AGENDA

ROCKWALL CITY COUNCIL MEETING

Monday, January 6, 2025 - 6:00 PM

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

I. Call Public Meeting to Order

II. Invocation and Pledge of Allegiance - Councilmember McCallum

III. 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.

IV. 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 December 16, 2024 city council meeting, and take any action necessary.

2. **Z2024-053** - Consider a request by Amanda Dailey for the approval of an **ordinance** for a *Zoning Change* from Agricultural (AG) District to Single-Family 10 (SF-10) District being a 1.47-acre tract of land identified as Tract 3 of the N. Butler Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 205 Dial Lane, and take any action necessary **(2nd Reading)**.

3. **Z2024-054** - Consider a request by the City of Rockwall for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 9 (PD-9) [*Ordinance No.'s 73-49, 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43*] for the purpose of consolidating the regulating ordinances for a 307.57-acre tract of land situated within the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), generally located south of Horizon Road [FM-3097], east of Ridge Road, and north of the southern corporate limits of the City of Rockwall, and take any action necessary **(2nd Reading)**.

4. **Z2024-057** - Consider a request by Michael Jaquette of CED Rockwall on behalf of QA Logistics Rockwall, LP for the approval of an **ordinance** for a Specific Use Permit (SUP) for General Retail Store in conjunction with a Wholesale Showroom Facility on a portion of a larger 5.1292-acre parcel of land identified Lot 2, Block D, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1915 Alpha Drive, and take any action necessary **(2nd Reading)**.

5. Consider the approval of an **ordinance** for a text amendment to Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances for the purpose of adopting revised *Impact Fee Regulations*, and take any action necessary **(2nd Reading)**.

V. Action Items

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

1. **Z2024-055** - Discuss and consider a request by Bryan Cook for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for a *Detached Garage* on a one (1) acre parcel of land identified as Lot 13, Block A, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2348 Saddlebrook Lane, and take any action necessary **(2nd Reading)**.

2. **Z2024-060** - Discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Bill Lofland for the approval of an **ordinance** for a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) and General Retail (GR) District land uses on a 544.89-acre tract of land identified as Tracts 3 & 3-1 of the A. Johnson Survey, Abstract No. 123 [355.146-acres]; Tracts 7 & 7-2 of the W. H. Baird Survey, Abstract No. 25 [45.744-acres]; and Tracts 3 & 4 of the J. R. Johnson Survey, Abstract No. 128 [144.00-acres], City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205) and SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east and west side of S. Goliad Street [SH-205] at the corner of the intersection of John King Boulevard and S. Goliad Street [SH-205], and take any action necessary **(2nd Reading).**

VI. 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

VII. 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 3rd day of January 2025 at 5 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

MINUTES

ROCKWALL CITY COUNCIL MEETING

Monday, December 16, 2024 - 5:15 PM

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

I. Call Public Meeting to Order

Mayor Johannesen called the meeting to order at 5:15 p.m. Present were Mayor Trace Johannesen, Mayor Pro Tem Clarence Jorif and Councilmembers Sedric Thomas, Mark Moeller, Anna Campbell, and Dennis Lewis. Also present were City Manager Mary Smith, Assistant City Manager Joey Boyd and the city's legal counsel, Lea Ram (filling in for City Attorney, Frank Garza). Councilmember Tim McCallum was absent from the meeting. Mayor Johannesen read the below listed discussion items into the record before recessing the public meeting to go into Executive Session.

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 possible sale/purchase/lease of real property in the vicinity of SH-66, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney)

2. Discussion regarding (re)appointments to city boards and commissions, pursuant to §551.074 (Personnel Matters).

3. Discussion regarding possible land lease agreement for a cellular communication tower on real property owned by the City of Rockwall in the vicinity of Henry Chandler Drive, pursuant to Section §551.072 (Real Property) and Section §551.071 (Consultation with Attorney).

III. Adjourn Executive Session

Council adjourned from Ex. Session at 5:40 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. Appointment Items

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

Chairman of the P&Z Commission, Derek Deckard, came forth and briefed the Council on recommendations of the Commission regarding planning-related items on tonight's meeting agenda. Council took no action

following Mr. Deckard's comments.

VII. Open Forum

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

Mike Caffey
President of the Rockwall Professional Firefighter's Association
311 N. Fannin St
Rockwall, TX

Captain Caffey shared that he and other area firefighters just finished an "honor watch" for James Bobbitt, previous recipient for the Firefighter's Ball who passed away last week. An honor watch is where a firefighter stands watch, 24/7 while wearing his/her "Class A" uniform at the funeral home until the funeral transpires. Mrs. Bobbit was very appreciative and sends her 'thanks' to the City of Rockwall, Council, and Fire Department for all of its support. He mentioned that a date for the next Firefighters Ball will be announced soon.

Bob Wacker
309 Featherstone Drive
Rockwall, TX

Mr. Wacker came forth and shared comments about members of the public becoming more involved in local concerns, including more and more people showing up to vote (i.e. in recent runoff elections and school bond election). He spoke briefly about how the city is growing rapidly and that the growth is probably more than infrastructure can keep up with. He has concerns about infrastructure, especially water, over time. He spoke briefly about residential growth, including lot sizes. He hopes the City Council does the right thing this evening.

Clyde Kelley
1136 Bayshore
Rockwall, TX

Mr. Kelley shared that he has lived at this location for 18 years. He recently learned about plans for parking expansion at the SH-66 boat ramp area. He shared that he did not previously have knowledge that this project was in the works, and he believes it occurring has been a bit of a 'sleuth operation.' He commented about what he seemed to express to be some past criminal related activities in the boat ramp area. He would like to maintain some green space between the residences and the boat ramp parking areas, and he does not believe the city needs to add additional parking, especially since additional boat ramps are not being added. He believes City of Rockwall not taking steps to better inform the public. He shared the Parks Director let him know that notice was advertised in a local newspaper, but he expressed that no one reads newspapers anymore. He went on to share the belief that Council should be cognizant of residents' concerns.

Mayor Johannesen shared that the city does not operate in 'sleuth' ways. He pointed out that notices are posted – not only in the newspaper (Herald Banner), as required by state law – but they are also posted outside of city hall and also online and on social media. He is proud of the transparency with which the city operates.

Kevin Folsom
1115 Bayshore
Rockwall, TX

Mr. Folsom thanked Council for its service and for bringing Jesus Christ into the decision making process. He shared about how he and neighbors previously worked together years ago to clean up the lakeshore (pulling out a lot of trash, brush, and even tires). He commented that the city's Parks Department has done a good job of keeping the lakeshore cleaned up. Today, eleven years later, the lakeshore is heavily utilized, including what his neighborhood calls 'the meadow.' A small pavilion exists where people can have a picnic. He and his neighbors enjoy the natural open space. He shared that he is personally a boater and utilizes the boat launch every week. He shared that folks utilizing the boat launch is not a nuisance. At the most, he has seen maybe ten trailers parking in the nearby field as overflow parking about three to four times per year. He wonders why the additional parking is going to be added and using the full five acres of open space to make more parking. He does not believe it is going to be used. He shared that Rowlett has removed a few boat ramps over the years. So now all that is left is the one in Rockwall, one in Garland at Zion and one at Terry Park. Terry Park has 8 acres, and they have about 31 trailer and 20 car spaces. In Rockwall, our boat area has about 41 trailer and 20 parking spaces on 11 acres, which he believes is already ample space. He does not believe expansion is necessary.

Dennis Vierling
1121 Bayshore Drive
Rockwall, TX

Mr. Vierling shared that he has lived at this location for over 40 years. He also spoke about the boat dock expansion. He indicated that he and his neighbors have not previously come forth to speak about this project because they were not aware of it until recently. He went on to quote a provision in a state code relative to newspapers in 'general circulation,' commenting that all the newspapers in Rockwall County combined do not have general circulation of 51 percent. In fact, all of them combined amount to less than 4 percent of the county's overall population. He generally expressed concern about lack of notification pertaining to the project, including pertaining to the recent environmental study done by TX Parks & Wildlife. He believes the residents have been improperly informed. He expressed concern about litter, and expanding the boat ramp area by adding more parking will also result in more litter. He has concerns about the beautiful meadow being changed into a concrete parking lot. He urged the Council to work with residents to find a different solution.

Angela Henry Jones
1133 Bayshore Drive
Rockwall, TX

Ms. Jones shared that she is a long term resident of Rockwall. She expressed concern about the planned boat ramp expansion, specifically the meadow being turned into an additional parking lot. She generally spoke against this project, including destruction of the ecosystem – the green space. She has concerns about the migration of monarch butterflies and how they'll be impacted if trees are torn down. She also has concern about how fireflies will be impacted. She has concerns about litter, traffic and also trash trucks that have damaged alleyways in this area. She has concerns about 'cut through' traffic, which poses safety concerns, especially drivers who fly down the alley. She experiences theft, loitering, privacy issues, noise, garbage in the alley, increased crime, drug trafficking and sex offenders. She suggested the city consider the lot that is currently for sale by the existing 7/11 store instead of this greenbelt area. She shared that there is a lot of riff raff that goes on down at the boat ramp area, and she has seen condoms (used ones) when taking her 3 year old nephew to the area. Bottom line - she is opposed to this parking expansion project for many reasons.

Mayor Johannesen shared clarification, explaining that Council is not able to have discussion about concerns raised during Open Forum, as doing so would violate the Open Meetings Act.

Caren Williams

1113 Bayshore Drive
Rockwall, TX

Mrs. Williams has concerns about approval of a parking lot in the green space near the SH-66 boat ramp. She has concerns about the project. She expressed her belief that the city reached out to businesses to obtain 'letters of support,' yet never reached out to the citizens. The green space is a sanctuary cherished and used by nearby residents, and it offers an escape from everyday life. She believes turning this into a parking lot is short sided and not needed. It will provide no revenue to the city, but the cost to the residents will be great. The last remaining natural, public green space along the lake shore will be lost if this parking lot is built. She encouraged our city to pressure the City of Rowlett to open up additional amenities to help relieve our city's boat dock area. She urged the City to put the concerns of its constituents first and not take away that greenspace. She shared that only Councilmember Campbell and Mayor Pro Tem Jorif have met with residents. She urged every council member to meet with residents and to explore alternative options and not move forward with turning the green space into a parking lot.

There being no one else coming forth to speak at this time, Mayor Johannesen closed Open Forum.

VIII. Take Any Action as a Result of Executive Session

Mayor Pro Tem Jorif moved to authorize the city manager to execute a land acquisition agreement for a parcel of land located along SH-66, authorizing the city attorney to finalize all necessary documents to complete the transaction and authorizing the city manager to execute all necessary agreements on behalf of the city. The motion was seconded by Councilmember Campbell, and it passed unanimously (6 ayes with 1 absence – McCallum).

Mayor Pro Tem Jorif moved to authorize the city manager to negotiate and execute a land lease agreement for a cellular communications tower located at Henry M. Chandler Park. Councilmember Campbell seconded the motion, which passed unanimously (6 ayes with 1 absence – McCallum).

IX. Consent Agenda

1. Consider approval of the minutes from the December 2, 2024 city council meeting, and take any action necessary.

2. **P2024-040** - Consider a request by Meredith Joyce of Michael Joyce Properties on behalf of Jay Hankla of SH Dev Klutts Rockwall, LLC for the approval of a Final Plat for Phase 2 of the Homestead Subdivision being a 48.170-acre tract of land identified as a portion of Tract 6 of the J. A. Ramsey Survey, Abstract No. 186, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 92 (PD-92), generally located at the northeast corner of the intersection of FM-549 and FM-1139, and take any action necessary.

3. **P2024-041** - Consider a request by Johnathan McBride of NXG Services, LLC for the approval of a *Final Plat* for Lot 1, Block A, NXG Services Addition being a 1.799-acre tract of land identified as a Tract 2-8 of the J. R. Johnson Survey, Abstract No. 128, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District, addressed as 227 National Drive, and take any action necessary.

Councilmember Lewis moved to approve all three Consent Agenda items (#s 1, 2, and 3). Councilmember Thomas seconded the motion, which passed unanimously (6 ayes with 1 absence – McCallum).

X. Public Hearing Items

1. **Z2024-053** - Hold a public hearing to discuss and consider a request by Amanda Dailey for the approval of an **ordinance** for a *Zoning Change* from Agricultural (AG) District to Single-Family 10 (SF-10) District being a 1.47-acre tract of land identified as Tract 3 of the N. Butler Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 205 Dial Lane, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller, provided background information concerning this agenda item. This property was annexed into the city in 1998 and has remained zoned "AG" ever since. On November 15, 2024, the applicant -- Amanda Dailey -- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Single-Family 10 (SF-10) District for the purpose of constructing a single-family home on the property. The property is located on a private roadway and does not have frontage onto a public roadway. Furthermore, it cannot be subdivided in its current configuration. So, only one home could be built on the property. So, the request does appear to meet the city's Comp Plan. The Planning & Zoning Commission recently recommended approval of this request. Sixteen notices were sent to adjacent land owners and occupants; however, no notices have been received back by staff. Also, the one nearby HOA was notified as well.

Mayor Johannesen opened the public hearing, asking if anyone would like to speak, including the applicant. However, no one indicated a desire to speak. So he closed the Public Hearing.

Mayor Pro Tem Jorif moved to approve Z2024-053. Councilmember Lewis seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 25-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY 10 (SF-10) DISTRICT FOR A 1.47-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3 OF THE N. BUTLER SURVEY, ABSTRACT NO. 183, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBITS 'A' & 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve then passed by a vote of 6 ayes with 1 absence (McCallum).

2. **Z2024-054** - Hold a public hearing to discuss and consider a request by the City of Rockwall for the approval of an **ordinance** for a *Zoning Change* amending Planned Development District 9 (PD-9) [*Ordinance No.'s 73-49, 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43*] for the purpose of consolidating the regulating ordinances for a 307.57-acre tract of land situated within the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 9 (PD-9), generally located south of Horizon Road [FM-3097], east of Ridge Road, and north of the southern corporate limits of the City of Rockwall, and take any action necessary **(1st Reading)**.

The Planning Director, Ryan Miller, provided background information on this agenda item. On June 5, 2023, the City Council directed staff to begin the process of initiating zoning to amend the City's older Planned

Development (PD) Districts in order to prepare consolidating ordinances (i.e. writing one [1] ordinance that supersedes all previous ordinances for the Planned Development Districts). The purpose of this effort is to [1] make zoning easier to understand for the City's external customers (i.e. developers, homebuilders, and citizens), and [2] to make the zoning ordinances easier to interpret internally by City staff; however, the proposed consolidating ordinances are not intended to change any of the requirements, concept plans, or development standards stipulated for any Planned Development (PD) District. This was successfully done recently to the Planned Development (PD) Districts for the Chandler's Landing Subdivision (i.e. Planned Development District 8 [PD-8]), Lakeside Village/Turtle Cove Subdivisions (i.e. Planned Development District 2 [PD-2]), the Shores Subdivision (i.e. Planned Development District 3 [PD-3]), and the Windmill Ridge Estates Subdivision (i.e. Planned Development District 13 [PD-13]). Planned Development District 9 (PD-9) was originally adopted in 1973, and currently consists of 66 pages of regulations within ten (10) regulating ordinances. The Planned Development District also consists of approximately 205 development cases. The proposed draft ordinance consolidates these regulating ordinances and development cases into a single document. Staff should note that under the proposed amendment, staff is required to initiate zoning; however, the proposed consolidating ordinance will not change any of the requirements, concept plans, or development standards stipulated for any property within Planned Development District 9 (PD-9). This being a zoning case, staff sent out 868 notices to all property owners and occupants within Planned Development District 9 (PD-9), and within 500-feet of the Planned Development District's boundaries. In addition, staff notified the Fox Chase, Benton Woods, Rainbow Lakes, Lago Vista, Lyndon Park, Water's Edge, Lake Ray Hubbard, Signal Ridge, Signal Ridge Phase 4, Chandler's Landing, The Cabanas at Chandlers, Match Point, Landing Townhomes, Cutter Hill Phase 3, Spyglass Phase 2 &3 Homeowner's Associations (HOAs). Included with the notice was a link to the City's website -- which had all of the zoning documents associated with the case (i.e. the old Planned Development District 9 [PD-9] ordinances and the proposed draft ordinance) --, and included with the notice was a letter explaining the purpose of the zoning amendment. Currently, staff has received two (2) notices in opposition and one (1) in favor of the consolidated ordinance; however, as previously amended the consolidated ordinance does not change the current zoning ordinances. The City's Planning & Zoning Commission recently met and recommended approval of this case by a vote of 6 to 0.

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

Mayor Pro Tem Jorif moved to approve Z2024-054. Councilmember Thomas seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 25-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 9 (PD-9) 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 307.57-ACRE TRACT OF LAND SITUATED WITHIN THE E TEAL SURVEY, ABSTRACT NO. 207, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve then passed by a vote of 6 ayes with 1 absence (McCallum).

3. **Z2024-055** - Hold a public hearing to discuss and consider a request by Bryan Cook for the approval

of an **ordinance** for a *Specific Use Permit (SUP)* for a *Detached Garage* on a one (1) acre parcel of land identified as Lot 13, Block A, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2348 Saddlebrook Lane, and take any action necessary **(1st Reading)**.

The Planning Director, Ryan Miller, provided background information on this agenda item. The subject property was annexed into the City of Rockwall on August 30, 1999 by Ordinance No. 99-33 [Case No. A1999-002]. At the time of annexation, the subject property was zoned Agricultural (AG) District. On January 19, 2000, Saddlebrook Estates #2 Addition was adopted, establishing 45 single-family homes on 51.47-acres. Based on this information, at some point between the time of annexation and January 19, 2000, the subject property was rezoned to Single-Family 16 (SF-16) District. This remains the current zoning designation of the subject property. According to the Rockwall Central Appraisal District (RCAD), a 3,718 SF single-family home was constructed on the subject property in 2002. Also existing on the subject property is a 164 SF covered porch constructed in 2002, a 216 SF pergola constructed in 2008, and a 128 SF accessory building constructed in 2016. Staff was unable to locate a building permit for the accessory building that was constructed in 2016; however, after conveying this to the applicant, the applicant has applied for a building permit (i.e. RES2024-6198). On December 5, 2022, the City Council denied a Specific Use Permit (SUP) for the construction of a Guest Quarters/Secondary Living Unit and Detached Garage on the subject property. On January 3, 2023, a concrete permit [Case No. RES2022-7606] was approved for s 3,450 SF concrete pad that was constructed in the backyard of the subject property. The applicant is requesting the approval of a Specific Use Permit (SUP) to allow for the construction of a Detached Garage that exceeds the overall maximum allowable square footage for a Detached Garage and the maximum number of accessory structures permitted on a property. The Single-Family 10 (SF-10) District allows a maximum of two (2) accessory structures with a maximum square footage of 144 SF each. In addition, the Unified Development Code (UDC) allows one (1) of these accessory structures to be a detached garage with a maximum square footage of 625 SF. The proposed detached garage is 1,050 SF (i.e. 425 SF over the maximum allowable square footage) and currently there are two (2) existing accessory structures, with one (1) being an accessory building having a building footprint of 120 SF, and one (1) being a covered patio cover having a building footprint of 216 SF. n reviewing a Specific Use Permit (SUP), the Planning and Zoning Commission and City Council shall consider: [1] if the structure was constructed without a permit or under false pretenses, [2] the size of the proposed accessory structure compared to the size of other accessory structures in the area/neighborhood/subdivision, and [3] the size, architecture and building materials proposed for the structure compared to those of the primary structure. The proposed Accessory Structure submitted by the applicant does not appear to create a negative impact on any of the adjacent properties; however, it could set a precedence with regard to the size of the proposed structure, building materials, and number of accessory structures permitted per lot in this neighborhood. For the purpose of comparing the proposed Detached Garage for the subject to other Detached Garages constructed in the Saddlebrook Estates Subdivision, staff has identified 11 Detached Garages constructed in the subdivision. Three (3) of the structures are larger than what the applicant is proposing (i.e. an 1,836 SF detached garage at 2312 Saddlebrook Lane, and an 1,860 SF detached garage at 2364 Saddlebrook Lane, and a 1,156 SF Detached Garage at 2312 Saddlebrook Lane). Staff should point out that all three (3) of these Detached Garages were constructed with the same building materials as the primary structure, which was a requirement for Detached Garages under the previous zoning ordinance. With all that being said, a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. On November 21, 2024, staff mailed 24 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Stoney Hollow Homeowners Association (HOA). 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 five (5) notices in favor of the applicant's request. In addition the Planning & Zoning Commission has recommended approval of this request by a vote of 6 to 0.

Mayor Johannesen opened the public hearing, but no one indicated a desire to speak. He then closed the public hearing.

Councilmember Campbell then moved to approve Z2024-055. Councilmember Thomas seconded the motion.

Mayor Pro Tem Jorif expressed several concerns about this request potentially being approved. Councilmember Campbell clarified that other nearby homes have larger structures on site compared to what is being proposed now. Mayor Johannesen expressed reasons why he is not opposed to approval of this request.

The ordinance caption was then read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 25-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 A *DETACHED GARAGE AND FOR MORE ACCESSORY STRUCTURES THAN PERMITTED* ON A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 13, BLOCK A, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED SINGLE-FAMILY 16 (SF-16) DISTRICT, ADDRESSED AS 2348 SADDLEBROOK LANE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve passed by a vote of 5 ayes, 1 nay (Jorif) and 1 absence (McCallum).

4. **Z2024-057** - Hold a public hearing to discuss and consider a request by Michael Jaquette of CED Rockwall on behalf of QA Logistics Rockwall, LP for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *General Retail Store* in conjunction with a *Wholesale Showroom Facility* on a portion of a larger 5.1292-acre parcel of land identified Lot 2, Block D, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1915 Alpha Drive, and take any action necessary **(1st Reading)**.

The Planning Director, Ryan Miller, provided background information on this agenda item. The applicant has submitted an application and a zoning exhibit requesting a Specific Use Permit (SUP) for a General Retail Store on the subject property. According to the Rockwall Central Appraisal District (RCAD) there is an existing 50,400 SF multi-tenant industrial building situated on the subject property. Within this building the applicant is leasing a 6,213 SF space for their Wholesale Showroom Facility, which engages in the wholesale – primarily to contractors -- of electrical components and parts. As part of the applicant's operations, they sell Personal Protective Equipment (PPE) and individually packaged goods in the entry lobby. This component of the business is open to both contractors and the general public; however, a great number of patrons are not expected at any given time. The applicant is requesting to include an 812 SF General Retail Store as part of their Wholesale Showroom Facility. Staff mailed 15 notices to property owners and occupants within 500-feet

of the subject property, but no responses were received by the city. In addition, the Planning & Zoning Commission has recommended approval of this request by a vote of 6 to 0.

Mayor Johannesen invited the applicant forth. A representative of the applicant came forth and provided brief comments. The mayor then opened the public hearing, asking if anyone would like to come forth and speak at this time. There being no one indicating a desire to speak, Mayor Johannesen closed the public hearing.

Following brief clarification, Mayor Pro Tem Jorif moved to approve Z2024-057. Councilmember Lewis seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 25-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) TO ALLOW A *GENERAL RETAIL STORE* ON A 5.1292-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK D, ELLIS CENTRE #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS *($2,000.00)* FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion to approve the item passed by a vote of 6 ayes with 1 absence (McCallum).

5. **Z2024-058** - Hold a public hearing to discuss and consider a request by Jerret R. Smith for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Residential Infill in an Established Subdivision* on a 0.1960-acre parcel of land identified as Lot 2, Block A, Highridge Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 10 (SF-10) District, addressed as 704 S. Alamo Road, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller, shared background information on this item, explaining that the applicant would like approval of the requested SUP in order to build a 5,059 square foot, two-story, single-family home at this location. On November 19, 2024, staff mailed 69 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Stonebridge Meadows, Bent Creek Condos, and Highridge Estates Homeowners Associations (HOAs). However, staff has not received any replies back at this time. Council is asked to consider the size, location and architecture of this proposed home when compared to nearby, existing properties. Staff has provided a housing analysis for Council's consideration when comparing. It was noted that the applicant did not attend the Planning & Zoning Commission meeting, and he is also not present this evening. In addition, staff has been unable to reach the applicant, despite multiple attempts at doing so.

Mayor Johannesen expressed brief dissatisfaction at the applicant not being present and not responding to attempts by staff to reach him. He then opened the public hearing, asking if anyone would like to speak at this time.

Mary Smith
711 Forest Trace
Rockwall, TX

Mrs. Smith shared that her home is located directly behind this property. It bothers her greatly that the applicant has not shown up or responded to staff. This home is proposed to be significantly larger than other, nearby existing homes. The comparison provided to Council was done mainly with homes that are actually located in the neighborhood next to this one. So, it's really not an accurate analysis. She also commented that, although she knows for certain notices were mailed, neither she nor others ever received the notices in the mail. She spoke in opposition of approval of this request.

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

Due to failure to show up, respond and participate in the process, Mayor Pro Tem Jorif moved to deny Z2024-058. Councilmember Lewis seconded the motion, which was approved by a vote of 6 ayes with 0 nays and 1 absence (McCallum).

6. **Z2024-059 -** Hold a public hearing to discuss and consider a request by Daryl Schroeder for the approval of an **ordinance** for a *Specific Use Permit (SUP)* for *Short-Term Rental* on a 0.1515-acre parcel of land identified as Lot 16, Block D, Lynden Park Estates, Phase 3, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 17 (PD-17), addressed as 117 Lanshire Drive, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller provided background information on this agenda item. The existing 3,591 SF single-family home situated on the subject property was constructed in 2003, and the applicant is requesting approval of an SUP to allow the home to be used as a STR. This SUP request is necessary since this property is located less than 1,000 feet from another, existing, non-owner occupied STR. This one, in fact is located 58.8 feet away from the other, existing one, which accommodates up to 8 guests. Approval of this request is discretionary on the part of Council. The Planning & Zoning Commission did review this request, and it has submitted a recommendation for denial (by a vote of 6 to 0). Notices were sent out to adjacent owners and occupants, and staff has received back 1 notice in favor of this request and 2 notices in opposition of the request. Any potential approval by Council this evening regarding this request will require a ¾ majority vote since the P&Z unanimously recommended its denial.

The mayor asked if the applicant is present and would like to come forth to speak.

Mayor Johannesen opened the public hearing, asking if anyone would like to speak at this time. There being no one indicating such, he then closed the public hearing. He then moved to deny Z2024-059. Mayor Pro Tem Jorif seconded the motion, which passed unanimously of those present (6 ayes with 1 absence (McCallum)).

7. **Z2024-060** - Hold a public hearing to discuss and consider a request by Ryan Joyce of Michael Joyce Properties on behalf of Bill Lofland for the approval of an **ordinance** for a *Zoning Change* from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) and General Retail (GR) District land uses on a 544.89-acre tract of land identified as Tracts 3 & 3-1 of the A. Johnson Survey, Abstract No. 123 [*355.146-acres*]; Tracts 7 & 7-2 of the W. H. Baird Survey, Abstract No. 25 [*45.744-acres*]; and Tracts 3 & 4 of the J. R. Johnson Survey, Abstract No. 128 [*144.00-acres*], City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the SH-205 Overlay (SH-205) and SH-205 By-Pass Overlay (SH-205 BY OV) District, generally located on the east and west side of S. Goliad Street [*SH-205*] at the corner of the intersection of John King Boulevard

and S. Goliad Street [*SH-205*], and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller, gave background information on this agenda item. He explained that this is a 519 acre vacant piece of land. It was annexed into the city in the 1980s and has remained vacant since that time. Several cases have previously come forth since May of this year, and this submission is the fourth one at this time. What is being proposed this evening is an 870 lot residential subdivision on 495 acres that consists of lot sizes ranging from 1.5 acres down to 7,440 square feet in size. About 21 acres of general retail is being proposed at this time along with 65.78-acres of private open space, 6.40-acres of amenity centers (which includes two [2] amenity centers), a 1.97-acre site for a future City water tower, and the proposed two (2) public parks consisting of 33.00-acres. This -- with the 76.60-acres of floodplain -- represents a total of 183.75-acres of open space, which translates to 28.00% (i.e. [76.60-acres of floodplain/2] + 65.78 + 6.40 + 1.97 + 33.00 = 145.45-acres/519.53-acres gross = 27.99645%) of the site being dedicated to open space/amenity. This exceeds the total required open space of 20.00% (or 103.906-acres) by 7.99645% (or ~41.544-acres). In addition, the proposed development will incorporate a minimum of an 80-foot landscape buffer with a ten (10) foot meandering trail for all residential adjacency to John King Boulevard, SH-205, and FM-549. The concept plan also depicts the provision of an eight (8) foot trail system that will be provided throughout the development to connect the future residential lots with the private open spaces, public parks, and non-residential developments. Staff also noted that the applicant has consented to incorporating a 50-foot landscape buffer, with a berm, and solid living screen consisting of evergreen trees along Lofland Circle (i.e. adjacent to the Oaks of Buffalo Way Subdivision). All of these items have been included into the proposed Planned Development District ordinance and will be requirements of the proposed subdivision. This translates to a gross density of 1.68 dwelling units per gross acre for the total development (i.e. 1.76 dwelling units per acre without the ~24.10-acre tracts of land designated for limited General Retail [GR] District land uses). The minimum dwelling unit size (i.e. air-condition space) will range from 2,750 SF to 3,500 SF. With regard to the proposed ~24.10-acres designated for limited General Retail (GR) District land uses, staff has identified all of the land uses within the General Retail (GR) District that would be inconsistent with residential adjacency and specifically prohibited these land uses in the Planned Development District ordinance. Staff has also incorporated language in the Planned Development District ordinance that requires a 50-foot landscape buffer with a minimum of a 48-inch berm and three (3) tiered screening (i.e. [1] a row of small to mid-sized shrubs, [2] a row of large shrubs or accent trees, and [3] a row of canopy trees on 20-foot centers) to be situated between the commercial and residential land uses. Along SH-205, FM-549, and John King Boulevard a landscape buffer meeting the General Overlay District Standards has been required. The applicant will have to ensure that all necessary water, wastewater, and drainage infrastructure is put into place in order to serve the property as well as be required to conduct a Traffic Impact Analysis.

On November 19, 2024, staff mailed 557 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Hickory Ridge, Hickory Ridge East, Lofland Farms, Fontanna Ranch, and the Oaks of Buffalo Way Homeowner's Associations (HOAs), which are the only HOAs within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). Staff had received the following notice responses from property owners inside the City limits. These responses were as follows:

(1) Three (3) response from property owners within the 500-foot notification buffer in favor of the applicant's request.

(2) Sixteen 16 responses from property owners within the 500-foot notification buffer opposed to

the applicant's request.

(3) Four (4) responses from property owners outside the 500-foot notification buffer in favor of the applicant's request.

(4) 244 responses from property owners outside the 500-foot notification buffer opposed to the applicant's request.

The City's Planning & Zoning Commission did recently hear this case and voted 5 to 1 (Hagaman against) to recommend approval of this case to the City Council.

Mayor Johannesen invited the applicant forth to speak at this time. Mr. Joyce Joyce (767 Justin Road – Rockwall, TX) came forth and provided a lengthy presentation to Council on some of the changes that have been made since he was previously before Council pertaining to this proposed master planned community ("Juniper").

Following Mr. Joyce's presentation, Mayor Johannesen opened the public hearing.

Matt Scott
4925 Bear Claw
Rockwall, TX

Mr. Scott mentioned he lives in the Oaks of Buffalo Way. He believes that this developer coming forward a fourth time is because he hopes that less and less people will show up to speak against it over time. He explained that each time the developer has been told 'no,' the proposal has been modified and it's gotten better and better. He expressed dissatisfaction with some aspects of the lot mix and lot sizes. He is unhappy about one of the streets being proposed as well, sharing that is in fact no curvilinear. He went on to urge Council to, once again, tell the developer 'no,' as he believes that what he is presenting this evening does not align with what the Council previously asked the developer to do.

Joe Ward
4920 Bear Claw
Rockwall, TX

Mr. Ward came forth and shared that after the P&Z Commission concluded, one of the Commissioners commented that – if this gets voted down – another developer may come forth with a far worse plan. Mr. Ward expressed consternation about that sentiment. He shared that since the last time the Council voted down this developer's proposal, very little changes have been made to the proposal coming forward for consideration this fourth time. The developer has not addressed several key concerns previously expressed by the Council and by nearby residents. The developer was asked to have lots similar to Kingsbridge and The Oaks of Buffalo Way with non-linear streets to avoid overcrowding of neighbors; however, they have failed to address this. For several reasons, Mr. Ward spoke against approval of this request, urging Council to slow down the growth and alleviate tax burdens on citizens.

Susan Langdon
5050 Bear Claw Lane
Rockwall, TX

Mrs. Langdon came forth and shared that she has come forth three prior times regarding this project, and she is worn out. She shared brief comments about having worked in the past with a different developer, generally indicating that the developer – in that instance – worked well with the neighbors, and the project ended up

being a quality one. Comparatively speaking, this developer is not working well with the neighbors, and he is not listening well. She is tired of having to come back over and over again. She would like to see effort put forth by the developer and property owner.

Richard Henson
2424 S FM 549
Rockwall, TX

Mr. Henson shared that he and Mr. Joyce, the developer, have a good relationship with one another, and they still will even after this is finished. Mr. Henson went on to share a presentation, commenting on the lot sizes that are being proposed this time as well as density. He essentially provided a history of past residential developments that have been considered and approved by previous Councils over the years. He went on to share many details regarding what was previously proposed when the developer came before Council before versus what is being proposed this evening as well as how what's being proposed this evening compares to desires expressed by nearby residents and other members of the public. Mr. Henson shared that he does not believe Mr. Lofland should do whatever he wants to do with his land.

Christina Guevara
1925 Broken Lance Lane
Rockwall, TX

Mrs. Guevara shared that she and her husband are not against development outright; however, they are opposed to this proposal. She is tired of coming forth to speak concerning this property, but she is not going to give up and she wants to be heard by Council. She expressed that the proposal is too dense, and she believes it should be rejected until it can be developed right and responsibly.

Stan Jeffus
2606 Cypress Drive
Rockwall, TX

Mr. Jeffus came forth and spoke against this development, especially due to its proposed density. He generally spoke about how more and more often, developers are trying to put houses upon houses and limit open space and parks, and he does not believe that sort of density makes for an actual neighborhood. He went on to express the belief that only 43 lots in Phase 6 actually meet the density requirements of two houses per acre. He spoke against this proposal, expressing that it is not 'low density.' He wants the houses spread out more and a lot more green space incorporated.

Milton Wittig
1759 Baywatch Drive
Rockwall, TX

Mr. Wittig came forth and shared that he is concerned about the population density, particularly pertaining to the proposed smaller lots. He went on to share several calculations regarding density, urging Council to send this case back to the Planning & Zoning Commission and require the developer to make a lot more changes to what's being proposed.

Greg Hollon
2778 S. FM 549
Rockwall, TX

Mr. Hollon invited shared that The Homestead Addition is just outside his front door. He urged Council to come to his home and look to see what one home looks like on a large lot, as them seeing this would likely be very impactful. He urged Council to slow down and really make the right decisions pertaining to this developer and his request. He wants the Council to vote 'wait' for now. He commented about how traffic is very heavy, and the two-lane road adjacent to this area does not provide enough capacity. This will add more than 1,700 cars if there are two vehicles per household associated with this development, and that is a lot more cars.

Leslie Wilson
535 Cullins Road
Rockwall, TX

Mrs. Wilson shared that she has lived here for twenty-seven years. She thanked members of the Council for their service and for past conservative votes pertaining to Juniper. Mrs. Wilson asked the Planning Director to again vocalize the summary of 'replies' the city received back after mailing out zoning change notices to adjacent residences. Mrs. Wilson shared that residents are confused by having received multiple notices related to this property. Mr. Miller shared that staff worked diligently to omit duplicate replies/notices so that the numbers associated with replies are as accurate as possible. Many, many times the same people are sending in multiple replies over and over and over again. Indication was given that paid efforts transpired on social media, urging people to write in and/or express opposition to this case. Mr. Miller shared that this property has resulted in staff spending an inordinate amount of time sorting through notices. Mrs. Wilson urged the Council to vote 'no' on this request.

Rosemara Della Monica
4965 Bear Claw Lane
Rockwall, TX

Mrs. Monica shared that her daughter had a friend threaten suicide this morning, and so she had to call to report this regarding her daughter's 11 year old friend. She indicated that schools are overcrowded and teachers are overwhelmed, and this is getting worse and worse. What used to be a nine minute drive is now a thirty-five to forty minute drive for educators who live nearby. She spoke against this project due to overcrowding and traffic. Regarding the mayor not having been comfortable telling someone what he can or cannot do with his own land, she disagrees with these sentiments. She went on to share comments refuting prior comments made by council members when this project was considered the last time. She expressed that some of their comments were considered by her to be condescending and disrespectful. She spoke in opposition of this proposal this evening, urging Council to make the developer better consider the needs and well-being of the community.

Janice Morchower
144 Westwood
Rockwall, TX

Mrs. Morchower came forth and indicated that none of the propositions on a recent school bond election passed, and their failure has a huge impact on our school district. Her son in law is a teacher at one of our local schools, and he and his students have been in a portable building for a long time now. This development, "Juniper," is not the only new development that is in the works. Many have previously been approved but they have just not yet broken ground. She is concerned about the hundreds of new homes that are in the beginning stages and the impact they will have on our community and the schools. She generally spoke in opposition of this proposal this evening.

Leslie Hope

530 Cullins Road
Rockwall, TX

Mrs. Hope came forth and shared that a lot of citizens feel very passionate about this development. She thought that this project was 'dead,' as she had heard (a rumor) that someone was thinking of developing it as a retirement community with a golf course, and she was thrilled. She understands that approval of this case is 'discretionary' on the part of Council. She strongly urged Council to deny this request, as she believes Rockwall deserves a better plan – on that is less dense.

Randy Heinrich
4945 Bear Claw Lane
Rockwall, TX

Mr. Heinrich has lived in Rockwall twenty-five years. He pointed out that 97 percent of respondents are against this, so he urged Council to vote 'no' on this proposal. He is worried about this being a Canadian company and would like to see support for an American company instead. He has doubts about the timing the developer has indicated associated with this development. He has been dissatisfied with how the developer has handled meetings, especially their scheduling. He generally spoke in opposition of this request.

Bob Wacker
309 Featherstone
Rockwall, TX

Mr. Wacker wonders if Council has more respect for property owners who show up or for ones that do not. He pointed out that the owner associated with this development has never shown up. He went on to share that citizens citywide are opposed to this case. He believes this proposal deviates from the city's future land use plan. Planning Director, Mr. Miller explained to Mr. Wacker how this proposal meets a majority of the city's future land use plan and how that plan is essentially a guiding document. The mayor also explained how the plan works and how the Planning & Zoning Commissioners are volunteers who do technical reviews of proposals and make a recommendation to the City Council. The Council then makes the very tough decisions, sometimes in situations where they are faced with pitchforks. Councilmember Thomas and Mr. Wacker had brief dialogue regarding Stone Creek (the subdivision in which Mr. Wacker currently resides) and if Mr. Wacker believes Stone Creek is a good development. Mr. Wacker shared that – at the time he moved there – he did believe Stone Creek to be a good development, but a lot has changed about Rockwall since that time. Mr. Wacker spoke in opposition of this proposal, especially due to the lot sizes, mixes and density.

Sergio Bento
2002 Lakeshore Drive
Rockwall, TX

Mr. Bento shared that he is a minister, and his company was responsible for a lot of the development associated with the Dallas Cowboys (now AT&T stadium), and he was personally responsible for a great deal of that particular economic development project and associated team. He articulated that, for several reasons, that development was not truly good. Truly, it should have been located at Fair Park in Dallas instead. But, he worked on behalf of the city council and the mayor in that city at the time to bring that project to fruition because that's what that city wanted. Many times, he knows that a project will not eventually prove to be good for a city in the long run. He commented about how the TX Constitution was amended so that certain development could occur before it really needed to occur. He recognizes sometimes individuals have to beg elected officials to truly do the will of the people. It is the responsibility of voters to keep in elected seats whose who belong in those positions.

Dave Guevara
1905 Broken Lance Lane
Rockwall, TX

Mr. Guevara thanked Council for hearing the concerns this evening. He wonders if consideration has been given to developing only a portion of this piece of land. He works on the finance end of projects like this, so he is very familiar with how these things work. He believes this is a developer who wants to stack as many homes as he possibly can because that will mean he makes the most money possible. And it is being done while completely disregarding what is best of the community. He acknowledged that voters elected city councilmembers to make decisions on behalf of them. He pointed out that, overwhelmingly, voters who put the councilmembers in their respective seats, have expressed huge opposition to what is being proposed with this development. He believes that the decision(s) Council makes should be representative of what the voters and the community have expressed they want or don't want. He believes this development could make sense, possibly sometime in the future, but not right now – now is not the time, especially with so much traffic already.

There being no one else wishing to come forth and speak, Mayor Johannesen then closed the public hearing. He asked if the applicant would like to come forth and speak again at this time.

Mr. Joyce came forth and thanked Council for everyone who has spoken this evening. He acknowledged this has been a very long process, and the residents are worn out, he is worn out and he knows the Council is worn out too. He stated this proposal is the last time he will be coming forth related to this project. He went on to share lengthy comments in an effort to address some outstanding questions and concerns. He explained that forty-seven different times were offered up to residents to meet to discuss concerns on this project.

Mayor Pro Tem Jorif thanked Mr. Joyce; however, he acknowledged that he has heard the voices of residents and their concerns. He sought and received clarification on the current proposed density, which Mr. Miller shared is at 1.68 dwelling units per acre. All things considered, he expressed that he cannot vote in favor of this proposal, and he does not support it.

Councilmember Thomas asked Mr. Joyce to speak about curvilinear streets in Phase 6 of the proposed development. Mr. Joyce provided requested clarification (at length).

Councilmember Lewis asked for and received clarification regarding trees and open space in Phase 6.

Mayor Pro Tem Jorif sought and received additional clarification on east – west connectivity with a certain thoroughfare within (and beyond) the development's border. Brief discussion also took place related to zoning notifications that were mailed out to residents and the very large influx of protests that were received back and sorted through by city staff. Mayor Johannesen shared that there recently were paid social media ads that asked "do you want high density housing," which were also accompanied by many, many text messages that went out – all paid pushes. Anyone who has ever designed a survey knows that responses are all related to how the question is asked. Jorif asked if we know the source of the media ads. Indication was given that – yes – we do know; however, that is not something to be discussed right now.

Mayor Johannesen then moved to approve Z2024-060. Councilmember Thomas seconded the motion.

Councilmember Thomas went on to provide lengthy comments, in part, articulating the city has a Comprehensive Development Plan, and at this corner / intersection, it calls for low density residential development. And that is what is being proposed in this instance. He shared that the city has responsibly

grown at about 3% per year, and the city is for sure best equipped to make its own development decisions (rather than allow those to be made by folks in Austin). The developer has worked to modify the proposal to reduce the number of homes while also ensuring they will be very nice, high-quality homes that are built. The developer will have to build and put in a lot of infrastructure. The city is not building it and placing that burden on tax payers. He shared that a property owner has a right to present a case for consideration regarding what he wants to do with his property. And a lot of modifications have been made to the proposals regarding this property over time. This is not high density. It is low density, and it will be a very high-quality development that meets the strategies of the city's Comp Plan and does, overall, comply with that plan.

Councilmember Moeller indicated he has laryngitis, so he apologized for his voice. He agrees with Councilmember Thomas that what is happening in Austin at the state legislature is very concerning. He has heard a lot of talk in Austin about 'affordable housing' and taking rights away from cities more and more to make their own decisions. He has a lot of concern about what may happen if Austin changes the laws and rules, which could potentially happen in this upcoming legislative session. If Austin changes the rules, it is possible we could be faced with 50' lots on this property, and that is very concerning. Although he is not in favor of all that is being proposed in this case, he is concerned about Austin. He is currently 'on the fence' on this at this time.

Councilmember Lewis provided extensive comments on bills and the types of bills that have been being proposed and – in some cases – adopted by the State Legislature in Austin. He absolutely believes Austin is limiting city's authorities more and more, as Austin is very anti-local control. The TX Municipal League is convinced that the legislature is going to limit cities' abilities to zone any property at all. It is very scary what is going on in Austin, and it is possible cities will not be able to 'zone' at all after this upcoming legislative session.

Councilmember Campbell shared that this case is probably the most difficult case she has ever had to vote on in her entire tenure on Council. What is going on at the legislature in Austin is very concerning, as is paid advertising that has recently occurred and is manipulating what is going out to the public. She originally had concerns that it was such a large project, and that has been prompting a lot of concerns from the community as well. Perhaps if it were not so large, the concerns of the community would not be so large. She shared that she has spoken with the Lofland Family, and the family member that lives here in the community - she has spoken to that one family member. She believes the Lofland Family does want good and wants what is best for the community. She acknowledged the Loflands have a right to do what they want with their property. However, our community does have a right to have and express concerns. She acknowledged that there is a whole lot of traffic – both on the roadways and within classrooms within our community – both of which are overcrowded. She is an educator at Rockwall High School, so she personally sees and experiences classrooms that are packed to capacity. Councilmember Campbell sought and received brief clarification regarding TXDOT projects and planned roadway expansions. She shared that she is very, very conflicted, and she feels everyone's pain with what is happening in our community. It all is very much a dilemma. She thanked the community and staff for all the time they've put into this case, as it has been a tough one. She believes that – regardless of anything – this development is still going to cause more congestion in our community. She ultimately shared that she is 'on the fence' about this one.

Mayor Johannesen shared that he does not want 870 new homes either. Like many others who have expressed these sentiments, right after he and his wife moved to Rockwall, he too wished no one else could move here or come in. He went on to share that – thankfully a prior developer risked his time and money to invest in building The Shores subdivision, where he and his wife lived and raised three kids. Then, they sold that home and moved to Stone Creek, where another developer established a neighborhood. Now he and his family have moved to Stone Creek, and he is pretty sure they live on a 60' lot. It is not a lot of space, but he loves it – less mowing. He believes that, of the city council members in place today, there is just one who lives on an estate lot – just one. He cannot personally afford to live on an estate lot. So he is pretty sure the Council is

representative of the city at large. He went on to express how these decisions that Council is faced with are difficult ones, and he appreciates all of the time that has been invested by seated councilmembers who have studied and evaluated this issue, have spent time with the developer, with concerned citizens, listening remotely to P&Z Commission meetings, and then making very tough decisions while not just 'rubber stamping' a development proposal that comes before them. He prided himself in the time he and each of the council members invest towards discussing things and not just rubber stamping, things. He believes the developer made several concessions – not because he had to – but because he was trying to do the neighborly thing and because he lives in our community, and he does build a good product. He briefly explained his views on 'limited government,' which is not one extreme or the other. He believes 'limited government' should set the standards and then ensure somethings stays within those standards. He believes the developer has done so – he has stayed within the confines of the city's Comp Plan. He articulated his views on both the 'pros' and 'cons' associated with this development proposal. He shared that, "I don't like it" is not a compelling reason to vote against. He pointed out that – despite some articulating that it is 'high density' - it is actually considered 'low density' under the city's standards that it has in place (its future land use ("Comp") plan), and he has to go by those standards. He went on to share that he has not found any legal reason to deny this proposal, and – for this and other reasons – he is going to vote in favor of it.

The ordinance caption was then read as follows:

CITY OF ROCKWALL
ORDINANCE NO. 25-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT XX (PD-XX) FOR SINGLE FAMILY 10 (SF-10) DISTRICT AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, *BEING* A 519.5402-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 3 & 3-1 OF THE A. JOHNSON SURVEY, ABSTRACT NO. 123; TRACT 7 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25; AND TRACTS 3 & 4 OF THE J. R. JOHNSON SURVEY, ABSTRACT NO. 128, 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 Z2024-060 then passed by a vote of 4 ayes, 2 nays (Campbell and Jorif), and 1 absence (McCallum).

Mayor Johannesen briefly recessed the meeting for a short restroom break.

Mayor Johannesen then reconvened the public meeting at 9:31 p.m.

(As a result of Executive Session discussions), Councilmember Moeller explained that there are reappointments to be made to the city's Main Street Advisory Board (MSAB). He then moved to reappoint Chad Fogg and Grant English to continue serving on the MSAB. Since the desire is to bring the terms of MSAB members into alignment with annual terms associated with most all other city boards and commissions, each of these two reappointments will start in January of 2025 and will run through August of 2026. Councilmember Lewis seconded the motion, which passed by a vote of 5 ayes with 2 absences (McCallum and Jorif (note: Jorif was not yet back from break when the vote was taken).

XI. Action Items

1. Discuss and consider the approval of an **ordinance** for a text amendment to Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances for the purpose of adopting revised *Impact Fee Regulations*, and take any action necessary **(1st Reading)**.

Planning Director, Ryan Miller provided background information on this agenda item. In accordance with Chapter 395 of the Texas Local Government Code, the City Council recently adopted Ordinance No. 24-41, which codified the updated Land Use Assumptions, Capital Improvements Plans, and impact fee collection rates for water, wastewater, and roadway impact fees. As part of this update -- and in response to recently adopted changes to the Texas Local Government Code approved with the 88th Legislative Session --, staff has also been in the process of reviewing, restructuring, and rewriting Article III, Impact Fee Regulations, of Chapter 38, Subdivisions, of the Municipal Code of Ordinances. The current Article was originally adopted as part of the 1982 Municipal Code of Ordinances and was amended on July 16, 1990 by Ordinance No. 90-22 for the purpose of establishing water and wastewater impact fees. On April 21, 2008, this section of the code was again amended by Ordinance No. 08-21 for the purpose of establishing roadway impact fees. These sections were adopted at different times, and were incorporated into two (2) different divisions of the code. Due to the overlapping content, staff has merged these divisions together to stream line the Article. In addition, staff included process and procedural changes to better account for how the City's development process has changed over the past 30-years, and how the City currently collects impact fees. Staff should note, that both the City's consultant -- Freese and Nichols, Inc. -- and the City Attorney have reviewed the proposed amendments, and have provided input and changes that have been incorporated into the attached draft ordinance.

Councilmember Campbell moved to approve the ordinance. Councilmember Lewis seconded the motion. The ordinance caption was read as follows:

CITY OF ROCKWALL

ORDINANCE NO. 24-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REPEALING IN ITS ENTIRETY ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, OF THE MUNICIPAL CODE OF ORDINANCES, ADOPTING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE, AND AMENDING SECTION 38-9(5), *PROPORTIONALITY*, OF ARTICLE I, *IN GENERAL*, OF CHAPTER 38, *SUBDIVISIONS*, AS DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 6 ayes with 1 absence (McCallum).

2. Discuss and consider approval of a resolution setting solid waste collection rates, and take any action necessary.

City Manager, Mary Smith, provided brief comments concerning this item. The contract spells out a 3% increase each new contract year. So, it is now time to adopt the new rate, in accordance with the contract, and pass on that rate increase to residents. Mayor Pro Tem Jorif moved to approve the resolution setting the solid waste collection rates. Councilmember Campbell seconded the motion, which passed by a vote of 6 ayes with 1 absence (McCallum).

XII. Adjournment

Mayor Johannesen adjourned the meeting at 9:38 p.m.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS ON THIS 6th DAY OF JANUARY, 2025.

Trace Johannesen, Mayor

ATTEST:

Kristy Teague, City Secretary

CITY OF ROCKWALL

ORDINANCE NO. 25-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY 10 (SF-10) DISTRICT FOR A 1.47-ACRE TRACT OF LAND IDENTIFIED AS TRACT 3 OF THE N. BUTLER SURVEY, ABSTRACT NO. 183, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBITS 'A'* & *'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 Amanda Dailey for the approval of a *Zoning Change* from an Agricultural (AG) District to Single-Family 10 (SF-10) District for a 1.47-acre tract of land identified as Tract 3 of the N. Butler Survey, Abstract No. 183, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, and more fully described and depicted in *Exhibits 'A' & 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from an Agricultural (AG) District to a Single-Family 10 (SF-10) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a Single-Family 10 (SF-10) District as stipulated in Section 01.01*, Use of Land and Buildings,* of Article 04*, Permissible Uses* and Section 03.01, *General Residential District Standards*, and Section 03.07, *Single-Family 10 (SF-10) District,* of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

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

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

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6th DAY OF JANUARY, 2025.

_____
Trace Johannesen, Mayor

ATTEST:

_____

Kristy Teague, City Secretary

APPROVED AS TO FORM:

_____

Frank J. Garza, *City Attorney*

1st Reading: December 16, 2024

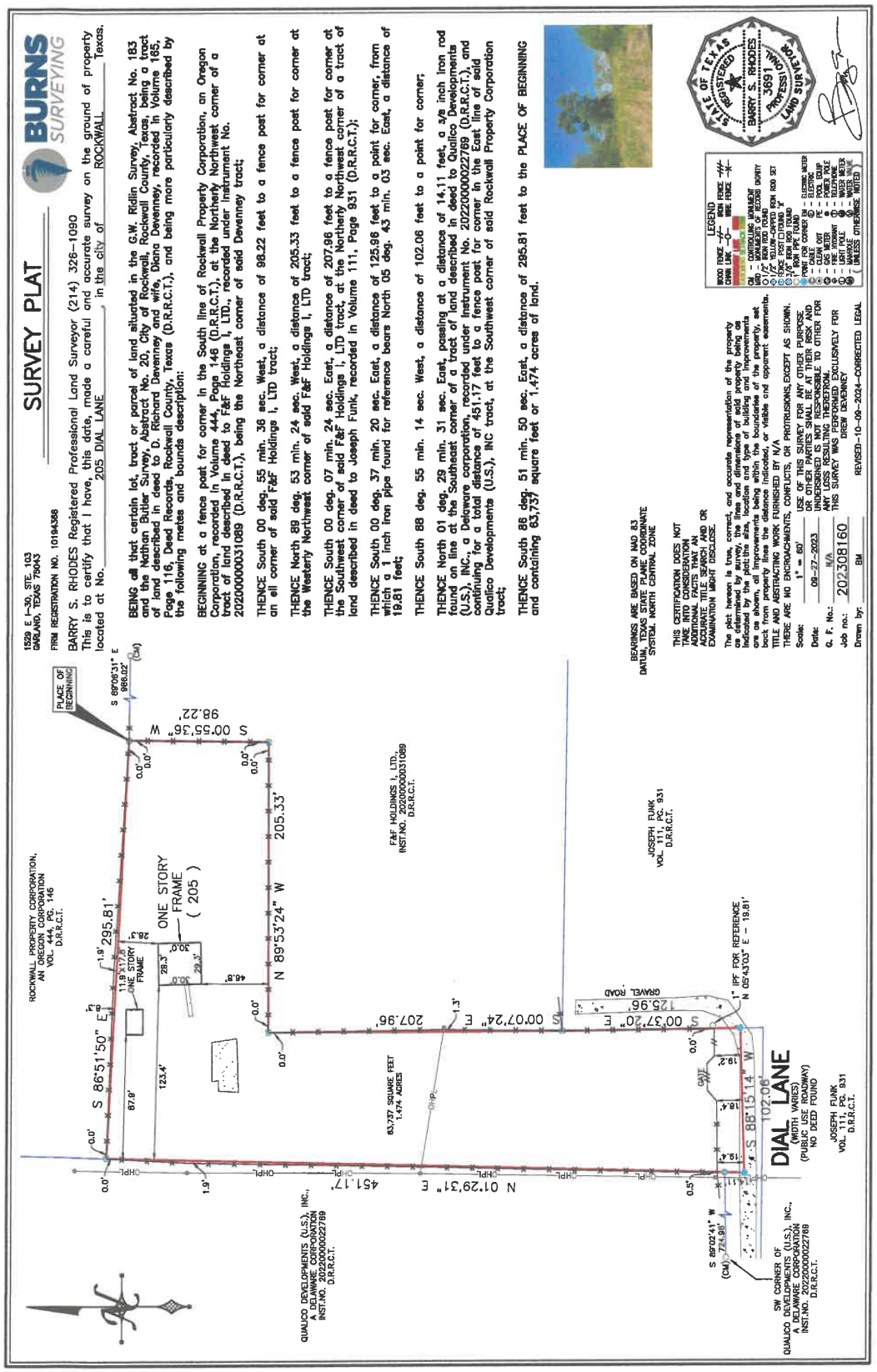
2nd Reading: January 6, 2025

Exhibit 'A':
Location Map

Address: *205 Dial Lane*

Legal Description: *Tract 3 of the N. Butler Survey, Abstract No. 183*

Exhibit 'B':
Survey



CITY OF ROCKWALL

ORDINANCE NO. 25-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 9 (PD-9) 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 307.57-ACRE TRACT OF LAND SITUATED WITHIN THE E TEAL SURVEY, ABSTRACT NO. 207, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall has initiated an amendment to the Planned Development District 9 (PD-9) for the purpose of consolidating the regulating ordinances [*Ordinance No.'s 73-49, 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43*].

WHEREAS, Planned Development District 9 (PD-9) is a 307.57-acre tract of land situated within the E. Teal Survey, Abstract No. 207, City of Rockwall, Rockwall County, Texas and which is more fully described in *Exhibit 'A'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area, and in the vicinity thereof, and the governing body in the exercise of its legislative discretion, has concluded that Planned Development District 9 (PD-9) [*Ordinance No.'s 73-49, 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43*] and the Unified Development Code [*Ordinance No. 20-02*] should be amended as follows:

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

SECTION 1. That the approval of this ordinance shall supersede all requirements stipulated in *Ordinance No.'s 73-49, 86-55, 87-30, 88-13, 88-20, 95-17, 01-43, 04-02, 11-31, & 13-43*;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes authorized by this Planned Development District Ordinance and the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting this zoning change, and as maybe amended in the future;

SECTION 3. That development of the *Subject Property* shall generally be in accordance with the *Concept Plan*, depicted in *Exhibit 'C'* of this ordinance, attached hereto and incorporated

herein by reference as *Exhibit 'C'*, which is deemed hereby to be a condition of approval of the amended zoning classification for the *Subject Property*;

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

SECTION 5. The Homeowner's Association (HOA) shall be responsible for the maintenance of all common areas, screening walls and features, landscape areas, deed restriction enforcement, and all other functions required to maintain the quality of the development.

SECTION 6. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars* ($2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

SECTION 7. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

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

SECTION 9. That this ordinance shall take effect immediately from and after its passage;

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JANUARY, 2025.

_____
Trace Johannesen, Mayor

ATTEST:

APPROVED AS TO FORM:

_____
Kristy Teague, City Secretary

_____
Frank J. Garza, City Attorney

1st Reading: December 16, 2024

2nd Reading: January 6, 2025

Exhibit 'A':
Legal Description

BEING 307.57 acres of land situated in Abstract 207, E. Teal Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

BEGINNING in the center of the intersection of Horizon Rd (FM3097) and Ridge Rd, *(NAD83 Texas State Plane GPS Coordinate (Grid): E 2,591,264.736, N 7,013,506.983 Feet);*

1 **THENCE** South 42°-42'-40" East, along the center of Horizon Road, a distance of 796.38 feet to a point;
2 **THENCE** South 45°-17'-46" East, continuing along said centerline, a distance of 1067.835 feet to a point;
3 **THENCE** South 44°-34'-21" East, a distance of 1870.922 feet to a point;
4 **THENCE** South 44°-49'-17" East, a distance of 1399.251 feet to a point;
5 **THENCE** South 46°-51'-8" East, a distance of 481.716 feet to a point;
6 **THENCE** South 46°-42'-30" East, a distance of 258.877 feet for a corner;
7 **THENCE** South 57°-1'-39" West, a distance of 111.082 feet to a point;
8 **THENCE** South 3°-49'-47" West, a distance of 337.364 feet to a point;
9 **THENCE** South 80°-0'-50" West, a distance of 32.893 feet to a point;
10 **THENCE** South 40°-15'-7" East, a distance of 532.823 feet to a point;
11 **THENCE** South 60°-15'-43" West, a distance of 620.808 feet for a corner;
12 **THENCE** North 88°-24'-50" West, along the Southern City Limits line of the City of Rockwall, a distance of 842.312 feet to a point;
13 **THENCE** North 89°-38'-21" West, continuing along said City Limits line, a distance of 1438.136 for a corner;
14 **THENCE** South 0°-17'-52" West, a distance of 0.253 feet to a point;
15 **THENCE** South 0°-15'-51" West, a distance of 227.577 feet to a point;
16 **THENCE** South 0°-47'-17" West, a distance of 123.607 feet for a corner;
17 **THENCE** North 88°-31'-26" West, a distance of 598.278 feet for a corner;
18 **THENCE** North 0°-44'-41" East, along the West line of the Foxchase Addition, a distance of 348.465 feet to a point;
19 **THENCE** North 1°-2'-26" East, a distance of 351.601 feet to a point;
20 **THENCE** North 1°-20'-59" East, a distance of 1122.141 for a corner;
21 **THENCE** North 84°-24'-12" West, a distance of 513.729 feet for a corner;
22 **THENCE** North 6°-36'-59" East, a distance of 48.053 feet for a corner;
23 **THENCE** North 84°-19'-46" West, a distance of 528.673 feet for a corner;
24 **THENCE** North 7°-8'-19" West, a distance of 680.962 feet for a corner;
25 **THENCE** South 81°-59'-27" West, a distance of 392.733 feet for a corner;
26 **THENCE** North 5°-54'-11" West, generally following the Centerline of Ridge Rd, a distance of 252.075 feet to the beginning of a curve;
27 **THENCE** along said curve to the left having an angle of 27°-0'-51" and a radius of 759.035 feet with a chord distance of 354.568 feet and a chord bearing of North 19°-11'-18" West, to the beginning of a curve;
28 **THENCE** along said curve to the left having an angle of 3°-50'-26"and a radius of 974.115 feet with a chord distance of 65.281 feet and a chord bearing of North 33°-37'-15" West, to the beginning of a curve;
29 **THENCE** along said curve to the right having an angle of 36°-52'-27"and a radius of 438.264 feet with a chord distance of 277.213 feet and a chord bearing of North 13°-29'-36" West, to the beginning of a curve;
30 **THENCE** along said curve to the right having an angle of 3°-29'-57" and a radius of 4,089.283 feet with a chord distance of 249.711 feet and a chord bearing of North 6°-45'-24" East, to a point;
31 **THENCE** North 11°-48'-52" East, a distance of 245.242 feet to a point;
32 **THENCE** North 13°-45'-2" East, a distance of 282.517 feet to a point;
33 **THENCE** North 17°-1'-45" East, a distance of 347.78 feet to the beginning of a curve;
34 **THENCE** along said curve to the right having an angle of 22°-5'-10" and a radius of 792.43 feet with a chord distance of 303.575 feet and a chord bearing of North 26°-26'-2" East, to a point;
35 **THENCE** North 38°-42'-35" East, a distance of 116.194 feet to a point;
36 **THENCE** North 37°-33'-44" East, a distance of 226.689 feet to the beginning of a curve;
37 **THENCE** along said curve to the left having an angle of 16°-48'-35"and a radius of 1687.504 feet with a chord distance of 493.314 feet and a chord bearing of North 24°-11'-9" East, to the POINT OF BEGINNING AND CONTAINING 307.57 acres of land (13,397,751.98 square feet) more or less.

Exhibit 'B':
Survey

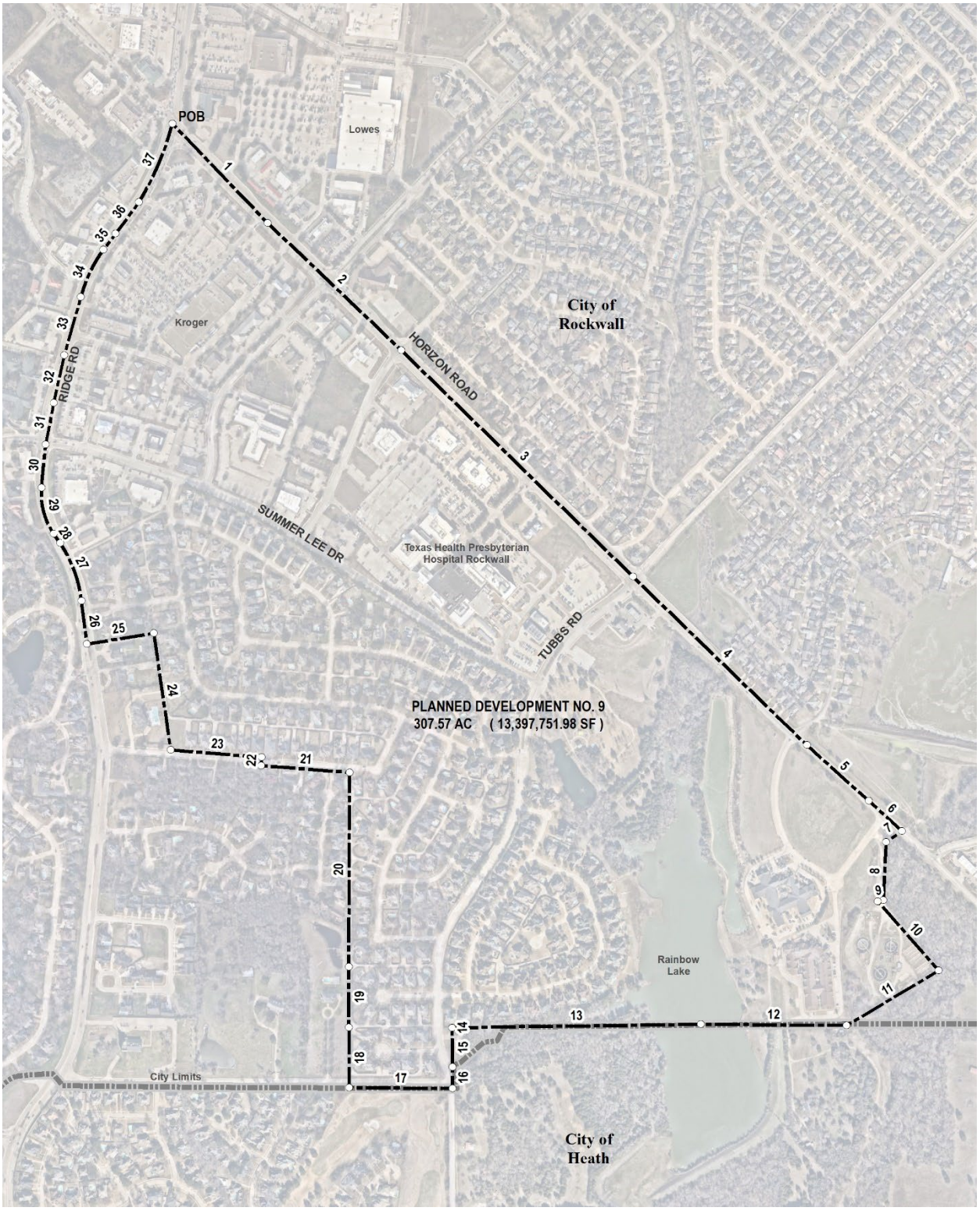
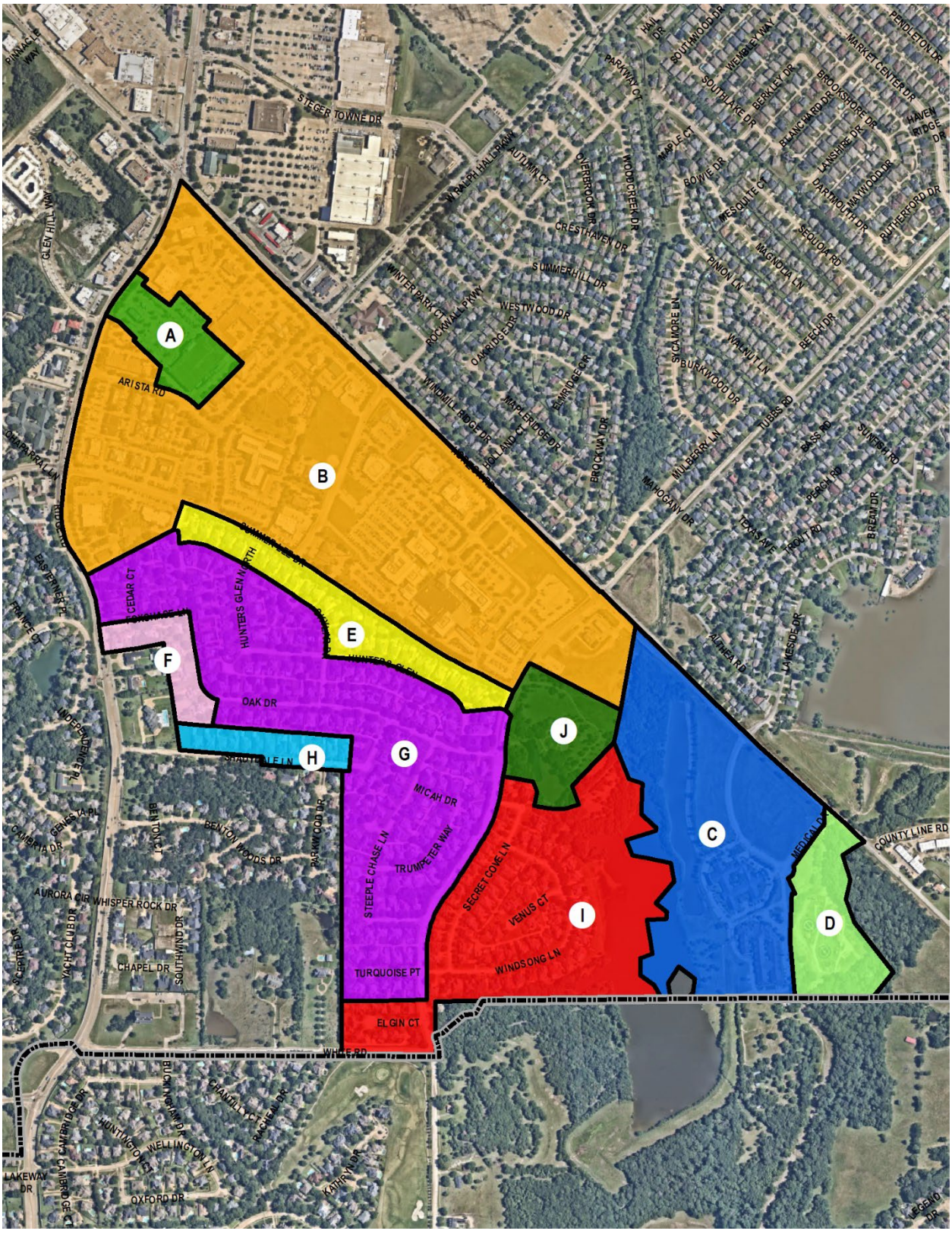


Exhibit 'C':
Concept Plan



(1) *TRACT A*. *[Ordinance 11-31]*

(A) *Concept Plan*. All development of *Tract A* shall conform with the *Concept Plan* depicted in *Figure 1*.

FIGURE 1. CONCEPT PLAN FOR TRACT A

(A) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract A -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the General Retail (GR) 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 additional land uses shall be permitted *by-right*:

☑ RETAIL STORE WITH GASOLINE SALES THAT HAS TWO (2) OR LESS DISPENSERS (*I.E. A MAXIMUM OF FOUR [4] VEHICLES*) (1) & (2)

NOTES:

(1) NO OUTSIDE DISPLAY OF MERCHANDISE SHALL BE PERMITTED WITHIN OR AROUND THE PROPOSED FUEL CENTER, EXCEPT FOR THE ICE MACHINE AS SHOWN IN *EXHIBIT 'E'* OF THIS ORDINANCE, WHICH SHALL BE PAINTED TO MATCH THE EXTERIOR MATERIALS OF THE ADJACENT KIOSK; HOWEVER, THE GROCERY STORE SHALL CONTINUE TO DISPLAY MERCHANDISE AS PERMITTED UNDER THE CITY'S *INCIDENTAL DISPLAY* REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE (UDC).

(2) NO SEASONAL SALES OF MERCHANDISE OR OTHER SPECIAL EVENT (*E.G. CHRISTMAS TREE SALES, VALENTINE'S DAY TENT SALE*) THAT WOULD RESULT IN A FURTHER REDUCTION OF THE REQUIRED PARKING SPACES SHALL BE ALLOWED ON THE PROPERTY, UNLESS SPECIFICALLY PERMITTED ON A *CASE-BY-CASE* BASIS THROUGH THE *SEASONAL OUTDOOR DISPLAY* POLICIES OF THE CITY OF ROCKWALL OR BY THE CITY COUNCIL.

(B) *Density and Development Standards*. The development of *Tract A -- as depicted in Exhibits 'C' & 'E' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a General Retail (GR) District as required by Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future; however, *Tract A* shall conform to the standards depicted in *Table 1*, which are as follows:

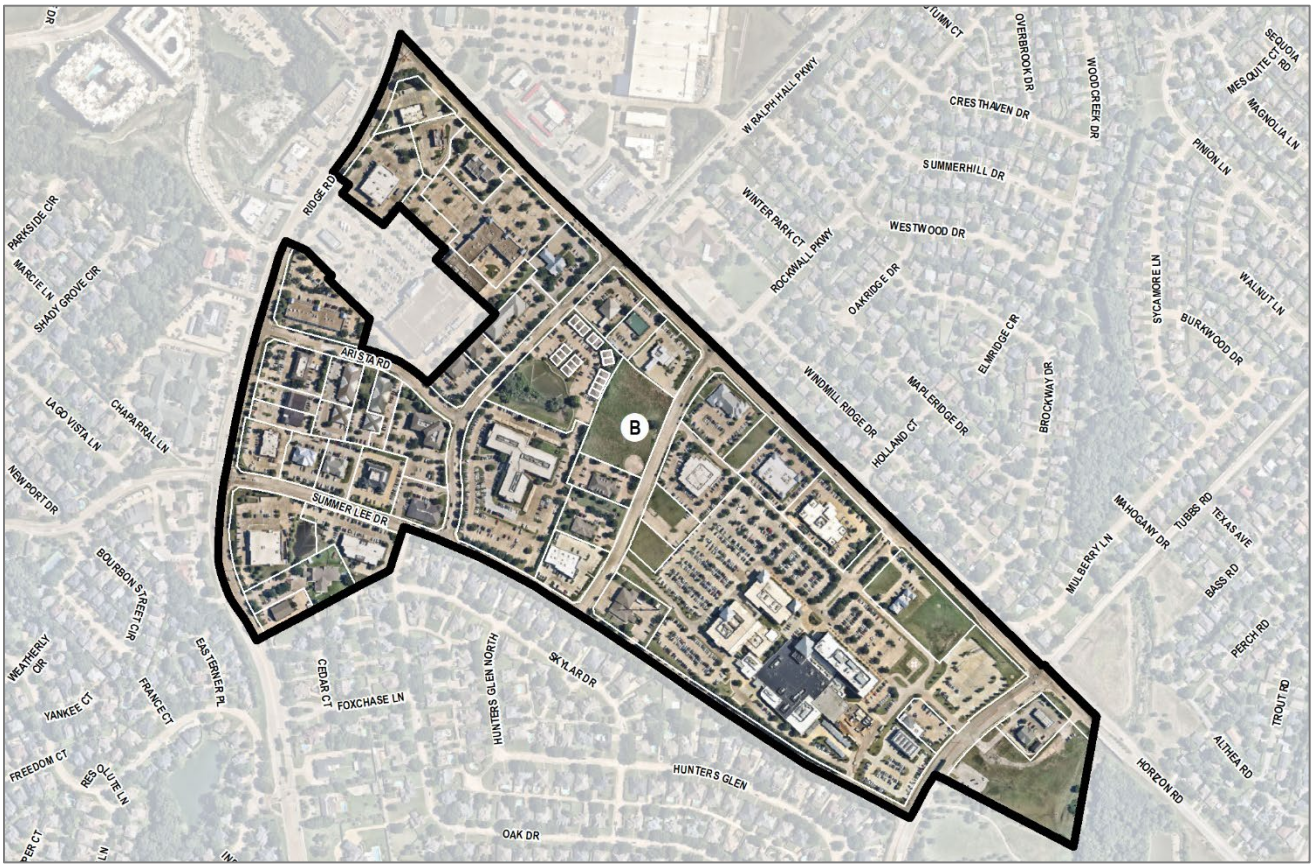
TABLE 1: *LOT DIMENSIONAL REQUIREMENTS*

MINIMUM LOT AREA	6,000 SF
MINIMUM LOT FRONTAGE	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK WITHOUT A FIRE WALL	15'
MINIMUM SIDE YARD SETBACK WITH A FIRE WALL	0'
MINIMUM SIDE YARD SETBACK ABUTTING RESIDENTIAL	20'
MINIMUM SIDE YARD SETBACK ABUTTING AN ARTERIAL	20'
MINIMUM SIDE YARD SETBACK ADJACENT TO A STREET	15'
MINIMUM REAR YARD SETBACK ABUTTING NON-RESIDENTIAL WITH A FIRE WALL	0'
MINIMUM REAR YARD SETBACK ABUTTING RESIDENTIAL WITHOUT A FIRE WALL	20'
MINIMUM BUILDING SEPERATION WITHOUT A FIRE WALL	15'
MINIMUM BUILDING SEPERATION WITH A FIRE WALL	0'
MINIMUM PERCENTAGE OF NON-COMBUSTIBLE MATERIALS	100%
MINIMUM PERCENTAGE OF MASONRY MATERIALS OF EACH BULIIDNG FAÇADE	90%
MAXIMUM BUILDING COVERAGE	40%
MAXIMUM IMPERVIOUS COVERAGE	90%
MINIMUM AMOUNT OF LANDSCAPED AREAS	10%
MAXIMUM FLOOR AREA RATIO	2:1
MAXIMUM HEIGHT OF STRUCTURES	120'
MAXIMUM NUMBER OF ENTRANCES (ARTERIAL)	1/200'
MAXIMUM NUMBER OF ENTRANCES (COLLECTOR)	1/100'
MAXIMUM NUMBER OF ENTRANCES (LOCAL)	1/50'

(2) *TRACT B. [Ordinance 86-55]*

(A) *Concept Plan*. All development of *Tract B* shall conform with the *Concept Plan* depicted in *Figure 2*.

FIGURE 2. CONCEPT PLAN FOR TRACT B



(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract B -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the General Retail (GR) 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.

(C) *Density and Development Standards*. The development of *Tract B -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a General Retail (GR) District as required by Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future; however, *Tract B* shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	6,000 SF
MINIMUM LOT FRONTAGE	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK	20'
MINIMUM SIDE YARD SETBACK WITHOUT A FIRE WALL	15'
MINIMUM SIDE YARD SETBACK WITH A FIRE WALL	0'

Exhibit 'D':
Density and Development Standards

MINIMUM SIDE YARD SETBACK ABUTTING RESIDENTIAL	20'
MINIMUM SIDE YARD SETBACK ABUTTING AN ARTERIAL	20'
MINIMUM SIDE YARD SETBACK ADJACENT TO A STREET	15'
MINIMUM REAR YARD SETBACK ABUTTING NON-RESIDENTIAL WITH A FIRE WALL	0'
MINIMUM REAR YARD SETBACK ABUTTING RESIDENTIAL WITHOUT A FIRE WALL	20'
MINIMUM BUILDING SEPERATION WITHOUT A FIRE WALL	15'
MINIMUM BUILDING SEPERATION WITH A FIRE WALL	0'
MINIMUM PERCENTAGE OF NON-COMBUSTIBLE MATERIALS	100%
MINIMUM PERCENTAGE OF MASONRY MATERIALS OF EACH BULIIDNG FAÇADE	90%
MAXIMUM BUILDING COVERAGE	40%
MAXIMUM IMPERVIOUS COVERAGE	90%
MINIMUM AMOUNT OF LANDSCAPED AREAS	10%
MAXIMUM FLOOR AREA RATIO	2:1
MAXIMUM HEIGHT OF STRUCTURES	120'
MAXIMUM NUMBER OF ENTRANCES (ARTERIAL)	1/200'
MAXIMUM NUMBER OF ENTRANCES (COLLECTOR)	1/100'
MAXIMUM NUMBER OF ENTRANCES (LOCAL)	1/50'

(3) *TRACT C. [Ordinance 87-30]*

(A) *Concept Plan*. All development of *Tract C* shall conform with the *Concept Plan* depicted in *Figure 3*.

FIGURE 3. CONCEPT PLAN FOR TRACT C

(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract C -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the General Retail (GR) 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 additional land uses shall be permitted *by-right*:

- ☑ LIGHT ASSEMBLY WITH OR WITHOUT FRONT SHOWROOM AND WITH OR WITHOUT WAREHOUSE STORAGE WITHIN THE SAME BUILDING. THE MAXIMUM BUILDING SHALL BE RESTRICTED TO 30,000 SF.
- ☑ FURNITURE STORE WITH FRONT SHOWROOM AND WAREHOUSE STORAGE WITHIN THE SAME BUILDING OR SIMILAR BUSINESS.
- ☑ HARDWARE STORE WITH SHOWROOM AND WAREHOUSE STORAGE WITHIN THE SAME BUILDING OR SIMILAR BUSINESS.
- ☑ PASTRY SHOP WITH COOKING FACILITIES WITHIN IN THE SAME BUILDING OR SIMILAR BUSINESS.
- ☑ OFFICE WITH WAREHOUSE/DISTRIBUTION CENTER. THE MAXIMUM BUILDING AREA SHALL BE 25,000 SF. A SPECIFIC USE PERMIT (SUP) MAY BE APPROVED FOR INCREASED BUILDING AREA OR TO ALLOW A SIMILAR LAND USE.
- ☑ WHOLESALE TRADE OR ACCESSORY OUTLETS WITH OR WITHOUT SHOWROOM AND WITH OR WITHOUT WAREHOUSE STORAGE WITHIN THE SAME BUILDING.

- ☑ SMALL BUSINESS OFFICE WITH OR WITHOUT SHOWROOM, WITH OR WITHOUT WAREHOUSE STORAGE WITHIN THE SAME BUILDING.
- ☑ MANUFACTURER AND ASSEMBLY OF ELECTRICAL WIRING HARNESSES FOR IRRIGATION SYSTEMS WITH OR WITHOUT ACCESSORY WAREHOUSE STORAGE.

(C) *Density and Development Standards*. The development of *Tract C -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a General Retail (GR) District as required by Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future; however, *Tract C* shall conform to the standards depicted in *Table 3*, which are as follows:

TABLE 3: *LOT DIMENSIONAL REQUIREMENTS*

MINIMUM LOT AREA	6,000 SF
MINIMUM LOT FRONTAGE	50'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK	25'
MINIMUM SIDE YARD SETBACK WITHOUT FIRE WALL	6'
MINIMUM SIDE YARD SETBACK WITH A FIRE WALL	0'
MINIMUM SIDE YARD SETBACK ABBUTTING RESIDENTIAL	20'
MINIMUM SIDE YARD SETBACK ABUTTING AN ARTERIAL	25'
MINIMUM SIDE YARD SETBACK ADJACENT TO A STREET	20'
MINIMUM REAR YARD SETBACK ABUTTING NON-RESIDENTIAL WITH A FIRE WALL	0'
MINIMUM REAR YARD SETBACK WITHOUT A FIRE WALL	20'
MINIMUM BUILDING SEPARATION WITHOUT A FIRE WALL	15'
MINIMUM BUILDING SEPERATION WITH A FIRE WALL	0'
MINIMUM PERCENTAGE OF NON-COMBUSTIBLE MATERIALS	100%
MINIMUM PERCENTAGE OF MASONRY MATERIALS OF EACH BULIIDNG FAÇADE	90%
MAXIMUM IMPERVIOUS COVERAGE	95%
MINIMUM AMOUNT OF LANDSCAPED AREAS	20%
MAXIMUM FLOOR AREA RATIO	2:1
MAXIMUM HEIGHT OF STRUCTURES	60'
MAXIMUM NUMBER OF ENTRANCES ON ARTERIAL	1/200'
MAXIMUM NUMBER OF ENTRANCES ON COLLECTOR	1/100'
MAXIMUM NUMBER OF ENTRANCES ON LOCAL STREET	1/50'

(4) *TRACT D. [Ordinance No. 73-49]*

(A) *Concept Plan*. All development of *Tract D* shall conform with the *Concept Plan* depicted in *Figure 4*.

FIGURE 4. CONCEPT PLAN FOR TRACT D

(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract D -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the General Retail (GR) 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 additional land uses shall be permitted *by-right*:

☑ MUNICIPALLY OWNED OR CONTROLLED FACILITIES, UTILITIES, AND USES (*INCLUDES UTILITIES WITH A FRANCHISE UTILITY AGREEMENT WITH THE CITY OF ROCKWALL*)

(C) *Density and Development Standards*. The development of *Tract D -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a General Retail (GR) District as required by Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future.

(5) *TRACT E. [Ordinance No. 86-55]*

(A) *Concept Plan*. All development of *Tract E* shall conform with the *Concept Plan* depicted in *Figure 5*.

FIGURE 5. CONCEPT PLAN FOR TRACT E

(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract E -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the Single-Family 10 (SF-10) 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.

(C) *Density and Development Standards*. The development of *Tract E -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a Single-Family 10 (SF-10) District as required by Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future; however, *Tract E* shall conform to the standards depicted in *Table 4*, which are as follows:

TABLE 4: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	12,500 SF
MAXIMUM NUMBER OF DWELLING UNITS PER LOT	1
MINIMUM DWELLING UNIT (SF)	1,500 SF
MINIMUM LOT WIDTH	60'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK	20'
MINIMUM REAR YARD SETBACK	10'
MINIMUM SIDE YARD SETBACK ON AN INTERNAL LOT	6'
MINIMUM SIDE YARD SETBACK ON A SIDE YARD ABUTTING A STREET	15'
MINIMUM REAR YARD SETBACK ABUTTING AN ARTERIAL	20'

Exhibit 'D':
Density and Development Standards

MINIMUM BUILDING SEPARATION	10'
MINIMUM LENGTH OF DRIVEWAY PAVEMENT (1)	18'
MAXIMUM BUILDING COVERAGE	35%
MAXIMUM HEIGHT OF STRUCTURES	36'
MAXIMUM NUMBER OF PAVED OFF-STREET PARKING (2)	2

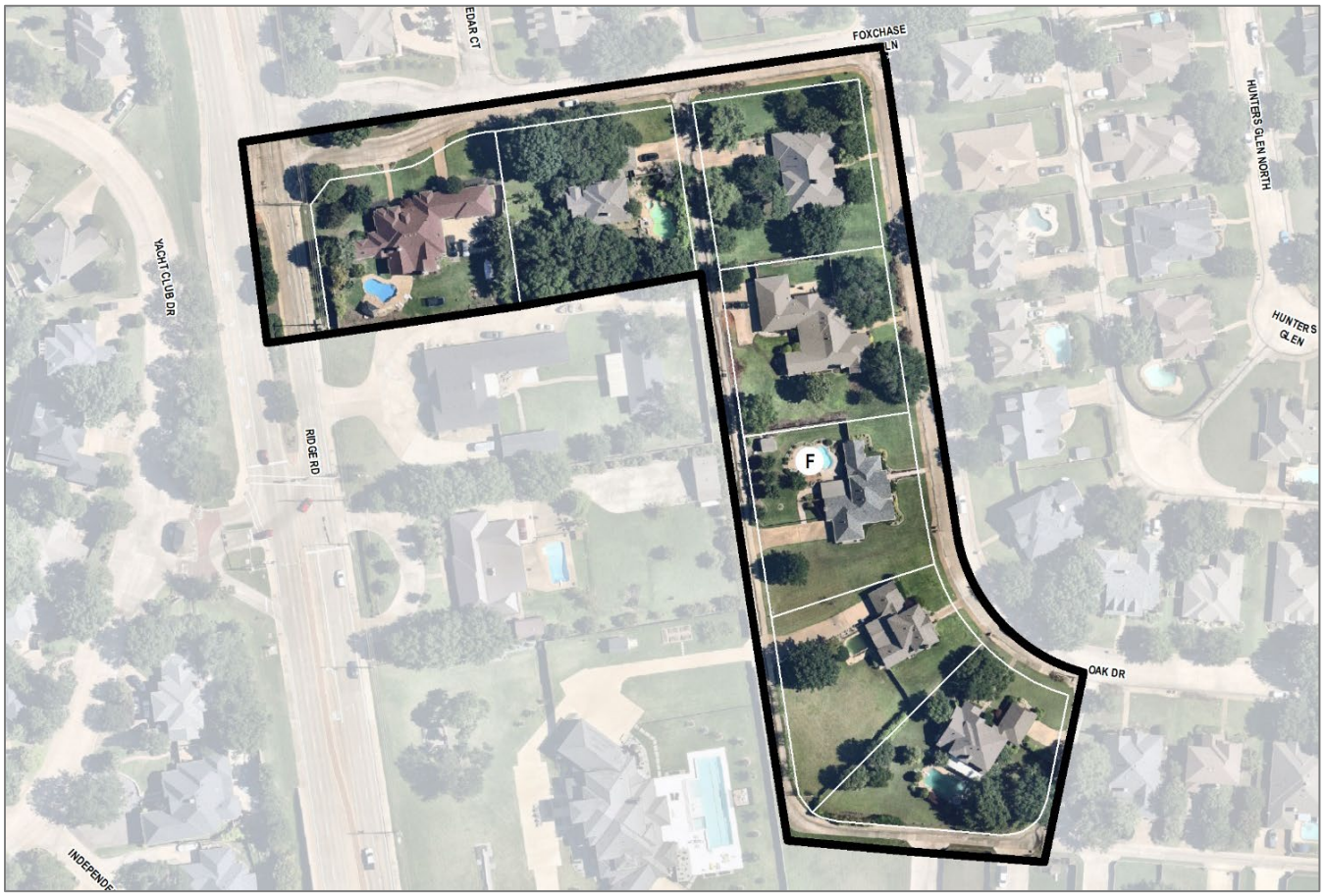
NOTES:

(1) MEASURED FROM PUBLIC RIGHT-OF-WAY FOR REAR AND SIDE YARD.
(2) EXCLUDING GARAGE.

(6) *TRACT F. [Ordinance No. 86-55]*

(A) *Concept Plan*. All development of *Tract F* shall conform with the *Concept Plan* depicted in *Figure 6*.

FIGURE 6. CONCEPT PLAN FOR TRACT F



(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract F -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the Single-Family 10 (SF-10) 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.

(C) *Density and Development Standards*. The development of *Tract F -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a Single-Family 10 (SF-10) District as required by Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future; however, *Tract F* shall conform to the standards depicted in *Table 5*, which are as follows:

TABLE 5: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	22,500 SF
MAXIMUM NUMBER OF DWELLING UNITS PER LOT	1
MINIMUM DWELLING UNIT (SF)	1,800 SF

Exhibit 'D':
Density and Development Standards

MINIMUM LOT WIDTH	80'
MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK	25'
MINIMUM REAR YARD SETBACK	10'
MINIMUM SIDE YARD SETBACK ON AN INTERNAL LOT	8'
MINIMUM SIDE YARD SETBACK ON A SIDE YARD ABUTTING A STREET	15'
MINIMUM REAR YARD SETBACK ABUTTING AN ARTERIAL	20'
MINIMUM BUILDING SEPARATION	10'
MINIMUM LENGTH OF DRIVEWAY PAVEMENT (1)	20'
MAXIMUM BUILDING COVERAGE	35%
MAXIMUM HEIGHT OF STRUCTURES	36'
MAXIMUM NUMBER OF PAVED OFF-STREET PARKING (2)	2

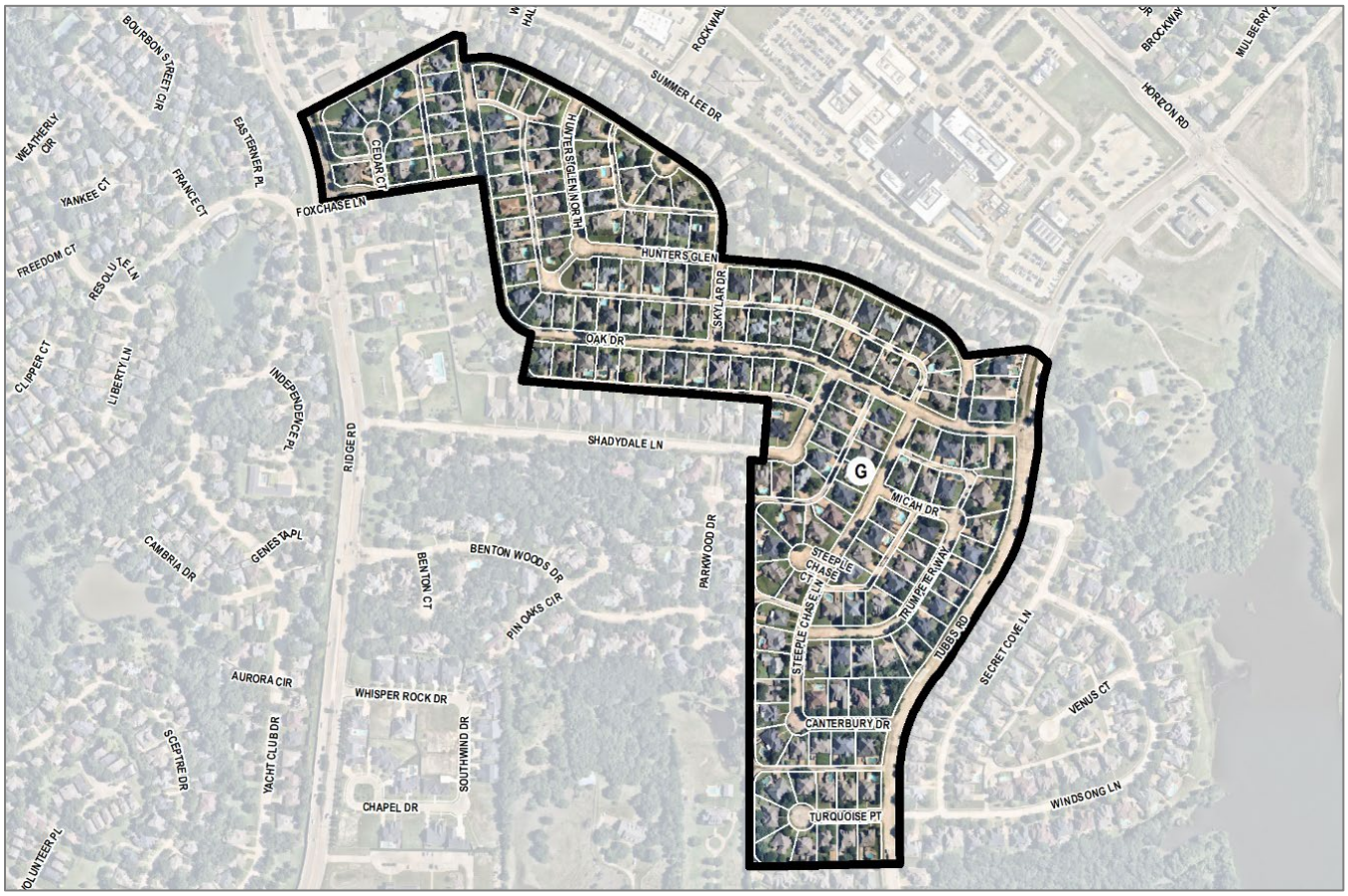
NOTES:

(1) MEASURED FROM PUBLIC RIGHT-OF-WAY FOR REAR AND SIDE YARD.
(2) EXCLUDING GARAGE.

(7) *TRACT G. [Ordinance No. 86-55]*

(A) *Concept Plan*. All development of *Tract G* shall conform with the *Concept Plan* depicted in *Figure 7*.

FIGURE 7. CONCEPT PLAN FOR TRACT G



(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract G -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the Single-Family 10 (SF-10) 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.

(C) *Density and Development Standards*. The development of *Tract G -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a Single-Family 10 (SF-10) District as required by Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future; however, *Tract G* shall conform to the standards depicted in *Table 6*, which are as follows:

TABLE 6: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	10,000 SF
MAXIMUM NUMBER OF DWELLING UNITS PER LOT	1
MINIMUM DWELLING UNIT (SF)	1,500 SF
MINIMUM LOT WIDTH	60'

Exhibit 'D':
Density and Development Standards

MINIMUM LOT DEPTH	100'
MINIMUM FRONT YARD SETBACK	20'
MINIMUM REAR YARD SETBACK	10'
MINIMUM SIDE YARD SETBACK ON AN INTERNAL LOT	6'
MINIMUM SIDE YARD SETBACK ON A SIDE YARD ABUTTING A STREET	15'
MINIMUM REAR YARD SETBACK ABUTTING AN ARTERIAL	20'
MINIMUM BUILDING SEPARATION	10'
MINIMUM LENGTH OF DRIVEWAY PAVEMENT (1)	18'
MAXIMUM BUILDING COVERAGE	35%
MAXIMUM HEIGHT OF STRUCTURES	36'
MAXIMUM NUMBER OF PAVED OFF-STREET PARKING (2)	2

NOTES:

(1) MEASURED FROM PUBLIC RIGHT-OF-WAY FOR REAR AND SIDE YARD.
(2) EXCLUDING GARAGE.

(8) *TRACT H. [Ordinance No. 13-43]*

(A) *Concept Plan*. All development of *Tract H* shall conform with the *Concept Plan* depicted in *Figure 8*.

FIGURE 8. CONCEPT PLAN FOR TRACT H

(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract H -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the Single-Family 10 (SF-10) 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.

(C) *Density and Development Standards*. The development of *Tract H -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a Single-Family 10 (SF-10) District as required by Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future; however, *Tract H* shall conform to the standards depicted in *Table 7*, which are as follows:

TABLE 7: LOT DIMENSIONAL REQUIREMENTS

MINIMUM LOT AREA	12,500 SF
MAXIMUM NUMBER OF DWELLING UNITS PER LOT	1
MINIMUM DWELLING UNIT (SF)	2,000 SF
MINIMUM LOT WIDTH	75'
MINIMUM LOT DEPTH	160'
MINIMUM FRONT YARD SETBACK	20'
MINIMUM REAR YARD SETBACK	10'
MINIMUM SIDE YARD SETBACK ON AN INTERNAL LOT	6'
MINIMUM SIDE YARD SETBACK ON A SIDE YARD ABUTTING A STREET	15'
MINIMUM REAR YARD SETBACK ABUTTING AN ARTERIAL	20'
MINIMUM BUILDING SEPARATION	10'
MINIMUM LENGTH OF DRIVEWAY PAVEMENT (1)	18'
MAXIMUM BUILDING COVERAGE	35%
MAXIMUM HEIGHT OF STRUCTURES	36'
MAXIMUM NUMBER OF PAVED OFF-STREET PARKING (2)	2

NOTES:

(1) MEASURED FROM PUBLIC RIGHT-OF-WAY FOR REAR AND SIDE YARD.
(2) EXCLUDING GARAGE.

(9) *TRACT I. [Ordinance No. 04-02]*

(A) *Concept Plan*. All development of *Tract I* shall conform with the *Concept Plan* depicted in *Figure 9*.

FIGURE 9. CONCEPT PLAN FOR TRACT I

(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract I -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the Single-Family 10 (SF-10) 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.

(C) *Density and Development Standards*. The development of *Tract I -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a Single-Family 10 (SF-10) District as required by Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future.

(D) *Landscaping Buffer Requirements*. The development of vacant land -- *south of Phase 6 of the Foxchase and Rainbow Lake Estates Subdivision* -- shall include a five (5) foot landscape buffer and screening elements along Tubbs Road and White Road.

(10) *TRACT J. [Ordinance No. 88-20]*

(A) *Concept Plan*. All development of *Tract J* shall conform with the *Concept Plan* depicted in *Figure 10*.

FIGURE 10. CONCEPT PLAN FOR TRACT J

(B) *Permitted Land Uses*. Unless specifically provided by this Planned Development District ordinance, *Tract J -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the land uses permitted within the Single-Family 10 (SF-10) 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 land uses shall be the only permitted *by-right* land use:

☑ PUBLIC PARK

(C) *Density and Development Standards*. The development of *Tract J -- as depicted in Exhibit 'C' of this ordinance* -- shall be subject to the density and dimensional standards stipulated for properties in a Single-Family 10 (SF-10) District as required by Subsection 03.07, *Single-Family 10 (SF-10) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, and as amended herein by granting this zoning change, and as maybe amended in the future.

Exhibit 'E':
Tract 'A' Concept Plan

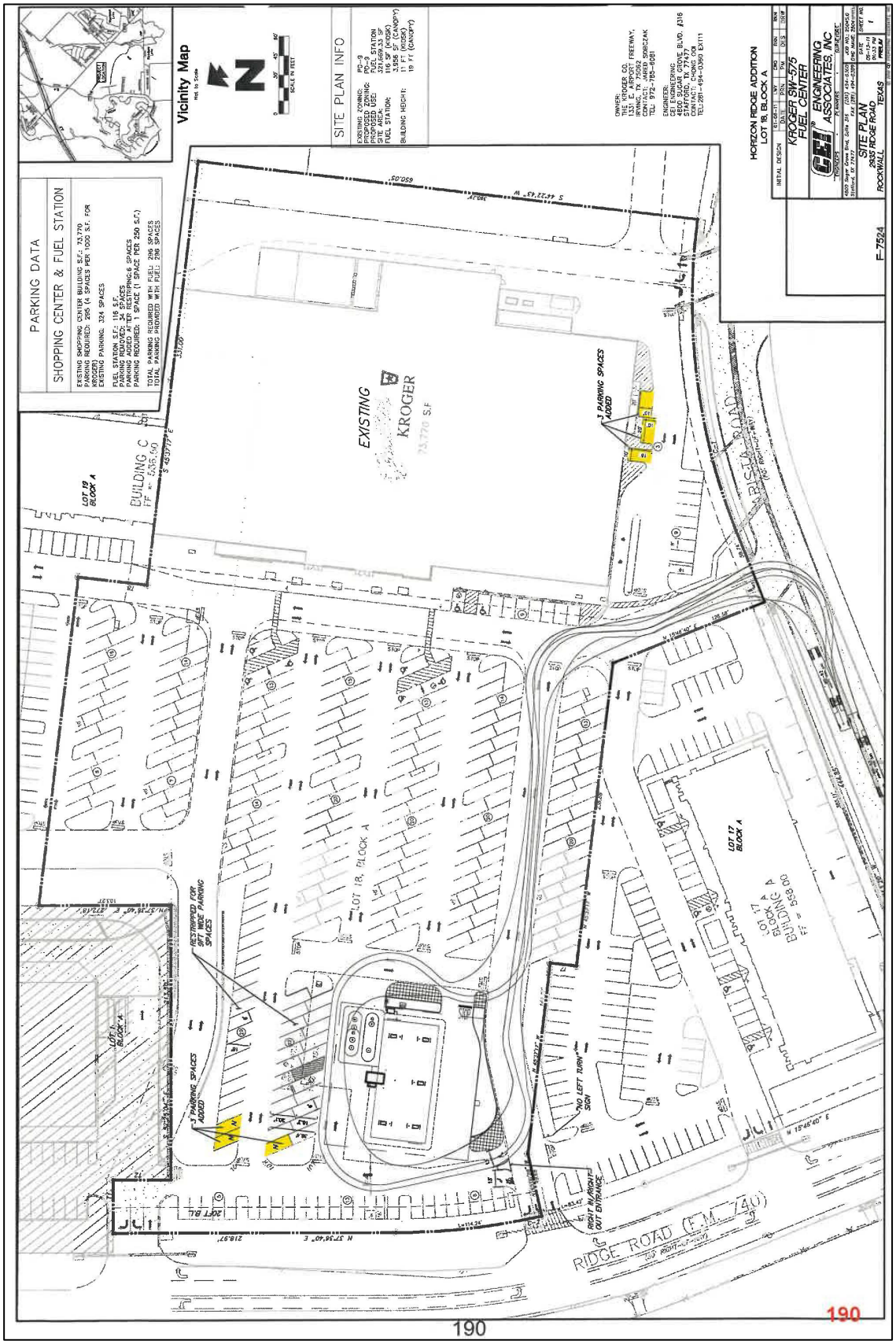
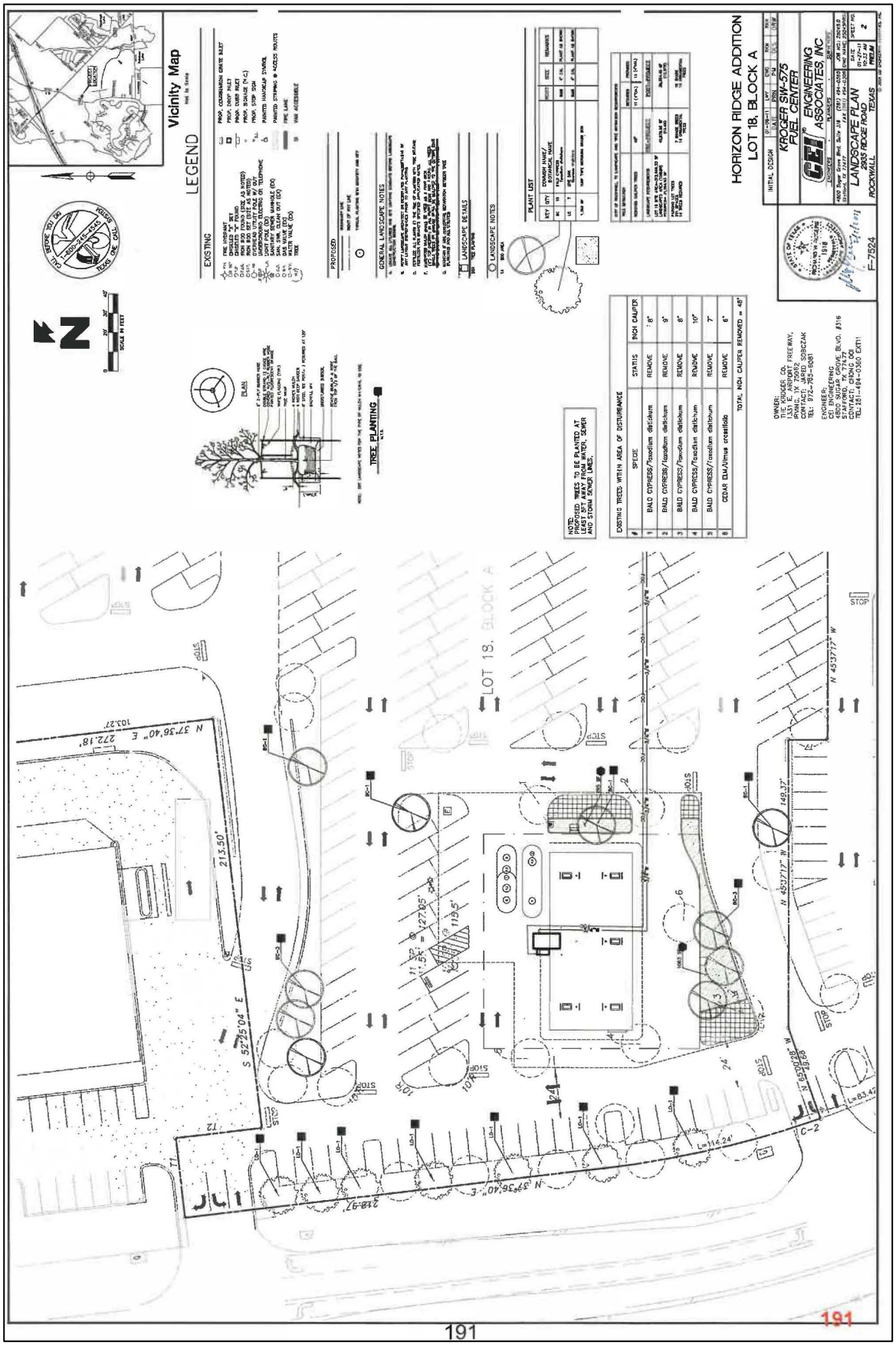
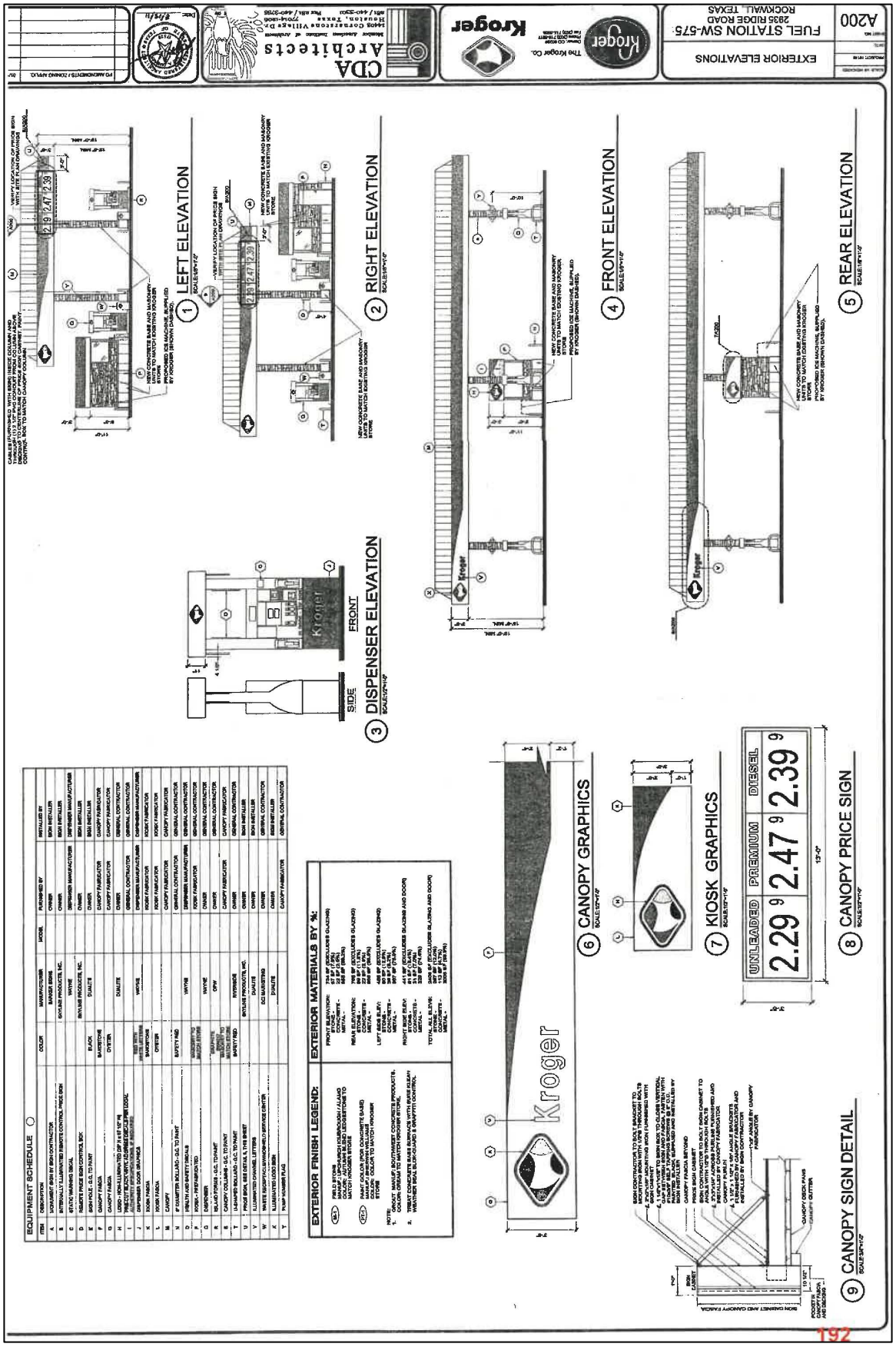


Exhibit 'E':
Tract 'A' Concept Plan




A200
EXTERIOR ELEVATIONS
FUEL STATION SW-575
2835 RIDGE ROAD
ROCKWALL, TEXAS
Kroger
CDA Architects
1 LEFT ELEVATION
2 RIGHT ELEVATION
3 DISPENSER ELEVATION
4 FRONT ELEVATION
5 REAR ELEVATION
6 CANOPY GRAPHICS
7 KIOSK GRAPHICS
8 CANOPY PRICE SIGN
9 CANOPY SIGN DETAIL
UNLEADED
PREMIUM
DIESEL
2.29 9
2.47 9
2.39 9
EXTERIOR MATERIALS BY %:
EQUIPMENT SCHEDULE
192

CITY OF ROCKWALL

ORDINANCE NO. 25-04

SPECIFIC USE PERMIT NO. S-352

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) TO ALLOW A *GENERAL RETAIL STORE* ON A 5.1292-ACRE PARCEL OF LAND IDENTIFIED AS LOT 2, BLOCK D, ELLIS CENTRE #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED IN *EXHIBIT 'A'* AND *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 Michael Jaquette of CED Rockwall on behalf of QA Logistics Rockwall LP for the approval of a Specific Use Permit (SUP) to allow a *General Retail Store* on a 5.1292-acre parcel of land identified as Lot 2, Block D, Ellis Centre #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Light Industrial (LI) District, addressed as 1915 Alpha Drive, and being more specifically depicted in *Exhibit 'A'* and *Exhibit 'B'* 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. 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 a *General Retail Store* 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 04.04, *Light Industrial (LI) 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 futur*e -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of the *General Retail Store* on the *Subject Property* and conformance to these conditions is required for continued operation:

1) The development of the *Subject Property* shall generally conform to the *Floor Plan* as depicted in *Exhibit 'B'* of this ordinance.

2) The *General Retail Store* shall not occupy more 812 SF of the 6,213 SF *Wholesale Showroom Facility*.

2.2 COMPLIANCE

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

1) Upon obtaining a *Certificate of Occupancy (CO)*, should the business owner operating under the guidelines of this ordinance fail to meet the minimum operational requirements set forth herein and outlined in the Unified Development Code (UDC), the City may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Subsection 02.02(F), *Revocation*, of Article 11, *Development Applications and 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 6TH DAY OF JANUARY, 2025.

_____
Trace Johannesen, Mayor

ATTEST:

APPROVED AS TO FORM:

_____
Kristy Teague, City Secretary

_____
Frank J. Garza, City Attorney

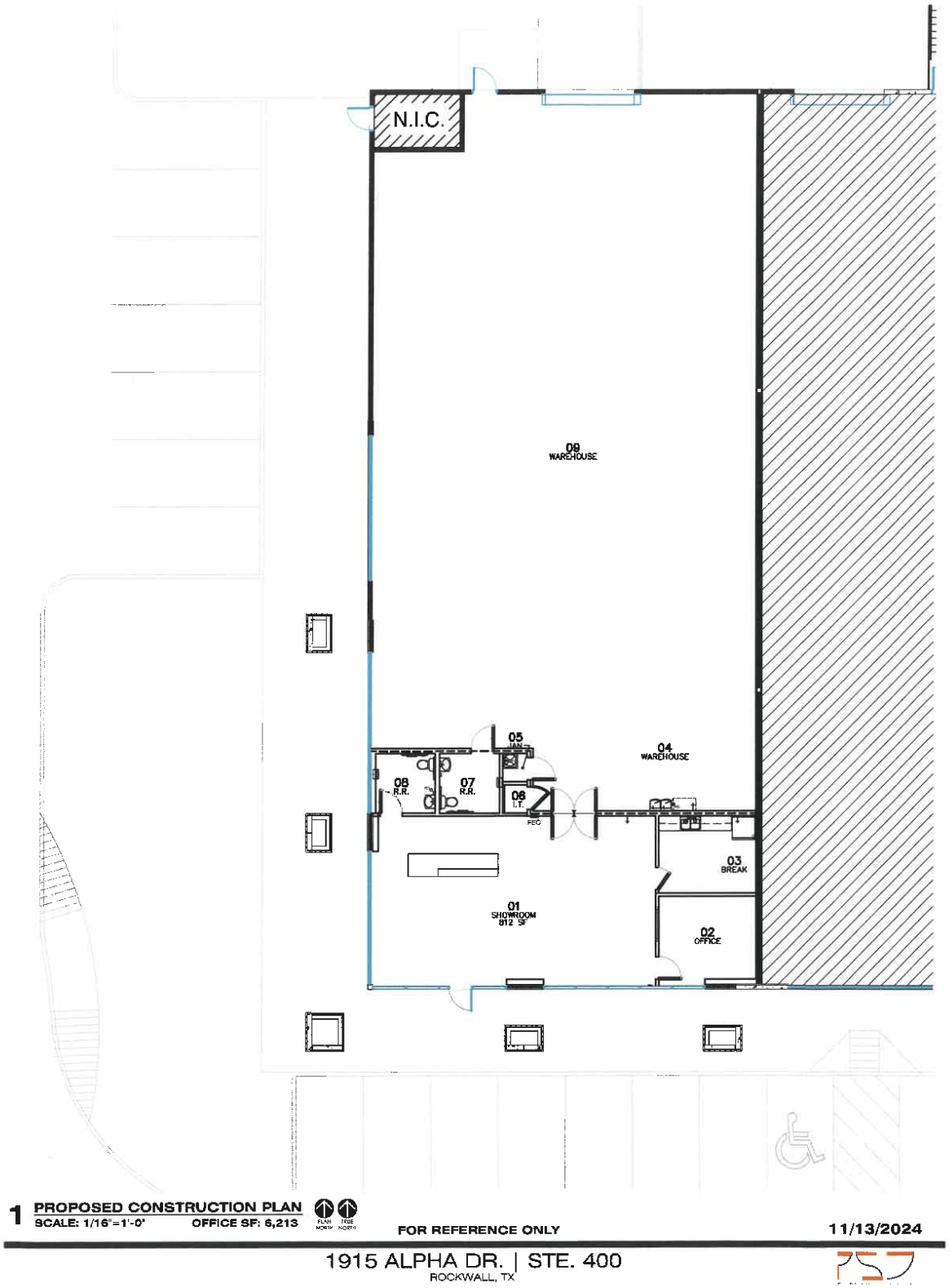
1st Reading: December 16, 2024

2nd Reading: January 6, 2025

Exhibit 'A'
Location Map

Legal Description: Lot 2, Block D, Ellis Centre #2 Addition
Address: 1915 Alpha Drive

Exhibit 'B':
Floor Plan



CITY OF ROCKWALL

ORDINANCE NO. 24-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, REPEALING IN ITS ENTIRETY ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, OF THE MUNICIPAL CODE OF ORDINANCES, ADOPTING ARTICLE III, *IMPACT FEE REGULATIONS*, OF CHAPTER 38, *SUBDIVISIONS*, AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE, AND AMENDING SECTION 38-9(5), *PROPORTIONALITY*, OF ARTICLE I, *IN GENERAL*, OF CHAPTER 38, *SUBDIVISIONS*, AS DEPICTED IN *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall adopted its impact fee program for roadway impact fees by *Ordinance No. 08-21*, and its impact fee program for water and wastewater impact fees by *Ordinance No. 90-22*; and

WHEREAS, the City of Rockwall recently prepared and adopted studies updating its land use assumptions, capital improvements plans, and impact fees for water, wastewater, and roadway facilities and the associated service areas and equivalency tables through *Ordinance No. 24-41*; and

WHEREAS, the current *Impact Fee Regulations* were originally adopted on July 16, 1990 through *Ordinance No. 90-22*, which has been amended multiple times since its inception; and

WHEREAS, the City has prepared revised and updated *Impact Fee Regulations* designed to provide clear more concise process and procedures for the administration and collection of impact fees within the City of Rockwall and its Extraterritorial Jurisdiction (ETJ) in compliance with State law; and,

WHEREAS, the City staff recommends repealing in its entirety Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions,* of the Municipal Code of Ordinances of the City of Rockwall and a revised Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances be adopted.

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

SECTION 1. That the current Article III, *Impact Fee Regulations*, of Chapter 38, *Subdivisions,* of the Municipal Code of Ordinances of the City of Rockwall be repealed in its entirety and a revised Article III, *Impact Fees*, of Chapter 38, *Subdivisions*, of the Municipal Code of Ordinances shall be adopted as specifically described in *Exhibit 'A'* of this ordinance;

SECTION 2. That the current Section 38-9(5), *Proportionality*, of Article I, *In General*, of Chapter 38, *Subdivisions,* of the Municipal Code of Ordinances of the City of Rockwall be amended as described in *Exhibit 'B'* of this ordinance;

SECTION 3. 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 4. FINDINGS. The City Council finds all of the above recitals to be true and correct and incorporates the same in this Ordinance as findings of fact;

SECTION 5. SEVERABILITY. 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 6. REPEALING ORDINANCE IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict;

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 6TH DAY OF JANUARY, 2025.

_____
Trace Johannesen, Mayor

ATTEST:

_____
Kristy Teague, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: December 16, 2024

2nd Reading: January 6, 2025

ARTICLE III. IMPACT FEES

DIVISION 1. IMPACT FEE REGULATIONS

SECTION 38-103. PURPOSE.

The purpose of this *Article* is intended to assure the provision of adequate public facilities (*i.e. water, wastewater, and roadway facilities*) needed to serve a new development in the City of Rockwall by requiring that each development pay its fair share of the costs of such improvements necessitated by and attributable to such new development.

SECTION 38-104. AUTHORITY.

This *Article* is adopted pursuant to Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (TLGC). The provisions of this *Article* shall not be construed to limit the power of the City of Rockwall to utilize other methods authorized under the laws of the State of Texas or pursuant to other municipal powers to accomplish the purposes set forth in this *Article*, whether in substitution or in conjunction with this *Chapter*. Guidelines may be developed by ordinance, resolution, or otherwise to implement and administer this *Article*.

SECTION 38-105. DEFINITIONS.

When the following words, terms, and phrases are used in this *Article* they shall have the following meanings ascribed to them (*except where the context clearly indicates a different meaning*):

(1) *Assessment*. An *Assessment* is the determination of the amount of the maximum *Impact Fee* per service unit that can be imposed on new development pursuant to this *Article*.

(2) *Capital Improvement*. A *Capital Improvement* is any of the following facilities with a life expectancy of three (3) or more years that are owned and operated by or on the behalf of the City of Rockwall:

(a) Water supply, treatment and distribution facilities.
(b) Wastewater collection and treatment facilities.
(c) Stormwater, drainage and flood control facilities (*whether or not they are located within the service area*).
(d) Roadway facilities.

(3) *Capital Improvements Plan*. A *Capital Improvements Plan* is a plan contemplated by the ordinance that identifies capital improvements or facility expansions for which *Impact Fees* are paid.

(4) *City*. *City* shall mean the City of Rockwall, Texas.

(5) *City Council*. *City Council* shall mean the City Council of the City of Rockwall, Texas.

(6) *Credit*. A *Credit* is a reduction in the amount of an *Impact Fee* for a new development, either by a decrease in the number of service units attributable to such development or a decrease in the amount of an *Impact Fee* otherwise due, that results from the contribution of land, improvements or funds to construct a system improvement in accordance with the City's subdivision and development regulations, policies, or requirements.

(7) *Facility Expansion*. A *Facility Expansion* is the expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does *not* include the repair, maintenance, modernization or expansion of an existing facility to serve existing development.

(8) *Final Plat Recordation*. *Final Plat Recordation* indicates the point at which the applicant has complied with all conditions of approval and the subdivision plat has been filed of record in Rockwall County.

(9) *Impact Fee*. A charge or assessment imposed as set forth in this *Article* against a new development in order to recoup costs of capital improvements or facility expansions identified in the Capital Improvements Plan and necessitated by and attributable to the new development. The term does *not* include:

(a) Required dedications of land for public parks or payments in lieu thereof.
(b) Dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection, drainage facilities, streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development.
(c) Lot or acreage fees or pro-rata fees to be placed in trust funds for the purpose of reimbursing developers for oversizing or constructing water or wastewater mains or lines.
(d) Other pro-rata fees for reimbursement of water or wastewater mains or lines extended by the City of Rockwall.

(10) *Land Use Assumptions*. *Land Use Assumptions* are the projections of population and employment growth and associated charges in land use, densities and intensities adopted by the City of Rockwall, as may be amended from time to time, upon which the *Capital Improvements Plans* are based.

(11) *Land Use Equivalency Table*. The table that converts demand for capital improvements generated by various land uses to numbers of service units, as may be amended from time-to-time. The *Land Use Equivalency Table* may be incorporated in a schedule of *Impact Fee Rates*.

(12) *New Development*. A *New Development* is a project involving the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure, or any use or extension of land, which has the effect of increasing the requirements for capital improvements or facility expansions, measured by the number of service units to be generated by such activity, and which requires either the approval and filing with the county in which the property is located on a subdivision plat pursuant to these subdivision regulations or the issuance of a building permit, and which has not been exempted from these regulations by the provisions provided in this *Chapter*.

(13) *Off-Site*. A facility or expansion that is now a *Site-Related Facility* (*see Site-Related Facility*).

(14) *Property Owner*. Any person, corporation, legal entity or agent there of having a legal or equitable interest in the land for which an *Impact Fee* becomes due. The term *Property Owner* includes the developer for the new development.

(15) *Proportionality*. *Proportionality* means that the impact fees imposed on a new development shall be reasonably related to the demand for public facilities generated by that development and shall not exceed the cost of providing the necessary public facilities to serve the development, as identified in the Capital Improvements Plans, in compliance with Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Local Governments*, of the Texas Local Government Code (TLGC) [*see Section 38-9(5)*].

(16) *Recoupment*. The imposition of an *Impact Fee* to reimburse the City of Rockwall for capital improvements or facility expansions, which the City has previously oversized to serve new development.

(17) *Roadway (or Roadway Facilities)*. A *Roadway* or *Roadway Facilities* shall be any principal, major or minor arterial or collector designated in the City of Rockwall's adopted *Master Thoroughfare Plan*, as may be amended from time-to-time. The term *Roadway* also includes any thoroughfare designated as a numbered highway on the official Federal and/or State Highway System, to the extent that the City incurs capital improvement costs for such facilities.

(18) *Service Area*. The area within the City of Rockwall and/or the City's Extraterritorial Jurisdiction (ETJ), as identified in the *Land Use Assumptions*, to be served by the capital improvements or facilities expansions specified in the *Capital Improvements Plan*, except for *Roadway Facilities Service Area* means any one of the individual *Service Areas* with the City of Rockwall's corporate boundaries as identified in the *Land Use Assumptions* and *Capital Improvements Plan*.

(19) *Service Unit*. The standardized measure of consumption, use, generation or discharge attributable to an individual unit of development, calculated in accordance with the generally accepted engineering and/or planning standards, as indicated in the *Land Use Equivalency Tables* located in the *Study* (*see Study*).

(20) *Site-Related Facilities*. An improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of roadway, water, or wastewater facilities to serve the new development, and which is not included in the *Capital Improvements Plan* and for which the property owner is solely responsible under subdivision or other applicable regulations or which is located at least partially on the subdivision plat which is being considered for *Impact Fee Assessment*. *Site-Related Facilities* include that portion of an off-site water or wastewater main, equivalent to a standard size water or wastewater main, which is necessary to connect and serve any new development per the City's standards and of which has not been included in the City's *Impact Fee Capital Improvements Plan*.

(21) *Study*. The *Study* shall mean the most recently adopted *Roadway Impact Fee Update* and the most recently adopted *Water & Wastewater Impact Fee Update* as referenced in this *Article*.

(22) *Subdivision Plat*. Any type of *Subdivision Plat* required by law to be filed with Rockwall County, including but not limited to, a *Final Plat*, *Replat*, and/or *Amending Plat*, but excluding *Preliminary Plat* and/or *Vacating Plat*.

(23) *System Facility*. A capital improvement or facility expansion, which is designated in the *Capital Improvements Plan* and which is not a *Site-Related Facility*. The term *System Facility* includes any improvement which is located off-site, or within or on the perimeter of the development site.

(24) *Utility Connection*. The authorization to install a meter for connecting a new development to the City of Rockwall's water system or wastewater system.

(25) *Wastewater Facility*. A wastewater interceptor or main, lift station or other facility or improvement for providing wastewater collection and treatment included within the City of Rockwall's collection system for wastewater. Wastewater facility includes -- *but is not limited to* -- land, easements or structures associated with such facilities. *Wastewater Facility* excludes a *Site-Related Facility*.

(26) *Water Facility*. A water interceptor or main, pump station, storage tank or other facility or improvement used for providing water supply, treatment and distribution service included within the City's water storage and distribution system. *Water Facility* includes -- *but is not limited to* -- land, easements or structures associated with such facilities. Water facility excludes *Site-Related Facility*.

(27) *Water Meter*. A device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

SECTION 38-106. APPLICABILITY.

(1) *Water and Wastewater Impact Fees*. The provisions of this *Article* regarding water and wastewater impact fees shall apply to all new development or redevelopment -- *when increasing the impact of an existing development* -- within the corporate boundaries of the City of Rockwall and its Extraterritorial Jurisdiction (ETJ). No new development shall be exempt from the assessment of impact fees pursuant to this ordinance.

(2) *Roadway Impact Fees*. The provisions of this *Article* regarding roadway impact fees shall apply to all new development or redevelopment -- *when increasing the impact of an existing development* -- within the corporate boundaries of the City of Rockwall, not including the Extraterritorial Jurisdiction (ETJ).

SECTION 38-107. LAND USE ASSUMPTIONS REPORT.

The *2019 Land Use Assumptions for Impact Fees Report* has been reviewed, evaluated, updated, and revised, and the City Council finds that the land use assumptions contained in the *2024 Land Use Assumptions for Impact Fees Report* are hereby

adopted and approved (*see Ordinance No. 24-41*). These assumptions may be revised by the City Council in accordance with procedures set forth in Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Local Governments*, of the Texas Local Government Code (TLGC).

SECTION 38-108. CAPITAL IMPROVEMENTS PLAN.

The official *Capital Improvements Plans* for roadway, water, and wastewater impact fees shall be those last reviewed, evaluated, updated and revised in accordance with the provisions of this *Article* and the requirements of Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Local Governments*, of the Texas Local Government Code (TLGC). Furthermore, the City Council finds that the *Capital Improvements Plans* as set forth in *Exhibits 'C' & 'D'* of *Ordinance No. 24-41* are hereby adopted and approved as the official *Capital Improvements Plans* for the City of Rockwall. The *Capital Improvements Plans* may be amended from time-to-time, pursuant to the procedures in *Section 38-119*.

SECTION 38-109. IMPACT FEE SERVICE AREAS.

(1) *Water and Wastewater Impact Fee Service Area*. The water and wastewater service area shall be composed of the land within the corporate limits of the City of Rockwall and the City's Extraterritorial Jurisdiction (ETJ) as depicted in the *Land Use Assumptions Report* referenced in *Section 38-107*. The boundaries of the *Water and Wastewater Service Area* may be amended from time-to-time, pursuant to the procedures in *Section 38-119*.

(2) *Roadway Impact Fee Service Areas*. There shall be four (4) roadway service areas composed of land within the corporate limits of the City of Rockwall as depicted in the *Land Use Assumptions Report* referenced in *Section 38-107*. The boundaries of the *Roadway Service Areas* may be amended from time-to-time, or new roadway service areas may be delineated, pursuant to the procedures in *Section 38-119*.

SECTION 38-110. ASSESSMENT AND COLLECTION SCHEDULES.

The previously adopted impact fees for roadway, water, and wastewater have been reviewed, evaluated, updated and revised, and the City Council finds that:

(1) *Roadway Impact Fees*. The adopted and approved impact fee assessment and collection rate for roadways shall be as follows:

(a) *Schedule 1: Roadway Impact Fee Assessment*. The following schedule is for roadway impact fee assessment.

SERVICE AREA	*COST PER SERVICE UNIT*
1	$3,842.00
2	$4,212.00
3	$4,266.00
4	$4,778.00

(b) *Schedule 2: Roadway Impact Fee Collection*. The following schedule is for roadway impact fee collection.

	COLLECTION RATES				
SERVICE AREA	RESIDENTIAL	COMMERCIAL	OFFICE	INDUSTRIAL	INSTITUIONAL
1	$1,345.00	$1,921.00	$1,345.00	$1,537.00	$1,345.00
2	$1,345.00	$1,921.00	$1,345.00	$1,537.00	$1,345.00
3	$1,345.00	$1,921.00	$1,345.00	$1,537.00	$1,345.00
4	$1,345.00	$1,921.00	$1,345.00	$1,537.00	$1,345.00

(2) *Water and Wastewater Impact Fees*. The adopted and approved impact fee assessment and collection rate for water and wastewater shall be as follows:

(a) *Schedule 3: Maximum Water and Wastewater Impact Fees*. The following schedule is the maximum impact fees per Single-Family Living Unit Equivalent (SFLUE) for water and wastewater facilities. The below impact fees per service unit depicted in each column also apply to new developments that were unplatted and which did not require platting at the time of development within the period listed.

	LAND PLATTED OR REPLATTED BETWEEN				LAND PLATTED AFTER 10/07/2024
	07/16/1990 & 06/02/2008 (1)	06/02/2008 & 10/20/2014	10/20/2014 & 11/04/2019	11/05/2019 & 10/07/2024	
WATER (PER SFLUE)	$848.00	$4,229.03	$3,111.05	$3,139.04	$3,960.37
WASTEWATER (PER SFLUE)	$3,340.00	$783.49	$2,472.58	$4,820.01	$6,498.41

NOTES:
(1) For non-residential uses, assessment was expressed as SFLUEs per acre: 2.11 SFLUE/acre for water impact fees and 2.17 SFLUE/acre for wastewater impact fees, within the period listed.

(b) *Schedule 4: Impact Fees to be Paid Per Service Unit for Water and Wastewater Facilities*.

	PER LIVING UNIT EQUIVALENT (⅝" WATER METER)
WATER FACILITIES	$1,980.19
WASTEWATER FACILITIES	$3,249.21

SECTION 38-111. IMPACT FEES AS A CONDITION OF APPROVAL OF NEW DEVELOPMENT AND ISSUANCE OF A PERMIT.

A *Subdivision Plat* for new development -- *inside or outside the corporate boundaries of the City* -- shall *not* be released for filing with Rockwall County without the assessment of the applicable *Impact Fees* pursuant to this *Article*. In cases where no *Subdivision Plat* is submitted to the City of Rockwall for new development -- *inside or outside the corporate boundaries of the City* --, no application for a utility connection shall be approved and/or building permit or Certificate of Occupancy (CO) issued without the assessment of the applicable *Impact Fees* pursuant to this *Article*. In addition, for all new development -- *inside or outside the corporate boundaries of the City* -- no utility connection shall be approved and/or building permit or Certificate of Occupancy (CO) issued until the property owner or owners has paid the applicable impact fees imposed by and calculated in accordance with the requirements of this *Article* or as remedied by contract for payment by other financing mechanisms as approved by the City of Rockwall and executed by all parties.

SECTION 38-112. ASSESSMENT OF IMPACT FEES.

(1) The assessment of *Impact Fees* for any new development shall be calculated at the time of *Final Plat* approval. In cases where no subdivision plat is necessary -- *pursuant to the requirements of this Chapter* --, assessment of *Impact Fees* shall occur at the time an application is made for a building permit or utility connection, whichever occurs first. For the purposes of phasing in the application of this *Article*, *Final Plats* that have been approved -- *either through action by the City or failure to act by the City* -- on or before the effective date of the ordinance from which this *Article* is derived, the assessment of *Impact Fees* for the new development to which the *Final Plat* applies shall be calculated and made in accordance with the *Impact Fee* requirements existing prior to the adoption of the ordinance from which this *Article* is derived.

(2) Following the initial assessment of *Impact Fees* pursuant to Subsection (1) of this section, the amount of the impact fee assessment per service unit for the development cannot be increased, unless the owner proposes to change the approved

development or building size through the submission of a new application for *Subdivision Plat* or other development application that results in approval of additional service units, in which case the *Impact Fee Rate* will be reassessed for increased meter size or additional meters or service units at the *Impact Fee Rate* that is then in effect.

(3) Following the submittal of any *Subdivision Plat* that results in an increase in the number of service units, a new assessment shall be made in accordance with Subsections (1) & (2) of this section.

(4) Approval of an *Amending Plat* pursuant to Subsection 38-7(8), *Amending Plats*, of this *Chapter* is not subject to reassessment for an *Impact Fee*.

(5) Following the lapse or expiration of a *Subdivision Plat* that has been approved in accordance with Subsection 38-7(4), *Final Plats* or Subsection 38-7(7), *Replats*, of this *Chapter*, or a *Subdivision Plat* deemed to be approved due to the City of Rockwall's failure to act, pursuant to the Texas Local Government Code and this *Chapter*, a new assessment shall be performed at the time of new *Subdivision Plat* approval in accordance with this *Article*.

SECTION 38-113. COMPUTATION OF IMPACT FEES.

(1) At the time of *Subdivision Plat* approval, or at the time a request for a utility connection for a property in the City's corporate limits or Extraterritorial Jurisdiction (ETJ) is made -- *for which a Subdivision Plat was not submitted to the City* -- for all new developments, the City shall compute the *Impact Fees* due for the new development in the following manner:

(a) The amount of each type of impact fee due (*i.e. roadway, water, and wastewater*) shall be determined by multiplying the number of each type of service units generated by the new development by the impact fee due for each type of service unit in the applicable service areas as set forth by *Section 38-110* and the ordinance from which this *Article* is derived.

(b) The amount of each *Impact Fee* due shall be reduced by any allowable credits for that category of capital improvements in the manner provided by *Section 38-115*.

(2) Whenever a property owner proposes to increase the number of service units for a new development, the additional *Impact Fees* collected for such new service units shall be determined by using the amount of *Impact Fee* per service unit in *Section 38-10*, and such additional fee shall be collected at the time of issuance of a new building permit. For an area in the City's Extraterritorial Jurisdiction (ETJ) for which a *Subdivision Plat* was not required to be submitted to the City, the additional fee shall be collected prior to or at the time of enlargement of the connection to the City's existing system.

SECTION 38-114. COLLECTION METHOD FOR IMPACT FEES.

Impact fees shall be collected at the time the City of Rockwall issues a building permit for new development inside the City's corporate limits, or at the time of application for an individual meter connection to the utility system for property outside the City's corporate limits in the City's Extraterritorial Jurisdiction (ETJ), unless an agreement with the City has been executed providing for a different time of payment.

SECTION 38-115. CREDITS AGAINST IMPACT FEES.

(1) The City of Rockwall shall credit the contribution of land, improvements, or funding for the construction of any system facility that is required or agreed to by the City, pursuant to the rules established in this section or pursuant to the administrative guidelines promulgated by the City of Rockwall. The credit shall be associated with a subdivision plat or other detailed plan for development for the property that is to be served by the capital improvements and/or expansion facility.

(2) All credits against *Impact Fees* shall be subject to the following limitations and shall be granted based on this *Article*, and any additional administrative guidelines that may be adopted by the City of Rockwall.

(a) No credit shall be given for the dedication or construction of site-related facilities.

(b) No credit shall exceed an amount equal to the assessed *Impact Fee*.

(c) The unit costs used to calculate credits may be those assumed for the capital improvements or expansion facilities.

(d) No credit shall be given for capital improvements or expansion facilities which are not identified on the *Capital Improvements Plans*, unless the capital improvement or expansion facility is included in the *Master Thoroughfare Plan*, and the City agrees that such improvement supplies capacity to new developments other than the development paying the *Impact Fee* and provisions for credits are incorporated into a *Credit Agreement* pursuant to Subsection (6) of this section.

(e) In no event will the City of Rockwall grant a credit when no *Impact Fees* can be collected pursuant to this *Article* or for any amount exceeding the total *Impact Fees* due for the development, unless expressly agreed to in writing by the City of Rockwall.

(f) Credits for system facilities dedicated to and accepted by the City of Rockwall for a development prior to the effective date of the ordinance from which this *Article* is derived shall be prorated among the total number of service units within such development, including existing service units, and shall be further reduced by the amount of any participation funds received from the City.

(g) The City of Rockwall may participate in the costs of a system improvement to be dedicated to the City, including costs that exceed the amount of the *Impact Fees* due for the development, in accordance with the policies and rules established by the City. The amount of any credit for construction of a system facility shall be reduced by the amount of any participation funds received from the City.

(3) *Process for Requesting Credits*. An applicant or developer of a new development must apply for a credit against *Impact Fees* due for the development either [*1*] at or before the time the *Impact Fee* is assessed in accordance with *Section 38-112*, or [*2*] at a different time agreed to by the City. To request a credit against *Impact Fees* due, the applicant or developer shall file a petition for credits with the City in writing. The contents of such petition shall be established by administrative guidelines.

(4) *Methods for Applying Credits*. A credit associated with a new development shall be applied against an *Impact Fee* in the following manner:

(a) For single-family, townhome, or duplex lots in a new development consisting only of single-family, townhome, or duplex residential development where one (1) residential unit is proposed to be established on one (1) residential lot, such credit shall be prorated equally among such lots, to be applied at the time of application for a building permit for each lot, against *Impact Fees* to be collected at the time the building permit is issued.

(b) For all types of new development other than those listed in Subsection (4)(a) above -- *including those involving mixed use developments* -- the credit applicable to the new development shall be applied to the *Impact Fee* due at the time the building permit is issued.

(c) At its sole discretion, the City of Rockwall may authorize an alternative method for applying credits upon written agreement with the property owner through a *Credit Agreement*.

(5) *Expiration of Credits*. If a credit applicable to a subdivision plat has not been exhausted within ten (10) years from: [*1*] the acquisition of the first building permit issued; or [*2*] in the cases for which no subdivision plat is submitted to the City of Rockwall, the acquisition of the first building permit issued *or* the acquisition of the first Certificate of Occupancy (CO) is issued *or* utility connection is made after the effective date of the adoption of the applicable *Impact Fee* -- *whichever occurs first* -- *or* within such period as may otherwise be designated by a *Credit Agreement*, such credit shall lapse.

(6) *Credit Agreements*. An applicant or developer of new development who proposes to construct or finance a capital improvement or facility expansion designated in the *Capital Improvements Plans*, or other facility improvement that supplies excess capacity, as required or authorized by the City of Rockwall, shall enter into an agreement with the City to provide for credits against *Impact Fees* due for the development in accordance with the requirements of Subsection (1), (2), (3), (4), &

(5) above. The agreement shall identify the basis for the method of computing the amount of the credit due and any reduction in credits attributable to the consumption of capacity by developed lots or tracts served by the improvements. For multi-phased projects, the City of Rockwall may require that total credits be proportionally allocated among phases. If authorized by the City, the agreement may also provide for the allocation of credits among new developments within the project, and provisions for the timing and collection of *Impact Fees*; however, in no case shall credits be transferable to other new developments not associated with the capital improvements or facility expansions.

SECTION 38-116. ESTABLISHMENT OF ACCOUNTS.

(1) The City of Rockwall shall establish an account to which interest is allocated for each service area for each type of capital facility for which an *Impact Fee* is imposed pursuant to this *Article*. Each *Impact Fee* collected within the service area shall be deposited in such account.

(2) Interest earned on the account into which the *Impact Fees* are deposited shall be considered funds of the account and shall be used solely for the purposes authorized in *Section 38-117*.

(3) The City of Rockwall shall establish adequate financial and accounting controls to ensure that *Impact Fees* are disbursed from the account are utilized solely for the purposes authorized in *Section 38-117*.

(4) The City of Rockwall shall maintain and keep financial records for *Impact Fees*, which shall show the source and disbursement of all fees collected in or expended from each service area. The records of the account into which *Impact Fees* are deposited shall be open for public inspection and copying during ordinary business hours. The City of Rockwall may establish a fee for copying services.

SECTION 38-117. USE OF PROCEEDS OF IMPACT FEES.

(1) The *Impact Fees* collected for each service area pursuant to the requirements of this *Article* may be used to finance or recoup the costs of any capital improvements or facility expansions identified in the *Capital Improvements Plan* for the service area, including but not limited to, the construction contract price, surveying and engineering fees, and land acquisition costs (*including land/easement purchases, court awards and costs, attorney's fees, and expert witness fees*). *Impact Fees* may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the City of Rockwall to finance such capital improvements or facility expansions. *Impact Fees* may also be used to pay fees actually contracted to be paid to an independent qualified engineer or financial consultant for the preparation of or updating the *Capital Improvements Plan*.

(2) *Impact Fees* collected pursuant to this *Article* shall *not* be used to pay any of the following expenses:

(a) Construction, acquisition or expansion of public facilities or assets other than capital improvements or facility expansions identified in the *Capital Improvements Plan*.

(b) Repair, operation, or maintenance of existing or new capital improvements of facility expansions.

(c) Upgrade, update, expansion, or replacement of existing capital improvements to provide better service to existing development (*i.e. in order to meet stricter safety, efficiency, environmental or regulatory standards*).

(d) Administrative and operating costs of the City of Rockwall.

SECTION 38-118. REFUNDS OF IMPACT FEES.

(1) Upon application by a property owner, any *Impact Fee* or portion there of collected pursuant to the regulations of this *Article*, which has not been expended within the service area within ten (10) years from the date of payment, shall be refunded. Payments shall be refunded to the record owner of the property for which the *Impact Fee* was paid or -- *if the Impact Fee was paid by another government entity* -- to such governmental entity, together with interest calculated from the

date of payment to the date of refund at the statutory rate as set forth in Section 302.002 of the Texas Finance Code or its successor statute. The application for refund pursuant to this *Article* shall be submitted within 60-days after the expiration of the ten (10) year period for expenditure of the fee. An *Impact Fee* shall be considered expended on a *first-in, first out* basis.

(2) An *Impact Fee* collected pursuant to this *Article* shall also be considered expended if the total expenditures for capital improvements or facility expansions within the service area within ten (10) years following the date of payment exceeds the total fees collected within the service area for such improvements or expansions during such period.

(3) If a refund is due pursuant to Subsections (1) & (2), the City of Rockwall shall divide the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the service area for the period to determine the refund due per service unit. The refund to the record owner shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.

(4) Application for refunds shall be submitted to the City of Rockwall on a form approved by the City for such purposes. Within 90-days of the receipt of the application, the City shall provide the applicant -- *in writing* -- with a decision on the refund request.

SECTION 38-119. AMENDMENT TO PLAN AND REVISIONS OF IMPACT FEES.

(1) The City of Rockwall shall update is *Land Use Assumptions* and *Capital Improvements Plans* at least every five (5) years, commencing from the date of adoption of such plans, and shall recalculate the *Impact Fees* based thereon in accordance with the procedures set forth in Chapter 395, *Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments*, of the Texas Local Government Code (TLGC), or in any successor statute.

(2) The City of Rockwall may review its *Land Use Assumptions*, *Impact Fees*, and *Capital Improvements Plans* and other factors such as market conditions more frequently than provided in *Subsection (1)* to determine whether the *Land Use Assumptions* and *Capital Improvements Plans* should be updated and the *Impact Fee* recalculated accordingly, utilizing the statutory update procedures.

(3) If, at the time an update is required pursuant to *Subsection (1)*, the City Council determines that no change to the *Land Use Assumptions*, *Capital Improvements Plans*, or *Impact Fee* is needed, it may dispense with such update by following the procedures of *Section 395.0575 of the Texas Local Government Code (TLGC)* or successor statue.

(4) The City of Rockwall may amend any other provisions of this *Article* in accordance with the procedures for amendments as stipulated by this Municipal Code of Ordinances or the City's Charter.

SECTION 38-120. USE OF OTHER FINANCING MECHANISMS.

(1) The City of Rockwall may finance capital improvements or facility expansions designated in the *Capital Improvements Plan* through the issuance of bonds, through the formation of Public Utility Districts (PUDs)/Public Improvement Districts (PIDs) or other assessment districts, or through any other authorized mechanism, in such a manner and subject to such limitations as may be provided by law, in addition to the use of *Impact Fees*.

(2) Except as otherwise provided in this *Chapter*, the assessment and collection of an *Impact Fee* shall be additional and supplemental to -- *and not in substitution of* – any other tax, fee charge, or assessment which is lawfully imposed on and due against the property.

(3) The City Council may decide that the City of Rockwall will pay all or a part of capital improvements or facility expansions due for a new development pursuant to duly adopted criteria.

SECTION 38-121. IMPACT FEE AS AN ADDITIONAL AND SUPPLEMENTAL REGULATION.

(1) *Impact Fees* established by this *Article* are additional and supplemental to -- *and not in substitution of* -- any other requirements imposed by the City of Rockwall on the development of land or the issuance of building permits or a Certificate of Occupancy (CO). Such fee is intended to be consistent with and to further the policies of the City of Rockwall's Comprehensive Plan, the *Capital Improvements Plan*, the Unified Development Code (UDC), the subdivision requirements contained in this *Chapter*, and other polices, ordinances, and/or resolutions by which the City of Rockwall seeks to ensure the provisions of adequate public facilities in conjunction with the development of land.

(2) This *Article* shall not affect -- *in any manner* -- the permissible use of a property, the density of a development, the design, and improvement standards and requirements, or any other aspect of the development of land or provision of public improvements subject to the Unified Development Code (UDC) and the subdivision requirements contained in this *Chapter*, or other regulations of the City of Rockwall, which shall be operative and remain in full force and effect without limitation with respect to all such development.

SECTION 38-122. WAIVERS AND EXEMPTIONS.

Pursuant to Section 395.022 of the Texas Local Government Code (TLGC), a school district is not required to pay *Impact Fees* under this *Article* unless the Board of Trustees of the school district consents to the payment of the fees by entering a contract with the City imposing the fees.

SECTION 38-123. RELIEF PROCEDURES.

Any person who has paid an *Impact Fee* or an owner of land upon which an impact fee has been paid may petition the City Council to determine whether any duty required by this *Article* has not been performed within the time so prescribed. The petition shall be in writing and shall state the nature of the unperformed duty and request that the duty be performed within 60-days of the request. If the City Council determines that the duty is required pursuant to this *Article* and is late in being performed, it shall cause the duty to commence within 60-days of the date of the request and to continue until completion.

DIVISION 2. LAND USE ASSUMPTIONS FOR IMPACT FEES

CHANGES = HIGHLIGHTED

(5) *Proportionality*. The city recognizes that there is a direct correlation between the increased demand on public facilities and infrastructure created by a new development, the city's requirements for the dedication of rights-of-way and easements, and the construction of a fair and proportional share of the improvements necessary to offset the impacts of new development on the city's existing public facilities and infrastructure. Based on this it is the desire of the city that new development projects contribute a fair and proportional share of the costs necessary to offset the created impact.

(a) *Determination of Proportionality*. Prior to the submittal of a development application for a preliminary plat, final plat, or replat, a property owner or developer may request in writing a determination of proportionality from the city engineer affirming that each public infrastructure improvement to be imposed as a condition of approval for a subdivision plat is roughly proportionate to the demand created by the proposed development on the city's public facilities and infrastructure. This determination shall take into consideration the nature and extent of the development proposed.

(b) *Determination of Proportionality Submission Requirements*. In addition to the written request for a determination of proportionality, the city engineer may require supplementary information of the property owner or developer relating to the proposed development or public facilities and infrastructure.

(c) *Criteria for a Determination of Proportionality*. In making a decision on a determination of proportionality the city engineer may rely upon categorical findings pertaining to:

(1) The location of proposed or existing on-site improvements.

(2) The proposed or potential use of the land.

(3) The timing and sequence of development in relation to the availability of adequate levels of public facilities.

(4) Impact fee studies or other studies that measure the demand for services created by the development and the impact on the city's public facilities and infrastructure. The full cost to provide service shall be used in the assessment.

(5) The function of the public infrastructure improvements in serving the proposed development.

(6) The degree to which public infrastructure improvements that will serve the subdivision are supplied by other developments.

(7) The anticipated participation by the city in the costs of such improvements.

(8) Any reimbursements for the costs of public infrastructure improvements for which the proposed development is eligible.

(9) Any other information relating to the mitigating effects of the public infrastructure improvements on the impacts created by the development on the city's public facilities and infrastructure.

(d) *Final Determination of Proportionality*. Based upon the findings from the determination of proportionality, the city engineer shall affirm that the public infrastructure improvement requirements of this chapter do not impose costs on the developer for such improvements that exceed those roughly proportionate to the costs incurred by the city in providing public facilities and infrastructure to serve the development.

(e) *Petition for a Proportionality Appeal*. A petition for a proportionality appeal may be filed by a property owner or developer in accordance with the requirements of subsection 38-10(2) to contest any requirement to dedicate land or to construct public improvements as required by this chapter.

CITY OF ROCKWALL

ORDINANCE NO. 25-03

SPECIFIC USE PERMIT NO. S-351

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 A *DETACHED GARAGE AND FOR MORE ACCESSORY STRUCTURES THAN PERMITTED* ON A ONE (1) ACRE PARCEL OF LAND IDENTIFIED AS LOT 13, BLOCK A, SADDLEBROOK ESTATES #2 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ZONED SINGLE-FAMILY 16 (SF-16) DISTRICT, ADDRESSED AS 2348 SADDLEBROOK LANE, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Bryan Cook for the approval of a Specific Use Permit (SUP) for a *Detached Garage* and for More Accessory Structures than Permitted on a one (1) acre parcel of land being identified as Lot 13, Block A, Saddlebrook Estates #2 Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 16 (SF-16) District, addressed as 2348 Saddlebrook Lane, and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Detached Garage* 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*; Subsection 03.06, *Single-*

Family 16 (SF-16) District; and Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] -- *as heretofore amended and may be amended in the futur*e -- 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 is required for continued operation:

1) The development of the *Subject Property* shall generally conform to the *Site Plan* 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 1,100 SF.

4) The applicant will be required to obtain a building permit for the existing accessory building prior to the issuance of a building permit for the *Detached Garage*.

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 16-feet as measured to midpoint of the pitched roof.

7) The *Detached Garage* shall not be sold or conveyed separately from the single-family home without meeting the requirements of the zoning district and subdivision ordinance.

2.2 COMPLIANCE

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

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

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

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

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

offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JANUARY, 2025.

_____
Trace Johannesen, Mayor

ATTEST:

_____
Kristy Teague, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: December 16, 2024

2nd Reading: January 6, 2025

Exhibit 'A'
Location Map and Legal Description

Address: *2348 Saddlebrook Lane*
Legal Description: *Lot 13, Block A, Saddlebrook Estates #2 Addition*

Exhibit 'B':
Site Plan

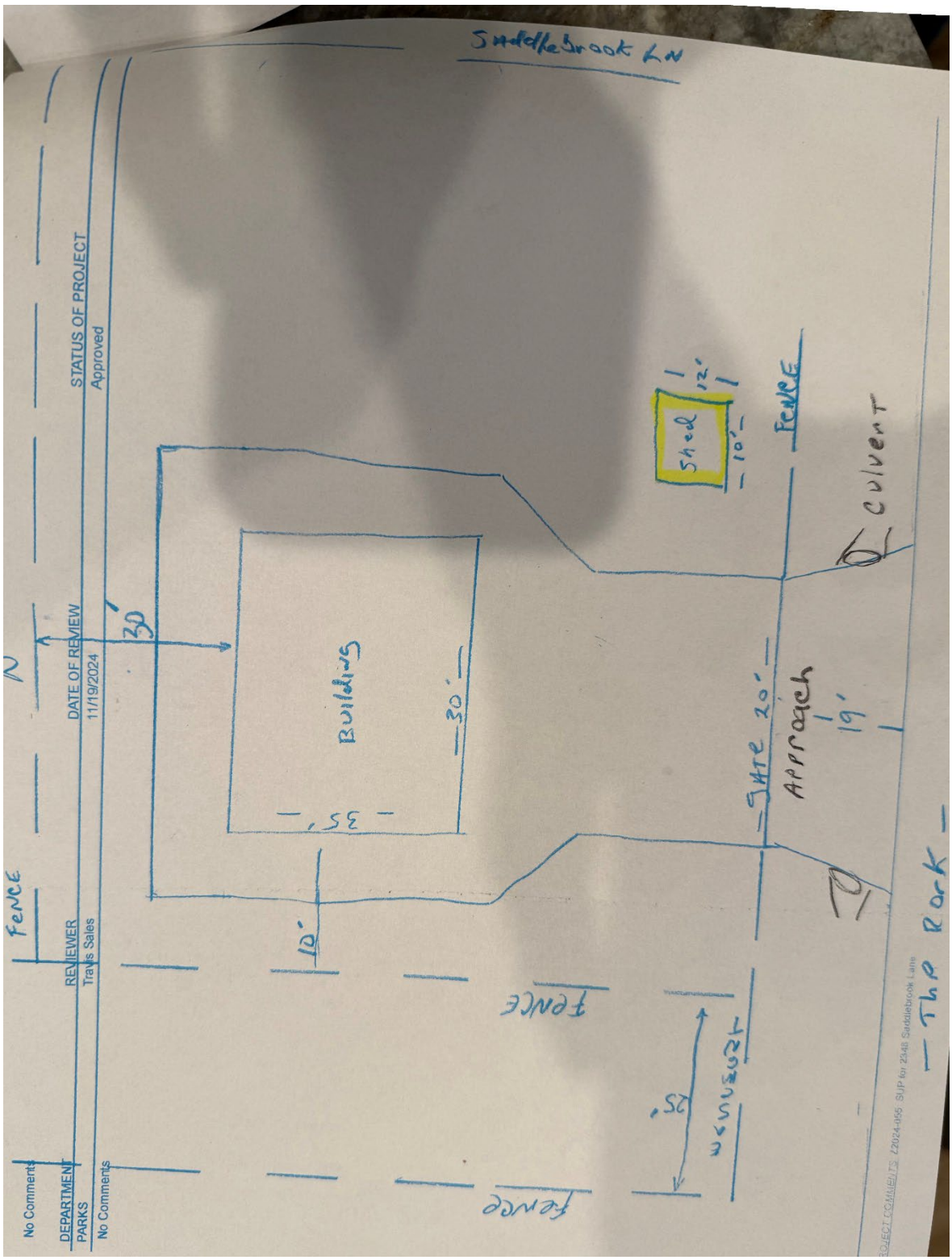


Exhibit 'C':
Building Elevations

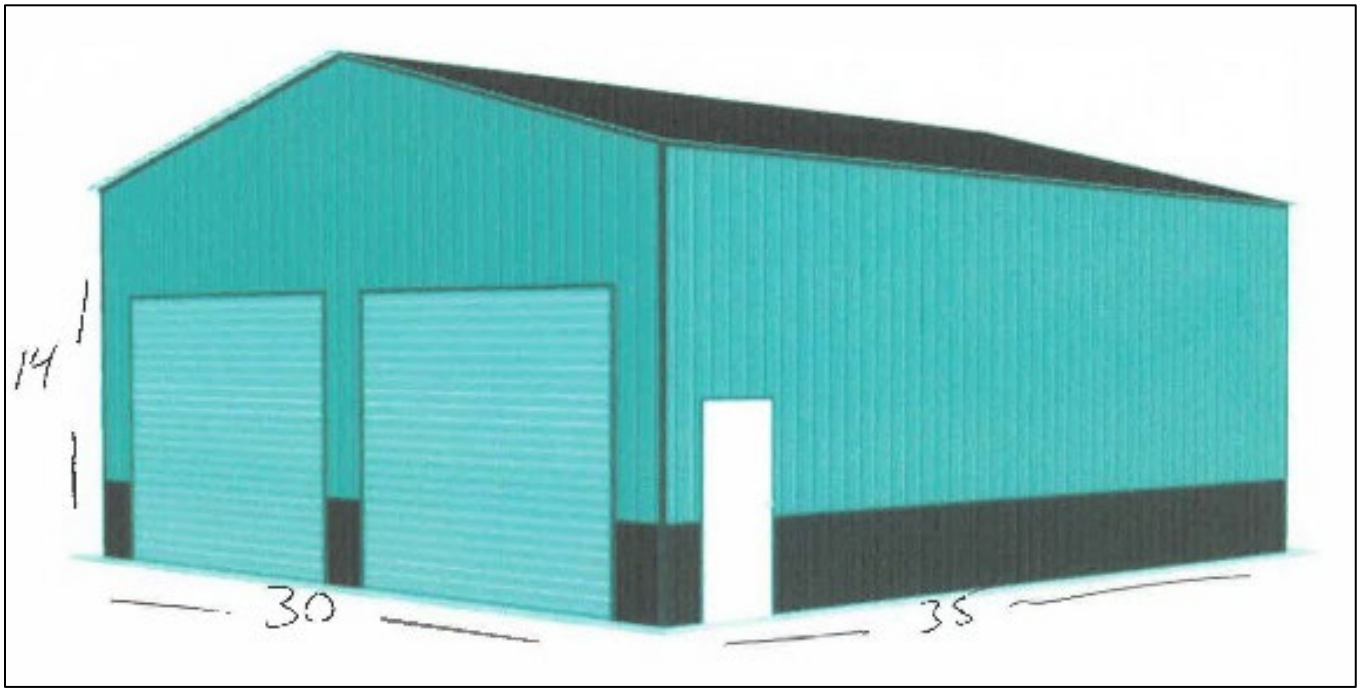
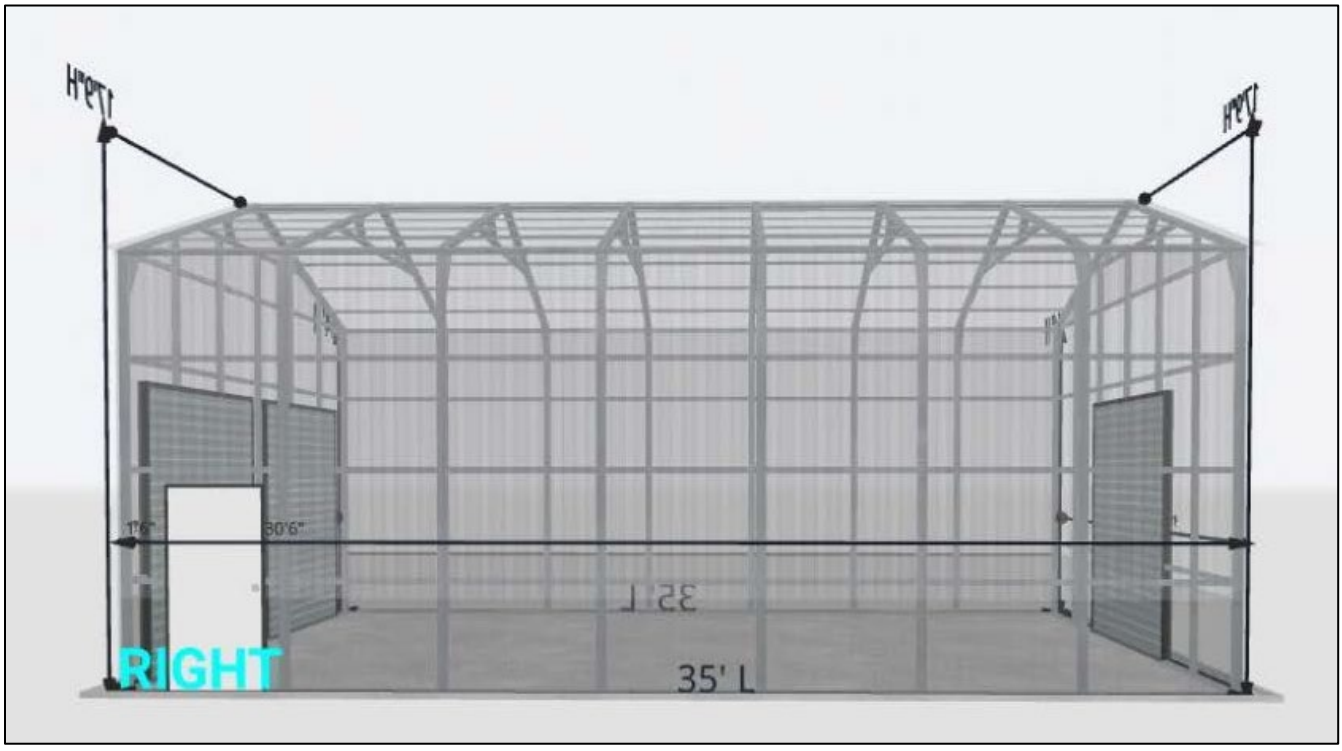
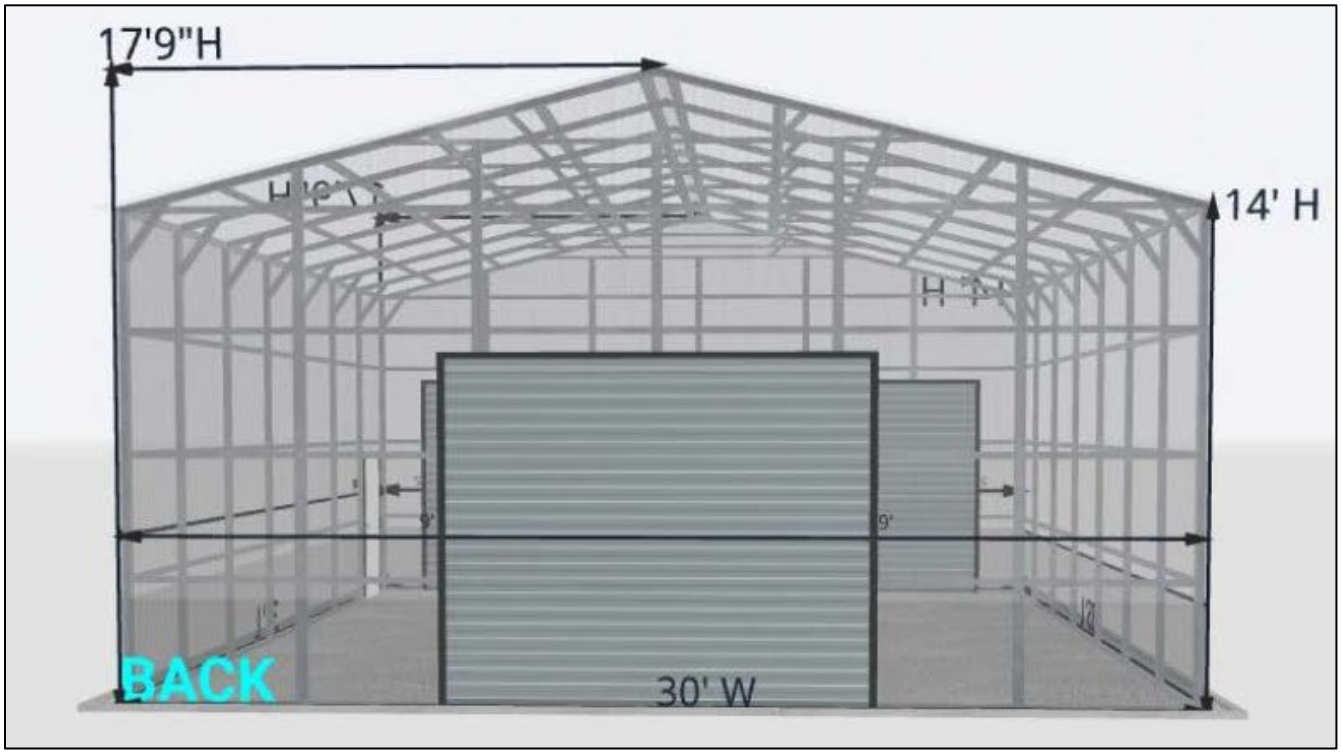


Exhibit 'C':
Building Elevations





CITY OF ROCKWALL

ORDINANCE NO. 25-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO PLANNED DEVELOPMENT DISTRICT 103 (PD-103) FOR SINGLE FAMILY 10 (SF-10) DISTRICT AND GENERAL RETAIL (GR) DISTRICT LAND USES ON THE SUBJECT PROPERTY, *BEING* A 519.5402-ACRE TRACT OF LAND IDENTIFIED AS TRACTS 3 & 3-1 OF THE A. JOHNSON SURVEY, ABSTRACT NO. 123; TRACT 7 OF THE W. H. BAIRD SURVEY, ABSTRACT NO. 25; AND TRACTS 3 & 4 OF THE J. R. JOHNSON SURVEY, ABSTRACT NO. 128, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS AND MORE FULLY DESCRIBED HEREIN BY *EXHIBIT 'A'* AND DEPICTED HEREIN BY *EXHIBIT 'B'*; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request by Ryan Joyce of Michael Joyce Properties on behalf of Bill Lofland for the approval of a zoning change from an Agricultural (AG) District to a Planned Development District for Single Family 10 (SF-10) District and General Retail (GR) District land uses, on a 519.5402-acre tract of land identified Tracts 3 & 3-1 of the A. Johnson Survey, Abstract No. 123 [*355.146-acres*]; Tract 7 of the W. H. Baird Survey, Abstract No. 25 [*20.3942-acres*]; and Tracts 3 & 4 of the J. R. Johnson Survey, Abstract No. 128 [*144.00-acres*], City of Rockwall, Rockwall County, Texas and more fully described in *Exhibit 'A'* and depicted in *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

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

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

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

SECTION 3. That development of the trails and trail heads for the *Subject Property* shall generally be in accordance with the *Trail and Trail Head 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 amenities for the *Subject Property* shall generally be in accordance with the *Amenity Center Guidelines*, 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 *Density and Development Standards*, outlined 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 a *Master Parks and Open Space Plan* for the *Subject Property* -- *prepared in accordance with this ordinance and consistent with the Planned Development Concept Plan depicted in Exhibit 'C' and Trail Layout Plan depicted in Exhibit 'D' of this ordinance* -- shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

SECTION 7. That residential development on the *Subject Property* shall be in conformance with the schedule listed below (*except as set forth below with regard to simultaneous processing and approvals*).

(a) The procedures set forth in the City's subdivision regulations on the date this ordinance is approved by the City, as amended by this ordinance [*including Subsections 7(b) through 7(g) below*], shall be the exclusive procedures applicable to the subdivision and platting of the *Subject Property*.

(b) The following plans and plats shall be required in the order listed below (*except as set forth below with regard to simultaneous processing and approvals*). The City Council shall act on an application for a *Master Parks and Open Space Plan* in accordance with the time period specified in *Section 212.009* of the *Texas Local Government Code*.

(1) Master Parks and Open Space Plan
(2) Master Plat
(3) Preliminary Plat
(4) PD Site Plan
(5) Final Plat

(c) *Master Parks and Open Space Plan.* A *Master Parks and Open Space Plan* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, prepared in accordance with this ordinance, shall be considered for approval by the City Council following recommendation of the Parks and Recreation Board.

(d) *Master Plat.* A *Master Plat* for the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify the proposed timing of each phase of the proposed development. A *Master Plat* application may be processed by the City concurrently with a *Master Parks and Open Space Plan* application for the development.

(e) *Preliminary Plat.* A *Preliminary Plat* for each phase of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted in accordance with the phasing plan established by the *Master Plat* and shall include a *Treescape Plan* for the phase being *Preliminary Platted*. A *Preliminary Plat* application may be processed by the City concurrently with a *Master Plat* and a *Master Parks and Open Space Plan* application for the development.

(f) *PD Site Plan.* A *PD Site Plan* for each phase of the development of the *Subject Property*, as depicted in *Exhibit 'C'* of this ordinance, shall be submitted and shall identify all site/landscape/hardscape plan(s) for all open space, neighborhood parks, trail systems, street buffers and entry features. A *PD Site Plan* application may be processed by the City concurrently with a *Final Plat* application for the development.

(g) *Final Plat.* Prior to the issuance of any building permits, a *Final Plat*, conforming to the *Preliminary Plat*, shall be submitted for approval.

SECTION 8. That commercial development on the *Subject Property* shall be in conformance with the process and procedures stipulated by this Planned Development District ordinance, the City's subdivision regulations, and the Unified Development Code (UDC);

SECTION 9. 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 10. 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 11. The standards in this ordinance shall control in the event of a conflict between this ordinance and any provision of the Unified Development Code or any provision of the City Code, ordinance, resolution, rule, regulation, or procedure that provides a specific standard that is different from and inconsistent with this ordinance. References to zoning district regulations or other standards in the Unified Development Code (including references to the *Unified Development Code*), and references to overlay districts, in this ordinance or any of the Exhibits hereto are those in effect on the date this ordinance was passed and approved by the City Council of the City of Rockwall, Texas;

SECTION 12. That this ordinance shall take effect immediately from and after its passage, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF JANUARY, 2025.

_____
Trace Johannesen, Mayor

ATTEST:

_____
Kristy Teague, City Secretary

APPROVED AS TO FORM:

_____
Frank J. Garza, City Attorney

1st Reading: December 16, 2024

2nd Reading: January 6, 2025

Exhibit 'A':
Legal Description

BOUNDARY 1

BEING a tract of land situated in the Abner Johnston Survey, Abstract No. 123, in the City of Rockwall, Rockwall County, Texas, being a part of a called 213-acre tract, described as Tract 2 in a deed to Newman Lofland, as recorded in Volume 9, Page 548, in the Deed Records of Rockwall County, Texas (D.R.R.C.T.), and part of a called 72-acre tract described in a deed to N.L. Lofland, as recorded in Volume 30, Page 548, D.R.R.C.T., and being more particularly described as follows:

BEGINNING at a ½-inch iron rod found at the northwest corner of a called 139.308-acre tract of land described in a deed to Arcadia Lakes of Somerset Holdings, LLC, as recorded in Document No. 20130000500385, in the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.);

THENCE South 00 degrees 08 minutes 29 seconds West, with the west line of said 139.308-acre tract, at a distance of 973.07-feet passing a 5/8-inch iron rod with cap stamped "MADDOX SURVEYING" found at the northwest corner of the Amending Plat of Somerset Park, an addition to the City of Rockwall, recorded in Cabinet J, Page 273, of the Map Records of Rockwall County, Texas, continuing with the west line of said Somerset Park, a total distance of 1,402.01-feet to a ½-inch iron rod found;

THENCE South 85 degrees 28 minutes 38 seconds East, continuing with the west line of said Somerset Park, a distance of 10.57-feet;

THENCE South 00 degrees 59 minutes 21 seconds East, continuing with the west line of said Somerset Park, a distance of 869.90-feet;

THENCE South 00 degrees 40 minutes 31 seconds East, continuing with the west line of said Somerset Park, at a distance of 924.23-feet passing a 5/8-inch iron rod with cap stamped "MADDOX SURVEYING" found at the southwest corner of said Somerset Park, continuing a total distance of 934.64-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found in the northeast line of State Highway 205 (SH 205) (variable width right-of-way), said point being on a non-tangent curve to the right, having a radius of 5,006.10-feet and a central angle of 09 degrees 46 minutes 28 seconds;

THENCE with the northeast line of said SH 205 and with said curve to the right, an arc distance of 854.03-feet (Chord Bearing North 38 degrees 29 minutes 11 seconds West 852.99-feet), to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE North 26 degrees 59 minutes 29 seconds West, continuing with the northeast line of said SH 205, a distance of 99.97-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE North 34 degrees 36 minutes 24 seconds West, continuing with the northeast line of said SH 205, a distance of 299.01-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE North 43 degrees 08 minutes 15 seconds West, continuing with the northeast line of said SH 205, a distance of 101.12-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE North 34 degrees 36 minutes 24 seconds West, continuing with the northeast line of said SH 205, a distance of 300.00-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 55 degrees 23 minutes 36 seconds West, continuing with the northeast line of said SH 205, a distance of 19.60-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found on a non-tangent curve to the left, having a radius of 11,509.16-feet and a central angle of 06 degrees 20 minutes 55 seconds;

THENCE continuing with the northeast line of said SH 205 and with said curve to the left, an arc distance of 1,275.25-feet (Chord Bearing North 34 degrees 13 minutes 17 seconds West - 1,274.59-feet), to the east line of State Highway 205 Bypass (aka John King Boulevard) (variable width right-way), said point being on a curve to the left, having a radius of 1,004.93-feet and a central angle of 52 degrees 52 minutes 54 seconds;

THENCE with said curve to the left and said John King Boulevard an arc distance of 927.51-feet (Chord Bearing North 24 degrees 59 minutes 44 seconds East - 894.94-feet), to the point of tangency;

THENCE North 01 degree 27 minutes 44 seconds West, continuing with the east line of said John King Boulevard, a distance of 2,017.35-feet to a ½-inch iron rod with "RPLS 5084" cap found in the south line of a called 173.00-acre tract of land described in a deed to Rockwall Independent School District, as recorded in Document No. 2010-00443616, O.P.R.R.C.T.;

THENCE North 88 degrees 23 minutes 38 seconds East, departing the east line of said John King Boulevard and with the south line of said 173.00-acre tract, a distance of 3,696.05-feet, from which a 5/8-inch iron rod found bears North 74 degrees 56 minutes 50 seconds West, a distance of 1.54-feet;

THENCE North 01 degree 36 minutes 22 seconds West, continuing with the south line of said 173.00-acre tract, a distance of 669.62-feet to a 5/8-inch iron rod found;

THENCE North 88 degrees 24 minutes 41 seconds East, continuing with the south line of said 173.00-acre tract, a distance of 393.66-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found in the west line of FM 549 (variable width right-of-way);

THENCE South 00 degrees 54 minutes 23 seconds East, with the west line of said FM 549, a distance of 1,480.72-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 89 degrees 13 minutes 14 seconds West, continuing with the west line of said FM 549, a distance of 55.00-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 00 degrees 46 minutes 46 seconds East, continuing with the west line of said FM 549, a distance of 70.00-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE North 89 degrees 13 minutes 14 seconds East, continuing with the west line of said FM 549, a distance of 55.16-feet;

THENCE South 00 degrees 54 minutes 23 seconds East, a distance of 178.33-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 89 degrees 05 minutes 37 minutes West, continuing with the west line of said FM 549, a distance of 5.34-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 00 degrees 56 minutes 00 seconds East, continuing with the west line of said FM 549, a distance of 717.97-feet;

THENCE South 89 degrees 04 minutes 00 seconds West, continuing with the west line of said FM 549, a distance of 40.00-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 00 degrees 56 minutes 00 seconds East, continuing with the west line of said FM 549, a distance of 153.61-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE North 89 degrees 04 minutes 00 seconds East, continuing with the west line of said FM 549, a distance of 40.00-feet;

THENCE South 00 degrees 56 minutes 00 seconds East, continuing with the west line of said FM 549, a distance of 70.20-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 87 degrees 07 minutes 00 seconds West, departing the west line of said FM 549 and with the north line of Neller Addition, an addition to the City of Rockwall, as described in Document No. 20210000019426, O.P.R.R.C.T., a distance of 781.16-feet;

THENCE South 81 degrees 46 minutes 04 seconds West, continuing with the north line of said Neller Addition, a distance of 90.00-feet;

THENCE South 89 degrees 41 minutes 21 seconds West, continuing with the north line of said Neller Addition, a distance of 206.71-feet to a ½-inch iron rod found at the northwest corner of said Neller Addition, same being the northeast corner of the aforementioned 139.308-acre tract;

THENCE South 88 degrees 23 minutes 25 seconds West, with the north line of said 139.308-acre tract, a

distance of 1,672.69-feet to the *POINT OF BEGINNING* and containing 268.2965-acres of land.

BOUNDARY 2

BEING a tract of land situated in the Abner Johnston Survey, Abstract No. 123 and the John R. Johnson Survey, Abstract No. 128, in the City of Rockwall, Rockwall County, Texas, being a part of a called 120-acre tract of land described in deed to N.L. Lofland and Annie Lofland, as recorded in Volume 28, Page 487, in the Deed Records of Rockwall County, Texas (D.R.R.C.T.)., part of a called 72-acre tract described in a deed to N.L. Lofland, as recorded in Volume 30, Page 548, D.R.R.C.T., part of a called 60-acre tract of land described in deed to Nan A. Smartt, Juliana Bond and W.I. Lofland, as recorded in Volume 98, Page 759, and part of a tract of land described in deed to N.L. Lofland, as recorded in Volume 35, Page 269, D.R.R.C.T, and being more particularly described as follows:

BEGINNING at a magnail found at the northeast corner of a called 14.05-acre tract of land described in deed to Frank Forrest and Kelli LaFon Forrest, as recorded in Volume 2664, Page 159, D.R.R.C.T. and the southeast corner of a called 15.598-acre tract of land described in deed to Miller Family Investment, LP, as recorded in Volume 5632, Page 292, D.R.R.C.T., being in the west line of said 72-acre Lofland tract;

THENCE North 00 degrees 04 minutes 08 seconds West, with the west line of said 72-acre Lofland tract and the east line of said Miller Family Investment, LP tract, a distance of 450.81-feet to the northeast corner of said Miller Family Investment, LP tract, being in the southwest line of State Highway 205 (SH 205) (variable width right-of-way), from which a found magnail bears North 00 degrees 01 minute 58 seconds West, a distance of 1.01-feet, said corner being on a non-tangent curve to the right, having a radius of 11,409.16-feet and a central angle of 00 degrees 35 minutes 02 seconds;

THENCE with the southeast line of said SH 205 and with said curve to the right, an arc distance of 116.29-feet (Chord Bearing South 42 degrees 43 minutes 19 seconds East 116.29-feet);

THENCE South 47 degrees 34 minutes 12 seconds West, continuing with the southwest line of said SH 205, a distance of 20.00-feet to a point on a non-tagent curve to the right, having a radius of 11,389.16-feet and a central angle of 02 degrees 30 minutes 00 seconds;

THENCE continuing with the southwest line of said SH 205 and with said curve to the right, an arc distance of 496.95-feet (Chord Bearing South 41 degrees 10 minutes 48 seconds East 496.91-feet);

THENCE North 50 degrees 04 minutes 12 seconds East, continuing with the southwest line of said SH 205, a distance of 20.00-feet to a point on a non-tangent curve to the right, having a radius of 11,409.16-feet and a central angle of 08 degrees 54 minutes 51 seconds;

THENCE continuing with the southwest line of said SH 205 and with said curve to the right, an arc distance of 1,775.05-feet (Chord Bearing South 35 degrees 28 minutes 22 seconds East 1,773.26-feet) to a point from which a found 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap bears North 55 degrees 23 minutes 36 seconds East, a distance of 2.26-feet;

THENCE South 55 degrees 23 minutes 36 seconds West, continuing with the southwest line of said SH 205, a distance of 44.21-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 34 degrees 36 minutes 24 seconds East, continuing with the southwest line of said SH 205, a distance of 299.87-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 26 degrees 04 minutes 33 seconds East, continuing with the southwest line of said SH 205, a distance of 101.12-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 34 degrees 36 minutes 24 seconds East, continuing with the southwest line of said SH 205, a distance of 221.52-feet to a 5/8-inch iron rod with pink "TxDOT SURVEY MARKER" cap found;

THENCE South 42 degrees 36 minutes 32 seconds East, continuing with the southwest line of said SH 205, a distance of 99.56-feet to a point on a non-tangent curve to the left, having a radius of 5,105.59-feet

and a central angle of 12 degrees 47 minutes 28 seconds;

THENCE continuing with the southwest line of said SH 205 and with said curve to the left, an arc distance of 1,139.82-feet (Chord Bearing South 38 degrees 03 minutes 30 seconds East 1,137.45-feet) to the south line of said Lofland 72-acre tract and being in the approximate center of Lofland Circle (variable width right-of-way);

THENCE South 88 degrees 42 minutes 50 seconds West, with the south line of said Lofland 72-acre tract and along the approximate center of Lofland Circle, at a distance of 2,472.42-feet passing the southwest corner of said Lofland 72-acre tract and the southeast corner of said Lofland 60-acre tract, continuing with the south line of said Lofland 60-acre tract and the north line of said Lofland Circle, a total distance of 2,789.02-feet to the northeast corner of a tract of land described in deed to Wallace Land Partners LP, recorded in Volume 2017, Pages 76, 82, 88, 94 & 100, D.R.R.C.T.;

THENCE South 88 degrees 45 minutes 15 seconds West, with the south line of said Lofland 60-acre tract and the north line of said Wallace Land Partners LP tract, a distance of 2,215.98-feet to the southwest corner of said Lofland 60-acre tract, being in the east line of Rockwall Lake Properties Development No. 2, an addition to the City of Rockwall, Rockwall County, Texas, recorded in Cabinet A, Page 79 of the Map Records of Rockwall County, Texas;

THENCE North 00 degrees 53 minutes 57 seconds West, with the west line of said Lofland 60-acre tract and the east line of said Rockwall Lake Properties Development No. 2, a distance of 2,452.25-feet to the northwest corner of said Lofland 60-acre tract and the northeast corner of said Rockwall Lake Properties Development No. 2, being in the south line of a tract land described in deed to Vicmar I, Ltd., as recorded in Volume 2016, Page 200, D.R.R.C.T.;

THENCE North 88 degrees 46 minute 35 seconds East, with the north line of said Lofland 60-acre tract and the south line of said Vicmar I, Ltd. tract, at a distance of 227.28-feet passing a found 5/8-inch iron rod found at the southeast corner of said Vicmar I, Ltd. tract and the southwest corner of a tract of land described in deed to Layza & Luna Real Estate, LLC, recorded in Instrument No. 20220000001115, of the Official Public Records of Rockwall County, Texas (O.P.R.R.C.T.), continuing with the north line of said Lofland 60-acre tract and the south line of said Lazya & Luna Real Estate, LLC tract, a distance of 1,232.98-feet to a ½-inch iron rod found at the southeast corner of Lazya & Luna tract and the southwest corner of said Forrest tract, continuing with the north line of said Lofland 60-acre tract and the south line of said Forrest tract, a total distance of 2,545.43-feet to the southeast corner of said Forrest tract, being in the west line of said Lofland 72-acre tract;

THENCE North 01 degree 05 minutes 11 seconds West, with the west line of said Lofland 72-acre tract and the east line of said Forrest tract, a distance of 571.91-feet to the *POINT OF BEGINNING* and containing 242.8992-acres of land.

BOUNDARY 3

BEING a tract of land situated in the Abner Johnston Survey, Abstract No. 123, in the City of Rockwall, Rockwall County, Texas, being a part of a called 72-acre tract described in a deed to N.L. Lofland, as recorded in Volume 30, Page 548, in the Deed Records of Rockwall County, Texas (D.R.R.C.T.), and being more particularly described as follows:

BEGINNING at easternmost southeast corner of Hickory Ridge Phase Four, an addition to the City of Rockwall, recorded in Cabinet E, Page 287, of the Map Records of Rockwall County, Texas, being in the west line of State Highway 205 Bypass (also known as John King Boulevard) (variable width right-of-way), from which a found disturbed 5/8-inch iron rod with cap bears North 01 degree 27 minutes 44 seconds West, a distance of 1.93-feet;

THENCE South 01 degree 27 minutes 44 seconds East, with the west line said SH 205 Bypass a distance of 847.60-feet to the point of curvature of a curve to the right, having a radius of 894.93-feet and a central angle of 52 degrees 46 minutes 14 seconds;

THENCE with said curve to the right and with the west line of said SH 205 Bypass, an arc distance of 824.25 (Chord Bearing South 24 degrees 56 minutes 28 seconds West 795.42-feet), to the northeast line of State Highway 205 (SH 205) (variable width right-of-way), said point being on a non-tangent curve to the left, having a radius of 11,509.16-feet and a central angle of 01 degree 59 minutes 12 seconds;

THENCE with the northeast line of said SH 205 and with said curve to the left, an arc distance of 399.07-feet (Chord Bearing North 38 degrees 56 minutes 12 seconds West 399.05-feet);

THENCE North 50 degrees 04 minutes 12 seconds East, continuing with the northeast line of said SH 205, a distance of 20.00-feet the point of curvature of a non-tangent curve to the left, having a radius of 11,529.16-feet and a central angle of 02 degrees 30 minutes 00 seconds;

THENCE continuing with the northeast line of said SH 205 and with said curve to the left, an arc distance of 503.05-feet (Chord Bearing North 41 degrees 10 minutes 48 seconds West 503.01-feet);

THENCE South 47 degrees 34 minutes 12 seconds West, continuing with the northeast line of said SH 205, a distance of 20.00-feet to the point of curvature of a non-tangent curve to the left, having a radius of 11,509.16-feet and a central angle of 00 degrees 48 minutes 19 seconds;

THENCE continuing with the northeast line of said SH 205 and with said curve to the left, an arc distance of 161.75-feet (Chord Bearing North 42 degrees 49 minutes 57 seconds West 161.75-feet to the southernmost southwest corner of said Hickory Ridge Phase Four, from which a found disturbed ½-inch iron rod with cap bears North 48 degrees 07 minutes 13 seconds East, a distance of 1.86-feet;

THENCE South 89 degrees 00 minutes 00 seconds East, departing the northeast line of said SH 205, with the south line of said Hickory Ridge Phase Four, a distance of 439.07-feet to the southernmost southeast corner of said Hickory Ridge Phase Four;

THENCE North 36 degrees 21 minutes 06 seconds East, with the southeast line of said Hickory Ridge Phase Four, a distance of 955.17-feet to the *POINT OF BEGINNING* and containing 15.5866-acres of land.

Exhibit 'B':
Survey

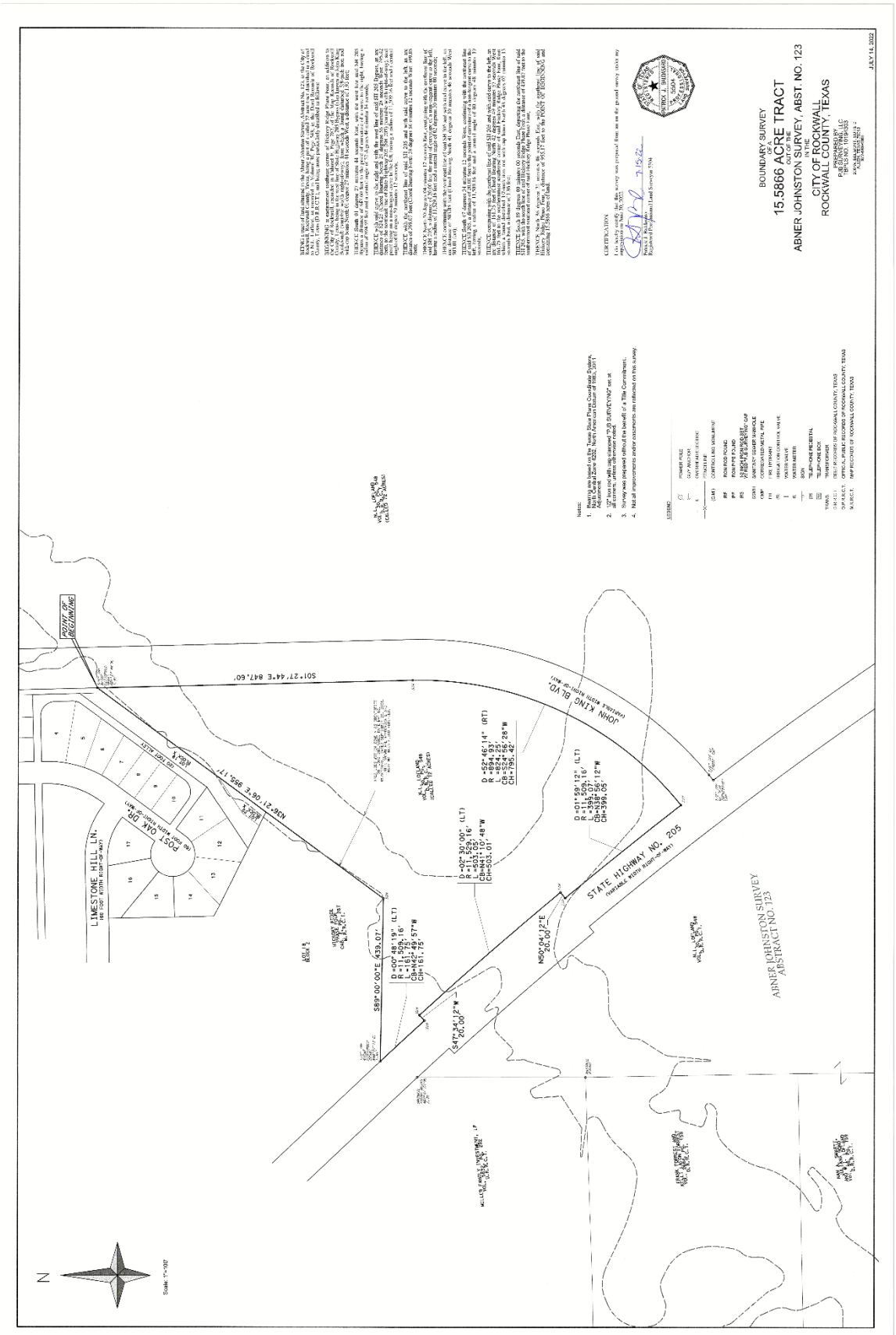


Exhibit 'B':
Survey

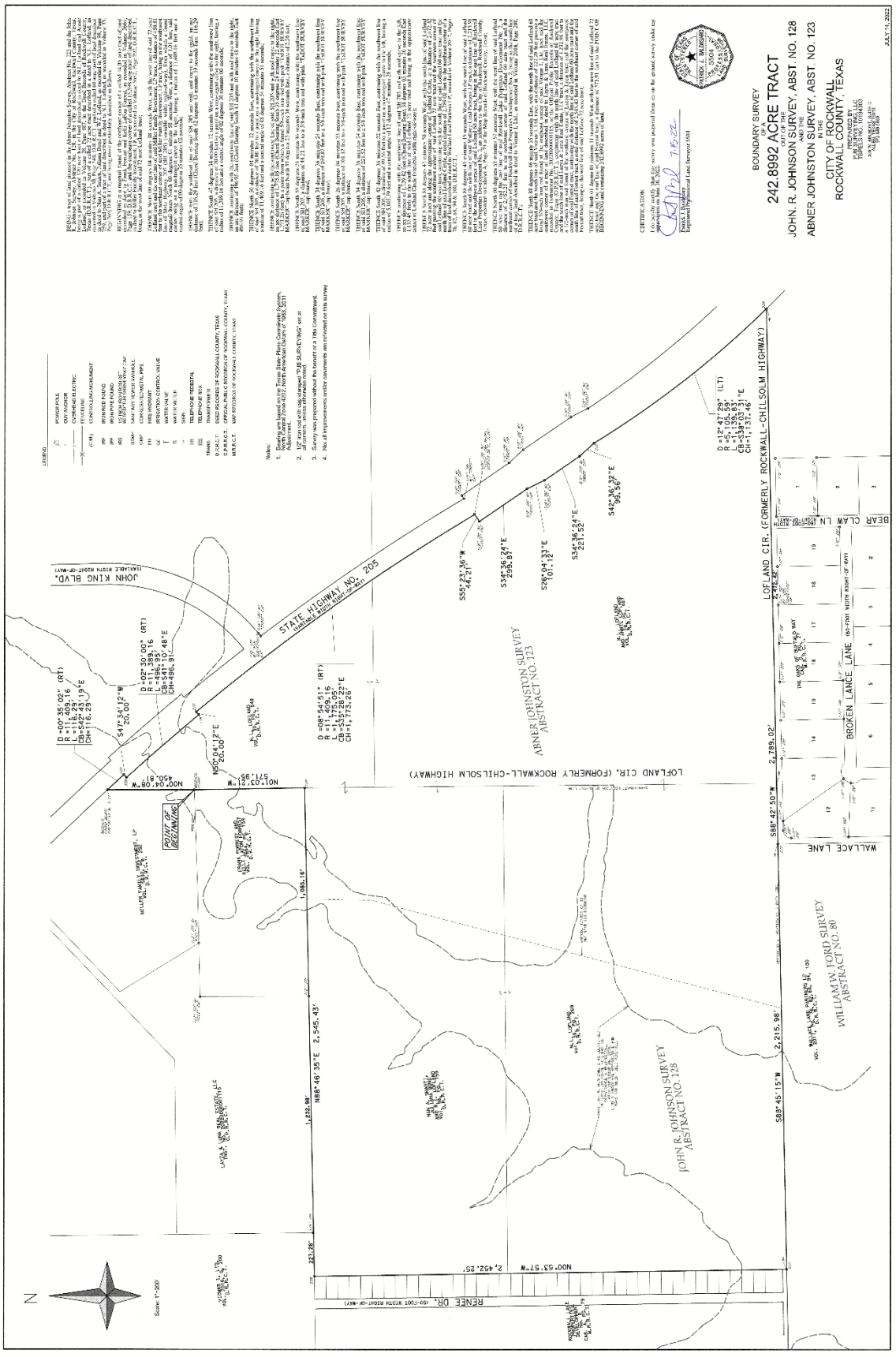


Exhibit 'B':
Survey

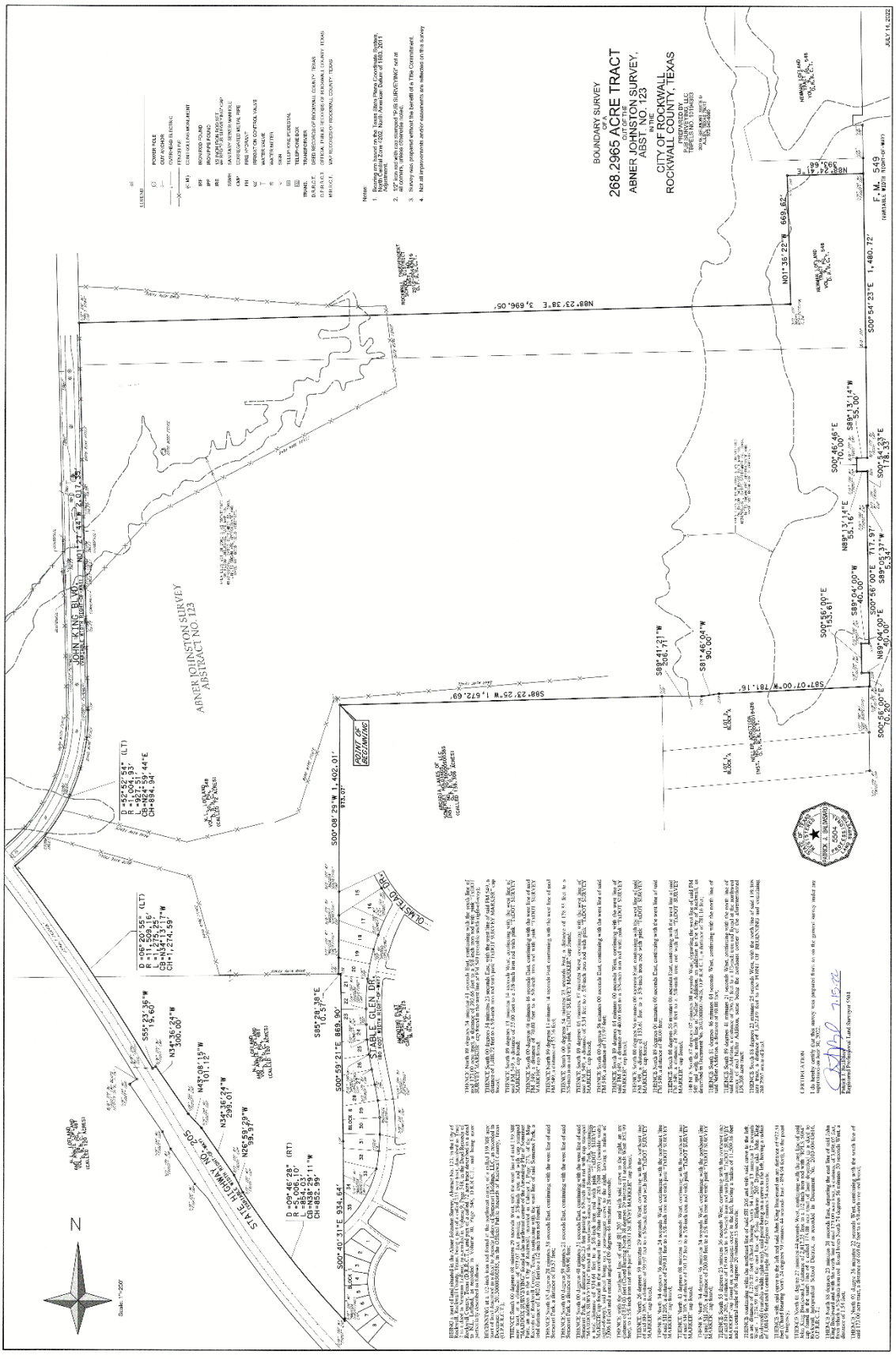


Exhibit 'C':
Concept Plan

Exhibit 'D':
Entry Signage and Trail Plan

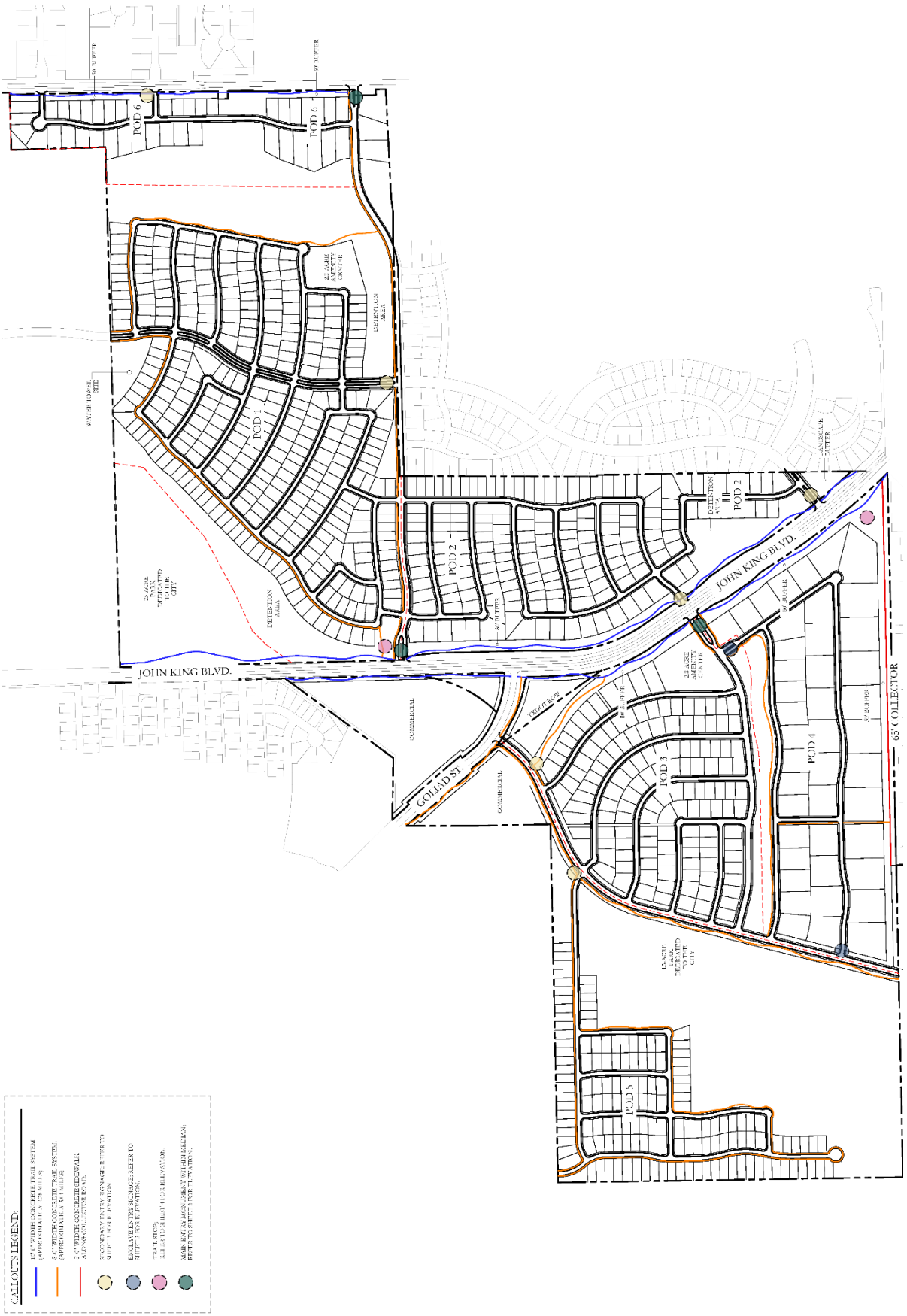


Exhibit 'E':
Amenity Centers

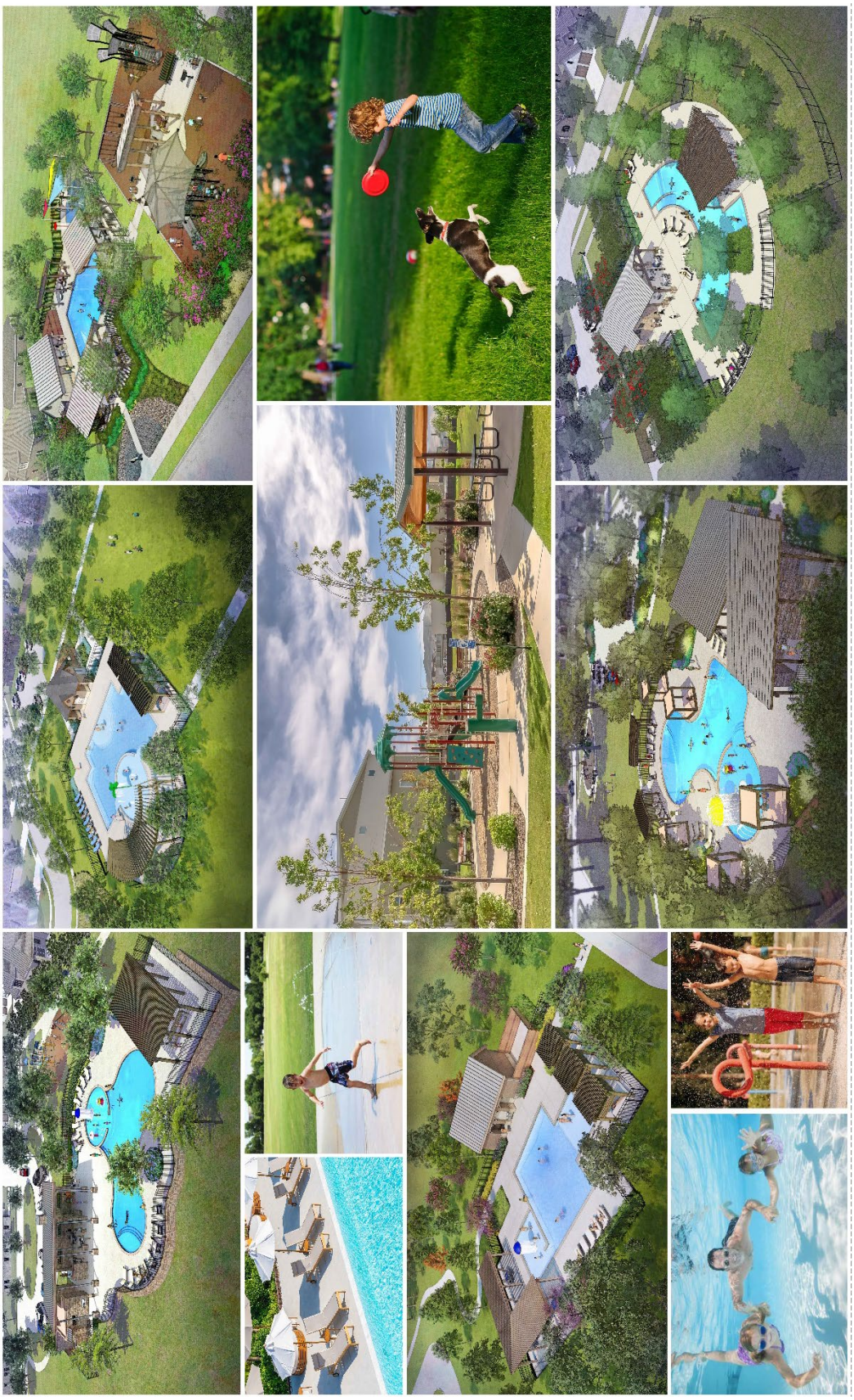


Exhibit 'F':
Density and Development Standards

(1) *Permitted Uses*. Unless specifically provided by this Planned Development District ordinance, the following uses are permitted on the *Subject Property*:

(a) *Residential Land Uses*. Residential land uses shall be allowed only within the area designated for residential lots as depicted on the *Concept Plan* in *Exhibit 'C'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the Single-Family 10 (SF-10) District, as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC).

(b) *Non-Residential Land Uses*. Non-residential land uses shall be allowed only within the area designated for *Commercial* land uses as depicted on the *Concept Plan* in *Exhibit 'C'* of this ordinance. These areas are limited to those uses permitted *by-right* or by Specific Use Permit (SUP) for the General Retail (GR) District as stipulated by the *Permissible Use Charts* contained in Article 04, *Permissible Uses*, of the Unified Development Code (UDC) and subject to the approval of a *PD Development Plan* and *PD Site Plan* in accordance with the Planned Development District regulations contained in Article 10, *Planned Development District Regulations*, of the Unified Development Code (UDC); however, the following uses are expressly prohibited:

- ANIMAL BOARDING/KENNEL WITHOUT OUTSIDE PENS
- ANIMAL HOSPITAL OR CLINIC
- CONVENT, MONASTERY, OR TEMPLE
- COMMERCIAL PARKING GARAGE
- RESIDENCE HOTEL
- MOTEL
- CEMETERY/MAUSOLEUM
- CONGREGATE CARE FACILITY/ELDERLY HOUSING
- EMERGENCY GROUND AMBULANCE SERVICES
- HOSPITAL
- MORTUARY OR FUNERAL CHAPEL
- TEMPORARY CARNIVAL, CIRCUS, OR AMUSEMENT
- PORTABLE BEVERAGE SERVICE FACILITY
- TEMPORARY CHRISTMAS TREE SALES LOT AND/OR SIMILAR USES
- COPY CENTER
- GARDEN SUPPLY/PLANT NURSERY
- SELF SERVICE LAUNDROMAT
- NIGHT CLUB, DISCOTHEQUE, OR DANCE HALL
- RENTAL STORE WITHOUT OUTSIDE STORAGE AND/OR DISPLAY
- RETAIL STORE WITH GASOLINE SALES THAT HAS MORE THAN TWO (2) DISPENSERS
- TRADE SCHOOL
- MINOR AUTO REPAIR GARAGE
- SELF SERVICE CAR WASH
- SERVICE STATION
- MINING AND EXTRACTION OF SAND, GRAVEL, OIL AND/OR OTHER MATERIALS
- ANTENNA DISH
- COMMERCIAL FREESTANDING ANTENNA
- HELIPAD
- RAILROAD YARD OR SHOP
- TRANSIT PASSENGER FACILITY

(2) *Residential Lot Composition and Layout*. The lot layout and composition shall generally conform to the *Concept Plan* depicted in *Exhibit 'C'* and stated in *Table 1*, which is as follows:

TABLE 1: LOT COMPOSITION

LOT TYPE	MINIMUM LOT SIZE (FT)	MINIMUM LOT SIZE (SF)	DWELLING UNITS (#)	DWELLING UNITS (%)
A	185' x 200'	65,340 SF	12	01.38%
B	185' x 200'	43,560 SF	13	01.49%
C	120' x 200'	32,670 SF	18	02.07%
D	100' x 200'	21,780 SF	8	00.92%
E	100' x 150'	12,000 SF	65	07.47%
F	82' x 125'	9,600 SF	247	28.39%
G	72' x 125'	8,640 SF	249	28.62%
H	62' x 125'	7,440 SF	258	29.66%
		Maximum Permitted Units:	*870*	*100.00%*

(3) *Density and Dimensional Requirements*. Unless specifically provided by this Planned Development District ordinance, the development standards stipulated for the *Subject Property* shall be as follows:

(a) *Residential*. Except as modified by this Planned Development District ordinance, residential land uses on the *Subject Property* shall be required to meet the development standards for the Single-Family 10 (SF-10) District, as specified by Article 05, *District Development Standards*, of the Unified Development Code (UDC). The maximum permissible density for the *Subject Property* shall not exceed *1.68* dwelling units per gross acre of land; however, in no case should the proposed development exceed *870* units. All lots shall conform to the standards depicted in *Table 2*, which are as follows:

TABLE 2: LOT DIMENSIONAL REQUIREMENTS

Lot Type (see Concept Plan) ►	A	B	C	D	E	F	G	H
Minimum Lot Width [1]	185'	185'	120'	100'	100'	82'	72'	62'
Minimum Lot Depth	200'	200'	200'	200'	150'	125'	125'	125'
Minimum Lot Area (SF)	65,340	43,560	32,670	21,780	12,000	9,600	8,640	7,440
Minimum Front Yard Setback [2], [5] & [6]	30'	30'	30'	30'	30'	20'	20'	20'
Minimum Side Yard Setback [9]	15'	15'	15'	10'	10'	6'	6'	6'
Minimum Side Yard Setback (Adjacent to a Street) [2] & [5]	15'	15'	15'	15'	15'	15'	15'	15'
Minimum Length of Driveway Pavement [8]	20'	20'	20'	20'	20'	20'	20'	20'
Maximum Height [3]	35'	35'	35'	35'	35'	35'	35'	35'
Minimum Rear Yard Setback [4]	30'	30'	30'	10'	10'	10'	10'	10'
Minimum Area/Dwelling Unit (SF) [7]	3,500	3,500	3,200	3,200	3,200	2,800	2,800	2,750
Maximum Lot Coverage	40%	40%	50%	50%	50%	65%	65%	65%
Minimum Garage Parking Spaces	3	3	3	3	3	3	3	2

General Notes:

[1]: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced by 20% as measured at the front property line provided that the lot width will be met at the *Front Yard* and *Rear Yard Building Setback*. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to ten (10) percent, but shall meet the minimum lot size for each lot type referenced in *Table 1*.

[2]: The location of the *Front Yard Building Setback* as measured from the front property line.

[3]: The *Maximum Height* shall be measured to the eave or top plate (*whichever is greater*) of the single-family home.

[4]: The location of the *Rear Yard Building Setback* as measured from the rear property line.

[5]: Sunrooms, porches, stoops, bay windows, balconies, masonry clad chimneys, eaves and similar architectural features may encroach beyond the *Front Yard Building Setback* by up to ten (10) feet for any property; however, the encroachment shall not exceed five (5) feet on *Side Yard Setbacks*. A sunroom is an enclosed room no more than 15-feet in width that has glass on at least 50% of each of the encroaching faces.

[6]: *J-Swing* or *Traditional Swing Garages* are permitted to encroach into the front yard building setback a maximum of five (5) feet.
[7]: Air-conditioned space.
[8]: No drive approach for a residential lot shall be situated to allow access on a collector or arterial roadway except as otherwise depicted on the concept plan for the two (2) lots fronting on to Mercer's Colony Avenue.
[9]: All *Corner Lots* that back to a lot that fronts onto the same street that the *Corner Lot* sides to (*i.e. a Keystone Lot*), shall have a side setback that is equal to the front setback of the fronting lot. In addition, no solid fence shall be situated within this setback.

(b) *Non-Residential*. Except as modified by this Planned Development District ordinance, the non-residential land uses on the *Subject Property* shall be required to meet the development standards stipulated by the *General Overlay District Standards*, *General Commercial District Standards*, and the standards required for the General Retail (GR) District as stipulated by Article 05, *District Development Standards*, of the Unified Development Code (UDC) for a property in a General Retail (GR) District. In addition, the *Commercial* area shall be designed to be pedestrian-oriented and easily accessible to the adjacent residential neighborhoods, and be constructed to be integrated with the adjacent uses, not be separated from them by screening walls or other physical barriers. This will be accomplished by creating paths from the adjacent development into the *Commercial* area and through the use of a 50-foot landscape buffer utilizing a berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*), and building design and other urban design elements to create compatibility with the surrounding residential neighborhood.

(4) *Building Standards for Residential*. All residential development shall adhere to the following building standards:

(a) *Masonry Requirement*. The minimum masonry requirement for the exterior façade of all buildings shall be 100.00% (*excluding dormers and walls over roof areas*). For the purposes of this ordinance, the masonry requirement shall be limited to full width brick, natural stone, and cast stone. Cementitious fiberboard (*e.g. HardiBoard or Hardy Plank*) in a horizontal lap-siding, *board-and-batten* siding, or a decorative pattern (*see examples below*) may be used for up to 80.00% of the masonry requirement; however, administrative approval from the Director of Planning and Zoning may be requested for housing plans that utilize cementitous fiberboard in excess of 80.00% of the masonry requirement on a *case-by-case* basis.

FIGURE 1: EXAMPLES OF CEMENTITIOUS FIBERBOARD

FIGURE 2: EXAMPLES OF BOARD AND BATTEN

FIGURE 3: EXAMPLES OF HORIZONTAL LAP

(b) *Roof Pitch*. A minimum of an *8:12* roof pitch is required on all structures with the exception of dormers, sunrooms and porches, which shall have a minimum of a *4:12* roof pitch.

(c) *Garage Orientation and Garage Doors*. This development shall adhere to the following garage design standards and orientation requirements:

(1) *Type 'A', 'B', 'C', 'D', 'E', 'F', & 'G' Lots*. The *Type 'A', 'B', 'C', 'D', 'E', 'F', & 'G' Lots* shall be oriented in a *traditional swing* (*or j-swing*) garage configuration -- *where the two (2) car garage is stated facing the side property line and the driveway swings into the garage in a 'J' configuration*. In a *traditional swing* (*or j-swing*) garage configuration, a second (*single or double*) garage door facing the street is permitted if it is behind the width of the double garage door in the *traditional swing* (*or j-swing*) configuration.

(2) *Type 'H' Lots*. A total of 67.44% or 174 of the *Type 'H' Lots* may have garage configurations that are oriented in a *Front Entry* garage configuration (*i.e. where the garage door faces the street*); however, the front façade of the garage shall be setback a minimum of five (5) feet behind the front façade of the primary structure and the font yard building setback shall increased to 25-feet. The remaining 32.56% or 84 of the *Type 'H' Lots* shall be oriented in a *traditional swing* (*or j-swing*) garage

configuration -- *where the two (2) car garage is situated facing the side property line and the driveway swings into the garage in a 'J' configuration*. In a *traditional swing* (*or j-swing*) garage configuration, a second (*single or double*) garage door facing the street is permitted if it is behind the width of the double garage door in the *traditional swing* (*or j-swing*) configuration.

All garage configurations not conforming to the aforementioned garage configurations shall meet the requirements stipulated by Article 09, *Parking and Loading*, of the Unified Development Code (UDC). In addition, the following architectural elements must be incorporated into all garage configurations: [*1*] carriage style hardware and lighting, [*2*] decorative wood doors or wood overlays on insulated metal doors, and [*3*] driveways must be constructed with ornamental stamped concrete brick pavers, broom finished, or salt finish. An example of a garage door meeting these standards is depicted in *Figure 4*.

FIGURE 4. EXAMPLES OF ENHANCED WOOD GARAGE DOOR

FIGURE 5: EXAMPLES OF UPGRADED FINISHES

DIVIDED BAYS

CARRIAGE HARDWARE

CEDAR CLADDING

ORNAMENTAL PAVING

… CONTINUED ON NEXT PAGE

FIGURE 6: EXAMPLES OF UPGRADED GARAGES

(5) *Anti-Monotony Restrictions*. The development shall adhere to the Anti-Monotony Matrix depicted in *Table 3* below (*for spacing requirements see Figures 7 & 8 below*).

TABLE 3: ANTI-MONOTONY MATRIX

Lot Type	*Minimum Lot Size*	*Elevation Features*
A	185' x 200'	(1), (2), (3), (4), (5)
B	185' x 200'	(1), (2), (3), (4), (5)
C	120' x 200'	(1), (2), (3), (4), (5)
D	100' x 200'	(1), (2), (3), (4), (5)
E	100' x 150'	(1), (2), (3), (4), (5)
F	82' x 125'	(1), (2), (3), (4), (5)
G	72' x 125'	(1), (2), (3), (4), (5)
H	62' x 125'	(1), (2), (3), (4), (5)

(a) Identical brick blends or paint colors may not occur on adjacent (*side-by-side*) properties along any block face without at least five (5) intervening homes of differing materials on the same side of the street beginning with the adjacent property and six (6) intervening homes of differing materials on the opposite side of the street.

(b) Front building elevations shall not repeat along any block face without at least five (5) intervening homes of differing appearance on the same side of the street and six (6) intervening homes of differing appearance on the opposite side of the street. The rear elevation of homes backing to open spaces, John King Boulevard, S. Goliad Street, FM-549, or Lofland Circle shall not repeat without at least five (5) intervening homes of differing appearance. Homes are considered to have a differing appearance if any of the following three (3) items deviate:

(1) Number of Stories
(2) Permitted Encroachment Type and Layout
(3) Roof Type and Layout
(4) Articulation of the Front Façade
(5) Garage Orientation

(c) Permitted encroachment (*i.e. porches and sunroom*) elevations shall not repeat or be the same along any block face without at least five (5) intervening homes of sufficient dissimilarity on the same side of the street beginning with the home adjacent to the subject property and six (6) intervening homes beginning with the home on the opposite side of the street.

(d) Each phase of the subdivision will allow for a maximum of four (4) compatible roof colors, and all roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).

FIGURE 7. PROPERTIES LINE UP ON THE OPPOSITE SIDE OF THE STREET. WHERE RED IS THE SUBJECT PROPERTY.

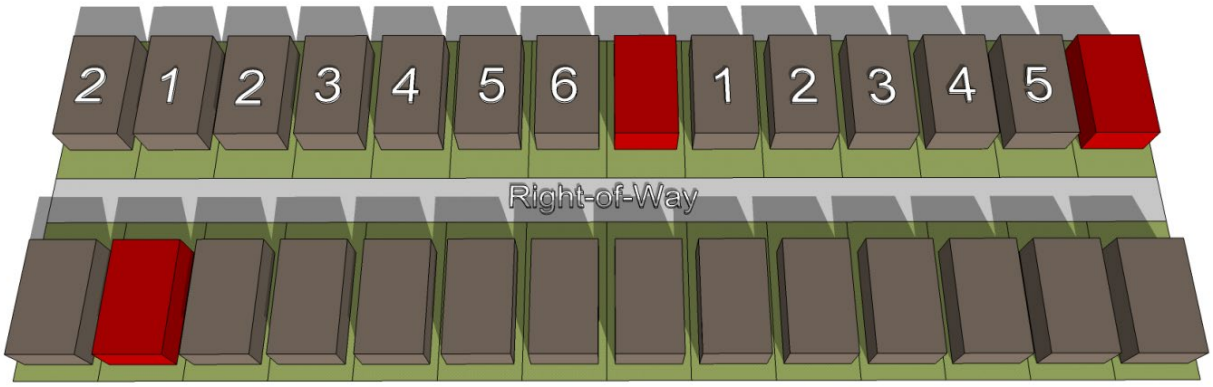
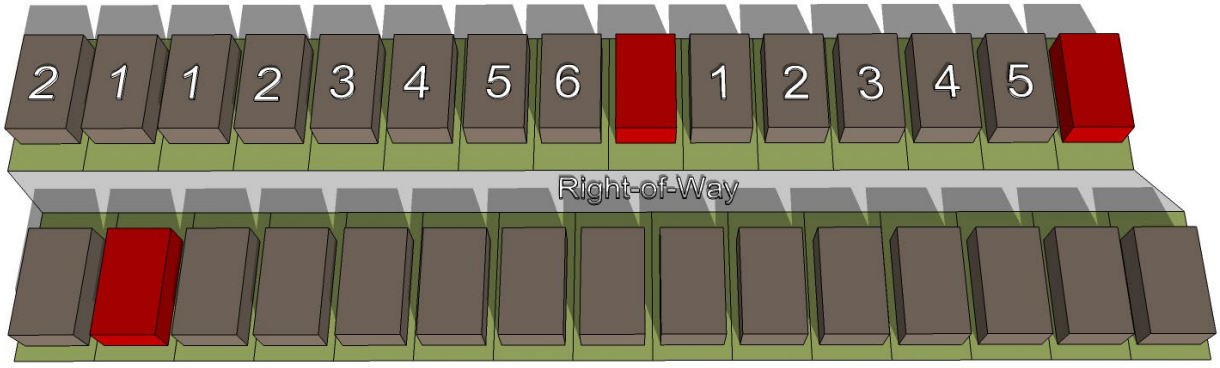


FIGURE 8. PROPERTIES DO NOT LINE UP ON OPPOSITE SIDE OF THE STREET. WHERE RED IS THE SUBJECT PROPERTY.



(6) *Fencing Standards*. All individual residential fencing and walls shall be architecturally compatible with the design, materials and colors of the primary structure on the same lot, and meet the following standards:

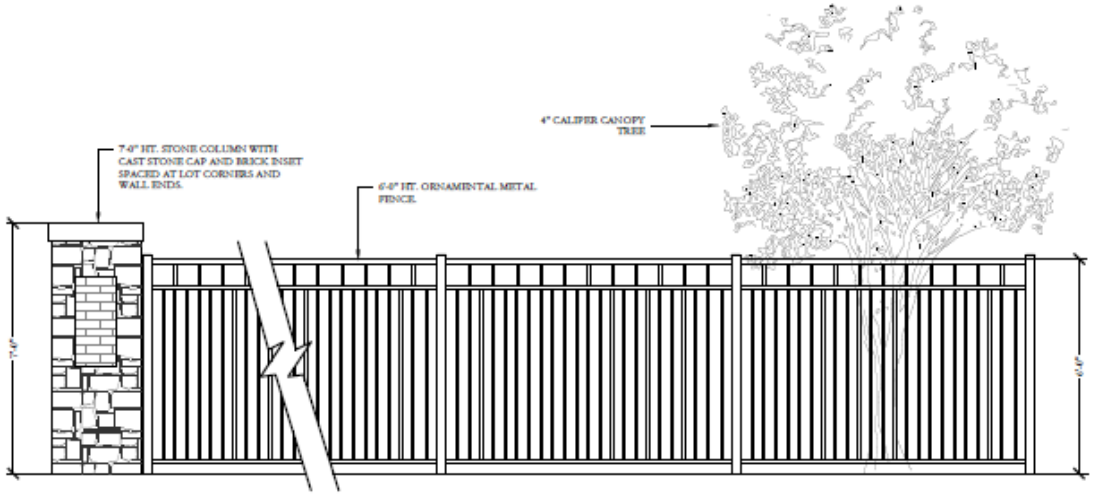
(a) *Front Yard Fences*. Front yard fences shall be prohibited.

(b) *Wood Fences*. All solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be *board-on-board* panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited.

(c) *Wrought Iron/Tubular Steel*. Lots located along the perimeter of roadways (*i.e. John King Boulevard, S. Goliad Street, FM-549, or Lofland Circle*), abutting open spaces, greenbelts and parks shall be required to install a wrought iron or tubular steel fence. Wrought iron/tubular steel fences can be a maximum of six (6) feet in height; however, all lots that back up to the proposed *Water Tower Site -- as depicted in Exhibit 'C' of this ordinance* -- shall be permitted to have wood fences in accordance with the requirements of Subsection (6)(b) above.

(d) *Corner Lots*. Corner lot fences (*i.e. adjacent to the street*) shall provide masonry columns at 45-foot center spacing that beings at the rear property line corner and terminates ten (10) feet behind the front yard building setback line (*see Figure 9*). A maximum of six (6) foot *board-on-board* panel fence -- *conforming to Subsection (6)(b) above* -- shall be constructed between the masonry columns along the side and/or rear lot adjacent to a street. In addition, the fencing shall be setback from the side property line adjacent to a street a minimum of ten (10) feet. The property owner shall be required to maintain both sides of the fence.

FIGURE 9. TYPICAL ORNAMENTAL METAL FENCE WITH COLUMNS



TYPICAL ORNAMENTAL METAL FENCE AND COLUMNS
ELEVATION

(e) *Solid Fences (including Wood Fences)*. All solid fences shall incorporate a decorative top rail or cap detailing into the design of the fence.

(f) *Fence in Easements*. No fencing shall be constructed in or across the City of Rockwall's easements.

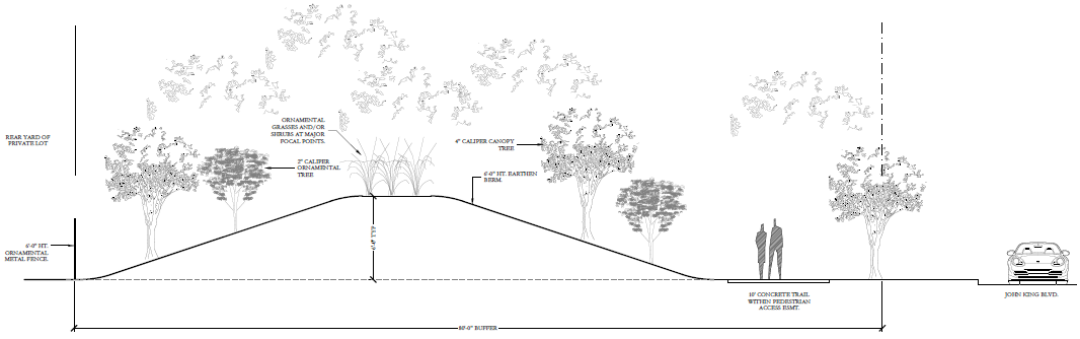
(7) *Landscape and Hardscape Standards*.

(a) *Landscape*. Landscaping shall be reviewed and approved with the *PD Site Plan*. All *Canopy/Shade Trees* planted within this development shall be a minimum of four (4) caliper inches in size and all *Accent/Ornamental/Under-Story Trees* shall be a minimum of four (4) feet in total height. Any residential lot that sides or backs to a major roadway where wrought iron/tubular steel fencing is required, shall also be required to plant a row of shrubs adjacent to the wrought iron/tubular fence within the required 30-foot landscape buffer (*i.e. on the Homeowner's Associations' [HOAs'] property*). These shrubs shall be maintained by the Homeowner's Association (HOA).

(b) *Landscape Buffers*. All landscape buffers and plantings located within the buffers shall be maintained by the Homeowner's Association (HOA). Landscape buffers shall not be required to natural areas where staff determines that the existing landscaping achieves the desired aesthetic along the street frontage. This shall be determined at the time of site plan review. All trail locations shall generally be in accordance with *Exhibit 'D'* of this ordinance.

(1) *Landscape Buffer and Sidewalks (John King Boulevard)*. A minimum of an 80-foot landscape buffer shall be provided along John King Boulevard (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, an undulating *built-up* berm, and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 48-inches each. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering ten (10) foot trail shall be constructed within the 80-foot landscape buffer. All residential lots backing to John King Boulevard shall also incorporate an additional row of evergreen shrubs adjacent to the wrought-iron fencing along the rear property lines in the landscape buffer.

FIGURE 10. TYPICAL CROSS SECTION OF LANDSCAPE BUFFER FOR JOHN KING BOULEVARD



(2) *Landscape Buffer and Sidewalks (S. Goliad Street [SH-205])*. A minimum of an 80-foot landscape buffer shall be provided along John King Boulevard and S. Goliad Street (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, an undulating *built-up* berm, and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 48-inches each. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-

feet of linear frontage. A meandering eight (8) foot trail shall be constructed within the 80-foot landscape buffer.

(3) *Landscape Buffer and Sidewalks (FM-549)*. A minimum of a 50-foot landscape buffer shall be provided along FM-549 for the residential property (*outside of and beyond any required right-of-way dedication*), and shall incorporate ground cover, an undulating *built-up* berm, and shrubbery along the entire length of the frontage. Berms shall have a minimum height of 48-inches each. In addition, three (3) canopy trees and four (4) accent trees shall be planted per 100-feet of linear frontage. A meandering eight (8) foot trail shall be constructed within the 50-foot landscape buffer. All residential lots backing to FM-549 shall also incorporate an additional row of evergreen shrubs adjacent to the wrought-iron fencing along the rear property lines.

(4) *Landscape Buffer and Sidewalks (Perimeter Minor Collectors)*. A minimum of a 30-foot landscape buffer shall be provided along all *Perimeter Minor Collectors* where residential lots do not front the *Minor Collector*. This landscape buffer shall incorporate one (1) canopy tree and one (1) accent tree per 50-linear feet along the entire adjacency. A meandering eight (8) foot trail shall be constructed within the 30-foot landscape buffer.

(5) *Landscape Buffer and Sidewalks (Minor Collectors with the Exception of Stable Glen Drive)*. A minimum of a ten (10) foot landscape buffer shall be provided along all *Minor Collectors* where residential lots do not front the *Minor Collector*. This landscape buffer shall incorporate one (1) canopy tree and one (1) accent tree per 50-linear feet along the entire adjacency. A meandering five (5) foot sidewalk shall be constructed within the ten (10) foot landscape buffer.

(6) *Landscape Buffer and Sidewalks (Lofland Circle)*. A minimum of a 50-foot landscape buffer shall be provided along Lofland Circle across from the existing residential lots in the Oaks of Buffalo Way subdivision after which point the landscape buffer may be reduced to ten (10) feet. The segment of landscape buffer that is required to be 50-feet wide shall incorporate a minimum of a 48-inch berm and a five (5) foot meandering sidewalk along the entire landscape buffer. The entire landscape buffer along Lofland Circle shall incorporate a solid living screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless otherwise approved by the Planning and Zoning Commission at the time of PD Site Plan* --, a minimum of four (4) caliper inches in size, that will be planted on ten (10) foot centers; however, the existing tree line may be used to meet the requirements of this section.

(7) *Commercial Landscape Buffer (Adjacent to Residential Properties*). A minimum of a 50-foot landscape buffer with a minimum of a 48-inch continuous *built-up* berm and three (3) tiered screening (*i.e. [1] a small to mid-sized shrub, [2] large shrubs or accent trees, and [3] canopy trees on 20-foot centers*) shall be provided on commercial properties that have direct adjacency to residential properties as generally depicted in *Exhibit 'C'* of this ordinance.

(8) *Landscape Screening in the Western Triangle South of Stable Glen Drive (Adjacent to the Somerset Park Subdivision*). In order to create a solid living screen adjacent to the homes in the Somerset Park Subdivision that will back to the proposed open space on the west side of SH-205 (*i.e. south of Stable Glen Drive*) a solid living

screen utilizing evergreen trees -- *either Eastern Red Cedar or Leland Cypress unless otherwise approved by the Planning and Zoning Commission at the time of PD Site Plan* --, a minimum of four (4) caliper inches in size, will be planted on ten (10) foot centers along the entire adjacency.

(9) *Tree Preservation Easement (Adjacent to the Somerset Park Subdivision*). A minimum of a 20-foot *Tree Preservation Easement* shall be provided along the western boundary of Phase 3 adjacent to the Somerset Park Subdivision in the location depicted on the *Concept Plan* contained in *Exhibit 'C'* of this ordinance. This *Tree Preservation Easement* shall be dedicated on the approved subdivision plat, and is intended to protect all existing trees that are a minimum of three (3) caliper inches or greater. Trees greater than three (3) caliper inches in size may be removed after the property owner requests the removal from the City of Rockwall, and the City of Rockwall determines that the tree is damaged, diseased, or poses a risk to persons or property. All trees removed without the approval of the City of Rockwall shall be in violation of Article 09, *Tree Preservation*, of the Unified Development Code (UDC) and subject to any penalties outline in this *Article*.

(c) *Street Trees*. The Homeowner's Association (HOA) shall be responsible for the maintenance of all street trees and will be required to maintain a minimum of 14-feet vertical clearance height for any trees overhanging a public right-of-way. Street trees shall be planted a minimum of five (5) feet from public water, sanitary sewer and storm lines. All street trees shall be reviewed with the *PD Site Plan*.

(d) *Residential Lot Landscaping*. Prior to the issuance of a Certificate of Occupancy (CO), any residential lots depicted on *Exhibit 'C'* shall be landscaped with a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the front yard. In addition, corner lots shall be required to add a minimum of two (2), four (4) inch caliper canopy trees (*as measured per Article 08, Landscape and Fence Standards, of the Unified Development Code [UDC]*) within the side yard facing the street.

(e) *Irrigation Requirements*. Irrigation shall be installed for all required landscaping located within detention areas, common areas, landscape buffers, and/or open space. Irrigation installed in these areas shall be designed by a Texas licensed irrigator or landscape architect and shall be maintained by the Homeowner's Association (HOA).

(f) *Hardscape*. Hardscape plans indicating the location of all sidewalks and trails shall be reviewed and approved with the *PD Site Plan*.

(8) *Street*. All streets (*excluding drives, fire lanes and private parking areas*) shall be built according to City street standards.

(9) *Lighting*. Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

(10) *Sidewalks*. All sidewalks adjacent to a street shall be a maximum of two (2) feet inside the right-of-way line and be a minimum of five (5) feet in overall width.

(11) *Buried Utilities*. New distribution power-lines required to serve the *Subject Property* shall be placed underground, whether such lines are located internally or along the perimeter of the *Subject Property*, unless otherwise authorized by the City Council. Temporary power-lines constructed across undeveloped portions of the *Subject Property* to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the home and the property line.

(12) *Open Space/Public Park*. The development shall consist of a minimum of 20.00% open space (*or a minimum of 108.066-acres -- as calculated by the formula stipulated in the Comprehensive Plan*), and generally conform to the *Concept Plan* contained in *Exhibit 'C'* of this ordinance.

(13) *Amenity Center*. Amenity centers shall be constructed in generally the same areas as depicted in *Exhibit 'C'* of this ordinance and generally in accordance with the images depicted in *Exhibit 'E'* of this ordinance, and shall be maintained by the Homeowner's Association (HOA). The design and layout of the two (2) amenity centers shall be approved with the *PD Site Plan*.

(14) *Trails*. A concrete trail system shall be constructed generally in the same location as the trail system depicted in *Exhibit 'D'* of this ordinance, and shall provide connectivity to the proposed parks.

(15) *Trail Rest Stop*. A trail rest stop shall be constructed at the location as depicted in *Exhibit 'D'* of this ordinance and shall include a rest bench, shade structure, and bike repair station. The final design of the trail rest stop shall generally conform with *Figures 11 & 12*.

FIGURE 11. TRAIL REST STOP

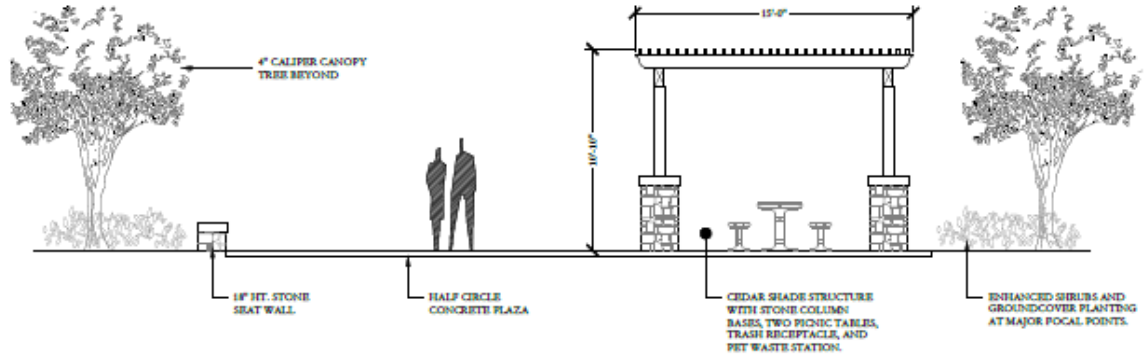


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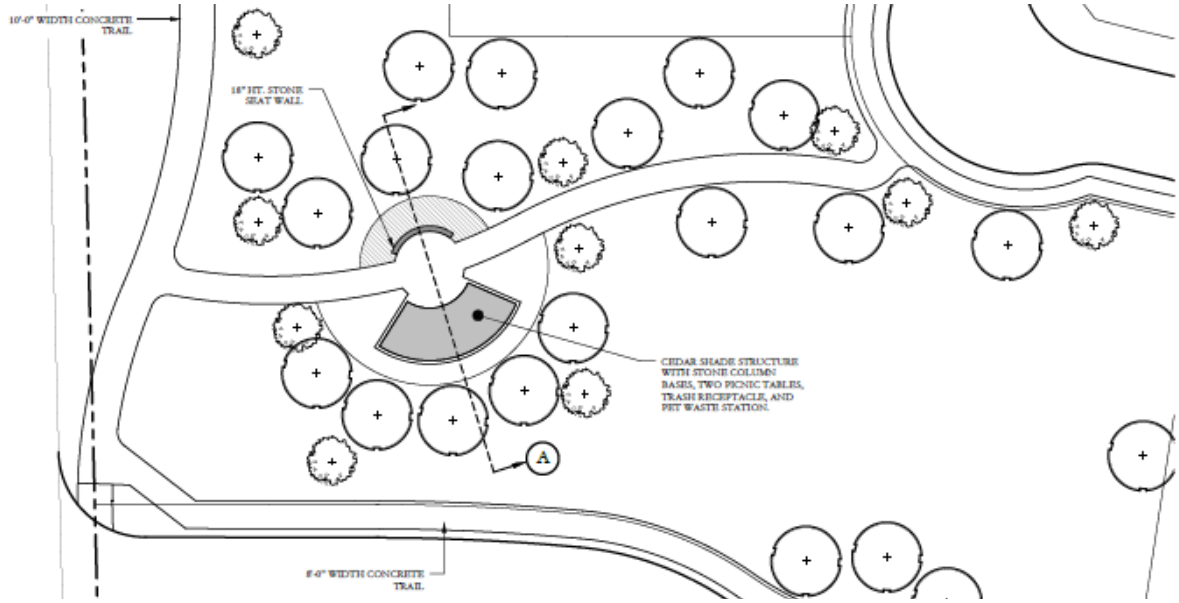
FIGURE 12. TRAIL REST STOP PLAN



(16) *Neighborhood Signage and Enhancements*. Permanent subdivision identification signage shall be required at all major entry points for the proposed subdivision. Final design and location of any entry features shall be reviewed and approved with the *PD Site Plan*. The developer shall provide enhanced landscaping areas at all entry points to the *Subject Property*. The final design of these areas shall be provided on the *PD Site Plan*; however, they should generally conform with *Figures 13, 14* & *15*.

FIGURE 13. MAIN ENTRY SIGNAGE

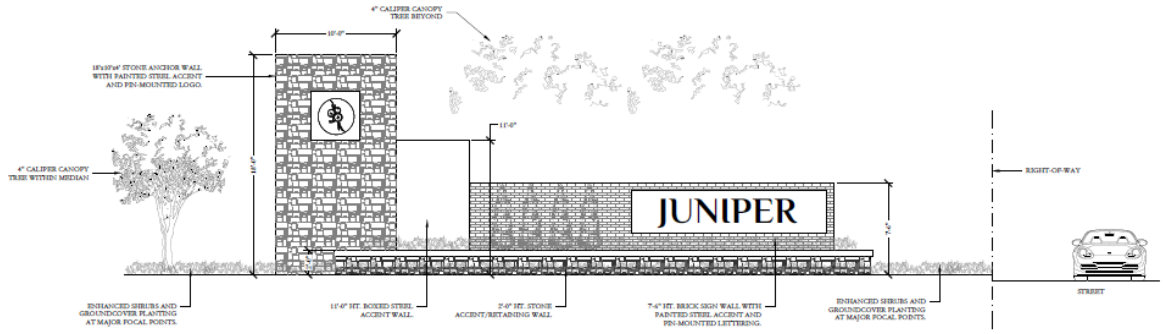


FIGURE 14. SECONDARY ENTRY SIGNAGE

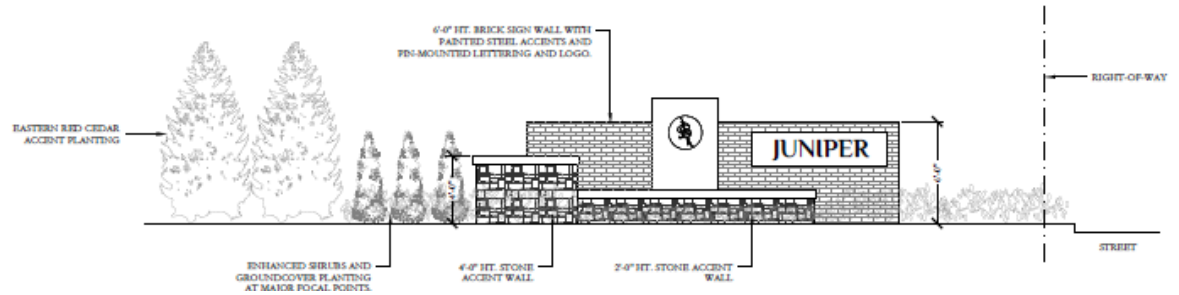
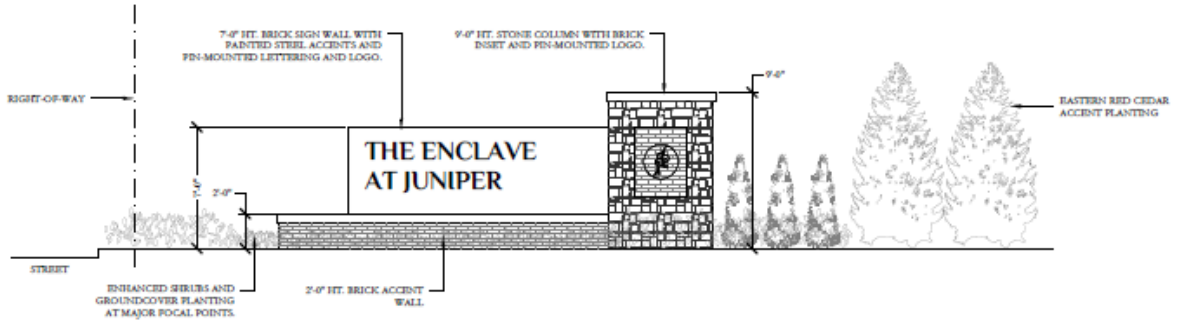


FIGURE 15. ENCLAVE ENTRY SIGNAGE



(17) *Homeowner's Association (HOA)*. A Homeowner's Association (HOA) shall be created to enforce the restrictions established in accordance with the requirements of *Section 38-15* of the *Subdivision Regulations* contained within the Municipal Code of Ordinances of the City of Rockwall. The HOA shall also maintain all private neighborhood parks, trails, open space and common areas (*including drainage facilities*), detention and drainage easements, floodplain areas, irrigation, landscaping, screening fences and neighborhood signage associated with this development. These areas are required to be delineated on the *PD Site Plan*.

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

City of Rockwall
The New Horizon

Building Inspections Department
Monthly Report

November 2024

Permits

Total Permits Issued:	**221**
Building Permits:	46
Contractor Permits:	175
Total Commercial Permit Values:	**$1,398,535.06**
Building Permits:	$1,250,000.00
Contractor Permits:	$148,535.06
Total Fees Collected:	**$353,133.50**
Building Permits:	$335,407.82
Contractor Permits:	$17,725.68

Board of Adjustment

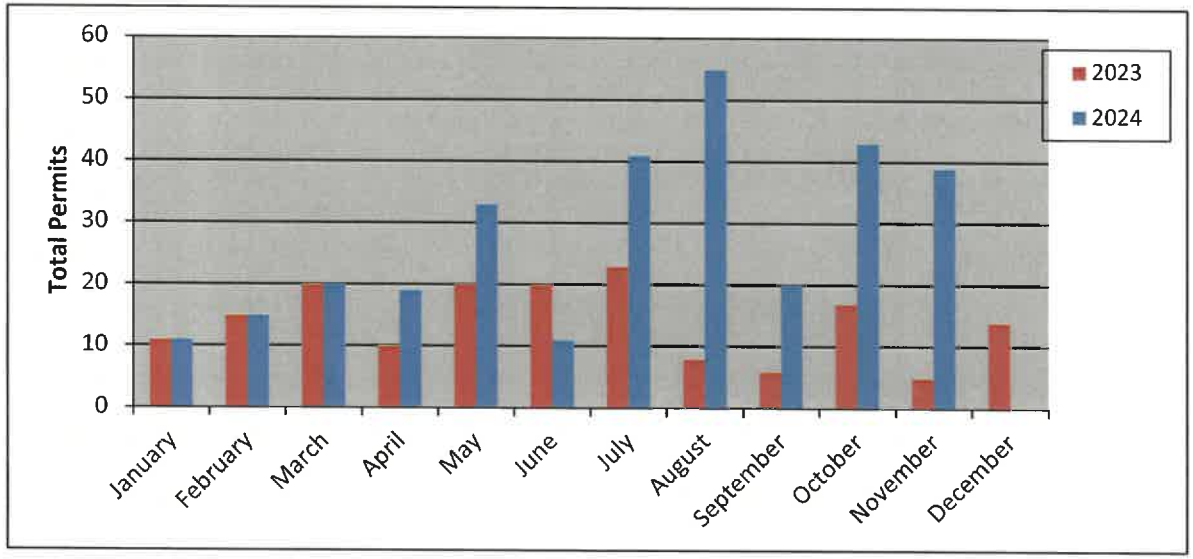
Board of Adjustment Cases:	**0**

City of Rockwall
PERMITS ISSUED - Summary by Type and Subtype
For the Period 11/1/2024 to 11/30/2024

Type/Subtype	# of Permits Issued	Valuation of Work	Fees Charged
Commercial Building Permit	29	$1,398,535.06	$40,343.27
Accessory Building Permit	1	150,000.00	$1,285.25
Backflow Permit	2	12,100.00	$280.56
Demolition	1		$51.00
Electrical Permit	12	70,709.00	$1,672.15
New Construction	1	1,100,000.00	$35,835.10
Plumbing Permit	3	15,456.06	$405.21
Sign Permit	7	50,270.00	$612.00
Temporary Construction Trailer	2		$202.00
Residential Building Permit	190		$311,780.23
Accessory Building Permit	2		$375.52
Addition	1		$778.67
Concrete Permit	7		$1,007.56
Deck Permit	1		$127.50
Driveway Permit	1		$265.20
Electrical Permit	6		$561.00
Fence Permit	24		$1,224.00
Generator	6		$918.00
Irrigation Permit	18		$1,375.50
Mechanical Permit	18		$2,142.00
New Single Family Residential	39		$296,123.28
Outdoor Kitchen Permit	2		$178.50
Patio Cover/Pergola	7		$583.98
Plumbing Permit	27		$1,987.50
Pool	1		$153.00
Remodel	1		$1,890.06
Retaining Wall Permit	4		$229.50
Roofing Permit	14		$1,071.00
Solar Panel Permit	1		$278.46
Window & Door Permit	10		$510.00
Short Term Rental	2		$1,010.00
Non-Owner-Occupied	2		$1,010.00
Totals:	221		$353,133.50

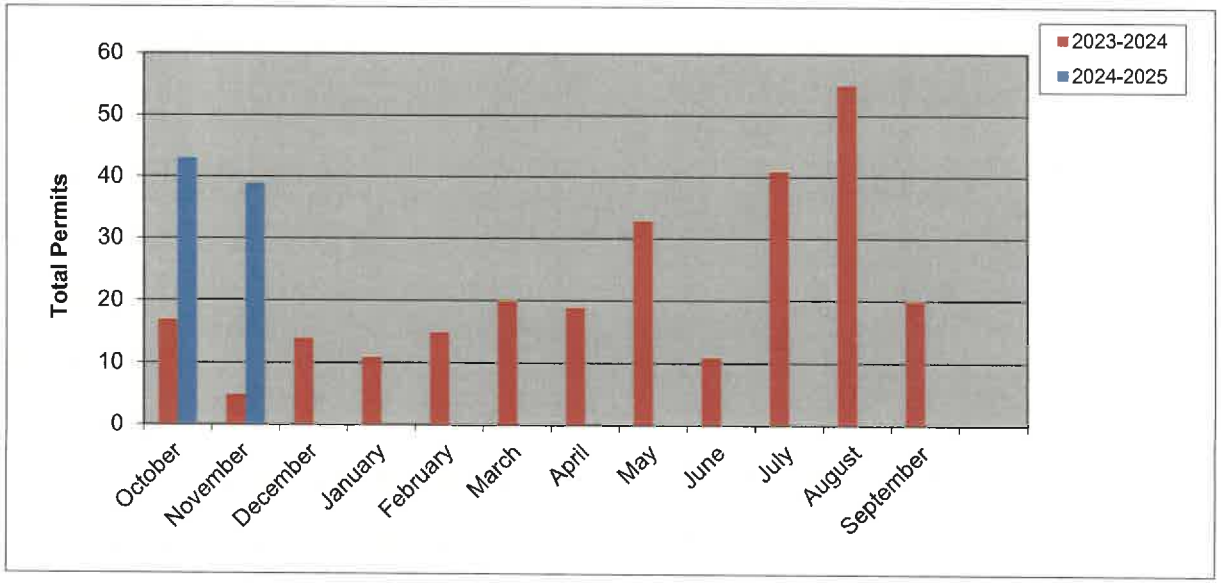
New Residential Permits Calendar Year

	Year	
	2023	2024
January	11	11
February	15	15
March	20	20
April	10	19
May	20	33
June	20	11
July	23	41
August	8	55
September	6	20
October	17	43
November	5	39
December	14	
Totals	169	307



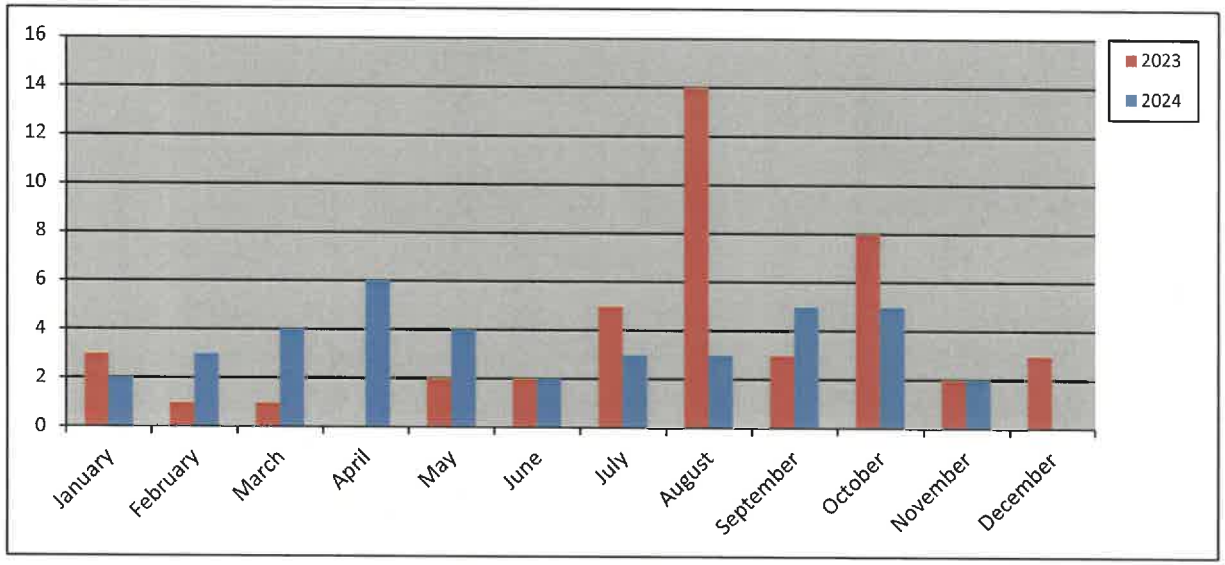
New Residential Permits Fiscal Year

	Year	
	2023-2024	2024-2025
October	17	43
November	5	39
December	14	
January	11	
February	15	
March	20	
April	19	
May	33	
June	11	
July	41	
August	55	
September	20	
Totals	**261**	**82**



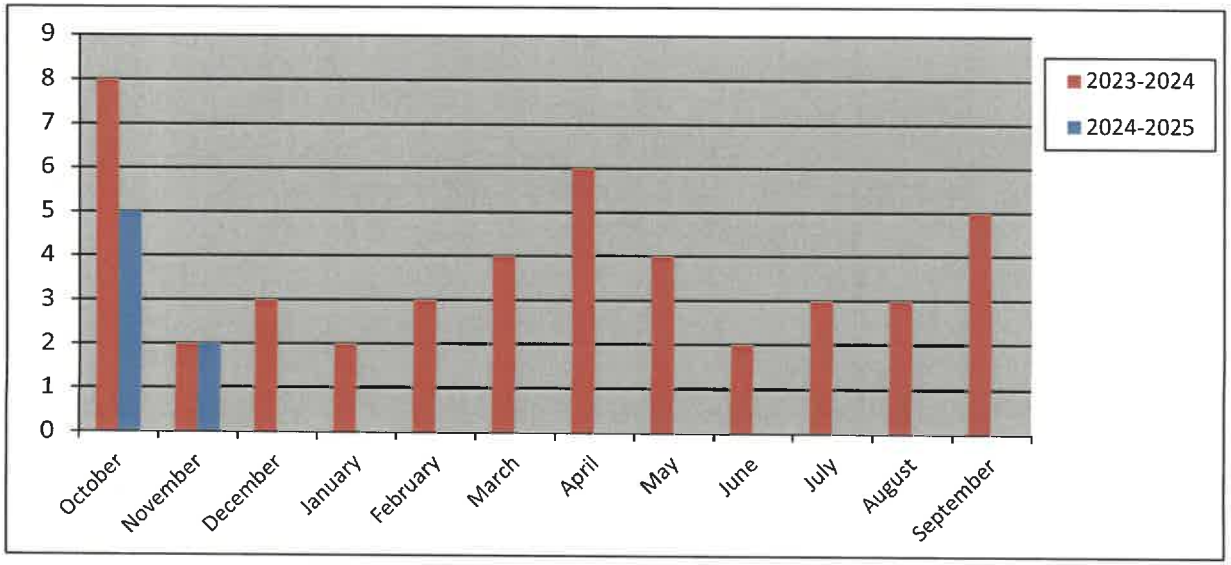
Residential Remodel/Additions Permits Calendar Year

	Year	
	2023	2024
January	3	2
February	1	3
March	1	4
April	0	6
May	2	4
June	2	2
July	5	3
August	14	3
September	3	5
October	8	5
November	2	2
December	3	
Totals	44	39



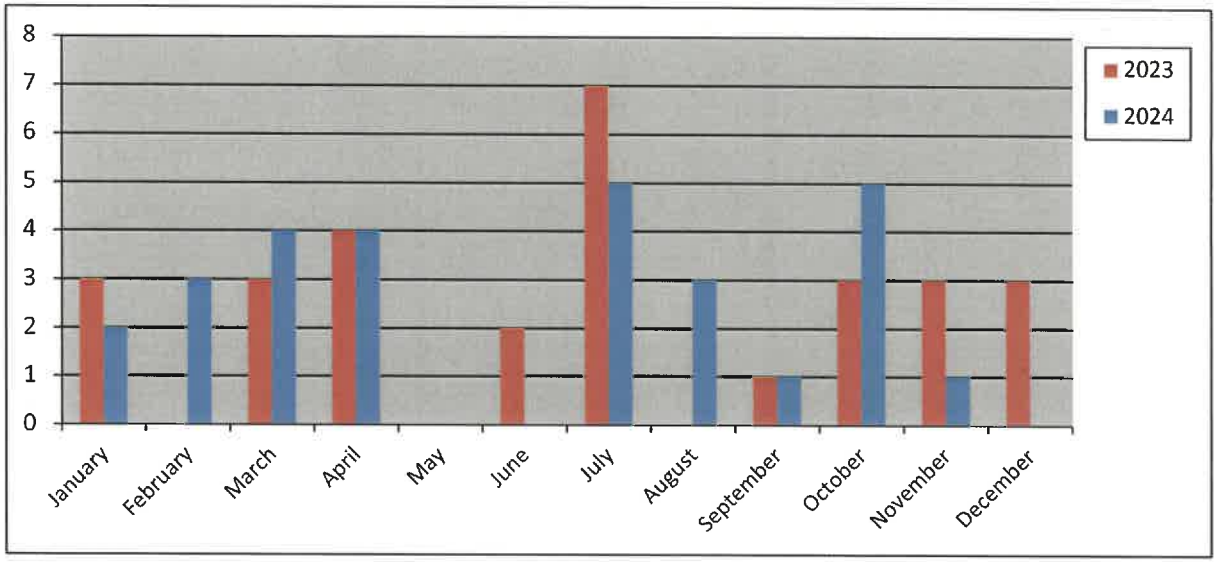
Residential Remodel/Additions Permits Fiscal Year

	Year	
	2023-2024	2024-2025
October	8	5
November	2	2
December	3	
January	2	
February	3	
March	4	
April	6	
May	4	
June	2	
July	3	
August	3	
September	5	
Totals	**45**	7



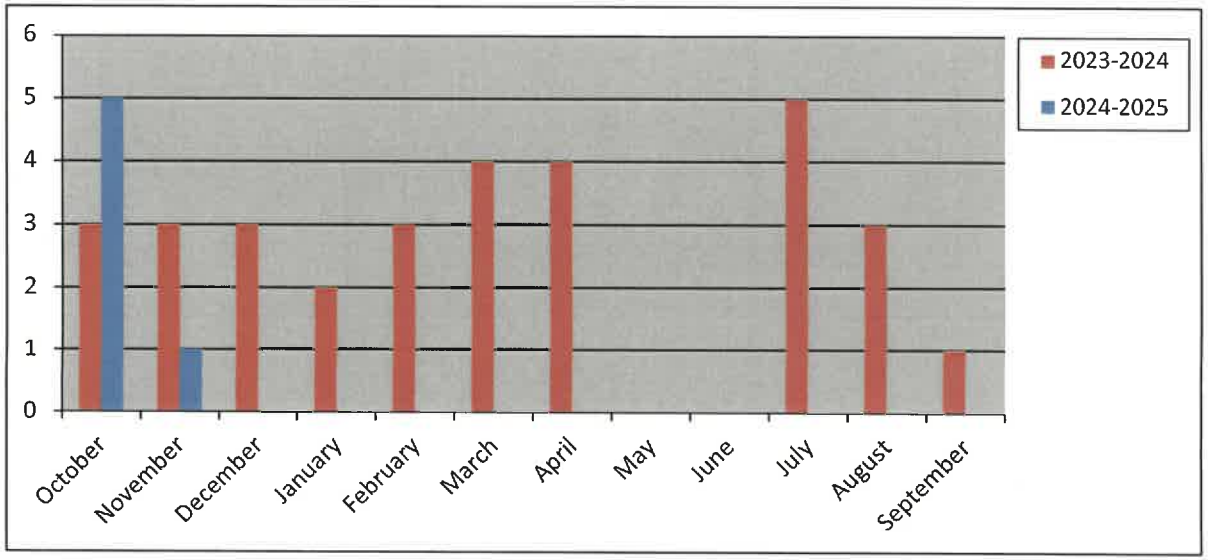
New Commercial Permits Calendar Year

Year		
	2023	2024
January	3	2
February	0	3
March	3	4
April	4	4
May	0	0
June	2	0
July	7	5
August	0	3
September	1	1
October	3	5
November	3	1
December	3	
Totals	**29**	**28**



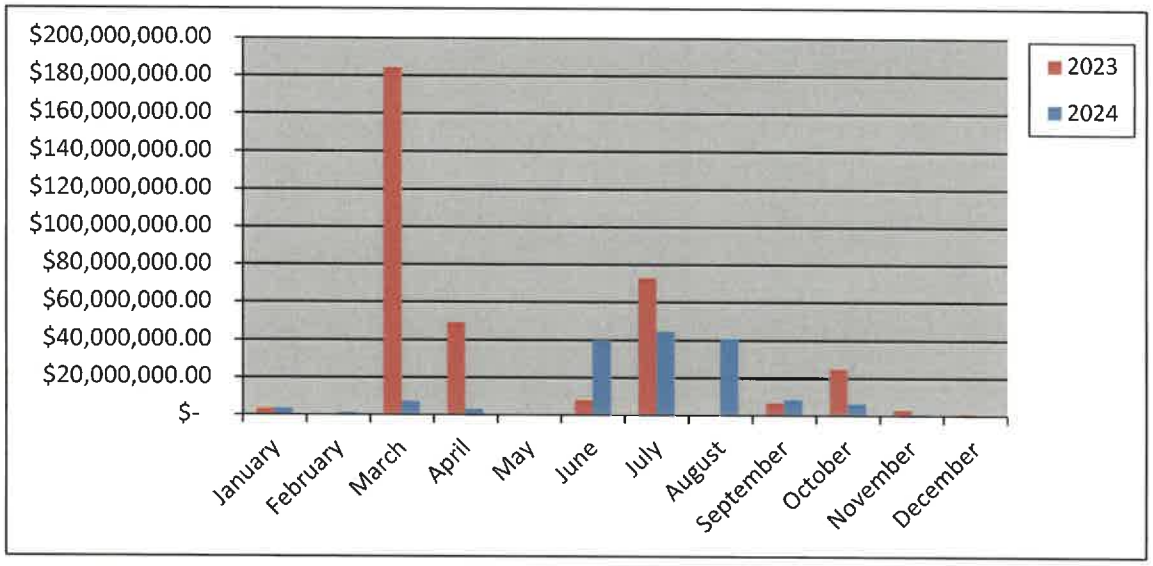
New Commercial Permits Fiscal Year

Year		
	2023-2024	2024-2025
October	3	5
November	3	1
December	3	
January	2	
February	3	
March	4	
April	4	
May	0	
June	0	
July	5	
August	3	
September	1	
Totals	**31**	**6**



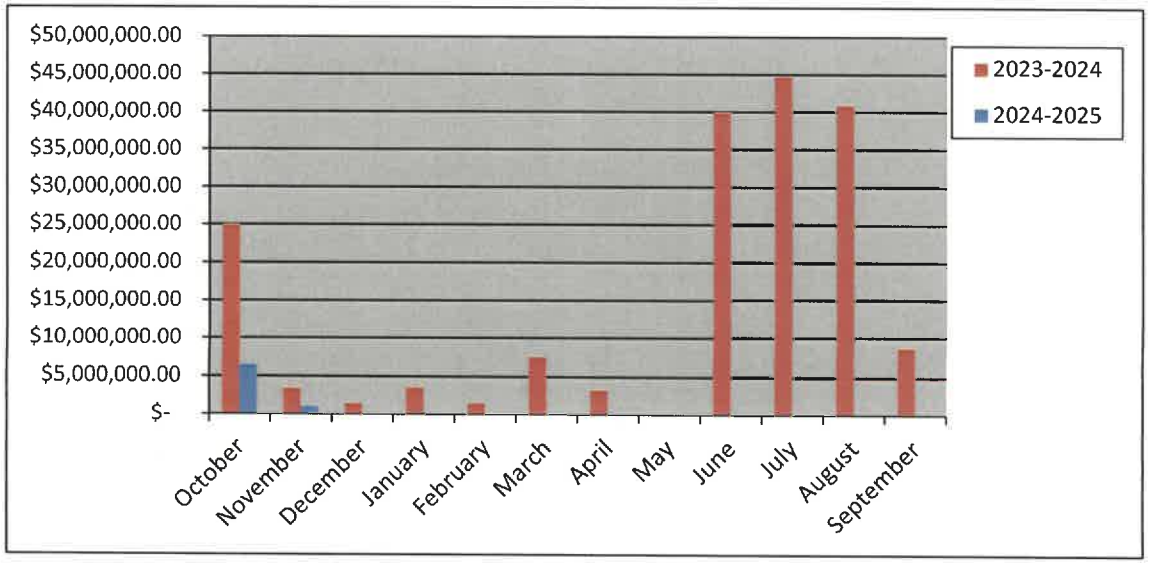
New Commercial Value Calendar Year

Year	2023	2024
January	$ 3,684,500.00	$ 3,628,000.00
February	$ -	$ 1,600,000.00
March	$ 184,834,500.00	$ 7,573,400.00
April	$ 49,466,652.00	$ 3,400,000.00
May	$ -	$ -
June	$ 8,450,000.00	$ 40,015,846.78
July	$ 73,254,209.00	$ 44,803,145.65
August	$ -	$ 41,008,367.00
September	$ 7,200,000.00	$ 8,800,000.00
October	$ 25,014,439.00	$ 6,526,233.00
November	$ 3,500,000.00	$ 1,100,000.00
December	$ 1,539,000.00	
Totals	**$ 356,943,300.00**	**$ 158,454,992.43**



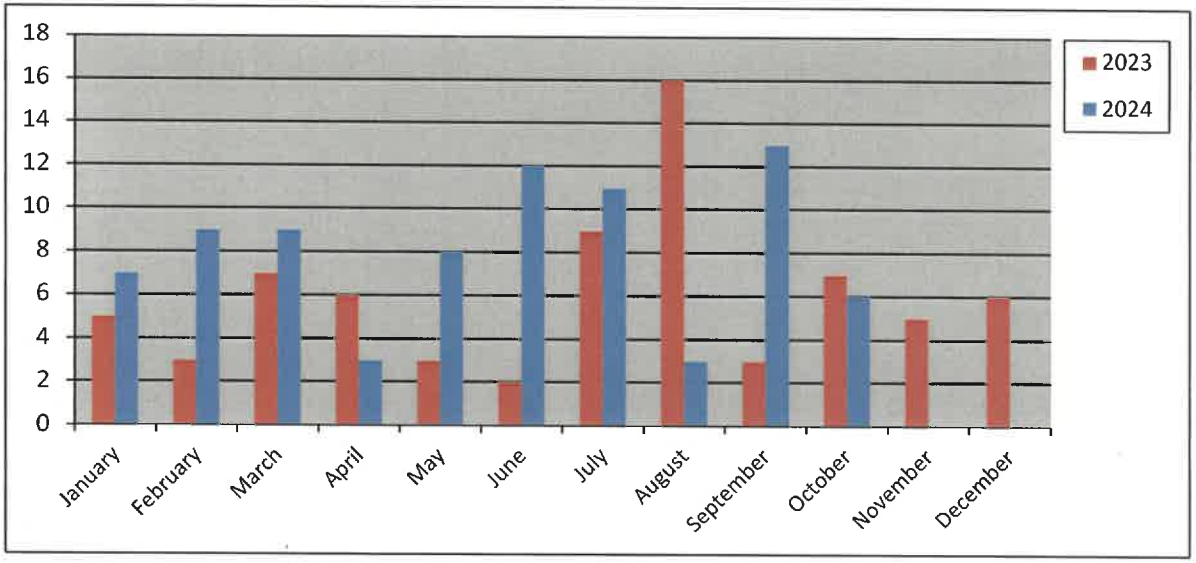
New Commercial Value Fiscal Year

Year	2023-2024	2024-2025
October	$ 25,014,439.00	$ 6,526,233.00
November	$ 3,500,000.00	$ 1,100,000.00
December	$ 1,539,000.00	
January	$ 3,628,000.00	
February	$ 1,600,000.00	
March	$ 7,573,400.00	
April	$ 3,400,000.00	
May	$ -	
June	$ 40,015,846.78	
July	$ 44,803,145.65	
August	$ 41,008,367.00	
September	$ 8,800,000.00	
Totals	**$ 180,882,198.43**	**$ 7,626,233.00**



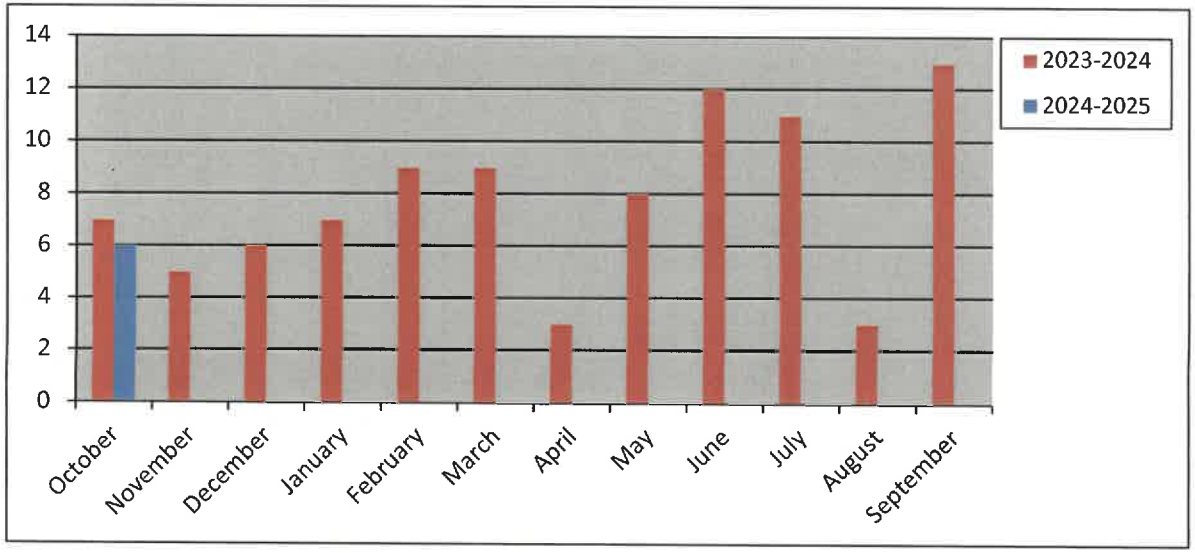
Commercial Remodel Permits Calendar Year

	Year	
	2023	2024
January	5	7
February	3	9
March	7	9
April	6	3
May	3	8
June	2	12
July	9	11
August	16	3
September	3	13
October	7	6
November	5	0
December	6	
Totals	**72**	**81**



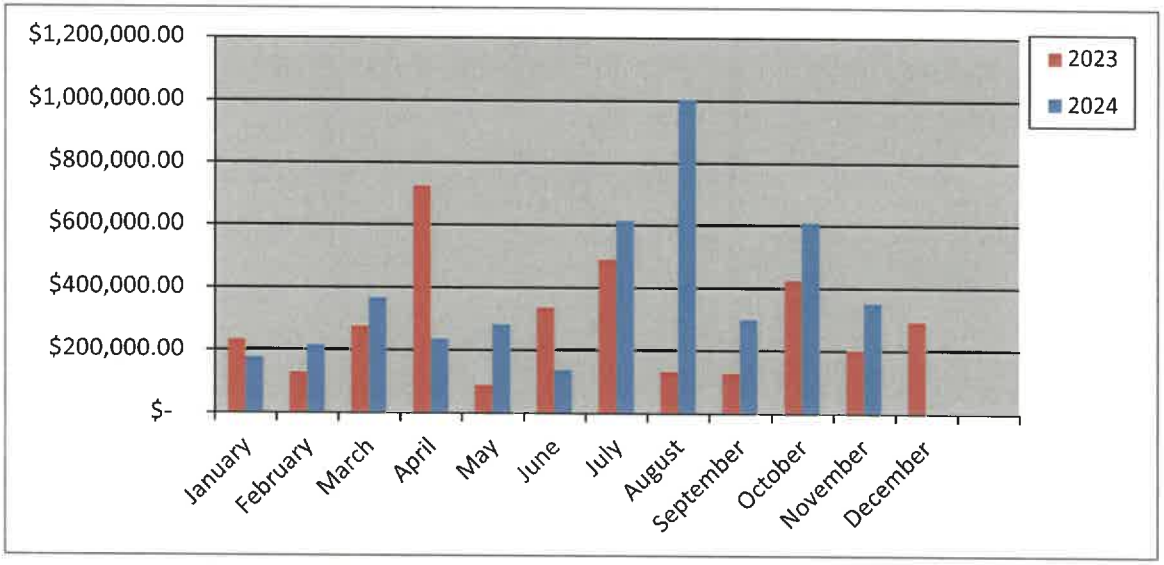
Commercial Remodel Permits Fiscal Year

	Year	
	2023-2024	2024-2025
October	7	6
November	5	0
December	6	
January	7	
February	9	
March	9	
April	3	
May	8	
June	12	
July	11	
August	3	
September	13	
Totals	**93**	**6**



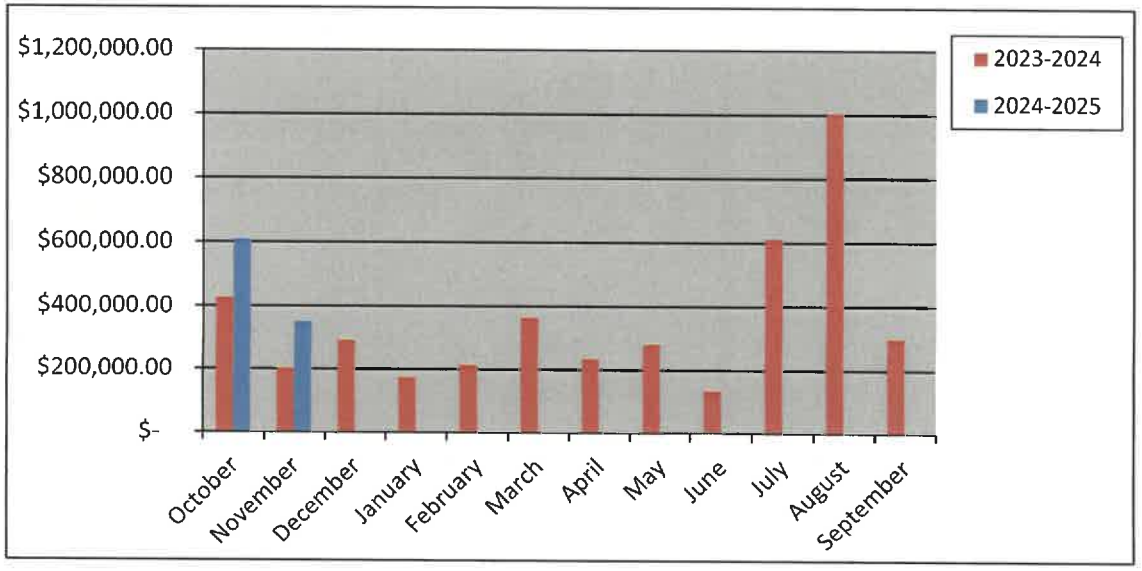
Total Fees Collected Calendar Year

Year	2023	2024
January	$ 235,769.45	$ 177,441.82
February	$ 131,295.33	$ 217,495.76
March	$ 278,577.39	$ 368,481.32
April	$ 727,627.76	$ 236,650.24
May	$ 91,036.40	$ 283,718.89
June	$ 338,892.45	$ 137,783.50
July	$ 491,588.49	$ 615,851.86
August	$ 135,201.61	$ 1,007,731.91
September	$ 129,729.04	$ 300,912.22
October	$ 428,622.49	$ 610,616.91
November	$ 204,858.87	$ 353,133.50
December	$ 295,452.22	
Totals	**$ 3,488,651.50**	**$ 4,309,817.93**



Total Fees Collected Fiscal Year

Year	2023-2024	2024-2025
October	$ 428,622.49	$ 610,616.91
November	$ 204,858.87	$ 353,133.50
December	$ 295,452.22	
January	$ 177,441.82	
February	$ 217,495.76	
March	$ 368,481.32	
April	$ 236,650.24	
May	$ 283,718.89	
June	$ 137,783.50	
July	$ 615,851.86	
August	$ 1,007,731.91	
September	$ 300,912.22	
Totals	**$ 4,275,001.10**	**$ 963,750.41**



Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit / Business Name	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2024-102 05/23/2024 11/04/2024	Certificate of Occupancy ISSUED Lone Star CASA	102 KENWAY DR, ROCKWALL, 75087		$76.50	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Lorna Feldhousen	108 Kenway Street	Rockwall	TX	75087
Business Owner	Lorna Feldhousen	108 Kenway Street	Rockwall	TX	75087
Property Owner	St Matthias Catholic Chui	116 Kenway St	Rockwall	TX	75087
Inspection Report C	Lorna Feldhousen	108 Kenway Street	Rockwall	TX	75087

Contractors

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit / Business Name	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2024-152 08/29/2024 11/11/2024	Certificate of Occupancy ISSUED Texas Health Surgery Center Rockwall, LLC	3144 Horizon Rd, Suite 240, Rockwall, TX, 75032		$76.50	$76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Blake Zimmerman	8209 Cardinal Ln	North Richland HIX		76182
Business Owner	Texas Health Surgery Ce	3144 Horizon Road, Suite 120	Rockwall	TX	75032
Property Owner	Cambridge Holdings	8383 Preston Center Plaza Drive, 5th floo	Dallas	TX	75225
Inspection Report C	Obed Renteria	8209 Cardinal Ln	North Richland HIX		76182

Contractors

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit / Business Name	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid
CO2024-163 09/27/2024 11/01/2024	Certificate of Occupancy ISSUED Rally House #236 Rockwall Crossing	959 E Interstate 30, 105, Rockwall, TX, 75032		$76.50	$76.50

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit / Business Name	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Lawrence McBane	6212 Dream Dust Drive	NORTH RICHLAND	TX	76180
Business Owner	Rally House of Texas	9750 Quivira Rd.	Lenexa	KS	66214
Property Owner	JOSEPH ALLEN	2227 VANTAGE STREET	Dallas	TX	75207
Inspection Report C	Lawrence McBane	6212 Dream Dust Drive	NORTH RICHLAND	TX	76180

Contractors

CO2024-174 Certificate of Occupancy
10/18/2024
11/07/2024 ISSUED
Benham Career Institute LLC
1352 MIMS RD,
ROCKWALL, TX, 75032
$76.50 $76.50

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Tawana benham	1117 Brigham dr	Forney	TX	75126
Business Owner	Tawana Benham	1117 Brigham Dr	Forney	TX	75126
Property Owner	Duane Powers	PO Box 850	Rockwall	TX	75087
Inspection Report C	Tawana Benham	1117 Brigham dr	Forney	TX	75126

Contractors

CO2024-177 Certificate of Occupancy
10/29/2024
11/26/2024 ISSUED
Vidorra
2620 Sunset Ridge Dr,
Rockwall, TX 75032
$76.50 $76.50

Permit Number | **Permit Type** | **Site Address** | | **Total Fees**
Application Date | **Subtype** | **Parcel Number** | | |
Issue Date | **Status of Permit** | **Subdivision Name** | | |
Business Name | **Plan Number** | **Valuation** | **Total SQFT** | **Fees Paid**

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	teeyum bastani	4000 elm st	dallas	TX	75226
Business Owner	James Faller	2620 Sunset Ridge Dr	Rockwall	TX	75032
Contractor	Doug Pettinen	4000 Elm st	Dallas	OK	75226
Inspection Report C	Teeyum Bastani	4000 Elm st	Dallas	OK	75226
Project Manager	Teeyum Bastani	4000 Elm st	Dallas	OK	75226
Property Owner	HH Retail Center LP	2701 Sunset Ridge Dr, Suite 608	Rockwall	TX	75032

Contractors

CO2024-178 Certificate of Occupancy
10/29/2024 $76.50 $76.50
11/22/2024 ISSUED
810 E RALPH HALL PKWY, 140, ROCKWALL, TX, 75032
Turnwell Mental Health dba Synergy Mental Health & Wellness Inte

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Davis Wedgworth	3500 Maple Ave	Dallas	TX	75219
Business Owner	Turnwell Mental Health of	3500 Maple Ave	Dallas	TX	75219
Property Owner	Intermed Services Manag	519 E Insterstate 30	Rockwall	TX	75087
Inspection Report C	Davis Wedgworth	3500 Maple Ave	Dallas	TX	75219

Contractors

CO2024-183 Certificate of Occupancy
11/07/2024 $76.50 $76.50
11/13/2024 ISSUED
2105 S GOLIAD ST, ROCKWALL, TX, 75032
Pizza Hut Express - Travel Centers of America

Permit Number / Application Date / Issue Date	Permit Type / Subtype / Status of Permit / Business Name	Site Address / Parcel Number / Subdivision Name / Plan Number	Valuation	Total Fees / Total SQFT	Fees Paid

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	CODY WALTI ON BEHAL	4949 EASTON WAY SUITE 175	COLUMBUS	OH	43219
Business Owner	TA OPERATING LLC	24601 CENTER RIDGE RD	WESTLAKE	OH	44145
Property Owner	HPT TA PROPERTIES TI	255 WASHINGTON STREET SUITE 300	NEWTON	MA	02458
Inspection Report C	CODY WALTI	4949 EASTON WAY SUITE 175	COLUMBUS	OH	43219

Contractors

CO2024-185 Certificate of Occupancy
11/12/2024
11/12/2024 ISSUED
RHEO Well, LLC
2455 RIDGE RD, SUITE 151, ROCKWALL, TX 75087
2,984.00

Contact Type	Contact Name / Business Phone	Contact Address			
Owner	Rockwall Oceanhill LLC	dba Ridge Road Towne Center	Rockwall	TX	75087
Property Owner	Rockwall Oceanhill LLC	dba Ridge Road Towne Center	Rockwall	TX	75087
Applicant	Dominique Robinson	2455 Ridge Rd, Suite 151	Rockwall	TX	75087
Business Owner	Dominique Robinson 972-771-8900	2455 Ridge Rd, Suite 151	Rockwall	TX	75087
Inspection Report C	Dominique Robinson				

Contractors

TCO2024-179 Temporary Certificate of Occupancy
10/30/2024
11/06/2024 ISSUED
Interstate Classic Cars
3101 SPRINGER RD, ROCKWALL, TX 75032
$306.00 $306.00

Contact Type	Contact Name / Business Phone	Contact Address			
Applicant	Alan Decker - DB Constri	2400 Great Southwest Parkway	Fort Worth	TX	76106
Business Owner	Interstate Classic Cars, L 214-505-9116	3101 Springer Rd	Rockwall	TX	75032
Property Owner	JR Fleming Investments,	P.O. Box 1224	Rockwall	TX	75087
Inspection Report C	Alan Decker - DB Constri	2400 Great Southwest Parkway	Fort Worth	TX	76106

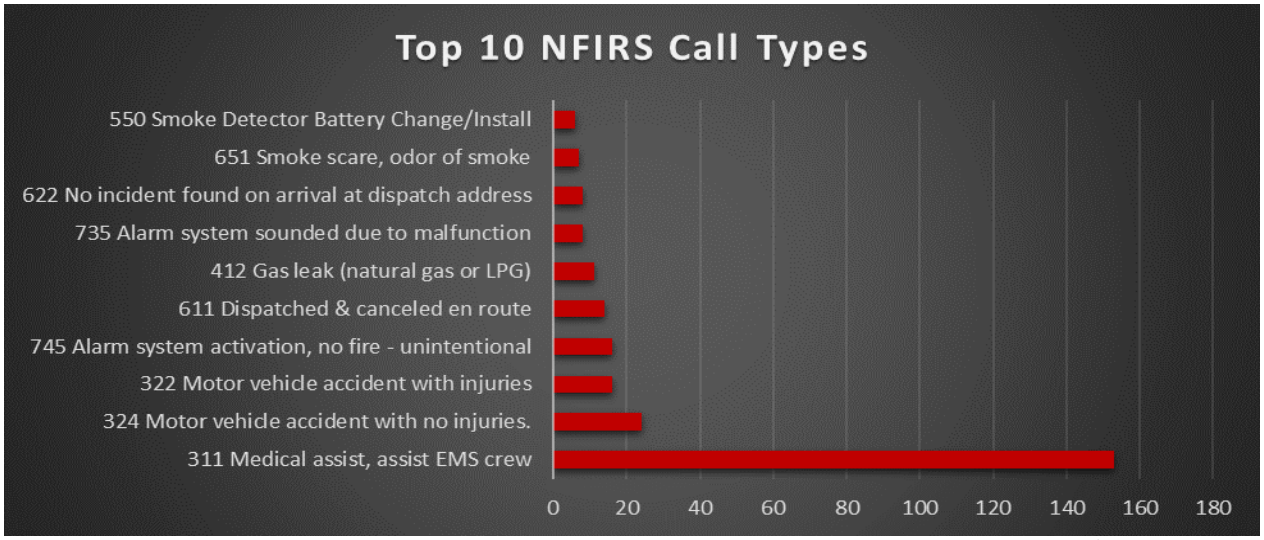
Permit Number	Permit Type	Site Address			
Application Date	Subtype	Parcel Number			
Issue Date	Status of Permit	Subdivision Name		Total Fees	
	Business Name	Plan Number	Valuation	Total SQFT	Fees Paid
Contractors					

9

Total Valuation:
Total Fees: $841.50
Total Fees Paid: $841.50

November 2024

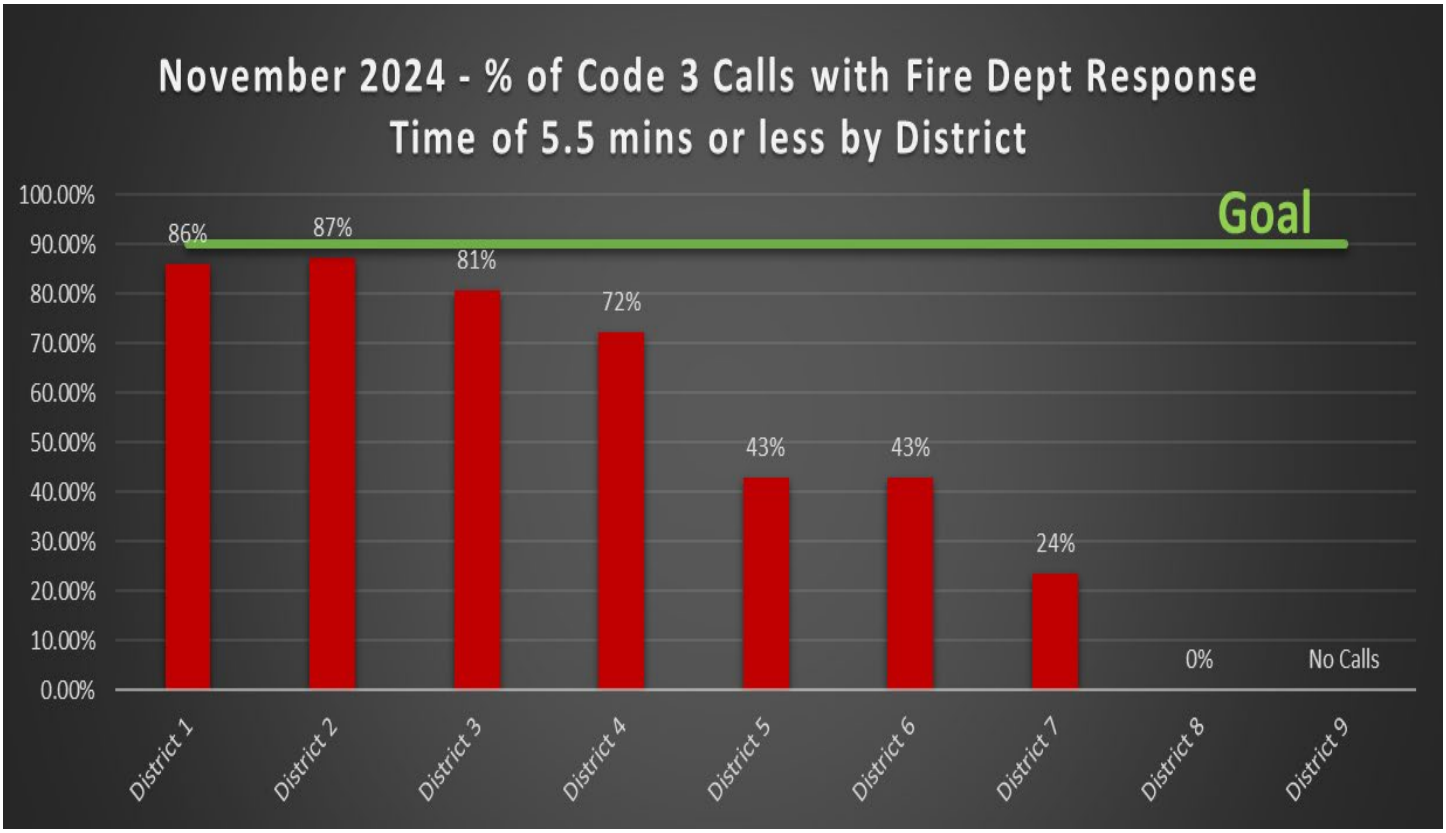
Monthly Report



All Calls By NFIRS Call Type	Incident Count
111 Building fire	3
118 Trash or rubbish fire, contained	1
131 Passenger vehicle fire (cars, pickups, SUV's)	2
143 Grass fire	1
311 Medical assist, assist EMS crew	153
322 Motor vehicle accident with injuries	16
323 Motor vehicle/pedestrian accident (MV Ped)	1
324 Motor vehicle accident with no injuries.	24
353 Removal of victim(s) from stalled elevator	1
354 Trench/below-grade rescue	1
365 Watercraft rescue	1
412 Gas leak (natural gas or LPG)	11
440 Electrical wiring/equipment problem, other	1
444 Power line down	5
445 Arcing, shorted electrical equipment	1
480 Attempted burning, illegal action, other	2
511 Lock-out	1
522 Water or steam leak	2
531 Smoke or odor removal	1
550 Public service assistance, other	1
550 Smoke Detector Battery Change/Install	6
551 Assist police or other governmental agency	1
553 Public service	4
555 Defective elevator, no occupants	2
561 Unauthorized burning	3
611 Dispatched & canceled en route	14
622 No incident found on arrival at dispatch address	8
651 Smoke scare, odor of smoke	7
732 Extinguishing system malfunction (activation)	1
733 Smoke detector activation due to malfunction	3
735 Alarm system sounded due to malfunction	8
740 Unintentional transmission of alarm, other	2
743 Smoke detector activation, no fire - unintentional	5
744 Detector activation, no fire - unintentional	2
745 Alarm system activation, no fire - unintentional	16
900 Special type of incident, other	1
Grand Total	**312**

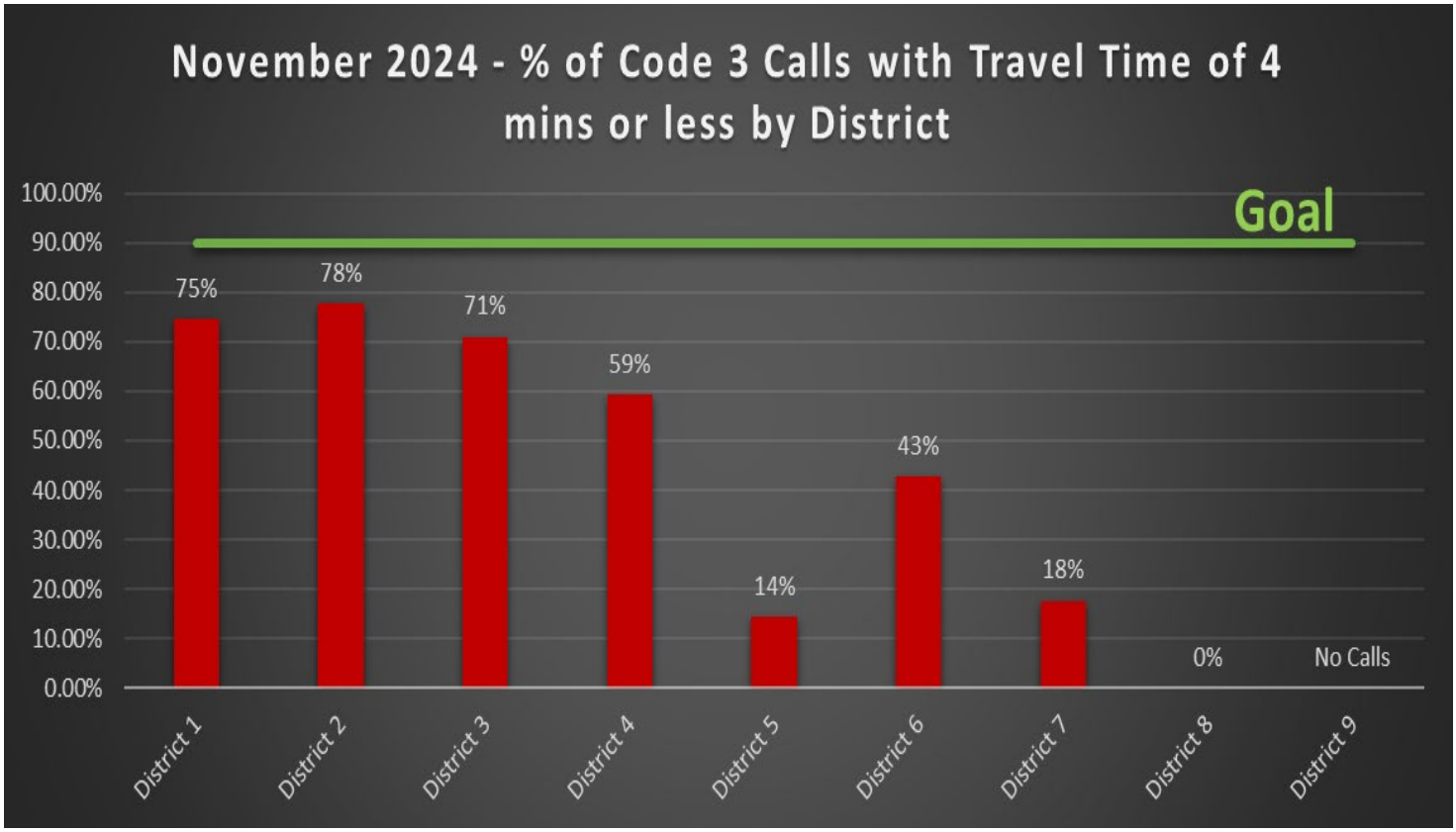
November 2024 Dispatch to Arrival Analysis

District	Total Number of Calls	Percent of Runs per District	Number of Calls in 5.5 mins or Less	Average FD Response Time Minutes	% in 5.5 min or less	Goal of 90%
District 1	71	28%	61	0:03:48	86%	90%
District 2	63	25%	55	0:04:03	87%	90%
District 3	31	12%	25	0:04:26	81%	90%
District 4	54	22%	39	0:04:25	72%	90%
District 5	7	3%	3	0:07:52	43%	90%
District 6	7	3%	3	0:05:16	43%	90%
District 7	17	7%	4	0:06:23	24%	90%
District 8	1	0%	0	0:08:44	0%	90%
District 9	0	0%	0	0:00:00	No Calls	90%
Department	251	100%	190	0:04:25	76%	90%



November 2024 Travel Times by District

District	Total Number of Calls	Percent of Runs per District	Number of Calls in 4 or Less	Average Travel Time Minutes	% in 4 min or less	Goal of 90%
District 1	71	28%	53	0:03:06	75%	90%
District 2	63	25%	49	0:03:15	78%	90%
District 3	31	12%	22	0:03:27	71%	90%
District 4	54	22%	32	0:03:38	59%	90%
District 5	7	3%	1	0:06:58	14%	90%
District 6	7	3%	3	0:04:26	43%	90%
District 7	17	7%	3	0:05:22	18%	90%
District 8	1	0%	0	0:05:08	0%	90%
District 9	0	0%	0	0:00:00	No Calls	90%
Department	251	100%	163	0:03:36	65%	90%



Total Dollar Losses

November 2024

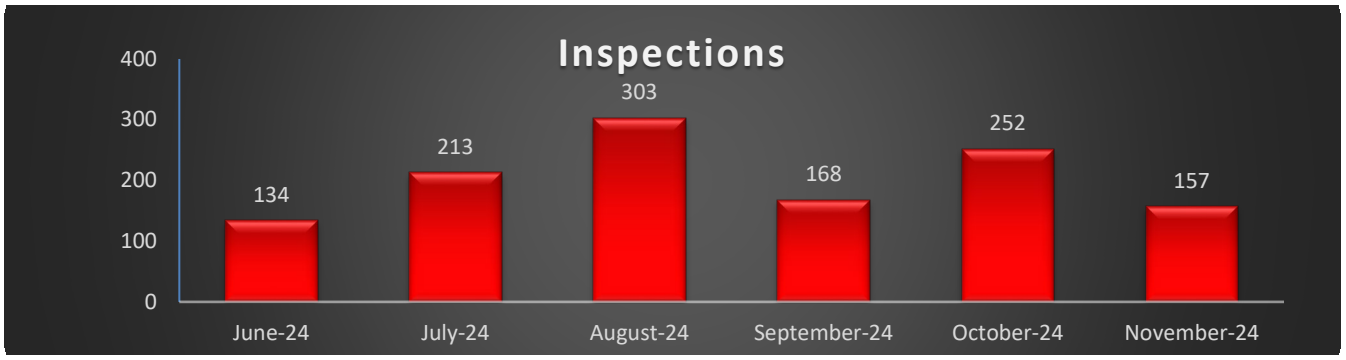
Print Date/Time: 12/09/2024 10:40
Login ID: rck\dgang
Layer: All
Areas: All

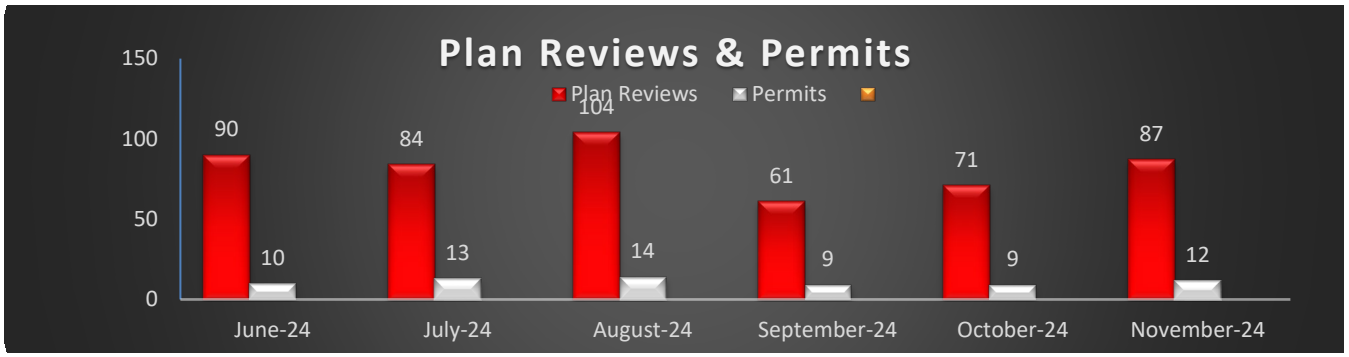
Rockwall Fire Department

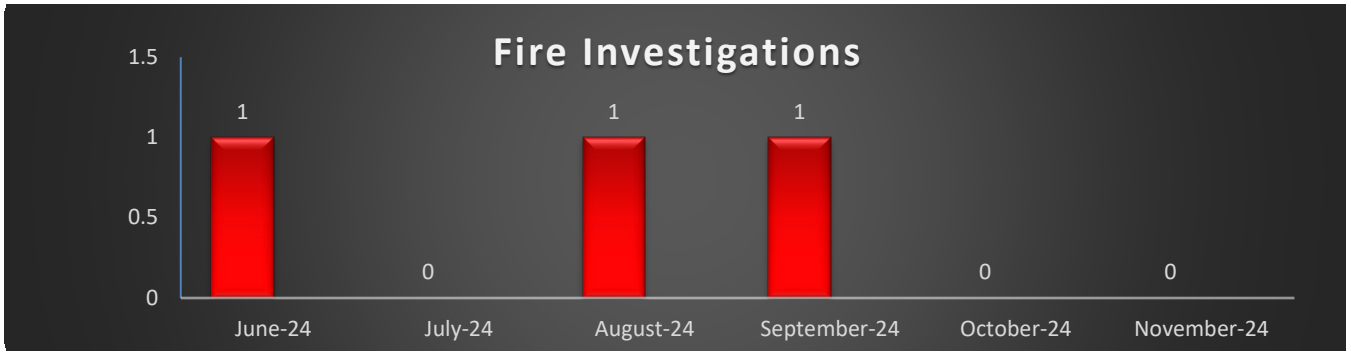
ORI Number: TX504
Incident Type: All
Station: All

	Current Month	Last Month	Same Month Last Year	Year To Date	Last Year To Date
Total Property Loss:	$0.00	$0.00	$204,000.00	$144,000.00	$1,843,250.32
Total Content Loss:	$0.00	$0.00	$75,000.00	$48,000.00	$2,125,173.75
Total Property Pre-Incident Value:	$0.00	$0.00	$820,603.00	$1,633,253.64	$118,479,546.32
Total Contents Pre-Incident Value	$0.00	$0.00	$400,000.00	$695,207.78	$25,203,920.19
Total Losses:	$.00	$.00	$279,000.00	$192,000.00	$.00
Total Value:	$.00	$.00	$1,220,603.00	$2,328,461.42	$143,683,466.51

Fire Prevention, Education, & Investigations Division Monthly Report November 2024







ROCKWALL PARKS & RECREATION

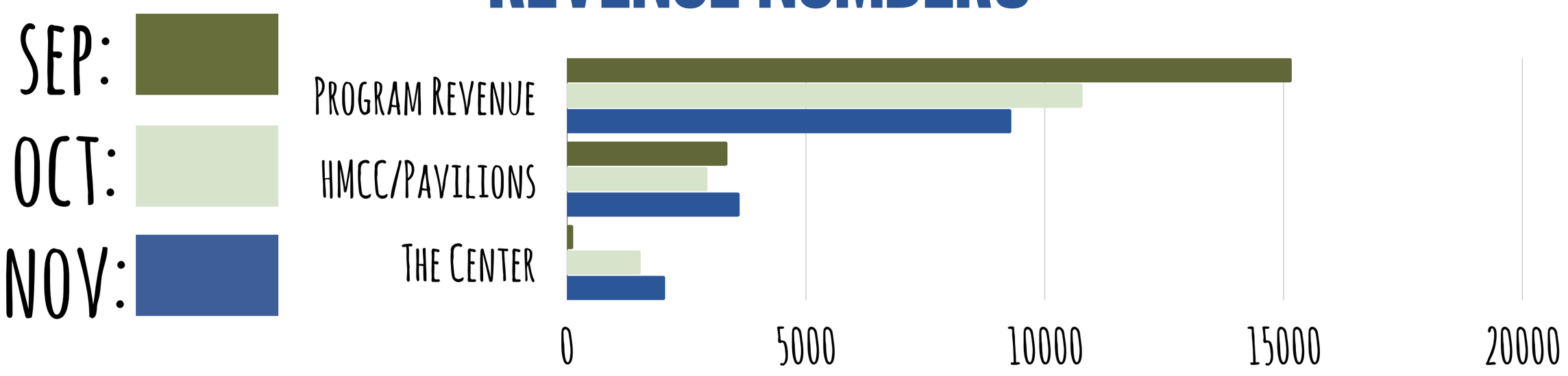
Monthly Report
November 2024

PLAYROCKWALL.COM

FISHING DERBY
116 PARTICIPANTS

FAMILY FUN FRIDAY
1000 ATTENDEES

REVENUE NUMBERS



Other Events:

Fishing Derby	**November 9, 2024**
Family Fun Friday	**Nocember 15, 2024**

PARKS PROJECT UPDATE – NOVEMBER 2024

GREENES LAKE PARK

TUTTLE FIELD RENOVATIONS

DRY RIVERBED AT THE CENTER

Other Projects

ANNUAL PLANTING OF VIOLAS

IRRIGATION MAIN LINE REPAIRS AT TUTTLE

Rockwall Police Department

Monthly Activity Report

November-2024

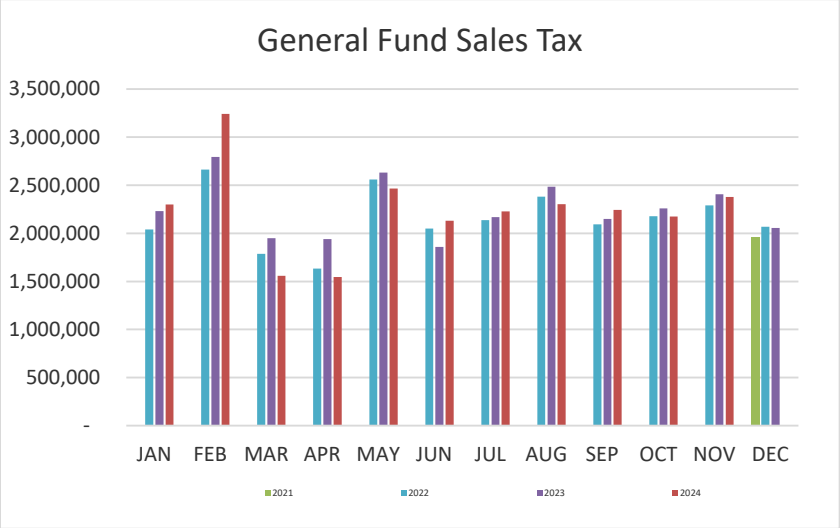
ACTIVITY	CURRENT MONTH NOVEMBER	PREVIOUS MONTH OCTOBER	YTD 2024	YTD 2023	YTD % CHANGE
PART 1 OFFENSES					
Homicide / Manslaughter	0	1	1	0	100.00%
Sexual Assault	1	1	12	9	33.33%
Robbery	0	2	7	10	-30.00%
Aggravated Assault	5	6	50	26	92.31%
Burglary	1	2	53	37	43.24%
Larceny	56	55	530	543	-2.39%
Motor Vehicle Theft	2	3	33	67	-50.75%
TOTAL PART I	**65**	**70**	**686**	**692**	-0.87%
TOTAL PART II	**126**	**109**	**1224**	**1320**	-7.27%
TOTAL OFFENSES	**191**	**179**	**1910**	**2012**	-5.07%
ADDITIONAL STATISTICS					
FAMILY VIOLENCE	18	13	182	103	76.70%
D.W.I.	14	18	151	146	3.42%
ARRESTS					
FELONY	29	19	245	282	-13.12%
MISDEMEANOR	49	66	567	562	0.89%
WARRANT ARREST	11	6	83	81	2.47%
JUVENILE	5	4	62	55	12.73%
TOTAL ARRESTS	**94**	**95**	**957**	**980**	-2.35%
DISPATCH					
CALLS FOR SERVICE	2086	2235	25083	26550	-5.53%
ACCIDENTS					
INJURY	3	4	22	13	69.23%
NON-INJURY	139	128	1299	1027	26.48%
FATALITY	0	0	1	5	-80.00%
TOTAL	**142**	**132**	**1322**	**1045**	26.51%
FALSE ALARMS					
RESIDENT ALARMS	49	32	461	485	-4.95%
BUSINESS ALARMS	102	132	1491	1598	-6.70%
TOTAL FALSE ALARMS	**151**	**164**	**1952**	**2083**	-6.29%
Estimated Lost Hours	99.66	108.24	1288.32	1374.78	-6.29%
Estimated Cost	$2,370.70	$2,574.80	$30,646.40	$32,703.10	-6.29%

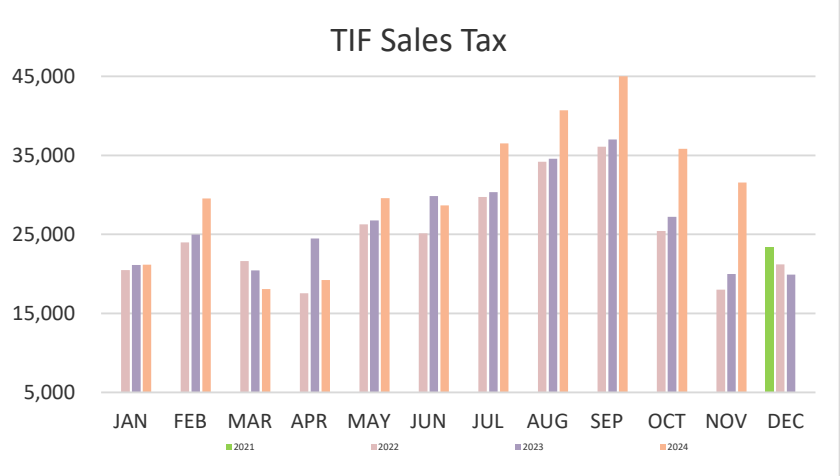
ROCKWALL NARCOTICS UNIT

Number of Cases	3
Arrests	2
Arrest Warrants	0
Search Warrants	0
Seized	
Meth	2 Kilos

Sales Tax Collections - Rolling 36 Months

	General Fund Sales Tax	TIF Sales Tax
Dec-21	1,963,345	23,464
Jan-22	2,040,002	20,495
Feb-22	2,664,185	23,976
Mar-22	1,786,902	21,605
Apr-22	1,633,850	17,548
May-22	2,559,349	26,254
Jun-22	2,050,066	25,127
Jul-22	2,135,457	29,738
Aug-22	2,381,510	34,190
Sep-22	2,092,217	36,105
Oct-22	2,177,040	25,420
Nov-22	2,291,130	17,990
Dec-22	2,068,593	21,213
Jan-23	2,231,654	21,134
Feb-23	2,792,696	24,982
Mar-23	1,949,994	20,438
Apr-23	1,938,490	24,487
May-23	2,631,033	26,766
Jun-23	1,859,485	29,862
Jul-23	2,169,495	30,350
Aug-23	2,483,321	34,558
Sep-23	2,149,947	37,018
Oct-23	2,260,609	27,209
Nov-23	2,407,536	19,977
Dec-23	2,054,537	19,906
Jan-24	2,300,943	21,155
Feb-24	3,243,321	29,558
Mar-24	1,559,068	18,064
Apr-24	1,544,681	19,220
May-24	2,464,214	29,570
Jun-24	2,130,506	28,658
Jul-24	2,229,321	36,518
Aug-24	2,301,556	40,719
Sep-24	2,244,383	47,289
Oct-24	2,175,761	35,830
Nov-24	2,377,426	31,568





Notes:

75% of total sales tax collected is deposited to the General Fund each month

Comptroller tracks sales tax generated in the TIF and reports it monthly

75% of TIF sales tax (city share) is pledged to the TIF

Monthly Water Consumption - Rolling 27 Months

	Total Gallons	Daily Average	Maximum Day
Sep-22	434,247,536	14,474,915	17,617,728
Oct-22	421,229,833	13,588,058	17,692,206
Nov-22	228,795,657	7,626,522	11,187,251
Dec-22	249,341,535	8,043,275	12,260,392
Jan-23	243,528,725	7,855,765	11,040,666
Feb-23	198,103,255	7,075,116	8,544,708
Mar-23	220,326,930	7,107,320	10,825,669
Apr-23	292,874,560	9,762,486	13,280,734
May-23	355,482,851	11,467,189	16,032,988
Jun-23	491,086,630	16,369,555	21,693,510
Jul-23	587,439,800	18,949,672	23,599,534
Aug-23	742,795,770	23,961,154	25,727,492
Sep-23	637,062,410	21,235,410	31,876,280
Oct-23	461,067,498	14,873,145	20,317,822
Nov-23	307,169,395	10,238,981	12,875,885
Dec-23	277,770,415	8,960,337	13,375,678
Jan-24	326,749,166	10,540,296	21,931,696
Feb-24	236,310,098	8,148,624	10,720,500
Mar-24	270,997,608	8,741,858	10,729,160
Apr-24	292,285,444	9,742,848	11,333,764
May-24	314,251,314	10,137,140	13,475,962
Jun-24	452,670,816	15,089,026	22,364,746
Jul-24	643,093,680	20,744,956	25,259,696
Aug-24	716,579,590	23,115,472	25,942,998
Sep-24	564,519,530	18,817,318	22,530,378
Oct-24	604,424,870	19,497,576	23,874,820
Nov-24	277,770,415	8,960,337	13,375,680

Source: SCADA Monthly Reports generated at the Water Pump Stations