

ROCKWALL CITY COUNCIL REGULAR MEETING Monday, September 21, 2020 - 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:

- Discussion regarding possible acquisition of real property in the vicinity of SH 205 and Sids Road and SH 205 near downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
- 2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
- **3.** Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
- 4. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)
- 5. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
- 6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
- III. Adjourn Executive Session
- IV. Reconvene Public Meeting (6:00 P.M.)
- V. Invocation and Pledge of Allegiance Councilmember Hohenshelt
- VI. Proclamations
 - 1. Constitution Week
- VII. Open Forum
- VIII. Take any Action as a Result of Executive Session

IX. Consent Agenda

- 1. Consider the approval of the minutes from the September 8, 2020 regular city council meeting, and take any action necessary.
- Consider authorizing the City Manager to execute a renewal contract with Cigna Health to secure Stop Loss coverage for the City's health insurance plan, applying to claims exceeding \$100,000, and take any action necessary.
- Consider approval of an ordinance establishing the speed limit along the reconstructed portion of SH 276 to 50 mph between SH 205 and FM 549/Corporate Crossing, and take any action necessary. (1st Reading)
- 4. Consider amending Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances for the purpose of providing requirements that specifically regulate itinerant vendors, and take any action necessary. (2nd Reading)

5. P2020-034 - Consider a request by Chad DuBose of JCDB Holdings, LLC for the approval of a*Einal Plat* for Lots 1, Block A, Pecan Valley Retail Addition being a 2.356-acre tract of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive and 3005 N. Goliad Street [*SH-205*], and take any action necessary.

X. Appointment Items

- **1.** Appointment with the Planning and Zoning Chairman to discuss and answer any questions regarding cases on the agenda and related issues, and take any action necessary.
- 2. Appointment with John Brown of Rudy's to discuss and consider allowing a flight school and aircraft rental business to operate at the Ralph Hall Municipal Airport, and take any action necessary.

XI. Public Hearing Items

- Z2020-033 Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of an ordinance for a <u>Specific Use Permit (SUP</u>) to allow Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any action necessary. (1st Reading)
- 2. Z2020-035 Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of an ordinance for a <u>Specific Use Permit (SUP)</u> to allow a *Restaurant with 2,000 SF or More with Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [H-205], and take any action necessary (1st Reading).
- **3. Z2020-036** Hold a public hearing to discuss and consider a request by Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the approval of an **ordinance** for a <u>Specific Use</u> <u>Permit (SUP)</u> to allow a structure that exceeds 60-feet in height in a Light Industrial (LI) District for the purpose of constructing a flag pole on an existing motor vehicle dealership (*i.e. Clay Cooley Hyundai*) being a 4.39-acre parcel of land identified as Lot 1, 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 take any action necessary. (1st reading)
- 4. Z2020-037 Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of an ordinance for a *Specific Use Permit (SUP)* to allow a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary. (1st reading)
- 5. Z2020-038 Hold a public hearing to discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of an ordinance for a <u>Specific Use Permit (SUP</u>)to allow Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 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 257 & 269 Russell Drive, and take any action necessary (1st Reading).

XII. Action Items

1. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2021 and amended budget for fiscal year 2020 and take any action necessary.

- 2. Discuss and consider IH-30 expansion aesthetic plan, and take any action necessary.
- **3.** Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2021 and amended budget for fiscal year 2020, and take any action necessary
- **4.** Discuss and consider the Hotel Tax Subcommittee recommendations for funding allocations in fiscal year 2021, including authorizing the City Manager to execute associated funding agreements, and take any action necessary.
- 5. Discuss and consider approval of an **ordinance** amending the budget for fiscal year 2020, and take any action necessary.
- **6.** Discuss and consider approval of an **ordinance** adopting the proposed budget for fiscal year 2021, and take any action necessary.
- 7. Discuss and consider approval of an **ordinance** levying ad valorem taxes for the tax year 2020, and take any action necessary.
- **8.** Discuss and consider appointments to 'Rockwall's Diverse History' ad hoc committee, and take any action necessary.
- 9. Discuss and consider parades and similar processions, and take any action necessary.
- **10.** Discuss and consider (re)appointments to city advisory boards/commissions, including the Youth Advisory Council, the Historic Preservation Advisory Board and the Architectural Review Board, and take any action necessary.

XIII. 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:

- Discussion regarding possible acquisition of real property in the vicinity of SH 205 and Sids Road and SH 205 near downtown pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).
- 2. Discussion regarding Economic Development prospects, projects, and/or incentives pursuant to Section 551.087 (Economic Development)
- **3.** Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
- 4. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees including the Rockwall Economic Development Corporation (REDC) and Board of Adjustments, pursuant to Section 551.074 (Personnel Matters)
- Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
- 6. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

XV. Adjournment

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

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

I, Kristy Cole, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 18th day of September, 2020 at 4:00 p.m. and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Proclamation

Miereas, "the Constitution of the United States of America, the guardian of our liberties, embodies the principal of limited government in a Republic dedicated to rule by law; and

Muereas. September 17, 2020, marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Muereas, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary and to recognize the patriotic celebrations which will commemorate the occasion; and

Muereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America, annually designating one week in September as "Constitution Week."

Now, Therefore, I, Jim Pruitt, Mayor of the City of Rockwall, Texas, by virtue of the authority vested in me, do hereby proclaim September 17 through September 23, 2020 as

CONSTITUTION WEEK

in the City of Rockwall, and urge all citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

In Witness Whereof, R'hereunto set my hand and official seal this 21st day of September, 2020.

Tim Pruitt, Mayor



ROCKWALL CITY COUNCIL REGULAR MEETING Tuesday, September 08, 2020 - 4:00 PM City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

I. CALL PUBLIC MEETING TO ORDER

MINUTES

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Legal Counsel, Patrick Lindner.

- II. WORK SESSION
 - 1. Hold a work session on itinerant vendors to discuss and consider changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors,* of Chapter 12, *Businesses and Sales,* of the Municipal Code of Ordinances, and take any action necessary.

Planning Director, Ryan Miller, briefed the Council on proposed changes to this portion of the Code, mainly related to changes associated with itinerant vendors. Council took no action concerning this work session item at this time. However, Mayor Pruitt pointed out that this topic is listed as an "Action Item" on tonight's agenda. Council members generally indicated that they would like to take action on this later this evening.

2. Hold a work session on residential accessory structures to discuss changes to Article 05, *District Development Standards*, of the Unified Development Code (UDC), and take any action necessary.

Planning Director, Ryan Miller, briefed Council on this topic. No action was taken as a result of this work session discussion. Indication was given that staff will bring forth formal changes to the ordinance provisions at a future Council meeting.

Mayor Pruitt read the following discuss items into the public record before recessing the meeting to go into Executive Session at 4:53 p.m.

III. EXECUTIVE SESSION.

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

- Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
- 2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
- **3.** Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)

- 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)
- IV. ADJOURN EXECUTIVE SESSION

Executive Session was adjourned at 5:58 p.m.

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

Mayor Pruitt reconvened the public meeting at 6:00 p.m. with all seven council members being present.

VI. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER MACALIK

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

- **VII. PROCLAMATIONS**
 - 1. American Legion Day

Mayor Pruitt called forth several members of the local chapter of the American Legion. He then read and presented them with this proclamation. The guests briefly commented about veteran and youth leadership related efforts that the Legion undertakes and supports.

VIII. OPEN FORUM

Saron Regassa 1389 Stewart Drive Rockwall, TX 75032

Saron came forth and shared that she is a "Girls State" representative. Ms. Regassa went on to provide comments pertaining to the creation of Rockwall's Diverse History Committee. She encouraged the creation of a memorial to commemorate the lynching of a black man (Anderson Ellis) in Rockwall many years ago. She hopes that she and her friend, Christian Giadolor, are able to continue

Carva Gordon 2849 Lost Creek Court Rockwall, TX

Ms. Gordon thanked members of the American Legion for their service to the community. Ms. Gordon went on to share that she sat thru a four-part training for her role as a volunteer with Court Appointed Special Advocates (CASA). She explained she had to listen with both her ears and her heart. She went on to applaud the formation of Rockwall's Diverse History Committee. She encouraged everyone to provide their full support to Councilmember Anna Campbell as she oversees said committee. She encouraged that we can't be afraid to call out injustices or claim that 'it's not our problem.' She generally spoke enthusiastically about this committee and the work it will tend to.

IX. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Mayor Pro Tem Fowler moved to appoint Derek Deckard and Dr. Jean Conway to the Planning & Zoning Commission. Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Hohenshelt moved to appoint the following to the Rockwall Economic Development Corporation with initial terms to commence January 1, 2021: Carin Brock, Justin Lee and Mark Stubbs. Mayor Pro Tem Fowler seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

X. CONSENT AGENDA

- 1. Discuss / act on approval of the minutes from the August 17, 2020 regular city council meeting, and take any action necessary.
- 2. Discuss / act on approval of the minutes from the August 24, 2020 Budget Work Session, and take any action necessary.
- 3. Z2020-031 Consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T. Rockwall 2017, LLC for the approval of an ordinance for a <u>Zoning Amendment</u> to Planned Development District 79 (PD-79) [Ordinance No. 16-39] for the purpose of amending the development standards contained in Ordinance No. 16-39 for a 70.408-acre tract of land identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King Boulevard and Featherstone Drive, and take any action necessary (2nd Reading).
- 4. Z2020-032 Consider a request by Erick Cruz Mendoza for the approval of an ordinance for a <u>Specific Use Permit (SUP)</u> for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.165-acre parcel of land identified as Lot 873-A, Rockwall Lake Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses, addressed as 481 Blanche Drive, and take any action necessary (2nd Reading).
- **5.** Consider approval of the Turtle Cove & Windmill Ridge Sanitary Sewer Rehabilitation Project and authorize the City Manager to execute a construction contract with NO-DIGTEC, LLC. in the amount of \$757,933.00 to be funded by the Water/Sewer fund, and take any action necessary.
- 6. P2020-033 Consider a request by Cameron Slown of Teague, Nall, and Perkins, Inc. on behalf of Dan Bobst of Harbor Heights Investors, LP for the approval of a <u>Replat</u> for Lot 6, Block A, Harbor District Addition being a 2.06-acre parcel of land identified as Lot 1, Block A, Harbor District Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 32 (PD-32), situated within the IH-30 Overlay (IH-30 OV) District, addressed as 2701 Sunset Ridge Drive, and take any action necessary.
- **7.** Consider approval of the purchase of network technology equipment in the amount of \$37,677.30 to be funded from the Technology Fund, and take any action necessary.
- 8. Consider an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the 2020 Rate Review Mechanism filing, adopting tariffs as part of the settlement, and take any action necessary.

Councilmember Macalik moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, and 8). Councilmember Daniels seconded the motion. The ordinance captions were read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 20-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) **IORDINANCE NO. 19-40 THE UNIFIED DEVELOPMENT CODE IORDINANCE** NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, FOR THE PURPOSE OF AMENDING PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR THE PURPOSE OF AMENDING THE DEVELOPMENT STANDARDS ON A 70.408-ACRE TRACT OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 79 (PD-79) FOR SINGLE FAMILY 8.4 (SF-8.4) DISTRICT LAND USES, BEING IDENTIFIED AS TRACTS 1, 1-03, 1-5 & 2-03 OF THE P. B. HARRISON SURVEY, ABSTRACT NO. 97, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY EXHIBIT 'A'; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

CITY OF ROCKWALL ORDINANCE NO. <u>20-36</u> SPECIFIC USE PERMIT NO. <u>S-232</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL. AMENDING THE UNIFIED DEVELOPMENT CODE TEXAS. (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 75 (PD-75) [ORDINANCE NO. 16-01], ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.165-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 873-A, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL. ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A **REPEALER CLAUSE: PROVIDING FOR AN EFFECTIVE DATE.**

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

XI. APPOINTMENT ITEMS

1. Appointment with representative(s) from the Rockwall Central Appraisal District (RCAD) to discuss and consider a request pertaining to the RCAD's proposed new building/facility, and take any action necessary.

Mark Moeller, who serves on the RCAD Board of Directors, came forth and briefed the Council on this request. He explained that the RCAD would like to add 15,000 square feet to the existing building to expand it, including adding a second floor. The purpose of the expansion is to accommodate much needed office, conference room and waiting area space for both staff and the public. They believe that the expansion will serve the county for the next 10-20 years. He respectfully asked that Council consider approving this request for expansion this evening.

Mayor Pruitt provided brief comments pertaining to the RCAD in general and to this proposed expansion request. He expressed that he believes this request is needed and reasonable.

Councilmember Johannesen moved to approve the RCAD's expansion proposal, as presented. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Hohenshelt).

XII. PUBLIC HEARING ITEMS

1. Hold a public hearing to receive comments regarding the Proposed FY2021 City of Rockwall Budget and tax rate and take any action necessary.

City Manager Rick Crowley provided introductory comments pertaining to this agenda item. He generally indicated that this budget reflects a very conservative approach, especially in light of COVID-19 and its potential impacts on the local economy. He went on to explain that the city's charter does allow for budget amendments, so staff will remain mindful of this and will be sure to come to Council, accordingly, should the need for amendment requests arise.

Following Mr. Crowley's comments, Mayor Pruitt shared that a work session on the budget was held with staff and Council about two weeks ago.

Mrs. Mary Smith, Assistant City Manager/Finance Director, then provided comments, sharing a little more details regarding 'numbers' associated with both the budget and proposed tax rate.

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

Bob Wacker

309 Featherstone Drive

Rockwall, TX

Mr. Wacker came forth and shared that he lives in a very vibrant area of the city. He generally encouraged that the City consider finding additional revenue sources in the future. He acknowledged that City of Rockwall residents enjoy one of the lowest (total) tax bills of any other place/county in the area. He thanked the Council for all it does.

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

Mayor Pruitt moved to advertise the adoption of the tax rate on September 21, 2020 at a rate of .3700 per \$100 of valuation. Mayor Pro Tem Fowler seconded the motion. Following brief, clarifying comments, the motion passed by a vote of 6 ayes to 1 nay (Macalik).

XIII. ACTION ITEMS

 Z2020-030 - Discuss and consider a request by Mark Klecha for the approval of an ordinance for a <u>Specific Use Permit (SUP)</u> for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (2nd Reading).

Mayor Pro Tem Fowler moved to approve Z2020-030. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL ORDINANCE NO. <u>20-34</u> SPECIFIC USE PERMIT NO. <u>S-231</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, DEVELOPMENT TEXAS, AMENDING THE UNIFIED CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES 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.**

The motion passed by a vote of 5 ayes with 2 nays (Daniels, Macalik).

P2020-031 - Discuss and consider a request by Kerry Joshua Sparks for the approval of a *Final Plat* for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. Councilmember Johannesen asked for clarification on the lot frontage requirements, and Mr. Miller provided said clarification.

Councilmember Johannesen moved to approve P2020-031. Councilmember Macalik seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

3. Discuss and consider proposal from Republic Waste to extend the current Solid Waste Collection agreement and take any action necessary.

Mary Smith, Assistant City Manager / Finance Director, introduced Rick Bernas from Republic Waste. Mr. Bernas came forth and provided brief comments to Council, generally indicating that his company is requesting a five-year extension of the current contract. There has been about a 37% increase in residential volume since COVID-19 hit. He went on to share details of what Republic did for its own employees during COVID (i.e. buying lunch for its employees and their families (up to 4 people) every Friday and issuing gift cards to stimulate the local economy).

Mayor Pruitt shared that the City of Rockwall has not gone out for bid for trash service in about 19 years. Councilmember Johannesen called upon City Manager Rick Crowley to explain a little bit about what "going out for bid" would look like. Indication was given that City of Rockwall residents enjoy twice per week, regular trash pick-up service and unlimited bulk pick-up. Mr. Bernas indicated that there has been about a 15% decrease in commercial volume. General discussion ensued pertaining to residential versus commercial rates. Mayor Pruitt shared that he deals with a lot of mayors around the area, and they deal with a lot of trash-related complaints from their own residents. He acknowledged that the City of Rockwall does not get a lot of complaints, in general. Also, our residents enjoy twice per week pick up and no restrictions on the volume of "bulk" that is picked up. Councilmember Macalik commented that she took a tour of Republic's facility not long ago, and she was impressed with the facility and with the professionalism of Republic's staff.

Mrs. Smith shared that she believes this is a fair price for the level of service that it affords Rockwall residents. Also, Republic has always been very receptive as far as rectifying issues when they do arise.

Councilmember Johannesen moved to authorize staff to negotiate and execute a new contract extension. Councilmember Hohenshelt seconded the motion, which passed by a vote of 7 ayes to 0 nays.

4. Discuss and consider amending Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances for the purpose of providing requirements that specifically regulate itinerant vendors, and take any action necessary.

Mayor Pruitt moved to move forward with the ordinance amendments as was discussed in the work session. Mayor Pro Tem Fowler seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL ORDINANCE NO. <u>20-XX</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING CHAPTER 12, *BUSINESSES AND SALES*, FOR THE PURPOSE OF CLAIFYING THE PROCESS FOR PERMITTING AND LICENSING PEDDLERS, SOLICITORS, AND ITINERANT VENDORS IN THE CITY OF ROCKWALL; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

5. Discuss and consider offering outdoor park facilities, including amphitheaters, for use by the Rockwall Independent School District (RISD), and take any action necessary.

Mayor Pruitt began discussion of this agenda item. He explained that, while RISD has not approached the City regarding this topic, he would like the City to be able to proactively offer use of these outdoor facilities / venues to the school district for use this school year

(rental fee free) for things such as choir, band, or orchestra concerts.

6. Discuss and consider (possible alternative to) Parks & Rec's Halloween Extravaganza Event on October 24, 2020 at The Harbor, and take any action necessary.

Travis Sales, Parks Director, came forth and briefed Council on this agenda item, generally indicating that staff is looking for an alternative to the city's annual Halloween Extravaganza that typically occurs at The Harbor. In lieu of that event, staff is suggesting that Council consider a 'movie in the park' at The Harbor instead (possibly showing a kids movie such as Monsters Inc. or Hotel Transylvania). Council generally seemed to like this idea; however, they took no formal action concerning this agenda item.

7. Discuss and consider 2020 Fall RBSL (Rockwall Baseball & Softball League) Covid 19 Action Plan, and take any action necessary.

Parks Director, Mr. Sales, provided explanatory comments pertaining to this agenda item. Council took no formal action pertaining to this agenda item, but general indication was given that staff should proceed with the action plan as presented.

8. Discuss and consider a resolution updating the bylaws of the city's Youth Advisory Council (YAC) as well as consider associated programming and guidelines, and take any action necessary.

Councilmember Kevin Fowler provided brief comments pertaining to this agenda item. Indication was given that staff will send these documents out to parents of existing (and recent past) YAC students for feedback. The item will then be brought back before the Council for formal action at a regular council meeting in October. No action was taken at this time.

9. Discuss and consider appointments to 'Rockwall's Diverse History' ad hoc committee, and take any action necessary.

Mayor Pruitt generally indicated that Council members are still working on identifying possible appointees to this committee. So this topic will be revisited at the next city council meeting.

- XIV. CITY MANAGER'S REPORT, DEPARTMENTAL REPORTS AND RELATED DISCUSSIONS PERTAINING TO CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.
 - 1. Census 2020 Update
 - 2. Building Inspections Monthly Report July 2020
 - 3. Fire Department Monthly Report July 2020
 - 4. Parks & Recreation Monthly Report July 2020
 - 5. Police Department Monthly Report July 2020
 - 6. Sales Tax Historical Comparison
 - **7.** Water Consumption Historical Statistics

General discussion took place pertaining to the Fire Department report, specifically related to volunteer firefighters who currently dedicate time and service to the department. Mayor Pruitt expressed that the City probably needs to decide if it wants to focus on recruiting and retaining volunteer firefighters or not in the future. City Manager Rick Crowley pointed out that he gave each council member a handout related to the countywide roadway traffic consortium and its recent activities. He encouraged the Council to be thinking about what future roadway related projects it would like to see, as the consortium is seeking said input from each member entity that participates in these countywide roadway planning projects.

Mayor Pruitt then indicated that Council would be going back into Executive Session to address item #1 shown below. He recessed the public meeting to do so at 7:30 p.m.

XV. EXECUTIVE SESSION.

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

- Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
- 2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
- **3.** Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
- 4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

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

Council came out of Ex. Session and took no action.

XVII. ADJOURNMENT

Mayor Pruitt adjourned the meeting at 8:25 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21st DAY OF SEPTEMBER, 2020.

ATTEST:

JIM PRUITT, MAYOR

KRISTY COLE, CITY SECRETARY



MEMORANDUM

TO:	Rick Crowley, City Manager Mary Smith, Asst. City Manager
CC:	Honorable Mayor and City Council
FROM:	Shawn Yerks, Director of Human Resources
DATE:	September 21, 2020
SUBJECT:	Employee Health Stop Loss Insurance Renewal

The City self-insured health coverage provides cost savings and better benefit management. One element of the self-insured plan is Stop Loss coverage which protects the City from large medical claims. There are two components of Stop Loss the City has provided since 1987. Individual Stop Loss (ISL) and Aggregate Stop Loss (ASL). The Individual Stop Loss covers Medical Claims that exceed \$100,000 on one covered person and Aggregate Stop Loss covers Medical Claims that exceed the expected level for the group of covered persons. Stop Loss insurance for large individual claims continue to be one of the biggest challenges that self-insured employers face due to the inherent uncertainty of these claims. This is due to fact that employers have unlimited Lifetime Maximums, the rising cost of specialty pharmacy drugs, and that few carriers are in the market which insure these claims. In fact, bids for this coverage was requested in 2017 and the City did not receive any responses other than from Cigna. It is not uncommon to see Stop loss renewal increases of 20 - 25%. The staff and Holmes Murphy have been in negotiations with Cigna and received a renewal increase quote for 8.2%, which is lower than the original proposal of 14.3%. An 8.2% increase is well below market and the Staff and Holmes Murphy encourage the mayor and city council to authorize the City Manager to accept the Stop Loss renewal.

In summary, the 8.2% increase will affect the plan as follows:

- Individual Stop Loss The total cost per employee per month will increase from \$162.25 to \$175.63 resulting in a premium increase of \$43,351.20 for calendar year 2021.
- The overall cost to provide Stop Loss coverage (ISL and ASL) to City employees (270 covered employees) for 2021 will be: \$569,041.20.
- Aggregate Stop Loss The cost per employee per month for is (0% renewal quote): \$6.70 totaling \$21,708 for FY 2021.

Council is asked to consider authorizing the City Manager to execute the appropriate contract documents to secure Stop Loss coverage through Cigna Health.



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Amy Williams, P.E., Director of Public Works/City Engineer

DATE: September 21, 2020

SUBJECT: SH 276 SPEED ZONE STUDY

Attachments Ordinance Radar Station Counts

Summary/Background Information

On August 20, 2018, Texas Department of Transportation (TXDOT) began construction of State Highway 276 (SH 276). This project included realigning the roadway as well as an expansion from a two-lane asphalt roadway to a four-lane divided concrete roadway. The ultimate cross-section of SH 276 is designed to be a six-lane divided roadway. TXDOT notified the City that the anticipated completion date will be October 2020.

Prior to completion, TXDOT must complete a speed study to assign a speed limit for the boundaries of the project. A speed study was conducted after traffic was allowed to travel along the new project route. This study uses the design of the roadway as well as the 85th percentile recorded speeds. The 85th percentile speed is defined as, the speed at or below which 85 percent of all vehicles are observed to travel under free-flowing conditions past a monitored point.

Staff received a letter from TXDOT dated September 17, 2020 with the attached speed zone study. The results of the speed study recommend the speed limit along the SH 276 from SH 205 to FM 549 to 50 mph.

TXDOT requires an approved City Ordinance adopting the speed recommended by their study. Upon receiving the executed ordinance from the City, TXDOT will furnish and install the necessary speed limit signs at the appropriate locations along SH 276.

Staff requests City Council consider approving the attached ordinance establishing the speed limit along SH 276 to 50 mph between SH 205 and FM 549 and take any action necessary.

Action Needed

CITY OF ROCKWALL

ORDINANCE NO. 20-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY 276 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF ROCKWALL, TEXAS, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$200.00 FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration that width and condition of the pavement and other circumstances such portion of said street or highway, as well as the traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

SECTION 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and

SECTION 2. Such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described within this ordinance; and

SECTION 3. From and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway 276 from State Highway 205 to Farm to Market 549 within the corporate limits of the City of Rockwall, as depicted in "Exhibit A" of this ordinance, in excess of speeds now set forth at 50 miles per hour; and

SECTION 4. The Mayor of Rockwall or his designee is hereby authorized to cause to be erected, appropriated signs indicating such speed zones; and

SECTION 5. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00) for each offense.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THIS ____ DAY OF _____, <u>2020</u>.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO LEGAL FORM:

Frank Garza, City Attorney

1st Reading:

2nd Reading:



1290 SEC. 02 H 205 TO FM 549	MATCHLINE SHEET 2 OF 2
Texas Depart SPEED ROCKWALI SH	
SHEET 1 OF 2 Department of Transportation SEED STUDY SH 276 SH 27	

1986F1.001922		10000000000000000000000000000000000000	**************************************	1924 187 188 198 199 190 190 190 190 190 190 190	s s\$\$SYTIME\$\$\$
BALL BANK OR ADVISORY SPEED RES. SIGHT DISTANCE DEVELOPMENT DISTRICT: DALLAS HIGHWAY: SH 276 DATE OF STUDY 07-27-20 BEGINS MP ENDS MP 0 + 00 MP 0 + 00 MP CONT. <i>i</i> STA. OR M.P. CONT. <i>i</i> STA. OR M.P. CONT. <i>i</i> CONT. <i>i</i> CONT	ACCIDENTS ACCIDENTS R.O.W. AND RDBD. WIDTH SURFACE WIDTH AND TYPE GRADES OVER 3% CUBVES OVER 3%		TOWARD FM 549 FM 549		DEVELOPMENT RES. SIGHT DISTANCE BALL BANK OR ADVISORY SPEED CURVES OVER 2° GRADES OVER 3% GRADES OVER 3% ACCIDENTS ACCIDENTS CONE LENGTHS (MILES)
OPEN TY: ROCKWALL TY: ROCKWALL ALE 1_" = 0.1 MILES SECT. PROJECT SECT. PROJECT			MATCHLINE SHEET 1 OF 2 S JOHN KING BLVD		Н 276
E NO. : RESIDENTIAL CES : D CED BY : D LLED BY : D LLED BY : D CONT. AND SECT. . OR M. P. CONT. AND SECT. . OR M. P. CONT. AND SECT.			001.217 TRAIL GLEN 		
MILES UECT UECT 0 0 0 0 0 0 0 0 0 0 0 0 0	2 LANES, DIVIDED, NO SHOULDERS	NEW CONSTRUCTION	ROCKWALL	SO MPH	OPEN 2 LANES, DIVIDED, NO SHOULDERS
OPEN 85 PERCENTILE SPEED TOP SPEED MEASURED NUMBER OF CARS CHECKED FATAL ACCIDENT PERSONAL INJURY ACCIDENT PROPERTY DAMAGE ACCIDENT INDICATES SECTION ZONED BY COMMISSION MINUTE SIGNALIZED INTERSECTION TRIAL RUN			001.523		
		MP 001.765	FM 549 001.765	MP 001.765	
SPEED ZONE cont. 1290 SEC. 02 LIMITS: FROM SH 205 TO FM 549					
SHEET SHEET SHEED STUDY ROCKWALL COUNTY SH 276 DESSIGN TEAM FEED. STILE STATE					
SHEET 2 OF 2 Fransportation DDY UUNTY County ND. SHEET NO. COUNTY					20

	¥.E.E	ATTOROBILES Direction	Cumi- ia tive Total	ATTOMETLES Circolian	Simi- Lative Total	TRUCKS Direc- tica	, (Rough) & EUSIS Direc- tion
	>80 80 78 78 78 70 74 72	E					
	70 68 66 64 62				136		1 1
4-1	50	1 11 11 11 11 11 11 11 11 11	134 133 131 129 122 122	11 1111 1111 1111 1111 1111 1111 1111 1111	134 132 128 123 1(3 1(3	→,85 3	
TH	<u>L:L</u> L2 L0	ווו ווו ווו	92 72 49 19 3			S	
-	30 25 25 24 22 22 20						
	18 15 11 12 10 8 5						
-	2						

21

				MOTOR Vehicle S: Mield Tally Snee				
્યા	te <u>1.27</u>	-20 2012 ty Rec ((125 2011:59 #	kusdel	Egenzshzz6	Loos ti	ones 1m	le East.C	542
171	nd: From	<u>((125 :)1:59 =</u>	er ruez	oud Surface Type	Con 3	urface (Net	and SECOLD	one
				l	Con	dition (Err	(Rough)	
	H.P.H.	AUTOMOBILES	Curra-	AUTUNCETERS	Cumu-			
		Direction	_ <u>La t≟ve</u>	Sirection		<pre>% Eires-</pre>	Girec-	
			Total		Tota:	tion	tion	
						1	1	1
	>80	3	1	3				
	80 1				1	1		
	75				<u> </u>	1		
	75		<u> </u>				1	
	74		1		<u> </u>	F	!	
	72 1		1 1	·	1	2	1	
	701		4		1	Į.		
	68 1		;		1144	1		
	<u> </u>		0		1		1	
	62		1	1			1	
	60 1		130		143	1	1	
	58 1		1 30	1	1	8 02	1	
	55 1		ILZ9		1142			
		NI II	ILZ8	I LIAN HAT LAN	1130			
5-	52	M	1121	THINKI THE TIM TH	411 14	- 100	· ·	
	50 1	<u>14 FRI 161 161 111</u>	115	BUN HITH M		189	· · · · · · · · · · · · · · · · · · ·	
=Î.		NUCHIN DUTL	192	ILTH IM IM I HAI	lel			
		N NITHITHITH	<u>ماما</u> 138		140			
		NUTHTHAT		HALI	25			
	LO 1	NI	6		Z	<u> </u>		
	39		1	······				
	36				1			
	34 1					8		
	30		1					
	28		1		(4) 		<u></u>	
	25				1			
	24 1		<u> </u>					
	22 ;		1		24			
	20		2		1			
	15		_		1			
	15 14		i		B i			
	12							
	10				4 I			
			10.					
	6							
	41		(4) (4)		1			
	2				 j			
	0		1 1					
	1		1					

TOTAL CARS_____ 85 Percentile Speed _____ Remarks

Ferrer Did Amores

M.F.H. AUTOKOBILES Direction	Ciani- ia tíve	AUTIMOBILES Direction	Const Cuara-	Cass (est size (III) TRUCKS (, EUSES
	Total		lative Tota:	Direc- tica	Cirec- tion
280 E		W			
7: 70					1
74 1 72 70			 		
68 66 54	2		144		16
62 60	139	1	143		
	136		142		
50 17H 17H 17H	132 124 109	וון אנד איד אידן אידן וון אנד איד אידן אידן	134 126	-2.85	
UII LIH CHT HHT CU	94 14 55		85		
	30 6		38		
36 i 34	1		-		
30 25					
25 24 22	N 1)				
20					
10					
<u> </u>	[] []	18. 	1		

TOTAL CARS_____ 85 Percentile Speed _____ Remarks

Ferries Did Among

CITY OF ROCKWALL

ORDINANCE NO. 20-39

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING CHAPTER 12, *BUSINESSES AND SALES*, FOR THE PURPOSE OF CLAIFYING THE PROCESS FOR PERMITTING AND LICENSING PEDDLERS, SOLICITORS, AND ITINERANT VENDORS IN THE CITY OF ROCKWALL; 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, Texas (*City*) is a *Home-Rule City* in accordance with Chapter 9, *Home-Rule Municipality*, of Subtitle A, *Types of Municipalities*, of Title 2, *Organization of Municipal Government*, of the Texas Local Government Code, and by State law and City Charter is permitted to establish ordinances for the purpose of protecting the health, safety, and general welfare of its residents; and

WHEREAS, the City Council seeks to change and clarify the permitting and licensing process for solicitors, peddlers, and Itinerant vendors seeking to use public or private land to offer goods or services within the *City*.

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

SECTION 1. That Article III, *Peddlers, Solicitors and Itinerant Vendors*, of Chapter 12, *Businesses and Sales,* of the Municipal Code of Ordinances of the City of Rockwall for the purpose of incorporating language clarifying the process for permitting and licensing peddlers, solicitors, and itinerant vendors in the City of Rockwall, and that these sections shall be as specifically described in *Exhibit 'A'* of this ordinance;

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

SECTION 3. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 4. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE <u>21ST</u> DAY OF <u>SEPTEMBER</u>, <u>2020</u>.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: <u>September 8, 2020</u>

2nd Reading: <u>September 21, 2020</u>

Exhibit 'A' Article III, Peddlers, Solicitors and Itinerant Vendors, Chapter 12, Businesses and Sales, Municipal Code of Ordinances

Footnotes:

--- (1) ---

Editor's Note—Ord. No. 14-20, § 2, adopted May 19, 2014, amended the Code by repealing former art. III, §§ 12-51—12-60, and adding a new art. III. Former art. III pertained to similar subject matter, and derived from Ord. No. 76-9, adopted July 12, 1976; the Code of 1982, §§ 15-81—15-83.2; Ord. No. 87-52, adopted September 21, 1987; Ord. No. 95-7, adopted April 3, 1995; Ord. No. 04-44, adopted July 19, 2004; Ord. No. 11-06, adopted February 21, 2011; and Ord. No. 11-11, adopted March 7, 2011.

State Law Reference— Authority to regulate peddlers, etc., V.T.C.A., Local Government Code § 215.075.

DIVISION 1: IN GENERAL

SECTION 12-51: PURPOSE

The primary purpose of the public streets, sidewalks, and other public ways is for use by vehicular and pedestrian traffic. Vending on such public ways promotes the public interest by contributing to an active and attractive pedestrian environment. Reasonable regulation of vending on public rightsof-way and in public places is necessary to protect the public health, safety and welfare. To protect local residents against trespassing by peddlers, solicitors, and vendors upon the private property of such residents if they have given reasonable notice that they do not wish to be solicited by such persons or do not desire to receive merchandise or services. The regulations contained in this article are not intended in any way to prohibit or hamper speech that is protected by the constitution of both the United States and the state but merely to regulate specific activities, which are commercial in nature. This entire article is and shall be deemed an exercise of the police power of the state and of the city for the process set forth above.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-52: DEFINITIONS

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

Canvasser means any person who attempts to make contact with a resident at their residence without prior specific invitation or appointment from the resident, for the primary purpose of:

- (1) Attempting to enlist support for or against a particular religion, philosophy, ideology, political party, issue, or candidate, even if incidental to such purpose the canvasser accepts the donation of money for or against such cause; or
- (2) Distributing a handbill or flyer advertising a non-commercial event or service.

Door-to-Door Selling means going to one (1) or more residence within the city in person or by the agent for the purpose of peddling, soliciting, or vending, who engages in a business of selling or offering for sale, food, beverages, goods, services, wares and merchandise or engages in soliciting orders for the sale of goods, services, wares and merchandise for future delivery.

Itinerant Vendor or *Transient Merchant* means a person who temporarily sets up business out of a vehicle, trailer, tent, other portable shelter on privately owned property for the purpose of selling or taking orders for any goods or services. Individuals may not remain in one (1) location for more than 14 consecutive days.

Exhibit 'A' Article III, Peddlers, Solicitors and Itinerant Vendors, Chapter 12, Businesses and Sales, Municipal Code of Ordinances

Nonprofit Organization means an organization that can provide a 501(c)3 letter from the IRS or state documentation indicating its status, and whereby all the proceeds raised during the event will benefit the sponsoring agency.

Peddler means any person who engages in commercial activities within city limits by carrying goods or merchandise and selling or offering for sale for immediate delivery such goods or merchandise from door-to-door, business-to-business, or upon public property.

Person means any natural individual, group, organization, corporation, partnership, or similar association.

Public Area means an outdoor area to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, parking lot, alleyway, pedestrian way, or the common area of a school, hospital, apartment house, office building, transport facility, or shop.

Solicitor means any person who solicits or attempts to solicit, from house-to-house, business-tobusiness, or upon public property, funds or orders for services, commercial goods, wares, merchandise, subscriptions or publications to be delivered at a future date or time, or who passively begs by standing or sitting with a sign or other indication that a donation or service is being sought, without any vocal request other than in response to an inquiry to another person.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-53: EXCEPTIONS TO DEFINITIONS

For the purpose of this chapter, the terms *peddler*, *solicitor* and *ltinerant vendor* shall not apply to:

- (1) Non-commercial door-to-door advocates. Nothing within this article shall be interpreted to prohibit or restrict non-commercial door-to-door advocates, including, without limitation, religious and charitable organizations, schools, and other non-profit organizations. Persons engaging in door-to-door advocacy shall not be required to register as a solicitor under <u>Section 12-57</u>.
- (2) Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products, such as baked goods or milk.
- (3) Any person making deliveries of perishable food and dairy products to the customers on his or her established delivery route.
- (4) Any person making deliveries of newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
- (5) Any person conducting the type of sale commonly known as garage sales, rummage sales, or estate sales. Provided, as set forth below, nothing herein shall exempt such sales from complying with other sections of the Code of Ordinances which regulate such sales.
- (6) Any person participating in an organized multi-person bazaar or flea market.
- (7) Any person conducting an auction as a properly licensed auctioneer.
- (8) Any officer of the court conducting a court-ordered sale.

Exemption from these definitions shall not, for the scope of this chapter, excuse any person from complying with any other applicable statutory provision or requirements of this Code of Ordinances.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-54: LICENSE/PERMIT REQUIRED

It shall be unlawful for any peddler or solicitor to engage in the business of selling or offering for sale any food, beverage, goods, services or merchandise at any public or private area within the city without first obtaining a license from the Chief of Police or his duly authorized representative. Likewise, it shall be unlawful for any Itinerant vendor to engage in the business of selling, displaying, or offering for sale any food, beverage, goods, services or merchandise at any public or private area within the city without first obtaining a permit from the Chief Building Official or his duly authorized representative.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-55: HOURS OF OPERATION

The hours of operation for any peddler, solicitor, or Itinerant vendor shall be limited to the hours of between 8:00 a.m. through 6:00 p.m. local time in Rockwall, Texas.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-56: VIOLATION/PENALTY

Any person violating the provisions of this article is guilty of a class C misdemeanor and upon conviction shall be subject to a penalty not to exceed five hundred dollars (\$500.00). Each and every act constituting a violation hereof and each failure or refusal to comply with any provision shall be a separate offense and shall be punished as such.

(Ord. No. 14-20, § 2, 5-19-2014; Ord. No. 14-30, § 2, 7-21-2014)

SECTION 12-57: SOLICITATION BY COERCION AND SOLICITATION ON PUBLIC AREA PROHIBITED

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

Coercion means:

- (1) To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:
 - (A) Imminent bodily injury; or
 - (B) The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;
- (2) To persist in a solicitation after the person solicited has given a negative response;
- (3) To block, either individually or as part of a group of persons, the passage of a solicited person; or

Exhibit 'A' Article III, Peddlers, Solicitors and Itinerant Vendors, Chapter 12, Businesses and Sales, Municipal Code of Ordinances

- (4) To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands.
- (b) A person commits an offense if he conducts a solicitation by coercion or conducts a solicitation in any public area in the city at any time on any day of the week.
- (c) It is a defense to prosecution under Subsection (b) of this section if the solicitation:
 - (1) Consisted exclusively of passive, nonverbal acts; or
 - (2) Was being conducted on private property with the advance written permission of the owner, manager, or other person in control of the property.
- (d) The provisions of <u>Section 12-60 & Section 12-72</u> regarding exemptions shall apply to this section.

(Ord. No. 14-30, § 2, 7-21-2014)

DIVISION 2: PEDDLERS AND SOLICITORS

SECTION 12-58: APPLICATION

- (a) Application for a license required by <u>Section 12-54</u> shall be made upon forms furnished by the Chief of Police and shall contain such information as deemed necessary by the Chief of Police to properly identify the applicant, the nature of his business, and the business entity by which he is employed. The information shall include, but not be limited to, the following:
 - (1) The name;
 - (2) The date of birth;
 - (3) Home and business addresses;
 - (4) The supervisor's name, address and telephone number;
 - (5) The applicant's driver's license number and state, if applicable;
 - (6) The applicant's right thumbprint;
 - (7) The full legal name, telephone number and address of commercial organization;
 - (8) Full and complete list of goods to be sold and services to be delivered;
 - (9) The specific location, if any, in which the vendor/peddler intends to conduct business; and
 - (10) If the applicant is peddling or making solicitations from private property, a written statement from the property owner consenting to applicant's use of his/her property for the sales activities indicated in the license application.
- (b) Not later than ten (10) days after the filing of a completed license application the applicant shall be notified by the city of the decision on the issuance or denial of the license.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-59: FEES

License fees shall be accompanied with the license application. All peddlers and solicitors not exempted by <u>Section 12-60</u> shall be required to pay the license fee of \$65.00 per individual.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-60: EXEMPTIONS

- (a) License application is not required for the following individuals or groups:
 - (1) Newspaper carriers;
 - (2) Political groups;
 - (3) Canvassers;
 - (4) Government affiliates;
 - (5) Deliveries on regular routes;
 - (6) Wholesalers making direct sales to retail establishments;
 - (7) Sales made pursuant to an invitation by an owner or legal occupant;
- (b) License application is required but fees may be waived by the city for the following individuals or groups:
 - (1) Farmers who sell agricultural products that were raised or grown by them;
 - (2) Non-profit organizations.
- (c) License application is not required for any person or entity exempted by state law in obtaining a license. However, hours of operation outlined in <u>Section 12-55</u> still are applicable to all vendors.

(Ord. No. 14-20, § 2, 5-19-2014)

SECT 12-61: DENIAL; APPEAL

A copy of the application for a license will be referred to the Police Department who will undertake an investigation of the applicant's record and background, such as shall be reasonably necessary to protect the public. An application for a license under this chapter may be denied where:

- (1) Required application information is incomplete or incorrect;
- (2) Applicant or any individual involved in the peddling or solicitation campaign is currently wanted on a warrant for arrest, under indictment or has a pending class B misdemeanor or above;
- (3) The applicant is a person against whom a judgment, conviction or deferred adjudication has been entered within five (5) years preceding the date of application, based upon fraud, deceit or misrepresentation;
- (4) The applicant or an employee of an applicant has been convicted of a felony;
- (5) The applicant provided no proof of authority to serve as agent for the principal;
- (6) The applicant has been denied a license under this article within the immediate past year, unless the applicant can and does show to the satisfaction of the Chief of Police that the reason for such earlier denial no longer exists; or
- (7) A license fee has not been paid.

Should an applicant be denied a license, they may appeal that action to the City Manager by submitting a letter within ten (10) days of the denial or revocation. Upon receipt of the letter, the City Manager will review the appeal and render a decision within seven (7) days to reject the action complained of and order that the license be granted or reinstated or uphold the denial or revocation. The decision of the City Manager on the appeal shall be final and binding on all parties concerned.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-62: ISSUANCE, DURATION

- (a) If the application for a license is approved, the license shall be issued. The license shall be the original application with an official stamp indicating approval. The license provided for in this article shall continue so long as the licensee is conducting business in the city, but in no event shall it continue for more 12 months from date of issue.
- (b) The licensee is required to update any new or changed information required under the original license.
- (c) The city will retain one (1) copy of the approved license for official records. The license may not be represented as an endorsement or approval by the city of the purposes of a solicitation or a product offered by the licensee.
- (d) Only those peddlers or solicitors whose names are listed on the approved application may conduct business under the issued license. If any new peddlers or solicitors join the campaign after the original license is issued, they must supply the Police Department with the information required in this chapter. It shall be unlawful for any peddler or solicitor to intimidate or aggressively solicit or beg a person into giving money, goods or services (see <u>Section 12-57</u>).

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-63: DISPLAY OF LICENSE

Each peddler or solicitor will carry his or her license at all times while engaging in business in the city. Upon request or demand, the peddler or solicitor will exhibit the license to indicate compliance with all of the relevant requirements of this chapter.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-64: NOT TRANSFERABLE

Licenses issued under the provisions of this chapter are not transferable in any situation and will be clearly marked "Not Transferable."

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-65: SUSPENSION

- (a) The Chief of Police or his/her designee may suspend any and all licenses issued during an Emergency Declaration in order to protect the health, safety and welfare of the public.
- (b) The Chief of Police or his/her designee may, upon documented complaint, violation of this article or violation of law, suspend and confiscate a license issued under this article.
- (c) Peddlers and solicitors whose licenses are suspended because of complaint or violation have three (3) business days during which to request an administrative review of the suspension. If request for administrative review is not made within three (3) working days, the permit is revoked.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-66: REVOCATION

Exhibit 'A' Article III, Peddlers, Solicitors and Itinerant Vendors, Chapter 12, Businesses and Sales, Municipal Code of Ordinances

- (a) Upon licensee's request, the Police Department shall provide the licensee with written notice containing particulars of any and all complaints, and the time, date and place for an administrative review of the suspension.
- (b) The Chief of Police or his/her duly authorized representative will conduct an administrative review to determine whether the license shall be restored or revoked.
- (c) After notice and review, the Chief of Police may revoke any license issued under this article including but not limited to the following reasons:
 - (1) Fraudulent statements, omissions on license application or in conduct of permitted business;
 - (2) Any violation of federal or state statute, or city ordinance;
 - (3) Endangerment of public welfare, health or safety;
 - (4) The licensee is a registered sex offender;
 - (5) The licensee continues efforts to sell to or solicit from an individual once that individual informs the vendor or solicitor that he does not wish to give anything to or to buy anything from that vendor or solicitor;
 - (6) The licensee misrepresented the purpose of the solicitation or offer to sell;
 - (7) The licensee misrepresented the affiliation of the vendor or solicitor.
- (d) If the Chief of Police revokes a license, the applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief of Police.
- (e) Revocation of any permit shall bar the licensee from eligibility for any license or permit regulated under this article for a period of one (1) year from the date of revocation.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-67: NO SOLICITOR SIGNS

- (a) It shall be unlawful for any person to distribute or cause to be distributed, deposited, placed, thrown, scattered or cast any handbill upon any private property if requested by anyone thereon not to do so, or if there is placed on such premises in a conspicuous place upon or near the main entrance to the premises, a weatherproof card, bearing the words "no solicitation," "no advertisements," "no handbills," "no trespassing," or any similar notice indicating in any manner that the occupants of such premises do not desire to have any such handbills left upon their premises. The letters on such cards shall be not less than two-thirds of an inch in height.
- (b) It shall be unlawful for any person to use or attempt to use any entrance other than the front or main entrance to the dwelling, or step from the sidewalk or indicated walkway (where one exists) leading from the right-of-way to the front or main entrance, except by express invitation of the resident or occupant of the property.
- (c) It shall be unlawful for any person to remove any yard sign, door or entrance sign that gives notice to such person that the resident or occupant does not invite visitors.
- (d) This section does not apply to any department, branch or agency of federal, state, or municipal government and any permitted religious, political or charitable advertisements or handbills.

(Ord. No. 14-20, § 2, 5-19-2014)

DIVISION 3: ITINERANT VENDORS

SECTION 12-68: ITINERANT VENDORS ON PRIVATE PROPERTY

Itinerant vendors may operate on private property -- *subject to the requirements of Section 12-69* -with the consent of the property owner. A permit in accordance with the procedures outlined in <u>Section 12-70</u> shall be required to be approved prior to the commencement of operations. The private property will need to be incompliance with the requirements for *Incidental Display (which regulate outdoor sales and display)* as specified by <u>Article 04, Permissible Uses, of the Unified</u> <u>Development Code (UDC)</u>.

SECTION 12-69: PROHIBITED AREAS

Itinerant vendors shall be permitted to operate on private or public land; however, it shall be unlawful for Itinerant vendors to operate, with or without a permit, in the following areas:

- (a) <u>Public or Private Schools</u>. No Itinerant vendor shall conduct any business from or on any public areas that are within 300-feet of a public or private school, or on any street within 300-feet of said public or private school that could create traffic congestion during school hours (*i.e. 7:00 AM to 4:00 PM*). The measurement of this distance shall be in a direct line from all property lines of the public or private school extending in a linear format to 300-feet. This section <u>shall not</u> apply during vacation periods where no pupils are attending the school.
- (b) <u>*City Property/Rights-of-Way*</u>. No Itinerant vendor shall conduct any business on City property or within the public rights-of-way of the city.
- (c) <u>Vacant Property</u>. No Itinerant vendor shall conduct any business from an unimproved, vacant property within the city. In this case, a vacant property is considered any parcel or tract of land that does not have permeant improvements, parking, and sanitation facilities.
- (d) <u>*Parks*</u>. No Itinerant vendor shall conduct any business from or on any public park without first securing a vendor's agreement with the city.
- (e) <u>Downtown</u>. No Itinerant vendor shall conduct any business within the Downtown area. For the purposes of this section, the boundaries of the Downtown area are defined as the same boundaries as the Downtown (DT) District as described <u>Article 03, Zoning Districts and Maps</u>, and <u>Article 05, District Development Standards</u>, of the Unified Development Code (UDC) and as depicted on the city's official zoning map.

SECTION 12-70: APPLICATION; TERM; RENEWAL

- (a) Application for a permit required by <u>Section 12-54</u> shall be made upon forms furnished by the Chief Building Official and shall contain such information as deemed necessary by the Chief Building Official to properly identify the applicant, the nature of his business, the business entity by which they are employed, and the proposed location for the temporary business operations. In addition, the Itinerant vendor shall be required to provide:
 - (1) Proof of a valid state sales tax certificate. If this cannot be provided, a valid tax exemption form will need to be provided.
 - (2) If on private property, proof of permission from the property owner where the temporary business will be located.
 - (3) A dimensioned site plan showing the location of the Itinerant vendor in relation to all existing improvements and ingress, egress, and vehicular/pedestrian ways.
- (b) Not later than ten (10) days after the filing of a completed permit application the applicant shall be notified by the city of the decision on the issuance or denial of the permit.

Exhibit 'A' Article III, Peddlers, Solicitors and Itinerant Vendors, Chapter 12, Businesses and Sales, Municipal Code of Ordinances

- (c) If the application for a permit is approved, the permit shall be issued. The permit shall be the original application with an official stamp indicating approval. The permit provided for in this article shall continue so long as the licensee is conducting business in the city, but in no event shall it continue for more than 14-days from the date of issuance. A new application for the same ltinerant vendor or the same location shall not be issued within 30-days of the expiration of any previous permit.
- (d) The permittee is required to update any new or changed information required under the original permit; however, changing the information on a permit will not extend the time period the permit is valid.
- (e) The city will retain one (1) copy of the approved permit for official records. The permit may not be represented as an endorsement or approval by the city of the purposed product or products being offered by the permittee.
- (f) Only the Itinerant vendor whose name is listed on the approved application may conduct business under the issued permit. If any new Itinerant vendor joins the location after the original permit is issued, they must apply for a new permit under the requirements of this section. It shall be unlawful for any Itinerant vendor to intimidate or aggressively solicit or beg a person into giving money, goods, or services (see <u>Section 12-57</u>).

SECTION 12-71: FEES

Permit fees shall be accompanied with the permit application. All Itinerant vendors not exempted by <u>Section 12-72</u> shall be required to pay the permit fee of \$100.00 per individual Itinerant vendor.

SECTION 12-72: EXEMPTIONS

- (a) Permit application is not required for the following individuals or groups:
 - (1) Newspaper carriers;
 - (2) Political groups;
 - (3) Government affiliates;
 - (4) A seller or exhibitor in a firearms collection show involving two (2) or more sellers or exhibitors;
 - (5) The Farmer's Market or other city sanction events;
 - (6) Itinerant vendors associated with a special event permit issued to an existing business in the city.
- (b) Permit application is required but fees may be waived by the Chief Building Official or his/her designee for the following individuals or groups:
 - (1) Farmers who sell agricultural products that were raised or grown by them;
 - (2) Non-profit organizations.
- (c) Temporary uses that could be considered Itinerant vendors (e.g. Food Trucks/Trailers; Portable Beverage Service Facilities; Temporary Carnivals, Circuses, or Amusement Rides; and etcetera), but which are defined and regulated by <u>Article 04, Permissible Uses, of the Unified</u> <u>Development Code (UDC)</u> shall be exempted from the requirements of this article.

SECTION 12-73: DISPLAY OF PERMIT

Exhibit 'A' Article III, Peddlers, Solicitors and Itinerant Vendors, Chapter 12, Businesses and Sales, Municipal Code of Ordinances

Each Itinerant vendor will wear their permit on the outer clothing of the individual or otherwise displayed, as so to be reasonable visible to any person who might be approached by said person while engaging in business in the city.

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-74: NOT TRANSFERABLE

Permits issued under the provisions of this section are not transferable in any situation and will be clearly marked "Not Transferable."

(Ord. No. 14-20, § 2, 5-19-2014)

SECTION 12-75: SUSPENSION/REVOCATION

- (a) The Chief Building Office or his/her designee may suspend any and all Itinerant vendor permits issued during an *Emergency Declaration* in order to protect the health, safety and welfare of the public.
- (b) The Chief Building Official or his/her designee shall have the discretion to revoke a permit issued pursuant to this division based on the following actions:
 - (1) The Itinerant vendor for which a permit has been issued is found to be in violation of any local, state, or federal laws.
 - (2) The Itinerant vendor for which a permit has been issued is found to be in violation of any of the City's ordinances.
 - (3) The Itinerant vendor for which a permit has been issued is found to have obtained the permit through false or misleading statements or omissions of fact on the application or otherwise.
- (c) If the Chief Building Official revokes a permit, the applicant may appeal this decision in writing to the City Manager, which may affirm, modify, or reverse the decision of the Chief Building Official.
- (d) Revocation of any permit shall bar the permittee from eligibility for any license or permit under this article for a period of one (1) year from the date of revocation.

Editor's Note— Ord. No. 14-30, § 2, adopted July 21, 2014, amended the Code by, in effect, renumbering former § 12-66 as a new § 12-67.

Secs. 12-76—12-87. - Reserved.



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: September 21, 2020

SUBJECT: P2020-034; LOTS 1, BLOCK A, PECAN VALLEY RETAIL ADDITION

Attachments Case Memo Development Application Location Map Final Plat

Summary/Background Information

Consider a request by Chad DuBose of JCDB Holdings, LLC for the approval of *aFinal Plat* for Lots 1, Block A, Pecan Valley Retail Addition being a 2.356-acre tract of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive and 3005 N. Goliad Street [*SH-205*], and take any action necessary.

Action Needed

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


CITY OF ROCKWALL CITY COUNCIL CASE MEMO

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

TO:	Mayor and City Council
DATE:	September 21, 2020
APPLICANT:	Chad DuBose; JCDB Goliad Holdings, LLC
CASE NUMBER:	P2020-034; Lots 1, Block A, Pecan Valley Retail Addition

<u>SUMMARY</u>

Consider a request by Chad DuBose of JCDB Holdings, LLC for the approval of a <u>Final Plat</u> for Lots 1, Block A, Pecan Valley Retail Addition being a 2.356-acre tract of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive and 3005 N. Goliad Street [*SH-205*], and take any action necessary.

PLAT INFORMATION

- ☑ The applicant is requesting the approval of a final plat for a 2.356-acre tract of land (*i.e. Lot 1, Block A, Pecan Valley Retail Addition*) to establish the necessary easements and dedicate right-of-way (*i.e. 3,152 SF or 0.072-acres*) along N. Goliad Street for the purpose of allowing the construction of an approximately 11,000 SF single-story, multi-tenant retail building.
- ☑ On July 9, 2019, the Planning and Zoning Commission approved a site plan [*Case No. SP2019-023*] and all associated variances (*i.e. material and masonry composition and four (4) sided architecture*) for the retail building. Additionally, on October 9, 2019, the Architectural Review Board (ARB) approved a change in the color to the exterior materials of the approved building elevations [*i.e. SP2019-039*] from a light tan stone to a darker (*i.e. Austin Mist*) limestone.
- ☑ 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 plat by the City Council shall constitute approval subject to the conditions stipulated in the *Conditions of Approval* section below.
- ☑ With the exception of the items listed in the *Conditions of Approval* section of this case memo, this plat is in substantial compliance with the requirements of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the <u>Final Plat</u> for Lot 1, Block A, Pecan Valley Retail 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 plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On September 15, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the final plat with the conditions of approval by a vote of 6-0, with Commissioner Conway absent.



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





City of Rockwall

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





ORIGIN

S

INCH

S

BAR

OWNER'S CERTIFICATE

STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS JCDB GOLIAD HOLDINGS, LLC, BEING THE OWNER OF A TRACT OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 2019000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL" IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF-WAY), SAID IRON ROD BEING THE NORTHEAST CORNER OF SAID JCDB GOLIAD TRACT AND THE SOUTHEAST CORNER OF A 10-FOOT RIGHT-OF-WAY DEDICATION AS SHOWN ON THE PLAT OF LOT 1, BLOCK A, CHILDRENS LIGHTHOUSE, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET I, PAGE 395, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE S 14'09'38" E, ALONG THE EAST LINE OF SAID JCDB GOLIAD TRACT AND THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 311.99 FEET TO A CONCRETE MONUMENT FOUND:

THENCE S 43°35'00" W, ALONG A SOUTH LINE OF SAID JCDB GOLIAD TRACT AND CONTINUING ALONG THE WEST LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT IN THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY), BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18'24'13". AND A CHORD BEARING S 71'24'37" W, 87.95 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL", SAID IRON ROD BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID PECAN VALLEY DRIVE WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

THENCE ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

- 1) N 35'33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- 2) N 41°00'51" W, AT A DISTANCE OF 160.70 FEET PASSING A 5/8" IRON ROD FOUND, AND CONTINUING IN ALL A TOTAL DISTANCE OF 308.74 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- 3) N 18°54'05" W, 37.43 FEET TO A POINT, FROM WHICH A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL" BEARS S 48°22'57" E, 0.31 FEET, SAID POINT BEING THE NORTHWEST CORNER OF SAID JCDB GOLIAD TRACT AND THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A, CHILDRENS LIGHTHOUSE;

THENCE N 75'50'22" E, ALONG THE NORTH LINE OF SAID JCDB GOLIAD TRACT AND THE SOUTH LINE OF SAID LOT 1, BLOCK A, CHILDRENS LIGHTHOUSE, 349.30 FEET TO A PLACE OF BEGINNING, AND CONTAINING 2.246 ACRES (97,847 SQUARE FEET) OF LAND, MORE OR LESS.

PRELIMINARY

FOR REVIEW PURPOSES ONLY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY

PURPOSE AND SHALL NOT BE USED OR VIEWED OR

RELIED UPON AS A FINAL SURVEY DOCUMENT.

GENERAL NOTES:

1. IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT. AS REQUIRED UNDER ORDINANCE 83-54.

SURVEYOR'S CERTIFICATION:

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, AARON L. STRINGFELLOW, 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. "THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF

AARON L. STRINGFELLOW, RPLS. NO. 6373 ON September 7, 2020. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED."

AARON L. STRINGFELLOW REGISTERED PROFESSIONAL LAND SURVEYOR STATE OF TEXAS NO. 6373 EMAIL: AaronLS@WierAssociates.COM

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL

I THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS LOT 1. BLOCK A. PECAN VALLEY RETAIL 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 FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED. I FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN LOT 1, BLOCK A, PECAN VALLEY RETAIL 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 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 IMPROVÉMENTS 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.

7. PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTAINING, REPAIRING, AND REPLACING ANY DRAINAGE SYSTEMS IN EASEMENTS.

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.

WITNESS OUR HANDS THIS THE _____ DAY OF _____, 2020:

FOR: JCDB GOLIAD HOLDINGS, LLC

OWNER

STATE OF TEXAS COUNTY OF ROCKWALL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED OF JCDB GOLIAD HOLDINGS, LLC, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT. AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____

NOTARY PUBLIC IN AND FO	OR THE STATE OF TEXAS
-------------------------	-----------------------

PRINTED NAME

, 2020.





SHEET 2 OF 2

DATE: 9/7/2020 W.A. No. 19022



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: September 21, 2020

SUBJECT: APPOINTMENT WITH JOHN BROWN OF RUDY'S AVIATION SERVICES OF ROCKWALL

Attachments Memorandum Applicant's Letter Certificate of Occupancy (CO) Application

Summary/Background Information

Appointment with John Brown of Rudy's to discuss and consider allowing a flight school and aircraft rental business proposed to operate at the Ralph Hall Municipal Airport, and take any action necessary.

Action Needed

No action is required; however, the City Council may choose to approve the applicant's request, which will allow the applicant to submit a Certificate of Occupancy (CO).



CITY OF ROCKWALL CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

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

TO:	Mayor and City Council
CC:	Rick Crowley, <i>City Manager</i> Mary Smith, <i>Assistant City Manager</i> Joey Boyd, <i>Assistant City Manager</i>
FROM:	Ryan Miller, Director of Planning and Zoning
DATE:	September 21, 2020
SUBJECT:	Appointment with John Brown of Rudy's Aviation Services of Rockwall

On September 14, 2020, John Brown with Rudy's Aviation Services of Rockwall requested an appointment with the City Council for the purpose of proposing the operation of an aviation services and aircraft rental business at the Ralph Hall Municipal Airport. The proposed business would be run out of a hanger/office at 1657 Airport Road, which is located in the building that is currently under a land lease agreement with *Eagles Nest Hangers*. This is the building that is parallel to the western property line of the airport. As the City Council may recall, a similar request was approved in 2015 for Rockwall Flight Center, LLC [*CO2015-0039*]. Should the City Council have any questions staff will be available at the meeting on <u>September 21, 2020</u>.

9/14/20

Mr. Ryan Miller,

Please let this serve as a request to seek approval/authorization from City Council to conduct business at Rockwall Municipal Airport. According to 8.22.2 of the City Ordinances any permanent business must have approval from the City Council or its duly appointed agent.

This is the authorization we seek.

Thank you,

John Brown 214-380-2822 Rudy's Aviation Services of Rockwall



\$75.00 Payable to the City of Rockwall Building Inspections Dept. (9 Inspection Request (9 Fire Department (9 Health Inspector (2)

(972) 771-7709 (972) 771-7760 (972) 771-7774 (214) 212-1202

Application for Certificate of Occupancy

Date: 0-13-20 C.O. No:
This Application must be completed in full, signed and dated prior to being processed.
Name of Business: Rudy's Aviation Services Velephone: 214-320-2022
Address of Business: 1657 Airport Road
Business Owner Name: Independent Airsraft Telephone: 310-487-0879
Email: Ndp.endentACQAol. Com Cell: 318-487-0879
Business Owner's Address: 2504 Chene Dr. Sachse TX 175040
Street /PO Box City State Zip
Property Owner Name: Telephone: Telephone:
Property Owner's Address:
Street /PO Box City State Zip Proposed use: AviationServices, AirCcattRenta/Total Square Footage: (Restaurant, Retail, Office, Warehouse, Etc.) Office Square Footage: 200
Previous use: <u>Airigtion Services</u> Storage or Warehouse Square Footage:
Will your business have a trash dumpster? Kitchen Square Footage: Ø Other Square Footage: 2.9
Any proposed manufacturing to be conducted? Yes No If yes, explain:
Are there adjoining businesses? Yes No If yes, what type:
Is the building equipped with an automatic sprinkler system? Yes ស
Any storage of materials? Yes 😡 If yes, what type:
Will there be any outside storage or display? Yes 🔞 If yes, explain:
of employees: 9-22-20
Restaurants: Will alcohol be served? Yes No If yes, you must provide us with a copy of your TABC license before a C.O. will be issued.
Circle all applicable: New Tenant in Existing Building Same Owner, New Business Name Expanding Lease Space Shell Building (No Occupancy)
Same Business Name, New Owner New Interior Printed name: Admbrown President of IALLE
Signature: John Brown Date: 8-15-20
Date. 0 11 AU

Signing this application does not authorize occupancy of the space and/or structure. It is unlawful to use, occupy, or permit the use or occupancy of a building until a C.O. is issued.



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: September 21, 2020

SUBJECT: Z2020-033; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL FOR 210 WADE DRIVE

Attachments Case Memo Development Application Location Map HOA Notification Map Neighborhood Notification Email Property Owner Notification Map Property Owner Notification List Public Notice Residential Plot Plan Floor Plan Building Elevations Detail Page Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of a n **ordinance** for a *Specific Use Permit (SUP)* to allow *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any action necessary **(1st Reading)**.

Action Needed

The City Council is being asked to [1] approve, [2] approve with condition, or [3] deny the 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:	September 21, 2020
APPLICANT:	Patrick Wells
CASE NUMBER:	Z2020-033; Specific Use Permit (SUP) for a Residential Infill for 210 Wade Drive

SUMMARY

Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of a <u>Specific Use Permit (SUP)</u> for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on July 6, 1959 by *Ordinance No. 59-02*. The subject property along with the adjacent properties were platted as Lots 1 & 2, Block A, Richard Harris # 3 Addition, which was filed with Rockwall County on April 14, 1983. In 1984, single-family homes were constructed on both Lots 1 & 2. On April 15, 2019, the City Council approved a replat of these lots creating Lots 3, 4, & 5, Block A, Richard Harris #3 Addition. This replat subdivided off the back 75.68-feet of Lots 1 & 2 to establish the Lot 3 (*i.e. the subject property*). The subject property has remained vacant since the replat.

PURPOSE

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

ADJACENT LAND USES AND ACCESS

The subject property is located at 210 Wade Drive. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is a 30-foot unimproved alleyway followed by two (2) lots zoned Single-Family 7 (SF-7) District. These properties are developed with single family homes. One (1) of the homes (*i.e. 201 S. Clark Street*), is located within the Old Town Rockwall Historic District and is identified as <u>Medium Contributing</u> on the 2020 Historic Resource Survey. Beyond this is E. Washington Street, which is classified as a *TXDOT4D* (*i.e. Texas Department of Transportation, four [4] lane divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is Howard Dobbs Elementary School, which is Single-Family 7 (SF-7) District.
- <u>South</u>: Directly south of the subject property are two (2) lots zoned Single-Family 7 (SF-7) District. These lots addressed 705 & 707 Hartman Street, and comprise the rest of the Richard Harris #3 Subdivision. Each of these lots have a single-family home situated on them that was built in 1984. Beyond this is Hartman Street, which is classified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are four (4) lots zoned Single-Family 7 (SF-7) District and which are located within the Old Town Rockwall Historic District. Two (2) of the homes are considered <u>Non-Contributing</u>, one (1) is <u>Low-Contributing</u>, and one (1) is <u>Medium-Contributing</u> according to the 2020 Historic Resource Survey.

- *East*: Directly east of the subject property is Wade Drive, with is identified as a R2 (*i.e. residential, two* [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. East of this are two (2) lots zoned Single-Family 7 (SF-7) District. The 0.33-acre property has two (2) single-family homes situated on it, which are addressed 709 & 711 Hartman Street. The other lot (*i.e. 207 Wade Drive*) is 3.574-acres and is vacant. Beyond this is 713 Hartman Street, which is zoned Single-Family 7 (SF-7) District and has a ~3,500 SF home situated on it.
- <u>West</u>: Directly west of the subject property are two (2) single-family homes situated on two (2) lots that are zoned Single-Family 7 (SF-7). These properties are addressed as 209 & 211 S. Clark Street. Beyond this is S. Clark Street, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are multiple lots zoned Single-Family 7 (SF-7) District. These properties (*i.e.* 206, 208, 210, & 210 S. Clark Street) are developed with single-family homes.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as "(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out." An *established subdivision* is further defined in Subsection 02.03(B) (11) of Article 04, *Permissible Uses*, of the UDC as "…a subdivision that consists of five (5) or more lots, that is 90% developed, and that has been in existence for more than ten (10) years." In this case, the subject property is located within 500-feet of the Dawson Subdivision, which has been in existence for greater than ten (10) years, consists 16 lots, and is 100% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Single-Family 7 (SF-7) District, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Wade Drive, Hartman Street, & S. Clark Street and the Subject Property	Proposed Housing
Building Height	One (1) & Two (2) Story	Two (2) Story
Building Orientation	All of the homes are oriented toward the street they are built along.	The front elevation of the home will face onto Wade Drive.
Year Built	1911-1999	N/A
Building SF on Property	984 SF – 2,203 SF	2,418 SF (2,418 SF of Air-Conditioned Space)
Building Architecture	Single Family Homes	Comparable Architecture to the surrounding Single- Family Homes
Building Setbacks:		,
Front	Estimated Between 10-Feet and 20-Feet	20-Feet
Side	The side yard setbacks greater than six (6) feet.	X>6-Feet
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	X>10-Feet
Building Materials	Composite Siding, Vinyl Siding, & Brick	HardiBoard Siding
Paint and Color	Red, White, Grey, Brown, & Green,	Undefined by the Applicant
Roofs	Composite Shingles and Standing Seam Metal	Asphalt Composite Shingle (Primary) & Metal Roof (Secondary over Covered Porch)
Driveways/Garages	Driveways all front the same street the single-family home faces. Two (2) exceptions exist on two (2) corner lots.	The garage will be detached and located behind the home to the south-west.

The proposed single-family home meets all of the density and dimensional requirements for the Single Family 7 (SF-7) 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 Russell Drive and the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On August 18, 2020, staff mailed 50 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Park Place Homeowner's Association (HOA), which is the only Homeowner's Association (HOA)/Neighborhood Organization within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received no notices in regard to the applicant's request.

CONDITIONS OF APPROVAL

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

PLANNING AND ZONING COMMISSION

On September 15, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) with the conditions of approval by a vote of 6-0, with Commissioner Conway absent.

	I his emai	I was scanned by B	taetenaer			
		DEVELOPMENT A City of Rockwall Planning and Zoning D 385 S. Goliad Street Rockwall, Texas 75087	epartment	NOTE: THE APPLICATION IS I CITY UNTIL THE PLANNING E SIGNED BELOW. DIRECTOR OF PLANNING: CITY ENGINEER:	ND. Z2020-033 NOT CONSIDERED ACCEPTED BY T IRECTOR AND CITY ENGINEER HA	HE
	Please check the ap	propriate box below to indicate th	e type of development re	quest (SELECT ONLY ONE)	BOX]:	
Q	Preliminary Pl Final Plat (\$30 Replat (\$300.0 Amending or (an Fees: 100.00 + \$15.00 Acre ¹ at (\$200.00 + \$15.00 Acre ¹ 0.00 + \$20.00 Acre ¹ 10 + \$20.00 Acre ¹ Ainor Plat (\$150.00) ment Request (\$100.00)	Zo Sn PD Other Tn	r Application Fees: ning Change (\$200.00 + \$15. ecific Use Permit (\$200.00 + Development Plans (\$200.0 Application Fees: se Removal (\$75.00) mance Request (\$100.00)	\$15.00 Acre) ¹	\$215.00 check
		ion Fees: 0.00 + \$20.00 Acrej ¹ Plan/Elevations/Landscaping Plan (\$ 10	Ainde x	Ramining the Nee, please use the	exact acreage when multiplying by an one acre, round up to one (1) acr	
	PROPERTY INFO	RMATION (PLEASE PRINT)	annan ann an an an ann an an Arain a' an a' an a'	eren per concerta anno contractana. Mar concerta contracta anno anno a		
	Address	210 Wade STR	EET Rock	well TX 75	087	
	Subdivision	Richard Harns NO. 3	Add, TION	Lot 3	Block A	
		Hartmond + W				
1		LAN AND PLATTING INFORM				
	Current Zoning			nt Use Res I	deNTIAL	
	Proposed Zoning		Propos		GENTINL	
9411 4:	acreage		ots [Current] LOC		roposed LOT	3
للحلحال	SITE PLANS AND	PLATS: By checking this box you acknow	edge that due to the passage	of <u>H83167</u> the City no longer l	has flexibility with regard to its a	approval N/A
	process, and fail	re to address any of staff's comments by th CANT/ AGENT INFORMATION				/
		PATRICK S. WELL			AS OWNER	INFO
		PATRICK S. WE		Person	1.0 - 101 14	int c
		711 Stillwater D		ddress		1
		SPECIAL CONTRACTOR		It		
	City, State & Zip	Rock Wall, Tx. 7.50	087 City, State	8.Zp		
	Phane	214.280.6469		Phone C*	0	
	E-Mail	pwells @ Guestsuy			LSIC celoudoc	
	Before me, the undersit	CATION [REQUIRED] (ned authority, on this day personally appe- ue and certified the following.	area Patrick W	will F	9 C LCLOUD. segned, who stated the information 215,	tion on
	cover the cost of this ap that the City of Rockwa	m the owner for the purpose of this applica plication, has been paid to the City of Rock III (i.e., "City") is authorized and permitted any copyrighted information submitted in (wall on this the day of to provide information contain	, 20 ed within this application to th	. By signing this application e public. The City is also author	land and
		nd seal of office on this the $3^{\prime\prime\prime}$ doy	of August 202		BRET MADD	ox
		Owner's Signature Patrice	en 5. Wells	X	My Notary ID # 129 Expires September	969257
	Notary Public in	and for the State of Texas 26		MyEBhan	Stion Explicit	LT, LULL
		CALL & SOL LEASTING & CALL ALL DOCUMENTS	AND A DESIGNATION OF THE REAL PROPERTY OF THE	CONTRACTOR OF THE ACT OF A DAMAGE	AND A REPORT OF A DATE OF A REPORT OF A REPORT OF	

DEVELOPMENT APPLICATION + CITY OF BOCK WALL + SPE ICHITY CONAD STREET + BOCKWALL TX FEXPT + (P+1972) 771 2745+ (P+1972) 771 774





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.





ST MARYS

HAF GARDENS

Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745

From:	Gamez, Angelica
Sent:	Tuesday, August 18, 2020 5:00 PM
Cc:	Miller, Ryan; Gonzales, David; Lee, Henry
Subject:	Neighborhood Notification Program
Attachments:	HOA Map (08.13.2020).pdf; Public Notice (08.18.2020).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>Friday, August 21, 2020</u>. The Planning and Zoning Commission will hold a public hearing on <u>Monday, September 15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. 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 <u>Planning@rockwall.com</u> 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: <u>https://sites.google.com/site/rockwallplanning/development/development-cases</u>.

Z2020-033 SUP for Residential Infill at 210 Wade Street

Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of a <u>Specific Use</u> <u>Permit (SUP)</u> for <u>Residential Infill in an Established Subdivision</u> for the purpose of constructing a singlefamily home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator City of Rockwall 972.771.7745 Office 972.772.6438 Direct http://www.rockwall.com/planning/

This email was scanned by Bitdefender

City of Rockwall



Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number:Z2020-033Case Name:SUP for 210 Wade DriveCase Type:ZoningZoning:Single-Family 7 (SF-7) DistrictCase Address:210 Wade Drive



Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745 MASSEY GREGORY 102 S CLARK ROCKWALL, TX 75087

CASEY CAMPBELL 201 S CLARK ROCKWALL, TX 75087

HENRY AMANDA A 205 S CLARK ROCKWALL, TX 75087

KOCH JEAN 208 S CLARK ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 210 S CLARK ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 213 S CLARK ROCKWALL, TX 75087

BURGESS JULIA ANN 302 S CLARK ST ROCKWALL, TX 75087

WERCHAN ALLEN AND KELLI 309 GLENN AVE ROCKWALL, TX 75087

CHERRY J DALE AND TEDDI 508 HIGHVIEW ROCKWALL, TX 75087

BOREN TERRY L ETUX 513 MUNSON ROCKWALL, TX 75087 COX GERALD GLEN AND ROSALBA CARRASCO 106 S CLARK ROCKWALL, TX 75087

> RICH LISA 202 S CLARK ST ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 206 S CLARK ROCKWALL, TX 75087

LEFERE KEVIN M AND AMANDA HENRY 209 S CLARK ST ROCKWALL, TX 75087

WILKINSON LYNN L & CHAD DAVID 211 S CLARK ST ROCKWALL, TX 75087

SIMPSON MELISSA HUFFAKER 214 S CLARK ST ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 306 S CLARK ROCKWALL, TX 75087

KOCH JEAN 3720 MEDITERRANEAN ROCKWALL, TX 75087

AUBE JEAN-PAUL III 509 MUNSON ROCKWALL, TX 75087

CARSON HEATHER 606 E WASHINGTON ST ROCKWALL, TX 75087 BOREN TERRY L ETUX 113 S BERNICE DR GARLAND, TX 75042

MUNSON PARTNERS 1 LLC 204 S CLARK ROCKWALL, TX 75087

WOOD WILLIAM AND SANDIE 207 WADEDR ROCKWALL, TX 75087

RIJU LTD PARTNERSHIP A TEXAS LTD PARTNERSHIP 210 GLENN AVE ROCKWALL, TX

> ZAKEM KYNSIE JO 212 S CLARK ST ROCKWALL, TX 75087

CAUBLE LINDA 301 S CLARK ST ROCKWALL, TX 75087

RIDDLE TYLER AND MEGAN L 307 S CLARK ROCKWALL, TX 75087

> SAMPLES ELVA NELL 502 RENFRO ST ROCKWALL, TX 75087

> FLORES JAMES AND 511 MUNSON ROCKWALL, TX 75087

JONES CLYDE AND CHRISTY 608 E WASHINGTON ROCKWALL, TX 75087

MUNSON PARTNERS 1 LLC 608 E WASHINGTON ROCKWALL, TX 75087

RIJU LTD PARTNERSHIP A TEXAS LTD PARTNERSHIP 705 HARTMANST ROCKWALL, TX 75087

> SHELTON HEATHER 708 HARTMAN ST ROCKWALL, TX 75087

WELLS PATRICK S & RHONDA C 711 STILLWATER DR ROCKWALL, TX 75087

> HOOVER LINDA WEST-716 HARTMAN STREET ROCKWALL, TX 75087

COX GERALD GLEN AND ROSALBA CARRASCO 815 T L TOWNSEND STE 100 ROCKWALL, TX 75087

> FLORES JAMES AND PATRICIA ORR FLORES PO BOX 237 ROCKWALL, TX 75087

REEVES ASHLEY ELLEN & DANIEL GARRET 609 EAST WASHINGTON STREET ROCKWALL, TX 75087

> CHERRY J DALE AND TEDDI 706 HARTMAN ROCKWALL, TX 75087

RENDON MARCELINO J JR 710 HARTMAN ST ROCKWALL, TX 75087

GILLIAM ROBERT W JR & PERRILYN 712 HARTMAN ST ROCKWALL, TX 75087

WERCHAN ALLEN AND KELLI 720 E WASHINGTON ROCKWALL, TX 75087

RIDDLE TYLER AND MEGAN L 8660 COLONY CLUB DR ALPHARETTA, GA 30022 SMITH GREGORY P & MARILYN 610 E RUSK ST ROCKWALL, TX 75087

RIJU LTD PARTNERSHIP A TEXAS LTD PARTNERSHIP 707 HARTMANST ROCKWALL, TX 75087

> ANDERSON TREVOR 711 HARTMAN ST ROCKWALL, TX 75087

PIERCY DUANE AND JENNIFER 713 HARTMAN ROCKWALL, TX 75087

> ROCKWALL I S D 801 E WASHINGTON ROCKWALL, TX 75087

WOOD WILLIAM AND SANDIE 8718 CLEARLAKE DR ROWLETT, TX 75088

AUBE JEAN-PAUL III PO BOX 868 ROCKWALL, TX 75087 PUBLIC NOTICE

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

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

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

Case No. Z2020-033: SUP for Residential Infill at 210 Wade Street

Hold a public hearing to discuss and consider a request by Patrick Wells for the approval of a <u>Specific Use Permit (SUP)</u> for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP Director of Planning & Zoning USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE



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. Z2020-033: SUP for Residential Infill at 210 Wade Street

Please place a check mark on the appropriate line below:

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

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

Name:

Address:

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

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

G	R	A	Ρ	Η		С		S	Y	М	В	ΟL	-
1.							HIDDEN EXISTIN		JTUF	RE,	7.		77.
2.	X//	AX.X		— INE	DICA	TES	SECTIO	Ν			8.	\sub)
3.	X//	AX.X			DICA CTIC		BUILDIN	IG			9.		Ī
4.	X/.	AX.X		ine Vie		TES	ELEVAT	ION			10.	,	<u> </u>
5.	, [×,	/ax.x ine	_	TES	DETAIL				11.	_HI ₩-	b
	 		j								12.	× ^{G.I}	K.
6.	¢) ICA N TF		ELEVAT	ION					
								NC	οτ α	LL S	YMBOI	_s used)

A B	B R	ΕΥΙΑΤ	10	Ν	S :
A/C	=	AIR CONDITIONED	МС	=	MEDICINE CABINET
ADJ	=	ADJUSTABLE	MICRO	=	MICROWAVE
A.F.F.	=	ABOVE FINISHED	MIN	=	MINIMUM
		FLOOR	MTL	=	METAL
BD BLDG	=	BOARD BUILDING	N.T.S. O.H.	=	NOT TO SCALE OVERHEAD
BLDG B.O.	=	BOTTOM OF	0.11. 0.C.	=	OVERTER
CAB	=	CABINET	0.0. 0.C.E.W.	=	ON CENTER
CER	=	CERAMIC			EACH WAY
Ģ	=	CENTER LINE	PL	=	PLATE
CLG	=	CEILING	PLAS	=	PLASTIC
CLO C.O.	=	CLOSET CASED OPENING	PWDR REF	=	
C.U. COL	=	CASED OPENING COLUMN	REFG	=	REFERENCE REFRIGERATOR
CONC	=	CONCRETE	REQ	=	REQUIRED
CONT	=	CONTINUOUS	RM	=	ROOM
COORD	=	COORDINATE	R/S	=	ROD & SHELF
DBLE	=	DOUBLE	SCHED	=	SCHEDULE
DIM	=	DIMENSION	S.F.	=	SQUARE FEET
DN D.S.	=	DOWN Down spout	SH SHLVS	=	SHELF SHELVES
D.S. DW	=	DISH WASHER	SIM	=	SIMILAR
DWR	=	DRAWER	SL	=	SLOPE
ELEC	=	ELECTRIC	SPR	=	SPRINKLER
ELEV	=	ELEVATION	S.S.	=	STAINLESS STEEL
EQ	=	EQUAL	STL	=	STEEL
ESMT EXT	=	EASEMENT EXTERIOR	STOR STRUCT	=	STORAGE STRUCTURAL
EXIST	=	EXISTING	TC	_	TRASH COMPACTOR
F.F.E.	=	FINISH FLOOR	T&G	=	TONGUE & GROOVE
		ELEVATION	THK	=	THICK
FLR	=	FLOOR	Т.О.	=	TOP OF
FREZ	=	FREEZER	T/R	=	TREAD & RISER
GALV GFI	=	GALVANIZED GROUND FAULT	TV TYP	=	TELEVISION TYPICAL
GFT	_	INTERRUPTER	U.C.	=	UNDER COUNTER
GL	=	GLASS	U.M.	=	UNDER MOUNT
GYP	=	GYPSUM	UTIL	=	UTILITY
Hb	=	HOSE BIB	VEST	=	VESTIBULE
H.C.	=	HANDICAPPED	V.I.F.	=	VERIFY IN FIELD
HT	=	HEIGHT	W.C.	=	WATER CLOSET
INSUL LAV	=	INSULATION LAVATORY	W/D WD	=	WASHER & DRYER WOOD
LAV	=	LAWINATE	WD W.H.	=	WATER HEATER
MANUF	=	MANUFACTURER	W.I.	=	WROUGHT IRON
MAX	=	MAXIMUM	WP.	=	WATER PROOF
MECH	=	MECHANICAL	WRM	=	WARMING
L					









DESCRIPTION OF PROPERTY: L S : Maria. INDICATES STEP LEGAL_ DESCRIPTION: PROPERTY IS LOCATED AT 210 WADE DRIVE, RICHARD HARRIS SUBDIVISION NO.3 ADDITION, NASH STREET, IN THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS 75087 BEING A REPLAT OF LOTS 1 &2 BLOCK A, A RICHARD HARRIS SUBDIVISION, AN ADDITION TO THE CITY OF ROCKWALL, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN (--) DOOR MARK CABINET B, SIDE 44, OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS. 20'-0" 6'-0" 8'-0" <u>ZONING:</u> FRONT YARD SETBACK: WINDOW MARK SIDE YARD SETBACK: \sim REAR YARD SETBACK: <u>LOT</u> <u>COVERAGE:</u> SITE SQUARE FOOTAGE: 9,411 S.F. ACTUAL COVERAGE: 2,907 S.F. +- FROST PROOF HOSE BIB x^{G.K.} gas key @ fireplace

SLOPE 12:12

SLOPE 12:12

RST FLOOR	DOOR			
O. NAME	SIZE	TYPE	HARDWARE	REMARKS
1 FOYER	(2) 3'-0" x 8'-0" x 1 3/4"	A	LOCKSET	
2 HALL	3'-0" x 8'-0" x 1 3/4"	В	LOCKSET	
3 DINING	(2) 3'-0" x 8'-0" x 1 3/4"	A	LOCKSET	
4 MASTER BEDROOM	2'-8" x 8'-0" x 1 3/4"	С	PRIVACY	
5 MASTER CLOSET	$(2) 3'-0'' \times 8'-0'' \times 1 3/4''$	D	—	
6 MASTER BATH	2'-8" x 8'-0" x 1 3/4"	C	PRIVACY	POCKET
7 MASTER SHOWER	2'-6" x 8'-0" x 1/2"	E	—	
8 MASTER CLOSET	2'-6" x 8'-0" x 1 3/4"	C	PASSAGE	POCKET
9 LAUNDRY	3'-0" x 8'-0" x 1 3/4"	С	PASSAGE	POCKET
10 CRAFT ROOM	3'-0" x 8'-0" x 1 3/4"	С	PASSAGE	POCKET
11 POWDER	2'-4" x 8'-0" x 1 3/4"	С	PRIVACY	POCKET
12 STORAGE	2'-6" x 8'-0" x 1 3/4"	С	PASSAGE	
I 3 BEDROOM #1	<u>3'-0" × 8'-0" × 1 3/4"</u>	С	PRIVACY	POCKET
14 BATH #1	3'-0" x 8'-0" x 1 3/4"	С	PRIVACY	POCKET
ECOND FLOOR	DOOR			
15 LOFT CLOSET	2'-8" x 6'-8" x 1 3/4"	С	PASSAGE	
16 BATH #2	2'-6" x 6'-8" x 1 3/4"	C	PRIVACY	
17 BEDROOM #2	2'-8" x 6'-8" x 1 3/4"	С	PRIVACY	
		D		
	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$			

BEXTERIOR SWING DOORCSOLID CORE INTERIOR DOODINTERIOR SLIDING DOOR

- COMPOSITE SHINGLE ROOF

E GLASS SWING DOOR

	/	
ſ	H	٦Ì
ι	.'	'~
	~	/

12:12 SLOPE 12:12 SLOPE 3:12 SLOPE ╺┍╧╺╪╵╷┟┍╷╧╺╪╵╷╵┍┍╧╺╪┙╎╎┍╤╧╺╪╘╎╎┍┊╵╪╧ **SLOPE** _OPE 2:12 ← CHIMNEY 12:12 SLOPE 12:1: SLOPI 12:12 SLOPF SLOPE 3:12 SLOPE ↓ 12:12 ← SLOPE =12:12 =SLOPE



<u>ARE</u>

1ST 2ND TOT COV TOT DE

╧╋╋╋╋

AREA CALCULATIONS:

EAS:	
T FLOOR A/C SQ. FT.:	1,872 S.F.
D FLOOR A/C SQ. FT.:	546 S.F.
TAL HOUSE A/C SQ FT:	2,418 S.F.
VERED PATIO SQ. FT.:	595 S.F.
TAL HOUSE SQ FT:	3,013 S.F.
TACHED GARAGE SQ. FT.:	440 S.F.

SΗ	EET INDEX:				
SHEET	CONTENTS				
ARCHITECTURAL DRAWINGS					
A1.1	SITE PLAN / ROOF PLAN / GENERAL NOTES WINDOW & DOOR SCHEDULE				
A2.1 A3.1	FLOOR PLANS REFLECTED CEILING PLAN & SCHEDULE				
A4.1 A4.2	EXTERIOR ELEVATIONS / WALL SECTION				
A4.3 A5.1	BUILDING SECTION / WALL SECTION INTERIOR ELEVATIONS				

ENERGY SPECIFICATIONS:

2 WINDOWS AND DOORS:

 1
 ALL FRAMED ENVELOPE:

 2X4 WALLS: 3.5" OPEN CELL FOAM

 SLAB FLOOR SYSTEM

 8" DEEP CEILING SYSTEM: 6" OPEN CELL

ZWINDOWS AND DOORS.LOW E GLAZING- UF= .30 SHGV= .203HVAC : 16 SEER4GAS FURNACE5TANKLESS WATER HEATER: GAS











63,

5'-0"

<u>STORAGE</u> <u>UNDER</u> <u>ROOF</u>

10'-1<u>1</u>"

2'-6"





ISSUED DATE:



ELECTRICAL SCHEDULE:					
⊕	WP – HZL –	DUPLEX @ 12" A.F.F., OTHERS NOTED. WP – WATERPROOF HOUSING HZL – HORIZONTAL FACEPLATE GFI – GROUND FAULT			
€ 220	220V OUTLET			JUNCTION BOX	
Ø	4" RECESSED INCANDESCNT FIXTURE W/ 2" SPOT APERTURE		ښې	6" RECESSED INCANDESCNT FIXTURE	
Ô		ESSED INCANDESCNT W/ SLOTTED APERTURE	<u>(</u> 4"	4" RECESSED INCANDESCNT FIXTURE	
D \$	SINGLE POLE SWITCH (ROCKER) – VERIFY COLOR D – DIMMERS M – MOTION SENSOR DJ – DOOR JAMB SWITCH				
\$	3-WAY SWITCH				
=#	T.V. CABLE G6 WIRE		+A	ALARM KEYPAD	
6	SMOKE DETECTOR W/110V. JUNCTION BOX		CHIME	DOOR BELL CHIME	
•	DOOR BELL			CEILING EXHAUST FAN	
-0	CEILING MOUNTED FIXTURE TO BE SELECTED		+X	WALL MOUNTED SCONCE TO BE SELECTED	
+	DECORATIVE PENDANT- TO BE SELECTED		Ŋ	EXTERIOR FLOOD LIGHT ON MOTION DETECTOR / PHOTO CELL	
CEILING MOUNTED FLUORESCENT FIXTURE					
	1 LAMP FLUORESCENT, W/ LENS COVER AT CLOSET				
	CEILING FAN				
NOTE: SOME SYMBOLS MAY NOT BE USED.					







FIRST FLOOR PLAN SCALE: 1/4" = 1'-0"

























ISSUED DATE:

24, JUNE 2020

CITY OF ROCKWALL

ORDINANCE NO. 20-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 ADJACENT TO AN ESTABLISHED SUBDIVISION TO ALLOW THE **CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.216-**ACRE PARCEL OF LAND, IDENTIFIED AS LOT 3, BLOCK A, **RICHARD HARRIS #3 ADDITION, CITY OF ROCKWALL,** ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE: PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN **EFFECTIVE DATE.**

WHEREAS, the City has received a request from Patrick Wells for the approval of a Specific Use Permit (SUP) for *Residential Infill Adjacent to an Established Subdivision* to allow the construction of a single-family home on a 0.216-acre parcel of land identified as Lot 3, Block A, Richard Harris #3 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 210 Wade Drive, and being more specifically described and depicted in *Exhibit* 'A' of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

City of Rockwall, Texas

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.07, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- *as heretofore amended and may be amended in the futu*re -- 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 <u>Residential Plot Plan</u> 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.
- 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:

 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 5^{TH} DAY OF OCTOBER, 2020.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: <u>September 21, 2020</u>

2nd Reading: <u>October 5, 2020</u>

Z2020-033: SUP for 210 Wade Drive Ordinance No. 20-XX; SUP # S-2XX

Page | 3

City of Rockwall, Texas

Exhibit 'A' Location Map and Survey

<u>Address:</u> 210 Wade Drive <u>Legal Description:</u> Lot 3, Block A, Richard Harris #3 Addition



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.



Z2020-033: SUP for 210 Wade Drive Ordinance No. 20-XX; SUP # S-2XX

Page | 4

City of Rockwall, Texas

Exhibit 'B': Residential Plot Plan



Exhibit 'C': Building Elevations



Exhibit 'C': Building Elevations


Exhibit 'C': Building Elevations





MEMORANDUM

TO: Rick Crowley, City Manager

- CC: Honorable Mayor and City Council
- FROM: Ryan Miller, Director of Planning and Zoning
- DATE: September 21, 2020
- SUBJECT: Z2020-035; SPECIFIC USE PERMIT FOR A RESTAURANT, 2,000 SF OR MORE, WITH A DRIVE-THROUGH AT 902 & 906 S. GOLIAD STREET

Attachments Memorandum Case Memo **Development Application** Location Map **Neighborhood Notification Email Property Owner Notification Map** Property Owner Notification List Property Owner Notifications (1) Property Owner Notifications (2) **Public Notice** For & Against Map **Applicant's Letter Concept Plan Concept Building Elevations** Concept Floor Plan Applicant's Changes to the Ordinance **Draft Ordinance**

Summary/Background Information

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow a *Restaurant with 2,000 SF or More with Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [*H-205*], and take any action necessary **(1st Reading)**.

NOTE: The applicant has submitted a request to withdraw this case.

Action Needed

The City Council will first need to take action on the request to withdraw this case. Should the City Council approve the request to withdraw, no further action is required. Should the City Council deny the request to withdraw, the City Council will need to [1] approve, [2] approve with condition, or [3] deny the Specific Use Permit (SUP). This case will require a super majority vote of those City Council members present (*e.g. six [6] out of the seven [7] members*).



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
FROM:	Ryan Miller, Director of Planning and Zoning
DATE:	September 21, 2020
SUBJECT:	Z2020-035; Specific Use Permit for a Restaurant, 2,000 SF or More, with a Drive-Through at 902 & 906 S. Goliad Street

On September 15, 2020, the Planning and Zoning Commission voted 6-0 (*with Commissioner Conway absent*) to recommend denial of the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, 2,000 SF or More, with a Drive-Through* at 902 & 906 S. Goliad Street. Based on this recommendation, the applicant submitted a letter requesting to withdraw *Case No. Z2020-035* on September 16, 2020 (*see Exhibit 'A'*). According to Subsection 01.03, *Application Withdrawal*, of the Article 11, *Development Application and Review Procedures*, of the Unified Development Code (UDC), "(i)f an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body." This means the City Council will be required to vote on whether or not to accept the applicant's withdraw request. Should the City Council have any questions staff will be available at the <u>September 21, 2020</u> meeting.



WIER & ASSOCIATES, INC. ENGINEERS SURVEYORS

September 16, 2020

City of Rockwall **Planning & Development Services** 385 S. Goliad Street Rockwall, TX 75087 Attn: Ryan Miller

JOHN P. WIER, P.E., R.P.L.S. ULYS LANE III, P.E., R.P.L.S., CFM CARLO SILVESTRI, P.E. GREGG MADSEN, R.P.L.S.

BENIOR ASSOCIATES PHILIP L. GRAHAM, P.E. JAKE H. FEARS, RE., LEED AP 8D+C RANDALL S. EARDLEY, RE.

> ASSOCIATES TOBY W. RODGERS CASEY D. YORK PRIYA ACHARYA, P.E.

RE: REQUEST TO WITHDRAW CASE NO. Z2020-035 SUP FOR RESTAURANT (2,000 SF OR MORE) WITH DRIVE-THRU/DRIVE-IN 906 S GOLIAD ST, ROCKWALL, TX 75087 WA # 20075

Dear City of Rockwall,

On September 21, 2020, the City Council is scheduled to make a decision regarding agenda item Z2020-035 - a Specific Use Permit (SUP) to allow the use of a drive-thru for a restaurant greater than 2,000 sf. On behalf of the applicant, we would like to formally request the withdrawal of agenda item Z2020-035 from the September 21, 2020 City Council agenda. We appreciate your time and consideration.

Respectfully,

Casey Orr. P.E.

2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006-7440 (817) 467-7700 FAX (817) 467-7713

WWW.WIERASSOCIATES.COM

D 121 5. MAIN ST. HENDERSON, TEXAS 75654-3559 (903) 722-9030 TOLL FREE FAX (844) 325-0445

TEXAS ENGINEERING FIRM ND. F-2776 . TEXAS LAND SURVEYING FIRM NDS. 10033900 & 10194179



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:	September 21, 2020
APPLICANT:	Allen Anderson, Adlor Enterprises, LLC
CASE NUMBER:	Z2020-035; Specific Use Permit for a Restaurant, 2,000 SF or More, with a Drive-Through at 902 & 906 S. Goliad Street

SUMMARY

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for a <u>Restaurant with 2,000 SF or More with a Drive-Through/Drive-In</u> for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [*SH-205*], and take any action necessary.

BACKGROUND

The subject property is considered to be a part of the Old Town, and was annexed prior to 1934 based on the August 25, 1934 Sanborn Maps. According to the January 3, 1972 zoning map, the subject property was zoned Single-Family 2 (SF-2) District. At some point between January 3, 1972 and May 16, 1983, the subject property was rezoned to a Single-Family 10 (SF-10) District according to the 1983 zoning map. The subject property retained the Single-Family 10 (SF-10) District zoning designation until September 6, 2005 when the City Council approved Planned Development District 62 (PD-62) by adopting *Ordinance No. 05-42* [*Case No. Z2005-031*]. This Planned Development District re-designated the subject property for General Retail (GR) District land uses. In addition, the Planned Development District also re-designated the 0.7329-acre tract of land directly west of the subject property for Zero Lot Line (ZL-5) District land uses. At the time of the zoning change, situated on the 0.7329-acre tract of land was an existing 2,773 SF single-family home that was constructed in 1980. This tract of land, along with the subject property, were platted into Lots 1-3, Block A (*i.e. the 0.7329-acre tract of land*) and Lot 1, Block B (*i.e. the subject property*), Jack Canup Addition (*Case No. P2006-040*), which was filed with Rockwall County on April 11, 2007. The two (2) undeveloped lots west of the subject property (*i.e. Lots 1 & 2, Block A*) were developed with single-family homes in 2016. The subject property was vacant at the time the area was rezoned to Planned Development District 62 (PD-62), and has remained vacant since.

<u>PURPOSE</u>

The applicant -- Allen Anderson -- is requesting the approval of a Specific Use Permit (SUP) for a Restaurant with 2,000 SF or More with a Drive-Through/Drive-In to allow the development of a restaurant (*i.e. Taco Bell*) on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 902 & 906 S. Goliad Street [*SH-205*]. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is W, Bourn Avenue, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of this roadway is a 1.8046-acre parcel of land (*i.e. Lot 14, Block M, Sanger Addition*) that serves as an overflow parking lot for the First Baptist Church of Rockwall. The parking lot is zoned General Retail (GR) District. West of this land use, and northwest of the subject property, are eight (8) single-family homes (*i.e. Lots 6-13, Block M, Sanger Addition*) that are zoned Zero Lot Line (ZL-5) District.

- <u>South</u>: Directly south of the subject property is a 15-foot undeveloped alleyway. Beyond this are 13 single-family residential lots (*i.e. Lots 1-6, Block 1 and Lots 1-7, Block 2, L&W Addition*) with 12 single-family homes situated on them. All of these properties are zoned Single-Family 10 (SF-10) District.
- *East*: Directly east of the subject property is the beginning of the S. Goliad Street [*SH-205*]/Ridge Road [*FM-740*] split, where a portion of S. Goliad Street proceeds south and a portion of the street splits and turns into Ridge Road. Ridge Road is identified as a M4D (*i.e. major collector, four [4] land, divided roadway*) and S. Goliad Street is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are five (5) parcels of land (*i.e. Lots 1-5, Block A, Canup Addition*) that have two (2) buildings situated on them (*i.e. Mattress Depot and Rockwall Floor Covering*). These five (5) parcels of land are zoned Commercial (C) District.
- *West*: Directly west of the subject property is a 20-foot alleyway that is partially developed. Beyond this are three (3) single-family, residential lots (*i.e. Lots 1-3, Block A, Jack Canup Addition*) with three (3) single-family homes situated on them. These properties are zoned Planned Development District 62 (PD-62) for Zero Lot Line (ZL-5) District land uses. Beyond these parcels of land is S. Alamo Street, which is designated as a R2 (*residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are six (6) single-family residential lots (*i.e. Lots 1-4, Block A and Lots 1-2, Block B, John Spong Subdivision #1*) with five (5) single-family homes situated on them. These lots are followed by the Lake Meadows Subdivision, which consists of 26 residential lots that were established in 1968. All of these properties are zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a 2,053 SF restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented so that the drive-through and *bailout* lanes will be adjacent to S. Goliad Street. The *food delivery/payment window* will also be located adjacent S. Goliad Street, with the *restaurant ordering board* (*i.e. the point of order*) being oriented toward the southern property line. It should be noted that the *restaurant ordering board* is ~101-feet from the closest residential property line to the south, and ~173-feet from the closest residential property line to be cued from the *restaurant ordering board* to the *food delivery/payment window*, with one (1) vehicle being able to be cued behind the car at the *restaurant ordering board*. On the southside of the drive-through lane -- *in close proximity to the restaurant ordering board* -- is the loading zone, which is located ~72-feet from the closest residential property line to the west.

Ingress and egress for the property will be provided via a driveway off of S. Goliad Street and a driveway off of W. Bourn Street. Staff should note that the subject property currently has a driveway off of S. Goliad Street that is located in approximately the center of the subject property. The concept plan shows this driveway being moved further south on the subject property closer to the S. Goliad Street [*SH-205*]/Ridge Road [*FM-740*] split. The parking requirement for a *Full-Service Restaurant (i.e. a restaurant that provides indoor ordering, seating and dining*) is one (1) parking space per 100 SF of floor area. In this case, the parking requirement for the proposed restaurant would be 21 parking spaces. The concept plan shows the provision of 26 parking spaces and is over parked by four (4) spaces per the parking requirements. Along the southern and western property lines the applicant is proposing to construct a six (6) foot masonry wall with canopy trees being planted on 20-foot centers. The concept plan also shows a shrub row being provided adjacent to S. Goliad Street.

CONFORMANCE WITH THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant with 2,000 SF or More with a Drive-Through or Drive-In* land use requires a Specific Use Permit (SUP) in a General Retail (GR) District. The purpose of requiring a Specific Use Permit (SUP) for this land use in a General Retail (GR) District is tied to the fact that this zoning designation is typically located directly adjacent to or in close proximity to single-family residentially zoned districts. According to the Unified Development Code (UDC), "(t)he General Retail (GR) District is a zoning district intended to provide *limited* retail and service uses for one (1) or more neighborhoods ... [*it*] is not a major commercial/retail district and should try to avoid intensive commercial land uses that carry large volumes of retail traffic." Based on the potential

ability of the *Restaurant with 2,000 SF or More with a Drive-Through or Drive-In* land use to generate higher traffic volumes, this land use was identified as needing discretionary oversight from the Planning and Zoning Commission and City Council. More simply stated, this land use may <u>not</u> be appropriate on all properties zoned General Retail (GR) District. In addition, Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also requires the following land use conditions as part of the establishment of this land use:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for drive-through service window (*i.e. the food delivery/payment window*) shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted site plan does show conformance to the minimum stacking requirements and provides shrubs along S. Goliad Street to help impair the visibility of headlights; however, the proposed concept plan shows the business making use of W. Bourn Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan. This non-conformity would need to be considered as part of this request. Staff should also point out that additional landscaping may need to be provided at the corner of S. Goliad Street and W. Bourn Street to further impair the visibility of headlights on to W. Bourn Street. This can be determined on the *Landscape Plan* submittal with the *Site Plan*, and this requirement has been added to the operational conditions in the attached draft ordinance.

According to the *Residential Adjacency Standards* contained in Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he residential adjacency standards shall apply when a use is proposed for a non-residential building or site that is adjacent to a residential district, and both of the following conditions apply: (a) An existing or proposed building, structure, or device on the lot is within 150-feet of a residential district boundary ... (b) One or more of the following uses are proposed: (2) Restaurants, including accessory outdoor seating, with drive-in or drive-through facilities." In this case, the subject property is directly adjacent to residentially zoned and used property on the southern and western boundaries. In addition, the building is 124-feet from the residentially zoned and used property to the south, and the *restaurant ordering board* -- *which is defined as an individual service speaker and falls under devices* -- is 101-feet from the residentially zoned and used property to the south. Based on this, the following *Residential Adjacency Standards* would apply:

(1) <u>Noise</u>. Any use containing individual service speakers <u>shall not</u> be permitted within 150-feet of any residential district unless the speaker is appropriately screened and shall meet the standards established in Article IV, *Noise*, of Chapter 16, *Environment*, of the Municipal Code of Ordinances. The Planning and Zoning Commission may require wing walls, landscape screens, changes in building orientation, and/or other design elements to screen and minimize the impact of the individual service speakers.

In this case, it may be prudent -- *if the City Council chooses to approve the request* -- to require the applicant to add additional landscape screening directly south of *restaurant ordering board*; however, requiring this would be a discretionary decision. Staff has added this as a condition of approval for the consideration of the City Council.

According to the City's *Engineering Standards of Design Manual*, the driveway along S. Goliad Street does not meet the minimum 200-foot spacing requirement; however, as previously stated the subject property currently has an existing driveway that is located in approximately the center of the eastern property line. The applicant's plan shows this driveway being widened and moved further south toward the S. Goliad Street [*SH-205*]/Ridge Road [*FM-740*] split. The total distance from the intersection of W. Bourn Street and S. Goliad Street [*SH-205*] and the new driveway would be 175-feet, and ~220-feet from the intersection of Glenn Avenue and Ridge Road [*FM-740*]. Staff should note that the driveway location does not meet the Texas Department of Transportation's (TXDOT's) requirements, which are 425-feet from any existing drive location. This will need to be appealed to TXDOT for approval of a variance, which they can issue at their discretion through the civil engineering process.

With the exception of these items the concept plan appears to meet the design requirements for the General Retail (GR) District. The submitted building elevations will be subject to review by the Architectural Review Board (ARB) at the time of site plan; however, the elevations are being tied down in the draft ordinance to ensure that no major changes will be made if the City Council chooses to approve the applicant's request.

STAFF ANALYSIS

When this request was originally reviewed, staff recommended to the applicant that they limit the hours of operation to 7:00 AM to 10:00 PM due to the close proximity of the restaurant to residential properties. This has typically been done in areas where a higher intensity commercial use (*e.g. a fast food restaurant with drive-through/drive-in*), requires a Specific Use Permit (SUP), and is directly adjacent to -- *and/or within 150-feet of* -- a residentially zoned or used property. A good example of this would be the Specific Use Permits (SUPs) that have been approved in the N. Goliad Street area north of the Downtown (DT) District. In this case, a representative of the applicant indicated at the work session that the proposed restaurant would have similar hours as the other location on Ridge Road [*FM-740*], which are 9:30 AM - 3:00 AM on Fridays and Saturdays, and 9:30 AM – 2:00 AM on Mondays through Thursdays.

Another suggestion from staff was to increase the required screening adjacent to the residential areas due to the close proximity of the proposed restaurant to the existing residential properties to the south and west. This was also driven by the *Residential Adjacency Standards* that ask for increased screening -- *that is above and beyond the ordinance requirements* -- to help mitigate the impact of a commercial business that is within 150-feet of a residential property. The following is a breakdown of the distances for structures referenced in the *Residential Adjacency Standards* as proposed by the applicant's concept plan:

	Residential Properties to the West	Residential Properties to the South
Restaurant Building	156-feet	124-feet
Restaurant Ordering Board	173-feet	101-feet
Loading Zone	114-feet	72-feet
Drive Through Cueing Lane	70-feet and 131-feet	87-feet

Based on this information staff requested that the applicant provide an exhibit showing the increased screening that was being proposed, and requested that the applicant consider increasing the height of the proposed masonry wall to eight (8) feet. The returned concept plan shows conformance to the *minimum* standard, which is a six (6) foot masonry wall with canopy trees (*a minimum of four [4] caliper inches*) being provided on 20-foot centers. Staff should note that no additional screening or sound attenuation was provided.

Should the City Council choose to approve the applicant's request staff has included conditions of approval requiring a Traffic Impact Analysis (TIA), Noise Study, and additional landscaping at the intersection of S. Goliad Street and W. Bourn Street, and approval of a variance from the Texas Department of Transportation (TXDOT) for the widening and moving of the driveway along S. Goliad Street. In addition, the City Council has the discretion to require additional landscaping south of the *restaurant ordering board* and adjacent to the residential homes along the southern and western property lines per the *Residential Adjacency Standards*. Based on staff's review of the submitted concept plan it appears that this site would warrant consideration of additional landscape screening. As a result, staff has included these as conditions of approval in the below case memo. It may also be appropriate for the City Council -- *if choosing to approve this request --* to establish hours of operation, in the Specific Use Permit (SUP) ordinance, that are more suitable for residential adjacency than the hours of operation indicated by the applicant during the work session; however, since the applicant has requested that these be removed from the draft ordinance staff has not included them as an operational condition or a condition of approval. If the City Council chooses to recommend hours of operation, this would need to be indicated in a motion. With all this being said, a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 15, 2020, staff mailed 107 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Stonebridge Meadows Homeowners Association (HOA), which is the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program (*the Highridge Estates Homeowners Association [HOA] is listed on the notification map, but has not provided contact information*). 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 22 responses (*i.e. one [1] online notification form, seven [7] notices, ten [10] emails and four [4] letters*) in opposition to the applicant's request and two (2) notices from one (1) property owner in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, 2,000 SF or More, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. Taco Bell*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The development of the Subject Property shall generally conform to the Concept Plan as depicted in Exhibit 'B' of this ordinance.
 - (b) The construction of a Restaurant, 2,000 SF or More, with a Drive Through or Drive-In on the Subject Property shall generally conform to the Building Elevations depicted in Exhibit 'C' of this ordinance; however, these elevations will be subject to change based on the recommendations of the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of site plan approval.
 - (c) A minimum of a six (6) foot masonry wall (constructed with materials matching the primary structure) be constructed adjacent to the southern and western property lines. Mature canopy trees should be planted on 20-foot centers along the entire length of the wall.
 - (d) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street.
- (2) Concurrently with the submittal of a site plan the applicant shall submit a *Noise Study* showing that no potential impacts will be created by the construction of the restaurant to the existing single-family homes situated along the southern and western property lines.
- (3) A Traffic Impact Analysis (TIA) shall be submitted and reviewed by the City of Rockwall prior to accepting a site plan application for the subject property.
- (4) A variance request will be approved by the Texas Department of Transportation (TXDOT) prior to the acceptance of a site plan application.
- (5) Additional trees, bushes, and shrubs will be required at: [1] the corner of S. Goliad Street and W. Bourn Street; [2] adjacent to the masonry wall along the southern and western property boundaries (*i.e. adjacent to the residential adjacency*), and [3] south of the *restaurant ordering board*. These will be required to be shown on the landscape plan submitted with the site plan.
- (6) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (7) 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 September 15, 2020, 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 Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [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. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

DEVELOPMENT APPLICATION

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

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

Lots [Proposed]

1

22020-035

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: Zoning Application Fees: [] Master Plat (\$100.00 + \$15.00 Acre)¹ [] Zoning Change (\$200.00 + \$15.00 Acre)¹ [] Preliminary Plat (\$200.00 + \$15.00 Acre)¹ [X] Specific Use Permit (\$200.00 + \$15.00 Acre) 1 [] Final Plat (\$300.00 + \$20.00 Acre)¹ [] PD Development Plans (\$200.00 + \$15.00 Acre)¹ [] Replat (\$300.00 + \$20.00 Acre)¹ **Other Application Fees:** [] Amending or Minor Plat (\$150.00) [] Tree Removal (\$75.00) [] Plat Reinstatement Request (\$100.00) [] Variance Request (\$100.00) Site Plan Application Fees: Notes: [] Site Plan (\$250.00 + \$20.00 Acre)¹ 1: In determining the fee, please use the exact acreage when multiplying by the [] Amended Site Plan/Elevations/Landscaping Plan (\$100.00) per acre amount. For requests on less than one acre, round up to one (1) acre.

PROPERTY INFORMATION [PLEASE PRINT]

1.131

Acreage

Address	906 S. Goliad St					
Subdivision	Jack Canup Addition		Lot	1	Block	В
General Location	ion Southwest Corner of S. Goliad St & Bourn St					
ZONING, SITE PL	AN AND PLATTING INFORMATION [PLEASE	PRINT]				
Current Zoning	PD-62	Current Use	Vacant			
Proposed Zoning	PD-62	Proposed Use	Restaurant	(>2.000	sf) w/ driv	/e-thru

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

1

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

Lots [Current]

[Owner	ADLOR ENT	ERPRISES, LLC	[] Applicant
		ANDERSON	Contact Person
Address	12085.LA	PKESHORE DR	Address
City, State & Zip	ROLVWAIL.T	× 75087	City, State & Zip

Phone	214 538-2209	Phone
	AAINTX@MSN.LOM	E-Ma

NOTARY VERIFICATION [REQUIRED]

ine in the termine in the complete the compl	111-11	Addin mint				
Before me, the undersigned authority, on this day personally appeared	that EN	MORA (Owner]	the undersigned,	who stated th	e information	on
this application to be true and certified the following:						

"I hereby certify that I am the owner for the purpose of th	his application; all information submitter	d herein is true and correct; and the ap	plication fee of \$ 26977, to
cover the cost of this application, has been paid to the Cit	ty of Rockwall on this the 🔜 🔬 day of	,20 20.	By signing this application, I agree
that the City of Rockwall (i.e. "City") is authorized and p	permitted to provide information contai	ned within this application to the publ	ic. The City is also authorized and
permitted to reproduce any copyrighted information sub	mitted in conjunction with this applicati	on, if such reproduction is associated o	r in response to a request for public
information."		,	

Given under my hand and seal of office on this the _	day of	14	, 20 20			-
Owner's Signature	Mu a	alm	<u> </u>	ALE	VONNE WILLIAMS Notary Public STATE_OF_TEXAS	ľ
Notary Public in and for the State of Texas	Guorae	well	ia	1 37 - 15	ID#13125816-4 (picesm. Exp. Aug. 24, 2021	₿ [−]





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.



From:	Gamez, Angelica
Cc:	Miller, Ryan; Gonzales, David; Lee, Henry
Subject:	Neighborhood Notification Program
Date:	Thursday, September 3, 2020 9:07:30 AM
Attachments:	HOA Map (08.14.2020).pdf Public Notice (08.18.2020).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 was published in the Rockwall Herald Banner on <u>Friday</u>, <u>August 21</u>, 2020. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday</u>, <u>September 15</u>, 2020 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 <u>Planning@rockwall.com</u> 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.

Z2020-035 SUP for Restaurant at 906 S. Goliad Street

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

Thank you,

Angelíca Gamez

Planning & Zoning Coordinator City of Rockwall 972.771.7745 Office 972.772.6438 Direct http://www.rockwall.com/planning/



Case Number: Z2020-035 Case Name: SUP for 906 S. Goliad Street Case Type: Zoning Zoning: Planned Development District 62 (PD-62) Case Address: 906 S. Goliad Street

Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745



EDWARDS JASON 10 DANCING WATERS ROCKWALL, TX 75032

WALKER TOM H & SUE ANN 1003 S GOLIAD ROCKWALL, TX 75087

QCSI FIVE LLC C/O IEQ MANAGEMENT INC 1007 RIDGE ROCKWALL, TX 75087

> EFENEY WILLIAM M 1009 S GOLIAD ROCKWALL, TX 75087

> ROHLF DAVID E 102 E ROSS AVE ROCKWALL, TX 75087

MCFARLIN HULEN D ET UX 105 GLENN AVE ROCKWALL, TX 75087

RICKERSON CHARLES AND VIRGINIA 108 GLENN AVENUE ROCKWALL, TX 75087

> MILLER CHRISTINE LOUISE 1101 S ALAMO ROCKWALL, TX 75087

WILLIAMS KATHY S 112 GLENN AVE ROCKWALL, TX 75087

ADLOR ENTERPRISES LLC 1208 S LAKESHORE DR ROCKWALL, TX 75087 ERVIN RICHARD L & TERRI K C/O SONIC 1001 S GOLIAD ST ROCKWALL, TX 75087

TREVINO EDWARD W & MILLIE A 1004 S ALAMO ROCKWALL, TX 75087

EMMANUEL TABERNACLE CHURCH 1008 SAM HOUSTON ROCKWALL, TX 75087

> GEHRING CAROLYN S 101 GLENN ROCKWALL, TX 75087

HOWARD DUSTIN AND JAMES R HOWARD 103 GLENN AVENUE ROCKWALL, TX 75087

SCOTT BILLIE JEAN 106 GLENN AVE ROCKWALL, TX 75087

CG HOLDINGS LLC 109 GLENN ROCKWALL, TX 75087

ERVIN RICHARD L & TERRI K C/O SONIC 1101 S GOLIAD ROCKWALL, TX 75087

CONFIDENTIAL 113 GLENN AVE ROCKWALL, TX 75087

MICHAEL WAYNE ROGERS GST TRUST DATED MAY 16TH 2017 MICHAEL WAYNE ROGERS- TRUSTEE 1404 RIDGE ROAD ROCKWALL, TX 75087 RB CAPITAL LTD 1002 RIDGE RD ROCKWALL, TX 75087

MALAVE BRENDA L 1006 SAM HOUSTON ST ROCKWALL, TX 75087

LIVAY LLC 1009 HOT SPRINGS DR ALLEN, TX 75013

ROYAL SPHINX HOMES INC 102 GLENN ROCKWALL, TX 75087

RUPPERT WILLIAM ET UX 104 GLENN ROCKWALL, TX 75087

PFENNING BARBARA J TRUST BARBARA J PFENNING TRUSTEE 107 GLENN ROCKWALL, TX 75087

> HOOVER JERRY H 110 GLENN AVE ROCKWALL, TX 75087

NEWMAN JOANNA N 111 GLENN AVE ROCKWALL, TX 75087

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

> EFENEY WILLIAM M 1406 S LAKESHORE DR ROCKWALL, TX 75087

ALEMAN DANIEL G & ELLA S 1409 S ALAMO RD ROCKWALL, TX 75087

2011 TEMUNOVIC FAMILY TRUST TINA TEMUNOVIC COX AND CVIJETA TEMUNOVIC TRUSTEES 200 SUMMIT RIDGE ROCKWALL, TX 75087

BATRES MARIA DELL REFUGIO 202 BOURN STREET ROCKWALL, TX 75087

> MOTON R T 203 E BOURN ST ROCKWALL, TX 75087

CHANHMISAY KESONE & SYAMPHAY 204 GLENN AVE ROCKWALL, TX 75087

> SCROGGINS BILLY & JOYCE 208 E BOURN ST ROCKWALL, TX 75087

RB CAPITAL LTD 2322 HARTS BLUFF ROAD MT. PLEASANT, TX 75455

QCSI FIVE LLC C/O IEQ MANAGEMENT INC 300 DELAWAARE AVE SUITE 210 WILMINGTON, DE 19801

> CG HOLDINGS LLC 4 SUNSET TR HEATH, TX 75032

FIRST BAPTIST CHURCH OF ROCKWALL 610 S GOLIAD ST ROCKWALL, TX 75087 GEHRING CAROLYN S 1745 LAKE BREEZE DR ROCKWALL, TX 75087

ROYAL SPHINX HOMES INC 2002 GREENHILL DRIVE ROWLETT, TX 75088

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

> STOVALL RAYMOND P 203 FOREST TRACE ROCKWALL, TX 75087

MIMS KATHY 206 E BOURN ST ROCKWALL, TX 75087

COGENT REALTY ADVISORS LLC 208 EMMA JANEST ROCKWALL, TX 75087

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

2011 TEMUNOVIC FAMILY TRUST TINA TEMUNOVIC COX AND CVIJETA TEMUNOVIC TRUSTEES 3021 RIDGE RD SUITE A57 ROCKWALL, TX 75032

TREVINO EDWARD W & MILLIE A 4349 S PENINSULA DR PONCE INLET, FL 32127

MERRIMAN RICHARD CHARLES AND BARBARA 710 S ALAMO RD ROCKWALL, TX 75087 SCROGGS CHARLES E AND MARLA D 1748 BISON MEADOW LANE HEATH, TX 75032

HUTTO JENNIFER L AND MICHAEL 201 FOREST TRACE ROCKWALL, TX 75087

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

RIVERA JAIME & MARIA 204 E BOURN ST ROCKWALL, TX 75087

HECKARD ALLEN 207 BOURN ROCKWALL, TX 75087

PFENNING BARBARA J TRUST BARBARA J PFENNING TRUSTEE 210 WILLOWCREEK RD CHICKASHA, OK 73018

> JONES MICHAEL G 27 SHADY BROOK CIR ABILENE, TX 79605

MOORE TIMOTHY H & TRACEY PARK 313 STONEBRIDGE DR ROCKWALL, TX 75087

> HECKARD ALLEN 4906 FREEMAN DR ROWLETT, TX 75088

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

COGENT REALTY ADVISORS LLC 7117 STEFANI DRIVE DALLAS, TX 75225

EMMANUEL TABERNACLE CHURCH 7903 FERGUSON RD DALLAS, TX 75228

DELGADILLO JUAN C & VICTORIA E 801 S GOLIAD ROCKWALL, TX 75087

> DANIELS ANNIE L 803 THROCKMORTON ST ROCKWALL, TX 75087

ALLEN FRANKIE MAE 805 THROCKMORTON ROCKWALL, TX 75087

D&A REAL ESTATE PARTNERS LTD 807 THROCKMORTON ROCKWALL, TX 75087

> JONES MICHAEL G 808 SAM HOUSTON ROCKWALL, TX 75087

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

SCROGGS CHARLES E AND MARLA D 813 S ALAMO ROCKWALL, TX 75087

DELGADILLO JUAN C & VICTORIA E 8306 LIGHTHOUSE DR ROWLETT, TX 75089 HILLMAN DORIANN E 713 FOREST TRACE ROCKWALL, TX 75087

ALLEN FRANKIE MAE 80 THROCKMORTON ROCKWALL, TX 75087

FIRST BAPTIST CHURCH OF ROCKWALL 802 S GOLIAD ROCKWALL, TX 75087

> MERRIMAN R C ET UX 804 S ALAMO ROCKWALL, TX 75087

CROSS WESLEY AND MISTY THOMPSON 806 SAM HOUSTON ST ROCKWALL, TX 75087

MCCAMPBELL CHARLES C & PATRICIA S 807SALAMO ROCKWALL, TX 75087

> LAZY DALE PARTNERS LP 809 ALAMO ROCKWALL, TX 75087

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

RAMSEY JUDY LYNN 815 S ALAMO RD ROCKWALL, TX 75087

BRUNNER WILLIAM E & MARGIE L 895 S ALAMO ROAD ROCKWALL, TX 75087 DELBOSQUE ROLOLFO & LORENA P 715 FOREST TRCE ROCKWALL, TX 75087

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

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

MELSTON KENNETH J & KATHLEEN F 805 S ALAMO RD ROCKWALL, TX 75087

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

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

LIVAY LLC 809 S GOLIAD ROCKWALL, TX 75087

EDWARDS JASON 811 S GOLIAD ROCKWALL, TX 75087

HERNANDEZ ALMA VELIA 815 THROCKMORTON ST ROCKWALL, TX 75087

ROCHIER KELLY BRUNNER 901 S ALAMO RD ROCKWALL, TX 75087

MOORE TIMOTHY H & TRACEY PARK 901 S GOLIAD ROCKWALL, TX 75087

COMPTON EARL D AND BETH C ROETHER 903 S ALAMO ROCKWALL, TX 75087

MOORE TIMOTHY H & TRACEY PARK 905 S GOLIAD ROCKWALL, TX 75087

> ADLOR ENTERPRISES LLC 906 S GOLIAD @ BOURN ROCKWALL, TX 75087

> RUPPERT WILLIAM ET UX 9531 RIVERTON ROAD DALLAS, TX 75218

MILLER CHRISTINE LOUISE PO BOX 824 ROCKWALL, TX 75087 WALKER TOM H & SUE ANN 902 LAKE MEADOWS DR ROCKWALL, TX 75087

MOORE TIMOTHY H & TRACEY PARK 903 S GOLIAD ROCKWALL, TX 75087

VALENCIA MONICA L AND ALFREDO 906 SAM HOUSTON ROCKWALL, TX 75087

> STATE OF TEXAS 907 S GOLIAD ROCKWALL, TX 75087

> ROHLF DAVID E PO BOX 1137 ROCKWALL, TX 75087

D&A REAL ESTATE PARTNERS LTD PO BOX 850 ROCKWALL, TX 75087 ANDREWS VIRGINIA 902 S ALAMO ROCKWALL, TX 75087

PRESLEY ELIZABETH 904 S ALAMO RD ROCKWALL, TX 75087

ALEMAN DANIEL G & ELLA S 906 S ALAMO ROCKWALL, TX 75087

BRISTOW JAMES & CHARLOTTE 908 S ALAMO RD ROCKWALL, TX 75087

> ANDREWS VIRGINIA PO BOX 254 REPUBLIC, MO 65738

Zoning & Specific Use Permit Input Form

Case Number *

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2020-035 restaurant at 906 S Goliad st

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

I am in favor of the request.

I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

Respondent Information

Please provide your information.

First Name *

Chris

Last Name *

Knox

Address * 109 Glenn ave City * Rockwall State * ТΧ Zip Code * 75087 Email Address * chrisknox@me.com Phone Number 214-478-9802

/

Please check all that apply: *
I live nearby the proposed Zoning or Specific Use Permit (SUP) request.
I work nearby the proposed Zoning or Specific Use Permit (SUP) request.
I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.
I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.
Other:
How did you hear about this Zoning or Specific Use Permit (SUP) request? *

I received a property owner notification in the mail.

- I read about the request on the City's website.
- I saw a zoning sign on the property.
- I read about the request in the Rockwall Herald Banner.
- My neighbors told me about the request.

Other:

This content is neither created nor endorsed by Google.



Gamez, Angelica

From:	Chris Knox <chrisknox@me.com></chrisknox@me.com>
Sent:	Monday, September 14, 2020 10:21 AM
То:	Planning; Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Macalik, Dana; Campbell,
	Anna; Pruitt, Jim
Subject:	Special Use Permit for 906 S. Goliad
Attachments:	20200914_Taco Bell Proposed in Our Neighborhood Case No. Z2020-0.pdf; ATT00001.htm

I am writing to oppose the special use permit for the property at 906 S. Goliad. I own the property at 109 Glenn Avenue. Please see attached letter of opposition. Let me know if further information is needed.

Chris Knox 214-478-9802

This email was scanned by Bitdefender

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.

Taco Bell Proposed in Our Neighborhood Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

Dear Neighborhood Resident,

As you may be aware, there is Taco Bell being proposed in our neighborhood. It will be located at 906 S Goliad. It will be turned sideways on the property so that the entrance and exit are on Bourn street between the First Baptist Church on the north and residential houses on the west and south sides of the property. The drive through lane and dumpster will be literally tens of feet from some of our back yards.

Given the close proximity to our neighborhood, increase in crime, light pollution, noise pollution, late night operating hours, and traffic situation, I believe a fast food restaurant will have a detrimental effect on our neighborhood and our right to quiet enjoyment of our homes.

Because current zoning does not allow for a fast food restaurant so close to homes, the owner is applying for a special use permit - basically allowing an exception for Taco Bell.

We have already talked to a city council member who recommended that anyone opposed take the following course of action:

- 1. Write the Planning and Zoning Committee opposing the special use permit.
- 2. Attend the Planning and Zoning hearing on this matter on Tuesday, September 15, 2020 at 6:00 pm and voice your opposition.
- 3. Write the Rockwall City Council members opposing the special use permit.
- Attend the Rockwall City Council hearing on this matter on Monday, September 21, 2020 at 6:00 pm and voice your opposition.

I have enclosed a form letter with my arguments against the Taco Bell. If you want, you can sign this letter and send to the Planning and Zoning and City Council by email or mail.

Rockwall City Hall, 385 S. Goliad St., Rockwall, TX 75087
planning@rockwall.com
Rockwall City Hall, 385 S. Goliad St., Rockwall, TX 75087
BennieDaniels@rockwall.com
<u>JohnHohenshelt@rockwall.com</u>
kevinfowler@rockwall.com
DanaMacalik@rockwall.com
AnnaCampbell@rockwall.com
limPruitt@rockwall.com

Please help us fight this and keep our neighborhood livable.

Sincerely ustin Scro

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087

· 16.00 和 16.00 日前 20.00 日本

Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: a. an increase in car accidents, injuries and fatalities; b. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; c. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Resident

Signed: Nox/ (6 Holding Al Name:

Address: Rockwall, TX 75087

Gamez, Angelica

From: Sent: To: Subject: Chuck Scroggs <cscroggs@canddcommercial.com> Monday, August 31, 2020 5:42 PM Planning Case No. Z2020-035

To- Rockwall Planning and Zoning

From- Charles Scroggs 813 S. Alamo Rockwall Texas

Dear Mr.Ryan Miller:

I am very much opposed to granting a special use permit for the subject lot to be used as a Restaurant For the following reasons:

1] The land was never intended to be used as a restaurant. You have 8 Home owners that purchased and or built homes all the way up to \$450,000 dollars

based on the cities zoning as a commercial office use.

2] A review of the Restaurants plans show that there are two entrances to the site proposed. One off of Goliad a state highway very congested with traffic

and within 100 yards of a major intersection where cars are changing lanes to go down Ridge Road and down Hwy 205 . The second entrance is on

the rear alley 20 feet from two residential houses . There will be a constant flow of lights into the homes.

3]There are families with children that play and walk in the alley behind these homes, cars exiting the property will be traveling the alley and therefore

creating a risk of striking a child.

Allies are not intended to be used forentrance or exit from a restaurant .

4] Residences normally purchase a home to enjoy their back yard without the noise of cars, restaurant patrons talking all hours of the night, the parking lot

lights burning all of the night time hours, disturbing peace and sleeping of residents.

5] The light pollution is already a problem in a city and we do not need to add the bright lights and towering signage streaming into our homes.

6] Loitering is another risk that comes with a business of this type especially when home owners have a property backed up to a restaurant where people

can see into the back yards where owners have valuables stored or see into the garages when the garage doors are up. This is inviting crime .

7] Trash and debris blowing from the restaurant onto the street , homeowners property and the church property.

8] This request to change the zoning or give a special use to is next door to the First Baptist Church of Rockwall's youth facility . This can potentially put our

young children in contact with the wrong crowd of people. This is something that the Restaurant has no control over when it come to the clientele that

visit the facility.

9] Property values will go down which is a major concern. Who will pay for the devaluation of the property, the city or the restaurant owners?

With all of this being said the City of Rockwall works for the citizens. As a tax payer I do not feel that granting this special use permit is in the best interest of the homeowners and tax payers. It is my request the the City Council deny the request.

Sincerely,

Charles Scroggs

This email was scanned by Bitdefender

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.

Gamez, Angelica

From: Sent: To: Cc: Subject: Dawn Scroggs <dawn@canddcommercial.com> Monday, August 31, 2020 4:36 PM Planning Dawn Scroggs; JLLAP@schwab Case No. Z2020-035

Attention: Ryan Miller

Homeowner 813 S. Alamo

In the above mentioned case for 906 S. Goliad Street I am very much opposed to this plan for reasons below:

Traffic which is already a problem in this area. Light pollution Noise in a residential area Devaluation of our property Nuisance to the neighborhood Loitering in our alley Loitering on the church parking lot directly behind our home. Littering of streets, parking lot and alleys Right of neighbors to a peaceful and quiet place to reside Lack of privacy Trash and debris on our streets, yards and alleys Congestion on quiet streets due to forced traffic being routed for restaurant use. Interference of church parking which is adjacent to entrance. Inviting criminal activity due to restaurant being open into the late night hours of operation.

This is not a resident friendly business establishment and should not be permitted. The homeowners are established on all sides of this proposed site and want to remain in the peaceful and quiet neighborhood that it is. We do not need a drive through restaurant disrupting our way of life. This is the worst case scenario that a planning and zoning committee could propose. I cannot believe that this is even being considered for our quiet community in which I've lived since 1992. This is outrageous.

Sincerely,



Dawn Scroggs Vice President **C & D Commercial Services** p: 972.475.2271 a: 5030 Dexham Rd., Ste. 102, Rowlett, TX 75088 w: canddservicesinc.com e: Dawn@canddcommercial.com **Sweeping | Striping | Pressure Washing | Concrete | and More**

OPPOSED

Justin Scroggs 1512 S Alamo Road Rockwall TX

We are opposed to the Taco Bell being proposed at the above address for the following reasons.

1. DENSITY. There is a taco bell located in Rockwall less than 2.3 miles from this location. There is another Taco Bell in Rowlett located 4.1 miles away. We don't need another Taco Bell as there are already other Taco Bells and countless other fast food restaurants within a 5 minute drive of this location.

2. TRAFFIC. The proposed located is right where 205 and Ridge Road splits. This is already a congested area with many cars in the right-hand lane preparing to split off and many more merging into this lane from the center lane. It will be extremely difficult to pull out into this traffic and to turn left into this traffic. This will result in: A. an increase in car accidents, injuries and potentially fatalities, B. an increase in traffic. and C. the traffic situation will cause drivers to use S. Alamo (a residential street) as a cut through street to access this location. They will either have drive back to Boydstun and use the red light to pull back out onto 205 or drive down to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they put their drive through exit onto a residential street - backing right up to peoples back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant.

4. LATE OPERATING HOURS. Taco bell is known for it's late operating hours - and being the last stop after night of partying. The other Taco Bell (two miles away) is open until 2AM. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u>. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO ARE WE SERVING? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind

will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses.

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant. Busy road, in a residential area in the heart of an established part of Rockwall. It seems very out of place when you consider where the the rest of the fast food restaurants are located in Rockwall and where the vast majority of other Taco Bells are located in other parts of the DFW area. I don't see how an out of place fast food restaurant will make Rockwall a better place. It certainly will not make our neighborhood a better place.

This email was scanned by Bitdefender

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.

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087 Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a.** an increase in car accidents, injuries and fatalities; **b.** an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; **c.** a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

/s/ Justin Scroggs 1512 S. Alamo Rockwall, TX 75087

Gamez, Angelica

From:	Katie Scroggs <katie.t.scroggs@gmail.com></katie.t.scroggs@gmail.com>
Sent:	Monday, September 14, 2020 7:20 PM
То:	Planning
Subject:	Opposed to Taco Bell on Ridge Road
Attachments:	Taco Bell Opposition to PZ .pdf

Good Evening Mr. Miller,

I hope this email finds you well. I wanted to voice my opposition to the proposed fast food restaurant at the location next to First Baptist Church and the Ridge Road/205 split. As outlined in the attached letter, the proposed location is a terrible place for a fast food restaurant for a multitude of reasons and will, in my opinion, bring only negative impacts to our neighborhood and the downtown Rockwall area. I hope that you and the rest of the planning and zoning committee will consider the points on the attached letter and vote "no" to this proposed plan for our city. I plan to attend the upcoming P&Z meeting to voice this in-person as well.

Thank you very much for your time. Please reach out if you have any questions or concerns.

Sincerely,

Katie Scroggs

This email was scanned by Bitdefender

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.

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087

Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a.** an increase in car accidents, injuries and fatalities; **b.** an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; **c.** a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Resident

Signed: Kathe inth Ser

Name: Katherine A Scroggs

Address: 1512 S. Alamo Rd. Rockwall, TX 75087
Re: Item (6) Z2020-035

Mr. Miller:

I live at 815 South Alamo Road on the corner side street that this proposed restaurant is asking to be constructed. My neighbors and I would be negatively impacted by having a drive through restaurant on this corner Before I built my home I was told by the city that the properties facing South Goliad were only allowed to build minimal traffic commercial activities such as law offices, insurance agencies, etc. Please let me and my neighbors know how and when to voice our opposition to this proposed change in zoning.

Thank you,

Lynn Ramsey 940-224-5864 lramseykjlc@aol.com

Sent from my iPhone

This email was scanned by Bitdefender

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.

PUBLIC NOTICE

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

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

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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>*Tuesday, September*</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>*Monday, September*</u> <u>21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

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.

TRAFFIC . LONG HOURS OF LIGHTINS PASH DUPSTER MIKE Shields Name: Address: ALAMO RD.

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

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

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

USE THIS QR CODE TO GO DIRECTLY

TO THE WEBSITE

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.
De Value Homes in the area Aweful builte property being that Mose to residential Smell & I rash
Traffic Kyon Kelly, Lowy Kally Adress: 808 5 Alamo Rd Roverul TX 75097
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; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change.
PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE

Good afternoon!

We just received the zoning change notice in our mail a few minutes ago. Given that we only have until Monday to make our opinions known I felt it would be better to email rather than mail back the notice.

We live at 113 Glenn Ave

We are 100% AGAINST this change. It would back up on two sides to homes with yards. While I understand the "need" for progress in our town, we just don't want it in our neighborhood.

We already have traffic issues going up and down South Alamo when people decide to cut through our neighborhood. People drive fast and don't stop at stop signs.

Adding a restaurant to the edge of our neighborhood would increase traffic not to mention bring in other unwanted pests like rats and mice. Please please do not allow this to pass. We're already flanked with Goliad traffic and noise, please don't add to it.

We absolutely adore our neighborhood and have no plans on leaving but if ever we had to, I feel that placing a restaurant on the edge of our neighborhood would decrease the desirability of being in our neighborhood and thus affect the value of our home.

Thank you for taking the time to consider how the residents of this neighborhood feel about this situation. I also hope you will take into consideration the lack of time people have to respond to this public notice and don't interpret the lack of response as a reflection of disinterest or being in favor of this zoning change. Many of our residents are older/elderly and two different homeowners (one on Glenn and one on S Alamo) just passed away THIS week...obviously you won't be hearing from them.

I apologize for the lengthiness of this email - we're just really opposed to this zoning change.

Thank you for your time.

Scott and Michelle McNary 113 Glenn Ave

This email was scanned by Bitdefender

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.

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087 Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a**. an increase in car accidents, injuries and fatalities; **b**. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; **c**. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Resident

Signed: Charlotte Bristow Name: Charlotte BRistow Address: 908 S. Alam Rd. Rockwall, TX 75087

PUBLIC NOTICE 🤐

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

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

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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by Monday, September 21, 2020 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. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

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.

Values will drop is amount of traffic in an already es V of traffic

AMIT SHIPMAN Name: 02 Colenn Address:

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

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

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087 Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a**. an increase in car accidents, injuries and fatalities; **b**. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; **c**. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

passed away, and Sincerely, Concerned Resident Signed: hance. SETT HEPMAN Name: eady R alamo K 5. Address: 904 of Rockwall, TX 75087 e. Please do not make it worse by granting this fast feod coman 117 236-8333

Gamez, Angelica

From:	Jenna Scroggs <jenna.scroggs@yahoo.com></jenna.scroggs@yahoo.com>	
Sent:	Friday, September 4, 2020 9:09 AM	
То:	Planning; Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Macalik, Dana; Campbell, Anna; Pruitt, Jim	
Subject:	Case No. Z2020-035	
Attachments:	letter.pdf	

I am opposed to Taco bell going in to this location. See letter attached.

Jenna Scroggs

This email was scanned by Bitdefender

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.

PUBLIC NOTICE

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

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

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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday</u>, <u>September</u> <u>15</u>, <u>2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday</u>, <u>September 21</u>, <u>2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> to ensure they are included in the information provided to the City Council.

Sincerely,

Name: Address:

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. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

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.

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

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





PUBLIC NOTICE 🥰

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

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

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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller 18 Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by Monday, September 21, 2020 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. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Please place a check mark on the appropriate line below:

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

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

Name

Address:

Roc Kwall

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

Gamez, Angelica

From:	Millie Trevino <matrockwall@yahoo.com></matrockwall@yahoo.com>	
Sent:	Friday, September 4, 2020 2:04 PM	
То:	Planning	
Cc:	Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Macalik, Dana; Campbell, Anna; Pruitt, Jim	
Subject: Attachments:	Case No. Z2020-036: SUP for Restaurant at 906 S. Goliad Street Z2020-035 SUP for Restaurant 906 S Goliad Street.pdf	

Attached is my letter in opposition to rezoning and allowing a fast food restaurant at this location. To allow a restaurant to at this location would be have a detrimental effect on our neighborhood and be too close to homes and bring unwanted traffic and add chaos to the area which is already heavily congested due to the fact it is where the 205 and Ridge Road intersect...probably the worst intersection in Rockwall. We request the request for the special use permit be DENIED!!!!

Millie Trevino 1004 S Alamo Rd Rockwall TX 75087

This email was scanned by Bitdefender

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.

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

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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

PUBLIC NOTICE

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by Monday, September 21, 2020 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

USE THIS QR CODE TO GO DIRECTLY TO THE WEBSITE



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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

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.

PROPERty VALUE DECREASED TRAFFIC IN NEIGHBORHOOD Dumpster of food ACCROSS OUR Alley. Noise, TRAFFIC, TRASH, SMELL OF GARbage @ OUR BACKdoor Name: William & MARGIE BRUNNER Address: 895 S. ALAMORD 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

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

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087 Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a**. an increase in car accidents, injuries and fatalities; **b**. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; **c**. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Resident Signed: Name: Nilliam & MARGIE BRUNNER ALAMO Ra Address: 895

Rockwall, TX 75087

124

PUBLIC NOTICE

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

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

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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

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.

already a issue without contributing to the moblem. issue of Ridge Road, people will cause over Chunch parking which is a rayand to begin with. We have a partice we don't wont a law place mensing up our area. Name: 5. Mano Address:

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

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

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

Gamez, Angelica

From: Sent: To: Cc: Subject: Attachments: Chris Brannon < chris_brannon@outlook.com> Tuesday, September 15, 2020 10:29 AM Planning; Gonzales, David melbrannon06@gmail.com Opposition to proposed Taco Bell - Case No. Z2020-035 Brannon_TacoBell-Opposition.pdf

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087 Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street.

We are **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a.** an increase in car accidents, injuries and fatalities; **b.** an increase in traffic on 205, South Alamo and other surrounding neighborhood roads, and; **c.** a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W. Bourn Street (a residential street) – backing right up to residents' backyards.

2. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood, and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

3. OUR PRIVACY, SAFETY AND NOISE CONCERNS. We purchased a brand new home at 810 S. Alamo Rd in 2017. For the last 3 years, our family of four have enjoyed this quaint and peaceful neighborhood, which is one of the

reasons we chose to relocate to Rockwall. Any traffic leaving the Taco Bell and heading westbound on W. Bourn Street would create additional privacy, safety and noise issues for our residence. Our driveway, front entry, as well as front facing bedrooms will be directly in the line of sight from the restaurant area, especially to those who exit and travel west on W. Bourn Street. This will create an undesirable location to live and will undoubtedly make any of us less safe and secure in this neighborhood. We would suffer a significant financial loss, as we would be forced to move upon passage of this proposal.

4. LATE OPERATING HOURS. Taco bell is known for its late-night operating hours – and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late-night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's</u> <u>Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime, especially for the late-night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

7. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, light pollution and increase in crime are going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

8. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in a residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Residents

Chris and Melanie Brannon (469) 951-9233 810 S. Alamo Rd., Rockwall, TX 75087

This email was scanned by Bitdefender

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087

Re: Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street.

We are **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a.** an increase in car accidents, injuries and fatalities; **b.** an increase in traffic on 205, South Alamo and other surrounding neighborhood roads, and; **c.** a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W. Bourn Street (a residential street) – backing right up to residents' backyards.

2. **RESIDENTIAL AREA.** The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood, and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

3. OUR PRIVACY, SAFETY AND NOISE CONCERNS. We purchased a brand new home at 810 S. Alamo Rd in 2017. For the last 3 years, our family of four have enjoyed this quaint and peaceful neighborhood, which is one of the reasons we chose to relocate to Rockwall. Any traffic leaving the Taco Bell and heading westbound on W. Bourn Street would create additional privacy, safety and noise issues for our residence. Our driveway, front entry, as well as front facing bedrooms will be directly in the line of sight from the restaurant area, especially to those who exit and travel west on W. Bourn Street. This will create an undesirable location to live and will undoubtedly make any of us less safe and secure in this neighborhood. We would suffer a significant financial loss, as we would be forced to move upon passage of this proposal.

4. LATE OPERATING HOURS. Taco bell is known for its late-night operating hours – and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late-night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime, especially for the late-night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

7. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, light pollution and increase in crime are going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

8. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in a residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Residents

Signed:

Chris Brannon for the Brannon family

Address: 810 S. Alamo Rd. Rockwall, TX 75087

Gamez, Angelica

From:	Jake Scott (TX) <jscott@crcgroup.com></jscott@crcgroup.com>	
Sent:	Monday, September 14, 2020 8:14 AM	
То:	Planning; Daniels, Bennie; johnhehenshelt@rockwall.com; Fowler, Kevin; Macalik, Dana;	
	Campbell, Anna; Pruitt, Jim	
Subject:	Taco Bell	
Attachments:	Scannable Document on Sep 11, 2020 at 9_56_06 AM.pdf	

Please don't allow a Taco Bell directly behind my house.

Jake Scott | Casualty Broker

O | 972.371.7083 C | 214.929.5908 E | jscott@crcgroup.com

Galleria North, Tower One 13737 Noel Road, 10th Floor Dallas, TX, 75240 <u>CRCIns.com</u>

CRC | Placing You First

From: Jenni Knox <jenniknox@me.com>
Sent: Sunday, September 13, 2020 9:58 PM
To: Max Scott <mscott@hill-wilkinson.com>; Jake Scott (TX) <JScott@CRCGroup.com>; Lindsay Scott <LindsayScott@live.com>; Kristi Scott <kristikscott@gmail.com>; Chris Knox <chrisknox@me.com>
Subject: Taco Bell

[* This email contains attachments or links from an unverified sender. DO NOT open attachments or click links without verifying the sender. *]

Talk to sign

Sent from my iPhone

Begin forwarded message:

From: Jenni Knox <jenniknox@me.com> Date: September 11, 2020 at 9:56:50 AM CDT To: Max Scott <<u>mscott@hill-wilkinson.com</u>>, Jake Scott <<u>JScott@crcins.com</u>>, Kristi Scott <<u>kristikscott@gmail.com</u>>, Lindsay Scott <<u>LindsayScott@live.com</u>>, Chris Knox <<u>chrisknox@me.com</u>>, Jake Scott <<u>JScott@CRCGroup.com</u>> Subject: Scannable Document - sent from Scannable We all need to send these emails and fight this. Proposed right behind Yaya's house.

Sent from my iPhone

DISCLAIMER FOR CORONAVIRUS: Any statements contained herein relating to the impact or the potential impact of coronavirus/COVID-19 on insurance coverage or any insurance policy are not legal opinions, warranties or guarantees, and should not be relied upon as such. We do not have the authority to render legal advice or to make coverage decisions regarding COVID-19 claims, and you should submit all claims to your insurance carriers or authorized representatives for evaluation as they will make the final determination. Given the on-going and constantly changing situation with respect to the coronavirus/COVID-19 pandemic, this communication does not necessarily reflect the latest information regarding recently-enacted, pending or proposed legislation or guidance that could override, alter or otherwise affect existing insurance coverage. At your discretion, please consult with an attorney at your own expense for specific advice in this regard.

NOTICE: You cannot bind, alter or cancel coverage without speaking to an authorized representative of CRC Group. Coverage cannot be bound without written confirmation from an authorized representative of CRC Group. This email and any files transmitted with it are not encrypted and may contain privileged or other confidential information and is intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or entity, or believe that you may have received this email in error, please reply to the sender indicating that fact and delete the copy you received. In addition, you should not print, copy, retransmit, disseminate, or otherwise use this information. Thank you.

This email was scanned by Bitdefender

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.

Gamez, Angelica

From:	Jenni Knox <jenniknox@me.com></jenniknox@me.com>	
Sent:	Sunday, September 13, 2020 1:05 PM	
То:	Planning; Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Macalik, Dana; Campbell, Anna; Pruitt, Jim	
Cc:	Chris Knox	
Subject:	Special Use Permit for 906 S. Goliad	
Attachments:	Scannable Document on Sep 13, 2020 at 12_55_57 PM.pdf; ATT00001.txt	

I am writing to oppose the special use permit for the property at 906 S. Goliad. My husband and I are in the process of purchasing 106 Glenn Avenue which is located directly behind the property. Please see attached letter of opposition. Let me know if further information is needed.

Jenni Knox 214.794.4280

>

This email was scanned by Bitdefender

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.

To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087 Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a**. an increase in car accidents, injuries and fatalities; **b**. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; **c**. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: "How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals" published on April 27, 2019. There are countless other sources confirming the increase in crime especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Resident Signed: Name: Address: 106 Glenn Avenue Rockwall, TX 75087 4 Sunser Thil Heath, TX 75030

Taco Bell Proposed in Our Neighborhood Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

Dear Neighborhood Resident,

As you may be aware, there is Taco Bell being proposed in our neighborhood. It will be located at 906 S Goliad. It will be turned sideways on the property so that the entrance and exit are on Bourn street between the First Baptist Church on the north and residential houses on the west and south sides of the property. The drive through lane and dumpster will be literally tens of feet from some of our back yards.

Given the close proximity to our neighborhood, increase in crime, light pollution, noise pollution, late night operating hours, and traffic situation, I believe a fast food restaurant will have a detrimental effect on our neighborhood and our right to quiet enjoyment of our homes.

Because current zoning does not allow for a fast food restaurant so close to homes, the owner is applying for a special use permit - basically allowing an exception for Taco Bell.

We have already talked to a city council member who recommended that anyone opposed take the following course of action:

- 1. Write the Planning and Zoning Committee opposing the special use permit.
- 2. Attend the Planning and Zoning hearing on this matter on Tuesday, September 15, 2020 at 6:00 pm and voice your opposition.
- 3. Write the Rockwall City Council members opposing the special use permit.
- 4. Attend the Rockwall City Council hearing on this matter on Monday, September 21, 2020 at 6:00 pm and voice your opposition.

I have enclosed a form letter with my arguments against the Taco Bell. If you want, you can sign this letter and send to the Planning and Zoning and City Council by email or mail.

Planning and Zoning:	Rockwall City Hall, 385 S. Goliad St., Rockwall, TX 75087	
Ryan Miller	planning@rockwall.com	
Rockwall City Council:	Rockwall City Hall, 385 S. Goliad St., Rockwall, TX 75087	
Bennie Daniels	BennieDaniels@rockwall.com	
John Hohenshelt	JohnHohenshelt@rockwall.com	
Kevin Fowler	kevinfowler@rockwall.com	
Dana Macalik	DanaMacalik@rockwall.com	
Anna Campbell	AnnaCampbell@rockwall.com	
Mayor Jim Pruitt	limPruitt@rockwall.com	

Please help us fight this and keep our neighborhood livable.

Sincerely

To: Ryan Miller
Rockwall Planning and Zoning Dept.
385 S. Goliad St.
Rockwall, TX 75087

Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: a. an increase in car accidents, injuries and fatalities; b. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; c. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Resident Signed: Name: Kristi Scot

Address: 106 Glenn Avenue Rockwall, TX 75087

104 Michael Circle Heath, TX X032 To: Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad St. Rockwall, TX 75087 Ph: 972.771.7745 Email: planning@rockwall.com

Re: Case No. Z2020-035: SUP for Restaurant at 906 s. Goliad Street.

I am **OPPOSED** to the Taco Bell being proposed at the above address for the following reasons:

1. DENSITY. There is already a high density of Taco Bells in this area - one in Rockwall less than 2.3 miles from this location, and another in Rowlett located 4.1 miles away. We don't need another Taco Bell or fast food restaurant here as there are countless others within a 5 minute drive of this location.

2. TRAFFIC. The proposed Taco Bell location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to turn left into this traffic to go northbound.

Putting a busy fast food restaurant at this location will result in: **a**. an increase in car accidents, injuries and fatalities; **b**. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; **c**. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave Taco Bell. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydstun and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the Taco Bell facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

3. RESIDENTIAL AREA. The proposed restaurant is surrounded on one side by a church and two sides by houses. This is a residential area and is not a proper place to put a fast food restaurant. There is supposed to be a buffer zone between this type of property and a residential neighborhood and one does not exist here.

Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and Taco Bell owner in an adverse position with neighborhood residents - heightening the risk of litigation from residents who seek to enforce these rights.

4. LATE OPERATING HOURS. Taco bell is known for its late night operating hours - and being the last stop after night of partying. The other Rockwall Taco Bell (only two miles away) is open until 2 am. This kind of late night activity is out of place in a neighborhood setting. The bright lights, noises, and traffic will disturb this neighborhood greatly.

5. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: <u>"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"</u> published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late night restaurants such as Taco Bell. This restaurant will only invite these kinds of people into our neighborhood.

6. WHO WILL THIS RESTAURANT SERVE? Can the developer show that the people who live in this neighborhood match the same demographics as Taco Bell customers. Will this restaurant even serve the residents of our neighborhood?

7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Taco Bell property and into people's yards.

8. LOWER PROPERTY VALUE. Nobody will want to live next to this restaurant. The noise, trash, increase in traffic, noise and light pollution and increase in crime is going to lower the property values of the surrounding neighborhood and also make it much more difficult for homeowners to sell their houses. Who will compensate us for these damages?

9. DOES THIS ADD VALUE TO ROCKWALL? This just seems like a horrible location for a fast food restaurant - right on a congested stretch of road, in residential area in the heart of an established part of Rockwall. It seems very out of place when you consider the locations of other Rockwall fast food restaurants. And when you consider the locations of other Taco Bells in the DFW area. Every other Taco Bell in the DFW area is located in a shopping center or surrounded by retail. A search using Google Maps confirms this. There is no compelling reason for an exception here. I don't see how an out-of-place fast food restaurant will make Rockwall a better place to live. It certainly will not make our neighborhood a better place.

Sincerely,

Concerned Resident

Signed:

Name: Max Scott

Address: 106 Glenn Avenue Rockwall, TX 75087

PUBLIC NOTICE

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

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

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

Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Hold a public hearing to discuss and consider a request by Allen Anderson of Adlor Enterprises, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with 2,000 SF or More with Drive-Through/Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205], and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday. September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-035: SUP for Restaurant at 906 S. Goliad Street

Please place a check mark on the appropriate line below:

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

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

Name:	
Address:	

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

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





City of Rockwall The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor Planning & Zoning Department to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express 385 S. Goliad Street or implied, including warranties of merchantability and fitness for a Rockwall, Texas 75087 particular purpose. Use of the information is the sole responsibility of (P): (972) 771-7745 the user. (W): www.rockwall.com 707 708 Feet 707 E-ROSS ST W ROSS ST THROCKMORTO FOREST=TRACE þ WBOURNST E BOURN ST SAM-HOUSTON-ST B **OININ** SCONADSI EMMA JANE ST GLENN AVE RIDGERD DICKEY'ST 506 Legend Subject Property SUMMIT-RIDGE-DR 200' Buffer **PROPERTIES OUT OF THE 200' BUFFER BUT WITHIN THE NOTIFICATION AREA ARE SHOWN FOR 201 REFERENCE ONLY. THEY ARE NOT INCLUDED IN THE PERCENTAGE CALCULATIONS** Notification Area Parcels Vicinity Map TS TAMAR ST N T L TOWNSEND DR Z2020-035 - SUP FOR 906 S. GOLIAD STREET RIDGEVIEW DR S CLARK ST **OREST TRA** BOYDSTUN ERS COLON W ROSS ST E ROSS ST ROBIN XANDER Against 8.7% S ALAMO RD For 0.03% E BOURN ST ≥ EMMA JANE ST No Response 36.76% **GLENN AVE** -15-601110 51 ROW 54.49% DICKEY ST SUMMIT RIDGE DR **RIDGE RD** ^{JUBILEE} Date Created: 9/15/2020 ROCKBROOK

For Questions on this Case Call (972) 771-7745



August 14, 2020

City of Rockwall Planning & Zoning Dept. 385 S. Goliad St Rockwall, Texas 75087 PRINCIPALS JOHN P. WIER, P.E., R.P.L.S. ULYS LANE III, P.E., R.P.L.S., GFM CARLO SILVESTRI, P.E. GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES PHILIP L. GRAHAM, P.E. JAKE H. FEARS, P.E., LEED AP BD+C RANDALL S. EARDLEY, P.E.

> ASSOCIATES TOBY W. RODGERS CASEY D. YORK PRIYA N. ACHARYA, P.E. TIM V. WALLACE, P.E.

RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT LOT 1, BLOCK B, JACK CANUP ADDITION W&A# 20075

Dear Planning and Zoning Staff:

ETX Bell Properties, LLC intends to develop Lo1 1, Block B of the Jack Canup Addition. The subject tract is a 1.131-acre parcel of land, currently zoned as PD-62, and situated within the J. T. Lewis Survey, Abstract No. 255, City of Rockwall, Rockwall County, Texas. Said property is generally located at the southwest corner of Goliad St (SH-205) and W. Bourn St and is currently addressed as 906 S. Goliad St.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 2,053-sf restaurant with drive-thru. This development requires a Specific Use Permit due to being a restaurant, more than 2,000-sf, with drive-thru facilities.

We appreciate your acceptance of our Specific Use Permit submittal and request your recommendation to the Planning and Zoning Commission and City Council for the approval of this SUP. Please contact the developer, Toby Gowin with ETX Bell Properties, LLC, by phone at 903-589-1671 or via email at tgowin@smi-tex.com or the developer's engineer, Casey Orr, P.E. with Wier & Associates, Inc., by phone at 903-722-9030 or via email at caseyo@wierassociates.com with any questions or comments.

Respectfully,

asy On

Casey Orr, P.E. Project Manager

2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006-7440 (817) 467-7700 FAX (817) 467-7713 ☑ 121 S. MAIN ST. HENDERSON, TEXAS 75654-3559 (903) 722-9030 TOLL FREE FAX (844) 325-0445 **142**

 17) 467-7713
 WWW.WIERASSOCIATES.COM
 TOLL FREE FAX (844)

 TEXAS ENGINEERING FIRM NO. F-2776
 • TEXAS LAND SURVEYING FIRM NOS. 10033900 & 10194179



PRINCIPALS JOHN P. WIER, P.E., R.P.L.S. ULYS LANE III, P.E., R.P.L.S., CFM CARLO SILVESTRI, P.E. GREGG MADSEN, R.P.L.S.

September 1, 2020

City of Rockwall Planning & Development Services 385 S. Goliad Street Rockwall, TX 75087 Attn: Angelica Gamez SENIOR ASSOCIATES PHILIP L. GRAHAM, P.E. JAKE H. FEARS, P.E., LEED AP BD+C RANDALL S. EARDLEY, P.E.

> ASSOCIATES TOBY W. RODGERS CASEY D. YORK PRIYA ACHARYA, P.E.

RE: WA # 20075 – 906 S GOLIAD ST, ROCKWALL, TX 75087 (Z2020-035)

Dear City of Rockwall,

On behalf of the applicant, please find below a listing of requested waivers of the City of Rockwall Unified Development Code:

Land Use Conditional Standards: applicant is requesting a drive-thru for a restaurant, which is less than 2,000 sf. The proposed drive-thru will accommodate at least the required minimum 6 stacking spaces.

Ingress/Egress Locations: applicant is requesting a waiver from the required driveway spacing for the proposed driveway on Bourn St. In an effort to prevent traffic from accessing the site via the alley, a proposed curb cut is located 102' from the Goliad St face-of-curb.

A copy of the SUP site plan and supporting documents are included for reference. Should you have any questions or require additional information, please do not hesitate to contact us.

Respectfully, asur On

Casey Orr, P.E.

2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006-7440 (817) 467-7700 FAX (817) 467-7713 Q 121 S. MAIN ST. HENDERSON, TEXAS 75654-3559 (903) 722-9030 TOLL FREE FAX (844) 325-0445 **143**

TEXAS ENGINEERING FIRM NO. F-2776 • TEXAS LAND SURVEYING FIRM NOS. 10033900 & 10194179

WWW.WIERASSOCIATES.COM



BAR IS ONE INCH ON ORIGINAL FULL-SIZE |

ED: 9/1/2020 STB FILE: WIER-PAVING.STB LAST SAVED: 9/1/2020 II:34 AM SAVED BY: CASEYO FILE: SUP SITE PLAN-20075.DW



SITE DAI	fa chart
ZONING	PD-62
EXISTING USE	VACANT
PROPOSED USE	RESTAURANT W/DRIVE THRU
LOT AREA	1.131± AC (49,258 SF)
BUILDING AREA	2,053 SF
BUILDING HEIGHT	25 '-0 '
	FRONT (ALONG ROW): 15' SIDE (ALONG RESIDENTIAL): 20' EAR (ALONG RESIDENTIAL): 20'
PARKING REQ'D	2,053 SF: 1/100 SF = 21
TOTAL PARKING PROVIDED	26
ACCESSIBLE PARKING PROVIDI	ED 2
BUILDING/LOT COVERAGE	4.168%

I. PROPERTY OWNER IS RESPONSIBLE FOR MAINTENANCE, REPAIR, AND REPLACEMENT OF THE DETENTION/DRAINAGE SYSTEMS.

GENERAL NOTES:

- I. DIMENSIONS SHOWN ARE TO THE FACE OF CURB, UNLESS NOTED OTHERWISE.
- 2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C, WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.
- 3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.
- 4.ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

FIGURE 7: MASONRY FENCE WITH CANOPY TREES IN PERSPECTIVE VIEW



(1): CANOPY TREES-20 FOOT ON CENTER 2): SIX (6)FOOT MASONRY WALL

DETAIL 'A' REFER TO ARCHITECT

SUP SITE PLAN LOT 1, BLOCK B JACK CANUP ADDITION

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE B. J. T. LEWIS SURVEY, ABSTRACT No. 255, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM JORGLY, L.L.C., TO ADLOR ENTERPRISES, LLC, AS RECORDED IN INSTRUMENT NUMBER 20150000011733 OF THE OFFICIAL PUBLIC RECORDS OF ROCKWALL COUNTY, TEXAS

September 1, 2020

PREPARED BY: WIER & ASSOCIATES, INC. ENGINEERS SURVEYORS LAND PLANNERS 2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817)467-7700 Texas Firm Registration No. F-2776 www.WierAssociates.com Texas Board of Professional Land Surveying Registration No. 10033900

CASE No.: Z2020-035

 SHEET 1 OF 1
 DATE: 9/1/2020

 W.A. No. 20075

<u>OWNER / DEVELOPER</u> ETX BELL PROPERTIES, LLC 101 EAST CHEROKEE JACKSONVILLE, TEXAS 75766 CONTACT: TOBY GOWIN PH: (903) 589–1671 EMAIL: TGOWIN@SMI-TEX.COM

ENGINEER / SURVEYOR WER & ASSOCIATES, INC. 121 S. MAIN ST. HENDERSON, TEXAS 75654 CONTACT: CASEY ORR, P.E. PH: (903) 722–9030 FAX: (844) 325–0445




L

-OVERALL WALL LENGTH

REAR ELEVATION 1/4'' = 1'-0'' **1**



Г



TYPE MARK	QTY	ITEM DESCRIPTION	LOC
TOWER			
V-04.3640	2	LARGE SWINGING BELL PURPLE LOGO 3' 6" X 4' 0"	A4.1
V-09.16W	2	LARGE TB 16" CHANNEL LETTERS WHITE (2) STACKED (1) LINEAR	A4.1
SIDE ENTRY			
V-07.3640	1	LARGE SWINGING BELL FLAT CUT OUT WALL MOUNTED 3' 6" X 4' 0" WHITE	A4.0
V-11.10W	1	TB 10" LETTER - FLAT CUT OUT - LINEAR - AWNING MOUNTED - UP LIT - WHITE	A4.0
V-200.EN	1	SIDE ENTRY AWNING 6' 4" X 6' 3" BLACK	A4.0
DRIVE THRU			
V-101.DT	1	DT AWNING (OVER DT) 9' 0" X 4' 0" BLACK	A4.1
EYEBROW AWNINGS			
V-202.EN	1	FRONT EYEBROW (WINDOW) 16' 7" X 6" H X 1' 4" D BLACK	A4.1
V-203.EN	1	DT EYEBROW (WINDOW) 7' 8" L X 6" H X 1' 4" D BLACK	A4.1
V-201.EN	1	SIDE ENTRY EYEBROW (WINDOW) 12' L 6" H X 1' 4" D BLACK	A4.0
		SIGNAGE	

		- UP LII - WHITE
V-200.EN	1	SIDE ENTRY AWNING
DRIVE THRU		
V-101.DT	1	DT AWNING (OVER D
EYEBROW AWNINGS		
V-202.EN	1	FRONT EYEBROW (W
V-203.EN	1	DT EYEBROW (WINDO
V-201.EN	1	SIDE ENTRY EYEBRO

NOT USED

L

SYMBOL	ITEM/MATERIAL	MANUFACTURER	MATERIAL SPEC	COLOR	ALTERNATE MFR.	ALTERNATE COLOR	CONTACT INFORMATION
1	SIDING	JAMES HARDIE	ARTISAN V-GROOVE RUSTIC 144"L X 8.25"W; 7" EXPOSURE COMES PRIMED FOR PAINT	WORLDLY GRAY (SW7043), SEMI-GLOSS	-	-	SEE D / A 7.2
2	SCUPPERS	-	-	WORLDLY GRAY (SW7043), SEMI-GLOSS	-	-	SEE D / A 7.2
3	DOWN SPOUTS	-	-	WORLDLY GRAY (SW7043), SEMI-GLOSS	-	-	SEE D / A 7.2
4	HARDIE TRIM	JAMES HARDIE	HARDIE TRIM 5/4 SMOOTH 1"x5.5"	CYBERSPACE (SW7076), SEMI-GLOSS	-	-	SEE D / A 7.2
5	HARDIE REVEAL PANEL	JAMES HARDIE	REVEAL PANEL SYSTEM	CYBERSPACE (SW7076), SEMI-GLOSS	-	-	SEE D / A 7.2
6	HOLLOW METAL DOOR	-	-	PURPLE TB2603C & FRAME, SEMI-GLOSS	-	-	SEE D / A 7.2
7	AWNINGS	-	-	CYBERSPACE (SW7076), SEMI-GLOSS	-	-	SEE D / A 7.2
8	CORNER TOWER	-	-	WEATHERED RUSTIC- WESTERN STATES	-	-	SEE D / A 7.2
9	RECESS OF SIDE ENTRY PORTAL	-	-	PURPLE (ST2603C)	-	-	SEE D / A 7.2
10	EXTERIOR ARTWORK PANELS (OPTIONAL)	JAMES HARDIE	REVEAL PANEL SYSTEM	PURPLE STB2603C RUSTIC	-	-	SEE D / A 7.2
11	EXTERIOR MURAL	-	-	-	-	-	SEE D / A 7.2
12	METAL CANOPIES	SIGNAGE VENDOR	-	-	-	-	SEE D / A 7.2
13	HARDIE REVEAL PANEL	JAMES HARDIE	REVEAL PANEL SYSTEM	PURPLE (SW/TB2603C)	-	-	SEE D / A 7.2
14	METAL PARAPET CAP	-	-	CYBERSPACE (SW7076)	-	-	SEE D / A 7.2

MISCELLANEOUS A. SEE SHEET A1.1 "WINDOW TYPES" FOR WINDOW ELEVATIONS.

SEALERS (REFER TO SPECS) A. SEALANT AT ALL WALL AND ROOF PENETRATIONS.

B. SEALANT AT ALL WINDOW AND DOOR FRAMES AND JAMB. DO NOT SEAL SILL @ WINDOWS. C. APPLY NEOPRENE GASKET (CONT.) BETWEEN BUILDING AND CANOPY.

<u>CRITICAL DIMENSIONS</u> A. REQUIRED CLEAR OPENING WIDTH TO ENSURE COORDINATION WITH STANDARD SIGNAGE/BUILDING ELEMENTS DIMENSIONS.

NOTE: NO EXTERIOR SIGNS ARE WITHIN THE SCOPE OF WORK COVERED BY THE BUILDING PERMIT APPLICATION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE INSTALLATION OF ALL EXTERIOR SIGNS AND INSTALLATION OF REQUIRED BLOCKING AND ELECTRICAL CONNECTIONS FOR FINAL APPROVED SIGNS.

GENERAL NOTES

PAINTING APPLICATOR MUST DO THEIR DUE DILIGENCE WITH PREPARATION. PRIMER: 1 COAT SW A24W8300 FINISH: 2 COATS SW A82-100 SERIES, MATCH COLORS FROM MATERIAL SCHEDULE. A-100 EXTERIOR LATEX SATIN.

PAINT NOTES

EXTERIOR FINISH SCHEDULE

Н

F



Ц



Planned Development District 62 (PD-62) [*Ordinance No. 05-42*]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) 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 the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, 2,000 SF or More, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the <u>Concept Plan</u> as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a *Restaurant*, 2,000 SF or More, with a Drive Through or Drive-In on the Subject Property shall generally conform to the <u>Building Elevations</u> depicted in Exhibit 'C' of this ordinance; however, these elevations will be subject to change based on the recommendations of the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of site plan approval.
- 3) The hours of operation for the Restaurant, 2,000 SF or More, with a Drive Through or Drive-In shall be limited to Monday through Sunday 7:00 AM to 10:00 PM.
- 4) A minimum of an eight (8) foot masonry wall (*constructed with materials matching the primary structure*) be constructed adjacent to the southern and western property lines. Mature canopy trees should be planted on 20-foot centers along the entire length of the wall.
- 5) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street.

2.2 COMPLIANCE

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

 Upon obtaining a Certificate of Occupancy (CO), should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), Revocation, of Article 11, Development Applications and 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

Z2020-035: SUP for 902 & 906 S. Goliad Street Ordinance No. 20-<mark>XX</mark>; SUP # S-2<mark>XX</mark> City of Rockwall, Texas

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. <u>S-2XX</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 62 (PD-62) [ORDINANCE NO. 05-24] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED. SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT, 2,000 SF OR MORE, WITH A DRIVE-THROUGH OR DRIVE-IN ON A 1.1308-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK B, JACK CANUP ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Allen Anderson of Adlor Enterprises, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, 2,000 SF or More, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 1.1308-acre parcel of land described as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] for General Retail (GR) District land uses, addressed as 902 & 906 S. Goliad Street [SH-205], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That Planned Development District 62 (PD-62) [Ordinance No. 05-24] and the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, 2,000 SF or More, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the Subject *Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

City of Rockwall, Texas

Planned Development District 62 (PD-62) [Ordinance No. 05-42]; and, Subsection 04.01, General Commercial Districts Standards, and Subsection 04.04, General Retail (GR) 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 the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, 2,000 SF or More, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the <u>Concept Plan</u> as depicted in *Exhibit 'B'* of this ordinance.
- 2) The construction of a Restaurant, 2,000 SF or More, with a Drive Through or Drive-In on the Subject Property shall generally conform to the <u>Building Elevations</u> depicted in Exhibit 'C' of this ordinance; however, these elevations will be subject to change based on the recommendations of the Architectural Review Board (ARB) and Planning and Zoning Commission at the time of site plan approval.
- 3) A minimum of a six (6) foot masonry wall (*constructed with materials matching the primary structure*) be constructed adjacent to the southern and western property lines. Mature canopy trees should be planted on 20-foot centers along the entire length of the wall.
- 4) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street.

2.2 COMPLIANCE

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

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 5TH DAY OF OCTOBER, 2020.

Jim Pruitt, Mayor
ATTEST:
Kristy Cole, City Secretary
APPROVED AS TO FORM:
Frank J. Garza, City Attorney
1 st Reading: <u>September 21, 2020</u>
2 nd Reading: <u>October 5, 2020</u>

Exhibit 'A' Location Map

<u>Address:</u> 902 & 906 S. Goliad Street <u>Legal Description:</u> Lot 1, Block B, Jack Canup Addition



City of Rockwall, Texas



Exhibit 'C': Concept Building Elevations



Exhibit 'C': Concept Building Elevations





MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: September 21, 2020

SUBJECT: Z2020-036; SPECIFIC USE PERMIT FOR A FLAG POLE AT 1540 E. IH-30

Attachments Case Memo **Development Application** Location Map HOA Notification Map **Property Owner Notification Map** Property Owner Notification List **Public Notice Property Owner Notification** Applicant's Letter Legal Description Owner's Affidavit **Concept Plan Concept Flag Pole** Motor Vehicle Dealership Flag Poles Approved Signs on the Subject Property **Draft Ordinance**

Summary/Background Information

Hold a public hearing to discuss and consider a request by Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow a *structure that exceeds 60-feet in height in a Light Industrial (LI) District* for the purpose of constructing a flag pole on an existing motor vehicle dealership (*i.e. Clay Cooley Hyundal*) being a 4.39-acre parcel of land identified as Lot 1, 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 take any action necessary **(1st reading)**.

Action Needed

The City Council is being asked to [1] approve, [2] approve with condition, or [3] deny the Specific Use Permit (SUP). This case will require a super majority vote of those City Council members present (*e.g. six* [6] out of the seven [7] members).



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:	September 21, 2020
APPLICANT:	Nabiha Saeed, Symonds Flags and Poles, Inc.
CASE NUMBER:	Z2020-036; Specific Use Permit for a Flag Pole at 1540 E. IH-30

<u>SUMMARY</u>

Hold a public hearing to discuss and consider a request by Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the approval of a <u>Specific Use Permit (SUP)</u> to allow a structure that exceeds 60-feet in height in a Light Industrial (LI) District for the purpose of constructing a flag pole on an existing motor vehicle dealership (*i.e. Clay Cooley Hyundai*) being a 4.39-acre parcel of land identified as Lot 1, 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 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* on property. The changes to the exterior of the building were approved under site plan *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-feet tall sign with 400 SF of sign area and a 50-feet 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-feet 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 (see attached packet for elevations of the existing signage).

In 2017, the current owner purchased the property, and no additional changes have been made to the subject property since the completion of the remodel in 2013.

<u>PURPOSE</u>

The applicant -- *Nabiha Saeed* -- is requesting the approval of a Specific Use Permit (SUP) to allow a *structure that exceeds* 60-feet in height in a Light Industrial (LI) District for the purpose of constructing a 120-foot flag pole in conjunction with an existing motor vehicle dealership.

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:

- <u>North</u>: 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.
- <u>South</u>: 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.
- <u>East</u>: Directly east of the subject property is a new 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.
- <u>West</u>: 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. Warehouse Pro 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

The applicant has submitted an application, concept plan, and building elevations depicting the construction of a 120-foot flag pole on the subject property, which is currently occupied with an existing motor vehicle dealership (*i.e. Clay Cooley Hyundai of Rockwall*). The flag pole will be located adjacent to the western façade of the existing motor vehicle dealership building, next to the service porte-cochere. Staff estimates that the flag pole will be located ~137-feet from the northern property line adjacent to the IH-30 frontage road, and ~95-feet from the western property adjacent to Commerce Street.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.04, *Flag Poles*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), "(f)lag poles are permitted in all districts, but must meet the building height and setback requirements for each district." In this case, the subject property is zoned Light Industrial (LI) District, which according to Article 05, *District Development Standards*, of the Unified Development Code (UDC) the maximum height is 60-feet; however, this section also allows the building height to be increased to 120-feet if approved through a Specific Use Permit (SUP). As stated above, the applicant is requesting the maximum height of 120-feet. The proposed flag pole will meet all of the required setbacks stipulated by Subsection 07.03, *Non-Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

STAFF ANALYSIS

Staff has reviewed all properties in the IH-30 corridor and determined that: [1] no other property has a flag pole that exceeds 60-feet in height, and [2] no Specific Use Permits (SUPs) have been approved allowing a structure to exceed 60-feet in height. Staff has also reviewed all other *New Motor Vehicle Dealerships* located in the IH-30 corridor and determined that all of these properties currently have flag poles that appear to be 60-feet in height conforming to the *by-right* height permitted by the Unified Development Code (UDC). For the review of the City Council, staff has provided images of the flag poles in front of the *New Motor Vehicle Dealerships* in the IH-30 corridor. With all this being said, a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 15, 2020, staff mailed 16 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 had received one (1) response in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to for a Specific Use Permit (SUP) to allow a structure that exceeds 60-feet in height in a Light Industrial (LI) District for the purpose of constructing a 120-foot flag pole, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The development of a flag pole on the *Subject Property* shall generally conform to the <u>Concept Plan</u> as depicted in *Exhibit 'B'* of the draft ordinance.
 - (b) The construction of a flag pole on the *Subject Property* shall generally conform to the *Flag Pole Elevations* depicted in *Exhibit 'C'* of the draft ordinance.
 - (c) The proposed flag pole shall not exceed a maximum overall height of 120-feet as measured from grade.
 - (d) The flag shall be maintained in good condition free of tears, rips, fraying, or fading.
- (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 September 15, 2020, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 5-1, with Commissioner Welch dissenting and Commissioner Conway absent. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*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. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

DEVELOPMENT APPLICATI	ON STAFF USE CHLY
	22020 036
City of Rockwall	HOTE, THE APPLICATION & NOT CONSIDERED ACCEPTED BY THE CITY UNTE THE PLANNING DIRECTOR AND CITY ENGINEER HAVE
Planning and Zoning Department 385 S. Goliad Street	SIGNED BELOW.
Rockwall, Texas 75087	ORRECTOR OF PLANKING:
1004Wbh, 1048573087	OTY ENGINEER:
Please check the appropriate box below to indicate the type of develops	ment request (SELECT ONLY ONE BOX)
Plotting Application Rees:	Zoning Application Fees:
[] Master Plat (\$100.00 + \$15.00 Acre) ¹ [] Preliminary Plat (\$200.00 + \$15.00 Acre) ¹	[] Zoning Change (\$200.00 + \$15.00 Acre) ¹ [\0] Specific Use Permit (\$200.00 + \$15.00 Acre) ¹
() Final Plat (\$300.00 + \$20.00 Acre) '	['] PD Davelopment Plans (\$200.00 + \$15.00 Acre) ¹
[] Replat (\$300.00 + \$20.00 Acre) 1 [] Amending or Minor Plat (\$150.00)	Other Application Fees:
[] Plat Reinstatement Request (\$100.00)	[] Tree Removal (\$75:00) [] Variance Reguest (\$100:00)
Site Plan Application Feest	Alites:
{ Site Plan (\$250.00 + \$20.00 Acre) 1 [Amended Site Plan/Elevations/Landscaping Plan (\$100.00)	I in determining the fee, please use the exact acreage when multiplying by the par acreationnt. For requists on less than one acre, round up to one (1) acre
PROPERTY INFORMATION (PLEASE PRINT)	
	IL THE DEACH
Address 1540 I-30 Rockwa	
General Location Class Country 1	Lot of Block \
LION Wey Hyunau	21
ZONING, SITE PLAN AND PLATTING INFORMATION PREASE PR	
Current Zoning Light Industrial	current use Acuto Dealer Service
Proposed Zoning NJA	Proposed Use Instituting Flagpole with 40/101
Acreage 14, 390 Lots [Current]	2 Lots (Proposed) US Flag
1 SITE FLANS AND PLATS By checking this has you acknowledge that due to the p process, and fullure to address any of staff's comments by the date provided on the	assage of <u>MU3167</u> the City no longer has fibribility with regard to its approval
OWNER/APPLICANT/AGENT INFORMATION (PLEASE MINT/CHEC	
Contract in the second	Applicant Symonds + laces + Poles Jac
Address DELE Alice IF	Marona Dea Jard
Address 1251 É. Airport Fruy.	Addross 7503 Flagstone Dr.
City, State & Zip Inving TX 75062 ch	y some 20 Erect Whend The THE
Phone (172) 573-7607	Phone 214-596-19200 gd. 104
E-Mail mpinedo@comeseeday.com	E-MOD Becce Symonds Flags, us
NOTARY VERIFICATION [REQUIRED] Before me, the undersigned authority, on this Gay personally appeared	Cooley lower the undersigned, who stated the information on
") hereby certify that (and hereby certified the purpose of this application, all information sub	
that the CRV of Rockwall (Le. "CRV") is authorized and permitted to provide information permitted to reproduce phy Copyrighted information submitted to reprove with this con-	day of 20 By signing this application, I agree
information." Given under my hand and seal of affice on this the day of	
	. 20 10 KASEY GARZA Notary Public, State of Texas
Notary Public to and for the State of Texas	Comm Expires 02-23-2021
1/100 g 100	Mon Line Classification augulatary ID 131016906
Development application	2-23-2021





City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



City of Rockwall



Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number:Z2020-036Case Name:SUP for 1540 E. I-30Case Type:ZoningZoning:Light Industrial (LI) DistrictCase Address:1540 E. I-30



Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745



Case Number:Z2020-036Case Name:SUP for 1540 E. IH-30Case Type:ZoningZoning:Light Industrial (LI) DistrictCase Address:1540 E. IH-30



Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745 ROCKWALL CREDIT SERVICES LC 1520 E I30 ROCKWALL, TX 75032

1540 EAST IH 30 ROCKWALL LLC 1540 EAST IH 30 ROCKWALL, TX 75087

STAR HUBBARD LLC C/O STEADFAST COMPANIES 1650 S JOHN KING ROCKWALL, TX 75032

DVB FAMILY LIMITED PARTNERSHIP 2421 KATHRYN DR HEATH, TX 75032

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

COLLIN G PROPERTIES LTD PO BOX 847 ROCKWALL, TX 75087 1540 EAST IH 30 ROCKWALL LLC 1530 S I30 ROCKWALL, TX 75032

REALTY HOLDINGS OF ROCKWALL LLC 1550 E I30 ROCKWALL, TX 75032

STAR HUBBARD LLC C/O STEADFAST COMPANIES 18100 VON KARMAN SUITE 500 IRVINE, CA 92612

DYNACAP HOLDINGS LTD & CHARLES SMITH 709 W RUSK ST STE B ROCKWALL, TX 75087 ZBH/1535 E INTERSTATE 30 LTD 1535 I30 ROCKWALL, TX 75032

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

REALTY HOLDINGS OF ROCKWALL LLC 1925 CEDAR SPRINGS ROAD SUITE 204 DALLAS, TX 75201

CAMBRIDGE COMPANIES C/O WEBB RHOADES 8750 N CENTRAL EXPY SUITE 1735 DALLAS, TX 75231

ROCKWALL RENTAL PROPERTIES LP PO BOX 818 TERRELL, TX 75160

ROCKWALL CREDIT SERVICES LC PO BOX 1870

ROCKWALL, TX 75087

PUBLIC NOTICE

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

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

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

Case No. Z2020-036: SUP for Flag Pole at 1540 E. IH-30

Hold a public hearing to discuss and consider a request by Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the approval of a <u>Specific</u> <u>Use Permit (SUP)</u> to allow a structure that exceeds 60-feet in height in a Light Industrial (LI) District for the purpose of constructing a flag pole on an existing motor vehicle dealership (i.e. Clay Cooley Hyundai) being a 4.39-acre parcel of land identified as Lot 1, 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 take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday. September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-036: SUP for Flag Pole at 1540 E. IH-30

Please place a check mark on the appropriate line below:

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

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

Name:	
Address:	

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

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





PUBLIC NOTICE 😂

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

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

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

Case No. Z2020-036: SUP for Flag Pole at 1540 E. IH-30

Hold a public hearing to discuss and consider a request by Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the approval of a Specific Use Permit (SUP) to allow a structure that exceeds 60-feet in height in a Light Industrial (LI) District for the purpose of constructing a flag pole on an existing motor vehicle dealership (i.e. Clay Cooley Hyundai) being a 4.39-acre parcel of land identified as Lot 1, 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 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, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by Monday, September 21, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely.

Rvan 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. Z2020-036: SUP for Flag Pole at 1540 E. IH-30

Please place a check mark on the appropriate line below:

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

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

Exast Addition to the IneA LOVE to see American FLACS FLYING Raymond Jordens Pres Addenull Cardid Sandicall 1520 & 1510 FAST I-30

Name:

Address:

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

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

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



Symonds Flags & Poles, Inc. 7503 Flagstone Dr. Bldg. 30 Fort Worth, TX 76118 Tel 214-596-1900 Fax 817-590-8019 www,symondsflags.us



The flagpole does not violate, the intent of Chapter 7, and it will be professionally designed and installed solely for the purpose of displaying both the US and TX Flags. It is actually, in the guidelines of Chapter7.

It will not affect in any way the surrounding properties, or the safety of the public. The flagpoles will create great feelings of Patriotism and the love of our great country and state.

There will be no adverse impact.

All of us who drive by on Hwy 30 will marvel at the City of Rockwall's Love of our Country.

If the variance is not granted we will not be able to adequately demonstrate our great Patriotism and love of our Country and State to the people of Rockwall and all who travel through it.

It will actually compliment the looks of the city.

Thank you,

Nabiha Saeed

EXHIBIT A

Description of the Property

TRACT I

BEING a 4.922-acre tract of land situated in the N. M. BALLARD Survey, Abstract No. 24, and in the A. HANNA Survey, Abstract No. 99, in the City of Rockwall, Rockwall County, Texas, and being part of a 48.033-acre tract of

land described in the deed from Eva E. Tadlock, a widow, and C. W. Tadlock to Max Scheid, Trustee, dated 18th day of July, 1972, and recorded in Volume 103, at Page 791 of the Deed Records of Rockwall County, Texas, and being the remainder of that certain S-acro tract of land described in the deed from Max Scheid, Trustee to Gaston and Gaston Auctioneers, Inc. dated the 10th day of October 1978, and recorded in Volume 137, at Page 832 of the said Deed Records of Rockwall County, Texas, said tract being more particularly described as follows:

BEGINNING at a 3-inch aluminum TxDOT monument found in place on the Westerly line of the above mentioned 48.033-acre tract at its intersection with the Southerly right-of-way line of Interstate Highway 30, said 3-inch aluminum TxDOT monument marking the most Southerly Southwest corner of a 3,450 square-foot tract of land described in the deed from Marty K. Salley, et vir Oscar Salley, to the State of Texas, dated the 16th day of January, 2010, and recorded in County Clerk's Document No. 2010 60430987 (Volume 6069, at Page 254) of the said Deed Records of Rockwall County, Texas, and having coordinates based on the Texas Coordinate System of 1983, North Central Zone of:

X = 2,601,110.56 U.S. Survey Feet

Y = 7,021,781.94 U. S. Survey Feet

(Reported as North 7,022,808.07, East 2,601,490.67 based on the TxDOT conversion factor of 1.000146135 in the cited deed to the State of Texas)

THENCE with the Southeasterly right-of-way line of Interstate Highway No. 30 and the Southeasterly line of the above mentioned 3,450-square-foot State of Texas tract the following two courses and distances:

1. N 72 degrees 46 minutes 00 seconds E 308.48 feet

2. S 65 degrees 17 minutes 09 accords E 23.86 fest to a 3-inch aluminum TxDOT monument found in place on the Westerly right-of-way line of Commerce Street (a 60-foot right-of-way) according to the Mat thereof recorded in Cabinet B on Silde 323 of the Map and Plat Records of Rockwall County, Texas, and being in the Westerly line of a 5acre tract described in the deed from Max Scheid, Trustos to Rockwall Church of Christ, dated the 15th day of December, 1977, and recorded in Volume 131, at Page 405 of the said Deed Records of Rockwall County, Texas;

THENCE S 00 degrees 40 minutes 20 seconds E with the Westerly right-of-way line of Commerce Street at a distance of 622.43 feet pass a 5/8-inch steel rod found (called to be the Southwest corner of the last mentioned 5-acre tract but fails to satisfy the called distance for the Westerly line of that tract) and continuing on the same course for an additional distance of 84.93 feet for a total distance of 707.36 feet to a 3/8-inch steel rod found;

THENCE S 89 degrees 22 minutes 30 seconds W for a distance of 317.00 feet to a 3/8-inch steel rod found;

THENCE N 00 degrees 41 minutes 38 seconds W for a distance of 629.40 feet to the PLACE OF BEGINNING and containing 4.922 acres of land.

4926811v.5 YOU325/20000

A-1

Special Warranty Deed Rockwall

..

TRACT II

BEING a 21.684-acre portion of a called 22,303-acre tract of land described in the deed from Thomas E. Haack to Thomas Real Estate, L.P. dated November 12, 1998, and recorded in Volume 1507, at Page 203 of the Deed Records of Rockwall County, Texas (DRRCT) and being situated in the N.M. Ballard Survey, Abstract No. 24, City of Rockwall, Rockwall County, Texas, and also being part of a called 25.281-acre tract of land described in the deed from Haideman, Inc. to Buddy R. Haldeman dated the 20th day of March, 1984, and recorded in Volume 193, at Page 406 DRRCT and being more particularly described as follows:

BEGINNING at a 1/2-inch steel rod found at the intersection of the northeasteriy right-of-way line of High School Drive (a variable width right-of-way commonly known as T.L. Townsend Drive) with the easterly line of Bodin Industrial Tract according to the plat thereof recorded in Cabinet A, on Side 347 of the DRRCT said 1/2-steel rod also marking the most southerly or southeasterly corner of a 1-acre lot, tract or parcel described in the deed from James Valk et ux to James Valk, Sr. et al dated the 23rd day of March, 2010, and recorded in Volume 6070, at Page 268 DRRCT, and having coordinates of:

X. 2,600,974.41 U. S. Survey Feet

Y. 7,019,534.15 U. S. Survey Feet;

THENCE:

N 60°21'13" W with the westerly line of the 22.303-acre tract and with easterly line of the last mentioned Bodin Industrial Tract at a distance of 304.86 feet pass 1/2-inch steel rod found And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 376.39 feet pass one foot west of a 1/2-inch steel rod found

And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 863.78 feet pass a 3/8-inch steel rod found marking the northeasterly corner of a 1acre tract or parcel of land described in the deed from John W. McDaniel et ux to IRT Construction, Inc., dated December 31, 1997, and recorded in Volume 1314, at Page 250 of the DRRCT

And continuing on the same course and with the common line between the 22.303-acre tract and Bodin Industrial Tract at an additional distance of 71.85 feet for a total distance of 1,616.88 feet (called: 1,625.74 feet) to a 1/2-inch steel rod found for the southwest corner of a 2.16-acre tract of land described in the deed from Cibela Properties, Ltc to Rockwall Credit Services, L.C. dated September 30, 2005, and recorded in Volume 4314, at Page 34 DRRCT;

THENCE N 89°22'30" E with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 2.16-acre Rockwall Credit Services tract at a distance of 153.71 feet pass a 3/8-inch steel rod marking the southeast corner of said 2.16-acre tract the same being the southwest corner of a 4.922-acre tract described in the deed from Marty K. Salley et vir to Gordon Rockwall Investments, LLC dated 2nd day of October, 2012, and recorded in Volume 6959, at Page 100 DRRCT and continuing on the same course with the northerly line of the 22.303-acre tract and the southerly line of the last mentioned 4.922-acre tract an additional distance of 317.00 feet for a total distance o 470.71 feet to a 3/8-inch steel rod found marking the southeast corner of said 4.922-acre tract;

THENCE N 68°46'16" E with the northerly line of the 22.303-acre tract for a distance of 63.21 feet to a 1/2-inch steel rod found in the westerly boundary line of Rockwall Recreation Addition according to the plat thereof recorded in Cabinet F, on Side 379 DRRCT;

THENCE S 00°35'03" E with the westerly boundary line of said Rockwall Recreation Addition for a distance of 433.41 feet to a 5/8-inch steel rod found for the southwest corner of said addition;

THENCE N 89°28'30" E with a northerly line of the 22,303-acre tract and departing the Rockwall Recreation Addition for a distance of 261.25 feet to a 5/8-inch steel rod for its most easterly northeast corner from which a 1/2inch steel rod marking the southeast corner of said Rockwall Recreation Addition bears N 01°02'39" W a distance of 24.60 feet;

4926811v.5 YOU325/20000

Special Warranty Deed Rockwall

TRACT III

Being a part of Lot 1, Block 1, of ROCKWALL MECREATIONAL ADDITION, an Addition to the City of Rockwall County, Turne, according to the Pint thereof recorded in Cablest 7, Slide 379, of the Pint Records of Rockwall County, Turne, and being more particularly described as follows:

BEGINNING at a 1st from pipe found for corner in the coutheast right-of-way line of Interstate Highway 36, at the northeast corner of sold Lot 3, Block 1;

THENCE 8. 00 dog. 20 min. 22 sec. B. slong the past line of said tract, a distance of 212.96 feet to a M9" from red found for conver;

THENCE 8. 01 deg. 26 min. 34 sec. W. along the east line of said Lot I, Block I, a distance of 452.34 feet to a 5/8" iron rod found for corner;

THENCE 5. 00 day. 02 min. 16 sec. W. slong the cast line of said Let J, Mork 1, a distance of \$3.77 fest to a 1/2" from red found for corner at the southeast corner of same, and being in the worth line of a 60 foot street dedication per piet;

THENCE 8. 89 dag. 52 min, 00 sec. W. along the north line of said street dedication, a distance of 262.48 fast to a 1/2" from rod found for corner at the southwest corner of said Lot 1, Block), and being in the cast right-of-way line of Cammerce Street per plat in Cab. B. Slide 323;

THENCE M. 60 day. 08 min. 09 sec. W. along said right-of-way line, a distance of 667.52 feet to an "X" chieslod in concrete for corner in the southeast right-of-way line of Interstate Highway 30 per Volume 6656, Page 116 of the Official Public Records of Rockwall County, Toxas;

THENCE N. 37 deg. 19 mja. 40 see. IL along said right-af-way line, a distance of 12,67 feet to a point for corner;

THENCE N. 77 deg. 30 min. 25 sec. E. slong sold right-of-may line, a distance of 108.87 feet to a \$/2" iron rod found for corner;

THENCE N. 73 deg. 15 min. 59 sec. E. along said right-of-way line, a distance of 167.30 feel to the FOINT OF BEGINNING and containing 191,336 square feet or 4.39 serves of land.

TRACT IV

Being Lot J. Block 2 of ROCKWALL RECREATIONAL ADDITION, an Addition to the Chy of Rockwall, Reckwall County, Texas, seconding to the Plat thereof recorded in Cablast F, Slide 375, of the Plat Records of Rockwall County, Texas

Special Warranty Deed Rockwall THENCE S 00°31'33"E with the easterly line of said 22.303-acre tract at a distance of 389.26 feet pass 7.5 feet west of a Flood Plain Monument called on Sheet 2 of 6 of the plat of the Mansions Senior Addition according to the plat thereof recorded in Cabinet G, on Silde 389-394 DRRCT and continue on the same course and with the easterly line of said 22.303-acre tract for an additional distance of 378.14 feet for a total distance of 767.40 feet to a point on the platted northerly line of Lot 1, Block 1 Houser Addition according to the plat thereof recorded in Cabinet B, at Silde 174 of the Map Records of Rockwall County, Texas, and being N 73°16'24"W a distance of 8.07 feet from the northeast corner of said Lot 1;

THENCE generally along the high bank of Buffalo Creek the following six (6) courses and distances:

N 41°18'30" W a distance of 74.72 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"

S 86°07'24" W a distance of 102.81 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"

S 69°01'44" W a distance of 61.40 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"

S 62°32'37" W a distance of 38.24 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"

S 41°12'23" W a distance of 70.66 feet to a 5/8-inch steel rod set with an orange plastic cap stamped "R-DELTA ENGINEERS"

S 80°55'55" W a distance of 79.86 feet to the northwest corner of said Lot I, Block I Houser Addition, from which a 1/2-inch steel rod found bears S 00°13'03" E a distance of 40.51 feet and a 5/8-inch steel rod set in the thread of Buffalo Creek with an orange plastic cap stamped "R-DELTA ENGINEERS" bears N 20°Ws distance of 0.45 feet;

THENCE with the thread of said Buffalo Creek the following eight (8) courses and distances:

S 74°05'53" W a distance of 31.97 feet;

N 34º02'33" W a distance of 39.97 feet;

9 73*36*14" W a distance of 97.75 feet;

S 02°51'37" W a distance of 93.25 feet;

S 16°31'48" E a distance of 69.66 feet;

S 24°26'02" W a distance of 76.47 feet;

S 38°41'24" W a distance of 251.24 feet;

S 57°43'03"W a distance of 62.30 feet to a point on the northeasterly right-of-way line of High School Drive;

THENCE N 35°21'16" W with the northeasterly right-of-way line of High School Drive a distance of 87.69 feet to the PLACE OF BEGINNING and containing 944,552 square feet or 21.684 acres of land.

Special Warranty Deed Rockwall

3. Explain how, if the variance is not granted, it will cause an unnecessary hardship for you to use your property for a valid purpose: (a hardship may not be self-imposed or financial in nature)

graates Mauria col ic Th LA love aSI 80 OL 9 F an SLE 1 . That specal Rocker france all A . . 3 Flag Th lars 0 P (incars MARCE Q. Nove 1 SAMA

Owner of Property_1540 EAST IK 30 ROCKUAL rc CLAU COOLE E Name of Applicant 44 540 30 Address ____ (235) --8697 75057 Telephone (210 597 City, State, Zip Rochard Signature Date

OWNER'S AFFIDAVIT

State of Texas County of Dalles

01 COOLP

Before me the undersigned on this day personally appeared and that he/she is the legal owner of the who on his/her oath certifies that the above/attached statements are true and corre property.

Property Owner Signature

Subscribed and sworn to before me this

d sworn to b	refore me this
MULLING,	Pasa J. GREER
	The Poblic State of Texas
The state	Ga +10 1879364

2020

Notary Public In and For Dellas County, TX

Community Development Department Building Impection Division

Signs/BOA/BOASignApp







KIA Dealership



Buick/GMC Dealership



Ford Dealership



Honda Dealership



Toyota Dealership





ELECTRONIC MESSAGE DISPLAY




CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY ROCKWALL, OF 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 A STRUCTURE THAT EXCEEDS 60-FEET IN HEIGHT IN A LIGHT INDUSTRIAL (LI) DISTRICT TO ALLOW THE CONSTRUCTION OF A FLAG POLE ON A 4.39-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, **BLOCK 1, ROCKWALL RECREATIONAL ADDITION, CITY OF** ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL **CONDITIONS: PROVIDING FOR A PENALTY OF FINE NOT TO** EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE: PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Nabiha Saeed of Symonds Flags and Poles, Inc. on behalf of Clay Cooley for the approval of a Specific Use Permit (SUP) for a *structure that exceeds 60-feet in height in a Light Industrial (LI) District* to allow the construction of a flag pole on an existing motor vehicle dealership on a 4.39-acre parcel of land being described as Lot 1, Block 1, Rockwall Recreational Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1540 E. IH-30, 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 a structure that exceeds 60-feet in height in a Light Industrial (LI) District to allow the construction of a flag pole on an existing motor vehicle dealership in accordance with Article 04, Permissible Uses, and Article 05, District Development Standards, 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 03.04, *Flag Poles*, of Article 04, *Permissible Uses*, and Subsection 07.03, *Non-Residential District Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction and continued operation of a flag pole on the *Subject Property* and conformance to these operational conditions are required:

- 1) The development of a flag pole on the *Subject Property* shall generally conform to the <u>Concept</u> <u>Plan</u> as depicted in Exhibit 'B' of this ordinance.
- 2) The construction of a flag pole on the *Subject Property* shall generally conform to the <u>Flag</u> <u>Pole Elevations</u> depicted in Exhibit 'C' of this ordinance.
- 3) The proposed flag pole shall not exceed a maximum overall height of 120-feet as measured from grade.
- 4) The flag shall be maintained in good condition free of tears, rips, fraying, or fading.

2.2 COMPLIANCE

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

 Upon obtaining a *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 5^{TH} DAY OF OCTOBER, 2020.

	Jim Pruitt, <i>Mayor</i>
ATTEST:	
Kristy Cole, City Secretary	
Thisty cole, only coordiary	
APPROVED AS TO FORM:	
Frank J. Garza, City Attorney	
1 st Reading: <u>September 21, 2020</u>	
2 nd Reading: <u>October 5, 2020</u>	

Exhibit 'A' Location Map and Survey

<u>Address:</u> 1540 E. IH-30 <u>Legal Description:</u> Lot 1, Block 1, Rockwall Recreational Addition



Z2020-036: SUP for 1540 E. IH-30 Ordinance No. 20-XX; SUP # S-2XX Page | 4

City of Rockwall, Texas

Exhibit 'B': Concept Plan



Z2020-036: SUP for 1540 E. IH-30 Ordinance No. 20-XX; SUP # S-2XX

Page | 5

City of Rockwall, Texas

Exhibit 'C': Flag Pole Elevations



Z2020-036: SUP for 1540 E. IH-30 Ordinance No. 20-XX; SUP # S-2XX

Page | 6



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: September 21, 2020

SUBJECT:Z2020-037; SPECIFIC USE PERMIT FOR A RESTAURANT, LESS THAN
2,000 SF, WITH A DRIVE-THROUGH AT 150 PECAN VALLEY DRIVE

Attachments Case Memo **Development Application** Location Map **HOA Notification Map** Neighborhood Notification Email **HOA Notification Map** Property Owner Notification Map **Property Owner Notification List Public Notice Property Owner Notifications** Applicant's Letter **Concept Plan** Concept Renderings (1) Concept Renderings (2) Concept Renderings (3) **Draft Ordinance**

Summary/Background Information

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow a *Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In* for the purpose of constructing a restaurant with drive-through on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary **(1st reading)**.

Action Needed

The City Council is being asked to [1] approve, [2] approve with condition, or [3] deny the Specific Use Permit (SUP). This case will require a super majority vote of those City Council members present (*e.g. six* [6] out of the seven [7] members).



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:	September 21, 2020
APPLICANT:	Casey Orr, PE; Wier & Associates, Inc.
CASE NUMBER:	Z2020-037; Specific Use Permit for a Restaurant, Less Than 2,000 SF, with a Drive-Through at 150 Pecan Valley Drive

SUMMARY

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for a <u>Restaurant with Less Than 2,000 SF with</u> <u>Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.</u>

BACKGROUND

The subject property -- *which is a portion of a larger 2.356-acre tract of land* -- was annexed into the City of Rockwall on February 3, 1961 by *Ordinance No. 61-02*. At the time of annexation, the subject property was zoned Agricultural (AG) District. The property would remain zoned Agricultural (AG) District until January 3, 2006 when the City Council approved Planned Development District 65 (PD-65) [*Ordinance No. 06-02; Case No. Z2004-037*]. This Planned Development District designated the subject property for General Retail (GR) District land uses. Since the establishment of Planned Development District 65 (PD-65), the Planned Development District has been amended three (3) times (*i.e. Ordinance No. 's 08-02, 10-28, & 17-03*); however, the designation of the subject property has remained for General Retail (GR) District land uses.

On July 9, 2019, the 2.356-acre tract of land -- of which the 0.579-acre subject property is a part of -- was approved for a site plan [*Case No. SP2019-023*] for an ~11,000 SF strip retail building. This portion of the tract of land is currently under construction, and physically separated from the subject property by flood plain that traverses the tract of land from N. Goliad Street to Pecan Valley Drive/Quail Run Road. Submitted concurrently with the site plan request for the 2.356-acre tract of land, was a Specific Use Permit (SUP) application for a *Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In* on the subject property [*Case No. Z2019-014*]; however, this request was ultimately withdrawn by the applicant on August 6, 2019. In addition, a final plat [*Case No. P2020-034*] was submitted for the entire 2.356-acre tract of land (*i.e. including the subject property*) and is currently being run concurrently with this case.

On June 19, 2020, the applicant had previously submitted same request as to what is being proposed currently (*i.e. for a Specific Use Permit [SUP] for a Restaurant, Less Than 2,000 SF, with Drive-Through or Drive-In*) under *Case No. Z2020-026*. This request was presented to the Planning and Zoning Commission on July 14, 2020, and was unanimously recommended for denial by a vote of 6-0, with Commissioner Moeller absent. Based on this, the applicant requested that the City Council withdraw the case. This withdraw request was approved by the City Council on July 20, 2020 by a vote of 7-0. After this action, the applicant resubmitted an application for the same request (*i.e. for a Specific Use Permit [SUP] for a restaurant, less than 2,000 SF, with drive-through or drive-in*). The only new materials provided with the reapplication were renderings of the building, an indication that the restaurant would be a *Smoothie King*, and a concept plan showing the inclusion of a walking trail.

<u>PURPOSE</u>

The applicant -- Casey Orr, PE of Wier & Associates, Inc. -- is requesting the approval of a Specific Use Permit (SUP) for a Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In for the purpose of developing a restaurant (*i.e. Smoothie King*) on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 150 Pecan Valley Drive. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property is a ~11,000 SF strip retail building on the same tract of land as the subject property. This building is currently under construction and is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is a daycare facility (*i.e. Children's Lighthouse Daycare*) situated on a 3.543-acre parcel of land (*i.e. Lot 1, Block A, Children's Lighthouse Addition*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District 1 and uses and Agricultural (AG) District. The Agricultural (AG) District portion of this property has a Specific Use Permit (SUP) for a daycare facility (*i.e. S-140; Ordinance No. 15-22*).
- <u>South</u>: Directly south of the subject property is Pecan Valley Drive, which is designated as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. Walgreens Pharmacy*) situated on a 1.9894-acre parcel of land (*i.e. Lot 1, Block B, North Lakeshore Valley*), which is zoned Planned Development District 65 (PD-65) for General Retail (GR) District land uses. Beyond this is N. Lakeshore Drive, which is designated as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- *East*: Directly east of the subject property is N. Goliad Street [*SH-205*], which is designated as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a retail store and pharmacy (*i.e. CVS Pharmacy*) situated on a 2.519-acre parcel of land (*i.e. Lot 1R, Block B, Quail Run Retail*), which is zoned Planned Development District 5 (PD-5) for General Retail (GR) District land uses. Also, east of the subject property is a 62.484-acre tract of land (*i.e. Tract 3 of the S. King Survey, Abstract No. 131*) that is zoned Planned Development District 70 (PD-70) for General Retail (GR) District land uses.
- <u>West</u>: Directly west of the subject property is Quail Run Road, which is identified as a R2 (*i.e. residential, two* [2] lane, undivided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is an 11.723-acre tract of vacant land (*i.e. Tract 5 of the S. King Survey, Abstract No. 131*) that is owned by the City of Rockwall and zoned Planned Development District 65 (PD-65) for Single-Family 10 (SF-10) District and General Retail (GR) District land uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, concept plan, and building elevations depicting the layout of a 1,415 SF limited service restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented toward S. Goliad Street, but will have only one (1) point of ingress/egress that will be on Quail Run Road. The drive-through lane will wrap around the building, and will not incorporate a *bailout* lane. The *food delivery/payment window* will be oriented north toward the floodplain and adjacent strip retail building, and the *restaurant ordering board* (*i.e. the point of order*) will be oriented facing directly onto N. Goliad Street approximately 37-feet from the right-of-way. In addition, the concept plan depicts eight (8) vehicles being able to be cued in the drive-through lane (*i.e. five* [5] vehicles between the food delivery/payment window and the restaurant ordering board and three [3] vehicles behind the vehicle at the restaurant ordering board) with headlight screening being included along N. Goliad Street. The concept plan also shows the provision of five (5) parking spaces and the location of trash dumpster enclosure.

CONFORMANCE WITH THE CITY'S CODES

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant Less Than 2,000 SF with a Drive-Through or Drive-In* land use requires a Specific Use Permit (SUP) in a General Retail (GR) District. In addition, Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also requires the following land use conditions as part of the establishment of this land use:

- (1) Drive-through lanes shall not have access to a local residential street.
- (2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of headlights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space.
- (3) Unless otherwise approved by the Planning and Zoning Commission, stacking lands for drive-through service window (*i.e. the food delivery/payment window*) shall accommodate a minimum of six (6) standard sized motor vehicles per lane.

In this case, the submitted site plan does show conformance to the minimum stacking requirements and provides shrubs along N. Goliad Street to help impair the visibility of headlights; however, the proposed concept plan shows the business making use of Quail Run Road, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) or a residential street on the Master Thoroughfare Plan. In considering this non-conformity, it is important for staff to point out that the strip retail center currently being built north of the subject property already has a drive approach off of Quail Run Road, and that commercial traffic will be utilizing this portion of the roadway regardless of if this Specific Use Permit (SUP) is approved. It should also point out that additional landscaping -- *above and beyond what is depicted on the concept plan* -- will need to be provided to sufficiently screen the headlights of vehicles in the drive-through lane. Staff should also note that due to existing easements on the site, it may be difficult for the applicant to provide the required landscaping necessary to screen the headlights shining on to N. Goliad Street. If this proves to be the case, a three (3) foot masonry wall can be incorporated adjacent to the drive-through lane to achieve the same screening. This can be determined on the *Landscape Plan* submittal with the *Site Plan*, and an operation condition addressing this issue has been added to the attached draft ordinance.

In addition to not meeting the land uses standards, another issue with the proposed drive approach on Quail Run Road is its distance to the intersection of Pecan Valley Drive and Quail Run Road. According to the Engineering Department's *Standards of Design and Construction*, the minimum driveway spacing from an intersection of a R2 (*i.e. residential, two [2] lane, undivided roadway*) and a *Collector* is 100-feet. In this case, the driveway spacing is 37-feet from the intersection of Quail Run Road and Pecan Valley Road and the southernmost point of the proposed drive approach.

According to the City's parking requirements contained in Article 06, *Parking and Loading*, of the Unified Development Code (UDC), a *limited service restaurant* carries a parking requirement of one (1) parking space per 250 SF of building area. In this case, this would translate to a minimum of six (6) parking space (*i.e.* 1,415 SF/250 SF = 5.66 or 6 parking spaces). The proposed concept plan currently only depicts five (5) parking spaces. In addition, Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), states "...enclosures shall be located to the side or rear of the primary buildings, and shall not front on to a public right-of-way." In this case, the proposed trash enclosure fronts onto Pecan Valley Drive and would need a variance to this requirement.

Finally, staff should point out that as part of this amended request the applicant -- *unsolicited by staff* -- has incorporated a trail system that was not on the original, resubmitted concept plan. Since this was provided by the applicant it will be a requirement of the Specific Use Permit (SUP) ordinance; however, a portion of this trail system shows to be running into the 100-year floodplain. In order to do this, the applicant will need to perform a Flood/Waters of the United States Study and provide an updated tree mitigation plan for the site. This has been added as a condition of approval in the *Recommendation* section of this case memo.

With the exception of these items the concept plan appears to meet the design requirements for the General Retail (GR) District and Planned Development District 65 (PD-65). The submitted building renderings will be subject to both the requirements of the N. SH-205 Overlay (N. SH-205 OV) District and review by the Architectural Review Board (ARB) at the time of site plan. Based on this, these elevations are not being proposed to be tied down as part of this case.

STAFF ANALYSIS

Due to the site constraints of this particular property, it would be difficult for the applicant to meet the compensatory requirements -- which are stipulated by the Unified Development Code (UDC) -- needed to off-set the variances depicted on the applicant's concept plan. As a result, the following waivers/variances need to be considered as part of this Specific Use Permit (SUP) request:

- (1) A variance to the locational requirements for a trash enclosure.
- (2) A variance to the parking requirements to reduce the parking from the required six (6) parking spaces to five (5) parking spaces.

- (3) A waiver to the driveway spacing requirements to allow a drive approach to be 37-feet away from the intersection of a collector and a residential roadway.
- (4) A waiver to allow a *Restaurant Less Than 2,000 SF with a Drive-Through/Drive-In* to only have access on to a residential roadway.

As previously stated, the strip retail center to the north -- which is located on the same tract of land as the subject property -- also has a drive approach on to Quail Run Road; however, this development also has an approach on to SH-205, which the subject property is not capable of. This means that all traffic generated on the subject property will have to make use of Quail Run Road.

It may also be material for staff to note that when the applicants originally met with staff about the strip retail center, staff informed the applicants that due to the site constraints (*i.e. flood plain, easements, buildable area, frontage on three [3] roadways, etc.*) it would be difficult for a building to be constructed on this portion of the property. Staff also explained that it was unsafe to allow a drive approach off of N. Goliad Street, Pecan Valley Drive, and/or Quail Run Road. At that time, the applicants were proposing a plan that showed a bridge connecting the subject property to the remainder of the tract (*i.e. where the strip retail center is being constructed*). Since this time, the applicant has attempted three (3) submittals on this property, all of which have been for limited service restaurants. Two (2) of these applications were withdrawn, with one (1) being withdrawn after the work session with the Planning and Zoning Commission and one (1) being withdrawn after the Planning and Zoning Commission's recommendation of denial. With all of this being said, any request for a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 15, 2020, staff mailed 35 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Shore on Lake Ray Hubbard, Random Oaks/Shores, Stone Creek, Quail Run Valley, and Lakeview Summit Homeowners 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 13 responses (*i.e. eight (8) emails and five (5) property owner notifications*) opposed to the applicant's request and one (1) property owner notification in favor of the applicants request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, Less Than* 2,000 SF, with a Drive-Through/Drive-In for the purpose of constructing a restaurant (*i.e. Smoothie King*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The development of the *Subject Property* shall generally conform to the <u>*Concept Plan*</u> as depicted in *Exhibit 'B'* of the draft ordinance.
 - (b) Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along Pecan Valley Drive and N. Goliad Street to provide headlight screening for vehicles traveling along N. Goliad Street from vehicles in the drive-through and cueing lanes of the proposed restaurant.
- (2) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (3) The approval of this Specific Use Permit (SUP) will waive the driveway spacing requirements for a drive approach on a residential street as stipulated in the Engineering Department's *Standards of Design and Construction Manual*.

- (4) The approval of this Specific Use Permit (SUP) will constitute a variance to the minimum parking requirements for a *limited service restaurant* as stipulated by Section 06.05, *Off-Street Loading Requirements*, of Article 06, *Parking and Loading*, of the Unified Development Code (UDC) to allow five (5) parking spaces in lieu of the six (6) required parking spaces.
- (5) The approval of this Specific Use Permit (SUP) will constitute a variance to the dumpster enclosure orientation requirements stipulated by Subsection 01.05(B), *Trash/Recycling Enclosures*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) to allow the dumpster enclosure to be oriented toward a public right-of-way.
- (6) A Floodplain/Waters of the United States Study and updated tree mitigation plan will need to be submitted prior to establishing the trail in the floodplain.
- (7) 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 September 15, 2020, the Planning and Zoning Commission approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 4-2, with Commissioners Deckard and Welch dissenting and Commissioner Conway absent. According to Subsection 02.03(G), *Protest of a Zoning Change*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f such change [*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. three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

	DEVELOPMENT APPLICA City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087		PLANN <u>NOTE:</u> CITY U SIGNE DIREC	THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE INTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE D BELOW. TOR OF PLANNING: NGINEER:
Please check the ap	ppropriate box below to indicate the type of develo	opment req	uest [S	ELECT ONLY ONE BOX]:
Platting Application Fees: [] Master Plat (\$100.00 + \$15.00 Acre) 1 [] Preliminary Plat (\$200.00 + \$15.00 Acre) 1 [] Final Plat (\$300.00 + \$20.00 Acre) 1 [] Replat (\$300.00 + \$20.00 Acre) 1 [] Amending or Minor Plat (\$150.00) [] Plat Reinstatement Request (\$100.00) Site Plan Application Fees: [] Site Plan (\$250.00 + \$20.00 Acre) 1 [] Amended Site Plan/Elevations/Landscaping Plan (\$100.00)		[] Zor [X] Spe [] PD <i>Other A</i> [] Tre [] Var <i>Notes:</i> ¹ : In dete	ing Cha cific Use Develop Applicat e Remov iance Re	tion Fees: nge (\$200.00 + \$15.00 Acre) ¹ e Permit (\$200.00 + \$15.00 Acre) ¹ imment Plans (\$200.00 + \$15.00 Acre) ¹ ion Fees: val (\$75.00) equest (\$100.00) the fee, please use the exact acreage when multiplying by the For requests on less than one acre, round up to one (1) acre.
PROPERTY INFO	DRMATION [PLEASE PRINT]			
Address	150 Pecan Valley Dr			
Subdivision	A0131, S. King Survey, Tract 1; Pec	an Valle	v Ret	ail ^{Lot} 1 Block A
General Location	NWC Goliad St & Pecan Valley Dr			
ZONING. SITE P	LAN AND PLATTING INFORMATION [PLEASE			
Current Zoning	Service and the service states of the service states and the se	Currer	nt Use	Undeveloped/Vacant
Proposed Zoning		Propose	d Use	Restaurant w/ Drive-Thru
120 70	2.246 Lots [Current]	1		Lots [Proposed] 1
[] <u>SITE PLANS AND</u>		he passage o	f <u>HB316</u> pent Cale	the City no longer has flexibility with regard to its approval
	CANT/AGENT INFORMATION [PLEASE PRINT/CH			
	JCDB Goliad Holdings, LLC	[] App		Wier & Associates, Inc.
	Chad DuBose	Contact P		Casey Orr, P.E.
Address	8350 N. Central Expressway	Ad		121 S. Main St
	Suite 1313			
City, State & Zip	Dallas, TX 75206	City, State	& Zip	Henderson, TX 75654
Phone	214-701-8455	P	hone	903-722-9030
E-Mail	chad@foremark.com	E	-Mail (caseyo@wierassociates.com
Before me, the undersig this application to be tru "I hereby certify that I a cover the cost of this ap that the City of Rockwa	ue and certified the following: m the owner for the purpose of this application; all information plication, has been paid to the City of Rockwall on this the 14 Ill (i.e. "City") is authorized and permitted to provide informa	n submitted h <u>H</u> day of tion containe	erein is ti <u>A</u> d within	[Owner] the undersigned, who stated the information on rue and correct; and the application fee of $$233.69$, to 30.7 , 2020. By signing this application, I agree this application to the public. The City is also authorized and
information."		is application,	if such r	eproduction is associated or in response to a request for public
	nd seal of office on this the <u>14M</u> days <u>August</u> Owner's Signature and for the State of Texas	AU		My Commission Expires My Commission Expires My Commission Expires My Commission Expires My Commission Expires

DEVELOPMENT APPLICATION • CITY OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7727





City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number:Z2020-037Case Name:SUP for 150 Pecan Valley DriveCase Type:ZoningZoning:Planned Development District 65
(PD-65)Case Address:150 Pecan Valley Drive

Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745



From:	Gamez, Angelica
Cc:	Miller, Ryan; Gonzales, David; Lee, Henry
Subject:	Neighborhood Notification Program
Date:	Tuesday, August 18, 2020 4:59:49 PM
Attachments:	HOA Map Z2020-037.pdf Public Notice (08.18.2020).pdf

HOA/Neighborhood Association Representative:

Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>Friday</u>, <u>August 21</u>, 2020. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday</u>, <u>September 15</u>, 2020 at 6:00 PM, and the City Council will hold a public hearing on <u>Monday</u>, <u>September 21</u>, 2020 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 <u>Planning@rockwall.com</u> 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.

Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

Angelíca Gamez

Planning & Zoning Coordinator City of Rockwall 972.771.7745 Office 972.772.6438 Direct http://www.rockwall.com/planning/



Case Number:Z2020-037Case Name:SUP for 150 Pecan Valley DriveCase Type:ZoningZoning:Planned Development District 65
(PD-65)Case Address:150 Pecan Valley Drive

Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745





Case Number:Z2020-037Case Name:SUP for 150 Pecan Valley DriveCase Type:ZoningZoning:Planned Development District 65
(PD-65)Case Address:150 Pecan Valley Drive

Date Created: 8/14/2020 For Questions on this Case Call (972) 771-7745



ROCKWALL STONE CREEK ESTATES HOMEOWNERS ASSOCIATION INC C/O NEIGHBORHOOD MANAGEMENT INC 1024 S GREENVILLE AVE SUITE 230 ALLEN, TX 75002

PACESETTER HOMES LLC 14400 THE LAKES BLVD BUILDING C SUITE 200 AUSTIN, TX 78660

MORGAN RAYMOND L JR AND STEPHANIE L 1825 HAINSWORTH DR ROCKWALL, TX 75087

> CURRENT RESIDENT 2004 N GOLIAD ROCKWALL, TX 75087

DEAN LANTY W & MARY F 216 W QUAIL RUN RD ROCKWALL, TX 75087

HYDE TRENT D & DEBRA A 218 W QUAIL RUN RD ROCKWALL, TX 75087

CURRENT RESIDENT 2265 NORTH LAKESHORE ROCKWALL, TX 75087

CLARK TROY & JANICE 3025 N GOLIAD ST ROCKWALL, TX 75087

CITY OF ROCKWALL 385 S GOLIAD ST ROCKWALL, TX 75087

JASMAN JAMES BLAKE 511 HIDDEN OAK LN ROCKWALL, TX 75087 ROCKWALL STONE CREEK ESTATES HOMEOWNERS ASSOCIATION INC C/O NEIGHBORHOOD MANAGEMENT INC 1024 S GREENVILLE AVE SUITE 230 ALLEN, TX 75002

CHAPMAN BOBBY E II AND AMY L CHAMPMAN 1821 HAINSWORTH DRIVE ROCKWALL, TX 75087

> ESCOBEDO OMAR & MARIA C 1827 HAINSWORTH DRIVE ROCKWALL, TX 75087

> > CURRENT RESIDENT 2007 N GOLIAD ROCKWALL, TX 75087

DEAN LANTY W & MARY F 216 W QUAIL RUN RD ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D 220 W QUAIL RUN RD ROCKWALL, TX 75087

> CURRENT RESIDENT 3009 N GOLIAD ROCKWALL, TX 75087

COLE HC ROCKWALL TX LLC C/O ROCKWALL REGIONAL HOSPITAL LLC; ATTN LEGAL DEPT. 3150 HORIZON RD ROCKWALL, TX 75032

> JAVKER REALTY CORP 42 BOND ST NEW YORK, NY 10012

MURRAY NANCY J 519 HIDDEN OAK LN ROCKWALL, TX 75087 M REA PROPERTIES 2 LLC 1234 TRALEE LN GARLAND, TX 75044

MOORE MICHAEL RAY JR & STEPHANIE 1823 HAINSWORTH DRIVE ROCKWALL, TX 75087

SLOAN CHRISTOPHER A & MISTI D 1830 OAK BEND DRIVE ROCKWALL, TX 75087

ARKOMA DEVELOPMENT LLC 203 E INTERSTATE 30 ROCKWALL, TX 75087

DEAN LANTY W & MARY F 216 W QUAIL RUN RD ROCKWALL, TX 75087

HUNTER MICHAEL B & VICKIE D 220 W QUAIL RUN RD ROCKWALL, TX 75087

> CURRENT RESIDENT 3009 N GOLIAD ROCKWALL, TX 75087

CH RETAIL FUN II/DALLAS LAKESHORE LP 3819 MAPLE AVENUE DALLAS, TX 75219

> ARRIAGA HENRY 505 HIDDEN OAK LN ROCKWALL, TX 75087

REBAC OF ROCKWALL LLC 6000 UNIVERSITY AVE STE 350 WEST DES MOINES, IA 50266

GOLIAD REAL ESTATE LLC 7700 EASTERN AVENUE SUITE 705 DALLAS, TX 75209

REY LUIS SR AND JUDY L 806 YORK DR ROCKWALL, TX 75087 ODEYEMI ADETUNJI 808 YORK DR ROCKWALL, TX 75087

CURRENT RESIDENT 825 GOLIAD ROCKWALL, TX 75087 MOORE WORTH INVESTMENTS LLC 8445 FREEPORT PKWY SUITE 175 IRVING, TX 75063

PUBLIC NOTICE

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

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

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday. September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

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

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

Name: Address:

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





Gamez, Angelica

From: Sent: To: Subject: Al Estrada <alrestrada@gmail.com> Wednesday, August 19, 2020 6:02 PM Planning Z20-20 037

Ladies and Gentlemen,

After careful consideration, it is my recommendation for this plan not to move forward with this proposal in this location.

The current traffic jams already produced by the current corner occupants on Goliad and Lakeview, in addition to the increase in traffic accidents will only become worse.

Respectfully submitted,

Al Estrada 748 Monterey Drive ROCKWALL TX 75087 713 829 0701

Lakeview Summit

This email was scanned by Bitdefender

Gamez, Angelica

From:	Thomas Campion <thomas.campion@outlook.com></thomas.campion@outlook.com>
Sent:	Wednesday, August 19, 2020 11:49 AM
То:	Planning
Subject:	Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

To whom it may concern,

Do we have to knock down all the trees just to get another random fast food joint? It seems like plenty of space exists next to and behind McDonalds. If trees have to be cleared I would prefer a healthier establishment take their place such as a sprouts for example.

Thomas R. Campion Resident Stone Creek Estates 108 Chatfield Drive Rockwall, TX 75087

From: Homeowner Association <Email_Alert@calibersoftware.email>
Sent: Wednesday, August 19, 2020 11:19 AM
To: thomas.campion@outlook.com
Subject: Neighborhood Notification Program Notice

Dear Residents-

Please see below for a notice from the City of Rockwall regarding a zoning case near Stone Creek Estates HOA.

"Per your participation in the <u>Neighborhood Notification Program</u>, 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 <u>Friday, August 21, 2020</u>. The Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September 15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. 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 <u>Planning@rockwall.com</u> 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: <u>https://sites.google.com/site/rockwallplanning/development/development-cases</u>.

Z2020-037 SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King

Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

Thank you,

Planning & Zoning City of Rockwall 972.771.7745 Office http://www.rockwall.com/planning/

Brittany MaxwellCommunity Association ManagerNeighborhood Management, Inc.1024 S. Greenville Ave, Suite 230 | Allen, TX 75002Direct 972-359-1548 X 230WebsiteClick & Share Your Experience

×

AAMC®- Accredited Association Management Company®

This email was scanned by Bitdefender

From:	Debe Hyde
To:	<u>Planning</u>
Subject:	Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive
Date:	Saturday, August 22, 2020 9:17:54 PM

Good day to you!

My name is Trent Hyde and I live at 218 West Quail Run Road, Rockwall. With regard to Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive - I am OPPOSED to the request for the reasons listed below:

I have lived in Rockwall for over 20 years and in that time have watched Planning & Zoning just approve to fill up every little space of the once quiet area of Quail Run / Lakeshore Drive. This is destroying the integrity and the small town feel of Rockwall to add yet another restaurant to Rockwall.

Have you ever tried to turn left from Pecan Valley Drive onto Highway 205 at any time of the day? It's close to impossible and extremely dangerous. I ask you to try it, especially during high traffic hours.

Please, we are pleading, do not approve any establishment to be built on this corner. You will just be adding one more problem to the chaos. Thank you for your consideration! Trent Hyde

214-924-9061

This email was scanned by Bitdefender

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney 2601 Nova Park Ct Rockwall (The Shores)

Sent from my iPad

This email was scanned by Bitdefender

From:	<u>J Chastain</u>
To:	<u>Planning</u>
Subject:	Z2020-037
Date:	Sunday, August 23, 2020 7:11:27 AM

If like to express my concern with putting another drive through at the corner of lakeshore and 205. Morning traffic consistently backs up at this intersection all the way to the shores entrance. Bringing more people to this intersection will cause a lot of problems. Especially those who come North and have to pass through the line of cars as they try to turn left into this drive through. Not only is it an eye sore that they took down a beautiful Grove of trees but all of this cheap big chain fast food really downgrades rockwalls old charm. The original zoning was there for a reason. Rockwall was a well built city that preserved itself in it's correct areas. Please don't let that be degraded by some money hungry developers looking to make a quick dollar on any 20 square feet they can get there hands on.

This email was scanned by Bitdefender

Gamez, Angelica

From: Sent: To: Subject: Ed Mahoney <saildrambuie@sbcglobal.net> Thursday, August 20, 2020 10:35 AM Planning Z2020-037 Smoothie King

Isn't the intersection bad enough already? We do NOT need another fast food restaurant, even after 205 is widened.

Please deny this request.

Kaaren Mahoney 2601 Nova Park Ct Rockwall (The Shores)

Sent from my iPad

This email was scanned by Bitdefender

PUBLIC NOTICE

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

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

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

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

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

MI am opposed to the request for the reasons listed below. Loss mal a benutiful area Please donb unal ready over boaded with Donotad lobren and. for the chy sil another million 9 some an teng to marky Ter 62.1 Jacin Name: Address:

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

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

ean

Gamez, Angelica

From: Sent: To: Subject: Marshall Brown <marshbrown@gmail.com> Wednesday, August 19, 2020 3:30 PM Planning Case Z2020-037

Greetings,

I'm writing this email in protest of Planning Case Z2020-037. I disagree with a drive through establishment in this area. Not only did a nice grove of trees get torn down for development, but a Smoothie King is not what is needed. If we want to keep that Rockwall small town feel, we should be promoting more restaurants where people can hang out. Bring some of the downtown feel to the Lakeshore/205 area instead.

There's a good walking path nearby. Maybe we could model the area to cater to more pedestrian traffic to alleviate the traffic congestion that's already there?

Cordially,

Marshall Brown 673 Hanover Dr, Rockwall, TX 75087

This email was scanned by Bitdefender

PUBLIC NOTICE

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

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

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

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Ryan Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

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.

will have to be Songerous for zes and the children in the couse of the troffic. never be able to get onto Solid St Name: Address: Glader

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; or (2) the area of the lots or land immediately adjoining the area.

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

can

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

USE THIS QR CODE TO GO DIRECTLY

TO THE WEBSITE

PUBLIC NOTICE

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

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

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

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a <u>Specific Use Permit (SUP)</u> for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday, September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

Rycn Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by Monday, September 21, 2020 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. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

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

am opposed to the request for the reasons listed below.

THE SIZE AND SHAPE OF THE PROPERTY MAKES PLACING ANY SIZE

RESTAURANT FACILITY @ A DANGEROUS AROPOSITION 1.1200 B is large enough

to ALLOW INSIDE SEATING-SITE DESNOT ALLOW ENOUGH ARKING, Z. INGRESS/EGRESS to SITE WOLLD BE WITHIN BOLERT OF CORNER OF WOULD REPECTIVE RD & PECANVALLEY WHICH IS SIGNIFICANTLY LESS THAN THE ID' REPURSMENT MAKING ADAUGH OUS TRAFFIC SITUATION MOT COULD CAUSE ACCORDING AND HAR TO PEDESTRIANS. 3 IT WOULD THE IMPEDE Name: CLESS TO CURRENT ADDRETTIONNESS MICHAEL HUNTER

220 W. QUAILRUNDO, Rockwell TEXAS 75087 Address:

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

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

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive Please place a check mark on the appropriate line below: I am in favor of the request for the reasons listed below. □ I am opposed to the request for the reasons listed below.

Name:

change and extending 200 feet from that area.

Moora Investments 1220 4995 Freeport Pkuy Sui Address: Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive. In order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed

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

PUBLIC NOTICE 🥹

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

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

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

Case No. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Hold a public hearing to discuss and consider a request by Casey Orr, PE of Wier & Associates, Inc. on behalf of Chad DuBose of JCDB Goliad Holdings, LLC for the approval of a Specific Use Permit (SUP) for Restaurant with Less Than 2,000 SF with Drive-Through/Drive-In on a 0.579-acre parcel of land identified as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) for General Retail (GR) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 150 Pecan Valley Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 15, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 21, 2020 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:

R;an Miller Rockwall Planning and Zoning Dept. 385 S. Goliad Street Rockwall, TX 75087

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

Your comments must be received by Monday, September 21, 2020 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. Z2020-037: SUP for Restaurant at 150 Pecan Valley Drive

Please place a check mark on the appropriate line below:

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

am opposed to the request for the reasons listed below.

Shis would impose a hazardous Traffic Situation for pedestrians and Residents on Quail Run, Pecan Valley, as wellings Traffic on 205 Name: Vickie Hunter Name: 220 W. Quail RUN Rd., Rocturel

Address:

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

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




Hello,

I am emailing today to request you deny the planning application for a Smoothie King at this location. The last thing we need is another drive-thru establishment (or nail salon/dentist/childcare...) in this area.

Kind regards, Wendy Lee-Graham 1645 Plummer Drive Rockwall, TX 75087

This email was scanned by Bitdefender

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.



August 14, 2020

City of Rockwall Planning & Zoning Dept. 385 S. Goliad St Rockwall, Texas 75087 PRINCIPALS JOHN P. WIER, P.E., R.P.L.S. ULYS LANE III, P.E., R.P.L.S., GFM CARLO SILVESTRI, P.E. GREGG MADSEN, R.P.L.S.

SENIOR ASSOCIATES PHILIP L. GRAHAM, P.E. JAKE H. FEARS, P.E., LEED AP BD+C RANDALL S. EARDLEY, P.E.

> ASSOCIATES TOBY W. RODGERS CASEY D. YORK PRIYA N. ACHARYA, P.E. TIM V. WALLACE, P.E.

RE: LETTER OF EXPLANATION – SPECIFIC USE PERMIT NW CORNER OF GOLIAD & PECAN VALLEY W&A# 19022

Dear Planning and Zoning Staff:

JCDB Goliad Holdings, LLC intends to develop a portion of a 2.174-acre parcel of land, zoned as PD-65 within the N. SH-205 Overlay District, and situated in the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas. Said property is generally located at the northwest corner of Goliad St and Pecan Valley Dr and is addressed as 150 Pecan Valley Dr.

This Letter of Explanation is accompanying a submittal for a Specific Use Permit request for the approval to construct a 1,400±-sf restaurant with drive-through on the southern portion of the tract. This development requires a Specific Use Permit due to being a restaurant, less than 2,000-sf, with drive-through or drive-in facilities. The developable area south of the existing creek is bound by several site constraints, which include easements, right-of-way dedication, and floodplain. A site plan exhibit, prototypical floor plan and renderings, and typical traffic counts are included with this submittal for reference.

We request that the review of the Specific Use Permit application for the property noted above be recommended for approval by staff. Please contact the developer, Chad DuBose with JCDB Goliad Holdings, LLC, by phone at 214-701-8455 or via email at chad@foremark.com or the developer's engineer, Casey Orr, P.E. with Wier Associates. Inc.. phone 903-722-9030 via & bv at or email at caseyo@wierassociates.com with any questions or comments.

Respectfully,

asuron

Casey Orr, P.E. Project Manager

C 2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006-7440 (817) 467-7700 FAX (817) 467-7713 121 S. MAIN ST. HENDERSON, TEXAS 75654-3559 (903) 722-9030 TOLL FREE FAX (844) 325-0445 **218**

WWW.WIERASSOCIATES.COM



PRINCIPALS JOHN P. WIER, P.E., R.P.L.S. ULYS LANE III, P.E., R.P.L.S., CFM CARLO SILVESTRI, P.E. GREGG MADSEN, R.P.L.S.

September 1, 2020

City of Rockwall Planning & Development Services 385 S. Goliad Street Rockwall, TX 75087 Attn: Angelica Gamez SENIOR ASSOCIATES PHILIP L. GRAHAM, P.E. JAKE H. FEARS, P.E., LEED AP BD+C RANDALL S. EARDLEY, P.E.

> ASSOCIATES TOBY W. RODGERS CASEY D. YORK PRIYA ACHARYA, P.E.

RE: WA # 19022 – 150 PECAN VALLEY DR, ROCKWALL, TX 75087 (Z2020-037)

Dear City of Rockwall,

On behalf of the applicant, please find below a listing of requested waivers of the City of Rockwall Unified Development Code:

Land Use Conditional Standards: applicant is requesting a drive-thru for a restaurant, which is less than 2,000 sf. The proposed drive-thru will accommodate at least the required minimum 6 stacking spaces.

Driveway Spacing: applicant is requesting a waiver from the required driveway spacing. The site is bound by several constraints, including floodplain to the north, utility easements to the south and east, and 3 public roadways. The proposed driveway location is the most feasible.

Dumpster Location: applicant is requesting a waiver to allow the trash enclosure to front Pecan Valley. The enclosure will be screened with landscaping, a masonry wall, and a gate.

A copy of the SUP site plan and supporting documents are included for reference. Should you have any questions or require additional information, please do not hesitate to contact us.

Respectfully,

2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006-7440 (817) 467-7700 FAX (817) 467-7713 C 121 S. MAIN ST. HENDERSON, TEXAS 75654-3559 (903) 722-9030 TOLL FREE FAX (844) 325-0445 219

TEXAS ENGINEERING FIRM NO. F-2776 • TEXAS LAND SURVEYING FIRM NOS. 10033900 & 10194179

WWW.WIERASSOCIATES.COM



- OF CURB, UNLESS NOTED OTHERWISE.
- 2. ALL PROPOSED CURB RADIUS ARE 3.0' F/C, WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.
- 3. SEE ARCHITECTURAL PLANS FOR BLDG. DIMENSIONS.
- 4. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.

<u>FEMA NOTE</u>

FLOOD STATEMENT: ACCORDING TO COMMUNITY PANEL NO. 48397C0030L, DATED SEPTEMBER 26, 2008, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, THIS PROPERTY IS WITHIN FLOOD ZONES " AE" AND " X" . PART OF THIS PROPERTY LIES WITHIN ZONES "A", AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN. IF PARTS OF THE SITE ARE NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES, THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WIER & ASSOCIATES, INC.

DEVELOPER JCDB GOLIAD HOLDINGS, LLC CONTACT: CHAD DUBOSE 8350 N CENTRAL EXPWY, STE 1313 DALLAS, TEXAS 75206 PHONE: (214) 891-3215 CHAD@FOREMARK.COM

ENGINEER WIER & ASSOCIATES CONTACT: CASEY ORR, P.E. 121 S. MAIN ST HENDERSON, TX 75654 PHONE: (903) 722-9030 CASEYO@WIERASSOCIATES.COM



0 20 ″	40 60 = 20 '
W QUAIL RUN RD	PROJECT LOCATION E QUALL RUN RD 00 00 00 00 00 00 00 00 00 00 00 00 00
VICINI	TY MAP
" =	2,000′
SITE DA	ta chart
ZONING EXISTING USE	PD-65 W/ N. SH-205 OVERLAY VACANT / UNDEVELOPED
PROPOSED USE	LIMITED SERVICE RESTAURANT
LOT AREA (ARTIFICIAL)	0.579± AC (25,233 SF)
BUILDING AREA	I, 415 SF (REQUIRES SUP APPROVAL)
BUILDING HEIGHT	II ′-O ″
BUILDING SETBACKS	HIGHWAY 205 : 25 ' PECAN VALLEY DR : 15 ' QUAIL RUN RD : 15 ' INTERNAL : 10 '
BUILDING/LOT COVERAGE	5.6%
LANDSCAPE AREA	16,679 SF
LANDSCAPE COVERAGE	66.I%
NUMBER OF SEATS	1/250 SF = 1415/250 = 6
REQUIRED PARKING	6
	Ğ



SUP SITE PLAN RESTAURANT 150 PECAN VALLEY DR **ROCKWALL, TEXAS**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE S. KING SURVEY, ABSTRACT No. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING PART OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM ARKOMA REALTY, LTD., TO ARKOMA DEVELOPMENT, L.L.C., AS RECORDED IN VOLUME 4411, PAGE 290 OF THE REAL PROPERTY RECORDS OF ROCKWALL COUNTY, TEXAS



Texas Firm Registration No. F-2776 www.WierAssociates.com

CASE No.: Z2020-037

DATE: 9/1/2020 W.A. No. 19022

CONCEPTUAL PLANS FOR PROJECT REVIEW. NOT FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES. Prepared By/Or Under Direct Supervision Of Casey B. Orr, PE Texas Registration No. 121642 On Date Shown Below.

- WATER EASEMENT VOL. 5368, PG. 43 O.P.R.R.C.T.







CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. <u>S-2XX</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 65 (PD-65) [ORDINANCE NO. 17-03] AND THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN ON A 0.579-ACRE PARCEL OF LAND, IDENTIFIED AS TRACT 1 OF THE S. KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE: PROVIDING FOR SPECIAL CONDITIONS: PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE: PROVIDING FOR A SEVERABILITY CLAUSE: PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Casey Orr, PE of Wier & Associates, Inc. for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 0.579-acre parcel of land described as Tract 1 of the S. King Survey, Abstract No. 131, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] for General Retail (GR) District land uses, addressed as 105 Pecan Valley Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 65 (PD-65) [*Ordinance No. 17-03*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That Planned Development District 65 (PD-65) [Ordinance No. 17-03] and the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In in accordance with Article 04, Permissible Uses, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the Subject Property; and,

City of Rockwall, Texas

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Planned Development District 65 (PD-65) [*Ordinance No. 17-03*]; and, Subsection 04.01, *General Commercial Districts Standards*, and Subsection 04.04, *General Retail (GR) 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 the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the <u>Concept Plan</u> as depicted in *Exhibit 'B'* of this ordinance.
- Additional landscaping, a berm, and/or a masonry wall may be required by staff at the time of site plan along *Pecan Valley Drive* and *N. Goliad Street* to provide headlight screening for vehicles traveling along *N. Goliad Street* from vehicles in the drive-through and cueing lanes of the proposed restaurant.

2.2 COMPLIANCE

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

 Upon obtaining a Certificate of Occupancy (CO), should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (after proper notice) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), Revocation, of Article 11, Development Applications and 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 5^{TH} DAY OF OCTOBER, 2020.

	Jim Pruitt, A	Mayor	
ATTEST:			
ATTEST:			
Kristy Cole, City Secretary			
APPROVED AS TO FORM:			
Frank J. Garza, City Attorney			
1 st Reading: <u>September 21, 2020</u>			
2 nd Reading: <u>October 5, 2020</u>			
		/	
Z2020-037: SUP for 150 Pecan Valley Drive	Page 3	Ci	ty of Rockwall, Texas
Ordinance No. 20-XX; SUP # S-2XX			

Exhibit 'A' Location Map and Legal Description

<u>Address:</u> 105 Pecan Valley Drive <u>Legal Description:</u> Tract 1 of the S. King Survey, Abstract No. 131



City of Rockwall, Texas

Exhibit 'A'

Location Map and Legal Description

BEING A TRACT OF LAND LOCATED IN THE SAMUEL KING SURVEY, ABSTRACT NO. 131, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A DEED TO JCDB GOLIAD HOLDINGS, LLC, RECORDED IN INSTRUMENT NUMBER 2019000009184, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "STOVALL", BEING THE SOUTH CORNER OF SAID JCDB GOLIAD TRACT AND BEING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF PECAN VALLEY DRIVE (A 50' RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF QUAIL RUN ROAD (A 50' RIGHT-OF-WAY);

ALONG THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD AS FOLLOWS:

- (1) N 35°33'55" W, 69.89 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "STOVALL";
- (2) N 41°00'51" W, 69.59 FEET TO A POINT, FROM WHICH A 5/8" IRON ROD FOUND BEARS N 41°00'51" W, 95.11 FEET, SAID IRON ROD BEING THE NORTHEAST CORNER OF A RIGHT-OF-WAY DEDICATION FOR QUAIL RUN ROAD AS SHOWN ON THE PLAT RECORDED IN CABINET G, PAGE 281, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.R.C.T.);

THENCE N 48°59'09" E, DEPARTING THE WEST LINE OF SAID JCDB GOLIAD TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID QUAIL RUN ROAD, 20.79 FEET TO A POINT;

THENCE N 75°49'41" E, 102.18 FEET TO A POINT; THENCE N 49°16'23" E, 59.99 FEET TO A POINT;

THENCE 75°50'22" E, 51.98 FEET TO A POINT;

THENCE S 14°09'38" E, 100.31 FEET TO A POINT IN THE WEST RIGHT-OF-WAY LINE OF NORTH GOLIAD STREET (STATE HIGHWAY NO. 205) (A VARIABLE WIDTH RIGHT-OF- WAY), FROM WHICH A CONCRETE MONUMENT FOUND BEARS N 43°35'00" E, 11.82 FEET;

THENCE S 43°35'00" W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET, 110.62 FEET TO A POINT, BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID NORTH GOLIAD STREET WITH THE NORTH RIGHT-OF- WAY LINE OF SAID PECAN VALLEY DRIVE AND THE BEGINNING OF A CURVE TO THE LEFT;

THENCE SOUTHWESTERLY, AN ARC LENGTH OF 88.33 FEET ALONG THE NORTH RIGHT-0F-WAY LINE OF SAID PECAN VALLEY DRIVE AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 18°24'13", AND A CHORD BEARING S 71°24'37" W, 87.95 FEET TO THE PLACE OF BEGINNING, AND CONTAINING0.579 ACRES (25,233 SQUARE FEET) OF LAND, MORE OR LESS.

Page | 5

City of Rockwall, Texas





MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Ryan Miller, Director of Planning and Zoning

DATE: September 21, 2020

SUBJECT: Z2020-038; SPECIFIC USE PERMIT (SUP) FOR A RESIDENTIAL INFILL FOR 269 RUSSELL DRIVE

Attachments Case Memo Development Application Location Map HOA Notification Map Property Owner Notification Map Property Owner Notification List Public Notice Topographic Map Subdivision Plat Residential Plot Plan Building Elevations Draft Ordinance

Summary/Background Information

Hold a public hearing to discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of an **ordinance** for a *Specific Use Permit (SUP)* to allow *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 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 257 & 269 Russell Drive, and take any action necessary **(1st Reading)**.

Action Needed

The City Council is being asked to [1] approve, [2] approve with condition, or [3] deny the 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:	September 21, 2020
APPLICANT:	Ruben Segovia
CASE NUMBER:	Z2020-038; Specific Use Permit (SUP) for a Residential Infill for 269 Russell Drive

SUMMARY

Hold a public hearing to discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of a <u>Specific Use Permit (SUP)</u> for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 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 257 & 269 Russell Drive, and take any action necessary.

BACKGROUND

The subject property was originally platted as Lots 1286 & 1287 of the Rockwall Lake Properties Development No. 2 Addition, which was filed with Rockwall County on April 23, 1968. On February 17, 2009, the subject property -- *along with the rest of the Lake Rockwall Estates Subdivision* -- was annexed into the City of Rockwall by *Ordinance No. 09-07*. At the time of annexation, one (1) manufactured home was situated on the subject property. On September 21, 2009, the City Council rezoned the Lake Rockwall Estates Subdivision from an Agricultural (AG) District to Planned Development District 75 (PD-75) [*Ordinance No. 09-37*] for Single-Family 7 (SF-7) District land uses. On January 4, 2016, the City Council amended Planned Development District 75 (PD-75) with *Ordinance No. 16-01*, which made minor changes to the *Consideration of a Special Request* section of the ordinance. Based on aerial imagery, at some point between February 13, 2014 and March 28, 2015, the manufactured home situated on the subject property has remained vacant since this demolition.

PURPOSE

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

ADJACENT LAND USES AND ACCESS

The subject property is located at 269 Russell Drive. The land uses adjacent to the subject property are as follows:

- <u>North</u>: Directly north of the subject property are two (2) lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are developed with mobile/manufactured homes. Beyond this are several vacant lots.
- <u>South</u>: Directly south of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. Of the twelve (12) lots south of the subject property four (4) have mobile/manufactured homes, with the rest of the lots being vacant. Beyond this is County Line Road, which is classified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.
- <u>East</u>: Directly east of the subject property are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. One (1) of the properties has a mobile/manufactured home, the other lots are

vacant. Beyond this is Lynne Drive, which is classified as a *R*2 (*residential, two* [2] *lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

<u>West</u>: Directly west of the subject property is Russell Drive, which is identified as a *R2* (*residential, two* [2] lane, undivided roadway) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are multiple lots zoned Planned Development District 75 (PD-75) for Single-Family 7 (SF-7) District land uses. These properties are developed with mobile/manufactured homes. Beyond this is Wayne Drive, which is identified as a *R2* (*residential, two* [2] lane, undivided roadway) on the Master Thoroughfare 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 part of the Lake Rockwall Estates Subdivision, which has been in existence since before 1968 and is considered to be more than 90% developed. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being in a Planned Development District for Single-Family 7 (SF-7) District land uses, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on Russell Drive Between County Line Road and the Subject Property	Proposed Housing		
Building Height	One (1) Story	One (1) Story		
Building Orientation	All of the homes located along Russell Drive are oriented toward Russell Drive.	The front elevation of the home will face onto Russell Drive.		
Year Built	1970-2000	N/A		
Building SF on Property	840 SF – 2,106 SF	2,102 SF (1,640 SF of Air-Conditioned Space)		
Building Architecture	Mobile/Manufactured Homes	Comparable Architecture to Newer Single-Family Homes		
Building Setbacks:				
Front	Estimated between 0-Feet and greater than 20-feet.	X>20-Feet		
Side	The side yard setbacks appear to be between zero (0) and greater than six (6) feet.	X>5-Feet		
Rear	The rear yard setbacks appear to be greater than ten (10) feet.	X>10-Feet		
Building Materials Aluminum & Wood Siding, Modular Paneling, Composite Siding, and Vinyl Siding		Combination of HardiBoard Siding, Brick, and Stucco		
Paint and Color White, Cream, Light-Brown, Blue, and Tan		Undefined by the Applicant		
Roofs Composite Shingles and Metal		Asphalt Composite Shingle		
Driveways/Garages	Driveways are all in the front and visible from Russell Drive; however, some are behind front yard fences. Two (2) of the homes have enclosed garages.	The garage will be a recessed front entry garage with the driveway facing onto Russell Drive and the garage door being ~24-feet behind the front façade of the proposed home.		

The proposed single-family home meets all of the density and dimensional requirements for the Single Family 7 (SF-7) 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 Russell Drive and the proposed building elevations in the attached packet. The approval of this request is a discretionary

decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On August 18, 2020, staff mailed 144 notices to property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOAs) or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program to notify. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received no notices in regard to the applicant's request.

CONDITIONS OF APPROVAL

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

PLANNING AND ZONING COMMISSION

On September 15, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) with the conditions of approval by a vote of 6-0, with Commissioner Conway absent.

	DEVELOPMENT APPLICAT City of Rockwall Planning and Zoning Department 385 S. Goliad Street Rockwall, Texas 75087	NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW. DIRECTOR OF PLANNING: BILLI CITY ENGINEER:
Platting Application [] Master Plat (\$10 [] Preliminary Plat [] Final Plat (\$300.00 [] Replat (\$300.00 [] Amending or M [] Plat Reinstatem Site Plan Application [] Site Plan (\$250.	<i>n Fees:</i> 00.00 + \$15.00 Acre) ¹ (\$200.00 + \$15.00 Acre) ¹ 00 + \$20.00 Acre) ¹ + \$20.00 Acre) ¹ inor Plat (\$150.00) ent Request (\$100.00) <i>in Fees:</i>	Zoning Application Fees: [] Zoning Change (\$200.00 + \$15.00 Acre) 1 [] Specific Use Permit (\$200.00 + \$15.00 Acre) 1 [] PD Development Plans (\$200.00 + \$15.00 Acre) 1 Other Application Fees: [] Tree Removal (\$75.00) [] Variance Request (\$100.00) Notes: 1: In determining the fee, please use the exact acreage when multiplying by the per acre amount. For requests on less than one acre, round up to one (1) acre.
	RMATION [PLEASE PRINT]	/ . T
Address	629 Russell Drive hi	
Subdivision		Lot 1286, 128 Block
General Location		
ZONING, SITE PL	AN AND PLATTING INFORMATION [PLEASE	PRINT]
Current Zoning	Residential single family	Current Use Vacant
Proposed Zoning	Residential Smale family	Proposed Use Residential
Acreage	14,400 sq ft Lots [Current]	1286, 1287#2 Lots [Proposed] # 1
[] SITE PLANS AND	PLATS: By checking this box you acknowledge that due to th	ne passage of <u>HB3167</u> the City no longer has flexibility with regard to its approval
		the Development Calendar will result in the denial of your case.
[] Owner	Jose E B Valerio	[] Applicant Ruben Segovia
Contact Person	Jose o ve velorio	Contact Person 977 363 5019
Address	3027 Mason drive	Address 9512 Traganden Dallas
City, State & Zip	Mesquite TX 75150	City, State & Zip Dallas TX 75217
Phone	469-286-9969	Phone 972-363-5019
E-Mail		E-Mail FINECWORKS ZO16 Gymail. (0)
	CATION [REQUIRED] ned authority, on this day personally appeared e and certified the following:	[Owner] the undersigned, who stated the information on
cover the cost of this app that the City of Rockwal	lication, has been paid to the City of Rockwall on this the (i.e. "City") is authorized and permitted to provide information	n submitted herein is true and correct; and the application fee of \$, to day of, 20 By signing this application, I agree tion contained within this application to the public. The City is also authorized and Is application, if such reproduction is associated or in response to a request for public , 20

		_	1	
Owner's Signature	Jose	E	Va	lerio.

Notary Public in and for the State of Texas

DEVELOPMENT APPLICATION • CITY OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7727

My Commission Expires





City of Rockwall Planning & Zoning Department

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75032 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.





Case Number:Z2020-038Case Name:SUP for 269 Russell DriveCase Type:ZoningZoning:Planned Development Dstrict 75
(PD-75)Case Address:269 Russell Drive

Date Created: 8/17/2020 For Questions on this Case Call (972) 771-7745





City of Rockwall

Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087 (P): (972) 771-7745 (W): www.rockwall.com The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



373				Feet		389	382						
	100 378 200	'	300 385	400 370		381 371	372		375	358		363	
361	366			358		359	360						
349		1							353	330		337	
343	352		345	346		347	336				H	319	
331	338			322		335		DLE	327		RENEE		
321	326		321			321	322	NICOLE		312		303	
307	314		313	310		311	312					291	
293				200		299	302		293	288			
281	298		303	296		285	288		283			285	
271	274	Щ	275		11	269	274		200	262		265	
259	264	WAYNE		262	RUSSELL	257						245	
249			251	248		247	262		2	250		233	
237	248			238		235				230		221	
	236		227			223	222		221	230		211	
227	226					209	208		207			201	
215	216		211	198					195	194		191	
201			195			193	196		185			181	4
Legend	204		195	182		181	186		183	176		101	
Pa	arcels		169			167	176						
	ubject Propert)0' Buffer	y	157	168		155	164		159	162		167	
	otified Propert	ties	157	154 142		143 133	152		149	142		139	

Case Number:Z2020-038Case Name:SUP for 269 Russell DriveCase Type:ZoningZoning:Planned Development District 75
(PD-75)Case Address:269 Russell Drive



Date Created: 8/17/2020 For Questions on this Case Call (972) 771-7745 PUENTES VICENTE 1006 DOVE DRIVE GARLAND, TX 75040

RAMIREZ ZACARIAS 143 RUSSELL ROCKWALL, TX 75032

SIERRA ZACARIAS RAMIREZ 155 RUSSELL ROCKWALL, TX 75032

UC JOSE LUIS & GELLY DEL R 164 NICOLE ROCKWALL, TX 75032

> AVILA LUZ MARIA 169 WAYNE ROCKWALL, TX 75032

> MEJIA JULIO & MARIA 176 RENEE DR ROCKWALL, TX 75032

HERNANDEZ FELICITAS 183 NICOLE DR ROCKWALL, TX 75032

FAST INVESTMENTS LLC 193 RUSSELL DR ROCKWALL, TX 75032

AVILA LUZ MARIA 195 WAYNE ROCKWALL, TX 75032

DAVID B RENO II & PATRICIA J RENO REVOCABLE LIVING TRUST 198 RUSSELL ROCKWALL, TX 75032 GALICIA VANESSA 10935 ESTATE LN STE 495 DALLAS, TX 75238

IBARRA MATEO CASTRO 152 NICOLE ROCKWALL, TX 75032

ROCKWALL HOUSING DEV CORP A TEXAS NON-PROFIT CORP OF RW 157 WAYNE ROCKWALL, TX 75032

> FAST INVESTMENTS LLC 167 RUSSELL ROCKWALL, TX 75032

IBARRA GABRIELA AND EDUARDO OSORNIO 171 CRAWFORD LN ROYSE CITY, TX 75189

FAST INVESTMENTS LLC 181 RUSSELL ROCKWALL, TX 75032

UC JOSE LUIS & GELLY DEL R 186 NICOLE DR ROCKWALL, TX 75032

CARMONA JOSE 194 RENEE DRIVE ROCKWALL, TX 75032

HERNANDEZ FIDEL ESPINO 195 WAYNE ROCKWALL, TX 75032

RAMIREZ RUBEN & MARTHA 200 CHAMBERLAIN DR FATE, TX 75189 IBARRA MATEO CASTRO 140 NICOLE DR ROCKWALL, TX 75032

MARQUEZ FELIX C 154 RUSSELL DR ROCKWALL, TX 75032

DRCE TRUST 159 NICOLE ROCKWALL, TX 75032

MARQUEZ FELIX C 168 RUSSELL ROCKWALL, TX 75032

UC JOSE LUIS & GELLY DEL R 176 NICOLE ROCKWALL, TX 75032

> ACUNA NINFA 182 RUSSELL ROCKWALL, TX 75032

AVILA LUZ MARIA 1924 DEVONSHIRE GARLAND, TX 75041

ESPARZA NORA 195 NICOLE ROCKWALL, TX 75032

UC JOSE LUIS GPE XOOL GELLY DELROSARIO 196 NICOLE ROCKWALL, TX 75032

RAMIREZ RUBIN & MARTHA 204 WAYNE ROCKWALL, TX 75032

NC.

ESPARZA NORA 207 NICOLE ROCKWALL, TX 75032

HERNANDEZ FIDEL ESPINO 211 WAYNE ROCKWALL, TX 75032

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

TREJO CECILLIO 221 RENEE ROCKWALL, TX 75032

GURRUSQUIETA CELIA 225 LYNNE DR ROCKWALL, TX 75032

KENDALL LEAH T 227 YVONNE DR ROCKWALL, TX 75032

DIAZ FRANCISCO & MANUELA 233 RENEE ROCKWALL, TX 75032

> KENDALL LEAH T 237 YVONNE ROCKWALL, TX 75032

DIAZ FRANCISCO & MANUELA 245 RENEE ROCKWALL, TX 75032

> GALICIA VANESSA 248 RUSSELL ROCKWALL, TX 75032

SANCHEZ ARNULFO 208 NICOLE ROCKWALL, TX 75032

CRUZ MARIA D 212 LYNNE DR ROCKWALL, TX 75032

DAVID B RENO II & PATRICIA J RENO REVOCABLE LIVING TRUST 218 RUSSELL DRIVE ROCKWALL, TX 75032

> SANCHEZ ARNULFO 222 NICOLE ROCKWALL, TX 75032

RAMIREZ RUBEN & MARTHA 226 WAYNE ROCKWALL, TX 75032

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

> MORENO NOE 235 RUSSELL ROCKWALL, TX 75032

> GALICIA VANESSA 238 RUSSELL ROCKWALL, TX 75032

MORENO NOE 247 RUSSELL ROCKWALL, TX 75032

SMITH ROY 248 WAYNE DR ROCKWALL, TX 75032 PROCK CHARLES A AND EVELYN 209 RUSSELL DR ROCKWALL, TX 75032

RAMIREZ RUBEN & MARTHA 216 WAYNE ROCKWALL, TX 75032

> CARMONA JOEL 221 NICOLE DR ROCKWALL, TX 75032

SALAS MIGUEL ANGEL LEDEZMA AND YAJAIRA GUADALUPE GARCIA FERNANDEZ 223 RUSSELL ROCKWALL, TX 75032

> HERNANDEZ FIDEL ESPINO 227 WAYNE ROCKWALL, TX 75032

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

> SMITH ROY 236 WAYNE ROCKWALL, TX 75032

MORENO IGNACIO & CRISPIN 241 TROUT ST ROCKWALL, TX 75032

> SANCHEZ PABLO 248 NICOLE DR ROCKWALL, TX 75032

> LINDOP N A JR 248 WAYNE DR ROCKWALL, TX 75032

GARCIA ERIK URBINA AND ISABEL GONZALEZ 249 YVONNE ROCKWALL, TX 75032

> VALERIO JOSE E 257 RUSSELL ROCKWALL, TX 75032

> CRUZ DEBRA J 262 RENEE DR ROCKWALL, TX 75032

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

> GUEVARA ELIAS 274 EASTRIDGE DR ROYSE CITY, TX 75189

ESPARZA MARCO & ANGELICA 275 WAYNE DR ROCKWALL, TX 75032

> JIMENEZ RICARDO 2847 TANGLEGLEN DR ROCKWALL, TX 75032

FLORES LISANDRA CONTRERAS 288 NICOLE DRIVE ROCKWALL, TX 75032

> SOSA LORENA 293 NICOLE DR ROCKWALL, TX 75032

> GARCIA RICARDO 298 WAYNE DR ROCKWALL, TX 75032

MORENO IGNACIO & CRISPIN 250 RENEE ROCKWALL, TX 75032

GEMINI VL LLC & ROCKWALL LAKE PROP LLC 259 YVONNE ROCKWALL, TX 75032

GALICIA VANESSA 262 RUSSELL ROCKWALL, TX 75032

VALERIO JOSE E 269 RUSSELL ROCKWALL, TX 75032

FLORES LISANDRA CONTRERAS 274 NICOLE ROCKWALL, TX 75032

> DIAZ FRANCISCO 281 YVONNE ROCKWALL, TX 75032

AYALA FRANCISCO & MARIA L 285 RENEE ROCKWALL, TX 75032

> RIVERA DORIS MABEL 288 RENEE DR ROCKWALL, TX 75032

CARMONA BLANCA CECILIA & JESUS SANCHEZ 293 YVONNE DR ROCKWALL, TX 75032

> GUERRERO JUAN 299 RUSSELL DR ROCKWALL, TX 75032

CERVANTES LUIS & ELSA 251 WAYNE DR ROCKWALL, TX 75032

SANCHEZ PABLO 262 NICOLE ROCKWALL, TX 75032

LINDOP N A JR 264 WAYNE ROCKWALL, TX 75032

DIAZ FRANCISCO 271 YVONNE ROCKWALL, TX 75032

LINDOP JOYCE ANN 274 WAYNE DR ROCKWALL, TX 75032

ESTRADA NOHEMA 283 NICOLE ROCKWALL, TX 75032

GURRUSQUIETA CELIA 285 RUSSELL ROCKWALL, TX 75032

IBARRA GABRIELA AND EDUARDO OSORNIO 291 RENEE ROCKWALL, TX 75032

GALLEGOS JOSE GUADALUPE 296 RUSSELL DR ROCKWALL, TX 75032

> NAVA LUZ A 2994 S FM 551 ROYSE CITY, TX 75189

FLORES LISANDRA CONTRERAS 302 NICOLE ROCKWALL, TX 75032

> MACIEL JENNIFER E 303 WAYNE DR ROCKWALL, TX 75032

> GUERRERO JUAN 311 RUSSELL ROCKWALL, TX 75032

PATINO SYLVIA AND ZEFERINO BUSTAMANTE 313 WAYNE ROCKWALL, TX 75032

PATINO SYLVIA AND ZEFERINO BUSTAMANTE 321 WAYNE ROCKWALL, TX 75032

HERNANDEZ YERICA V CARRIZALES 326 WAYNE ROCKWALL, TX 75032

> NAVA LUZ A 335 RUSSELL ROCKWALL, TX 75032

> WILBURN RONALD J 345 WAYNE DR ROCKWALL, TX 75032

DIAZ FRANCISCO & MANUELA 352 WAYNE DR ROCKWALL, TX 75032

JIMENEZ HELIODORO & MARIA ELENA 358 RUSSELL ROCKWALL, TX 75032 VALERIO JOSE E 3027 MASON DR MESQUITE, TX 75150

GUEVARA ELIAS 307 YVONNE ROCKWALL, TX 75032

BENITES ROSA 312 NICOLE ROCKWALL, TX 75032

COVARRUBIAS CARLOS 314 WAYNE ROCKWALL, TX 75032

BENITES ROSA 322 NICOLE DR ROCKWALL, TX 75032

MACIAS ARMANDO JAMIE 327 NICOLE DR ROCKWALL, TX 75032

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

JIMENEZ HELIODORO & MARIA ELENA 346 RUSSELL ROCKWALL, TX 75032

> JIMENEZ RICARDO 353 NICOLE ROCKWALL, TX 75032

CRUZ MARIA D 359 RUSSELL ROCKWALL, TX 75032 MENDEZ ALAN ERNESTO ROJAS AND YAZMIN ACOSTA MEJIA 303 RENEE DR ROCKWALL, TX 75032

> ARCINIEGA D ODIN A 310 RUSSELL DR ROCKWALL, TX 75032

ESPARZA MARCO 312 RENEE ROCKWALL, TX 75032

NAVA LUZ A 321 RUSSELL ROCKWALL, TX 75032

RODARTE PASCUAL AND SARA I 322 RUSSELL DR ROCKWALL, TX 75032

> JIMENEZ RICARDO 330 RENEE ROCKWALL, TX 75032

> SOSA LORENA 338 WAYNE DR ROCKWALL, TX 75032

CRUZ MARIA D 347 RUSSELL ROCKWALL, TX 75032

YANEZ ALONSO TORRES 358 RENEE ROCKWALL, TX 75032

CONTRERAS NORMA 360 NICOLE DR ROCKWALL, TX 75032 BRYANT JERRY LYNN 366 WAYNE DR ROCKWALL, TX 75032

CONTRERAS NORMA 372 NICOLE ROCKWALL, TX 75032

JIMENEZ RICARDO 382 NICOLE ROCKWALL, TX 75032

SANCHEZ ARNULFO 398 NICOLE DR ROCKWALL, TX 75032

YANEZ ALONSO TORRES 473 RENEE DR ROCKWALL, TX 75032

JIMENEZ HELIODORO & MARIA ELENA 6101 BAY ISLAND DR APT 1007 GARLAND, TX 75043

> SIERRA ZACARIAS RAMIREZ 703 T L TOWNSEND DR ROCKWALL, TX 75087

ROCKWALL HOUSING DEV CORP A TEXAS NON-PROFIT CORP OF RW 787 HAIL DR ROCKWALL, TX 75032 PUENTES VICENTE 370 RUSSELL ROCKWALL, TX 75032

MCLOUD JOY ANN 375 NICOLE DR ROCKWALL, TX 75032

PUENTES VICENTE 382 RUSSELL ROCKWALL, TX 75032

SALAS MIGUEL ANGEL LEDEZMA AND YAJAIRA GUADALUPE GARCIA FERNANDEZ 416 BASS RD ROCKWALL, TX 75032

> MORENO NOE 474 BASS RD ROCKWALL, TX 75032

RAMIREZ ZACARIAS 703 T L TOWNSEND DR ROCKWALL, TX 75087

ESTRADA NOHEMA 705 LAKESIDE DR ROCKWALL, TX 75032

HERNANDEZ FIDEL ESPINO 9233 WHISKERS RD QUINLAN, TX 75474 CRUZ MARIA D 371 RUSSELL ROCKWALL, TX 75032

CRUZ MARIA D 381 RUSSELL ROCKWALL, TX 75032

RESENDIZ ESTELA 385 WAYNE DR ROCKWALL, TX 75032

DRCE TRUST 4219 ASHMONT CT DALLAS, TX 75287

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

ACUNA NINFA 703 T L TOWNSEND DR ROCKWALL, TX 75087

ESPARZA NORA 7723 GLENMERE TRAIL SACHSE, TX 75048

> TREJO CECILLIO M/R , TX

PUBLIC NOTICE

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

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

Case No. Z2020-038: SUP for Residential Infill at 269 Russell Drive

Hold a public hearing to discuss and consider a request by Ruben Segovia on behalf of Jose E. Valerio for the approval of a <u>Specific Use Permit (SUP)</u> for Residential Infill in an Established Subdivision for the purpose of constructing a single-family home on a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 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 257 & 269 Russell Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on <u>Tuesday. September</u> <u>15, 2020 at 6:00 PM</u>, and the City Council will hold a public hearing on <u>Monday, September 21, 2020 at 6:00 PM</u>. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by <u>Monday, September 21, 2020 at 4:00 PM</u> 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. Z2020-038: SUP for Residential Infill at 269 Russell Drive

Please place a check mark on the appropriate line below:

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

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

Name: Address:

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

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







STATE OF TEXAS COUNTY OF ROCKWALL

WHEREAS JOSE VALERIO, BEING THE OWNER OF A TRACT OF land in the County of Rockwall, State of Texas, said tract being described as follows:

Being a lot, tract or parcel of land situated in the John R. Johnson Survey, Abstract No. 128, Rockwall County, Texas, and being all of Lots 1286 and 1287 of Rockwall Lake Properties Development No. 2 according to the plat thereof recorded in Cabinet A, Slide 79, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

OWNER'S CERTIFICATE

BEGINNING at a 1/2 inch iron rod found at the southeast corner of said Lot 1287, the Northeast corner of Lot 1288, the Northwest corner of Lot 1311 and the Southwest corner of Lot 1312 of said Rockwall Lake Properties;

THENCE South 89 degrees 04 minutes 33 seconds West, with the South line of said Lot 1287 and the North line of said Lot 1288, a distance of 120.18 feet to a 1/2 inch iron rod found at the Southwest corner of said Lot 1287, the Northwest corner of said Lot 1288, and on the East line of Russell Drive (50' R.O.W.), from which a 1/2 inch iron rod found bears South 01 degrees 03 minutes 38 seconds East, a distance of 59.88 feet;

THENCE North OI degrees 03 minutes 38 seconds West, with the West line of said Lot 1287 and Lot 1286 and the East line of Russell Drive, a distance of 120.57 feet to a 1/2 inch iron rod and yellow cap stamped "By-Line" set at the Northwest corner of said Lot 1286 and the Southwest corner of Lot 1285 of said Rockwall Lake Properties, from which a 1/2 inch iron rod found bears North OI degrees 03 minutes 38 seconds West, a distance of 241.40 feet;

THENCE North 89 degrees 09 minutes 08 seconds East, with the North line of said Lot 1286 and the South line of said Lot 1285, a distance of 120.18 feet to a 1/2 inch iron rod and yellow cap stamped "By-Line" set at the Northeast corner of said Lot 1286, the Southeast corner of said Lot 1285, the Southwest corner of Lot 1314 and the Northwest corner of Lot 1313 of said Rockwall Lake Properties, from which a 1/2 inch iron rod found bears North 01 degrees 03 minutes 38 seconds West, a distance of 242.57 feet;

THENCE South 01 degrees 03 minutes 38 seconds East, with the East line of said Lot 1286 and Lot 1287 and the West line of said Lot 1313 and said Lot 1312, a distance of 120.41 feet to the POINT OF BEGINNING and CONTAINING 0.33 acres of 1and or 14,481 square feet.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS COUNTY OF ROCKWALL

I the undersigned owner of the land shown on this plat, and designated herein as the REPLAT OF LOTS 1286 AND 1287 OF ROCKWALL LAKE PROPERTIES DEVELOPMENT NO. 2 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 REPLAT OF LOTS 1286 AND 1287 OF ROCKWALL LAKE PROPERTIES DEVELOPMENT NO. 2 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

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

7. Property owner shall be responsible for maintaining, repairing, and replacing all systems within the drainage and detention easements.

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.

Jose Valerio, Owner

STATE OF TEXAS COUNTY OF _____

Before me the undersigned authority a Nota

Before me, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared Jose Valerio, Owner, known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2020.

Notary Public in and for the State of Texas







ROOF FRAMING / TRUSS NOTES:

TRUSS DRAWING IS FOR ILLUSTRATION ONLY. ALL TRUSSES SHALL BE INSTALLED & BRACED TO MANUFACTURERS DRAWINGS & SPECIECATIONS ALL TRUSSES SHALL CARRY MANUFACTURERS STAMP

- ALL TRUSSES WILL NOT BE FIELD ALTERED WITHOUT PRIOR BUILDING DEPT. APPROVAL OF ENGINEERING CALCULATIONS.
- ALL TRUSSES SHALL HAVE DESIGN DETAILS & DRAWINGS ON SITE FOR FRAMING INSPECTION.

ALL CONNECTIONS OF RAFTERS, JACK OR HIP TRUSSES TO MAIN GIRDER TO BE PROVIDED BY TRUSS MANUFACTURER.

ALL ROOF FRAMING 24" O.C.

- INSTALL POLYISOCYANURATE FOAM TYPE INSULATION AT FLOOR AND PLATE LINES, OPENINGS IN PLATES, CORNER STUD CAVITIES AND AROUND DOOR AND WINDOW ROUGH OPENING CAVITIES.
- ATTIC VENTILATION: REQUIRED ABOVE HOUSE.
- MIN. SNOW LOAD 50 LBs PER SQUARE FOOT.
- WALL HEADERS: (2) 2 X 10 DF 2 TYP. UNO

ALL EXPOSED INSULATION IS TO HAVE A FLAME SPREAD RATING OF LESS THEN 25 AND A SMOKE DENSITY RATING OF LESS THAN

PROVIDE INSULATION BAFFLES AT EAVE VENTS BETWEEN

SPECIFIC MANUFACTURES AND MODEL NUMBERS SHOWN ON THE PLANS ARE INDICATIONS OF QUALITY ONLY. THE OWNERBUILDER SHALL NOT BE PROHIBITED FROM SUBSITITUTION MATERIALS AND/ OR APPLIANCES OF EQUAL QUALITY/STRENGTHS FROM NON-SPECIFIED MANUFACTURENS.

THE OWNER/BUILDER SHALL NOT BE SUBSTITUTING MATERIALS

PROVIDED THEY MEET CURRENT BLDG. CODE, AND ARE APPROVED FOR THAT SPECIFIC USE BY THE BUILDING OFFICIAL

	TRUSS NOTES:
ATTIC VENTEATION	1. ALL TRUSSES SHALL CARRY MANUFACTURERS STAMP.
PROVIDE 1" MIN. AIR GAP AT	2. ALL TRUSSES SHALL BE INSTALLED & BRACED TO MANUFACTURERS SPECIFICATIONS.
EXVES WITH INSULATION BAFFLES TYP. AT ALL TRUSS BAYS.	3. ALL TRUSSES WILL NOT BE FIELD ALTERED WITHOUT PRICE BUILDING DEPT. APPROVAL OF ENGINEERING CALCULATIONS.
PROVIDE GABLE VENTS ALL GABLE ENDS	4. ALL TRUSSES SHALL HAVE DESIGN DETAILS & DRAWINGS ON SITE FOR FRAMING INSPECTION.
PROVIDE GALV. ROOF VENTS ON BACKSIDE OF ROOFLINE ABOVE CONDITIONED AREA.	S NON BEARING WALLS SHOULD BE HELD DOWN FROM THE TRUSS BOTTOM CHORD W SIMPSON STC TO INSURE THAT THE TRUSS BOTTOM CHORD WILL NOT BEAR ON THE WALL
	6. ALL CONNECTIONS OF RAFTERS, JACK OR HIP TRUSSES TO MAIN GREER TO BE PROVIDED BY TRUSS MANUFACTURE.
	7. ALL ROOF FRAMING 24" O.C.
	8. ALL ROOF PITCH 412
	9. SCISSORS TRUSS CELLING PITCH 2:12.
	10. TRUSSES MANUFACTURED BY
	11. ALL OVERHANGS 10".

EXTERIOR FINISH NOTES: 1. EXTERIOR FINISH TO BE FIBER CEMENT SIDING OVER 58 CDX PLYVEODOBS WINDOW & DOOR TIRM CEDAR. MATERIAL AND 2. POORING TO BE SO YEAR ASPHALT OVER 306 FELT, 58 CDX PLVVEODOBS 3. DECKING TO BE TREX OR WOOD. FINAL MATERIAL AND COLOR BY OWNER DECKING TO BE THEX ON WOOD. FINAL INSCRIPTION COMMER. OWNER. CHIMNEYS ARE DECORATIVE AND PROVIDE FOR VENTING OF GAS. 4. CHIMMENS ARE DECORATIVE AND PROVIDE FOR VENTING OF GAS PIREPLACES ONLY COLLECTED AND ROOF RIN OFF TO BE ORECTED AWAY FROM STRUCTURE PER THE SITE PLAN. E. FINSH GRADE SHALL SLOPE AWAY FROM STRUCTURE MIN. 1/2* PER FOOT OF RUN FOR # MIN. A BAGALT RETAINING WALLS TO MATCH EXISTING RETAINING WALL.

 WALL PANEL NOTES:

 B.P.
 BRACED WALL PANEL

 3:4* MIN. LENGTH WI 7/16* OSB OR 1/2* PLYWOOD AND 8d

 COMMONS 6* of AT ALL PANEL EDGES, 12* of FIELD.

I.B.P. INTERIOR BRACED WALL PANEL 11/2" GYP. BD PER R 602.10.3(5); 11/2 GWB EACH SIDE w/ #6 X 1 1/4 TYPE S OR W SCREWS PERS ASTM C1002 @ 7" ofc @ ALL SUPPORTS

A.B.P. ALTERNATE BRACED WALL PANEL 2-8" MIN. WIDTH w/ 7/16" OSB OR 1/2" PLVWOOD AND 8d COMMONS 6" ole ATAL PANEL EDGES, 12" ole FIELD & (2) A.B. PER PANEL LOCATED AT 1/4 POINTS & 1800# MIN. HOLDDOWN EACH END */PHOH202 OR STD10)

LINEERE SECTOR: I CONTERENT EXAMPLE: JUSTS, AND RAFTERE TO BE DF-42, 2. DPOSED ANDH BEAMS TO BE DF-47 OR BETTER 3. BLLS, PARTES BEOKINA, AND BERDRONG TO BE DF-42, 4. ALL STUDIE TO BE DH'R O'R BETTER BOOTS PIELATING SHALL BE JET PHYNODOL OR 932 OSB. B. TOOR SHEATING SHALL BE JET PHYNODOL OR 932 OSB. 5. TOOR SHEATING SHALL BE JET PHYNODOL OR 932 OSB. 5. TOOR SHEATING SHALL BE JET PHYNODOL OR 932 OSB. 5. TOOR SHEATING SHALL BE JET PHYNODOL OR 932 OSB. 5. TOOR SHEATING SHALL BE JET PHYNODOL OR 932 OSB.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, ONISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

HOMEOWNER & CONTRACTOR: TO VERIFY ALL DIMENSIONS. STRUCTURAL DETAILS, AND BUILDING CODES, AND GRADE REGUIREMENTS.

To the best of my knowledge these plans are drawn to comply with owner's and/ or builder's specifications and any changes made on them after prints are made will be done at the owner's and / or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. FINE C WORKS is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.

THESE DRAWINGS ARE THE PROPRIET FINE C WORK , DEVELOPED FOR THE EX THESE DRAWINGS AND CONCEPTS CO PERMISSION OF FINE C WORKS IS PRO CLAIM FOR DAMAGES 247



11/18/2019

LIVING AREA SQ.FT 1,923
INTERIOR AREA SQ.FT 2,404
STANDARD AREA ((FOUNDATION)) SQ.FT 2,585

269 RUSSELL DRIVE ROCKWALL COUNTY TEXAS 75032

VIEWS

ELEVATION PLAN

β

AWINGS PROVIDED B FINE C WORKS RUBEN SEGOVIA

DRA

DATE:

SCALE:





ROOF FRAMING / TRUSS NOTES:

TRUSS DRAWING IS FOR ILLUSTRATION ONLY. ALL TRUSSES SHALL BE INSTALLED & BRACED TO MANUFACTURERS DRAWINGS & SPECIECATIONS ALL TRUSSES SHALL CARRY MANUFACTURERS STAMP

ALL TRUSSES WILL NOT BE FIELD ALTERED WITHOUT DEPT. APPROVAL OF ENGINEERING CALCULATIONS. PRIOR BUILDING

ALL TRUSSES SHALL HAVE DESIGN DETAILS & DRAWINGS ON SITE FOR FRAMING INSPECTION.

ALL CONNECTIONS OF RAFTERS, JACK OR HIP TRUSSES TO MAIN GIRDER TO BE PROVIDED BY TRUSS MANUFACTURER. ALL ROOF FRAMING 24" O.C.

ALL OVERHANGS 16".

INSTALL POLYISOCYANURATE FOAM TYPE INSULATION AT FLOOR AND PLATE LINES, OPENINGS IN PLATES, CORNER STUD CAVITIES AND AROUND DOOR AND WINDOW ROUGH OPENING CAVITIES.

ATTIC VENTILATION: REQUIRED ABOVE HOUSE

MIN. SNOW LOAD 50 LBs PER SQUARE FOOT. WALL HEADERS: (2) 2 X 10 DF 2 TYP. UNO

FLOORS AND ROOFS

ALL EXPOSED INSULATION IS TO HAVE A FLAME SPREAD RATING OF LESS THEN 25 AND A SMOKE DENSITY RATING OF LESS THAN

450 PROVIDE INSULATION BAFFLES AT EAVE VENTS BETWEEN

RAFTERS.

SPECIFIC MANUFACTURES AND MODEL NUMBERS SHOWN ON THE PLANS ARE INDICATIONS OF QUALITY ONLY. THE OWNERBUILDER SHALL NOT BE PROHIBITED FROM SUBSITITUTION MATERIALS AND/ OR APPLIANCES OF EQUAL QUALITY/STRENGTHS FROM NON-SPECIFIED MANUFACTURENS.

THE OWNER/BUILDER SHALL NOT BE SUBSTITUTING MATERIALS PROVIDED THEY MEET CURRENT BLDG. CODE, AND ARE APPROVED FOR THAT SPECIFIC USE BY THE BUILDING OFFICIAL

FROVED FOR TH	AT SPECIFIC USE BT THE BUILDING OFFICIAL
	TRUSS NOTES:
TTIC VENTILATION REA / 300	1. ALL TRUSSES SHALL CARRY MANUFACTURERS STAMP.
ROVIDE 1" MIN, AIR GAP AT	2. ALL TRUSSES SHALL BE INSTALLED & BRACED TO MANUFACTURERS SPECIFICATIONS.
UFFLES TYP. AT ALL TRUSS	3. ALL TRUSSES WILL NOT BE FIELD ALTERED WITHOUT PRICE BUILDING DEPT. APPROVAL OF ENGINEERING CALCULATIONS.
ROVIDE GABLE VENTS ALL VALE ENDS.	4. ALL TRUSSES SHALL HAVE DESIGN DETAILS & DRAWINGS ON SITE FOR FRAMING INSPECTION.
ROVIDE GALV, ROOF VENTS N BACKSIDE OF ROOFLINE ROVE CONDITIONED AREA.	S NON BEARING WALLS SHOULD BE HELD DOWN FROM THE TRUSS BOTTOM CHORD WILL SHORD STC TO INSURE THAT THE TRUSS BOTTOM CHORD WILL NOT BEAR ON THE WALL.
	6. ALL CONNECTIONS OF PAPTERS, JACK OR HIP TRUSSES TO MAIN GREER TO BE PROVIDED BY TRUSS MANUFACTURE.
	7. ALL ROOF FRAMING 24" O.C.
	8. ALL ROOF PITCH 412
	9. SCISSORS TRUSS CEILING PITCH 2:12.
	10. TRUSSES MANUFACTURED BY
	11. ALL OVERHANGS 10".

EXTERIOR EMISSIONCE PLYMOCDIOSE WHOM & DOOR THM EEENA, MATERIA, AND LOCK RY WOMER. 2000 REP. ADDITION OVER AND ALL AND ALL AND COLOR BY WOMER. 2000 REP. ADDITION OVER AND PROVIDE FOR VENTING OF AND DECOND TO BE AND ADDITIONAL AND PROVIDE FOR VENTING OF AND CONTENT. DRIMMETS ARE DECORATIVE AND MOVIDE FOR VENTING OF GAS PREPARADES DRIVE COLLECTED AND ROOM STRUCTURE FOR THE SITE PLAN.
 FINISH GRADE SHALL SLOPE AWAY FROM STRUCTURE MIN. 12" PER FOOT OF RUN FOR 4 MIN.
 BASALT RETAINING WALLS TO MATCH EXISTING RETAINING WALL.

WALL PANEL NOTES: B.P. BRACED WALL PANEL 3:4* MIN. LENGTH WI 7/16* OSB OR 1/2* PLYWOOD AND 8d COMMONS 6* of AT ALL PANEL EDGES, 12* of FIELD.

I.B.P. INTERIOR BRACED WALL PANEL 1/2" (SYP. BD PER R 602.10.3(5); 1/2 GWB EACH SIDE w/ #8 X 1 1/4 TYPE S OR W SCREWS PERS ASTM C1002 @ 7" ol: @ ALL SUPPORTS

A.B.P. ALTERNATE BRACED WALL PANEL 2-87 MIN. WIDTH WI 7/167 OSB OR 1/27 PLYWOOD AND 8d COMMONS 67 deAT ALL PANEL EDGES, 127 de FIELD 8 (2) A.B. PER PANEL LOCATED AT 1/4 POINTS & 1800# MIN. HOLDDOWN EACH END "HPAHD22 OR STD10)

LUBER SECTOR: I ADDR: ELEMAN HEARSHS, XXETS, AND RAFTERS TO BE DF-R2. 2. EXPOSED ARCH BEAMS TO BE DF-H1 OR HETTER. 3. SLLS, PLATES BLOOMICA, AND BROOKING TO BE DF-R2. 4. ALL STUDS TO BE DF#C ON RETTER. I CONS SHEATING SHULL BE STP. INTAVA RATED 30% OR 71/F 030. T. WALL SHARTHING SHULL BE STP. INTAVA RATED 30% OR 71/F 030. FLCORD SHEATING SHULL BE STP. INTAVA RATED 30% OR 71/F 030. B. FLCORD SHEATING SHULL BE STP. INTAVA RATED 50% OR 71/F 030.

CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE AND NOTIFY THE ARCHITECT OF ANY DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK.

HOMEOWNER & CONTRACTOR: TO VERIFY ALL DIMENSIONS. STRUCTURAL DETAILS, AND BUILDING CODES, AND GRADE REQUIREMENTS.

To the best of my knowledge these plans are drawn to comply with owner's and/ or builder's specifications and any changes made on them after prints are made will be done at the owner's and / or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. FINE C WORKS is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.

THESE DRAWINGS ARE THE PROPRIET/ FINE C WORK , DEVELOPED FOR THE EX THESE DRAWINGS AND CONCEPTS CON PERMISSION OF FINE VORKS IS PROF CLAIM FOR DAMAGES 248

269 RUSSELL DRIVE ROCKWALL COUNTY TEXAS 75032

LIVING AREA SQ.FT 1,923
INTERIOR AREA SQ.FT 2,404
STANDARD AREA
((FOUNDATION)) SQ.FT 2,585

VIEWS **ELEVATION PLAN**

β

AWINGS PROVIDED B FINE C WORKS RUBEN SEGOVIA

2Z

DATE:

SCALE:

SHEET:

11/18/2019

3/16"=1

P-5

CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-2XX

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. 20-021 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 0.33-ACRE TRACT OF LAND, IDENTIFIED AS LOTS 1286 & 1287, ROCKWALL LAKE ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' THIS ORDINANCE; PROVIDING FOR OF 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 Α REPEALER CLAUSE: **PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City has received a request from Ruben Segovia for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* to allow the construction of a single-family home on a 0.33-acre tract of land identified as Lots 1286 & 1287, Block A, Rockwall Lake Properties Development No. 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 257 & 269 Russell Drive, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] of the City of Rockwall should be amended as follows:

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

SECTION 1. That the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 75 (PD-75) [Ordinance No. 16-01] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision to allow the construction of a single-family home in an established subdivision in accordance with Article 04, Permissible Uses, the Unified Development Code (UDC) [Ordinance No. 20-02] on the Subject Property; and,

Z2020-038: SUP for 269 Russell Drive Ordinance No. 20-XX; SUP # S-2XX

City of Rockwall, Texas

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, and Subsection 03.07, *Single-Family 7 (SF-7) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] and to the requirements set forth in Planned Development District 75 (PD-75) [*Ordinance No. 16-01*] -- as heretofore amended and may be amended in the future - and with the following conditions:

2.1 OPERATIONAL CONDITIONS

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

- 1) The development of the *Subject Property* shall generally conform to the <u>Residential Plot Plan</u> as depicted in *Exhibit 'B'* of this ordinance.
- The construction of a single-family home on the Subject Property shall generally conform to the <u>Building Elevations</u> 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:

 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 5^{TH} DAY OF OCTOBER, 2020.

	Jim Pruitt, A	Nayor
ATTEST:		
Kristy Cole, City Secretary		
APPROVED AS TO FORM:		
Frank J. Garza, City Attorney		
1 st Reading: <u>September 21, 2020</u>		
2 nd Reading: <u>October 5, 2020</u>		
Z2020-038: SUP for 269 Russell Drive	Page 3	City of Rockwall, Texas

Exhibit 'A' Location Map

<u>Address:</u> 269 Russell Drive <u>Legal Description:</u> Lot 1286, Rockwall Lake Estates #2 Addition





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.



Z2020-038: SUP for 269 Russell Drive Ordinance No. 20-XX; SUP # S-2XX Page | 4

City of Rockwall, Texas


253

Exhibit 'B': Residential Plot Plan

Exhibit 'C': Building Elevations



Exhibit 'C': Building Elevations





Memo

To: REDC Board of Directors

From: Phil Wagner, President[™]

Date: September 15, 2020

Fiscal Year 2021 Annual Work Plan, Fiscal Year 2020 List of Accomplishments and Fiscal Year2021 Budget

The Rockwall Economic Development Corporation (REDC) bylaws stipulate that an annual work plan shall be adopted for each fiscal year. As stated in the bylaws, the annual work plan shall "set out goals and objectives of the Corporation, including but not limited to short-term and long-term goals for the economic development of the City, proposed methods for the elimination of unemployment and underemployment, goals and objectives for the utilization of funds to promote the expansion and development of a sound industrial and manufacturing base for and within the City, and any other similar goals and objectives deemed appropriate by the Board of Directors and the City Council." In addition, the bylaws stipulate that the REDC develop a performance evaluation detailing the accomplishments of the previous fiscal year.

Accordingly, the FY21 Annual Work Plan and FY20 List of Accomplishments are attached. The FY21 Annual Work Plan has been drafted to align with the REDC vision outlined in the attached REDC Strategic Plan, which is attached. The FY20 List of Accomplishments is tied to the FY20 Annual Work Plan, which is also attached.

The REDC Board of Directors approved both documents on August 13th. Pursuant to the bylaws, both documents require City Council approval prior to adoption.

Additionally, the REDC approved the attached FY2021 annual budget at the same meeting. State law dictates that prior to the formal adoption of the budget, the City Council must also approve the budget.

attachments





Goal 1: Expand and Diversify Tax Base

- <u>Objective 1</u>: Support continued community growth of new taxable improvements
 Benchmark: Achieve \$150M in new taxable improvements (January 1, 2020 values)
- Objective 2: Pursue development agreements at the Rockwall Technology Park

Benchmark: Execution of at least one land development agreement per year

 <u>Objective 3:</u> Acquire land to create additional shovel-ready capacity for light industrial and/or office development pursuant to the Board's direction and the approved 2019 Land Acquisition and Improvement Plan

Benchmark: Acquire at least one parcel, at the direction of the REDC Board

 <u>Objective 4:</u> Add public infrastructure necessary for the development of business growth in the expanded Rockwall Technology Park

Benchmark: Infrastructure work commenced in Phase III or new portions of the Rockwall Technology Park at the Board's direction, as well as resolution on whether to pursue local or regional detention

 <u>Objective 5:</u> Ensure the REDC Board of Directors are aware of land acquisition possibilities, market conditions, and the organization's strategic position to capitalize on opportunities to grow capacity of light industrial or office development

Benchmark: Make annual update to the previously approved Land Acquisition and Improvement Plan and review with the Board of Directors

• <u>Objective 6:</u> Negotiate all REDC agreements and incentives with acceptable rate of return and payback periods to safeguard the interest of the Rockwall taxpayer

Benchmark: All incentive offers and agreements align with the REDC Incentive Guidelines, unless directed otherwise by Board of Directors or Rockwall City Council

Goal 2: Retain & Expand Existing Business

- <u>Objective 1:</u> Encourage growth of existing primary employers in Rockwall Benchmark: Facilitate or incentivize at least one business expansion per year
- <u>Objective 2</u>: Develop business retention database by meeting with primary employers and conducting business retention interviews, asking standardized questions related to their opportunities and challenges associated with their business

Benchmark: Meet with at least 20 primary employers to establish database with demonstrated proactive response to any issues or concerns that arise

• <u>Objective 3:</u> Continually serve as advocate for existing primary employers by serving as a liaison between company and governmental agencies on regulatory issues

Benchmark: Assist at least three companies – and respond to all inquiries- by helping facilitate a positive, streamlined, and/or transparent response from the City of Rockwall, or another governmental entity.

• <u>Objective 4:</u> Host one event annually recognizing the employees of primary sector employers in the community; develop and implement award program as part of the effort.

Benchmark: Grow the event by at least 25% from the number of primary employers that attended (14) or the total number of attendees (294) from the 2019 event, while receiving positive feedback from participants

 <u>Objective 5:</u> Host one event annually recognizing the executives and management of primary sector employers in the community

Benchmark: Host the event and receive positive feedback from participants

 <u>Objective 6:</u> Create opportunities to develop connections with existing businesses between both the REDC staff and Board members, including utilizing events and promotions to further build relationships

Benchmark: Pursue at least five opportunities to host and entertain local businesses to deepen relationships, utilizing events like the Chamber of Commerce Golf Tournament, Chamber Clay Shoot, Rockwall ISD Education Foundation Bowling Tournament, etc.

 <u>Objective 7:</u> Utilize planned business travel and conferences as opportunities to gather information and make connections to suppliers or customers on behalf of existing businesses that may not be at the conference; additionally, when travelling staff should schedule headquarter visits for local primary employers when appropriate and convenient

Benchmark: Offer service to at least five companies that may gain valuable information from the REDC's business travel; additionally pursue headquarter visits when appropriate

 <u>Objective 8:</u> Facilitate improved relationships between local business and the DGNO railroad with the goal of enhancing the quality and quantity of industrial rail service in Rockwall

Benchmark: Receive feedback on improved rail service from local business and/or receiving a clear understanding from the DGNO on what is required for increased rail service

 <u>Objective 9</u>: Ensure all public infrastructure in the RTP is meeting its intended purpose and providing a high level of service for local business

Benchmark: Resolve the issue with Pegasus parking and ensure Pegasus employee cars are not consistently parked on the street

Goal 3: Attract New Business & Investment

o <u>Objective 1:</u> REDC facilitation or incentivizing of direct commercial investment

Benchmark: Facilitate or incentivize at least \$33M in private investment

 <u>Objective 2:</u> Development and execution of recruitment strategy, including utilization of local and regional partnerships, responding to leads, hosting familiarization tours, attendance at trade shows and recruitment missions, and direct communication

Benchmark: Develop plan and establish at least three qualified prospects for recruitment consideration through work conducted or relationships established by the REDC staff

 <u>Objective 3:</u> Establish relationships with commercial real estate brokers and/or site selectors to promote services provided by the REDC and the benefits of conducting business in Rockwall

Benchmark: Attend or host at least 10 gatherings or local meetings with brokers or site selectors

• <u>Objective 4:</u> Promote Rockwall on a national basis through attendance at various trade shows, marketing trips, and/or site selector/commercial real estate conferences

Benchmark: Attend at least 6 events that hold national exposure opportunities for the REDC

 <u>Objective 5:</u> Retain services of marketing firm to increase recognition and improve inbound marketing opportunities through the optimization of the REDC website, social media, digital or print advertisements, or other efforts

Benchmark: Receive positive reporting and analytical data tracking the growth of impressions and exposure on a semi-annual basis; additionally, generate at least one prospect through marketing channels created or managed by the firm

o <u>Objective 6:</u> Maintain updated information and vital statistics on community profile

Benchmark: Ensure all online and marketing collateral is updated annually, at a minimum

Goal 4: Enhance Existing Job Opportunities and Create New Ones

o <u>Objective 1:</u> Realize growth in median household income in Rockwall

Benchmark: Increase median household income by at least 2% from previous year (\$92,665 per census.gov in July 2019)

o <u>Objective 2:</u> REDC facilitation or incentivizing of high quality jobs within Rockwall

Benchmark: Facilitate or incentivize at least 50 jobs with annual salary greater than 10% higher than half the median household income (\$51,000 per job)

o Objective 3: Continue to host and grow Rockwall job fair

Benchmark: Grow employer and/or attendee participation by 25% from previous year

 Objective 4: Address pertinent workforce development challenges by meeting with primary employers to identify issues pertaining to skills gaps while meeting with area community colleges and school district officials to ascertain programs or educational opportunities that exist, or can be developed, that will allow those gaps to be narrowed

Benchmark: Actively facilitate at least one partnership between a primary employer and an educational institution or workforce development program where a skills gap has or is planned to be addressed

Goal 5: Ensure all Business of the Rockwall Economic Development Corporation is Conducted

o <u>Objective 1:</u> Meet all requirements of organizational bylaws and policies

Benchmark: Achieve 100% compliance with bylaws and REDC policies

• <u>Objective 2:</u> Keep updated on all germane provisions state law relating to economic development sales tax corporations, open meetings law, and the public information act.

Benchmark: One staff member (on a rotational basis) to attend a day long sales-tax training seminar hosted by the Texas Economic Development Council

• <u>Objective 3:</u> Ensure all parties maintain compliance with all REDC development and incentive agreements

Benchmark: Achieve all standards for taxable value, jobs and wages set in REDC agreements, or enforce clawback provisions as articulated in each agreement (unless waived by the Board of Directors)

• <u>Objective 4:</u> Administer all board meetings and committee meetings of the REDC, timely publishing agendas and filing of all minutes



Benchmark: Conduct all meetings in compliance with the Texas Open Meetings Act, with a minimum of 9 Board meetings occurring each year

 <u>Objective 5:</u> Maintain a detailed and accurate budget, and ensure that all expenditures are appropriately processed and Technology Park assessments are billed in an accurate and timely fashion

Benchmark: Maintain compliance with annual budget, along with no complaints from vendors for late payments

o <u>Objective 6:</u> Ensure the REDC is an attractive and competitive employer for talented staff

Benchmark: Achieve 100% retention of staff, with each staff member being allowed to explore a professional development opportunity related to the REDC's mission



Fiscal Year 2020 List of Accomplishments from Annual Work Plan

Goal 1: Expand and Diversify Tax Base

- Acquired 118 acres of property for an expanded Phase III of the Rockwall Technology Park that will lead to the creation of additional shovel-ready capacity for light industrial and/or office development
- Began design and engineering work for the 210-acre Phase III expansion to the Rockwall Technology Park

Goal 2: Retain and Expand Existing Business

- Served as a frequent resource for guidance to Primary Employers throughout COVID-19 pandemic, including advocating on their behalf during deliberations regarding Rockwall County's "Shelter in Place" Order
- Interceded and advocated for numerous businesses including Pratt Industries, Lime Media, SPR Packaging, Interstate Wire, and the Rockwall Urban Industrial Center – on regulatory challenges faced
- Received feedback that the Dallas, Garland, & Northeastern Railroad initiated a second weekly service in Rockwall; REDC staff had been lobbying for this change to benefit SPR Packaging as well as other potential rail users
- Exhausted efforts to help Pegasus Foods solve their employee street parking situation in the Rockwall Technology Park, including designing and receiving all City approvals on an off-site parking lot, as well as the creation of a 10-year lease with the company; ultimately Pegasus declined entering into the lease and both City ordinance and RTPA CCR's were updated to provide added enforcement
- Hosted inaugural Rockwall Executive Appreciation Event in February as a way to network with and show appreciation for local primary employment business leaders – additional events designed to recognize employers and deepen relationships were cancelled as result of the COVID-19 Pandemic

Goal 3: Attract New Business & Investment

- Facilitated at least \$12M of investment between the Rockwall Urban Industrial Center and Shipman Fire Protection
- Engaged in significant discussions with prospects across the energy, food packaging, landscaping, coatings and electronics industries unfortunately, many site location decisions have been delayed surrounding the uncertainty of the COVID-19 pandemic

Goal 4: Enhance Existing Job Opportunities and Create New Ones

- Facilitated an office relocation that came to reality in FY20, resulting in the creation of an estimated 15 jobs (Shipman Fire Protection)
- Received strong participation from job seekers (440) and employers (25) at the 2019 Rockwall Job Fair, occurring in September 2019 at Lake Pointe Church; REDC will host a virtual job fair on September 18, 2020 with plans underway for a significant marketing campaign to reach area job-seekers that may have been negatively impacted by the COVID-19 pandemic

Goal 5: Ensure all Business of the REDC is Conducted Appropriately

- Conducted all meetings, published agendas, and filed minutes in accordance with organizational standards, by-laws, Texas Open Meetings Act, Public Information Act, and new regulations adopted by the State in light of the COVID-19 pandemic
- Maintained compliance with all existing incentive agreements; the one incentive agreement established in FY20 was created well within payback and percent investment standards outlined in REDC guidelines
- Stabilized REDC staff and achieved 100% retention of Corporation workforce



Goal 1: Expand and Diversify Tax Base

Economic Development Corporation

- <u>Objective 1</u>: Support continued community growth of new taxable improvements
 Benchmark: Achieve \$150M in new taxable improvements (January 1, 2021 values)
- <u>Objective 2:</u> Pursue development agreements at the Rockwall Technology Park and/or Justin Road site

Benchmark: Execution of at least one land development agreement per year

• <u>Objective 3:</u> Begin adding public infrastructure necessary for the development of business growth in the expanded Rockwall Technology Park Phase III

Benchmark: Contract awarded and infrastructure work commenced in Phase III of the Rockwall Technology Park at the Board's direction, as well as resolution and regulatory clearance on FEMA (CLOMR), USACE, and TCEQ issues

• <u>Objective 4:</u> Ensure all land in Phase I and Phase II of the RTP is truly "shovel ready", with appropriate infrastructure and utilities in place that can facilitate development

Benchmark: At Board's direction, complete necessary infrastructure studies diagnosing path forward for shovel-ready development; experience no new objections or concerns regarding infrastructure readiness for standard prospects

 <u>Objective 5:</u> Ensure the REDC Board of Directors are aware of land acquisition possibilities, market conditions, and the organization's strategic and budgetary position to capitalize on opportunities to grow capacity of light industrial or office development

Benchmark: Make annual update to the previously approved Land Acquisition and Improvement Plan and review with the Board of Directors

 <u>Objective 6:</u> Negotiate all REDC agreements and incentives with acceptable rate of return and payback periods to safeguard the interest of the Rockwall taxpayer

Benchmark: All incentive offers and agreements align with the REDC Incentive Guidelines, unless directed otherwise by Board of Directors or Rockwall City Council

 <u>Objective 7:</u> Make efforts, where appropriate, to ensure strength of local sales tax – especially in light of COVID-19 and I-30 expansion challenges

Benchmark: Position the REDC to serve as a willing partner, within operational limitations set by the Board of Directors, to assist the community in the gap that exists for retail retention / recruitment

Goal 2: Retain & Expand Existing Business

• <u>Objective 1:</u> Encourage growth of existing primary employers in Rockwall

Benchmark: Facilitate or incentivize at least one newly initiated business expansion per year

<u>Objective 2</u>: Establish and grow relationships with existing primary employers by frequently reaching out to promote relevant information, as well as take part in discussions regarding each company's opportunities and threats and how the REDC can better support their efforts

Benchmark: Proactively contact every primary employer individually at least once; engage in at least three business tours as a sign of growing relationships

• <u>Objective 3:</u> Continually serve as advocate for existing primary employers by serving as a liaison between company and governmental agencies on regulatory issues

Benchmark: Assist at least four companies – and respond to all inquiries- by helping facilitate a positive, streamlined, and/or transparent response from the City of Rockwall, or another governmental entity

• <u>Objective 4:</u> Host one event annually recognizing the employees of primary sector employers in the community; develop and implement award program as part of the effort.

Benchmark: Grow the event by at least 25% from the number of primary employers that attended (14) or the total number of attendees (294) from the 2019 event, while receiving positive feedback from participants – event is subject to resolution of COVID-19 Pandemic in FY21, potentially planning for the event in Fall 2021 (possibly early FY22) will qualify as achieving the objective

 <u>Objective 5:</u> Host one event annually recognizing the executives and management of primary sector employers in the community

Benchmark: Host the event and receive positive feedback from participants – event is subject to resolution of COVID-19 Pandemic in FY21, potentially planning for the event in fall 2021 (possibly early FY22) will qualify as achieving the objective

 <u>Objective 6:</u> Create opportunities to develop connections with existing businesses between both the REDC staff and Board members, including utilizing events and promotions to further build relationships

Benchmark: Pursue at least two opportunities - subject to resolution of the COVID-19 Pandemic in FY21 - to host and entertain local businesses to deepen relationships, utilizing events like the Chamber of Commerce Golf Tournament, Chamber Clay Shoot, Rockwall ISD Education Foundation Bowling Tournament, BRE event at Globe Life Field, etc. (Standard has been relaxed from five due to the likelihood that many events may not be offered until late FY21) <u>Objective 7:</u> Utilize planned business travel and trade shows – if such travel occurs in FY21 - as opportunities to gather information and make connections to suppliers or customers on behalf of existing businesses that may not be at the conference; additionally, when travelling staff should schedule headquarter visits for local primary employers when appropriate and convenient

Benchmark: Offer service to at least five companies that may gain valuable information from the REDC's business travel, provided business travel resumes for the REDC in FY21; additionally pursue headquarter visits when appropriate

Goal 3: Attract New Business & Investment

o <u>Objective 1:</u> REDC facilitation or incentivizing of direct commercial investment

Benchmark: Facilitate or incentivize at least \$33M in private investment

 <u>Objective 2</u>: Development and execution of recruitment strategy, including utilization of local and regional partnerships, responding to leads, hosting familiarization tours, attendance at trade shows and recruitment missions, and direct communication

Benchmark: Develop plan and establish at least three qualified prospects for recruitment consideration through work conducted, relationships established, or vendors procured by the REDC staff (i.e. not inbound leads)

 <u>Objective 3:</u> Establish relationships with commercial real estate brokers and/or site selectors to promote services provided by the REDC and the benefits of conducting business in Rockwall

Benchmark: Attend or host at least 10 local gatherings, conference calls, or virtual meetings with brokers or site selectors

• <u>Objective 4:</u> Promote Rockwall on a national basis through attendance at various trade shows, marketing trips, and/or site selector/commercial real estate conferences

Benchmark: Attend at least two events that hold national exposure opportunities for the REDC. (Standard has been relaxed from six due to the likelihood that many events may not be offered until late FY21 due to the COVID-19; if resolution of the pandemic ends earlier, more events may be necessary)

 <u>Objective 5:</u> Retain services of marketing firm to increase recognition and improve inbound marketing opportunities through the optimization of the REDC website, social media, videos, digital or print advertisements, or other efforts

Benchmark: Receive positive reporting and analytical data tracking quantifiable growth in the areas of website traffic, social media following and advertisement impressions as expressed in semi-annual reporting; additionally, generate at least one prospect through marketing channels created or managed by the firm

o <u>Objective 6:</u> Maintain updated information and vital statistics on community profile

Benchmark: Ensure marketing collateral is updated annually, at a minimum, and that the REDC website and social media pages are always updated with fresh content

Goal 4: Enhance Existing Job Opportunities and Create New Ones

• <u>Objective 1:</u> Maintain or grow median household income in Rockwall

Benchmark: Maintain median household income of at least \$92,269 (American Community Survey information from July 2020); previous objective goal of 2% growth likely not realistic due to high unemployment associated with COVID-19 pandemic

• <u>Objective 2:</u> REDC facilitation or incentivizing of high quality jobs within Rockwall

Benchmark: Facilitate or incentivize at least 50 jobs with annual salary greater than 10% higher than half the median household income (\$51,000 per job)

 <u>Objective 3:</u> Continue to support both local businesses and the general community by hosting the Rockwall job fair

Benchmark: Grow employer and/or attendee participation by 25% from previous inperson event (in 2019, there were 440 attendees and 25 employers) or virtual event (waiting on 2020 numbers) depending on the format of the event; OR receive at least 90% satisfaction rate from participating employers surveyed after the event

 <u>Objective 4:</u> Address pertinent workforce development challenges by meeting with primary employers to identify issues pertaining to skills gaps while meeting with area community colleges and school district officials to ascertain programs or educational opportunities that exist, or can be developed, that will allow those gaps to be narrowed

Benchmark: Actively facilitate at least one partnership between a primary employer and an educational institution or workforce development program where a skills gap has or is planned to be addressed

• <u>Objective 5:</u> Seek to facilitate the development of new, high-quality office inventory in Rockwall that will lead to further growth in white collar jobs

Benchmark: Execute at least one development agreement where the REDC will incentivize the creation of additional office inventory that was not already planned; OR work collaboratively with at least two land owners to develop speculative office renderings with a qualified architect that could be used in the REDC's recruitment efforts

Goal 5: Ensure all Business of the Rockwall Economic Development Corporation is Conducted

• <u>Objective 1:</u> Meet all requirements of organizational bylaws and policies

Benchmark: Achieve 100% compliance with bylaws and REDC policies

• <u>Objective 2:</u> Keep updated on all germane provisions state law relating to economic development sales tax corporations, open meetings law, and the public information act.

Benchmark: One staff member (on a rotational basis) to attend a day long sales-tax training seminar hosted by the Texas Economic Development Council

• <u>Objective 3:</u> Ensure all parties maintain compliance with all REDC development and incentive agreements

Benchmark: Achieve all standards for taxable value, jobs and wages set in REDC agreements, or enforce clawback provisions as articulated in each agreement (unless waived by the Board of Directors)

• <u>Objective 4:</u> Administer all board meetings and committee meetings of the REDC, timely publishing agendas and filing of all minutes

Benchmark: Conduct all meetings in compliance with the Texas Open Meetings Act, with a minimum of 9 Board meetings occurring each year

 <u>Objective 5:</u> Maintain a detailed and accurate budget, and ensure that all expenditures are appropriately processed and Technology Park assessments are billed in an accurate and timely fashion

Benchmark: Maintain compliance with annual budget, along with no complaints from vendors for late payments that were within the REDC's control

• <u>Objective 6:</u> Safeguard the REDC from concerns – real or perceived – related to price gouging by competitively rebidding contracts for services, on occasion

Benchmark: Rebid the Rockwall Technology Park maintenance and irrigation contract heading into Fiscal Year 2022

• Objective 7: Ensure the REDC is an attractive and competitive employer for talented staff

Benchmark: Achieve 100% retention of staff, with each staff member being encouraged to explore a professional development opportunity related to the REDC's mission



The Rockwall Economic Development Corporation is responsible for ensuring that Rockwall is an ideal location for expanding and relocating businesses. The REDC works to make improvements in infrastructure, workforce, business climate and quality of life in order to retain and expand existing industries and attract other high-value corporations. It also markets Rockwall, often working with regional and state allies to ensure that Rockwall's brand is well-known and well-perceived.

MISSION: To broaden and diversify the tax base through new business attraction, land acquisition and development, progressive infrastructure, corporate business expansion, and job creation

VISION: The Rockwall Economic Development Corporation is recognized as the premier gateway for business opportunity in the State of Texas.



Goal 1: Expand & Diversify Tax Base

- Maintain a balanced inventory of land; occupied, shovel ready, unimproved and public space through the development and execution of a Land Acquisition and Improvement Plan.
- Maintain diversified tax ratio of 67% residential and 33% commercial/industrial (within +/- 5%) while continuing to develop the City of Rockwall.

Goal 2: Retain & Expand Existing Business

- Develop and implement a Business Retention & Expansion Program
 - Meet annually with the CEO of each of the key corporations in Rockwall to gather and share information.
 - Host events for Rockwall's existing businesses that builds community.

Goal 3: Attract New Business & Investment

- Work effectively with city, county, school district and chamber to market and sell Rockwall as a premiere location for business success.
- Develop and implement a highly effective Marketing Plan.
 - Generate three qualified sector desired prospects each year.
 - o Achieve a 25% success rate in turning qualified prospects into businesses
 - Utilize a follow up Feedback Form after each win/loss with brokers and site selectors to identify strengths, weaknesses, opportunities and threats.

Goal 4: Enhance Existing Job Opportunities & Create New Jobs

- Identify employment opportunities and narrow the skills gap through workforce development.
 - o Establish a comprehensive workforce development consortium.
 - o Create and maintain a database of employment statistics, workforce development needs and job opportunities

Goal	Objectives	Strategies	Tactics	Measurement
، Diversify Tax Base	Grow the light industrial taxable values in the City of Rockwall.	 Maintain a balanced inventory of land for future light industrial/commercial investment. 43% occupied 32% shovel ready 23% unimproved 2% public space 	 Review the City's current land use plan. Identify existing light industrial/agriculture zoned land. Identify those properties currently for sale and those which could meet light industrial criteria. Identify the owners of properties the REDC may be interested in acquiring and/or showing to prospects. Contact land-owners to have initial discussions regarding potential interest. 	 Develop and execute Land Acquisition and Improvement Plan for future light industrial development in the City of Rockwall to maintain a balanced inventory of land.
Goal 1: Expand &	Maintain diversified tax ratio of 67% residential and 33% commercial/industrial while continuing to develop the City of Rockwall	 Review and understand the City of Rockwall and RISD's five-year strategic plan for residential and commercial growth. 	 Consider this formula and forecasting when developing the Land Acquisition and Improvement Plan. 	 Stated ratio of 67% residential and 33% commercial/ light industrial is maintained (within +/-5%)
	Add real value to City of Rockwall's tax base.	 Convert shovel ready light industrial land to taxable values. 	 Conduct commercial real estate broker tours. Work directly with Office of the Governor on potential prospects. Ensure RFP response information is robust and dynamic 	 Work with City Finance Dept. to maintain Tech Park Taxable Values database Execute 1 Land Development Agreement and Incentive Agreement per year.

Goal	Objectives	Strategies	Tactics	Measurement
ain & Expand Existing Business	Develop and implement a Business Retention & Expansion Program	 Reach out to each CEO with a request to meet with them, offering to better understand their strategic goals and better help support and grow their business. Meet annually with the CEO of each of the key corporations in Rockwall to gather and share information. Develop the "Corporate Connection" Program, which communicates messages, missions, accolades and efforts from REDC's corporate business partners. 	 Build a file on each company of their responses to predictive data questions regarding their industry, their business, and their Rockwall location. Gather information regarding their suppliers, end markets, logistics; specifically looking for opportunities to turn their business associates into potential prospects for Rockwall. Ask questions regarding their experience on doing business in Rockwall. Identify additional opportunities how REDC and City can better serve, support and expand their business efforts. Bring their comments, compliments, and complaints to the board or other applicable parties, and work to provide assistance to meet their needs and maintain and grow REDC's long-term existing business relationships. 	 Meet with each CEO once a year. Create and maintain a database that captures corporate information vital for retaining and expanding existing businesses. Create and maintain an industrial occupancy database that captures and tracks occupancy metrics Retain 13 businesses
Goal 2: Retain &	Host events for Rockwall's existing businesses.	 Plan and execute Party in the Park, which is REDC's annual existing business employee appreciation event. REDC Board and staff host for Rockwall CEOs and upper management. 	 Secure the date Secure the Venue Establish guest list Select theme Select food and beverage Design save the date and invitation Send out save the date Print and deliver invites Collect RSVPs 	 Host 3 events per year for existing businesses.

Approved by REDC Board 9/8/2016

Goal	Objectives	Strategies	Tactics	Measurement
usiness & Investment	Position Rockwall as a premiere location for business success.	 Network and build relationships with site selectors, corporate real estate brokers, and regional and state government project managers to help promote Rockwall when working with corporate or operations facilities relocations. 	 DFW Local Broker Day Las Vegas-ICSC Show Team Texas DFW Marketing Team Site Selectors Guild Annual Conference Host site visits for site selectors and corporate decision makers 	 Generate 3 qualified prospects each year. Execute 1 Sales & Development Agreement
Goal 3: Attract New Business	Maintain knowledge of all pertinent information governing Economic Development	 Participate in continuing education to keep REDC board, and staff current on changing laws, rules, clawbacks, trends, economic forecasts, creative solutions, best practices, BRE tactics, other professional development, and to meet and learn from industry experts. 	 Attend International Economic Development Council (IEDC) conferences. Attend Texas Economic Development Council (TEDC) conferences. Attend <i>continuing</i> education courses. Attend one national and two state Economic Development Professional Development opportunities each year. 	 Continually improve Marketing Plan by utilizing a follow up Feedback Form after each win/loss with brokers and site selectors to identify strengths, weaknesses, opportunities and threats.

Goal	Objectives	Strategies	Tactics	Measurement
Business & Investment tinued)	Increase natonal awareness of Rockwall, Texas to sector desired businesses.	• Enhance awareness of Rockwall through increasing professional relationships with local, state and national site selectors, real estate brokers, developers and corporate decision makers.	 Identify and attend professional events to showcase the City of Rockwall and the Rockwall Technology Park as ideal locations. Host commercial broker meetings and introduce Rockwall. Broaden relationships with site selectors. 	Participate in four industry attraction events per year.
Goal 3: Attract New Bus (Contin	Develop and implement a highly effective Marketing Plan.	 Enhance marketing outreach. Develop high end memorable marketing by which sector desired businesses "experience" Rockwall. 	 Sponsor events for brokers, site consultants and decision makers. Utilize print & digital advertising that aligns with REDC program of work. Maintain and enhance REDC Website. Make timely social media posts and announcements. Develop press releases announcing REDC efforts and accomplishments. Develop and enhance media relations. Develop branded marketing collateral that showcases Rockwall and the Rockwall Technology Park. 	 Execute a Marketing Plan that brings sector desired new business and investment to Rockwall.

Goal	Objectives	Strategies	Tactics	Measurement
	Identify employment opportunities and narrow the skills gap through workforce development.	 Work directly with existing businesses to identify their talent/skill forecasts and gaps. 	 Meet with corporate HR Directors to identify specific skill sets needed to run their operation today and anticipated over the five year planning cycle. 	 Establish a comprehensive workforce development consortium.
ting Job Opportunities New Ones		 Work directly with community colleges to identify training programs available which will enhance employee skill sets for job opportunities. 	 Create a list of all curriculums available through the community colleges and distribute to the Human Resource Directors of each light manufacturing business in Rockwall. 	 Create and maintain a database of each business's employment statistics, workforce development needs and job opportunities.
4: Enhance Existing & Create New		 Work directly with Texas Workforce Commission to connect employees with potential Rockwall businesses. 	 Identify NAICS codes for each existing business, then locate the geographical areas to recruit the talent related to those codes. 	
Goal 4:		 Work directly with Rockwall ISD to prepare a future workforce for the Rockwall community. 	 Ensure a student education pathway for the College & Career Academy, which prepares students for manufacturing jobs in Rockwall. Arrange bi-annual meetings between community college, curriculum developers, key employers and their HR Directors, and RISD leadership to keep a pulse on what talent need to be produced locally in high school and post-secondary education institutions to fulfill the needs of local employers, and progress toward that end. 	

Fund

21 Economic Development

	Actual	Budgeted	Amended	Board Adopted
	18-19	19-20	19-20	20-21
Total Revenues	6,769,833	6,328,350	6,445,100	6,206,850
Total Expenditures	5,078,393	37,008,100	13,619,700	28,455,350
Excess Revenues Over				
(Under) Expenditures	1,691,440	(30,679,750)	(7,174,600)	(22,248,500)
Net Other Financing Sources (Uses)	_	26,226,000	6,730,000	21,277,950
Net Gain (Loss)	1,691,440	(4,453,750)	(444,600)	(970,550)
Fund Balance - Beginning	4,612,724	7,182,019	6,304,164	5,859,564
Fund Balance - Ending	6,304,164	2,728,269	5,859,564	4,889,014

SUMMARY OF OPERATIONS

Fund

21 Economic Development

SUMMARY OF REVENUES

71 EDC Administration

Account	Description	Actual 18-19	Budgeted 19-20	Amended 19-20	Board Adopted 20-21
4150	Sales Tax	6,392,464	6,252,350	6,357,600	6,166,850
4001	Interest Earnings	190,697	35,000	80,000	35,000
4019	Miscellaneous Revenue	12,989	-	-	-
4020	Interest/Reserve Fund	20,043	5,000	7,500	5,000
4450	Technology Park Sales	153,640	-	-	-
4460	Parking Lease Revenue	-	36,000	-	-
	Total Revenues	6,769,833	6,328,350	6,445,100	6,206,850

SUMMARY OF OTHER FINANCING SOURCES (USES)

Fund

21 Economic Development

	Actual 18-19	Budgeted 19-20	Amended 19-20	Board Adopted 20-21
Other Financing Sources (Uses)				
Other Phraneing Sources (Oses)				
Bond Proceeds	-	26,226,000	9,831,600	21,277,950
Total Other Financing Sources	-	26,226,000	9,831,600	21,277,950
Transfer to Paying Agent for Refunding	-	-	2,744,000	-
Bond Issuance Costs-Reserve Funding	-	-	357,600	-
Total Other Financing Uses	-	-	3,101,600	-
Net Other Financing				
Sources (Uses)	-	26,226,000	6,730,000	21,277,950

Fund

21 Economic Development

	Actual 18-19	Budgeted 19-20	Amended 19-20	Board Adopted 20-21
REDC Administration	726,184	934,700	952,95 0	1,002,250
Promotions & Marketing	200,231	287,000	287,000	391,000
Incentives	1,577,436	3,938,250	2,269,700	2,188,000
Capital Projects	87,824	27,464,000	7,645,400	20,439,950
Debt Service	2,486,718	4,384,150	2,464,650	4,434,150
Total Expenditures	5,078,393	37,008,100	13,619,700	28,455,350

SUMMARY OF EXPENDITURES

DIVISION SUMMARY

Fund 21 Economic Development						
	Expenditure Summary					
	Experior	ture Summary				
	Actual	Budgeted	Amended	Board Adopted		
	18-19	19-20	19-20	20-21		
Personnel	347,057	426,000	426,000	424,700		
Contractual	436,182	626,300	626,300	811,950		
Supplies	3,411	9,000	9,000	6,500		
Operational	129,273	150,800	169,050	141,700		
Utilities	10,492	9,600	9,600	8,400		
Capital	87,824	27,464,000	7,645,400	20,439,950		
Incentive Grants	1,577,436	3,938,250	2,269,700	2,188,000		
Total	2,591,674	32,623,950	11,155,050			

Personnel Schedule

Position	FY 20 Approved	FY 21 Board Adopted
Economic Development Corporation President	1	1
Director of Project Development	1	1
Office Manager	1	1



ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.
	k	i

		Actual	Budgeted	Amended	Board Adopted
Account	Description	18-19	19-20	19-20	20-21
Personne					
	Salaries - Wages & Incentives	260,015	324,550	324,550	323,500
	e	,	,		,
	Total Salaries - Wages Incentives	260,015	324,550	324,550	323,500
120		19.256	24.850	24.850	24.750
	FICA & Medicare Retirement	18,356	24,850	24,850	24,750
122		45,936	53,100	53,100	52,950
128	Ins. Unemployment	1,251	2,000	2,000	2,000
224	Workers Comp.	500	500	500	500
230	Health Insurance	21,000	21,000	21,000	21,000
	Total Benefits	87,042	101,450	101,450	101,200
					-
Total Per	rsonnel Costs	347,057	426,000	426,000	424,700
Contract	ual				
210	Auditing	1,500	1,500	1,500	1,500
211	Legal	36,966	50,000	50,000	50,000
213	Consulting Fees	48,370	200,000	200,000	270,000
217	Cable and Internet	18,986	10,800	10,800	12,000
223	Insurance - Blanket Surety Bond	100	100	100	100
227	Insurance - Property	1,800	1,800	1,800	1,800
229	Insurance - Liability	500	500	500	500
232	Temporary Labor	53,775	5,200	5,200	20,000
234.01	Marketing - Consulting	182,142	117,000	117,000	95,000
234.02	Marketing - Ad Placement	-	50,000	50,000	87,000
234.03	Marketing - REDC Events	_	40,000	40,000	59,000
234.04	Marketing - Subscriptions Memberships	_	55,000	55,000	120,000
23 1.0 1	Copier Rental and Lease	4,694	5,400	5,400	5,100
243	Building Lease, Cleaning, Storage	61,188	66,000	66,000	66,950
244	Building Repairs	14,160	3,000	3,000	3,000
299	Administrative Services	12,000	20,000	20,000	20,000
				,	
	Total Contractual	436,182	626,300	626,300	811,950

	Budget, Economic Development Cont'd	Actual	Budgeted	Amended	Board Adopted
Account	Description	18-19	19-20	19-20	20-21
Supplies					
301	Office Supplies	2,900	5,000	5,000	5,000
307	Postage	346	1,000	1,000	500
310	Printing & Binding	64	2,000	2,000	1,000
347	Gen. Maint. Supplies	100	1,000	1,000	-
	Total Supplies	3,411	9,000	9,000	6,500
Operatio	nal				
410.01	News Subscriptions	1,559	700	700	700
410.02	Professional Memberships	-	2,000	2,000	3,000
428	Meeting Expenses	6,972	5,000	5,000	5,000
430	Tuition & Training	2,653	5,000	5,000	4,000
436	Travel	6,183	25,000	25,000	15,000
437	Trade Shows	10,765	15,000	15,000	10,000
438	Prospect Visits/Business Retention	1,140	10,000	10,000	20,000
439.01	Common Area Maintenance-REDC Portion	100,000	60,100	78,350	53,400
439.02	Maintenance of Undeveloped Park Land	-	24,000	24,000	27,000
439.03	Maintenance of Undeveloped Justin Road	-	4,000	4,000	3,600
	Total Operational	129,273	150,800	169,050	141,700
Utilities					
501	Electricity	6,437	6,000	6,000	4,800
507	Telephone	4,055	3,600	3,600	3,600
	Total Utilities	10,492	9,600	9,600	8,400
Capital					
601	Land Acquisition	70,000	6,726,000	6,709,900	_
610	Furniture & Fixtures	6,554	10,000	10,000	5,000
612	Computer Equipment	-	28,000	28,000	3,000
678	Phase III Eng/Construction	11,270	19,500,000	846,000	20,431,950
680	Parking Lot Eng/Construction	-	1,200,000	51,500	-
	Total Capital	87,824	27,464,000	7,645,400	20,439,950
Incentive	es				
661	Contracted Incentives	1,577,436	3,938,250	2,269,700	2,188,000
	Total Incentives	1,577,436	3,938,250	2,269,700	2,188,000

Annual Budget, Economic Development Cont'd

ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.

Account	Description	Actual 18-19	Budgeted 19-20	Amended 19-20	Board Adopted 20-21
Debt Servi	ice				
750	Administration Fees	3,000	4,500	4,500	4,500
752	Principal - Bonds	1,730,000	2,065,000	1,725,000	2,210,000
754	Interest - Bonds	753,718	2,314,650	735,150	2,219,650
Total Debt	t Service	2,486,718	4,384,150	2,464,650	4,434,150

Detail	Principal	Interest
2013- Infrastructure	330,000	239,338
2013 Land Purchase	190,000	189,264
2015 Ref Bonds (2006)	345,000	44,661
2016 Ref Bonds (2008)	315,000	143,825
2017 Sales Tax Bonds	280,000	82,800
2019 Sales Tax Ref Bonds	300,000	415,750
2021 Proposed Debt	450,000	1,104,000
	2,210,000	2,219,637



MEMORANDUM

то:	Rockwall City Council
FROM:	Joey Boyd, Assistant City Manager
DATE:	September 16, 2020
SUBJECT:	I-30 Aesthetic Plan

The I-30 Expansion design is at 60% completion and the State is incorporating aesthetics into the plans. As a result of stakeholder meetings in 2018, recommendations were made by TXDOT's consultant related to the base aesthetics that would be provided by the State. The I-30 Aesthetics Plan is included for reference and was developed from a study of the existing aesthetics within the I-30 corridor to develop a common theme throughout. The items listed below are included in the base aesthetics to be provided by and paid for by TXDOT as part of the project. Any other features will be the responsibility of the City. TXDOT is providing the following:

- 1. Ashlar pattered formliners on retaining walls (including any sound walls that may be necessary).
- 2. Painting of retaining walls, bridge bent, columns, and concrete rails.
- 3. Red stripe on concrete rails (this is consistent with John King Blvd and FM 3549 overpasses)
- 4. Five panels for the City to create/design a graphic or logo to be incorporated into the formliners. This is consistent on existing walls where the sail boat and prairie murals are depicted at the John King Blvd and FM 3549 interchanges.
- 5. City logo on bridge bent end/ear wall. The City has stars on John King Blvd but the city logo can be added as part of the project.

Included for the City Council's consideration are renderings for:

- Logo Wall Panel Designs TXDOT is providing 5 panels on the retaining wall for the City to create a design or graphic to be incorporated into the form liners. This area is a 50x24 ft area. There are four options included for consideration.
- City Name on Horizon Road bridge the City of West placed its name on the bridge entering their city on I-35 and Marable Street. The attached rendering shows how

this would look heading eastbound on I-30 at Horizon Road. TXDOT indicated the City can request this and they will consider it but the City will have to pay for this feature since it will have to be built into the forms. If the City Council is interest in requesting this design, we will work with TXDOT to get a price and bring it back for consideration and approval.

• Paint Color Scheme - The City is responsible for maintenance of the bridge and walls once the original color fades. The existing interchanges need to be repainted in the future and the murals are fading from their original color. The attached exhibit shows the condition and colors of the existing murals and a new color scheme to discuss and consider. TXDOT used the color Federal Standard – Sand 23722 on the interchange at I-30 / FM 3549. Unless the City wants to go with a different color, the State will plan to use the same color for consistency. The color code is included for reference.

Staff will be available to answer any questions the City Council may have at the meeting.





I-30 AESTHETIC PLAN-RECOMMENDATION ROCKWALL COUNTY

June 6, 2018

PREPARED BY:



2595 Dallas Parkway, Ste. 204 Frisco, Texas 75034 972-464-4800

AESTHETIC TREATMENT RECOMMENDATION

AESTHETIC PRESENTED AT 05/08/2018 STAKEHOLDER MEETING

At the stakeholder meeting, the following graphic was presented as BGE's recommendation for the base aesthetic that would be provided by TxDot. This aesthetic was derived from a detailed study of the existing aesthetics within the I-30 corridor to come up with a common theme throughout. As discussed in the meeting, items not listed below will be the municipality's responsibility.

The following recommendations include the base aesthetics to be provided by TxDot:

- 1. Ashlar Patterned Formliners on retaining walls (This would include any sound walls that may be necessary)
- 2. Cream color on retaining walls, bridge bents, columns and concrete rails
- 3. Red stripe on concrete rails
- 4. 5 panels slated for City to create/design a graphic to be incorporated into the Formliners
- 5. City Logo on bridge bent ends/ear wall

The purpose of this document is to have each municipality's representative confirm that the aesthetic provided in this document is acceptable. A more detailed identification of these elements is provided in the following pages of this document.





AESTHETIC TREATMENT RECOMMENDATION

RETAINING WALL DETAIL



ASHLAR PATTERN FORMLINER







AESTHETIC TREATMENT RECOMMENDATION

BRIDGE BENT, COLUMN & CONCRETE RAIL/EAR WALL DETAIL



CITY LOGO ON EAR WALL



RED STRIP ON CONCRETE RAIL





06/05/2018
AESTHETIC TREATMENT COLOR RECOMMENDATION

RETAINING WALL, BRIDGE BENT, COLUMN, & CONCRETE RAIL COLOR

Federal Standard 17855

Federal Standard 37855

Federal Standard 37886

White







NOT TO SCALE

IH30 AESTHETIC TREATMENT LOGO WALL OPTIONS

SEPT. 11, 2020 ROCKWALL GIS





IH30 AESTHETIC PLAN - HORIZON RD BRIDGE TEXT (CITY NAME OPTION)

No.





SEPT 11, 2020 ROCKWALL GIS NOT TO SCALE

MURAL COLOR SCHEMES 1H30 AESTHETIC PLAN - JOHN KING BLVD

















MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Mary P Smith, Assistant City Manager

DATE: September 21, 2020

SUBJECT: RTPA BUDGET FY2021

Attachments RTPA budget worksheets

Summary/Background Information

The Rockwall Technology Park Association Board met Thursday September 10, 2020 to approve the budget for maintenance of the Tech Park. The budget includes a slight decrease in the park maintenance budget but will include a refresh of the Sailboats at the entry and stone wall repair.

EDC President, Phil Wagner, will be available at the Council meeting to answer any questions about the proposed budget.

Action Needed Consider adoption of the RTPA budget

SUMMARY OF OPERATIONS

Fund

22 Tech Park Association

	Actual 18-19	Budgeted 19-20	Amended 19-20	Proposed 20-21
Total Revenues	219,780	197,250	221,250	183,650
Total Expenditures	210,288	197,250	209,250	183,650
Excess Revenues Over				
(Under) Expenditures	9,492	-	12,000	-
Net Other Financing				
Sources (Uses)	-	-	-	-
Net Gain (Loss)	9,492	_	12,000	-
Fund Balance - Beginning	18,971	34,298	28,463	40,463
Fund Balance - Ending	28,463	34,298	40,463	40,463

RTPA

Fund

22 Tech Park Association

SUMMARY OF REVENUES

		Actual	Budgeted	Amended	Proposed
Account	Description	18-19	19-20	19-20	20-21
4470	RTP Dues - Tenants	97,480	137,250	142,900	130,650
	REDC Cam Dues	122,300	60,000	78,350	53,000
	Total Revenues	219,780	197,250	221,250	183,650

22 Tech Park Association

DIVISION SUMMARY

Fund

Department 70 Economic Development **Division** RTPA

	Expend	iture Summary		
	Actual	Budgeted	Amended	Proposed
	18-19	19-20	19-20	20-21
Contractual	191,648	153,750	153,750	140,150
Supplies	-	10,000	10,000	10,000
Utilities	18,640	33,500	45,500	33,500
Total	210,288	197,250	209,250	183,650

ECONOMIC DEVELOPMENT

Fund 22 Tech			artment velop.	Division 75 RTPA Developed Phases	
		Actual	Budgeted	Amended	Proposed
Account	Description	18-19	19-20	19-20	20-21
Contractu	al				
210	Auditing	500	500	500	500
227	Insurance - Property	900	900	900	900
247	Landscape/Irrig Maint	143,568	150,350	150,350	136,750
299	Administrative Svcs	2,000	2,000	2,000	2,000
	Total Contractual	146,968	153,750	153,750	140,150
Supplies					
329	Flag Replacements	-	9,000	9,000	9,000
347	Gen. Maint. Supplies	-	1,000	1,000	1,000
	Total Supplies	-	10,000	10,000	10,000
Utilities					
501	Electric	1,996	3,500	3,500	3,500
513	Water	16,644	30,000	42,000	30,000
	Total Utilities	18,640	33,500	45,500	33,500
Division	Total	165,608	197,250	209,250	183,650



TO: Honorable Mayor and City Council Members

FROM: Mary P. Smith, Assistant City Manager

DATE: September 21, 2020

SUBJECT: Hotel Occupancy Tax Funding Recommendations

The Hotel Occupancy Tax subcommittee comprised of Mayor Pro Tem Fowler and Council members Daniels and Macalik met to discuss funding requests for budget year 2020-21. The Council received a notebook including the organization's requests along with their required reporting for this year's funded events. Attached is a summary of the requests with the previous year's allocations to the organizations. This summary also includes the subcommittee recommendations for funding.

Generally after a contract is executed with an organization the funding is released about 3 months in advance of the event in order to fund upfront costs. A large number of events were either postponed or cancelled since February. A column has been added to the funding summary to indicate which events with funding this year were cancelled and whether or not the group had already received their allocation. In those instanced where the funds were already received but the event was cancelled the subcommittee chose to apply those funds against next year's allocation. Where the event was rescheduled to a date certain in the next couple of months those funds were not considered against the funding for a 2021 event. If the rescheduled event ultimately ends up being cancelled then those funds would have to be applied to the amount to be awarded before we issue payment in 2021.

Revenues and Fund Balance

Staff continues to be conservative in the projection of revenues. As previously discussed hotel tax revenue has been significantly impacted since February. For the April – June timeframe we saw decreases of 50-75% compared to last year's revenue for the same quarter. At the end of FY2020 we expect a fund balance reserve of about \$839,300 in spite of the revenue decrease and in large part due to the large number of events having been cancelled before funding was released.

Funding Levels

Funding requests for fiscal year 2021 totaled \$674,454 which is a decrease from the 2020 requests. Several organizations which typically sponsor an event and request funds are still working through their internal planning processes and did not request funds by the deadline. We expect to see supplemental requests during the year. Each specific application was discussed and whether they met our stated purposes and the state statute's requirement for "heads in beds". The subcommittee's recommendations for funding are attached.

Contract Language/Documentation

Each organization will continue to be required to provide documentation such as a log, guestbook, registration list, or other documentation that specifically notes attendees are spending the night in a hotel establishment.

The Subcommittee and Staff will be available at the Council meeting to answer any questions

Action Needed

Consider approval of the Subcommittee's recommendations for funding and Authorize the City Manager to execute the funding agreements.

Hotel Occupancy Tax Funding Requests for FY 2021

						Council]
	2019	2020	2020	2021	2021	Subcommittee	
	Actual	Budget	Event Status	Request	Event	Recommendation	-
Tourism							
American Legion	1,300	2,000	Did not apply			-	
Art League	3,000	3,000	Paid - Oct. 2020 event	5,000	Fine Art Show	4,000	
Aspasians	2,000	3,000	Paid & Cancelled Spring event	6,000	Market Place (April & Oct)	2,000	
Boys & Girls Club	20,000	20,000	Paid & Planning virtual event no date	20,000	Rubber Duck Regatta	7,000	No funding for
							Flavor Fest, 1/2 of
Chamber of Commerce	120,855	128,455	Paid	218,635	CVB function	184,635	Billboard funded
Colbert Project	20,000	25,000	Not paid no event info	-	Firefighters Ball	-	
Downtown Association	23,000	30,000	Paid \$25,000 Christmas	30,000	Christmas/Cinco de Mayo/Web site	30,000	
Friends of the Library	comp space	comp space	comp space	11 500	Christmas Luncheon	-	-
Helping Hands	9,000	10,000	Paid	11,500	Festival of Trees	11,500	-
Hyzerbomb Discs	7,500	10,000	No contract	-	Disc Golf Tournament	-	-
Juvenile Prob Chiefs	+	30,000	Paid	-	Conference	-	
Kiwanis	11,000	12,000	Not paid - Virtual event	12,000	Tri-Rock Triathlon	12,000	
Lone Star CASA	7,500	11,500	Paid & cancelled event	17,500	Car Show	11,500	
Meals on Wheels		5,000	Paid	-	Gala	-	
RHS Robotics		12,500	Paid	-	Tournament of Robots	-	
Rotary Noon	12,000	12,000	Not paid - cancelled event	-	Hot Rocks Bike Race	-	
Sail with Scott	-	5,000	Not paid - cancelled event	-	Sailing events	-	
Sideways BBQ		7,500	Paid	-	Salute to Vets	-	
Starr Commonwealth	12,000	-		-	Conference	-	
TrendHR	2,000	2,000	Paid - cancelled event	5,000	Conference	-	
SubTotal	251,155	328,955		325,635		262,635	
Cultural							
Music Fest	8,000	10,000	Not paid - event cancelled	16,000	Concerts	10,000	
Playhouse	3,500	7,000	Paid - Spring events cancelled	13,325	Theatre Productions	7,000	
Summer Musicals	5,000	10,000	Paid - events cancelled	-	Musical Productions	-	
SubTotal	16,500	27,000		29,325		17,000	
Historical							
Historical Foundation	7,500	-		3,000	Advertising and promo	3,000	
Historical Foundation	25,000	32,470	Paid	6,334	Building Restoration/maintenance	6,334	
SubTotal	32,500	32,470		9,334		9,334	
City							
Main Street	22,271	23,500	Paid	23,500	Downtown concerts	23,500	
Main Street	16,700	17,700	Paid	17,400	Advertising	17,400	
Main Street	4,000	-		-	Destination Rockwall	-	
Concerts by the Lake	41,933	48,500	Paid	49,700	Concerts	49,700	1
Founders Day (see note)	36,350	175,455	Cancelled	185,260	Concert	185,250	1
Memorial Day	1,200	7,000	Cancelled	7,000	Concert	7,000	1
Rib Rub	230	28,300	On schedule	28,300	BBQ contest and 5K	28,300]
TRAPS	6,000	-			Conference	-	
SubTotal	128,685	300,455		311,160		311,150	
Totals	428,840	688,880		675,454		600,119]

Fund Summary

Fund Balance 10-01-20	839,300	
Projected Revenue FY21	000,000	
Hotel Taxes	750,000	
Less Cultural		17,000
Less City Events		311,150
Less Tourism/Historical		271,969
Sub Total		600,119
Fund Balance 09-30-21		989,181



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Mary P Smith, Assistant City Manager

DATE: September 21, 2020

SUBJECT: AMENDING THE FISCAL YEAR 2020 BUDGET

Attachments Amending Ordinance

Summary/Background Information

The final General fund budget summary sheets for the fiscal year 2020 amended and fiscal year 2021 proposed budget are included in the Council packet with the budget adoption agenda item. The amended budget was not changed during budget discussions.

Action Needed Passage of the Ordinance amending the fiscal year 2020 budget

CITY OF ROCKWALL, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That the budget of the City Council of the City of Rockwall for the fiscal year October 1, 2019, through September 30, 2020, be and the same is hereby amended and such amendments are indicated and shown on **Exhibit "A"** attached hereto and made a part hereof for all purposes.

Section 2. 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 21st day of September, 2020.

ATTEST:

Jim Pruitt, Mayor

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Mary P. Smith, Assistant City Manager

DATE: September 21, 2020

SUBJECT: PROPOSED FY2021 BUDGET

Attachments General Fund Budget as Revised

Summary/Background Information

PLEASE SEE NEXT PAGE

Notebook. It is included by reference only, rather than presented again in its entirety.

General Fund

The General Fund budget will anticipate tax collections based on a 37.00 cent tax rate. The following changes to the original proposed budget are recommended in order to adjust to the lowered tax revenues.

- The proposed budget did not appropriate \$110,400 of FY2021 revenues which would have ultimately gone to reserves at year end.
- \$25,000 PSAP Resiliency Study Chief Geron has proposed to use Seized Funds for this purpose rather cut the project.
- \$10,000 Reduction in Admin Consulting
- \$50,000 Reduction in Engineering Consulting
- \$20,000 Reduction in Building Demolitions if a demolition is considered by Council during the year the funds can be amended into the budget at that time. We do not use demolition funds every year.

SAFER Grant

We were excited to receive notification that we have been awarded a firefighter staffing grant from FEMA for 12 new firefighters. While the grant is funded at 100% for three years with no local match requirement there will be upfront costs to provide uniforms and equipment for the firefighters, minor changes to the station bedrooms, training dollars and other small items. We have 30 days to accept the grant and 180 days from the grant award date to have all 12 firefighters onboard. We will bring an Action item back on the October 5th Council agenda to consider the necessary budget amendments to move forward with grant acceptance. Water – Sewer Fund

The budget as proposed does not reflect an increase in water or wastewater rates.

Action Needed

Passage of the Ordinance adopting the proposed budget for fiscal year 2021

Fund

01 General

	Actual	Budgeted	Amended	Adopted
	18-19	19-20	19-20	20-21
Total Revenues	39,863,621	39,048,300	39,671,250	38,918,600
Total Operating Expenditures	34,933,029	36,045,450	35,829,300	- 36,325,250
	51,755,027	56,610,150	55,027,500	56,525,250
Capital Reserve Expenditures	-	1,750,600	1,750,600	794,100
Excess Revenues Over				
(Under) Expenditures	4,930,591	1,252,250	2,091,350	1,799,250
Net Other Financing				
Sources (Uses)	(3,120,346)	(2,669,500)	(2,669,500)	(2,593,350)
Net Gain (Loss)	1,810,245	(1,417,250)	(578,150)	(794,100)
	10.005.000	40.050.004		-
Fund Balance - Beginning	12,825,308	12,258,336	14,635,553	14,057,403
Fund Balance - Ending	14,635,553	10,841,086	14,057,403	13,263,303

SUMMARY OF OPERATIONS

Fund

01 General

		Actual	Budgeted	Amended	Adopted
Account	Description	18-19	19-20	19-20	20-21
4100	Current Taxes	12,187,755	12,701,650	12,701,650	13,178,100
4105	Delinquent Taxes	77,188	80,000	107,000	80,000
4110	Penalty & Interest	91,542	60,000	60,000	60,000
4110	I charty & interest	71,542	00,000	00,000	00,000
	Total Property Taxes	12,356,485	12,841,650	12,868,650	13,318,100
4150	Sales Taxes	18,871,593	18,406,550	18,981,000	18,412,500
4155	Beverage Taxes	276,675	300,000	150,000	150,000
4160	Sales Tax Rebate	(13,242)	-	(4,000)	-
	Total Sales Taxes	19,135,026	18,706,550	19,127,000	18,562,500
4001		1 002 504	1.0(0.000	1.040.000	1.0(0.000
4201	Electrical Franchise	1,902,594	1,960,000	1,960,000	1,960,000
4203	Telephone Franchise	140,356	120,000	120,000	95,000
4205	Gas Franchise	620,183	620,000	502,000	500,000
4207	Cable TV Franchise	446,842	275,000	295,000	295,000
4209	Garbage Franchise	298,905	305,000	315,000	315,000
	Total Franchise Fees	3,408,880	3,280,000	3,192,000	3,165,000
4250	Park & Recreation Fees	40,264	38,000	15,000	15,000
4251	Municipal Pool Fees	16,166	22,000	-	22,000
4253	Center Rentals	48,398	39,500	10,000	10,000
4255	Harbor Rentals	1,035	10,000	2,000	1,000
4260	Tax Certificate Fees	-	-	-	-
4270	Code Enforcement Fees	47,909	10,000	29,000	10,000
4280	Zoning Request Fees	67,272	60,000	50,000	50,000
4283	Construction Inspection	802,241	500,000	650,000	500,000
4295	Fire - Plans	4,610	4,500	4,500	4,500
	Total Fees	1,027,895	684,000	760,500	612,500

SUMMARY OF REVENUES

Summary o	f Revenues, Cont'd.				
		Actual	Budgeted	Amended	Adopted
Account	Total Franchise	3,408,880	19-20	19-20	20-21
4300	Building Permits	1,158,043	1,000,000	1,200,000	1,000,000
4302	Fence Permits	19,350	20,000	20,000	20,000
4304	Electrical Permits	29,572	20,000	25,000	25,000
4306	Plumbing Permits	54,129	50,000	50,000	50,000
4308	Mechanical Permits	57,479	55,000	55,000	55,000
4310	Daycare Center Permits	5,820	5,500	5,500	5,500
4312	Health Permits	117,878	132,000	122,000	132,000
4314	Sign Permits	19,575	20,000	20,000	20,000
4288	Beverage Permits	16,355	15,000	15,000	15,000
4320	Miscellaneous Permits	75,737	50,000	70,000	50,000
1	Total Permits	1,553,938	1,367,500	1,582,500	1,372,500
4400	Court Fines	353,913	350,000	275,000	275,000
4400 4402	Court Files	84,982	90,000	80,000	80,000
4402 4404	Warrant Fees			35,000	
4404 4406	Court Deferral Fees	40,261	40,000	,	35,000
		155,784	195,000	150,000	150,000
4408	Animal Registration Fees	4,947	5,000	5,000	5,000
4414	Alarm Fees and Fines	55,649	64,000	59,000	59,000
	Total Municipal Court	695,536	744,000	604,000	604,000
4004	I	252 404	200.000	175 000	70.000
4001	Interest Earnings	353,491	200,000	175,000	70,000
4007	Sale of Supplies	269	500	500	500
4010	Auction/Scrap Proceeds	64,750	40,000	100,000	20,000
4019	Miscellaneous	84,298	20,000	20,000	20,000
4450	Land Sales	-	-	-	-
4480	Tower Leases	21,378	25,000	25,000	25,000
4680	Developer Contributions	35,500	64,000	91,000	-
	Total Miscellaneous	559,684	349,500	411,500	135,500
4500	Grant Proceeds	53,301		50,000	
4510	School Patrol	605,790	- 621,850	621,850	621,850
4520	County Contracts	960	1,000	1,000	1,000
4520 4530	City Contracts	466,126	452,250	452,250	525,650
4000	City Contracts	400,120	452,250	432,230	525,050
	Total Intergovernmental	1,126,177	1,075,100	1,125,100	1,148,500
Total Reven	າມes	39,863,621	39,048,300	39,671,250	38,918,600
1 otal Mevel	11400	57,005,021	57,040,500	57,071,250	50,710,000

SUMMARY OF OPERATING TRANSFERS

Fund

01 General

	Actual	Budgeted	Amended	Adopted
	18-19	19-20	19-20	20-21
Other Financing Sources	10 17			
Operating Transfers In:				
From Water & Sewer	-	200,000	200,000	300,000
From Court Fees	37,500	13,200	13,200	-
From Radio Fund	40,154	-	-	-
Total Other Financing Sources	77,654	213,200	213,200	300,000
Other Financing Uses				
Operating Transfers Out:				
To Public Safety Fund	73,000	-	-	-
To Airport Fund	10,000	-	-	-
To Employee Benefit Fund (Ins.)	2,500,000	2,250,000	2,250,000	2,250,000
To Workers Compensation Fund	180,000	180,000	180,000	180,000
To Tech. Replacement Fund	185,000	202,700	202,700	213,350
To Vehicle Replacement Fund	250,000	250,000	250,000	250,000
Total Other Financing Uses	3,198,000	2,882,700	2,882,700	2,893,350
Less Capital Reserve	-	-	-	-
Net Other Financing				
Sources (Uses)	(3,120,346)	(2,669,500)	(2,669,500)	(2,593,350)

SUMMARY OF EXPENDITURES

Fund

01 General

		Actual	Budgeted	Amended	Adopted
Div.		18-19	19-20	19-20	20-21
01	Mayor/Council	100,810	121,800	107,300	121,800
05	Administration	2,033,251	2,023,800	2,048,800	2,080,350
06	Administrative Services	572,169	588,800	570,600	569,700
09	Internal Operations	2,250,845	2,338,100	2,454,300	2,384,100
11	Finance	701,499	849,000	865,000	890,600
15	Municipal Court	395,972	454,400	439,400	463,000
25	Fire Operations	4,216,587	4,968,400	4,751,400	4,983,400
29	Fire Marshal	669,248	674,250	675,250	677,650
31	Police Administration	1,270,800	1,289,000	1,382,000	1,262,950
32	Communications	1,183,274	1,311,400	1,251,400	1,441,150
33	Patrol	5,681,527	6,112,700	6,046,700	6,223,000
34	CID	1,376,107	1,722,400	1,819,100	1,914,750
35	Community Services	1,387,320	1,511,650	1,544,300	1,552,950
36	Warrants	249,136	244,350	238,350	247,350
37	Records	472,377	498,400	518,000	515,000
41	Planning	902,692	832,750	783,250	863,100
42	Neighborhood Improv.	519,358	548,450	548,450	538,300
43	Building Inspections	748,881	828,100	808,100	803,500
45	Parks	2,649,331	3,105,650	3,083,350	3,112,900
46	Harbor O&M	480,234	727,900	711,400	583,200
47	Recreation	1,004,417	1,024,950	848,650	1,010,150
48	Animal Services	696,668	660,050	668,050	658,650
53	Engineering	1,153,574	1,201,550	1,201,550	1,081,050
59	Streets	4,216,955	4,158,200	4,215,200	3,140,750
		34,933,029	37,796,050	37,579,900	37,119,350
pital Re	serve	_	1,750,600	1,750,600	794,100
perating	g Expenditures	34,933,029	36,045,450	35,829,300	36,325,250
	01 05 06 09 11 15 25 29 31 32 33 34 35 36 37 41 42 43 45 46 47 48 53 59	 01 Mayor/Council 05 Administration 06 Administrative Services 09 Internal Operations 11 Finance 15 Municipal Court 25 Fire Operations 29 Fire Marshal 31 Police Administration 32 Communications 33 Patrol 34 CID 35 Community Services 36 Warrants 37 Records 41 Planning 42 Neighborhood Improv. 43 Building Inspections 45 Parks 46 Harbor O&M 47 Recreation 48 Animal Services 53 Engineering 	Div. 18-19 01 Mayor/Council 100,810 05 Administration 2,033,251 06 Administrative Services 572,169 09 Internal Operations 2,250,845 11 Finance 701,499 15 Municipal Court 395,972 25 Fire Operations 4,216,587 29 Fire Marshal 669,248 31 Police Administration 1,270,800 32 Communications 1,183,274 33 Patrol 5,681,527 34 CID 1,376,107 35 Community Services 1,387,320 36 Warrants 249,136 37 Records 472,377 41 Planning 902,692 42 Neighborhood Improv. 519,358 43 Building Inspections 748,881 45 Parks 2,649,331 46 Harbor O&M 480,234 47 Recreation	Div. $18-19$ $19-20$ 01Mayor/Council100,810121,80005Administration2,033,2512,023,80006Administrative Services $572,169$ $588,800$ 09Internal Operations2,250,8452,338,10011Finance701,499 $849,000$ 15Municipal Court $395,972$ $454,400$ 25Fire Operations $4,216,587$ $4,968,400$ 29Fire Marshal $669,248$ $674,250$ 31Police Administration $1,270,800$ $1,289,000$ 32Communications $1,183,274$ $1,311,400$ 33Patrol $5,681,527$ $6,112,700$ 34CID $1,376,107$ $1,722,400$ 35Community Services $1,387,320$ $1,511,650$ 36Warrants $249,136$ $244,350$ 37Records $472,377$ $498,400$ 41Planning $902,692$ $832,750$ 42Neighborhood Improv. $519,358$ $548,450$ 43Building Inspections $748,881$ $828,100$ 45Parks $2,649,331$ $3,105,650$ 46Harbor O&M $480,234$ $727,900$ 47Recreation $1,004,417$ $1,024,950$ 48Animal Services $696,668$ $660,050$ 53Engineering $1,153,574$ $1,201,550$ 59Streets $4,216,955$ $4,158,200$ 34,933,029 $37,796,050$ pital R	Div. 18-19 19-20 19-20 01 Mayor/Council 100,810 121,800 107,300 05 Administration 2,033,251 2,023,800 2,048,800 06 Administrative Services 572,169 588,800 570,600 09 Internal Operations 2,250,845 2,338,100 2,454,300 11 Finance 701,499 849,000 865,000 15 Municipal Court 395,972 454,400 439,400 25 Fire Operations 4,216,587 4,968,400 4,751,400 29 Fire Marshal 669,248 674,250 675,250 31 Police Administration 1,270,800 1,289,000 1,382,000 32 Communications 1,183,274 1,311,400 1,251,400 33 Patrol 5,681,527 6,112,700 6,046,700 34 CID 1,376,107 1,722,400 1,819,100 35 Community Services 1,387,320 1,511,650 1,544,300



MEMORANDUM

TO: Rick Crowley, City Manager

CC: Honorable Mayor and City Council

FROM: Mary P. Smith

DATE: September 21, 2020

SUBJECT: TAX RATE ADOPTION

Attachments Tax Rate Ordinance

Summary/Background Information

The Council agenda for Monday September 21, 2020 includes the ordinance to adopt the Ad Valorem tax rate of 37.00 cents per one hundred dollars of assessed value. Specific language in the motion is not required this year since we are adopting a rate less than the No New Revenue tax rate.

Action Needed Passage of Ordinance Levying Ad Valorem taxes

CITY OF ROCKWALL, TEXAS

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2019 AT A RATE OF \$.3700 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2020 TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST AND SINKING FUND ON ALL OUTSTANDING DEBTS OF THE CITY; PROVIDING FOR DUE AND DELINQUENT DATES, TOGETHER WITH PENALTIES AND INTEREST; APPROVING THE 2020 TAX ROLL; PROVIDING FOR EXEMPTIONS OF PERSONS OVER SIXTY-FIVE (65) YEARS; PROVIDING AN EFFECTIVE DATE.

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

Section 1. That there be and is hereby levied for the year 2020 on all taxable property, real, personal and mixed, situated within the limits of the City of Rockwall, Texas, and not exempt by the Constitution of the state and valid State Laws, a tax of \$.3700 on each **ONE HUNDRED DOLLARS** (\$100.00) assessed value of taxable property and shall be apportioned and distributed as follows:

- a. For the purpose of defraying the current expenses of municipal government of the City, a tax of \$.2154 each ONE HUNDRED DOLLARS (\$100.00) assessed value of all taxable property.
- b. For the purpose of creating a sinking fund to pay the interest and principal on all outstanding bonds of the City not otherwise provided for, a tax of \$.1546 each ONE HUNDRED DOLLARS (\$100.00) assessed value of all taxable property, within the city which shall be applied to the payment of such interest and maturities of all outstanding bonds.

Section 2. That all ad valorem taxes shall become due and payable on October 1, 2020, and all ad valorem taxes for the year shall become delinquent after January 31, 2021. If any person fails to pay the ad valorem taxes on or before the 31st of January, 2021, the following penalties shall be payable thereon, to wit:

During the month of February, six percent (6%); during the month of March, seven percent (7%); during the month of April, eight percent (8%); during the month of May, nine percent (9%); during the month of June, ten percent (10%); and on or after the first day of July, twelve percent (12%).

Section 3. Taxes are payable in Rockwall, Texas, at the office of the designated Tax Collector. The City shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

Section 4. All delinquent taxes shall bear the maximum rate of interest per annum as provided by law, in addition to the penalties provided herein.

Section 5. All taxes for the year 2020 which remain delinquent on July 1, 2021 shall incur an additional penalty of twenty percent (20%) of the amount of taxes, penalty and interest due to defray cost of collection.

Section 6. That pursuant to Article VIII-1b of the Constitution of Texas, \$60,000 of the appraised value of residence homesteads of any married or unmarried persons, including those living alone, who were sixty-five (65) years of age or older on January 1, 2005, shall be exempt from ad valorem taxes.

Section 7. This ordinance is enacted in order to authorize the collection of ad valorem taxes for the year 2020 and shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 21st day of September, 2020.

Jim Pruitt, Mayor

ATTEST:

Kristy Cole, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney



MEMORANDUM

TO: Mayor and City Council

FROM: Rick Crowley, City Manager

DATE: September 18, 2020

SUBJECT: Parades and Processions

In these times of adjustment to our current circumstances, it is important the City make adjustments (some larger and some quite small) in order for us to contribute to our residents' ability to return to some sense of normalcy in their daily lives.

One such adjustment that our community has made is to increase their use of parades, processions, and "vehicle and boat trains" that they find more suitable to supplement other mechanisms used more extensively in the past. We need to make adjustments to facilitate that "speech" by making some adjustments from our previous practices.

Parades, processions, and "vehicle and boat trains" have been used for several purposes lately – celebration of a 100-year birthday, expressing appreciation to first responders and medical personnel, expressing support for political candidates. Depending on certain details, some of these may trigger the ordinance provision requiring a formal parade permit. We have made reasonable efforts to comply with applicable ordinances which has resulted in some changes by event organizers in the events and employed practical interpretations of the ordinances for today's environment. These have been as consistent as possible regardless of the "cause" which each event has sought to support.

It is my view that, in the case of parades, processions, and "vehicle trains" that a prudent policy given today's circumstances, should be:

- No formal permit should be required (thus, no permit fee or service fee) provided that they observe established traffic laws, traffic control devices and regulatory signs.
- Organizers should be encouraged to coordinate their events with the City through the Police Department to accomplish awareness and applicable planning that may need to be done by various departments of the City.

• Provided the event is coordinated through the Police Department, the City reserves the right to initiate traffic controls (including intersection control) as it may find best serves the public even if it is not required by the event otherwise. This would be accomplished at the City's expense. In the current situation, this may mean, that while the "vehicle train" may operate within all applicable laws and regulations noted above, if the city determines that, for example, getting the event through downtown without delay is more advantageous to the public's safety and less of an impact on businesses, we reserve the Police Department's ability to do that at the City's expense.

These practices would apply to ALL. If the Council is in agreement with the practices described above, I would ask that you consider an affirmative motion Monday night.

If approved, we would continue to operate in the manner that we currently are. It may be necessary to consider ordinance revisions to clarify these practices. If so, the City staff would bring those back before the council at a later date.



MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Kristy Cole, City Secretary / Assistant to the City Manager

DATE: September 18, 2020

SUBJECT: Appointments to Advisory Boards & Commissions

Historic Preservation Advisory Board (HPAB)

Councilmember Campbell will be recommending the appointment of Alma McClintock and Sarah Freed to fill two seats on the HPAB. One seat has a term expiring in August of 2022, and the second seat's term expires in August of 2021.

Architectural Review Board (ARB)

Derek Deckard has moved to the Planning & Zoning Commission, so his seat on the ARB needs to be filled. Councilmember Daniels will be recommending that Tom Galli be appointed to the ARB (term will expire in August of 2022).

Youth Advisory Council (YAC)

Councilmembers Campbell and Fowler, current YAC students Mary Claire Weible and Peyton Nielsen, and I held interviews with YAC applicants on September 10. Seven applicants were interviewed to fill five (5) vacant seats. The interview panel is recommending to the Council that the following slate of students be appointed to serve on the YAC for the 2020-2021 school year:

<u>Name</u>	<u>Grade</u>	<u>School</u>	<u>City of</u> <u>Residency</u>	Reappointment or New Appt.
Mary Claire Weible	Senior	Homeschooled	Rockwall	Reappointment
Parker Yarbrough	Senior	Homeschooled	Fate*	Reappointment
Mazie Johnson	Junior	RHS	Rockwall	Reappointment
Peyton Nielsen	Junior	RHS	Rockwall	Reappointment
Katharine Castro	Senior	Poetry Christian	Rockwall	Reappointment
Jaxson Stuart	Soph.	RHS	Rockwall	Reappointment
Marvin Villalobos	Soph.	RHS	Rockwall	Reappointment
Evelyn Valk	Senior	RHS	Rockwall	New
Morgan Crosby	Soph.	RHS	Rockwall	New
Miriam Gamez	Freshman	RHS	Rockwall	New
Carissa Heimer	Junior	RHS	Rockwall	New
Rylee Braaten	Junior	RHS	Fate*	New

*Note: City of Fate has agreed to financially sponsor the two Fate students

Subject:

FW: Boards & Commissions - Alma McClintock

Sent: Saturday, July 18, 2020 2:11 PM



PHONE NUMBER & EMAIL Phone: Email:

PERSONAL DETAILS

I have lived in Rockwall off and on since 1982. I graduated from Rockwall High School and have brought my daughter back to Rockwall so she could experience what I did when I grew up. I serve on several committees within the County. I love everything about Rockwall and all that it offers. I served as a member of the board of Heath's special events in 2008-2009.

BOARDS & COMMISSIONS

Interested in Special Committee or Projects? Sí Parks Board Historic Preservation Planning & Zoning

ART COMMISSION I am an Interested Citizen

MAIN STREET BOARD

I am an Interested Citizen

Subject:

FW: Boards & Commissions - Sarah Freed

Sent: Tuesday, July 21, 2020 2:44 PM



NAME & ADDRESS Sarah Freed

VOTER REGISTRATION Registered Voter: Yes **Voter Registration Nimber:**

PHONE NUMBER & EMAIL Phone: Email:

PERSONAL DETAILS

Professionally, I have worked for the best airline in the world--Southwest Airlines, as an IT professional for almost 20 years. I moved to Rockwall in early 2011. I immediately started going to City Council meetings to try get involved in this wonderful community. I served on the Main Street Advisory Board for 7.5 years, and was most recently Secretary I termed out:(I continue to serve our community where I can by volunteering for Downtown Shoppes events, Farmers' Market, Christmas Home Tours - where ever I am needed. I believe in being part of the solution. I am willing to dig in and serve where needed for our community. I look forward to hearing about opportunities to serve!

BOARDS & COMMISSIONS

Interested in Special Committee or Projects? Yes Parks Board Historic Preservation Economic Development Corp. (REDC) Planning & Zoning Airport Advisory

ART COMMISSION

I am an Interested Citizen

MAIN STREET BOARD I am an Interested Citizen

Subject:

FW: Boards & Commissions - Thomas Galli

Sent: Wednesday, May 29, 2019 10:49 AM



BOARDS & COMMISSIONS Interested in Special Committee or Projects? Yes Planning & Zoning

ART COMMISSION

MAIN STREET BOARD

Subject:
Attachments:

FW: Youth Advisory Council Application Rylee B Recommendation letter.docx; Rylee Braaten reference letter.docx

e Youth Advisory Council Application		
Name	Rylee Braaten	
Address	Street Address: City: State : Zip Code:	
Home Phone		
Cell Phone		
Email		
Are You a Rockwall Resident?	Yes	
School	Rockwall High School	
Date of Birth		
Grade	11	
Age	16	
Clubs/Activities	I have been extremely fortunate in all of the opportunities that I have had to participate in clubs and activities, and this list only has a few of the most recent ones. I am the president of the RHS Interact Club sponsored by Mrs. Anna Campbell, with whom I have written letters to nursing homes during the pandemic, organized a Women In Need supply drive, and organized a shoe drive. I am a member of the National Society of High School Students, a member of the National Honor Society, and a member of the National French Honor Society. I am a member of my church's Episcopal Youth Congregation, with whom I have fed the homeless, bagged food for Feed My Starving Children, done garden work for our older church members, and written letters to veterans. I am also a part of my church choir. I am currently in marching band. In addition, I am going through the International Baccalaureate Full Diploma	

	Program with my highschool. I have been playing piano since first grade, and I have gone to state through the Texas Federation of Music Clubs for the past three years. I have graduated from the Notre Dame NDignite program for middle school and high school, and I am enrolled in the PSL 2.0 Off The Mat: The Art of Change For Visionary Teens summer/fall course. Again, these are just some of the most recent clubs and activities that I am in or have participated with.
Why are you interested in the Youth Advisory Council?	I am interested in the Youth Advisory Council because government has always enticed me, and I would love to learn more about how it functions. I would also love to be a voice for my generation, and this program seems like a great opportunity for that. In addition, I really enjoy helping my community in any way I can.
Participation requirements are part of the YAC program. Are you willing to commit to the time & effort required?	Yes
	<u>Rylee B Recommendation letter.docx</u> <u>Rylee Braaten reference letter.docx</u>
	Verified

Rylee Braaten reference letter

To whom it may concern:

I have known Rylee Braaten over the past year as she was in my 10th grade AP World History class. During this time I observed that she is an entirely reliable person. She works as hard as necessary to get the job done. Rylee is a very sociable person who gets along well with others. In a very hard, college level class, she was able to earn some of the highest grades in the course. Therefore I highly recommend that you consider Rylee for the Youth Advisory Council for the City of Rockwall.

Please contact me further if necessary.

Dr. Mike SandersAP World History, IB World HistoryRockwall High SchoolNational Honor Society co-sponsor

September 2, 2020

To Whom it may concern,

Rylee Braaten has been a French student of mine since 2018. As I am the only teacher of French at this school, I am very lucky to have been able to follow her. She will also be in my class this year, and I am thrilled.

During this time, I have seen her grow and work hard to achieve all she has so far. Not only is she a dedicated student in general, she is also passionate about learning French and is continuing through the IB program offered at Rockwall HS. This program is rigorous and takes strong dedication which I am sure she will excel in.

She also participates in several extra-curricular programs that are quite impressive. She has graduated from Notre Dame's NDignite courses for middle school and high school and she is in NHS, as well as is the president of the RHS Interact club this year. She is also active in her church youth congregation.

While I have known Rylee, I have seen her work with her peers to help them when they are struggling, even offering to tutor for free when needed. She is a caring and compassionate girl well on her way to being a compassionate woman who is ready to take on the world.

I enthusiastically recommend Rylee for YAC program. If you have any further questions, I am happy to help in any way I can. Feel free to reach out anytime.

Sincerely,

Jill Hargus

French teacher RHS

Subject:

W Youth Advisory Co	ancil Application
Name	Morgan Crosby
Address	Street Address: City: State : Zip Code:
Home Phone	
Cell Phone	
Email	
Are You a Rockwall Resident?	Yes
School	Rockwall High School
Date of Birth	
Grade	10
Age	15
Clubs/Activities	I am a line member of Stingerettes, as well as the elite Showstopper team at RHS. I am also involved in a private dance team, Dance FX. In addition, I am a three year member of the Texas Pearl chapter of National Charity League, where I serve as the VP of Programs.
Why are you interested in the Youth Advisory Council?	I want to be a part of the Rockwall Youth Advisory Council because it would give me the opportunity to meet an awesome group of young adults like myself, learn more about local government, and participate in events to benefit the community. Being a member of this wonderful organization would allow me to attain a new outlook on Rockwall while further developing my social and leadership skills.
Participation requirements are part of the YAC program. Are you willing to commit to the time & effort required?	Yes
	Verified

Laura Reinhart Rockwall High School 901 W Yellow Jacket Ln Rockwall, TX 75087 9/1/2020

Rockwall Youth Advisory Council Rockwall, TX 7508

Dear Rockwall Youth Advisory Council:

I would like to take this opportunity to recommend Morgan Crosby to be one of the inductees for the 2020 year. She is an excellent candidate due to her amazing attitude, work ethic, and strong academic performance. Morgan has been an outstanding student for me this past year and is currently ranked within the top ten students of her class with her sights set on the prestigious rank of valedictorian! She has always been a model student and citizen during the time I have known her; being one of the select few that I would say has a high level of integrity for someone of her age. She has helped her peers in chemistry by being a peer tutor on difficult subjects and would be a spectacular ambassador for your program. She will serve as a great leader for your organization, of that you have my guarantee!

Please feel free to email me if you have any further questions about Morgan!

Sincerely,

Laura Reinhart

Subject:

NameMiriam GamezAddressStreet Address: City: State : Zip Code: Dip Code: Site : Zip Code: Dip Code: Dip Code:Home PhoneImmediate Immediate Section 1Are You a Rockwall Resident?YesSchoolRockwall High SchoolDate of BirthImmediate SchoolAge14Clubs/ActivitiesStudent Council In 8th grade at Utley Middle School Currently taking Principals of LawWhy are you interested in the Youth Advisory Council?Iam interested in YAC because I love my community and I would Like to be involved with helping my community. Also I would like to be any ore in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth Advisory Council.Participation requirements are part of the YAC program. Are you willing to commit by euthore to the section of the Rockwall Youth advisory Council .Functionation the time & effort required?Verified	Wouth Advisory Council Application		
City: State : Zip Code:Home PhoneEmailAre You a Rockwall Resident?SchoolRockwall High SchoolDate of BirthGradeGradeAge14Clubs/ActivitiesStudent Council In 8th grade at Utley Middle School Currently taking Principals of LawWhy are you interested in the Youth Advisory Council?Participation requirements are part of he YAC program. Are you willing to commit to required?Ves	Name	Miriam Gamez	
EmailImage: selection of the form of the	Address	City: State :	
Are You a Rockwall Resident?YesSchoolRockwall High SchoolDate of BirthImage: Construct of the schoolGrade9Age14Clubs/ActivitiesStudent Council In 8th grade at Utley Middle School Currently taking Principals of LawWhy are you interested 	Home Phone		
Resident?YesSchoolRockwall High SchoolDate of BirthImage: Construct of BirthGrade9Age14Clubs/ActivitiesStudent Council In 8th grade at Utley Middle School Currently taking Principals of LawWhy are you interested in the Youth Advisory Council?I am interested in YAC because I love my community and I would Like to be involved with helping my community. Also I would like to learn more in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth Advisory Council.Participation requirements are part of the time & effort required?Yes	Email		
Date of BirthImage: Second		Yes	
Grade9Age14Clubs/ActivitiesStudent Council In 8th grade at Utley Middle School Currently taking Principals of LawWhy are you interested in the Youth Advisory Council?I am interested in YAC because I love my community and I would Like to be involved with helping my community . Also I would like to learn more in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth Advisory Council .Participation requirements are part of the YAC program. Are you willing to commit to the time & effort required?Yes	School	Rockwall High School	
Age14Clubs/ActivitiesStudent Council In 8th grade at Utley Middle School Currently taking Principals of LawWhy are you interested in the Youth Advisory Council?I am interested in YAC because I love my community and I would Like to be involved with helping my community . Also I would like to learn more in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth Advisory Council .Participation requirements are part of the time & effort required?Yes	Date of Birth		
Clubs/ActivitiesStudent Council In 8th grade at Utley Middle School Currently taking Principals of LawWhy are you interested in the Youth Advisory Council?I am interested in YAC because I love my community and I would Like to be involved with helping my community . Also I would like to learn more in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth Advisory Council .Participation requirements are part of the time & effort required?Yes	Grade	9	
School Currently taking Principals of LawWhy are you interested in the Youth Advisory Council?I am interested in YAC because I love my community and I would Like to be involved with helping my community . Also I would like to learn more in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth Advisory Council .Participation requirements are part of the YAC program. Are you willing to commit to the time & effort required?Yes	Age	14	
in the Youth Advisory Council?community and I would Like to be involved with helping my community . Also I would like to learn more in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth Advisory Council .Participation requirements are part of the YAC program. Are you willing to commit to the time & effort required?Yes	Clubs/Activities	School	
requirements are part of the YAC program. Are you willing to commit to the time & effort required?	in the Youth Advisory	community and I would Like to be involved with helping my community . Also I would like to learn more in depth about our government. One day I hope to purse being a police officer and eventually an FBI Agent. I hope you consider me as I am very interested and would be honored to be part of the Rockwall Youth	
Verified	requirements are part of the YAC program. Are you willing to commit to the time & effort	Yes	
		Verified	

Delaney, Margaret

Subject:

YAC recommendation Ltr_Gamez

Dear Advisory Counsel Committee,

I would highly encourage you to add Miss Gamez to your Youth Advisory Counsel. Having taught her 8th grade science course, I had the pleasure of seeing her initial frustration with a very difficult topic that she did not really enjoy turn into some of the most creative and unique solutions. Not only did she improve her own scientific knowledge and skills, but helped those around her improve theirs as well. Her creativity, grit and social responsibility are what make me happy to recommend her for your counsel.

Thank you so much!

C. David Thomas, Utley Middle School 8th Grade Science Teacher

From: Sent: To: Subject: noreply@jotform.com Tuesday, September 8, 2020 12:29 PM Cole, Kristy; Delaney, Margaret Youth Advisory Council Application

2 Youth Advisory Council Application		
Name	Carissa Heimer	
Address	Street Address:	
Home Phone		
Cell Phone		
Email		
Are You a Rockwall Resident?	Yes	
School	Rockwall High School	
Date of Birth		
Grade	11	
Age	16	
Clubs/Activities	RHS Varsity Orchestra; IB student; Burak Strings violin student (11 yrs); RHS Girls Lacrosse	
Why are you interested in the Youth Advisory Council?	Our nation is great because of the policies and values it was founded on. I want to be a part of learning how our nation has become what it is today and help carry it into the future. I am fascinated with how our government operates and performs.	
Participation requirements are part of the YAC program. Are you willing to commit to the time & effort required?	Yes	
	Verified	

1737 Bayhill Dr, Rockwall TX 75087 Home: 972-772-0865 - Cell: 214-529-0200

September 7, 2020

Ms. Kristy Cole City of Rockwall Youth Advisory Committee 385 S. Goliad Rockwall, TX 75087

Dear Ms. Cole,

It is my great pleasure to recommend Carissa Heimer for the Rockwall Youth Advisory Committee. I have known Carissa Heimer for about 3 years. I was about to return to work as an attorney when a good friend highly recommended Carissa to be a mother's helper and babysitter. I am grateful and blessed that the friend recommended Carissa. She had done an awesome job for our family.

Our boys love her because she is kind, patient and attentive, indulging them of their wants. As an employer, I like that she is punctual, dependable, hard-working, and always has a smile on her face when she is at work. In fact, I have never seen her without a smile on her face. When she disciplines the boys, it is with love and kindness. In addition, she always has a great attitude, whether it be doing what I ask or what the boys want.

I have had many occasions to have one-on-one conversations with Carissa while transporting her to and from my home. She communicates well with me and my children. She is a bright young lady who is always positive in her comments. These attributes will make Carissa a great person to have on the Youth Advisory Committee.

I highly recommend you accept Carissa Heimer into your program. I am highly confident she will be an asset to the City of Rockwall. Please feel free to contact me if you have any questions about her work ethic or character.

Sincerely,

Julie Lockwood

Julie Lockwood

Subject:

W Youth Advisory Council Application		
Name	Evelyn Jimenez	
Address	Street Address: City: State : Zip Code:	
Home Phone		
Email		
Are You a Rockwall Resident?	Yes	
School	Rockwall High School	
Date of Birth		
Grade	12	
Age	18	
Clubs/Activities	This is my eighth year in orchestra, I have been playing the violin since fith grade, and I have also picked up the piano and ukulele, this year I am the senior Vice President of our orchestra council this year. I also have been in the spanish club at my highshcool since freshman year, and volunteer with organizations like The Boys & Girls club, Helping Hands, and Womens League.	
Why are you interested in the Youth Advisory Council?	I would love to be a representative for the youth in Rockwall. To be able to know for a fact that our voice is also being heard, that our questions and conserns are accountented for. To know that we are taken underconsideration as members of this wonderful community.	
Participation requirements are part of the YAC program. Are you willing to commit to the time & effort required?	Yes	
	Verified	

To Whom it May Concern:

It is my pleasure to write this letter to tell you a little bit about Evelyn Valk. She is one of the finest young adults I've had the pleasure of working with in a very long time. I am truly lucky to count her as a close friend and fellow servant for good. She brings so much life to others.

Evelyn is an amazing young person, she is giving, kind and openhearted. Everyone who comes into contact with her walks away better for the experience. Evelyn just has a lasting positive affect on people without even trying.

I've known and worked with Evelyn over the last five years. She's a volunteer with both the Rockwall Women's League, the Rockwall Boys and Girls Club, and other organizations. She always gives a hundred percent to whatever she is ask to do without questions. Evelyn truly has a servants heart, and is born leader.

Evelyn doesn't need this letter to show what an incredible person she is, but I wanted to write it anyway. I'm sure you'll get many letters just like this about Evelyn, which should provide you with all you need to know about this kind and fabulous individual.

I just cannot say enough about Evelyn. Please feel free contact me if you'd like to know more about Evelyn.

Sincerely,

Valorie Herren (910) 850-4532 September 1, 2020

To Whom It May Concern,

RE Evelyn Valk

Applicant for City of Rockwall's Youth Advistory Council

I have know Evelyn for approximately three years. I have worked with her on many organizations that I am associated with (i.e. Rockwall Women's League, Boys' and Girl's Club, Children Advocacy Center). Every time I needed help with decorations, stuffing invitations, walking the Christmas prade and serving cookies to the community during the Christmas tree lighting cermony, coordinating her friends to help with serving etc.....Evelyn was there. I remember one time needing about three youth helpers and she had them ready to work in an hour. Her leadership was remarkable. I have always been impressed with her ability for a young age to always meet the need when called.

Evelyn personally is the most sweetiest young lady I have had the pleasure of knowing. Always "Yes Ma'am" and how can I help. As a retired business owner of over 30 years I know leadership and she has the ability and willingness to serve and get others around her to serve while making it fun.

I would highly recommend Evelyn for your City of Rockwall's Youth Advisory Council. I can't think of anyone more qualified then her.

If you have any questions regarding Evelyn, please feel free to contact me

Deanna Tucker. R.D.A. 619 208-8700