.72%
4670 - WATER IMPACT FEES	650,000	531,164	81.72%	800,000	377,171	47.15%
4672 - SEWER IMPACT FEES	650,000	514,688	79.18%	650,000	383,138	58.94%
4676 - WATER PRO RATA	-	-	0.00%	-	6,435	0.00%
4678 - SEWER PRO RATA	-	38,154	0.00%	-	170,929	0.00%
<b>NON-OPERATING REVENUES Total</b>	<b>1,575,000</b>	<b>1,293,077</b>	<b>82.10%</b>	<b>1,725,000</b>	<b>1,168,734</b>	<b>67.75%</b>
<b>OTHE - TOTAL OTHER RECEIPTS</b>						
4660 - WATER TAPS	105,000	75,327	71.74%	130,000	41,268	31.74%
4662 - SEWER TAPS	33,000	16,564	50.19%	25,000	5,050	20.20%
4665 - METER RENTAL FEES	40,000	28,281	70.70%	40,000	44,531	111.33%
<b>OTHER RECEIPTS Total</b>	<b>178,000</b>	<b>120,172</b>	<b>67.51%</b>	<b>195,000</b>	<b>90,848</b>	<b>46.59%</b>
<b>00 REVENUES Total</b>	<b>34,774,200</b>	<b>23,680,559</b>	<b>68.10%</b>	<b>38,010,200</b>	<b>24,718,442</b>	<b>65.03%</b>

**CITY OF ROCKWALL  
REPORT OF EXPENDITURES  
FOR THE PERIOD ENDED JUNE 30, 2023  
WITH COMPARATIVE TOTAL FROM PRIOR YEAR**

**WATER & SEWER FUND**

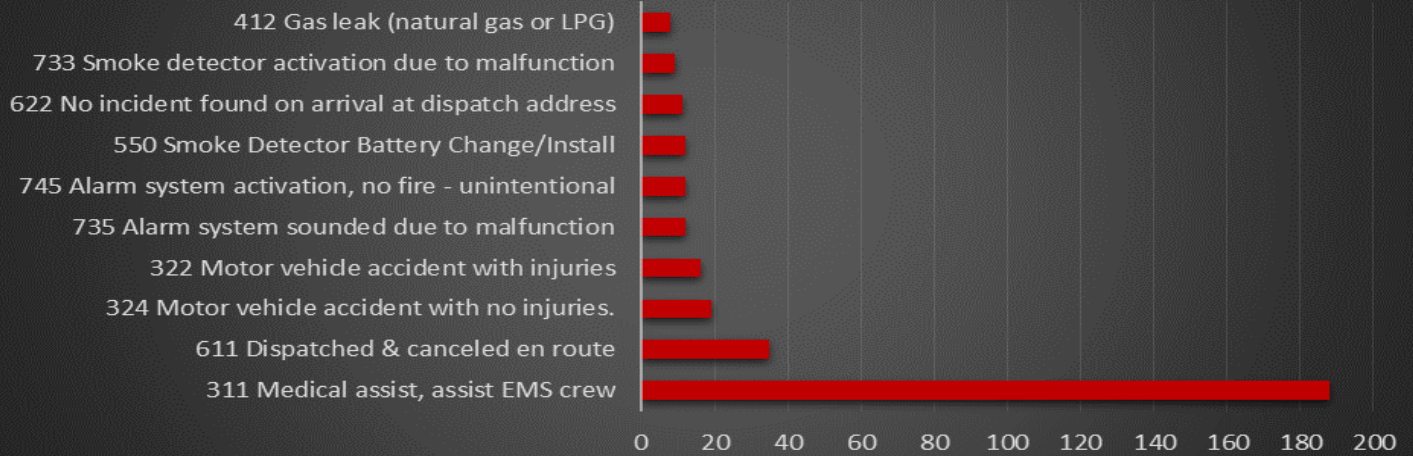
	Fiscal Calendar 2022			Fiscal Calendar 2023		
	Amended Budget	Actual	Percentage	Amended Budget	Actual	Percentage
<b>10 GENERAL GOVERNMENT</b>						
<b>05 ADMINISTRATION</b>						
391 - OPERATING TRANSFERS	1,310,400	1,310,400	100.00%	1,313,750	985,000	74.98%
<b>05 ADMINISTRATION Total</b>	<b>1,310,400</b>	<b>1,310,400</b>	<b>100.00%</b>	<b>1,313,750</b>	<b>985,000</b>	<b>74.98%</b>
<b>60 UTILITY SERVICES</b>						
<b>61 BILLING SERVICES</b>						
10 - PERSONNEL SERVICES	546,950	402,892	73.66%	626,500	498,030	79.49%
20 - CONTRACTUAL	509,950	432,032	84.72%	575,150	328,761	57.16%
30 - SUPPLIES	90,800	83,703	92.18%	92,800	86,572	93.29%
40 - OPERATIONS	205,900	123,525	59.99%	205,900	149,012	72.37%
<b>61 BILLING SERVICES Total</b>	<b>1,353,600</b>	<b>1,042,151</b>	<b>76.99%</b>	<b>1,500,350</b>	<b>1,062,375</b>	<b>70.81%</b>
<b>62 DEBT SERVICE</b>						
70 - DEBT SERVICE	5,207,300	914,251	17.56%	4,761,500	864,863	18.16%
<b>62 DEBT SERVICE Total</b>	<b>5,207,300</b>	<b>914,251</b>	<b>17.56%</b>	<b>4,761,500</b>	<b>864,863</b>	<b>18.16%</b>
<b>63 WATER OPERATIONS</b>						
10 - PERSONNEL SERVICES	1,285,100	931,113	72.45%	1,317,850	980,251	74.38%
20 - CONTRACTUAL	14,331,700	9,940,591	69.36%	16,924,750	12,640,721	74.69%
30 - SUPPLIES	894,200	682,694	76.35%	907,700	728,856	80.30%
40 - OPERATIONS	23,250	7,192	30.93%	23,250	17,930	77.12%
50 - UTILITIES	268,500	183,979	68.52%	293,500	211,767	72.15%
60 - CAPITAL	286,300	180,630	63.09%	375,000	352,774	94.07%
<b>63 WATER OPERATIONS Total</b>	<b>17,089,050</b>	<b>11,926,201</b>	<b>69.79%</b>	<b>19,842,050</b>	<b>14,932,299</b>	<b>75.26%</b>
<b>67 SEWER OPERATIONS</b>						
10 - PERSONNEL SERVICES	1,135,000	893,062	78.68%	1,228,650	978,952	79.68%
20 - CONTRACTUAL	8,046,050	6,803,930	84.56%	10,331,200	8,527,475	82.54%
30 - SUPPLIES	242,950	173,913	71.58%	251,450	159,743	63.53%
40 - OPERATIONS	17,200	8,694	50.55%	17,700	14,261	80.57%
50 - UTILITIES	105,500	79,951	75.78%	120,500	94,185	78.16%
60 - CAPITAL	318,450	366,758	115.17%	288,300	481,722	167.09%
<b>67 SEWER OPERATIONS Total</b>	<b>9,865,150</b>	<b>8,326,308</b>	<b>84.40%</b>	<b>12,237,800</b>	<b>10,256,338</b>	<b>83.81%</b>
<b>Grand Total</b>	<b>34,825,500</b>	<b>23,519,311</b>	<b>67.53%</b>	<b>39,655,450</b>	<b>28,100,875</b>	<b>70.86%</b>



June 2023  
Monthly Report



## Top 10 NFIRS Call Types



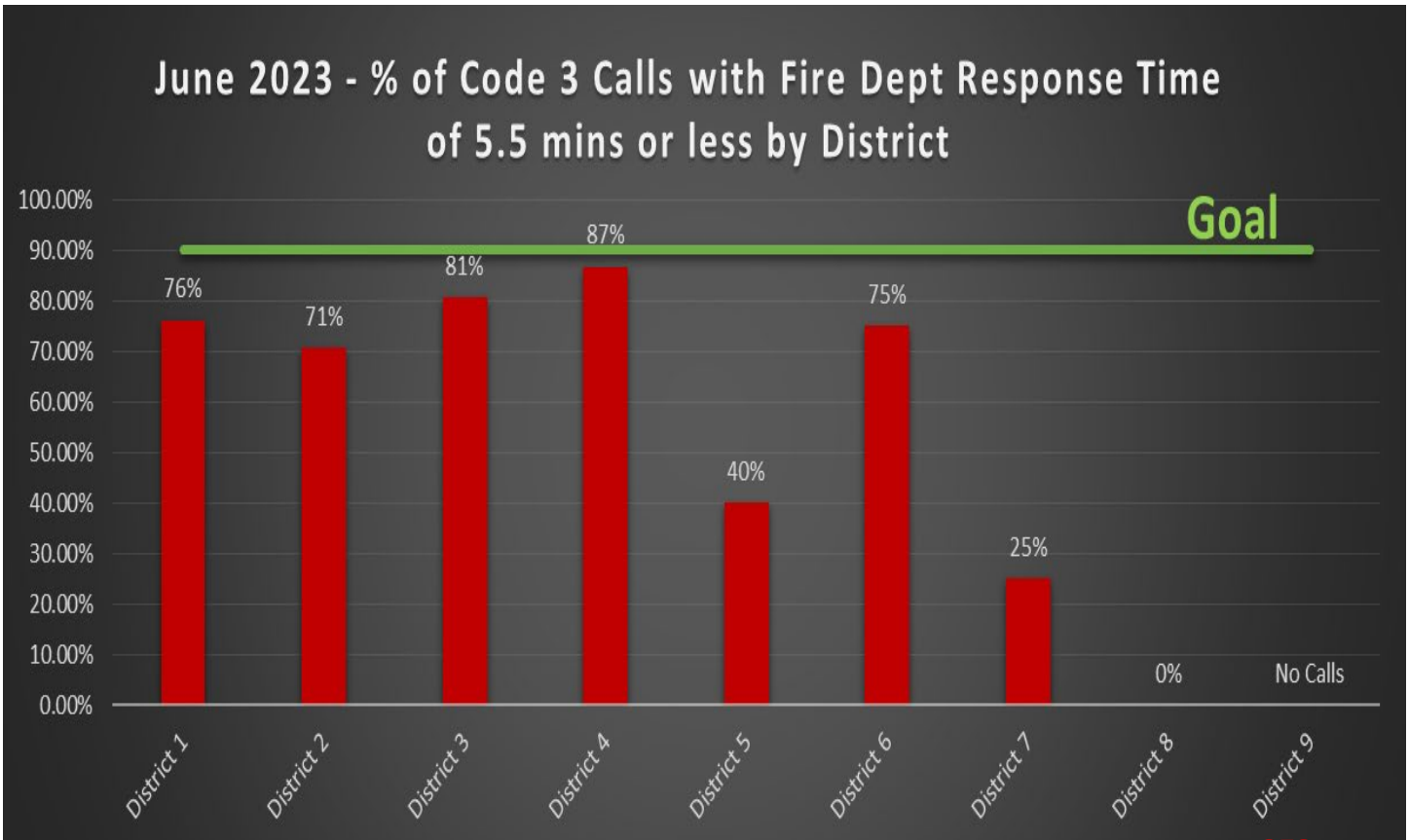
### All Calls By NFIRS Call Type

Incident Count

111 Building fire	4
131 Passenger vehicle fire (cars, pickups, SUV's)	2
132 Road freight or transport vehicle fire (Commercial Vehicles)	2
140 OTHER Natural vegetation fire	1
143 Grass fire	2
154 Dumpster or other outside trash receptacle fire	1
160 Special outside fire, other	4
162 Outside equipment fire	1
300 Rescue, EMS incident, other	4
311 Medical assist, assist EMS crew	188
322 Motor vehicle accident with injuries	16
324 Motor vehicle accident with no injuries.	19
342 Search for person in water	1
352 Extrication of victim(s) from vehicle	2
365 Watercraft rescue	2
400 Hazardous condition, other	2
410 Combustible/flammable gas/liquid condition, other	1
412 Gas leak (natural gas or LPG)	8
440 Electrical wiring/equipment problem, other	2
444 Power line down	4
445 Arcing, shorted electrical equipment	5
500 Service Call, other	1
510 Person in distress, other	3
511 Lock-out	1
512 Ring or jewelry removal	1
520 Water problem, other	5
522 Water or steam leak	1
542 Animal rescue	3
550 Public service assistance, other	2
550 Smoke Detector Battery Change/Install	12
553 Public service	2
600 Good intent call, other	2
611 Dispatched & canceled en route	35
622 No incident found on arrival at dispatch address	11
631 Authorized controlled burning	1
651 Smoke scare, odor of smoke	8
653 Smoke from barbecue, tar kettle	2
700 False alarm or false call, other	4
711 Municipal alarm system, malicious false alarm	3
715 Local alarm system, malicious false alarm	1
730 System malfunction, other	3
733 Smoke detector activation due to malfunction	9
734 Heat detector activation due to malfunction	3
735 Alarm system sounded due to malfunction	12
736 CO detector activation due to malfunction	2
743 Smoke detector activation, no fire - unintentional	6
744 Detector activation, no fire - unintentional	1
745 Alarm system activation, no fire - unintentional	12
746 Carbon monoxide detector activation, no CO	3
800 Severe weather or natural disaster, other	1
813 Wind storm, tornado/hurricane assessment	1
<b>Grand Total</b>	<b>422</b>

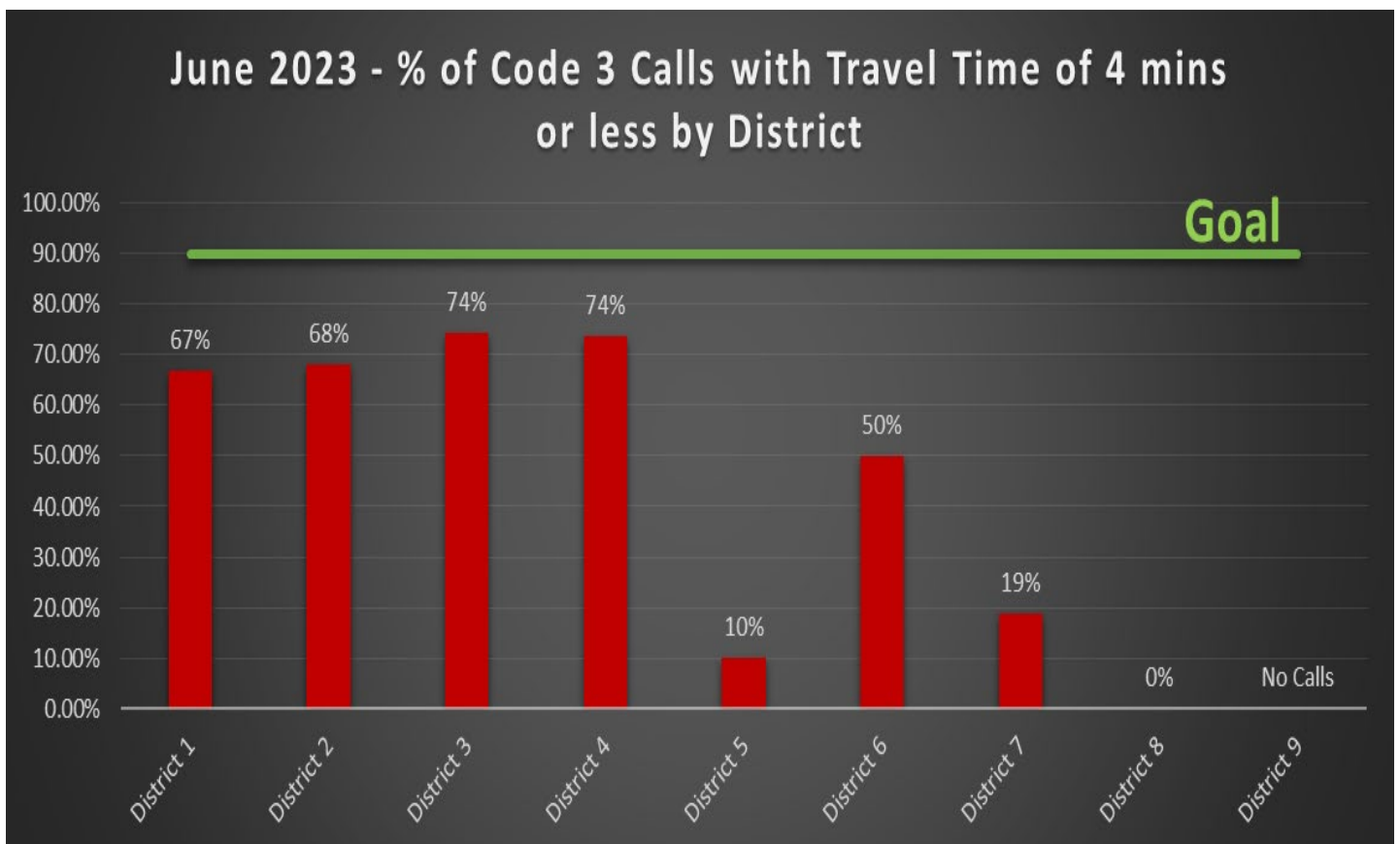
## June 2023 Dispatch to Arrival Analysis

District	Total Number of Calls	Percent of Runs per District	Number of Calls in 5.5 mins or Less	Average FD Response Time Minutes	% in 5.5 min or less	Goal of 90%
District 1	105	32%	80	0:05:16	76%	90%
District 2	106	32%	75	0:05:37	71%	90%
District 3	31	9%	25	0:04:33	81%	90%
District 4	53	16%	46	0:04:24	87%	90%
District 5	10	3%	4	0:05:43	40%	90%
District 6	4	1%	3	0:04:29	75%	90%
District 7	16	5%	4	0:06:29	25%	90%
District 8	4	1%	0	0:07:17	0%	90%
District 9	0	0%	0	0:00:00	No Calls	90%
<b>Department</b>	<b>329</b>	<b>100%</b>	<b>237</b>	<b>0:05:16</b>	<b>72%</b>	<b>90%</b>



## June 2023 Travel Times by District

District	Total Number of Calls	Percent of Runs per District	Number of Calls in 4 or Less	Average Travel Time Minutes	% in 4 min or less	Goal of 90%
District 1	105	32%	70	0:04:27	67%	90%
District 2	106	32%	72	0:04:38	68%	90%
District 3	31	9%	23	0:03:33	74%	90%
District 4	53	16%	39	0:03:34	74%	90%
District 5	10	3%	1	0:04:51	10%	90%
District 6	4	1%	2	0:03:49	50%	90%
District 7	16	5%	3	0:05:34	19%	90%
District 8	4	1%	0	0:05:55	0%	90%
District 9	0	0%	0	0:00:00	No Calls	90%
<b>Department</b>	<b>329</b>	<b>100%</b>	<b>210</b>	<b>0:04:21</b>	<b>64%</b>	<b>90%</b>







# Total Dollar Losses

June 2023



City of Rockwall  
*The New Horizon*

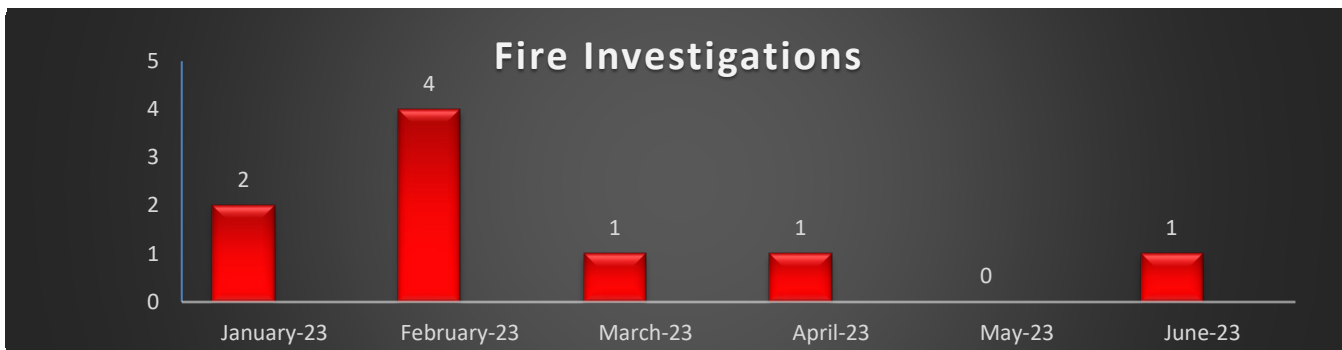
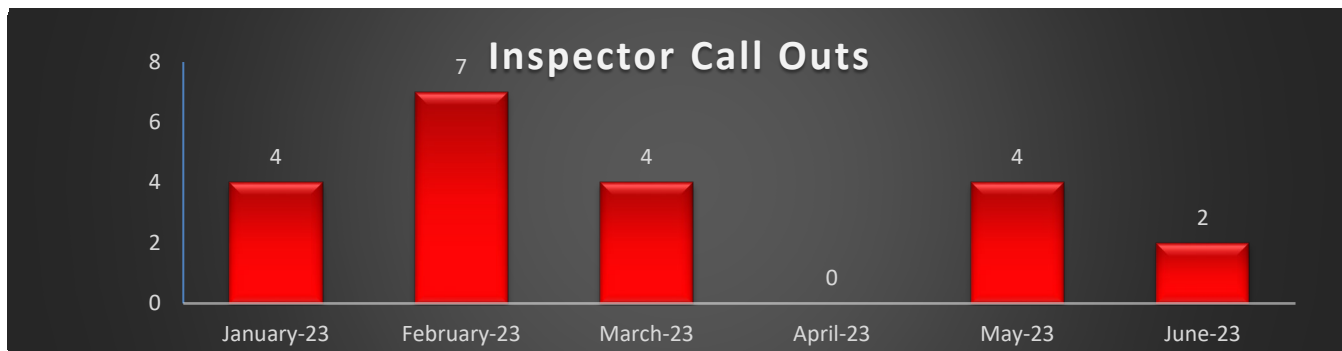
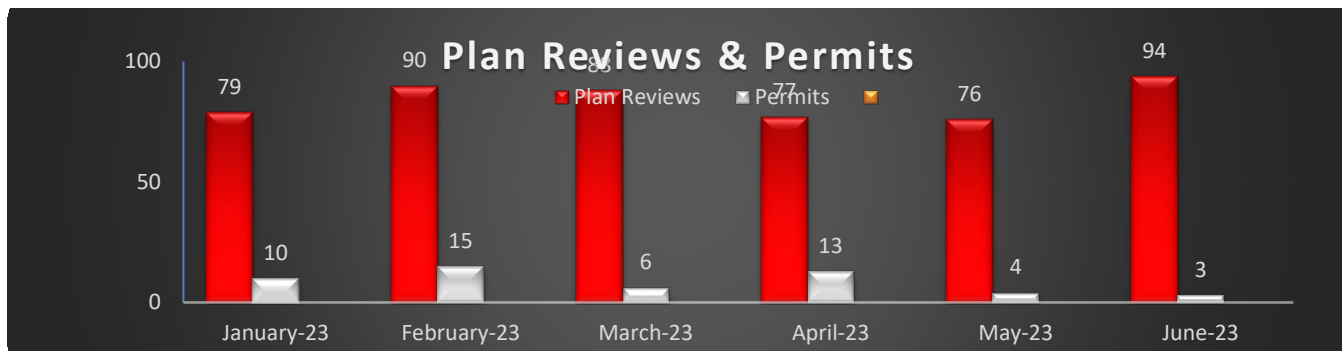
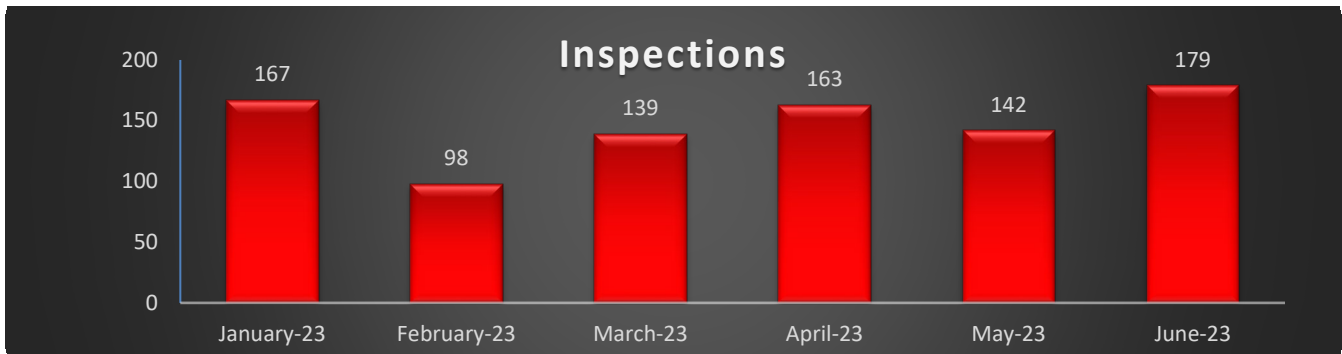
Rockwall Fire Department

Print Date/Time: 07/11/2023 14:25  
Login ID: rck\ldgang  
Layer: All  
Areas: All

ORI Number: TX504  
Incident Type: All  
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	\$1,000.00	\$0.00	\$4,000.00	\$995,430.00	\$861,720.00
Total Content Loss:	\$1,000.00	\$0.00	\$0.00	\$1,715,100.00	\$845,000.00
Total Property Pre-Incident Value:	\$58,565,976.00	\$0.00	\$0.00	\$115,906,966.00	\$60,485,410.00
Total Contents Pre-Incident Value	\$10,000.00	\$0.00	\$0.00	\$24,223,828.00	\$21,740,000.00
Total Losses:	\$2,000.00	\$0.00	\$4,000.00	\$2,710,530.00	\$2,000.00
Total Value:	\$58,575,976.00	\$0.00	\$0.00	\$140,130,794.00	\$82,225,410.00

# Fire Prevention, Education, & Investigations Division Monthly Report June 2023







# Monthly Report June 2023



PAINTING W/A TWIST  
8 ATTENDEES



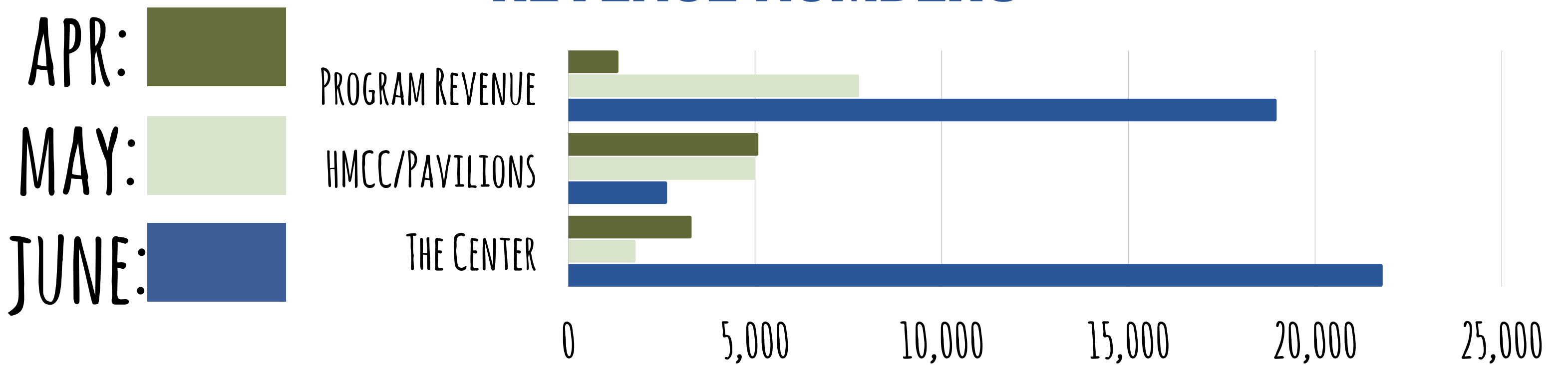
SENIOR LUNCHEON  
70 ATTENDEES



FAMILY FUN FRIDAY  
500 PARTICIPANTS



## REVENUE NUMBERS



## Upcoming:

Mother Son Dance	September 16, 2023
Rib Rub Run & Roll	October 7, 2023
Fall RBSL	Sep-Nov



# PARKS PROJECT UPDATE – JUNE 2023



GLORIA WILLIAMS PLAYGROUND  
REMOVAL



DISCOVERY STATUE PLAQUE INSTALL



HARRY MYERS AMPHITHEATER BED  
CLEAN UP



THE HARBOR MEMORIAL BENCH INSTALL

## Other Projects

HARRY MYERS SPLASH PAD REPAIR

STORM DAMAGE CLEAN UP

# Rockwall Police Department

## Monthly Activity Report

June-2023

ACTIVITY	CURRENT MONTH JUNE	PREVIOUS MONTH MAY	YTD 2023	YTD 2022	YTD % CHANGE
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### PART 1 OFFENSES

Homicide / Manslaughter	0	0	0	0	0.00%
Sexual Assault	1	0	5	6	-16.67%
Robbery	1	3	7	7	0.00%
Aggravated Assault	1	2	12	16	-25.00%
Burglary	3	4	21	20	5.00%
Larceny	53	49	309	353	-12.46%
Motor Vehicle Theft	6	3	42	26	61.54%
<b>TOTAL PART I</b>	<b>65</b>	<b>61</b>	<b>396</b>	<b>428</b>	<b>-7.48%</b>
<b>TOTAL PART II</b>	<b>105</b>	<b>145</b>	<b>728</b>	<b>801</b>	<b>-9.11%</b>
<b>TOTAL OFFENSES</b>	<b>170</b>	<b>206</b>	<b>1124</b>	<b>1229</b>	<b>-8.54%</b>

### ADDITIONAL STATISTICS

FAMILY VIOLENCE	8	12	60	48	25.00%
D.W.I.	19	9	75	93	-19.35%

### ARRESTS

FELONY	30	28	152	153	-0.65%
MISDEMEANOR	44	54	300	334	-10.18%
WARRANT ARREST	11	6	44	42	4.76%
JUVENILE	1	13	32	53	-39.62%
<b>TOTAL ARRESTS</b>	<b>86</b>	<b>101</b>	<b>528</b>	<b>582</b>	<b>-9.28%</b>

### DISPATCH

CALLS FOR SERVICE	2895	2953	15194	11738	29.44%
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### ACCIDENTS

INJURY	1	1	9	34	-73.53%
NON-INJURY	80	94	512	430	19.07%
FATALITY	1	0	1	1	0.00%
<b>TOTAL</b>	<b>82</b>	<b>95</b>	<b>522</b>	<b>465</b>	<b>12.26%</b>

### FALSE ALARMS

RESIDENT ALARMS	60	59	272	269	1.12%
BUSINESS ALARMS	141	131	852	924	-7.79%
<b>TOTAL FALSE ALARMS</b>	<b>201</b>	<b>190</b>	<b>1124</b>	<b>1193</b>	<b>-5.78%</b>
Estimated Lost Hours	132.66	125.4	741.84	787.38	-5.78%
Estimated Cost	\$3,155.70	\$2,983.00	\$17,646.80	\$18,730.10	-5.78%

### ROCKWALL NARCOTICS UNIT

Number of Cases	1
Arrests	1
Arrest Warrants	0
Search Warrants	0
<b>Seized</b>	
THC oil	10 grams

# Rockwall Police Department

## Dispatch and Response Times

June 2023

### Police Department

	Average Response Time	
<b>Priority 1</b>		Number of Calls <b>202</b>
Call to Dispatch	0:00:58	
Call to Arrival	0:05:14	
% over 7 minutes	23%	
	Average Response Time	
<b>Priority 2</b>		Number of Calls <b>1448</b>
Call to Dispatch	0:03:15	
Call to Arrival	0:10:27	
% over 7 minutes	12%	
	Average Response Time	
<b>Priority 3</b>		Number of Calls <b>63</b>
Call to Dispatch	0:02:28	
Call to Arrival	0:12:23	
% over 7 minutes	54%	

#### Average dispatch response time goals are as follows:

Priority 1: 1 Minute

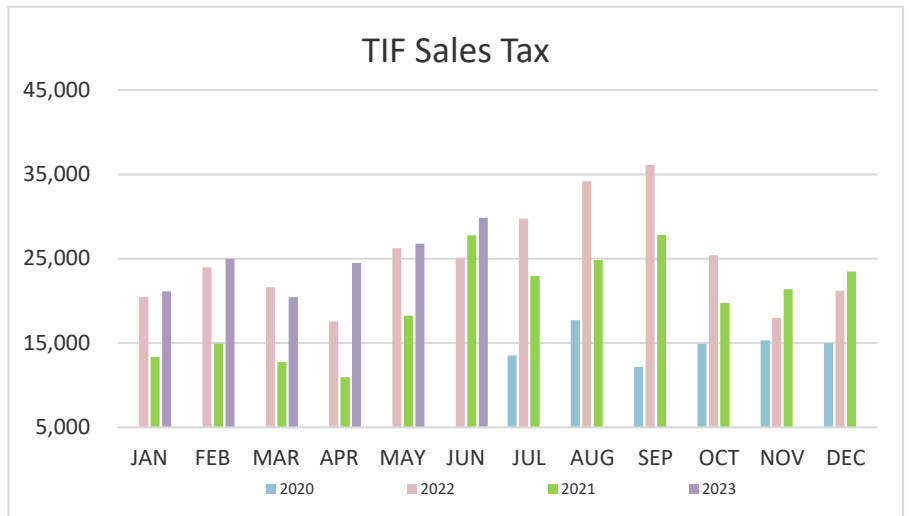
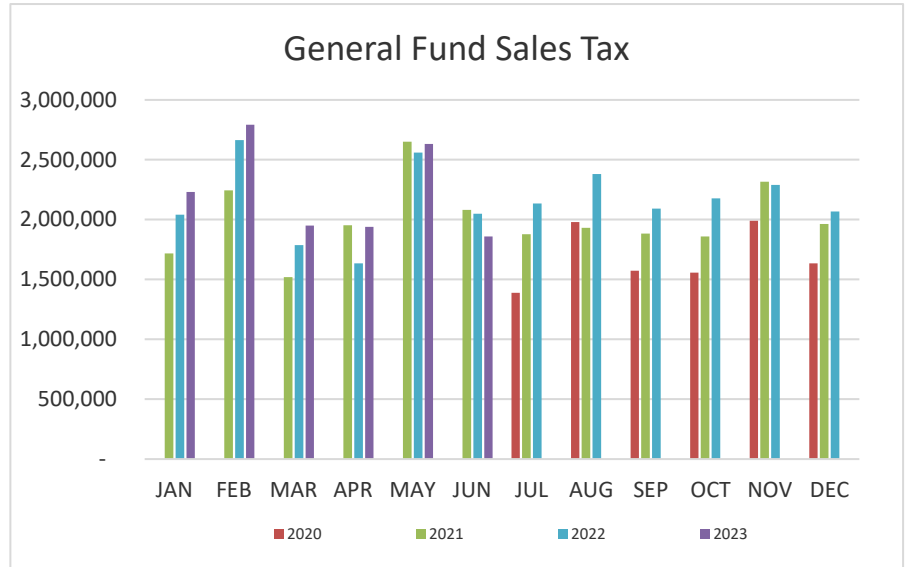
Priority 2: 1 Minute, 30 Seconds

Priority 3: 3 Minutes



# Sales Tax Collections - Rolling 36 Months

	General Fund Sales Tax	TIF Sales Tax
May-20	1,605,986	17,538
Jun-20	1,345,598	5,881
Jul-20	1,376,026	13,529
Aug-20	1,979,539	17,706
Sep-20	1,573,352	12,179
Oct-20	1,558,570	14,888
Nov-20	1,989,955	15,299
Dec-20	1,634,280	14,994
Jan-21	1,718,364	13,341
Feb-21	2,244,778	14,935
Mar-21	1,521,031	12,738
Apr-21	1,952,165	10,954
May-21	2,651,412	18,252
Jun-21	2,080,645	27,773
Jul-21	1,877,982	22,940
Aug-21	1,930,521	24,860
Sep-21	1,882,276	27,803
Oct-21	1,860,016	19,744
Nov-21	2,317,862	21,385
Dec-21	1,963,345	23,464
Jan-22	2,040,002	20,495
Feb-22	2,664,185	23,976
Mar-22	1,786,902	21,605
Apr-22	1,633,850	17,548
May-22	2,559,349	26,254
Jun-22	2,050,066	25,127
Jul-22	2,135,457	29,738
Aug-22	2,381,510	34,190
Sep-22	2,092,217	36,105
Oct-22	2,177,040	25,420
Nov-22	2,291,130	17,990
Dec-22	2,068,593	21,213
Jan-23	2,231,654	21,134
Feb-23	2,792,696	24,982
Mar-23	1,949,994	20,438
Apr-23	1,938,490	24,487
May-23	2,631,033	26,766
Jun-23	1,859,485	29,862



**Notes:**

75% of total sales tax collected is deposited to the General Fund each month

Comptroller tracks sales tax generated in the TIF and reports it monthly

75% of TIF sales tax (city share) is pledged to the TIF

# Monthly Water Consumption - Rolling 27 Months

	<u>Total Gallons</u>	<u>Daily Average</u>	<u>Maximum Day</u>
Apr-21	289,545,756	9,651,525	12,683,656
May-21	247,421,005	7,981,324	10,400,411
Jun-21	342,904,230	11,430,141	16,988,604
Jul-21	446,687,809	14,409,284	17,918,524
Aug-21	486,443,590	15,691,730	18,928,160
Sep-21	377,898,464	17,173,544	19,016,086
Oct-21	293,280,384	11,880,576	15,338,545
Nov-21	280,398,508	9,346,618	12,584,820
Dec-21	262,730,021	8,475,163	10,313,293
Jan-22	245,557,172	7,921,199	10,742,941
Feb-22	211,955,941	7,569,855	10,394,759
Mar-22	256,035,618	8,529,214	10,544,988
Apr-22	281,707,217	9,390,241	11,718,730
May-22	356,050,664	11,485,506	15,634,756
Jun-22	496,374,560	16,545,820	21,414,344
Jul-22	679,705,160	21,925,974	24,474,168
Aug-22	534,145,350	17,230,494	23,206,750
Sep-22	434,247,536	14,474,915	17,617,728
Oct-22	421,229,833	13,588,058	17,692,206
Nov-22	228,795,657	7,626,522	11,187,251
Dec-22	249,341,535	8,043,275	12,260,392
Jan-23	243,528,725	7,855,765	11,040,666
Feb-23	198,103,255	7,075,116	8,544,708
Mar-23	220,326,930	7,107,320	10,825,669
Apr-23	292,874,560	9,762,486	13,280,734
May-23	355,482,851	11,467,189	16,032,988
Jun-23	491,086,630	16,369,555	21,693,510

Source: SCADA Monthly Reports generated at the Water Pump Stations

