



PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # 22021-055 P&Z DATE 1/11/22 CC DATE 1/18/22 APPROVED/DENIED _____
ARCHITECTURAL REVIEW BOARD DATE _____ HPAB DATE _____ PARK BOARD DATE _____

ZONING APPLICATION

- ☐ SPECIFIC USE PERMIT
- ☐ ZONING CHANGE
- ☐ PD CONCEPT PLAN
- ☐ PD DEVELOPMENT PLAN

SITE PLAN APPLICATION

- ☐ SITE PLAN
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN
- ☐ PHOTOMETRIC PLAN
- ☐ BUILDING ELEVATIONS
- ☐ MATERIAL SAMPLES
- ☐ COLOR RENDERING

PLATTING APPLICATION

- ☐ MASTER PLAT
- ☐ PRELIMINARY PLAT
- ☐ FINAL PLAT
- ☐ REPLAT
- ☐ ADMINISTRATIVE/MINOR PLAT
- ☐ VACATION PLAT
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN

- ☐ COPY OF ORDINANCE (ORD.# _____)
- ☒ APPLICATIONS
- ☒ RECEIPT
- ☒ LOCATION MAP
- ☒ HOA MAP
- ☒ PON MAP
- ☐ FLU MAP
- ☐ NEWSPAPER PUBLIC NOTICE
- ☐ 500-FT. BUFFER PUBLIC NOTICE
- ☐ PROJECT REVIEW
- ☐ STAFF REPORT
- ☐ CORRESPONDENCE
- ☐ COPY-ALL PLANS REQUIRED
- ☐ COPY-MARK-UPS
- ☐ CITY COUNCIL MINUTES-LASERFICHE
- ☐ MINUTES-LASERFICHE
- ☐ PLAT FILED DATE _____
 - ☐ CABINET # _____
 - ☐ SLIDE # _____

NOTES: _____

ZONING MAP UPDATED _____



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

22021-055

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2325 S Goliad Street

SUBDIVISION Meadowcreek Business Park Center

LOT 2 BLOCK 1

GENERAL LOCATION The intersection of S Goliad Street and Ralph Hall Parkway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING C-Commercial

CURRENT USE Undeveloped

PROPOSED ZONING C-Commercial - SUP

PROPOSED USE Multi Tenant Retail / Restaurant with DT

ACREAGE 0.799ac

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

☐ OWNER Marlyn Roberts

☒ APPLICANT Kirkman Engineering

CONTACT PERSON

CONTACT PERSON Patrick Filson

ADDRESS 323 Julian Drive

ADDRESS 5200 State Highway 121

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Colleyville, TX 76034

PHONE

PHONE 817-488-4960

E-MAIL

E-MAIL patrick.filson@trustke.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$200 + 15.00 Acre TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF November, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

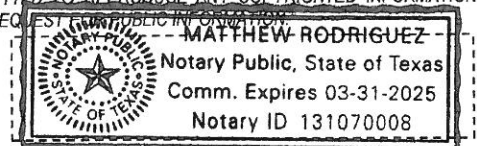
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF November, 2021.

OWNER'S SIGNATURE

Marlyn R. Roberts

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Matthew Rodriguez
Rockwall, Texas



MY COMMISSION EXPIRES 3-31-25



DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

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

PLATTING APPLICATION SUBMITTAL REQUIREMENTS [ALL PLAT TYPES]

☐ PLAT TYPE.

- ☐ MINOR/AMENDING PLAT.
- ☐ MASTER PLAT.
- ☐ PRELIMINARY PLAT.
- ☐ FINAL PLAT.
- ☐ REPLAT.
- ☐ VACATION PLAT.

Staff requires two (2), 18" x 24" copies be submitted at the time the application is submitted. See *Folding Requirements* in this development packet.

☐ DIGITAL COPY OF THE PLAT. The following is required with all plat submittals:

- ☐ ONE (1) PDF COPY OF THE PLAT
- ☐ ONE (1) SURVEY BOUNDARY CLOSURE REPORT.

* AFTER APPROVAL STAFF WILL REQUIRE ONE (1) AUTOCAD/ESRI (DWG, DXF, OR SHP FILE FORMAT) FILE

- ☐ TREESCAPE PLAN [IF APPLICABLE].
- ☐ LANDSCAPE PLAN [IF APPLICABLE].
- ☐ APPLICATION AND APPLICATION FEE.

SITE PLAN APPLICATION SUBMITTAL REQUIREMENTS

☐ PLAN SET. A plan set is composed of the following items (failure to submit all of the items required shall constitute an incomplete application):

- ☐ SITE PLAN.
- ☐ LANDSCAPE PLAN.
- ☐ TREESCAPE PLAN.
- ☐ PHOTOMETRIC PLAN.
- ☐ BUILDING ELEVATIONS.

Staff requires the submittal of two (2) complete plan sets and one (1) digital copy in .pdf format with a site plan application. All sheets submitted to staff shall be 24" x 36", arranged into sets, and be folded to a 9" x 12" *Tri-Fold* with the project title or identifier facing out.

- ☐ PHYSICAL BUILDING MATERIAL SAMPLE BOARD (11" x 17"). See the *Material Sample Board Design Guidelines* in this development packet. Individual material samples or sample boards that are larger than 11" x 17" will not be accepted.
- ☐ VARIANCE REQUEST LETTER. The letter must indicate the variance being requested, the reason for the variance, and the two (2) required compensatory measures being offered to off-set the variance in accordance with the requirements of the UDC.
- ☐ APPLICATION AND APPLICATION FEE.

ZONING CHANGE APPLICATION SUBMITTAL REQUIREMENTS

- ☒ LEGAL DESCRIPTION. A legal description consists of written words that delineate a specific piece of real property. A legal description may be a metes and bounds description or, if the property is platted, a copy of the plat may be submitted to verify the lot and block survey system.
- ☒ ZONING EXHIBIT OR CONCEPT PLAN. A zoning exhibit is generally a survey, plat, concept plan or other visual description of the property [Specific Use Permit (SUP) exhibits can be a site plan or building elevations; check with staff for prior to submitting an application for what is appropriate]. Staff requires two (2), 24" x 36" copies and one digital copy (PDF preferred) be submitted at the time the application is submitted. All submittals should be folded individually so that the project title or identifier is facing out. *In order to reduce the applicant's costs and to conserve paper, staff may accept other sheet sizes for a submittal if an appropriate scale and level of detail is maintained. Check with staff prior to submitting a small or larger drawing size.*
- ☒ LETTER OF EXPLANATION. A letter from the applicant or property owner explaining the purpose of the zoning application.
- ☒ APPLICATION AND APPLICATION FEE.

IT IS IMPORTANT TO YOU AS AN APPLICANT TO RETURN A FULLY COMPLETED APPLICATION PACKAGE. INCOMPLETE APPLICATION PACKAGES WILL NOT BE ACCEPTED BY STAFF AND WILL BE RETURNED TO APPLICANTS. DUE TO THE PASSAGE OF HB3167, APPLICATIONS AND APPLICATION PACKAGES WILL ONLY BE ACCEPTED ON THE SUBMITTAL DATE AND EARLY AND/OR LATE APPLICATIONS WILL BE RETURNED.

Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034
817.488.4960



11/17/2021

City of Rockwall
385 S Goliad Street

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal SUP submittal for the project Victory at Rockwall. This lot is a total of 0.7992 acres. This development's proposed land use will be for restaurant and retail. The building is 5,130 square feet total. Retail will be 2,600 square feet and restaurant will be 2,200 square feet in floor space. There will be a total of 25 parking spaces provided for this development. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely, *Patrick Filson*

Patrick Filson
O: (817) 488-4960

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northeast corner of "Parcel 101 – Part 1" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, (O.P.R.R.C.T.), said point being in the northwest line of said Lot 2 and being the southwest corner of the herein described tract, from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found for the southwest corner of said Lot 2 bears South 60 degrees 17 minutes 53 seconds West, a distance of 15.01 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

1. North 60 degrees 17 minutes 53 seconds East, a distance of 413.92 feet to a 1/2 inch rebar with cap stamped, "RPLS 5034" found;
2. South 01 degrees 59 minutes 13 seconds West, a distance of 145.94 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;
3. South 15 degrees 01 minutes 18 seconds East, a distance of 68.17 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
4. South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
5. South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
6. South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
7. South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 – Part 1" of said State of Texas tract;

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 – Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 – Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 39.91 feet to a capped rebar set for the southwest corner of said "Parcel 101 – Part 1";

THENCE North 58 degrees 45 minutes 12 seconds East, with the south line of said "Parcel 101 – Part 1", a distance of 15.00 feet to an "X" cut set for the southeast corner thereof;

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 – Part 1", a distance of 154.43 feet to the **POINT OF BEGINNING** and enclosing 1.931 acres (84, 103 square feet) of land, more or less.

SURVEYOR'S NOTES:

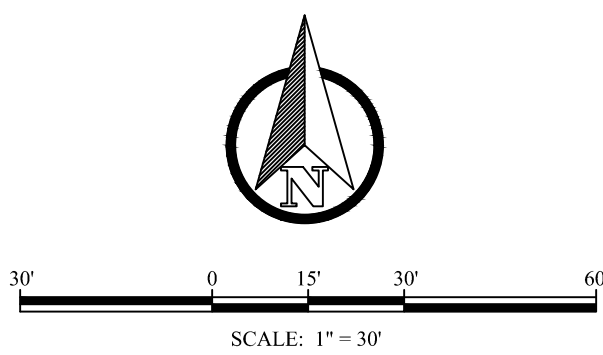
- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.000146135.
- This property lies within Zone "X" & Zone "AE" of the Flood Insurance Rate Map for Rockwall County, Texas and Incorporated Areas, map no. 48397C0040L, with an effective date of September 26, 2008, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

Source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

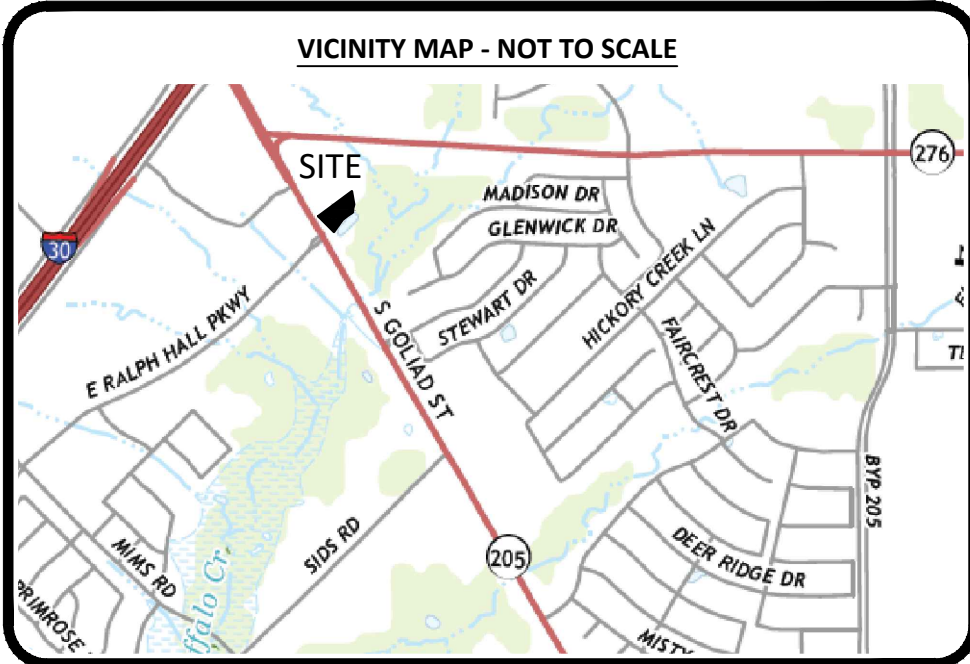
Utility locations are per observed evidence and the below sources

Maps/Plans: Utility Maps provided by the City of Rockwall



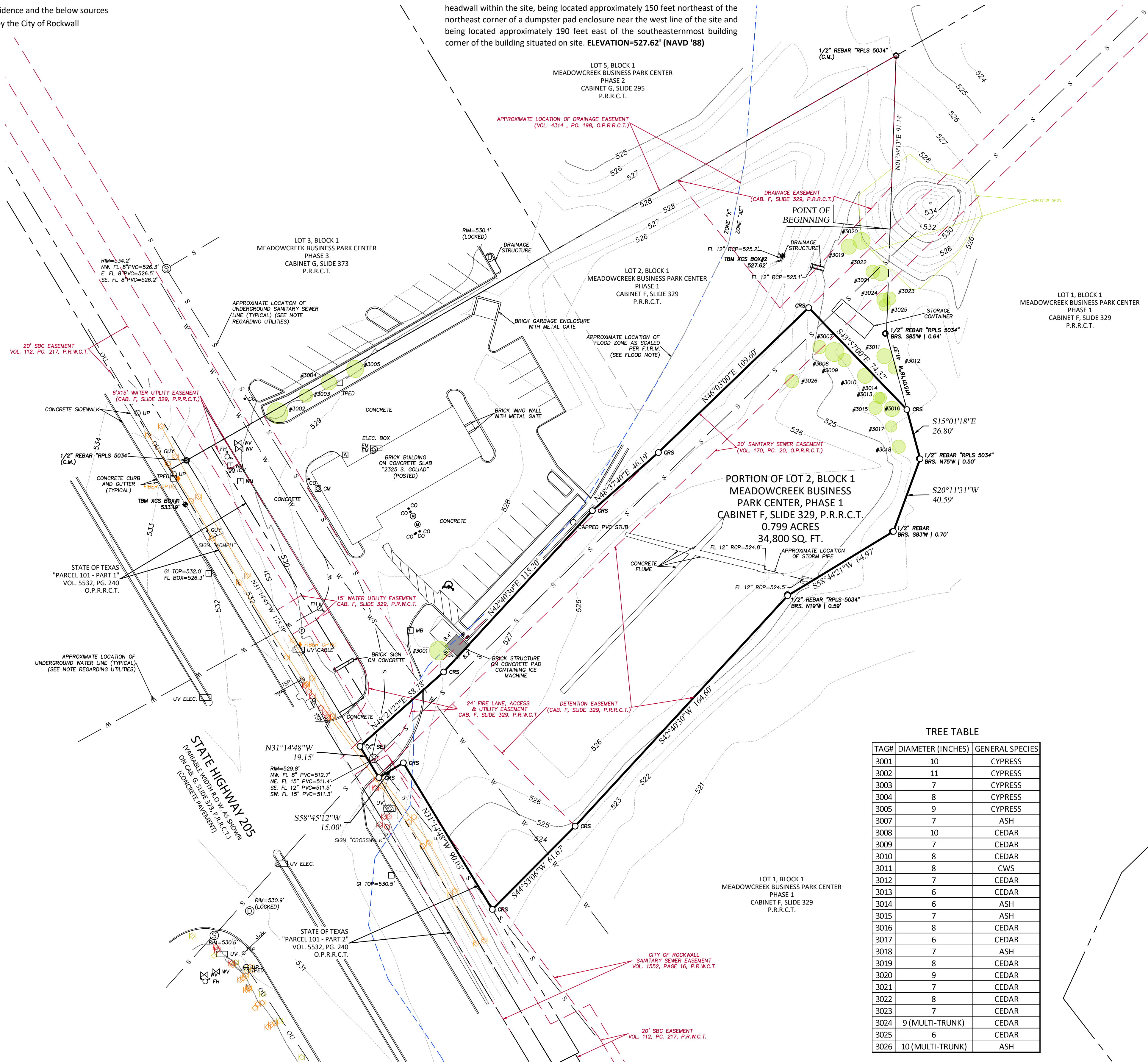
LEGEND OF ABBREVIATIONS

- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET



SITE BENCHMARKS:

- The site benchmark is an "X" cut set in the northeast line of a concrete sidewalk adjacent to the north line of State Highway 205, being located approximately 22 feet north of a street sign posted "40 MPH SPEED LIMIT", and being approximately 17 feet south of a power pole in the north line of said State Highway 205. **ELEVATION=533.19' (NAVD '88)**
- The site benchmark is an "X" cut set at the northeast corner of a concrete headwall within the site, being located approximately 150 feet northeast of the northeast corner of a dumpster pad enclosure near the west line of the site and being located approximately 190 feet east of the southeasternmost building corner of the building situated on site. **ELEVATION=527.62' (NAVD '88)**



PROPERTY DESCRIPTION

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northernmost northeast corner of the herein described tract, said point being in the northeast line of said Lot 2, from which a re-entrant corner thereof bears North 15 degrees 01 minutes 18 seconds West, from said point a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

- South 15 degrees 01 minutes 18 seconds East, a distance of 26.80 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
- South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
- South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
- South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
- South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 - Part 2" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, [O.P.R.R.C.T.];

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 - Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 - Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 19.15 feet to a capped rebar set;

THENCE through the interior of said Lot 2, the following calls:

- North 48 degrees 21 minutes 22 seconds East, a distance of 58.78 feet to a capped rebar set;
- North 42 degrees 40 minutes 30 seconds East, a distance of 115.20 feet to a capped rebar set;
- North 48 degrees 37 minutes 40 seconds East, a distance of 46.19 feet to a capped rebar set;
- North 46 degrees 03 minutes 00 seconds East, a distance of 109.60 feet to a capped rebar set;
- South 43 degrees 57 minutes 00 seconds East, a distance of 74.32 feet to the **POINT OF BEGINNING** and enclosing 0.7992 acres (34,800 square feet) of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared with the benefit of a commitment for title insurance provided by North American Title Insurance Company, G.F. Number 782102653, Effective Date August 25, 2021. This commitment was relied upon for encumbrance research, and the surveyor has performed no independent title search. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following exceptions from Schedule "B" were addressed as follows:

Item 10(f): Easements and building lines as shown on plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas. (easements and building line as shown on plat crossing or abutting the subject property are shown hereon)

Item 10(g): Easement as recorded under Volume 112, Page 214, Deed Records, Rockwall County, Texas. (easement is blanket in nature, document contains a description which includes the subject property)

Item 10(h): Easement as recorded under Volume 170, Page 20, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

Item 10(i): Easement as recorded under Volume 212, Page 438, Deed Records, Rockwall County, Texas. (easement is centered on utility lines unable to be specifically identified at time of survey)

Item 10(j): Easement as recorded under Volume 1552, Page 16, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

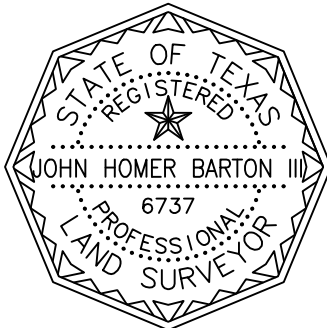
Item 10(k): Agreement as recorded under Volume 4314, Page 183, Deed Records, Rockwall County, Texas. (document contains a description which includes the subject property)

Item 10(l): Easement as recorded under Volume 4314, Page 198, Deed Records, Rockwall County, Texas. (easement does not cross or abut the subject property, shown hereon)

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this map from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision. This survey meets the minimum requirements for a Category 1A, Condition II Land Title Survey. Fieldwork was completed on October 14, 2021.

Date of Plat/Map: **October 29, 2021**



John H. Barton III
John H. Barton III, RPLS# 6737
TERMS OF ACCEPTANCE OF SURVEY

This survey is issued pursuant to a real estate transaction and is appurtenant to the title commitment referenced in the "Title Commitment Notes" This survey is issued for use in such transaction. Notwithstanding any of the above statements, the surveyor has a contractual relationship with one client or entity. Review/requested revisions by other parties must be received by or through such entity. Client is responsible for reviewing survey (including, but not limited to: notations; existence or lack of spelling/grammatical/typographical errors; certified parties; dates; instruments) within thirty (30) days of the date of plat or map. After such time has passed, client accepts survey as issued, and further revisions are not embraced by the above certification. Additional or altered commitments for title insurance will require an new or re-issued survey. Please feel free to request pricing for this at info@bcsdfw.com, or call (817) 864-1957.

TREE TABLE

TAG#	DIAMETER (INCHES)	GENERAL SPECIES
3001	10	CYPRESS
3002	11	CYPRESS
3003	7	CYPRESS
3004	8	CYPRESS
3005	9	CYPRESS
3007	7	ASH
3008	10	CEDAR
3009	7	CEDAR
3010	8	CEDAR
3011	8	CWS
3012	7	CEDAR
3013	6	CEDAR
3014	6	ASH
3015	7	ASH
3016	8	CEDAR
3017	6	CEDAR
3018	7	ASH
3019	8	CEDAR
3020	9	CEDAR
3021	7	CEDAR
3022	8	CEDAR
3023	7	CEDAR
3024	9 (MULTI-TRUNK)	CEDAR
3025	6	CEDAR
3026	10 (MULTI-TRUNK)	ASH

LEGEND OF SYMBOLS

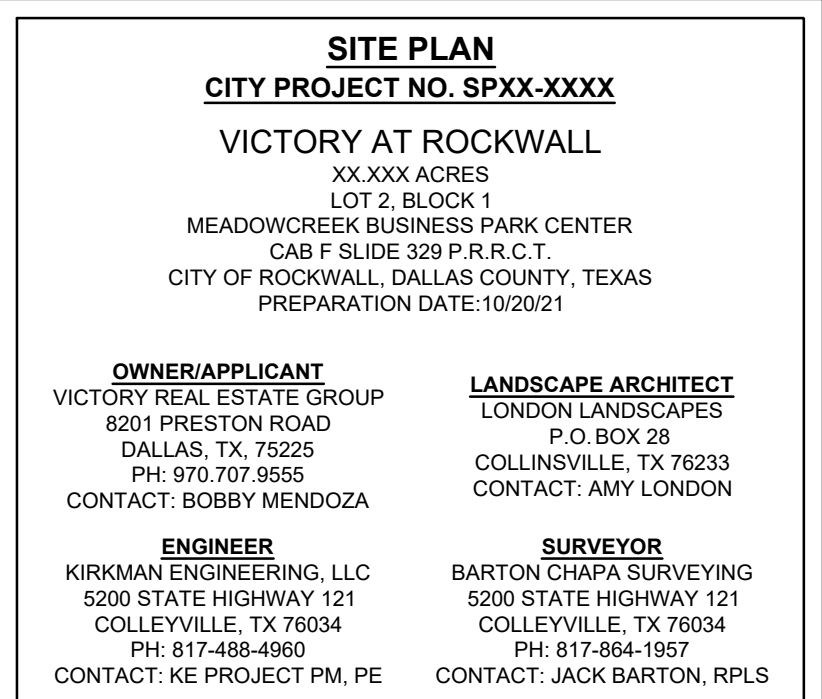
- air conditioning unit
- irrigation control valve
- cable tv
- electric meter
- fence or guardrail
- fire dept. connection
- fire hydrant
- bollard
- area drain
- grate inlet
- gas valve
- gas meter
- gas well
- sign
- sanitary sewer manhole
- storm water manhole
- telephone manhole
- tank fill lid
- telephone pedestal
- traffic signal pole
- utility clean out
- comm. utility cabinet
- electric utility cabinet
- comm. utility vault
- elect. utility vault
- water utility vault
- utility/service pole
- utility sign
- water shutoff
- water valve
- well
- water meter
- cable tv riser
- air release valve
- utility markings
- tree
- shrub/decorative tree or tree with diameter < 4 in.
- contour lines

TABLE OF REVISIONS

DATE	SUMMARY
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2325 S GOLIAD STREET

ROCKWALL, TEXAS



LOT 1, BLOCK 1
CITY OF ROCKWALL
DALLAS COUNTY, TEXAS

[illegible]

KIRKMAN ENGINEERING, LLC
5200 STATE HIGHWAY 121
COLLEYVILLE, TX 76034
TEXAS FIRM NO. 15874

JOB NUMBER:	KE PROJECT NUMBER
ISSUE DATE:	DATE

SHEET:

C3.0

FULL PATH: K:\Jobs\VIC21014_Rockwall\Drawings\03_ENGR\04 - Exhibits\Victory At Rockwall SUP EXHIBIT_Hoodinparking

FILENAME: Victory At Rockwall SUP EXHIBIT_Headinparking.dwg



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

22021-055

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2325 S Goliad Street

SUBDIVISION Meadowcreek Business Park Center

LOT 2 BLOCK 1

GENERAL LOCATION The intersection of S Goliad Street and Ralph Hall Parkway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING C-Commercial

CURRENT USE Undeveloped

PROPOSED ZONING C-Commercial - SUP

PROPOSED USE Multi Tenant Retail / Restaurant with DT

ACREAGE 0.799ac

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

☐ OWNER Marlyn Roberts

☒ APPLICANT Kirkman Engineering

CONTACT PERSON

CONTACT PERSON Patrick Filson

ADDRESS 323 Julian Drive

ADDRESS 5200 State Highway 121

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Colleyville, TX 76034

PHONE

PHONE 817-488-4960

E-MAIL

E-MAIL patrick.filson@trustke.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$200 + 15.00 Acre TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF November, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

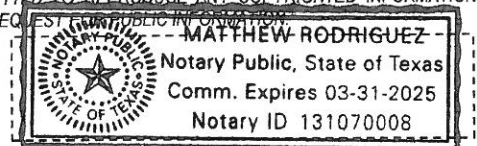
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF November, 2021.

OWNER'S SIGNATURE

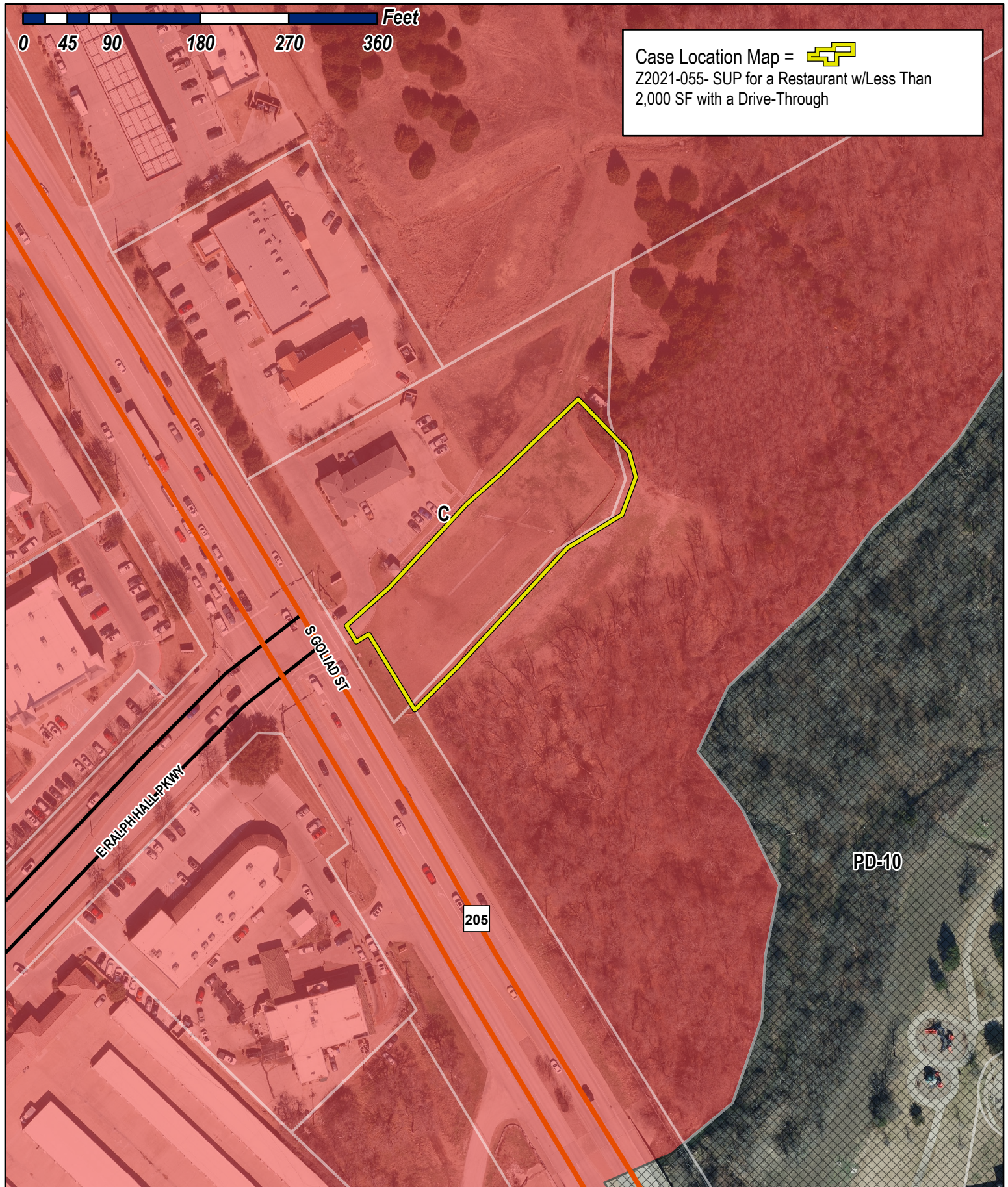
Marlyn R. Roberts


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Matthew Rodriguez
Rockwall, Texas



MY COMMISSION EXPIRES 3-31-25



Case Location Map = 
Z2021-055- SUP for a Restaurant w/Less Than
2,000 SF with a Drive-Through



City of Rockwall

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

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

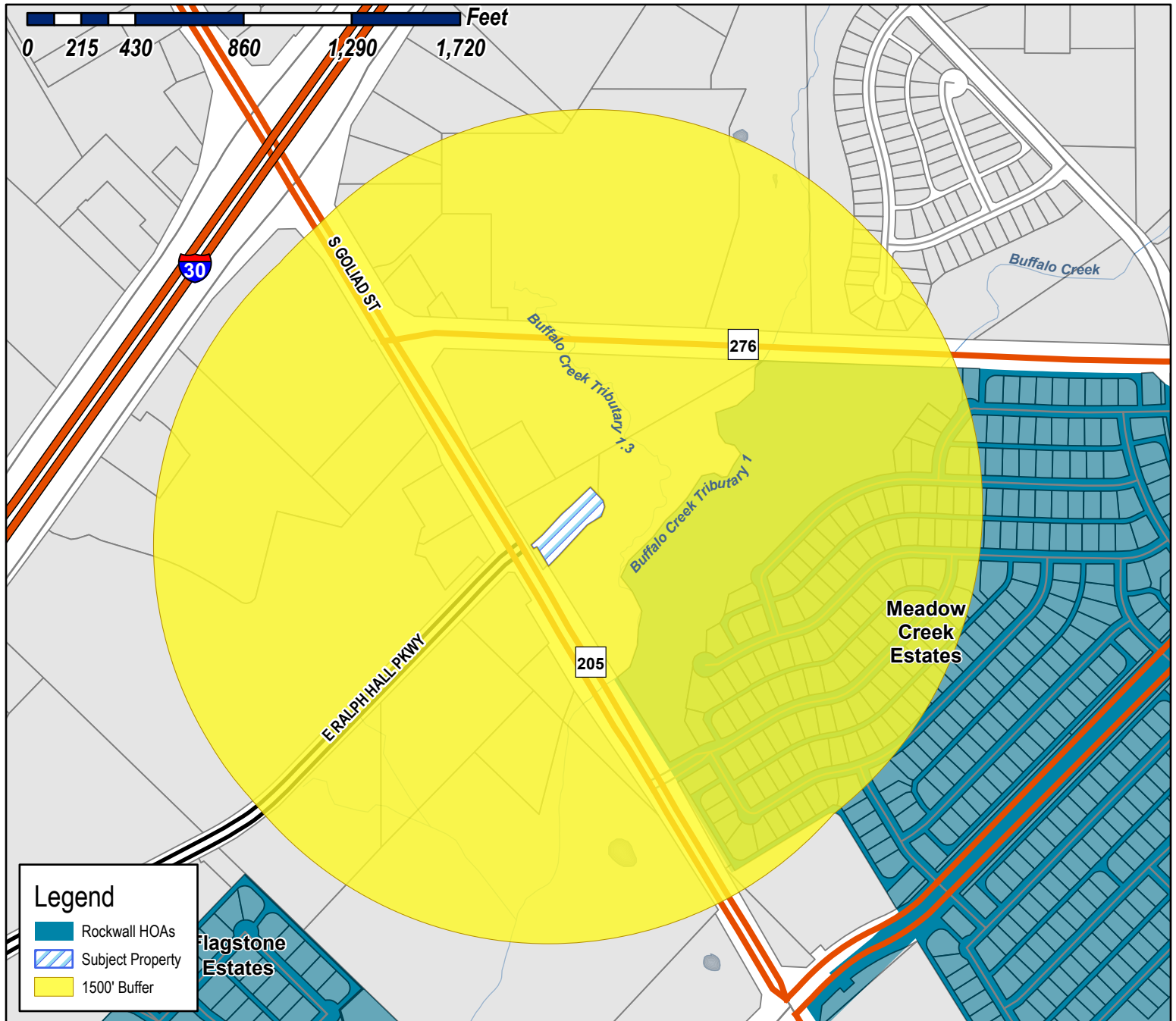




City of Rockwall

Planning & Zoning Department
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Case Number: Z2021-05
Case Name: SUP for Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021
For Questions on this Case Call (972) 771-7745

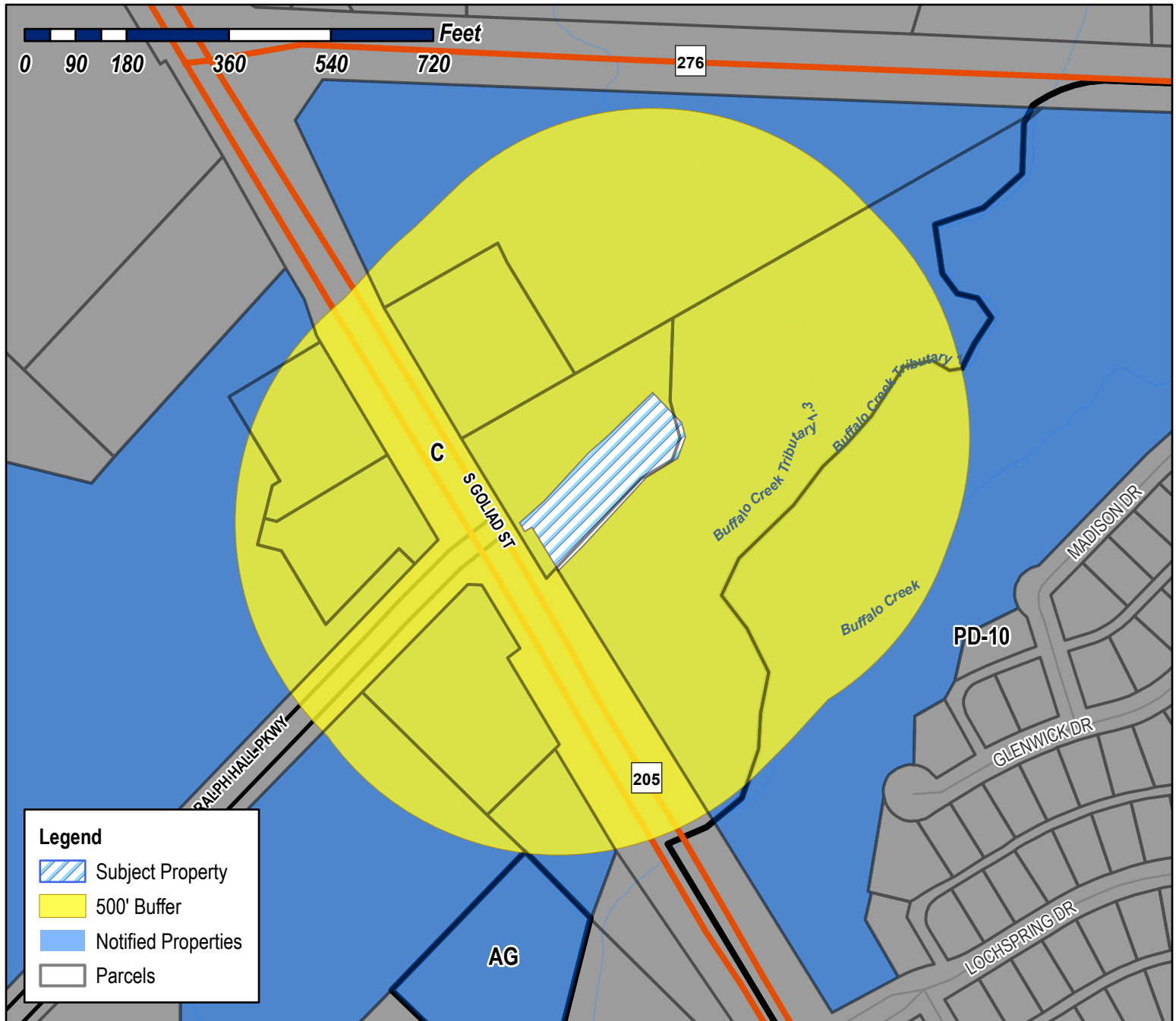




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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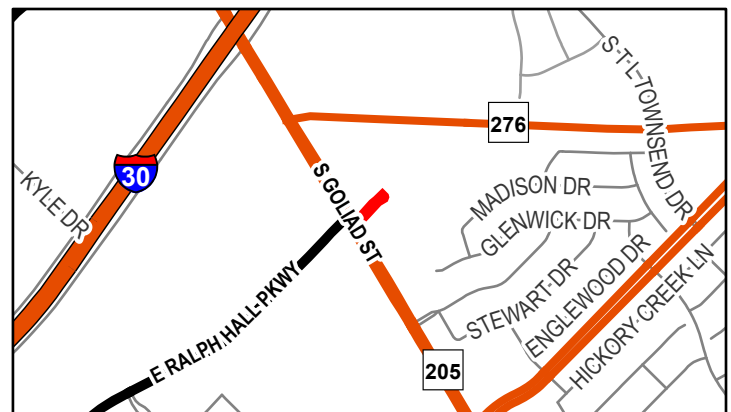
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Case Number: Z2021-055
Case Name: SUP for a Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

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



Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034
817.488.4960



11/17/2021

City of Rockwall
385 S Goliad Street

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal SUP submittal for the project Victory at Rockwall. This lot is a total of 0.7992 acres. This development's proposed land use will be for restaurant and retail. The building is 5,130 square feet total. Retail will be 2,600 square feet and restaurant will be 2,200 square feet in floor space. There will be a total of 25 parking spaces provided for this development. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely, *Patrick Filson*

Patrick Filson
O: (817) 488-4960

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northeast corner of "Parcel 101 – Part 1" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, (O.P.R.R.C.T.), said point being in the northwest line of said Lot 2 and being the southwest corner of the herein described tract, from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found for the southwest corner of said Lot 2 bears South 60 degrees 17 minutes 53 seconds West, a distance of 15.01 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

1. North 60 degrees 17 minutes 53 seconds East, a distance of 413.92 feet to a 1/2 inch rebar with cap stamped, "RPLS 5034" found;
2. South 01 degrees 59 minutes 13 seconds West, a distance of 145.94 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;
3. South 15 degrees 01 minutes 18 seconds East, a distance of 68.17 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
4. South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
5. South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
6. South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
7. South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 – Part 1" of said State of Texas tract;

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 – Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 – Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 39.91 feet to a capped rebar set for the southwest corner of said "Parcel 101 – Part 1";

THENCE North 58 degrees 45 minutes 12 seconds East, with the south line of said "Parcel 101 – Part 1", a distance of 15.00 feet to an "X" cut set for the southeast corner thereof;

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 – Part 1", a distance of 154.43 feet to the **POINT OF BEGINNING** and enclosing 1.931 acres (84, 103 square feet) of land, more or less.

SURVEYOR'S NOTES:

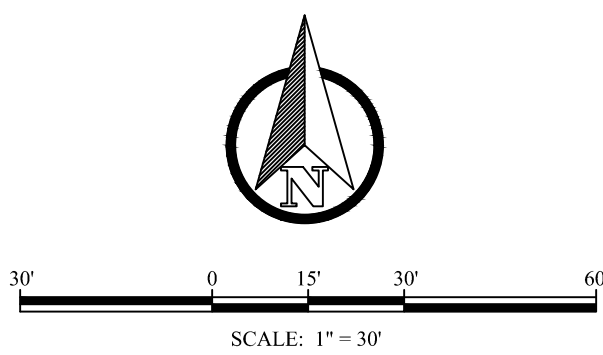
- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.000146135.
- This property lies within Zone "X" & Zone "AE" of the Flood Insurance Rate Map for Rockwall County, Texas and Incorporated Areas, map no. 48397C0040L, with an effective date of September 26, 2008, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

Source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

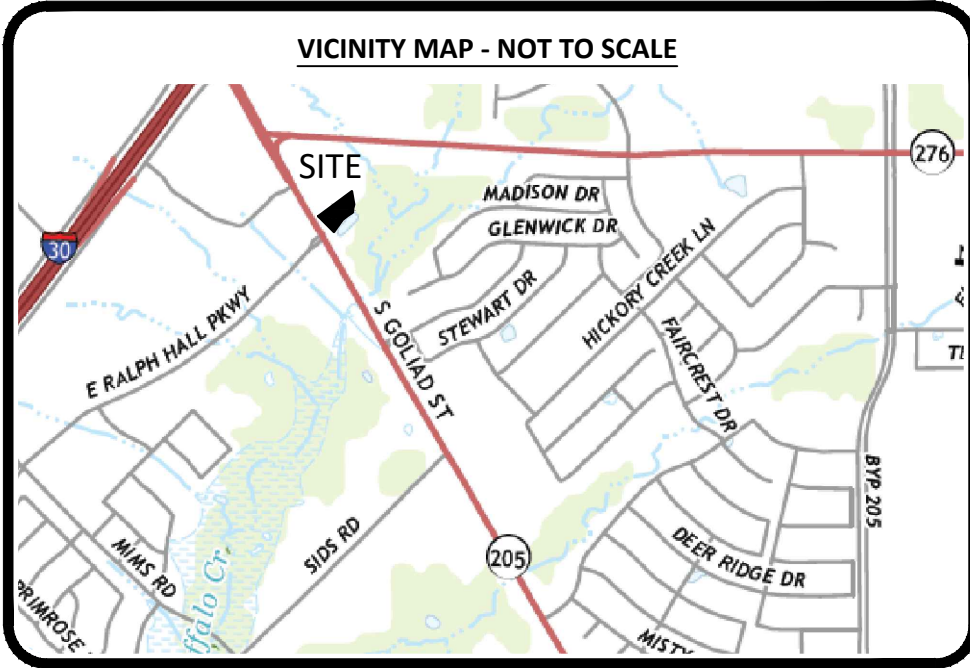
Utility locations are per observed evidence and the below sources

Maps/Plans: Utility Maps provided by the City of Rockwall



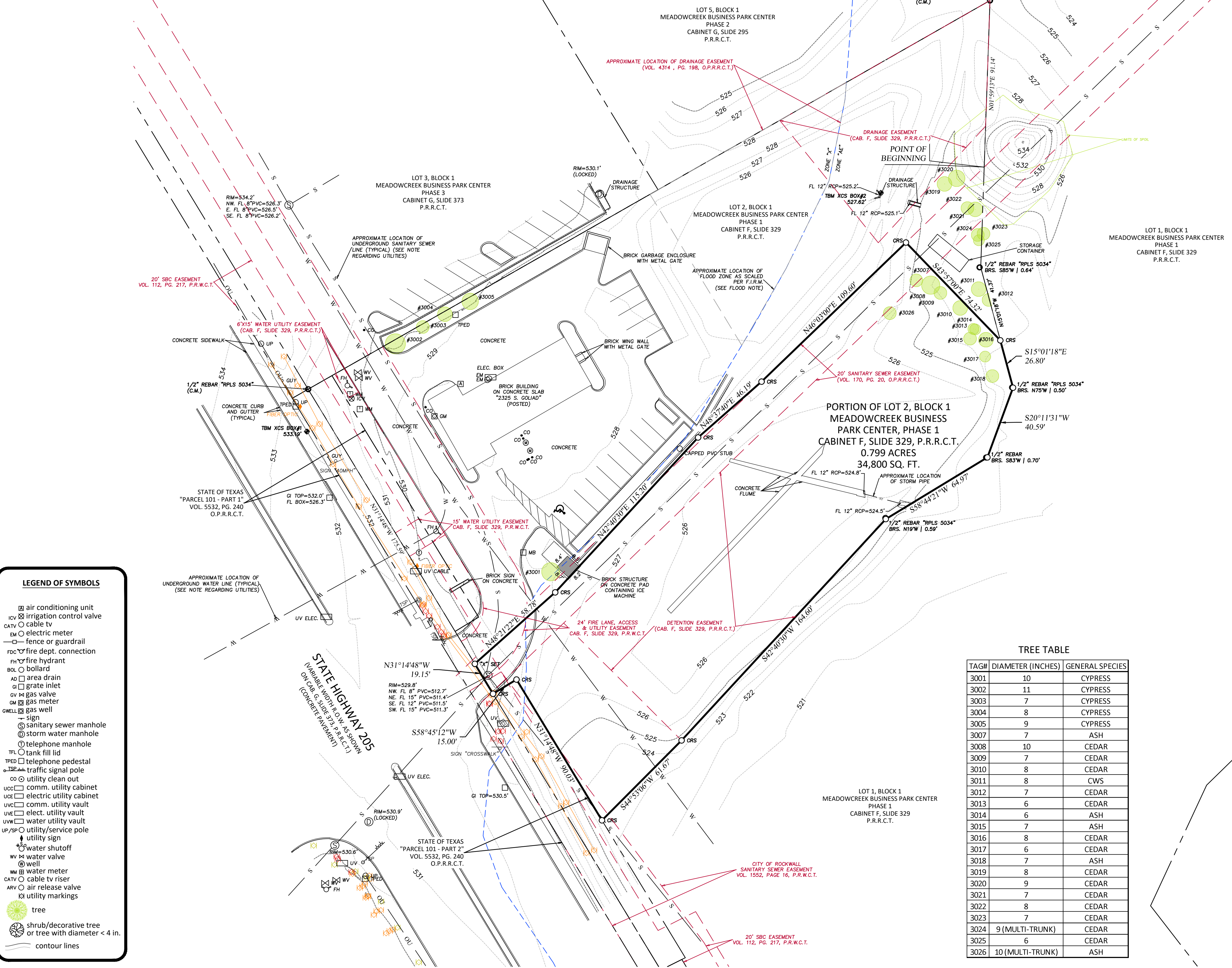
LEGEND OF ABBREVIATIONS

- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET



SITE BENCHMARKS:

- The site benchmark is an "X" cut set in the northeast line of a concrete sidewalk adjacent to the north line of State Highway 205, being located approximately 22 feet north of a street sign posted "40 MPH SPEED LIMIT", and being approximately 17 feet south of a power pole in the north line of said State Highway 205. **ELEVATION=533.19' (NAVD '88)**
- The site benchmark is an "X" cut set at the northeast corner of a concrete headwall within the site, being located approximately 150 feet northeast of the northeast corner of a dumpster pad enclosure near the west line of the site and being located approximately 190 feet east of the southeasternmost building corner of the building situated on site. **ELEVATION=527.62' (NAVD '88)**



PROPERTY DESCRIPTION

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northernmost northeast corner of the herein described tract, said point being in the northeast line of said Lot 2, from which a re-entrant corner thereof bears North 15 degrees 01 minutes 18 seconds West, from said point a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

- South 15 degrees 01 minutes 18 seconds East, a distance of 26.80 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
- South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
- South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
- South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
- South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 - Part 2" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, [O.P.R.R.C.T.];

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 - Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 - Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 19.15 feet to a capped rebar set;

THENCE through the interior of said Lot 2, the following calls:

- North 48 degrees 21 minutes 22 seconds East, a distance of 58.78 feet to a capped rebar set;
- North 42 degrees 40 minutes 30 seconds East, a distance of 115.20 feet to a capped rebar set;
- North 48 degrees 37 minutes 40 seconds East, a distance of 46.19 feet to a capped rebar set;
- North 46 degrees 03 minutes 00 seconds East, a distance of 109.60 feet to a capped rebar set;
- South 43 degrees 57 minutes 00 seconds East, a distance of 74.32 feet to the **POINT OF BEGINNING** and enclosing 0.7992 acres (34,800 square feet) of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared with the benefit of a commitment for title insurance provided by North American Title Insurance Company, G.F. Number 782102653, Effective Date August 25, 2021. This commitment was relied upon for encumbrance research, and the surveyor has performed no independent title search. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following exceptions from Schedule "B" were addressed as follows:

Item 10(f): Easements and building lines as shown on plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas. (easements and building line as shown on plat crossing or abutting the subject property are shown hereon)

Item 10(g): Easement as recorded under Volume 112, Page 214, Deed Records, Rockwall County, Texas. (easement is blanket in nature, document contains a description which includes the subject property)

Item 10(h): Easement as recorded under Volume 170, Page 20, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

Item 10(i): Easement as recorded under Volume 212, Page 438, Deed Records, Rockwall County, Texas. (easement is centered on utility lines unable to be specifically identified at time of survey)

Item 10(j): Easement as recorded under Volume 1552, Page 16, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

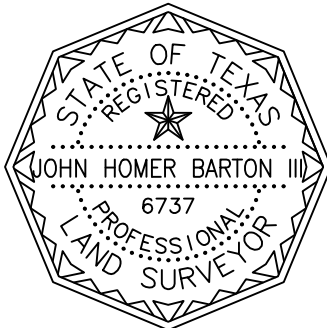
Item 10(k): Agreement as recorded under Volume 4314, Page 183, Deed Records, Rockwall County, Texas. (document contains a description which includes the subject property)

Item 10(l): Easement as recorded under Volume 4314, Page 198, Deed Records, Rockwall County, Texas. (easement does not cross or abut the subject property, shown hereon)

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this map from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision. This survey meets the minimum requirements for a Category 1A, Condition II Land Title Survey. Fieldwork was completed on October 14, 2021.

Date of Plat/Map: **October 29, 2021**



John H. Barton III
John H. Barton III, RPLS# 6737
TERMS OF ACCEPTANCE OF SURVEY

This survey is issued pursuant to a real estate transaction and is appurtenant to the title commitment referenced in the "Title Commitment Notes". This survey is issued for use in such transaction. Notwithstanding any of the above statements, the surveyor has a contractual relationship with one client or entity. Review/requested revisions by other parties must be received by or through such entity. Client is responsible for reviewing survey (including, but not limited to: notations; existence or lack of spelling/grammatical/typographical errors; certified parties; dates; instruments) within thirty (30) days of the date of plat or map. After such time has passed, client accepts survey as issued, and further revisions are not embraced by the above certification. Additional or altered commitments for title insurance will require an new or re-issued survey. Please feel free to request pricing for this at info@bcsdfw.com, or call (817) 864-1957.

TREE TABLE

TAG#	DIAMETER (INCHES)	GENERAL SPECIES
3001	10	CYPRESS
3002	11	CYPRESS
3003	7	CYPRESS
3004	8	CYPRESS
3005	9	CYPRESS
3007	7	ASH
3008	10	CEDAR
3009	7	CEDAR
3010	8	CEDAR
3011	8	CWS
3012	7	CEDAR
3013	6	CEDAR
3014	6	ASH
3015	7	ASH
3016	8	CEDAR
3017	6	CEDAR
3018	7	ASH
3019	8	CEDAR
3020	9	CEDAR
3021	7	CEDAR
3022	8	CEDAR
3023	7	CEDAR
3024	9 (MULTI-TRUNK)	CEDAR
3025	6	CEDAR
3026	10 (MULTI-TRUNK)	ASH

LEGEND OF SYMBOLS

- air conditioning unit
- irrigation control valve
- cable tv
- electric meter
- fence or guardrail
- fire dept. connection
- fire hydrant
- bollard
- area drain
- grate inlet
- gas valve
- gas meter
- gas well
- sign
- sanitary sewer manhole
- storm water manhole
- telephone manhole
- tank fill lid
- telephone pedestal
- traffic signal pole
- utility clean out
- comm. utility cabinet
- electric utility cabinet
- comm. utility vault
- elect. utility vault
- water utility vault
- utility/service pole
- utility sign
- water shutoff
- water valve
- well
- water meter
- cable tv riser
- air release valve
- utility markings
- tree
- shrub/decorative tree or tree with diameter < 4 in.
- contour lines

BCS
BARTON CHAPA
SURVEYING
5200 State Highway 121
Colleyville, TX 76034
Phone: 817-864-1957
info@bcsdfw.com
TBPLS Firm #10194474

JOB NO. 2021.001.224

DRAWN: BCS

CHECKED: JHB

TABLE OF REVISIONS

DATE SUMMARY

2325 S GOLIAD
STREET

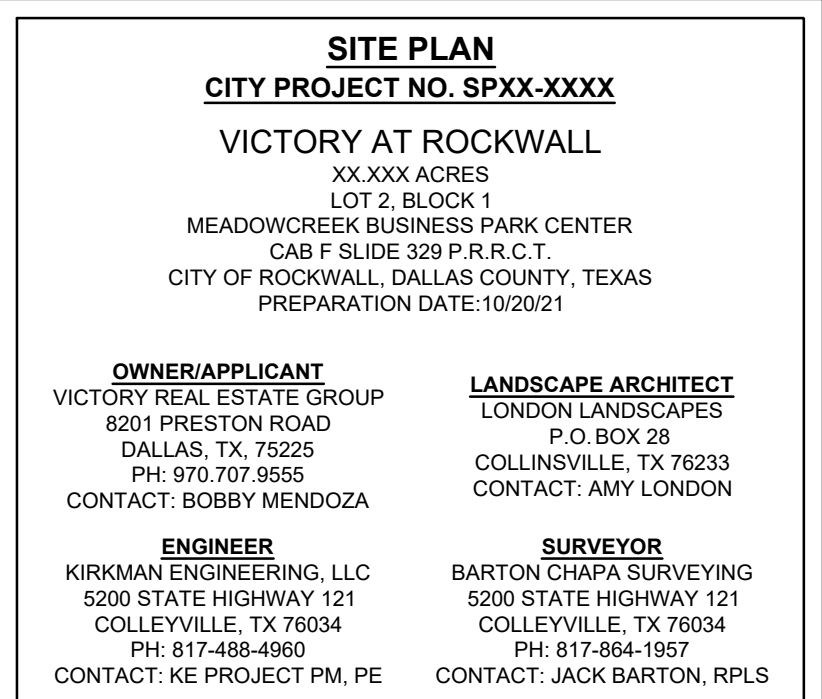
ROCKWALL,
TEXAS

SHEET:

VO1

CATEGORY 1A, CONDITION II
LAND TITLE SURVEY

PORTION OF LOT 2, BLOCK 1
MEADOWCREEK BUSINESS PARK CENTER
PHASE 1
ROCKWALL
ROCKWALL COUNTY, TEXAS



C3.0

PROJECT COMMENTS



CITY OF ROCKWALL
385 S. GOLIAD STREET
ROCKWALL, TEXAS 75087
PHONE: (972) 771-7700

DATE: 12/21/2021

PROJECT NUMBER: Z2021-055
PROJECT NAME: Specific Use Permit for Victory at Rockwall
SITE ADDRESS/LOCATIONS: 2325 S GOLIAD ST, ROCKWALL, 75032

CASE MANAGER: Henry Lee
CASE MANAGER PHONE: 972.772.6434
CASE MANAGER EMAIL: hlee@rockwall.com

CASE CAPTION: Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Henry Lee	12/21/2021	Approved w/ Comments

12/21/2021: Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway.

I.2 For questions or comments concerning this case please contact Henry Lee in the Planning Department at (972) 772-6434 or email hlee@rockwall.com.

I.3 This project is subject to all requirements stipulated by the Unified Development Code (UDC), the standards established by the Specific Use Permit, the Commercial (C) District, the SH-205 Overlay (SH-205 OV) District, and the Development Standards of Article 05 that are applicable to the subject property.

M.4 Please review and provide red-lined mark-ups of any changes to the Specific Use Permit (SUP) [i.e. Draft Ordinance] you feel may be necessary for your proposed project and return to staff no later than January 4, 2022 for review and consideration.

M.5 Review the following conditions pertaining to the operation of a Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In on the Subject Property and conformance to these conditions is required for continued operation. Correct all Non-Conforming requirements.

(9) Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In (Subsection 02.03 (F)(9), Article 04).

1) Drive-through lanes shall not have access to a local residential street. CONFORMING

2) Additional landscape screening shall be installed adjacent to drive-through lanes to impair the visibility and impact of head-lights from motor vehicles in the drive-through lane on adjacent properties, rights-of-way, parks and open space. NON-CONFORMING

3) Unless otherwise approved by the Planning and Zoning Commission, stacking lanes for a drive-through service window shall accommodate a minimum of six (6) standard sized motor vehicles per lane. CONFORMING

I.6 Parking requirements for a restaurant is 1 space per 100 Sqft, and retail is 1 space per 250 Sqft. The current plan is deficient in parking; at the time of site plan a variance may

need to be requested.

M.7 Provide a screening plan that will indicate the headlight screening and dumpster screening. Provide shrubs along the drive-through to screen the headlights from the adjacent property owners. Also provide screening along S. Goliad Street to screen headlights coming from the standard drive-through and online order drive-through.

I.8 Please note the scheduled meetings for this case:

- (1) Planning & Zoning work session meeting will be held on December 28, 2021.
- (2) Planning & Zoning Public Hearing will be held on January 11, 2022.
- (3) City Council Public Hearing will be held on January 18, 2022. (1st Reading of Ordinance)
- (4) City Council regular meeting will be held on February 7, 2022. (2nd Reading of Ordinance)

I.9 All meetings will be held in person in the City's Council Chambers and are scheduled to begin at 6:00 PM. The City requires that a representative(s) be present for all scheduled meetings.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Amy Williams	12/21/2021	Approved w/ Comments

12/21/2021: General Items:

- See markups
- Must meet City Standards of Design and Construction
- 4% Engineering Inspection Fees
- Impact Fees (Water, Wastewater & Roadway)
- Minimum easement width is 20' for new easements. No structures including walls, signs, overhangs, or canopies allowed in easements.
- Retaining walls 3' and over must be engineered.
- All retaining walls must be rock or stone face. No smooth concrete walls.
- Need to re-plat both lots for new drainage & detention easement and remove the existing detention easement

Drainage Items:

- This site must drain to the existing detention and the existing pond needs to be reviewed for compliance
- Manning's C-value is determined by use.
- Detention outfall must be above the floodplain.
- Dumpster areas to drain to oil/water separator and then to the storm lines.
- No vertical walls in detention.
- Building Finish Floor to be 2-ft above 100-Yr floodplain elevation.
- Need to show the correct flood plain line

Water and Wastewater Items:

- Design engineer will need to check the dead end 8" water line. If the proper capacity and pressure isn't available, must loop an 8" water line on site.
- Only one "use" off a dead-end line (domestic, irrigation, fire sprinkler, fire hydrant, etc.)
- Sewer line to connect to 12-inch sewer line that parallels SH205.
- Water and sewer must be 10' apart.

Roadway Paving Items:

- Parking to be 20'x9' facing the building or nose-to-nose.
- No dead-end parking allowed without an City approved turnaround.
- Drive isles to be 24' wide.
- Drive thru to be 12' wide minimum for each lane.

-Parking area to be 1-ft above 100-YR floodplain elevation.

- Fire lane to have 20' min radius if buildings are less than 30' tall. If any of the buildings are 30' or more, the fire lane will be 30' radius minimum.

- Fire lane to be in a platted easement.

Landscaping:

- No trees to be with 10' of any public water, sewer or storm line that is 10" in diameter or larger.

- No trees to be with 5' of any public water, sewer, or storm line that is less than 10".

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	12/20/2021	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	12/20/2021	Approved
No Comments			

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	12/16/2021	Approved
No Comments			



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-055

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2325 S Goliad Street

SUBDIVISION Meadowcreek Business Park Center

LOT 2 BLOCK 1

GENERAL LOCATION The intersection of S Goliad Street and Ralph Hall Parkway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING C-Commercial

CURRENT USE Undeveloped

PROPOSED ZONING C-Commercial - SUP

PROPOSED USE Multi Tenant Retail / Restaurant with DT

ACREAGE 0.799ac

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

☐ OWNER Marlyn Roberts

☒ APPLICANT Kirkman Engineering

CONTACT PERSON

CONTACT PERSON Patrick Filson

ADDRESS 323 Julian Drive

ADDRESS 5200 State Highway 121

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Colleyville, TX 76034

PHONE

PHONE 817-488-4960

E-MAIL

E-MAIL patrick.filson@trustke.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 200 + 15.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF November, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

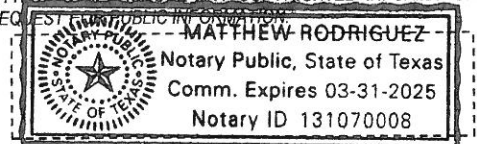
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF November, 2021.

OWNER'S SIGNATURE

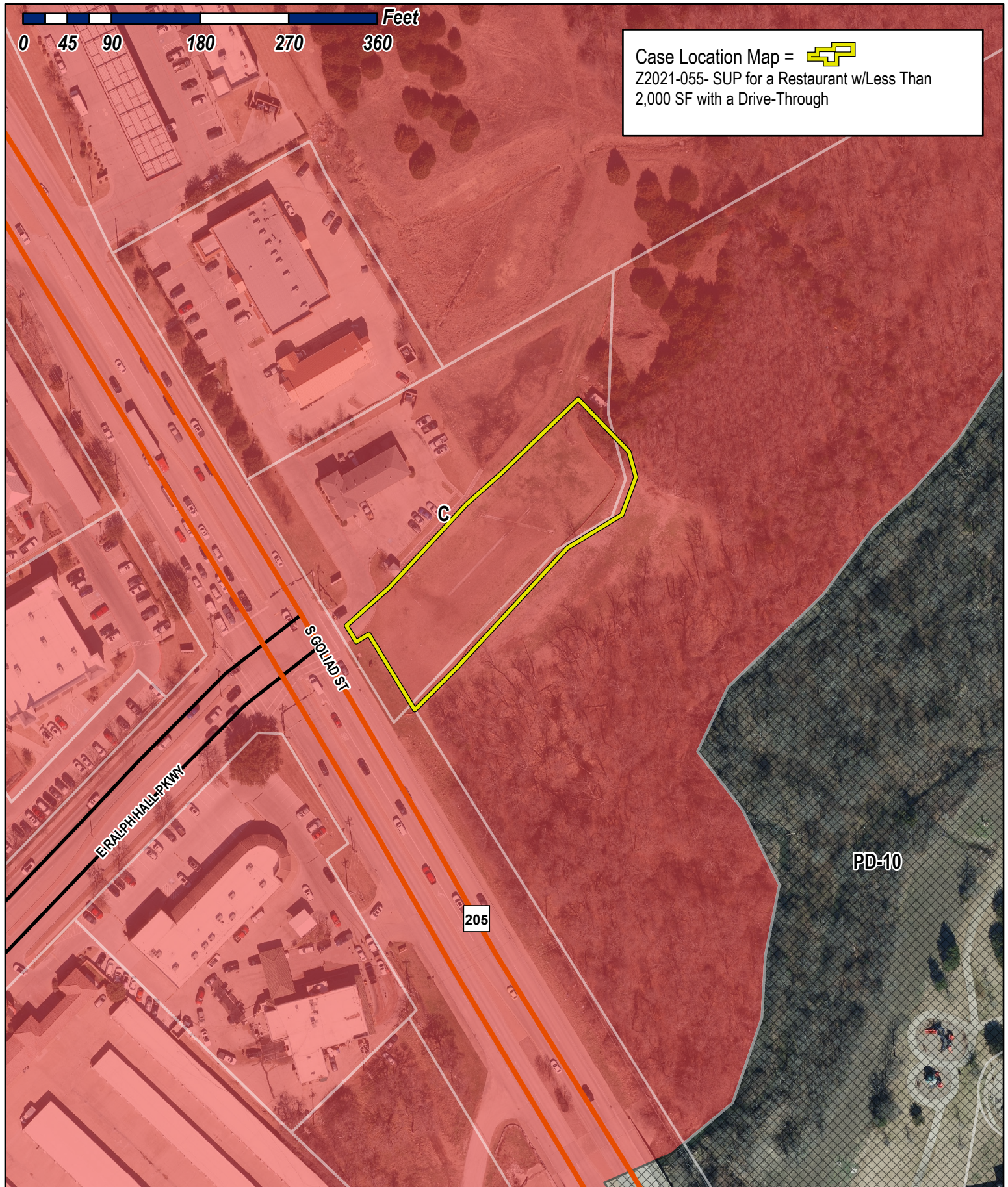
Marlyn R. Roberts


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Matthew Rodriguez
Rockwall, Texas



MY COMMISSION EXPIRES 3-31-25



Case Location Map = 
Z2021-055- SUP for a Restaurant w/Less Than
2,000 SF with a Drive-Through



City of Rockwall

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

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

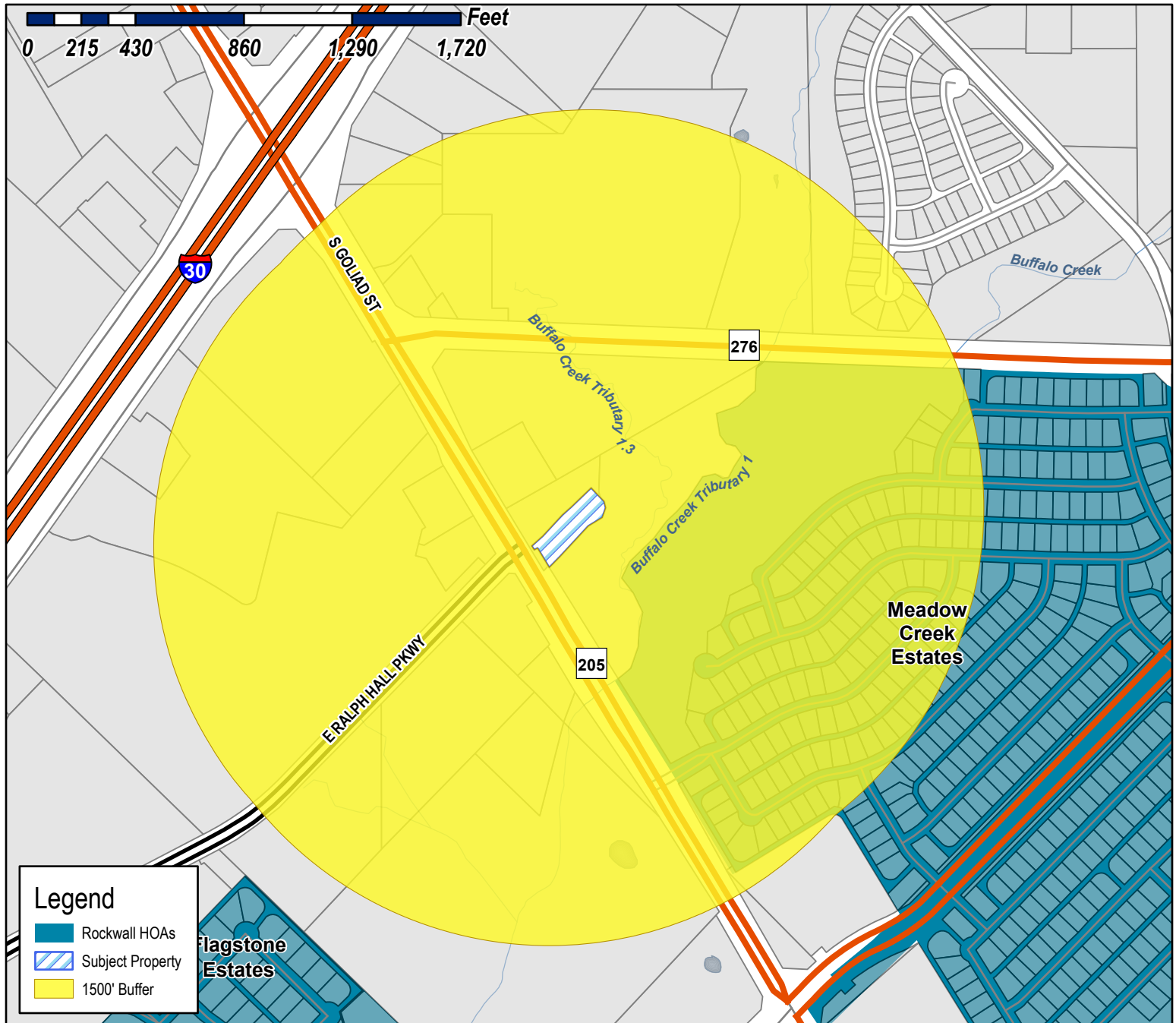




City of Rockwall

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Case Number: Z2021-05
Case Name: SUP for Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021
For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-055]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.17.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

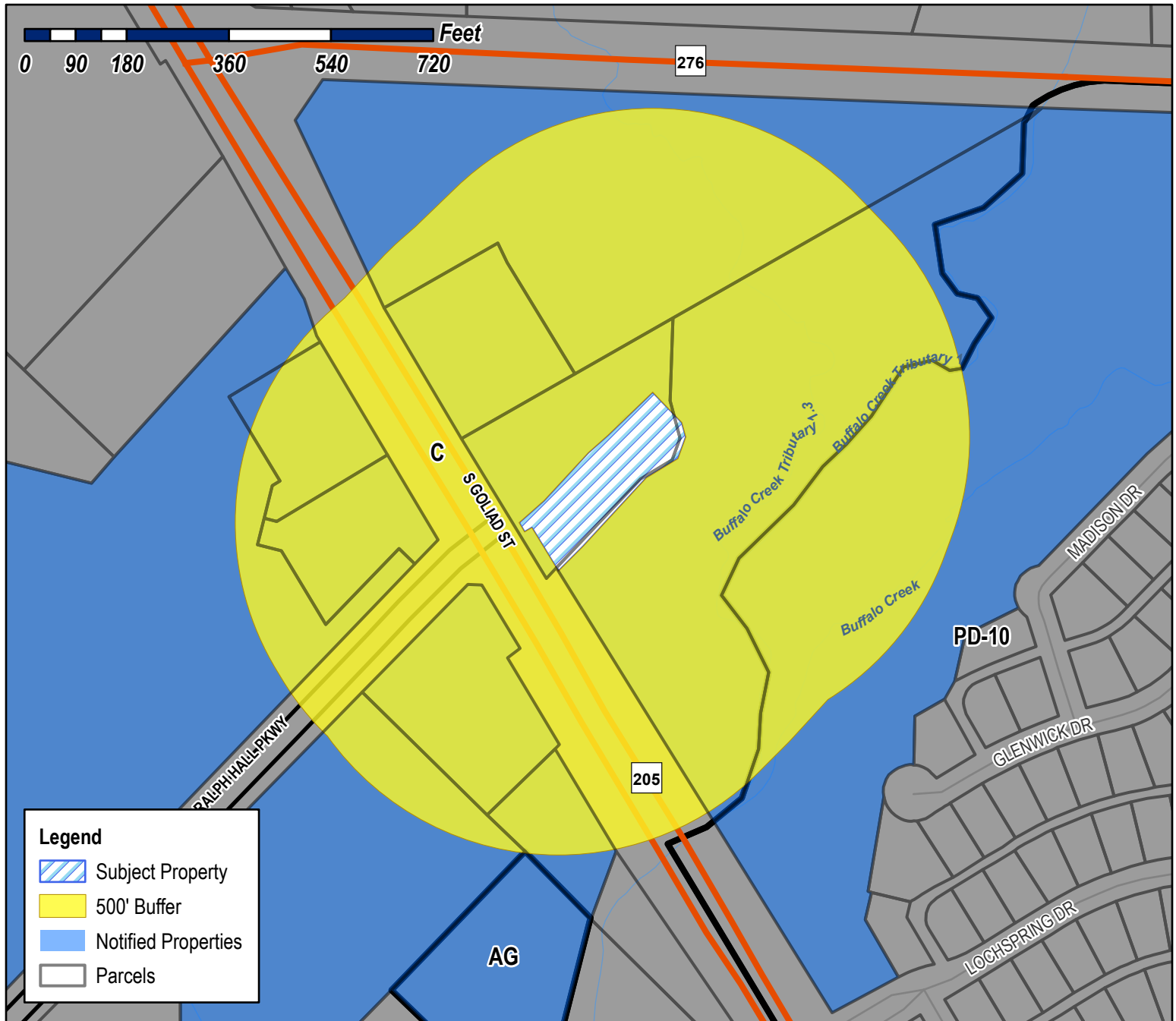
<http://www.rockwall.com/planning/>



City of Rockwall

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

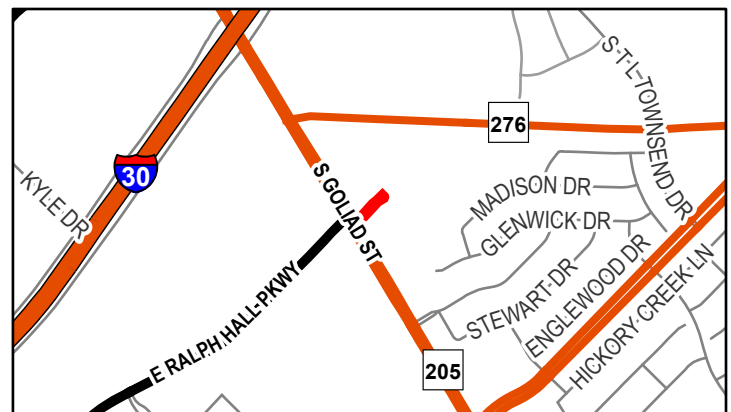
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Case Number: Z2021-055
Case Name: SUP for a Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

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



EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
10920 VIA FRONTERA SUITE 220
SAN DIEGO, CA 92127

LEVO GROUP LLC
11 HAWTHORNE CIR
ALLEN, TX 75002

DALLAS EAST
ATTN; JIM VAUDAGNA
1280 E RALPH HALL PKWY
ROCKWALL, TX 75032

CITY OF ROCKWALL
1430 MADISON DR
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
1445 W SAN CARLOS ST
SAN JOSE, CA 95126

GINGERCREST INC
2301 S GOLIAD
ROCKWALL, TX 75032

LEVO GROUP LLC
2309 S GOLIAD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
2325 S GOLIAD
ROCKWALL, TX 75032

GOLIAD EXPRESS LLC
2360 S.GOLIAD
ROCKWALL, TX 75032

REA-TRA LLC
2380 S GOLIAD SUITE 100
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
2400 S GOLIAD
ROCKWALL, TX 75032

STROTHER, CATHY
2410 S GOLIAD
ROCKWALL, TX 75032

BACKUS WAYNE E
278 CORNSTALK RD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
323 JULIAN DRIVE
ROCKWALL, TX 75087

GOLIAD EXPRESS LLC
700 PARKER SQUARE SUITE 145
FLOWER MOUND, TX 75028

STROTHER, CATHY
8935 CR 589
NEVADA, TX 75173

EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
991-1027EI-30
ROCKWALL, TX 75032

GINGERCREST INC
P.O. BOX 2437
SMYRNA, GA 30081

PUBLIC NOTICE



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

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

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

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034
817.488.4960



11/17/2021

City of Rockwall
385 S Goliad Street

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal SUP submittal for the project Victory at Rockwall. This lot is a total of 0.7992 acres. This development's proposed land use will be for restaurant and retail. The building is 5,130 square feet total. Retail will be 2,600 square feet and restaurant will be 2,200 square feet in floor space. There will be a total of 25 parking spaces provided for this development. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely, *Patrick Filson*

Patrick Filson
O: (817) 488-4960

SURVEYOR'S NOTES:

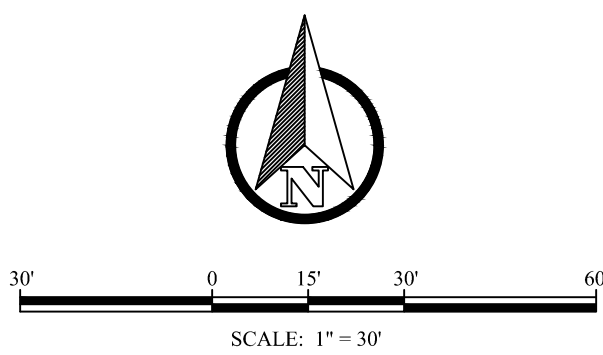
- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.000146135.
- This property lies within Zone "X" & Zone "AE" of the Flood Insurance Rate Map for Rockwall County, Texas and Incorporated Areas, map no. 48397C0040L, with an effective date of September 26, 2008, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

Source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

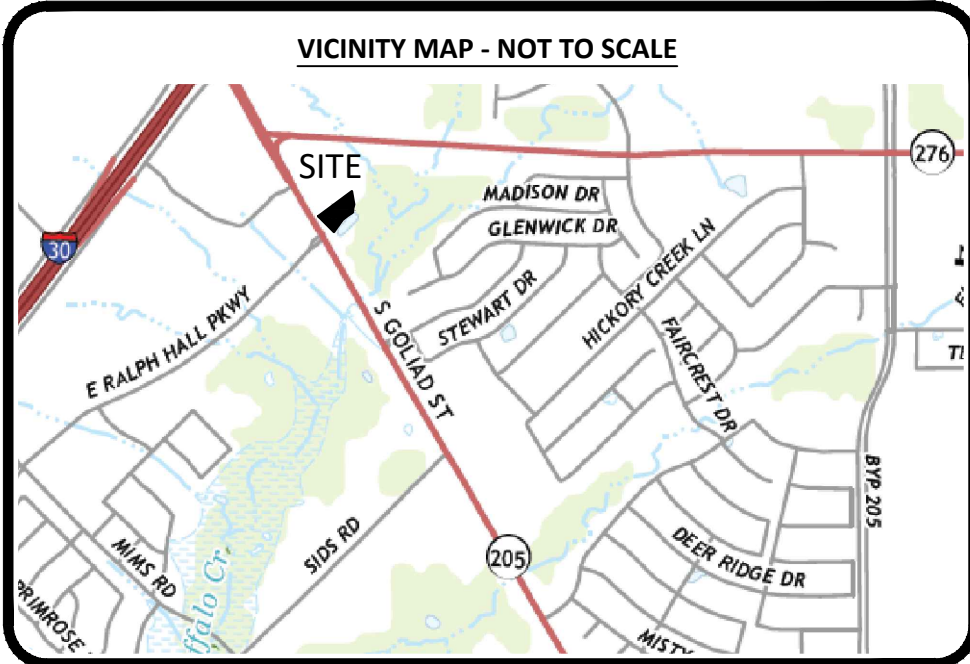
Utility locations are per observed evidence and the below sources

Maps/Plans: Utility Maps provided by the City of Rockwall



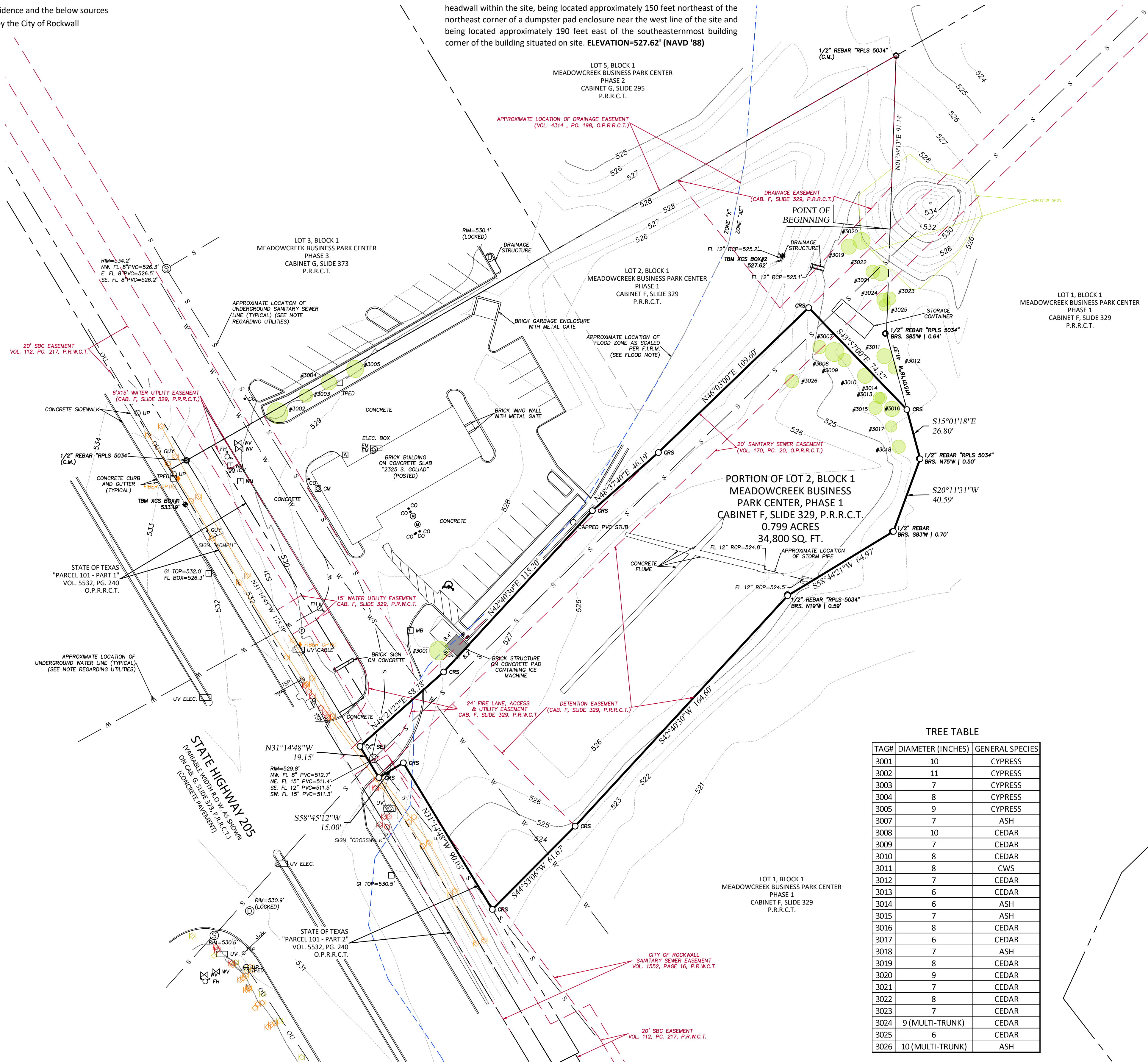
LEGEND OF ABBREVIATIONS

- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET



SITE BENCHMARKS:

- The site benchmark is an "X" cut set in the northeast line of a concrete sidewalk adjacent to the north line of State Highway 205, being located approximately 22 feet north of a street sign posted "40 MPH SPEED LIMIT", and being approximately 17 feet south of a power pole in the north line of said State Highway 205. **ELEVATION=533.19' (NAVD '88)**
- The site benchmark is an "X" cut set at the northeast corner of a concrete headwall within the site, being located approximately 150 feet northeast of the northeast corner of a dumpster pad enclosure near the west line of the site and being located approximately 190 feet east of the southeasternmost building corner of the building situated on site. **ELEVATION=527.62' (NAVD '88)**



PROPERTY DESCRIPTION

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northernmost northeast corner of the herein described tract, said point being in the northeast line of said Lot 2, from which a re-entrant corner thereof bears North 15 degrees 01 minutes 18 seconds West, from said point a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

- South 15 degrees 01 minutes 18 seconds East, a distance of 26.80 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
- South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
- South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
- South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
- South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 - Part 2" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, [O.P.R.R.C.T.];

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 - Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 - Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 19.15 feet to a capped rebar set;

THENCE through the interior of said Lot 2, the following calls:

- North 48 degrees 21 minutes 22 seconds East, a distance of 58.78 feet to a capped rebar set;
- North 42 degrees 40 minutes 30 seconds East, a distance of 115.20 feet to a capped rebar set;
- North 48 degrees 37 minutes 40 seconds East, a distance of 46.19 feet to a capped rebar set;
- North 46 degrees 03 minutes 00 seconds East, a distance of 109.60 feet to a capped rebar set;
- South 43 degrees 57 minutes 00 seconds East, a distance of 74.32 feet to the **POINT OF BEGINNING** and enclosing 0.7992 acres (34,800 square feet) of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared with the benefit of a commitment for title insurance provided by North American Title Insurance Company, G.F. Number 782102653, Effective Date August 25, 2021. This commitment was relied upon for encumbrance research, and the surveyor has performed no independent title search. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following exceptions from Schedule "B" were addressed as follows:

Item 10(f): Easements and building lines as shown on plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas. (easements and building line as shown on plat crossing or abutting the subject property are shown hereon)

Item 10(g): Easement as recorded under Volume 112, Page 214, Deed Records, Rockwall County, Texas. (easement is blanket in nature, document contains a description which includes the subject property)

Item 10(h): Easement as recorded under Volume 170, Page 20, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

Item 10(i): Easement as recorded under Volume 212, Page 438, Deed Records, Rockwall County, Texas. (easement is centered on utility lines unable to be specifically identified at time of survey)

Item 10(j): Easement as recorded under Volume 1552, Page 16, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

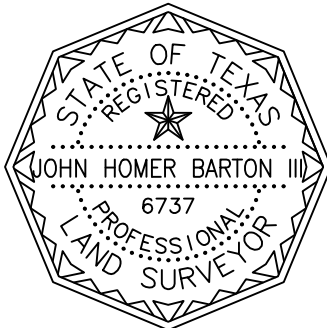
Item 10(k): Agreement as recorded under Volume 4314, Page 183, Deed Records, Rockwall County, Texas. (document contains a description which includes the subject property)

Item 10(l): Easement as recorded under Volume 4314, Page 198, Deed Records, Rockwall County, Texas. (easement does not cross or abut the subject property, shown hereon)

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this map from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision. This survey meets the minimum requirements for a Category 1A, Condition II Land Title Survey. Fieldwork was completed on October 14, 2021.

Date of Plat/Map: **October 29, 2021**



John H. Barton III
John H. Barton III, RPLS# 6737
TERMS OF ACCEPTANCE OF SURVEY

This survey is issued pursuant to a real estate transaction and is appurtenant to the title commitment referenced in the "Title Commitment Notes". This survey is issued for use in such transaction. Notwithstanding any of the above statements, the surveyor has a contractual relationship with one client or entity. Review/requested revisions by other parties must be received by or through such entity. Client is responsible for reviewing survey (including, but not limited to: notations; existence or lack of spelling/grammatical/typographical errors; certified parties; dates; instruments) within thirty (30) days of the date of plat or map. After such time has passed, client accepts survey as issued, and further revisions are not embraced by the above certification. Additional or altered commitments for title insurance will require an new or re-issued survey. Please feel free to request pricing for this at info@bcsdfw.com, or call (817) 864-1957.

TREE TABLE

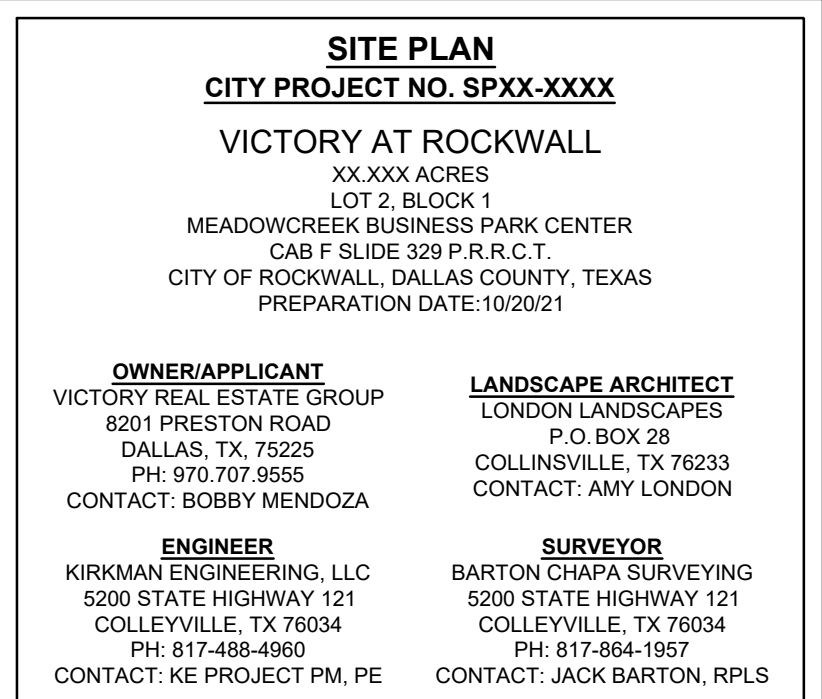
TAG#	DIAMETER (INCHES)	GENERAL SPECIES
3001	10	CYPRESS
3002	11	CYPRESS
3003	7	CYPRESS
3004	8	CYPRESS
3005	9	CYPRESS
3007	7	ASH
3008	10	CEDAR
3009	7	CEDAR
3010	8	CEDAR
3011	8	CWS
3012	7	CEDAR
3013	6	CEDAR
3014	6	ASH
3015	7	ASH
3016	8	CEDAR
3017	6	CEDAR
3018	7	ASH
3019	8	CEDAR
3020	9	CEDAR
3021	7	CEDAR
3022	8	CEDAR
3023	7	CEDAR
3024	9 (MULTI-TRUNK)	CEDAR
3025	6	CEDAR
3026	10 (MULTI-TRUNK)	ASH

LEGEND OF SYMBOLS

- air conditioning unit
- irrigation control valve
- cable tv
- electric meter
- fence or guardrail
- fire dept. connection
- fire hydrant
- bollard
- area drain
- grate inlet
- gas valve
- gas meter
- gas well
- sign
- sanitary sewer manhole
- storm water manhole
- telephone manhole
- tank fill lid
- telephone pedestal
- traffic signal pole
- utility clean out
- comm. utility cabinet
- electric utility cabinet
- comm. utility vault
- elect. utility vault
- water utility vault
- utility/service pole
- utility sign
- water shutoff
- water valve
- well
- water meter
- cable tv riser
- air release valve
- utility markings
- tree
- shrub/decorative tree or tree with diameter < 4 in.
- contour lines

TABLE OF REVISIONS

DATE	SUMMARY



RETAIL PARKING REQUIREMENT	1 SPACE PER 250 SF
LIMITED RESTAURANT PARKING REQUIREMENT	1 SPACE PER 250 SF
PORTION OF BUILDING RETAIL	50% / 2,565 SF
PORTION OF BUILDING RESTAURANT	50% / 2,565 SF
RETAIL PARKING SPACES REQUIRED	11 SPACES
RESTAURANT PARKING SPACES REQUIRED	11 SPACES
TOTAL PARKING SPACES REQUIRED	22 SPACES
TOTAL PARKING SPACES PROVIDED	25 SPACES
REQUIRED ADA PARKING	2 SPACES (1 VAN)
PROVIDED ADA PARKING	2 SPACES (1 VAN)

NOTE TO CONTRACTOR
THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES (WHETHER SHOWN ON PLANS OR NOT) PRIOR TO COMMENCING CONSTRUCTION. IF FIELD CONDITIONS DIFFER SIGNIFICANTLY FROM LOCATIONS SHOWN ON THE PLANS, THE CONTRACTOR SHALL CONTACT THE PROJECT ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION.

KE SITE PLAN KEY	
①	PROP. METER (DOMESTIC)
②	PROP. DCDC (FIRE SERVICE)
③	PROP. METER (IRRIGATION)

SITE PLAN

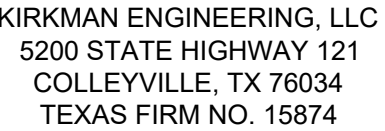
CITY PROJECT NO. SPXX-XXXX

VICTORY AT ROCKWALL

XXXX ACRES
LOT 2, BLOCK 1
MEADOWCREEK BUSINESS PARK CENTER
CAB F SLIDE 329 P.R.C.T.
CITY OF ROCKWALL, DALLAS COUNTY, TEXAS
PREPARATION DATE: 10/20/21

<p><u>OWNER/APPLICANT</u></p> <p>VICTORY REAL ESTATE GROUP 8201 FRESTON ROAD DALLAS, TX 75225 PH: 972.977.9555 CONTACT: BOBBY MENDOZA</p> <p><u>ENGINEER</u></p> <p>KIRKMAN ENGINEERING, LLC 5200 STATE HIGHWAY 121 COLLEYSVILLE, TX 76034 PH: 817-484-9860 CONTACT: KE PROJECT PM, PE</p>	<p><u>LANDSCAPE ARCHITECT</u></p> <p>LONDON LANDSCAPES P.O. BOX 28 COLLINSVILLE, TX 76233 CONTACT: AMY LONDON</p> <p><u>SURVEYOR</u></p> <p>BARTON CHAPA SURVEYING 5200 STATE HIGHWAY 121 COLLEYSVILLE, TX 76034 PH: 817-864-1957 CONTACT: JACK BARTON, RPLS</p>
--	--

LOT 1, BLOCK 1
CITY OF ROCKWALL
DALLAS COUNTY, TEXAS

[illegible]

SHEET:
C3.0

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN* ON A 2.02-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK 1, MEADOWCREEK BUSINESS CENTER PHASE 1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Patrick Filson for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a restaurant with drive-through on a 2.02-acre parcel of land described as Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and being more specifically 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. The Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.05, *Commercial (C) District*, and Subsection 06.07, *SH-205 Overlay (SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC)

[Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.

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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map

Location: East of the Intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway
Legal Description: Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition

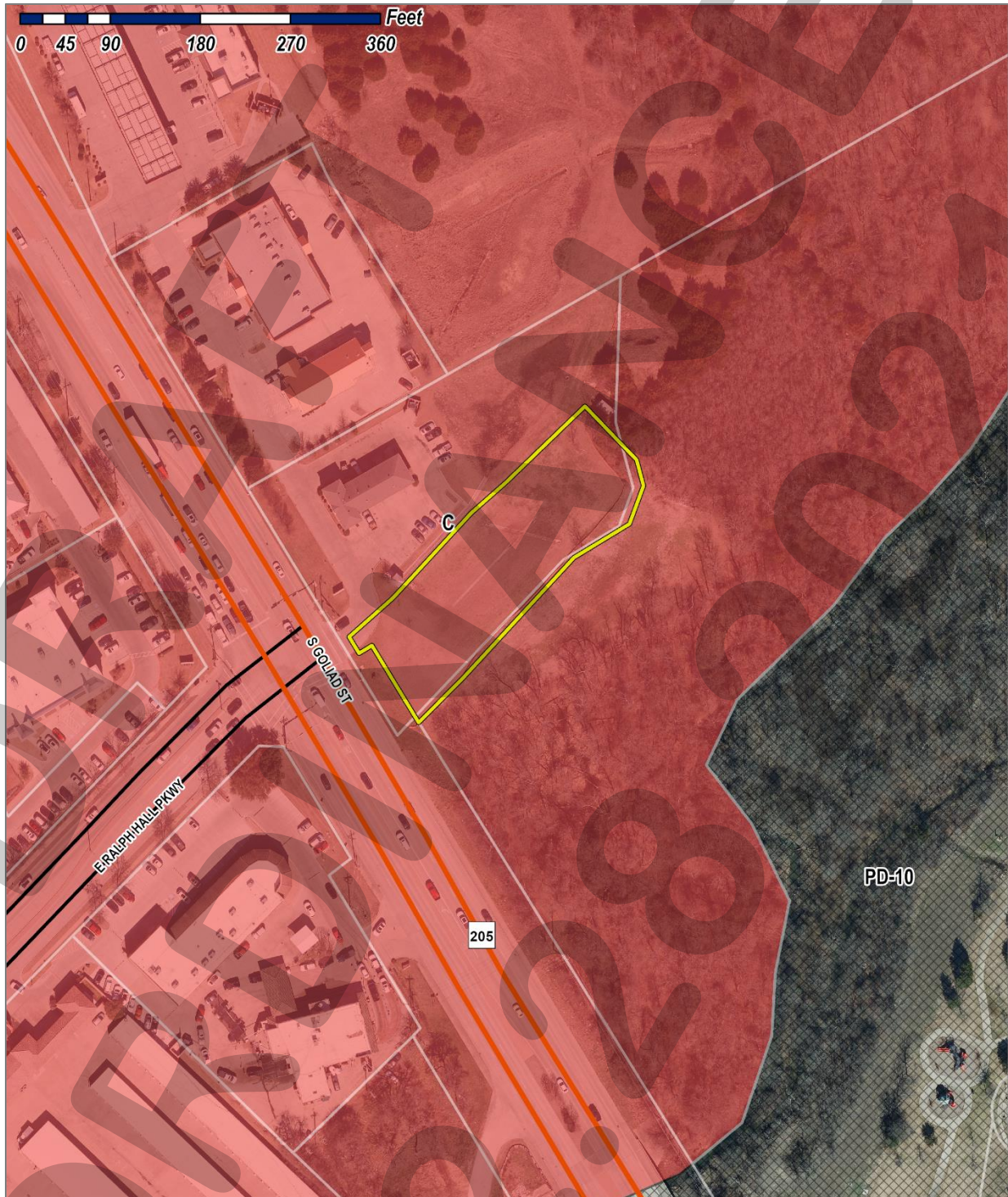
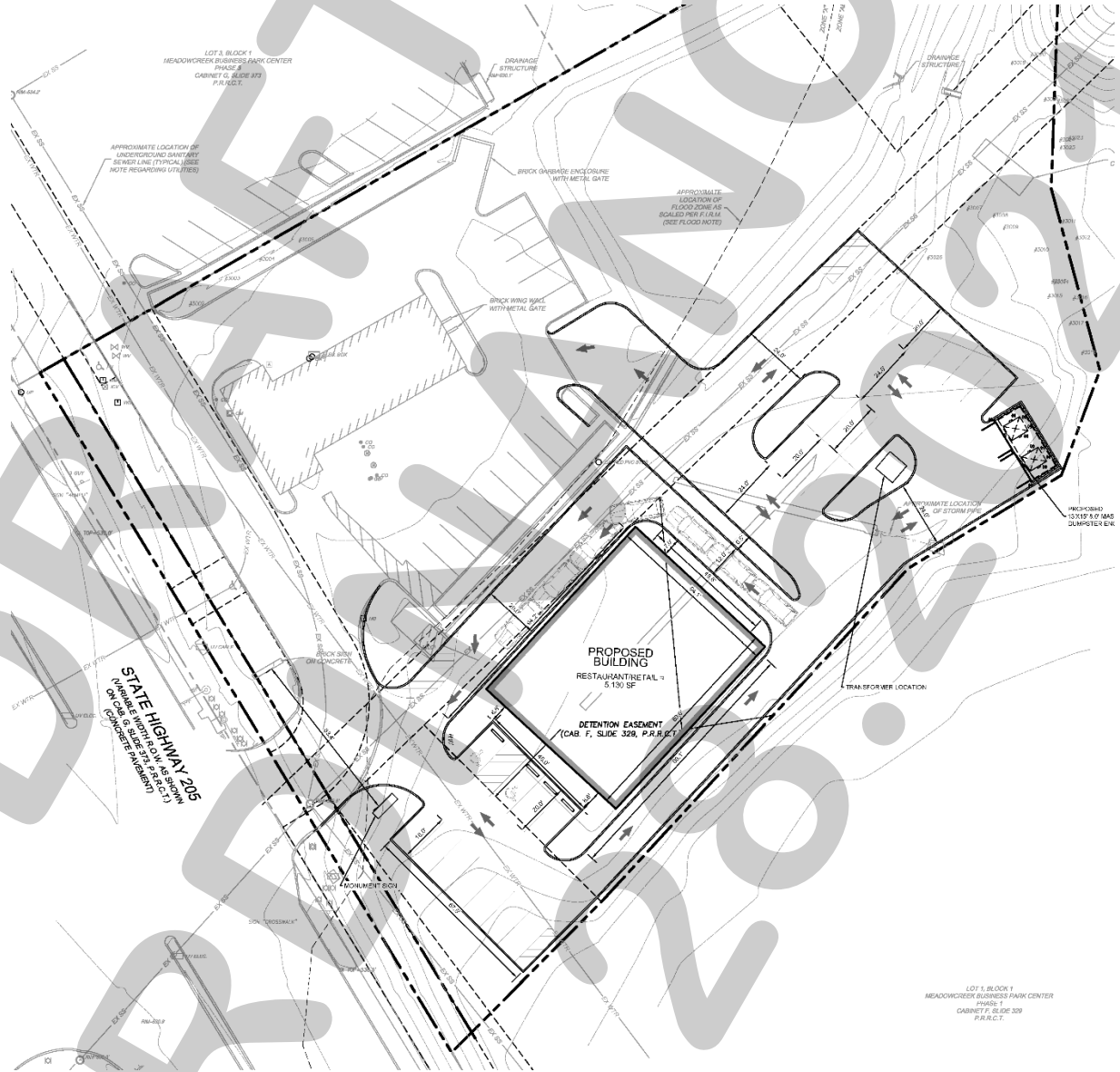


Exhibit 'B':
Concept Plan





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

DATE: January 11, 2022

APPLICANT: Patrick Filson; *Kirkman Engineering*

CASE NUMBER: Z2021-055; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In*

SUMMARY

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on September 16, 1974 by *Ordinance No. 74-22 [Case No. A1974-002]*. The City's historic zoning map indicates the subject property was zoned Office (OF) District as of May 16, 1983. Sometime between May 16, 1983 and April 5, 2005 the zoning of the subject property was changed from an Office (OF) District to a Commercial (C) District. On December 27, 2005, the City Council approved a final plat [*Case No. P2005-047*] that established the subject property as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition. The subject property has remained vacant since it was annexed in 1974.

PURPOSE

The applicant -- *Patrick Filson of Kirkman Engineering* -- is requesting the approval of a Specific Use Permit (SUP) to allow for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject are two (2) parcels of land zoned Commercial (C) District and developed with commercial land uses (*i.e. Your Cleaners, PPG Paints, Carnation Nail Spa, Donut Station, Bad Ace Vapor Lounge, and RaceTrak Gas Station*). Beyond this is the old alignment of SH-276 (*unofficially Caddo Ridge Road*), which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 20.2904-acre parcel, zoned Commercial (C) District, that is currently developed with a Costco Wholesale.

South: Directly south of the subject property is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is are two (2) parcels of land, zoned Commercial (C) District, that are developed with commercial land uses (*i.e. Mathnasium, Embroidery and More, Cute Nails and Spa, Rockwall Foot Spa, McNew Dentistry, Hacienda Car Wash, and The Vault Self Storage*).

East: Directly east of the subject property a vacant eight (8) acre parcel of land located entirely within the floodplain and zoned Commercial (C) District. Beyond this is the Meadowcreek Park, which is situated on a 17.1937-acre parcel of land. Beyond this is Phases 1 & 2 of the Meadowcreek Estates Subdivision. This subdivision is zoned Planned Development District 10 (PD-10) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. S. Goliad Street [SH-205] is identified as a P6D (i.e. *principal arterial, six [6] lane, divided roadway*) and Ralph Hall Parkway is identified as a M4D (i.e. *major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land zoned Commercial (C) District that are developed with commercial land uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, letter, and a concept plan requesting a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In*. The proposed concept plan depicts a 5,130 SF restaurant/retail building that faces onto S. Goliad Street [SH-205]. The applicant has indicated that the drive through restaurant is less than 2,000 SF, which is the purpose for requesting the Specific Use Permit (SUP). The concept plan indicates that the drive through for the restaurant will wrap around the building, extending from the northeast side of the building to the northwest side of the building, and incorporate a maximum stacking capacity of seven (7) vehicles. The proposed concept plan also shows that a bail out lane, running parallel to the drive through, will be included. In addition, headlight screening will be provided adjacent to the northwest property line.

CONFORMANCE WITH THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC), defines a *Restaurant with Drive Through or Drive-In* as "(a) place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises.." In this case, the applicant's proposed concept plan falls under this classification. According to *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *Restaurant with less than 2,000 SF with Drive Through or Drive-In* requires a Specific Use Permit (SUP) in a Commercial (C) District. The purpose of this requirement is to acknowledge that not all *Restaurants* of this size are appropriate within all of the City's commercial areas, and that the City Council should have discretionary oversight with regard to the types of *Restaurants* and their impacts on adjacent land uses within these areas. In addition, Subsection 02.03(f)(9) places the following additional conditions on this land use:

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

The applicant's request does appear to conform to the requirements stipulated by the Unified Development Code (UDC).

STAFF ANALYSIS

The Commercial (C) District zoning classification allows for most types of commercial development, which includes most types of office and retail activity; however, the Commercial (C) District limits land uses that are not compatible with retail shopping, particularly uses that generate high traffic not associated with retail land uses. Given this, the land use for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* is not a permitted *by-right* land use and requires a Specific Use Permit (SUP). With this being said the subject property is located along a major roadway (i.e. SH-205) that is capable of carrying the additional traffic generated by the proposed land use. Based on this, the proposed land use does appear to be appropriate for this location; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 21, 2021, staff mailed 18 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Meadowcreek Estates Homeowner's Associations (HOAs), which is the only HOAs/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had not received any notices.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the SUP ordinance.
 - (b) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22021-055

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2325 S Goliad Street

SUBDIVISION Meadowcreek Business Park Center

LOT 2 BLOCK 1

GENERAL LOCATION The intersection of S Goliad Street and Ralph Hall Parkway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING C-Commercial

CURRENT USE Undeveloped

PROPOSED ZONING C-Commercial - SUP

PROPOSED USE Multi Tenant Retail / Restaurant with DT

ACREAGE 0.799ac

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

☐ OWNER Marlyn Roberts

☒ APPLICANT Kirkman Engineering

CONTACT PERSON

CONTACT PERSON Patrick Filson

ADDRESS 323 Julian Drive

ADDRESS 5200 State Highway 121

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Colleyville, TX 76034

PHONE

PHONE 817-488-4960

E-MAIL

E-MAIL patrick.filson@trustke.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 200 + 15.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF November, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

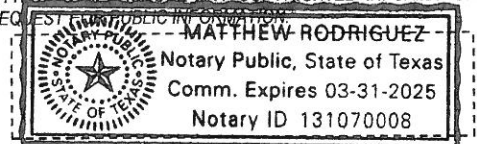
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF November, 2021.

OWNER'S SIGNATURE

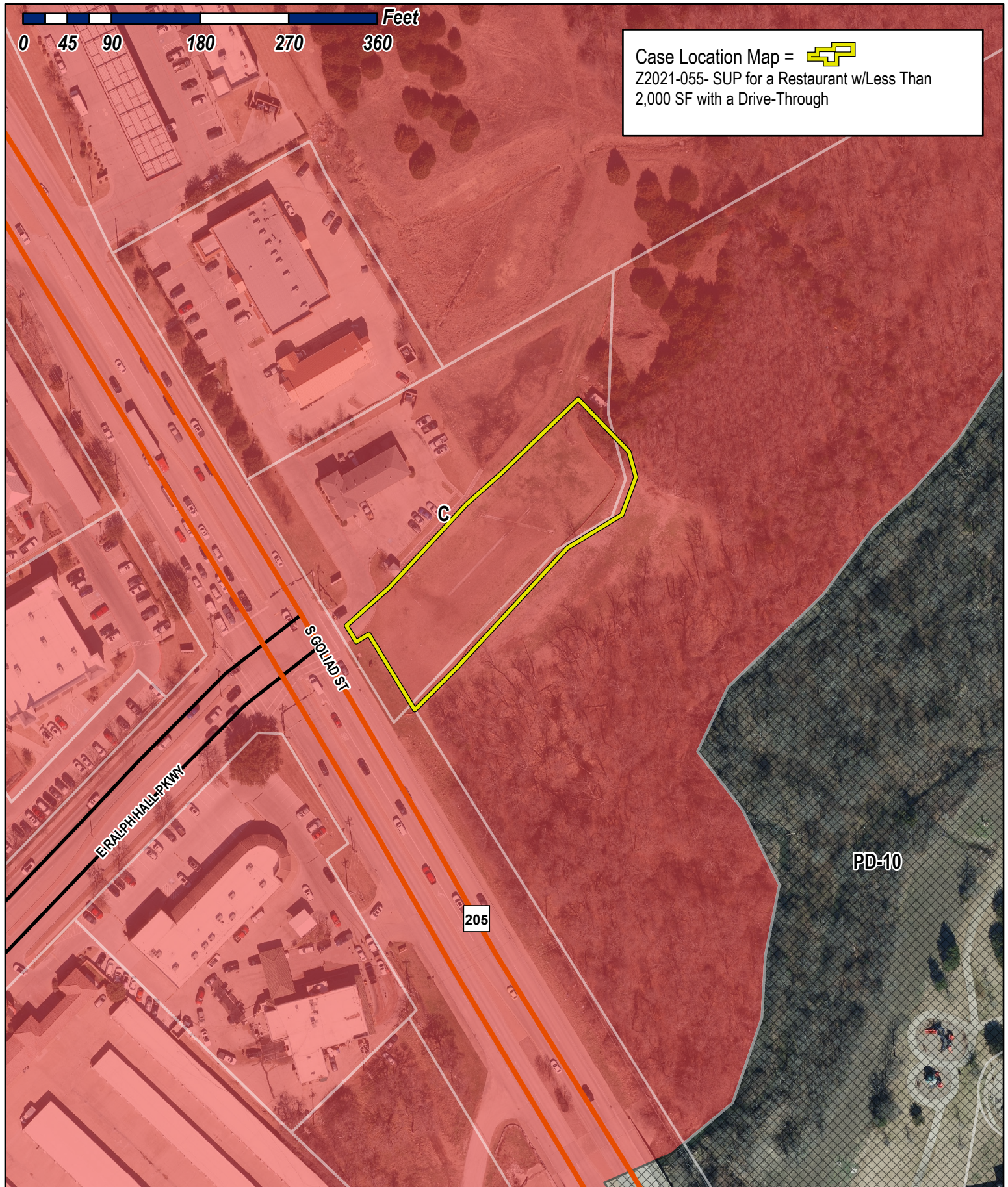
Marlyn R. Roberts


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Matthew Rodriguez
Rockwall, Texas



MY COMMISSION EXPIRES 3-31-25



Case Location Map = 
Z2021-055- SUP for a Restaurant w/Less Than
2,000 SF with a Drive-Through



City of Rockwall

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

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

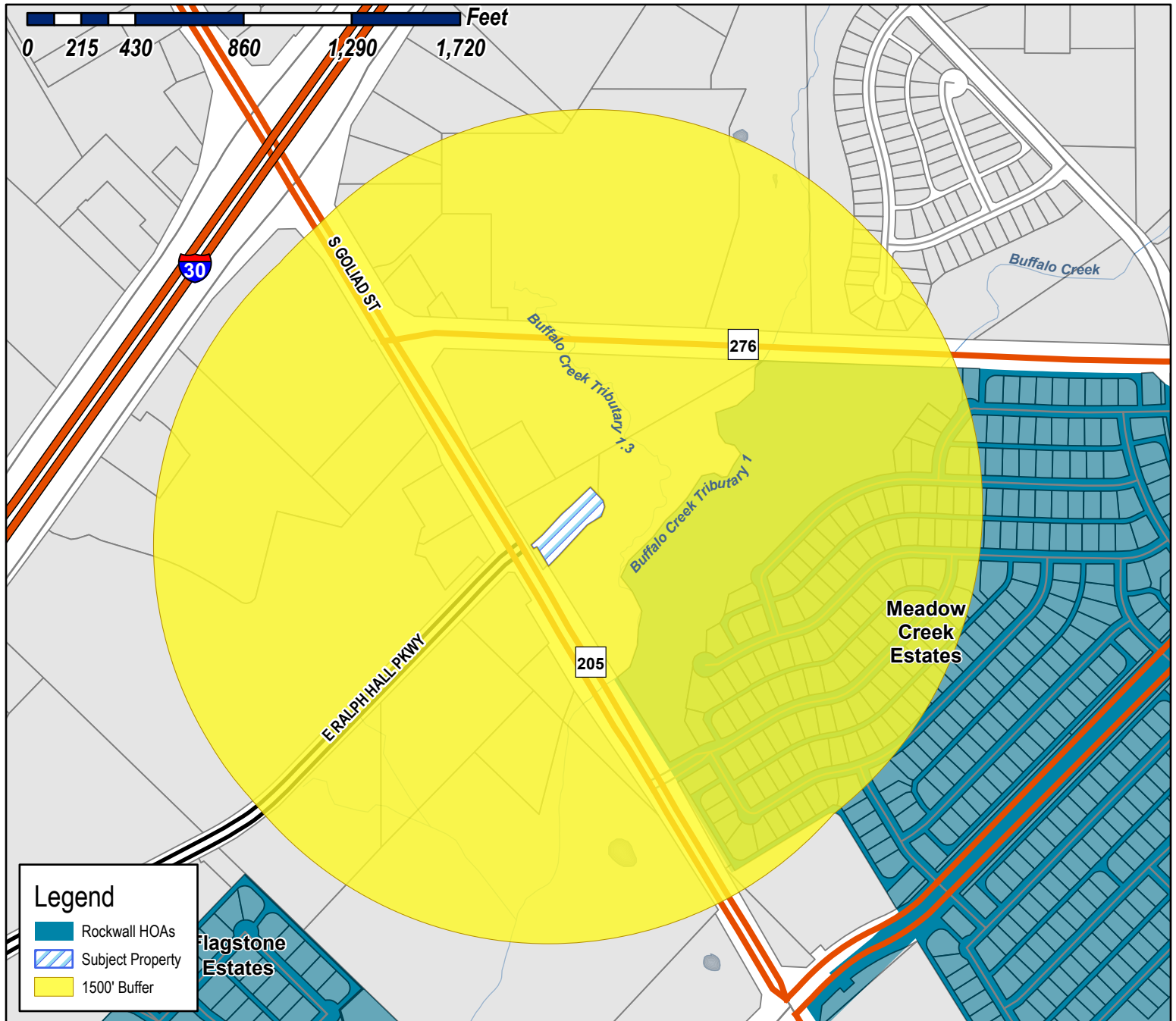




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Case Number: Z2021-05
Case Name: SUP for Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

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



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-055]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.17.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

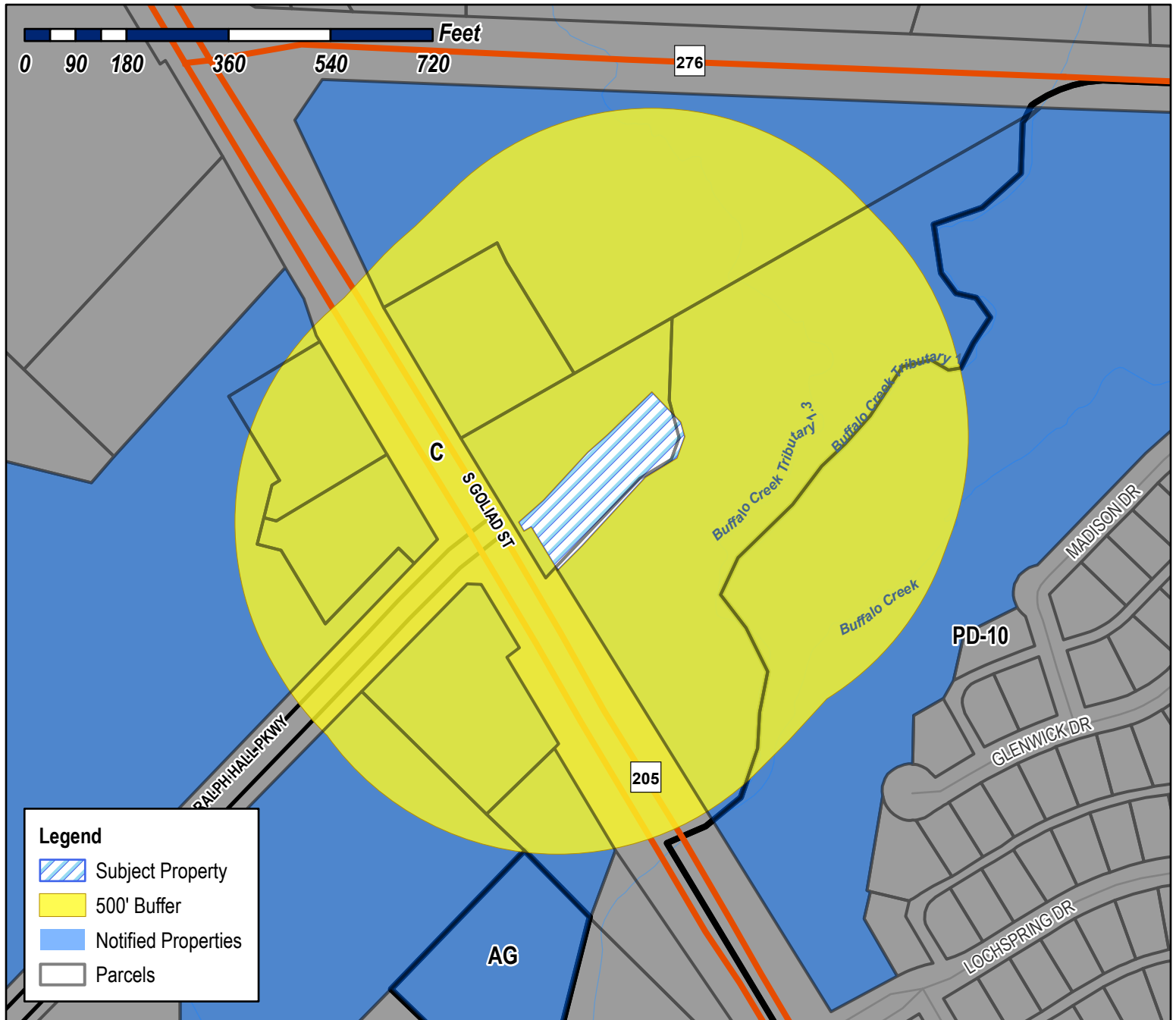
<http://www.rockwall.com/planning/>



City of Rockwall

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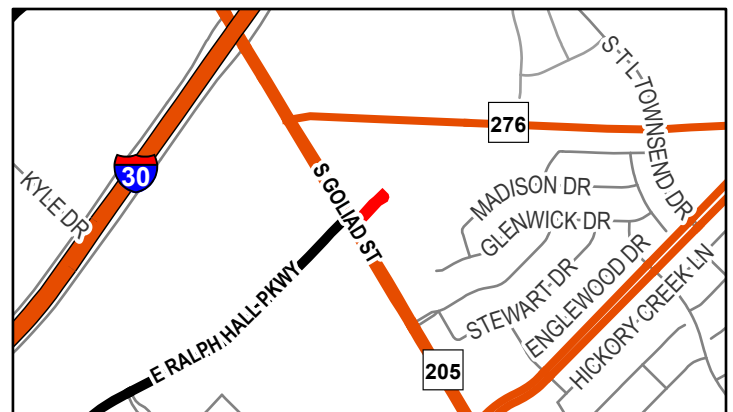
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Case Number: Z2021-055
Case Name: SUP for a Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

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



EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
10920 VIA FRONTERA SUITE 220
SAN DIEGO, CA 92127

LEVO GROUP LLC
11 HAWTHORNE CIR
ALLEN, TX 75002

DALLAS EAST
ATTN; JIM VAUDAGNA
1280 E RALPH HALL PKWY
ROCKWALL, TX 75032

CITY OF ROCKWALL
1430 MADISON DR
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
1445 W SAN CARLOS ST
SAN JOSE, CA 95126

GINGERCREST INC
2301 S GOLIAD
ROCKWALL, TX 75032

LEVO GROUP LLC
2309 S GOLIAD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
2325 S GOLIAD
ROCKWALL, TX 75032

GOLIAD EXPRESS LLC
2360 S.GOLIAD
ROCKWALL, TX 75032

REA-TRA LLC
2380 S GOLIAD SUITE 100
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
2400 S GOLIAD
ROCKWALL, TX 75032

STROTHER, CATHY
2410 S GOLIAD
ROCKWALL, TX 75032

BACKUS WAYNE E
278 CORNSTALK RD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
323 JULIAN DRIVE
ROCKWALL, TX 75087

GOLIAD EXPRESS LLC
700 PARKER SQUARE SUITE 145
FLOWER MOUND, TX 75028

STROTHER, CATHY
8935 CR 589
NEVADA, TX 75173

EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
991-1027EI-30
ROCKWALL, TX 75032

GINGERCREST INC
P.O. BOX 2437
SMYRNA, GA 30081

PUBLIC NOTICE



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

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

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

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034
817.488.4960



11/17/2021

City of Rockwall
385 S Goliad Street

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal SUP submittal for the project Victory at Rockwall. This lot is a total of 0.7992 acres. This development's proposed land use will be for restaurant and retail. The building is 5,130 square feet total. Retail will be 2,600 square feet and restaurant will be 2,200 square feet in floor space. There will be a total of 25 parking spaces provided for this development. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely, *Patrick Filson*

Patrick Filson
O: (817) 488-4960

SURVEYOR'S NOTES:

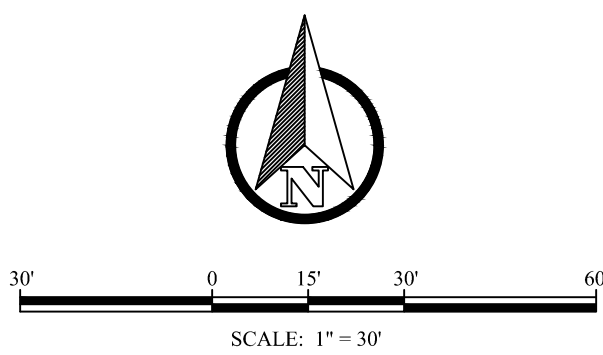
- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.000146135.
- This property lies within Zone "X" & Zone "AE" of the Flood Insurance Rate Map for Rockwall County, Texas and Incorporated Areas, map no. 48397C0040L, with an effective date of September 26, 2008, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

Source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

Utility locations are per observed evidence and the below sources

Maps/Plans: Utility Maps provided by the City of Rockwall

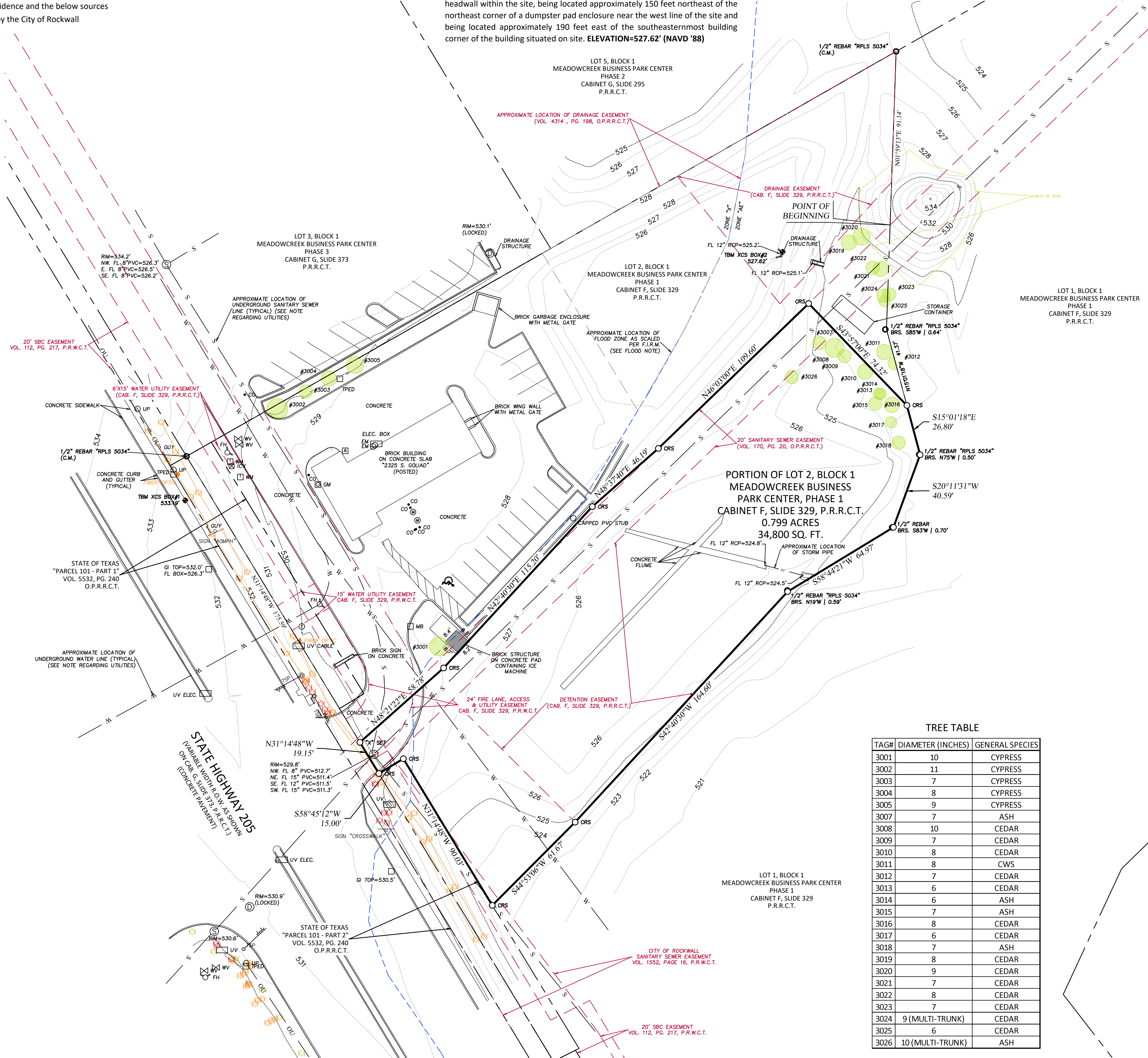
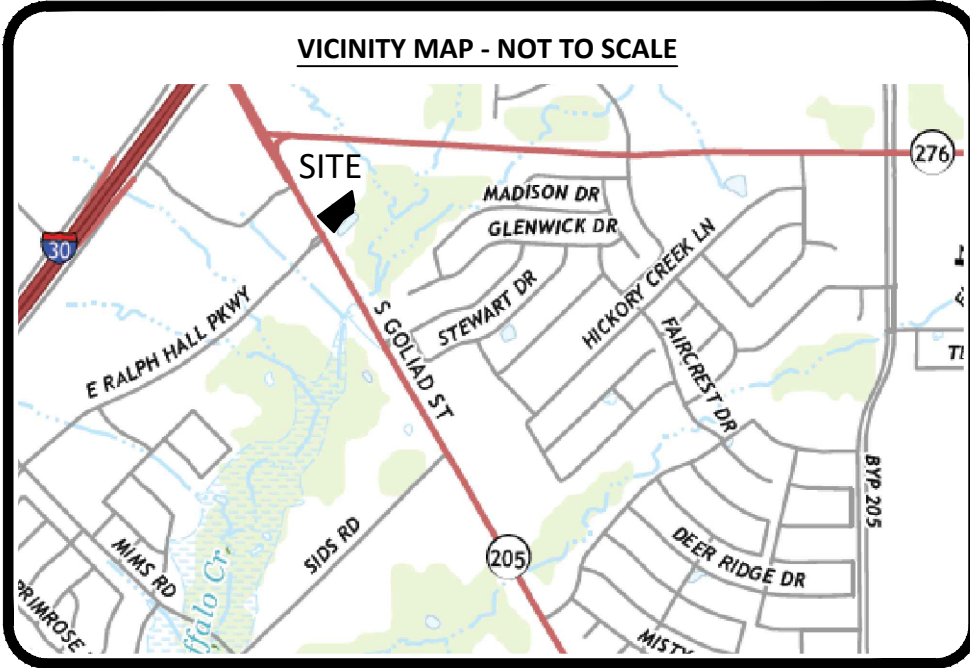


LEGEND OF ABBREVIATIONS

- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET

SITE BENCHMARKS:

- The site benchmark is an "X" cut set in the northeast line of a concrete sidewalk adjacent to the north line of State Highway 205, being located approximately 22 feet north of a street sign posted "40 MPH SPEED LIMIT", and being approximately 17 feet south of a power pole in the north line of said State Highway 205. **ELEVATION=533.19' (NAVD '88)**
- The site benchmark is an "X" cut set at the northeast corner of a concrete headwall within the site, being located approximately 150 feet northeast of the northeast corner of a dumpster pad enclosure near the west line of the site and being located approximately 190 feet east of the southeasternmost building corner of the building situated on site. **ELEVATION=527.62' (NAVD '88)**



PROPERTY DESCRIPTION

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northernmost northeast corner of the herein described tract, said point being in the northeast line of said Lot 2, from which a re-entrant corner thereof bears North 15 degrees 01 minutes 18 seconds West, from said point a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

- South 15 degrees 01 minutes 18 seconds East, a distance of 26.80 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
- South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
- South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
- South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
- South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 - Part 2" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, [O.P.R.R.C.T.];

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 - Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 - Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 19.15 feet to a capped rebar set;

THENCE through the interior of said Lot 2, the following calls:

- North 48 degrees 21 minutes 22 seconds East, a distance of 58.78 feet to a capped rebar set;
- North 42 degrees 40 minutes 30 seconds East, a distance of 115.20 feet to a capped rebar set;
- North 48 degrees 37 minutes 40 seconds East, a distance of 46.19 feet to a capped rebar set;
- North 46 degrees 03 minutes 00 seconds East, a distance of 109.60 feet to a capped rebar set;
- South 43 degrees 57 minutes 00 seconds East, a distance of 74.32 feet to the **POINT OF BEGINNING** and enclosing 0.7992 acres (34,800 square feet) of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared with the benefit of a commitment for title insurance provided by North American Title Insurance Company, G.F. Number 782102653, Effective Date August 25, 2021. This commitment was relied upon for encumbrance research, and the surveyor has performed no independent title search. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following exceptions from Schedule "B" were addressed as follows:

Item 10(f): Easements and building lines as shown on plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas. (easements and building line as shown on plat crossing or abutting the subject property are shown hereon)

Item 10(g): Easement as recorded under Volume 112, Page 214, Deed Records, Rockwall County, Texas. (easement is blanket in nature, document contains a description which includes the subject property)

Item 10(h): Easement as recorded under Volume 170, Page 20, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

Item 10(i): Easement as recorded under Volume 212, Page 438, Deed Records, Rockwall County, Texas. (easement is centered on utility lines unable to be specifically identified at time of survey)

Item 10(j): Easement as recorded under Volume 1552, Page 16, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

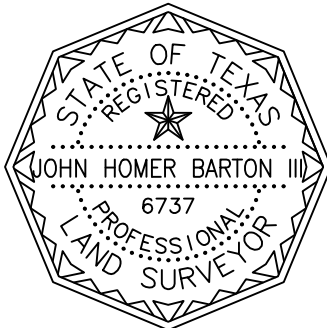
Item 10(k): Agreement as recorded under Volume 4314, Page 183, Deed Records, Rockwall County, Texas. (document contains a description which includes the subject property)

Item 10(l): Easement as recorded under Volume 4314, Page 198, Deed Records, Rockwall County, Texas. (easement does not cross or abut the subject property, shown hereon)

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this map from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision. This survey meets the minimum requirements for a Category 1A, Condition II Land Title Survey. Fieldwork was completed on October 14, 2021.

Date of Plat/Map: **October 29, 2021**



John H. Barton III
John H. Barton III, RPLS# 6737
TERMS OF ACCEPTANCE OF SURVEY

This survey is issued pursuant to a real estate transaction and is appurtenant to the title commitment referenced in the "Title Commitment Notes". This survey is issued for use in such transaction. Notwithstanding any of the above statements, the surveyor has a contractual relationship with one client or entity. Review/requested revisions by other parties must be received by or through such entity. Client is responsible for reviewing survey (including, but not limited to: notations; existence or lack of spelling/grammatical/typographical errors; certified parties; dates; instruments) within thirty (30) days of the date of plat or map. After such time has passed, client accepts survey as issued, and further revisions are not embraced by the above certification. Additional or altered commitments for title insurance will require an new or re-issued survey. Please feel free to request pricing for this at info@bcsdfw.com, or call (817) 864-1957.

TREE TABLE

TAG#	DIAMETER (INCHES)	GENERAL SPECIES
3001	10	CYPRESS
3002	11	CYPRESS
3003	7	CYPRESS
3004	8	CYPRESS
3005	9	CYPRESS
3007	7	ASH
3008	10	CEDAR
3009	7	CEDAR
3010	8	CEDAR
3011	8	CWS
3012	7	CEDAR
3013	6	CEDAR
3014	6	ASH
3015	7	ASH
3016	8	CEDAR
3017	6	CEDAR
3018	7	ASH
3019	8	CEDAR
3020	9	CEDAR
3021	7	CEDAR
3022	8	CEDAR
3023	7	CEDAR
3024	9 (MULTI-TRUNK)	CEDAR
3025	6	CEDAR
3026	10 (MULTI-TRUNK)	ASH

CATEGORY 1A, CONDITION II
LAND TITLE SURVEY

PORTION OF LOT 2, BLOCK 1
MEADOWCREEK BUSINESS PARK CENTER
PHASE 1
ROCKWALL
ROCKWALL COUNTY, TEXAS

BCS
BARTON CHAPA
SURVEYING
5200 State Highway 121
Colleyville, TX 76034
Phone: 817-864-1957
info@bcsdfw.com
TBPLS Firm #10194474

JOB NO. 2021.001.224
DRAWN: BCS
CHECKED: JHB

TABLE OF REVISIONS	
DATE	SUMMARY

2325 S GOLIAD STREET

ROCKWALL, TEXAS

2325 S GOLIAD STREET

ROCKWALL, TEXAS

SHEET:
VO1

PLANS: 1. 1/2"=1'-0" SCALE. 2. 1/4"=1'-0" SCALE. 3. 1/8"=1'-0" SCALE. 4. 1/16"=1'-0" SCALE. 5. 1/32"=1'-0" SCALE. 6. 1/64"=1'-0" SCALE. 7. 1/128"=1'-0" SCALE. 8. 1/256"=1'-0" SCALE. 9. 1/512"=1'-0" SCALE. 10. 1/1024"=1'-0" SCALE. 11. 1/2048"=1'-0" SCALE. 12. 1/4096"=1'-0" SCALE. 13. 1/8192"=1'-0" SCALE. 14. 1/16384"=1'-0" SCALE. 15. 1/32768"=1'-0" SCALE. 16. 1/65536"=1'-0" SCALE. 17. 1/131072"=1'-0" SCALE. 18. 1/262144"=1'-0" SCALE. 19. 1/524288"=1'-0" SCALE. 20. 1/1048576"=1'-0" SCALE. 21. 1/2097152"=1'-0" SCALE. 22. 1/4194304"=1'-0" SCALE. 23. 1/8388608"=1'-0" SCALE. 24. 1/16777216"=1'-0" SCALE. 25. 1/33554432"=1'-0" SCALE. 26. 1/67108864"=1'-0" SCALE. 27. 1/134217728"=1'-0" SCALE. 28. 1/268435456"=1'-0" SCALE. 29. 1/536870912"=1'-0" SCALE. 30. 1/1073741824"=1'-0" SCALE. 31. 1/2147483648"=1'-0" SCALE. 32. 1/4294967296"=1'-0" SCALE. 33. 1/8589934592"=1'-0" SCALE. 34. 1/17179869184"=1'-0" SCALE. 35. 1/34359738368"=1'-0" SCALE. 36. 1/68719476736"=1'-0" SCALE. 37. 1/137438953472"=1'-0" 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CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN* ON A 2.02-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK 1, MEADOWCREEK BUSINESS CENTER PHASE 1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Patrick Filson for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a restaurant with drive-through on a 2.02-acre parcel of land described as Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and being more specifically 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. The Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.05, *Commercial (C) District*, and Subsection 06.07, *SH-205 Overlay (SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC)

[Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.

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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map

Location: East of the Intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway
Legal Description: Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition

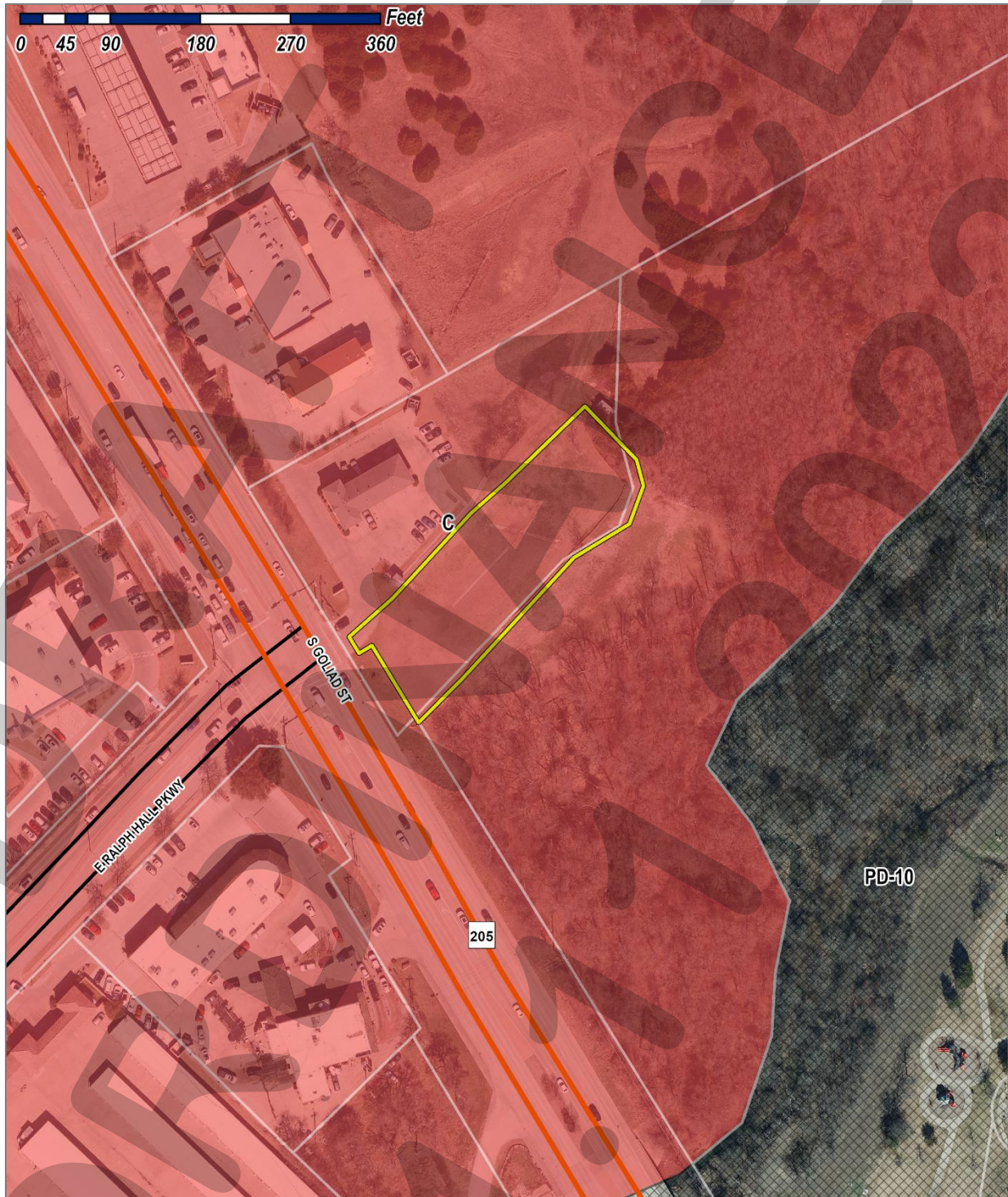
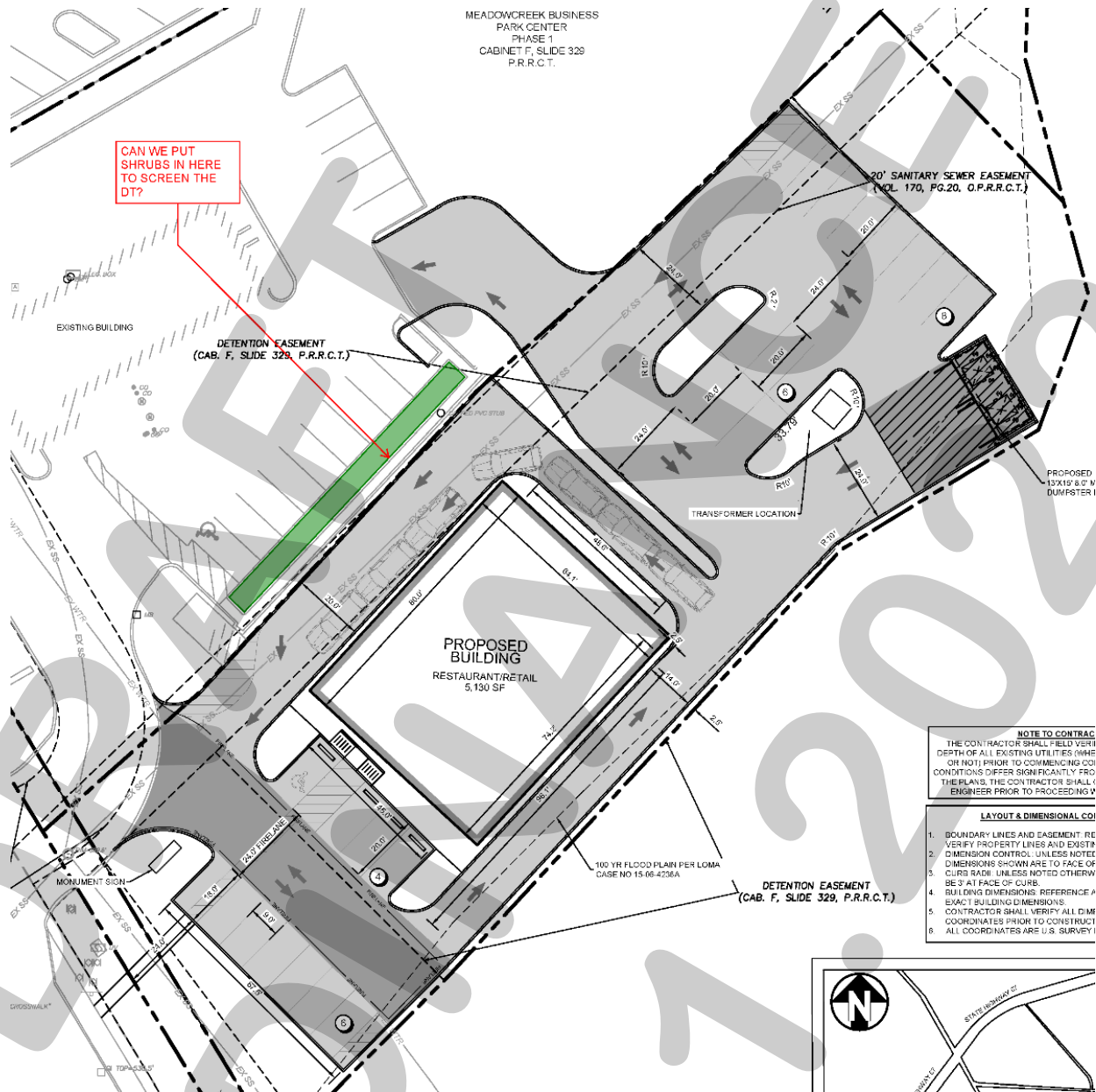


Exhibit 'B': Concept Plan

MEADOWCREEK BUSINESS
PARK CENTER
PHASE I
CABINET F, SLIDE 329
P.R.R.C.T.





CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

DATE: January 18, 2022

APPLICANT: Patrick Filson; *Kirkman Engineering*

CASE NUMBER: Z2021-055; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In*

SUMMARY

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

BACKGROUND

The subject property was annexed into the City of Rockwall on September 16, 1974 by *Ordinance No. 74-22 [Case No. A1974-002]*. The City's historic zoning map indicates the subject property was zoned Office (OF) District as of May 16, 1983. Sometime between May 16, 1983 and April 5, 2005 the zoning of the subject property was changed from an Office (OF) District to a Commercial (C) District. On December 27, 2005, the City Council approved a final plat [Case No. P2005-047] that established the subject property as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition. The subject property has remained vacant since it was annexed in 1974.

PURPOSE

The applicant -- *Patrick Filson of Kirkman Engineering* -- is requesting the approval of a Specific Use Permit (SUP) to allow for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject are two (2) parcels of land zoned Commercial (C) District and developed with commercial land uses (*i.e. Your Cleaners, PPG Paints, Carnation Nail Spa, Donut Station, Bad Ace Vapor Lounge, and RaceTrak Gas Station*). Beyond this is the old alignment of SH-276 (*unofficially Caddo Ridge Road*), which is identified as a M4U (*i.e. major collector, four [4] lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is a 20.2904-acre parcel, zoned Commercial (C) District, that is currently developed with a Costco Wholesale.

South: Directly south of the subject property is S. Goliad Street [SH-205], which is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is are two (2) parcels of land, zoned Commercial (C) District, that are developed with commercial land uses (*i.e. Mathnasium, Embroidery and More, Cute Nails and Spa, Rockwall Foot Spa, McNew Dentistry, Hacienda Car Wash, and The Vault Self Storage*).

East: Directly east of the subject property a vacant eight (8) acre parcel of land located entirely within the floodplain and zoned Commercial (C) District. Beyond this is the Meadowcreek Park, which is situated on a 17.1937-acre parcel of land. Beyond this is Phases 1 & 2 of the Meadowcreek Estates Subdivision. This subdivision is zoned Planned Development District 10 (PD-10) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway. S. Goliad Street [SH-205] is identified as a P6D (i.e. *principal arterial, six [6] lane, divided roadway*) and Ralph Hall Parkway is identified as a M4D (i.e. *major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are several parcels of land zoned Commercial (C) District that are developed with commercial land uses.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application, letter, and a concept plan requesting a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In*. The proposed concept plan depicts a 5,130 SF restaurant/retail building that faces onto S. Goliad Street [SH-205]. The applicant has indicated that the drive through restaurant is less than 2,000 SF, which is the purpose for requesting the Specific Use Permit (SUP). The concept plan indicates that the drive through for the restaurant will wrap around the building, extending from the northeast side of the building to the northwest side of the building, and incorporate a maximum stacking capacity of seven (7) vehicles. The proposed concept plan also shows that a bail out lane, running parallel to the drive through, will be included. In addition, headlight screening will be provided adjacent to the northwest property line.

CONFORMANCE WITH THE CITY'S CODES

Article 13, *Definitions*, of the Unified Development Code (UDC), defines a *Restaurant with Drive Through or Drive-In* as "(a) place of business whose primary source of revenue is derived from the sale of prepared food to the general public for consumption on-premise or off-premises and/or in a personal vehicle or where facilities are provided on the premises that encourages the serving and consumption of food in a personal vehicle on or near the restaurant premises.." In this case, the applicant's proposed concept plan falls under this classification. According to *Permissible Use Charts* contained in Article 04, *Permitted Uses*, of the Unified Development Code (UDC), a *Restaurant with less than 2,000 SF with Drive Through or Drive-In* requires a Specific Use Permit (SUP) in a Commercial (C) District. The purpose of this requirement is to acknowledge that not all *Restaurants* of this size are appropriate within all of the City's commercial areas, and that the City Council should have discretionary oversight with regard to the types of *Restaurants* and their impacts on adjacent land uses within these areas. In addition, Subsection 02.03(f)(9) places the following additional conditions on this land use:

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

The applicant's request does appear to conform to the requirements stipulated by the Unified Development Code (UDC).

STAFF ANALYSIS

The Commercial (C) District zoning classification allows for most types of commercial development, which includes most types of office and retail activity; however, the Commercial (C) District limits land uses that are not compatible with retail shopping, particularly uses that generate high traffic not associated with retail land uses. Given this, the land use for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In* is not a permitted *by-right* land use and requires a Specific Use Permit (SUP). With this being said the subject property is located along a major roadway (i.e. SH-205) that is capable of carrying the additional traffic generated by the proposed land use. Based on this, the proposed land use does appear to be appropriate for this location; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On December 21, 2021, staff mailed 18 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Meadowcreek Estates Homeowner's Associations (HOAs), which is the only HOAs/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had not received any notices.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant with less than 2,000 SF with Drive-Through or Drive-In*, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of the SUP ordinance.
 - (b) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.
- (2) Any construction resulting from the approval of this Specific Use Permit (SUP) shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the SUP by a vote of 6-0, with Commissioner Thomas absent.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

22021-055

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2325 S Goliad Street

SUBDIVISION Meadowcreek Business Park Center

LOT 2 BLOCK 1

GENERAL LOCATION The intersection of S Goliad Street and Ralph Hall Parkway

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING C-Commercial

CURRENT USE Undeveloped

PROPOSED ZONING C-Commercial - SUP

PROPOSED USE Multi Tenant Retail / Restaurant with DT

ACREAGE 0.799ac

LOTS [CURRENT] 1

LOTS [PROPOSED] 1

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

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

☐ OWNER Marlyn Roberts

☒ APPLICANT Kirkman Engineering

CONTACT PERSON

CONTACT PERSON Patrick Filson

ADDRESS 323 Julian Drive

ADDRESS 5200 State Highway 121

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Colleyville, TX 76034

PHONE

PHONE 817-488-4960

E-MAIL

E-MAIL patrick.filson@trustke.com

NOTARY VERIFICATION [REQUIRED]

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

"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$200 + 15.00 Acre TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 12 DAY OF November, 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION, IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION."

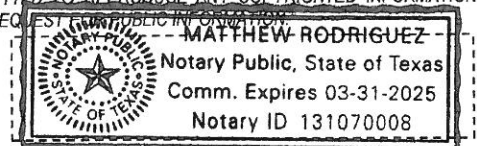
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 12 DAY OF November, 2021.

OWNER'S SIGNATURE

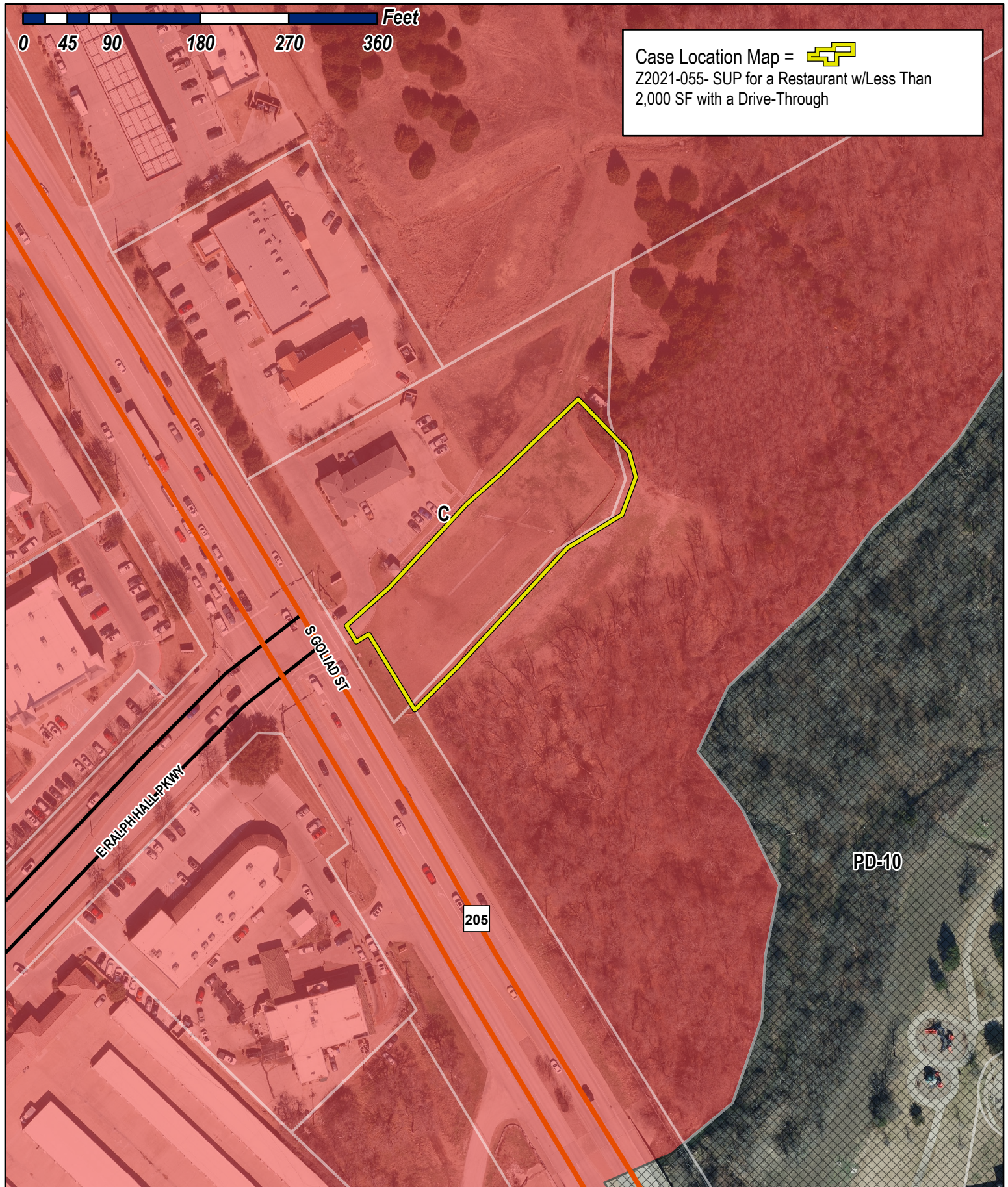
Marlyn R. Roberts


NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Matthew Rodriguez
Rockwall, Texas



MY COMMISSION EXPIRES 3-31-25



Case Location Map = 
Z2021-055- SUP for a Restaurant w/Less Than
2,000 SF with a Drive-Through



City of Rockwall

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

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

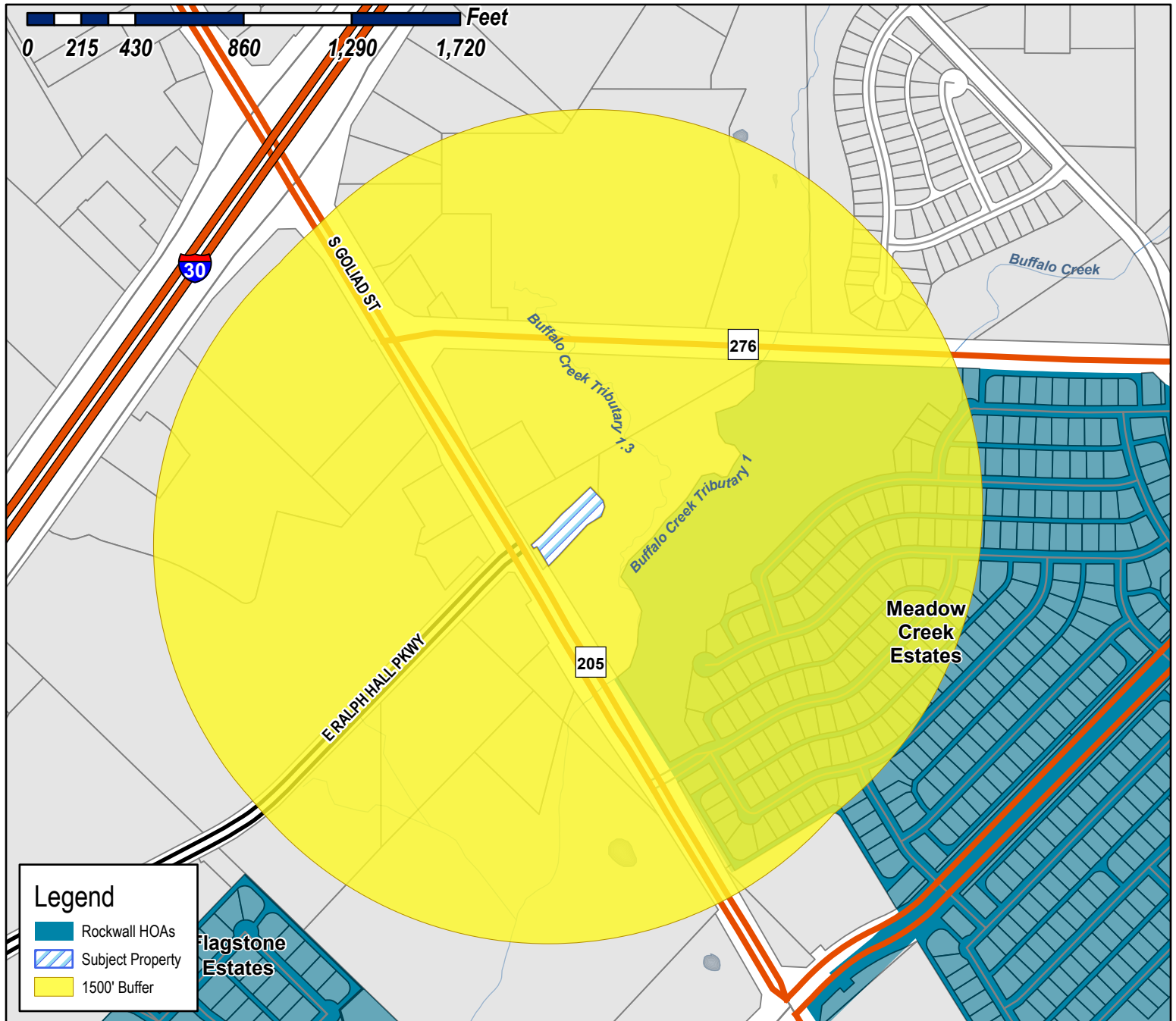




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
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Case Number: Z2021-05
Case Name: SUP for Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

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



Lee, Henry

From: Gamez, Angelica
Sent: Tuesday, December 21, 2021 10:52 AM
Cc: Miller, Ryan; Lee, Henry
Subject: Neighborhood Notification Program [Z2021-055]
Attachments: Public Notice (12.20.2021).pdf; HOA Map (12.17.2021).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on December 24, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

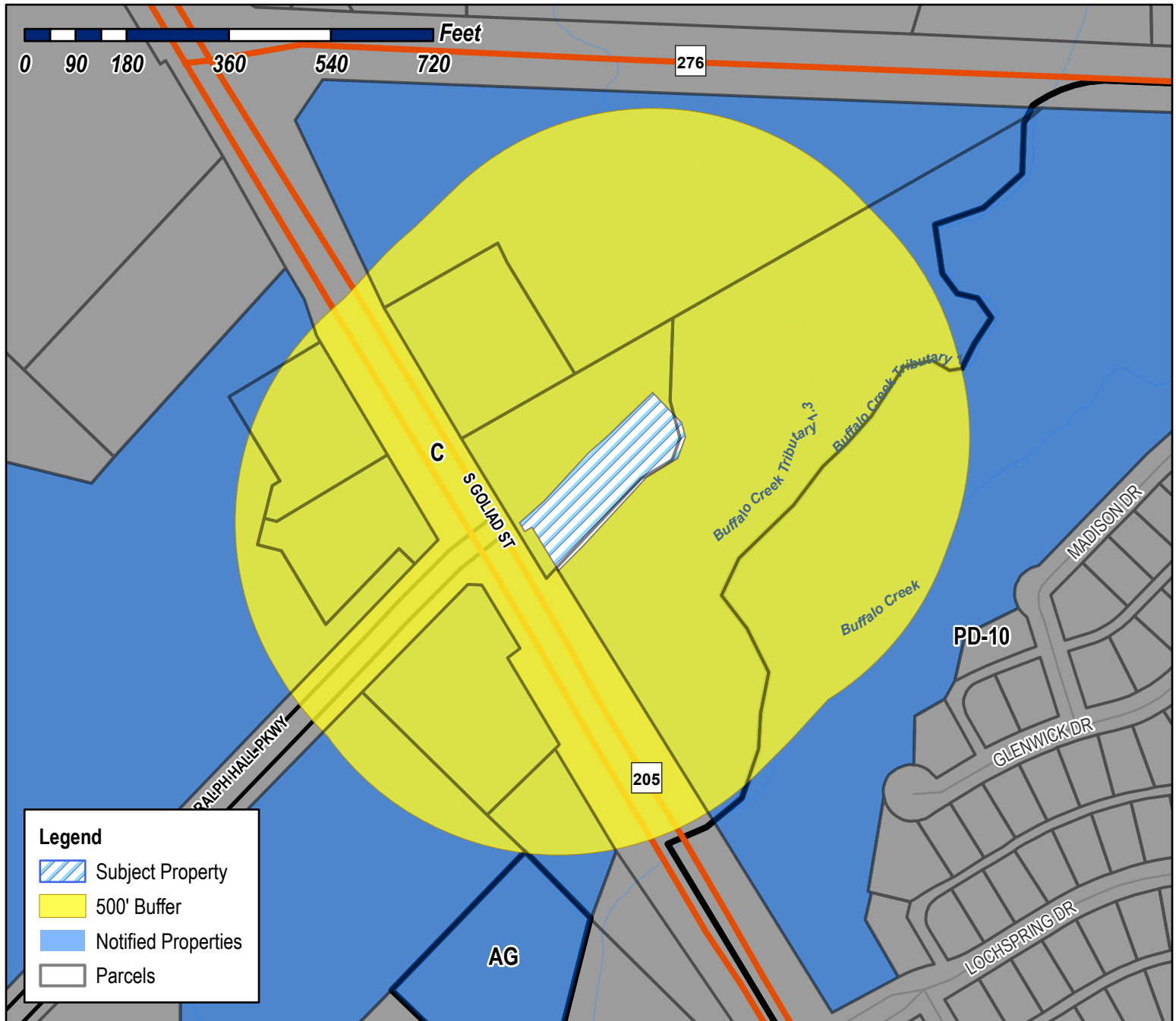
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City of Rockwall

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

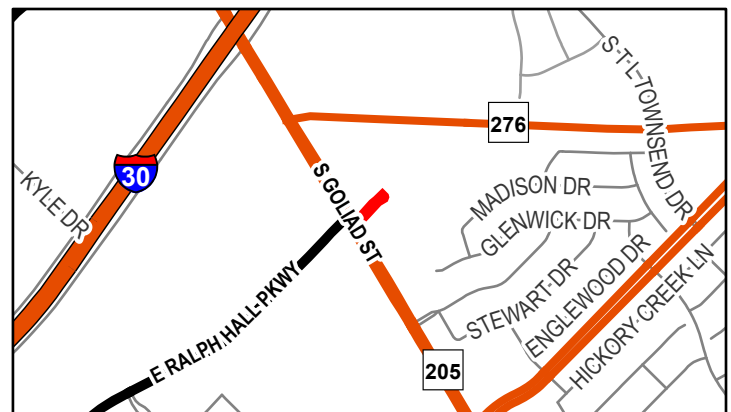
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and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



Case Number: Z2021-055
Case Name: SUP for a Restaurant w/Less Than 2,000 SF w/Drive Through
Case Type: Zoning
Zoning: Commercial (C) District
Case Address: 2325 S. Goliad Street

Date Saved: 12/17/2021

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



EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
10920 VIA FRONTERA SUITE 220
SAN DIEGO, CA 92127

LEVO GROUP LLC
11 HAWTHORNE CIR
ALLEN, TX 75002

DALLAS EAST
ATTN; JIM VAUDAGNA
1280 E RALPH HALL PKWY
ROCKWALL, TX 75032

CITY OF ROCKWALL
1430 MADISON DR
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
1445 W SAN CARLOS ST
SAN JOSE, CA 95126

GINGERCREST INC
2301 S GOLIAD
ROCKWALL, TX 75032

LEVO GROUP LLC
2309 S GOLIAD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
2325 S GOLIAD
ROCKWALL, TX 75032

GOLIAD EXPRESS LLC
2360 S.GOLIAD
ROCKWALL, TX 75032

REA-TRA LLC
2380 S GOLIAD SUITE 100
ROCKWALL, TX 75032

DALLAS EAST
ATTN; JIM VAUDAGNA
2400 S GOLIAD
ROCKWALL, TX 75032

STROTHER, CATHY
2410 S GOLIAD
ROCKWALL, TX 75032

BACKUS WAYNE E
278 CORNSTALK RD
ROCKWALL, TX 75032

ROBERTS MARLYN & BARBARA
323 JULIAN DRIVE
ROCKWALL, TX 75087

GOLIAD EXPRESS LLC
700 PARKER SQUARE SUITE 145
FLOWER MOUND, TX 75028

STROTHER, CATHY
8935 CR 589
NEVADA, TX 75173

EXCEL ROCKWALL LLC
EXCELL ROCKWALL LLC
991-1027EI-30
ROCKWALL, TX 75032

GINGERCREST INC
P.O. BOX 2437
SMYRNA, GA 30081

PUBLIC NOTICE



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

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

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

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Hold a public hearing to discuss and consider a request by Patrick Filson of Kirkman Engineering on behalf of Marlyn Roberts for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with a Drive-Through or Drive-In for the purpose of constructing a restaurant/retail building on a 0.799-acre portion of a larger 2.02-acre parcel of land identified as Lot 2, Block 1, Meadowcreek Business Center, Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, January 11, 2022 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, January 18, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Tuesday, January 18, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2021-055: SUP for Restaurant w/Less than 2,000 SF

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034
817.488.4960



11/17/2021

City of Rockwall
385 S Goliad Street

Dear to whom this may concern,

Please accept this as a Letter of Intent for the first formal SUP submittal for the project Victory at Rockwall. This lot is a total of 0.7992 acres. This development's proposed land use will be for restaurant and retail. The building is 5,130 square feet total. Retail will be 2,600 square feet and restaurant will be 2,200 square feet in floor space. There will be a total of 25 parking spaces provided for this development. Please feel free to reach out to me by phone or email if you have any questions.

Sincerely, *Patrick Filson*

Patrick Filson
O: (817) 488-4960

SURVEYOR'S NOTES:

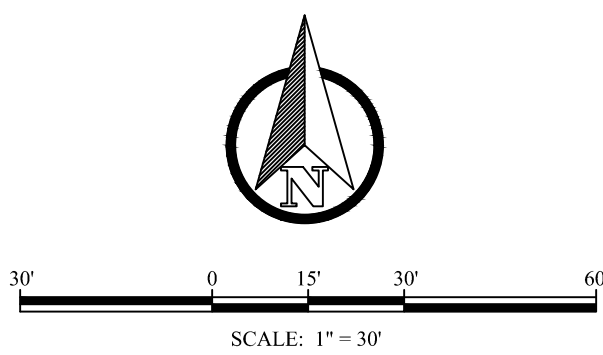
- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.000146135.
- This property lies within Zone "X" & Zone "AE" of the Flood Insurance Rate Map for Rockwall County, Texas and Incorporated Areas, map no. 48397C0040L, with an effective date of September 26, 2008, via scaled map location and graphic plotting.
- Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

NOTE REGARDING UTILITIES

Source information from plans and markings will be combined with observed evidence of utilities pursuant to Section 5.E.iv. to develop a view of the underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility locate requests from surveyors may be ignored or result in an incomplete response, in which case the surveyor shall note on the plat or map how this affected the surveyor's assessment of the location of the utilities. Where additional or more detailed information is required, the client is advised that excavation and/or a private utility locate request may be necessary.

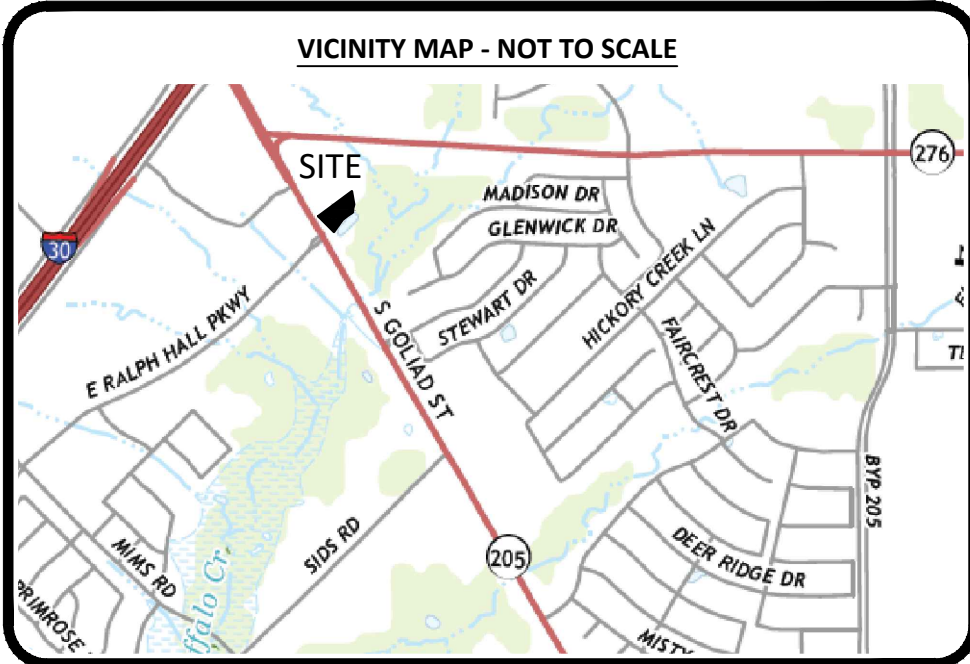
Utility locations are per observed evidence and the below sources

Maps/Plans: Utility Maps provided by the City of Rockwall



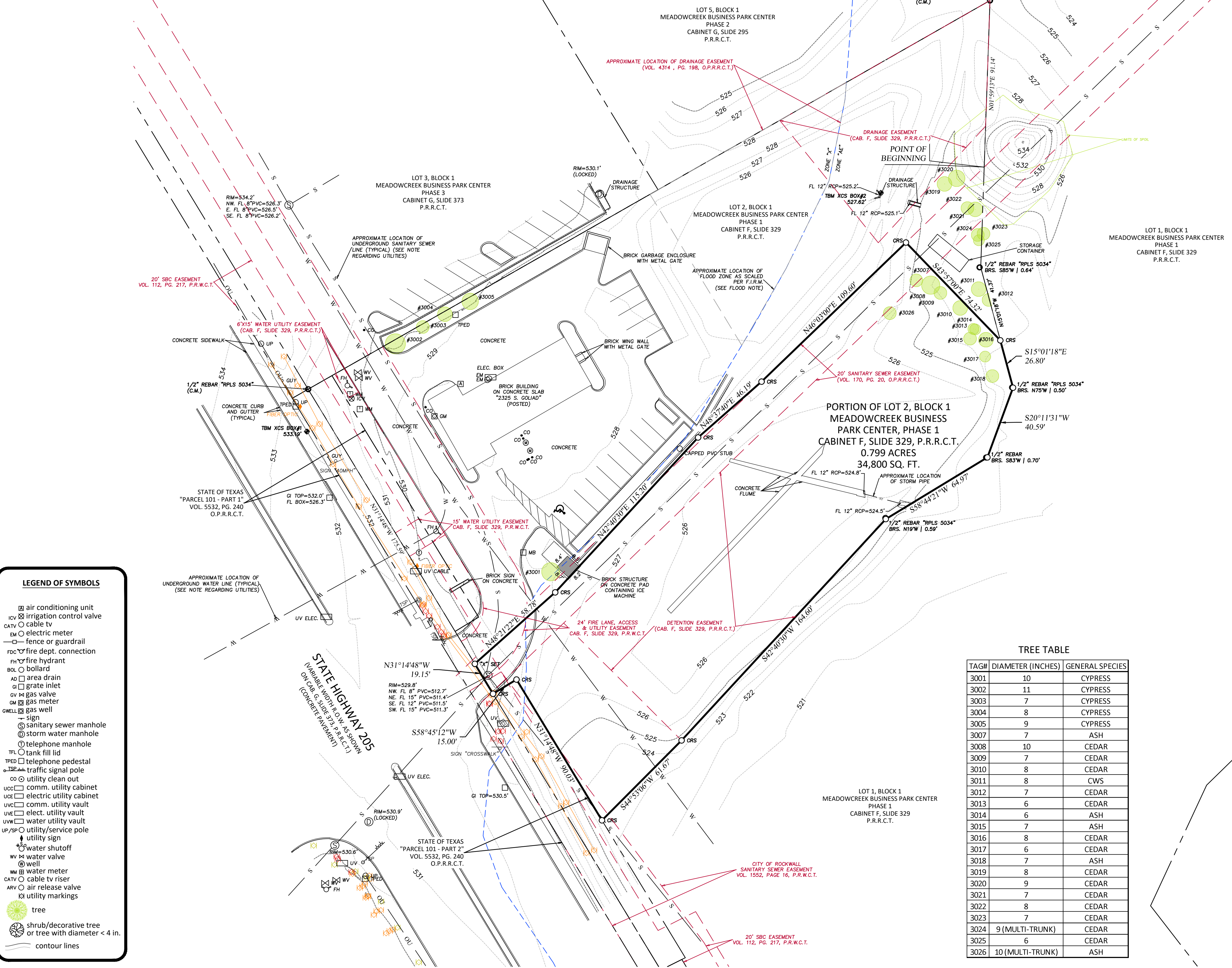
LEGEND OF ABBREVIATIONS

- D.R.R.C.T. DEED RECORDS, ROCKWALL COUNTY, TEXAS
- P.R.R.C.T. PLAT RECORDS, ROCKWALL COUNTY, TEXAS
- O.P.R.R.C.T. OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET



SITE BENCHMARKS:

- The site benchmark is an "X" cut set in the northeast line of a concrete sidewalk adjacent to the north line of State Highway 205, being located approximately 22 feet north of a street sign posted "40 MPH SPEED LIMIT", and being approximately 17 feet south of a power pole in the north line of said State Highway 205. **ELEVATION=533.19' (NAVD '88)**
- The site benchmark is an "X" cut set at the northeast corner of a concrete headwall within the site, being located approximately 150 feet northeast of the northeast corner of a dumpster pad enclosure near the west line of the site and being located approximately 190 feet east of the southeasternmost building corner of the building situated on site. **ELEVATION=527.62' (NAVD '88)**



PROPERTY DESCRIPTION

BEING a portion of Lot 2 in Block 1 of Meadowcreek Business Park Center, Phase 1, an addition in the City of Rockwall, Rockwall County, Texas, according to the plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas, (P.R.R.C.T.), said portion being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set") for the northernmost northeast corner of the herein described tract, said point being in the northeast line of said Lot 2, from which a re-entrant corner thereof bears North 15 degrees 01 minutes 18 seconds West, from said point a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 85 degrees West, a distance of 0.64 feet;

THENCE with the perimeter and to the corners of said Lot 2, the following calls:

- South 15 degrees 01 minutes 18 seconds East, a distance of 26.80 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 75 degrees West, a distance of 0.50 feet;
- South 20 degrees 11 minutes 31 seconds West, a distance of 40.59 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears South 83 degrees West, a distance of 0.70 feet;
- South 58 degrees 44 minutes 21 seconds West, a distance of 64.97 feet to a point from which a 1/2 inch rebar with cap stamped, "RPLS 5034" found bears North 19 degrees West, a distance of 0.59 feet;
- South 42 degrees 40 minutes 30 seconds West, a distance of 164.60 feet to a capped rebar set;
- South 44 degrees 53 minutes 06 seconds West, a distance of 61.67 feet to a capped rebar set in the north line of "Parcel 101 - Part 2" described by deed to the State of Texas as recorded under Volume 5532, Page 240, Official Public Records, Rockwall County, Texas, [O.P.R.R.C.T.];

THENCE North 31 degrees 14 minutes 48 seconds West, with the east line of said "Parcel 101 - Part 2", a distance of 90.03 feet to a capped rebar set at the northeast corner thereof;

THENCE South 58 degrees 45 minutes 12 seconds West, with the west line of said "Parcel 101 - Part 2", a distance of 15.00 feet to a capped rebar set for the northwest corner thereof, same being in the west line of said Lot 2;

THENCE North 31 degrees 14 minutes 48 seconds West, with the west line of said Lot 2, a distance of 19.15 feet to a capped rebar set;

THENCE through the interior of said Lot 2, the following calls:

- North 48 degrees 21 minutes 22 seconds East, a distance of 58.78 feet to a capped rebar set;
- North 42 degrees 40 minutes 30 seconds East, a distance of 115.20 feet to a capped rebar set;
- North 48 degrees 37 minutes 40 seconds East, a distance of 46.19 feet to a capped rebar set;
- North 46 degrees 03 minutes 00 seconds East, a distance of 109.60 feet to a capped rebar set;
- South 43 degrees 57 minutes 00 seconds East, a distance of 74.32 feet to the **POINT OF BEGINNING** and enclosing 0.7992 acres (34,800 square feet) of land, more or less.

TITLE COMMITMENT NOTES

This survey was prepared with the benefit of a commitment for title insurance provided by North American Title Insurance Company, G.F. Number 782102653, Effective Date August 25, 2021. This commitment was relied upon for encumbrance research, and the surveyor has performed no independent title search. Therefore, easements, agreements, or other documents, either recorded, or unrecorded may exist that affect the subject property that are not shown on this survey. The following exceptions from Schedule "B" were addressed as follows:

Item 10(f): Easements and building lines as shown on plat recorded under Cabinet F, Slide 329, Plat Records, Rockwall County, Texas. (easements and building line as shown on plat crossing or abutting the subject property are shown hereon)

Item 10(g): Easement as recorded under Volume 112, Page 214, Deed Records, Rockwall County, Texas. (easement is blanket in nature, document contains a description which includes the subject property)

Item 10(h): Easement as recorded under Volume 170, Page 20, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

Item 10(i): Easement as recorded under Volume 212, Page 438, Deed Records, Rockwall County, Texas. (easement is centered on utility lines unable to be specifically identified at time of survey)

Item 10(j): Easement as recorded under Volume 1552, Page 16, Deed Records, Rockwall County, Texas. (easement crosses the subject property, shown hereon)

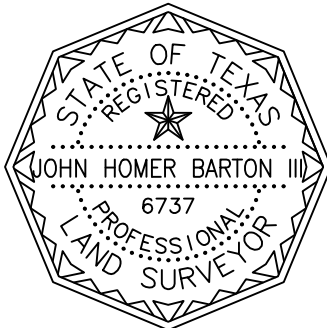
Item 10(k): Agreement as recorded under Volume 4314, Page 183, Deed Records, Rockwall County, Texas. (document contains a description which includes the subject property)

Item 10(l): Easement as recorded under Volume 4314, Page 198, Deed Records, Rockwall County, Texas. (easement does not cross or abut the subject property, shown hereon)

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this map from an actual survey on the ground, and that this map correctly represents that survey made by me or under my direction and supervision. This survey meets the minimum requirements for a Category 1A, Condition II Land Title Survey. Fieldwork was completed on October 14, 2021.

Date of Plat/Map: **October 29, 2021**



John H. Barton III
John H. Barton III, RPLS# 6737
TERMS OF ACCEPTANCE OF SURVEY

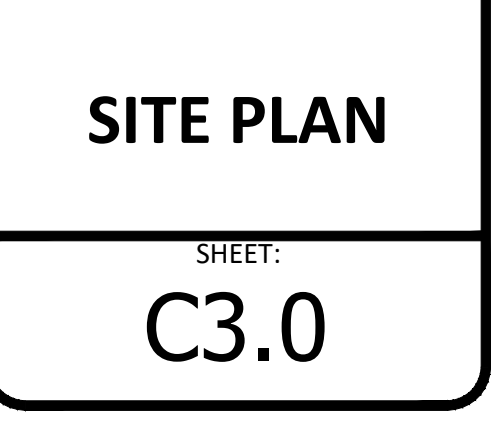
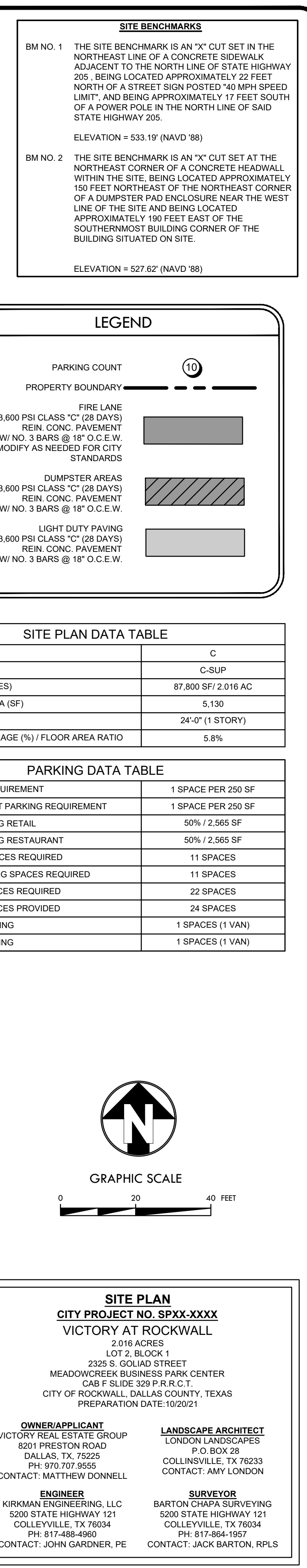
This survey is issued pursuant to a real estate transaction and is appurtenant to the title commitment referenced in the "Title Commitment Notes". This survey is issued for use in such transaction. Notwithstanding any of the above statements, the surveyor has a contractual relationship with one client or entity. Review/requested revisions by other parties must be received by or through such entity. Client is responsible for reviewing survey (including, but not limited to: notations; existence or lack of spelling/grammatical/typographical errors; certified parties; dates; instruments) within thirty (30) days of the date of plat or map. After such time has passed, client accepts survey as issued, and further revisions are not embraced by the above certification. Additional or altered commitments for title insurance will require an new or re-issued survey. Please feel free to request pricing for this at info@bcsdfw.com, or call (817) 864-1957.

TREE TABLE

TAG#	DIAMETER (INCHES)	GENERAL SPECIES
3001	10	CYPRESS
3002	11	CYPRESS
3003	7	CYPRESS
3004	8	CYPRESS
3005	9	CYPRESS
3007	7	ASH
3008	10	CEDAR
3009	7	CEDAR
3010	8	CEDAR
3011	8	CWS
3012	7	CEDAR
3013	6	CEDAR
3014	6	ASH
3015	7	ASH
3016	8	CEDAR
3017	6	CEDAR
3018	7	ASH
3019	8	CEDAR
3020	9	CEDAR
3021	7	CEDAR
3022	8	CEDAR
3023	7	CEDAR
3024	9 (MULTI-TRUNK)	CEDAR
3025	6	CEDAR
3026	10 (MULTI-TRUNK)	ASH

CATEGORY 1A, CONDITION II
LAND TITLE SURVEY

PORTION OF LOT 2, BLOCK 1
MEADOWCREEK BUSINESS PARK CENTER
PHASE 1
ROCKWALL
ROCKWALL COUNTY, TEXAS



CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN* ON A 2.02-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK 1, MEADOWCREEK BUSINESS CENTER PHASE 1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Patrick Filson for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a restaurant with drive-through on a 2.02-acre parcel of land described as Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and being more specifically 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. The Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*, and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.05, *Commercial (C) District*, and Subsection 06.07, *SH-205 Overlay (SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC)

[Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.

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 7TH DAY OF FEBRUARY, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: January 18, 2022

2nd Reading: February 7, 2022

Exhibit 'A'
Location Map

Location: East of the Intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway
Legal Description: Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition

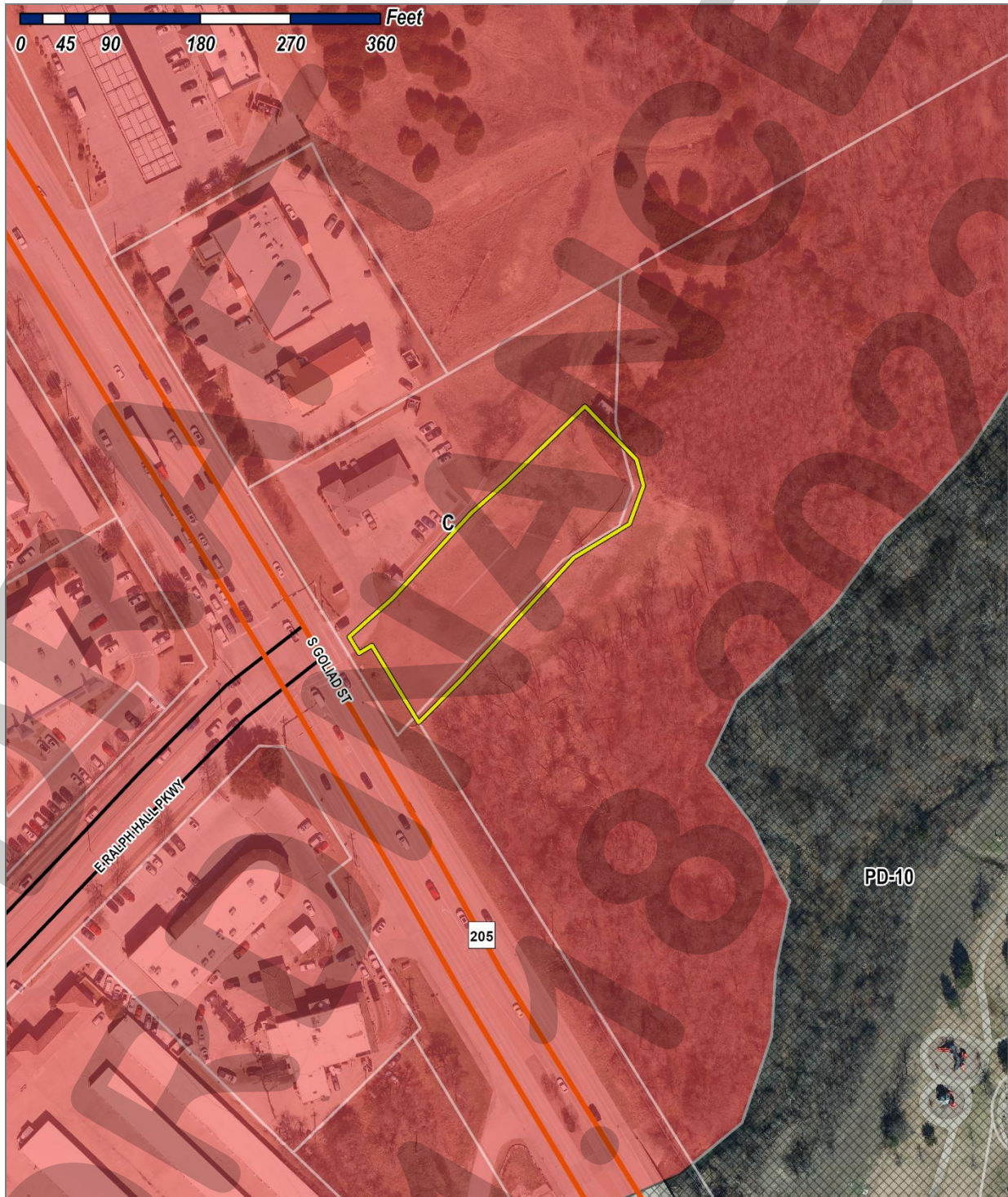
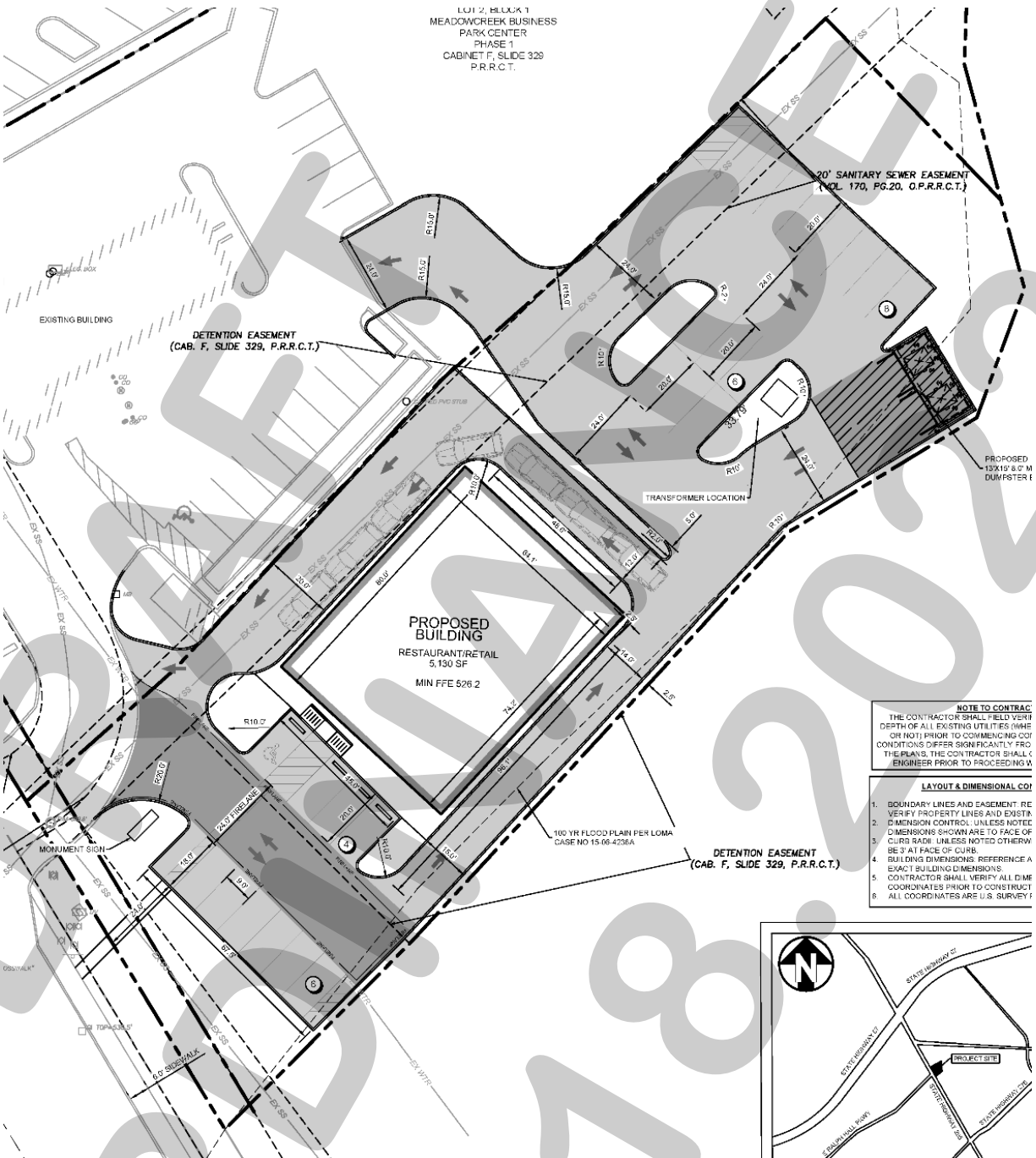


Exhibit 'B': **Concept Plan**

LOT 2, BLOCK 1
MEADOWCREEK BUSINESS
PARK CENTER
PHASE 1
CABINET F, SLIDE 329
P.R.R.C.T.





February 14, 2022

TO: Patrick Filson
Kirkman Engineering
5200 State Highway 121
Colleyville, TX 76034

FROM: Henry Lee
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: Z2021-055; SUP for Victory Rockwall

Patrick Filson:

This letter serves to notify you that the above referenced platting case that you submitted for consideration by the City of Rockwall was approved by the City Council on February 7, 2022. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the Specific Use Permit (SUP) ordinance and which are detailed as follows:
 - (a) The development of the Subject Property shall generally conform to the Concept Plan as depicted in Exhibit 'B' of the SUP ordinance.
 - (b) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.
- (2) Any construction resulting from the approval of this plat shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

Planning and Zoning Commission

On January 11, 2022, the Planning and Zoning Commission approved a motion to recommend approval of the SUP with the conditions of approval by a vote of 6-0, with Commissioner Thomas absent.

City Council

On February 7, 2022, the City Council approved a motion to approve the SUP with the conditions of approval by a vote of 7-0.

Included with this letter is a copy of Ordinance No. 22-07, S-270, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771- 7745.

Sincerely,

Henry Lee
Planner

CITY OF ROCKWALL

ORDINANCE NO. 22-07

SPECIFIC USE PERMIT NO. S-270

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 *RESTAURANT LESS THAN 2,000 SF WITH DRIVE-THROUGH OR DRIVE-IN* ON A 2.02-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 2, BLOCK 1, MEADOWCREEK BUSINESS CENTER PHASE 1 ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Patrick Filson for the approval of a Specific Use Permit (SUP) for a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* for the purpose of constructing a restaurant with drive-through on a 2.02-acre parcel of land described as Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition, City of Rockwall, Rockwall County, Texas, zoned Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located east of the intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway, and being more specifically 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;

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SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 04.05, *Commercial (C) District*, and Subsection 06.07, *SH-205 Overlay (SH-205 OV) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and with the following conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In* on the *Subject Property* and conformance to these conditions is required for continued operation:

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) Mature landscaping shall be planted along the entire length of the proposed drive-through lane adjacent to the northern property line and along S. Goliad Street [SH-205] to provide headlight screening from adjacent public rights-of-way and properties.

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].

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

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

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

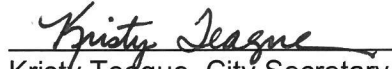
SECTION 7. That this ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 7TH DAY OF FEBRUARY, 2022.

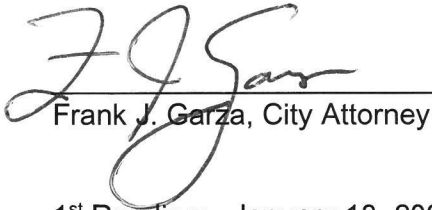


Kevin Fowler, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney

1st Reading: January 18, 2022

2nd Reading: February 7, 2022



Exhibit 'A'
Location Map

Location: East of the Intersection of S. Goliad Street [SH-205] and Ralph Hall Parkway
Legal Description: Lot 2, Block 1, Meadowcreek Business Center Phase 1 Addition

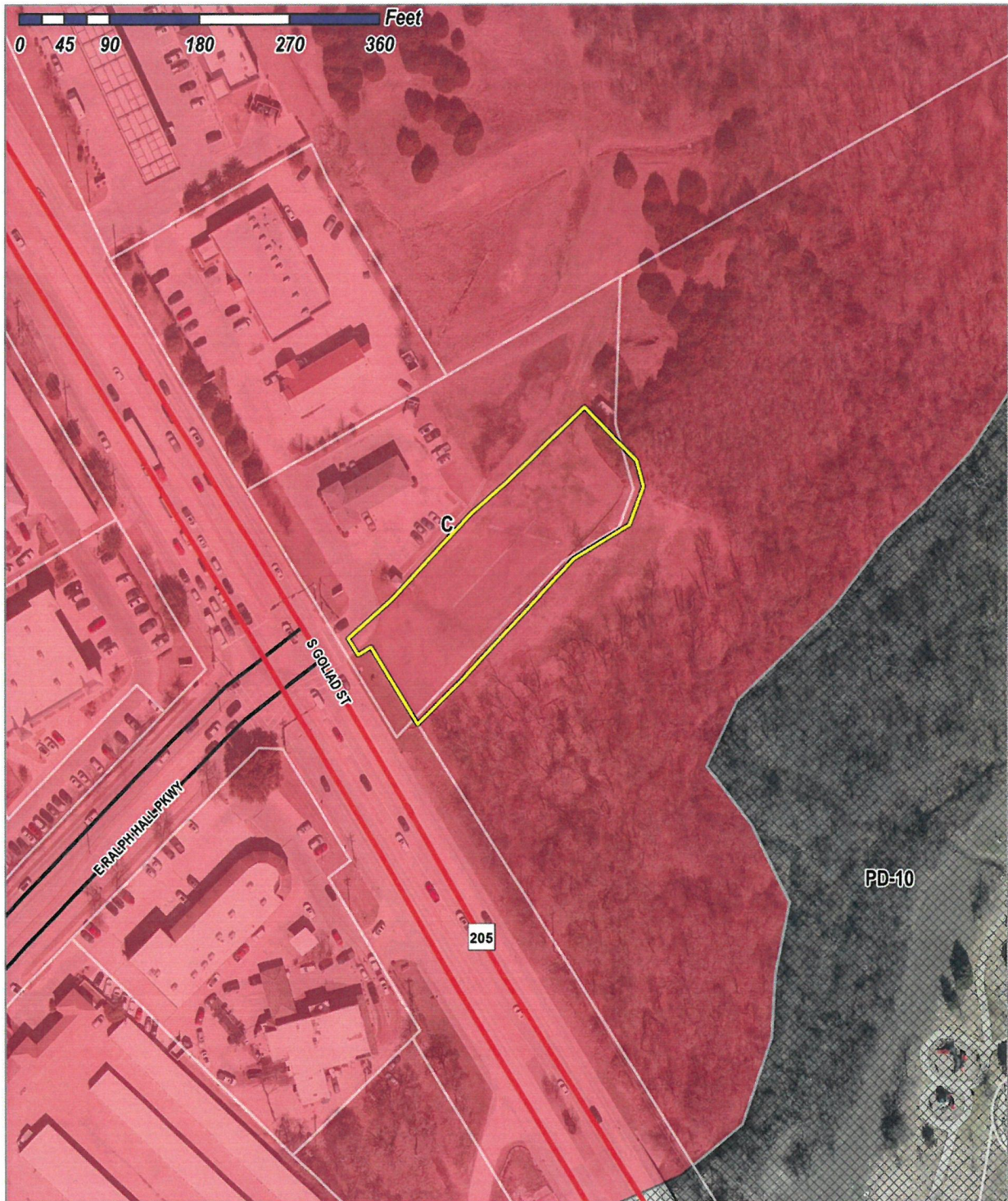
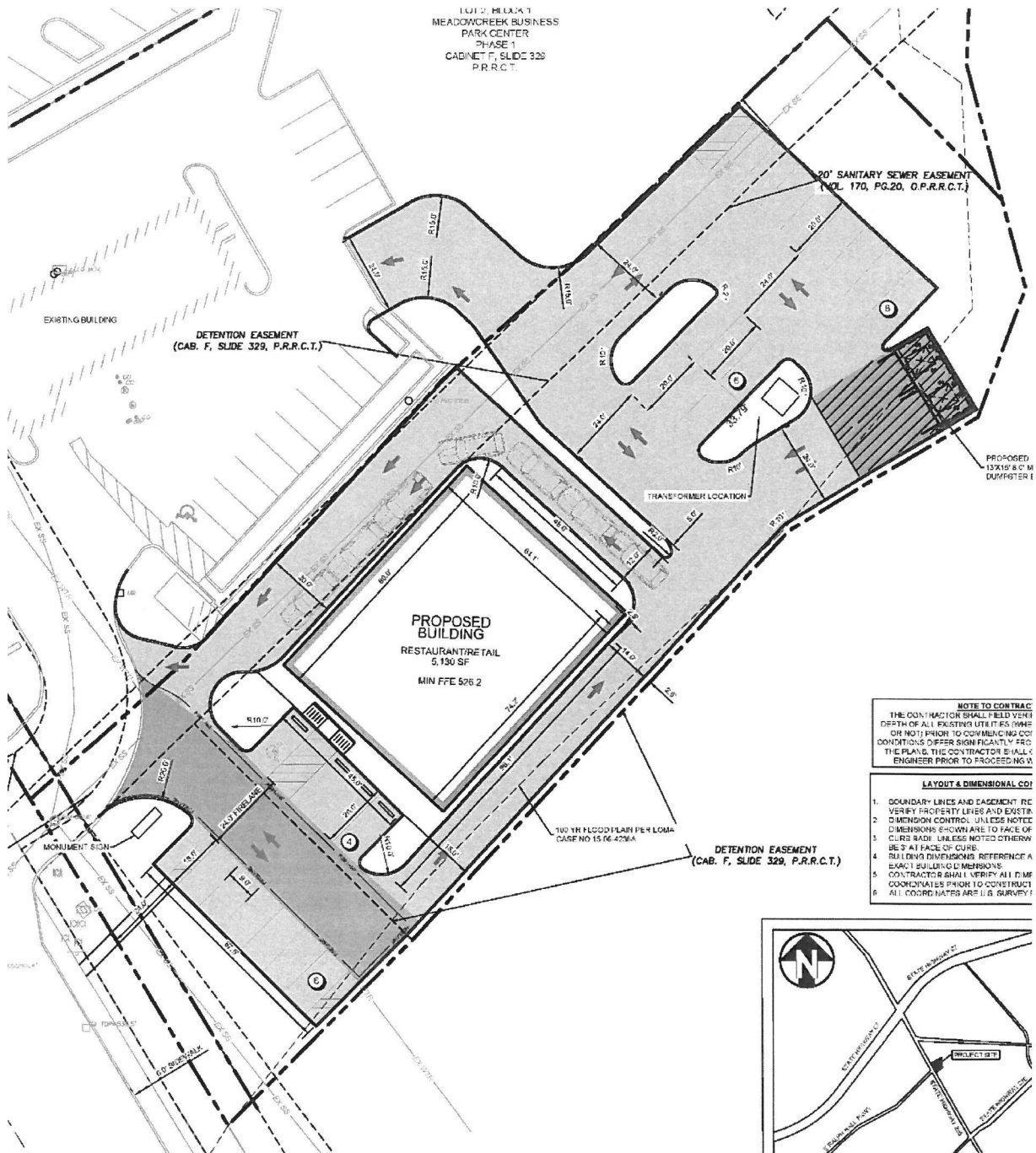


Exhibit 'B': Concept Plan



Lee, Henry

From: Lee, Henry
Sent: Tuesday, December 21, 2021 4:07 PM
To: 'patrick.filson@trustke.com'
Subject: Staff Comments Z2021-055
Attachments: Project Comments (12.21.2021).pdf; Draft Ordinance (12.28.2021).pdf

Good Afternoon,

Attached are staff comments and the draft ordinance in reference to your case Z2021-055. Make note of the meeting dates as a representative is required to be present at all meetings.

Thank you,



HENRY LEE
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087

Lee, Henry

From: Patrick Filson <patrick.filson@trustke.com>
Sent: Monday, December 27, 2021 7:07 AM
To: Lee, Henry
Cc: Matthew Donnell
Subject: RE: Staff Comments Z2021-055

Henry,
Do we need to place the zoning signs or will yall handle that?

Patrick Filson
817.987.9614

From: Lee, Henry <HLee@rockwall.com>
Sent: Tuesday, December 21, 2021 4:07 PM
To: Patrick Filson <patrick.filson@trustke.com>
Subject: Staff Comments Z2021-055

Good Afternoon,

Attached are staff comments and the draft ordinance in reference to your case Z2021-055. Make note of the meeting dates as a representative is required to be present at all meetings.

Thank you,



HENRY LEE
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087

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Lee, Henry

From: Matthew Donnell <MDonnell@vg-re.com>
Sent: Monday, December 27, 2021 8:41 AM
To: Patrick Filson; Lee, Henry
Subject: RE: Staff Comments Z2021-055

Hey Patrick, can you forward the attachment with the comments you received from Henry Lee?

I think we can take care of the signage, when does the sign need to be in place? Do we pick it up at city hall or have the sign made ourselves?



Matt Donnell
Land Development Manager

Phone: 972.707.9555 X 1035
Mobile: 469.569.9621
Email: MDonnell@vg-re.com
8201 Preston Rd. Suite 700
Dallas, TX 75225



From: Patrick Filson <patrick.filson@trustke.com>
Sent: Monday, December 27, 2021 7:07 AM
To: 'Lee, Henry' <HLee@rockwall.com>
Cc: Matthew Donnell <MDonnell@vg-re.com>
Subject: RE: Staff Comments Z2021-055

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Patrick Filson
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To: Patrick Filson <patrick.filson@trustke.com>
Subject: Staff Comments Z2021-055

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Attached are staff comments and the draft ordinance in reference to your case Z2021-055. Make note of the meeting dates as a representative is required to be present at all meetings.

Thank you,



HENRY LEE
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087

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Lee, Henry

From: Matthew Donnell <MDonnell@vg-re.com>
Sent: Tuesday, January 11, 2022 1:55 PM
To: Lee, Henry
Subject: Victory Rockwall SUP exhibits
Attachments: 220110_Victory at Rockwall SUP EXHIBIT.pdf; Line of Sight Exhibit.pdf; Owner consent landscaping 2022.pdf

Henry, as discussed yesterday on our phone conversation, please see the revised exhibits. I will also have a perspective view/elevation to send you when it is finished here shortly. I wanted to go ahead and send you these to get any feedback you might have. I also attached the agreement letter regarding the neighboring property and the landscaping screen for the drive-thru.

Please let me know if you have any questions, or if you'd like to briefly talk about these when you have a minute.



Matt Donnell
Land Development Manager

Phone: 972.707.9555 X 1035
Mobile: 469.569.9621
Email: MDonnell@vg-re.com
8201 Preston Rd. Suite 700
Dallas, TX 75225



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