



ROCKWALL CITY COUNCIL MEETING

Monday, September 16, 2024 - 5:00 PM

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

I. Call Public Meeting to Order

II. Executive Session

The City of Rockwall City Council will recess into executive session to discuss the following matter as authorized by chapter 551 of the Texas government code:

1. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters)
2. Discussion regarding Economic Development prospects, projects, and/or incentives, pursuant to §Section 551.087 (Economic Development)
3. Discussion regarding possible City Charter amendments and related legal advice, 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 McCallum

VI. Proclamations / Awards / Recognitions

1. United States Constitution Week Proclamation
2. American Legion Day Proclamation

VII. Appointment Items

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

VIII. Open Forum

This is a time for anyone to address the Council and public on any topic not already listed on the agenda or set for a public hearing. To speak during this time, please turn in a (yellow) "Request to Address City Council" form to the City Secretary either before the meeting or as you approach the podium. Per Council policy, public comments should be limited to three (3) minutes out of respect for others' time. On topics raised during Open Forum, please know Council is not permitted to respond to your comments during the meeting since the topic has not been specifically listed on the agenda (the Texas Open Meetings Act requires that topics of discussion/deliberation be posted on an agenda not less than 72 hours in advance of the Council meeting). This, in part, is so that other citizens who may have the same concern may also be involved in the discussion.

IX. Take Any Action as a Result of Executive Session

X. Consent Agenda

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

1. Consider approval of the minutes from the Sept. 3, 2024 regular city council meeting, and take any action necessary.
2. Consider authorizing the City Manager to execute a contract with Spur 1 Management in the amount not to exceed \$150,000.00 to provide musicians/artists for the 2025 Founders Day Festival at Harry Myers Park to be funded out of Hotel Occupancy Tax ("HOT") Funds, and take any action necessary.
3. Consider authorizing the City Manager to execute a contract with Cigna Health to secure Stop Loss coverage for the City's health insurance plan, applying to claims exceeding \$105,000, and take any action necessary.
4. Consider approval of a resolution affirming the city's investment policy, and take an action necessary.

XI. Public Hearing Items

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

1. **Z2024-035** - Hold a public hearing to discuss and consider a request by William S. Dahlstrom of Jackson Walker, LLP on behalf of James J. Melino of Rockwall 549/I-30 Partners, LP and Conveyor I30 Partners, LP for the approval of an **ordinance** for a Zoning Change from a Commercial (C) District to a Planned Development District for Commercial (C) District land uses on a 67.475-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary **(1st Reading)**.
2. **Z2024-036** - Hold a public hearing to discuss and consider a request by Travis Block for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *Detached Garage* on a 0.53-acre tract of land identified as a portion of Block 4 of the Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 921 N. Alamo Street, and take any action necessary **(1st Reading)**.
3. **Z2024-039** - Hold a public hearing to discuss and consider a request by Scott Popescu of Brookhaven Media for the approval of an **ordinance** for a Specific Use Permit (SUP) for a *Short-Term Rental* on a 0.25-acre parcel of land identified as Lot 2, Block I, Northshore, Phase 2B Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 610 Christan Court, and take any action necessary **(1st Reading)**.

4. **Z2024-040** - Hold a public hearing to discuss and consider a request by Carol A. Byrd for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.2850-acre parcel of land identified as Lot 5B, Block 5, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 403 E. Kaufman Street, and take any action necessary **(1st Reading)**.

XII. Action Items

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

1. Discuss and consider recommendation from City's Youth Advisory Council concerning appointment of new students for the 2024-2025 school year, and take any action necessary.
2. Discuss and consider authorizing the City Manager to execute an Amendment to the Concession Agreement with Harbor Bay Marina, LLC, to increase the five year improvement plan to a six year improvement plan and take any action necessary.
3. Discuss and consider approval of the Rockwall Economic Development Corporation (REDC) budget for fiscal year 2025 and amended budget for fiscal year 2024, as well as the 'Annual Work Plan' for FY2025, and take any action necessary.
4. Discuss and consider approval of the Rockwall Technology Park Association budget for fiscal year 2025 and amended budget for fiscal year 2024, and take any action necessary.
5. Discuss and consider approval of an **ordinance** amending the budget for fiscal year 2024, and take any action necessary.
6. Discuss and consider approval of an **ordinance** adopting the proposed budget for fiscal year 2025, and take any action necessary.
7. Discuss and consider approval of an ordinance levying ad valorem taxes for the tax year 2024, and take any action necessary.
8. Discuss and consider the Hotel Tax Subcommittee recommendations for funding allocations in fiscal year 2025, including authorizing the City Manager to execute associated funding arrangements, and take any action necessary.

XIII. Adjournment

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

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

I, Kristy Teague, City Secretary for the City of Rockwall, Texas, do hereby certify that this Agenda was posted at City Hall, in a place readily accessible to the general public at all times, on the 13th day of Sept., 2024 by 4:45 PM and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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

Date Removed

Rockwall,  Texas

Proclamation

Whereas, on September 17, 1787 members of the Constitutional Convention signed the final draft of the U.S. Constitution, and this year marks the two hundred and thirty-seventh anniversary; and

Whereas, this sacred document established our nation's government and fundamental laws and has served to protect and guarantee certain basic rights to citizens of the United States; and

Whereas, the U.S. Constitution has been the guardian of our liberties, embodying the principal of limited government in a Republic dedicated to rule by laws; and

Whereas, it is fitting and proper to officially recognize this magnificent document and to support the various patriotic celebrations which commemorate the annual occasion; and

Whereas, 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, Clarence L. Jorif, Mayor Pro Tem of the City of Rockwall, TX, do hereby proclaim **September 17-23, 2024** 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 invaluable document, the guardian of our liberties.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of September, 2024.

Clarence L. Jorif, Mayor Pro Tem

Rockwall, Texas Proclamation

Whereas, the American Legion was chartered by Congress in 1919 on September 16th as a wartime veterans organization based on the four pillars of Veterans Affairs & Rehabilitation, National Security, Americanism, and Children & Youth; and

Whereas, over the years, the American Legion has become a preeminent community-service organization, which now numbers nearly 2 million members - men and women - in over 13,000 posts worldwide; and

Whereas, the American Legion provides a variety of programs that support the four pillars and benefit our nation's veterans, its service members, their families, the youth of American and its citizens; and

Whereas, the members of the American Legion are dedicated to upholding the ideals of freedom and democracy while working to make a difference in the lives of fellow Americans; and

Now, Therefore, I, Clarence L. Jorif, Mayor Pro Tem of the City of Rockwall, Texas, do hereby proclaim **September 16, 2024** as:

American Legion Day

in the City of Rockwall and urge all citizens to recognize and say, "Thank you!" to the members of Legionnaires in our city for their many contributions to our community.

In Witness Whereof, I hereunto set my hand and official seal this 16th day of September, 2024.

Clarence L. Jorif, Mayor Pro Tem



ROCKWALL CITY COUNCIL MEETING

Tuesday, September 3, 2024 - 5:00 PM

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

I. Call Public Meeting to Order

Mayor Johannesen called the public meeting to order at 5:00 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Clarence Jorif, and Councilmembers Sedric Thomas, Mark Moeller, Anna Campbell, Dennis Lewis and Tim McCallum. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd and City Attorney Frank Garza. Mayor Johannesen read the below-listed discussion items into the record before recessing the public meeting to go into Executive Session.

II. Executive Session

1. Discussion regarding Economic Development prospects, projects, and/or incentives, pursuant to §Section 551.087 (Economic Development)
2. Discussion regarding the process associated with the appointment and/or removal of board members, pursuant to §551.071 (Consultation with Attorney)
3. Discussion regarding (re)appointments to city regulatory boards and commissions, pursuant to §551.074 (Personnel Matters)

III. Adjourn Executive Session

Council adjourned from Executive Session at 5:59 p.m.

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

Mayor Johannesen reconvened the public meeting at 6:00 p.m.

V. Invocation and Pledge of Allegiance - Councilmember Lewis

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

VI. Open Forum

Mayor Johannesen explained how Open Forum is conducted, asking if anyone would like to come forth and speak at this time.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX 75087

Mr. Jeffus came forth to speak about his concerns related to commercial properties going in within

and/or right across the road from residential areas. He believes commercial development right across the road from residential driveways negatively impacts those residents' quality of life. He urged the Council to fix these issues and alleviate the concerns.

There being no one else wishing to speak at this time, he then closed Open Forum.

VII. Take Any Action as a Result of Executive Session

Councilmember Thomas moved to reappoint Kevin Hadawi, Wes Dalton, and Robert McAngus to an additional term and newly appoint Kristi Mase to the vacant seat on the Architectural Review Board (ARB). Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Mayor Pro Tem Jorif then moved to appoint the following individuals to begin serving on a newly formed Charter Review Commission:

Robert Cotti	Nell Welborn
Bennie Daniels	Todd White
Kevin Fowler	Mike Townsend
John Hohenshelt	Dale Cherry
Jim Pruitt	Derek Deckard.

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

VIII. Consent Agenda

1. Consider approval of the minutes from the August 19, 2024, city council meeting, and take any action necessary.
2. Consider approval of the minutes from the August 20, 2024 Special Council Mtg. - Budget Work Session, and take any action necessary.
3. Consider authorizing the City Manager to execute a facilities agreement with Arcadia Lakes of Somerset Holdings, LLC, for the reimbursement of the cost of the oversizing of the sanitary sewer line through Phase 2 of the Somerset Park Addition, to be funded through the Sewer Department's operations, and take any action necessary.
4. **Z2024-031** - Consider a request by Paul and Dioselina Curbow for the approval of an **ordinance** for a Specific Use Permit (SUP) for Residential Infill Adjacent to an Established Subdivision on a 0.2753-acre tract of land identified as a portion of Block 20 of the Lowe & Allen Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 510 W. Kaufman Street, and take any action necessary **(2nd Reading)**.
5. **Z2024-032** - Consider a request by the City of Rockwall for the approval of an **ordinance** for a Zoning Change amending Planned Development District 13 (PD-13) [*Ordinance No.'s 81-05, 84-43, & 94-41*] for the purpose of consolidating the regulating ordinances for a 149.97-acre tract of land situated within the James Smith Survey, Abstract No. 200, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 13 (PD-13) for Single-Family 7 (SF-7) District and Neighborhood Services (NS) District land uses, generally located in between W. Ralph Hall Parkway, Horizon Road [*FM-3097*], and Tubbs Road, and take any

action necessary **(2nd Reading)**.

6. **P2024-028** - Consider a request by Ben Sanchez of Parkhill on behalf of Frank New of Rockwall County for the approval of a Replat for Lots 3 & 4, Block A, Rockwall County Courthouse Addition being a 12.789-acre parcel of land identified as Lot 1, Block A, Rockwall County Courthouse Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30) District, addressed as 963 E. Yellow Jacket Lane, and take any action necessary.
7. **P2024-029** - Consider a request by Justin Toon of Reserve Capital – Rockwall Industrial SPE for the approval of a Final Plat for Lot 1, Block A, Revelation Addition being a 18.480-acre tract of land identified as Tracts 1, 1-3 & 1-7 of the J. M. Allen Survey, Abstract No. 2, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, situated within the SH-276 Overlay (SH-276 OV) District, addressed as 1725 SH-276, and take any action necessary.
8. **MIS2024-018** - Consider a request by Mike Feather of Kimley-Horn on behalf of John Wardell of Lakepointe Church for the approval of a Miscellaneous Case for an *Alternative Tree Mitigation Settlement Agreement* on a 34.4904-acre parcel of land identified as Lot 3, Block A, Lake Pointe Baptist Church Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the IH-30 Overlay (IH-30 OV) District, addressed as 701 E. IH-30, and take any action necessary.
9. Consider authorizing the City Manager to execute an interlocal agreement with the Rockwall ISD for School Resource (Police) Officers / services, and take any action necessary.

Councilmember Lewis moved to approve the entire Consent Agenda (#s 1, 2, 3, 4, 5, 6, 7, 8, and 9). Councilmember Thomas seconded the motion. The ordinance captions were read as follows:

**CITY OF ROCKWALL
ORDINANCE NO. 24-34
SPECIFIC USE PERMIT NO. S-341**

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 0.2753-ACRE PARCEL OF LAND, IDENTIFIED AS A PORTION OF BLOCK 20 OF THE LOWE & ALLEN ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**CITY OF ROCKWALL
ORDINANCE NO. 24-35**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,

AMENDING PLANNED DEVELOPMENT DISTRICT 13 (PD-13) AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CONSOLIDATE THE REGULATING ORDINANCES OF THE PLANNED DEVELOPMENT DISTRICT, BEING A 149.97-ACRE TRACT OF LAND SITUATED WITHIN THE JAMES SMITH SURVEY, ABSTRACT NO. 200, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve the entire Consent Agenda passed by a vote of 7 ayes to 0 nays.

IX. Public Hearing Items

1. Hold a public hearing to receive comments regarding the proposed FY2025 City of Rockwall Budget and tax rate, and take any action necessary

City Manager Mary Smith provided brief comments concerning this agenda item.

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

Bob Wacker
309 Featherstone
Rockwall, TX 75087

Mr. Wacker came forth and shared that he is in support of a tax rate reduction. He indicated support of a tax rate of 26 cents (a penny less than the current rate) and went on to share some reasons why. He indicated that it would be a good thing for the city to be able to publicize that council members have lowered the tax rate, and it would help councilmembers when it comes time for voters to show up and vote. He encouraged the city to advertise more, and further explain to citizens how various matters affect them (i.e. money that goes into local roads). He urged the city to consider lowering the rate but increasing the revenue, if it's not too late.

Mrs. Smith shared that it is, at this point, too late to adopt the 26 cent rate.

Mayor Johannesen thanked Mr. Wacker for his comments. There being no one else wishing to come forth and speak at this time, Mayor Johannesen closed the Public Hearing.

Mayor Johannesen shared that there was previously a budget work session held, and the city manager has indicated those things within the proposed budget that she believes are needed.

Councilmember McCallum moved to instruct the city manager and city staff to move forward with posting and advertising a 24.745 tax rate and that the meeting for consideration of its adoption will be held Sept. 16. Councilmember Lewis seconded the motion, which passed by a vote of 7 ayes to 0 nays.

X. City Manager's Report, Departmental Reports and Related Discussions Pertaining To Current City Activities, Upcoming Meetings, Future Legislative Activities, and Other Related Matters.

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

City Manager, Mary Smith updated Council regarding the following matters:

The unveiling of the Heroes Memorial Bridge is scheduled for September 21. The Parks Director, Travis Sales, has been monitoring and managing the progress of the project, and staff will be working to publicize alternative parking-related information. It is anticipated that 1,000 or more guests may be in attendance, so there will not be ample parking on-site; however, more details regarding parking (shuttles) will be forthcoming. It will take place at 10:00 AM CST on Sept. 21. The setting of the monument itself is expected to occur on Sept. 11 and 12.

The annual (city) Volunteers Appreciation Reception is scheduled for Wednesday, October 16, and the annual Rib Rub, Run and Roll is slated for October 5.

XI. Adjournment

Mayor Johannesen adjourned the meeting at 6:21 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS
16th DAY OF SEPTEMBER, 2024.**

Clarence Jorif, Mayor Pro Tem

ATTEST:

KRISTY TEAGUE, CITY SECRETARY



CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

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

FROM: Travis E. Sales, Director Parks, Recreation and Animal Services

DATE: September 17, 2024

SUBJECT: Founders Day Festival Entertainment

This request is for providing a headliner musician/artist at the Founders Day Festival to take place at Harry Myers Park on May 17, 2025.

This request is to execute a contract with Spur 1 Management in the amount not to exceed \$150,000.00 to provide a musician/artist (due to contract agreement name cannot be released until early 2025) for 2025 Founders Day Festival at Harry Myers Park to be funded out of Hot Funds (this is an approved 2024-2025 Hot Fund request)

For Council consideration is a contract to provide a musician/artist to the above listed agency for the respective dollar amounts and authorize the City Manager to execute the contract for this festival.



City of Rockwall
The New Horizon

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Shawn Yerks, Director of Human Resources
CC: Mary Smith, City Manager
Joey Boyd, Asst. City Manager
DATE: September 13, 2024
SUBJECT: Employee Health Stop Loss Insurance Renewal

The City's 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 \$105,000 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. It is not uncommon to see Stop loss renewal increases of 10 - 20%.

In the past the City had averaged 2-3 claims each FY that exceed \$105k and are subject to stop loss coverage. During Plan Year 2023, the City had 5 claims that exceeded our stop loss of \$105k, which reimbursed the City \$672k for the full year, for a **Claims to Premium Loss Ratio of 91%**. In the first 8 months of Plan Year 2024, the City has had 4 claims that exceeded the \$105,000 stop loss level that has reimbursed the City \$769k so far. **The Claims to Premium Loss Ratio is 140%, for the first 8 months of the plan year.** The staff and Holmes Murphy received a renewal increase of 16% and after negotiations received a revised quote for 12%. Cigna administration fees and Aggregate Stop Loss received a 0% increase for this renewal.

An 12% increase is still 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 12% increase will affect the plan as follows:

- Individual Stop Loss - The total cost per employee per month will increase from \$209.18 to \$234.82 resulting in a premium increase of \$97,534 for calendar year 2025.
- The overall cost to provide Stop Loss coverage (ISL and ASL) to City employees (317 covered employees) for 2025 will be: \$918,742.
- Aggregate Stop Loss - The cost per employee per month is (0% renewal quote): \$6.70 totaling \$25,486 in premium for the calendar year 2025.

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



City of Rockwall

MEMORANDUM

TO: Mayor and City Council Members
FROM: Kristy Teague, City Secretary/Asst. to the City Manager
DATE: September 16, 2024
SUBJECT: Resolution Affirming City's Investment Policy

The city is required annually to either adopt or affirm an investment policy. The attached resolution allows the City Council to affirm the same one that Council adopted last Sept.

Mary Smith, City Manager, is available to answer any questions Council or others may have concerning said policy and associated resolution.

ATTACHMENTS:

1. 24-08_Affirming Citys Investment Policy_09-16-24

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 24 - 08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS AFFIRMING THE CITY OF ROCKWALL'S INVESTMENT POLICY;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Chapter 2256 of the Texas Government Code, commonly known as the "Public Funds Investment Act," requires the City to adopt an investment policy by resolution and any amendments thereto; and

WHEREAS, the Public Funds Investment Act requires the Investment Officer of the City to attend investment training; and

WHEREAS, the City of Rockwall approves attendance in the investment training courses sponsored by the Texas Municipal League and the University of North Texas Center for Public Management as required by the Public Funds Investment Act; and

WHEREAS, the attached investment policy and incorporated revisions comply with the Public Funds Investment Act, as amended, and authorize the investment of city funds in safe and prudent investments.

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

Section 1. the City of Rockwall has complied with the requirements of the Public Funds Investment Act, and the Investment Policy, attached hereto as ***Exhibit A***, is hereby affirmed as the investment policy of the city;

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS THIS 16TH DAY OF SEPTEMBER, 2024.**

APPROVED:

Clarence L. Jorif, Mayor Pro Tem

ATTEST:

Kristy Teague, City Secretary

EXHIBIT A

City of Rockwall Investment Policy

Introduction:

It is the policy of the City of Rockwall to invest public funds in a manner which will provide the maximum security with the highest investment return while meeting the daily cash flow demands of the city and conforming to all requirements of Chapter 2256 of the Government Code, as amended.

Scope:

This investment policy applies to all financial assets of the City of Rockwall. These funds are reported in the City of Rockwall's Comprehensive Annual Financial Report.

Objectives:

The City of Rockwall shall manage its investments with the following objectives listed in order of priority: Preservation and Safety of principal, Liquidity, and Yield. All investments shall be managed in a manner responsive to the public trust and consistent with state and local law.

Investment Officer:

The Director of Finance is designated as the Investment Officer of the City. The Investment Officer shall be responsible for compliance with all City Investment Policies and shall develop procedures and controls to ensure policy compliance. The Investment Officer shall not buy or sell an investment, or use as a broker for any transaction, any person or entity with whom a personal business relationship exists or to whom they are related within the second degree by affinity or consanguinity. The Investment Officer shall be responsible for the preparation and submission of all required reports to the City Council and City Manager. The Investment Officer shall be responsible for making investments using judgment and care, under prevailing circumstances at the time of the investment that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs. In determining whether the Investment Officer has exercised these traits, with respect to an investment decision, the following criteria should be taken into consideration:

1. The investment of all funds under the control of the Investment Officer rather than consideration of the prudence of a single investment.
2. Whether the investment decision was consistent with the written investment policies of the City.

The Investment Officer shall be required to obtain all training required under Chapter 2256 or as required by the City. Training must include education in investment control, security risks, strategy risks, market risks and compliance with Chapter 2256.

Authorized Investments:

The following are authorized investments for the City of Rockwall; provided, however that at no time shall assets of the City be invested in any instrument or security not authorized for investment under the Act, as the Act may from time to time be amended. Generally the philosophy of the City will be to purchase securities with maturity no longer than 5 years

1. Obligations of the United States or its agencies and instrumentalities with finite maturity dates, with a maximum maturity of not greater than 5 years. Laddering of investments should be considered.
2. Direct Obligations of the State of Texas or its agencies and instrumentalities, with stated finite maturity dates.
3. Other Obligations, with finite maturity dates, the principal and interest of which are unconditionally guaranteed or insured by or backed by the full faith and credit of the State of Texas or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States.
4. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent.
5. Certificates of deposits issued by a state or national bank domiciled in the State of Texas or a savings bank domiciled in the State of Texas provided that it is:
 - a. Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor;
 - b. Secured by obligations outlined in items 1-4. The market value of all collateral must be marked to market on a daily basis and shall not be less than 102% of the principal amount of the certificate plus accrued interest.
 - c. Secured in any other manner and amount provided by law for deposits of the investing entity.
6. Repurchase agreements which are fully collateralized by obligations of the United States or its agencies and instrumentalities marked to market on a daily basis with a market value of at least 102% of the principal invested, including accrued interest, the securities being purchased must be pledged to the entity and held in the entities name by a third party selected and approved by the City. The repurchase agreement must have a defined termination date and be placed through a primary government

securities dealer or a financial institution doing business in the State. The repurchase agreements should be secured by obligations approved in this policy.

7. Banker acceptances having a stated maturity of 270 days or fewer, to be liquidated in full at maturity, which are rated not less than A-1 or P-1 (or an equivalent rating) by at least one nationally recognized credit rating agency provided that it is eligible for collateral for borrowing from a Federal Reserve Bank.
8. Commercial paper having a stated maturity of 270 days or less and is rated not less than A-1 or P-1 (or an equivalent rating) by at least two nationally recognized rating agencies or one nationally recognized rating agency and is fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States.
9. No-load money market mutual fund registered with and regulated by the Securities and Exchange Commission (SEC), which has a dollar-weighted average stated maturity of 90 days or less. It must have included in its investment objectives its intent to maintain a stable net assets value of \$1 for each share. The fund must provide the City with a prospectus and other information required by the SEC.
10. No-load mutual funds, registered with and regulated by the SEC, having an average weighted maturity of less than two years, and which invests exclusively in investments approved by this policy.
11. Investment Pools which are approved by the City Council, provided they meet all the criteria for investment pools outlined in Chapter 2256 and maintain a continuous rating not lower than AAA or AAA-m (or an equivalent rating) from at least one nationally recognized rating service.

Unauthorized Investment:

1. Any investment not expressly authorized by this policy.
2. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage backed security collateral and pays no principal.
3. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
4. Collateralized Mortgage Obligations.

5. Diversification requirements:
 - a. Invest in aggregate more than 15% of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service in a no load money market mutual fund.
 - b. Invest any portion of bond proceeds, reserves and funds held for debt service in a non-money market mutual fund.
 - c. Invest in any one mutual fund an amount that exceeds 10% of the total assets of the mutual fund.
6. Guaranteed Investment Contracts.
7. Any investment that requires a minimum rating does not qualify as an authorized investment during the period the investment does not have the minimum rating. All prudent measures shall be taken consistent with this policy to liquidate an investment that does not have the minimum rating. Ratings are to be monitored on a weekly basis based on independent information from a nationally recognized rating agency.

Requirement and Selection of Broker/Dealers:

The governing body of the City shall at least annually review, revise & adopt a list of qualified brokers that are authorized to engage in investment transactions with the City of Rockwall. Persons seeking to sell to or purchase from the City investments must submit to the Investment Officer a written summary of their qualifications and the firm they represent. After the Investment Officer has conducted a thorough review, a copy of the City's Investment Policy shall be submitted for their review. The registered principal of the organization seeking to buy or sell an authorized investment must execute a written instrument agreement substantially to the effect that the registered principal as well as all brokers who may be in contact with the City have received and reviewed the policy thoroughly and that the business organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the organization and the City. Upon written receipt of this instrument, the Investment Officer shall place their name on a list of authorized broker/dealers.

Clearing and Safekeeping:

Settlement transactions may be by electronic means to the contracted institution on a delivery versus payment basis with safekeeping at their location. SIPC insurance is required for safekeeping at the advisor institution.

Investment Strategies:

Investment Strategies for all funds shall seek to provide the following objectives:

- a. Suitability of Investment
- b. Preservation of Capital and Protection of Principal
- c. Maintenance of sufficient liquidity to meet operating needs
- d. Marketability of each investment
- e. Diversification of Investments
- f. Maximization of Return (yield)

The overall investment strategy of the City is based on the premise that a certain amount of City funds will be needed to pay current year expenditures or for projects that are to be completed within a specific time frame. These funds are to be invested in the short end (less than 1 year) of the yield curve or in the immediate portion of the yield curve (1-3 years) in order to meet the cash needs of specific projects. Remaining funds are considered to be reserves and, barring any unforeseen emergencies or events beyond the City's control, it is considered that these funds may be invested in securities generally maturing within 5 years so that the City may meet cash flow needs while attaining a higher possible rate of return. It is understood that longer term investments are sensitive to changes in interest rates and other market conditions; however, it is the City's belief that such securities may be held to maturity if necessary.

The primary objective is safety and liquidity with a reasonable yield. Authorized securities will be of the highest credit quality. The portfolio will be diversified to avoid market and credit risk. Diversification requirements can be met by maintaining a maximum 6 months weighted average maturity.

The General Operating Fund and Water/Sewer Fund are the primary operating funds of the City. The investment strategy must allow for the investment of anticipated cash flows to meet the anticipated liabilities of the funds. This is accomplished through short term investments including, but not limited to, repurchase agreements, investment pools, agency notes, commercial paper, Certificates of Deposit, and money market funds. Reserves of these funds may be invested in longer-term investments.

The Capital Project Funds are for defined projects with specific liability time frames. The strategy for these funds is to time investment maturities to anticipated project payments. The projects may require investments with short to intermediate maturities.

The Debt Service Funds should consist of short-term investments whose stated maturities meet the scheduled debt service payment timelines. Reserves may be invested in longer-term investments. Special Revenues and Internal Service Funds investments should be in short-term instruments with maturities laddered to meet projected cash needs. Reserves are idle funds that may be invested in immediate to longer-term investments after analysis of future plans for use of the funds.



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

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

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

DATE: September 16, 2024

SUBJECT: Z2024-035; *Zoning Change (C to PD) for Rockwall Heights*

On September 13, 2024, the applicant -- *Williams S. Dahlstrom of Jackson Walker, LLP* -- submitted a letter requesting that Case No. Z2024-035 be remanded back to the Planning and Zoning Commission (see *Exhibit A*). The purpose of this request, as outlined in the applicant's letter, was that "...new and more detailed comments [were provided by the Planning and Zoning Commission] at the P&Z hearing that were not presented at the Work Session ..." and "(b)ased on those comments, we [the applicant] have made several changes to our [their] proposal ...". Staff has reviewed the proposed changes and determined that the changes would substantially change the request that was reviewed by the Planning and Zoning Commission. Specifically, the applicant is proposing changes to the *Concept Plan* that would: [1] change the residential lot mix -- *increasing the number of townhomes and decreasing the number of condominium units* -- and unit count, [2] change the open space configuration to better conform to the OURHometown Vision 2040 Comprehensive Plan, [3] provide additional amenity to the proposed development, and [4] better define the eastern entry portal with regard to design and timing. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(n)ew matters of evidence not presented to the Planning and Zoning Commission shall not be heard or considered by the City Council with relation to public hearing for zoning changes, Specific Use Permits (SUP), or text amendments. In the event new evidence develops between the date of the public hearing by the Planning and Zoning Commission and the hearing of the City Council on any zoning change, Specific Use Permit (SUP), or text amendment, or if for any other valid reason a person wishes to present new evidence to the City Council ... the City Council shall refer the zoning change, Specific Use Permit (SUP), or text amendment back to the Planning and Zoning Commission for a further public hearing to consider the new evidence." Should the City Council have any questions concerning this request, staff and the applicant will be available at the City Council meeting on September 16, 2024.

Exhibit 'A'
Applicant's Letter



William S. Dahlstrom, FAICP, JD
(214) 953-5932 (Direct Dial)
(214) 661-6616 (Direct Fax)
wdahlstrom@jw.com

September 12, 2024

Via Electronic Mail
TraceJohannesen@rockwall.com

Honorable Trace Johannesen
Mayor
City of Rockwall
385 South Goliad
Rockwall, Texas 75087

Re: Z2024-035; Zoning Change (C to PD) for Rockwall Heights.

Dear Mayor Johannesen:

Our application referenced above went before the City's Planning and Zoning Commission on September 10, 2024, and was not approved by a split vote. Though disappointed, we remain dedicated to bringing this exciting development to the City that includes the IKEA store.

We heard some new and more detailed comments at the P&Z hearing that were not presented at the Work Session with regard to our proposal. Based on those comments, we have made several changes to our proposal and would like to take our application back to the Planning and Zoning Commission for further consideration. Specifically, we are proposing changes to the entry feature requirement, phasing of condominium units after substantial retail development, design and residential unit mix to respond to the comments we heard at the P&Z hearing. The application is scheduled for City Council consideration next Monday, September 16, 2024. We respectfully request that the City Council remand the application back to the P&Z at its September 24, 2024 meeting to allow us to present the changes we have made in response to their comments.

Thank you very much for your attention to this request.

Sincerely,

William S. Dahlstrom

William S. Dahlstrom

CC: Mary Smith, City Manager (via electronic mail: MSmith@rockwall.com)
Ryan Miller, (via electronic mail: RMiller@rockwall.com)
Jeannie DeFazio, (via electronic mail: jeannie.de.fazio@ingka.ikea.com)
Mike Ablon, (via electronic mail: MAblon@PegasusAblon.com)



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 16, 2024
APPLICANT: Bill S. Dahlstrom; *Jackson Walker, LLP*
CASE NUMBER: Z2024-035; *Zoning Change (C to PD) for Rockwall Heights*

SUMMARY

Hold a public hearing to discuss and consider a request by William S. Dahlstrom of Jackson Walker, LLP on behalf of James J. Melino of Rockwall 549/I-30 Partners, LP and Conveyor I30 Partners, LP for the approval of a Zoning Change from a Commercial (C) District to a Planned Development District for Commercial (C) District land uses on a 67.475-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary.

BACKGROUND

The subject property was annexed by the City Council 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. According to the December 7, 1993 *Zoning Map*, a portion of the subject property was zoned Highway Commercial (HC) District at some point between annexation and December 6, 1993. This designation was later changed to a Light Industrial (LI) District between December 8, 1993 and April 5, 2005 according to the City's *Historic Zoning Maps*. On January 6, 2020, the City Council approved *Case No. P2019-048 (filed on April 9, 2021)* establishing the subject property as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition. On October 2, 2023, the City Council adopted *Ordinance No. 23-56 [Case No. Z2023-041]* changing the zoning of the subject property from an Agricultural (AG) District and Light Industrial (LI) District to a Commercial (C) District. The subject property has remained vacant since annexation.

PURPOSE

On August 16, 2024, the applicant -- *Bill Dahlstrom of Jackson Walker, LLP* -- submitted a development application requesting to change the zoning of the subject property from a Commercial (C) District to a Planned Development District for Commercial (C) District land uses. Specifically, the applicant is requesting the approval of a *Concept Plan* that shows the subject property being zoned to allow: [1] a *Large Format Retailer*, [2] an *Urban Residential style Condominium Building*, [3] a *Low-Rise Residential Community*, and [4] a *Regional Shopping Center*.

ADJACENT LAND USES AND ACCESS

The subject property is generally located at the northwest corner of Stodghill Road (*i.e. FM-3549*) and the IH-30 Westbound Frontage Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is Justin Road, which is identified as a A4D (*i.e. major arterial, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 36.56-acre parcel of land (*i.e. Lot 1, Block A, Rockwall Commercial Addition*) zoned Agricultural (AG) District. North of this parcel is a 120-foot railroad right-of-way, which is owned by the *M. K. & T. Railroad*. Beyond this are 11 tracts of land (*i.e. Tracts 1, 11, 13, 15, 22, 24, 25, 25-01, 25-2, 30, & 31 of the E. M. Elliott Survey, Abstract No. 77*) that are zoned Agricultural (AG) District and Single-Family Estate 1.5 (SFE-1.5) District. Eight (8) of these properties have existing single-family homes situated on them. Beyond this is Airport

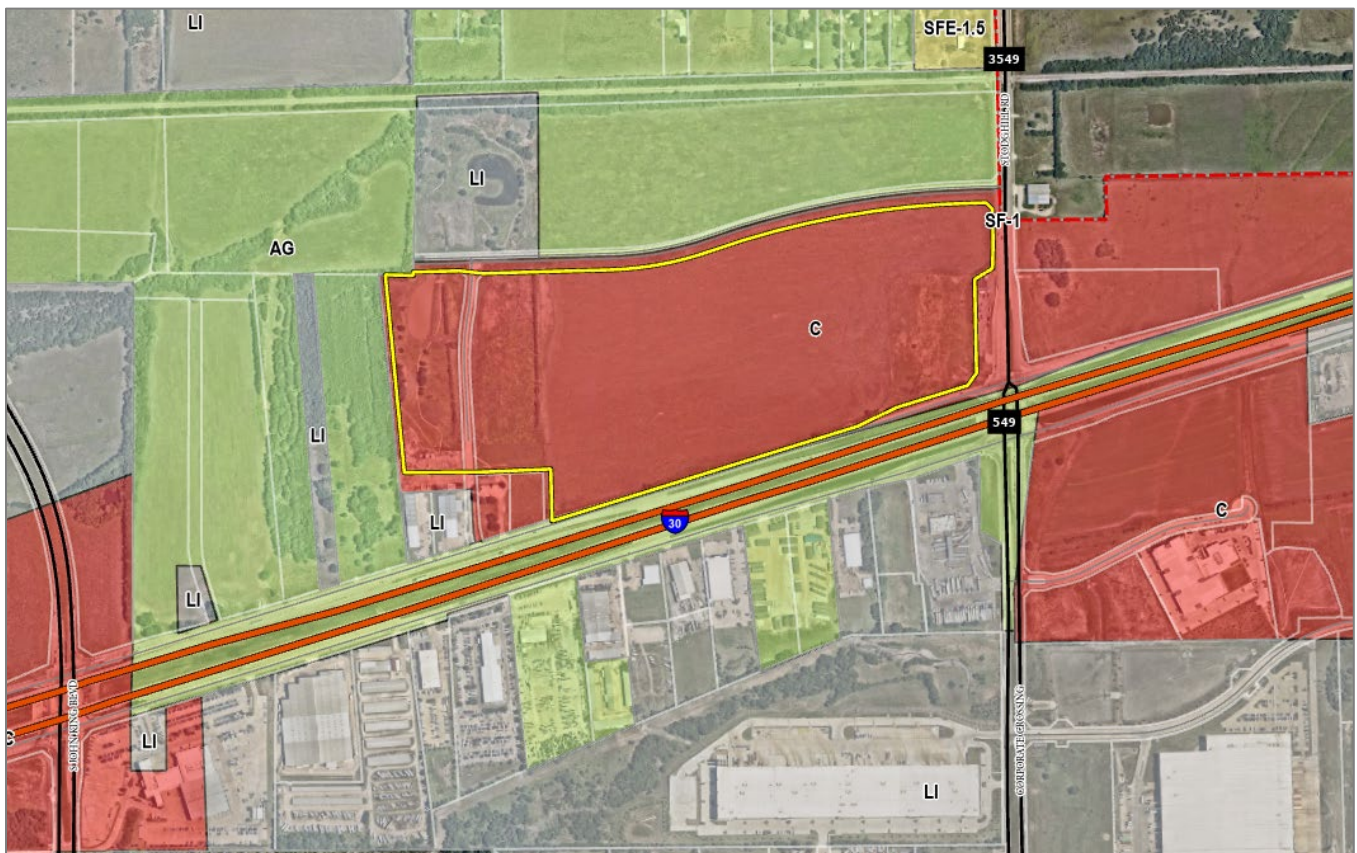
Road, which is designated as a M4U (*i.e. major collector, four [4] Lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are two (2) tracts of land (*i.e. a portion of Lot 1, Block C, Rockwall Commercial Park Addition and Tract 5-1 of the J. Lockhart Survey, Abstract No. 134*) that are zoned Light Industrial (LI) District. Both of these properties have existing industrial buildings situated on them. Beyond this is the westbound lanes of the IH-30 Frontage Road, followed by the main lanes of IH-30, and the eastbound lanes of the IH-30 Frontage Road.

East: Directly east of the subject property is Stodghill Road, which is identified as an A4D (*i.e. major arterial, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are two (2) vacant tracts of land (*i.e. Tracts 10 & 10-3 of the R. Irvine Survey, Abstract No. 120*) zoned Commercial (C) District. East of this are the City limits between the City of Rockwall and the City of Fate and the City of Mobile City.

West: Directly west of the subject property are multiple vacant parcels of land zoned Agricultural (AG) District, Light Industrial (LI) District, and Commercial (C) District. Beyond this is John King Boulevard, which is identified 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.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant has submitted a *Concept Plan* showing that the subject property will be subdivided into four (4) subdistricts (*i.e. Subdistricts 'A', 'B', 'C', & 'D'*) [see Figure 1: Phasing Plan]. Subdistrict 'A' will be 18.70-acres, and consist of [1] a regional detention pond, and [2] a *Large Format Retailer* (*i.e. IKEA*). Subdistrict 'B' will consist of 33.215-acres and will be designated for a future *Regional Shopping Center*. Subdistrict 'C' will consist of a 250-unit *Urban Residential* style *Condominium Building* on 4.64-acres, which will be constructed as a wrap product with a structure parking garage (*i.e. the proposed multi-family units*

will wrap around the parking garage, which will be situated at the center of the building). Subdistrict 'D' will consist of 10.92-acres and incorporate [1] a 225-unit *Low-Rise Residential Community*, and [2] a 25-unit townhome development. According to the *Phasing Plan* submitted by the applicant, the *Large Format Retailer* will be constructed with Phase 1, followed by the *Low-Rise Residential Community* with Phase 2, followed by the *Urban Residential style Condominium Building* in Phase 3, and finally the *Regional Shopping Center* in Phase 4. Based on the development standards submitted by the applicant, all of the subdistricts will be subject to limited Commercial (C) District land uses, and -- unless otherwise stated in the *Planned Development District ordinance* -- the density and dimensional requirements of the Commercial (C) District. In addition, staff has incorporated language that would require the proposed developments to meet the *General Overlay District Standards* as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The following is a breakdown of the specific standards for each of the proposed subdistricts:

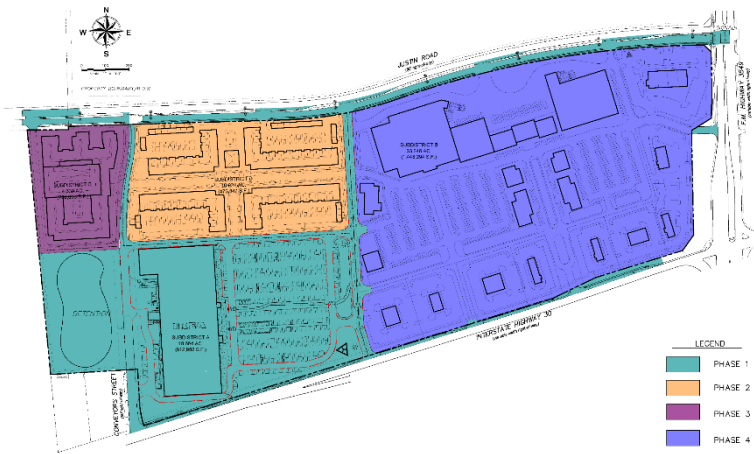


FIGURE 1: PHASING PLAN

Subdistrict 'A'.

As previously stated, Subdistrict 'A' will incorporate a ~3.471-acre detention pond and a *Large Format Retailer* (i.e. IKEA). The proposed Subdistrict Concept Plan shows that the proposed *Large Format Retailer* will have a building footprint of ~161,069 SF and a parking field that will consist of 650 parking spaces. The parking ratio used for the proposed *Large Format Retailer* was one (1) parking space per 250 SF of building area, which translates to a minimum parking requirement of 645 parking spaces. Based on this they are showing a parking surplus of five (5) parking spaces. Along with the Subdistrict Concept Plan, the applicant has provided building elevations for the proposed



FIGURE 2: RENDERING OF LARGE FORMAT RETAILER

Large Format Retailer that show that the proposed building will be ~43½-feet in total height and be designed to be consistent with the proposed company's corporate branding (see Figure 2). Staff has limited the land uses permitted within Subdistrict 'A' in the Planned Development District ordinance to prohibit all the land uses allowed in the Commercial (C) District that are inconsistent with the intent of the proposed Concept Plan. Additionally, Subdistrict 'A' shall be required to meet all of the density and dimensional requirements required for a property in a Commercial (C) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC), and which are summarized in Table 1 below.

TABLE 1. SUBDISTRICT 'A' DENSITY AND DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ⁽¹⁾	25'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	60'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%

GENERAL NOTES:

- 1: FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- 2: THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL.
- 3: BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 4: NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.

Staff should also point out, that the proposed Planned Development District ordinance ties down both the *Subdistrict Concept Plan* and the building elevations. This means that -- *if this zoning case is approved* -- the applicant would be able to submit a site plan and not need to submit a PD Development Plan.

Subdistrict 'B'.

Subdistrict 'B' will consist of a future *Regional Shopping Center* that will be situated on a 33.215-acre portion of the subject property. While a *Concept Plan* for this subdistrict has been provided, the applicant has stated that this development could change depending on the retailers, restaurants, and entertainment land uses that are recruited for the *Regional Shopping Center*. Based on this staff is requiring a PD Development Plan prior to the submission of a site plan. A PD Development Plan constitutes an amendment to the approved *Concept Plan* in a Planned Development District ordinance and may be used where the developer requests -- *or the City Council requires* -- certain standards to be specified after the initial establishment of the Planned Development District. In short, a PD Development Plan allows the developer the flexibility to make changes to the approved *Concept Plan* and the City Council the discretion to approve these changes. Regardless of this requirement any development in *Subdistrict 'B'* will be subject to the density and dimensional requirements required for a property in a Commercial (C) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC), and which are summarized in *Table 2* below.



FIGURE 3: CONCEPT PLAN FOR SUBDISTRICT 'B'

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ⁽¹⁾	25'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	60'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%
MINIMUM LANDSCAPING	20%

GENERAL NOTES:

- 1: FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- 2: THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL WHEN NOT ADJACENT TO A RIGHT-OF-WAY.
- 3: BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.

4: NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.

Subdistrict 'B' will also be subject to the land uses stipulated for the Commercial (C) District as required by Article 04, *Permissible Uses*, of the Unified Development Code (UDC); however, staff has limited these land uses to prohibit all the land uses allowed in the Commercial (C) District that are inconsistent with the intent of the proposed *Concept Plan*.

Subdistrict 'C'.

Subdistrict 'C' consist of a 250-unit *Urban Residential style Condominium Building* on 4.64-acres of land. Based on the number of units proposed, the residential density for this subdistrict will be 53.879 dwelling units per acre; however, the overall project will have a gross density of 7.41 dwelling units per acre as calculated by the requirements of the Unified Development Code (UDC). The proposed *Condominium Building* will be four (4) stories in total height -- with a clock tower element extending above the four stories --, and be designed as traditional wrap product, (i.e. where the four [4] stories of living units will wrap around a structured parking garage, which will be set in the center of the development). Based on the



FIGURE 4: RENDERING OF THE CONDOMINIUM BUILDING

building elevations provided by the applicant, the proposed structured parking garage will be visible along the western building façade, and only have limited visibility from Justin Road. The parking count proposed for the 250-units is 1½ parking spaces per dwelling unit, which equates to a total parking requirement of 375 parking spaces; however, the applicant has indicated that the proposed garage will incorporate a total of 378 parking spaces in the structured parking garage and an additional eight (8) parallel parking spaces for a surplus of 11 parking spaces (i.e. a total of 386 parking spaces provided). Furthermore, the building elevations show conformance to the material requirements of the *General Overlay District Standards* as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, Subdistrict 'C' will be subject to the density and dimensional requirements required for a property in a Commercial (C) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC), and which are summarized in Table 3 below.

TABLE 3: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ⁽¹⁾	15'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	75'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%
MINIMUM LANDSCAPING	20%

GENERAL NOTES:

- 1: FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- 2: THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL WHEN NOT ADJACENT TO A RIGHT-OF-WAY.
- 3: BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 4: NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.

Staff should note, that the land uses for Subdistrict 'C' have been limited to only allow an *Urban Residential style Condominium Building*, *Home Occupation*, and any accessory land uses (i.e. gym, pool, playground, etc.). With regard to the proposed *Condominium Building*, staff has required that each unit be individually metered and deeded; however, -- as has been discussed with other similar projects in the Harbor District -- this does not preclude a single property owner from owning all of the deeds

for the *Condominium Building*. Finally, staff should note that the applicant has provided the *Concept Plan* and building elevations for this subdistrict, and -- based on the *Planned Development District ordinance*, if this zoning case is approved -- this development will not require a PD Development Plan and will be able to move to the site plan phase of the development process.

Subdistrict ‘D’.

Subdistrict ‘D’ will consist of a 225-unit *Low-Rise Residential Community* and a 25-unit townhome development on 10.92-acres. Based on the number of units proposed, the residential density for this subdistrict will be 22.89 dwelling units per acre; however, the overall project will have a gross density of 7.41 dwelling units per acre as calculated by the requirements of the Unified Development Code (UDC). The proposed *Low-Rise Residential Community* will consist of four (4) buildings that will front towards a narrowed, pedestrian scale street. Each of the buildings will be designed to have an ‘L’ shape to facilitate screening of the proposed surface parking lots. These buildings will also have garages incorporated into these areas that will service the *Low-Rise Residential Community*. The proposed 25 townhomes will be situated adjacent to Justin Road and along the eastern and western boundaries of the *Low-Rise Residential Community*. These will have direct access from the street and have garages constructed into the units. The parking count proposed for all 250-units is 1½ parking spaces per unit, which would equate to a total parking requirement of 375 parking spaces; however, in this subdistrict the applicant is proposing 178 surface parking spaces, 108 garage parking spaces, 38 covered parking spaces, and 56 parallel parking spaces. This is a total of 380 parking spaces or a surplus of five (5) parking spaces. Staff should note that based on these numbers, 58.40% of all units in this subdistrict will have garage or covered parking spaces. Furthermore, the building elevations show conformance to the material requirements of the *General Overlay District Standards* as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC). In addition, *Subdistrict ‘D’* will be subject to the density and dimensional requirements required for a property in a Commercial (C) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC), and which are summarized in *Table 4* below.



FIGURE 5: RENDERING OF THE LOW-RISE MULTI-FAMILY COMMUNITY AND AMENITY CENTER

TABLE 4: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ^{(1) & (5)}	10'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	60'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%
MINIMUM LANDSCAPING	20%

GENERAL NOTES:

- ^{1:} FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- ^{2:} THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL WHEN NOT ADJACENT TO A RIGHT-OF-WAY.
- ^{3:} BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- ^{4:} NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.
- ^{5:} AWNINGS, PATIOS, STOOPS, OR SIMILAR RESIDENTIAL ENTRY FEATURES (AS DETERMINED BY THE DIRECTOR OF PLANNING AND ZONING) MAY EXTEND A MAXIMUM OF FIVE (5) FEET INTO THE FRONT YARD BUILDING SETBACK AND REQUIRED TEN (10) FOOT LANDSCAPE BUFFER ALONG JUSTIN ROAD.

As with Subdistrict 'C', staff has limited the permitted land uses for Subdistrict 'D' to only allow a *Low-Rise Residential Community, Townhomes, Home Occupation*, and any accessory land uses (i.e. gym, pool, playground, etc.). With regard to the proposed *Low-Rise Residential Community*, staff has required that each unit be individually metered and deeded; however, -- as previously stated -- this does not preclude a single property owner from owning all of the deeds for the *Condominium Building*. Finally, staff should note that the applicant has provided the *Concept Plan* and building elevations for this subdistrict, and -- based on the *Planned Development District ordinance*, if this zoning case is approved -- this development will not require a PD Development Plan and will be able to move to the site plan phase of the development process.

Beyond the *Concept Plan*, the applicant is also requesting that the City abandon Conveyor Street north of the property that is situated on the west side of Conveyor Street (i.e. north of the Lot 1, Block C, Rockwall Commercial Park Addition -- the Rockwall Pawn). This includes all of Conveyor Street from Justin Road to ~258.00-feet from the intersection of Conveyor Street and the IH-30 Frontage Road (see Figure 6). Based on this staff has prepared a companion ordinance for this case that will abandon this roadway. This ordinance will need to be read simultaneously with the Planned Development District ordinance.

INFRASTRUCTURE

Based on the proposed request, when the property is developed the following infrastructure is required to be constructed to provide adequate public services for the subject property:

- (1) Water. All water improvements shall be installed in accordance with *Infrastructure Study* approved by the City of Rockwall. In addition, the applicant will be required to construct all water lines in accordance with the Engineering Department's *Standards of Design and Construction Manual* and the Master Water Plan.
- (2) Wastewater. All on-site and off-site wastewater improvements shall be installed in accordance with *Infrastructure Study* approved by the City of Rockwall. In addition, the applicant will be required to construct all wastewater lines in accordance with the Engineering Department's *Standards of Design and Construction Manual* and the Master Wastewater Plan.
- (3) Roadways. Justin Road is identified as an A4D (i.e. major arterial, four [4] lane, divided roadway), which requires a minimum of an 85-foot right-of-way and two (2), 25-foot back-to-back concrete streets with a 14-foot median. Currently, half of this roadway has been constructed. When developed, the remaining portion of this roadway and any lights or appurtenances will need to be provided. In addition, the applicant will need to construct an eight (8) foot trail along Justin Road. In addition, Conveyor Street is required to be a 35-foot back-to-back concrete street, with five (5) foot sidewalks. The applicant will need to verify the width of the portion of Conveyor Street that will remain a public roadway, and improve this portion of the roadway to its ultimate width.
- (4) Drainage. Detention will be required and sized per the Engineering Department's *Standards of Design and Construction Manual* and the required drainage study.

CONFORMANCE TO THE CITY'S CODES

The proposed Planned Development District conforms to the majority of the City's code requirements; however, it should be noted that the development standards for each subdistrict contained within the Planned Development District ordinance deviate from the requirements of the Unified Development Code (UDC), the Municipal Code of Ordinances, and the Engineering Department's *Standards of Design and Construction Manual* in the following ways:

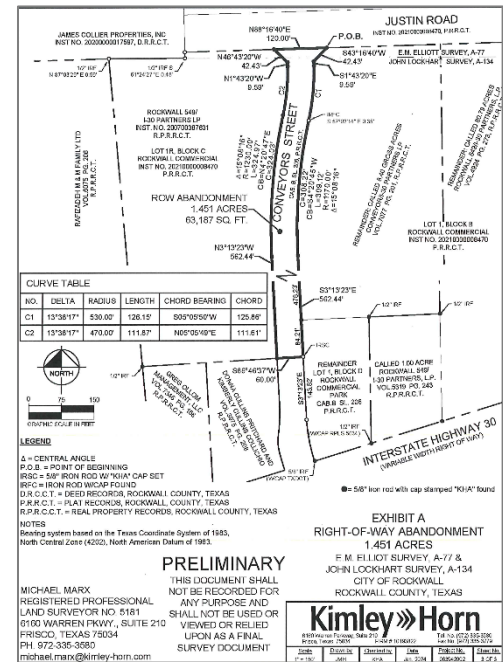


FIGURE 6: PORTION OF CONVEYOR STREET TO BE ABANDONED

General Standards

- (1) Open Space. According to Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC), “(a) minimum of 20.00% of the gross land area within the entire Planned Development (PD) District shall be devoted to public and private open space.” For the proposed Planned Development District this would equate to a minimum of 13.495-acres (*i.e.* 67.475-acres x 20.00% = 13.495-acres); however, the applicant is requesting to reduce the open space percentage to 13.50%, which would equate to a minimum of 9.109-acres (*i.e.* 67.475-acres x 13.50% = 9.109125-acres).
- (2) Landscape Buffer (Justin Road). According to Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), “(a)ll landscape buffers adjacent to a public right-of-way shall incorporate ground cover, a *built-up berm* and shrubbery along the entire length of the frontage.” In this case, the applicant is proposing to provide a ten (10) foot landscape buffer along Justin Road; however, the applicant is proposing to remove the berm requirement. The main purpose behind this request is that Justin Road requires an eight (8) foot trail system -- *per the Master Trial Plan contained in the OURHometown Vision 2040 Comprehensive Plan* --, and the applicant has expressed concern that the berm would be difficult to establish in the required ten (10) foot landscape buffer.

Subdistrict ‘A’.

- (1) Building Materials. According to the *General Overlay District Standards* contained in Article 05, *District Development Standards*, of the Unified Development Code (UDC), all buildings in an *Overlay District* are required to be constructed with: [1] 90.00% *Primary Materials*, [2] 20.00% natural or quarried stone, [3] have no more than 50.00% cementitious materials, and [4] incorporate accent brick and stone. *Primary Materials* in this case are defined as “...stone, brick, glass curtain wall, glass block, tile, and custom Concrete Masonry Units (*i.e.* CMUs that have been sandblasted, burnished or that have a split face -- light weight block or smooth faced CMU shall be prohibited).” In this case, the applicant is proposing updated building material requirements in the Planned Development District ordinance that allow the use of tilt-up concrete panel (*i.e.* tilt-wall construction), and has stated an intent to utilize this in the building’s design in *Subdistrict A*. Staff should note that the original submittal by the applicant proposed the use of integrated metal panel; however, the applicant has since changed the building elevations in favor of tilt-up concrete panel.
- (2) Articulation. According to the *General Commercial District Standards* contained in Article 05, *District Development Standards*, of the Unified Development Code (UDC), all *Primary Building Façades* -- which is all facades in an overlay district -- require horizontal and vertical projections in accordance with *Figure 7* (see *Page 5-10 of Article 05; UDC*). In this case, the proposed Planned Development District ordinance exempts *Subdistrict A* from the articulation requirements.
- (3) Roof Design Standards. According to the *General Overlay District Standards* contained in Article 05, *District Development Standards*, of the Unified Development Code (UDC), “...structures having a footprint 6,000 SF or greater shall have the option of being constructed with either a pitched, parapet, or mansard roof system as long as the roof system is enclosed on all sides.” In this case, the Planned Development District ordinance allows flat roofs without parapets in *Subdistrict A*; however, the applicant has included language that will require all rooftop mechanical equipment or appurtenances to be screened with the exception of solar panels.
- (4) Architectural Elements. According to the *General Overlay District Standards* contained in Article 05, *District Development Standards*, of the Unified Development Code (UDC), “(a)ll buildings that are less than 50,000 SF shall be designed to incorporate a minimum of four (4) architectural elements, buildings over 50,000 SF shall include a minimum of six (6) architectural elements, and buildings over 100,000 SF shall include a minimum of seven (7) architectural elements.” In this case, the proposed *Large Format Retailer* will have a building footprint of ~161,069 SF, which would require seven (7) of the architectural elements listed in the *General Overlay District Standards*; however, the applicant has included language in the Planned Development District ordinance that would limit the number of required architectural elements to two (2).
- (5) Signage. The signage requirements proposed for *Subdistrict A* deviate from the requirements of Chapter 32, *Signs*, of the Municipal Code of Ordinances in the following ways:
 - (a) Pole Signs. According to Chapter 32, *Signs*, of the Municipal Code of Ordinances, pole signs are only permitted adjacent to IH-30, shall not exceed a maximum height of 30-feet, and have a maximum sign area of 200 SF. In this

case, the proposed Planned Development District ordinance allows one (1) freestanding pole sign in *Subdistrict A* that is 120-feet in height and that has three (3) sign faces that are a maximum of 700 SF each.

- (b) Wall Signs. According to Chapter 32, *Signs*, of the Municipal Code of Ordinances, wall signs are permitted "...as long as the total face area of the attached signs does not exceed ten [10] percent of the front face area of the building or store front as established in the approved plans submitted to the city, or 60 square feet, whichever is greater." In this case, the Planned Development District ordinance has provisions that allow the following percentages of wall signs: [1] five (5) percent on the north façade, [2] 15.00% on the south façade, [3] 20.00% on the east façade, and [4] five (5) percent on the west façade. In addition, the ordinance also has allowances for two (2), 700 SF *Digital Wall* or *Banner Signs* on the southern or eastern building façades.
- (c) Traffic Signs. According to Chapter 32, *Signs*, of the Municipal Code of Ordinances, traffic signs are permitted to be a maximum of six (6) square feet in size, stand a maximum of three (3) feet in height, and not contain a commercial message (*with the exception of the logo which is limited to only signs adjacent to driveways*). In this case, the applicant is proposing traffic signs that will range in size from two (2) square feet to ten (10) square feet, be allowed to have a commercial message, and stand a maximum of five (5) feet in height.
- (d) Undefined Sign Types. The applicant is also proposing to incorporate *Flag Pole Signs*, *Cart Signs*, *Parking Memorizer Signs*, and *Promotional Message Signs*, all of which are not permitted sign types according to Chapter 32, *Signs*, of the Municipal Code of Ordinances.

Subdistrict 'B'.

- (1) Signage. The signage requirements proposed for *Subdistrict B* deviate from the requirements of Chapter 32, *Signs*, of the Municipal Code of Ordinances in the following ways:
 - (a) Shopping Center Signs. According to Chapter 32, *Signs*, of the Municipal Code of Ordinances, the City Council is permitted to approve *Shopping Center Signs* that are larger than 200 SF but not to exceed 400 SF and that do not exceed 30-feet in height. In this case, the Planned Development District is proposing the ability to have three (3) *Shopping Center Signs* at the main points of ingress/egress for the shopping center. These signs will be 35-feet in height and a maximum of 360 SF in size. They are anticipated to be off of the IH-30 Frontage Road and Stodghill Road [FM-549].
 - (b) Off-Premise Signs. According to Chapter 32, *Signs*, of the Municipal Code of Ordinances, off-premise signs are prohibited. In this case, the applicant has included language that would allow the three (3) shopping center signs proposed for *Subdistrict B* to include signage for the *Residential Developments* proposed in *Subdistrict C & D*.

Subdistrict 'C'.

- (1) Parking Requirements. According to *Table 5: Parking Requirement Schedule* of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), the minimum parking requirements for a *Multi-Family Unit* is as follows: [1] one (1) bedroom units require 1½ parking spaces per unit, [2] two (2) bedroom units require two (2) parking spaces per unit, and [3] three (3) bedroom units require 2½ parking spaces per unit. In this case, the applicant is proposing to park all 250 *Urban Residential style Condominium Units* at 1½ parking spaces per unit.

Subdistrict 'D'.

- (1) Parking Requirements. According to *Table 5: Parking Requirement Schedule* of Article 06, *Parking and Loading*, of the Unified Development Code (UDC), the minimum parking requirements for a *Multi-Family Unit* are as follows: [1] one (1) bedroom units require 1½ parking spaces per unit, [2] two (2) bedroom units require two (2) parking spaces per unit, and [3] three (3) bedroom units require 2½ parking spaces per unit. In this case, the applicant is proposing to park all 225 *Low-Rise Residential Units* at 1½ parking spaces per unit.

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

According to the *Future Land Use Plan* contained in the OURHometown Vision 2040 Comprehensive Plan, the subject property is situated within the *IH-30 Corridor District* and is designated for *Special Commercial Corridor* land uses. The *Plan* defines the *Special Commercial Corridor*, as a "...land use designation [that] is intended to provide an area for commercial/retail and regional commercial/retail activity centers that are intended to support and serve the entire region." The *Primary Land Uses* listed under this land use designation include: *Regional Shopping Center, Entertainment, Retail, Personal Services, Restaurant, Corporate Offices, Employment, and Recreation* land uses; and, the *Secondary Land Uses* listed under this land use designation include: *Residential, Open Space, Parks, Trails, Banks, Service Stations, and Institutional/Civic* land uses. The *Plan* also states that the secondary land uses should be *integrated* into the larger development. In this case, the applicant is proposing [1] a *Large Format Retailer*, [2] a *Regional Shopping Center*, [3] a 250-unit *Urban Residential style Condominium Building*, [4] a 225-unit *Low-Rise Residential Community*, and [5] a 25-unit *Townhome Development*, and has stated that the intent of the project is to provide a "...vibrant mixed-use environment ..." Based on this -- *and the Concept Plan and the land uses outlined in the Planned Development District ordinance* --, the project does appear to be in conformance with the *Future Land Use Plan* and the *Special Commercial Corridor* land use designation.

According to Subsection 01.04, *Calculation of Density*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he calculation of allowable density for residential developments shall be based on the gross site area including right-of-way, floodplain, open space and public/private parks that will be dedicated to the City or preserved and maintained by some other mechanism." Based on this calculation method, the gross density for the proposed development is 7.41 dwelling units per acre (i.e. $500\text{-units}/67.475\text{-acres} = 7.41$), which translates to a gross residential density (i.e. *a density for just Subdistricts 'C' & 'D'*) of 32.13 dwelling units per gross residential acre (i.e. $500\text{-units}/15.56\text{-acres} = 32.1337$). With this being said, the *Future Land Use Plan* does not stipulate a residential density for the *IH-30 Corridor District* or the *Special Commercial Corridor* land use. In this case, the determination for residential density is left to the discretion of the City Council -- *pending a recommendation from the Planning and Zoning Commission* -- on a determination that the overall project conforms to the intent of the *IH-30 Corridor District*. Staff should note, that the proposed density is less than half the density of the *Harbor District*, which has a gross density of 15.316 dwelling units per acre.

Looking at the pertinent *District Strategies* for the *IH-30 Corridor District*, *Strategy #1* states that, "(t)he specific goals and policies contained in Section 02.01, *IH-30 Corridor Plan*, of Appendix 'B', *Corridor Plans*, of this [the] Comprehensive Plan should be considered when reviewing new development within the IH-30 Corridor." These strategies were taken from the *IH-30 Corridor Planning Study*, which was prepared in conjunction with the OURHometown Vision 2040 Comprehensive Plan. This *Planning Study*, involved public hearings where Planning Department staff engaged with the public to create a plan for the *IH-30 Corridor* that could address [1] retail/business retention in the corridor, [2] provide strategies to target regional land uses, and [3] provide a plan for strategically located vacant land along IH-30. Based on the findings from this *Planning Study*, the subject property was identified as being in an *Opportunity Zone* or a segment of the existing corridor with vacant or strategically placed underutilized land that can be developed or redeveloped with the highest and best use for the corridor. The subject property -- *which also referred to as Strategically Located Property #4 in the study* -- was ultimately identified as being an ideal site for a development conforming to the *Town Center Model* or the *Regional Destination Center Model*. Based on the applicant's *Concept Plan*, the project does incorporate various elements of these models including: [1] a horizontally mix-use development scheme, [2] large destination retailer, [3] an integrated retail shopping center with restaurant pad sites, and [4] walkable/pedestrian friendly elements integrating land uses; however, it also incorporates elements of the *Strip Retail Center Model* (e.g. *linear development paralleling the highway, highly visible parking fields that are surfaced parked, and pad sites adjacent to the highway*). Based on this, conformance to this *District Strategy* is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

Looking at other pertinent *District Strategies* for the *IH-30 Corridor District* and how the proposed *Concept Plan* conforms to these strategies, staff identified the following:

- (1) *Open Space*. The *District Strategies* state that "(l)arge commercial centers should incorporate green space or open space at the center of the development that can be used to provide amenity or breakup large parking fields."

Staff Response: Staff has requested that the applicant incorporate a central, functional green space or open space that can be used to connect the residential land uses to the future *Regional Shopping Center* and the proposed *Large Format Retailer*.

Applicant's Response: In response to staff's request, the applicant has included a linear green space/open space with a trail that connects the future *Regional Shopping Center* to the trails that run through the *Large Format Retailer* and the *Residential Developments* in *Subdistricts C & D*.

Conformance: The proposed linear green space/open space does appear to meet the intent of this *District Strategy*.

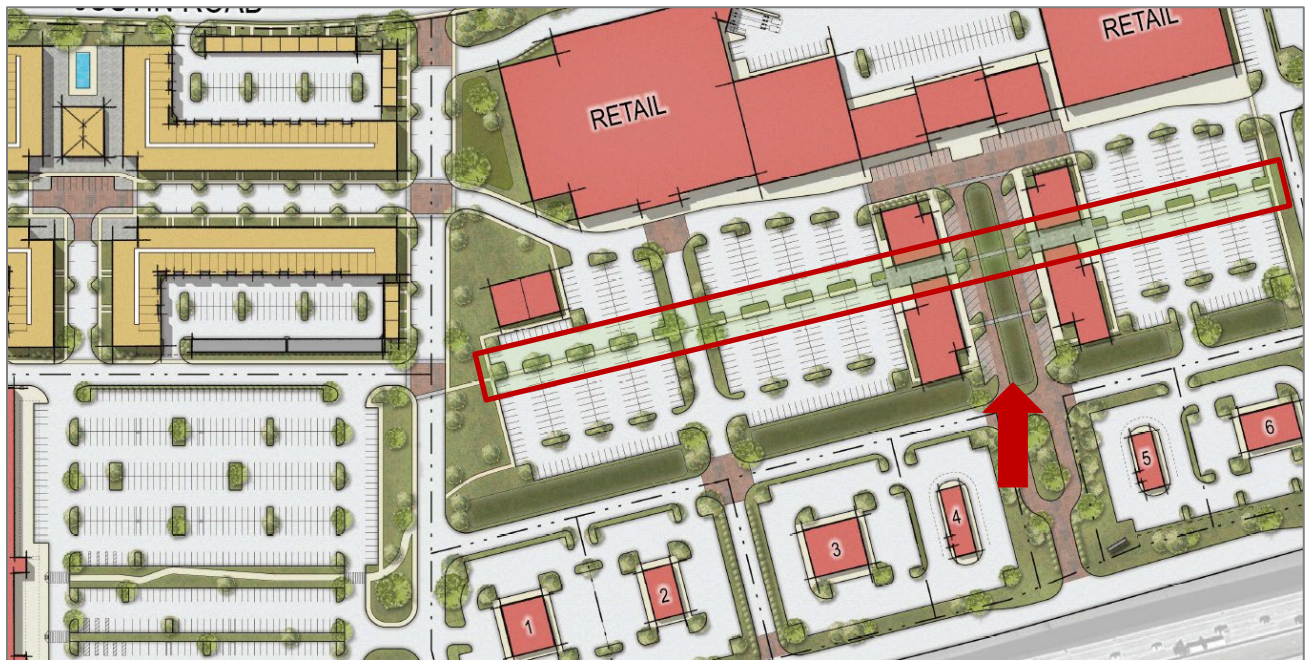


FIGURE 7. LINEAR GREEN SPACE/OPEN SPACE ADDED TO THE PLAN (OUTLINED IN RED). THE CENTRAL OPEN SPACE PROVIDED IN THE REGIONAL SHOPPING CENTER IS DENOTED WITH THE RED ARROW.

- (2) Eastern Entry Portal. The *District Strategies* call for an *Eastern Entry Portal* at the eastern side of the *IH-30 Corridor District*, and provide four (4) possible locations for the *Eastern Entry Portal*. One of these four (4) locations is located at the southeast corner of the subject property (i.e. the northwest corner of the intersection of the *IH-30 Frontage Road* and *Stodghill Road*).

Staff Response: Staff requested that the applicant incorporate an *Eastern Entry Portal* into the design of the future *Regional Shopping Center* as part of the PD Development Plan for this subdistrict. In addition, the Planning and Zoning Commission -- at their work session meeting on August 27, 2024 -- requested that the *Eastern Entry Portal* be of a similar height as the proposed 120-foot sign for the *Large Format Retailer*.

Applicant's Response: In response to this request, the applicant has incorporated language into the Planned Development District ordinance that will require a *Gateway/Entry Portal Sign* be incorporated into the design of *Subdistrict 'B'*. Additionally, staff added language to allow the Architectural Review Board (ARB) to review the design of the *Entry Portal*, which is consistent with how the City's other *Entry Portals* have been approved (i.e. the *entry portals* for *SH-66* and the *Harbor District*). The applicant also consented to language that would allow the sign to be 120-feet in height to match the height of the *Large Format Retailer*.

Conformance: Based on the applicant's willingness to include this language in the Planned Development District ordinance, this aspect of the applicant's request conforms to this *District Strategy*.

With regard to the policies and goals for residential and commercial development contained in the Comprehensive Plan, the applicant's request incorporates the majority of these objectives into the proposed Planned Development District ordinance; however, staff has identified the following non-conformities and provided the following recommendations to the applicant:

- (1) CH. 08; Section 2.05; Goal #3 | Policy #1 (Page 8-4). High-density developments that incorporate more than ten (10) units per gross acre should incorporate structured parking that is visually screened from public view on all sides of the

development. This can be achieved by wrapping the parking garage with buildings or creating false façades. Surface parking should be reserved to accommodate visitors, office staff, and prospective residents.

Staff's Response: In this case, only one (1) of the two (2) *Residential Developments* is incorporating a structured parking garage. In addition, the submitted *Building Elevations* show that the building that is incorporating the structured parking garage will have one (1) side of the garage that will be visible to adjacent properties and Justin Road/IH-30. To bring this closer into compliance for the *Residential Development* that does incorporate the structured parking garage, the applicant should look to design the building to better hide the structured parking garage (e.g. *better building design, a more complete wrap, green screens, etc.*).

Applicant's Response: In response to staff's request the applicant has incorporated a green screen that will better screen the exposed parking garage that will be visible from Justin Road along the western building façade (see *Figure 8 below*). The request still only incorporates a parking garage for one (1) of the two (2) *Residential Developments*; however, the applicant has designed the *Residential Development* -- that utilizes surface parking -- in a manner that screens the surface parking lots with townhomes and covered parking.

Conformance: Based on this, the applicant -- *while still not conforming to this policy* -- has brought the request closer into conformance with the OURHometown Vision 2040 Comprehensive Plan.



FIGURE 8. GREEN SCREEN PROVIDED TO SCREEN THE PARKING GARAGE.

- (2) CH. 08; Section 2.05; Goal #4 | Policy #1 (Page 8-4). If structured parking is not provided on a high-density development, garages dedicated to each unit should be provided.

Applicant's Response: In this case, the applicant is proposing that *Subdistrict 'D'* -- which contains the *Residential Development with surface parking* -- incorporate the following: [1] a minimum of 33.20% of the units will have garages, [2] a minimum of ten (10) percent of the units will have garages that are dedicated to a specific unit (*i.e. that will have accessibility directly from the unit to the garage*), and [3] a minimum of 15.20% of the units will have covered parking. This means that there will be 104 units (or 41.60% of the units) that will be surfaced parked, and 146 units (*i.e. 58.40% of the units*) that will have garages or covered parking.

Conformance: This aspect of the applicant's request does not conform to the OURHometown Vision 2040 Comprehensive Plan.

- (3) CH. 09; Section 02; Goal #1 | Policy #4 (Page 9-1). Commercial, retail, and office developments should look to create central greenspaces that are well landscaped and functional promoting increased social interaction. Central greenspaces should be connected from all points of the development, and ultimately provide connection to the City's greater trail system.

Staff's Response: Staff has requested that the applicant provide a central open space that can provide trail connections from the proposed residential subdistricts to the future *Regional Shopping Center* and *Large Format Retailer*.

Applicant's Response: As previously stated, the applicant has incorporated a central green space into the *Regional Shopping Center* that provides connections to the *Large Format Retail* and the *Residential Developments* (see *Figure 7 above*).

Conformance: Based on this, the applicant's proposal is in conformance with this policy of the OURHometown Vision 2040 Comprehensive Plan.

- (4) CH. 09; Section 02; Goal #1 | Policy #6 (Page 9-1). Developments should incorporate pedestrian elements (i.e. benches, trash receptacles, etc.) at regular intervals to ensure that developments are created to a pedestrian scale.

Staff's Response: Currently, the Planned Development District ordinance does not incorporate these elements into the proposed development; however, staff has included a condition of approval for this case that will require these elements to be incorporated into the future *Regional Shopping Center*. Based on this, these elements will need to be incorporated into the PD Development Plan ordinance for *Subdistrict B*. Staff will also look to incorporate the same elements into *Subdistrict C & D* at the time of site plan approval.

Conformance: With the incorporation of this into the conditions of approval, the applicant's request will conform to this policy of the OURHometown Vision 2040 Comprehensive Plan.

- (5) CH. 09; Section 02; Goal #2 | Policy #3 (Page 9-2). Shopping centers and big-box retail buildings should incorporate planters, ornamental pots, and landscape beds adjacent to building façades that are visible from streets and open space.

Staff's Response: Currently, the Planned Development District ordinance does not incorporate these elements into the proposed development; however, staff has included a condition of approval for this case that will require these elements to be incorporated into *Subdistricts B, C & D*.

Conformance: With the incorporation of this into the conditions of approval, the applicant's request will conform to this policy of the OURHometown Vision 2040 Comprehensive Plan.

- (6) CH. 09; Section 02; Goal #3 | Policy #5 (Page 9-2). Big-Box buildings should be highly articulated both horizontally and vertically, and use material/style breaks to give the appearance of multiple storefronts.

Staff's Response: The proposed building in *Subdistrict A* does not meet these requirements; however, these requirements appear to conflict with the corporate branding of the proposed end user.

Conformance: *Subdistrict A* of the applicant's plan does not conform with this policy. Based on this, this will be a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

- (7) CH. 09; Section 02; Goal #4 | Policy #1 (Page 9-2). Non-residential buildings should be constructed of masonry materials and contain a minimum of 20% stone on every façade that faces a street, public open space, trail or park.

Staff's Response: With the exception of *Subdistrict A*, the overall development appears to be in conformance with this policy; however, as previously stated the proposed *Large Format Retailer* has specific corporate branding that conflicts with this requirement.

Applicant's Response: To address the issues identified by staff in *Subdistrict A*, the applicant has consented to removing the use of integrated metal panel as a permitted building material in *Subdistrict A*, and has indicated that the *Large Format Retailer* will utilize tilt-wall construction.

Conformance: While not fully conforming to the OURHometown Vision 2040 Comprehensive Plan, the applicant's changes bring the request closer to compliance.

- (8) CH. 09; Section 02; Goal #4 | Policy #2 (Page 9-2). Non-residential buildings should be architecturally finished on all four (4) sides with the same materials, detailing and features.

Staff's Response: The building proposed for *Subdistrict A* does not appear to meet the intent of this policy; however, this is not atypical of the *Large Format Retailer's* corporate branding.

Conformance: *Subdistrict A* of the applicant's plan does not conform with this policy. Based on this, this will be a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

- (9) CH. 09; Section 02; Goal #5. Maintain sign standards for the City that will reduce the potential for visual clutter, while providing clear business identification.

Staff's Response: The sign requirements for *Subdistrict A* as proposed in the Planned Development District ordinance do not conform to the City's sign code. Specifically, the sign requirements allow [1] additional wall signage, [2] large digital wall signs, [3] signage types not defined or permitted by the Municipal Code of Ordinances (*i.e. Flag Pole Signs, Cart Signs, Parking Memorizer Signs, and Promotional Messaging Signs*), and [4] a pole sign that is larger and taller than what is typically permitted. There are also allowances for *Subdistrict B* that allow off-site signage for the *Residential Developments*.

Conformance: This does not conform with this policy of the OURHometown Vision 2040 Comprehensive Plan. This will be a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

- (10) CH. 09; Section 02; Goal #6 | Policy #1 (Page 9-2). All garbage storage/dumpster enclosures and delivery areas should be screened from public view (*i.e. streets, open spaces, drive isles, etc.*) and adjacent properties, and be generally situated behind the building to reduce the visual impact.

Staff's Response: The *Concept Plan* shows that the rear loading docks of the buildings in *Subdistrict B* will face onto Justin Road, which will be a major east/west collector roadway in the future. Increased landscaping, wingwalls, and other forms of screening should be incorporated into the request to help mitigate these issues. In addition, the buildings can be better designed to provide a "Dual Front" to help meet the four (4) sided architectural issues and decrease the visibility issues.

Conformance: Based on the current *Concept Plan*, staff cannot confirm conformance with this policy of the OURHometown Vision 2040 Comprehensive Plan; however, this will be a design concern that will need to be addressed in the PD Development Plan and site plan for *Subdistrict B*.

Considering the proposed Planned Development District ordinance and the applicant's concept plan and conceptual building elevations, the request does appear to generally conform to the majority of the goals and policies of the OURHometown Vision 2040 Comprehensive Plan, the Unified Development Code (UDC), and the Municipal Code of Ordinances; however, -- as staff has outlined in this case memo -- there are non-conforming aspects of the applicant's request. These aspects make this a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. In making a determination on the request, the City Council and Planning and Zoning Commission should weigh the requested density with the potential economic and physical impacts of the proposed *Large Format Retailer and Regional Shopping Center*, and how they further the goals for the IH-30 Corridor in conjunction with the City's plans.

NOTIFICATIONS

On August 21, 2024, staff mailed 43 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 two (2) notices within the 500-foot notification buffer in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request to rezone the subject property from a Commercial (C) District to a Planned Development District for limited Commercial (C) District land uses, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the concept plan and development standards contained in the Planned Development District ordinance.
- (2) The applicant shall incorporate pedestrian elements (*i.e. benches, trash receptacles, etc.*) landscape planters, ornamental pots, and/or landscape beds into the design of all subdistricts. This will be reviewed at the time of site plan for *Subdistrict A, C, & D*, and PD Development Plan for *Subdistrict B*.

- (3) 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 10, 2024, the Planning and Zoning Commission failed to approve a motion to recommend approval of the Zoning Change with the motion failing by a vote of 2-5, with Commissioners Deckard, Odom, Conway, Thompson and Hagaman dissenting. 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), if a zoning change "...is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS **NORTHWEST CORNER OF FM 3549 AND EAST INTERSTATE 30**

SUBDIVISION **ROCKWALL COMMERCIAL**

LOT

VARIOUS

BLOCK

VARIOUS

GENERAL LOCATION

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING **COMMERCIAL (C)**

CURRENT USE **UNIMPROVED LAND**

PROPOSED ZONING **PLANNED DEVELOPMENT**

PROPOSED USE **MIXED-USE**

ACREAGE **67.475 ACRES**

LOTS [CURRENT] **4**

LOTS [PROPOSED] **TBD**

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

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

☐ OWNER **ROCKWALL 549/I-30 PARTNERS LP
CONVEYOR I-30 PARTNERS LP**

☒ APPLICANT **JACKSON WALKER LLP**

CONTACT PERSON **JAMES J. MELINO**

CONTACT PERSON **WILLIAM DAHLSTROM & VICTORIA MORRIS**

ADDRESS **8750 N CENTRAL EXPRESSWAY**

ADDRESS **2323 ROSS AVENUE**

SUITE 1735

SUITE 600

CITY, STATE & ZIP **DALLAS, TX 75231**

CITY, STATE & ZIP **DALLAS, TX 75201**

PHONE **(214) 532-3924**

PHONE **(214) 953-5932**

E-MAIL **JIM@CAMBRIDGECOS.COM**

E-MAIL **WDAHLSTROM@JW.COM / VMORRIS@JW.COM**

NOTARY VERIFICATION [REQUIRED]

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED James J. Melino, Authorized Representative of [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING: Rockwall 549/I-30 Partners, LP and Conveyor/I-30 Partners, LP

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ _____, TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE _____ DAY OF _____, 2024. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

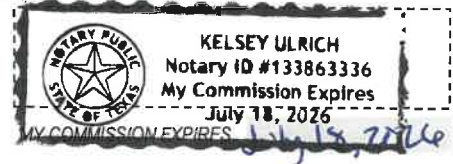
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 14th DAY OF August, 2024.

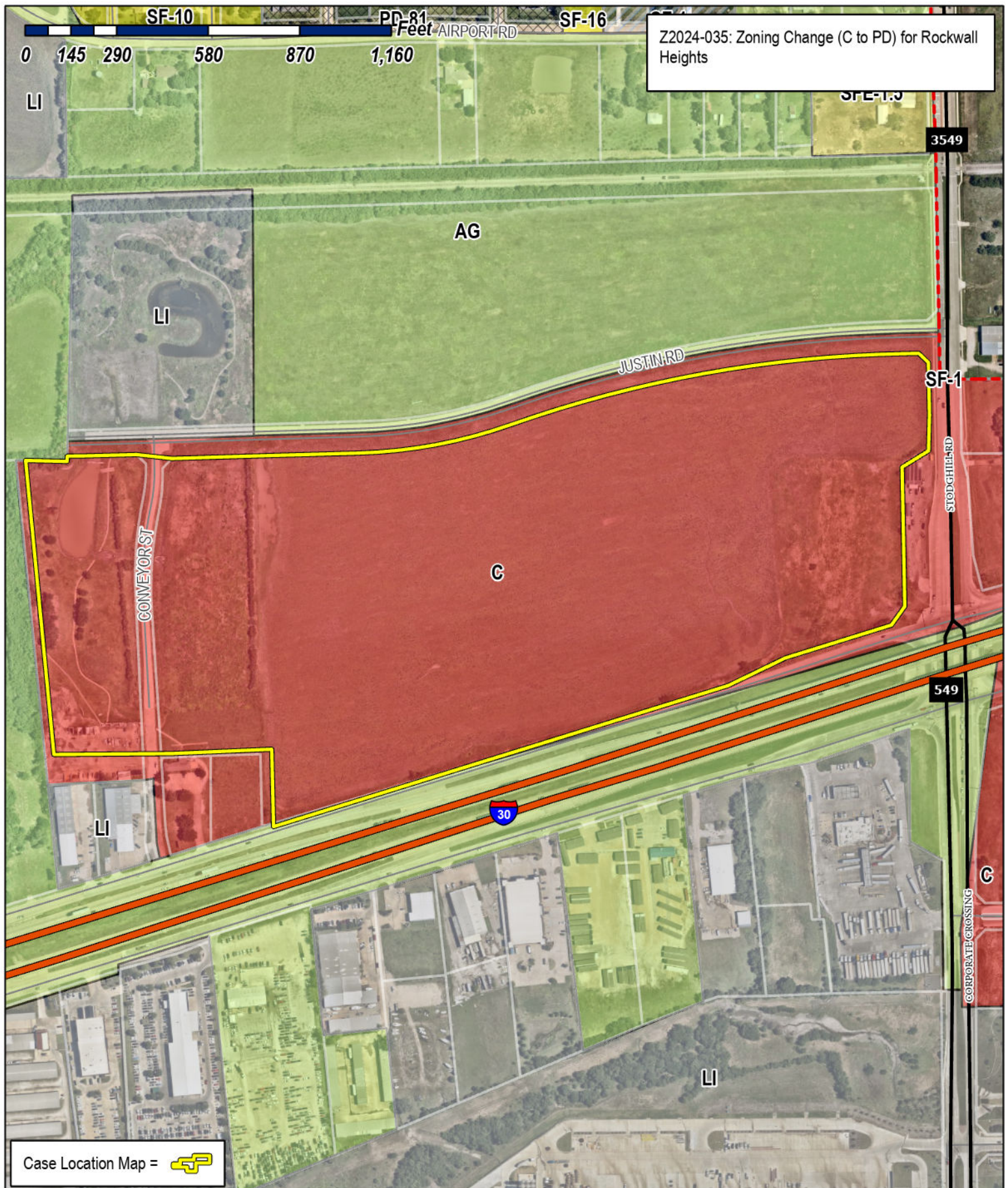
OWNER'S SIGNATURE

By: James J. Melino

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Kelsey Ulrich





City of Rockwall

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

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

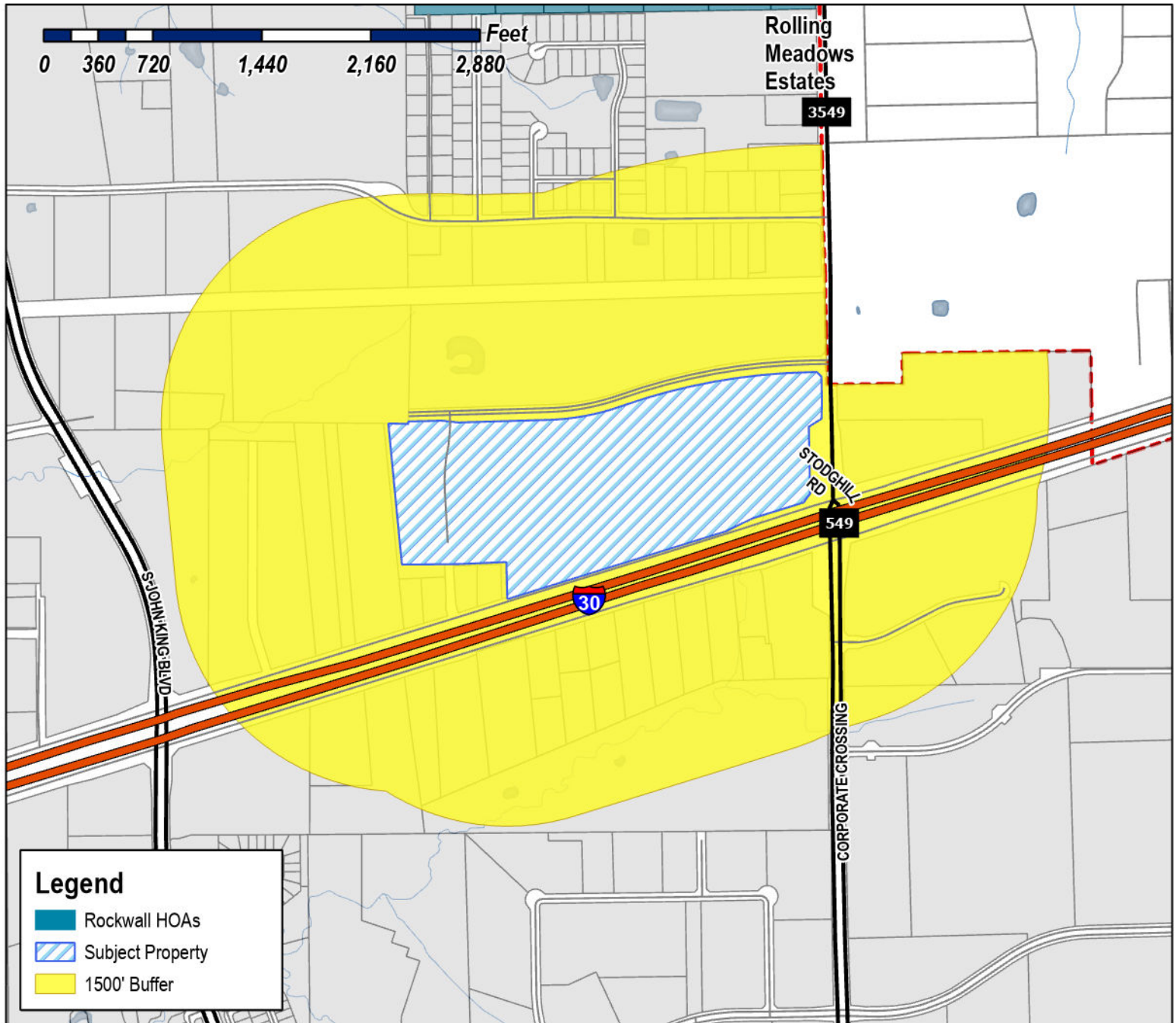




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(P): (972) 771-7745
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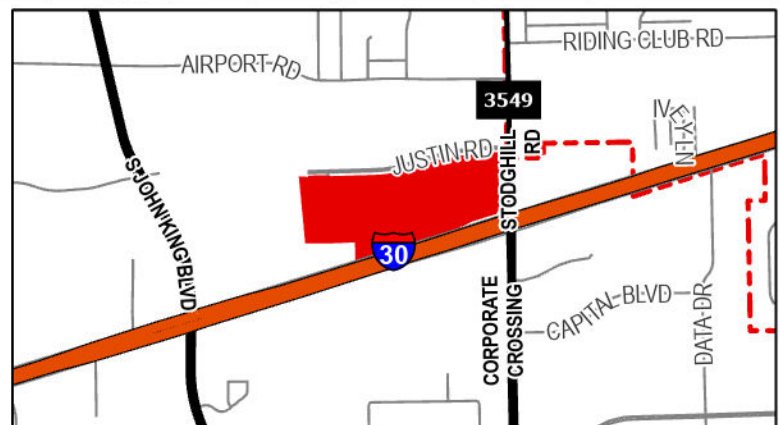
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Case Number: Z2024-035
Case Name: Zoning Change from Commercial (C) District to a Planned Development (PD) District
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: NEC of 3549 and E I-30

Date Saved: 8/16/2024

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

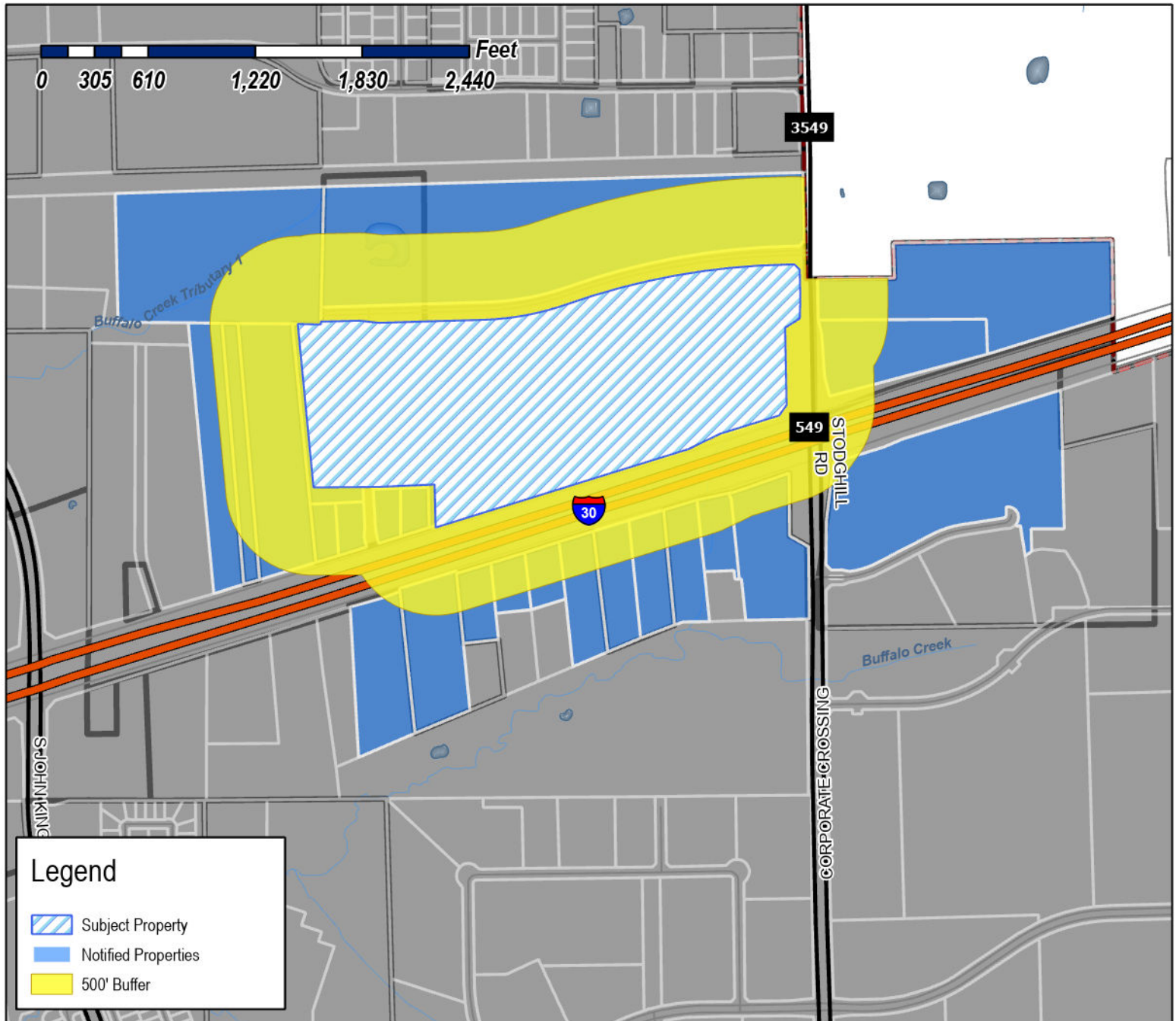




City of Rockwall

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

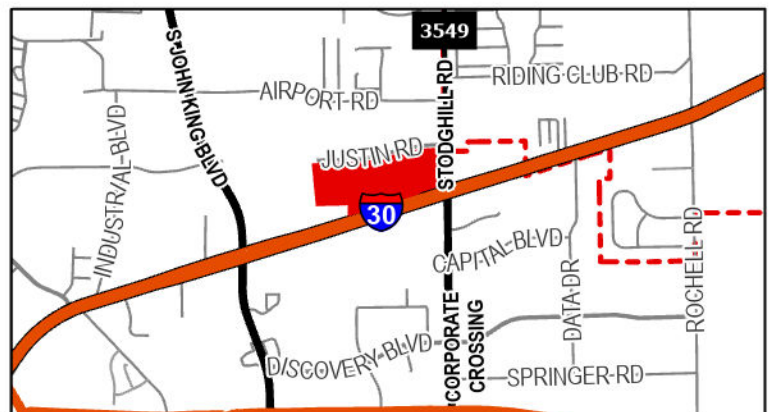
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Case Address: NEC of 3549 and E I-30

Date Saved: 8/16/2024

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



MYASIN INVESTMENTS LLC
11243 SHADY TRL
DALLAS, TX 75229

MHC I30 LP
12001 N CENTRAL EXPRESSWAY SUITE 875
DALLAS, TX 75243

LINE 5 HOLDINGS LP
1201 N RIVERFRONT BLVD SUITE 100
DALLAS, TX 75207

THE STATE OF TEXAS, BY AND THROUGH THE
TEXAS TRANSPORTATION COMMISSION
125 E 11TH STREET
AUSTIN, TX 78701

RAFIZADEH M & M FAMILY LTD
C/O REPUBLIC MOTORSPORTS INC
12707 SOUTHWEST FREEWAY
STAFFORD, TX 77477

PRITCHARD DONNA CULLINS &
KIMBERLY CULLINS COLLICCHIO TRUSTEES
1610 SHORES BLVD
ROCKWALL, TX 75087

RESIDENT
1785 E I30
ROCKWALL, TX 75087

RESIDENT
1790 E I30
ROCKWALL, TX 75087

RESIDENT
1795 I30
ROCKWALL, TX 75087

RESIDENT
1805 E I30
ROCKWALL, TX 75087

RESIDENT
1810 S I30
ROCKWALL, TX 75087

RESIDENT
1830 I30
ROCKWALL, TX 75087

SELF SCOTT & JANET
1830 E INTERSTATE 30 STE 100
ROCKWALL, TX 75087

RESIDENT
1850 I30
ROCKWALL, TX 75087

GENESTA PARTNERSHIP
1850 E INTERSTATE 30
ROCKWALL, TX 75087

RESIDENT
1860 E I30
ROCKWALL, TX 75087

RESIDENT
1880 I30 RD
ROCKWALL, TX 75087

RESIDENT
1900 E INTERSTATE 30
ROCKWALL, TX 75087

RESIDENT
1960 E I30
ROCKWALL, TX 75087

RESIDENT
1970 I30 SOUTH SERVICE RD
ROCKWALL, TX 75087

RESIDENT
1990 E I30
ROCKWALL, TX 75087

STRUCTURED REA- ROCKWALL LAND LLC
2801 E. CAMELBACK ROAD SUITE 200
PHOENIX, AZ 85016

JAMES COLLIER PROPERTIES INC
3333 MILLER PARK SOUTH
GARLAND, TX 75042

SALEHOUN FAMILY LIMITED PARTNERSHIP
39650 LYNDON B JOHNSON FWY
DALLAS, TX 75237

MIDDLE BROOKS HOLDINGS LLC
513 SAINT MARY ST
ROCKWALL, TX 75087

MOORE MICHAEL F
557 MARIAH BAY DR
HEATH, TX 75032

MOORE MICHAEL F
557 MARIAH BAY DR
HEATH, TX 75032

CAVENDER INVESTMENT PROPERTIES E LTD
7820 SOUTH BROADWAY
TYLER, TX 75703

ROCKWALL 549/I30 PARTNERS LP
8750 N CENTRAL EXPWY SUITE 1735
DALLAS, TX 75231

CONVEYOR I30 PARTNERS LP
8750 N CENTRAL EXPY SUITE 1735
DALLAS, TX 75231

MIRANDA VINOD
9105 BRIARCREST DR
ROWLETT, TX 75088

LOVE'S COUNTRY STORES INC
PO BOX 26210
OKLAHOMA CITY, OK 73126

ROCKWALL AA RE LLC
PO BOX 775
ROYSE CITY, TX 75189

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:

Z2024-035: Zoning Change from C to PD

Hold a public hearing to discuss and consider a request by William S. Dahlstrom of Jackson Walker, LLP on behalf of James J. Melino of Rockwall 549/I-30 Partners, LP and Conveyor 130 Partners, LP for the approval of a Zoning Change from a Commercial (C) District to a Planned Development District for Commercial (C) District land uses on a 67.475-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road and the IH-30 Frontage Road, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 10, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 16, 2024 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 16, 2024 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. Z2024-035: Zoning Change from C to PD

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

Case No. Z2024-035: Zoning Change from C to PD

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.

no objection

Name:

Dax of Rockwall (James A Dunning)

Address:

1810 E I30

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

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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. Z2024-035: Zoning Change from C to PD

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.

Row Benlin
1201 W. Rivenfrost Blvd
Dallas, TX 75229
214-876-7459

We need more Retail & Multi-Family
in this area. More sales property
Tax Revenue

Remuel A. Benlin

Name: RONALD P. BENLIN Manager hives 5 Holdings
Address: OWNER OF 1780 I-30 SERVICE KING

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

William S. Dahlstrom
(214) 953-5932 (Direct Dial)
(214) 661-6616 (Direct Fax)
wdahlstrom@jw.com

August 9, 2024

Mr. Ryan Miller, AICP
Director of Planning
City of Rockwall
385 South Goliad
Rockwall, Texas 75087

Re: Letter of Explanation – Application for Zoning Change and Abandonment of Portion of Conveyor Street – Property Located Near the Northwest Corner of FM 3549 and East Interstate 30.

Dear Mr. Miller:

This request is submitted on behalf of Property Owners, Conveyor I-30 Partners LP and Rockwall 549/I-30 Partners LP, whose contact information is as follows:

Property Owner:

Address: 8750 N Central Expressway, Suite 1735, Dallas, TX 75231

Email: ron@berlininterests.com

Phone: (214) 691-2556

We are submitting this request for a zoning change application for a property located near the northwest corner of FM 3549 and East Interstate 30, consisting of approximately 67.475 acres of land (the “Property”). This request is to change the Property’s zoning from Commercial (C) to a Planned Development (PD) Zoning District.

Enclosed with this request letter please find:

1. A Development Application;
2. Two (2) Letters of Authorization on behalf of the Property Owners;
3. Proposed Planned Development Standards;
4. Planned Development Exhibits;
5. Planned Development Composite Concept/Development Plan Informational Statement;

Mr. Ryan Miller, AICP

August 9, 2024

Page 2

6. A Metes and Bounds Legal Description of Property with Survey Drawings;
7. Letter of Request for Abandonment of Public Right-of-Way;
8. Legal Description and Survey Drawing of Area of Request for Abandonment; and
9. A check made payable to the City of Rockwall for Development Application Fee.

Thank you again for your time and consideration in reviewing this application, and please let me know if you have any questions.

Sincerely,

William S. Dahlstrom

William S. Dahlstrom

William S. Dahlstrom
(214) 953-5932 (Direct Dial)
(214) 661-6616 (Direct Fax)
wdahlstrom@jw.com

August 9, 2024

Mr. Ryan Miller, AICP
Director of Planning
City of Rockwall
385 South Goliad
Rockwall, Texas 75087

***Re: Letter of Request for Partial Abandonment of Conveyor Street – Property
Located Near the Northwest Corner of FM 3549 and East Interstate 30.***

Dear Mr. Miller:

This request is submitted on behalf of Property Owners, Conveyor I-30 Partners LP and Rockwall 549/I-30 Partners LP, whose contact information is as follows:

Property Owners:

Address: 8750 N Central Expressway, Suite 1735, Dallas, TX 75231

Email: ron@berlininterests.com

Phone: (214) 691-2556

We are submitting this request for a partial abandonment of Conveyor Street located near the northwest corner of FM 3549 and East Interstate 30, consisting of approximately 1.451 acres of land (the “Abandonment Area”).

Thank you again for your time and consideration in reviewing this application, and please let me know if you have any questions.

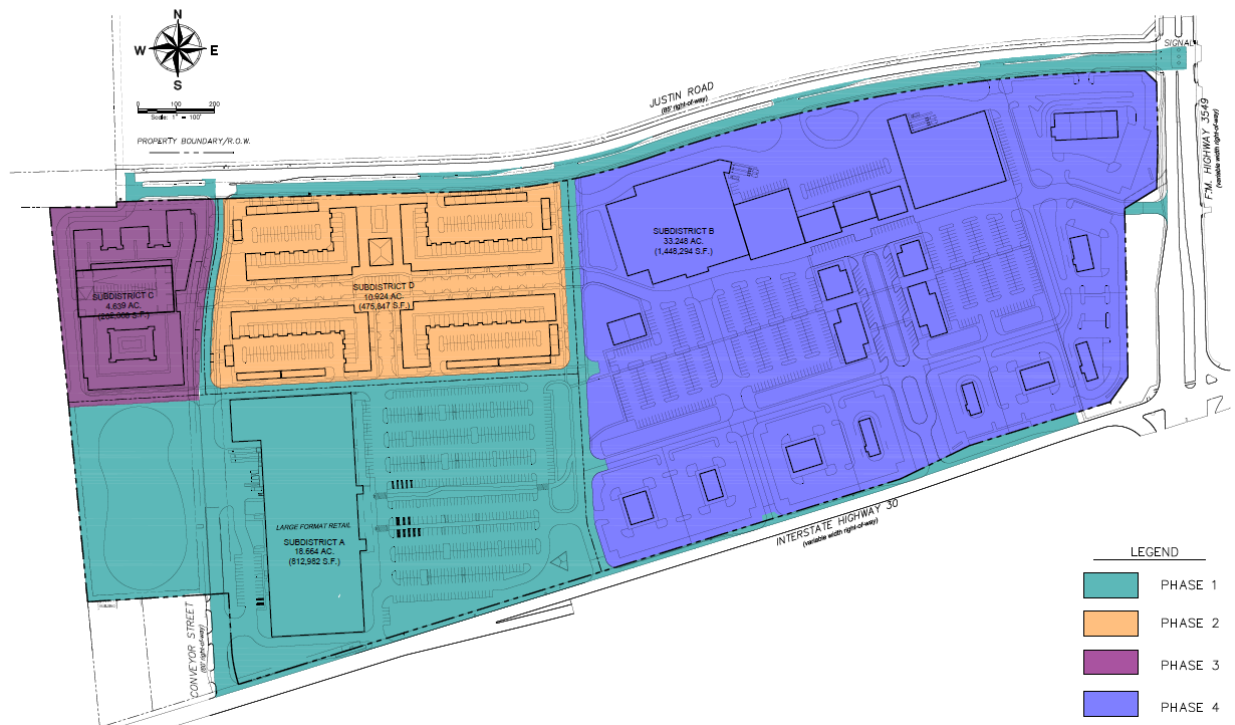
Sincerely,

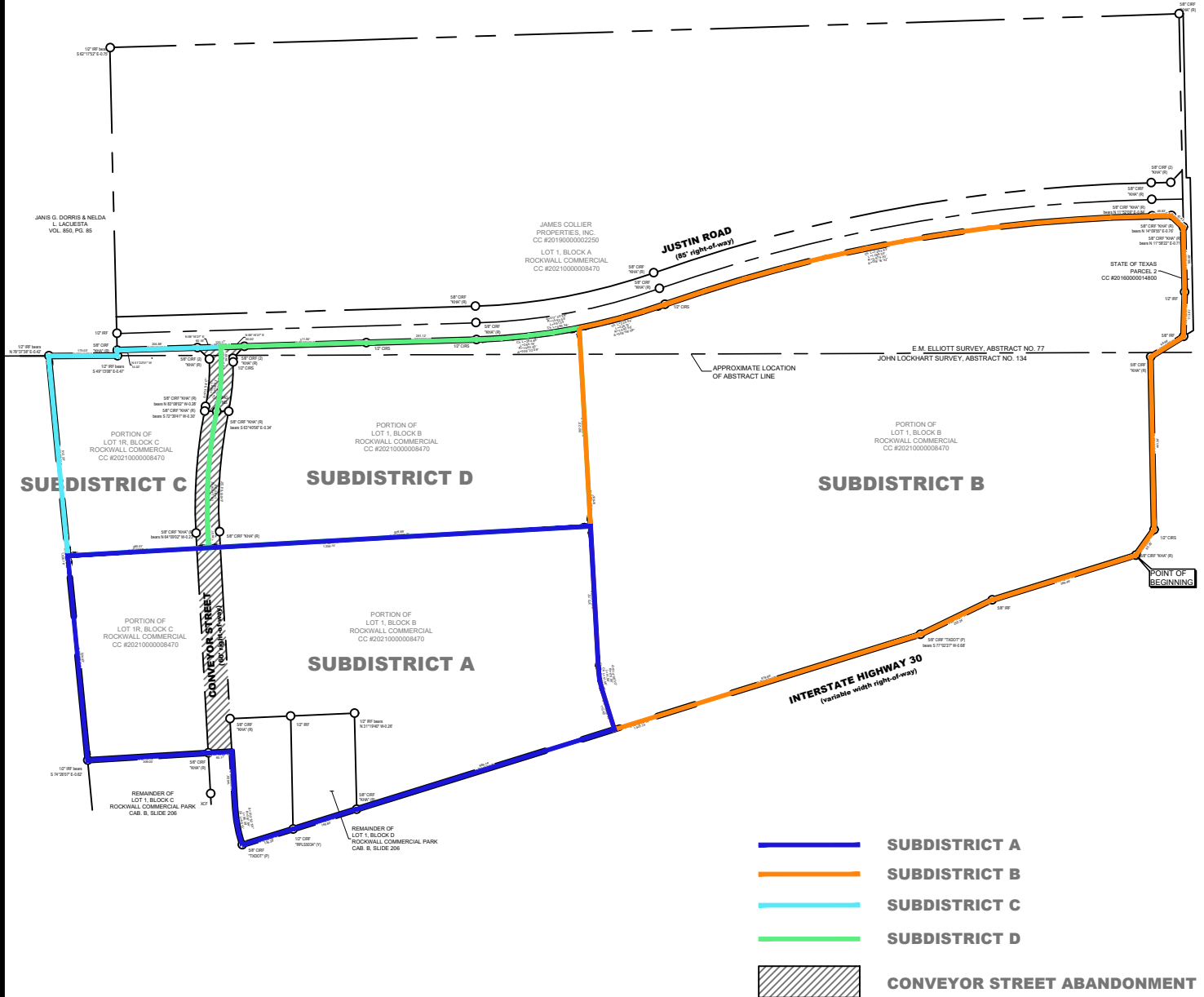
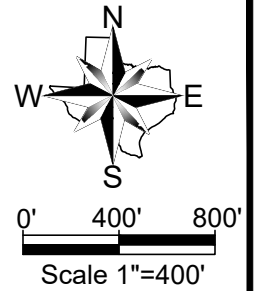
William S. Dahlstrom

William S. Dahlstrom

PLANNED DEVELOPMENT CONCEPT/DEVELOPMENT PLAN INFORMATIONAL STATEMENT

The proposed Planned Development District will feature a prominent regional commercial, retail, entertainment, and residential development, consisting of approximately 67.475 acres, which aligns with the City of Rockwall's *OURHometown 2040 Vision Comprehensive Plan* (the "Comprehensive Plan"). The Comprehensive Plan identifies this area as an Opportunity Zone within the IH-30 Corridor District, which is a primary retail corridor. Also being within the Strategically Located Property #4 of the IH-30 Corridor District, the Comprehensive Plan notes that "this property is in an ideal location for a large commercial/retail development/regional center." The proposed development will also include a limited residential use, aligning with the Comprehensive Plan's description of Special Commercial Corridor which includes Residential as an appropriate secondary use and encompasses this area. The residential component will establish an active and vibrant mixed-use environment consisting of approximately 15.563 acres. The proposed development will occur in multiple phases, with construction of the first phase of development (identified as "Subdistrict A" on the Composite Concept/Development Plan) anticipated to begin in late 2024 or early 2025. The second, third, and fourth phases of development (identified as "Subdistrict D", "Subdistrict C", and "Subdistrict B", respectively, on the Composite Concept/Development Plan) is anticipated to be developed over the next five (5) years, with the entire development estimated to be complete in 2030. Major capital improvements are anticipated to commence construction in late 2024 or early 2025, which will serve each phase of the development. Included below is the PD Composite Concept/Development Plan, overlaid with the proposed Phasing Plan.





**Winkelmann
& Associates, Inc.**

CONSULTING CIVIL ENGINEERS ■ SURVEYORS
6750 HILLCREST PLAZA DRIVE, SUITE 215 (972) 490-7090
DALLAS, TEXAS 75230 (972) 490-7099 FAX

Texas Engineers Registration No. 89
Texas Surveyors No. 10086600 Expires 12-31-2024
COPYRIGHT © 2024, Winkelmann & Associates, Inc.

Scale : 1:400

Date : 08.14.24

Dwg. File : 63406-Exhibit B

Project No. : 63406

EXHIBIT B SURVEY

PROPERTY BOUNDARY
67.475 ACRES
(2,939,199 SQ. FT.)

SHEET

**1
OF
1**

EXHIBIT A-1
COMPOSITE LEGAL DESCRIPTION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEING a tract of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77 and the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas and being all of Lot 1, Block B, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, Plat Records, Rockwall County, Texas (P.R.R.C.T.), a portion of Lot 1R, Block C, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, P.R.R.C.T., and the remainder of Lot 1, Block D, Rockwall Commercial Park, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet B, Slide 206, P.R.R.C.T., and a portion of Conveyors Street, a 60' right-of-way, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southeast corner of said Lot 1, Block B, said iron rod being situated in the North right-of-way line of Interstate Highway 30, a variable width right-of-way, and the West right-of-way line of F.M. Highway 3549, a variable width right-of-way, and also being the Southeast corner of a corner clip;

THENCE, departing the West right-of way line of said F.M. Highway 3549 and said corner clip, and along the South line of said Lot 1, Block B, and the North right-of-way line of said Interstate Highway 30, the following:

South 72 deg 46 min 18 sec West, a distance of 384.46 feet to a 5/8" iron rod found for corner;

South 64 deg 14 min 27 sec West, a distance of 202.24 feet to a point for corner from which a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found bears South 77 deg 02 min 27 sec West, a distance of 0.68 feet;

South 72 deg 46 min 18 sec West, a distance of 1,507.74 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southwest corner of said Lot 1, Block B, and the Southeast corner of the remainder of said Lot 1, Block D;

THENCE South 72 deg 43 min 43 sec West, along the South line of the remainder of said Lot 1, Block D, and continuing along the North right-of-way line of said Interstate Highway 30, a distance of 169.80 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS5034" found for corner;

THENCE South 72 deg 46 min 08 sec West, continuing along the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, a distance of 136.39 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said iron rod being the Southwest corner of the remainder of said Lot 1, Block D, and being the beginning of a non-tangent curve to the right having a radius of 397.84 feet, a central angle of 13 deg 52 min 54 sec, a chord bearing of North 10 deg 51 min 14 sec West, and a chord length of 96.15 feet;

THENCE along said non-tangent curve to the right, departing the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, and along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, an arc distance of 96.39 feet to a point for corner;

THENCE North 03 deg 13 min 23 sec West, continuing along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, a distance of 144.04 feet to a point for corner;

THENCE South 86 deg 34 min 32 sec West, departing the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, and crossing the right-of-way of said Conveyors Street, a distance of 60.17 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner, said iron rod being the Southeast corner of said Lot 1R, Block C, and being situated in the West right-of-way line of said Conveyors Street;

THENCE South 86 deg 34 min 32 sec West, departing the West right-of-way line of said Conveyors Street, and along the common line of said Lot 1R, Block C, and Lot 1, Block C, of said Rockwall Commercial Park, a distance of 309.03 feet to a point for corner from which a 1/2-inch iron rod found bears South 74 deg 26 min 07 sec East, a distance of 0.62 feet;

THENCE North 05 deg 29 min 52 sec West, departing said common line and along the common line of said Lot 1R, Block C, and a tract of land described in deed to Rockwall 549/I-30 Partners LP, recorded in Instrument Number 200700387631, Official Public Records, Rockwall County, Texas (O.P.R.R.C.T.), a distance of 1,036.76 feet to a point for corner from which a 1/2-inch iron rod found bears North 78 deg 37 min 38 sec East, a distance of 0.42 feet;

THENCE North 89 deg 44 min 47 sec East, along the common line of said Lot 1R, Block C, and a tract of land as described in deed to Janis G. Dorris & Nelda L. Lacuesta, recorded in Volume 850, Page 85, O.P.R.R.C.T., a distance of 175.03 feet to a point for corner from which a 1/2-inch iron rod found bears South 49 deg 13 min 08 sec East, a distance of 0.47 feet;

THENCE North 01 deg 22 min 01 sec West, continuing along said common line, a distance of 14.02 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found

for a Northeast corner of said Lot 1R, Block C, and a Southeast corner of said Janis G. Dorris & Nelda L. Lacuesta tract;

THENCE North 88 deg 16 min 40 sec East, departing said common line and along the North line of said Lot 1R, Block C, and the South right-of-way line of Justin Road, an 85-foot right-of-way, a distance of 204.88 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Northerly corner of said Lot 1R, Block C;

THENCE North 88 deg 16 min 27 sec East, departing the North line of said Lot 1R, Block C, and over and across the right-of-way of said Justin Road and said Conveyors Street, a distance of 120.17 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for a Northwest corner of said Lot 1, Block B;

THENCE along the North line of said Lot 1, Block B, and the South right-of-way line of said Justin Road, the following:

North 88 deg 16 min 40 sec East, a distance of 311.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 88 deg 25 min 20 sec East, a distance of 281.12 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a curve to the left having a radius of 1,592.50 feet, a central angle of 17 deg 40 min 38 sec, a chord bearing of North 79 deg 26 min 21 sec East, and a chord length of 489.38 feet;

Along said curve to the left, an arc distance of 491.33 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a curve to the right having a radius of 3,979.40 feet, a central angle of 18 deg 16 min 32 sec, a chord bearing of North 79 deg 44 min 18 sec East, and a chord length of 1,263.93 feet;

Along said curve to the right, an arc distance of 1,269.30 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 11 deg 52 min 09 sec East, a distance of 0.84 feet;

North 88 deg 52 min 34 sec East, a distance of 49.83 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 14 deg 09 min 55 sec East, a distance of 0.76 feet, said point being the most Northerly Northeast corner of said Lot 1, Block B, and the Northeast corner of a corner clip, and being situated in the West right-of-way line of said F.M. Highway 3549;

THENCE South 46 deg 07 min 44 sec East, continuing along the North line of said Lot 1, Block B, and the South right-of-way line of said Justin Road, and along the West right-of-way line of said F.M. Highway 3549, and said corner clip, a distance of 42.43 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 11 deg 58 min 22 sec East, a distance of 0.71 feet, said point being a North corner of said Lot 1, Block B, and the Southeast corner of said corner clip;

THENCE, departing the South right-of-way line of said Justin Road, the North line of said Lot 1, Block B, and said corner clip, continuing along the West right-of-way line of said F.M. Highway 3549 and along the East line of said Lot 1, Block B, the following:

South 01 deg 13 min 54 sec East, a distance of 165.08 feet to a 1/2-inch iron rod found for corner;

South 01 deg 26 min 27 sec West, a distance of 113.61 feet to a 5/8-inch iron rod found for corner;

South 58 deg 12 min 56 sec West, a distance of 98.69 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 01 deg 07 min 09 sec East, a distance of 441.34 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" for corner, said iron rod being situated in the North right-of-way line of said Interstate Highway 30, and being the Northeast corner of a corner clip;

THENCE South 35 deg 33 min 35 sec West, continuing along the West right-of-way line of said F.M. Highway 3549, and along said corner clip, a distance of 80.25 feet to the POINT OF BEGINNING.

CONTAINING 67.475 acres or 2,939,199 square feet of land, more or less.

Bearings described herein are based upon an on-the-ground Survey performed in the field on the 25th day of April, 2024, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

EXHIBIT A-2
SUBDISTRICT A LEGAL DESCRIPTION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEING a tract of land situated in the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas and being a portion of Lot 1, Block B, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, Plat Records, Rockwall County, Texas (P.R.R.C.T.), a portion of Lot 1R, Block C, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, P.R.R.C.T., and the remainder of Lot 1, Block D, Rockwall Commercial Park, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet B, Slide 206, P.R.R.C.T., and a portion of Conveyors Street, a 60' right-of-way, and being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southeast corner of said Lot 1, Block B, said iron rod being situated in the North right-of-way line of Interstate Highway 30, a variable width right-of-way, and the West right-of-way line of F.M. Highway 3549, a variable width right-of-way, and also being the Southeast corner of a corner clip;

THENCE, departing the West right-of way line of said F.M. Highway 3549 and said corner clip, and along the South line of said Lot 1, Block B, and the North right-of-way line of said Interstate Highway 30, the following:

South 72 deg 46 min 18 sec West, a distance of 384.46 feet to a 5/8" iron rod found;

South 64 deg 14 min 27 sec West, a distance of 202.24 feet to a point from which a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found bears South 77 deg 02 min 27 sec West, a distance of 0.68 feet;

South 72 deg 46 min 18 sec West, a distance of 818.60 feet to a point for corner, said point being the POINT OF BEGINNING;

South 72 deg 46 min 18 sec West, a distance of 689.14 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southwest corner of said Lot 1, Block B, and the Southeast corner of the remainder of said Lot 1, Block D;

THENCE South 72 deg 43 min 43 sec West, along the South line of the remainder of said Lot 1, Block D, and continuing along the North right-of-way line of said Interstate Highway 30, a distance of 169.80 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS5034" found for corner;

THENCE South 72 deg 46 min 08 sec West, continuing along the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, a distance of 136.39 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said iron rod being the Southwest corner of the remainder of said Lot 1, Block D, and being the beginning of a non-tangent curve to the right having a radius of 397.84 feet, a central angle of 13 deg 52 min 54 sec, a chord bearing of North 10 deg 51 min 14 sec West, and a chord length of 96.15 feet;

THENCE along said non-tangent curve to the right, departing the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, and along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, an arc distance of 96.39 feet to a point for corner;

THENCE North 03 deg 13 min 23 sec West, continuing along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, a distance of 144.04 feet to a point for corner;

THENCE South 86 deg 34 min 32 sec West, departing the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, and crossing the right-of-way of said Conveyors Street, a distance of 60.17 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner, said iron rod being the Southeast corner of said Lot 1R, Block C, and being situated in the West right-of-way line of said Conveyors Street;

THENCE South 86 deg 34 min 32 sec West, departing the West right-of-way line of said Conveyors Street, and along the common line of said Lot 1R, Block C, and Lot 1, Block C, of said Rockwall Commercial Park, a distance of 309.03 feet to a point for corner from which a 1/2-inch iron rod found bears South 74 deg 26 min 07 sec East, a distance of 0.62 feet;

THENCE North 05 deg 29 min 52 sec West, departing said common line and along the common line of said Lot 1R, Block C, and a tract of land described in deed to Rockwall 549/I-30 Partners LP, recorded in Instrument Number 200700387631, Official Public Records, Rockwall County, Texas (O.P.R.R.C.T.), a distance of 524.43 feet to a point for corner;

THENCE departing said common line and over and across said Lot 1R, Block C, and said Lot 1, Block B, the following:

North 86 deg 46 min 37 sec East, a distance of 1,336.70 feet to a point for corner;

South 03 deg 13 min 23 sec East, a distance of 372.72 feet to a point for corner and being the beginning of a curve to the left having a radius of 170.00 feet, a central angle of 14 deg 00 min 30 sec, a chord bearing of South 10 deg 13 min 37 sec East, and a chord length of 41.46 feet;

Along said curve to the left, an arc distance of 41.56 feet to a point for corner;
South 17 deg 13 min 42 sec East, a distance of 110.45 feet to the POINT OF
BEGINNING.

CONTAINING 18.664 acres or 812,982 square feet of land, more or less.

Bearings described herein are based upon an on-the-ground Survey performed in the field on the 25th day of April, 2024, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

**EXHIBIT A-3
SUBDISTRICT B LEGAL DESCRIPTION**

**STATE OF TEXAS §
COUNTY OF ROCKWALL §**

BEING a tract of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77 and the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas and being a portion of Lot 1, Block B, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, Plat Records, Rockwall County, Texas (P.R.R.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southeast corner of said Lot 1, Block B, said iron rod being situated in the North right-of-way line of Interstate Highway 30, a variable width right-of-way, and the West right-of-way line of F.M. Highway 3549, a variable width right-of-way, and also being the Southeast corner of a corner clip;

THENCE, departing the West right-of way line of said F.M. Highway 3549 and said corner clip, and along the South line of said Lot 1, Block B, and the North right-of-way line of said Interstate Highway 30, the following:

South 72 deg 46 min 18 sec West, a distance of 384.46 feet to a 5/8" iron rod found for corner;

South 64 deg 14 min 27 sec West, a distance of 202.24 feet to a point for corner from which a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found bears South 77 deg 02 min 27 sec West, a distance of 0.68 feet;

South 72 deg 46 min 18 sec West, a distance of 818.60 feet to a point for corner;

THENCE departing the North right-of-way line of said Interstate Highway 30, and the South line of said Lot 1, Block B, and over and across said Lot 1, Block B, the following:

North 17 deg 13 min 42 sec West, a distance of 110.45 feet to a point for corner, and being the beginning of a curve to the right having a radius of 170.00 feet, a central angle of 14 deg 00 min 30 sec, a chord bearing of North 10 deg 13 min 37 sec West, and a chord length of 41.46 feet;

Along said curve to the right, an arc distance of 41.56 feet to a point for corner;

North 03 deg 13 min 23 sec West, a distance of 879.97 feet to a point for corner, said point being situated in the North line of said Lot 1, Block B, and the South right-of-way line of Justin Road, an 85-foot right-of-way, said point being the beginning of a curve to the left having a radius of 1,592.50 feet, a central angle of 08 deg 08 min 09 sec, a chord bearing of North 74 deg 40 min 07 sec East, and a chord length of 225.94 feet;

THENCE along the North line of said Lot 1, Block B, and the South right-of-way line of said Justin Road, the following:

Along said curve to the left, an arc distance of 226.13 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a curve to the right having a radius of 3,979.40 feet, a central angle of 18 deg 16 min 32 sec, a chord bearing of North 79 deg 44 min 18 sec East, and a chord length of 1,263.93 feet;

Along said curve to the right, an arc distance of 1,269.30 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 11 deg 52 min 09 sec East, a distance of 0.84 feet;

North 88 deg 52 min 34 sec East, a distance of 49.83 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 14 deg 09 min 55 sec East, a distance of 0.76 feet, said point being the most Northerly Northeast corner of said Lot 1, Block B, and the Northeast corner of a corner clip, and being situated in the West right-of-way line of said F.M. Highway 3549;

THENCE South 46 deg 07 min 44 sec East, continuing along the North line of said Lot 1, Block B, and the South right-of-way line of said Justin Road, and along the West right-of-way line of said F.M. Highway 3549, and said corner clip, a distance of 42.43 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 11 deg 58 min 22 sec East, a distance of 0.71 feet, said point being a North corner of said Lot 1, Block B, and the Southeast corner of said corner clip;

THENCE, departing the South right-of-way line of said Justin Road, the North line of said Lot 1, Block B, and said corner clip, continuing along the West right-of-way line of said F.M. Highway 3549 and along the East line of said Lot 1, Block B, the following:

South 01 deg 13 min 54 sec East, a distance of 165.08 feet to a 1/2-inch iron rod found for corner;

South 01 deg 26 min 27 sec West, a distance of 113.61 feet to a 5/8-inch iron rod found for corner;

South 58 deg 12 min 56 sec West, a distance of 98.69 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 01 deg 07 min 09 sec East, a distance of 441.34 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" for corner, said iron rod being situated in the North right-of-way line of said Interstate Highway 30, and being the Northeast corner of a corner clip;

THENCE South 35 deg 33 min 35 sec West, continuing along the West right-of-way line of said F.M. Highway 3549, and along said corner clip, a distance of 80.25 feet to the POINT OF BEGINNING.

CONTAINING 33.248 acres or 1,448,294 square feet of land, more or less.

Bearings described herein are based upon an on-the-ground Survey performed in the field on the 25th day of April, 2024, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

EXHIBIT A-4
SUBDISTRICT C LEGAL DESCRIPTION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEING a tract of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77 and the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas and being a portion of Lot 1R, Block C, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, Plat Records, Rockwall County, Texas (P.R.R.C.T.), and a portion of Conveyors Street, a 60' right-of-way, and being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southeast corner of said Lot 1, Block B, said iron rod being situated in the North right-of-way line of Interstate Highway 30, a variable width right-of-way, and the West right-of-way line of F.M. Highway 3549, a variable width right-of-way, and also being the Southeast corner of a corner clip;

THENCE, departing the West right-of way line of said F.M. Highway 3549 and said corner clip, and along the South line of said Lot 1, Block B, and the North right-of-way line of said Interstate Highway 30, the following:

South 72 deg 46 min 18 sec West, a distance of 384.46 feet to a 5/8" iron rod found;

South 64 deg 14 min 27 sec West, a distance of 202.24 feet to a point from which a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found bears South 77 deg 02 min 27 sec West, a distance of 0.68 feet;

South 72 deg 46 min 18 sec West, a distance of 1,507.74 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southwest corner of said Lot 1, Block B, and the Southeast corner of the remainder of said Lot 1, Block D;

THENCE South 72 deg 43 min 43 sec West, along the South line of the remainder of said Lot 1, Block D, and continuing along the North right-of-way line of said Interstate Highway 30, a distance of 169.80 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS5034" found;

THENCE South 72 deg 46 min 08 sec West, continuing along the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, a distance of 136.39 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found, said iron rod being the Southwest corner of the remainder of said Lot 1, Block D, and being the beginning of a non-tangent curve to the right having a

radius of 397.84 feet, a central angle of 13 deg 52 min 54 sec, a chord bearing of North 10 deg 51 min 14 sec West, and a chord length of 96.15 feet;

THENCE along said non-tangent curve to the right, departing the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, and along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, an arc distance of 96.39 feet to a point;

THENCE North 03 deg 13 min 23 sec West, continuing along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, a distance of 144.04 feet to a point;

THENCE South 86 deg 34 min 32 sec West, departing the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, and crossing the right-of-way of said Conveyors Street, a distance of 60.17 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found, said iron rod being the Southeast corner of said Lot 1R, Block C, and being situated in the West right-of-way line of said Conveyors Street;

THENCE South 86 deg 34 min 32 sec West, departing the West right-of-way line of said Conveyors Street, and along the common line of said Lot 1R, Block C, and Lot 1, Block C, of said Rockwall Commercial Park, a distance of 309.03 feet to a point from which a 1/2-inch iron rod found bears South 74 deg 26 min 07 sec East, a distance of 0.62 feet;

THENCE North 05 deg 29 min 52 sec West, departing said common line and along the common line of said Lot 1R, Block C, and a tract of land described in deed to Rockwall 549/I-30 Partners LP, recorded in Instrument Number 200700387631, Official Public Records, Rockwall County, Texas (O.P.R.R.C.T.), a distance of 524.43 feet to a point for corner, said point being the POINT OF BEGINNING;

THENCE North 05 deg 29 min 52 sec West, continuing along the common line of said Lot 1R, Block C, and said Rockwall 549/I-30 Partners LP tract, a distance of 512.33 feet to a point for corner from which a 1/2-inch iron rod found bears North 78 deg 37 min 38 sec East, a distance of 0.42 feet;

THENCE North 89 deg 44 min 47 sec East, along the common line of said Lot 1R, Block C, and a tract of land as described in deed to Janis G. Dorris & Nelda L. Lacuesta, recorded in Volume 850, Page 85, O.P.R.R.C.T., a distance of 175.03 feet to a point for corner from which a 1/2-inch iron rod found bears South 49 deg 13 min 08 sec East, a distance of 0.47 feet;

THENCE North 01 deg 22 min 01 sec West, continuing along said common line, a distance of 14.02 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for a Northeast corner of said Lot 1R, Block C, and a Southeast corner of said Janis G. Dorris & Nelda L. Lacuesta tract;

THENCE North 88 deg 16 min 40 sec East, departing said common line and along the North line of said Lot 1R, Block C, and the South right-of-way line of Justin Road, an 85-

foot right-of-way, a distance of 204.88 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Northerly corner of said Lot 1R, Block C;

THENCE North 88 deg 16 min 27 sec East, departing the North line of said Lot 1R, Block C, and over and across the right-of-way of said Justin Road and said Conveyors Street, a distance of 60.16 feet to a point for corner situated in the approximate centerline of said Conveyors Street;

THENCE along the approximate centerline of said Conveyors Street and over and across said Lot 1R, Block C, the following:

South 01 deg 43 min 20 sec East, a distance of 39.59 feet to a point for corner, and being the beginning of a curve to the right having a radius of 500.00 feet, a central angle of 13 deg 38 min 17 sec, a chord bearing of South 05 deg 05 min 49 sec West, and a chord length of 118.73 feet;

Along said curve to the right, an arc distance of 119.01 feet to a point for corner, and being the beginning of a curve to the left having a radius of 1,199.92 feet, a central angle of 15 deg 08 min 20 sec, a chord bearing of South 04 deg 20 min 47 sec West, and a chord length of 316.12 feet;

Along said curve to the left, an arc distance of 317.05 feet to a point for corner;

South 03 deg 13 min 23 sec East, a distance of 39.51 feet to a point for corner;

South 86 deg 46 min 37 sec West, a distance of 360.01 feet to the POINT OF BEGINNING.

CONTAINING 4.639 acres or 202,068 square feet of land, more or less.

Bearings described herein are based upon an on-the-ground Survey performed in the field on the 25th day of April, 2024, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

EXHIBIT A-5
SUBDISTRICT D LEGAL DESCRIPTION

STATE OF TEXAS §
COUNTY OF ROCKWALL §

BEING a tract of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77 and the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas and a portion of Lot 1, Block B, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, Plat Records, Rockwall County, Texas (P.R.R.C.T.), and a portion of Conveyors Street, a 60' right-of-way, and being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southeast corner of said Lot 1, Block B, said iron rod being situated in the North right-of-way line of Interstate Highway 30, a variable width right-of-way, and the West right-of-way line of F.M. Highway 3549, a variable width right-of-way, and also being the Southeast corner of a corner clip;

THENCE, departing the West right-of way line of said F.M. Highway 3549 and said corner clip, and along the South line of said Lot 1, Block B, and the North right-of-way line of said Interstate Highway 30, the following:

South 72 deg 46 min 18 sec West, a distance of 384.46 feet to a 5/8" iron rod found;

South 64 deg 14 min 27 sec West, a distance of 202.24 feet to a point from which a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found bears South 77 deg 02 min 27 sec West, a distance of 0.68 feet;

South 72 deg 46 min 18 sec West, a distance of 1,507.74 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southwest corner of said Lot 1, Block B, and the Southeast corner of the remainder of said Lot 1, Block D;

THENCE South 72 deg 43 min 43 sec West, along the South line of the remainder of said Lot 1, Block D, and continuing along the North right-of-way line of said Interstate Highway 30, a distance of 169.80 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS5034" found;

THENCE South 72 deg 46 min 08 sec West, continuing along the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, a distance of 136.39 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found, said iron rod being the Southwest corner of the remainder of said Lot 1, Block D, and being the beginning of a non-tangent curve to the right having a

radius of 397.84 feet, a central angle of 13 deg 52 min 54 sec, a chord bearing of North 10 deg 51 min 14 sec West, and a chord length of 96.15 feet;

THENCE along said non-tangent curve to the right, departing the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, and along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, an arc distance of 96.39 feet to a point;

THENCE North 03 deg 13 min 23 sec West, continuing along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, a distance of 144.04 feet to a point;

THENCE South 86 deg 34 min 32 sec West, departing the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, and crossing the right-of-way of said Conveyors Street, a distance of 60.17 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found, said iron rod being the Southeast corner of said Lot 1R, Block C, and being situated in the West right-of-way line of said Conveyors Street;

THENCE South 86 deg 34 min 32 sec West, departing the West right-of-way line of said Conveyors Street, and along the common line of said Lot 1R, Block C, and Lot 1, Block C, of said Rockwall Commercial Park, a distance of 309.03 feet to a point from which a 1/2-inch iron rod found bears South 74 deg 26 min 07 sec East, a distance of 0.62 feet;

THENCE North 05 deg 29 min 52 sec West, departing said common line and along the common line of said Lot 1R, Block C, and a tract of land described in deed to Rockwall 549/I-30 Partners LP, recorded in Instrument Number 200700387631, Official Public Records, Rockwall County, Texas (O.P.R.R.C.T.), a distance of 1,036.76 feet to a point from which a 1/2-inch iron rod found bears North 78 deg 37 min 38 sec East, a distance of 0.42 feet;

THENCE North 89 deg 44 min 47 sec East, along the common line of said Lot 1R, Block C, and a tract of land as described in deed to Janis G. Dorris & Nelda L. Lacuesta, recorded in Volume 850, Page 85, O.P.R.R.C.T., a distance of 175.03 feet to a point from which a 1/2-inch iron rod found bears South 49 deg 13 min 08 sec East, a distance of 0.47 feet;

THENCE North 01 deg 22 min 01 sec West, continuing along said common line, a distance of 14.02 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for a Northeast corner of said Lot 1R, Block C, and a Southeast corner of said Janis G. Dorris & Nelda L. Lacuesta tract;

THENCE North 88 deg 16 min 40 sec East, departing said common line and along the North line of said Lot 1R, Block C, and the South right-of-way line of Justin Road, an 85-foot right-of-way, a distance of 204.88 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Northerly corner of said Lot 1R, Block C;

THENCE North 88 deg 16 min 27 sec East, departing the North line of said Lot 1R, Block C, and over and across the right-of-way of said Justin Road and said Conveyors Street, a distance of 60.16 feet to a point for corner situated in the approximate centerline of said Conveyors Street, said being the POINT OF BEGINNING;

THENCE North 88 deg 16 min 27 sec East, departing the approximate centerline and over and across said Conveyors Street, a distance of 60.00 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for a Northwest corner of said Lot 1, Block B;

THENCE along the North line of said Lot 1, Block B, and the South right-of-way line of said Justin Road, the following:

North 88 deg 16 min 40 sec East, a distance of 311.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 88 deg 25 min 20 sec East, a distance of 281.12 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a curve to the left having a radius of 1,592.50 feet, a central angle of 09 deg 32 min 29 sec, a chord bearing of North 83 deg 30 min 26 sec East, and a chord length of 264.89 feet;

Along said curve to the left, an arc distance of 265.19 feet to a point for corner;

THENCE departing the North line of said Lot 1, Block B, and the South right-of-way of said Justin Road, and over and across said Lot 1, Block B, the following:

South 03 deg 13 min 23 sec East, a distance of 507.25 feet to a point for corner;

South 86 deg 46 min 37 sec West, a distance of 976.69 feet to a point for corner situated in the approximate centerline of said Conveyors Street;

THENCE along the approximate centerline of said Conveyors Street, the following:

North 03 deg 13 min 23 sec West, a distance of 39.51 feet to a point for corner and being the beginning of a curve to the right having a radius of 1,199.92 feet, a central angle of 15 deg 08 min 20 sec, a chord bearing of North 04 deg 20 min 47 sec East, and a chord length of 316.12 feet;

Along said curve to the right, an arc distance of 317.05 feet to a point for corner and being the beginning of a curve to the left having a radius of 500.00 feet, a central angle of 13 deg 38 min 17 sec, a chord bearing of North 05 deg 05 min 49 sec East, and a chord length of 118.73 feet;

Along said curve to the left, an arc distance of 119.01 feet to a point for corner;

North 01 deg 43 min 20 sec West, a distance of 39.59 feet to the POINT OF BEGINNING.

CONTAINING 10.924 acres or 475,847 square feet of land, more or less.

Bearings described herein are based upon an on-the-ground Survey performed in the field on the 25th day of April, 2024, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.

TRACT 4: CONVEYOR STREET (TO BE ABANDONED):

BEING a tract of land situated in the E.M. Elliot Survey, Abstract No. 77, and the John Lockhart, Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, and being a portion of Conveyors Street (60' wide public right-of-way)(Cabinet B, Slide 206, Plat Records, Rockwall County, Texas) and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the northernmost northwest corner of Lot 1, Block B, Rockwall Commercial, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No. 20210000008470, said Plat Records, common to the north corner of a corner clip at the intersection of the southerly right-of-way line of Justin Road (85' wide public right-of-way)(Instrument No. 20210000008470, said Plat Records) and the easterly right-of-way line of said Conveyors Street;

THENCE South 43°16'40" West, with said corner clip, a distance of 42.43 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the south corner of said corner clip;

THENCE with the common line of said Lot 1, Block B and said Conveyors Street the following courses and distances:

South 01°43'20" East, a distance of 9.59 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a tangent curve to the right with a radius of 530.00 feet, a central angle of 13°38'17", and a chord bearing and distance of South 05°05'50" West, 125.86 feet;

In a southerly direction, with said tangent curve to the right, an arc distance of 126.15 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a reverse curve to the left with a radius of 1,170.00 feet, a central angle of 15°08'16", and a chord bearing and distance of South 04°20'45" West, 308.22 feet;

In a southerly direction, with said reverse curve to the left, an arc distance of 309.12 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 03°13'23" East, passing at a distance of 478.23 feet a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the westernmost southwest corner of said Lot 1, Block B, and continuing along the same course and with the common line of Lot 1, Block D, Rockwall Commercial Park, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet B, Slide 206, said Plat Records, for a total distance of 562.44 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set for corner;

THENCE South 86°46'37" West, departing said common line and crossing said Conveyors Street, a distance of 60.00 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the southeast corner of Lot 1R, Block C, Rockwall Commercial, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No. 20210000008470, said Plat Records, same being the northeast corner of a tract of land described in a deed to Donna Cullins Pritchard and Kimberly Cullins Collichio, recorded in Volume 7346, Page 158, Real Property Records, Rockwall County, Texas;

THENCE with the common line of said Lot 1R, Block C and said Conveyors Street the following courses and distances:

North 03°13'23" West, a distance of 562.44 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a tangent curve to the right with a radius of 1,230.00 feet, a central angle of 15°08'16", and a chord bearing and distance of North 04°20'47" East, 324.03 feet;

EXHIBIT A
RIGHT-OF-WAY ABANDONMENT
1.451 ACRES
E.M. ELLIOT SURVEY, A-77 &
JOHN LOCKHART SURVEY, A-134
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

Kimley»Horn					
6160 Warren Parkway, Suite 210 Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580 Fax No. (972) 335-3779					
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JMH	KHA	Jan. 2024	063942002	1 OF 3

HOEFNER, JOHN 1/17/2024 11:31 AM K:\FRI_SURVEY\063942002-ROCKWALL COMMERCIAL BLOCK B LOT 1 - ROCKWALL\DWG\063942002 CONVEYORS ABND EX.DWG

In a northerly direction, with said tangent curve to the right, an arc distance of 324.97 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a reverse curve to the left with a radius of 470.00 feet, a central angle of 13°38'17", and a chord bearing and distance of North 05°05'49" East, 111.61 feet;

In a northerly direction, with said reverse curve to the left, an arc distance of 111.87 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

North 01°43'20" West, a distance of 9.59 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the easternmost northeast corner of said Lot 1R, Block C, common to the south corner of a corner clip at the intersection of the westerly right-of-way line of said Lot 1R, Block C and the southerly right-of-way line of said Justin Road;

THENCE North 46°43'20" West, along said corner clip, a distance of 42.43 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the northernmost northeast corner of said Lot 1R, Block C, common to the north corner of said corner clip;

THENCE North 88°16'40" East, crossing said Conveyors Street, a distance of 120.00 feet to the **POINT OF BEGINNING** and containing 63,187 square feet or 1.451 acres of land, more or less.

PRELIMINARY

THIS DOCUMENT SHALL
NOT BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED OR
VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT

MICHAEL MARX
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5181
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. 972-335-3580
michael.marx@kimley-horn.com

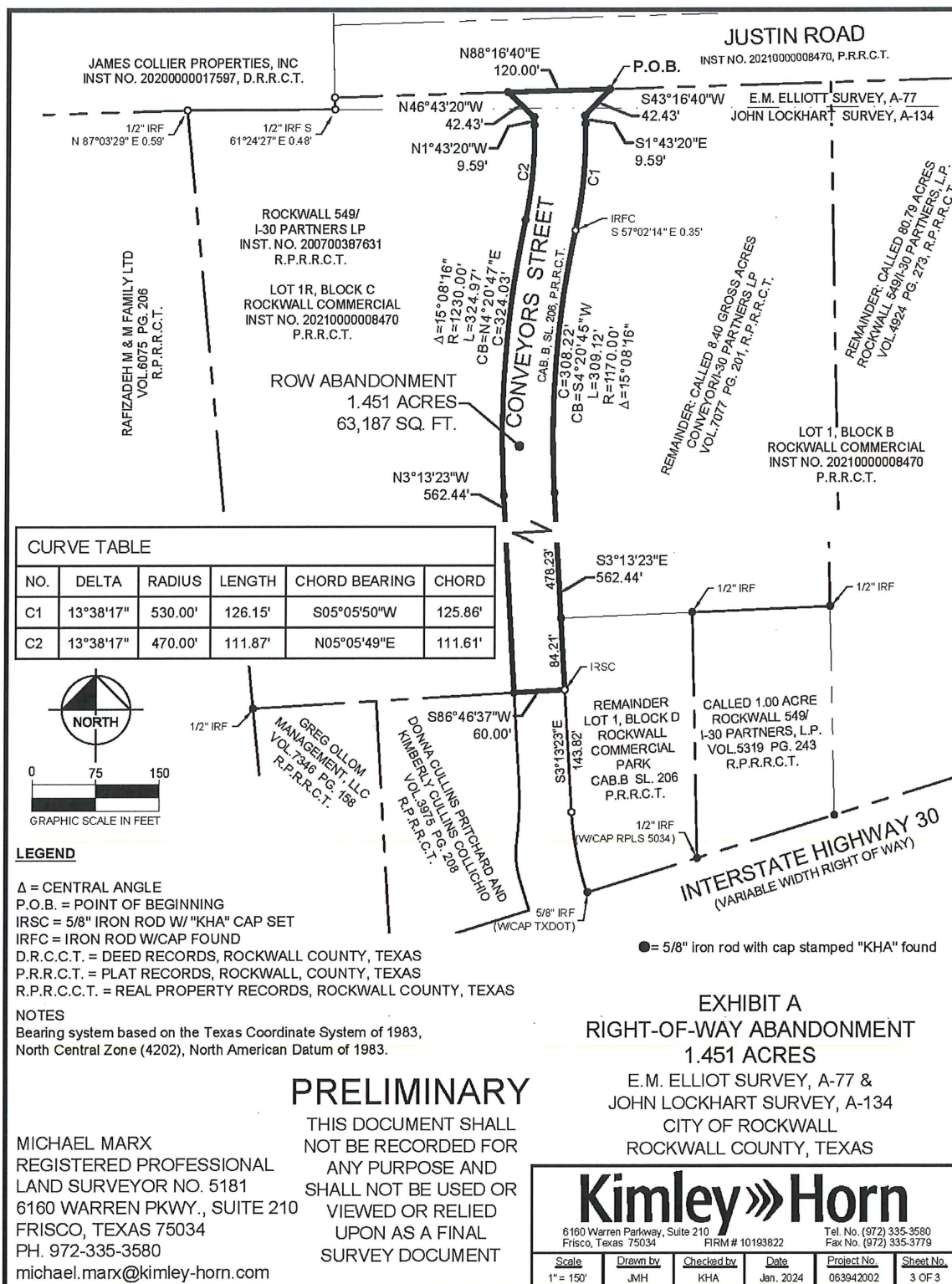
EXHIBIT A
RIGHT-OF-WAY ABANDONMENT
1.451 ACRES
E.M. ELLIOT SURVEY, A-77 &
JOHN LOCKHART SURVEY, A-134
CITY OF ROCKWALL
ROCKWALL COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

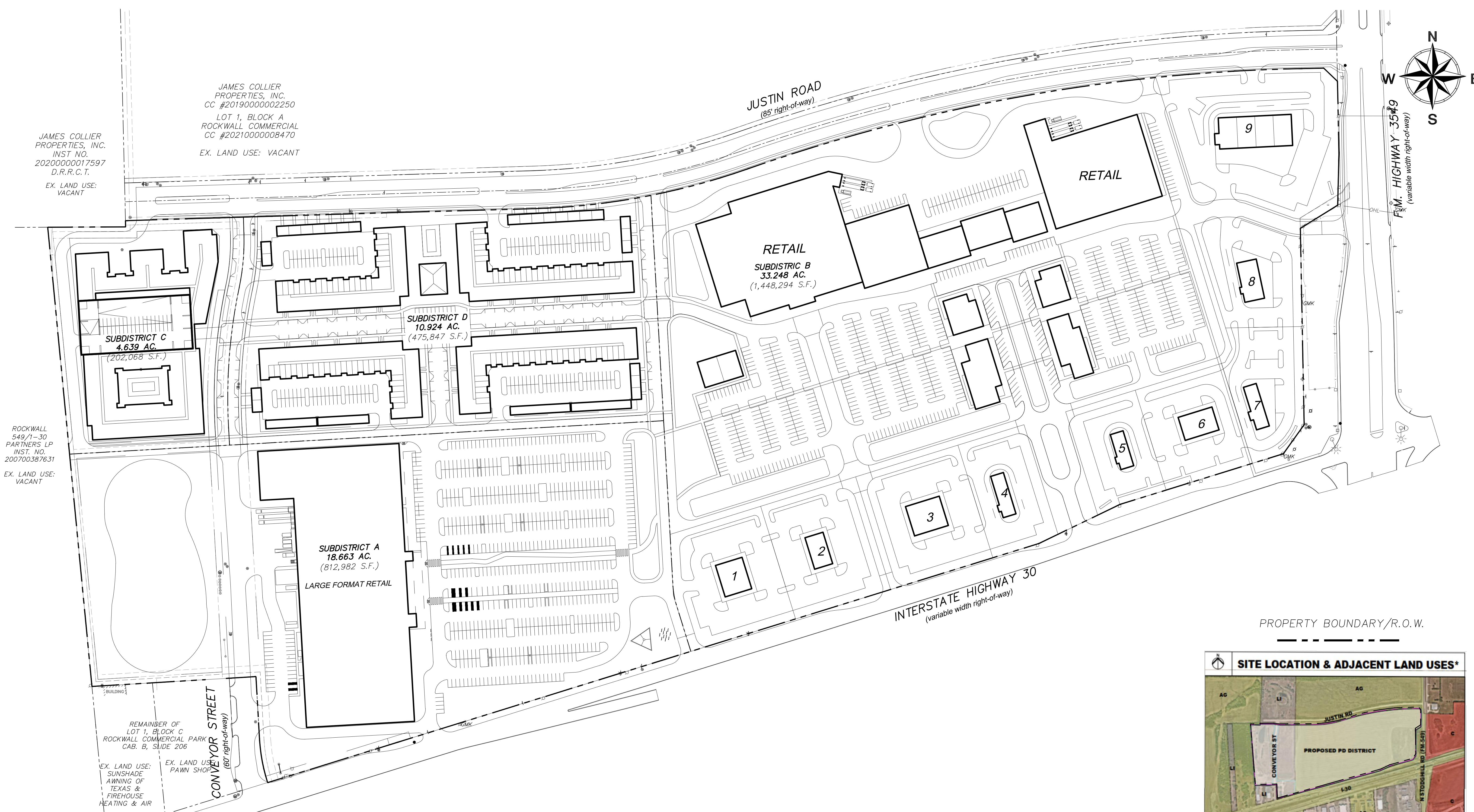
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N/A	JMH	KHA	Jan. 2024	063942002	2 OF 3

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HOEFNER, JOHN 1/17/2024 11:32 AM K\FRI SURVEY\063942002-ROCKWALL COMMERCIAL BLOCK B LOT 1 - ROCKWALL\DWG\063942002 CONVEYORS ABND EX DWG





ROCKWALL HEIGHTS

GFFdesign

ADDRESS:
3030 NOWITZKI WAY
SUITE 400
DALLAS, TX 75219

PegasusAblon

ADDRESS:
8222 DOUGLAS AVE.
SUITE 390
DALLAS, TX 75225



ADDRESS:
420 ALAN WOOD ROAD
CONSHOHOCKEN, PA 19428



Engineering
& Design
ADDRESS:
20700 CIVIC CENTER DR.
SUITE 170
SOUTHFIELD, MI 48076



ADDRESS:
2323 ROSS AVE.
6TH FLOOR
DALLAS, TX 75201



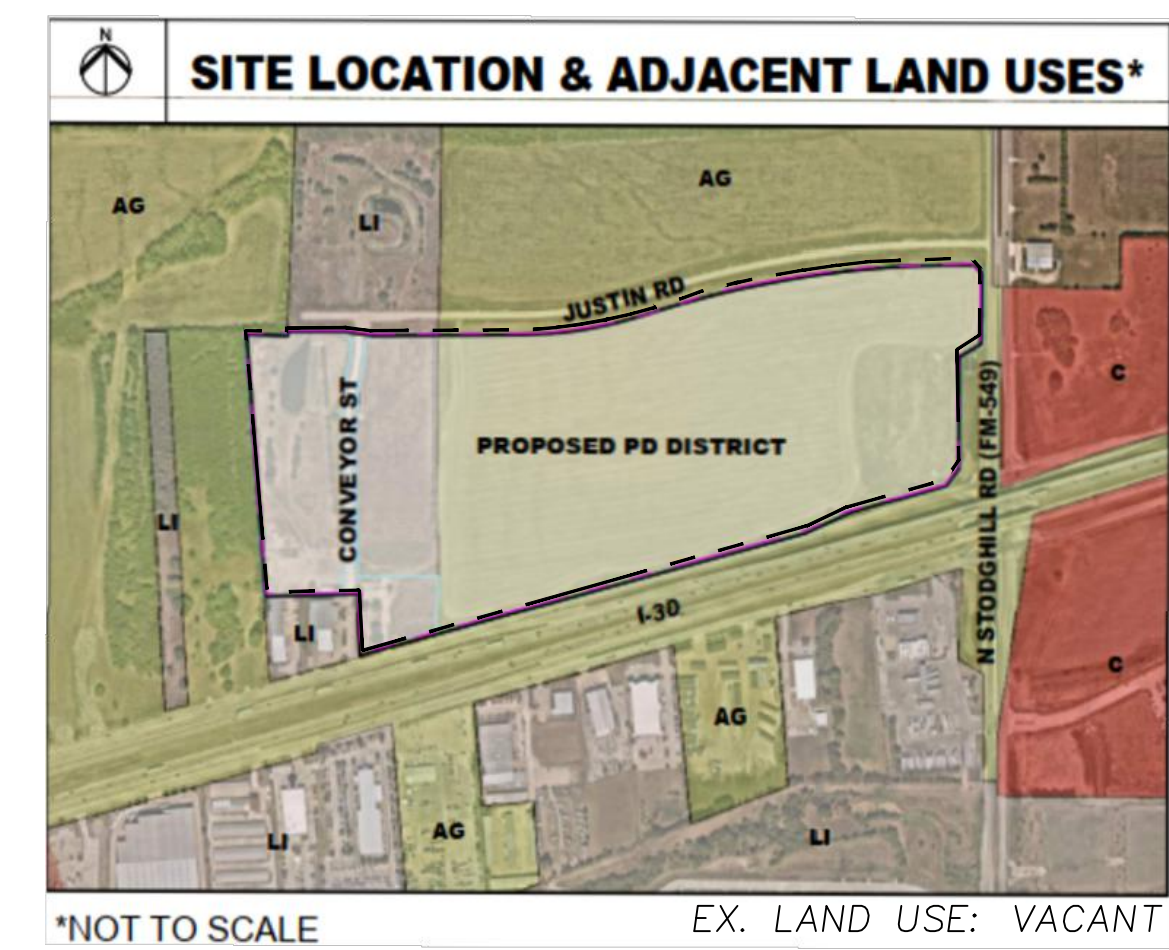
ADDRESS:
6750 HILLCREST PLAZA DR.
SUITE 215
DALLAS, TX 75219

CURRENT OWNERS:
ROCKWALL 549/130 PARTNERS, LP &
CONVEYOR 130 PARTNERS, LP

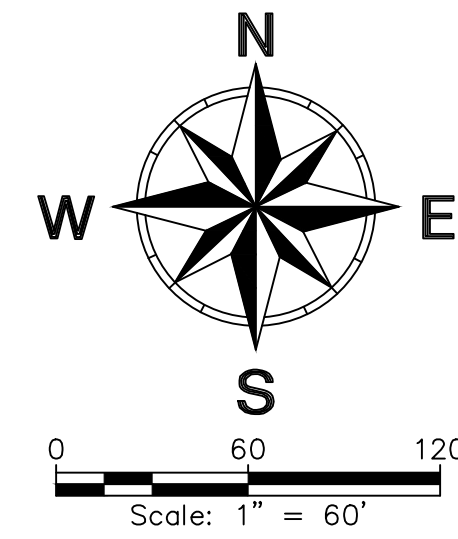
SUPPLEMENTAL 0 25 50 100

OVERALL CONCEPTUAL DEVELOPMENT PLAN

Job #: 24039 Rockwall, Texas Rockwall Heights // August 08 2024 // Site Analysis



SUBDISTRICT C
4.639 AC.
(202,068 S.F.)

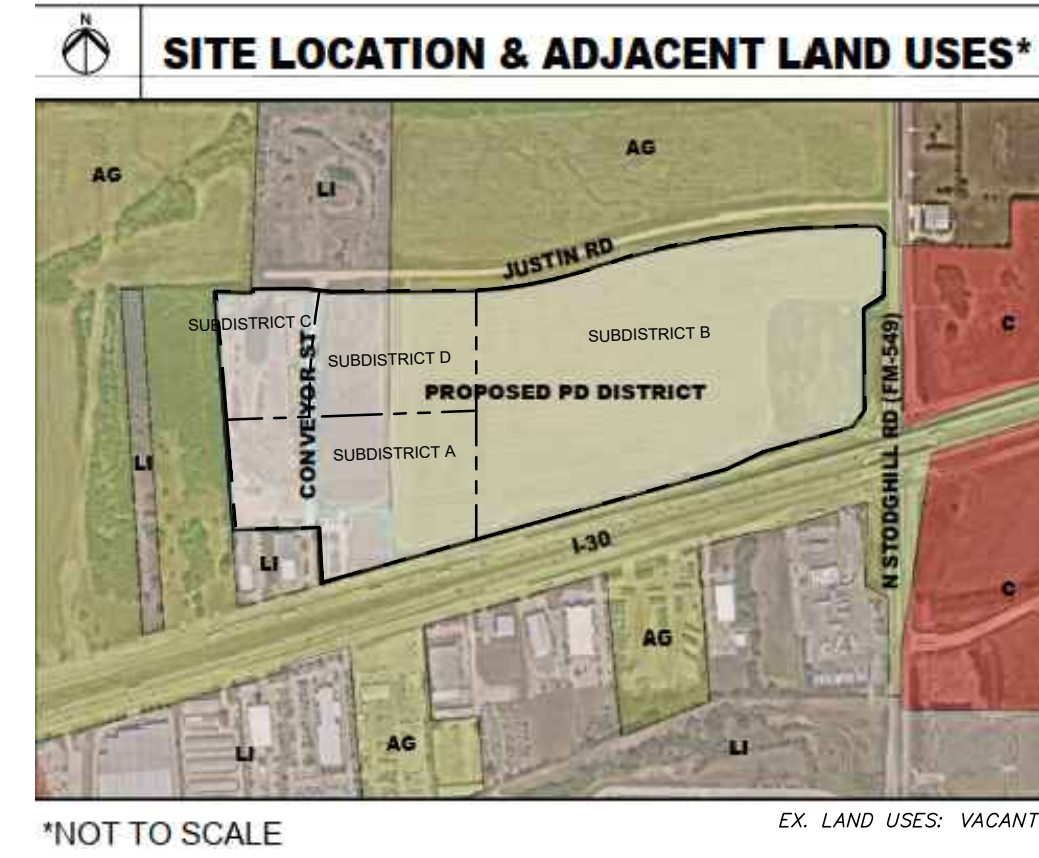


SUBDISTRICT D
10.924 AC.
(475,847 S.F.)

PROPERTY BOUNDARY/R.O.W.

CURRENT OWNERS:
ROCKWALL 549/130 PARTNERS, LP &
CONVEYOR 130 PARTNERS, LP

- NOTES:
- MINIMUM SIDE & REAR YARD SETBACKS: 10'
 - DIMENSIONS ARE TO FACE OF CURB OTHERWISE NOTED.



ROCKWALL 549/1-30
PARTNERS LP
INST. NO. 200700387631
EX. LAND USE: VACANT

DETENTION

LARGE FORMAT RETAIL

SUBDISTRICT A
18.663 AC.
(812,982 S.F.)

REMAINDER OF
LOT 1, BLOCK C
ROCKWALL COMMERCIAL PARK
CAB. B, SLIDE 206

EX. LAND USE:
SUNSHADE AWNING OF
TEXAS & FIREHOUSE
HEATING & AIR

EX. LAND USE:
PAWN SHOP

GFFdesign

ADDRESS:
3030 NOWITZKI WAY
SUITE 400
DALLAS, TX 75219

PegasusAblon

ADDRESS:
8222 DOUGLAS AVE.
SUITE 390
DALLAS, TX 75225



ADDRESS:
420 ALAN WOOD ROAD
CONSHOHOCKEN, PA 19428



Engineering
& Design
ADDRESS:
20700 CIVIC CENTER DR.
SUITE 170
SOUTHFIELD, MI 48076



ADDRESS:
2323 ROSS AVE.
6TH FLOOR
DALLAS, TX 75201

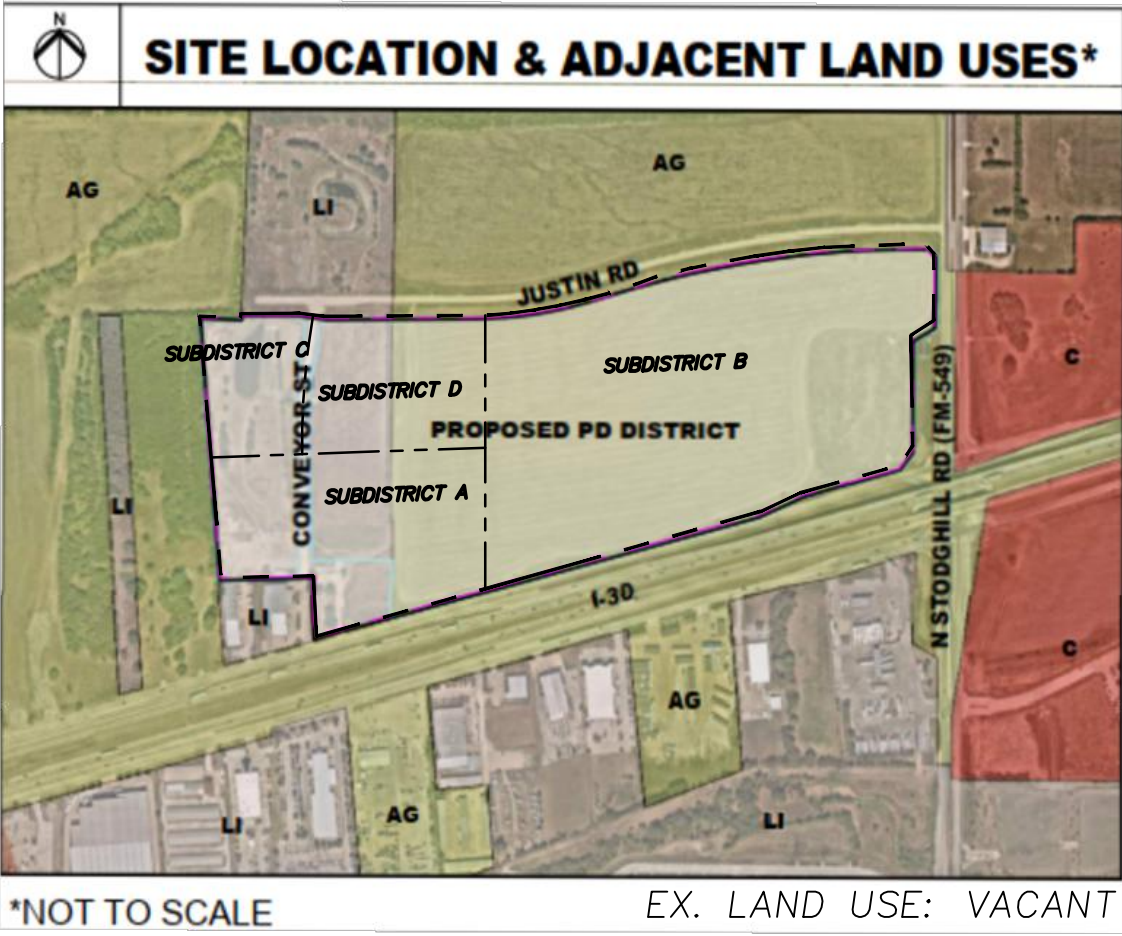


ADDRESS:
6750 HILLCREST PLAZA DR.
SUITE 215
DALLAS, TX 75219

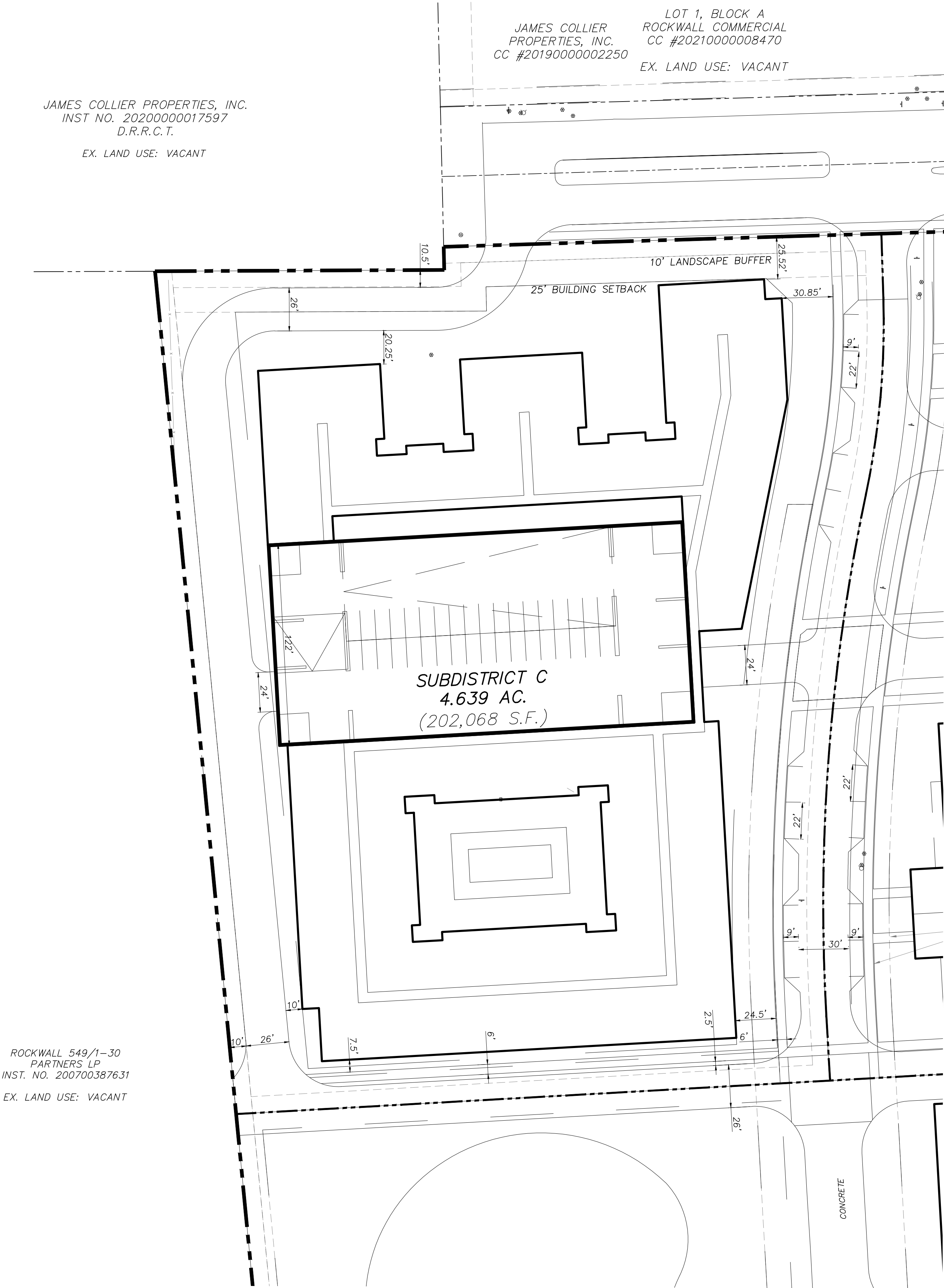
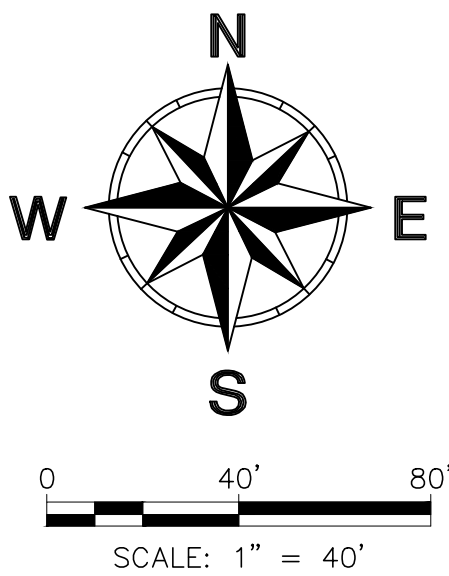
CURRENT OWNERS:
ROCKWALL 549/130 PARTNERS, LP &
CONVEYOR 130 PARTNERS, LP

NOTES:
MINIMUM SIDE & REAR YARD SETBACKS: 10'

SUPPLEMENTAL SUBDISTRICT A DEVELOPMENT PLAN



PROPERTY BOUNDARY/R.O.W.



ROCKWALL HEIGHTS



ADDRESS:
3030 NOWITZKI WAY
SUITE 400
DALLAS, TX 75219



ADDRESS:
8222 DOUGLAS AVE.
SUITE 390
DALLAS, TX 75225



ADDRESS:
420 ALAN WOOD ROAD
CONSHOHOCKEN, PA 19428



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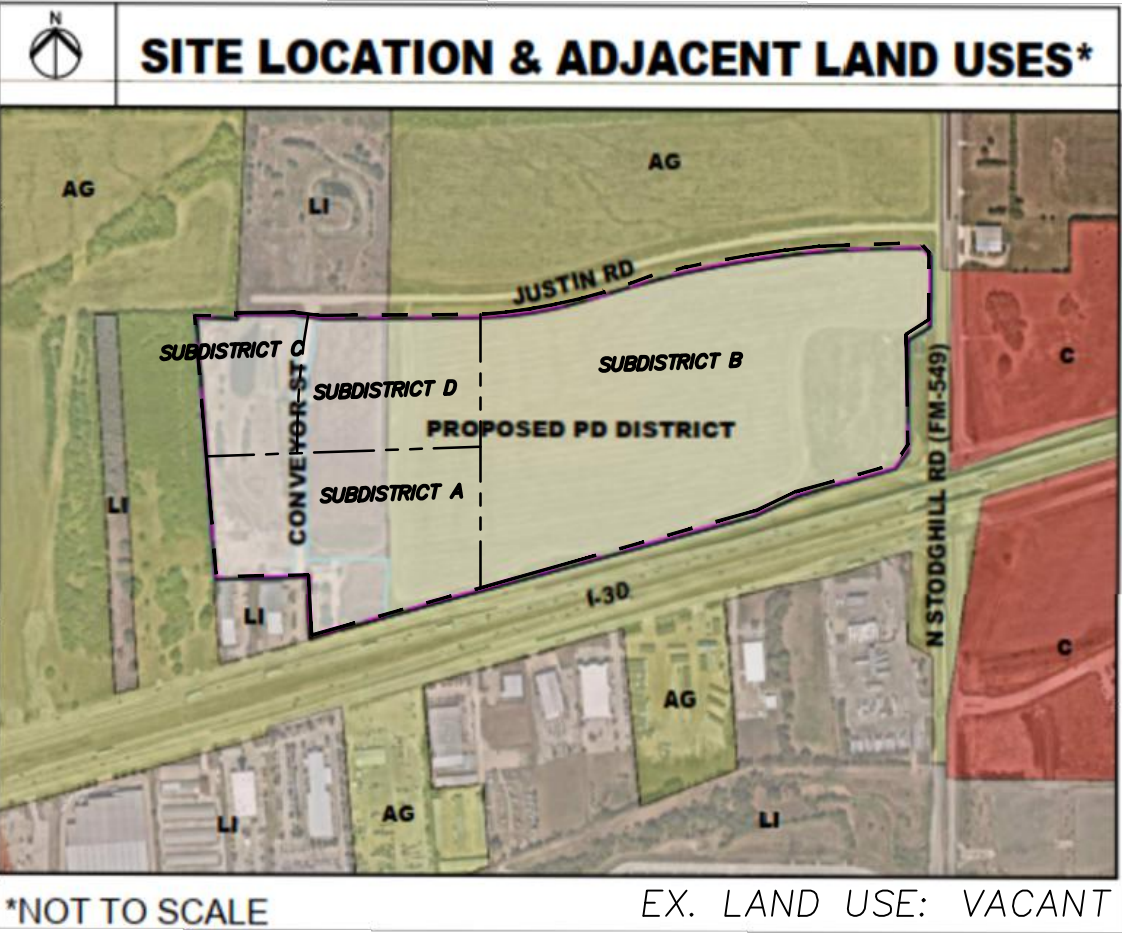


ADDRESS:
6750 HILLCREST PLAZA DR.
SUITE 215
DALLAS, TX 75219

CURRENT OWNERS:
ROCKWALL 549/130 PARTNERS, LP &
CONVEYOR 130 PARTNERS, LP

SUPPLEMENTAL SUBDISTRICT C DEVELOPMENT PLAN

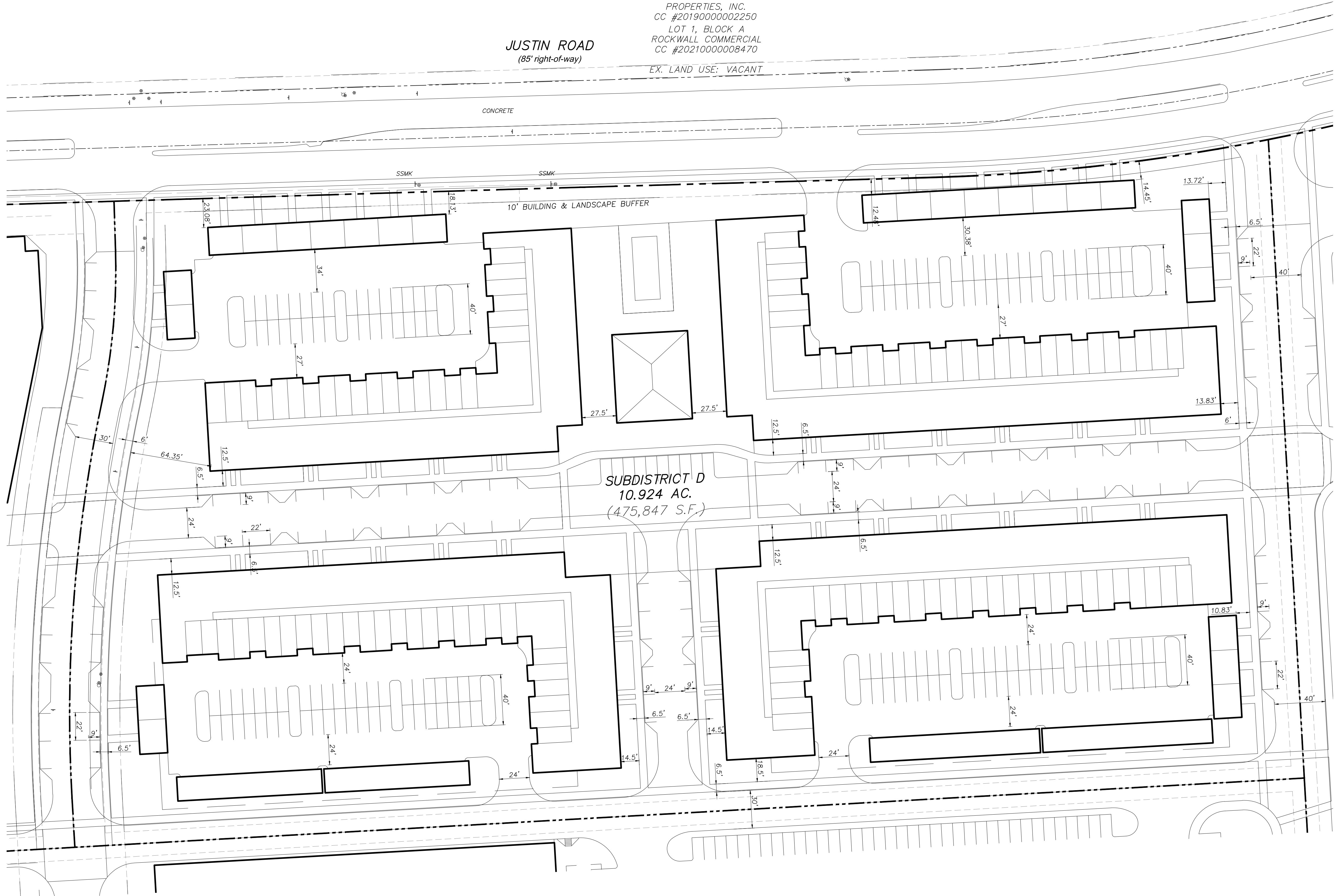
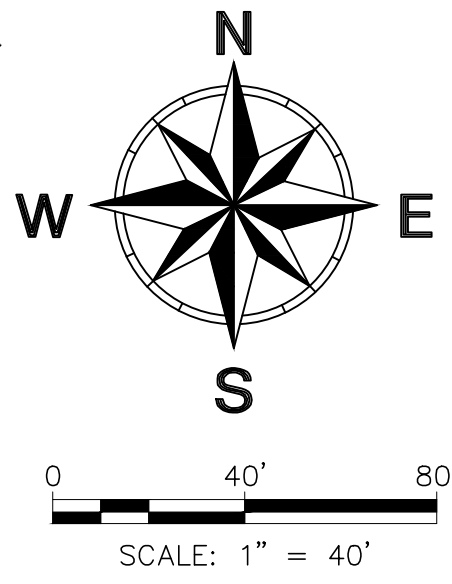
Job #: 24039 Rockwall, Texas Rockwall Heights // August 08 2024 // Site Analysis



JUSTIN ROAD
(85' right-of-way)

JAMES COLLIER
PROPERTIES, INC.
CC #20190000002250
LOT 1, BLOCK A
ROCKWALL COMMERCIAL
CC #202100000008470

EX. LAND USE: VACANT



ROCKWALL HEIGHTS

GFFdesign

ADDRESS:
3030 NOWITZKI WAY
SUITE 400
DALLAS, TX 75219

PegasusAblon

ADDRESS:
8222 DOUGLAS AVE.
SUITE 390
DALLAS, TX 75225



ADDRESS:
420 ALAN WOOD ROAD
CONSHOHOCKEN, PA 19428



Engineering
& Design
ADDRESS:
20700 CIVIC CENTER DR.
SUITE 170
SOUTHFIELD, MI 48076



ADDRESS:
2323 ROSS AVE.
6TH FLOOR
DALLAS, TX 75201



**Winkelmann
& Associates, Inc.**
ADDRESS:
6750 HILLCREST PLAZA DR.
SUITE 215
DALLAS, TX 75219

CURRENT OWNERS:
ROCKWALL 549/130 PARTNERS, LP &
CONVEYOR 130 PARTNERS, LP

SUPPLEMENTAL SUBDISTRICT D DEVELOPMENT PLAN

Job #: 24039 Rockwall, Texas Rockwall Heights // August 08 2024 // Site Analysis



















EXAMPLE - JUNIOR ANCHOR



EXAMPLE - OMNI RETAIL



EXAMPLE - MAIN ENTRY



EXAMPLE - STODGHILL RD ENTRY



EXAMPLE - PAD SITE (LOGO CAN BE REMOVED)

The *Downtown* land use designation should include a mixture of land uses that are complementary to the existing development pattern and are intended to add to the attractive, pedestrian-oriented environment of Rockwall's historic downtown. In addition, this area is the historic core of the City and should continue to be a symbol of community life in Rockwall. The policies adopted in Appendix 'C', *Small Area Plans*, of this Comprehensive Plan should generally regulate this land use designation.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Retail, Office, Restaurant and Residential Land Uses
- 2 Secondary Land Uses: Institutional/Civic Land Uses
- 3 Zoning Districts: Downtown (DT) District

EXISTING LAND USE EXAMPLES

- 1 Downtown Square and Surrounding Areas



SPECIAL COMMERCIAL CORRIDOR (SC)

The *Special Commercial Corridor* land use designation is intended to provide an area for commercial/retail and regional commercial/retail activity centers that are intended to support and serve the entire region. This area should include the recommendations contained in Appendix 'B', *Corridor Plans*, of this Comprehensive Plan.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Regional Shopping Centers, Entertainment, Retail, Personal Services, Restaurant, Corporate Offices, Employment and Recreation Land Uses
- 2 Secondary Land Uses: Residential, Open Space, Parks, Trails, Banks, Service Stations and Institutional/Civic Land Uses (Secondary Land Uses should be integrated into a Larger Development)
- 3 Zoning Districts: Commercial (C) District and Planned Development (PD) District

EXISTING LAND USE EXAMPLES

- 1 IH-30 Corridor

PUBLIC LAND AND OPEN SPACE

PARKS AND OPEN SPACE (OS)

The *Parks and Open Space* land use designation includes all floodplains and major public open spaces (e.g. neighborhood parks, community parks, greenbelts, trail systems, etc.). These areas should be preserved and are intended to provide citywide recreation/trail opportunities and natural drainage areas that help define the character of Rockwall.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Floodplain, Open Space, Parks, and Trails Land Uses
- 2 Secondary Land Uses: N/A
- 3 Zoning Districts: N/A

EXISTING LAND USE EXAMPLES

- 1 Harry Myers Park



PUBLIC (P)

The *Public* land use designation includes uses that are operated exclusively by a public body that serve the public's health, safety or general welfare. This land use designation includes land uses such as public schools, libraries, the airport, the City's administrative and service facilities, and any other state or federal facilities.

DESIGNATION CHARACTERISTICS

- 1 Primary Land Uses: Schools, Libraries, Fire Stations, Pump Stations, Water Towers, Police Stations, City Administrative Offices, and County, State or Federal Facilities
- 2 Secondary Land Uses: Open Space, Parks, and Trails Land Uses
- 3 Zoning Districts: N/A

EXISTING LAND USE EXAMPLES

- 1 City Place
- 2 County Courthouse
- 3 Municipal Courts Building

QUASI-PUBLIC (QP)

06 IH-30 CORRIDOR DISTRICT

DISTRICT DESCRIPTION

The IH-30 Corridor is the primary retail corridor for the City of Rockwall. Currently the corridor is approximately 55% developed, with the remaining 45% being vacant or raw land. The Corridor acts as the western gateway for both the City and County of Rockwall, and has land uses that include retail, personal services, medical, and industrial. In the future the health of the IH-30 corridor is vital to maintaining a high per capita sales tax for the City of Rockwall.

POINTS OF REFERENCE

- A. Lake Point Church
- B. Rochell Elementary School
- C. Walmart
- D. Costco

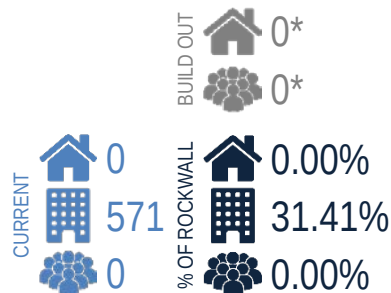
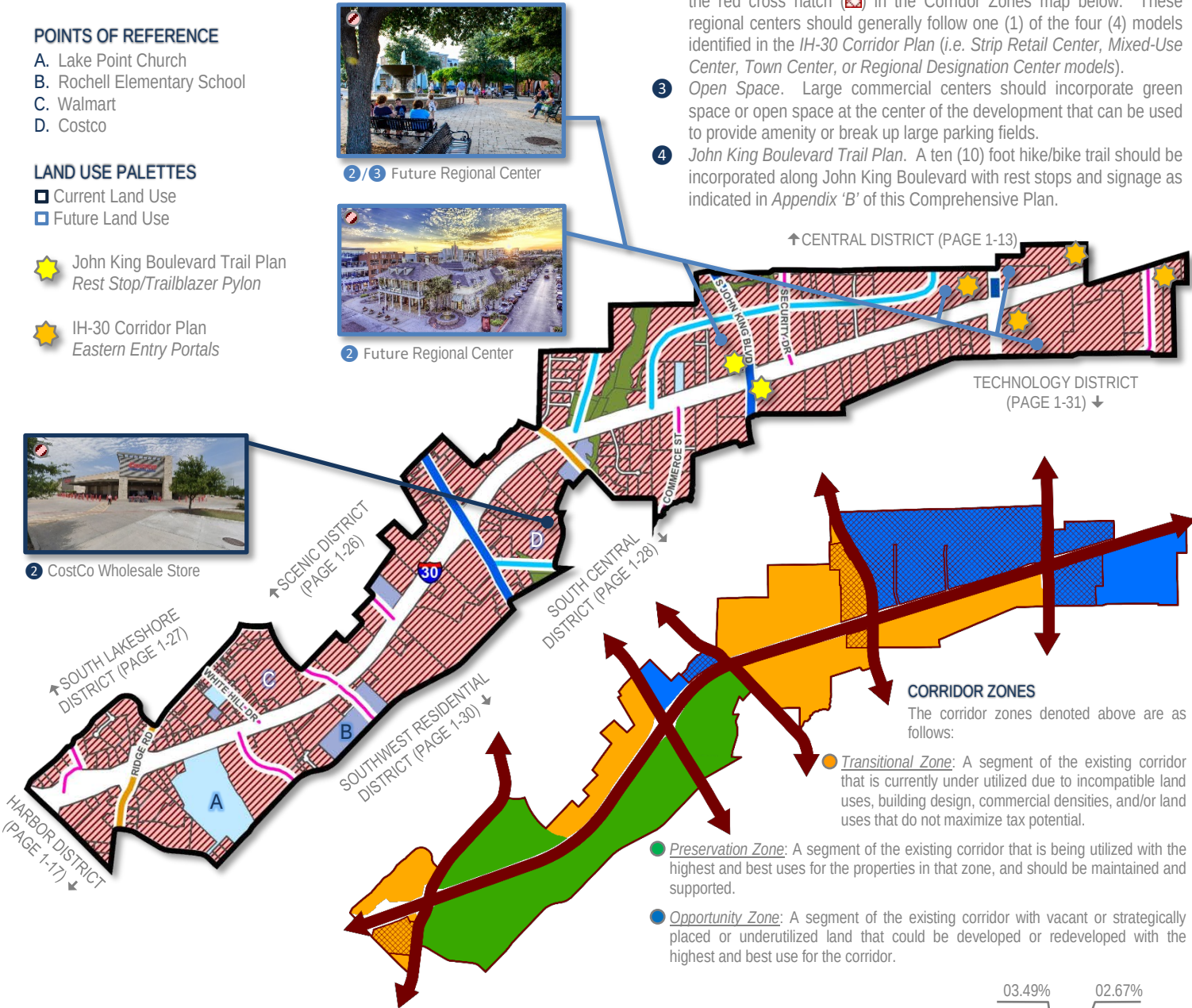
LAND USE PALETTES

- Current Land Use
- Future Land Use
- John King Boulevard Trail Plan Rest Stop/Trailblazer Pylon
- IH-30 Corridor Plan Eastern Entry Portals

DISTRICT STRATEGIES

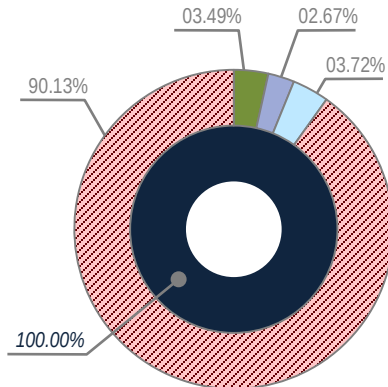
The IH-30 Corridor District will continue to be the City's primary retail corridor in the future. Based on this the following strategies should be employed:

- Corridor Strategies.** The specific goals and policies contained in Section 02.01, *IH-30 Corridor Plan*, of Appendix 'B', *Corridor Plans*, of this Comprehensive Plan should be considered when reviewing new development within the IH-30 Corridor.
- Regional Center.** In accordance with the *IH-30 Corridor Plan*, a regional center should be located on each of the properties denoted in the red cross hatch (X) in the Corridor Zones map below. These regional centers should generally follow one (1) of the four (4) models identified in the *IH-30 Corridor Plan* (i.e. *Strip Retail Center*, *Mixed-Use Center*, *Town Center*, or *Regional Designation Center* models).
- Open Space.** Large commercial centers should incorporate green space or open space at the center of the development that can be used to provide amenity or break up large parking fields.
- John King Boulevard Trail Plan.** A ten (10) foot hike/bike trail should be incorporated along John King Boulevard with rest stops and signage as indicated in Appendix 'B' of this Comprehensive Plan.



COMMERCIAL	100.00%
RESIDENTIAL	0.00%
MIXED USE	0.00%
PARKS AND OPEN SPACE (OS)	37.03-ACRES
PUBLIC (P)	28.31-ACRES
QUASI-PUBLIC (QP)	39.49-ACRES
SPECIAL COMMERCIAL CORRIDOR (SC)	957.15-ACRES

MINOR COLLECTOR
M4U
M4D
P6D
TXDOT 4D



CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, CLOSING, ABANDONING AND VACATING THE DEDICATED PUBLIC RIGHT-OF-WAY FOR CONVEYOR STREET MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND DEPICTED EXHIBIT 'B' OF THIS ORDINANCE AND CONVEYING THE RIGHT-OF-WAY TO THE ADJACENT PROPERTY OWNER; IDENTIFYING A MUNICIPAL PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subsection 311.007, *Closing of Street or Alley by Home-Rule Municipality*, of Chapter 311, *General Provisions Relating to Municipal Streets*, of the Texas Transportation Code grants a home-rule municipality the powers to vacate, abandon, or close a street or alleyway; and,

WHEREAS, Section 272.001(b) of the Texas Local Government Code provides that land -- *including streets or alleys* -- owned in fee or used by easement by a political subdivision of the state, may be conveyed, sold or exchanged for less than fair market value with one or more of the abutting property owners who own the underlying fee; and,

WHEREAS, the City of Rockwall currently incurs costs annually associated with the maintenance (*i.e. mowing*) of the dedicated public right-of-way for Conveyor Street -- *described in Exhibit 'A' and depicted in Exhibit 'B' of this ordinance* -- which is currently a public roadway; and,

WHEREAS, the City Council of the City of Rockwall has determined that the dedicated public right-of-way -- *described in Exhibit 'A' and depicted in Exhibit 'B' of this ordinance* -- is no longer needed for public purposes, and finds that it is in the best interest of the City to convey the roadway to the adjacent and abutting property owner; and,

WHEREAS, with proper notice to the public, a public hearing was held on February 20, 2024 at a meeting of the City Council of the City of Rockwall, during which all interested parties and citizens were allowed to appear and be heard; and,

WHEREAS, the City of Rockwall has determined that it is feasible and advantageous to abandon this City property subject to the terms and conditions set forth below.

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

SECTION 1. PROPERTY. The *Property* shall be as described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, and shall be incorporated by reference herein.

SECTION 2. QUITCLAIM. Section 272.001(b) of the Texas Local Government Code allows the City the power to convey city-owned property at less than fair market value to the abutting property owners. The Mayor of the City of Rockwall or the City Manager, as the case may be, are authorized to quitclaim the *Property* described in *Section 1* hereof to the abutting property owner upon the approval of this ordinance.

SECTION 3. LIMITATIONS. The abandonment of the *Property* shall extend only to the public right, title and easement in and to the tracts of land described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, and shall be construed only to that interest the governing body of the City may legally and

lawfully abandon.

SECTION 4. MUNICIPAL PURPOSE. The *Property* described in *Section 1*, save and except the municipal utility easements located thereon, is no longer needed for municipal purposes and it is in the public interest of the City, to abandon said described portions of the right-of-way as depicted in *Exhibit 'C'* to the adjacent and abutting property owners.

SECTION 5. SCOPE. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in *Section 1* of this ordinance, and shall be construed only to that interest the governing body of the City of Rockwall may legally and lawfully abandon.

SECTION 6. EXCEPTIONS. In addition to the express reservations provided for in *Section 1* hereof, the conveyance is made subject to any and all valid, conditions, easements, restrictions and the like, whether record or not in the real property records of Rockwall County Texas.

SECTION 7. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this *Ordinance* are true and correct and incorporates them as findings of fact.

SECTION 8. SAVINGS CLAUSE. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

SECTION 9. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE. This *Ordinance* shall be effective immediately following its passage and approval by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 7TH DAY OF OCTOBER, 2024.

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: September 16, 2024

2nd Reading: October 7, 2024

DRAFT
ORDINANCE
09.16.2024

Exhibit 'A'
Legal Description

BEING a tract of land situated in the E.M. Elliot Survey, Abstract No. 77, and the John Lockhart, Survey, Abstract No. 134, City of Rockwall, Rockwall County, Texas, and being a portion of Conveyors Street (60' wide public right-of-way) (Cabinet B, Slide 206, Plat Records, Rockwall County, Texas) and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the northernmost northwest corner of Lot 1, Block B, Rockwall Commercial, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No. 2021000008470, said Plat Records, common to the north corner of a corner clip at the intersection of the southerly right-of-way line of Justin Road (85' wide public right-of-way) (Instrument No. 2021000008470, said Plat Records) and the easterly right-of-way line of said Conveyors Street;

THENCE South 43°16'40" West, with said corner clip, a distance of 42.43 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the south corner of said corner clip;

THENCE with the common line of said Lot 1, Block B and said Conveyors Street the following courses and distances:

South 01°43'20" East, a distance of 9.59 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a tangent curve to the right with a radius of 530.00 feet, a central angle of 13°38'17", and a chord bearing and distance of South 05°05'50" West, 125.86 feet;

In a southerly direction, with said tangent curve to the right, an arc distance of 126.15 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a reverse curve to the left with a radius of 1,170.00 feet, a central angle of 15°08'16", and a chord bearing and distance of South 04°20'45" West, 308.22 feet;

In a southerly direction, with said reverse curve to the left, an arc distance of 309.12 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 03°13'23" East, passing at a distance of 478.23 feet a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the westernmost southwest corner of said Lot 1, Block B, and continuing along the same course and with the common line of Lot 1, Block D, Rockwall Commercial Park, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Cabinet B, Slide 206, said Plat Records, for a total distance of 562.44 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" set for corner;

THENCE South 86°46'37" West, departing said common line and crossing said Conveyors Street, a distance of 60.00 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the southeast corner of Lot 1R, Block C, Rockwall Commercial, an addition to the City of Rockwall, Texas, according to the plat thereof recorded in Instrument No. 2021000008470, said Plat Records, same being the northeast corner of a tract of land described in a deed to Donna Cullins Pritchard and Kimberly Cullins Collichio, recorded in Volume 7346, Page 158, Real Property Records, Rockwall County, Texas;

THENCE with the common line of said Lot 1R, Block C and said Conveyors Street the following courses and distances:

North 03°13'23" West, a distance of 562.44 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a tangent curve to the right with a radius of 1,230.00 feet, a central angle of 15°08'16", and a chord bearing and distance of North 04°20'47" East, 324.03 feet;

In a northerly direction, with said tangent curve to the right, an arc distance of 324.97 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a reverse curve to the left with a radius of 470.00 feet, a central angle of 13°38'17", and a chord bearing and distance of North 05°05'49" East, 111.61 feet;

In a northerly direction, with said reverse curve to the left, an arc distance of 111.87 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

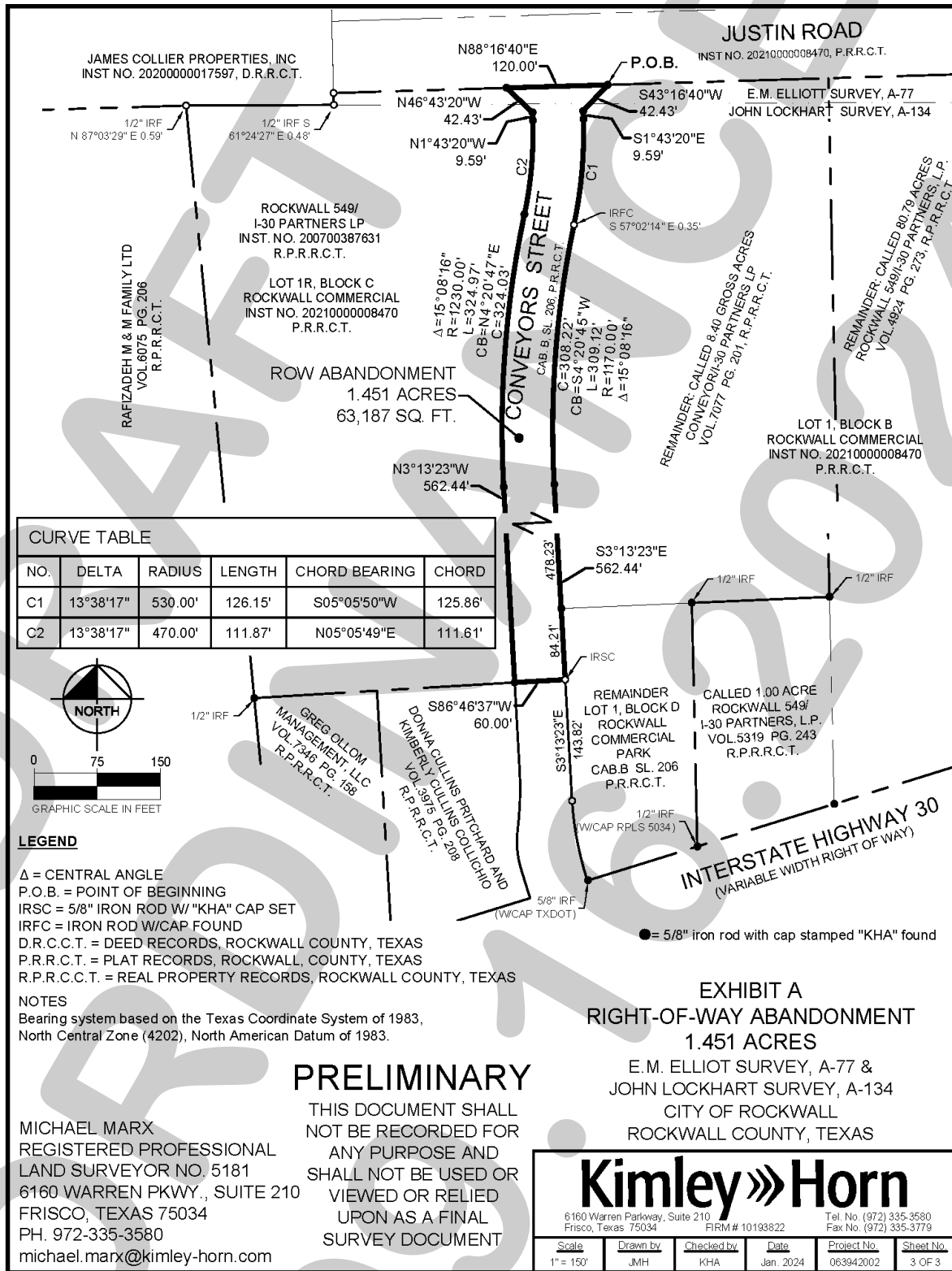
Exhibit 'A'
Legal Description

North 01°43'20" West, a distance of 9.59 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the easternmost northeast corner of said Lot 1R, Block C, common to the south corner of a corner clip at the intersection of the westerly right-of-way line of said Lot 1R, Block C and the southerly right-of-way line of said Justin Road;

THENCE North 46°43'20" West, along said corner clip, a distance of 42.43 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the northernmost northeast corner of said Lot 1R, Block C, common to the north corner of said corner clip;

THENCE North 88°16'40" East, crossing said Conveyors Street, a distance of 120.00 feet to the **POINT OF BEGINNING** and containing 63,187 square feet or 1.451 acres of land, more or less.

Exhibit 'B'
Dedicated Public Right-of-Way to be
Abandoned



CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM A COMMERCIAL (C) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR COMMERCIAL (C) DISTRICT LAND USES ON THE SUBJECT PROPERTY, BEING A 67.475-ACRE TRACT OF LAND IDENTIFIED AS LOT 1, BLOCK B; LOT 1R, BLOCK C; AND LOT 1, BLOCK D, ROCKWALL COMMERCIAL ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED IN EXHIBIT 'A' AND FURTHER DEPICTED IN EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from William S. Dahlstrom of Jackson Walker, LLP on behalf of Ronald P. Berlin of Rockwall 549/I-30 Partners, LP and Conveyor I30 Partners, LP for the approval of a *Zoning Change* from a Commercial (C) District to Planned Development District XX (PD-XX) for Commercial (C) District land uses on a 67.059-acre tract of land identified as Lot 1, Block B; Lot 1R, Block C; and Lot 1, Block D, Rockwall Commercial Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the IH-30 Overlay (IH-30 OV) District, generally located at the northwest corner of Stodghill Road (FM-3549) and the IH-30 Frontage Road, and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future;

SECTION 2. That development of the *Subject Property* shall generally be in accordance with

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

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

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

SECTION 5. That development of the *Subject Property* shall generally be in accordance with the *Conceptual Building Elevations*, depicted in *Exhibit 'F'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'F'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 6. That development of the *Subject Property* shall generally be in accordance with the *Development Standards*, outlined in *Exhibit 'G'* of this ordinance, attached hereto and incorporated herein by reference as *Exhibit 'G'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

SECTION 7. That the official zoning map of the City be corrected to reflect the changes in the zoning described herein;

SECTION 8. 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 9. 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 10. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (*including references to the Unified Development Code [UDC]*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 11. 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 7TH DAY OF OCTOBER, 2024.

Trace Johannessen, Mayor

ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: September 16, 2024

2nd Reading: October 7, 2024

Exhibit 'A'
Legal Description

BEING a tract of land situated in the E.M. ELLIOTT SURVEY, ABSTRACT NO. 77 and the JOHN LOCKHART SURVEY, ABSTRACT NO. 134, City of Rockwall, Rockwall County, Texas and being all of Lot 1, Block B, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, Plat Records, Rockwall County, Texas (P.R.R.C.T.), a portion of Lot 1R, Block C, Rockwall Commercial, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in County Clerk's File No. 20210000008470, P.R.R.C.T., and the remainder of Lot 1, Block D, Rockwall Commercial Park, an addition to the City of Rockwall, Rockwall County, Texas, according to the plat thereof recorded in Cabinet B, Slide 206, P.R.R.C.T., and a portion of Conveyors Street, a 60' right-of-way, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southeast corner of said Lot 1, Block B, said iron rod being situated in the North right-of-way line of Interstate Highway 30, a variable width right-of-way, and the West right-of-way line of F.M. Highway 3549, a variable width right-of-way, and also being the Southeast corner of a corner clip;

THENCE, departing the West right-of way line of said F.M. Highway 3549 and said corner clip, and along the South line of said Lot 1, Block B, and the North right-of-way line of said Interstate Highway 30, the following:

South 72 deg 46 min 18 sec West, a distance of 384.46 feet to a 5/8" iron rod found for corner;

South 64 deg 14 min 27 sec West, a distance of 202.24 feet to a point for corner from which a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found bears South 77 deg 02 min 27 sec West, a distance of 0.68 feet;

South 72 deg 46 min 18 sec West, a distance of 1,507.74 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Southerly Southwest corner of said Lot 1, Block B, and the Southeast corner of the remainder of said Lot 1, Block D;

THENCE South 72 deg 43 min 43 sec West, along the South line of the remainder of said Lot 1, Block D, and continuing along the North right-of-way line of said Interstate Highway 30, a distance of 169.80 feet to a 1/2-inch iron rod with yellow plastic cap stamped "RPLS5034" found for corner;

THENCE South 72 deg 46 min 08 sec West, continuing along the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, a distance of 136.39 feet to a 5/8-inch iron rod with pink plastic cap stamped "TXDOT" found for corner, said iron rod being the Southwest corner of the remainder of said Lot 1, Block D, and being the beginning of a non-tangent curve to the right having a radius of 397.84 feet, a central angle of 13 deg 52 min 54 sec, a chord bearing of North 10 deg 51 min 14 sec West, and a chord length of 96.15 feet;

THENCE along said non-tangent curve to the right, departing the South line of the remainder of said Lot 1, Block D, and the North right-of-way line of said Interstate Highway 30, and along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, an arc distance of 96.39 feet to a point for corner;

THENCE North 03 deg 13 min 23 sec West, continuing along the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, a distance of 144.04 feet to a point for corner;

THENCE South 86 deg 34 min 32 sec West, departing the West line of the remainder of said Lot 1, Block D, and the East right-of-way line of said Conveyors Street, and crossing the right-of-way of said Conveyors Street, a distance of 60.17 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner, said iron rod being the Southeast corner of said Lot 1R, Block C, and being situated in the West right-of-way line of said Conveyors Street;

Exhibit 'A'
Legal Description

THENCE South 86 deg 34 min 32 sec West, departing the West right-of-way line of said Conveyors Street, and along the common line of said Lot 1R, Block C, and Lot 1, Block C, of said Rockwall Commercial Park, a distance of 309.03 feet to a point for corner from which a 1/2-inch iron rod found bears South 74 deg 26 min 07 sec East, a distance of 0.62 feet;

THENCE North 05 deg 29 min 52 sec West, departing said common line and along the common line of said Lot 1R, Block C, and a tract of land described in deed to Rockwall 549/I-30 Partners LP, recorded in Instrument Number 200700387631, Official Public Records, Rockwall County, Texas (O.P.R.R.C.T.), a distance of 1,036.76 feet to a point for corner from which a 1/2-inch iron rod found bears North 78 deg 37 min 38 sec East, a distance of 0.42 feet;

THENCE North 89 deg 44 min 47 sec East, along the common line of said Lot 1R, Block C, and a tract of land as described in deed to Janis G. Dorris & Nelda L. Lacuesta, recorded in Volume 850, Page 85, O.P.R.R.C.T., a distance of 175.03 feet to a point for corner from which a 1/2-inch iron rod found bears South 49 deg 13 min 08 sec East, a distance of 0.47 feet;

THENCE North 01 deg 22 min 01 sec West, continuing along said common line, a distance of 14.02 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for a Northeast corner of said Lot 1R, Block C, and a Southeast corner of said Janis G. Dorris & Nelda L. Lacuesta tract;

THENCE North 88 deg 16 min 40 sec East, departing said common line and along the North line of said Lot 1R, Block C, and the South right-of-way line of Justin Road, an 85- foot right-of-way, a distance of 204.88 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for the most Northerly corner of said Lot 1R, Block C;

THENCE North 88 deg 16 min 27 sec East, departing the North line of said Lot 1R, Block C, and over and across the right-of-way of said Justin Road and said Conveyors Street, a distance of 120.17 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for a Northwest corner of said Lot 1, Block B;

THENCE along the North line of said Lot 1, Block B, and the South right-of-way line of said Justin Road, the following:

North 88 deg 16 min 40 sec East, a distance of 311.50 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner;

North 88 deg 25 min 20 sec East, a distance of 281.12 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a curve to the left having a radius of 1,592.50 feet, a central angle of 17 deg 40 min 38 sec, a chord bearing of North 79 deg 26 min 21 sec

East, and a chord length of 489.38 feet;

Along said curve to the left, an arc distance of 491.33 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" set for corner and being the beginning of a curve to the right having a radius of 3,979.40 feet, a central angle of 18 deg 16 min 32 sec, a chord bearing of North 79 deg 44 min 18 sec

East, and a chord length of 1,263.93 feet;

Along said curve to the right, an arc distance of 1,269.30 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 11 deg 52 min 09 sec East, a distance of 0.84 feet;

North 88 deg 52 min 34 sec East, a distance of 49.83 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 14 deg 09 min 55 sec East, a distance of 0.76 feet, said point being the most Northerly Northeast corner of said Lot 1, Block B,

Exhibit 'A'
Legal Description

and the Northeast corner of a corner clip, and being situated in the West right-of-way line of said F.M. Highway 3549;

THENCE South 46 deg 07 min 44 sec East, continuing along the North line of said Lot 1, Block B, and the South right-of-way line of said Justin Road, and along the West right-of-way line of said F.M. Highway 3549, and said corner clip, a distance of 42.43 feet to a point for corner from which a 5/8-inch iron rod with red plastic cap stamped "KHA" found bears North 11 deg 58 min 22 sec East, a distance of 0.71 feet, said point being a North corner of said Lot 1, Block B, and the Southeast corner of said corner clip;

THENCE, departing the South right-of-way line of said Justin Road, the North line of said Lot 1, Block B, and said corner clip, continuing along the West right-of-way line of said F.M. Highway 3549 and along the East line of said Lot 1, Block B, the following:

South 01 deg 13 min 54 sec East, a distance of 165.08 feet to a 1/2-inch iron rod found for corner;

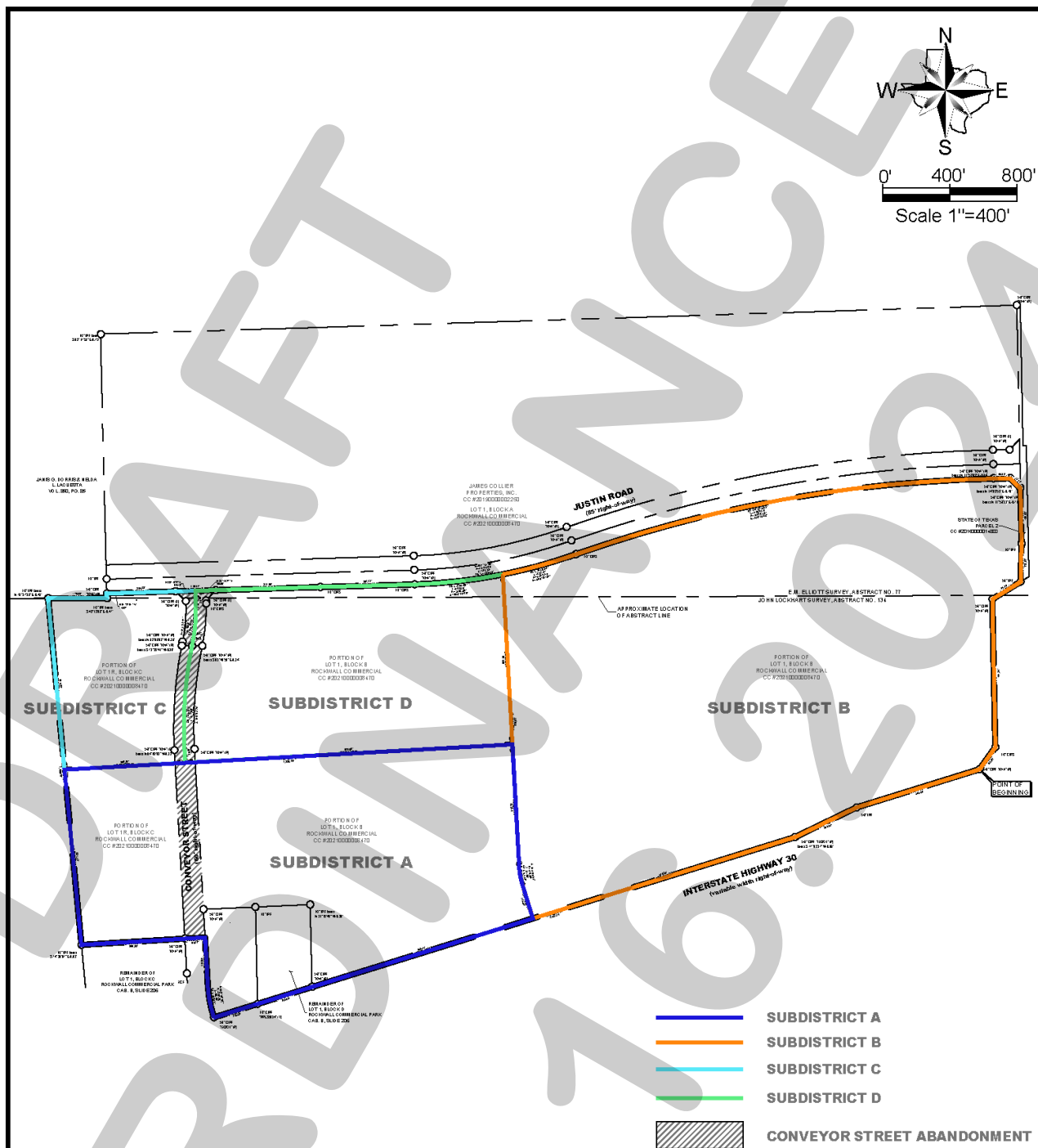
South 01 deg 26 min 27 sec West, a distance of 113.61 feet to a 5/8-inch iron rod found for corner;

South 58 deg 12 min 56 sec West, a distance of 98.69 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

South 01 deg 07 min 09 sec East, a distance of 441.34 feet to a 1/2-inch iron rod with red plastic cap stamped "W.A.I. 5714" for corner, said iron rod being situated in the North right-of-way line of said Interstate Highway 30, and being the Northeast corner of a corner clip;

THENCE South 35 deg 33 min 35 sec West, continuing along the West right-of-way line of said F.M. Highway 3549, and along said corner clip, a distance of 80.25 feet to the *POINT OF BEGINNING*. Containing 67.475 acres or 2,939,199 square feet of land, more or less.

Bearings described herein are based upon an on-the-ground Survey performed in the field on the 25th day of April, 2024, utilizing a G.P.S. bearing related to the Texas Coordinate System, North Texas Central Zone (4202), NAD 83, grid values from the GeoShack VRS network.



 Winkelmann & Associates, Inc. CONSULTING CIVIL ENGINEERS ■ SURVEYORS 6750 HILLCREST PLAZA DRIVE, SUITE 215 (972) 490-7090 DALLAS, TEXAS 75230 (972) 490-7099 FAX Texas Engineers Registration No. 89 Texas Surveyors No. 10086600 Expires 12-31-2024 COPYRIGHT © 2024, Winkelmann & Associates, Inc.	EXHIBIT B SURVEY		SHEET 1 OF 1
	PROPERTY BOUNDARY 67.475 ACRES (2,939,199 SQ. FT.)		
	Scale : 1/400		
	Date : 08.14.24		
	Dwg. File : 63406-Exhibit B		
Project No. : 63406			

Exhibit 'C'
Subdistrict Plan

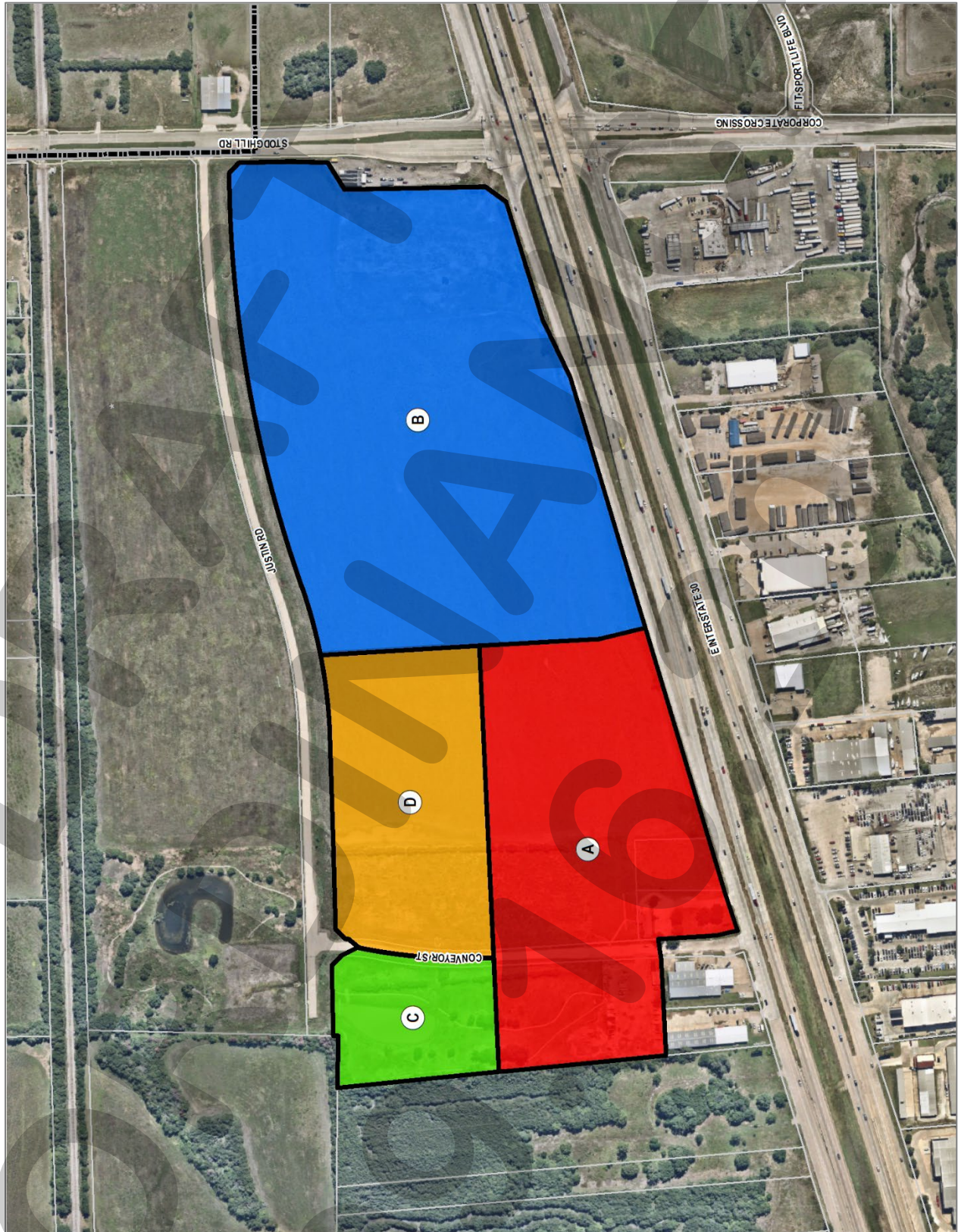


Exhibit 'D'
Overall Concept Plan



Exhibit 'E' **Phasing Plan**

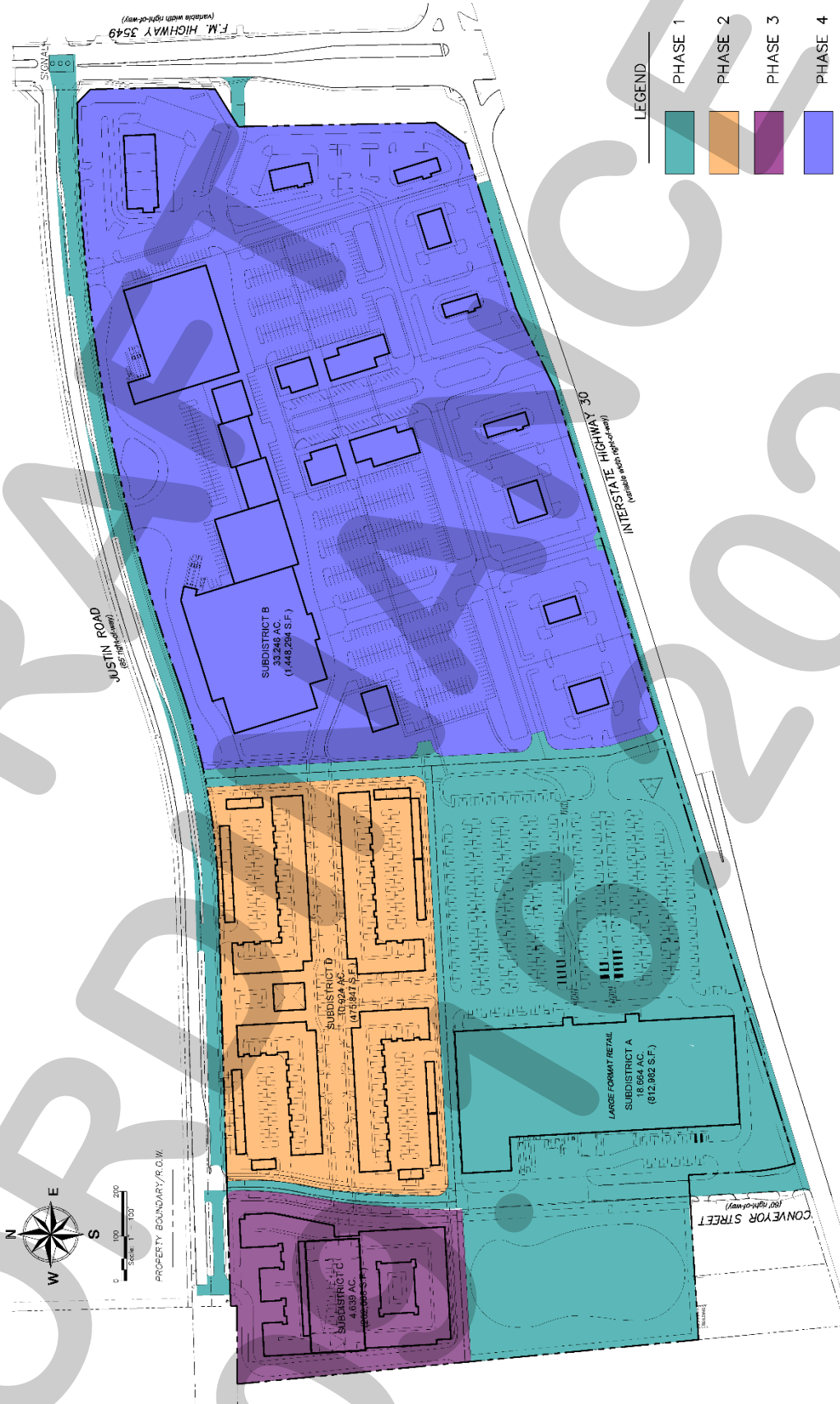


Exhibit 'F'
Conceptual Building Elevations | Subdistrict A

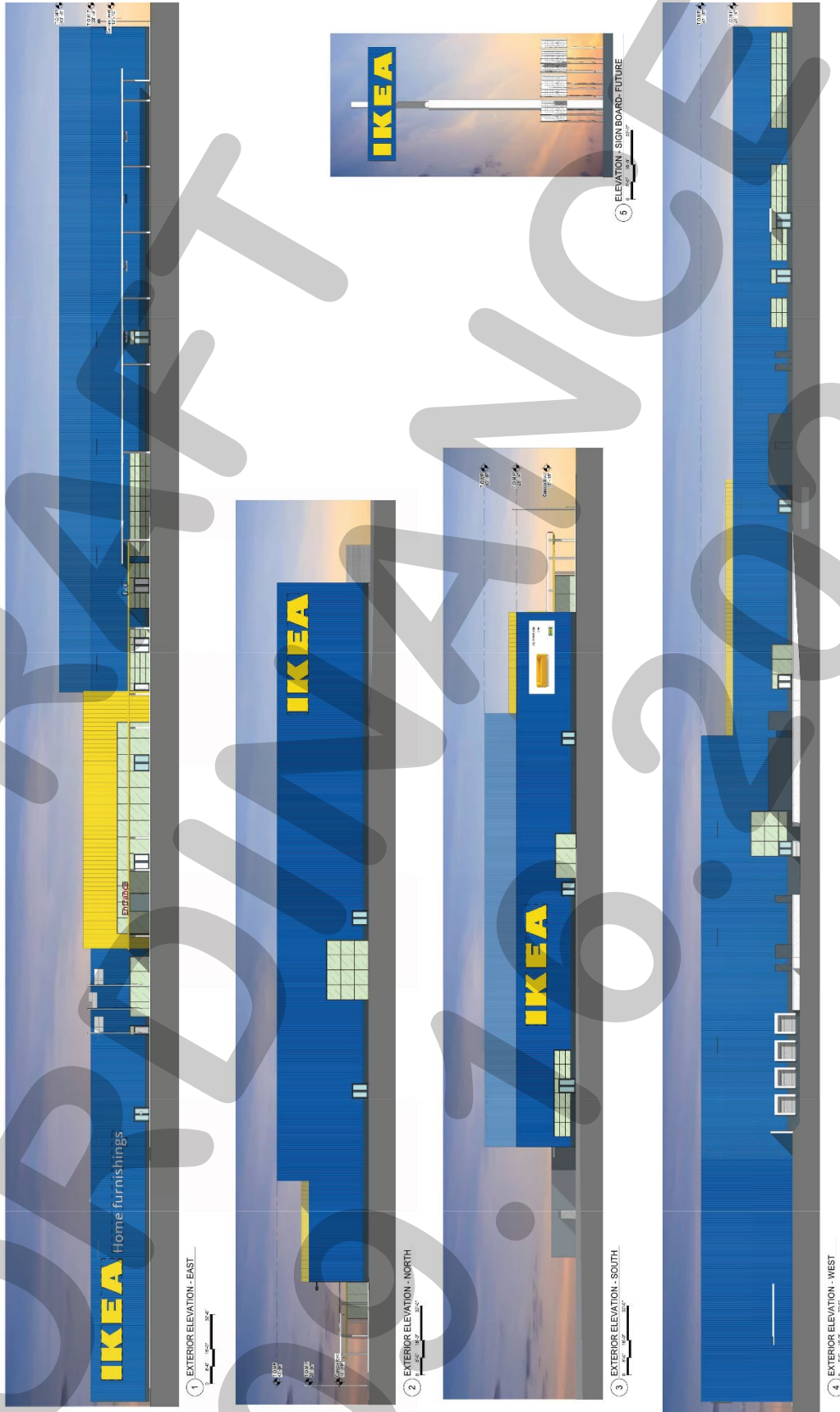


Exhibit 'F'
Conceptual Building Elevations | Subdistrict C



Exhibit 'F'
Conceptual Building Elevations | Subdistrict C



Exhibit 'F'
Conceptual Building Elevations | Subdistrict D



Exhibit 'F'
Conceptual Building Elevations | Subdistrict D



EAST STREET FACING

SCALE: 1/16" = 1'-0"



WEST INTERNAL PARKING COURT

SCALE: 1/16" = 1'-0"

Exhibit 'F'
Conceptual Building Elevations | Subdistrict D



Exhibit 'F'
Conceptual Building Elevations | Subdistrict D



Exhibit 'G'
Development Standards

(A) ESTABLISHMENT AND INTENT OF THE SUBDISTRICTS

The *Subject Property* shall be divided into four (4) subdistricts as depicted on the *Subdistrict Plan*, which is contained in *Exhibit 'C'* of this ordinance. The intent of each of the established *Subdistricts* is as follows:

- (1) Subdistrict A. The intent of *Subdistrict A* is to provide for a single, *Large Format Retailer*.
- (2) Subdistrict B, C, & D. The intent of *Subdistricts B, C, & D* is to provide a *Regional Mixed-Use Development* that incorporates residential, retail, restaurant, and/or entertainment land uses in conformance with the vision established in the *IH-30 Corridor Plan* contained in the *OURHometown Vision 2040 Comprehensive Plan*. Specifically, the intent of each of these *Subdistricts* is as follows:
 - (a) Subdistrict B. The intent of *Subdistrict B* is to provide a *Regional Commercial/Retail and Entertainment Center* that consists of retail, restaurant, and/or entertainment land uses in conformance with the vision established in the *IH-30 Corridor Plan* contained in the *OURHometown Vision 2040 Comprehensive Plan*.
 - (b) Subdistrict C. The intent of *Subdistrict C* is to provide an *Urban Residential* style condominium building that provides residential housing as part of the *Regional Mixed-Use Development*.
 - (c) Subdistrict D. The intent of *Subdistrict D* is to provide a *Low-Rise Residential* style condominium community that provides another style of residential housing as part of the *Regional Mixed-Use Development*.

(B) PROCESSES FOR EACH SUBDISTRICT

- (1) Subdistrict A. *Subdistrict A* shall be developed in general conformance with the *Overall Concept Plan* contained in *Exhibit 'D'* of this ordinance, and the development standards contained in *Subsections (C) & (D)* of this ordinance. Prior to the issuance of a *Building Permit* for any structure in *Subdistrict A*, a *PD Site Plan -- that conforms to the requirements of this Planned Development District ordinance and the Unified Development Code (UDC) --* shall be submitted and approved in accordance with the requirements of Article 11, *Development Application Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02]. A *PD Development Plan* shall not be required for development in *Subdistrict A*, as shown on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance.
- (2) Subdistrict B. *Subdistrict B* shall be developed in general conformance with the *Overall Concept Plan* contained in *Exhibit 'D'* of this ordinance, and the development standards contained in *Subsections (C) & (E)* of this ordinance. Prior to the issuance of a *Building Permit* for any structure in *Subdistrict B*, a *PD Development Plan* and *PD Site Plan* shall be submitted and approved in accordance with the requirements of Article 10, *Planned Development District Regulations*, and Article 11, *Development Application Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02], and in conformance with the development standards contained in this Planned Development District ordinance.
- (3) Subdistrict C. *Subdistrict C* shall be developed in general conformance with the *Overall*

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Concept Plan contained in *Exhibit 'D'* of this ordinance, and the development standards contained in *Subsections (C) & (F)* of this ordinance. Prior to the issuance of a *Building Permit* for any structure in *Subdistrict C*, a *PD Site Plan* -- *that conforms to the requirements of this Planned Development District ordinance and the Unified Development Code (UDC)* -- shall be submitted and approved in accordance with the requirements of Article 11, *Development Application Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02]. A *PD Development Plan* shall not be required for development in *Subdistrict C*, as shown on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance.

- (4) *Subdistrict D*. *Subdistrict D* shall be developed in general conformance with the *Overall Concept Plan* contained in *Exhibit 'D'* of this ordinance, and the development standards contained in *Subsections (C) & (G)* of this ordinance. Prior to the issuance of a *Building Permit* for any structure in *Subdistrict D*, a *PD Site Plan* -- *that conforms to the requirements of this Planned Development District ordinance and the Unified Development Code (UDC)* -- shall be submitted and approved in accordance with the requirements of Article 11, *Development Application Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02]. A *PD Development Plan* shall not be required for development in *Subdistrict D*, as shown on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance.
- (5) *PD Site Plans*. If a *PD Site Plan* is submitted that does not meet the intent of this Planned Development District Ordinance, the Director of Planning and Zoning shall prepare a recommendation outlining how the proposed *PD Site Plan* fails to meet the intent, and bring the *PD Site Plan* and recommendation to the Planning and Zoning Commission for action. Should the Planning and Zoning Commission determine that the *PD Site Plan* does meet the intent of this ordinance, the *PD Site Plan* may be approved in accordance with the procedures of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and with the requirements of this ordinance; however, should the Planning and Zoning Commission determine that the *PD Site Plan* does not meet the intent of this ordinance, the Planning and Zoning Commission shall deny the *PD Site Plan* and the applicant shall be required to submit a *PD Development Plan* in accordance with Article 10, *Planned Development Regulations*, of the Unified Development Code (UDC) [Ordinance No. 20-02] and this ordinance.

(C) GENERAL STANDARDS.

The following general standards shall apply for all *Subdistricts* as depicted on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance:

- (1) *Development Standards*. Unless otherwise stipulated by this Planned Development District, all property situated within any *Subdistrict* shall be subject to the development standards stipulated by the *General Overlay District Standards* as outlined in Section 06.02, *General Overlay District Standards*, of Article 5, *Development Standards*, of the Unified Development Code (UDC), as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future.
- (2) *Landscape Buffers*. All landscape buffers shall be provided as follows:
- (a) *Landscape Buffer Adjacent to the IH-30 Frontage Road*. A minimum of a 20-foot

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landscape buffer shall be provided along the frontage of the IH-30 Frontage Road (*outside of and beyond any required right-of-way*), and shall incorporate ground cover, a built-up undulating berm, and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height 30-inches and maybe non-continuous and undulating. Portions of an access drive may encroach within the landscape buffer in areas depicted on the *Overall Concept Plan* contained in *Exhibit 'D'* of this ordinance. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A meandering/curvilinear six (6) foot sidewalk/trail shall be constructed within the 20-foot landscape buffer.

- (b) Landscape Buffer Adjacent to Stodghill Road (FM-3549). A minimum of a 20-foot landscape buffer shall be provided along the frontage of the Stodghill Road (*outside of and beyond any required right-of-way*), and shall incorporate ground cover, a built-up undulating berm, and shrubbery along the entire length of the frontage. Berms and shrubbery shall have a minimum height 30-inches and maybe non-continuous and undulating. In addition, two (2) canopy trees and four (4) accent trees shall be planted per 100-linear feet of frontage. A five (5) foot sidewalk shall be constructed within the 20-foot landscape buffer.
- (c) Landscape Buffer Adjacent to Justin Road. A minimum of a ten (10) foot landscape buffer shall be provided along the frontage of Justin Road (*outside of and beyond any required right-of-way*), and shall incorporate ground cover and shrubbery along the entire length of the frontage. In addition, one (1) canopy tree and one (1) accent tree shall be planted per 50-linear feet of frontage. An eight (8) foot trail shall be constructed within the ten (10) foot landscape buffer.
- (d) Landscape Buffer Adjacent to Conveyor Street. A minimum of a ten (10) foot landscape buffer shall be provided along the frontage of Conveyor Street (*outside of and beyond any required right-of-way*), and shall incorporate ground cover, a built-up undulating berm, and shrubbery along the entire length of the frontage. Berms and shrubbery may be non-continuous and undulating. In addition, one (1) canopy tree and one (1) accent tree shall be planted per 50-linear feet of frontage. A five (5) foot trail shall be constructed within the ten (10) foot landscape buffer.
- (3) Open Space. A minimum of 13.50% of the gross land area (*i.e. a minimum of 9.1091-acres*) within the entire Planned Development District shall be devoted to public and private open space. Detention and retention areas, and landscape/open space areas greater than or equal to 20-feet in width may be counted towards the open space requirement. Open space may be satisfied by either public, private, or a combination of public and private open space.
- (4) Gateway/Entry Portal Sign. One (1) *Gateway/Entry Portal Sign* shall be incorporated into the design of *Subdistrict B* and be constructed in the location shown on the *Overall Concept Plan* contained in *Exhibit 'D'* of this ordinance. This sign may be a maximum of 120-feet in height. The *Gateway/Entry Portal Sign* design shall be reviewed by the Architectural Review Board (ARB) in conjunction with the *PD Development Plan* for *Subdistrict B* and approved by the City Council as part of this process. The proposed *Gateway/Entry Portal Sign* shall be constructed prior to the issuance of a Certificate of Occupancy (CO) for any structure in *Subdistrict B*.
- (5) Variances/Exceptions. Variances and exceptions to the requirements of this ordinance

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shall be submitted and approved in accordance with the process and procedures set forth in Article 11, *Development Applications and Review procedures*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

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(D) SUBDISTRICT A: LARGE FORMAT RETAILER

- (1) Concept Plan. Development within *Subdistrict A* -- as depicted on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance -- shall generally conform with [1] the *Overall Concept Plan* -- contained in *Exhibit 'D'* of this ordinance --, and [2] *Figure 1. Subdistrict A Concept Plan* below.

FIGURE 1. SUBDISTRICT A CONCEPT PLAN



- (2) Building Elevations. Development within *Subdistrict A* -- as depicted on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance -- shall generally conform to the *Building Elevations* depicted in the *Conceptual Building Elevations | Subdistrict A* contained in *Exhibit 'F'* of this ordinance.
- (3) Permitted Land Uses. Unless specifically provided for by this Planned Development District Ordinance, *Subdistrict A* -- as depicted on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance -- shall be subject to the land uses permitted within the Commercial (C) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future; however, the following shall apply:
- (a) The following land uses shall be permitted By-Right:

- WAREHOUSE/DISTRIBUTION ⁽¹⁾

NOTES:

⁽¹⁾: AS AN ACCESSORY LAND USE TO A GENERAL RETAIL STORE ONLY.

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(b) The following land uses shall be expressly Prohibited:

- AGRICULTURAL USES ON UNPLATTED LAND
- ANIMAL BOARDING/KENNEL WITHOUT OUTSIDE PENS
- ANIMAL HOSPITAL OR CLINIC
- COMMUNITY GARDEN
- URBAN FARM
- CARETAKERS QUARTERS/DOMESTIC OR SECURITY UNIT
- CONVENT, MONASTERY, OR TEMPLE
- MOTEL
- BLOOD PLASMA DONOR CENTER
- CEMETERY/MAUSOLEUM
- CHURCH/HOUSE OF WORSHIP
- COLLEGE, UNIVERSITY, OR SEMINARY
- EMERGENCY GROUND AMBULANCE SERVICES
- HOSPICE
- MORTUARY OR FUNERAL CHAPEL
- LOCAL POST OFFICE
- PUBLIC OR PRIVATE PRIMARY SCHOOL
- PUBLIC OR PRIVATE SECONDARY SCHOOL
- TEMPORARY EDUCATION BUILDINGS FOR PUBLIC OR PRIVATE SCHOOL
- TEMPORARY CARNIVAL, CIRCUS, OR AMUSEMENT RIDE
- TEMPORARY FUNDRAISING EVENTS BY NON-PROFIT
- INDOOR GUN CLUB WITH SKEET OR TARGET RANGE
- PRIVATE CLUB, LODGE, OR FRATERNAL ORGANIZATION
- TENNIS COURTS (*I.E. NOT ACCESSORY TO A PUBLIC OR PRIVATE COUNTRY CLUB*)
- ASTROLOGER, HYPNOTIST, OR PSYCHIC
- PORTABLE BEVERAGE SERVICE FACILITY
- BUSINESS SCHOOL
- CONVALESCENT CARE FACILITY/NURSING HOME
- DAYCARE WITH SEVEN (7) OR MORE CHILDREN
- RETAIL STORE WITH GASOLINE SALES THAT HAS TWO (2) OR LESS DISPENSERS (*I.E. MAXIMUM OF FOUR [4] VEHICLES*)
- RETAIL STORE WITH GASOLINE SALES THAT HAS MORE THAN TWO (2) DISPENSERS
- COPY CENTER
- GARDEN SUPPLY/PLANT NURSERY
- LAUNDROMAT WITH DROP-OFF/PICKUP SERVICES
- SELF SERVICE LAUNDROMAT
- NIGHT CLUB, DISCOTHEQUE, OR DANCE HALL
- PAWN SHOP
- PERMANENT COSMETICS
- TEMPORARY REAL ESTATE SALES OFFICE
- RENTAL STORE WITHOUT OUTSIDE STORAGE AND/OR DISPLAY
- SECONDHAND DEALER
- BAIL BOND SERVICES
- BUILDING AND LANDSCAPE MATERIAL WITH LIMITED OUTSIDE STORAGE
- BUILDING MAINTENANCE, SERVICE, AND SALES WITHOUT OUTSIDE STORAGE
- ELECTRICAL, WATCH, CLOCK, JEWELRY AND/OR SIMILAR REPAIR
- FURNITURE UPHOLSTERY/REFINISHING AND RESALE
- RENTAL, SALES, AND SERVICE OF HEAVY MACHINERY AND EQUIPMENT
- LOCKSMITH
- SHOE AND BOOT REPAIR AND SALES
- TRADE SCHOOL
- MINOR AUTOMOTIVE REPAIR GARAGE
- AUTOMOBILE RENTAL
- NEW OR USED BOAT AND TRAILER DEALERSHIP
- FULL SERVICE CAR WASH AND AUTO DETAIL
- SELF SERVICE CAR WASH

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- NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM
- NEW MOTOR VEHICLE DEALERSHIP FOR CARS AND LIGHT TRUCKS
- USED MOTOR VEHICLE DEALERSHIP FOR CARS AND LIGHT TRUCKS
- RECREATIONAL VEHICLE (RV) SALES AND SERVICE
- SERVICE STATION
- TEMPORARY ASPHALT OR CONCRETE BATCH PLANTS
- MINING AND EXTRACTION OF SAND, GRAVEL, OIL AND/OR OTHER MATERIALS
- MINI-WAREHOUSE
- WHOLESALE SHOWROOM FACILITY
- COMMERCIAL ANTENNA
- COMMERCIAL FREESTANDING ANTENNA
- BUS CHARTER SERVICE AND SERVICE FACILITY
- HELIPAD
- RADIO BROADCASTING
- RAILROAD YARD OR SHOP
- TRANSIT PASSENGER FACILITY
- WIRELESS COMMUNICATION TOWER

- (4) **Density and Development Standards.** Unless specifically provided for by this Planned Development District Ordinance, *Subdistrict A -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional requirements stipulated for a property in a Commercial (C) District as required by Subsection 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development on *Subdistrict A* shall conform to the standards depicted in *Table 1*, which are as follows:

TABLE 1: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ⁽¹⁾	25'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	60'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%
MINIMUM LANDSCAPING	20%

GENERAL NOTES:

- ¹: FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- ²: THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL.
- ³: BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- ⁴: NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.

- (5) **Parking Requirements.** Parking requirements for specific land uses will be as calculated in Article 06, *Parking and Loading*, of the Unified Development Code (UDC); however, the following parking ratios shall apply regardless of these standards:

- (a) **Office:** One (1) Parking Space per 300 SF of Building Area.
- (b) **General Retail:** One (1) Parking Space per 250 SF of Building Area.
- (c) **Restaurant:** One (1) Parking Space per 100 SF of Building Area.

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(d) Warehouse/Distribution: One (1) Parking Space per 1,000 SF of Building Area.

(6) Off-Street Loading Requirements. Loading docks shall not face directly onto the IH-30 Frontage Road, but may be located along the northern, western, and eastern facing building facades without restriction. Three (3) tiered landscaping should be used to mitigate the visibility of these areas.

(7) Residential Screening Requirements. Any development in *Subdistrict A* shall be exempt from the *Residential Adjacency Screening Requirements* stipulated in Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02].

(8) Building Materials and Design Standards. All buildings in *Subdistrict A* shall adhere to the following:

(a) Building Materials. The following building materials shall be permitted: stone, brick, glass curtain wall, aluminum and glass storefront, glass block, tile, custom painted tilt-up concrete panel, and custom Concrete Masonry Units (CMU) (*i.e. units that have been sandblasted, burnished, or that have a split face -- light weight block or smooth faced block shall be prohibited*). In addition, the use of cementitious materials (*i.e. fiber cement, stucco, cementitious lap siding, tilt-up concrete or similar materials approved by the Director of Planning and Zoning or his/her designee*) shall be permitted without limitation for use on the building's exterior façade; however, stucco shall not be used within the first four (4) feet from grade on a building's façade.

(b) Articulation Requirements. The articulation requirements stipulated in Section 04.01, *General Commercial District Standards*, and Section 06.02, *General Overlay District Standards*, of the Unified Development Code (UDC) shall not apply to *Subdistrict A*; however, all buildings in *Subdistrict A* should generally include an articulated entryway that creates some relief in the front façade of the building. This element will be reviewed by the Architectural Review Board (ARB) with the *PD Site Plan*.

(c) Roof Design Standards. Flat roofs with or without parapets may be permitted; however, all rooftop mechanical equipment and/or other rooftop appurtenances (*excluding solar panels*) shall not be visible at-grade from the boundaries of *Subdistrict A*.

(d) Required Architectural Elements. All buildings shall be required to incorporate a minimum of two (2) of the following architectural elements:

- CANOPIES, AWNINGS, OR PORTICOS
- RECESSES/PROJECTIONS
- ARCADES
- PEAKED ROOF FORMS
- ARCHES
- OUTDOOR PATIOS
- DISPLAY WINDOWS
- ARCHITECTURAL DETAILS (E.G. TILE WORK AND MOLDINGS) INTEGRATED INTO THE BUILDING'S FAÇADE
- ARTICULATED GROUND FLOOR LEVELS OR BASES
- ARTICULATED CORNICE LINE
- INTEGRATED PLANTERS OR WING WALLS THAT INCORPORATE LANDSCAPE AND SITTING

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AREAS

- OFFSETS, REVEALS, OR PROJECTING RIB EXPRESSING ARCHITECTURAL OR STRUCTURAL BAYS
- VARIED ROOF HEIGHTS

(9) **Signage.** All signage shall conform to the requirements of Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, the following shall apply:

(a) **Wall Signage.** A business shall be allowed any number of attached wall signs, projection signs, canopy signs, or marquee signs, so long as the total face area of the attached signs do not exceed the following standards:

- (1) **North Façade:** 5.00% of the wall face.
- (2) **South Façade:** 15.00% of the wall face.
- (3) **East Façade:** 20.00% of the wall face.
- (4) **West Façade:** 5.00% of the wall face.

(b) **Freestanding Monopole Sign.** *Subdistrict A* shall conform to the requirements of Chapter 32, *Signs*, of the Municipal Code of Ordinances for *Freestanding Monopole Signs*; however, one (1) *Freestanding Monopole Sign* in this *Subdistrict* may be a maximum of 120-feet in height, and have up to three (3) sign faces a maximum of 700 SF each (i.e. an overall maximum signage area of 2,100 SF). One (1) additional *Freestanding Monopole Signs* -- conforming to the setback requirements of the Municipal Code of Ordinances -- shall be permitted on the site may be established as *Freestanding Monopole Signs* or *Digital Sign* (at the same maximum size and square footage permitted for *Freestanding Monopole Signs* by the Municipal Code of Ordinances).

(c) **Digital Wall or Banner Signage.** In addition to the wall signage permitted above, two (2) 700 SF *Digital Wall or Banner Signs* shall be permitted on the southern or eastern building facades. Digital wall signage shall be subject to the requirements for *Changeable Electronic Variable Message Signs* (CEVMS) as stipulated by Section 32-233(3) through Section 32-233(6) of the Municipal Code of Ordinances.

(d) **Flag Pole Signs.** Up to eight (8) flag poles with flags that have the company's name or logo shall be permitted at main points of ingress/egress into the site pending they do not exceed a maximum height of 40-feet. Flag poles displaying state or national flags shall meet the requirements of the Unified Development Code (UDC).

(e) **Traffic Signs.** *Traffic Signs* shall adhere to the requirements of Chapter 32, *Signs*, of the Municipal Code of Ordinances; however, *Traffic Signs* shall meet the following standards:

- (1) A maximum of 34 *Traffic Signs* are permitted on-site.
- (2) *Traffic Signs* may be internally or externally illuminated, as long as the light source is fully shielded and directed downward.
- (3) *Traffic Signs* may contain a commercial message.
- (4) A total of four (4) *Traffic Signs* may have two (2) sign faces, each with a maximum sign face of 12 square feet.

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- (5) One (1) *Traffic Sign* may have two (2) sign faces, each with a maximum sign face of ten (10) square feet.
- (6) A total of two (2) *Traffic Signs* may have two (2) sign faces, each with a maximum sign face of five (5) feet.
- (7) A total of nine (9) *Traffic Signs* may have a single sign face of five (5) square feet.
- (8) A total of 11 *Traffic Signs* may have a single sign face of three (3) square feet.
- (9) The remaining *Traffic Signs* may have a single sign face of two (2) square feet.
- (10) *Traffic Signs* may be a maximum of five (5) feet in height.
- (f) *Cart Signs*. A maximum of 16 *Cart Signs* shall be permitted on-site, each with a sign face that is a maximum of 21 square feet. *Cart Signs* may contain a commercial message. A sign permit shall not be required when the *Cart Sign* copy changes; however, a sign permit shall be required for the locations of the original *Cart Signs*.
- (g) *Parking Memorizer Signs*. A maximum of 32 *Parking Memorizer Signs* shall be permitted on-site. Each *Parking Memorizer Signs* may have up to four (4) sign faces, each with a maximum sign face of three (3) square feet. *Parking Memorizer Signs* shall be evenly placed throughout the parking aisles of the *Large Format Retailer*.
- (h) *Promotional Messaging Signs*. A maximum of 14 *Promotional Messaging Signs* shall be permitted on-site. *Promotional Messaging Signs* shall be subject to the following standards:
 - (1) *Promotional Messaging Signs* shall be located internally to the property not more than 100-feet from a public right-of-way.
 - (2) *Promotional Messaging Signs* shall not exceed ten (10) feet in height.
 - (3) Each sign face shall have a maximum area of 44 square feet.
 - (4) *Promotional Messaging Signs* may be internally or externally illuminated as long as the light source is fully shielded and directed downward.
 - (5) A sign permit shall not be required to change the face/copy of a *Promotional Message Sign*; however, the sign itself will require a sign permit to establish the location of the *Promotional Message Sign*.

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(E) SUBDISTRICT B: REGIONAL COMMERCIAL/RETAIL AND ENTERTAINMENT CENTER

- (1) Permitted Land Uses. Unless specifically provided for by this Planned Development District Ordinance, *Subdistrict B -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the Commercial (C) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following shall apply:

(a) The following land uses shall be permitted By-Right:

- RESTAURANT WITH LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN ⁽¹⁾

NOTES:

- ⁽¹⁾: NO MORE THAN FOUR (4) RESTAURANTS WITH LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN SHALL BE PERMITTED BY-RIGHT. ANY MORE THAN FOUR (4) RESTAURANTS WITH LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN SHALL REQUIRE A SPECIFIC USE PERMIT (SUP).

(b) The following land uses shall be expressly Prohibited:

- AGRICULTURAL USES ON UNPLATTED LAND
- ANIMAL BOARDING/KENNEL WITHOUT OUTSIDE PENS
- ANIMAL HOSPITAL OR CLINIC
- COMMUNITY GARDEN
- URBAN FARM
- CARETAKERS QUARTERS/DOMESTIC OR SECURITY UNIT
- CONVENT, MONASTERY, OR TEMPLE
- MOTEL
- BLOOD PLASMA DONOR CENTER
- CEMETERY/MAUSOLEUM
- CHURCH/HOUSE OF WORSHIP
- COLLEGE, UNIVERSITY, OR SEMINARY
- EMERGENCY GROUND AMBULANCE SERVICES
- HOSPICE
- MORTUARY OR FUNERAL CHAPEL
- LOCAL POST OFFICE
- PUBLIC OR PRIVATE PRIMARY SCHOOL
- PUBLIC OR PRIVATE SECONDARY SCHOOL
- TEMPORARY EDUCATION BUILDINGS FOR PUBLIC OR PRIVATE SCHOOL
- TEMPORARY CARNIVAL, CIRCUS, OR AMUSEMENT RIDE
- INDOOR GUN CLUB WITH SKEET OR TARGET RANGE
- PRIVATE CLUB, LODGE, OR FRATERNAL ORGANIZATION
- TENNIS COURTS (I.E. NOT ACCESSORY TO A PUBLIC OR PRIVATE COUNTRY CLUB)
- ASTROLOGER, HYPNOTIST, OR PSYCHIC
- PORTABLE BEVERAGE SERVICE FACILITY
- TEMPORARY CHRISTMAS TREE SALES LOT AND/OR SIMILAR USES
- COPY CENTER
- GARDEN SUPPLY/PLANT NURSERY
- LAUNDROMAT WITH DROPOFF/PICKUP SERVICES
- SELF SERVICE LAUNDROMAT
- NIGHT CLUB, DISCOTHEQUE, OR DANCE HALL
- PAWN SHOP
- PERMANENT COSMETICS ⁽¹⁾
- TEMPORARY REAL ESTATE SALES OFFICE
- RENTAL STORE WITHOUT OUTSIDE STORAGE AND/OR DISPLAY

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- SECONDHAND DEALER
- BAIL BOND SERVICES
- BUILDING AND LANDSCAPE MATERIAL WITH LIMITED OUTSIDE STORAGE
- BUILDING MAINTENANCE, SERVICE, AND SALES WITHOUT OUTSIDE STORAGE
- FURNITURE UPHOLSTERY/REFINISHING AND RESALE ⁽²⁾
- RENTAL, SALES, AND SERVICE OF HEAVY MACHINERY AND EQUIPMENT
- LOCKSMITH
- SHOE AND BOOT REPAIR AND SALES
- TRADE SCHOOL
- MINOR AUTOMOTIVE REPAIR GARAGE
- AUTOMOBILE RENTAL
- NEW OR USED BOAT AND TRAILER DEALERSHIP
- FULL SERVICE CAR WASH AND AUTO DETAIL
- SELF SERVICE CAR WASH
- NEW AND/OR USED INDOOR MOTOR VEHICLE DEALERSHIP/SHOWROOM
- NEW MOTOR VEHICLE DEALERSHIP FOR CARS AND LIGHT TRUCKS
- USED MOTOR VEHICLE DEALERSHIP FOR CARS AND LIGHT TRUCKS
- RECREATIONAL VEHICLE (RV) SALES AND SERVICE
- SERVICE STATION
- TEMPORARY ASPHALT OR CONCRETE BATCH PLANTS
- MINING AND EXTRACTION OF SAND, GRAVEL, OIL AND/OR OTHER MATERIALS
- MINI-WAREHOUSE
- WHOLESALE SHOWROOM FACILITY
- COMMERCIAL ANTENNA
- COMMERCIAL FREESTANDING ANTENNA
- BUS CHARTER SERVICE AND SERVICE FACILITY
- HELIPAD
- RADIO BROADCASTING
- RAILROAD YARD OR SHOP
- TRANSIT PASSENGER FACILITY
- WIRELESS COMMUNICATION TOWER

NOTES:

⁽¹⁾: UNLESS ACCESSORY TO A SPA OR HAIR SALON.

⁽²⁾: UNLESS ACCESSORY TO A GENERAL RETAIL STORE.

- (2) **Density and Development Standards.** Unless specifically provided for by this Planned Development District Ordinance, *Subdistrict B -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional requirements stipulated for a property in a Commercial (C) District as required by Subsection 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development on *Subdistrict B* shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ⁽¹⁾	25'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	60'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%
MINIMUM LANDSCAPING	20%

Exhibit 'G'
Development Standards

GENERAL NOTES:

- 1: FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- 2: THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL.
- 3: BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 4: NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.

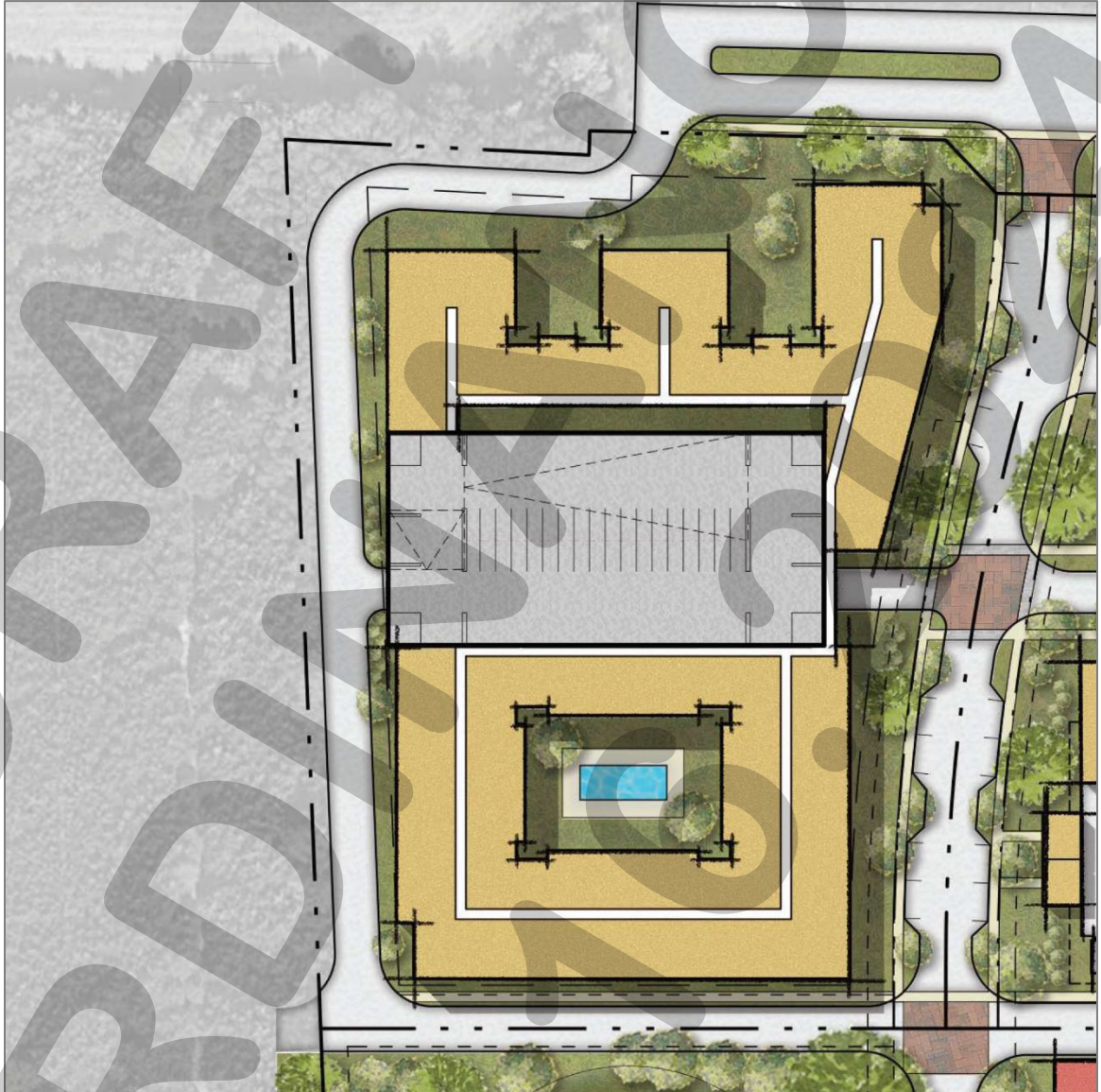
- (3) Parking Requirements. For the purposes of calculating the required parking within *Subdistrict B* -- as depicted on the *Subdistrict Plan* contained in *Exhibit 'C'* of this ordinance --, the parking requirement for a particular land use or building may be satisfied by any property within the *Subdistrict* as long as the provided parking is: [1] not necessary for an existing land use, building or structure, and [2] is situated within 450-feet of the land use, building, or structure being served. The parking requirements for specific land uses shall be calculated as specified by Article 06, *Parking and Loading*, of the Unified Development Code (UDC); however, the following parking ratios shall apply regardless of these standards:
- (a) Office: One (1) Parking Space per 300 SF of Building Area.
 - (b) General Retail: One (1) Parking Space per 250 SF of Building Area.
 - (c) Restaurant: One (1) Parking Space per 100 SF of Building Area.
 - (d) Warehouse/Distribution: One (1) Parking Space per 1,000 SF of Building Area.
- (4) Residential Adjacency. The portion of *Subdistrict B* that abuts *Subdistrict D* shall be exempt from the *Residential Adjacency Screening Requirements* stipulated in Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC).
- (5) Signage. In addition to the restrictions in Chapter 32, *Signs*, of the Municipal Code of Ordinances, and the requirements of this Planned Development District ordinance, *Subdistrict B* shall be subject to the following signage requirements:
- (a) Shopping Center Signs. A maximum of three (3) *Shopping Center Signs* shall be permitted at the main points of ingress/egress into the subject property, provided that the signs do not exceed a maximum height of 35-feet. Each *Shopping Center Sign* may have two (2) sign faces, each with a maximum sign face of 360 square feet. The *Shopping Center Signs* may include information regarding the residential land uses included in *Subdistricts 'C' & 'D'*.

Exhibit 'G'
Development Standards

(F) SUBDISTRICT C: URBAN RESIDENTIAL

- (1) Concept Plan. Development within Subdistrict C -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance -- shall generally conform with [1] the Overall Concept Plan -- contained in Exhibit 'D' of this ordinance --, and [2] Figure 2. Subdistrict C Concept Plan below.

FIGURE 2. SUBDISTRICT C CONCEPT PLAN



- (2) Building Elevations. Development within Subdistrict C -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance -- shall generally conform to the Building Elevations depicted in the Conceptual Building Elevations | Subdistrict C contained in Exhibit 'F' of this ordinance.
- (3) Permitted Land Uses. Unless specifically provided for by this Planned Development District Ordinance, Subdistrict C -- as depicted on the Subdistrict Plan contained in

Exhibit 'G'
Development Standards

Exhibit 'C' of this ordinance -- shall be subject to the land uses permitted within the Commercial (C) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, the following shall apply:

(a) The following land uses shall be the only land use permitted *By-Right*:

- URBAN RESIDENTIAL ^{(1), (2) & (3)}
- HOME OCCUPATION ⁽⁴⁾

NOTES:

⁽¹⁾: FOR THE PURPOSES OF THIS PLANNED DEVELOPMENT DISTRICT ORDINANCE, URBAN RESIDENTIAL SHALL BE DEFINED AS A CONDOMINIUM BUILDING WITH MULTI-FAMILY DWELLING UNITS, WITHIN WHICH DESIGNATED DWELLING UNITS ARE CONVEYED VIA FEE SIMPLE TITLE, WITH AN UNDIVIDED INTEREST IN THE BUILDING'S COMMON ELEMENTS, TO INCLUDE, BUT NOT BE LIMITED TO, HALLS, STAIRS, ELEVATORS, ROOF, PARKING SPACE, AND THE LAND WHEN THE BUILDING IS NOT CONSTRUCTED ON LEASED LAND. BASED ON THIS DEFINITION, ALL CONDOMINIUMS SHALL MEET THE FOLLOWING: [1] EACH UNIT IN A PROJECT HAS SEPARATE UTILITIES THAT ARE INDIVIDUALLY METERED, AND [2] EACH UNIT IS CONVEYED VIA A FEE SIMPLE DEED.

⁽²⁾: A MAXIMUM 250-DWELLING UNITS ARE PERMITTED WITHIN AN URBAN RESIDENTIAL DEVELOPMENT THAT SHALL INCORPORATE A PARKING GARAGE THAT IS WRAPPED BY UNITS. THIS DEVELOPMENT SHALL HAVE MINIMAL SURFACE PARKING FOR GUESTS, EMPLOYEES, AND VISITORS. THIS DEVELOPMENT MAY BE A MAXIMUM OF 250-UNITS ON APPROXIMATELY FOUR (4) ACRES (EXCLUDING ROADWAYS). FACADES OF THIS BUILDING SHALL GENERALLY ADHERE TO THE GENERAL OVERLAY DISTRICT STANDARDS; HOWEVER, INTERIOR FACING FACADES (I.E. FACING TOWARDS AN INTERNAL COURTYARD) MAY BE 100% STUCCO OR OTHER CEMENTIOUS MATERIAL PERMITTED BY THE UNIFIED DEVELOPMENT CODE (UDC).

⁽³⁾: THIS INCLUDES ACCESSORY LAND USES THAT ARE AMENITIES TO THE PROPOSED CONDOMINIUM LAND USE (E.G. SWIMMING POOL, GYM, ETC.).

⁽⁴⁾: AS AN ACCESSORY LAND USE TO AN URBAN RESIDENTIAL UNIT ONLY.

(4) *Density and Development Standards*. Unless specifically provided for by this Planned Development District Ordinance, *Subdistrict C* -- as depicted on the *Subdistrict Plan* contained in *Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional requirements stipulated for a property in a Commercial (C) District as required by Subsection 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development on *Subdistrict C* shall conform to the standards depicted in *Table 3*, which are as follows:

TABLE 3: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ⁽¹⁾	15'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	75'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%
MINIMUM LANDSCAPING	20%

GENERAL NOTES:

Exhibit 'G'
Development Standards

1. FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
2. THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL.
3. BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
4. NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.

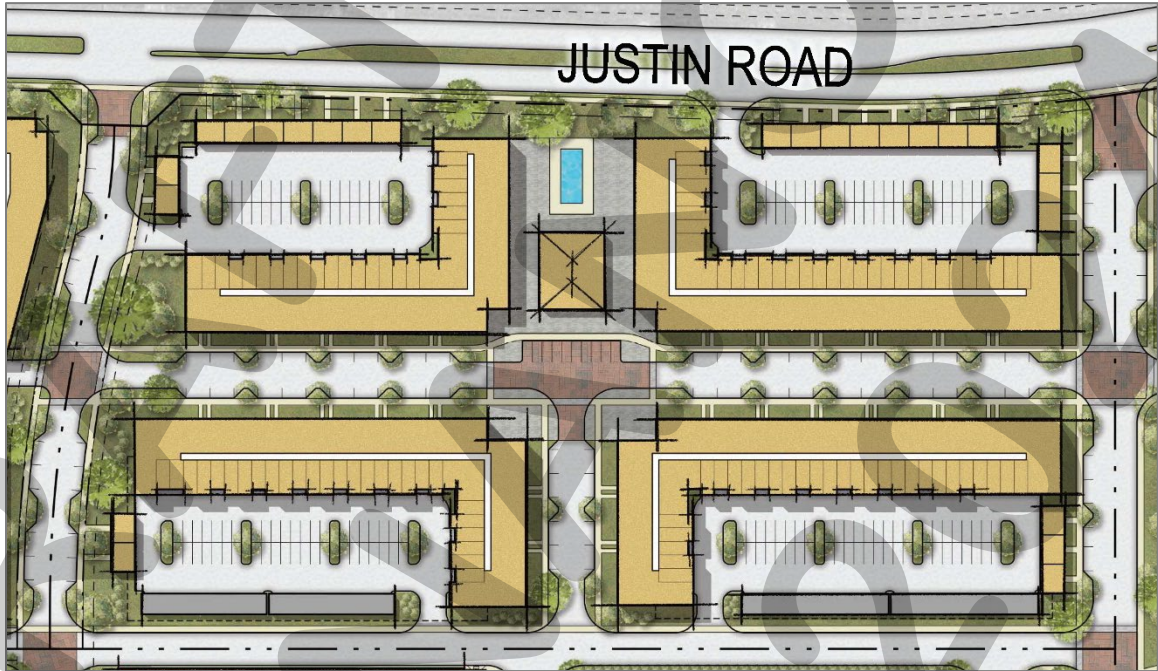
- (5) Parking Requirements. The minimum parking requirements for the *Urban Residential* land use shall be 1½ parking spaces per each unit, which shall be located in a structured parking garage. The structured parking garage shall incorporate screening for vehicle headlights using a material that is architecturally compatible with the *Urban Residential* building.

Exhibit 'G'
Development Standards

(G) SUBDISTRICT D: LOW RISE RESIDENTIAL COMMUNITY

- (1) Concept Plan. Development within Subdistrict D -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance -- shall generally conform with [1] the Overall Concept Plan -- contained in Exhibit 'D' of this ordinance --, and [2] Figure 3. Subdistrict D Concept Plan below.

FIGURE 3. SUBDISTRICT D CONCEPT PLAN



- (2) Building Elevations. Development within Subdistrict D -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance -- shall generally conform to the Building Elevations depicted in the Conceptual Building Elevations | Subdistrict D contained in Exhibit 'F' of this ordinance.
- (3) Permitted Land Uses. Unless specifically provided for by this Planned Development District Ordinance, Subdistrict D -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance -- shall be subject to the land uses permitted within the Commercial (C) District, as stipulated by the Permissible Use Charts contained in Article 04, Permissible Uses, of the Unified Development Code (UDC), as amended herein by granting this zoning change, and as may be amended in the future; however, the following shall apply:
- (b) The following land uses shall be the only land use permitted By-Right:

- LOW-RISE RESIDENTIAL COMMUNITY (1), (2) & (3)
- TOWNHOMES (1), (2) & (3)
- HOME OCCUPATION (4)

NOTES:

- (1): FOR THE PURPOSES OF THIS PLANNED DEVELOPMENT DISTRICT ORDINANCE, LOW-RISE RESIDENTIAL COMMUNITY SHALL BE DEFINED AS A CONDOMINIUM BUILDING WITH MULTI-FAMILY DWELLING UNITS, WITHIN WHICH DESIGNATED DWELLING UNITS ARE CONVEYED VIA FEE SIMPLE TITLE, WITH AN UNDIVIDED INTEREST IN THE BUILDING'S

Exhibit 'G'
Development Standards

COMMON ELEMENTS, TO INCLUDE, BUT NOT BE LIMITED TO, HALLS, STAIRS, ELEVATORS, ROOF, PARKING SPACE, AND THE LAND WHEN THE BUILDING IS NOT CONSTRUCTED ON LEASED LAND. BASED ON THIS DEFINITION, ALL CONDOMINIUMS SHALL MEET THE FOLLOWING: [1] EACH UNIT IN A PROJECT HAS SEPARATE UTILITIES THAT ARE INDIVIDUALLY METERED, AND [2] EACH UNIT IS CONVEYED VIA A FEE SIMPLE DEED.

- (2): A MAXIMUM OF 25-TOWNHOMES AND 225-LOW-RISE RESIDENTIAL COMMUNITY DWELLING UNITS ARE PERMITTED WITHIN THE PROPOSED LOW-RISE RESIDENTIAL COMMUNITY. THESE UNITS MAY BE SURFACED PARKED; HOWEVER, [A] A MINIMUM OF 33.20% OF ALL UNITS SHALL HAVE GARAGES; [B] A MINIMUM OF TEN (10) PERCENT OF ALL UNITS SHALL HAVE GARAGES THAT ARE DEDICATED TO A SPECIFIC UNIT AND TO WHICH THE GARAGES PROVIDE DIRECT ACCESS TO THE UNIT; [C] A MINIMUM OF 15.20% OF ALL UNITS SHALL HAVE COVERED PARKING SPACES.
- (3): THIS INCLUDES ACCESSORY LAND USES THAT ARE AMENITIES TO THE PROPOSED CONDOMINIUM LAND USE (E.G. SWIMMING POOL, GYM, ETC.).
- (4): AS AN ACCESSORY LAND USE TO A TOWNHOME OR LOW-RISE RESIDENTIAL COMMUNITY UNIT ONLY.

- (4) **Density and Development Standards.** Unless specifically provided for by this Planned Development District Ordinance, *Subdistrict D -- as depicted on the Subdistrict Plan contained in Exhibit 'C' of this ordinance --* shall be subject to the density and dimensional requirements stipulated for a property in a Commercial (C) District as required by Subsection 04.05, *Commercial (C) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as may be amended in the future; however, all development on *Subdistrict D* shall conform to the standards depicted in *Table 4*, which are as follows:

TABLE 4: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK ^{(1) & (5)}	10'
MINIMUM SIDE YARD SETBACK ⁽²⁾	10'
MINIMUM REAR YARD SETBACK ⁽²⁾	10'
MINIMUM BETWEEN BUILDINGS ⁽²⁾	15'
MAXIMUM BUILDING HEIGHT ⁽³⁾	60'
MAXIMUM LOT COVERAGE ⁽⁴⁾	60%
MINIMUM LANDSCAPING	20%

GENERAL NOTES:

- 1: FROM FUTURE RIGHT-OF-WAY AS SHOWN ON THE ADOPTED MASTER THOROUGHFARE PLAN OR AS ACTUALLY EXISTS, WHICHEVER IS GREATER.
- 2: THE SETBACK CAN BE REDUCED TO ZERO (0) FEET WITH A FIRE RATED WALL.
- 3: BUILDING HEIGHT MAY BE INCREASED UP TO 240-FEET IF APPROVED THROUGH A SPECIFIC USE PERMIT (SUP) BY THE PLANNING AND ZONING COMMISSION AND CITY COUNCIL.
- 4: NO ADDITIONAL FLOOR AREA RATIO (FAR) REQUIREMENTS WILL REGULATE THE LOT COVERAGE OR FORM OF THE BUILDING.
- 5: AWNINGS, PATIOS, STOOPS, OR SIMILAR RESIDENTIAL ENTRY FEATURES (AS DETERMINED BY THE DIRECTOR OF PLANNING AND ZONING) MAY EXTEND A MAXIMUM OF FIVE (5) FEET INTO THE FRONT YARD BUILDING SETBACK AND REQUIRED TEN (10) FOOT LANDSCAPE BUFFER ALONG JUSTIN ROAD.

- (6) **Parking Requirements.** The minimum parking requirements for the *Townhome or Low-Rise Multi-Family Community* land use shall be 1½ parking spaces per each unit.



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 16, 2024
APPLICANT: Travis Block
CASE NUMBER: Z2024-036; *Specific Use Permit (SUP) for a Detached Garage at 921 N. Alamo Road*

SUMMARY

Hold a public hearing to discuss and consider a request by Travis Block for the approval of a Specific Use Permit (SUP) for a *Detached Garage* on a 0.53-acre tract of land identified as a portion of Block 4 of the Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 921 N. Alamo Street, and take any action necessary.

BACKGROUND

The subject property is considered to be a part of Old Town Rockwall, and was platted with the Garner Addition prior to 1934 per the 1934 Sanborn Maps. According to the City's historic zoning maps, at some point after the time of incorporation and January 3, 1972, the subject property was zoned Single-Family 2 (SF-2) District. Following this, sometime between January 22, 1982 and May 16, 1983, the subject property was rezoned from a Single-Family 2 (SF-2) District to Single-Family 10 (SF-10) District. According to the Rockwall Central Appraisal District (RCAD) the 1,282 SF single-family home was constructed in 1993 and the two (2), ~180 SF accessory buildings situated on the subject property were constructed in 1995.

PURPOSE

The applicant -- *Travis Block* -- is requesting the approval of a Specific Use Permit (SUP) to allow the construction of a *Detached Garage* that exceeds the maximum allowable number of accessory structures and maximum permissible size as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 921 N. Alamo Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are two (2) tracts of land (925, & 975 N. Alamo Road) developed with single-family homes. These two (2) properties are zoned Single-Family 10 (SF-10) District. Beyond this is a vacant 2.76-acre tract of land (*i.e. Tract 5 of the J. H. B. Jones Survey, Abstract No. 124*) zoned Neighborhood Services (NS) District. North of this is East Fork Drive, which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property are several parcels of land that make up the remainder of the Garner Addition and the Briones Addition. All of these properties are developed with single-family homes and zoned Single-Family 10 (SF-10) District. Beyond this is E. Heath Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

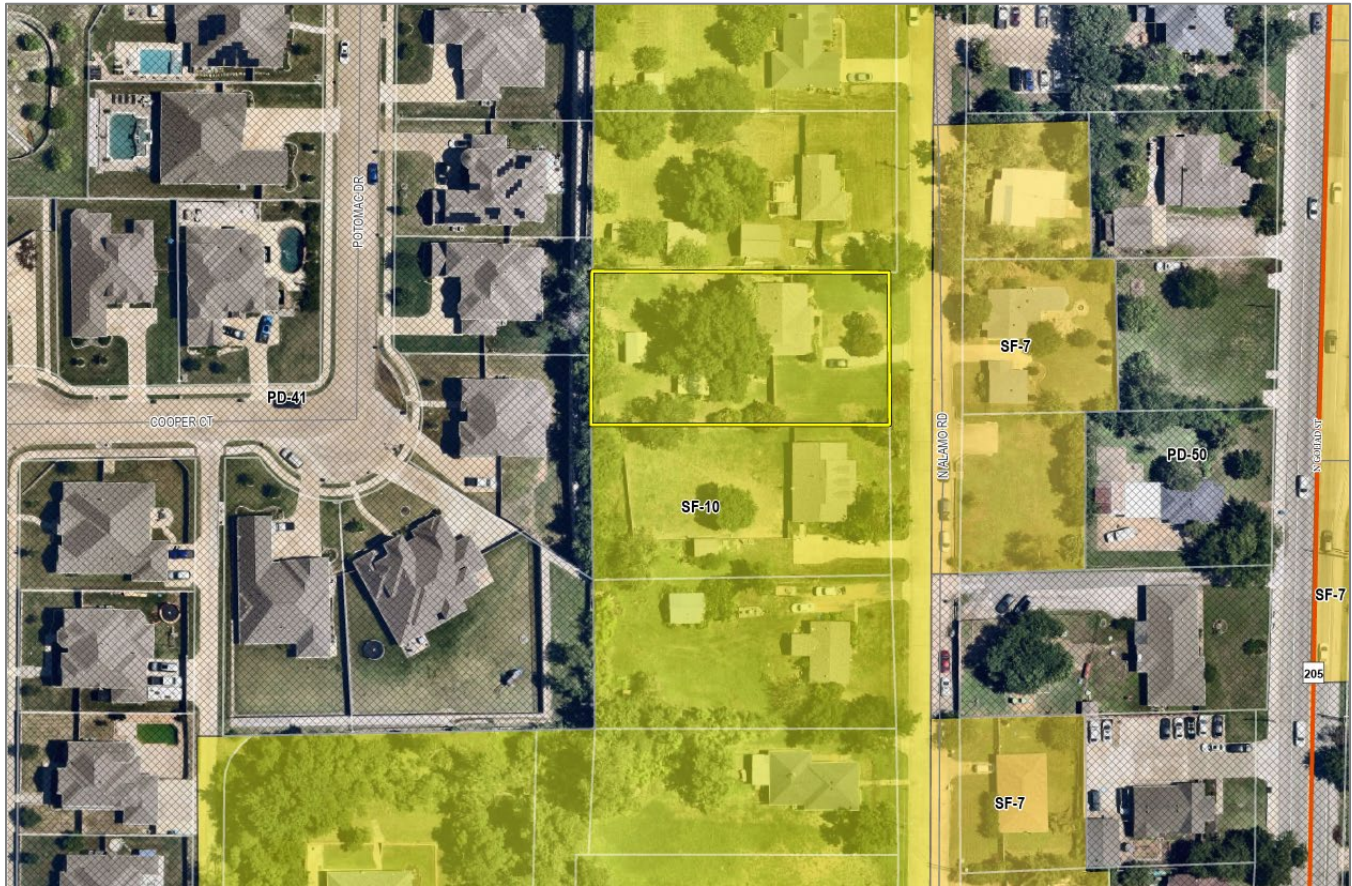
East: Directly east of the subject property is N. Alamo Road, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this is one (1)

parcel of land (*i.e.* 922 N. Alamo Road) developed with a single-family home and zoned Single-Family 7 (SF-7) District. Beyond this is one (1) vacant parcel of land (*i.e.* 919 N Goliad Street), which is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. East of this is N. Goliad Street [SH-205], which is identified as a A5D (*i.e.* arterial, five [5] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property is Phase 1 of the Preserve Subdivision, which consists of 130 single-family homes that are zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses. Beyond this is N Lakeshore Drive which is identified as a A4D (*i.e.* arterial, four [4] lane, divided roadway) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

MAP 1: LOCATION MAP

YELLOW: SUBJECT PROPERTY



CHARACTERISTICS OF THE REQUEST

The applicant is requesting the approval of a Specific Use Permit (SUP) to allow the construction of a *Detached Garage*. The site plan indicates that the *Detached Garage* will have a building footprint of 24'-8" x 30'-4" or 748 SF. The site plan also indicates that the *Detached Garage* will be located 21-feet behind the primary structure, meet all the applicable building setbacks, and be accessed at the front of the property via an 81-foot concrete driveway. The building elevations indicate that the structure will stand 18'-10" in height (*i.e.* 14'-5" as measured to the midpoint), and be clad in HardiBoard lap siding that will match the primary structure. The proposed structure will have one (1) roll up garage door that will face onto N. Alamo Road.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 10 (SF-10) District allows one (1) detached garage with a maximum square footage of 625 SF. In this case, the proposed *Detached Garage* is exceeding the maximum permissible square footage

by 123 SF. This subsection goes on to state that only one (1) other accessory structure other than the *Detached Garage* is allowed by-right. In this case, there are two (2) existing accessory buildings that will remain on the property. This means that the *Detached Garage* will exceed the maximum allowable number accessory buildings on the property.

In addition, the UDC states that a *Detached Garage* must be located behind the front façade of the primary structure, incorporate a minimum 20-foot concrete driveway, and must be affixed to a permanent concrete foundation. In this case, the proposed *Detached Garage* is located 21-feet behind the front façade of the home and incorporates an 81-foot driveway.

STAFF ANALYSIS

Staff examined other accessory buildings located on properties along N. Alamo Road in between W. Heath Street and Live Oak Street, and found that the vast majority of these accessory buildings (*i.e. 13 of the 15 accessory buildings identified*) were for storage purposes (*i.e. not detached garages*). Staff only identified one (1) other *Detached Garage* along this roadway, and estimates that it is approximately 615 SF in size. Given this, the proposed *Detached Garage* would be largest of the existing accessory buildings along this portion of N. Alamo Road, and only be second to the recently approved Specific Use Permit (SUP) [*i.e. Case No. Z2024-029*] for a 910 SF *Detached Garage* at 911 N. Alamo Road. With 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 21, 2024, staff mailed 103 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Preserve, Lakeview Summit, and Caruth Lakes Homeowner's Associations (HOAs), which are the only HOA's or Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff has received three (3) notices 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), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (A) The development of the *Subject Property* shall generally conform to the Site Plan and Survey as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
 - (B) The construction of a *Detached Garage* on the *Subject Property* shall generally conform to the Building Elevations depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
 - (C) The *Detached Garage* shall not exceed a maximum size of 750 SF.
 - (D) The *Detached Garage* shall not be used as a *Guest Quarters* or *Secondary Living Quarters*.
 - (E) The subject property shall be limited to a maximum of three (3) accessory structures.
 - (F) The maximum height of the *Detached Garage* shall not exceed a total height of 19-feet as measured to highest point of the pitched roof.
 - (G) The *Detached Garage/Accessory Structure* may not be sold or conveyed separately.
- (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 10, 2024, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY
PLANNING & ZONING CASE NO.

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

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

PROPERTY INFORMATION (PLEASE PRINT)

ADDRESS 921 N. Alamo Road

SUBDIVISION

LOT

BLOCK

GENERAL LOCATION

Residential street

ZONING, SITE PLAN AND PLATTING INFORMATION (PLEASE PRINT)

CURRENT ZONING

Residential

CURRENT USE

Residential / yard

PROPOSED ZONING

PROPOSED USE

residential detached garage

ACREAGE

.53

LOTS [CURRENT]

LOTS [PROPOSED]

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

OWNER/APPLICANT/AGENT INFORMATION (PLEASE PRINT/CHECK THE PRIMARY CONTACT/ORIGINAL SIGNATURES ARE REQUIRED)

☒ OWNER

Travis Block

☐ APPLICANT

CONTACT PERSON

CONTACT PERSON

ADDRESS

921 N. Alamo Rd

ADDRESS

CITY, STATE & ZIP

Rockwall TX 75087

CITY, STATE & ZIP

PHONE

469-235-4261

PHONE

E-MAIL

trablock@icloud.com

E-MAIL

NOTARY VERIFICATION (REQUIRED)

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

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 1300 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 13th DAY OF AUGUST, 2024. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 13th DAY OF August, 2024.

OWNER'S SIGNATURE

[Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

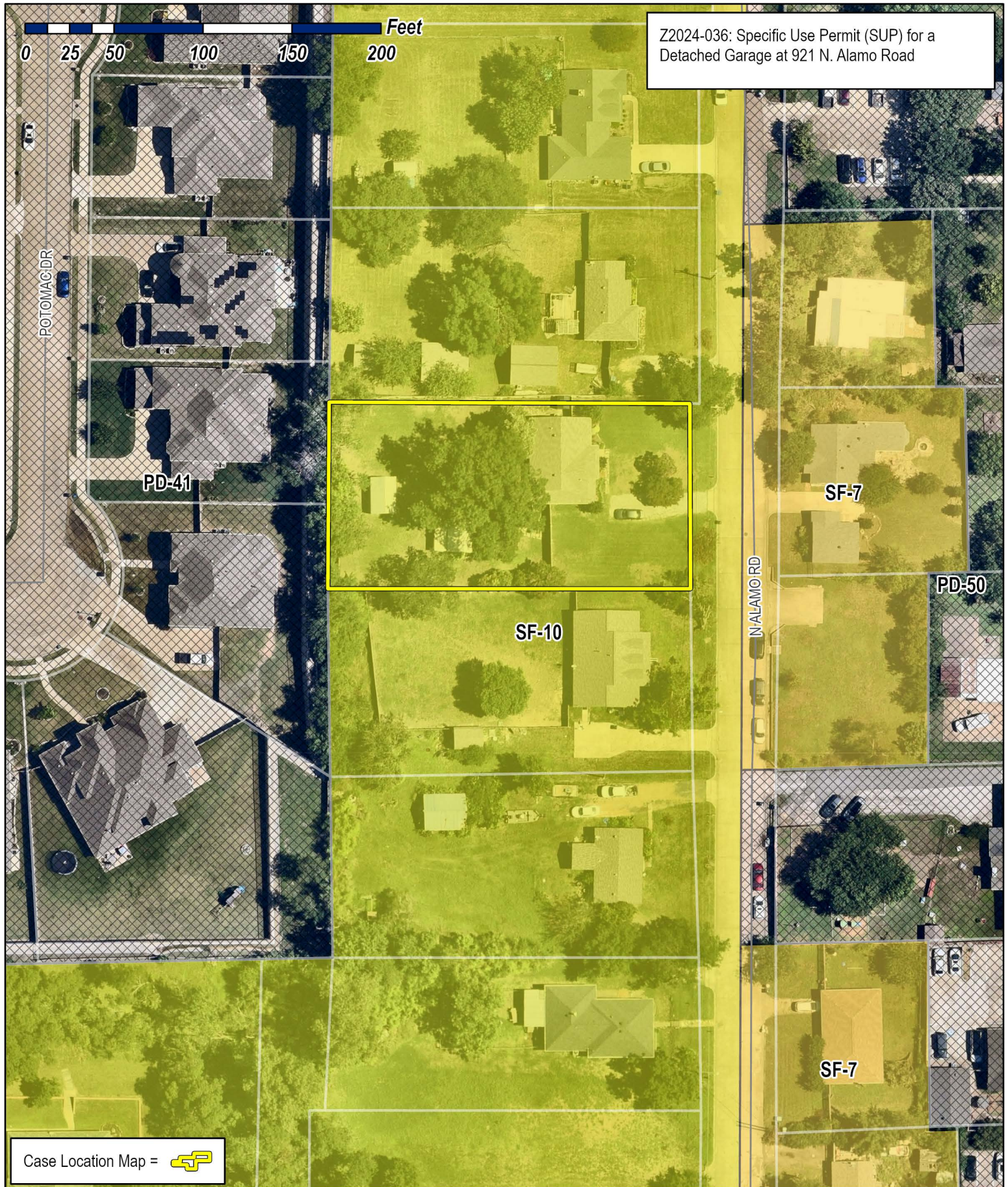
Candas Yarbrough



CANDAS YARBROUGH
Notary Public-State of Texas
Notary ID #13403783-4

Commission Exp. OCT. 27, 2025

MY COMMISSION EXPIRES 10-27-25



City of Rockwall

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

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

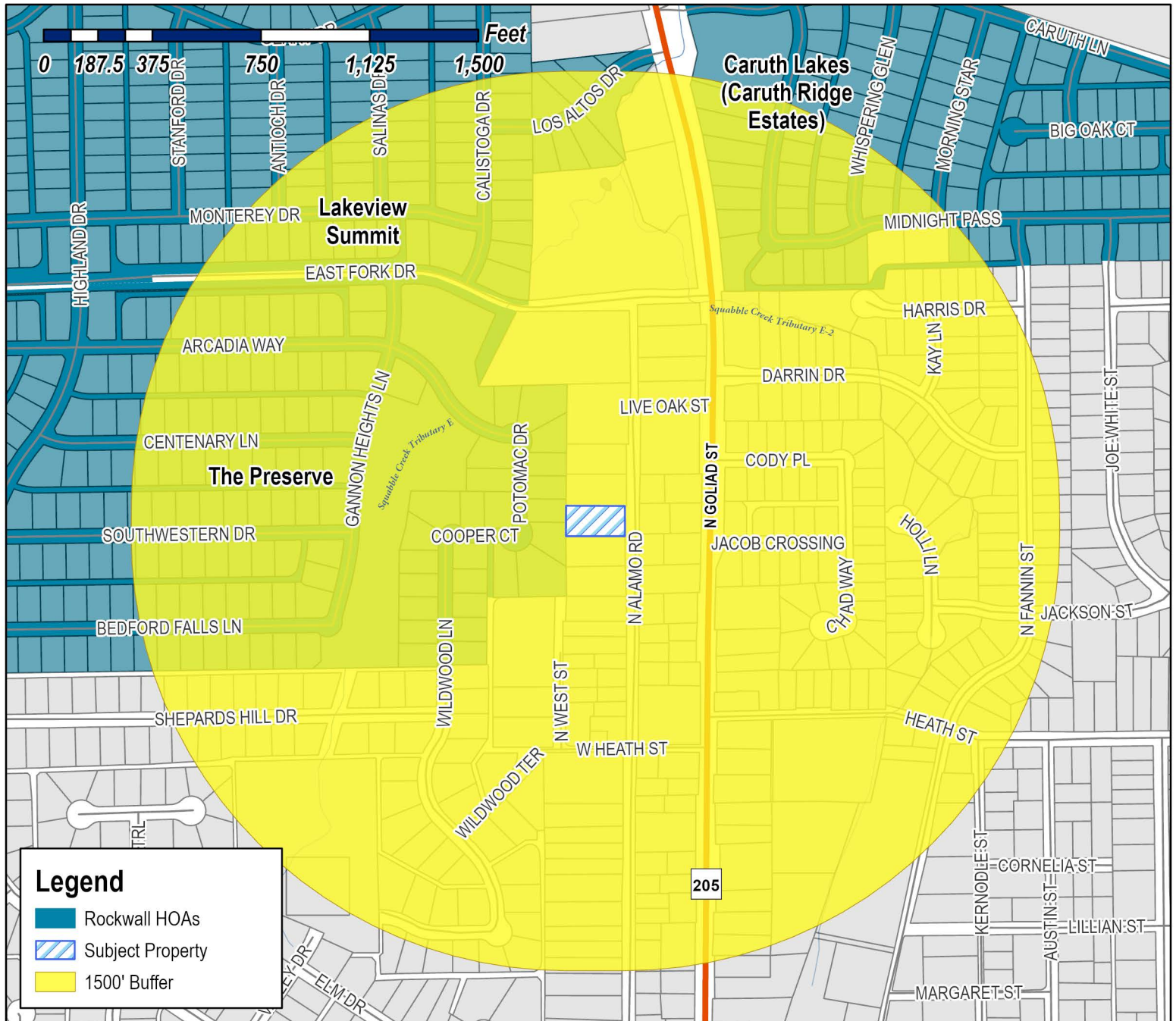




City of Rockwall

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

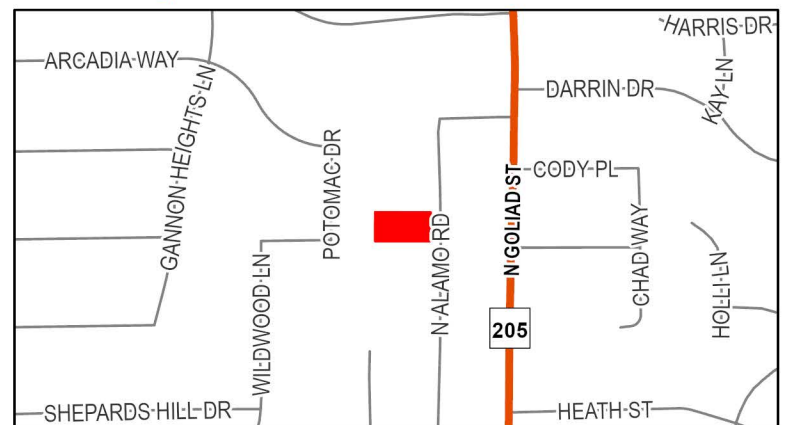
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Case Number: Z2024-036
Case Name: SUP for a Detached Garage
Case Type: Zoning
Zoning: Single-Family 10 (SF-10) District
Case Address: 921 N. Alamo Road

Date Saved: 8/15/2024

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



Ross, Bethany

From: Zavala, Melanie
Sent: Wednesday, August 21, 2024 2:54 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry; Guevara, Angelica
Subject: Neighborhood Notification Email [Z2024-036]
Attachments: HOA Map (08.15.2024).pdf; Public Notice (P&Z) (08.19.2024).pdf

HOA/Neighborhood Association Representative:

Per your participation in the [Neighborhood Notification Program](#), you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on [Friday, August 23, 2024](#). The Planning and Zoning Commission will hold a public hearing on [Tuesday, September 10, 2024 at 6:00 PM](#), and the City Council will hold a public hearing on [Monday, September 16, 2024 at 6:00 PM](#). Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2024-036: SUP for a Detached Garage

Hold a public hearing to discuss and consider a request by Travis Block for the approval of a [Specific Use Permit \(SUP\)](#) for a Detached Garage on a 0.53-acre tract of land identified as a portion of Block 4 of the Gardener Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 921 N. Alamo Street, and take any action necessary.

Thank you,

Melanie Zavala

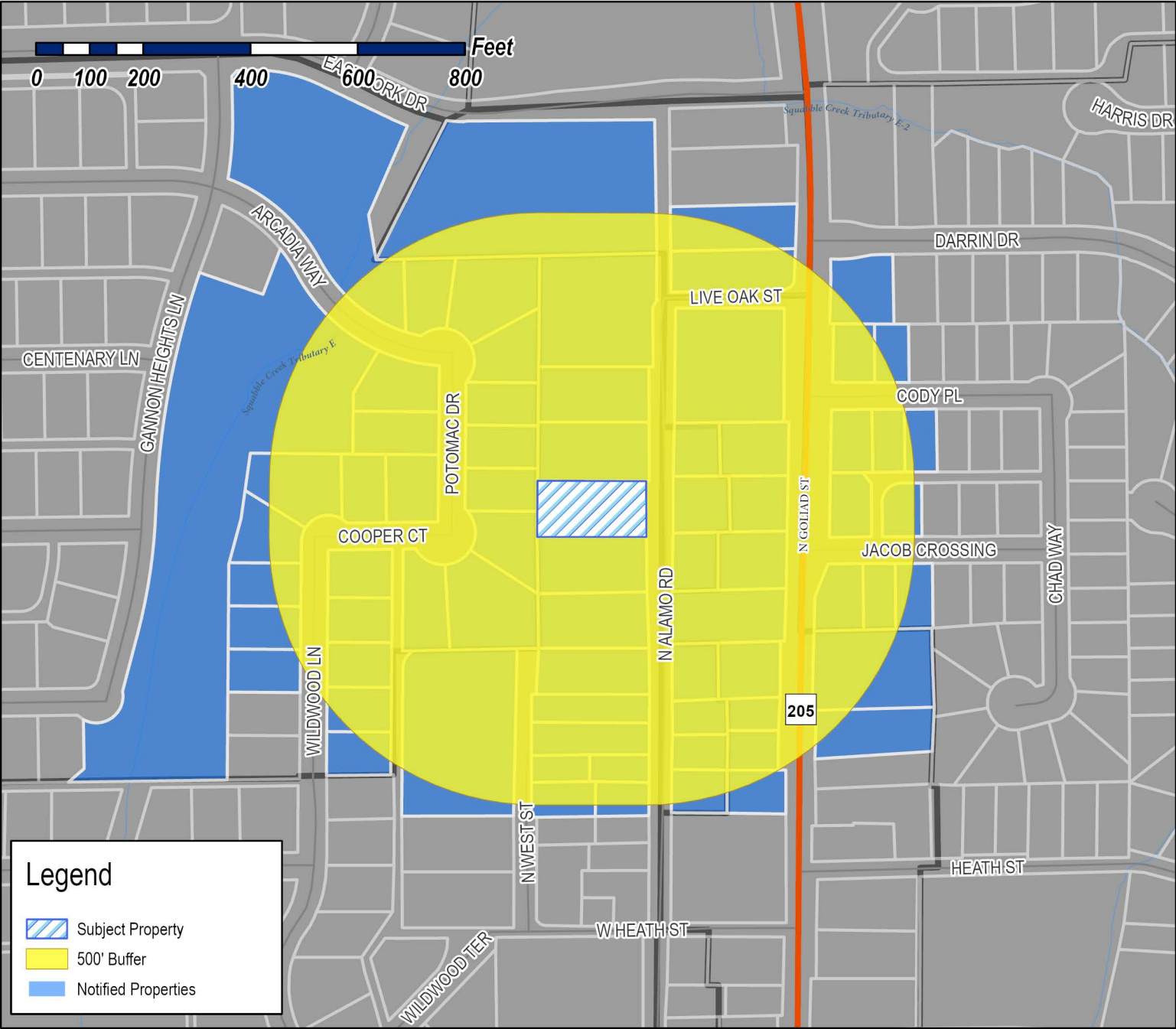
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
[Planning & Zoning Rockwall](#)
972-771-7745 Ext. 6568



City of Rockwall

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

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Legend

 Subject Property

 500' Buffer

 Notified Properties

Case Number:

Z2024-024

Case Name:

SUP for a Detached Garage

Case Type:

Zoning

Zoning:

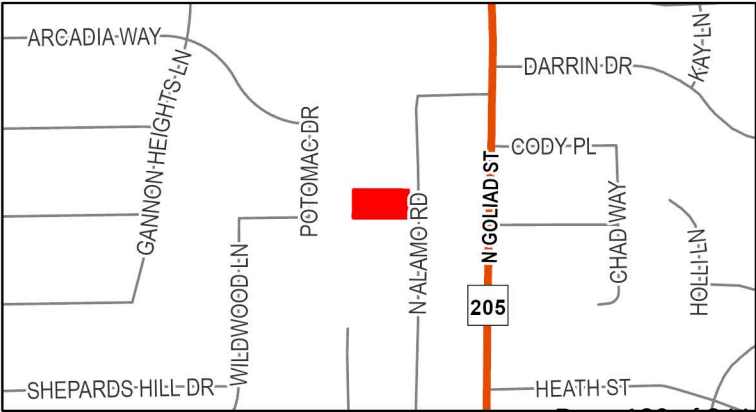
Single-Family 10 (SF-10) District

Case Address:

921 N. Alamo Road

Date Saved: 8/15/2024

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



RESIDENT
1001 N GOLIAD
ROCKWALL, TX 75087

CALLIER JENNA AND LOGAN
104 RUSH CREEK
HEATH, TX 75032

CURANOVIC JOHN
109 ELM CREST DR
ROCKWALL, TX 75087

JARED LANDON CAIN 2005 TRUST
1150 CRESTCOVE DR
ROCKWALL, TX 75087

DAFFRON JAMES R AND DEBBIE A
12207 DARK HOLLOW RD
ROCKWALL, TX 75087

VANDERSLICE R D AND LYNN
1408 S LAKESHORE DR
ROCKWALL, TX 75087

STRATEGIC MANAGEMNET SERVICES LLC
14124 EDGECREST DR
DALLAS, TX 75254

DOUBLE T VENTURES LLC
1500 S KREYMER LN
WYLIE, TX 75098

BARNETT JOSEPH RODNEY & LADONNA
1855 HIDDEN HILLS
ROCKWALL, TX 75087

CARLON WILLIAM ANDREW
192 JACOB CROSSING
ROCKWALL, TX 75087

FRYER WILLIAM L III AND LAUREN S
193 JACOB CROSSING
ROCKWALL, TX 75087

RESIDENT
194 CODY PLACE
ROCKWALL, TX 75087

CROY DANNY L
195 CODY PL
ROCKWALL, TX 75087

RESIDENT
196 JACOB CROSSING
ROCKWALL, TX 75087

STEWART DEBORAH LYNN
196 DARRIN DR
ROCKWALL, TX 75087

RESIDENT
198 CODY PLACE
ROCKWALL, TX 75087

KEANE PARKER F
199 CODY PL
ROCKWALL, TX 75087

CHARLES & JANE SIEBERT LIVING TRUST
CHRISTOPHER CHARLES SIEBERT & JANE M
SIEBERT - TRUSTEES
199 JACOB XING
ROCKWALL, TX 75087

917 PROPERTIES LLC
2 MANOR COURT
HEATH, TX 75032

VANILLA BEAN PROPERTIES SERIES 5 LLC
2 MANOR COURT
HEATH, TX 75032

RESIDENT
200 JACOB CROSSING
ROCKWALL, TX 75087

MILLER ROBERT AND KATY
202 CODY PL
ROCKWALL, TX 75087

ADAMS FAITH INVESTMENT LLC
208 SUMMIT RIDGE
ROCKWALL, TX 75087

WEST MICHAEL
299 SHENNENDOAH LANE
ROCKWALL, TX 75087

AUSTIN MICHAEL CAIN 2005 TRUST
301 COOPER COURT
ROCKWALL, TX 75087

MATTINGLY LESLIE G AND JENNIFER S TRUSTEES
2023 G J MATTINGLY REVOCABLE TRUST
302 ARCADIA WAY
ROCKWALL, TX 75087

HARKLAU CAROLINE
312 DARTBROOK
ROCKWALL, TX 75087

METOYER GREGORY K AND FRANCES M
317 COOPER STREET
ROCKWALL, TX 75087

WEAST BRIAN J AND
CYNTHIA C BROWN
318 ARCADIA WAY
ROCKWALL, TX 75087

WEBER MARY JANE
318 COOPER CT
ROCKWALL, TX 75087

BOLER RICKY D JR AND
NANCY L GUTIERREZ
334 COOPER COURT
ROCKWALL, TX 75087

RESIDENT
348 COOPER CT
ROCKWALL, TX 75087

RB40 INVESTMENTS LLC
400 CHIPPENDALE DRIVE
HEATH, TX 75032

TURNER KYLE RADEY
4002 BROWNSTONE CT
DALLAS, TX 75204

ADAT ESTATE LLC
482 ARCADIA WAY
ROCKWALL, TX 75087

CANUP DAVID & PATRICIA
602 W RUSK ST
ROCKWALL, TX 75087

FRANK RYAN ANDREW AND WHITNEY JANE
702 WILDWOOD LANE
ROCKWALL, TX 75087

SANDERSON SCOTT FREDERICK AND CELESTIAL
DAWN
718 WILDWOOD LANE
ROCKWALL, TX 75087

MAYNARD JEREMY SHAME AND
AMY ELIZABETH FLORES
731 WILDWOOD LANE
ROCKWALL, TX 75087

PHILIPS SHIBU & LEJI
734 WILDWOOD LN
ROCKWALL, TX 75087

HENDRICKSON PAUL A AND PATRICIA A
747 WILDWOOD LANE
ROCKWALL, TX 75087

RECSA 911 NORTH GOLIAD STREET SERIES
750 JUSTIN RD
ROCKWALL, TX 75087

MCDONALD JR EDWARD & KAYLA
752 WILDWOOD LN
ROCKWALL, TX 75087

CRAWFORD HAROLD E JR
763 WILDWOOD LANE
ROCKWALL, TX 75087

OLDEN FREDERICK EINER AND LISA HALSTEAD
768 WILDWOOD LN
ROCKWALL, TX 75087

MATTINGLY MICHAEL ANTHONY AND EMILY P
779 WILDWOOD LANE
ROCKWALL, TX 75087

MASON MARK S & TAMARA M
802 POTOMAC DRIVE
ROCKWALL, TX 75087

STEPHEN PRAMELA AND STEPHEN JOHN
818 POTOMAC DR
ROCKWALL, TX 75087

AIBKHANOV ASHOT AND JOLI RASHID
834 POTOMAC DR
ROCKWALL, TX 75087

MCCULLEY LIVING TRUST
DARREN WAYNE MCCULLEY & MICHELE JUNE
MCCULLEY - CO-TRUSTEES
837 POTOMAC DR
ROCKWALL, TX 75087

KUNJACHEN BLESSY AND SHIBU
852 POTOMAC DRIVE
ROCKWALL, TX 75087

MAYTAK LINA & MARK HILSTAD
853 POTOMAC DRIVE
ROCKWALL, TX 75087

PALMER WINDY E AND DONALD L
868 POTOMAC DRIVE
ROCKWALL, TX 75087

RESIDENT
905 N GOLIAD
ROCKWALL, TX 75087

WILLIAMS RICKY AND ELIZABETH
906 N ALAMO RD
ROCKWALL, TX 75087

WILLIAMS RICKY AND ELIZABETH
906 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
907 N GOLIAD ST
ROCKWALL, TX 75087

JC GAERLAN LLC
907 NORTH ALAMO ROAD
ROCKWALL, TX 75087

PIERCE CAROLYN AND RUSSELL DAVID
908 N ALAMO RD
ROCKWALL, TX 75087

HEAVENLY HANDS BIRTHING CENTER PLLC
908 N GOLIAD ST
ROCKWALL, TX 75087

MARTINKUS NICOLE
908 N WEST ST
ROCKWALL, TX 75087

MOLINA JOE C II
909 N ALAMO
ROCKWALL, TX 75087

RESIDENT
909 N GOLIAD
ROCKWALL, TX 75087

MCFADIN SARA TERESA
909 N WEST STREET
ROCKWALL, TX 75087

ZAVALA VICTOR V
910 N ALAMO RD
ROCKWALL, TX 75087

PERRY RUBY DELL
910 N WEST ST
ROCKWALL, TX 75087

WHITE TIMOTHY E
9104 PRIVATE ROAD 2325
TERRELL, TX 75160

LEWIS BEN
911 N ALAMO
ROCKWALL, TX 75087

RESIDENT
911 N GOLIAD
ROCKWALL, TX 75087

JONES PAMELA J
912 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
912 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
913 N ALAMO RD
ROCKWALL, TX 75087

BAXTER JAKE STEPHEN AND CATHERINE
ELIZABETH
915 N ALAMO RD
ROCKWALL, TX 75087

RESIDENT
915 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
917 N ALAMO
ROCKWALL, TX 75087

RESIDENT
917 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
918 N ALAMO
ROCKWALL, TX 75087

RESIDENT
919 N ALAMO
ROCKWALL, TX 75087

RESIDENT
919 N GOLIAD
ROCKWALL, TX 75087

BLOCK AMY AND TRAVIS
921 N ALAMO RD
ROCKWALL, TX 75087

BARRY BARBARA
922 N ALAMO RD
ROCKWALL, TX 75087

HUDSON SHEL I
923 N ALAMO
ROCKWALL, TX 75087

CHAVEZ ENRIQUE
923 N GOLIAD ST
ROCKWALL, TX 75087

RESIDENT
924 N ALAMO
ROCKWALL, TX 75087

CRAWFORD JUANITA LIFE ESTATE AND
MICHAEL CRAWFORD
925 N ALAMO
ROCKWALL, TX 75087

RESIDENT
925 N GOLIAD
ROCKWALL, TX 75087

RESIDENT
975 N ALAMO
ROCKWALL, TX 75087

THE PRESERVE HOMEOWNERS ASSOCIATION
INC
P.O. BOX 702348
DALLAS, TX 75370

THE PRESERVE HOMEOWNERS ASSOCIATION
INC
P.O. BOX 702348
DALLAS, TX 75370

CFPC INVESTMENTS LLC
PO BOX 1731
MARBLE FALLS, TX 78654

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:

Z2024-036: SUP for a Detached Garage

Hold a public hearing to discuss and consider a request by Travis Block for the approval of a Specific Use Permit (SUP) for a Detached Garage on a 0.53-acre tract of land identified as a portion of Block 4 of the Gardener Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, situated within the North SH-205 Overlay (N. SH-205 OV) District, addressed as 921 N. Alamo Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 10,, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 16, 2024 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, September 16, 2024 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. Z2024-036: SUP for a Detached Garage

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](#)

Ross, Bethany

From: Dyron M Durham <dyrondurham@yahoo.com>
Sent: Monday, August 26, 2024 9:47 AM
To: Planning; Hailey Hosak
Subject: Case Number: Z2024-036

We are in favor of this request for a detached garage.

Dyron Durham 975 N Alamo Dr Rockwall, TX 75087

[Yahoo Mail: Search, Organize, Conquer](#)

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.

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.

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).

Z2024-024

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.

Approve of detached garage built

Respondent Information

Please provide your information.

First Name *

Lina

Last Name *

Hilstad

Address *

853 Potomac Drive

City *

Rockwall

State *

Texas

Zip Code *

75087

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.

Google Forms

Ross, Bethany

From: Sara McFadin <saramcfadin@gmail.com>
Sent: Saturday, August 24, 2024 1:57 PM
To: Planning
Subject: Case #Z2024-036:SUP for a Detached Garage

My name is Sara McFadin
909 N West St, Rockwall, TX 75087

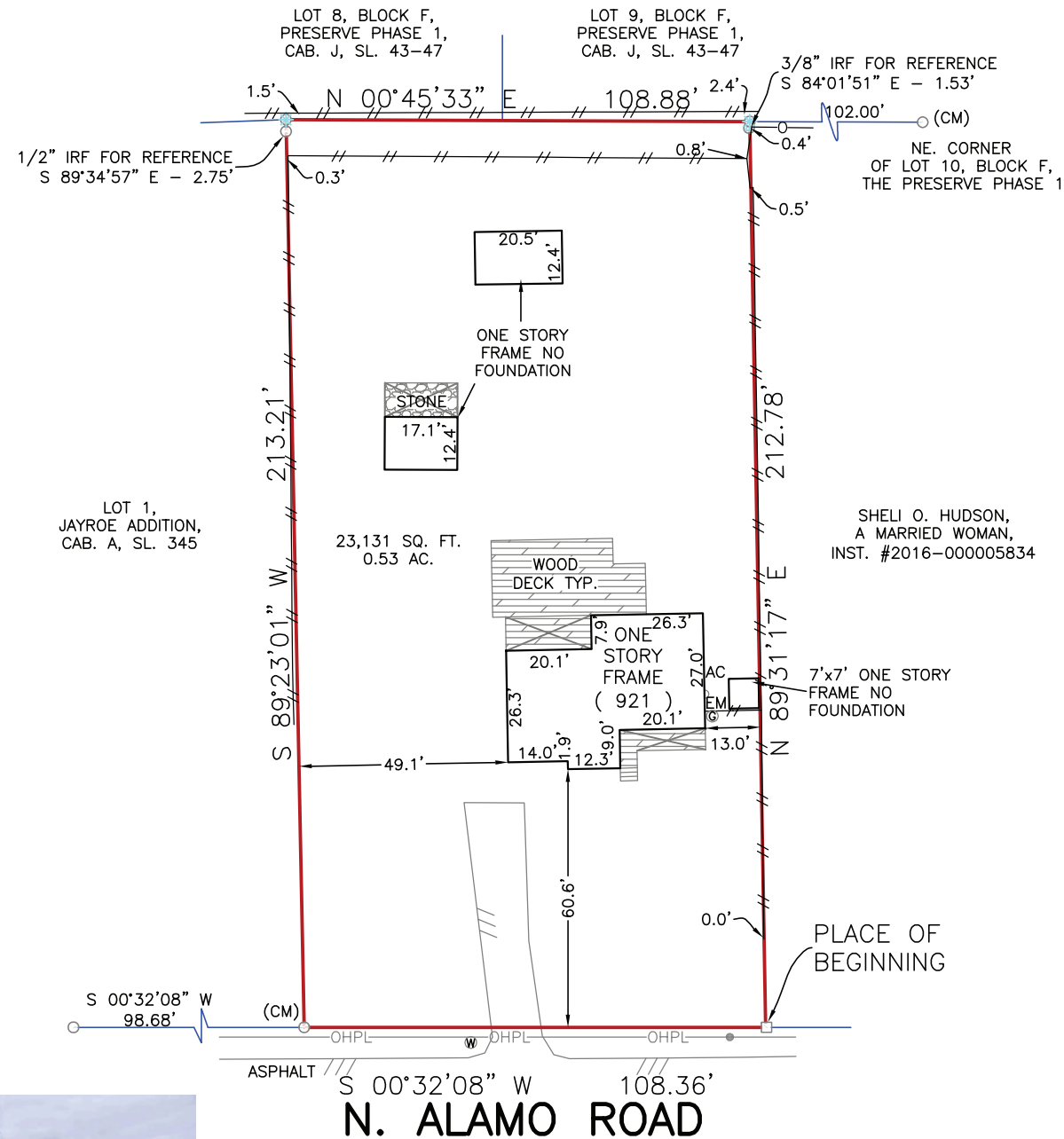
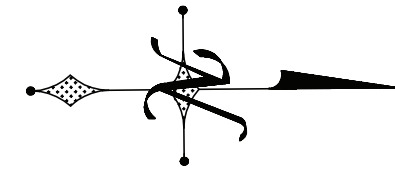
I am in favor of the request for detached garage. Its their property and they should be able to build what they need.

Regards,

Sara McFadin

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



1529 E I-30, STE. 103
GARLAND, TEXAS 75043

SURVEY PLAT



FIRM REGISTRATION NO. 10194366

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 357 N. ALAMO ROAD, in the city of ROCKWALL Texas.

All that certain lot, tract or parcel of land situated in the J.H.B. SURVEY, Abstract No. 124, City of Rockwall, Rockwall County, Texas and being a tract of land described in deed to Corky Belanger, by deed recorded in Instrument Number 2020000030622, Deed Records, Rockwall County, Texas, (D.R.R.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a railroad spike found for corner being in the West line of N. Alamo Road and being at the Southwest corner of a tract of land described in deed to Sheli O. Hudson, a married woman, by deed recorded in Instrument Number 2016-000005834, (D.R.R.C.T.) and being at the Northeast corner of that tract herein described;

THENCE South 00 degrees 32 minutes 08 seconds West, a distance of 108.36 feet to a 1/2 inch iron rod found for corner, being at the Northeast corner of Lot 1, of Jayroe Addition, an addition recorded in Cabinet A, Slide 346, of the Map or Plat Records, Rockwall County, Texas;

THENCE South 89 degrees 23 minutes 01 seconds West, a distance of 213.21 feet to a point for corner, being in the East line of Lot 8, Block F, of Preserve Phase 1, an Addition recorded in Cabinet J, Slide 43-47, of the Map or Plat Records, Rockwall County, Texas, from which a 1/2 inch iron rod found bears South 89 degrees 34 minutes 57 seconds East, 2.75 feet for reference;

THENCE North 0 degrees 45 minutes 33 seconds East, a distance of 108.88 feet to a point for corner, being in the East line of Lot 9, of said Preserve Phase 1, from which a 3/8 inch iron rod found bears South 84 degrees 01 minutes 51 seconds East, 1.53 feet for reference;

THENCE North 89 degrees 31 minutes 17 seconds East, a distance of 212.78 feet to the PLACE OF BEGINNING and containing 23,131 square feet or 0.53 of an acre of land.

BEARINGS ARE BASED ON NAD 83
DATUM, TEXAS STATE PLANE
COORDINATE SYSTEM. NORTH
CENTRAL ZONE

ACCEPTED BY: _____

Lawyers Title

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY LAWYERS TITLE

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'

Date: 02/10/23

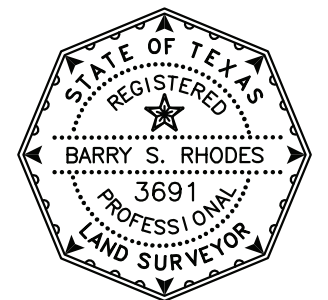
G. F. No.: 1901462300020

Job no.: 202300799

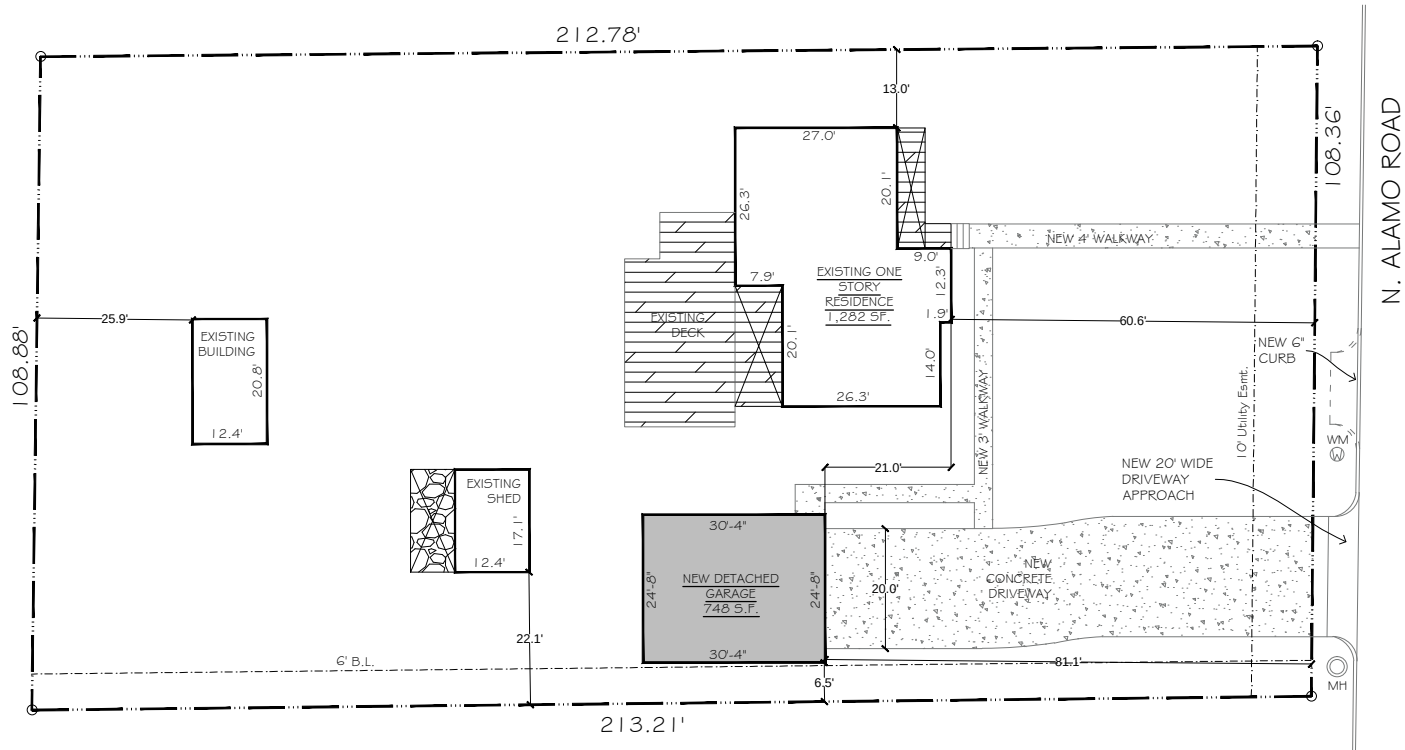
Drawn by: J.M.

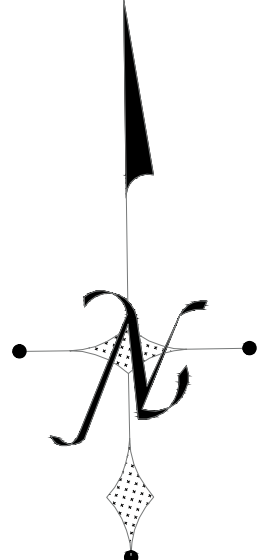
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR LAWYERS TITLE

LEGEND	
WOOD FENCE	IRON FENCE
CHAIN LINK	WIRE FENCE
BOUNDARY LINE	
EASEMENT SETBACK	
CM - CONTROLLING MONUMENT	
MRD - MONUMENTS OF RECORD DIGNITY	
1/2" IRON ROD FOUND	
1/2" YELLOW-CAPPED IRON ROD SET	
SET 'X' - RR. SPIKE FOUND	
3/8" IRON ROD FOUND	
5/8" IRON ROD FOUND	
POINT FOR CORNER	
C - CABLE	E - ELECTRIC
CL - CLEAN OUT	PE - POOL EQUIP
G - GAS METER	P - POWER POLE
F - FIRE HYDRANT	T - TELEPHONE
L - LIGHT POLE	W - WATER METER
M - MANHOLE	V - WATER VALVE
(UNLESS OTHERWISE NOTED)	



Signature of Barry S. Rhodes





SITE PLAN
SCALE: 1/32" = 1'-0"

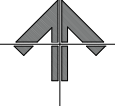
SITE PLAN INFORMATION	
LOT SIZE	23,130 S.F.
BUILDING AREA	3,208 S.F.
PERCENT LOT COVERED	13.86%
A MINIMUM OF 70% OF THE NON-ROOF AREA OF THE LOT COVERED WILL HAVE LANDSCAPE (GRASS, TREES, ETC.)	



Applicable Codes
2021 IBC 2023 NEC
2021 IRC
2021 IECC
2021 IPC

Project Description
This project is a new construction of a detached garage of 748 s.f. over reinforced concrete slab.

North



THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION/DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, SHALL BE PERFORMED IN FULL COMPLIANCE WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. BUILDER RESERVES THE RIGHT TO MODIFY THESE PLANS AS REQUIRED. LOCAL CODES, ORDINANCES, AND RESTRICTIONS WILL APPLY SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND LOCAL REQUIREMENTS.

921 N. Alamo Rd.
Rockwall, Texas 75087

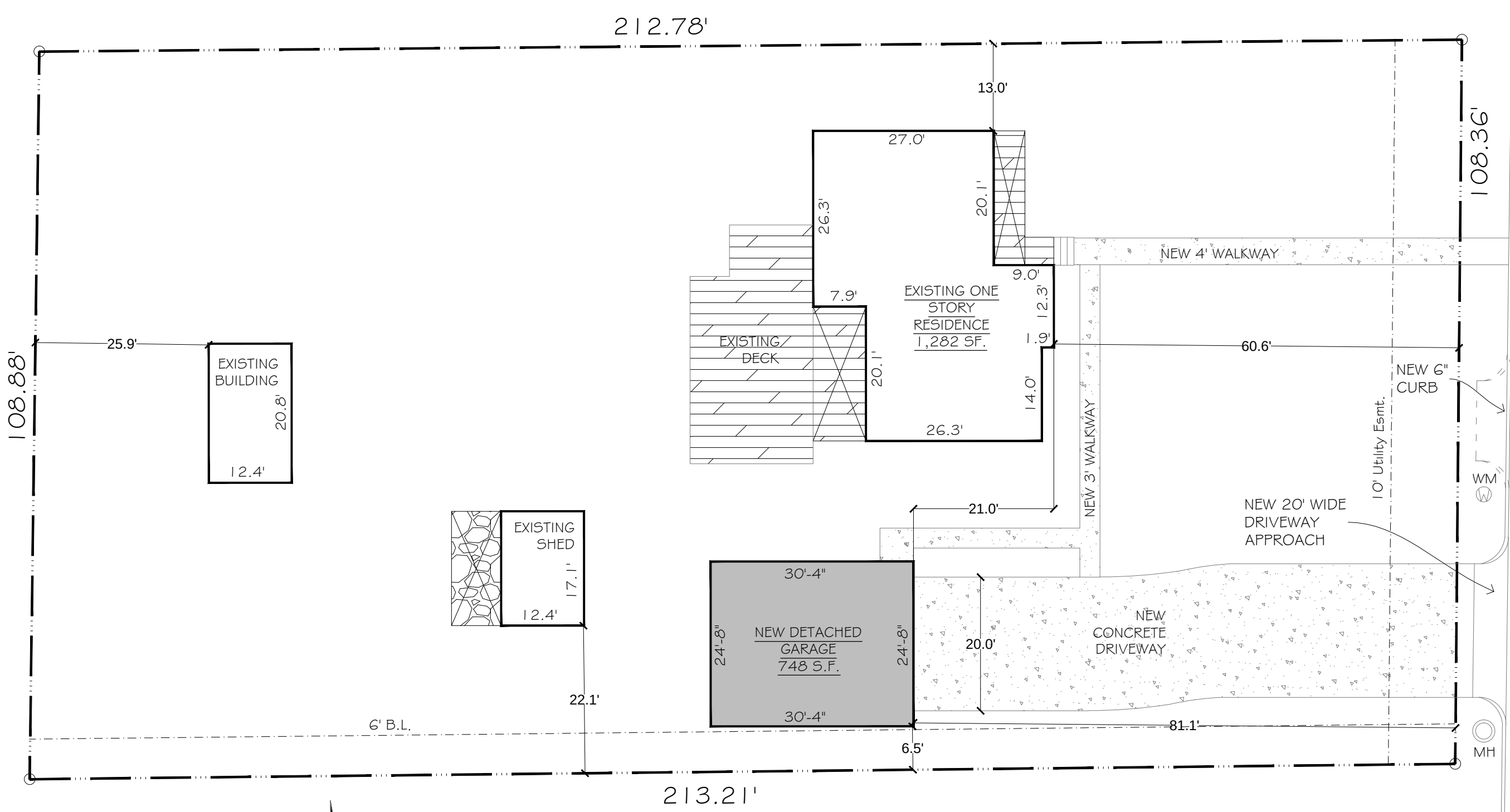
GARNER BLOCK PART 4

Date
July 1, 2024

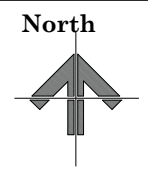
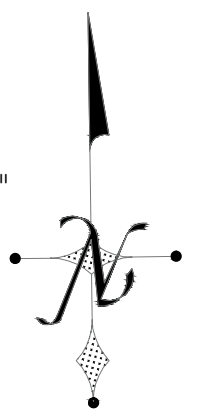
Sheet Title
SITE PLAN

Scale
1/32" = 1'-0"

Sheet No.
1
1 of 14



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



N. ALAMO ROAD

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION/DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, SHALL BE PERFORMED IN FULL COMPLIANCE WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. BUILDER RESERVES THE RIGHT TO MODIFY THESE PLANS AS REQUIRED. LOCAL CODES, ORDINANCES, AND RESTRICTIONS WILL APPLY SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND LOCAL REQUIREMENTS.

921 N. Alamo Rd.
 Rockwall, Texas 75087

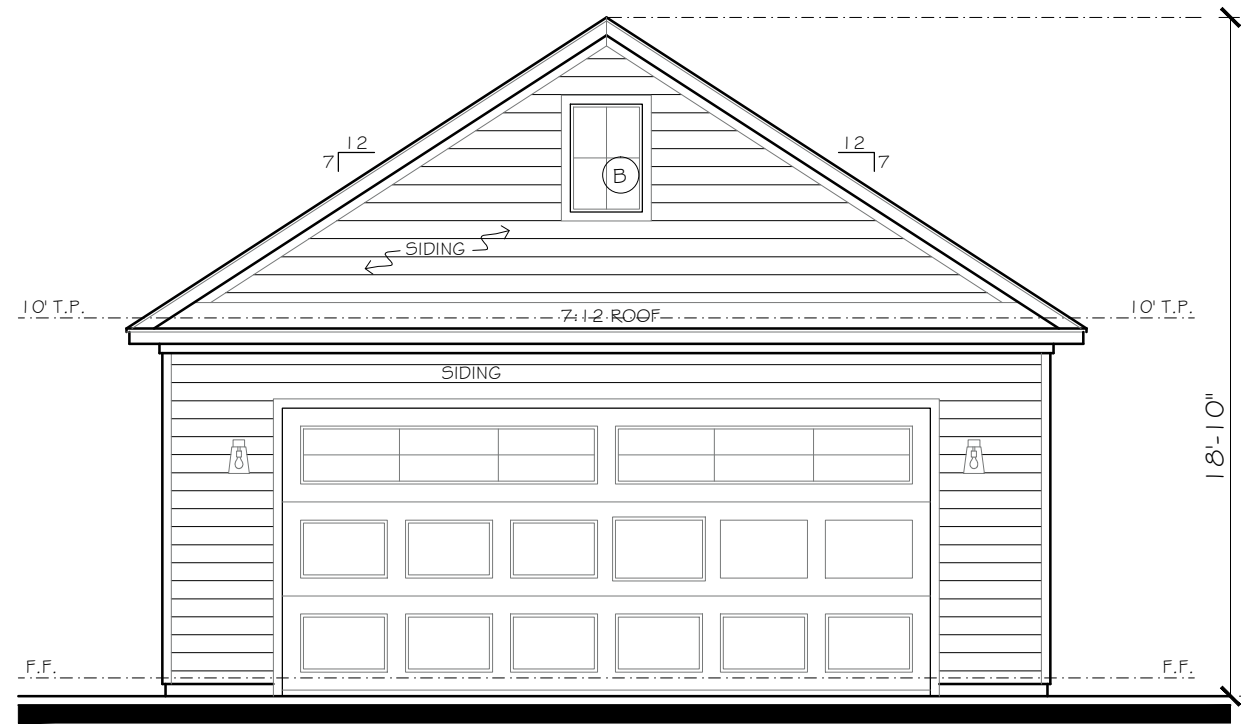
GARNER BLOCK PART 4

Date
 July 1, 2024

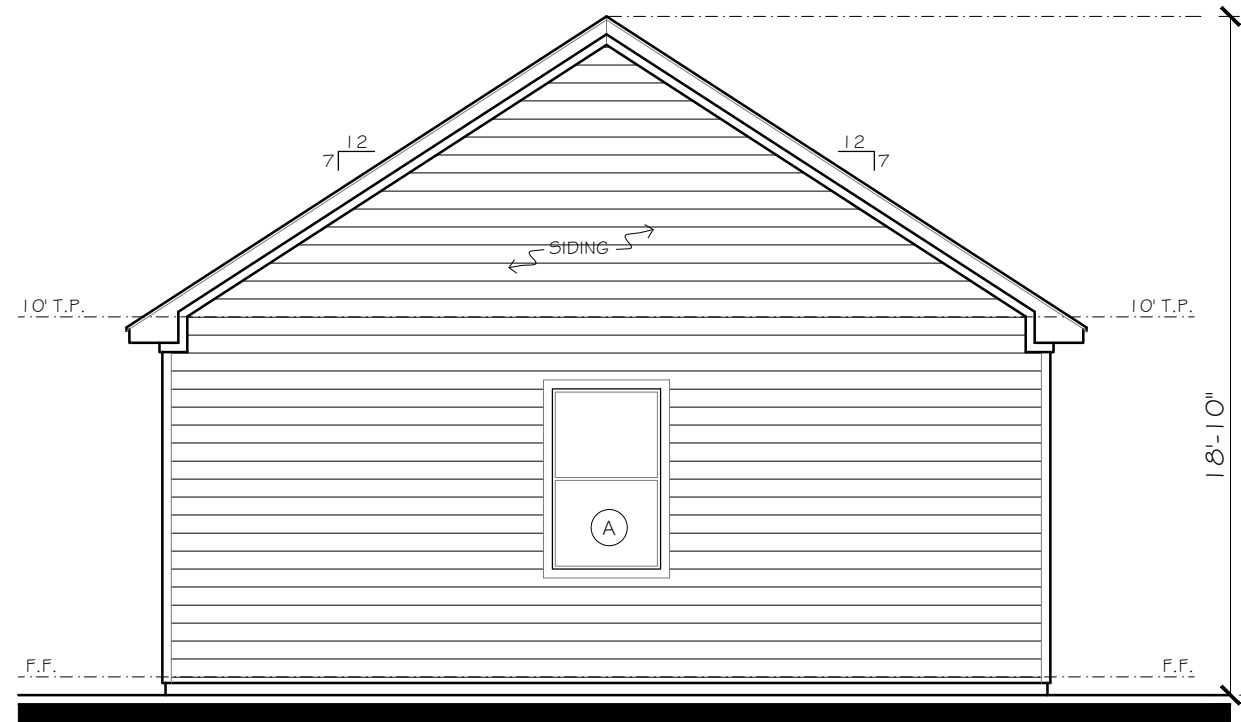
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 SITE PLAN

Scale
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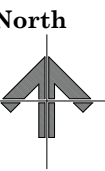
Sheet No.
 2
 1 of 14



FRONT ELEVATION SCALE: 3/16" = 1'-0"



REAR ELEVATION SCALE: 3/16" = 1'-0"



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921 N. Alamo Rd.
Rockwall, Texas 75087
GARNER BLOCK PART 4

Date
July 1, 2024

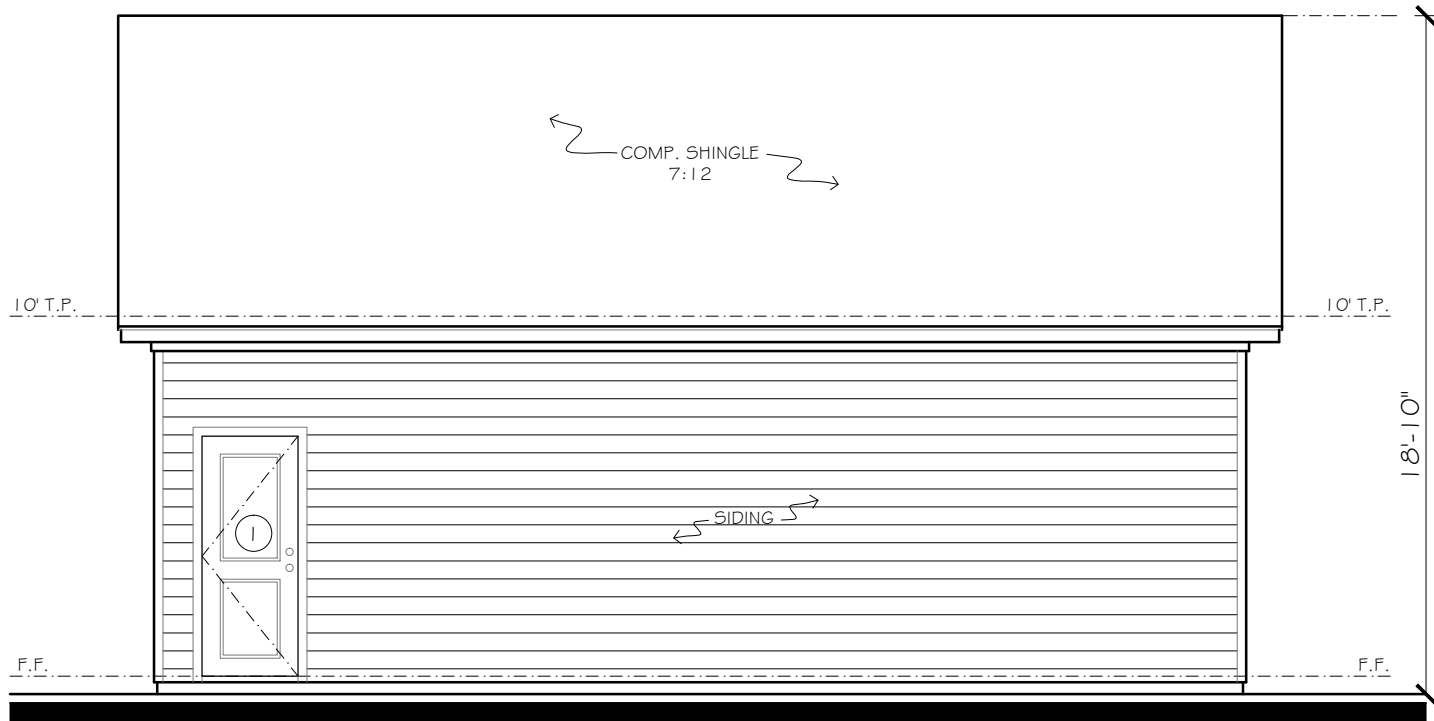
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ELEVATIONS

Scale
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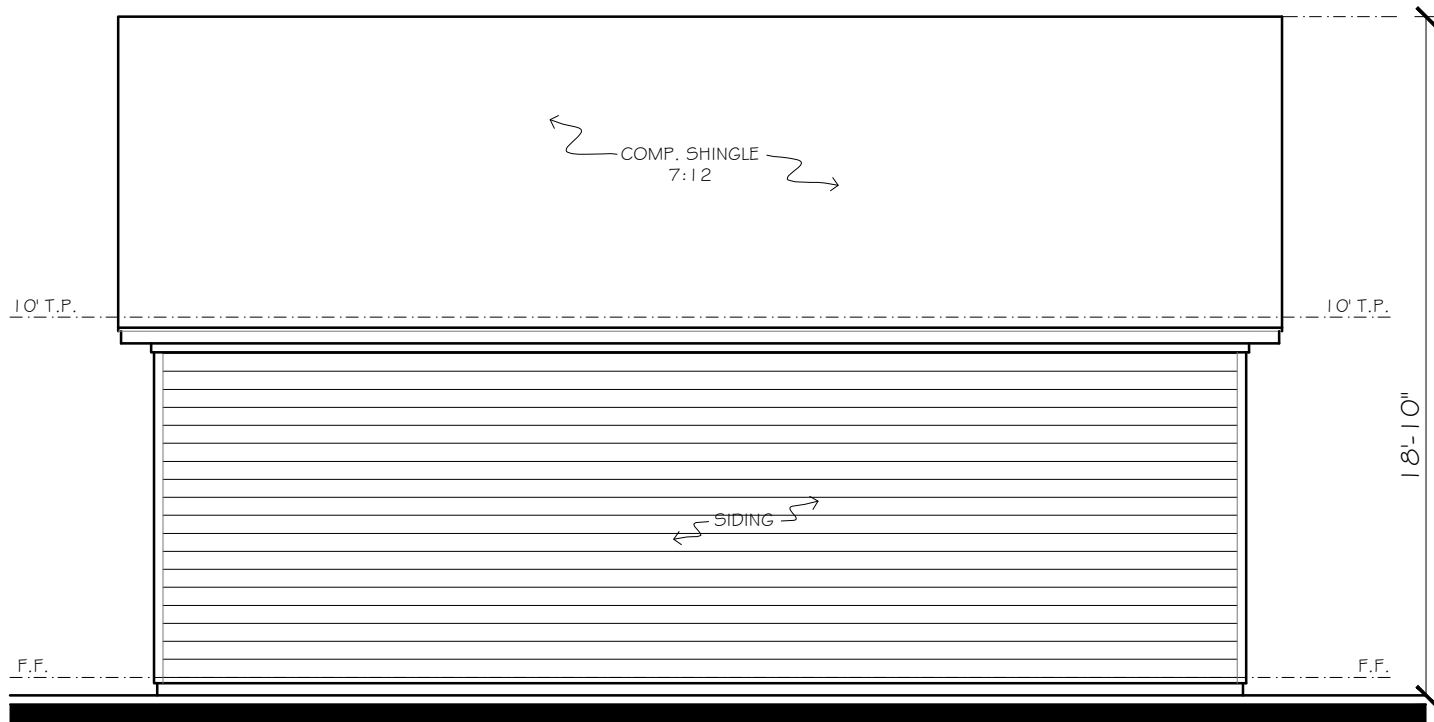
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4
3 of 14



RIGHT ELEVATION

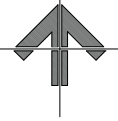
SCALE: 3/16" = 1'-0"



LEFT ELEVATION

SCALE: 3/16" = 1'-0"

North



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921 N. Alamo Rd.
Rockwall, Texas 75087

GARNER BLOCK PART 4

Date

July 1, 2024

Sheet Title

ELEVATIONS

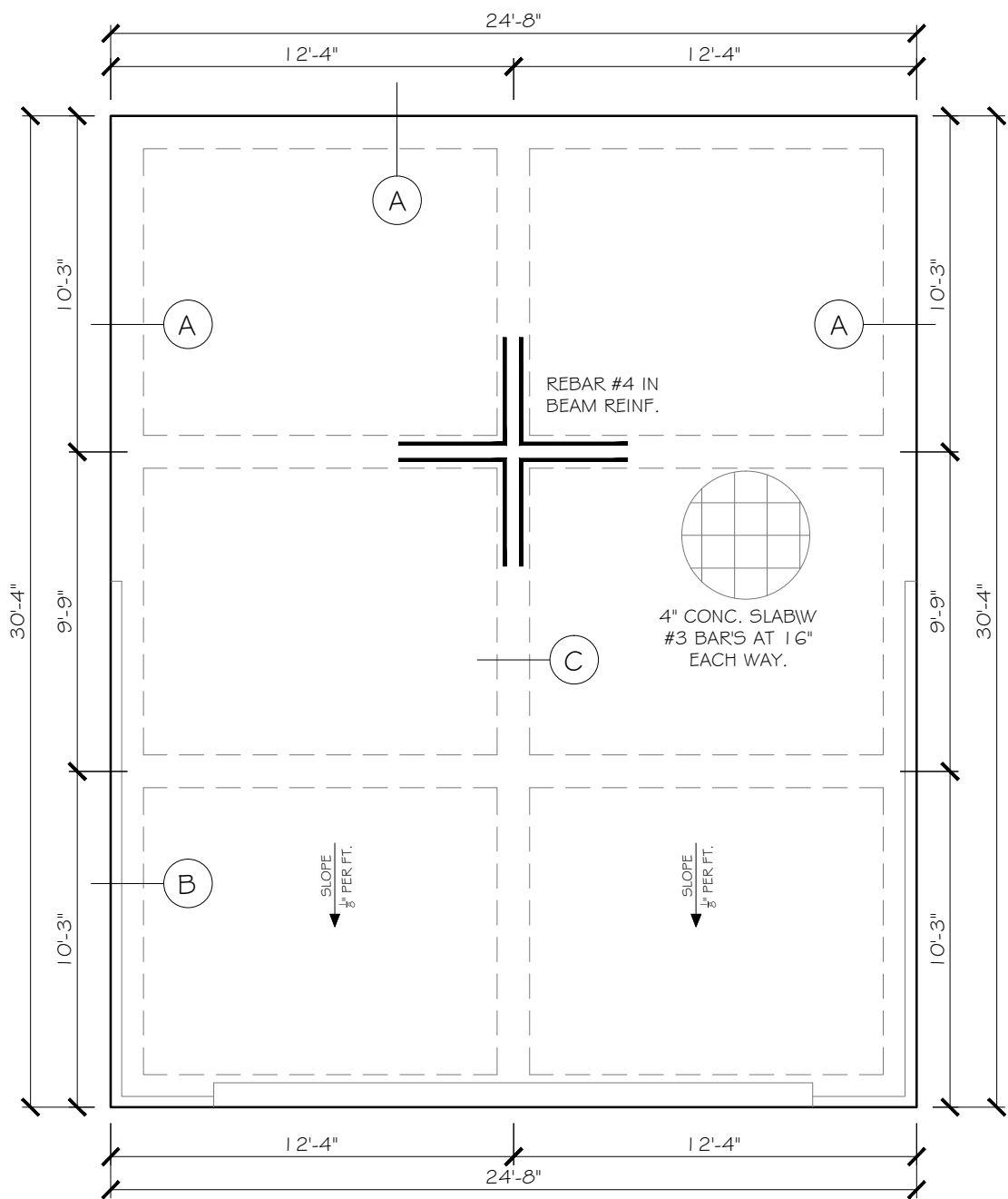
Scale

3/16" = 1'-0"

Sheet No.

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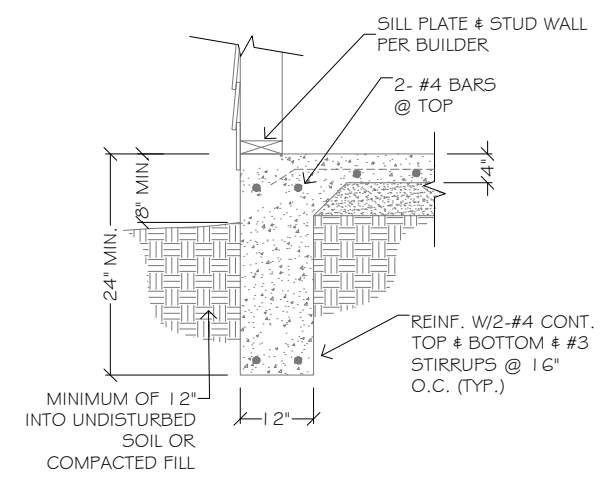
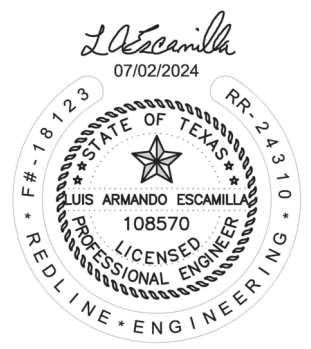
3 of 14



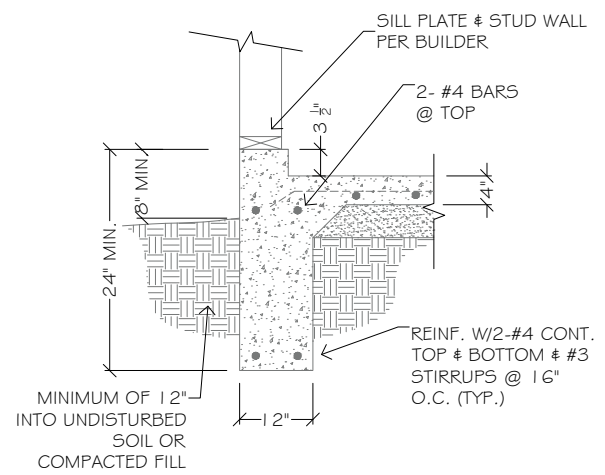
FOUNDATION PLAN
SCALE: 3/16" = 1'-0"

CONCRETE NOTES

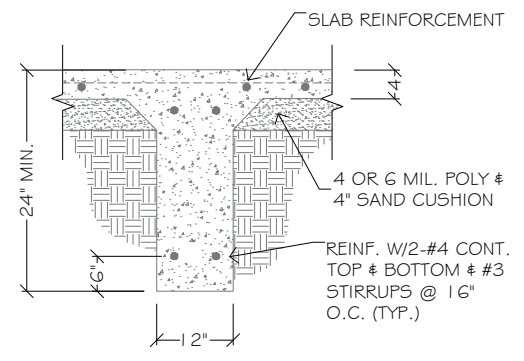
- A. EXCAVATE EXISTING SOIL +/- 6" DEEP TO 24" DEEP AND REMOVE TO OFF SITE LOCATION
- B. FOUNDATION SLAB SHALL BE 4" THICK OFF 3,000 PSI REINFORCED CONCRETE.
- C. CONCRETE SLAB SHALL BE PLACED OVER 4" THICK SAND AND GRAVEL CUSHION APPLY LAYER OF 4 MIL THICK VAPOR BARRIER OF POLYETHYLENE BELOW SLAB.
- D. UNDISTURBED SOIL SHALL BE COMPACTED TO 90% PROCTOR PRIOR TO PLACEMENT OF SAND CUSHION.
- E. ALL CONCRETE BEAM SHALL BE 12" WIDE AND 24" DEEP WITH REINFORCING AS INDICATED.
- F. AT ALL BEAM INTERSECTIONS, SHALL HAVE #3 CORNER BAR REINFORCING AND SHALL LAP BEAM REINFORCING NOT LESS THAN 18"
- G. ALL CONCRETE SHALL HAVE A MINIMUM 28 DAY, 3,000 PSI COMPRESSIVE STRENGTH.
- H. ADMIXTURES CONTAINING CHLORIDES, SULPHATE, NITRATES AND FLY ASH ARE NOT PERMITTED.
- I. REINFORCING STEEL SHALL BE NEW BILLET STEEL CONFORMING TO ASTM A-65, GRADE 60, EXCEPT No. 3 BARS MAY BE GRADE 40.
- J. FURNISH AND INSTALL EXPANSION JOINT BETWEEN EXISTING CONCRETE SLAB AND NEW CONCRETE SLAB.
- K. NEW SLAB TO HAVE SMOOTH TOP FINISH
- L. REMOVE FORM BOARDS AND RUB OUT ANY HONEYCOMB AREAS.
- M. FILL IN AROUND NEW CONCRETE WITH NATIVE SOIL.



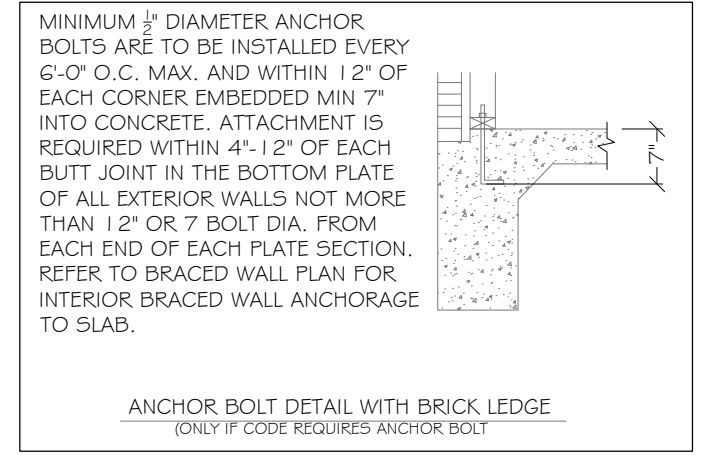
A EXTERIOR BEAM Siding
N.T.S.



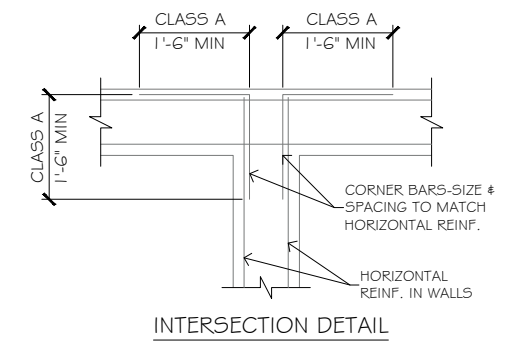
B EXTERIOR BEAM @ GARAGE
N.T.S.



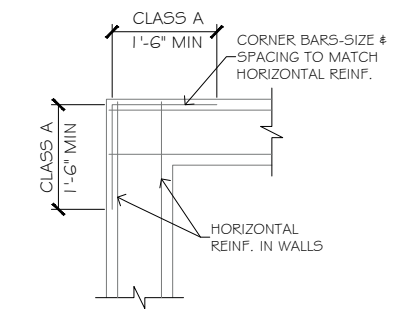
C INTERIOR BEAM
N.T.S.



ANCHOR BOLT DETAIL WITH BRICK LEDGE
(ONLY IF CODE REQUIRES ANCHOR BOLT)



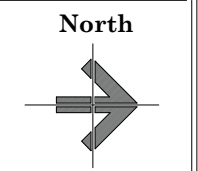
INTERSECTION DETAIL



CORNER DETAIL

TYP. CORNER BAR
PLAN DETAIL @ WALLS
& GRADE BEAM

E N.T.S.



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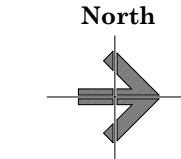
921 N. Alamo Rd.
Rockwall, Texas 75087

Date
July 1, 2024

Sheet Title
FOUNDATION

Scale
3/16" = 1'-0"

Sheet No.
S7
7 of 7



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921 N. Alamo Rd.
Rockwall, Texas 75087

Date
July 1, 2024

Sheet Title

ROOF PLAN

Scale
1/8" = 1'-0"

Sheet No.

S1

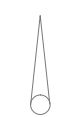
1 of 7

RAFTER SPAN CHART (SLATE OR TILE ROOF)

REFERENCE=INTERNATIONAL RESIDENCIAL CODE 2021
RAFTERS: CEILING NOT ATTACHED TO RAFTERS,
DL = 20 PSF, LL = 20 PSF, Δ = L/180
RAFTERS: CEILING ATTACHED TO RAFTERS,
DL = 20 PSF, LL = 20 PSF, Δ = L/240

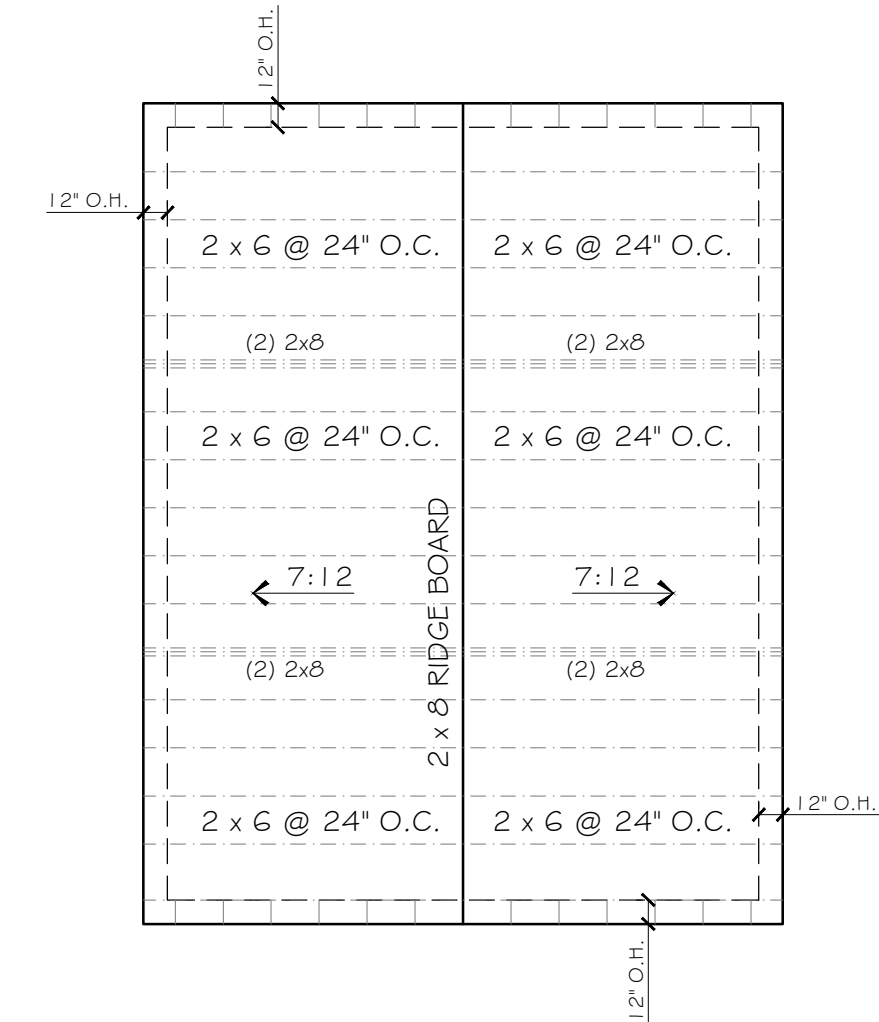
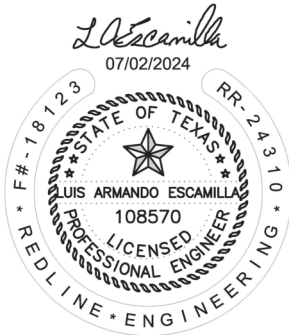
SPAN CHART FOR #2 SOUTHERN PINE

	RAFTERS, CEILING NOT ATTACHED TO RAFTERS				RAFTERS, CEILING ATTACHED TO RAFTERS			
	12"	16"	19.2"	24"	12"	16"	19.2"	24"
2 X 4	9'-0"	7'-9"	7'-1"	6'-4"	9'-0"	7'-9"	7'-1"	6'-4"
2 X 6	13'-6"	11'-8"	10'-8"	9'-6"	13'-6"	11'-8"	10'-8"	9'-6"
2 X 8	17'-1"	14'-9"	13'-6"	12'-1"	17'-1"	14'-9"	13'-6"	12'-1"
2 X 10	20'-3"	17'-6"	16'-0"	14'-4"	20'-3"	17'-6"	16'-0"	14'-4"
2 X 12	23'-10"	20'-8"	18'-10"	16'-10"	23'-10"	20'-8"	18'-10"	16'-10"

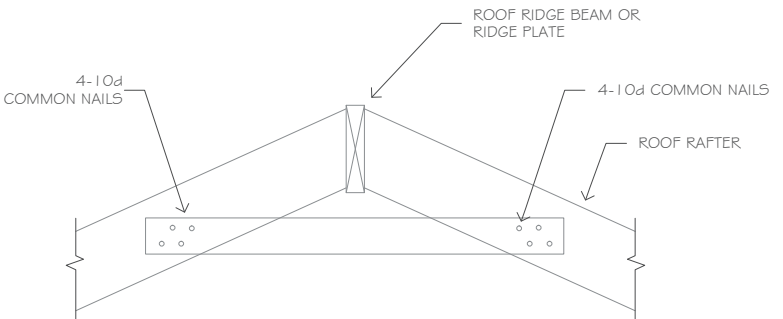
ROOF BRACING SCHEDULE			
	HT	REQUIREMENTS	SECTION
	1-8FT.	2X4 "T" BRACING	 2X4
	9-16FT.	2X6/2X6 "T" BRACING	 2X6
	17-25FT.	2X8/2X8 "T" BRACING	 2X8

NOTES, ROOF BRACING

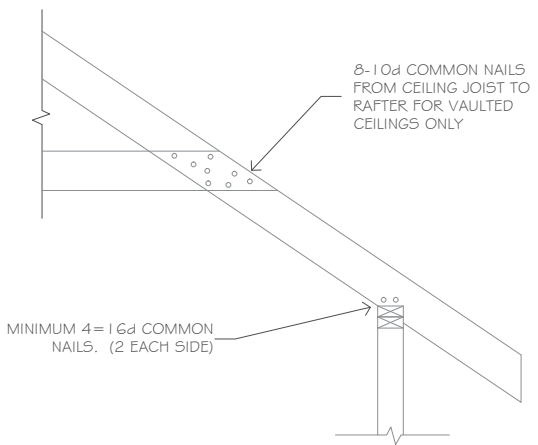
- RAFTERS, RIDGES, HIPPS AND VALLEYS SHALL BE #2 SOUTHERN PINE OR EQUAL.
- RIDGE, HIP, VALLEYS, AND PURLIN LOADS SHALL BE DISTRIBUTED TO WALLS OR BEAMS BELOW BY "T" BRACES OF (2) 2X6'S. THE "T" BRACES SHALL BE INSTALLED AT AN ANGLE GREATER THAN 45 DEGREES WITH THE HORIZONTAL. BRACE PURLINS AT 4'-0" O.C.
- RAFTER SPANS EXCEEDING 11'-8" WITH THE HORIZONTAL SHALL BE BRACED WITH A 2X6 PURLIN.
- USE 2X6 RAFTERS @ 24" O.C. UNLESS NOTED OTHERWISE. ALTERNATELY, USE THE SPAN CHARTS PROVIDED.
- NAIL RAFTERS TO RIDGE, VALLEYS, AND HIP USING 4=16D COMMON TOE NAILED OR 3=16D COMMON FACE NAILED MINIMUM.
- TOE NAIL ALL CEILING JOISTS TO TOP PLATE USING 3 10D COMMON. NO MORE THAN 2 NAILS SHALL BE INSTALLED ON EACH SIDE OF A JOIST WITH 2X4 TOP PLATE AND NO MORE THAN 3 NAILS INSTALLED ON EACH OF JOIST WITH A 2X6 TOP PLATE.
- ALL SPLICED RAFTERS SHALL BE SPLICED AND BRACED AT PURLIN LOCATION.



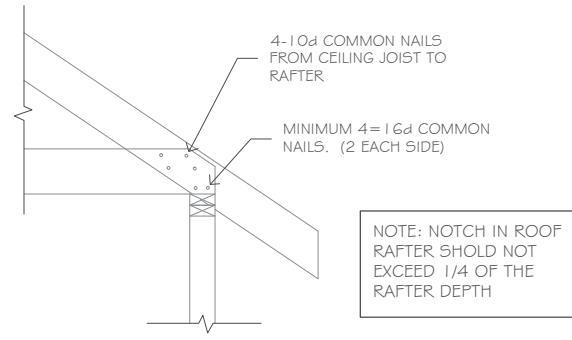
ROOF PLAN
SCALE: 1/8" = 1'-0"



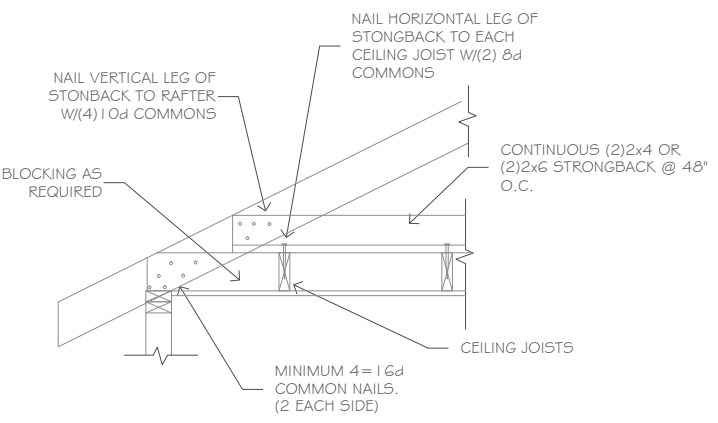
A TYPICAL COLLAR TIE CONNECTION DETAIL
N.T.S.



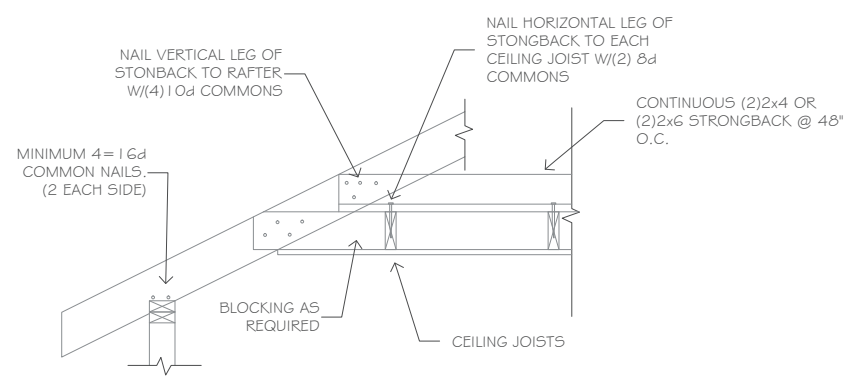
B TYPICAL DETAIL @ VAULTED CEILING
N.T.S.



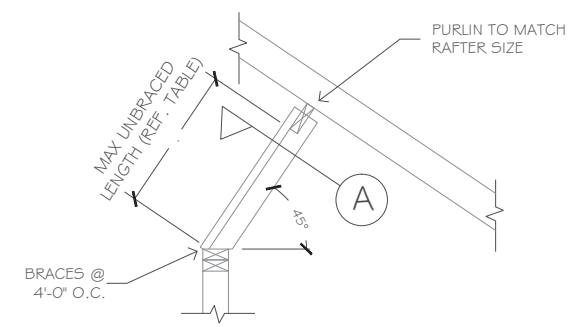
C TYPICAL ROOF RAFTER ATTACHMENT TO TOP PLATE
N.T.S.



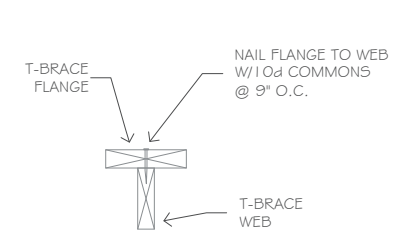
D CEILING JOIST PERPENDICULAR TO ROOF RAFTER
N.T.S.



E VAULTED CLG. w/ CLG. JOIST PERPENDICULAR TO RAFTERS
N.T.S.



F TYP. "T" BRACE ROOF PURLIN SUPPORT DET.
N.T.S.



SECTION A-A

T-BRACE		
UNBRACED LENGTH	FLANGE SIZE	WEB SIZE
UP TO 6'-0"	---	2x4
UP TO 10'-0"	2x4	2x4
UP TO 16'-0"	2x4	2x6
UP TO 20'-0"	2x6	2x6
UP TO 26'-0"	2x6	(2) 2x6



North

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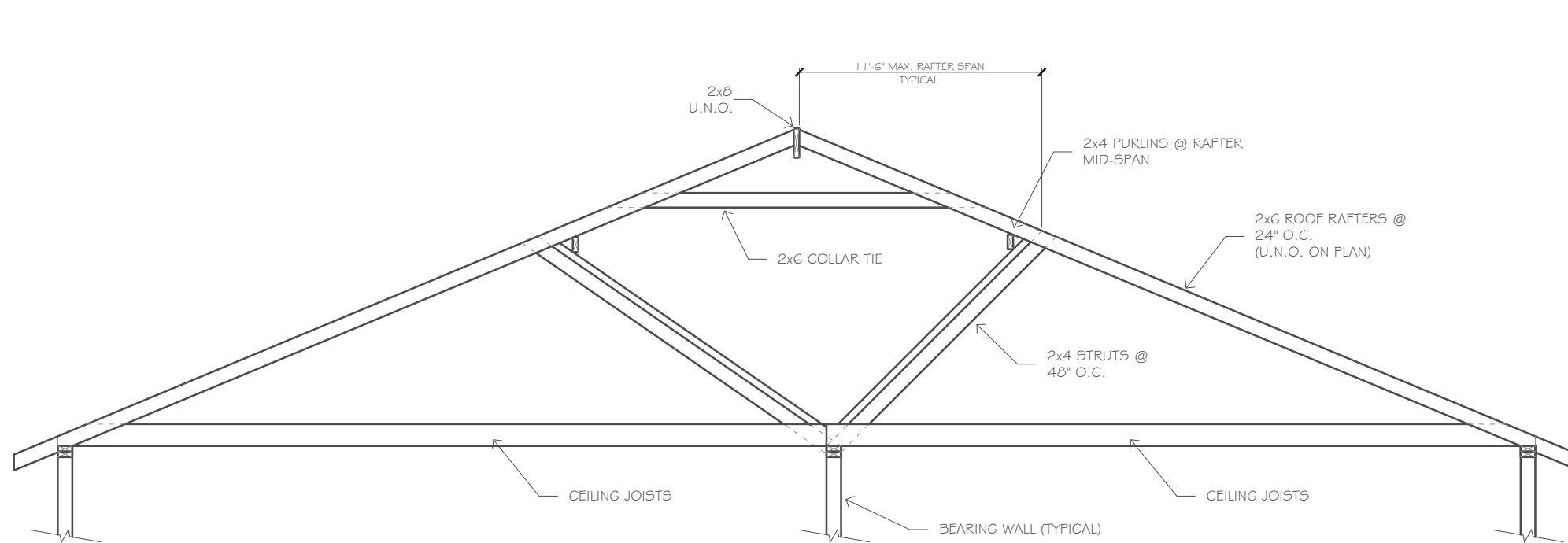
921 N. Alamo Rd.
Rockwall, Texas 75087

Date
July 1, 2024

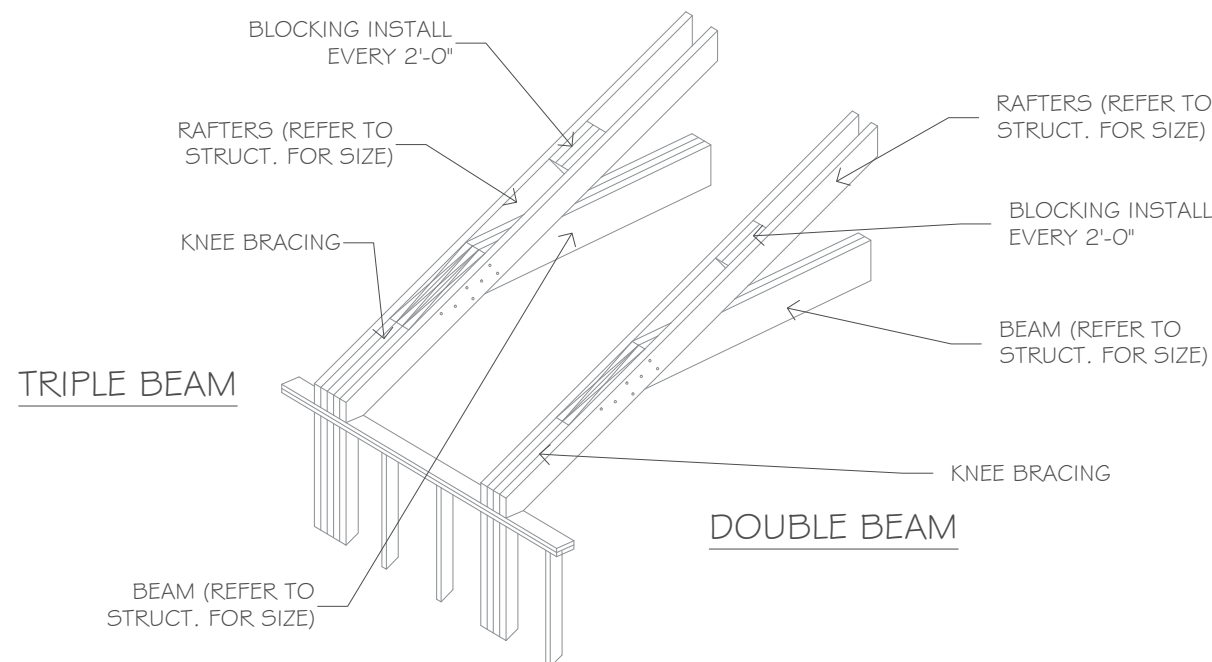
Sheet Title
DETAILS

Scale
1/8" = 1'-0"

Sheet No.
S2
2 of 7



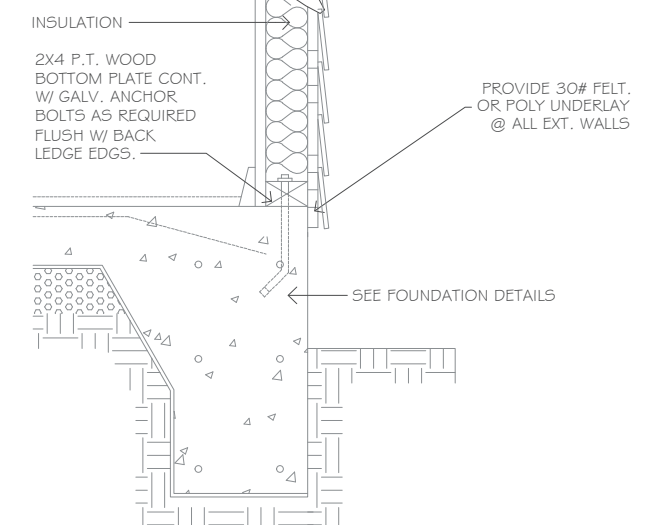
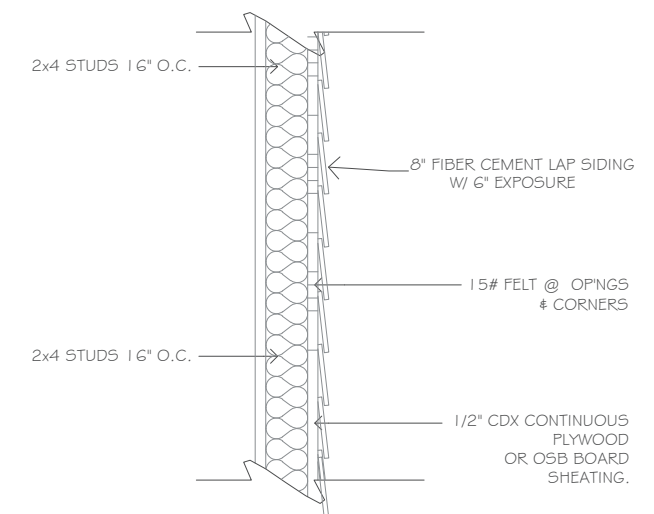
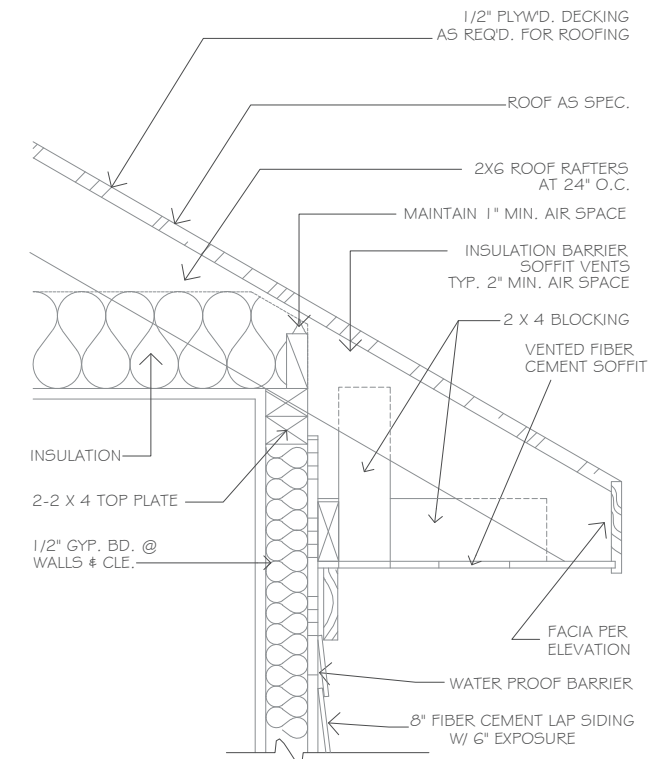
A TYP. RAFTER DETAIL
N.T.S.



D TYP. BEAM SUPPORTED BY RAFTERS
N.T.S.



WALL SECTION
SCALE: n.t.s.



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921 N. Alamo Rd.
Rockwall, Texas 75087

Date
July 1, 2024

Sheet Title

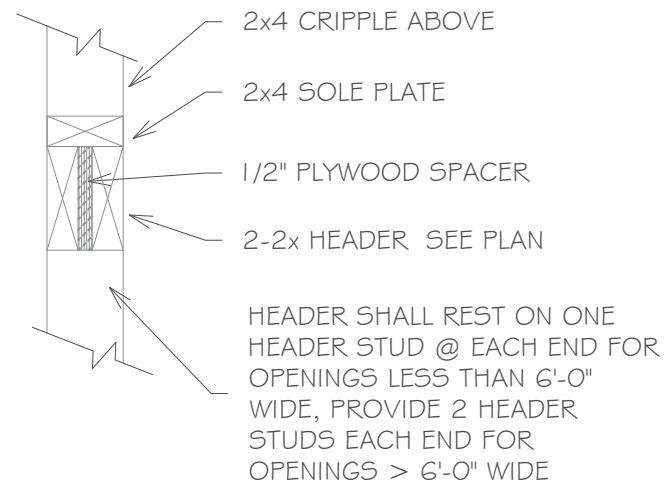
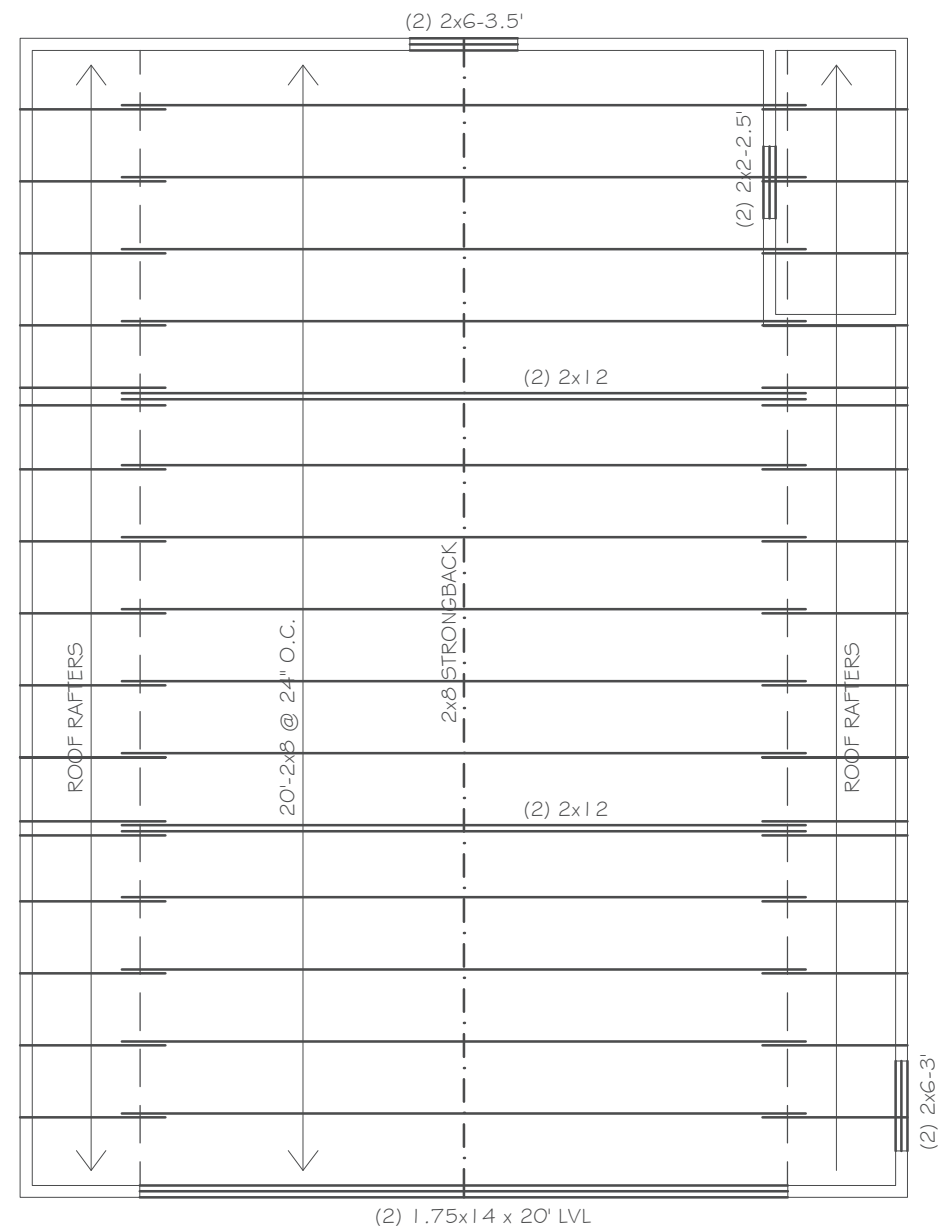
DETAILS

Scale
1/8" = 1'-0"

Sheet No.

S3

3 of 7



A TYP. HEADER DETAIL

REF. INTERNATIONAL RESIDENTIAL CODE 2021

CEILING JOISTS: UNINHABITABLE ATTICS WITH LIMITED STORAGE,
DL = 5psf LL = 10psf, $\Delta = L/240$
DL = 10psf LL = 20psf, $\Delta = L/240$

SPAN CHART FOR #2 SOUTHERN PINE

	CEILING JOISTS DEAD LOAD = 5 LIVE LOAD = 10				CEILING JOISTS DEAD LOAD = 10 LIVE LOAD = 20			
	12"	16"	19.2"	24"	12"	16"	19.2"	24"
2 X 4	11'-10"	10'-9"	10'-2"	9'-3"	9'-3"	8'-0"	7'-4"	6'-7"
2 X 6	18'-8"	16'-11"	15'-7"	13'-11"	13'-11"	12'-0"	11'-0"	9'-10"
2 X 8	24'-7"	21'-7"	19'-8"	17'-7"	17'-7"	15'-3"	13'-11"	12'-6"
2 X 10	26'-0"	25'-7"	23'-5"	20'-11"	20'-11"	18'-1"	16'-6"	14'-9"
2 X 12	26'-0"	25'-4"	23'-0"	23'-0"	23'-0"	20'-3"	18'-8"	16'-10"

HEADER SPAN ALLOWANCE (MAXIMUM)		
(PLY) SIZE	LOAD BEARING	NON-LOAD BEARING
(2) 2X6's	-	4 FT
(2) 2X8's	4 FT	6 FT
(2) 2X10's	6 FT	8 FT
(2) 2X12's	8 FT	10 FT
LOAD BEARING HEADERS GREATER THAN 8'-0" NEED TO BE SIZED		

NOTES

1. ALL CEILING JOISTS TO BE #2 SOUTHERN PINE.
2. ALL CEILING JOISTS MUST BE NAILED TO TOP PLATE W/3=8D COMMON NAILS.
3. ALL CEILING JOISTS MUST BE NAILED TO RAFTER W/9=16D COMMON NAILS.
4. JOISTS AND BEAM HANGERS, WHERE SPECIFIED, SHALL BE FULLY NAILED PER MANUFACTURER'S CATALOG SPECIFICATIONS.
5. DECKING FOR UNINHABITABLE ATTICS WITH LIMITED STORAGE SHALL BE MINIMUM 7/16" PLYWOOD OR OSB, WITH A SPAN RATING THAT MEETS OR EXCEEDS THE CEILING JOIST SPACING.
6. MULTIPLE-PLY BEAMS, WHERE SPECIFIED, SHALL HAVE EACH PLY NAILED TOGETHER WITH 2 ROWS OF 16D COMMONS @ 12" O.C. (3 ROWS OF NAILS REQUIRED FOR BEAMS EXCEEDING 12" MIN. DEPTH)
7. ALL MULTIPLE-PLY BEAM CALLOUTS ON PLANS SHALL BE #2 SOUTHERN PINE UNLESS NOTED OTHERWISE.



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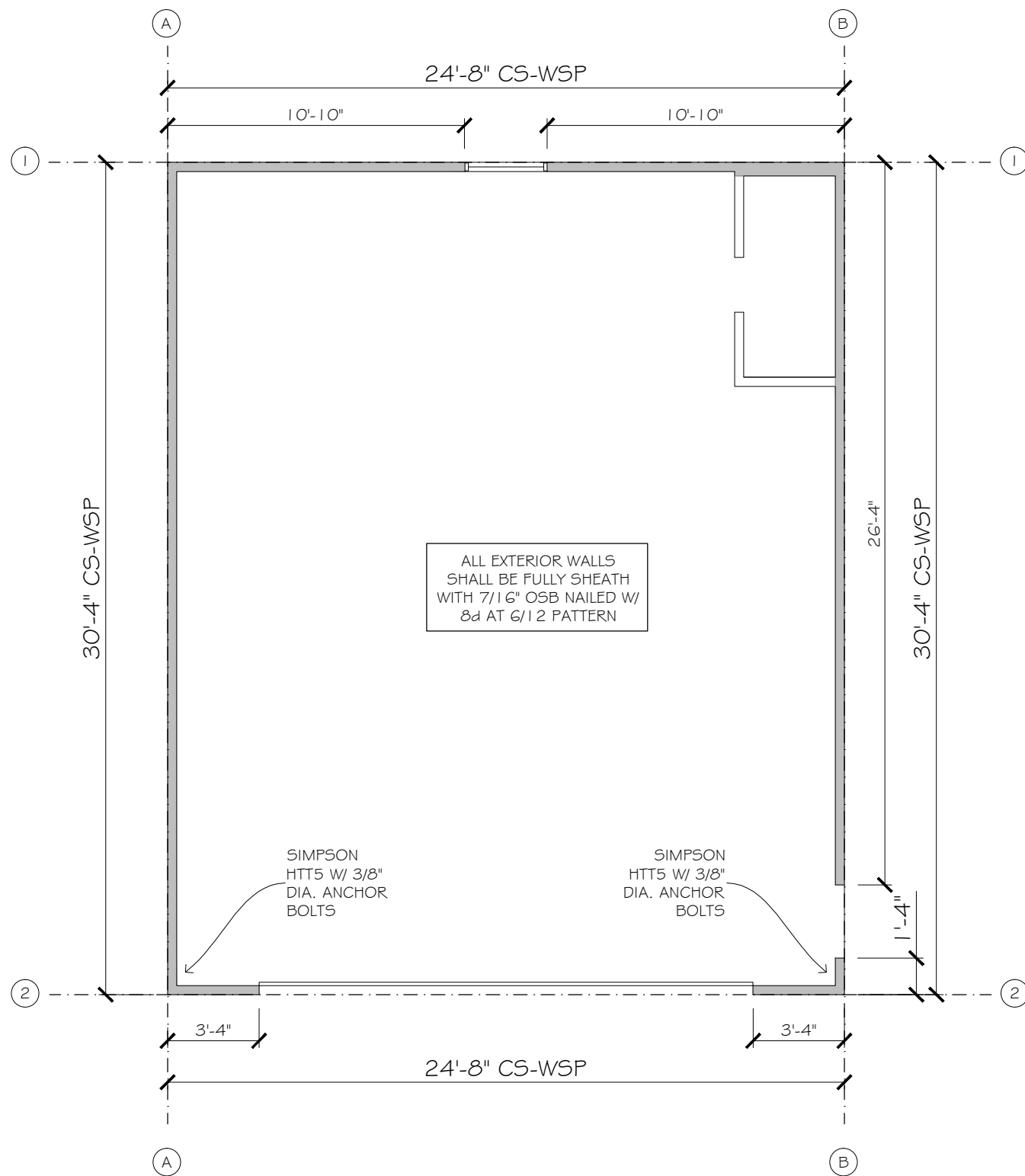
Sheet Title

CEILING
FRAMING

Scale
1/8" = 1'-0"

Sheet No.

S4



WIND BRACING PLAN
SCALE: 3/16" = 1'-0"



WALL BRACING NOTES

- 1. ALL WALL BRACING TO COMPLY WITH 2018 IRC OR NEWER BUILDING CODE CURRENTLY ADOPTED BY CITY OF LANCASTER.
- 2. NAIL "RED" THERMAPLY WITH 1 1/4" GALVANIZED ROOFING NAILS OR 16 GA. 7/16" MIN. CROWN STAPLES SPACED 3" O.C. ON ALL PANEL EDGES AND 6" O.C. IN THE FIELD.

ALTERNATE TIE DOWN ANCHORS
(USE THESE ANCHORS AFTER THE SLAB IS CURED)

- 1. LOCATE HTT5 SIMPSON TIES AT CORNERS OF THE "A" WALL BRACING PANELS AS NOTED ON WALL BRACING PLANS.
- 2. DRILL INTO SLAB WITH 3/4" DIA. DRILL BIT. HOLES SHOULD BE DRILLED 4" DEEP MIN.
- 3. HOLES SHOULD BE CLEANED WITH COMPRESSED AIR AND BRUSH IN EACH HOLE. ALL CONCRETE DUST MUST BE REMOVED FROM HOLES
- 4. IN EACH HOLE, INJECT SIMPSON ACRYLIC-TIE ADHESIVE PER MANUFACTURER'S REQUIREMENTS.
- 5. INSTALL 5/8" X 12" THREADED ROD INTO EACH HOLE (SIMPSON RB#5X12). DO NOT DISTURB THREADED ROD FOR AT LEAST TWO HOURS TO ALLOW GLUE TO CURE.
- 6. AFTER WAITING FOR GLUE TO CURE, INSTALL SIMPSON HTT5 TIES AND NAIL TO STUDS WITH 32, 16D NAILS.

CS-WSP
DENOTES METHOD CS-WSP (CONTINUOUS WOOD STRUCTURAL PANEL SHEATHING). 4X8 WOOD STRUCTURAL PANEL SHEATHING WITH A THICKNESS NOT LESS THAN 3/8 INCH OSB FOR 16-INCH STUD SPACING. NAILING: 6d COMMON @ 6" O.C. ALL EDGES @ 12" O.C. IN FIELD. FASTEN SHEATHING TO HEADER WITH 8d COMMON NAILS IN 3" GRID PATTERN AND 3" O.C. IN ALL FRAMING (STUDS AND SILLS) TYP.

North

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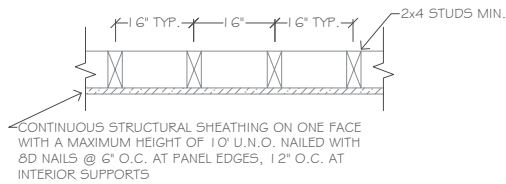
921 N. Alamo Rd.
Rockwall, Texas 75087

Date
July 1, 2024

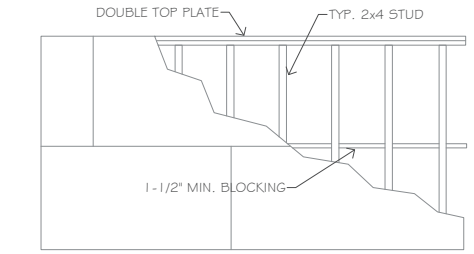
Sheet Title
WIND BRACING

Scale
3/16" = 1'-0"

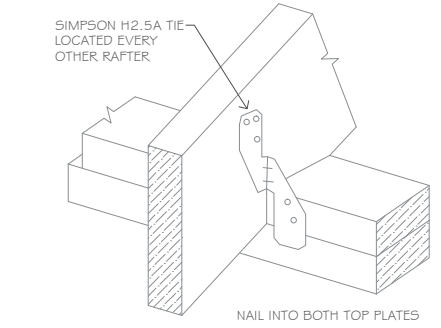
Sheet No.
S5
5 of 7



1 SECTION DETAIL
N.T.S.



PANEL BLOCKING DETAIL
N.T.S.



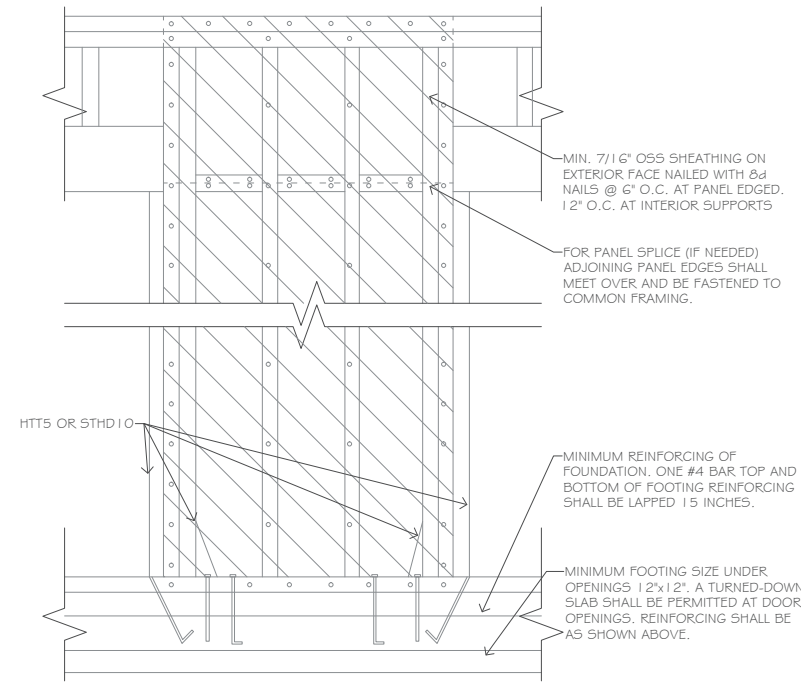
RAFTER TO TOP PLATE DETAIL
N.T.S.

SIDE-LOADED MULTIPLE MEMBER CONNECTION SCHEDULE			
ASSEMBY TYPE	NAILED CONN.	THROUGH-BOLTED CONN.	STRUCTURAL WOOD SCREW CONN.
ASSEMBLY A	3 ROWS 12d COMMON WIRE NAILS AT 12" O.C.	2 ROWS 1/2" DIA. BOLTS W/ WASHERS AT 12" O.C.	2 ROWS 1/4" DIA. x 3 1/2" LONG SCREWS AT 12" O.C.
ASSEMBLY B	NOT APPLICABLE	2 ROWS 1/2" DIA. BOLTS W/ WASHERS AT 12" O.C.	NOT APPLICABLE

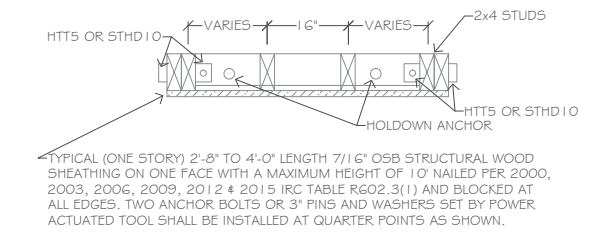
ASSEMBLY A
3 PLY

ASSEMBLY B
4 PLY

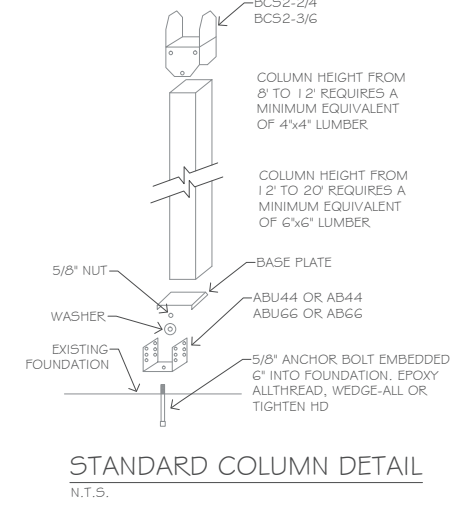
LVL BEAM ASSEMBLY
N.T.S.



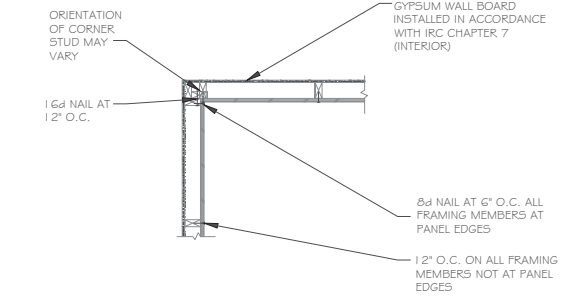
2 SECTION DETAIL (EXTERIOR ELEVATION)
N.T.S.



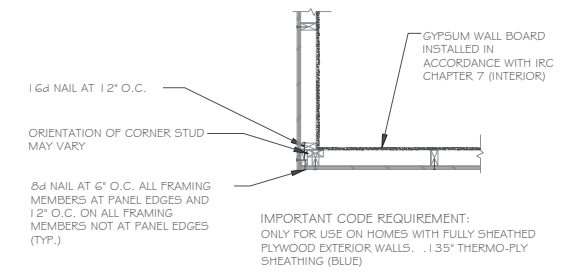
2 SECTION DETAIL (PLAN VIEW)
N.T.S.



STANDARD COLUMN DETAIL
N.T.S.



EXAMPLE OF INSIDE CORNER DETAIL
N.T.S.



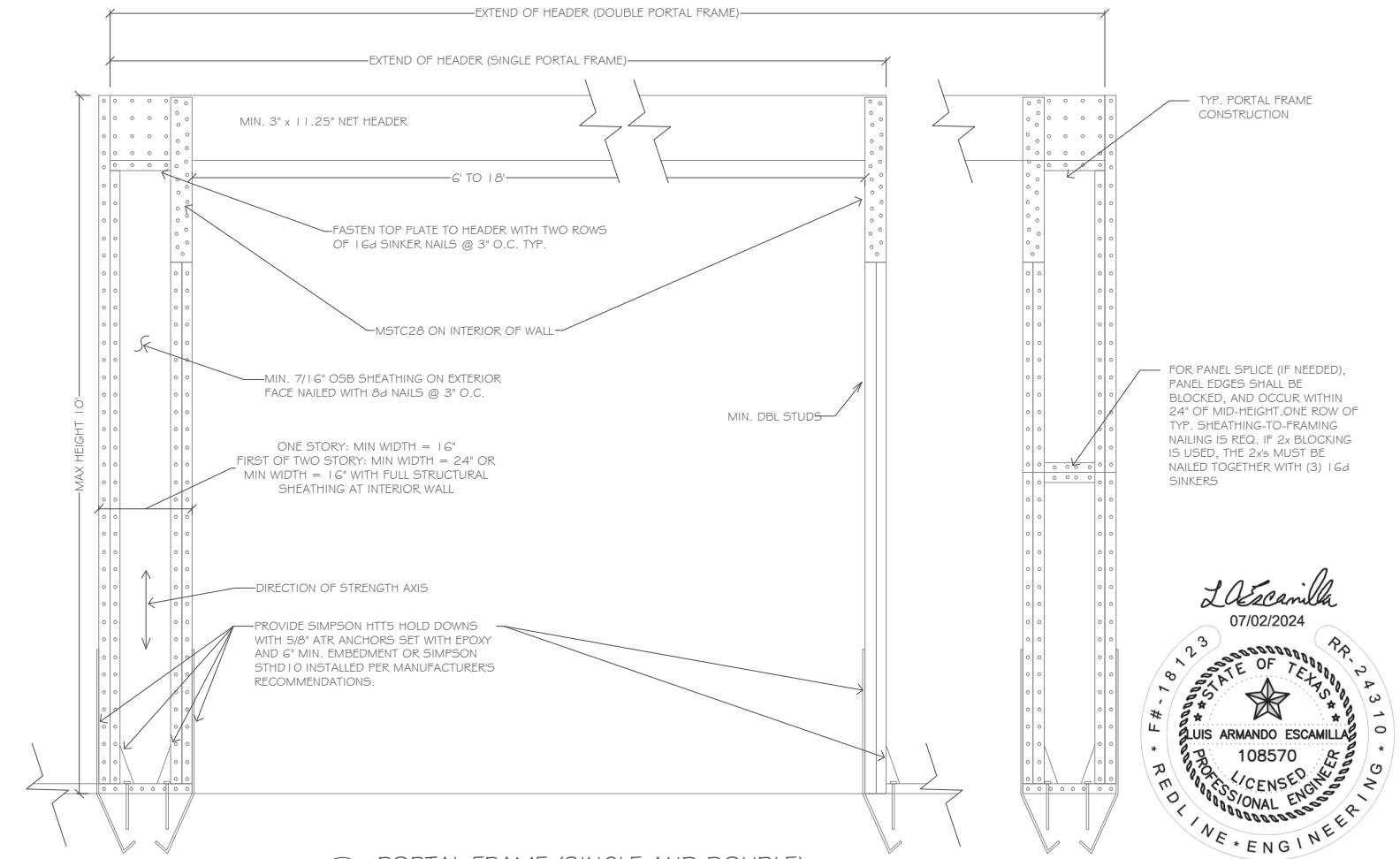
EXAMPLE OF OUTSIDE CORNER DETAIL
N.T.S.

GENERAL NOTES

- REFERENCE ARCHITECTURAL DRAWINGS FOR STUD SIZES AND DIMENSIONS.
- ALL RAFTERS/LEDGERS, STUDS, HEADERS AND SHEATHING SHALL BE NAILED IN ACCORDANCE WITH THE 2021 IRC TABLE R602.3(1), UNLESS OTHERWISE NOTED.
- SEAWALL SEGMENTS SHALL BE CONTINUOUS FROM THE MUDSLIDE THROUGH THE DOUBLE TOP PLATE.
- BRACE WALLS LESS THAN 2' IN WIDTH DO NOT REQUIRE BOLTS & WASHERS BETWEEN THE 2 INSTALLED HOLD DOWN STRAPS (HTT5/STHD10). PROVIDE 1-ANCHOR BOLT C/L OR 2-3" PINS AND WASHERS (SET @ 1/3 POINTS BY A POWDER ACTUATED TOOL) FOR BRACED WALLS FROM 2' TO 2'-8" OVERALL LENGTH.
- MUDSLIDE AT ALL EXTERIOR WALLS SHALL BE ANCHORED TO THE FOUNDATION SLAB WITH 1/2" ANCHOR BOLTS EMBEDDED 7" INTO THE SLAB AND SPACED 6'-0" O.C. MAX. OR SIMPSON STRONG-TIE MASA MUDSLIDE ANCHORS @ 6'-0" O.C.
- WHERE RAFTERS MEET THE TOP PLATE OF EXTERIOR WALLS, INSTALL SIMPSON STRONG-TIE H2.5 ANCHORS AT EVERY OTHER RAFTER. ANCHORS WITH 445 LB. CAPACITY OR GREATER MAY BE USED AS AN ALTERNATE.
- ALL INTERIOR WALLS TO BE 1/2" SHEETROCK NAILED PER TABLE R602.3(1) OF THE 2000, 2003, 2006, 2009, 2012 & 2015 IRC.
- LET-IN BRACING MAY BE SUBSTITUTED WITH 4x8 STRUCTURAL SHEATHING (RED T-PLY OR OSB) FROM TOP TO BOTTOM PLATE OR C516 X-BRACING.
- ALL INTERIOR BRACED WALLS MUST BE ANCHORED TO THE FOUNDATION USING SIMPSON TITEN HD 1/2" ANCHOR BOLTS OR APPROVED EQUAL.
 - INSTALL TITEN HD ANCHOR BOLTS AT MAXIMUM SIX FEET ON CENTER, WITH MINIMUM 2-3/4" EMBEDMENT INTO FOUNDATION.
 - MINIMUM TWO BOLTS PER BRACED WALL SECTION, WITH ONE BOLT LOCATED NOT MORE THAN 12" OR LESS THAN SEVEN BOLT DIAMETERS FROM EACH END OF BRACED WALL SECTION.

NOTE: SIMPSON STHD10 OR HTT5 CAN BE ROTATED 90°

NOTE: ALL SIMPSON PRODUCTS MAY BE SUBSTITUTED WITH APPROVED EQUAL



2 PORTAL FRAME (SINGLE AND DOUBLE)
N.T.S.

North

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION/DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL, SHALL BE PERFORMED IN FULL COMPLIANCE WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. BUILDER RESERVES THE RIGHT TO MODIFY THESE PLANS AS REQUIRED. LOCAL CODES, ORDINANCES, AND RESTRICTIONS WILL APPLY. SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND LOCAL REQUIREMENTS.

921 N. Alamo Rd.
Rockwall, Texas 75087

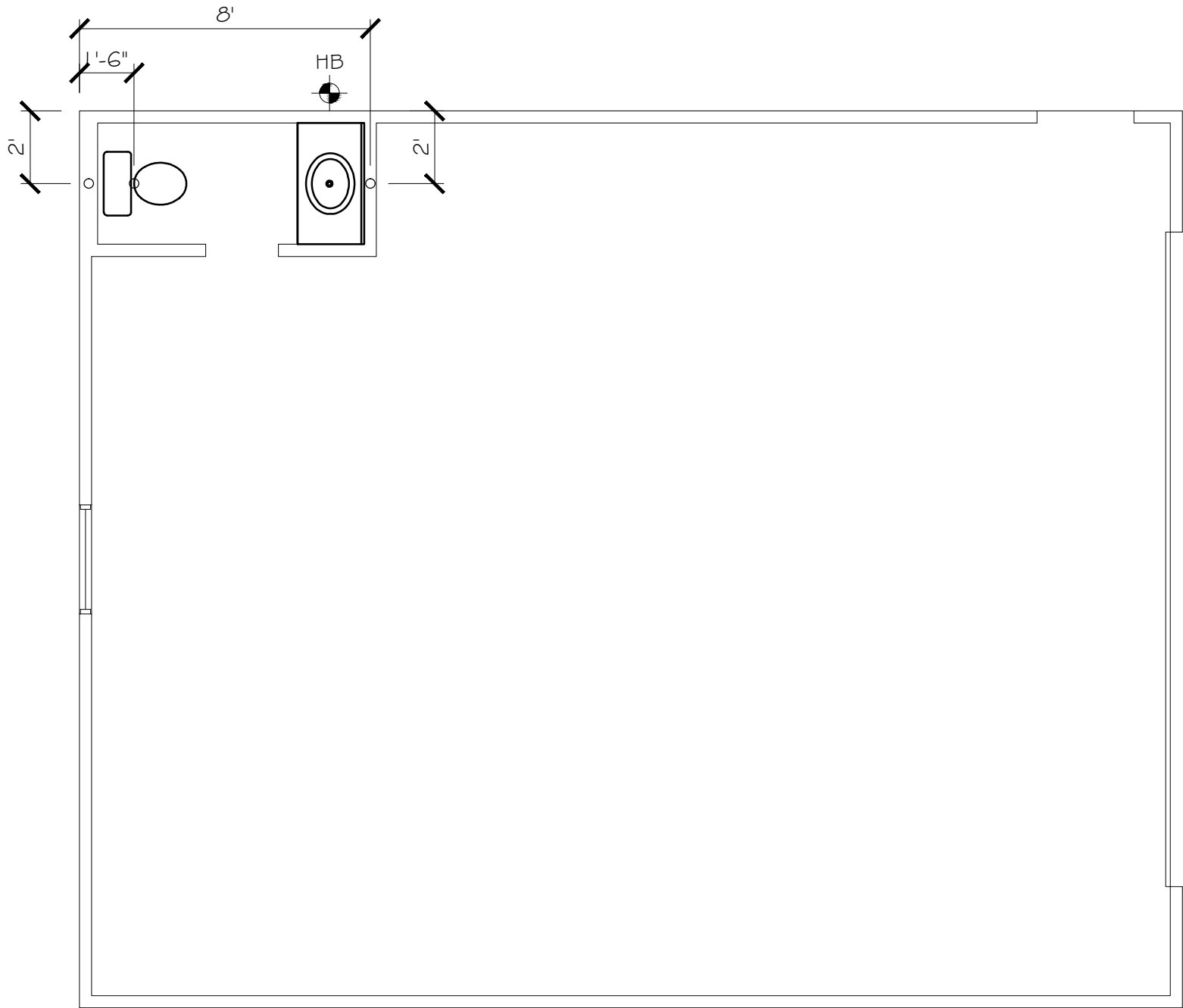
Date
July 1, 2024

Sheet Title
WIND BRACING

Scale
N.T.S.

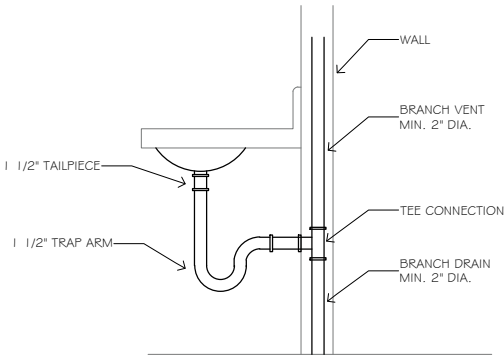
Sheet No.
S6
6 of 7

L. Escamilla
07/02/2024
RR-24310
F#-18123
STATE OF TEXAS
LUIS ARMANDO ESCAMILLA
108570
LICENSED PROFESSIONAL ENGINEER
REDLINE ENGINEERING



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

- PLUMBING NOTES**
- A. CONTRACTOR TO VISIT SITE AND BECOME FAMILIAR WITH ALL EXISTING CONDITIONS, TO DETERMINE THE EXTENT OF DEMOLITION REQUIRED TO FACILITATE NEW CONSTRUCTION AND INCLUDE ALL SUCH WORK IN HIS/HER BID.
 - B. ALL ITEMS TO BE DEMOLISHED NOT SCHEDULED FOR REUSE SHALL BE TURNED OVER TO OWNER FOR SALVAGE AT HIS/ HER DECISION. ANY ITEMS NOT RETAINED BY OWNER SHALL BE DISPOSED OF AT CONTRACTOR'S EXPENSE.
 - C. COORDINATE ALL DEMOLITION WITH ARCHITECT AND BUILDING MANAGEMENT.
 - D. REFER TO ARCHITECTURAL DRAWINGS FOR ADDITIONAL DEMOLITION NOTES.
 - E. REFER TO ARCHITECTURAL DRAWING FOR PLUMBING FIXTURE TYPES AND SPECIFICATIONS. PROVIDE ALL STOP VALVES SHUT-OFF VALVES, P-TRAPS, TAIL PIECES, TRAP PRIMERS, PISTON-TYPE WATER HAMMER ARRESTORS, ETC. AS REQUIRED FOR COMPLETE INSTALLATION. INSULATE ALL EXPOSED WASTE AND WATER LINES WITH 'PLUMBEREX PRO SERIES 2000' INSULATION KIT.
 - F. CORE-DRILL ALL HOLES ON SLAB AS REQUIRED FOR NEW PIPING. VERIFY ALLOWABLE CORE SIZE(S) AND EXACT LOCATION OF STRUCTURE BELOW FLOOR WITH STRUCTURAL ENGINEER BEFORE CORING FLOOR. DO NOT CUT ANY STRUCTURAL SUPPORTS. FLOOR MUST BE SEALED TO A WATER TIGHT CONDITION. IF THE EXISTING FLOOR SLAB IS A POST-TENSION TYPE SLAB, THE FLOOR SHALL BE X-RAYED PRIOR TO CORING ANY HOLES THROUGH FLOOR. DO NOT CUT ANY POST-TENSION CABLES WHEN CORING HOLES THROUGH FLOOR.



FIXTURE CONNECTION					
MARK	FIXTURE	WASTE	VENT	CW	HW
WC	WATER CLOSET	4"	2"	3/4"	—
HS	HAND SINK	2"	1 1/2"	3/4"	3/4"
WH	WATER HEATER	—	—	3/4"	3/4"

NOTES:
1. SIZES SHOWN ARE MINIMUM UNIFORM PLUMBING CODE REQUIREMENTS FOR TRAPS, TRAP ARM & ROUGH-IN CONNECTION.
2. WASTE AND VENT PIPES SHALL BE 2" MIN.
3. PEX TUBING TO BE USED TO COLD AND HOT WATER.
4. PEX BARS BRASS FITTINGS TO BE USED FOR POTABLE WATER.
5. SEWER PVC TO BE USED FOR WASTE WATER

North

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION/DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. ALL PORTIONS OF THE WORK, INCLUDING PLUMBING, MECHANICAL AND ELECTRICAL SHALL BE PERFORMED IN FULL COMPLIANCE WITH ALL APPLICABLE CITY, COUNTY, STATE AND NATIONAL CODES. BUILDER RESERVES THE RIGHT TO MODIFY THESE PLANS AS REQUIRED. LOCAL CODES, ORDINANCES, AND RESTRICTIONS WILL APPLY SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND LOCAL REQUIREMENTS.

921 N. Alamo Rd.
Rockwall, Texas 75087

GARNER BLOCK PART 4

Date
July 21, 2024

Sheet Title
PLUMBING

Scale
1/4" = 1'-0"

Sheet No.
7
6 of 14



CITY OF ROCKWALL

ORDINANCE NO. 24-XX

SPECIFIC USE PERMIT NO. S-3XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *DETACHED GARAGE* ON A 0.530-ACRE TRACT OF LAND IDENTIFIED AS A PORTION OF BLOCK 4, GARNER ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Travis Block for the approval of a Specific Use Permit (SUP) for a *Detached Garage* on a 0.53-acre tract of land identified as a portion of Block 4 of the Garner Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 921 N. Alamo Road, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the construction of a *Detached Garage* on the *Subject Property* and conformance to these operational conditions are required:

- (1) The development of the *Subject Property* shall generally conform to the *Site Plan and Survey* as depicted in *Exhibit 'B'* of the Specific Use Permit (SUP) ordinance.
- (2) The construction of a *Detached Garage* on the *Subject Property* shall generally conform to the *Building Elevations* depicted in *Exhibit 'C'* of the Specific Use Permit (SUP) ordinance.
- (3) The *Detached Garage* shall not exceed a maximum size of 750 SF.
- (4) The Detached Garage shall not be used as a *Guest Quarters* or *Secondary Living Quarters*.
- (5) The subject property shall be limited to a maximum of three (3) accessory structures.
- (6) The maximum height of the *Detached Garage* shall not exceed a total height of 19-feet as measured to highest point of the pitched roof.
- (7) The *Detached Garage/Accessory Structure* may not be sold or conveyed separately.

2.2 COMPLIANCE

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

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

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

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

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

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

force and effect.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 7TH DAY OF OCTOBER, 2024.**

Trace Johannessen, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: September 16, 2024

2nd Reading: October 7, 2024

SITE PLAN

SCALE: 1/16" = 1'-0"

EXISTING BUILDING
12.4' x 20.8'

EXISTING SHED
12.4' x 17.1'

NEW DETACHED GARAGE
746 S.F.

EXISTING ONE STORY RESIDENCE
1,202 S.F.

NEW 3' WALKWAY

NEW 20' WIDE DRIVEWAY APPROACH

NEW 4' WALKWAY

NEW 6" CURB

10' UTILITY EASEMENT

N. ALAMO ROAD

921 N. Alamo Rd.
Rockwall, Texas 75087

Garner Block Part 4

DATE
July 1, 2024

SHEET TITLE
SITE PLAN

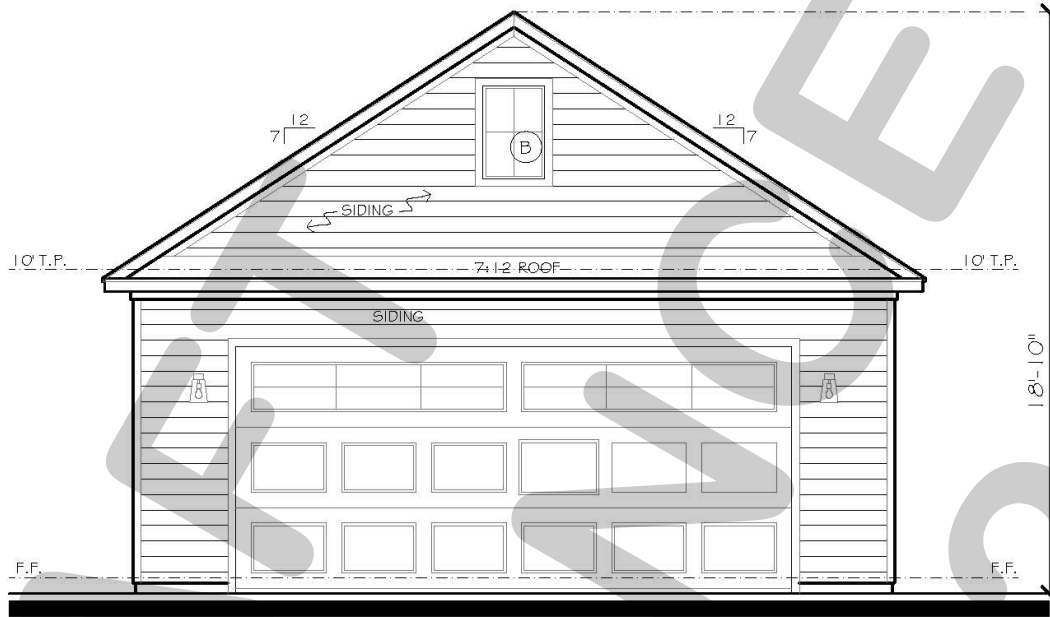
SCALE
1/16" = 1'-0"

SHEET NO.
2

1 of 14

North

Exhibit 'C':
Building Elevations



FRONT ELEVATION

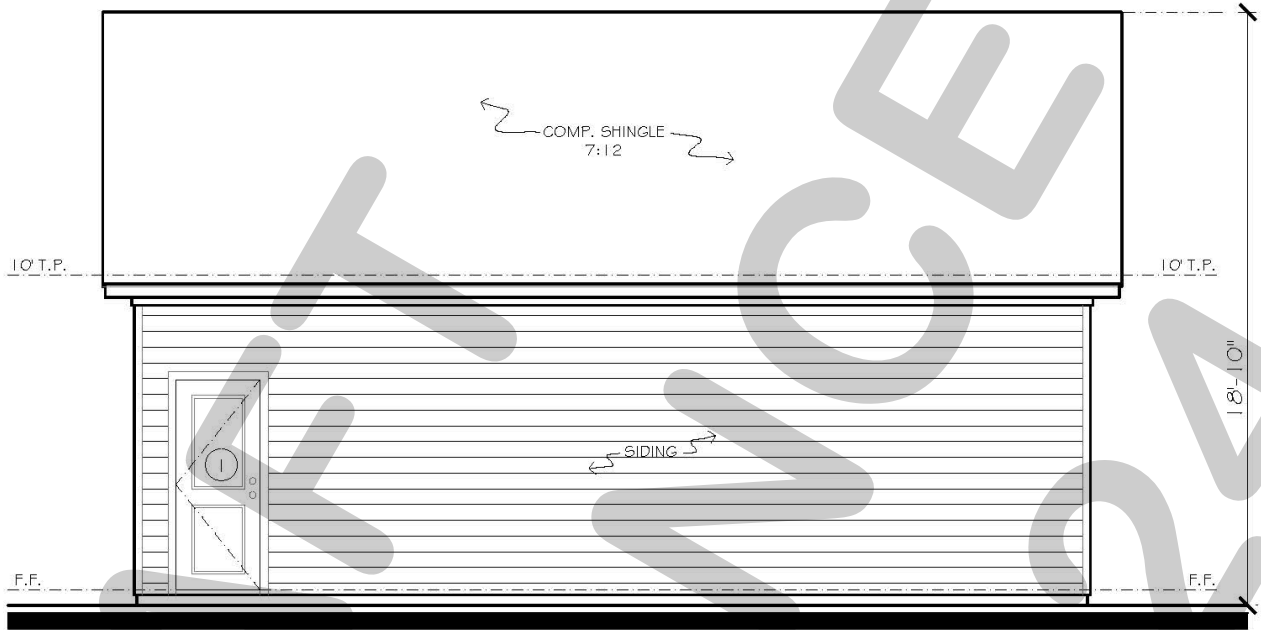
SCALE: 3/16" = 1'-0"



REAR ELEVATION

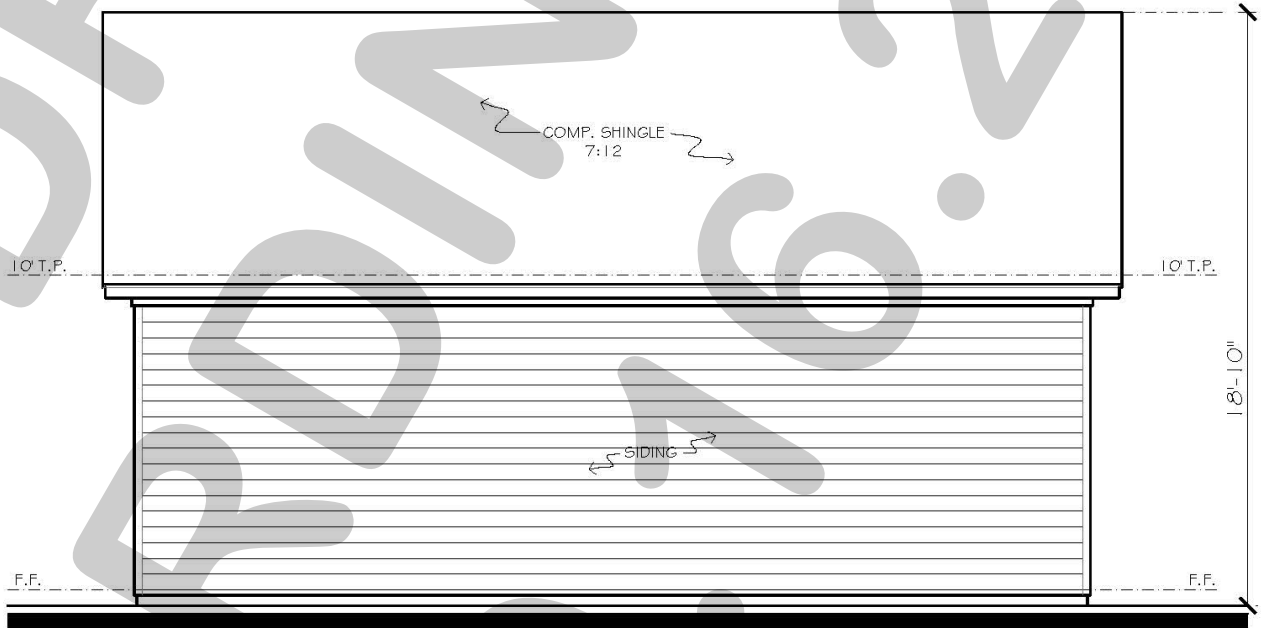
SCALE: 3/16" = 1'-0"

Exhibit 'C':
Building Elevations



RIGHT ELEVATION

SCALE: 3/16" = 1'-0"



LEFT ELEVATION

SCALE: 3/16" = 1'-0"



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 16, 2024

APPLICANT: Scott Popescu; *Brookhaven Media*

CASE NUMBER: Z2024-039; *Specific Use Permit (SUP) for a Short-Term Rental at 610 Christan Court*

SUMMARY

Hold a public hearing to discuss and consider a request by Scott Popescu of Brookhaven Media for the approval of a Specific Use Permit (SUP) for a *Short-Term Rental* on a 0.25-acre parcel of land identified as Lot 2, Block I, Northshore, Phase 2B Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 610 Christan Court, and take any action necessary.

BACKGROUND

According to the City's annexation ordinances, the subject property was annexed on June 20, 1959 by *Ordinance No. 59-02 [Case No. A1959-002]*. According to the City's *Historic Zoning Maps*, the subject property was zoned Single-Family 2 (SF-2) District as of January 3, 1972. At some point between January 22, 1982 and May 16, 1983 the subject property was rezoned from Single-Family 2 (SF-2) District to Single-Family 10 (SF-10) District, according to the May 16, 1983 historic zoning map. On March 3, 1986, the City Council approved final plat that establish the subject property as Lot 2, Block I, Northshore Phase 2B Addition. According to Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a 2,728 SF single family home that was constructed in 1993 and a 100 SF storage shed that was constructed in 2006.

PURPOSE

The applicant -- *Scott Popescu* -- is requesting the approval of a Specific Use Permit (SUP) for the purpose of allowing a *Short-Term Rental (Non-Owner-Occupied Single-Family Home)* on the subject property that is located within 1,000-feet of an existing *Short-Term Rental (Non-Owner-Occupied Single-Family Home)*.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 610 Christan Court. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are three (3) parcels of land (*i.e. Lots 3-5, Block I, Northshore Phase 2B Addition*) developed with single-family homes. Beyond this is Montclair Street, 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. Following this are two (2) parcels of land (*i.e. Lots 1 & 16, Block J, Northshore Phase 2B Addition*) developed within single-family homes. North of this is North Hills Drive, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. All of these properties are zoned Single-Family 10 (SF-10) District.

South: Directly south of the subject property is 0.2296-acre parcel of land (*i.e. Lot 1, Block I, Northshore Phase 2B Addition*) developed with a single-family home zoned Single-Family 10 (SF-10) District. Beyond this is Stoneybrook Drive, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Following this is the Northshore Phase 2A Subdivision, which consists of 80 single-family homes and is zoned Single-Family 10 (SF-10) District.

East: Directly east of the subject property is N. Lakeshore Drive, which is identified as a A4D (*i.e. arterial, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 2.92-acre parcel of land (*i.e. Lot 1, Block A, St. Benedict's Anglican Church Addition*) developed with a *House of Worship* (*i.e. St. Benedict's Anglican Church*) zoned Single-Family 10 (SF-10) District.

West: Directly west of the subject property is the remainder of the Northshore Phase 2B Subdivision, which is zoned Single-Family 10 (SF-10) District. Beyond this is Lake Ray Hubbard.

MAP 1: LOCATION MAP
YELLOW: SUBJECT PROPERTY



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

On April 1, 2024, the City Council approved *Ordinance No. 24-10*, which amended both the Unified Development Code (UDC) and the Municipal Code of Ordinances for the purpose of creating zoning and regulatory restrictions for *Short-Term Rentals*. Specifically, this ordinance: [1] amended the *Permissible Land Use Charts* to create a *Short-Term Rental* land use, [2] created *Conditional Land Use Standards* for each type of *Short-Term Rental* (*i.e. Owner Occupied and Non-Owner Occupied*), [3] created a *Short-Term Rental Permit and Registration Program*, [4] created *General Standards for Short-Term Rentals*, [5] established a minimum general commercial insurance coverage requirement, [6] established enforcement and penalty procedures, [7] required a responsible party as part of the permit and registration, [8] created an appeal process, and [9] established non-conforming rights for properties that were in operation prior to the adoption of the ordinance. As part of this process, staff sent out notices to all existing *Short-Term Rentals* in the City of Rockwall, and established a *grace period* from April 1, 2024 to July 1, 2024 to allow existing *Short-Term Rentals* the ability to submit for a *Short-Term Rental Permit and Registration*. During this *grace period* existing *Short-Term Rentals* were exempted from the proximity requirements established by the zoning ordinance.

According to Article 13, *Definitions*, of the Unified Development Code (UDC), a *Short-Term Rental* is defined as "... a residential dwelling unit, apartment, condominium, or *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* in which the entire structure or a portion thereof is offered for rent for a period exceeding 12-hours, but less than 30 consecutive days, to a particular occupant. In practice, a *Short-Term Rental* is considered to be a residential land use, and is not considered to be a *Limited-Service Hotel, Full-Service Hotel, Residence Hotel, Motel, or Bed and Breakfast* as defined in this Unified Development Code (UDC)". This definition section goes on to define a *Non-Owner Occupied Short-Term Rental* as "(a) single-family home, townhome, or duplex -- or a portion thereof -- in which the property owner or operator does not occupy the dwelling unit during the rental, or that the owner or property owner does not occupy another dwelling unit -- or portion thereof -- on the same property (*i.e. the property owner or operator is not on-site as an occupant during the rental of the property*)."

According to the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC), a *Non-Owner Occupied Short-Term Rental* is permitted in a Single-Family 10 (SF-10) District with the following conditions:

- (a) *Short-Term Rentals* that are *Non-Owner-Occupied* shall not be located within 1,000-feet of another *Short-Term Rental* that is *Non-Owner Occupied*; however, *Short-Term Rentals* that were in existence prior to April 1, 2024 that [1] meet the criteria established in Subsection 06.05, *Non-Conforming Short-Term Rentals*, of this Article, and [2] received a valid permit and registration -- in accordance with Article 2, *Short-Term Rentals*, of Chapter 13, *Rental Housing*, of the *Municipal Code of Ordinances* -- prior to July 1, 2024 shall be exempted from the proximity requirements.
- (b) *Short-Term Rentals* that are *Non-Owner-Occupied* that do not meet proximity requirements may be considered on a case-by-case basis by the Planning and Zoning Commission and City Council through a *Specific Use Permit (SUP)*. In considering a *Specific Use Permit (SUP)* for a *Short-Term Rental* that is *Non-Owner-Occupied* the Planning and Zoning Commission and City Council shall consider the size, location, and impact of the proposed and existing *Short-Term Rentals* on the adjacent residential properties and their occupants.
- (c) The *Short-Term Rental* shall not incorporate accessory land uses that are not permitted within the underlying zoning district (e.g. *Banquet Facility/Event Hall which includes meeting halls and wedding venues*) as stipulated by the Permissible Use Charts.
- (d) In order to establish and operate a *Short-Term Rental (Non-Owner-Occupied Single-Family Home, Townhome, or Duplex)* in the City of Rockwall, a permit and registration shall be required in accordance with the requirements of Article 2, *Short-Term Rentals*, of Chapter 13, *Rental Housing*, of the *Municipal Code of Ordinances*.

In this case, the applicant for the requested *Short-Term Rental (STR)* at 610 Christian Court has been in operation prior to the adoption of *Ordinance No. 24-10*, and did receive staff's notice about the grace period and pending registration; however, failed to apply for the *Short-Term Rental* prior to the deadline of July 1, 2024. When the applicant submitted the application for registration after July 1, 2024, it was determined that there was already a permitted *Non-Owner Occupied Short-Term Rental* within 795-feet of the subject property, and that the applicant's request failed to meet the proximity requirements to allow another *Non-Owner Occupied Short-Term Rental*. Based on this, the applicant was notified that a *Specific Use Permit (SUP)* would need to be requested before the *Short-Term Rental Permit* could be submitted and issued. In response to this, the applicant has provided the necessary permit application and photos of the property, which are included in the attached packet.



FIGURE 1: SUBJECT PROPERTY PROXIMITY TO EXISTING NON-OWNER-OCCUPIED SHORT-TERM RENTAL

STAFF'S ANALYSIS

When evaluating the *Specific Use Permit (SUP)* for a *Non-Owner-Occupied Short-Term Rental*, the Planning and Zoning Commission and City Council should assess the size, location, and impact of both the proposed and existing *Short-Term Rentals* on nearby residential properties and their occupants. This proposed *Short-Term Rental* is located 795-feet from an existing and permitted *Non-Owner-Occupied Short-Term Rental* (i.e. 1614 North Hills Drive) [Permit No. STR2024-2158] that accommodates up to ten (10) guests with four (4) bedrooms and three (3) bathrooms. The VRBO listing for the proposed *Short-Term Rental* advertises accommodations for up to 14 guests, featuring five (5) bedrooms and 3.5 bathrooms.

Staff should note that the Police Department did not have any reported incidence on the subject property since the property owner -- *Brookhaven Media* -- purchased the property in May of 2023. In addition, staff has confirmed that the proposed *Short-Term Rental* has not paid their local Hotel Occupancy Tax (*HOT Tax*) in the past. In addition, the applicant has not provided staff with the name of a local representative that resides in Rockwall County as required by the ordinance. With all this being said, this request for a *Specific Use Permit (SUP)* for a *Non-Owner-Occupied Short-Term Rental (STR)* is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On August 21, 2024, staff mailed 69 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Preserve and Hillcrest at the Shores Homeowners Associations (HOAs), which are the only homeowners associations 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 15 notices back in opposition 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 *Non-Owner Occupied Short-Term Rental (STR)*, 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:
 - (1) The *Subject Property* shall conform to the information provided within the Short-Term Rental Permit Application depicted in *Exhibits 'B'* of this ordinance; and,
 - (2) All unpermitted improvements on the *Subject Property* must be permitted or removed before the issuance of a *Short-Term Rental Permit*; and,
 - (3) After the issuance of a *Short-Term Rental Permit and Registration* by the City of Rockwall, should the applicant allow this permit/registration to expire, lapse or be revoked by the City of Rockwall, this Specific Use Permit (SUP) shall automatically expire and be considered abandoned in accordance with Subsection 02.02, *Specific Use Permit (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).
- (2) Upon obtaining a *Short-Term Rental Permit and Registration*, should the property owner/responsible party 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*].

PLANNING AND ZONING COMMISSION

On September 10, 2024, the Planning and Zoning Commission approved a motion to recommend denial of the SUP by a vote of 7-0. 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), if a zoning change "...is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 610 Christan Ct. Rockwall, TX 75087

SUBDIVISION North Shore PH 2B

LOT

2

BLOCK

1

GENERAL LOCATION Off Route 66

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING SF-10

CURRENT USE A1 (Long term rental)

PROPOSED ZONING SF-10

PROPOSED USE Short term rental

ACREAGE .25

LOTS [CURRENT] 2

LOTS [PROPOSED] 2

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

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

☒ OWNER Brookhaven Media

☐ APPLICANT

CONTACT PERSON Scott Popescu

CONTACT PERSON

ADDRESS 4153 Panther Ridge Ln

ADDRESS

CITY, STATE & ZIP Plano, Texas 75074

CITY, STATE & ZIP

PHONE 469-993-8222

PHONE

E-MAIL scott@brookhavenmedia.com

E-MAIL

NOTARY VERIFICATION [REQUIRED]

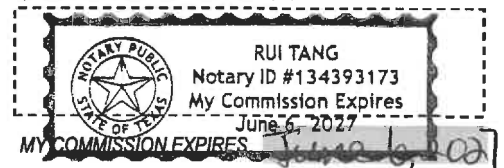
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Scott J. Popescu [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16 DAY OF August, 20 24 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16th DAY OF August, 20 24

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





City of Rockwall

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

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

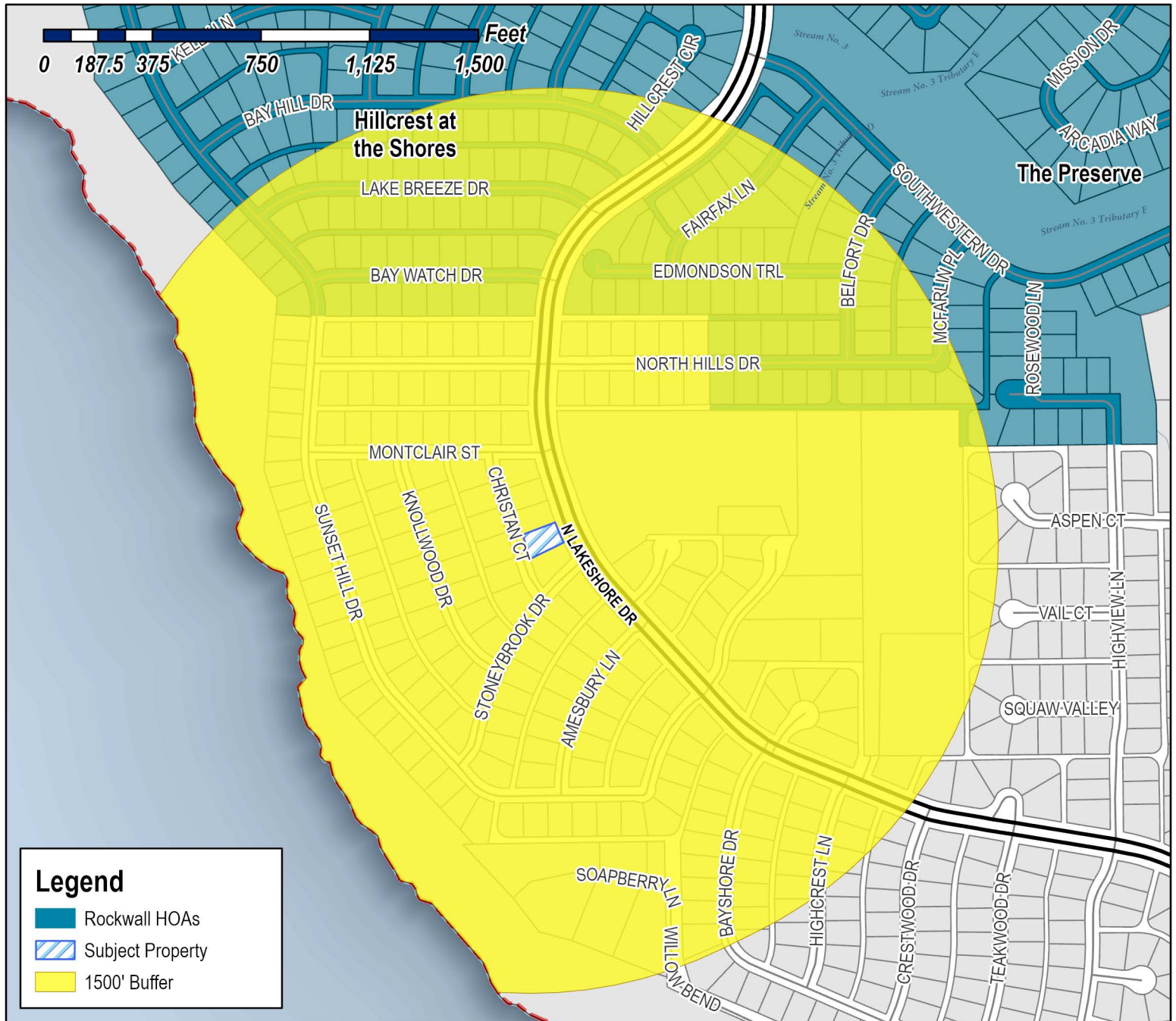




City of Rockwall

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Case Number: Z2024-024
Case Name: SUP for a Short Term Rental
Case Type: Zoning
Zoning: Single-Family 10 (SF-10) District
Case Address: 610 Christian Court

Date Saved: 8/16/2024

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



From: [Zavala, Melanie](#)
Cc: [Miller, Ryan](#); [Lee, Henry](#); [Ross, Bethany](#); [Guevara, Angelica](#)
Subject: Neighborhood Notification Email [Z2024-039]
Date: Wednesday, August 21, 2024 2:47:46 PM
Attachments: [Public Notice \(P&Z\) \(08.21.2024\).pdf](#)
[HOA Map.pdf](#)

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, August 22, 2024. The Planning and Zoning Commission will hold a public hearing on Tuesday, September 10, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 16, 2024 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

Z2024-039: SUP for a Short Term Rental at 610 Christan Court

Hold a public hearing to discuss and consider a request by Scott Popescu of Brookhaven Media for the approval of a Specific Use Permit (SUP) for a Short-Term Rental on a 0.25-acre parcel of land identified as Lot 2, Block I, Northshore, Phase 2B Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 610 Christan Court, and take any action necessary.

Thank you,

Melanie Zavala

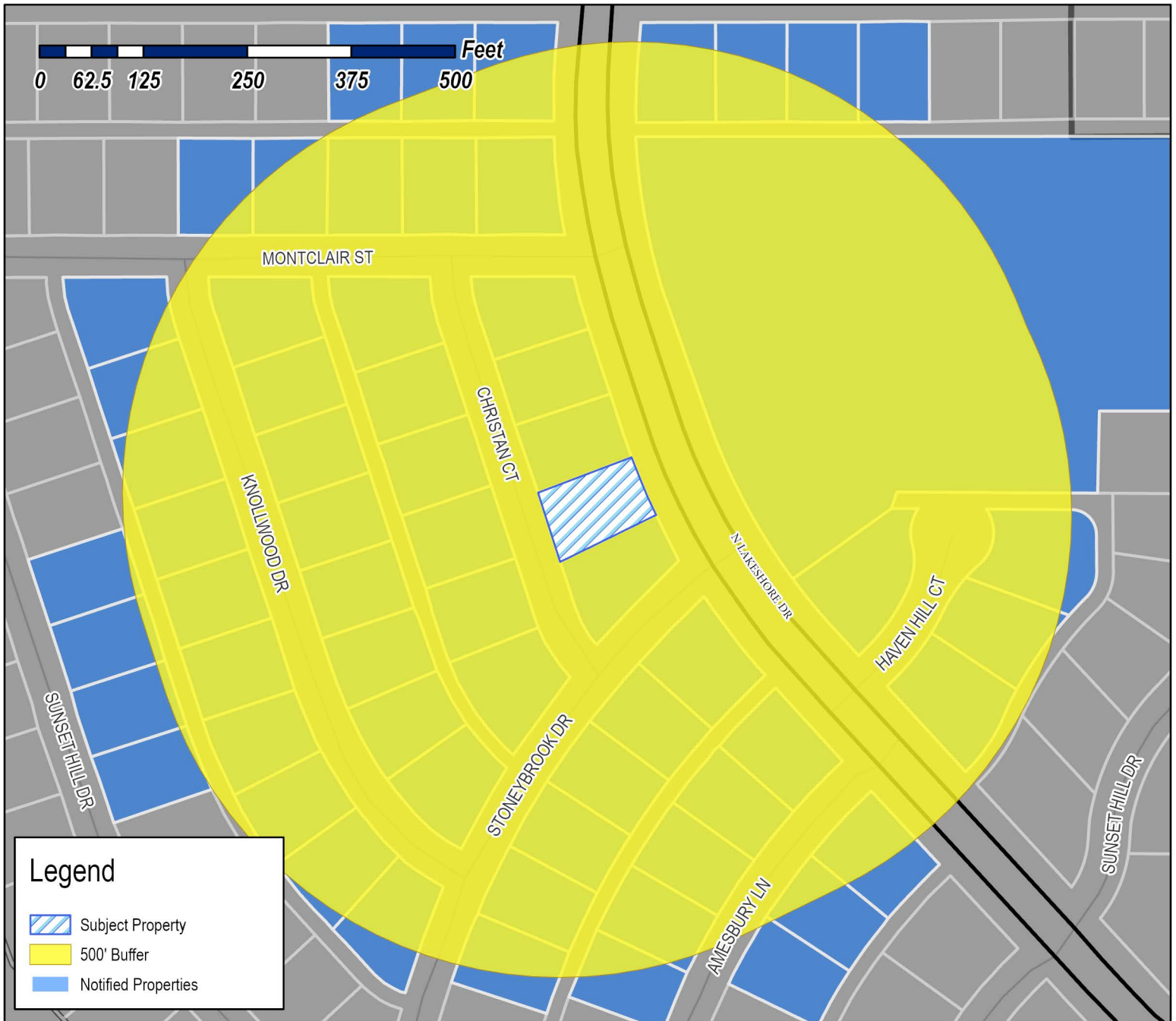
Planning & Zoning Coordinator | Planning Dept. | City of Rockwall
385 S. Goliad Street | Rockwall, TX 75087
[Planning & Zoning Rockwall](#)
972-771-7745 Ext. 6568



City of Rockwall

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

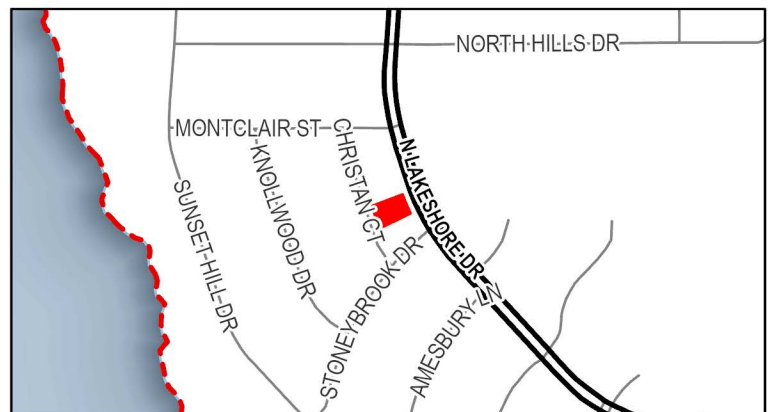
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2024-039
Case Name: SUP for a Short Term Rental
Case Type: Zoning
Zoning: Single-Family 10 (SF-10) District
Case Address: 610 Christian Court

Date Saved: 8/16/2024

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



SRP SUB, LLC
1131 W WARNER RD STE 102
SCOTTSDALE, AZ 85284

STILES LAURA S
15 BREEZY KNOLL LN
LAKE ST LOUIS, MO 63367

FRAGA JAVIER SANTOS
1593 NORTH HILLS DR
ROCKWALL, TX 75087

GONZALES JAMES E & DEENA L
1595 HAVEN HILL CT
ROCKWALL, TX 75087

MURAKHOVSKY VLADISLAV AND YANA
1595 N HILLS DRIVE
ROCKWALL, TX 75087

LANGFORD DAVID NEIL AND MELANIE HILBERT
1597 HAVEN HILL COURT
ROCKWALL, TX 75087

SHEEHAN JAMES C & JULIA
1597 N HILLS DR
ROCKWALL, TX 75087

VILLAPANDO ANTONIO & MARIA
1599 HAVEN HILL CT
ROCKWALL, TX 75087

WU MEIKI & KING CHUNG TSO
1599 N HILLS DR
ROCKWALL, TX 75087

JONES JOHNNY DEWAYNE & MARTHA A
1600 N LAKESHORE DRIVE
ROCKWALL, TX 75087

ONCEBAY EDSON DANIEL & JENNIFER B
BAZZETTI BARRIENTOS
1601 N HILLS DR
ROCKWALL, TX 75087

HERNANDEZ SAMUEL
1601 STONEYBROOK DRIVE
ROCKWALL, TX 75087

ORTIZ ADELLA J
1602 AMESBURY LN
ROCKWALL, TX 75087

SAMPSON DEAN & BARBARA KELLUM
1602 MONTCLAIR DR
ROCKWALL, TX 75087

CONFIDENTIAL
1603 NORTH HILLS DRIVE
ROCKWALL, TX 75087

SAENZ DIANA GONZALEZ
1603 STONEYBROOK DR
ROCKWALL, TX 75087

HAMMILL JOHN AND LISA
1604 AMESBURY LANE
ROCKWALL, TX 75087

PHILIPS PAUL AND PATRA M
1604 MONTCLAIR ST
ROCKWALL, TX 75087

SULLIVAN JESSICA AND KEVIN
1605 AMESBURY LN
ROCKWALL, TX 75087

CLARK LUTHER A ETUX
1605 N HILLS DR
ROCKWALL, TX 75087

FLORES AMIE ELAINE AND BALDEMAR SOSA
1605 STONEYBROOK DRIVE
ROCKWALL, TX 75087

POWERS LISA A AND ROBERT H
1606 AMESBURY LN
ROCKWALL, TX 75087

JISTEL MICHAEL & SABRA
1606 MONTCLAIR DR
ROCKWALL, TX 75087

BOUK JOSHUA
1607 AMESBURY LN
ROCKWALL, TX 75087

SHIELDS CHARLENE
1607 STONEYBROOK DRIVE
ROCKWALL, TX 75087

BURTON DAVID A & MARY KAY
1608 AMESBURY LN
ROCKWALL, TX 75087

BOULLION PAMELA S TOPPER
1608 MONTCLAIR DR
ROCKWALL, TX 75087

ADAMS BRAD AND KASHA
1609 AMESBURY
ROCKWALL, TX 75087

CASE DAVID L ETUX
1609 STONEYBROOK DR
ROCKWALL, TX 75087

TUCKER EARL W & MELINDA K
1610 AMESBURY LN
ROCKWALL, TX 75087

TOCHKOV KIRIL AND KARIN
1610 MONTCLAIR DR
ROCKWALL, TX 75087

SARVER WANDA & DONALD
1611 STONEYBROOK DR
ROCKWALL, TX 75087

RESIDENT
1616 NORTH LAKESHORE DR
ROCKWALL, TX 75087

ST BENEDICT ANGLICAN CHURCH-REFORMED
EPISCOPAL
304 GLENN AVENUE
ROCKWALL, TX 75087

BROOKHAVEN MEDIA, LLC
5909 HUDSON ST
DALLAS, TX 75206

PUSKARICH THOMAS & EMILY
607 CHRISTAN CT
ROCKWALL, TX 75087

GLADNEY CATHERINE DIANE SELBY
607 KNOLLWOOD DR
ROCKWALL, TX 75087

GLENN W GOODRICH JR & KELLYE JAYE
CRAWFORD REVOCABLE TRUST
GLENN W GOODRICH JR & KELLYE JAYE
CRAWFORD - TRUSTEES
608 CHRISTAN CT
ROCKWALL, TX 75087

GALLOWAY PRESTON AND BRITTANY
609 CHRISTAN COURT
ROCKWALL, TX 75087

MARY ANN OBRIEN REVOCABLE TRUST
DANIEL F OBRIEN- TRUSTEE
609 KNOLLWOOD DR
ROCKWALL, TX 75087

RESIDENT
610 CHRISTAN CT
ROCKWALL, TX 75087

TORKELSON KELLY L & STEVEN A
610 KNOLLWOOD DR
ROCKWALL, TX 75087

HAWKINS KRISTINA
611 CHRISTAN CT
ROCKWALL, TX 75087

GOLDIN MICHAEL & CAROL
611 KNOLLWOOD DR
ROCKWALL, TX 75087

STEWART-JOHNSON LOIS DIANNE
612 CHRISTAN CT
ROCKWALL, TX 75087

ELLIS TEX W & MONA E
612 KNOLLWOOD DRIVE
ROCKWALL, TX 75087

KIDDER CHRISTINA SHEA
613 CHRISTAN CT
ROCKWALL, TX 75087

SMITH BARRY & HEIDI
613 KNOLLWOOD DR
ROCKWALL, TX 75087

RESIDENT
614 KNOLLWOOD DR
ROCKWALL, TX 75087

CARTER KAREN
614 CHRISTAN COURT
ROCKWALL, TX 75087

WALKER DIANE C AND MICHAEL W
615 CHRISTAN CT
ROCKWALL, TX 75087

COX MATTHEW AND HAYLEY
615 KNOLLWOOD DRIVE
ROCKWALL, TX 75087

HARMON ROBERT R & KIMBERLY
616 CHRISTAN CT
ROCKWALL, TX 75087

ETTER CHARLES W & LINDA L
616 KNOLLWOOD DR
ROCKWALL, TX 75087

GRIFFIN BILLY G AND PATRICIA L
617 CHRISTAN CT
ROCKWALL, TX 75087

SAENZ ORLANDO
617 KNOLLWOOD DR
ROCKWALL, TX 75087

HAMMONDS MARK & STEPHANIE
618 KNOLLWOOD DR
ROCKWALL, TX 75087

DYLONG RONALD C & PAULA S
618 SUNSET HILL DR
ROCKWALL, TX 75087

WILLIAMS ELESTER & HATTIE
619 KNOLLWOOD DR
ROCKWALL, TX 75087

RESIDENT
620 SUNSET HILL DR
ROCKWALL, TX 75087

DEMEYER DANIEL T & ELAINE S
620 KNOLLWOOD DR
ROCKWALL, TX 75087

HOSACK ALLEN JAMES ETUX
621 KNOLLWOOD DR
ROCKWALL, TX 75087

UPTHEGROVE JOSHUA R
622 KNOLLWOOD DR
ROCKWALL, TX 75087

CARABALLO NATALIA TEMBONI
622 SUNSET HILL DRIVE
ROCKWALL, TX 75087

RESIDENT
623 KNOLLWOOD DR
ROCKWALL, TX 75087

EDWARDS BRYAN K & SUSAN L
624 KNOLLWOOD DR
ROCKWALL, TX 75087

CHANDLER WILLIAM E & LISA D
624 SUNSET HILL DR
ROCKWALL, TX 75087

AARON DONALD AND
LAURA SAXON
625 KNOLLWOOD DR
ROCKWALL, TX 75087

MITCHELL JAMES B & TEENA L
6309 GLENWOOD DR
AMARILLO, TX 79119

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:

Z2024-039: SUP for a Short-Term Rental

Hold a public hearing to discuss and consider a request by Scott Popescu of Brookhaven Media for the approval of a Specific Use Permit (SUP) for a Short-Term Rental on a 0.25-acre parcel of land identified as Lot 2, Block I, Northshore, Phase 2B Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 610 Christan Court, 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 10, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 16, 2024 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, September 16, 2024 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. Z2024-039: SUP for a Short-Term Rental

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

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).

Z2024-039 SUP

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.

Will lower the value of our homes in the Northshore subdivision. .

There is already a short term rental on this street.

Complaints from partying noise to people trespassing on other properties.

Respondent Information

Please provide your information.

First Name *

Martha

Last Name *

Cobb

Address *

625 Sunset Hill Dr

City *

Rockwall

State *

Texas

Zip Code *

75087

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.

Google Forms

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).

Z2024-039

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.

The rentals we have in our neighborhood now do not enhance the value of our property.

Respondent Information

Please provide your information.

First Name *

Roland

Last Name *

Cobb

Address *

625 Sunset Hill Dr

City *

Rockwall

State *

Tx

Zip Code *

75087

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:

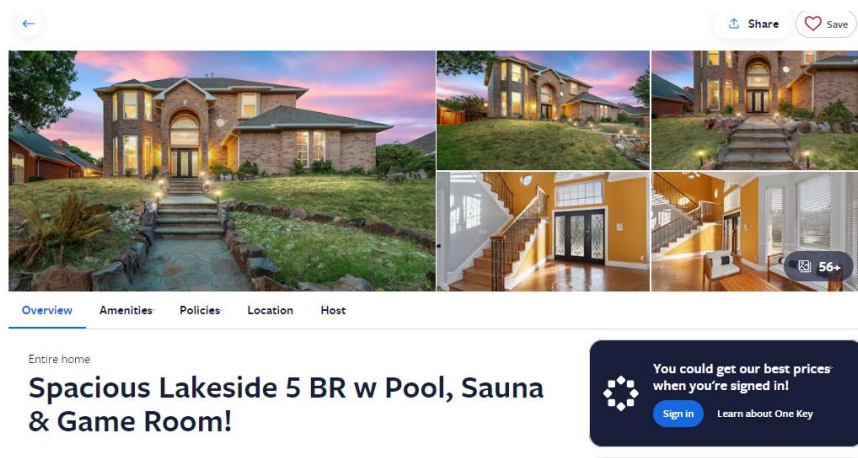
How did you hear about this Zoning or Specific Use Permit (SUP) request? *

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- ☐ 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:

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Google Forms

610 Christan Court was sold in early June 2023 to Brookhaven Media, LLC. In mid-June I met a man claiming to be one of the owners. He stated that they were going to use the house as an Airbnb and that he and his team lived in Dallas. About two months later the house went live on both Airbnb and VRBO.



It was advertised as above, with a list of amenities and pictures making it look like a great party spot. The company did, however, include a list of policies that included being quiet at night.

As the house was rented, issues soon arose. They have had trailers in the yard and street, broken water lines on the pool, loud parties in the evenings, mounds of garbage in the yard, rodent and insect infestations and the yard and house have become run down. While there are cameras outside the property, the owners are not seen at the house and only minimal maintenance is ongoing.

Since owning the house, they have created mounds of garbage and trash. This is a review from their first customer:

Category	Rating
Communication	4.6
Location	4.7
Value	4.2

Gabe
Waco, Texas

★ ★ ★ ★ ★ August 2023 · Stayed with kids

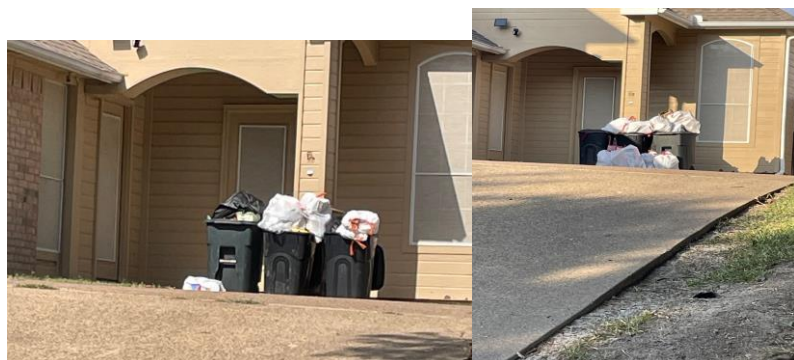
We arrived to piles of trash bags in the driveway and overflowing trash cans. Went inside and found the pool was disgusting. The filter wasn't on, the pool wasn't full, and it was covered in dead insects. Scott responded quickly and said the pool guy would be there in the morning and they'd offer a check out time 6 hours later. Next morning no hot water and the gas cooktop that wont light. Walked around and found the gas meter had a padlock on it. Scott says a tech is on his way. Don't hear from him until the next day that actually he will give us \$300 for cold showers and no stove. In the mean time all our ice cream melted and the milk was getting warm because the fridge couldn't keep the food to temperature. Trying to make things work because it was the kids last vacation of summer but cold showers, dirty pool, crumbly fridge equals not happy. Then insult me with \$300 on a \$1400 stay? Did raise it to \$500 but how about a full refund? Oh and bring your own grill, they don't have one.

Response from Scott
September 2023

We are sorry that we could not leave on good terms but I would like to set the record straight that I did offer you a full refund after making your concerns known and provided you with several options to help mitigate your concern... [Show more](#)

Tiffany

The mounds of trash and garbage have been an ongoing nuisance, the trash being stored in the front yard, the back yard, and even the garage. These are recent photos from July after the house was rented. There was no effort to meet the Monday trash service and piles of trash sat until Thursday. When emptied, trash bins remain at the street until the next rental.



Trash has consistently been stored in the garage and back yard where it was out of site and out of mind. They previously made no effort to move trash to the curb for weeks at a time. This is still ongoing as this review states:

✓ Accuracy	4.3
🔍 Check-in	5.0
💬 Communication	4.6
📍 Location	4.7
💎 Value	4.2

Erika
Jonesboro, Arkansas

★ ★ ★ ★ ★ · July 2024 · Stayed with a pet

The images do not reflect the state of the pool, mattresses, or sleeping arrangements for 10 adults and 3 kids. We walked into a stench of rotting food. There were trash bags overflowing from the three outside bins and filling the garage with about 20 bags of heated trash bags. The rotting food smell was inescapable even beyond the bunk bed game room next to the entrance. The pool has staining and signs of extremely poor maintenance with overhead decking that's broken and hanging with nails exposed. There were cigarette butts, old charcoal, dirty socks, empty cans of bug spray, and popped balloons all around the back yard. Each of the mattresses were about 3 inches, making each beam felt when you sit on them. There were spaces to sleep for only 12- we booked for 13 guests. I contacted the phone number listed, and the host said a complete refund would be sent. This "mistake," blamed on the cleaning crew, caused us all to scramble to find somewhere to sleep. Still upset, but refunded.

The fallout of this collection of trash is an increased rodent and cockroach population. We have never had a problem with cockroaches, but now I am finding them in my yard. I have had my yard treated twice this year to combat insect issues. We do live near the lake, and rodents are around but hey are now emboldened, digging in these trash piles and reproducing at new increased rates.

The exterior of the home has suffered. Any watering of the yard has ended and the majority of the plantings are now dead. While the yard is mowed, maintenance is basic at best. They are allowing weeds to grow in the sidewalks, and the back fence needs to be replaced.



There was a break in a water line associated with the pool, as well as a pump problem. Only after a neighbor and NIS were insistent did the owner repair the line and pump. This ended flooding of the street daily at @10:30 AM for over two months.

Two different groups renting the house arrived with trailers which were parked in the driveway and on the street. NIS has worked diligently to ensure we keep up the standards of the neighborhood.

Due to low ratings, Brookhaven Media LLC began to drop the nightly rate. It has been listed as low as \$218.00 per night on Airbnb and VRBO. This low rate has brought several questionable people to our neighborhood. Neighbors have called police due to a late-night weekend party recently.

The screenshot shows an Airbnb listing for a property titled "Spacious Lakeside 5 BR w Pool, Sauna & Game Room!". The listing features a main image of the house at dusk and several smaller images showing the interior, including a staircase and a living area. The listing details include:

- Entire home
- 5 bedrooms
- 3+ bathrooms
- Sleeps 14
- Popular amenities: Washer, Air conditioning, Pet friendly, Dryer
- Price: \$218 per night
- Free cancellation: Before Sun, Aug 25
- Your dates are available
- Start date: Sep 8
- End date: Sep 14
- Travelers: 1 traveler

To summarize, these ongoing problems are exactly why Rockwall has enacted a permit system for Airbnb homes. This company is benefiting from the desirable location and amenities in Rockwall without making any effort to make our town better or even ensure it stays the same. As unpermitted renters they are not paying hotel/motel tax or contributing to our infrastructure. They have been less than responsive to any issue that has occurred and have been a bad actor on Rockwall's behalf with travelers.

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).

Z2024-039

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.

1. Poor yard up keep 2. Trash piled up at garage and street 3. Rodents and large cockroaches in yard on fence coming into my property 4.no emergency contact provided to neighbors 5. Noise levels 6. Terrible reviews from occupants on the Airbnb site

Respondent Information

Please provide your information.

First Name *

Lois

Last Name *

Johnson

Address *

613 christan ct

City *

Rockwall

State *

Tx

Zip Code *

75087

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:

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Z2024-039

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.

Not appropriate for this area

Respondent Information

Please provide your information.

First Name *

Karen

Last Name *

Kille

Address *

608 Sunset Hill Dr

City *

Rockwall

State *

TX

Zip Code *

75087

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? *

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- ☐ 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:

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Z2024-039

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.

weekend late night traffic,

Respondent Information

Please provide your information.

First Name *

Delma

Last Name *

Perez

Address *

1615 N Hills Dr

City *

Rockwall

State *

TX

Zip Code *

75087

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: _____

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- ☐ I read about the request on the City's website.
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- ☐ I read about the request in the Rockwall Herald Banner.
- ☒ My neighbors told me about the request.
- ☐ Other:

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From: [Robert Powers](#)
To: [Planning](#)
Subject: Z2024-039 SUP for a short term rental
Date: Wednesday, August 28, 2024 11:43:24 PM

From: Robert Powers/1606 Amesbury Lane 75087

Case #: Z2024-039 SUP for a short term rental

I am OPPOSED to the request for the reasons below:

Credible studies and first hand experience show the creation of transient properties undermine a neighborhood's social dynamic and lessens the ability of the neighborhood to maintain acceptable norms/behavior due to the frequent turn-over of short term renters.

Also there is evidence that neighborhoods with short term rentals trend upward in relation to police calls/activity and incur more complaints to governing authorities.

Hence, short term rentals tend to erode the natural ability of a given neighborhood to prevent disorder.

This does suggest that elevated numbers of "tourists" bring crime with them. However, it suggests a transient population often brings unsavory behaviors with them. Behaviors associated with vacationers at a get-away; which are less familiar or accepted in a residential neighborhood.

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Z2024-039

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.

There is an AirBnB across the street from my house. There's a steady stream of strangers weekly, parking and blocking my entry sidewalk, sometimes loud parties. Worrisome to have such a large number of strangers partying across from me.

Respondent Information

Please provide your information.

First Name *

Jamie

Last Name *

Rubush

Address *

1613 North Hills Drive

City *

Rockwall

State *

Texas

Zip Code *

75087

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? *

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- ☐ Other:

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Z2024-039

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 *

William

Last Name *

Chandler

Address *

624 Sunset Hill Dr

City *

Rockwall

State *

Texas

Zip Code *

75087

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.
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- ☐ 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:

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Google Forms

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:

Z2024-039: SUP for a Short-Term Rental

Hold a public hearing to discuss and consider a request by Scott Popescu of Brookhaven Media for the approval of a Specific Use Permit (SUP) for a Short-Term Rental on a 0.25-acre parcel of land identified as Lot 2, Block I, Northshore, Phase 2B Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 610 Christian Court, 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 10, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 16, 2024 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, September 16, 2024 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>

PLEASE RETURN THE BELOW FORM

Case No. Z2024-039: SUP for a Short-Term Rental

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.

tr affia ; unknown renters

Name: Tom Hooton

Address: 605 Sunset Hill Dr Rockwall

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

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

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PLEASE RETURN THE BELOW FORM

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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.

SEE ATTACHMENT

Name: JULIA SHEEHAN

Address: 1597 N. HILLS DRIVE 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

Short-term rentals destroy "neighborhood." Here today, gone tomorrow. A neighborhood full of short-term rentals is one that destroys the "community." Our area is zoned for home owners, not for commercial hotels.

Short-term renters have no ties to the local community. As a result, late night parties accompanied by loud music distrubs the community.

Short-term rental raises the potential for increased criminal activity, including drugs and theft.

Would this latest potential addition to the short-term rentals in Rockwall be within 1,000 feet of another short-term rental?

Additionally, computer record of Z2024-039 does not match the printout sent in the mail. The computer record lists 4153 Panther Ridge Lane as the address. This is located in Plano, not Rockwall. Clicking on "Document" link does not produce the PDF file but instead times out.

PUBLIC NOTICE



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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2024-039: SUP for a Short-Term Rental

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.

Noise, NOT SAFE

Name:

Rachel Tso, Wu Meiki, King dung Tso

Address:

1599 N Hills Dr., Rockwall, TX 75087

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

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

From: [Karen Carter](#)
To: [Planning](#)
Subject: 610 Christan ct zoning change
Date: Monday, September 9, 2024 4:44:33 PM

Karen carter
614 Christan Ct
Rockwall

I am opposed the requested zoning change of case Z2024-039: SUP for a short-term rental.

This zoning change will devalue my property values. In the past trash was stored in the garage and became a haven for rats. This is a health concern. The pool is unkept and can attract mosquitoes which are also carriers of human disease.

Again, I OPPOSE the proposed zoning change at 610 Christan Ct

Sincerely,
Karen Carter
614 Christan Ct
Rockwall
508-733-6280

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From: [Susan Edwards](#)
To: [Planning](#)
Subject: Z2024-039:SUP for a short-term rental
Date: Friday, August 30, 2024 11:25:10 AM

Susan and Bryan and Edwards are opposed to the request for a short term rental at 610 Christian Court, Rockwall for the following reasons: Our neighborhood is a residential family neighborhood. We do not want short term rental property in the neighborhood. Constant exchange of people is not safe for a family neighborhood. The strong possibility of excessive noise, more traffic coming through the neighborhood and vandalism are all negative effects of a short term rental property.

Susan and Bryan Edwards
624 Knollwood Dr.
Rockwall, Tx 75087
bsmsedwards@sbcglobal.net
214.763.2737

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This email and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to which they are addressed. If you are not the intended recipient or the person responsible for delivering this email to the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please contact the sender and delete the material from any system and destroy any copies. OPEN RECORDS NOTICE: This email and responses may be subject to Texas Open Records laws and may be disclosed to the public upon request. Please respond accordingly.



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From: [Michael Wayne](#)
To: [Lee, Henry](#); [Planning](#)
Cc: [Diane Walker](#)
Subject: Case No. Z2024-039: SUP for a Short-Term Rental
Date: Monday, September 9, 2024 8:25:57 PM

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

FROM: Michael & Diane Walker
615 Christan CT., Rockwall TX 75087

RE: Case No. Z2024-039: SUP for a Short-Term Rental

We are **opposed** to the submitted request.

We are opposed for the following reasons:

1. We don't want this neighborhood to become an area of short-term rentals. We like this neighborhood now, mostly because the owners live on their property. They respect their neighbors and take good care of their property, all without a HOA. We know the P&Z Dept, with the City Council, and city leaders have set rules to limit this kind of use.

Once an exception is made, it leaves room for others to request the same departure from the rules.

2. A permanent resident is more respectable to their neighbors than occasional visitors.

We have noticed that this property has already been used as a short-term rental. The people that have stayed, for a few days, have disturbed the quiet nature of this block.

This is a very small block with only 11 homes. What happens at one house directly affects us on this block.

People visiting don't keep the same hours as those of us who live here. They are up late, and frequently leave very early.

It's not they are making tremendous loud noises, where you are forced to call the police.

But when your short-term neighbor is unpacking their car at midnight, and you are trying to sleep next door, it can be disturbing.

It not fun to be awoken at 6am as they are loudly talking to each other as they prepare to leave for the day.

3. The property has not been well maintained.

Today Sept 9, 2024, the front grass is almost dead. It looks like it has not been watered properly to maintain a nice green grass.

The area behind the house, outside the fence, adjacent to North Lakeshore Dr., has

not been mowed for weeks.

We know this is something that can be corrected but with a permanent live in resident, this never would have arisen.

4. The property owner has knowingly broken the City of Rockwall rules of allowed uses of his property and should not be given an exception.

For a year now, he has operated the property as a short-term rental. I can only assume he hoped he wouldn't get caught.

Obviously he knows the rules, or as holder of property, should have known the rules, and chose to circumvent those rules for his own concerns.

The owner, or his company Brookhaven Media, should not be given a second chance. What city rules will he break next when no one is looking.

I don't like someone who breaks the rules, and **then** asks for an exception to be made for his special case. Don't let him use the city like this.

I plan on attending the P&Z Public hearing on Tuesday night to show my opposition for this request.

Michael and Diane Walker

972-467-9038, 972-467-9172

MicWayWal@yahoo.com

dianewads@yahoo.com

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SHORT-TERM RENTAL PERMIT APPLICATION AND REGISTRATION

City of Rockwall
Neighborhood Improvement Services (NIS) Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

RECEIVED BY:

DATE RECEIVED:

STR PERMIT NO.

ACKNOWLEDGEMENTS BY PROPERTY OWNER [PLEASE INITIAL BY EACH STATEMENT]

SP

I acknowledge that a *Short-Term Rental Permit* granted by the City of Rockwall does not supersede any property specific restrictions against *Short-Term Rentals* that may exist under law, agreement, lease, covenant, or deed restriction.

SP

I acknowledge that if three (3) violations/citations occur in any consecutive 12-month period, that my *Short-Term Rental Permit* will be revoked and that I will not be eligible to apply for a new *Short-Term Rental Permit* for 12-months from the date of revocation. In addition, I acknowledge that the City of Rockwall will have the right to inspect my property when a violation is reported or suspected.

SP

I acknowledge that a *Short-Term Rental Permit* and any non-conforming rights associated with a *Short-Term Rental Permit* are non-transferable to another property owner or operator, or address or location.

SP

I acknowledge that I am responsible for remitting all applicable state, county, and local hotel occupancy taxes in a timely manner pursuant to all applicable laws and the requirements of Chapter 13, *Rental Housing*, of the Municipal Code of Ordinance. I also acknowledge that failure to pay hotel occupancy tax will result in the revocation of my *Short-Term Rental Permit*.

SP

I acknowledge that a *Short-Term Rental Permit* is valid for a period of three (3) years, and -- as the owner of the subject property -- it is my responsibility to apply for a renewal 30-days prior to the expiration of my *Short-Term Rental Permit*. Should I fail to submit a renewal application in this time period, I will forfeit all non-conforming rights and be required to submit a new application that will be subject to all the current requirements stipulated by the Unified Development Code (UDC) and Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances.

REGISTRATION TYPE

☒ New Registration | ☐ Renewal of an Existing Registration

Was this property being used as a short-term rental prior to April 1, 2024? ☒ Yes | ☐ No

PROPERTY INFORMATION [PLEASE PRINT]

Address	610 Christan Ct. Rockwall, TX 75087	Zoning	SF-10		
Subdivision	North Shore PH 2B	Lot	2	Block	1
General Location	Off Route 66				

TYPE OF SHORT-TERM RENTAL

Please indicate the type of short-term rental being permitted and registered:

- ☐ SHORT-TERM RENTAL (OWNER-OCCUPIED SINGLE-FAMILY HOME, TOWNHOME, OR DUPLEX). A single-family home, townhome, or duplex -- or portion thereof -- in which the property owner or operator, as reflected in a valid lease agreement, is a resident (i.e. occupies the primary structure) and is present during the rental. This includes when a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* is detached from the primary structure and either the primary or secondary structure is rented, but the owner or operator resides on the property.
- ☒ SHORT-TERM RENTAL (NON-OWNER-OCCUPIED SINGLE-FAMILY HOME, TOWNHOME, OR DUPLEX). A single-family home, townhome, or duplex -- or a portion thereof -- in which the property owner or operator does not occupy the dwelling unit during the rental, or that the owner or property owner does not occupy another dwelling unit -- or portion thereof -- on the same property (i.e. the property owner or operator is not on-site as an occupant during the rental of the property).
- ☐ SHORT-TERM RENTAL (APARTMENT OR CONDOMINIUM). An apartment or condominium (or similar multi-family structure, excluding duplexes, but including triplexes or quadplexes, as defined in this Unified Development Code [UDC]) -- or a portion thereof -- in which the property owner or operator may or may not be an occupant of the dwelling unit during the rental.

PROPERTY OWNER INFORMATION [PLEASE PRINT]

Name	Brookhaven Media	Phone	469-993-8222		
Mailing Address	4153 Panther Ridge Ln	City	Plano	State	TX
Email	Scott@brookhavenmedia.com	Zip Code	75074		

RESPONSIBLE PARTY [PLEASE PRINT]

Please note that a *Responsible Party* is required for all *Short-Term Rental Permit* applications. A *Responsible Party* is a local representative that resides in Rockwall County and who is available at all time the rental is in use. The *Responsible Party* must be available within one (1) hour of contact and must be authorized to make decisions regarding the property and its occupants.

☐ Same as Property Owner

Name	Scott Popescu	Phone	469-993-8222		
Mailing Address	4153 Panther Ridge Ln	City	Plano	State	TX
Email	scott@brookhavenmedia.com	Zip Code	75074		



SHORT-TERM RENTAL PERMIT APPLICATION AND REGISTRATION

City of Rockwall
Neighborhood Improvement Services (NIS) Department
385 S. Goliad Street
Rockwall, Texas 75087

REQUIREMENTS CHECKLIST

Please indicate that the following required items have been provided with this application by checking the box next to each required item:

- ☒ **REGISTRATION FEE.** A \$500.00 application fee payable to the City of Rockwall.
- ☒ **SITE PLAN.** A site plan showing the location of the *Short-Term Rental* and the parking areas provided for the *Short-Term Rental*.
- ☒ **PICTURES.** Pictures of the subject property showing the rear, front, and side yards of the subject property. In addition, pictures of all structures -- one (1) per each façade of a structure -- and any on-site amenities.
- ☒ **COMMERCIAL INSURANCE.** Each *Short-Term Rental* shall be required to have and provide proof of general commercial insurance (or an equivalent) coverage of a minimum of \$500,000.00 per occurrence coverage and an aggregate of \$1,000,000.00.
- ☒ **DRIVER LICENSE.** A copy of the driver license for the property owner and responsible party.

GENERAL STANDARDS CHECKLIST

Please indicate that subject property currently conforms with the following requirements by checking the box next to each general standard:

- ☒ **ADVERTISING.** All advertising for the *Short-Term Rental* -- including online or on a proprietary website, application, or other technology -- will include the *Short-Term Rental Permit Number* within the description or body of the advertisement for public reference.
- ☒ **PARKING.** The parking on the subject property currently conforms to the requirements of Table 5: *Parking Requirement Schedule* of Article 06, *Parking and Loading*, of the Unified Development Code (UDC). In addition, I understand that all parking shall be on an improved surface (i.e. gravel, pavers, asphalt, or concrete) and no guest or occupant will park on an unimproved surface (e.g. grass, vegetation, soil, etc.).
- ☒ **EVACUATION PLAN.** [ONLY APPLICABLE TO APARTMENTS AND CONDOMINIUMS THAT DO NOT HAVE DIRECT INGRESS/EGRESS TO THE EXTERIOR OF THE BUILDING FROM THE FRONT DOOR] An evacuation plan showing how to exit the building has been posted on the front door.
- ☒ **TEMPORARY STRUCTURES.** There are no temporary structures (i.e. recreational vehicles/campers, vehicles intended for occupancy, tents, canopies or shade structures that are not permitted by the City of Rockwall, or similar structures or vehicles) being utilized as a *Short-Term Rental*.
- ☒ **TRASH/RUBBISH/SOLID WASTE.** There are enough City approved containers (i.e. a polycarts or approved garage cans) to hold all trash/rubbish/solid waste produced on-site. I also understand that it will be a violation to have any trash/rubbish/solid waste -- bagged or otherwise -- placed on the ground.
- ☒ **SIGNAGE.** No external signage shall be installed or constructed on the property indicating or advertising the property as a *Short-Term Rental*.
- ☒ **FIRE EXTINGUISHER.** A standard five (5) pound fire extinguisher (i.e. 2A:10B:C) has been properly mounted within 75-feet of all portions of the *Short-Term Rental* on each floor.
- ☒ **SMOKE AND CARBON MONOXIDE DETECTORS.** Operable smoke and carbon monoxide detectors have been installed in the *Short-Term Rental* in accordance with all applicable City of Rockwall codes.
- ☒ **INGRESS/EGRESS.** All bedrooms in the *Short-Term Rental* have at least one (1) operable emergency point of ingress/egress for rescue and escape (i.e. windows and/or doors).
- ☒ **SLEEPING ACCOMMODATIONS.** There is no overnight sleeping outdoors or outdoor sleeping spaces provided as part of the *Short-Term Rental*.
- ☒ **TENANT NOTIFICATION.** The following information has been posted in a visible and obvious location inside the *Short-Term Rental*: [1] the property owner's and/or the Responsible Party's contact information and phone number; [2] pertinent information relating to the aforementioned standards (i.e. the location of the required off-street parking; the schedule, location, and requirements regarding trash/rubbish/solid waste; information regarding the conduct of guests; and etc.); [3] information to assist guests in the case of an emergency (i.e. emergency and non-emergency telephone numbers for police, fire, and medical services); and, [4] a notice that failure to conform to the requirements and codes of the City of Rockwall is a violation, and that an owner, occupant, or visitor can be cited for violations to these requirements.

RESPONSIBLE PARTY'S CERTIFICATION

I hereby certify that I am the *Responsible Party* of the property identified in this application, and that my primary residence is located in Rockwall County. I further understand my responsibilities as the *Responsible Party* as stipulated by Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances, and consent to have my information posted online. I further acknowledge that failure to comply with these requirements and attests will lead to the revocation of this *Short-Term Rental Permit*.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF August, 2024.

RESPONSIBLE PARTY'S SIGNATURE Scott Popescu

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES

PROPERTY OWNER'S CERTIFICATION

I hereby certify that I am the property owner of the property identified in this application, and that all information provided on this application is true and correct. I also hereby certify that the property identified in this application is in compliance with all of the requirements of Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances, and that it is my sole responsibility to ensure that the property continues to be in compliance with the rules, requirements, and regulations of the City of Rockwall. I further acknowledge that failure to comply with these requirements and attests will lead to the revocation of this *Short-Term Rental Permit*.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF August, 2024.

PROPERTY OWNER'S SIGNATURE Scott Popescu

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES















A Policy From
FOREMOST LLOYDS OF TEXAS

N RB 721530
381-5012368551

TODD HENDERSON INSURANCE AGENCY INC
FARMERS INSURANCE GROUP
6400 CROSS TIMBERS RD
FLOWER MOUND TX 75022-6201

42

LLC. BROOKHAVEN MEDIA
2306 MIDWAY RD
ARLINGTON TX 76011-2624

THIS IS NOT A BILL

COPY

Dear LLC. BROOKHAVEN MEDIA:

Your policy packet is enclosed. Please take a few minutes to read through the enclosed documents. This contract is your assurance of protection in case of an insured loss. Copies of your current policy forms are available upon your request. If you have any questions, please contact us at the address shown above or call us at (817) 567-8025 .

Thank you for choosing us for your insurance. We appreciate the opportunity to provide you coverage.

Sincerely,

TODD HENDERSON INSURANCE AGENCY INC
FARMERS INSURANCE GROUP
89 - 0038-695

P.S. Did you know . . . Electronic payments are available!

To sign up for electronic payments, please go to **foremostpayonline.com**. You may choose to have us automatically withdraw your premium payments electronically from your designated account as they come due, or go to **foremostpayonline.com** to see your bill and make a payment. As always, simply call our billing service at 1-800-532-4221 with questions about your bill.

Need to report a claim? The Claims Contact Center is available to take your call 24 hours a day, seven days a week at 1-800-527-3907, or you may report a claim online at **Foremost.com**.

The following disclosure is required by regulation of the U.S. Treasury Department.

**POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM
INSURANCE COVERAGE**

Coverage for acts of terrorism is included in your policy. You are hereby notified that the Terrorism Risk Insurance Act, as amended in 2019, defines an act of terrorism in Section 102(1) of the Act: The term "act of terrorism" means any act or acts that are certified by the Secretary of the Treasury - in consultation with the Secretary of Homeland Security, and the Attorney General of the United States - to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion. Under your coverage, any losses resulting from certified acts of terrorism may be partially reimbursed by the United States Government under a formula established by the Terrorism Risk Insurance Act, as amended. However, your policy may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under the formula, the United States Government generally reimburses 80% beginning on January 1, 2020, of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses exceeds \$100 billion in any one calendar year. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

The portion of your annual premium that is attributable to coverage for acts of terrorism is \$0.00, and does not include any charges for the portion of losses covered by the United States government under the Act.

© 2020 National Association of Insurance Commissioners

COPY

Important Notice About Your Deductible(s)

We are required to provide you a notice when your policy contains a provision that may cause the exact dollar amount(s) of a deductible(s) to change.

Your policy does contain a provision which may indirectly cause the exact dollar amount(s) of your deductible(s) to change. The policy provision reads as follows:

Your Duties to Maintain Policy Amounts of Insurance. It is your responsibility to maintain adequate Amounts of Insurance for Coverage A - Dwelling, Coverage B - Other Structures, and Coverage C - Personal Property. To help you do that we may, but are not obligated to, adjust your policy Amounts of Insurance. If an adjustment is made, it will become effective on the renewal date of your policy and will be based upon data supplied to us by recognized agencies or organizations.

You will be notified in advance of the new Amounts of Insurance. Payment of your renewal premium is all that is necessary to indicate your acceptance of the new Amounts of Insurance.

If you want to change the new Amounts of Insurance you may do so by contacting your insurance representative.

Adjustments to your Dwelling Amount of Insurance may change the exact dollar amount of your deductible(s) as follows:

1. Your deductible is calculated by multiplying your Dwelling Amount of Insurance by the percentage deductible you selected, subject to a minimum deductible of \$1,000.
2. If your policy includes a separate Tropical Cyclone Deductible, this deductible will be 2% of the Dwelling Amount of Insurance shown on the Declarations Page, subject to a minimum of \$1,000.
3. If you purchase Earthquake coverage, the Earthquake Coverage endorsement specifies that each earthquake loss is subject to a deductible, which is the greater of 10% of the Amount of Insurance shown on the Declarations Page for the coverage or \$1,000. Earthquake deductibles are applied to the lesser of the loss for each coverage or the Amount of Insurance for each coverage.

An increase in your Dwelling Amount of Insurance may increase the exact amount of any of those deductibles because they could be assessed as a percentage of your Amount of Insurance. Your Deductibles can be found on your Declarations Page. An explanation of your deductible can be found on Page 20 of your policy. If included, your Tropical Cyclone Deductible is explained in Endorsement 10319. Your Earthquake Deductible is explained in either Endorsement 7311 or 7312 if you purchased Earthquake Coverage.

This summary is not a part of your policy, so please read your policy so you know what it says. Since the policy is our contract with you, if there's any difference between the policy and this summary, the policy language will take precedence. Our goal is to provide you with the coverage you want at a fair price. Thank you for your trust and confidence.

Important Notice Regarding Flood Coverage

We are required to provide the following notification to you since your insurance policy does not provide coverage against loss caused by flooding.

Flood Insurance: You may also need to consider the purchase of flood insurance. Your policy does not include coverage for damage resulting from a flood even if hurricane winds and rain caused the flood to occur. Without separate flood insurance coverage, you may have uncovered losses caused by a flood. Please discuss the need to purchase flood insurance coverage with your insurance agent or insurance company, or visit www.floodsmart.gov.

741865 07/19

COPY



FARMERS
INSURANCE

Underwritten by: **FOREMOST LLOYDS OF TEXAS**
Administrative Office: P.O. Box 2450
Grand Rapids, Michigan 49501

**RENEWAL
DECLARATIONS PAGE
FOREMOST LLOYDS OF TEXAS
TEXAS DWELLING POLICY - FORM 3**

POLICY NUMBER: 381-5012368551-02

RENEWAL OF: 381-5012368551-01

POLICY PERIOD EFFECTIVE DATE: 06/01/24 **EXPIRATION DATE:** 06/01/25 **AT** 12:01 A.M. STANDARD TIME
AT THE LOCATION OF DESCRIBED PROPERTY

YOU AS NAMED INSURED/MAILING ADDRESS

LLC. BROOKHAVEN MEDIA
2306 MIDWAY RD
ARLINGTON TX 76011-2624

AGENT'S NAME, ADDRESS, AND PHONE NUMBER

TODD HENDERSON INSURANCE AGENCY INC
FARMERS INSURANCE GROUP
6400 CROSS TIMBERS RD
FLOWER MOUND TX 75022-6201

AGENCY CODE:
890038695

TELEPHONE:
(817) 567-8025

LOCATION # 1

IMPORTANT RATING INFORMATION

LOCATION OF PROPERTY: 610 CHRISTAN CT
ROCKWALL TX 75087-3232

CONSTRUCTION: MASONRY VENEER
FAMILIES: 1
OCCUPANCY: VACATION & SHORT TER
HYDRANT: WITHIN 1,000 FEET
FIRE DEPT.: WITHIN 5 MILES

TERRITORY: N
PROT. CLASS: 2
RESP. FIRE DEPT.: ROCKWALL FS 1
COUNTY: ROCKWALL

YR. BUILT: 2008
FORM: TDP3
KEY RATE:
CITY LIMIT:

MORTGAGEE #1

LOAN NO.: CC2023050233
PLANET HOME LENDING LLC
ISAOA / ATIMA
PO BOX 5023
TROY MI 48007-5023

COVERAGES

	LIMIT OF LIABILITY
COVERAGE A. DWELLING	\$ 506,224
OTHER STRUCTURES	\$ 50,622
COVERAGE B. PERSONAL PROPERTY	\$ 10,000
PERSONAL PROPERTY OFF PREMISES	\$ 1,000

PERILS INSURED AGAINST

		ADD'L/RETURN PREMIUM	ANNUAL PREMIUM
DESCRIBED DWELLING - FIRE AND LIGHTNING	NORMAL \$		
	F.R.% \$		
	ACTUAL		\$ 2,011.00
SUDDEN AND ACCIDENTAL DAMAGE FROM SMOKE, WINDSTORM, HURRICANE, HAIL, EXPLOSION, AIRCRAFT AND VEHICLES, RIOT AND CIVIL COMMOTION			\$ 4,032.00
ALL OTHER RISK OF PHYSICAL LOSS EXCEPT LOSSES EXCLUDED IN GENERAL EXCLUSIONS			\$ 997.00
PERSONAL PROPERTY - FIRE AND LIGHTNING	NORMAL \$		
	F.R.% \$		
	ACTUAL		\$ 30.00
SUDDEN AND ACCIDENTAL DAMAGE FROM SMOKE, WINDSTORM, HURRICANE, HAIL, EXPLOSION, AIRCRAFT AND VEHICLES, RIOT AND CIVIL COMMOTION			\$ 23.00
COLLAPSE OF BUILDING, FALLING OBJECTS, FREEZING OF HOUSEHOLD APPLIANCES, VANDALISM AND MALICIOUS MISCHIEF.			\$ 6.00

ENDORSEMENT NUMBER AND TITLE ATTACHED TO POLICY

	LIMIT OF LIABILITY	ADD'L/RETURN PREMIUM	ANNUAL PREMIUM
11309 08/23 AMEND END W/15YR REPL LIMIT ON ROOF			INCLUDED
11391 03/13 TEXAS DWELLING POLICY - FORM 3			INCLUDED
10325 03/21 WATER DAMAGE COVERAGE LIMIT	\$ 50,000		\$ 175.00
10116 09/00 TDP-009 RESIDENCE GLASS			\$ 15.00

DEDUCTIBLES (SECTION I ONLY)

	AMOUNT OF DEDUCTIBLE
DEDUCTIBLE - ALL OTHER	\$5,062

DISCOUNTS/SURCHARGES THAT APPLY TO LOCATION # 1

	ADD'L/RETURN PREMIUM	ANNUAL PREMIUM
CLAIMS FREE	\$	-86.00
MASONRY	\$	-428.00
MULTI-POLICY	\$	-428.00
MULTIPLE PROPERTIES	\$	-855.00
TENANT SCREENING	\$	-171.00

LOCAL ALARM

\$-171.00

TOTAL ANNUAL POLICY PREMIUM

\$5,150.00

OTHER COVERAGES, LIMITS AND EXCLUSIONS APPLY - REFER TO YOUR POLICY

Processed: April 2, 2024

COPY

Important Notice About Your Deductible

We are required to provide you a notice when your policy contains a provision that may cause the exact dollar amount of a deductible to change.

Your policy does contain a provision which may cause the exact dollar amount of your deductible to change. The policy provision reads as follows:

Your Duties to Maintain Policy Limits of Liability. It is your responsibility to maintain adequate Limits of Liability on your Dwelling, Other Structures and Personal Property. To help you do that we may, but are not obligated to, adjust your policy Limits of Liability. If an adjustment is made, it will become effective on the renewal date of your policy and will be based upon data supplied to us by recognized agencies or organizations.

You will be notified in advance of the new Limits of Liability. Payment of your renewal premium is all that is necessary to indicate your acceptance of the new Limits of Liability.

If you want to change the new Limits of Liability, you may do so by contacting your insurance representative.

Changes to your Dwelling Limit of Liability may change the exact dollar amount of your deductible as follows:

1. Your deductible is calculated by multiplying your Dwelling Limit of Liability by the percentage deductible you selected, subject to a minimum deductible of \$1,000. When your Limit of Liability increases, the exact amount of your deductible will increase.
2. If your dwelling is located in one of the following counties, your policy may contain a Tropical Cyclone Deductible.

Bee	Goliad	Hidalgo	Liberty	Wharton
Brooks	Hardin	Jackson	Orange	
Fort Bend	Harris	Jim Wells	Victoria	

A change to your Dwelling Limit of Liability may affect the exact amount of your deductible because that deductible could be assessed as a percentage of your Limit of Liability. Your Deductible can be found on Page 2 of your Declarations Page. An explanation of your deductible can be found on Page 6 of your policy or in Endorsement 10318, if your home is located in one of the counties listed above.

3. If your Declarations Page indicates you purchased a TDP3 policy, then Endorsement 11309 includes a Vacancy Condition. During the policy term, if an insured dwelling is vacant or unoccupied for 30 consecutive days immediately before the loss, the Limit of Liability shown on the Declarations Page for Coverage A (Dwelling) and Coverage B (Personal Property) is reduced to 60% for loss caused by fire, lightning, vandalism or malicious mischief. Coverage may be provided by endorsement to this policy. When the terms of the Vacancy Condition are met, your deductible will also be reduced by 60%, subject to a minimum deductible of \$1,000.

This summary is not a part of your policy, so please read your policy so you know what it says. Since the policy is our contract with you, if there's any difference between the policy and this summary, the policy language will take precedence. Our goal is to provide you with the coverage you want at a fair price. Thank you for your business.

AMENDATORY ENDORSEMENT WITH FIFTEEN YEAR OLD OR OLDER ROOF COVERING LIMIT

(For use with Texas Dwelling Policy Form 3)

11309 08/23

This endorsement changes your policy. Please read this document carefully and keep it with your policy.

DEFINITIONS

The following definitions are added:

"Business" means any full or part-time trade, profession or occupation engaged in for economic gain.

But business does not mean the rental or holding for rental solely for residential purposes of any dwelling or other structure described on the Declarations Page.

"Remediation" means to treat, contain, remove, or dispose of mold, fungi or other microbes beyond that which is required to repair or replace the covered property physically damaged by water or steam.

"Remediation" includes any testing to detect, measure or evaluate mold, fungi, or other microbes and any decontamination of the dwelling on the described location or property.

"Roof covering" means the roofing material exposed to the weather and the underlayments applied for moisture protection. "Roof covering" includes but is not limited to vents, flashings, caps, turbines and piping.

"Vacant" means the absence of most of the furniture and other items needed for human occupancy as a dwelling.

"Unoccupied" means not being used as a dwelling. Any dwelling structure with no permanent resident is unoccupied even if it is fully furnished. While the permanent resident is temporarily absent from the dwelling, the dwelling will not be unoccupied.

GENERAL EXCLUSIONS

Exclusion m. is changed to read:

m. **Mold, Fungi, Bacteria or Other Microbes, or Wet or Dry Rot.**

- (1) We do not cover loss caused by or resulting from mold, fungi, bacteria or other microbes, or wet or dry rot, including:
 - (a) the cost for remediation for mold, fungi, bacteria or other microbes, or wet or dry rot; or
 - (b) any increase in expenses for Loss of Use and/or Debris Removal due to remediation for mold, fungi, bacteria or other microbes, or wet or dry rot.
- (2) The physical presence of mold, fungi, bacteria or other microbes, or wet or dry rot on that portion of covered property which must otherwise be repaired or replaced because of direct physical loss caused by any insured peril shall not result in the exclusion of such loss if it is otherwise covered under this policy.

The following exclusions are added:

- n. We do not cover loss caused by any business activity being conducted with or without your knowledge by any of you or any resident of the dwelling on the described location.
- o. We do not cover loss of or to any property otherwise insured by this policy if that loss is intentionally caused by any of you or performed at any of your direction.

DEDUCTIBLE is changed to read:

DEDUCTIBLE. No deductible will be applied to COVERAGE A (DWELLING) in the event of a total loss unless stated otherwise in this policy.

No deductible will be applied to fire or lightning Losses unless stated otherwise in this policy.

All other losses insured by Coverage A (DWELLING) or Coverage B (PERSONAL PROPERTY) will be subject to the greater of \$1,000 or the deductible shown on the DECLARATIONS PAGE, unless stated otherwise in your policy.

CONDITIONS

6. Loss Settlement is changed to read:

6. Loss Settlement. Property losses are settled:

Dwelling Total Loss Payment Method

A total loss occurs when your dwelling is damaged beyond reasonable repair.

When a total loss occurs, your loss will be equal to the limit of liability shown on the DECLARATIONS PAGE for COVERAGE A (DWELLING).

No deductible will be applied to a total loss to your dwelling unless stated otherwise in your policy.

All Other Loss Payment Method

- a. When an insured peril causes a loss, your loss to roof covering fifteen years old or older, personal property, wall to wall carpeting, cloth awnings and fences, will be equal to the lowest of the following:
 - (1) the actual cash value at the time of loss determined with proper deduction for depreciation;
 - (2) the cost to repair or replace the damaged property with material of like kind and quality less deduction for depreciation; or
 - (3) the limit of liability shown on the Declarations Page.

b. When an insured peril causes a loss, your loss to dwelling and other structure(s) under Coverage A (Dwelling), except roof covering fifteen years old or older, wall to wall carpeting, cloth awnings and fences, will be equal to the lowest of the following:

(1) If, at the time of loss, the Coverage A (DWELLING) limit of liability is 80% or more of the full replacement cost of the dwelling, we will pay the repair or replacement cost of the damaged building structure(s), without deduction for depreciation.

(2) If, at the time of loss, the Coverage A (DWELLING) limit of liability is less than 80% of the full replacement cost of the dwelling, we will pay only a proportionate share of the full replacement cost of the damaged building structure(s). Our share is equal to:

$$\text{Replacement Cost of the Loss} \times \frac{\text{Coverage A (DWELLING) limit of liability}}{80\% \text{ of Replacement Cost of the Dwelling}}$$

(3) If, at the time of loss, the actual cash value of the damaged building structure(s) is greater than the replacement cost determined under (1) or (2) above, we will pay the actual cash value up to the applicable limit of liability.

In determining the amount of insurance required to equal 80% of the full replacement cost of the dwelling, do not include the value of excavations, underground pipes, and wiring and foundations which are below the surface of the ground.

We will pay only the actual cash value of the damaged building structure(s) until repair or replacement is completed. Repair or replacement must be completed within 365 days after loss unless you request in writing that this time limit be extended for an additional 180 days. Upon completion of repairs or replacement, we will pay the additional amount claimed under replacement cost coverage, but our payment will not exceed the smallest of the following:

(1) the limit of liability under this policy applicable to the damaged or destroyed building structure(s);

(2) the cost to repair or replace that part of the building structure(s) damaged, with material of like kind and quality and for the same use and occupancy on the same premises; or

(3) the amount actually and necessarily spent to repair or replace the damaged building structure(s).

If you provide no verification that your roof covering is less than fifteen years old, your roof covering loss will be determined using 6. **Loss Settlement** a. above.

9. **Appraisal** is deleted and replaced with:

9. **Appraisal.**

a. The following definitions shall apply under this **Appraisal** clause:

(1) **"Claimed loss"** means your claim of direct physical loss or damage to property.

(2) **"Component parts"** of property means each of the constituent parts of the property. By way of example only, if the **claimed loss** is a roof, the component parts of property for a roof might include: the trusses, rafters, decking, underlayment, sheathing, drip edge, shingles, tiles or other outer covering, jack pipes, vents or skylights, and all other individual items or parts.

Each of these individual items or parts would also be **"component parts"** of your dwelling.

(3) **"Incurred property damage"** means the verifiable actual theft of or actual distinct and demonstrable physical injury to or destruction of property.

b. If you or we fail to agree on the actual cash value (including the replacement costs and depreciation/obsolescence) or the **incurred property damage** of your **claimed loss**, either you or we may make a written demand for appraisal. The appraisal shall be made strictly in accord with the terms of this appraisal clause. Neither you nor we may assign the right to demand appraisal, whether before or after loss or damage. Any assignment shall be void.

c. (1) Within 20 days of the receipt of a written demand for appraisal, you and we each shall:

- i. appoint a qualified individual person as an appraiser; and
- ii. notify the other in writing of the appraiser's name and contact information.

(2) In order for a person to be qualified to act as an appraiser, the person must be competent, independent, neutral and impartial. A person:

- i. who has performed, or who is employed by any entity which has performed any work, or a person who has provided any service for either you or us in relation to any **claimed loss** under this policy, whether or not such work or service has been or will be paid; or
- ii. who has performed or may perform, or who is employed by an entity which has performed or may perform repairs or replacement of your property;

shall not be qualified to serve as an appraiser.

- (3) Upon acceptance of the appointment, each appraiser shall within 5 days disclose in writing to you and to us any known facts which a reasonable person may consider to affect independence, neutrality or impartiality of the appraiser, including without limitation:

- i. any financial or personal interest in the outcome of the appraisal; and
- ii. any current or previous relationship with you or us, or your or our counsel, other representative(s) or experts, or with the other appraiser.

d. You and we may provide the appraisers with estimates, expert opinions, appraisal forms or any information you or we believe to be relevant to the appraisal. Any such documents and information must also be provided to the other party. However, no civil discovery shall be conducted by either the appraisers, any umpire, or you or us during or for the preparation of the appraisal, and no court reporter shall be used. The rules of civil procedure and the rules of evidence shall not apply to the appraisal process, and no hearing shall be conducted by the appraisers at which either you or we provide any evidence pertaining to your **claimed loss**.

- e. (1) The appraisers shall determine the **incurred property damage**, if any, to each of the **component parts** of that property for which you have **claimed loss**, and the actual cash value of the **incurred property damage**, as of date of the loss. In determining the actual cash value of the **incurred property damage**, the appraisers shall only use reasonable costs of materials of like kind and quality unless the policy expressly provides otherwise.

- (2) The appraisal shall separately state and itemize the following for each individual **component part** of the **incurred property damage**:

- i. a description of each **component part** of the property;
- ii. a description of the distinct and demonstrable physical injury to or destruction of each **component part**, if any, without reference to what caused the damage;
- iii. a description of the reasonably necessary repairs or replacements for each **component part** of property;
- iv. the estimated costs of the reasonably necessary repairs or replacement(s) to each **component part** of property;

- v. the estimated amount of proper depreciation and/or obsolescence to each **component part** of property; and

- vi. the actual cash value of the **incurred property damage**.

Evidence of the reasonableness of the costs, and evidence that the materials are of like kind and quality, if the policy loss settlement requires like kind and quality settlement, shall also be included with the appraisal. As appropriate, the foregoing shall also apply to theft.

- (3) The appraisers may consider and provide you and us with a separate statement of the estimated cost(s) for any repairs or replacements which may be required by building ordinances or laws, but the appraisers may not determine whether such amounts are covered under this insurance policy.

- (4) The appraisers shall submit their written appraisal in accord with this part e., to both you and to us, and the amounts agreed upon by the appraisers will be the **incurred property damage** and the actual cash value (including the replacement costs and depreciation/obsolescence) of the **incurred property damage** to each **component part** of property for which you have **claimed loss**.

- (5) The appraisers are not authorized to, and shall not decide the cause, or causes, of your **claimed loss** or any **incurred property damage**.

- (6) The appraisers are not authorized to decide whether any **incurred property damage** is covered under this insurance policy.

- f. (1) If the appraisers cannot agree on the **incurred property damage** or the actual cash value of the **incurred property damage**, you must notify us that you have selected an umpire within 10 days of receiving notice that an umpire is needed. Notice can be provided through your appraiser. If you do not select an umpire within the 10 day period, we will contact the firm below to select an umpire. Regardless of who makes the selection, we will then contact the firm below, pay any applicable administrative fee to engage the umpire, and provide the firm with contact information for both appraisers, the name of the insured, and the location of the property involved in the claim.

American Arbitration Association (AAA)
Case Filing Services
Attn: Foremost Texas Appraisal
1101 Laurel Oak Road Ste 100
Voorhees, New Jersey 08043
Email: casefiling@adr.org (with subject matter
as "Foremost Texas Appraisal")

- (2) Only if AAA advises you and us in writing that it cannot appoint an umpire may we then jointly request a judge of a district court in the judicial district where the **residence premises** is located to select an umpire. A judge of a district court does not include a commissioner or a judge of a county court at law, of a justice court, a municipal court, a probate court, or of a commissioner's court.
- (3) In order for a person to be qualified to act as an umpire under this appraisal clause, such person must be qualified and meet the conditions as required at part c.(2).
- (4) Upon the appointment of an umpire by AAA, or a district judge, the umpire shall within 5 days disclose in writing to you and to us the information required at part c.(3).
- (5) Within 20 days of a qualified umpire being appointed, each of the appraisers shall then submit to the umpire, and to both you and us, their appraisals. Their appraisals shall contain all of the information required in part e. above, and shall identify each specific matter upon which they disagree and explain in detail why they disagree. Both appraisers and the umpire shall then together meet and confer. The umpire shall then prepare an appraisal. A written appraisal in conformance with and setting forth all the information required in part e. above, agreed upon and signed by the umpire and either one of the two appraisers will determine the **incurred property damage** and the actual cash value of the **incurred property damage** of your **claimed loss**.
- (6) If a vacancy should occur regarding the umpire, the vacancy shall be filled in accord with the foregoing process by which the vacating umpire was appointed. Any appointed umpire is subject to (3) and (4) of this part f.
- g. Each party will pay the costs of the appraiser it chooses. The costs of the umpire and all other expenses of the appraisal will be shared and paid equally by you and us. If AAA appoints the umpire, we will pay AAA's costs.
- h. The appraisal shall not:
 - (1) determine whether your **claimed loss** or any **incurred property damage**, or any part thereof, is covered under this insurance policy;

- (2) determine the cause or causes of the **claimed loss** or any **incurred property damage**;
- (3) make any factual finding which directly or indirectly determines whether your **claimed loss** or **incurred property damage**, or any part thereof, is covered under this insurance policy.
- (4) interpret this insurance policy;
- (5) award or determine any interest or penalties;
- (6) award any amount for matching property which has not sustained **incurred property damage** with property that has sustained **incurred property damage**;
- (7) determine loss settlement under a loss settlement provision of this policy; or
- (8) be considered to be adjustment of your **claimed loss**.
- i. Any demand for appraisal must be made within the contractual suit limitations period stated in this policy. After that time neither you nor we may demand an appraisal.
- j. If you or we timely demand an appraisal, then upon request made by either you or us for abatement of any suit for or involving the **claimed loss**, the suit shall be abated until after an appraisal award is made in accord with this appraisal clause.
- k. Even after an appraisal award, we retain the right to deny any **claimed loss** or **incurred property damage**, or any part thereof.

17. Vacancy is changed to read:

Vacancy. During the policy term, if an insured dwelling is vacant or unoccupied for 30 consecutive days immediately before the loss, the limit of liability shown on the Declarations Page for Coverage A (DWELLING) and Coverage B (PERSONAL PROPERTY) is reduced to 60% for loss caused by fire, lightning, vandalism or malicious mischief. Coverage may be provided by endorsement to this policy.

22. Refusal to Renew. is changed to read:

22. Refusal to Renew.

- a. We may not refuse to renew this policy because of claims for losses resulting from natural causes.
- b. We may not refuse to renew this policy solely because you are an elected official.
- c. We may refuse to renew this policy if you have filed three or more claims under the policy in any three year period that do not result from natural causes.

If you have filed two claims in a period of less than three years, we may notify you in writing, that if you file a third claim during the three year period, we may refuse to renew this policy by providing you proper notice of our refusal to renew as provided in d. below. If we do not notify you after the second claim, we may not refuse to renew this policy because of losses. A claim does not include a claim that is filed but is not paid or payable under the policy.

- d. If we refuse to renew this policy, we must deliver to you, or mail to you at your mailing address shown on the declarations page and any mortgagee named in the declarations page, written notice of refusal to renew no later than the 60th day before the date in which this policy expires. Proof of mailing will be sufficient proof of notice. If we fail to give you proper notice of our decision to refuse renewal, you may require us to renew the policy.

The following condition is added:

Your Duties to Maintain Policy Limits of Liability. It is your responsibility to maintain adequate limits of liability on your dwelling, other structures and personal property. But to help you do that we may, but are not obligated to, adjust your policy limits of liability. If an adjustment is made, it will become effective on the renewal date of your policy and will be based upon data supplied to us by recognized agencies or organizations.

You will be notified in advance of the new limits of liability. Payment of your renewal is all that is necessary to indicate your acceptance of the new limits of liability.

If you want to change the new limits of liability you may do so by contacting your insurance representative.

Service of Process

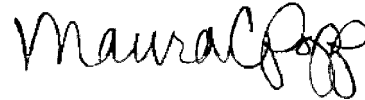
The address under Service of Process is changed to 15700 Long Vista Drive, Austin, Texas 78728.

The following provision is changed to read:

In witness whereof, the attorney-in-fact has executed this policy in Austin, Texas, binding the underwriters at Foremost Lloyds of Texas.



Michael J. Cok
President



Maura C. Popp
Secretary

COPY

Privacy Policy

This notice describes our privacy policies and procedures in safeguarding information about customers and former customers that obtain financial products or services for personal, family or household purposes. **Please note that if state law is more protective of an individual's privacy than federal privacy law, we will protect information in accordance with state law while also meeting federal requirements.**

Information We Collect

We may collect the following categories of personal information for the purposes identified below. Please note that the examples are not an exhaustive list and may fall into multiple categories. Categories and specific pieces of information collected may vary depending on the nature of your relationship with us.

Category	Examples
Personal Identifiers	Name, alias, address, social security number, date of birth, passport number, unique personal identifier, online identifier, IP address, e-mail address, account name, government issued identification number, phone number, signature
Personal Characteristics	Gender, demographic, medical and health, convictions, marital status, offspring, driving record, family member/other status, and other descriptions of your physical characteristics.
Commercial Information	Personal property, insurance policy number, medical information, or health insurance information, purchased products or services, considered products or services, purchasing or consuming histories or tendencies.
Biometric Information	Voice print, photo.
Internet or Network activity	Information regarding your interactions with websites, applications, and advertisements, browser type, electronic communications, IP address, cookies.
Geolocation	IP address, physical address, telephone number, state, municipality, location, devices, applications on mobile and computer devices.
Audio, electronic, visual, olfactory	Audio, electronic, photo, visual information, such as a call or video recording, voicemail messages.
Professional information and Employment information/Education Information	Job titles, work history, school attended, employment status, veteran, or military status.
Education Information	Job titles, work history, school attended, marital and family status, e-mail, telephone recordings.
Inferences	Preferences, behaviors, characteristics, trends, predispositions, attitudes, abilities, and aptitudes.
Sensitive Personal Information	Social security number, driver's license number, state ID card, account login, precise geo-location, bank account number, credit or debit card number, or any other financial information, trade union membership, your communications with us.

Purposes for Collection of Personal Information

We collect and use your personal information to offer, provide and maintain insurance products and related services to you. We may use your personal information for one or more of the following purposes:

- To offer, provide, and maintain insurance products and related services to you;
- To authenticate and verify your identity; to maintain your preferences and to contact you;
- Security: authentication and verification of your identity, fraud identification and protection;
- Conduct analytics, research and development, improvement of our products and services;
- To provide a location-based product or service requested by you;
- To apply relevant discounts;

- To create profiles based on personal information collected and reflecting individual preferences to provide appropriate or relevant products and services and improve and analyze our products and services and provide relevant marketing;

We collect certain information ("nonpublic personal information") about you and the members of your household ("you") from the following sources:

- Information you provide on applications or other forms, such as your social security number, assets, income, and property information;
- Information about your transactions with us, our affiliates or others, such as your policy coverage, premiums, and payment history;
- Information from your visits to the websites we operate, use of our mobile sites, applications, use of our social media sites, and interaction with our online advertisements; and
- Information we receive from consumer reporting agencies or insurance support organizations, such as motor vehicle records, credit report information and insurance claims history; and
- If you obtain a life, long-term or disability product, information we receive from you, medical professionals who have provided care to you and insurance support organizations, regarding your health.

How Long Do You Retain My Information

We retain your personal data for as long as reasonably necessary to fulfill the purpose for which it was collected or to comply with legal, regulatory, or internal procedures or obligations.

How We Protect Your Information

Our customers are our most valued assets. Protecting your privacy is important to us. We restrict access to personal information to those individuals, such as our employees and agents, who provide you with our products and services. We require individuals with access to your information to protect it and keep it confidential. We maintain physical, electronic, and procedural safeguards that comply with applicable regulatory standards to guard your nonpublic personal information. We do not disclose any nonpublic personal information about you except as described in this notice or as otherwise required or permitted by applicable law.

Information We Disclose

We do not disclose any nonpublic personal information about you as our customer or former customer, except as described in this notice. We may disclose the nonpublic personal information we collect about you, as described above to our affiliates, to companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements, and to other third parties, all as permitted by law and for our everyday business purposes, such as to process your transactions and maintain your accounts and insurance policies.

Many employers, benefit plans or plan sponsors restrict the information that can be shared about their employees or members by companies that provide them with products or services. If you have a relationship with Foremost or one of its affiliates as a result of products or services provided through an employer, benefit plan or plan sponsor, we will follow the privacy restrictions of that organization.

We are permitted to disclose personal health information: (1) to process your transaction with us, for instance, to determine eligibility for coverage, to process claims or to prevent fraud; (2) with your written authorization; and (3) otherwise as permitted by law.

When you are no longer our customer, we continue to share your information as described in this notice.

Sharing Information with Affiliates

We will not disclose nonpublic personal information, as described above in **Information We Collect**, except with affiliates of Foremost as permitted by law including:

- Financial service providers, such as insurance companies and reciprocals, investment companies, underwriters, brokers/dealers; and

- Non-financial service providers, such as data processors, billing companies, and vendors that provide marketing services for us.

We are permitted by law to share with our affiliates information about our transaction and experience information with you. We will not share with our affiliates information we receive from a credit reporting agency or insurance support organization, such as motor vehicle records, credit report information and claims history.

Under the California Consumer Privacy Act ("CCPA"), California residents have the right to opt out of the sale of personal information to certain third parties. Although we do not currently share personal information in a manner that would be considered a sale under CCPA, you may still submit a request to opt out by calling us at 1-855-327-6548 or submitting a request through our CCPA Web Form.

Modifications to our Privacy Policy

We reserve the right to change our privacy practices in the future, which may include sharing nonpublic personal information about you with nonaffiliated third parties as permitted by law. Before we make any changes, we will provide you with a revised privacy notice and give you the opportunity to opt-out or, if applicable, to opt-in.

Website and Mobile Privacy Policy

Our Enterprise Privacy Statement includes our website and mobile privacy policies which provides additional information about website and mobile application use. Please review those notices if you transmit personal information to us over the Internet through our websites and/or mobile applications.

Recipients of this Notice

While any policyholder may request a copy of this notice, we are providing this notice to the named policyholder residing at the mailing address to which we send your policy information. If there is more than one policyholder on a policy, only the named policyholder will receive this notice. You may receive more than one copy of this notice if you have more than one policy with us. You also may receive notices from affiliates, other than those listed below.

Affiliates

The following is a list of some but not all of our affiliates: Farmers Insurance Group of Companies including Farmers Insurance Exchange, Fire Insurance Exchange, Truck Insurance Exchange, and Mid-Century Insurance Company, Bristol West Insurance Group including Bristol West Casualty Insurance Company, Bristol West Insurance Company, Bristol West Preferred Insurance Company, Coast National Insurance Company, and Security National Insurance Company (Bristol West Specialty Insurance Company in TX), and 21st Century Insurance & Financial Services including 21st Century Indemnity Insurance Company, 21st Century Insurance & Financial Services, Inc., 21st Century Insurance Company, 21st Century National Insurance Company, 21st Century Premier Insurance Company, and 21st Century Security Insurance Company, Farmers Property and Casualty Insurance Company, Farmers Casualty Insurance Company, Farmers Group Property and Casualty Insurance Company, Economy Fire & Casualty Company, Economy Preferred Insurance Company, Farmers Lloyds Insurance Company of Texas, Economy Premier Assurance Company, Farmers Direct Property & Casualty Insurance Company, Toggle Insurance Company.

The above is a list of the affiliates on whose behalf this privacy notice is being provided. It is not a comprehensive list of all affiliates of the companies comprising the Farmers Insurance Group of Companies.

More Information about the Federal Laws?

This notice is required by federal law. For more information, please contact us.

Any Questions?

Please visit our website at www.foremost.com.

Signed: Foremost Insurance Company Grand Rapids, Michigan
 Foremost Signature Insurance Company
 Foremost Property and Casualty Insurance Company
 Foremost County Mutual Insurance Company
 Foremost Lloyds of Texas

The above is a list of the Foremost companies on whose behalf this notice is being sent.



CITY OF ROCKWALL

ORDINANCE NO. 24-XX

SPECIFIC USE PERMIT NO. S-3XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW A NON-OWNER-OCCUPIED SHORT-TERM RENTAL ON A 0.25-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK I, NORTHSORE, PHASE 2B ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Scott Popescu of Brookhaven Media for the approval of a *Specific Use Permit (SUP)* for a *Non-Owner-Occupied Short-Term Rental* on a 0.25-acre parcel of land identified as Lot 2, Block I, Northshore, Phase 2B Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 610 Christan Court, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that 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) allowing a *Non-Owner-Occupied Short-Term Rental* as stipulated by Subsection 01.02, *Land Use Schedule*, of Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 02.03, *Conditional Land Use Standards*, of Article 04, *Permissible Uses*, and Subsection 03.01, *General Residential Standards*, and Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02]; and, Article 02, *Short-Term Rentals*, of Chapter 13, *Rental Housing*, of the *Municipal Code of Ordinances* -- as heretofore amended and as may be amended in the Z2024-039: SUP for a STR

at 610 Christan Court

Ordinance No. 24-XX; SUP # S-3XX

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City of Rockwall, Texas

future --, and with the following conditions:

2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Non-Owner-Occupied Short-Term Rental* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Subject Property* shall conform to the information provided within the *Short-Term Rental Permit Application* depicted in *Exhibits 'B'* of this ordinance; and,
- (2) All unpermitted improvements on the *Subject Property* must be permitted or removed before the issuance of a *Short-Term Rental Permit*; and,
- (3) After the issuance of a *Short-Term Rental Permit and Registration* by the City of Rockwall, should the applicant allow this permit/registration to expire, lapse or be revoked by the City of Rockwall, this Specific Use Permit (SUP) shall automatically expire and be considered abandoned in accordance with Subsection 02.02, *Specific Use Permit (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

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 compliance to the following:

- (1) Upon obtaining a *Short-Term Rental Permit and Registration*, should the property owner/responsible party 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

Z2024-039: SUP for a STR

at 610 Christan Court

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City of Rockwall, Texas

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 7TH DAY OF OCTOBER, 2024.**

ATTEST:

Trace Johannesen, Mayor

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: September 16, 2024

2nd Reading: October 7, 2024

Exhibit 'A'
Zoning Exhibit

Address: 610 Christan Court

Legal Description: Lot 2, Block I, Northshore Phase 2B Addition



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.



Exhibit 'B':
Short-Term Rental Permit Application



SHORT-TERM RENTAL PERMIT APPLICATION AND REGISTRATION

City of Rockwall
Neighborhood Improvement Services (NIS) Department
385 S. Goliad Street
Rockwall, Texas 75087

STAFF USE ONLY

RECEIVED BY:

DATE RECEIVED:

STR PERMIT NO.

ACKNOWLEDGEMENTS BY PROPERTY OWNER [PLEASE INITIAL BY EACH STATEMENT]

- SP I acknowledge that a *Short-Term Rental Permit* granted by the City of Rockwall does not supersede any property specific restrictions against *Short-Term Rentals* that may exist under law, agreement, lease, covenant, or deed restriction.
- SP I acknowledge that if three (3) violations/citations occur in any consecutive 12-month period, that my *Short-Term Rental Permit* will be revoked and that I will not be eligible to apply for a new *Short-Term Rental Permit* for 12-months from the date of revocation. In addition, I acknowledge that the City of Rockwall will have the right to inspect my property when a violation is reported or suspected.
- SP I acknowledge that a *Short-Term Rental Permit* and any non-conforming rights associated with a *Short-Term Rental Permit* are non-transferable to another property owner or operator, or address or location.
- SP I acknowledge that I am responsible for remitting all applicable state, county, and local hotel occupancy taxes in a timely manner pursuant to all applicable laws and the requirements of Chapter 13, *Rental Housing*, of the Municipal Code of Ordinance. I also acknowledge that failure to pay hotel occupancy tax will result in the revocation of my *Short-Term Rental Permit*.
- SP I acknowledge that a *Short-Term Rental Permit* is valid for a period of three (3) years, and -- as the owner of the subject property -- it is my responsibility to apply for a renewal 30-days prior to the expiration of my *Short-Term Rental Permit*. Should I fail to submit a renewal application in this time period, I will forfeit all non-conforming rights and be required to submit a new application that will be subject to all the current requirements stipulated by the Unified Development Code (UDC) and Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances.

REGISTRATION TYPE

☒ New Registration | ☐ Renewal of an Existing Registration

Was this property being used as a short-term rental prior to April 1, 2024? ☒ Yes | ☐ No

PROPERTY INFORMATION [PLEASE PRINT]

Address	610 Christan Ct. Rockwall, TX 75087	Zoning	SF-10		
Subdivision	North Shore PH 2B	Lot	2	Block	1
General Location	Off Route 66				

TYPE OF SHORT-TERM RENTAL

Please indicate the type of short-term rental being permitted and registered:

- ☐ SHORT-TERM RENTAL (OWNER-OCCUPIED SINGLE-FAMILY HOME, TOWNHOME, OR DUPLEX) A single-family home, townhome, or duplex -- or portion thereof -- in which the property owner or operator, as reflected in a valid lease agreement, is a resident (i.e. occupies the primary structure) and is present during the rental. This includes when a *Guest Quarters/Secondary Living Unit/Accessory Dwelling Unit* is detached from the primary structure and either the primary or secondary structure is rented, but the owner or operator resides on the property.
- ☒ SHORT-TERM RENTAL (NON-OWNER-OCCUPIED SINGLE-FAMILY HOME, TOWNHOME, OR DUPLEX) A single-family home, townhome, or duplex -- or a portion thereof -- in which the property owner or operator does not occupy the dwelling unit during the rental, or that the owner or property owner does not occupy another dwelling unit -- or portion thereof -- on the same property (i.e. the property owner or operator is not on-site as an occupant during the rental of the property).
- ☐ SHORT-TERM RENTAL (APARTMENT OR CONDOMINIUM) An apartment or condominium (or similar multi-family structure, excluding duplexes, but including triplexes or quadplexes, as defined in this Unified Development Code [UDC]) -- or a portion thereof -- in which the property owner or operator may or may not be an occupant of the dwelling unit during the rental.

PROPERTY OWNER INFORMATION [PLEASE PRINT]

Name	Brookhaven Media	Phone	469-993-8222				
Mailing Address	4153 Panther Ridge Ln	City	Plano	State	TX	Zip Code	75074
Email	Scott@brookhavenmedia.com						

RESPONSIBLE PARTY [PLEASE PRINT]

Please note that a *Responsible Party* is required for all *Short-Term Rental Permit* applications. A *Responsible Party* is a local representative that resides in Rockwall County and who is available at all time the rental is in use. The *Responsible Party* must be available within one (1) hour of contact and must be authorized to make decisions regarding the property and its occupants.

☐ Same as Property Owner

Name	Scott Popescu	Phone	469-993-8222				
Mailing Address	4153 Panther Ridge Ln	City	Plano	State	TX	Zip Code	75074
Email	scott@brookhavenmedia.com						

SHORT-TERM RENTAL APPLICATION AND REGISTRATION • CITY OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7709

Exhibit 'B'
Short-Term Rental Permit Application



SHORT-TERM RENTAL PERMIT APPLICATION AND REGISTRATION

City of Rockwall
Neighborhood Improvement Services (NIS) Department
385 S. Goliad Street
Rockwall, Texas 75087

REQUIREMENTS CHECKLIST

Please indicate that the following required items have been provided with this application by checking the box next to each required item:

- ☒ **REGISTRATION FEE** A \$500.00 application fee payable to the City of Rockwall.
- ☒ **SITE PLAN** A site plan showing the location of the *Short-Term Rental* and the parking areas provided for the *Short-Term Rental*.
- ☒ **PICTURES** Pictures of the subject property showing the rear, front, and side yards of the subject property. In addition, pictures of all structures -- one (1) per each façade of a structure -- and any on-site amenities.
- ☒ **COMMERCIAL INSURANCE** Each *Short-Term Rental* shall be required to have and provide proof of general commercial insurance (or an equivalent) coverage of a minimum of \$500,000.00 per occurrence coverage and an aggregate of \$1,000,000.00.
- ☒ **DRIVER LICENSE** A copy of the driver license for the property owner and responsible party.

GENERAL STANDARDS CHECKLIST

Please indicate that subject property currently conforms with the following requirements by checking the box next to each general standard:

- ☒ **ADVERTISING** All advertising for the *Short-Term Rental* -- including online or on a proprietary website, application, or other technology -- will include the *Short-Term Rental Permit Number* within the description or body of the advertisement for public reference.
- ☒ **PARKING** The parking on the subject property currently conforms to the requirements of Table 5, *Parking Requirement Schedule* of Article 06, *Parking and Loading*, of the Unified Development Code (UDC). In addition, I understand that all parking shall be on an improved surface (i.e. gravel, pavers, asphalt, or concrete) and no guest or occupant will park on an unimproved surface (e.g. grass, vegetation, soil, etc.).
- ☒ **EVACUATION PLAN** [ONLY APPLICABLE TO APARTMENTS AND CONDOMINIUMS THAT DO NOT HAVE DIRECT INGRESS/EGRESS TO THE EXTERIOR OF THE BUILDING FROM THE FRONT DOOR] An evacuation plan showing how to exit the building has been posted on the front door.
- ☒ **TEMPORARY STRUCTURES** There are no temporary structures (i.e. recreational vehicles/campers, vehicles intended for occupancy, tents, canopies or shade structures that are not permitted by the City of Rockwall, or similar structures or vehicles) being utilized as a *Short-Term Rental*.
- ☒ **TRASH/RUBBISH/SOLID WASTE** There are enough City approved containers (i.e. a polycarts or approved garage cans) to hold all trash/rubbish/solid waste produced on-site. I also understand that it will be a violation to have any trash/rubbish/solid waste -- bagged or otherwise -- placed on the ground.
- ☒ **SIGNAGE** No external signage shall be installed or constructed on the property indicating or advertising the property as a *Short-Term Rental*.
- ☒ **FIRE EXTINGUISHER** A standard five (5) pound fire extinguisher (i.e. 2A:10B:C) has been properly mounted within 75-feet of all portions of the *Short-Term Rental* on each floor.
- ☒ **SMOKE AND CARBON MONOXIDE DETECTORS** Operable smoke and carbon monoxide detectors have been installed in the *Short-Term Rental* in accordance with all applicable City of Rockwall codes.
- ☒ **INGRESS/EGRESS** All bedrooms in the *Short-Term Rental* have at least one (1) operable emergency point of ingress/egress for rescue and escape (i.e. windows and/or doors).
- ☒ **SLEEPING ACCOMMODATIONS** There is no overnight sleeping outdoors or outdoor sleeping spaces provided as part of the *Short-Term Rental*.
- ☒ **TENANT NOTIFICATION** The following information has been posted in a visible and obvious location inside the *Short-Term Rental*: [1] the property owner's and/or the Responsible Party's contact information and phone number; [2] pertinent information relating to the aforementioned standards (i.e. the location of the required off-street parking; the schedule, location, and requirements regarding trash/rubbish/solid waste; information regarding the conduct of guests; and etc.); [3] information to assist guests in the case of an emergency (i.e. emergency and non-emergency telephone numbers for police, fire, and medical services); and, [4] a notice that failure to conform to the requirements and codes of the City of Rockwall is a violation, and that an owner, occupant, or visitor can be cited for violations to these requirements.

RESPONSIBLE PARTY'S CERTIFICATION

I hereby certify that I am the *Responsible Party* of the property identified in this application, and that my primary residence is located in Rockwall County. I further understand my responsibilities as the *Responsible Party* as stipulated by Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances, and consent to have my information posted online. I further acknowledge that failure to comply with these requirements and attestations will lead to the revocation of this *Short-Term Rental Permit*.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF August, 2024

RESPONSIBLE PARTY'S SIGNATURE Scott Popescu

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES

PROPERTY OWNER'S CERTIFICATION

I hereby certify that I am the property owner of the property identified in this application, and that all information provided on this application is true and correct. I also hereby certify that the property identified in this application is in compliance with all of the requirements of Chapter 13, *Rental Housing*, of the Municipal Code of Ordinances, and that it is my sole responsibility to ensure that the property continues to be in compliance with the rules, requirements, and regulations of the City of Rockwall. I further acknowledge that failure to comply with these requirements and attestations will lead to the revocation of this *Short-Term Rental Permit*.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF August, 2024

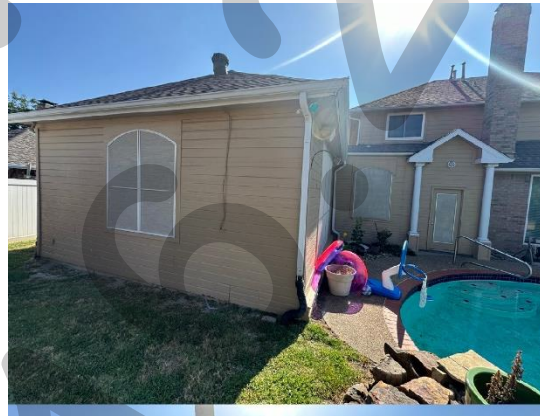
PROPERTY OWNER'S SIGNATURE Scott Popescu

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES

SHORT-TERM RENTAL APPLICATION AND REGISTRATION • CITY OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7709

Exhibit 'C':
Short-Term Rental Photographs





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 16, 2024
APPLICANT: Carol A. Byrd
CASE NUMBER: Z2024-040; *Specific Use Permit (SUP) for a Residential Infill at 403 E. Kaufman Street*

SUMMARY

Hold a public hearing to discuss and consider a request by Carol A. Byrd for the approval of a Specific Use Permit (SUP) for *Residential Infill in an Established Subdivision* on a 0.2850-acre parcel of land identified as Lot 5B, Block 5, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 403 E. Kaufman Street, and take any action necessary.

BACKGROUND

The subject property was annexed prior to 1911 based on the April 1911 Sanborn Maps. According to the City's *Historic Zoning Maps*, the subject property was zoned Single-Family 3 (SF-3) District as of January 3, 1972. At some point between January 3, 1972 and May 16, 1983, the subject property was rezoned from a Single-Family 3 (SF-3) District to Single-Family 7 (SF-7) District. The property has remained zoned Single Family (SF-7) District since this date. On July 18, 2024, the Historic Preservation Advisory Board (HPAB) approved a Certificate of Appropriateness (COA) [i.e. Case No H2024-011] to allow the demolition of all structures (i.e. the existing single-family home and three [3] accessory buildings) on the subject property. Based on this action, the applicant has applied for and received a residential building permit [i.e. Case No. RES2024-3767] allowing the demolition of the existing single-family home and the accessory structures. Currently, the applicant is awaiting the final inspection of the demolition, and the property is vacant. On August 15, 2024, the Historic Preservation Advisory Board (HPAB) approved a Certificate of Appropriateness (COA) [i.e. Case No H2024-015] to allow the construction of a new single-family home on the subject property.

PURPOSE

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

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 403 E. Kaufman Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is *Lofland Park*, which is a 1.377-acre public park owned by the City of Rockwall. Beyond this is are two (2) parcels of land (i.e. 308 & 310 *Williams Street*) developed with single-family homes and zoned Single-Family 7 (SF-7) District. North of this is *Williams Street*, which is identified as a *Minor Collector* on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject is E. Kaufman Street, which is identified as a R2U (i.e. *residential, two [2] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 0.5740-acre parcel of land (i.e. 406 E. Kaufman Street) developed with a commercial business (i.e. AT&T) zoned General Retail (GR) District, and a 0.3444-acre parcel of land (i.e. 401 E. Rusk Street) developed with a single-family home zoned Single-Family 7 (SF-7) District. South of this is E. Rusk

Street, which is identified as an A4D (*i.e. arterial, 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 one (1) vacant parcel of land (*i.e. 405 E. Kaufman Street*) and seven (7) parcels of land (*i.e. 501, 503, 505, 601, 605 E. Kaufman Street and 201, 203 N. Clark Street*) developed with single-family homes. All of these parcels are zoned Single-Family 7 (SF-7) District. Beyond this is N. Clark Street, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

West: Directly west of the subject property are three (3) parcels of land (*i.e. 305, 307, 401 E. Kaufman Street*) developed with single-family homes zoned Downtown (DT) District. West of this are two (2) parcels of land (*i.e. 202 & 204 N. Fannin Street*) developed with commercial businesses (*i.e. Watersedge Counseling and T&T Color Supply*) zoned Downtown (DT) District. Beyond this is N. Fannin Street, which is identified as a *Minor Collector* on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

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

Article 13, *Definitions*, of the Unified Development Code (UDC) defines *Residential Infill in or Adjacent to an Established Subdivision* as “(t)he new development of a single-family home or duplex on an existing vacant or undeveloped parcel of land or the redevelopment of a developed parcel of land for a new single-family home or duplex within an established subdivision that is mostly or entirely built-out.” An *established subdivision* is further defined in Subsection 02.03(B) (11) of Article 04, *Permissible Uses*, of the UDC as “...a subdivision that consists of five (5) or more lots, that is 90.00% developed, and that has been in existence for more than ten (10) years.” In this case, the subject property is situated within the Griffith Subdivision, which is more than 90.00% or more developed, consists of 39 residential lots, and has been in existence for more than ten (10) years. The *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the UDC, requires a Specific Use Permit (SUP) for *Residential Infill in or Adjacent to an Established Subdivision* in all single-family zoning districts, the Two-Family (2F) District, the Downtown (DT) District, and the Residential-Office (RO) District. This property, being within an established subdivision, requires a Specific Use Permit (SUP).

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

Housing Design and Characteristics	Existing Housing on E. Kaufman Street and in Close Proximity to the Subject Property	Proposed Housing
Building Height	One (1) Story	Two (2) Story
Building Orientation	Most homes are oriented toward E. Kaufman Street.	The front elevation of the home will face E. Kaufman Street.
Year Built	1910- 1995	N/A
Building SF on Property	1,403 SF – 3,100 SF	2,273 SF
Building Architecture	Single Family Homes, Three (3) Vacant Lots, and One (1) Commercial Business	Comparable Architecture to the surrounding Single-Family Homes
Building Setbacks:		
Front	20-Feet	74-Feet
Side	6- feet	15.925-Feet
Rear	10-Feet	60-Feet
Building Materials	Brick and Siding	Hardie Board Siding and Brick
Paint and Color	Blue, Green, White, Brown	Green
Roofs	Composite Shingles	Asphalt Shingle
Driveways/Garages	Driveways all front the same street the single-family home faces. Homes consist of front-facing garages or no garages.	The proposed home will not incorporate a garage.

The proposed home will be a two (2) story, 2,273 SF residence that will be clad in siding and brick. Based on the proposed building elevations, the home incorporates siding and trim, brick masonry, and various wood columns and railings along the front and rear porch, and a masonry chimney. When reviewing the adjacent properties, staff should note that the surrounding properties have been constructed with similar architectural styles. In addition, the Historic Preservation Advisory Board (HPAB) reviewed the architecture of the proposed home at their meeting on August 15, 2024. Based on the submitted elevations, the HPAB approved a motion to approve a Certificate of Appropriateness (COA) for the proposed home by a vote of 6-0, with one (1) vacant seat. This motion also constituted a recommendation for approval to the Planning and Zoning Commission and City Council.

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 E. Kaufman Street and Fannin Street and also provided the proposed building elevations in the attached packet. The approval of this request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission and a finding that the proposed house will not have a negative impact on the existing subdivision.

NOTIFICATIONS

On August 21, 2024, staff mailed 97 notices to property owners and occupants within 500-feet of the subject property. There are no Homeowners Associations (HOAs) located 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 not received any notices back regarding the applicant's request.

CONDITIONS OF APPROVAL

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

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

PLANNING AND ZONING COMMISSION

On September 10, 2024, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 403 E. Kautman Rockwall, Tx 75087

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING _____ CURRENT USE _____

PROPOSED ZONING _____ PROPOSED USE _____

ACREAGE _____ LOTS [CURRENT] _____ LOTS [PROPOSED] _____

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

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

☒ OWNER Carol A. Byrd ☒ APPLICANT Same

CONTACT PERSON Carol A. Byrd CONTACT PERSON "

ADDRESS 707 Cullens ADDRESS "

CITY, STATE & ZIP Rockwall, Tx 75087 CITY, STATE & ZIP "

PHONE 214-912-7973 PHONE "

E-MAIL Carolannbyrd@gmail.com E-MAIL "

Carolannbyrd@gmail.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 250.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16 DAY OF August, 2024 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

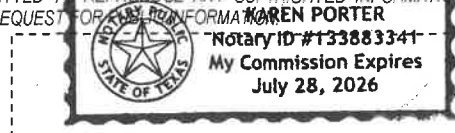
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF August, 2024.

OWNER'S SIGNATURE

Carol A. Byrd

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Karen Porter



MY COMMISSION EXPIRES 07/28/2026



City of Rockwall

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

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

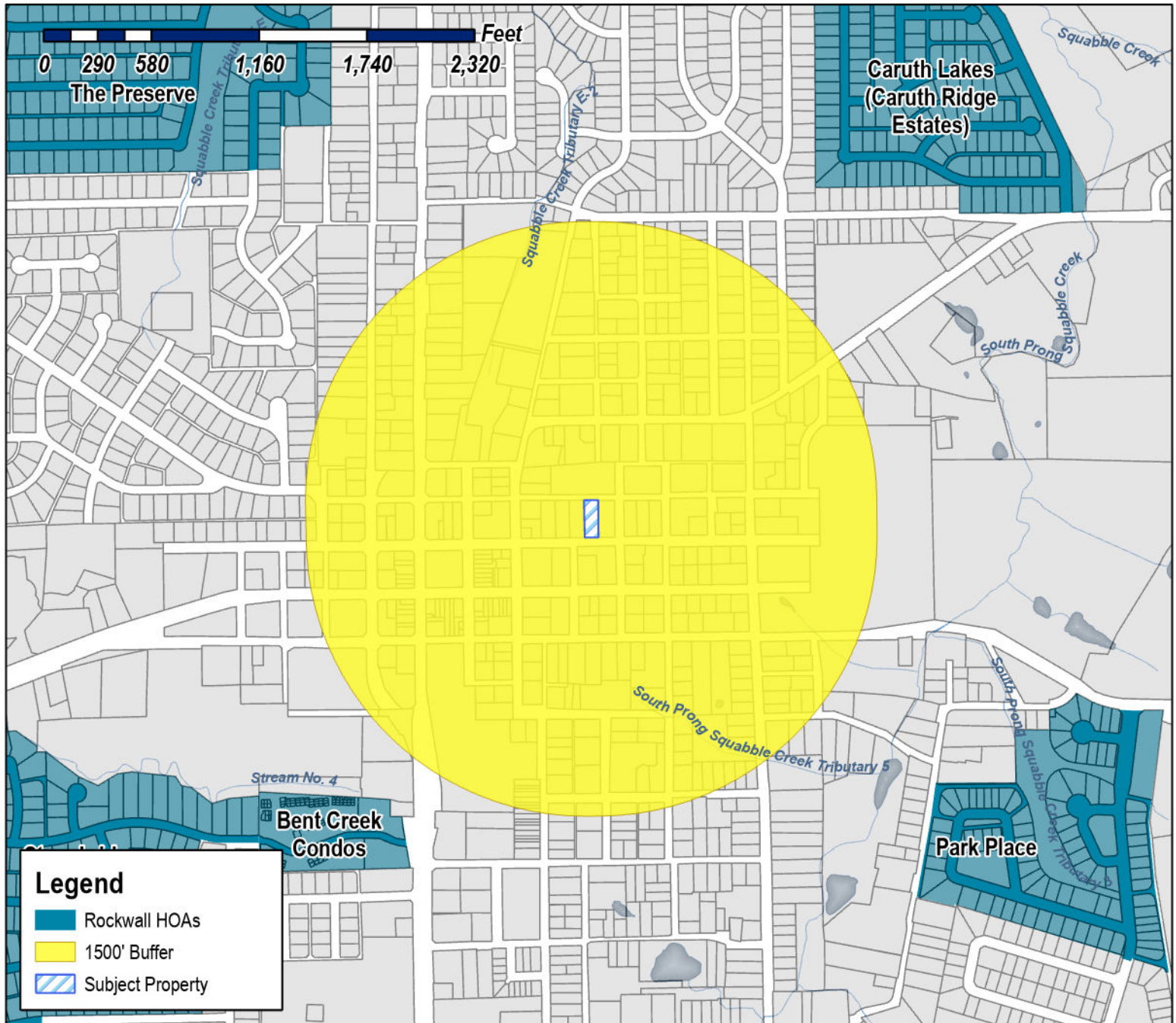




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Case Number: Z2024-040
Case Name: SUP for Residential Infill
Case Type: Zoning
Zoning: Single-Family 7 (SF-7) District
Case Address: 403 E. Kaufman Street

Date Saved: 8/19/2024

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

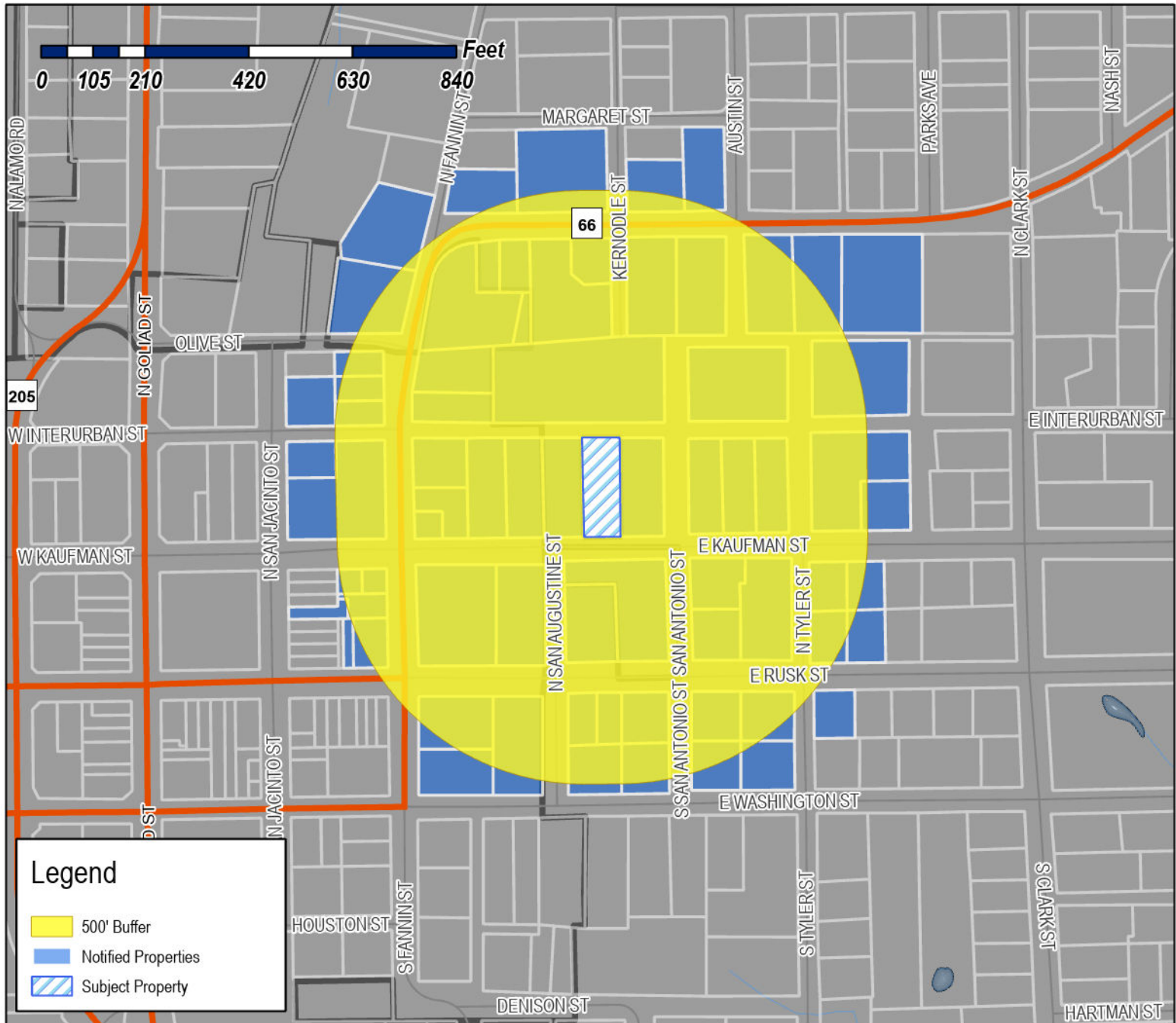




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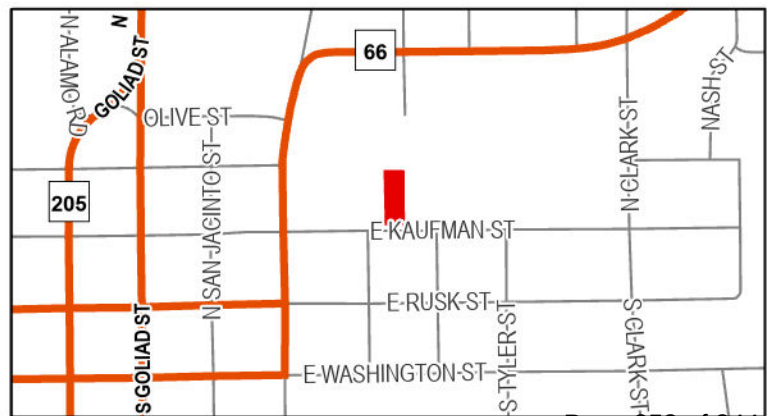
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For Questions on this Case Call: (972) 771-7745



RESIDENT
101 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
101 S FANNIN ST
ROCKWALL, TX 75087

HIS COVENANT CHILDREN INC
102 N FANNIN ST
ROCKWALL, TX 75087

QUINTON BILLY & AUTUMN
102 N TYLER ST
ROCKWALL, TX 75087

RESIDENT
103 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
105 N FANNIN ST
ROCKWALL, TX 75087

SKY 101 S FANNIN SERIES LLC
106 E RUSK SUITE 200
ROCKWALL, TX 75087

KUPPER LEROY J ET UX
108 ELM CREST DR
ROCKWALL, TX 75087

RESIDENT
110 N SAN JACINTO
ROCKWALL, TX 75087

HARPER LYDIA
1200 CLEVELAND STREET APT 327
DENTON, TX 76201

RAC OF ROCKWALL LLC
1220 CRESTCOVE
ROCKWALL, TX 75087

MORGAN MARY FRANCES COLEY
180 SAN ANTONIO STREET
ROCKWALL, TX 75087

WIMPEE JOE AND
BEAU WIMPEE
1800 DALTON RD
ROCKWALL, TX 75087

COMMUNITY BANK
201 E KAUFMAN ST
ROCKWALL, TX 75087

RESIDENT
202 N FANNIN ST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
202 NORTH SAN JACINTO
ROCKWALL, TX 75087

RESIDENT
204 E KAUFMAN
ROCKWALL, TX 75087

RESIDENT
204 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
206 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
213 E RUSK
ROCKWALL, TX 75087

WELLS LEE E & LYNDA S
2146 HARRELL STREET
GREENVILLE, TX 75402

BALL JUSTIN
2155 CLUBVIEW DR
ROCKWALL, TX 75087

HILLTOP ESCAPES INC
2234 RANDAS WAY
ROCKWALL, TX 75087

RESIDENT
301 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
302 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
302 N SAN JACINTO
ROCKWALL, TX 75087

RESIDENT
303 WILLIAMS ST
ROCKWALL, TX 75087

RESIDENT
303 E RUSK
ROCKWALL, TX 75087

RESIDENT
304 WILLIAMS ST
ROCKWALL, TX 75087

KRONTZ CHRISTIAN MICHAEL & JILLIAN ABIGAIL
WRIGHT
305 E KAUFMAN ST
ROCKWALL, TX 75087

ERUDITE INCORPORATED
305 E RUSK ST
ROCKWALL, TX 75087

RESIDENT
305 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
306 WILLIAMS ST
ROCKWALL, TX 75087

TRINITY HARBOR CHURCH
306 E RUSK ST
ROCKWALL, TX 75087

RESIDENT
306 N FANNIN ST
ROCKWALL, TX 75087

SHIPMAN CLAYTON AUSTIN
306 WILLIAMS ST
ROCKWALL, TX 75087

WILLESS JAMES L
307 E KAUFMAN ST
ROCKWALL, TX 75087

RESIDENT
307 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
308 FANNIN
ROCKWALL, TX 75087

DEBORAH C WINES FAMILY TRUST
DEBORAH C WINES - TRUSTEE
308 WILLIAMS ST
ROCKWALL, TX 75087

PATRICIA A MAY LIVING TRUST
PATRICIA A MAY - TRUSTEES
308 WILLIAMS ST
ROCKWALL, TX 75087

ESTATE OF CHARLES W FALLS
DAVID CHARLES FALLS, EXECUTOR
309 ROOKERY CT
MARCO ISLAND, FL 34145

RESIDENT
310 WILLIAMS ST
ROCKWALL, TX 75087

BONFANTE VITTORIO & ANGELA
3111 ANNETTE CT
GARLAND, TX 75044

CITY OF ROCKWALL
385 S GOLIAD ST
ROCKWALL, TX 75087

GODINEZ RAUL K AND
MAGDALENA M GALVAN-DIAZ
401 E KAUFMAN ST
ROCKWALL, TX 75087

WELCH DAVID T & TERRY E
401 E WASHINGTON STREET
ROCKWALL, TX 75087

WEST CHRISTOPHER AND
KATHERINE ROWE
401 EAST RUSK
ROCKWALL, TX 75087

RESIDENT
401 N FANNIN ST
ROCKWALL, TX 75087

RESIDENT
402 E RUSK
ROCKWALL, TX 75087

PEREIRA ASHLE RENEE
402 WILLIAMS ST
ROCKWALL, TX 75087

KNIGHT MOONEY VICKIE SUE
& HERMAN KNIGHT
403 E KAUFMAN ST
ROCKWALL, TX 75087

RESIDENT
404 E RUSK
ROCKWALL, TX 75087

RESIDENT
405 E KAUFMAN ST
ROCKWALL, TX 75087

SALVADOR MARY PEARL
405 E WASHINGTON
ROCKWALL, TX 75087

NICHOLSON JACQUELYN SUE AND PAUL
EDWARD
405 N FANNIN STREET
ROCKWALL, TX 75087

RESIDENT
406 WILLIAMS ST
ROCKWALL, TX 75087

RESIDENT
406 E KAUFMAN
ROCKWALL, TX 75087

RESIDENT
406 E RUSK
ROCKWALL, TX 75087

BOSS MORRIS E & DEBRA KAY
408 RIDGEVIEW DR
ROCKWALL, TX 75087

CM FANNIN I LP
4514 TRAVIS ST STE 326
DALLAS, TX 75205

RESIDENT
501 AUSTIN ST
ROCKWALL, TX 75087

RESIDENT
501 KERNODLE
ROCKWALL, TX 75087

BARTON SHANNON G
501 E. KAUFMAN
ROCKWALL, TX 75087

TAMEZ PEDRO ET EX
502 E RUSK ST
ROCKWALL, TX 75087

HERNANDEZ BLAS MEJIA AND ANA K
502 KERNODLE STREET
ROCKWALL, TX 75087

RYAN GARY S AND CONSTANCE E
502 WILLIAMS ST
ROCKWALL, TX 75087

RICHARDSON CATHERINE E AND TRENTON R
503 E KAUFMAN
ROCKWALL, TX 75087

ARCHER KERRY ANNE
503 E RUSK ST
ROCKWALL, TX 75087

RESIDENT
503 E WASHINGTON
ROCKWALL, TX 75087

SUMBLIN BEN III ESTATE OF
TONI YEAGER, GUARDIAN
504 PRESIDIO DR
ROCKWALL, TX 75087

CROW CAROL RICHARDSON
504 WILLIAMS
ROCKWALL, TX 75087

RESIDENT
505 E KAUFMAN
ROCKWALL, TX 75087

DUTT JOHN RICHARD JR ETUX
505 E WASHINGTON ST
ROCKWALL, TX 75087

BIRKENBACK JOSSEPH M & OLGA M
506 E RUSK ST
ROCKWALL, TX 75087

WEBB RODNEY D AND FRAN W
507 E RUSK ST
ROCKWALL, TX 75087

FRASIER MICHAEL H AND HEATHER C
510 WILLIAMS
ROCKWALL, TX 75087

ALTA VISTA BNB, LLC
519 E I30 PMB 422
ROCKWALL, TX 75087

CAIN CHAD
5705 ALLEN LN
ROWLETT, TX 75088

RESIDENT
601 E KAUFMAN ST
ROCKWALL, TX 75087

RESIDENT
601 E RUSK ST
ROCKWALL, TX 75087

RESIDENT
602 E RUSK
ROCKWALL, TX 75087

RASHELL NICOLE & JAKE
603 E RUSK ST
ROCKWALL, TX 75087

GALVAN CARMAN
604 E KAUFMAN ST
ROCKWALL, TX 75087

HARPER VICKI DAWSON
605 E KAUFMAN ST
ROCKWALL, TX 75087

POINTER PRICE
605 NAKOMA DR
ROCKWALL, TX 75087

PEOPLES BILLY W JR
614 COVEY TRL
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

SHIPMAN CLAY
742 RIDGE HOLLOW RD
HEATH, TX 75032

BRUCE LIVING TRUST
DANA GLENN BRUCE & JEANNE L BRUCE-
TRUSTEES
757 AVALON DR
HEATH, TX 75032

KING PACIFIC INC
8100 GREENSBORO DR
PLANO, TX 75025

SOUTHWESTERN BELL TELEPHONE CO
ATTN: PROPERTY TAX DEPT 1010 PINE, 9E-L-01
ST. LOUIS, MO 63101

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

ROCKWALL ISD TR
FOR ROCKWALL TAXING ENTITIES
, 0

ROCK N' ROLL REALTY LLC
PO BOX 2571
ROCKWALL, TX 75087

CHRIST FOR INDIA
PO BOX 271086
DALLAS, TX 75227

RUTH DOWER LIVING TRUST DATED JUNE 3,
2014
RUTH DOWER TRUSTEE
PO BOX 871239
MESQUITE, TX 75187

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:

Z2024-040: SUP for a Residential Infill

Hold a public hearing to discuss and consider a request by Carol A. Byrd for the approval of a Specific Use Permit (SUP) for Residential Infill in an Established Subdivision on a 0.2850-acre parcel of land identified as Lot 5B, Block 5, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned Single Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 403 E. Kaufman Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, September 10, 2024 at 6:00 PM, and the City Council will hold a public hearing on Monday, September 16, 2024 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, September 16, 2024 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. Z2024-040: SUP for a Residential Infill

Please place a check mark on the appropriate line below:

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

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



LEGEND

○ 1/2" ROD FOUND	□ FENCE POST FOR CORNER
⊗ 1/2" ROD SET	CM CONTROLLING MONUMENT
○ 1-1/2" PIPE FOUND	AC AIR CONDITIONER
⊕ 1" ROD FOUND	PE POOL EQUIPMENT
✦ POINT FOR CORNER	● POWER POLE
⊗ 1" PIPE FOUND	△ OVERHEAD ELECTRIC
T TRANSFORMER PAD	— RJ — IRON FENCE
■ COLUMN	— X — BARBED WIRE
▲ UNDERGROUND ELECTRIC	— — — EDGE OF ASPHALT
— ONP — OVERHEAD ELECTRIC POWER	— — — EDGE OF GRAVEL
— OES — OVERHEAD ELECTRIC SERVICE	— — — STONE
— — — CHAIN LINK	— — — CONCRETE
— — — WOOD FENCE 0.5' WIDE TYPICAL	— — — COVERED AREA
— — — DOUBLE SIDED WOOD FENCE	— — — BRICK

EXCEPTIONS:

NOTES:
BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.
FLOOD NOTE: According to the F.I.R.M. No. 48397C0040L, this property does lie in Zone X and DOES NOT lie within the 100 year flood zone.

This survey is made in conjunction with the information provided by Allegiance Title Company. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plot hereon is a correct and accurate representation of the property lines and dimensions as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Date: _____

Accepted by: _____

Purchaser

Purchaser

Drawn By: WRV

Scale: 1" = 30'

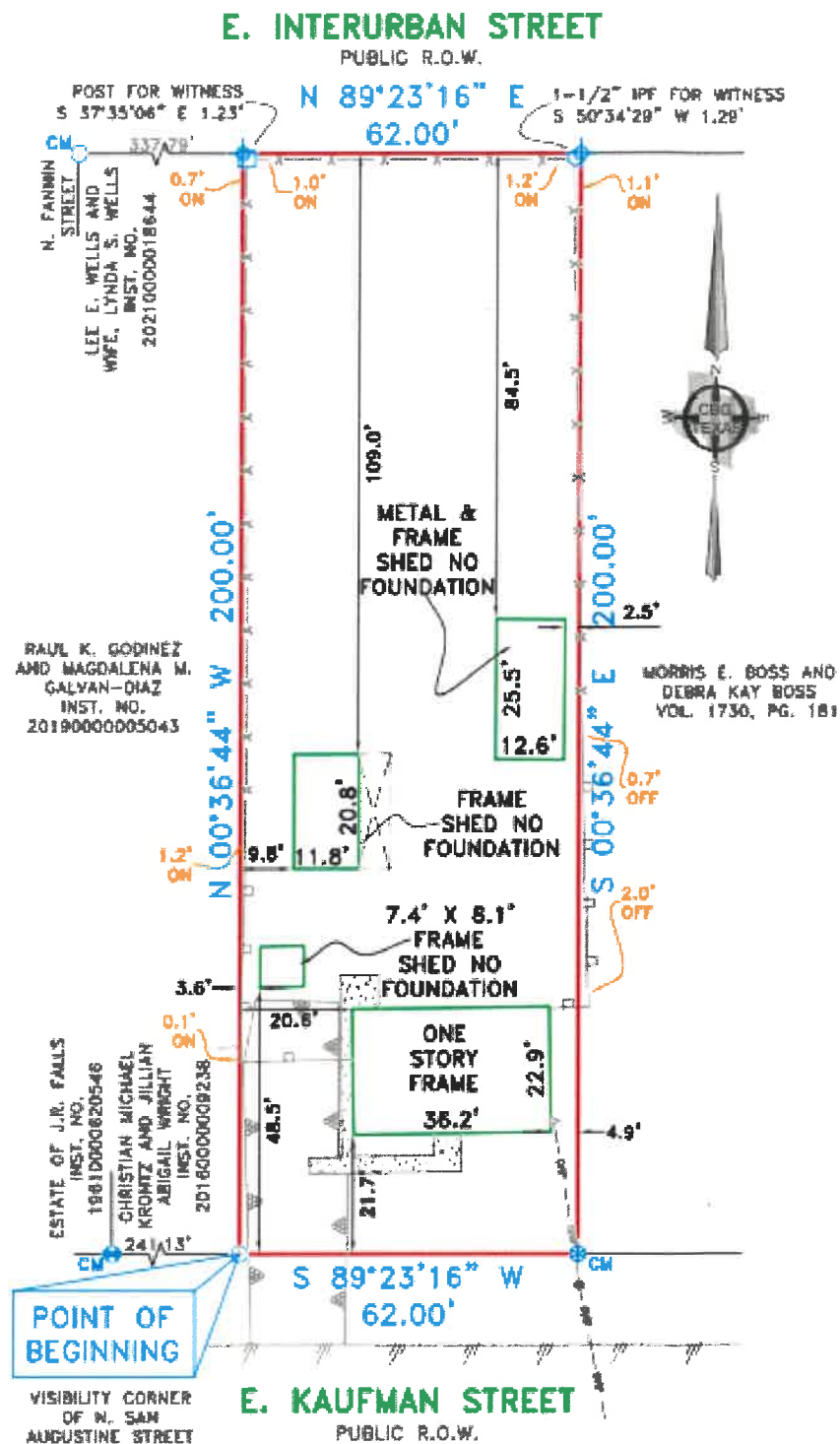
Date: 05/17/2024

GF NO.: ALG-1705-
3017052400350-JJ

Job No. 2407462



419 Century Plaza Dr., Ste. 210
Houston, TX 77073
P 214.348.9485
F 214.349.2216
Firm No. 10194280
www.cbgtllc.com



403 E. Kaufman Street

Being a tract of land situated in the Benjamin F. Boydston Survey, Abstract No. 14, Rockwall County, Texas, some being a tract of land conveyed to Vickie Sue Knight-Moonay, by deed recorded in Volume 306, Page 180, Deed Records of Rockwall County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch Iron rod found for corner, said corner being in the North line of East Kaufman Street (Public Right-of-Way), same being the Southeast corner of that tract of land conveyed to Raul K. Godinez and Magdalena M. Galvan-Diaz, by deed recorded in Instrument No. 2019000005043, Deed Records of Rockwall County, Texas, from which a 1 inch Iron rod found at the southern common corner of that tract of land conveyed to J.R. Falls, by deed recorded in Instrument No. 19610000620546, Deed Records of Rockwall County, Texas, and that tract of land conveyed to Christian Michael Krantz and Jillian Abigail Wright, by deed recorded in Instrument No. 2016000009238, Deed Records of Rockwall County, Texas, bears South 89 degrees 23 minutes 16 seconds West, a distance of 241.13 feet;

THENCE North 00 degrees 36 minutes 44 seconds West, along the East line of said Godinez/Galvan-Diaz Tract, a distance of 200.00 feet to a point for corner, said corner being in the South line of East Interurban Street (Public Right-of-Way), from which a 1/2 inch Iron rod found for witness at the Northwest corner of that tract of land conveyed to Lee E. Wells and wife, Lynda S. Wells, by deed recorded in Instrument No. 20210000018644, Deed Records of Rockwall County, Texas, bears South 89 degrees 23 minutes 16 seconds West, a distance of 337.79 feet, and from which a post found for witness bears South 37 degrees 35 minutes 06 seconds East, a distance of 1.23 feet;

THENCE North 89 degrees 23 minutes 16 seconds East, along the South line of said East Interurban Street, a distance of 62.00 feet to a point for corner, said corner being the Northwest corner of that tract of land conveyed to Morris E. Boss and Debra Kay Boss, by deed recorded in Volume 1730, Page 181, Deed Records of Rockwall County, Texas, from which a 1-1/2 inch Iron pipe found for witness bears South 50 degrees 34 minutes 29 seconds East, a distance of 1.29 feet;

THENCE South 00 degrees 36 minutes 44 seconds East, along the West line of said Boss tract, a distance of 200.00 feet to a 1 inch Iron pipe found for corner, said corner being in the North line of said East Kaufman Street, same being the Southwest corner of said Boss Tract;

THENCE South 89 degrees 23 minutes 16 seconds West, along the North line of said East Kaufman Street, a distance of 62.00 feet to the POINT OF BEGINNING and containing 12,400.00 square feet or 0.28 acres of land.

C:\Users\roy\Desktop\OTHER DESKTOP\ROCKWALL\ROCKWALL.pln

GENERAL NOTES AND SPECIFICATIONS

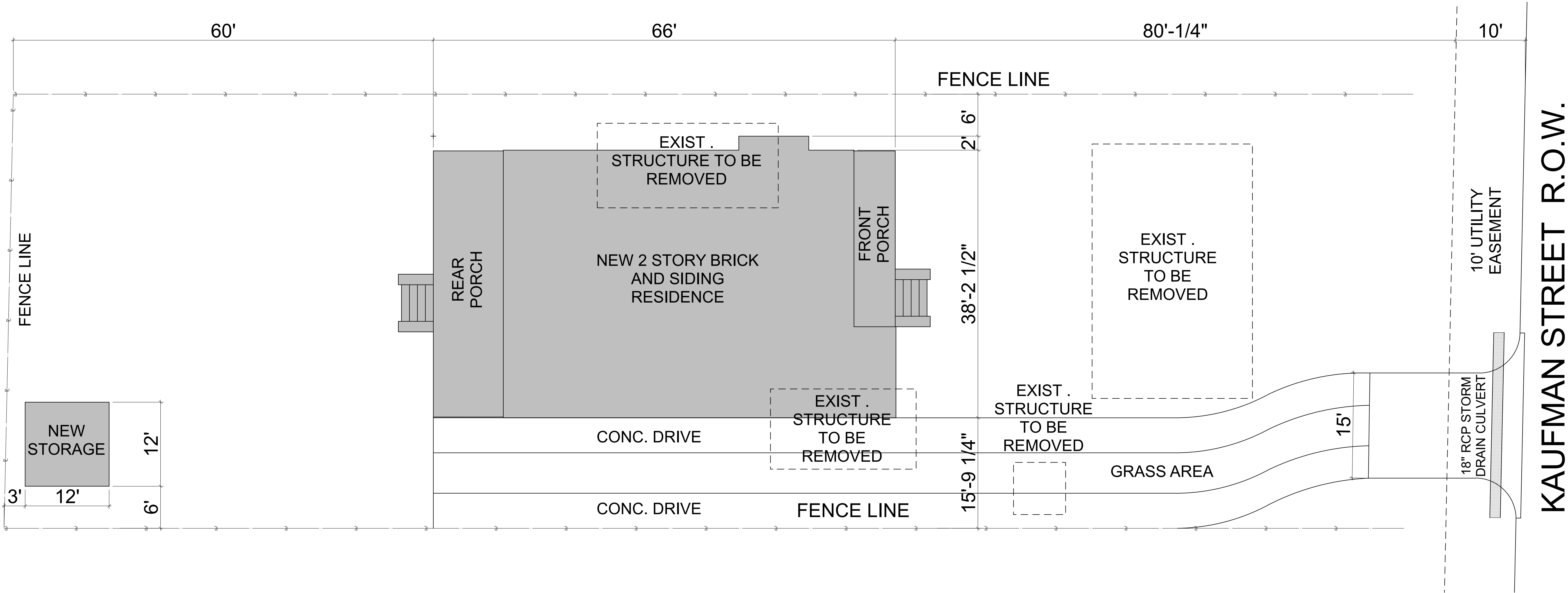
1. Comply with applicable building codes and related amendments.
2. Bring errors, omissions and inconsistencies in drawings or ambiguities between drawings and site construction conditions to attention of the Architect.
3. Notify Architect in event of discrepancies in contract documents.
4. Mechanical and landscape drawings by others.
5. Verify location of utilities serving site.
7. Location of HVAC units and water heaters, determined by others.
8. Vent clothes dryers to outside.
9. Run all roof vents behind front ridge.
10. Contractor to locate and coordinate placement of electrical fixtures and plumbing penetrations prior to placing ceiling joists.

FOR DIMENSIONING PURPOSES:

1. Do not scale drawings.
2. Verify dimensions, notify Architect of discrepancies.
3. All dimensions to face of stud or outside face of foundation unless otherwise indicated.

SQUARE FOOTAGES

A/C		NON A/C	
FIRST FLOOR	1,920 s.f.	FRONT PORCH	148 s.f.
SECOND FLOOR	353 s.f.	REAR PORCH	380 s.f.
TOTAL	2,273 s.f.		
		TOTAL NON A/C	528 s.f.



01 SITE PLAN
SCALE: 1/8" = 1'-0"

Revisions

UNAUTHORIZED USE OF THESE PLANS INCLUDING FORM AND ARRANGEMENT OF SPACES, DAYMIND OTHER ASPECTS OF THE DESIGN

WILL SUBJECT THE INFRINGER TO DAMAGES AND/OR JUDICIAL ACTION AS PROVIDED BY FEDERAL LAW.

New Construction For

403 E. KAUFMAN STREET

403 E. KAUFMAN STREET, ROCKWALL, TEXAS 75032

ROY KINDRED
214.235.2646
roy@rekarchitect.com
rekarchitect.com

& ASSOCIATES

R. E. KINDRED
ARCHITECT

5651 Legacy Circle #600
Plano, Texas 75024

REGISTERED ARCHITECT
STATE OF TEXAS
07-36-24

Date

07-30-24

Job Address

403 E. Kaufman Street
Rockwall, Texas 75032

Drawn by

R.E.K.

Checked by

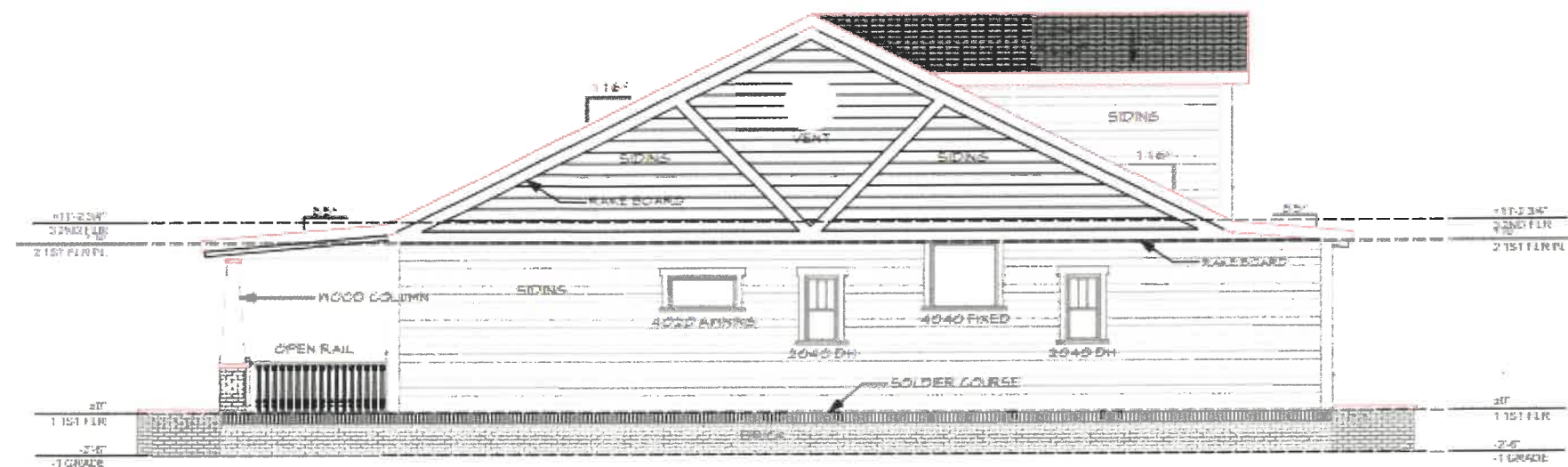
R.E.K.

Sheet Number

A 1.00

Plotted On: 8/30/2024

Page 260 of 344



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



01 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

526

New Construction For
403 E. KAUFMAN STREET
403 E. KAUFMAN STREET, ROCKWALL, TEXAS 75082



THE UNITED
NATIONS
NATURAL RESOURCES
RESEARCH INSTITUTE
UNITED NATIONS
NATURAL RESOURCES
RESEARCH INSTITUTE
UNITED NATIONS

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2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 26

Global's Big	Global's Big
--	--

☐ Table 2.1	☐ Table 2.2
--	--

2004 Honda

A 1.02

Product Code: 1572001



FRONT VIEW



FRONT VIEW



RIGHT SIDE VIEW



LEFT SIDE VIEW



REAR VIEW



CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2024-040

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

ADJACENT HOUSING ATTRIBUTES

ADDRESS	HOUSING TYPE	YEAR BUILT	HOUSE SF	ACCESSORY BUILDING	EXTERIOR MATERIALS
202 N. Fannin Street	Commercial	1985	3,100	N/A	Brick and Stucco
204 N. Fannin Street	Vacant	N/A	N/A	N/A	N/A
305 E. Kaufman Street	Single-Family Home	1910	1,622	N/A	Siding
307 E. Kaufman Street	Single-Family Home	1980	1,403	N/A	Siding
401 E. Kaufman Street	Single-Family Home	1975	1,704	N/A	Siding
403 E. Kaufman Street	Vacant	N/A	N/A	N/A	N/A
405 E. Kaufman Street	Vacant	N/A	N/A	N/A	N/A
501 E. Kaufman Street	Single-Family Home	1995	1,616	N/A	Brick
503 E. Kaufman Street	Single-Family Home	1987	1,712	N/A	Brick
505 E. Kaufman Street	Single-Family Home	1989	1,616	100	Brick
AVERAGES:		1974	1,825	100	



CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2024-040

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



202 N. Fannin Street



204 N. Fannin Street



CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2024-040

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



305 E. Kaufman Street



307 E. Kaufman Street



CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2024-040

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



401 E. Kaufman Street



403 E. Kaufman Street



CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2024-040

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



405 E. Kaufman Street



501 E. Kaufman Street



CITY OF ROCKWALL

HOUSING ANALYSIS FOR CASE NO. Z2024-040

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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



503 E. Kaufman Street



505 E. Kaufman Street

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

SPECIFIC USE PERMIT NO. S-3XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR *RESIDENTIAL INFILL IN AN ESTABLISHED SUBDIVISION* TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON A 0.2850-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 5B, BLOCK 5, GRIFFITH ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Carol A. Byrd for the approval of a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* for the purpose of constructing a single-family home on a 0.2850-acre parcel of land identified as Lot 5B, Block 5, Griffith Addition, City of Rockwall, Rockwall County, Texas, zoned for Single-Family 7 (SF-7) District land uses, addressed as 403 E. Kaufman Street, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 03.01, *General Residential District Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore

amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

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

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

2.2 COMPLIANCE

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

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

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 7th DAY OF OCTOBER, 2024.

Trace Johannesen, Mayor

ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank J. Garza, City Attorney

1st Reading: September 16, 2024

2nd Reading: October 7, 2024

Exhibit 'A':
Location Map

Address: 403 E. Kaufman Street

Legal Description: Lot 5B, Block 5, Griffith Addition



Exhibit 'B':
Residential Plot Plan

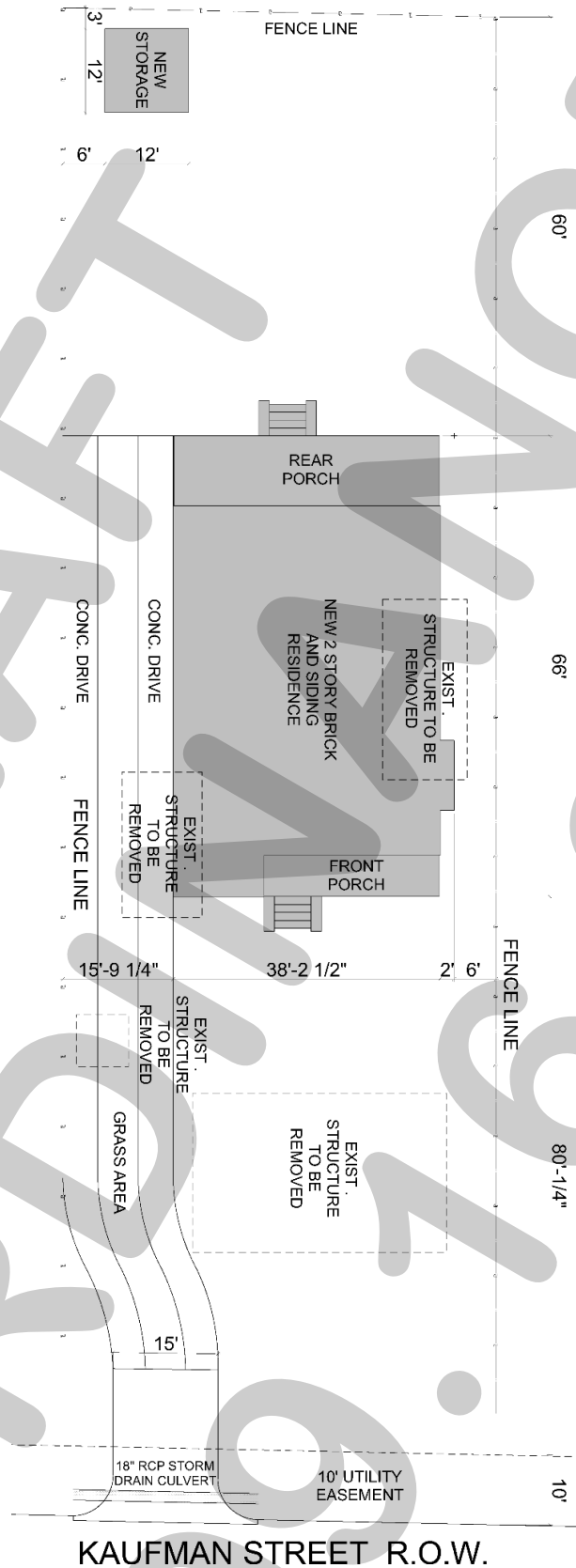
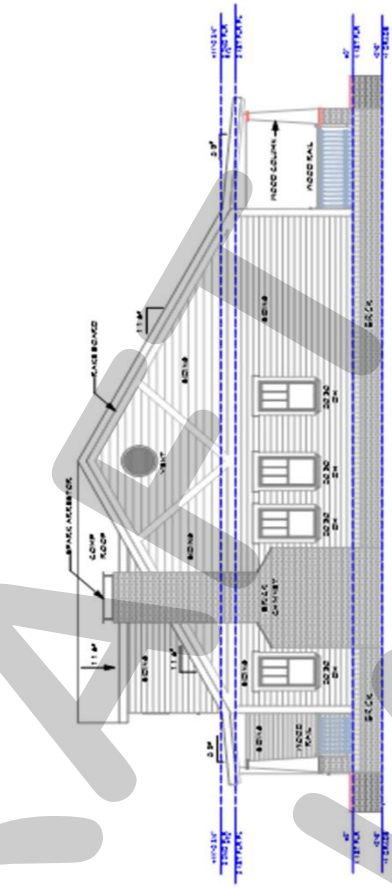
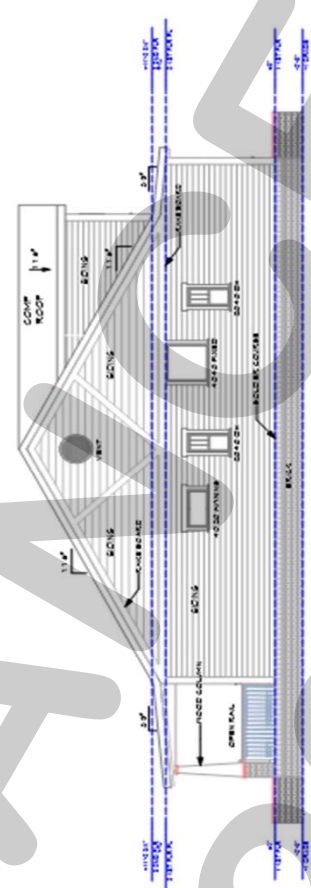


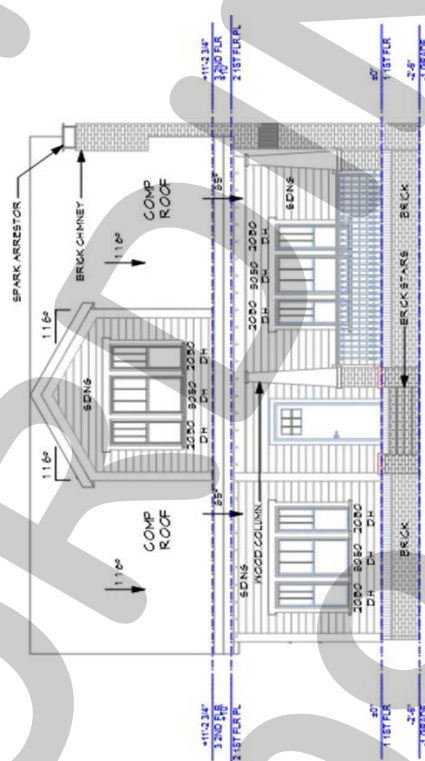
Exhibit 'C':
Building Elevations



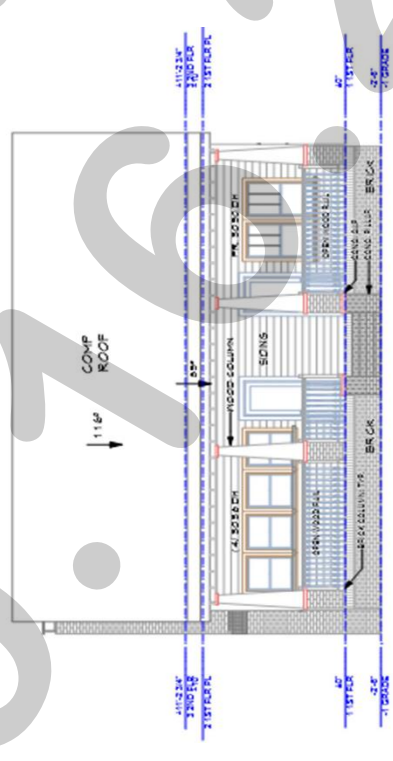
RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council Members
FROM: Kristy Teague, City Secretary / Asst. to the City Manager
DATE: September 13, 2024
SUBJECT: Appointment of 2024-2025 YAC Members

The existing Youth Advisory Council (YAC) students held brief interviews with about 20 applicants on Thurs., Sept. 5 in order to fill five (5) vacant seats after YAC seniors graduated last May. The number of applications we received almost doubled this year over last year, and the quality of applicants was again superior (as is always the case, year-by-year). Having such great applicants, many of whom performed very well in their interviews and had glowing letters of recommendation, made the selection process really challenging this time around. However, the returning/existing YAC students (all of whom participated in the 09/05 interview process) did manage to whittle down the applicants, and two of them – Keaton Steen (Senior, RHHA) and Contessa Barron (Senior, RHS) – will be present at Monday's City Council meeting to recommend that the following slate of students be considered for appointment by the City Council this school year:

	Youth Advisory Council (Grade / School)	First Name	Last Name
1	Senior (RHHS)	Keaton	Steen
2	Senior (RHS)	Contessa	Barron
3	Senior (RHS)	Kaylen	Pruitt
4	Senior (RHS)	Evan	Haack
5	Junior (RHS)	Allison	Nielsen
6	Junior (RHS)	Ellie	McReynolds
7	Junior (RHS)	Vincent	Vento
8	Junior (RHS)	Luke	LaGrange
9	Sophomore (RHS)	Darby	Jorif
10	Sophomore (RHS)	Ethan	Abraham
11	Freshman (RHS)	David	Ajayi
12	Sophomore (RHS)	Reagan	Reazor

#s 1-7 will be returning YAC students
#s 8-12 will be brand new students

In addition to the students named above, there was one, additional student who the adult advisors would like Council to consider appointing this school year as well. He is as follows:

13	Freshman (RHS) (9th Grade Campus)	Vincent	Harris
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CITY OF ROCKWALL, TEXAS MEMORANDUM

TO: Honorable Mayor and City Council

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

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

DATE: September 16, 2024

SUBJECT: Harbor Bay Marina, LLC

This memo is for a request to extend the 5-year improvement plan in the concession agreement dated May 20, 2022 by one year. The sale of the Harbor Bay Marina owned by the Harbor Bay Marina Corporation to Harbor Bay Marina, LLC a newly formed LLC owned by the Brooke Development Company, LLC was completed in August 2024.

This request is due to the severe storms that significantly damaged the marina on May 28, 2024 and storm repairs by previous owner were in process when the sale was completed. This one-year extension will allow the new owners to focus on completing the storm related damage to the marina while continuing to work on the improvement plan. The previous owner had completed years one and two of the work improvement plan and had started year three in May 2024 and were on track to be completed by year five before the storm impact. Inspections were performed by city staff yearly.

The Brooke Development Company agreed to the re-assignment of the concession agreement which also included the 5-year work improvement plan which just started year three and was on track to be completed by year five. The marina was impacted by the severe storms that impacted Rockwall on May 28, 2024. The Brooke Development Company, LLC was aware of the damages to the marina and this did not impact the decision to proceed with the purchase and re-assignment of the marina. Staff will assist as needed to keep the new 6-year work plan on target with communication and routine inspections.

Consider authorizing the City Manager to execute an updated "Concession Agreement" (reflecting a six-year improvement plan) with Harbor Bay Marina, LLC., wholly owned by Brooke Development Company, LLC, and take any action necessary.

CITY OF ROCKWALL, TEXAS

RESOLUTION NO. 24-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS AUTHORIZING THE CITY OF ROCKWALL ("THE CITY") TO CONSENT TO THE ASSIGNMENT OF MARINA CONCESSION AGREEMENT RELATED TO THE OPERATION OF THE MARINA AT LAKE RAY HUBBARD FROM HARBOR BAY MARINA CORPORATION TO HARBOR BAY MARINA, LLC, A NEWLY FORMED ARKANSAS LIMITED LIABILITY COMPANY WHOLLY OWNED BY BROOKE DEVELOPMENT COMPANY, LLC AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL DOCUMENTS RELATED THERETO; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and Waterside Corporation entered into a twenty (20) year Concession Agreement related to the development and operation of the marina at Lake Ray Hubbard on December 1, 1987; and

WHEREAS, the City and Waterside Corporation on January 24, 2002, approved an Amendment to the Concession Agreement where the parties approved the assignment of the Concession Agreement from Waterside Corporation to Harbor Bay Marina Corporation, extended the Concession Agreement until December 31, 2021; and

WHEREAS, the City and Harbor Bay Marina Corporation agreed to enter into a new Concession Agreement in April 2022 for a twenty-five (25) year contract to allow Harbor Bay to make substantial investment and improvements to the marina; and

WHEREAS, pursuant to Section 11 A of the 2022 Agreement, Harbor Bay Marina Corporation, wishes to assign to Harbor Bay Marina, LLC, a newly formed Arkansas company wholly owned by Brooke Development Company, LLC. all of Harbor Bay Marina Corporation's rights, powers, liabilities, obligations, duties, and responsibilities and benefits under the Agreement, including, without limitation, Harbor Bay Marina Corporation's contractual obligation to provide for the Five Year Improvement Plan as defined in the Agreement; and

WHEREAS, per Section 11 A of the Agreement, the City must approve the Assignment of the Concession Agreement from Harbor Bay Marina Corporation to Harbor Bay, LLC., wholly owned by Brooke Development Company, LLC; and

WHEREAS, therefore the City will be releasing Harbor Bay Marina Corporation from any and all obligations from the 2022 Agreement and Harbor Bay, LLC., wholly owned by Brooke Development Company, LLC, after the effective date of the Assignment shall be obligated for the discharge and performance of any and all duties and obligations to be performed and/or discharged by Harbor Bay, LLC. thereunder from and after the effective date.

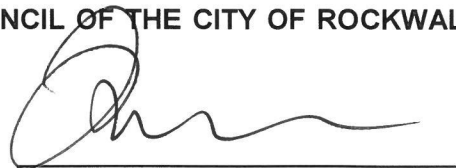
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS THAT:

SECTION 1. The City Council of the City of Rockwall, TX finds that Harbor Bay Marina Corporation is not in default under the terms of the Concession Agreement and acknowledges that Harbor Bay, LLC., wholly owned by Brooke Development Company, LLC is willing to continue, without limitation all duties and obligations of Harbor Bay Marina Corporation under the April 2022 Concession Agreement.

SECTION 2. The City Council of the City of Rockwall, TX hereby approves and consents to the Contract Assignment, a copy of which is attached hereto as ***Exhibit A*** and incorporated herein for all purposes and authorizes the City Manager to execute said Contract Assignment Consent Agreement and all other documents necessary to finalize the Assignment.

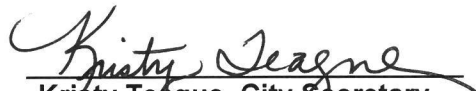
SECTION 3. This Resolution shall take effect immediately upon its passage, and it is so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,
TEXAS THIS 3rd day of JUNE, 2024.



Trace Johannesen, Mayor

ATTEST:



Kristy Teague, City Secretary

EXHIBIT A

CONTRACT ASSIGNMENT CONSENT AGREEMENT

City of Rockwall, Texas Marina Concession Agreement

This Contract Assignment Consent Agreement (the “Assignment”), by and among the **City of Rockwall Texas**, (“City”), a Texas municipality and political subdivision of the State of Texas and **Harbor Bay Marina Corporation**, a Texas corporation, (“Harbor Bay”), serves as written consent by City for Harbor Bay to assign the current Marina Concession Agreement, attached hereto as Exhibit A, (the “*Agreement*”), from **Harbor Bay Marina Corporation**, (the “Assignor”), to **Harbor Bay Marina, LLC**, a newly formed Arkansas limited liability company wholly owned by **Brooke Development Company, LLC**, an Arkansas limited liability company (“Harbor Bay, LLC”) (the “Assignee”).

WITNESSETH:

WHEREAS, the City and Waterside Corporation entered into a twenty (20) year Concession Agreement related to the development and operation of the marina at Site E at Lake Ray Hubbard on December 1, 1987; and

WHEREAS, the City and Waterside Corporation on January 24, 2002 approved an Amendment to the Concession Agreement where the parties approved the assignment of the Concession Agreement from Waterside Corporation to Harbor Bay Marina Corporation, extended the Concession Agreement until December 31, 2021, and required additional improvements by Concessionaire

WHEREAS, the City and Harbor Bay Marina Corporation agreed to enter into a new Concession Agreement (“Agreement”) in April 2022 for a twenty-five (25) year contract to allow Harbor Bay to make substantial investment and improvements to the marina and to allow for Harbor Bay to recoup such investment; and

WHEREAS, pursuant to Section 11 A of the 2022 Agreement, Assignor, per this Assignment, wishes to assign to the Assignee all of Assignor’s rights, powers, liabilities, obligations, duties, and responsibilities and benefits under the Agreement, including, without limitation, Assignor’s contractual obligation to provide for the Five Year Improvement Plan; (as defined in the Agreement); and

WHEREAS, all terms used herein not otherwise defined herein shall have the meanings ascribed thereto in the 2022 Concession Agreement; and

WHEREAS, therefore the City will be releasing the Assignor from any and all obligations from the 2022 Agreement and Assignee, after the effective date of the Assignment shall be obligated for the discharge and performance of any and all duties and obligations to be performed and/or discharged by Assignee thereunder from and after the effective date; and

WHEREAS, per Section 11 A of the Agreement, the City must agree to the Assignment of the Agreement from Harbor Bay Marina Corporation to Harbor Bay, LLC., wholly owned by Brooke Development Company, LLC;

NOW, THEREFORE, in consideration of the terms set forth herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby confirmed, the Assignor agrees as follows:

SECTION 1. Assignment. In accordance with Section 11 A of the 2022 Concession Agreement, the City hereby assigns and delegates from Harbor Bay Marina Corporation to Harbor Bay, LLC., wholly owned by Brooke Development Company, the Agreement executed between the City and Harbor Bay the license, right and privilege to operate on the terms and conditions set forth in the marina complex at Site E on Lake Ray Hubbard, more particularly described on **Exhibit "A"** of the Agreement. Harbor Bay, LLC. assumes all obligations and Harbor Bay, LLC. acknowledges this Assignment is subject in all respects to the terms and conditions of the original Agreement approved by the City and Harbor Bay. Nothing contained in this Assignment shall be deemed to supersede any of the representations, warranties, covenants or other agreements contained in the original Agreement. To the extent any provision of this Assignment is inconsistent with the original Agreement and Amendment, the provisions of the original Agreement shall control unless hereby amended by this Agreement or future Amendment.

SECTION 2. Authorization of the Assignee. The Assignor hereby irrevocably authorizes and empowers the Assignee or its agent, to assert, either directly or on behalf of the Assignor, any right, privilege or claim the Assignor may from time to time have under the Agreement, as the Assignee may deem proper.

SECTION 3. Continued Effectiveness. This Assignment shall continue in effect until all terms and conditions of the 2022 Concession Agreement have been fully completed by Assignee and accepted by City.

SECTION 4. Applicable Law; Successors and Assigns. **THIS ASSIGNMENT SHALL BE GOVERNED BY AND CONSTRUED ACCORDING TO THE LAWS OF THE STATE OF TEXAS AND SHALL BE BINDING UPON THE PARTIES THERETO AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.**

SECTION 5. Obligations. The Assignee expressly acknowledges and agrees that it shall now be liable under the Agreement to observe and perform all of the conditions and obligations therein contained to be observed and performed by it, including but not limited to Indemnification and Insurance. As of the effective date of this Assignment, neither this Assignment shall cause the Assignor to be under any obligation or liability in any respect whatsoever to any party to the Agreement for the observance or performance of any of the representations, warranties, conditions, covenants, agreements or terms therein contained unless expressly assumed by the Assignor.

SECTION 6. Representations and Warranties. As a material inducement, the Assignor makes the following representations and warranties:

(a) **Authorization.** The execution, delivery and performance by the Assignor of this Assignment have been duly authorized by all necessary action on the part of the Assignor and do not require any approval or consent of any other person, except for the consent of the City and approvals or consents which have been duly obtained and are in full force and effect; and

(b) Subject Agreement. (i) The Agreement is in full force and effect in accordance with its terms, (ii) as of the date hereof, to the knowledge of the Assignor, there are no defaults thereunder and (iii) the Assignor has not otherwise assigned, mortgaged, pledged, transferred or hypothecated the Assignor's right, title and interest in and to the Agreement.

SECTION 7. General.

(a) Notices. All notices and other communications provided to any party hereto under this Agreement shall be in writing, shall be delivered by hand or overnight courier service, mailed by certified or registered mail or sent by telecopier, and addressed to such party as follows:

If to the Assignor: Harbor Bay Marina Corporation
3701 Windjammer
Rockwall, Texas 75087
Attention: Jim Rosenberg, President

If to the Assignee: **Harbor Bay Marina, LLC**
wholly owned by **Brooke Development Company, LLC**
Brad Hasselwander
1793 Hwy 201 North
Mountain Home, AR 72653

If to the City: The City of Rockwall
385 S Goliad
Rockwall, Texas
Attention: City Manager

The above parties may, by notice given hereunder, designate any further or different addresses to which subsequent notices or other communications shall be sent. Notices sent by hand or overnight courier service, or mailed by certified or registered mail, shall be deemed to have been given when received; notices sent by telecopier shall be deemed to have been given when sent (except that, if not given during normal business hours for the recipient, shall be deemed to have been given at the opening of business on the next business day for the recipient).

(b) Entire Agreement. This Agreement constitutes the entire understanding among the parties hereto with respect to the subject matter hereof and supersedes any prior agreements, written or oral, with respect thereto.

(c) Counterparts. This Agreement may be executed by the parties hereto in several counterparts, each of which shall be deemed to be an original and all of which shall constitute but one and the same agreement.

(d) Headings Descriptive. The headings of the several sections and subsections of this Agreement are inserted for convenience only and shall not in any way affect the meaning or construction of any provision of this Agreement.

(e) Severability. Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions of this Agreement or affecting the validity or enforceability of such provisions in any other jurisdiction.

(f) Amendment, Waiver. Neither this Agreement nor any of the terms hereof may be terminated, amended, supplemented, waived or modified except by an instrument in writing signed by the parties hereto.

(g) Survival. All agreements, statements, representations and warranties made by the Assignor herein shall be considered to have been relied upon by the Assignee and shall survive the execution and delivery of this Agreement.

(h) No Waiver; Remedies Cumulative. No failure or delay on the part of the Assignee in exercising any right, power or privilege hereunder and no course of dealing between the Assignor and the Assignee shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power or privilege hereunder preclude any other exercise, or the further exercise, of any other right, power or privilege hereunder. The rights and remedies herein expressly provided are cumulative and not exclusive of any rights or remedies which the Assignee or the Assignor would otherwise have.

IN WITNESS WHEREOF, this instrument has been duly executed and delivered as of the date first written above.

ASSIGNOR OF ORIGINAL
AGREEMENT

Harbor Bay Marina Corporation,

By: James M. Rosenberg

Name: Jim Rosenberg

Title: President

ASSIGNEE ACCEPTANCE OF ASSIGNMENT
OF ORIGINAL AGREEMENT

Harbor Bay Marina, LLC, a newly formed
Arkansas limited liability company wholly owned
by Brooke Development Company, LLC.,

By: BRH
BRAD HASSELWANDER (May 17, 2024 16:57 CDT)

Name: Brad Hasselwander

Title: Manager

CONSENT TO ASSIGNMENT

The City of Rockwall, Texas, a municipal corporation located in Rockwall County, Texas, hereby acknowledges the terms of the foregoing Assignment of the Concession Agreement for the Marina and consents thereto.

IN WITNESS WHEREOF, the undersigned has executed this Consent to Assignment as of the date of such Assignment.

City of Rockwall, Texas

By: _____

Mary Smith
City Manager

ATTEST: _____

Kristy Teague
City Secretary

06/03/2024
Date

EXHIBIT A

CONTRACT ASSIGNMENT CONSENT AGREEMENT City of Rockwall, Texas Marina Concession Agreement

This Contract Assignment Consent Agreement (the "Assignment"), by and among the **City of Rockwall Texas**, ("City"), a Texas municipality and political subdivision of the State of Texas and **Harbor Bay Marina Corporation**, a Texas corporation, ("Harbor Bay"), serves as written consent by City for Harbor Bay to assign the current Marina Concession Agreement, attached hereto as Exhibit A, (the "*Agreement*"), from **Harbor Bay Marina Corporation**, (the "Assignor"), to **Harbor Bay Marina, LLC**, a newly formed Arkansas limited liability company wholly owned by **Brooke Development Company, LLC**, an Arkansas limited liability company ("Harbor Bay, LLC") (the "Assignee").

WITNESSETH:

WHEREAS, the City and Waterside Corporation entered into a twenty (20) year Concession Agreement related to the development and operation of the marina at Site E at Lake Ray Hubbard on December 1, 1987; and

WHEREAS, the City and Waterside Corporation on January 24, 2002 approved an Amendment to the Concession Agreement where the parties approved the assignment of the Concession Agreement from Waterside Corporation to Harbor Bay Marina Corporation, extended the Concession Agreement until December 31, 2021, and required additional improvements by Concessionaire

WHEREAS, the City and Harbor Bay Marina Corporation agreed to enter into a new Concession Agreement ("Agreement") in April 2022 for a twenty-five (25) year contract to allow Harbor Bay to make substantial investment and improvements to the marina and to allow for Harbor Bay to recoup such investment; and

WHEREAS, pursuant to Section 11 A of the 2022 Agreement, Assignor, per this Assignment, wishes to assign to the Assignee all of Assignor's rights, powers, liabilities, obligations, duties, and responsibilities and benefits under the Agreement, including, without limitation, Assignor's contractual obligation to provide for the Five Year Improvement Plan; (as defined in the Agreement); and

WHEREAS, all terms used herein not otherwise defined herein shall have the meanings ascribed thereto in the 2022 Concession Agreement; and

WHEREAS, therefore the City will be releasing the Assignor from any and all obligations from the 2022 Agreement and Assignee, after the effective date of the Assignment shall be obligated for the discharge and performance of any and all duties and obligations to be performed and/or discharged by Assignee thereunder from and after the effective date; and

WHEREAS, per Section 11 A of the Agreement, the City must agree to the Assignment of the Agreement from Harbor Bay Marina Corporation to Harbor Bay, LLC., wholly owned by Brooke Development Company, LLC;

NOW, THEREFORE, in consideration of the terms set forth herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby confirmed, the Assignor agrees as follows:

SECTION 1. Assignment. In accordance with Section 11 A of the 2022 Concession Agreement, the City hereby assigns and delegates from Harbor Bay Marina Corporation to Harbor Bay, LLC., wholly owned by Brooke Development Company, the Agreement executed between the City and Harbor Bay the license, right and privilege to operate on the terms and conditions set forth in the marina complex at Site E on Lake Ray Hubbard, more particularly described on **Exhibit "A"** of the Agreement. Harbor Bay, LLC. assumes all obligations and Harbor Bay, LLC. acknowledges this Assignment is subject in all respects to the terms and conditions of the original Agreement approved by the City and Harbor Bay. Nothing contained in this Assignment shall be deemed to supersede any of the representations, warranties, covenants or other agreements contained in the original Agreement. To the extent any provision of this Assignment is inconsistent with the original Agreement and Amendment, the provisions of the original Agreement shall control unless hereby amended by this Agreement or future Amendment.

SECTION 2. Authorization of the Assignee. The Assignor hereby irrevocably authorizes and empowers the Assignee or its agent, to assert, either directly or on behalf of the Assignor, any right, privilege or claim the Assignor may from time to time have under the Agreement, as the Assignee may deem proper.

SECTION 3. Continued Effectiveness. This Assignment shall continue in effect until all terms and conditions of the 2022 Concession Agreement have been fully completed by Assignee and accepted by City.

SECTION 4. Applicable Law; Successors and Assigns. **THIS ASSIGNMENT SHALL BE GOVERNED BY AND CONSTRUED ACCORDING TO THE LAWS OF THE STATE OF TEXAS AND SHALL BE BINDING UPON THE PARTIES THERETO AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.**

SECTION 5. Obligations. The Assignee expressly acknowledges and agrees that it shall now be liable under the Agreement to observe and perform all of the conditions and obligations therein contained to be observed and performed by it, including but not limited to Indemnification and Insurance. As of the effective date of this Assignment, neither this Assignment shall cause the Assignor to be under any obligation or liability in any respect whatsoever to any party to the Agreement for the observance or performance of any of the representations, warranties, conditions, covenants, agreements or terms therein contained unless expressly assumed by the Assignor.

SECTION 6. Representations and Warranties. As a material inducement, the Assignor makes the following representations and warranties:

(a) **Authorization.** The execution, delivery and performance by the Assignor of this Assignment have been duly authorized by all necessary action on the part of the Assignor and do not require any approval or consent of any other person, except for the consent of the City and approvals or consents which have been duly obtained and are in full force and effect; and

(b) Subject Agreement. (i) The Agreement is in full force and effect in accordance with its terms, (ii) as of the date hereof, to the knowledge of the Assignor, there are no defaults thereunder and (iii) the Assignor has not otherwise assigned, mortgaged, pledged, transferred or hypothecated the Assignor's right, title and interest in and to the Agreement.

SECTION 7. General.

(a) Notices. All notices and other communications provided to any party hereto under this Agreement shall be in writing, shall be delivered by hand or overnight courier service, mailed by certified or registered mail or sent by telecopier, and addressed to such party as follows:

If to the Assignor: Harbor Bay Marina Corporation
3701 Windjammer
Rockwall, Texas 75087
Attention: Jim Rosenberg, President

If to the Assignee: **Harbor Bay Marina, LLC**
wholly owned by **Brooke Development Company, LLC**
Brad Hasselwander
1793 Hwy 201 North
Mountain Home, AR 72653

If to the City: The City of Rockwall
385 S Goliad
Rockwall, Texas
Attention: City Manager

The above parties may, by notice given hereunder, designate any further or different addresses to which subsequent notices or other communications shall be sent. Notices sent by hand or overnight courier service, or mailed by certified or registered mail, shall be deemed to have been given when received; notices sent by telecopier shall be deemed to have been given when sent (except that, if not given during normal business hours for the recipient, shall be deemed to have been given at the opening of business on the next business day for the recipient).

(b) Entire Agreement. This Agreement constitutes the entire understanding among the parties hereto with respect to the subject matter hereof and supersedes any prior agreements, written or oral, with respect thereto.

(c) Counterparts. This Agreement may be executed by the parties hereto in several counterparts, each of which shall be deemed to be an original and all of which shall constitute but one and the same agreement.

(d) Headings Descriptive. The headings of the several sections and subsections of this Agreement are inserted for convenience only and shall not in any way affect the meaning or construction of any provision of this Agreement.

(e) Severability. Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions of this Agreement or affecting the validity or enforceability of such provisions in any other jurisdiction.

(f) Amendment, Waiver. Neither this Agreement nor any of the terms hereof may be terminated, amended, supplemented, waived or modified except by an instrument in writing signed by the parties hereto.

(g) Survival. All agreements, statements, representations and warranties made by the Assignor herein shall be considered to have been relied upon by the Assignee and shall survive the execution and delivery of this Agreement.

(h) No Waiver; Remedies Cumulative. No failure or delay on the part of the Assignee in exercising any right, power or privilege hereunder and no course of dealing between the Assignor and the Assignee shall operate as a waiver thereof, nor shall any single or partial exercise of any right, power or privilege hereunder preclude any other exercise, or the further exercise, of any other right, power or privilege hereunder. The rights and remedies herein expressly provided are cumulative and not exclusive of any rights or remedies which the Assignee or the Assignor would otherwise have.

IN WITNESS WHEREOF, this instrument has been duly executed and delivered as of the date first written above.

ASSIGNOR OF ORIGINAL
AGREEMENT

Harbor Bay Marina Corporation,

By: James M. Rosenberg

Name: Jim Rosenberg

Title: President

ASSIGNEE ACCEPTANCE OF ASSIGNMENT
OF ORIGINAL AGREEMENT

Harbor Bay Marina, LLC, a newly formed
Arkansas limited liability company wholly owned
by Brooke Development Company, LLC.,

By: BRH
BRAD HASSELWANDER (May 17, 2024 16:57 CDT)

Name: Brad Hasselwander

Title: Manager

CONSENT TO ASSIGNMENT

The City of Rockwall, Texas, a municipal corporation located in Rockwall County, Texas, hereby acknowledges the terms of the foregoing Assignment of the Concession Agreement for the Marina and consents thereto.

IN WITNESS WHEREOF, the undersigned has executed this Consent to Assignment as of the date of such Assignment.

City of Rockwall, Texas

By: _____

Mary Smith
City Manager

ATTEST: _____

Kristy Teague
City Secretary

06/03/2024
Date

STATE OF TEXAS §

§ KNOW ALL BY THESE PRESENTS:

COUNTY OF ROCKWALL §

FIRST AMENDMENT TO CONCESSION AGREEMENT

This **FIRST AMENDMENT TO THE CONCESSION AGREEMENT** (hereinafter referred to as the “**Amendment**”) entered by the Parties in July 2018 (hereinafter referred to as the “**Agreement**”) is entered into by and between the **CITY OF ROCKWALL, TEXAS**, a Political Subdivision of the State of Texas (“City”), and **HARBOR BAY MARINA, LLC WHOLLY OWNED BY BROOKE DEVELOPMENT COMPANY, LLC** (“Concessionaire”) entered into a Contract Assignment Consent Agreement on June 3, 2024 to assume the contract held by Harbor Bay Marina Corporation.

WHEREAS, the City of Dallas is the owner of an approximately 22,745-acre reservoir located in Dallas, Kaufman, Collin and Rockwall Counties and commonly known as Lake Ray Hubbard (the “Lake”); and

WHEREAS, the City of Dallas entered into a Concession Agreement dated May 25, 1970, with Lakeside Marina, Inc., relating to the development and operation of a public marina at Site E on Lake Ray Hubbard; and

WHEREAS, the City of Dallas assigned its interest as landlord in the Concession Agreement to the City of Rockwall by an assignment dated November 13, 1972, and Lakeside Marina, Inc. subsequently assigned its interest in the Concession Agreement to other concessionaires; and

WHEREAS, the City and Waterside Corporation entered into a twenty (20) year Concession Agreement related to the development and operation of the Marina at Site E at Lake Ray Hubbard on December 1, 1987; and

WHEREAS, the City and Waterside Corporation on January 24, 2002 approved the Second Amendment to the Concession Agreement where the parties approved the assignment of the Concession Agreement from Waterside Corporation to Harbor Bay Marina Corporation, extended the Concession Agreement until December 31, 2021, and required additional improvements by Concessionaire; and

WHEREAS, the City and Harbor Bay Marina Corporation agreed to extend the expiration of the Concession Agreement from December 31, 2021 to June 30, 2022, to allow for the development of this new long-term Agreement; and

WHEREAS, on April 27, 2022 the City and Harbor Bay Marina Corporation agreed to a new long term twenty-five (25) year contract which called for extensive five-year Improvement Plan; and

WHEREAS, the City and Harbor Bay Marina, LLC wholly owned by Brooke Development Company, LLC entered into a Contract Assignment Consent Agreement on June 3, 2024 to assume the April 27, 2022, Harbor Bay Marina Corporation contract; and

WHEREAS, Harbor Bay Marina, LLC owned by the Brooke Development Company, LLC has requested to extend the five (5) year improvement plan in the concession agreement by one year and this request is due to the severe storms that significantly damaged the Marina on May 28, 2024 and storm repairs by previous owner were in process when the sale was completed; and

WHEREAS, this one-year extension will allow the new owners to focus on completing the storm related damage to the Marina while continuing to work on the improvement plan and staff will assist as needed to keep the new six (6)year work plan on target with communication and routine inspection;

NOW, THEREFORE, for and in consideration of the above recitals and the terms and conditions set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Concessionaire hereby agree as follows:

SECTION 1. Amendment to Section 8 of the Agreement

8. Required Programs of Action

Total allowed dry / wet boat slips is 780

6-year improvement plan projected at \$2,500,000.00

6-year Improvement Plan

Concessionaire shall, at its sole cost and expense, endeavor to complete the following repairs within the indicated time frames. Note that many of these projects will overlap, depending on materials and weather and may be completed sooner than projected.

Year 1 to 2 Commencing on the date of this Agreement:

- Repaint the front of the boathouses, all of the marina store and the fishing house.
- Repaint the upright posts throughout the marina that are not galvanized and individual's dock boxes.
- Replace 10% of the existing Styrofoam with encapsulated Styrofoam, underwater braces, the walkway fingers in the boathouses that are worn due to rusting and add 2x6 wood bumpers and rubber bumpers.
- Repair and expand 20% of the concrete breakwater to prepare for replacing the tire breakwater starting in year 2.
- Repair the North store front walkway, deck, trim and gas dock bumpers.

Year 2 to 3: Completed by the second anniversary of commencement date of this Agreement:

- Repair or replace worn roofing and paint as needed.

- Start replacement of the roofing screws.
- Start adding opaque plexiglass panels on the roofing for every third boat stall walkway to increase natural light in the boathouses.
- Continue to replace 10% of the existing Styrofoam with encapsulated Styrofoam, underwater braces, the walkway fingers in the boathouses that are worn due to rusting and add 2x6 wood bumpers and rubber bumpers.
- Continue to repair and expand the concrete breakwater and to replace 20% of the tire breakwater.
- Replace necessary light fixtures as needed.
- Repair and/or replace anchor poles as needed on the breakwater and boathouses.

Year 3 to 4: Completed by the third anniversary of commencement date of this Agreement:

- Continue to repair, repaint or replace roofing.
- Continue to replace the roofing screws.
- Continue adding opaque plexiglass panels on the roofing for every third boat stall walkway to increase natural light in the boathouses.
- Continue to replace 20% of the existing Styrofoam with encapsulated Styrofoam, underwater braces, the walkway fingers in the boathouses that are worn due to rusting and add 2x6 wood bumpers and rubber bumpers.
- Continue to repair and expand the concrete breakwater and to replace 20% of the tire breakwater.
- Replace the wood walkway from the marina store to the fishing building.
- Continue to replace necessary light fixtures as needed.
- Repair and/or replace anchor poles as needed on the breakwater and boathouses.

Year 4 to 5: Completed by the fourth anniversary of commencement date of this Agreement:

- Continue to repair, repaint or replace worn roofing.
- Continue to replace all the roofing screws.
- Continue adding opaque plexiglass panels on the roofing for every third boat stall walkway to increase natural light in the boathouses.
- Continue to replace 20% of the existing Styrofoam with encapsulated Styrofoam, underwater braces, the walkway fingers in the boathouses that are worn due to rusting and add 2x6 wood bumpers and rubber bumpers.
- Continue to repair and expand the concrete breakwater and to replace 20% of the tire breakwater.
- Continue to replace necessary light fixtures.
- Repair and/or replace anchor poles as needed on the breakwater and boathouses.

Year 5 to 6: Completed by the fifth anniversary of commencement date of this Agreement:

- Continue to replace 40% of the existing Styrofoam with encapsulated Styrofoam underwater braces, the walkway fingers in the boathouses that are worn due to rusting and add 2x6 wood bumpers and rubber bumpers.

- Continue to repair and expand the concrete breakwater and to replace 20% of the tire breakwater.

Years 7 - 11: Completed by the sixth anniversary of commencement date of this Agreement

- Marina shall be in compliance with all federal, state and city ordinances, including the International Fire Code related to the operation of the Marina. Fire Stand Pipe System shall be required to be completed during this period unless required to be updated sooner per Section 4 (b) (i).

All work will be completed by the end of the 6-year period or earlier. If Concessionaire needs additional time to complete the 6-year Improvement Plan, he shall request additional time in writing at least ninety (90) days before the end of the 6-year period outlining the reasons for additional time and the requested length of time needed to complete the work. Any additional time granted or denied will be at the City's discretion.

SECTION 2. In the event any of the terms of the Concession Agreement conflict with the terms of this Amendment, the terms of this Amendment shall control. Except as amended hereby, all terms and conditions of the April 27, 2022 Concession Agreement shall remain in full force and effect. The Agreement, as amended herein, constitutes the entire agreement between the parties hereto and no further modification of the April 27, 2022 Concession Agreement shall be binding unless evidenced by an agreement in writing signed by the Parties.

SECTION 3. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute one and the same instrument.

SECTION 4. Effective Date. The effective date of this Amendment is the last signature date below (the "Effective Date").

HARBOR BAY MARINA,LLC

By: _____
Brad Hasselwander, Manager

Date: _____

CITY OF ROCKWALL

By: _____
Mary Smith, City Manager

Date: _____

ATTEST:

Kristy Teague, City Secretary



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council
FROM: Mary Smith, City Manager
DATE: September 12, 2024
SUBJECT: REDC Budget

The Rockwall Economic Development Corporation Board approved the attached budget at their Board meeting on August 15, 2024.

REDC President, Phil Wagner, will be available at the Council meeting to present aspects of the budget and answer any questions. Phil will also review the Board's Annual Workplan and list of Accomplishments.

Council action will be needed to approve the REDC annual budget for FY2025.



Memo

To: REDC Board of Directors

From: Phil Wagner, President *PW*

Cc: REDC Staff *MW* *QW*

Date: August 5, 2024

Re: Fiscal Year 2025 Proposed Budget

The attached FY25 budget worksheet represents the FY25 expenditure budget recommended by the REDC staff and Executive Committee on August 5, 2024. The following summary outlines the amount of budgetary change in each category, in moving from FY24 to FY25. It should be noted that this assumes all funding is spent concluding FY24 and over the course of FY25, which is unlikely due to the conservative nature of REDC budgeting. In each budgetary category, both eliminated and new expenditures are addressed. Generally, the proposed budget is tied to the REDC annual work plan. Additionally, some new expenses have been proposed as a result of the 2024 Rockwall Primary Employer Survey.

- **Personnel Salaries and Benefits (\$21,623 less expenses than FY24):** This reflects reclassifying the REDC open position from a higher paid “Director of Business Attraction” to “Office Manager.” However, some of the savings were eliminated by scheduled merit increases and the potential incentive pool for staff.
- **Contractual (\$34,730 less expenses than FY24):** A significant line item increase was budgeted for “Legal” as a result of potential REDC litigation. Additionally, there were significant increases in “Marketing Consultant” associated primarily with a potential makeover of Rockwalljobs.com, as well “Marketing Ad Placement” expenditures for international and office advertising. These increases were more than offset by significant decreases in “Consulting Fees” where the proposed elimination of ETJ undergrounding work saved costs in professional services. Further, most of the infrastructure design work for REDC office sites will be completed in FY24, resulting in reduced expenses for the upcoming year. Additionally, savings are planned for the “Building Lease, Cleaning and Storage” line item as a result of the City becoming the master tenant of the REDC’s office at 2610 Observation Trail. Also, the REDC dropped some services resulting in savings in “Marketing Subscription Memberships” and “Job Training Grants” were less expensive than previously budgeted in FY24.
- **Supplies (No budgetary change proposed from FY24):** The REDC anticipates “Office Supplies,” “Postage,” and “Printing/Binding” remaining at previously budgeted levels.
- **Operational (\$28,150 in additional expenses from FY24):** Significant increases have been budgeted for “Prospect Visits / Business Retention” as a result of requests made in the 2024 Primary Employer Survey, as well as the REDC receiving increased interest from high capital

investment prospects. There was also a modest increase in “Common Area Maintenance – Phase III” as well as considerable new costs for “Maintenance – Undeveloped REDC Land Outside of RTP” related specifically to tree trimming/thinning at the La Jolla Pointe site. However, this budget category has considerable savings in “Travel” and “Trade Shows” as a result of reclassifying the Director of Business Attraction position to Office Manager. Further, the REDC is now more knowledgeable on the cost of tractor mowing of its property in Phase III, resulting in a decreased budget request from FY24 within the “Maintenance – Undeveloped REDC Land in RTP” line item.

- **Utilities (\$3,000 in less expenses than FY24):** Staff anticipates savings specifically in “Electricity” due to decreased costs associated with the City becoming the master tenant at 2610 Observation Trail.
- **Capital (\$9,719,500 in less expenses than FY24):** The REDC anticipates significantly fewer capital expenditures in FY25 as a result of no “Land Acquisition” (specifically used in FY24 for office property), concluding the “Phase III Engineering / Construction” to essentially only holding back a little over the contractual retainage, and the removal of the “Overhead Powerline Undergrounding” line item. However, over \$3M is budgeted for potential office site infrastructure improvements, while \$1.2M has been budgeted for each of two detention projects – a Phase I regional detention pond at SH276 and Corporate Crossing, and the potential placement of underground detention for the REDC property at Justin Road. Each project requires added design work and further due diligence, however staff asks that budgetary authorization be given for FY25 if the projects are ultimately deemed cost effective.
- **Incentives (\$2,602,711 in less expenses than FY24):** See the attached FY24-FY25 Incentive Schedule for more information on contracted incentive payments.

As mentioned, the proposed budget was reviewed by the Executive Committee on August 5th, with a recommendation for approval. If approved by the Board of Directors, the budget will then be taken to the City Council -with inclusion of revenue forecasting and debt schedule by the City - for approval and final adoption in September. The new fiscal year will begin on October 1, 2024.

attachments



DRAFT Fiscal Year 2024 List of Accomplishments from Annual Work Plan

Goal 1. Business Development: Elevate Rockwall's Competitive Position through Business Retention, Expansion, and Attraction

Prospecting Activity

- Facilitated a total of \$139.5M in capital investment through Project Saturn and Project Le Mans.
- Successfully won bid to host Team Texas Economic Summit in August, which will result in the presence of 10 national site selectors staying multiple nights in Rockwall, learning about what the community can offer their office and light industrial clients.

Support Business Retention and Expansion

- Hosted fourth annual Employee Appreciation Food Truck event, growing ticket redemptions to a record 2,003 – up from 1,652 in 2023. In total, 30 primary employers participated in the event.
- Hosted two roundtable meetings and scheduled a third, featuring guest speakers with the Texas Workforce Commission, the US Commercial Service and later in August, local non-profits. A total of 12 companies have attended the first two events.

Marketing Efforts

- Finalizing addition of four “targeted industries” (defense/aerospace, food processing, advanced manufacturing and professional services) pages to the REDC website, as called for in the 2023-2027 strategic plan.

Goal 2. Talent & Workforce Development: Align Education and Workforce Assets to Meet the Occupational and Skill Demands of Local Employers

Workforce Recruitment

- Added at least five new employers to Rockwalljobs.com, while growing website traffic by nearly 60% since the addition of new marketing efforts at the beginning of the year.

Educational Partnerships

- Increased student applications for Job Training Grant Program, in partnership with the RISD's Gene Burton College and Career Academy and a local primary employer.

Increasing Rockwall Wages

- Facilitated the creation of 50 high quality jobs - with workers scheduled to earn over \$60,000 per job – with Project Saturn and Project Le Mans.

Goal 3. Site Development: Ensure Adequate Development Sites in Rockwall to Support Existing and Future Business Needs

Improve Existing Assets:

- Completed one Land Acquisition, Development and Incentive Agreement within the Rockwall Technology Park with Project Saturn.

Adding New Sites

- Secured entitlements and closed on two 10+ acre infill office sites – at La Jolla Pointe and Ridge Road – that will serve as the home for future mid-rise Class A office. Professional Service Agreements have been entered into with Kimley Horn for the design of various infrastructure improvements to make the sites shovel ready.
- Completed an infrastructure feasibility study, receiving cost estimates on the possibility of extending utilities into the extraterritorial jurisdiction for future light industrial development.
- Completed economic study on City-owned property, investigating various development paths and the economic return for the community within each path.

Goal 4. Organizational Operations: Ensure All Business of the REDC is Conducted Appropriately and Professionally

- Amended organizational bylaws to align with City Council's vision on Board appointments.



Goal 1. Business Development: Elevate Rockwall's Competitive Position through Business Retention, Expansion, and Attraction

Prospecting Activity

- Objective 1: REDC facilitation or incentivizing of direct commercial investment

Benchmark: Facilitate or incentivize at least \$50M in private investment.

- Objective 2: 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 local or national meetings, conference calls, or virtual meetings with at least 20 brokers or site selectors.

Support Business Retention and Expansion

- Objective 3: Encourage growth of existing primary employers in Rockwall

Benchmark: Facilitate or incentivize at least one new business expansion per year.

- Objective 4: Host fifth annual Rockwall employee appreciation event, inviting employees of primary sector employers in the community to enjoy a complementary food truck meal over a two-day period

Benchmark: Maintain or grow the number of primary employers participating in the event and/or the number of overall employees participating in the event, from 2024 levels, where there was 2,003 attendees and 30 primary employers.

- Objective 5: Hold at least one event annually recognizing the executives and management of primary sector employers in the community, along with continuing the REDC awards program

Benchmark: Host the event(s) and receive mostly positive feedback from participants.

- Objective 6: Host at least three roundtable discussions for primary employers to engage on specific subject matter – potentially featuring guest speakers - while benefiting from general networking, sharing experiences, and talking about the advantages and disadvantages of conducting business in Rockwall

Benchmark: Host the events and receive an average attendance of at least five companies.

Marketing Efforts

- Objective 7: Establish marketing plan for new REDC in-fill office sites to attract prospective tenant companies / developers.

Benchmark: At a minimum, create website with memorable domain name, that will feature aerial images and/or video, building renderings from various angles, development updates in REDC's attempt to make property shovel ready, and statistical case for office development in Rockwall. REDC staff should distribute website to office brokers/tenants once completed. REDC should also consider various advertising channels for the website. Additionally, REDC should consider site signage.

- **Objective 8:** In light of the REDC's success with Canadian prospects, explore Canadian marketing opportunities.

Benchmark: Authorize appropriate traditional, digital, or social media advertising channels aimed at developing more Canadian prospects. Also, consider other avenues to grow Canadian exposure – such as attending trade shows.

Goal 2. Talent & Workforce Development: Align Education and Workforce Assets to Meet the Occupational and Skill Demands of Local Employers

Workforce Recruitment / Retention

- **Objective 1:** Gain exposure for RockwallJobs.com as the “one-stop shop” for job opportunities in Rockwall County

Benchmark: Add at least five new employers to the jobs page, and/or show an average of at least 25% year-over-year growth in website visits for each month tracked. This can help be accomplished through social media ads, advertising at various trade schools, and possibly making the site navigable for Spanish-speakers. Benchmark is suspended if at any point, REDC has to suspend site due to significant maintenance or improvements that may be explored in FY25, or if the REDC Board decides to close Rockwalljobs.com.

- **Objective 2:** Distribute REDC grant dollars to assist in workforce recruitment and specific workforce retention efforts

Benchmark: Revise Workforce Recruitment Grant to Workforce Recruitment / Retention Grant. Grant may still provide matching fund assistance for recruitment expenses, however specific employee retention expenses should also be available, such as REDC contribution for childcare expenses, or employee appreciation meals specific to a company. Grant participation should grow from the previous year (5 grants in FY24).

Educational Partnerships

- **Objective 3:** Address pertinent workforce recruitment or development challenges by identifying issues and facilitating employer partnerships with educational institutions, non-profits, or community organizations.

Benchmark: Actively facilitate at least one partnership where workforce recruitment and/or development challenges are addressed.

Increasing Rockwall Wages

- Objective 4: 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 desired median household income (\$63,000 per job).

Goal 3. Site Development: Ensure Adequate Development Sites in Rockwall to Support Existing and Future Business Needs

Improving Existing Assets

- Objective 1: Pursue development agreements at the Rockwall Technology Park and/or Justin Road site

Benchmark: Execute at least one land development agreement.

- Objective 2: Begin construction to make REDC office land “shovel ready”

Benchmark: At Board’s direction, complete design and begin construction on improvements related to roadway modifications, some grading, detention, tree-removal etc. with the goal of making the REDC office site more attractive for vertical development.

- Objective 3: Improve REDC land at SH-276 and Corporate Crossing to create more developable property

Benchmark: Complete design and initiate construction on regional detention pond.

Adding New Sites

- Objective 4: Maximize development opportunities of excess, underutilized, or functionally obsolescent City-owned land

Benchmark: Standby and be willing to serve as a contributing partner – in either time or financial resources – for City-initiated efforts to establish light-industrial property.

Goal 4. Organizational Operations: Ensure all Business of the REDC is Conducted Appropriately and Professionally

- Objective 1: Meet all requirements of organizational bylaws and policies

Benchmark: Achieve 100% compliance with bylaws and REDC policies.

- Objective 2: Ensure all parties maintain compliance with all active REDC 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); additionally, ensure each company with an active

development agreement is proactively contacted about their agreement responsibilities, at least 30 days in advance of a due date.

- Objective 3: 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.
- Objective 4: Ensure fiscal responsibility to Rockwall taxpayers by competitively rebidding Rockwall Technology Park landscape and irrigation maintenance contract

Benchmark: Rebid contract and secure best value contract as determined by the Board of Directors.

DRAFT

SUMMARY OF OPERATIONS

Fund

21 Economic Development

	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Total Revenues	10,361,353	9,300,000	9,300,000	9,325,000
Total Expenditures	17,586,521	29,106,100	18,314,400	16,769,650
Excess Revenues Over (Under) Expenditures	(7,225,168)	(19,806,100)	(9,014,400)	(7,444,650)
Net Other Financing Sources (Uses)	21,800,000	-	-	-
Net Gain (Loss)	14,574,832	(19,806,100)	(9,014,400)	(7,444,650)
Fund Balance - Beginning	12,127,349	25,411,182	26,702,181	17,687,781
Fund Balance - Ending	26,702,181	5,605,082	17,687,781	10,243,131

SUMMARY OF REVENUES**Fund**

21 Economic Development

71 EDC Administration

Account	Description	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
4150	Sales Tax	9,094,398	8,900,000	8,900,000	9,000,000
4001	Interest Earnings	806,460	300,000	300,000	225,000
4019	Miscellaneous Revenue	13,871	-	-	-
4020	Interest/Reserve Fund	446,524	100,000	100,000	100,000
4450	Technology Park Sales	100	-	-	-
Total Revenues		10,361,353	9,300,000	9,300,000	9,325,000

SUMMARY OF OTHER FINANCING SOURCES (USES) Fund 21 Economic Development
--

	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Other Financing Sources (Uses)				
Bond Proceeds	21,800,000	-	-	-
Total Other Financing Sources	21,800,000	-	-	-
Total Other Financing Uses	-	-	-	-
Net Other Financing Sources (Uses)	21,800,000	-	-	-

SUMMARY OF EXPENDITURES Fund 21 Economic Development
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	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
REDC Administration	1,325,906	2,096,400	2,096,400	1,916,050
Promotions & Marketing	64,788	521,350	521,350	670,000
Incentives	1,768,787	4,711,550	1,369,850	2,108,850
Capital Projects	10,311,794	17,683,500	10,233,500	7,964,000
Debt Service	4,115,246	4,093,300	4,093,300	4,110,750
Total Expenditures	17,586,521	29,106,100	18,314,400	16,769,650

DIVISION SUMMARY

Fund	Department	Division
21 Economic Development	70 Economic Development	71 Economic Develop.

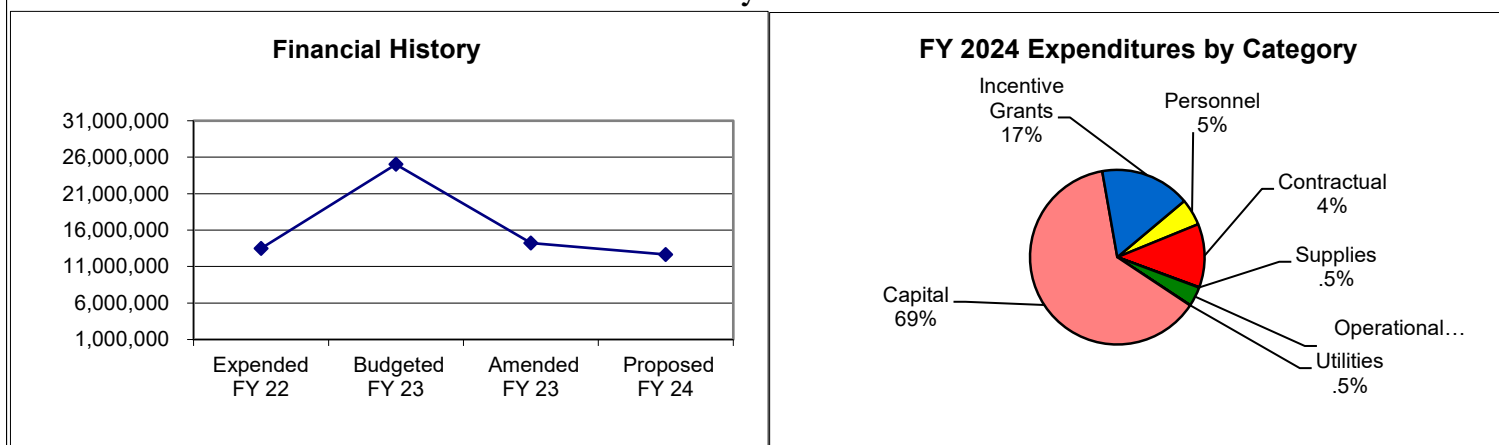
Expenditure Summary

	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Personnel	491,544	648,950	648,950	626,850
Contractual	733,435	1,523,600	1,523,600	1,488,850
Supplies	6,466	9,000	9,000	9,000
Operational	151,227	425,700	425,700	453,850
Utilities	8,022	10,500	10,500	7,500
Capital	10,311,794	17,683,500	10,233,500	7,964,000
Incentive Grants	1,768,787	4,711,550	1,369,850	2,108,850
				-
Total	13,471,275	25,012,800	14,221,100	12,658,900

Personnel Schedule

Position	FY 24 Approved	FY 25 Proposed
President	1	1
Vice President	1	1
Marketing Coordinator	1	1
Office Manager	1	1

Activity Trends



ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.

Account Description	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Personnel				
Salaries - Wages & Incentives	372,531	498,050	498,050	475,900
Total Salaries - Wages Incentives	372,531	498,050	498,050	475,900
120 FICA & Medicare	26,640	38,100	38,100	36,400
122 Retirement	70,685	78,300	78,300	80,050
128 Ins. Unemployment	188	2,000	2,000	2,000
224 Workers Comp.	500	500	500	500
230 Health Insurance	21,000	32,000	32,000	32,000
Total Benefits	119,013	150,900	150,900	150,950
				-
Total Personnel Costs	491,544	648,950	648,950	626,850
Contractual				
210 Auditing	1,500	1,500	1,500	1,500
211 Legal	68,190	140,000	140,000	280,000
213 Consulting Fees	325,555	768,000	768,000	500,000
217 Cable and Internet	11,463	12,250	12,250	15,000
223 Insurance - Blanket Surety Bond	100	100	100	100
227 Insurance - Property	2,000	3,000	3,000	3,300
229 Insurance - Liability	550	550	550	550
232 Temporary Labor	-	5,200	5,200	3,000
234.01 Marketing - Consulting	11,290	52,950	52,950	115,000
234.02 Marketing - Ad Placement	89,255	184,100	184,100	270,000
234.03 Marketing - REDC Events	37,830	70,000	70,000	80,000
234.04 Marketing - Subscriptions Memberships	89,653	129,300	129,300	110,000
242 Copier Rental and Lease	3,988	4,800	4,800	4,800
243 Building Lease, Cleaning, Storage	71,305	83,850	83,850	63,600
244 Building Repairs	756	3,000	3,000	3,000
293 Grants - Job Training	-	45,000	45,000	19,000
299 Administrative Services	20,000	20,000	20,000	20,000
Total Contractual	733,435	1,523,600	1,523,600	1,488,850

Annual Budget, Economic Development Cont'd

Account Description	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Supplies				
301 Office Supplies	5,492	5,000	5,000	5,000
307 Postage	454	2,000	2,000	2,000
310 Printing & Binding	520	2,000	2,000	2,000
347 Gen. Maint. Supplies	-	-	-	-
Total Supplies	6,466	9,000	9,000	9,000
Operational				
410.01 News Subscriptions	635	700	700	800
410.02 Professional Memberships	2,843	4,000	4,000	4,750
428 Meeting Expenses	2,686	7,500	7,500	7,500
430 Tuition & Training	3,245	4,000	4,000	5,000
436 Travel	19,070	50,000	50,000	35,000
437 Trade Shows	6,445	40,000	40,000	25,000
438 Prospect Visits/Business Retention	27,983	45,000	45,000	70,000
439.01 Common Area Maintenance-REDC Portion	59,000	168,900	168,900	187,100
439.02 Maintenance of Undeveloped Park Land	25,720	83,000	83,000	60,000
439.03 Maintenance of Undeveloped EDC Land	3,600	22,600	22,600	58,700
Total Operational	151,227	425,700	425,700	453,850
Utilities				
501 Electricity	4,830	6,000	6,000	3,000
507 Telephone	3,192	4,500	4,500	4,500
Total Utilities	8,022	10,500	10,500	7,500
Capital				
601 Land Acquisition	188,214	6,200,000	6,200,000	-
610 Furniture & Fixtures	-	7,500	7,500	4,000
612 Computer Equipment	-	9,000	9,000	3,000
633 Power line undergrounding	426,446	3,250,000	-	-
634.01 Regional Detention Pond	-	-	-	1,200,000
634.02 Underground Detention Justin Road	-	-	-	1,200,000
671 Trade Show Booth	1,663	17,000	17,000	17,000
678 Phase III Eng/Construction	9,695,471	8,200,000	4,000,000	2,500,000
696 Office Site Infrastructure	-	-	-	3,040,000
Total Capital	10,311,794	17,683,500	10,233,500	7,964,000
Incentives				
661 Contracted Incentives	1,768,787	4,711,550	1,369,850	2,108,850
Total Incentives	1,768,787	4,711,550	1,369,850	2,108,850
Division Total	13,471,275	25,012,800	14,221,100	12,658,900

ECONOMIC DEVELOPMENT

Fund	Department	Division
21 Economic Development	70 Economic Develop.	71 Economic Develop.

Account	Description	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Debt Service					
750	Administration Fees	3,750	4,500	4,500	4,500
752	Principal - Bonds	2,940,000	2,580,000	2,580,000	2,700,000
754	Interest - Bonds	1,171,496	1,508,800	1,508,800	1,406,250
Total Debt Service		4,115,246	4,093,300	4,093,300	4,110,750

Detail	Principal	Interest	
2013- Infrastructure	390,000	173,338	563,338
2013 Land Purchase	230,000	12,052	242,052
2015 Ref Bonds (2006)	370,000	13,425	383,425
2016 Ref Bonds (2008)	380,000	60,675	440,675
2017 Sales Tax Bonds	315,000	39,450	354,450
2019 Sales Tax Ref Bonds	340,000	247,800	587,800
2023 C.O. Bonds	675,000	859,500	1,534,500
	<u>2,700,000</u>	<u>1,406,240</u>	



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council
FROM: Mary Smith, City Manager
DATE: September 13, 2024
SUBJECT: RTPA Budget

The Rockwall Technology Park Association Board met Thursday September 12, 2024 to approve the budget for maintenance of the Tech Park. No major changes are proposed to the budget from prior years other than increases due to the new phase of the Tech Park being under maintenance with the end of the construction.

EDC President, Phil Wagner, will be available at the Council meeting to answer any questions about the proposed budget.



Memo

To: RTPA Board of Directors

From: Matt Wavering 

cc: REDC Staff 

Date: September 4, 2024

Re: RTPA Fiscal Year 2025 Budget Review

The proposed Fiscal Year 2025 budget for the Rockwall Technology Park Association (RTPA) is attached. The following summary has been provided for review and consideration.

Overall Budget

The budget for all RTPA expenses totals \$330,750. This is up from \$297,750 in FY24 due primarily to the increases in the Metro Lawn Care grounds maintenance and irrigation contract, which will be discussed on another item on the agenda.

Landscape/Irrigation Maintenance

This line item totals \$235,000 – up from \$208,000 in FY24 – and includes the following:

- Common Area Maintenance (CAM) for grounds and irrigation maintenance: \$220,000. This covers maintenance of the CAM areas within the RTP including mowing, trimming, fertilizer, plantings, inspection & adjustment of flags, trash pick-up, and irrigation system maintenance.
- Additional non-annual improvements to CAM areas: \$12,000. This includes a budget for additional improvements including replacement of dead or damaged perennials (\$2,000), replenishment of mulch in various landscape beds (\$3,000), detention pond clean-out (\$5,000), and removal and stump grinding of dead trees that could occur (\$2,000).
- Landscape damage reserve: \$3,000.00. A reserve fund to cover the cost of potential repairs due to damage caused by trucks or joyriders displacing landscape boulders and/or ruts in landscaping beds. Staff has observed a consistent yet sporadic occurrence of damage to flower beds, irrigation systems, and the displacement of boulders annually that results in additional unbudgeted costs to repair. Beginning in FY21 and continuing in subsequent fiscal years, an additional reserve has been budgeted in anticipation of these expenses.

Auditing, Insurance, Administrative Services

Auditing, Insurance, and Administrative Services remain unchanged from FY24, collectively totaling \$4,500.

Supplies, Flags & Utilities

Collectively, these line items total \$91,250 up from \$85,250 in FY24. The budget for replacement flags (US, Texas, and REDC) is proposed at \$17,000, which is up from \$11,000 in FY24. This line includes a twelve-month supply of new flags (\$13,000) for all six RTP entry features (two new sets are coming online in FY25), plus a budget (\$4,000) for restringing the flag pole ropes on all older poles. The rope restringing is precautionary due to a frayed rope snapping unexpectedly in FY24. General Maintenance Supplies, Electric, and Water remain unchanged.

Staff recommends approval of the draft FY25 RTPA budget as presented. Upon approval, the budget will become effective on October 1, 2024, subject to the City Council's approval of the overall REDC budget later in September.

attachment

SUMMARY OF OPERATIONS

Fund

22 Tech Park Association

	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Total Revenues	200,479	297,750	297,750	331,750
Total Expenditures	176,825	297,750	297,750	330,750
Excess Revenues Over (Under) Expenditures	23,654	-	-	1,000
Net Other Financing Sources (Uses)	-	-	-	-
Net Gain (Loss)	23,654	-	-	1,000
Fund Balance - Beginning	(218)	3,557	23,436	23,436
Fund Balance - Ending	23,436	3,557	23,436	24,436

SUMMARY OF REVENUES**Fund**

22 Tech Park Association

RTPA

Account	Description	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
4470	RTP Dues - Tenants	141,479	128,850	128,850	144,100
	REDC Cam Dues	59,000	168,900	168,900	187,650
Total Revenues		200,479	297,750	297,750	331,750

DIVISION SUMMARY**Fund**

22 Tech Park Association

Department

70 Economic Development

Division

RTPA

Expenditure Summary

	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Contractual	131,626	212,500	212,500	239,500
Supplies	10,543	12,000	12,000	18,000
Utilities	34,656	73,250	73,250	73,250
Total	<u>176,825</u>	<u>297,750</u>	<u>297,750</u>	<u>330,750</u>

ECONOMIC DEVELOPMENT

Fund**Department****Division 75**

22 Tech Park Association

70 Economic Develop.

RTPA Developed Phases

Account	Description	Actual 22-23	Budgeted 23-24	Amended 23-24	Proposed 24-25
Contractual					
210	Auditing	500	500	500	500
227	Insurance - Property	1,000	2,000	2,000	2,000
247	Landscape Maintenance	128,126	208,000	208,000	235,000
299	Administrative Services	2,000	2,000	2,000	2,000
Total Contractual		131,626	212,500	212,500	239,500
Supplies					
329	Flag Replacements	10,543	11,000	11,000	17,000
347	Gen. Maint. Supplies	-	1,000	1,000	1,000
Total Supplies		10,543	12,000	12,000	18,000
Utilities					
501	Electric	2,741	3,250	3,250	3,250
513	Water	31,915	70,000	70,000	70,000
Total Utilities		34,656	73,250	73,250	73,250
Division Total					330,750



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council

FROM: Mary Smith, City Manager

DATE: September 12, 2024

SUBJECT: Amending the Fiscal Year 2024 Budget

The amended budget was not changed during budget discussions and the accompanying Ordinance adopts the amendments. The full budget document will be attached in the official ordinance file.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 24-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024; 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, 2023, through September 30, 2024, 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 16TH DAY OF SEPTEMBER, 2024.

ATTEST:

Clarence L. Jorif, Mayor Pro Tem

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

EXHIBIT A

Account	Account Description	Budget Amendments
Fund 01 - GENERAL FUND		
REVENUES		
4001	INTEREST EARNINGS	750,000.00
4019	MISCELLANEOUS REVENUES	61,250.00
4100	CURRENT PROPERTY TAXES	150,000.00
4150	CITY SALES TAX	126,400.00
4155	BEVERAGE TAXES	125,000.00
4201	ELECTRIC FRANCHISE FEES	12,000.00
4203	TELEPHONE FRANCHISE FEES	(8,000.00)
4205	GAS FRANCHISE FEES	(40,000.00)
4207	CABLE FRANCHISE FEES	(30,000.00)
4209	GARBAGE FRANCHISE FEES	45,000.00
4250	PARK & RECREATION FEES	10,000.00
4251	MUNICIPAL POOL FEES	(5,000.00)
4255	HARBOR RENTALS	(1,000.00)
4280	PLANNING & ZONING FEES	(25,000.00)
4283	CONSTRUCTION INSPECTION FEES	(100,000.00)
4300	BUILDING PERMITS	75,000.00
4304	ELECTRICAL PERMITS	(10,000.00)
4320	MISC. PERMITS	20,000.00
4402	COURT FEES	10,000.00
4406	COURT DEFERRAL FEES	10,000.00
4414	ALARM FEES AND FINES	(7,000.00)
4418	SHORT-TERM RENTAL FEES	5,500.00
4460	LEASE REVENUE	(18,000.00)
4500	GRANT PROCEEDS	(60,000.00)
4680	DEVELOPER CONTRIBUTIONS	30,000.00
4911	TRANSFER IN - POLICE FUND	45,850.00
 MAYOR/COUNCIL		
404	ELECTION EXPENSES	(10,500.00)
 ADMINISTRATION		
207	APPRAISAL & COLLECTION	20,000.00
213	CONSULTING	30,000.00
310	PRINTING & BINDING	10,000.00
507	CELLULAR PHONES	(1,000.00)
831	TRANSFER OUT - EMPL BENEFITS	78,000.00
 HUMAN RESOURCES		
113	EDUCATION PAY	300.00
128	UNEMPLOYMENT INSURANCE	8,000.00
 INFORMATION TECHNOLOGY		

Account	Account Description	Budget Amendments
104	SALARIES & WAGES-CLERICAL	(40,000.00)
INTERNAL OPERATIONS		
109	SALARIES & WAGES-OVERTIME	9,000.00
242	EQUIPMENT RENTAL & LEASE	7,000.00
243	BUILDING/PARKING LEASES	(100,000.00)
244	BUILDING REPAIRS	33,000.00
501	ELECTRICITY	40,000.00
507	CELLULAR PHONES	(1,000.00)
508	TELEPHONE SERVICE	45,000.00
603	BUILDINGS	308,650.00
610	FURNITURE & FIXTURES	112,000.00
623	VEHICLES	66,200.00
FINANCE		
210	AUDITING	9,000.00
233	NEWSPAPER NOTICES-ADVERTISING	(700.00)
235	BANK CHARGES	(2,000.00)
307	POSTAGE	7,000.00
MUNICIPAL COURT		
211	LEGAL	20,000.00
FIRE OPERATIONS		
107	SALARIES & WAGES-LABOR	540,250.00
109	SALARIES & WAGES-OVERTIME	21,000.00
113	EDUCATION CERTIFICATION PAY	4,200.00
120	FICA & MEDICARE PAY	43,250.00
122	T.M.R.S. RETIREMENT EXP.	89,550.00
231	SERVICE MAINTENANCE	4,950.00
321	UNIFORMS	26,100.00
331	FUEL & LUBRICANTS	(17,000.00)
379	FIRE FIGHTING SUPPLIES	57,050.00
430	TUITION & TRAINING	1,500.00
623	VEHICLES	46,000.00
FIRE MARSHAL		
237	UNIFORM SERVICE	(1,000.00)
331	FUEL & LUBRICANTS	(3,000.00)
374	EXPLORER PROGRAM SUPPLIES	4,000.00
623	VEHICLES	96,000.00
POLICE ADMINISTRATION		
109	SALARIES & WAGES-OVERTIME	20,000.00
113	EDUCATION CERTIFICATION PAY	4,000.00

Account	Account Description	Budget Amendments
COMMUNICATIONS		
104	SALARIES & WAGES-CLERICAL	(150,000.00)
109	SALARIES & WAGES-OVERTIME	150,000.00
120	FICA & MEDICARE PAY	10,000.00
122	T.M.R.S. RETIREMENT EXP.	10,000.00
POLICE PATROL		
107	SALARIES & WAGES-LABOR	(500,000.00)
109	SALARIES & WAGES-OVERTIME	500,000.00
120	FICA & MEDICARE EXPENSE	5,000.00
331	FUEL & LUBRICANTS	(20,000.00)
415	RECRUITING EXPENSES	12,000.00
507	CELLULAR PHONE	(3,000.00)
CID		
101	SALARIES & WAGES-SUPERVISOR	(120,000.00)
104	SALARIES & WAGES-CLERICAL	(30,000.00)
107	SALARIES & WAGES-LABOR	(75,000.00)
109	SALARIES & WAGES-OVERTIME	200,000.00
331	FUEL & LUBRICANTS	(2,000.00)
COMMUNITY SERVICES		
107	SALARIES & WAGES-LABOR	(50,000.00)
109	SALARIES & WAGES-OVERTIME	150,000.00
120	FICA & MEDICARE EXPENSE	20,000.00
122	T.M.R.S. RETIREMENT EXP.	20,000.00
331	FUEL & LUBRICANTS	(6,000.00)
WARRANTS		
104	SALARIES & WAGES-CLERICAL	(30,000.00)
120	FICA & MEDICARE EXPENSE	(2,000.00)
122	T.M.R.S. RETIREMENT EXP.	(4,000.00)
RECORDS		
109	SALARIES & WAGES-OVERTIME	6,000.00
231	SERVICIE MAINTENENANCE	3,800.00
PLANNING		
109	SALARIES & WAGES-OVERTIME	1,500.00
113	EDUCATION CERTIFICATION PAY	700.00
NEIGHBORHOOD IMPROVEMENT		
107	SALARIES & WAGES-LABOR	(10,000.00)
331	FUEL & LUBRICANTS	(2,000.00)
BUILDING INSPECTIONS		

Account	Account Description	Budget Amendments
107	SALARIES & WAGES - LABOR	(12,000.00)
109	SALARIES & WAGES-OVERTIME	2,500.00
331	FUEL & LUBRICANTS	(4,500.00)
PARKS		
101	SALARIES & WAGES-SUPERVISOR	8,000.00
107	SALARIES & WAGES-LABOR	(15,000.00)
109	SALARIES & WAGES-OVERTIME	8,000.00
240	EQUIPMENT REPAIRS	20,000.00
331	FUEL & LUBRICANTS	(3,000.00)
341	CONSTRUCTION & REPAIR SUPPLIES	100,000.00
513	WATER	(20,000.00)
623	VEHICLES	56,000.00
HARBOR MAINTENANCE		
107	SALARIES & WAGES-LABOR	(30,000.00)
120	FICA & MEDICARE EXPENSE	(3,000.00)
122	T.M.R.S. RETIREMENT EXP.	(5,000.00)
244	BUILDING REPAIRS	50,000.00
410	DUES & SUBSCRIPTIONS	750.00
513	WATER	50,000.00
623	VEHICLES	44,500.00
RECREATION		
331	PRINTING & BINDING	(10,000.00)
333	CHEMICAL	17,400.00
501	ELECTRICITY	30,000.00
ANIMAL CONTROL		
331	FUEL & LUBRICANTS	(4,000.00)
623	VEHICLES	67,000.00
ENGINEERING		
331	FUEL & LUBRICANTS	(6,000.00)
623	VEHICLES	82,100.00
STREETS		
107	SALARIES & WAGES-LABOR	(125,000.00)
120	FICA & MEDICARE EXPENSE	(10,000.00)
122	T.M.R.S. RETIREMENT EXP.	(20,000.00)
231	SERVICE MAINTENANCE	(39,000.00)
237	UNIFORM SERVICE	(2,550.00)
270	WASTE DISPOSAL SERVICE	300,000.00
331	FUEL & LUBRICANTS	(6,000.00)
504	STREET LIGHTING	50,000.00
623	VEHICLES	126,000.00

Account	Account Description	Budget Amendments
	REVENUE TOTALS	1,172,000.00
	EXPENSE TOTALS	2,367,000.00

Fund 02 - WATER & SEWER FUND

REVENUES

4001	INTEREST EARNINGS	430,000.00
4010	AUCTION/SCRAP PROCEEDS	(6,300.00)
4019	MISCELLANEOUS REVENUE	891,950.00
4601	RETAIL WATER SALES	875,000.00
4603	SEWER CHARGES	(1,000,000.00)
4605	PRETREATMENT CHARGES	11,000.00
4609	HOUSE HAZARDOUS WASTE FEE	38,000.00
4610	PENALTIES	(47,000.00)
4611	PORTABLE METER SALES	75,000.00
4622	RCH WATER CORP-WATER SALES	(543,000.00)
4632	BLACKLAND-WATER SALES	(126,000.00)
4640	MCLENDON CHISHOLM SEWER	(44,050.00)
4480	TOWER LEASES	(30,000.00)
4672	SEWER IMPACT FEES	52,000.00
4660	WATER TAPS	(46,000.00)
4662	SEWER TAPS	(16,500.00)
4665	METER RENTAL FEES	14,000.00

UTILITY BILLING

109	SALARIES & WAGES-OVERTIME	68,000.00
120	FICA & MEDICARE EXPENSE	9,000.00
122	T.M.R.S. RETIREMENT EXP.	15,000.00
307	POSTAGE	20,000.00

WATER OPERATIONS

109	SALARIES & WAGES-OVERTIME	150,000.00
120	FICA & MEDICARE EXPENSE	10,000.00
122	T.M.R.S. RETIREMENT EXP.	25,000.00
289	RESERVOIR MAINT. & REPAIR	255,600.00
623	VEHICLES	59,000.00

SEWER OPERATIONS

109	SALARIES & WAGES-OVERTIME	145,000.00
120	FICA & MEDICARE EXPENSE	10,000.00
122	T.M.R.S. RETIREMENT EXP.	30,000.00
240	EQUIPMENT REPAIRS	33,000.00
246	VEHICLE REPAIR	45,000.00
279	INDUSTRIAL PRETREATMENT	(2,050.00)
282	LIFT STA. REPAIR & MAINT	43,700.00
285	NO. TREATMENT PLANT -SQUABBLE	(49,850.00)

Account	Account Description	Budget Amendments
292	WASTEWATER TREATMENT	(44,000.00)
	REVENUE TOTALS	528,100.00
	EXPENSE TOTALS	822,400.00
Fund 04 - G/O DEBT SERVICE FUND		
REVENUES		
4001	INTEREST EARNINGS	305,000.00
4674	ROADWAY IMPACT FEES	35,000.00
LONG TERM DEBT		
816	TRANSFER OUT - FIRE EQUIPMENT	2,578,450.00
754	BOND - INTEREST	101,300.00
	REVENUE TOTALS	340,000.00
	EXPENSE TOTALS	2,679,750.00
Fund 05 - HARBOR DEBT SERVICE FUND		
REVENUES		
4150	CITY SALES TAX	12,000.00
4155	BEVERAGE TAXES	15,000.00
	REVENUE TOTALS	27,000.00
	EXPENSE TOTALS	-
Fund 10 - CEMETERY FUND		
REVENUES		
4001	INTEREST EARNINGS	500.00
4720	CEMETERY PLOT SALES	8,000.00
4722	REGISTRATION & PERMIT FEES	(950.00)
Administration		
247	GROUNDS MAINTENANCE	5,700.00
	REVENUE TOTALS	7,550.00
	EXPENSE TOTALS	5,700.00
Fund 11 - PUBLIC SAFETY FUNDS		
REVENUES		
4001	INTEREST EARNINGS	2,000.00
4054	DONATIONS - POLICE ACTIVITI	2,200.00
4056	DONATIONS - FLAG SUPPLIES	200.00
4425	DONATIONS - FIRE	4,800.00
4430	CHILD SAFETY FINES	(1,500.00)
4058	LOCAL TRUANCY FUND	2,000.00

Account	Account Description	Budget Amendments
POLICE ADMISTRATION		
329	FLAG REPLACEMENTS	10,500.00
430	TUITION & TRAINING	3,900.00
801	TRANSER OUT - GENERAL	45,850.00
	REVENUE TOTALS	9,700.00
	EXPENSE TOTALS	60,250.00
Fund 12 - RECREATIONAL DEVELOPMENT		
REVENUES		
4001	INTEREST EARNINGS	15,000.00
4500	GRANT PROCEEDS	150,000.00
4700	TAKELINE CONCESSIONS	75,000.00
4700	TUTTLE CONCESSIONS	10,000.00
Parks		
235	BANK CHARGES	5,000.00
669	BOAT RAMP IMPROVEMENTS	200,000.00
	REVENUE TOTALS	250,000.00
	EXPENSE TOTALS	205,000.00
Fund 14 - STREET IMPROVEMENT FUND		
REVENUES		
4001	INTEREST EARNINGS	30,000.00
4490	INSURANCE PROCEEDS	7,500.00
4818	PRO-RATA ROAD PROJECTS	40,500.00
Finance		
393	STREET LIGHTING SUPPLIES	7,500.00
	REVENUE TOTALS	78,000.00
	EXPENSE TOTALS	7,500.00
Fund 15 - HOTEL/MOTEL FUND		
REVENUES		
4001	INTEREST EARNINGS	85,000.00
4175	HOTEL TAX RECEIPTS	150,000.00
Finance		
472	NOON ROTARY	10,000.00
491	MISC CONTRACTS	96,000.00
	REVENUE TOTALS	235,000.00
	EXPENSE TOTALS	106,000.00
Fund 16 - FIRE EQUIPMENT FUND		
REVENUES		

Account	Account Description	Budget Amendments
4001	INTEREST EARNINGS	2,000.00
4904	TRANSFER IN - DEBT SERVICE	2,578,450.00
Fire		
377	VOLUNTEER EXPENSES	(6,000.00)
623	VEHICLES	2,578,450.00
	REVENUE TOTALS	2,580,450.00
	EXPENSE TOTALS	2,572,450.00
Fund 17 - AVIATION FUND		
REVENUES		
4001	INTEREST EARNINGS	7,000.00
MUNICIPAL SERV-ADMIN		
213	CONSULTING FEES	31,000.00
227	INSURANCE - REAL PROPERTY	950.00
501	ELECTRICITY	4,000.00
	REVENUE TOTALS	7,000.00
	EXPENSE TOTALS	35,950.00
FUND 24 DOWNTOWN		
EXPENSES		
293	GRANT PROGRAM	(3,000.00)
347	GENERAL MAINTENANCE	(2,000.00)
469	PROMOTION EXPENSE	4,500.00
	EXPENSE TOTALS	(500.00)
Fund 26 - SEIZED FUNDS - NARCOTICS		
REVENUES		
4550.00	SEIZURE REVENUE	14,100.00
4550.01	EQUITABLE SHARING	277,000.00
Police Administration		
218	COURTS COSTS FOR SEIZED FUNDS	8,100.00
610	FURNITURE & FIXTURES	11,500.00
612	COMPUTER EQUIPMENT	193,400.00
624	POLICE EQUIPMENT	50,000.00
	REVENUE TOTALS	291,100.00
	EXPENSE TOTALS	263,000.00

Fund 31 - EMPLOYEE BENEFITS FUND

Account	Account Description	Budget Amendments
REVENUES		
4001	INTEREST EARNINGS	100,000.00
4019	MISCELLANEOUS REVENUE	(8,000.00)
4850	EMPLOYEE CONTRIBUTIONS	65,000.00
4860	REINSURANCE PAYMENTS	800,000.00
4901	TRANSFER IN - GENERAL	78,000.00
Finance		
0442	PAID HEALTH CLAIMS	750,000.00
0443	LIFE INSURANCE PREMIUMS	5,000.00
	REVENUE TOTALS	1,035,000.00
	EXPENSE TOTALS	755,000.00
Fund 32 - WORKERS' COMPENSATION FUN		
REVENUES		
4001	INTEREST EARNINGS	20,000.00
Finance		
440	ADMINISTRATION FEES	6,000.00
444	PAID LOSSES	(40,000.00)
	REVENUE TOTALS	20,000.00
	EXPENSE TOTALS	(34,000.00)



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council
FROM: Mary Smith, City Manager
DATE: September 12, 2024
SUBJECT: Adopting the Fiscal Year 2025 Budget

Notebook. It is included by reference only, rather than presented again in its entirety.
(It has been posted on our website and may be viewed here: [FY2025 Budget](#))

General Fund

The General Fund budget will anticipate tax collections based on a 24.7450 cent tax rate.

Water – Sewer Fund

The budget as proposed reflects an increase in water or wastewater rates, which is being developed at this time and will be brought back for consideration by the Council in late October or early November. The large majority of our expenses are set by the North Texas Municipal Water District and they will set their rates at the end of September.

CITY OF ROCKWALL

ORDINANCE NO. 24-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2024, THROUGH SEPTEMBER 30, 2025; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH THE SAID BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Rockwall, Texas has heretofore filed with the City Secretary a proposed General Budget for the City covering the fiscal year aforesaid, and

WHEREAS, the governing body of the City has concluded its public hearing on said budget,

WHEREAS, in accordance with Section 7.06 of the City Charter, the budget for fiscal year 2024-25 is being adopted in a timely manner,

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

Section 1. That said budget for the fiscal year October 1, 2024, through September 30, 2025 be and the same is hereby attached to this ordinance and made a part hereof for all purposes and marked “**Exhibit A**”.

Section 2. That said budget attached hereto and marked “**Exhibit A**” be, and the same hereby is, approved and adopted by fund, by the City Council, as the official budget for the City for the fiscal year aforesaid.

Section 3. That expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance unless otherwise amended by a duly enacted ordinance of the city.

Section 4. 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 16TH DAY OF SEPTEMBER, 2024.

Clarence L. Jorif, Mayor Pro Tem

ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney

EXHIBIT A

See document online at:

<https://www.rockwall.com/documents/finance/FY25%20Proposed%20Budget.pdf>



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and City Council
FROM: Mary Smith, City Manager
DATE: September 13, 2024
SUBJECT: Tax Rate Adoption

The Council agenda for Monday September 16, 2024 includes the ordinance to adopt the Ad Valorem tax rate of 24.7450 cents per one hundred dollars of assessed value. Specific language in the motion is not required this year since we are adopting the No New Revenue tax rate.

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 24-38

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, LEVYING THE AD VALOREM TAXES FOR THE YEAR 2024 AT A RATE OF \$.247450 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AS OF JANUARY 1, 2024 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 2024 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 2024 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 \$.247450 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 \$.162053 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 \$.085397 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, 2024, and all ad valorem taxes for the year shall become delinquent after January 31, 2025. If any person fails to pay the ad valorem taxes on or before the 31st of January, 2025, 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 2024 which remain delinquent on July 1, 2025 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, 2024, 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 2024 and shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 16TH DAY OF SEPTEMBER, 2024.

Clarence L. Jorif, Mayor Pro Tem

ATTEST:

Kristy Teague, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney



City of Rockwall
The New Horizon

MEMORANDUM

TO: Mayor and Councilmembers

FROM: City Council HOT Subcommittee
Mary Smith, City Manager

DATE: September 13, 2024

SUBJECT: Hotel Occupancy Tax Funding Recommendation

The Hotel Occupancy Tax subcommittee comprised of Council members Campbell, Lewis, and McCallum met to discuss funding requests for budget year 2024-25. The Council received a notebook including the organization's requests along with their required reporting for FY 2024 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 funding contract is executed with an organization the funding is released about 3 months in advance of the event in order to fund upfront costs.

The subcommittee has elected to spend additional time on the applications from Oasis Pickleball, Amerisports, and the Boys and Girls Club 2025 event. The Chamber funding awarded may be supplemented after the committee receives additional information they are requesting.

Revenues and Fund Balance

Staff continues to be conservative in the projection of revenues. At the end of FY 2024, a fund balance reserve of at least \$3,310,000 is anticipated.

Funding Levels

Funding requests for fiscal year 2025 totaled \$2,391,720, which is nearly twice the 2024 funding awards. We may see supplemental requests during the year which the committee will review and then forward to Council for action at that time. 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. The Committee hopes to bring the other requests back in October for consideration.

Contract Language/Documentation

Each organization will continue to be required to provide documentation that specifically notes the number of attendees are spending the night in a hotel establishment.

The Subcommittee and Staff will be available at the Council meeting to answer any questions.

Hotel Occupancy Tax Funding Proposed Budget for FY 2025

	2023 Actual	2024 Budget	2025 Request	2025 Event/Program	Council Subcommittee Recommendation
Tourism					
AmeriSports	-	-	520,000	Various Events	Revisit
Aspasians	3,000	3,000	3,000	Market Place (April & Oct)	3,000
Boys & Girls Club	15,000	20,000	75,000	Rubber Duck Regatta	Revisit
(Harbor fees waived)			25,000	Duck Regatta FY 24 Supplement	10,000
			25,000	NE TX Gala	25,000
		B&G Club Total	125,000	B&G Club Total	35,000
Chamber of Commerce	465,000	465,000	754,000	CVB function	400,000
County & District Clerks	—————	30,000	—————	Conference	
Divine Peace Church	5,500	—————	—————		
Downtown Association	40,000	48,000	6,000	Mktg Media Downtown	6,000
Helping Hands	11,500	25,000	25,000	Festival of Trees	25,000
Kiwanis	12,000	12,000	15,000	Tri-Rock Triathlon	15,000
Lone Star CASA	11,000	11,000	18,000	Car Show	14,500
Meals on Wheels	15,000	25,000	30,000	Gala	30,000
No. TX Crime Prev Assoc.	36,770	—————	—————	Conference	
Oasis Pickleball Club	101,500	35,000	15,000	USA Tournament	Revisit
			13,000	APP Dallas	
			8,900	Lonestar Classic	
			35,000	PPA Tournament	
		Oasis Total	71,900	Oasis Total	
REDC	—————	10,000	—————	Team TX Economic Summit	
RHS Robotics	—————	15,300	—————	N. Texas Tournament	
RHS Wrestling	-	21,000	28,000	Championships	21,000
RHHS Gymnastics	-	15,000	20,000	Southside Showdown	15,000
RHHS Wrestling Boosters	-	-	24,850	Heath Invitational	14,350
Rockwall Prof Fire Fighters	20,000	20,000	—————	Conference	
Rotary		10,000	—————	District Conference	
Rush Creek Yacht Club	-	6,000	13,200	Sunfish World Championship	13,200
			5,000	Chocopalooza Regatta	2,500
			2,600	J/22 Midwinter Championship	2,500
			1,600	ILCA District 15 Championship	1,000
		RCYC Total	22,400	RCYC Total	19,200
Soroptimist	5,000	7,500	30,000	Casino Night	7,500
Texas K-9 Conference	22,400	27,200	28,500	TX Conference	28,500
			75,000	NAPWDA National Conference	75,000
		TX K9 Total	103,500	TX K9 Total	103,500
Tourism Total	763,670	806,000	1,796,650		709,050

Hotel Occupancy Tax Funding Proposed Budget for FY 2025

	2023 Actual	2024 Budget	2025 Request	2025 Event/Program	Council Subcommittee Recommendation
Cultural					
Art League	5,000	5,000	6,500	Fine Art Show	5,000
Community Playhouse	10,000	12,000	30,140	Theatre Productions	13,000
Music Fest	13,400	29,000	36,450	Concerts	36,450
Summer Musicals	5,000	7,500	-	Annual Season	
Cultural Total	33,400	53,500	73,090		54,450
Historical					
Historical Foundation	13,500	15,696	19,292	Program Mgr & Assistant	
	-	5,722	2,540	Collections Best Practices	
	44,500	3,743	2,193	Prof Development	
	2,764	4,839	555	Advertising and promo	
Historical Total	60,764	30,000	24,580		5,000
City					
Main Street	16,000	17,500	20,000	Downtown concerts	20,000
Main Street	17,300	18,500	17,000	Advertising	17,000
	Main Street Total		37,000	Main Street Total	37,000
	-	-			
Concerts by the Lake	60,000	78,500	81,250	Concerts	81,250
Fall Concert Series	-	17,500	20,250	Concert	20,250
Founders Day	196,500	209,200	251,600	Concerts	251,600
Hometown Christmas	-	-	62,500	Downtown Event	62,500
Rib Rub	42,000	44,800	44,800	BBQ contest and 5K	44,800
	Recreation Total		460,400	Recreation Total	460,400
City Total	331,800	386,000	497,400		497,400
Totals	1,189,634	1,275,500	2,391,720		1,265,900

Fund Summary

Fund Balance 10-01-24	3,310,000	
Projected Revenue FY25	1,850,000	
Less Expenses FY 25		(1,265,900) as outlined V1
Fund Balance 09-30-25		<u><u>3,894,100</u></u>