



PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # 1209-009 P&Z DATE 5/14/19 CC DATE 5/20/19 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.

2019-009

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 (Resolution No. 05-22) [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)

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, only the "base fee" is required.

PROPERTY INFORMATION [PLEASE PRINT]

Address 505 N. Goliad Street - Rockwall, Texas 75087

Subdivision Proposed - TCB Addition

Lot

1

Block

A

General Location

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning PD-50 North Goliad Overlay District

Current Use Residence - Vacant

Proposed Zoning PD-50 North Goliad Overlay District

Proposed Use Bonafide Betties Pie Co.

Acreage 0.23 Acres

Lots [Current]

1

Lots [Proposed]

1

- ☐ **Required for Plats:** By checking the box at the left you agree to waive the statutory time limit for plat approval in accordance with Section 212.009 of the Local Government Code.

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

☐ Owner TCB Construction Group, LLC

☒ Applicant Lam Consulting Engineering

Contact Person Price Pointer

Contact Person Chris Lam, P.E.

Address 906 N. Goliad Street

Address 6804 Wilhelmina Drive

City, State & Zip Rockwall, Texas 75087

City, State & Zip Sachse, Texas 75048

Phone 9729610200

Phone 2147661011

E-Mail price@tcbconstructiongroup.com

E-Mail ctlam@lamcivil.com

NOTARY VERIFICATION [REQUIRED]

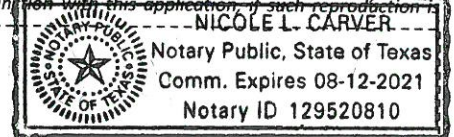
Before me, the undersigned authority, on this day personally appeared Price Pointer [Owner/Applicant Name] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the _____ day of _____, 20 _____. By signing this application I agree that the City of Rockwall (i.e. "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in conjunction with this application, if such reproduction is associated or in response to a request for public information."

Given under my hand and seal of office on this the 28th day of March, 20 19.

Owner's/Applicant's Signature

Notary Public in and for the State of Texas



My Commission Expires

August 12, 2021



DEVELOPMENT REVIEW COMMITTEE (DRC)
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

Phone: (972) 771-7745

Email: Planning@Rockwall.com

External Review: Wayne Carter, Charter Communications
Jim Friske, Charter Communications
Dinah Wood, Atmos
Randy Voight, Oncor
Phillip Dickerson, Oncor
Brian Duncan, AT&T
Javier Fernandez, RISD
Brenda Callaway, TXDOT
Stephen Geiger, Farmer's Electric
Frank Spataro, Farmer's Electric

Internal Review: Amy Williams, Engineering
John Shannon, Building Inspections
Ariana Hargrove, Fire
Andy Hesser, Parks
Andy Villarreal, Police

From: Planning & Zoning Department

Date: 4/12/2019

To assist the Planning Department in evaluating the attached request, we are sending it to you for your review and comments. Please return any comments and/or plan mark-ups to us within five (5) days. Internal staff will also be required to have all comments input into CRW no later than Friday, 04/19/2019. Planning staff will assemble all comments received in time for our regularly scheduled DRC meeting on 4/30/2019 at 2:00 p.m. The Planning and Zoning Commission work session will be held on 4/11/2019 at 6:00 p.m. You are welcome to attend both meetings. If you have any questions, please contact us at (972) 771-7745.

Project Number: Z2019-009
Project Name: SUP for a Restaurant in PD-50
Project Type: ZONING
Applicant Name: LAM CONSULTING ENGINEERING
Owner Name: STAINED, GLASS CREATIONS INC
Project Description:



RECEIPT

Project Number: Z2019-009
Job Address: 505 N GOLIAD
ROCKWALL, TX 75087

Receipt Number: B84909

Printed: 4/18/2019 9:23 am

| Fee Description | Account Number | Fee Amount |
|-----------------|----------------|------------|
| ZONING | 01-4280 | \$ 200.00 |

Total Fees Paid:**\$ 200.00**

Date Paid: 4/18/2019 12:00:00AM

Paid By: TCB Construction Group

Pay Method: CHECK 6429

Received By: LM

City of Rockwall

Project Plan Review History



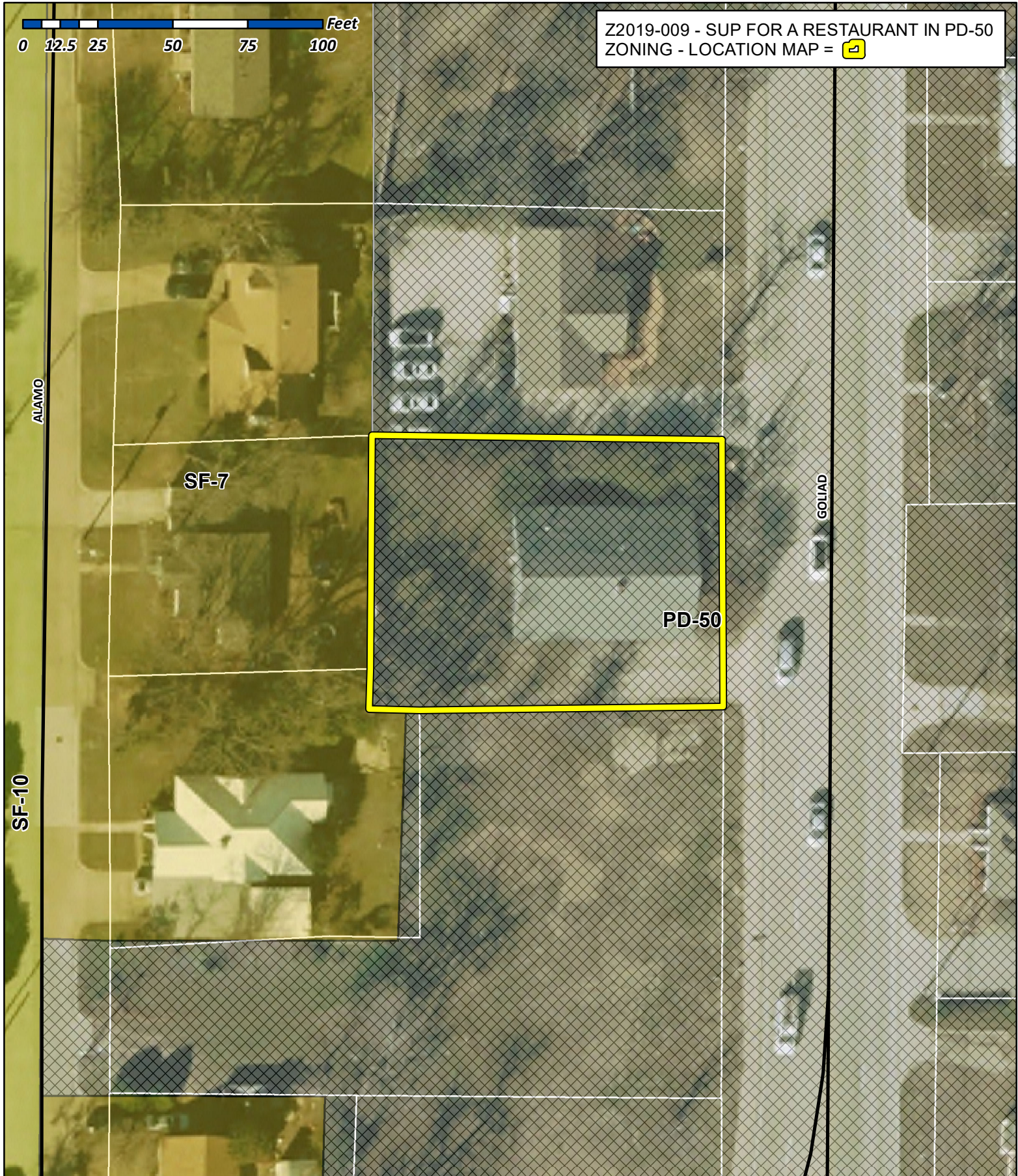
| | | | | | | |
|-----------------------|-------------------------------|------------------|------------------------------|-----------------|-----------|----|
| Project Number | Z2019-009 | Owner | STAINED, GLASS CREATIONS INC | Applied | 4/11/2019 | LM |
| Project Name | SUP for a Restaurant in PD-50 | Applicant | LAM CONSULTING ENGINEERING | Approved | | |
| Type | ZONING | | | Closed | | |
| Subtype | SUP | | | Expired | | |
| Status | P&Z HEARING | | | Status | 4/25/2019 | DG |

| | | |
|-------------------------|------------------------|----------------------|
| Site Address | City, State Zip | Zoning |
| 505 N GOLIAD | ROCKWALL, TX 75087 | |
| Subdivision | Tract | Block |
| ARTVENTURES STUDIO ADDN | | 20B |
| | | Lot No |
| | | |
| | | Parcel No |
| | | 3050-020B-0023-00-OR |
| | | General Plan |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed | Status | Remarks |
|---------------------------------------------------------------------------|------------------|-----------|-----------|-----------|---------|----------|--------------|
| BUILDING | Russell McDowell | 4/11/2019 | 4/18/2019 | 4/18/2019 | 7 | APPROVED | |
| ENGINEERING | Sarah Hager | 4/11/2019 | 4/18/2019 | 4/18/2019 | 7 | APPROVED | |
| (4/18/2019 9:18 AM SH) | | | | | | | |
| The following comments are for engineering design. | | | | | | | |
| - 4% Engineering Inspection Fees. | | | | | | | |
| - Impact fees for any new water taps. | | | | | | | |
| - Must meet all City Standards of Design. | | | | | | | |
| - If there is a dumpster, the drainage must go to an oil/water separator. | | | | | | | |
| FIRE | Ariana Hargrove | 4/11/2019 | 4/18/2019 | 4/22/2019 | 11 | APPROVED | |
| PLANNING | David Gonzales | 4/11/2019 | 4/18/2019 | 4/25/2019 | 14 | COMMENTS | See comments |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed Status | Remarks |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------|-----|----------|----------------|---------|
| <p>Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.</p> <p>*PLANNING COMMENTS - DAVID GONZALES – 04.25.2019</p> <p>All staff comments are to be addressed and resubmitted by Tuesday May 7, 2019. Please provide two (2) large copies [FOLDED] and one PDF version for a final/subsequent review by staff:</p> <p>Planning Department General Comments to be addressed/acknowledge are as follows:</p> <ul style="list-style-type: none"> • On all future submittals please include the Case Number Z2019-009 on the lower right hand corner. • When provided, please review the SUP Draft Ordinance prior to the Planning & Zoning public hearing scheduled for May 14, 2019 and return with red lined corrections and/or additions you feel may be necessary for staff review and consideration <p>** Planning Staff additional comments to be considered by the P&Z and City Council as conditions of approval (conditions may change at the discretion of Council):</p> <ol style="list-style-type: none"> 1. Approval of an SUP is required to allow for development and operation of a restaurant less than 2,000 SF without a drive-through or drive-in land use within PD-50. 2. Adherence to all Engineering and Fire Department standards shall be required <p>*** Operational Conditions:</p> <ol style="list-style-type: none"> 1) The development and operation of a restaurant land use shall generally conform to the Concept Plan depicted in Exhibit 'B' of the proposed ordinance; 2) The operation of the restaurant land use shall be limited to the area of the first floor as depicted in the Floor Plan as attached in Exhibit 'C' of the proposed ordinance; 3) The use of the second floor area shall be limited to storage only. Any other use may require the addition of parking spaces conforming to the parking and loading standards of Article VI, of the Unified Development Code (UDC). 4) The development and operation of restaurant land use shall allow for seven (7) parking spaces and shall generally conform to the Concept Plan depicted in Exhibit 'B' of the proposed ordinance. <p>The following are scheduled meeting dates that you and/or your representative(s) are required to attend regarding the SUP request. If you have any questions regarding this case, please feel free to contact David Gonzales, AICP with the Planning Department at 972-771-7745.</p> <p>*** Meeting Dates to Attend ***</p> <p>Planning - Work Session: April 30, 2019 (6:00 p.m.) [Applicant to present case to P&Z for discussion]</p> | | | | | | |

| Type of Review / Notes | Contact | Sent | Due | Received | Elapsed Status | Remarks |
|--------------------------------------------------------------------------------------------------------------------------------|---------|------|-----|----------|----------------|---------|
| Planning - Public Hearing: May 14, 2019 (6:00 p.m.) [P&Z to take action (i.e. approve, approve with conditions, or deny, etc.) | | | | | | |
| City Council - Public Hearing: May 20, 2019 (6:00 p.m.) [1st Reading of SUP Ordinance] | | | | | | |
| City Council - Consent/Action Item: June 3, 2019 (6:00 p.m.) [2nd Reading of SUP Ordinance (if approved at 1st reading)] | | | | | | |

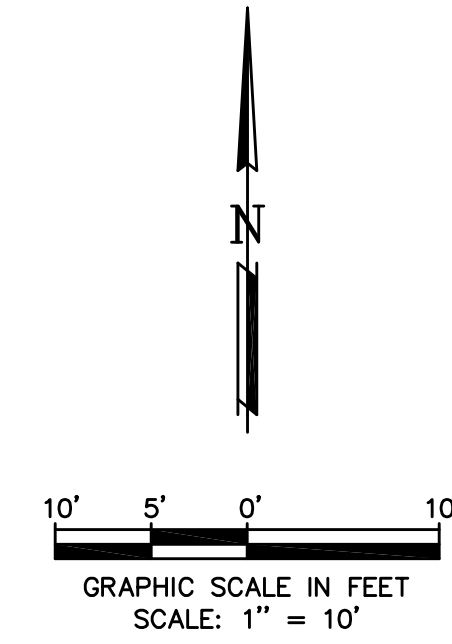
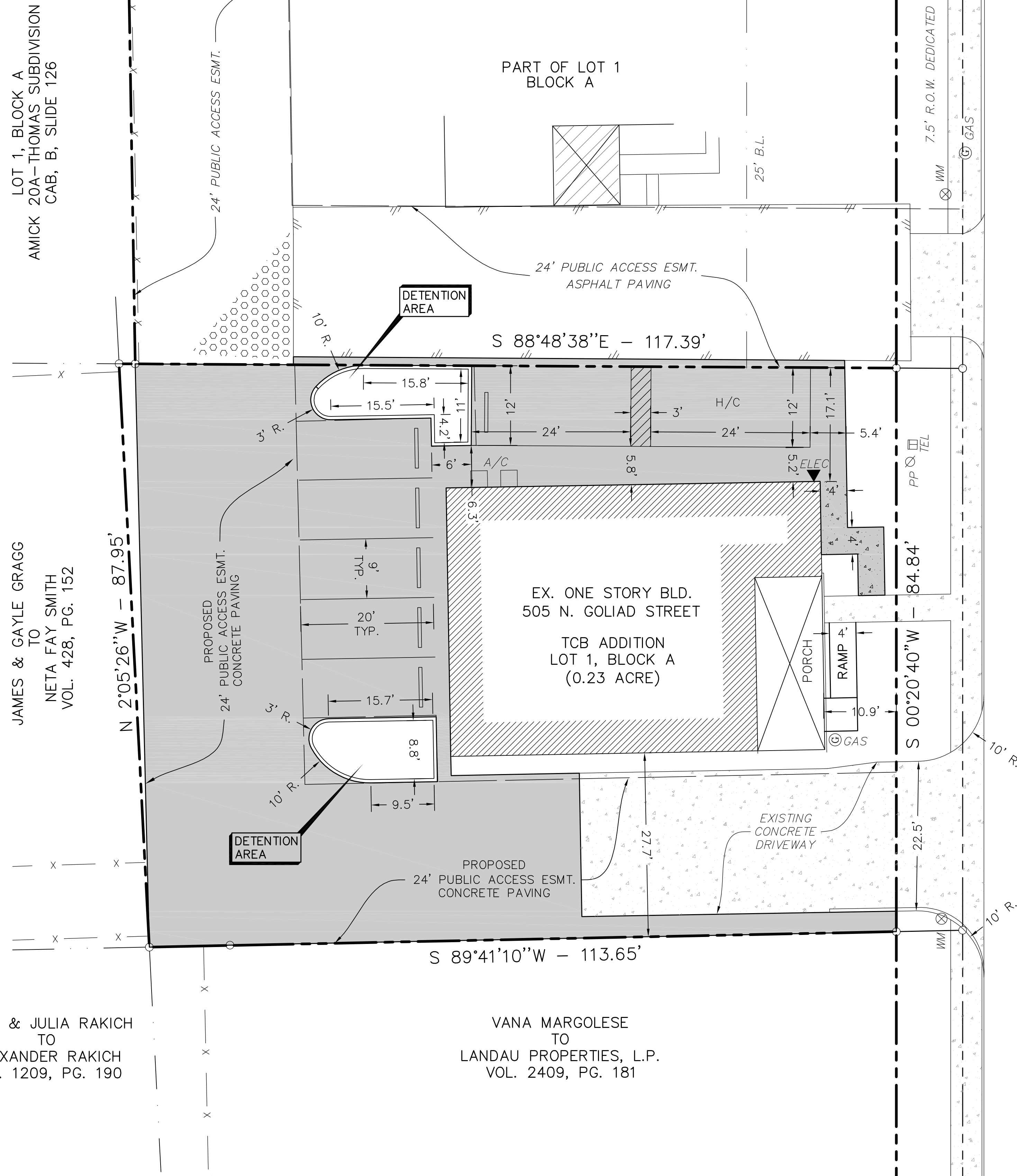


City of Rockwall

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.





VICINITY MAP
N.T.S.

OWNER:
TCB CONSTRUCTION GROUP, LLC.
906 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

SITE DATA

| | |
|----------------------|-------------------------------------|
| LOT AREA | 10,019 SF ~ 0.23 AC |
| ZONING | PD-50 NORTH GOLIAD OVERLAY DISTRICT |
| INSIDE BUILDING AREA | 1916 SF |
| FRONT PORCH | 264 SF |
| PARKING REQUIRED | 8 SPACES |
| PARKING PROVIDED | 7 SPACES |

PRELIMINARY
FOR REVIEW
ONLY

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TUAN P. LAM, P.E. 86968 ON 4/3/19. ALTERATION OF A SEALED DOCUMENT WITHOUT THE PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

CONCEPT PLAN

TCB ADDITION - LOT 1, BLOCK A
BONAFIDE BETTIES PIES CO.
505 N. GOLIAD STREET
ROCKWALL, TEXAS 75087



LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE
SACHSE, TEXAS 75048
Phone (214) 766-1011
www.lamcivil.com
Firm #F-9763

| | | | | | |
|---------|-----|--------|------------|----------|----------|
| DESIGN: | LCE | CHECK: | LCE | SCALE: | AS NOTED |
| DRAWN: | CTL | DATE: | APRIL 2019 | PROJECT: | 632-19 |

2 of 6

SURVEY INFORMATION ON THIS DRAWING WAS PROVIDED BY OTHERS. LAM CONSULTING ENGINEERING IS NOT RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHIC MAPPING NOR BENCHMARK DATUM.

THE INFORMATION SHOWN ON THIS PLAN IS FROM RECORD DRAWINGS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS DRAWING. CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES AND CONTACT ALL UTILITY COMPANIES 48 HRS PRIOR TO ANY EXCAVATION. 1-800-DIG TESS

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

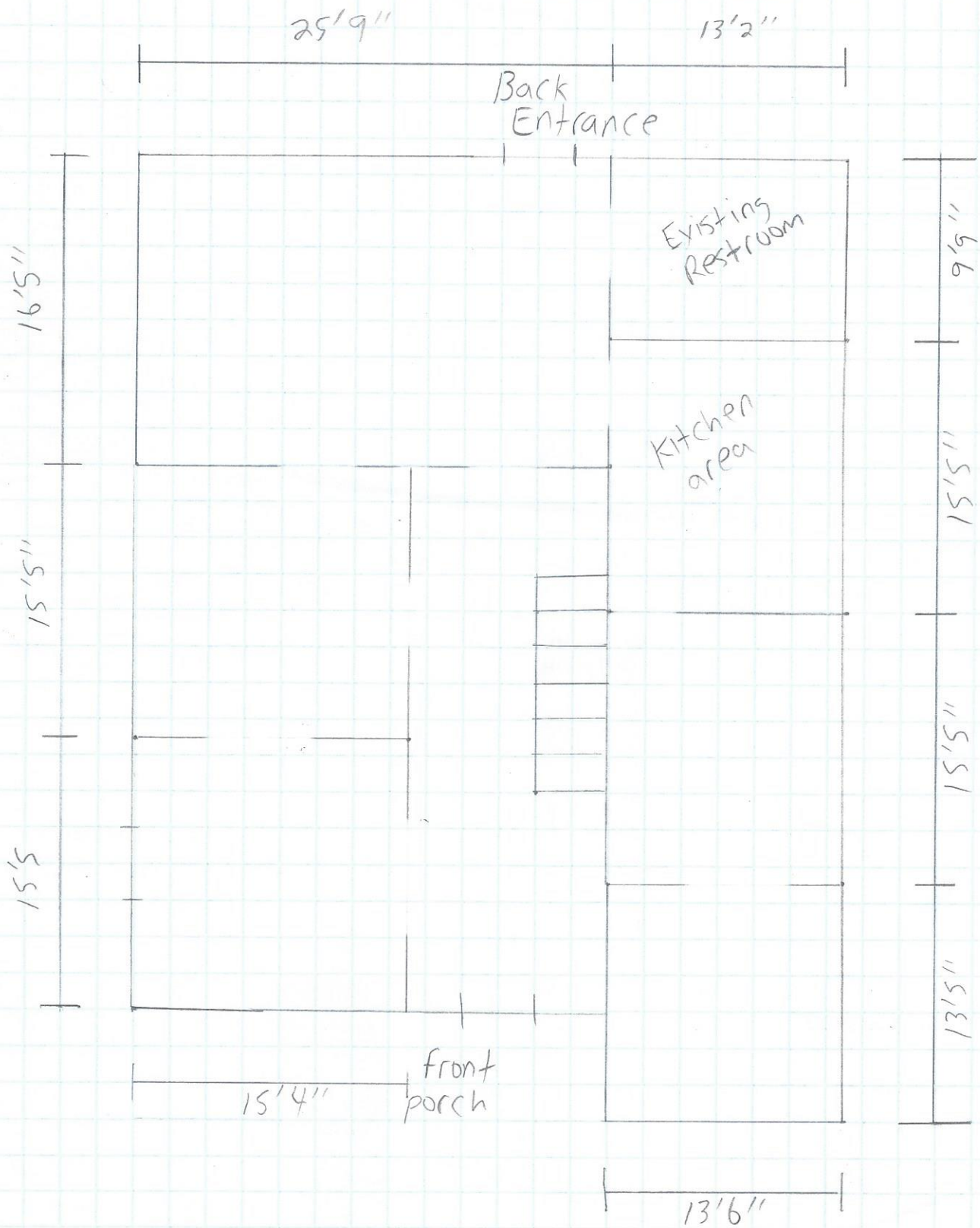
CEDO & JULIA RAKICH
TO
ALEXANDER RAKICH
VOL. 1209, PG. 190

VANA MARGOLESE
TO
LANDAU PROPERTIES, L.P.
VOL. 2409, PG. 181

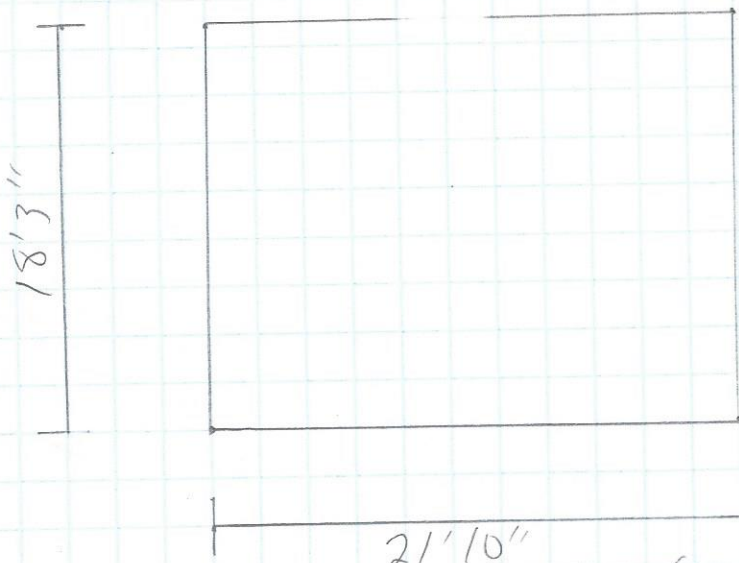
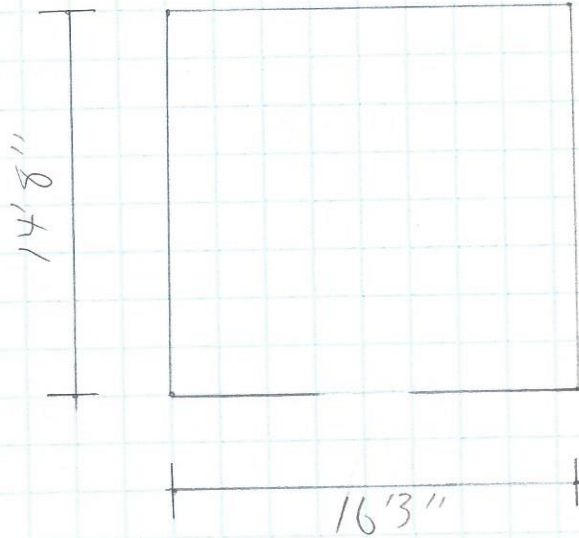
JAMES & GAYLE GRAGG
TO
NETA FAY SMITH
VOL. 428, PG. 152

LOT 1, BLOCK A
AMICK 20A-THOMAS SUBDIVISION
CAB, B, SLIDE 126

Bona fide Betties Pie Company
505 N Goliad



upstairs area

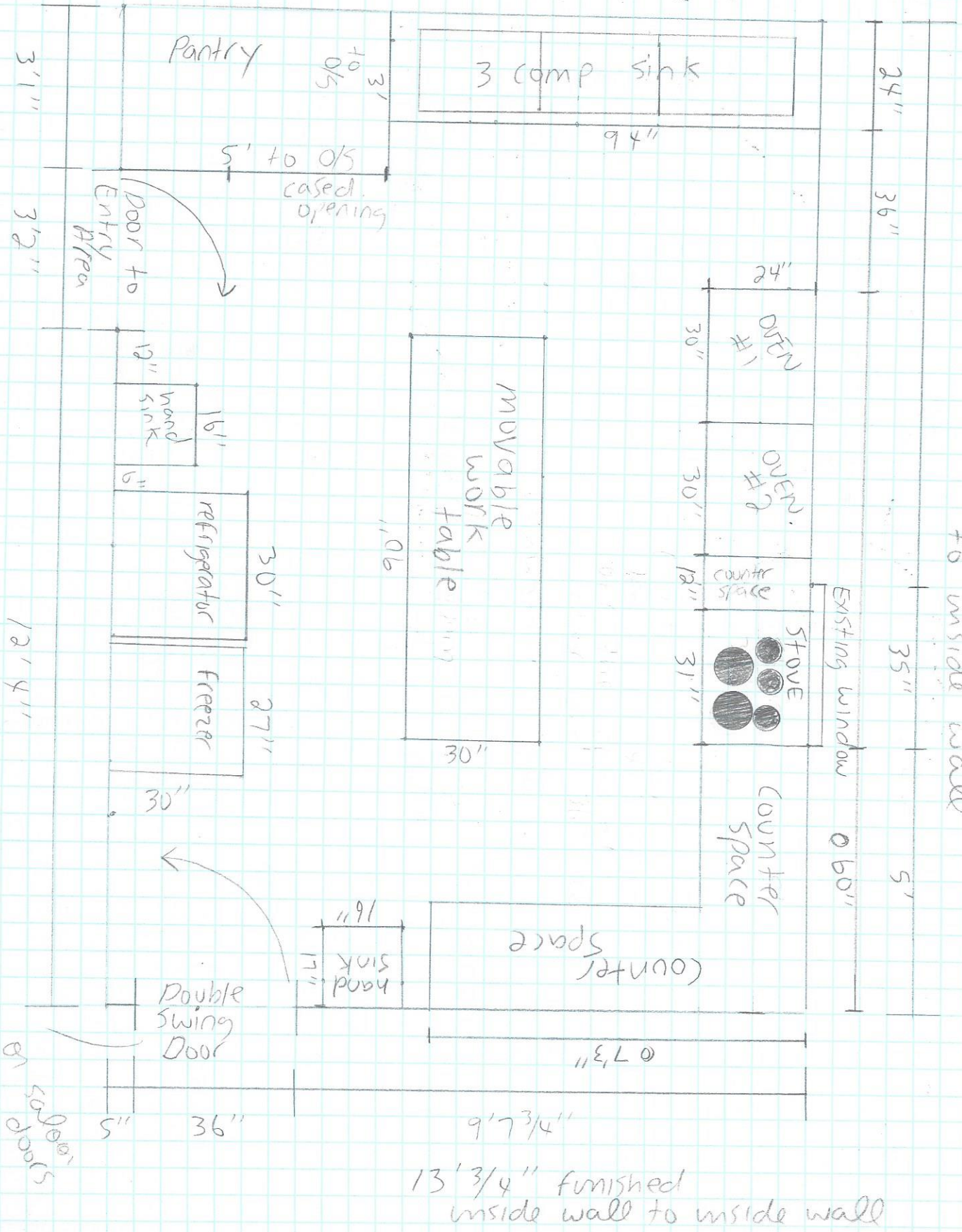


front of the building

Kitchen layout

18" furnished inside wall to inside wall

The existing window ledge is 43" off the unfinished floor and is 36" tall

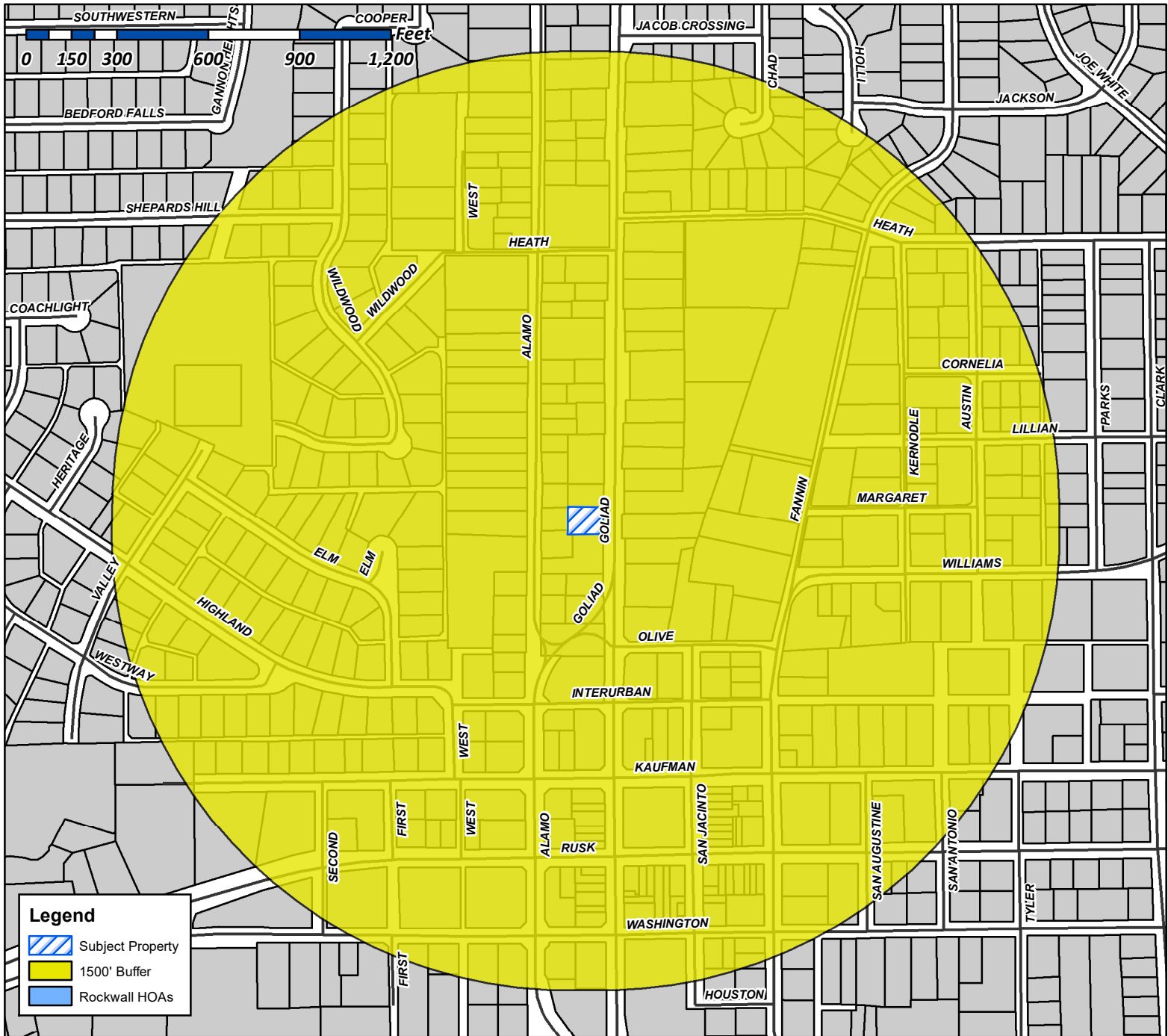




City of Rockwall

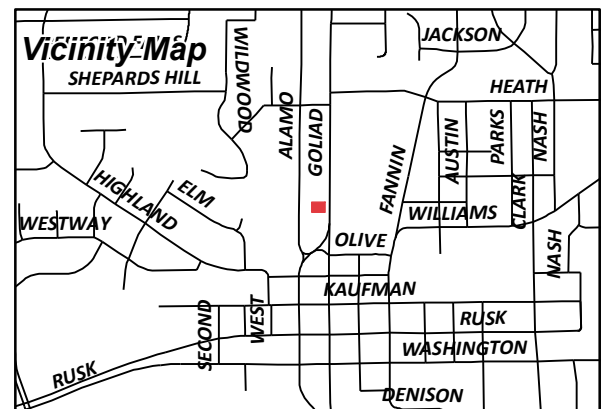
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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: Z2019-009
Case Name: SUP for a Restaurant in PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)
Case Address: 505 N. Goliad Street

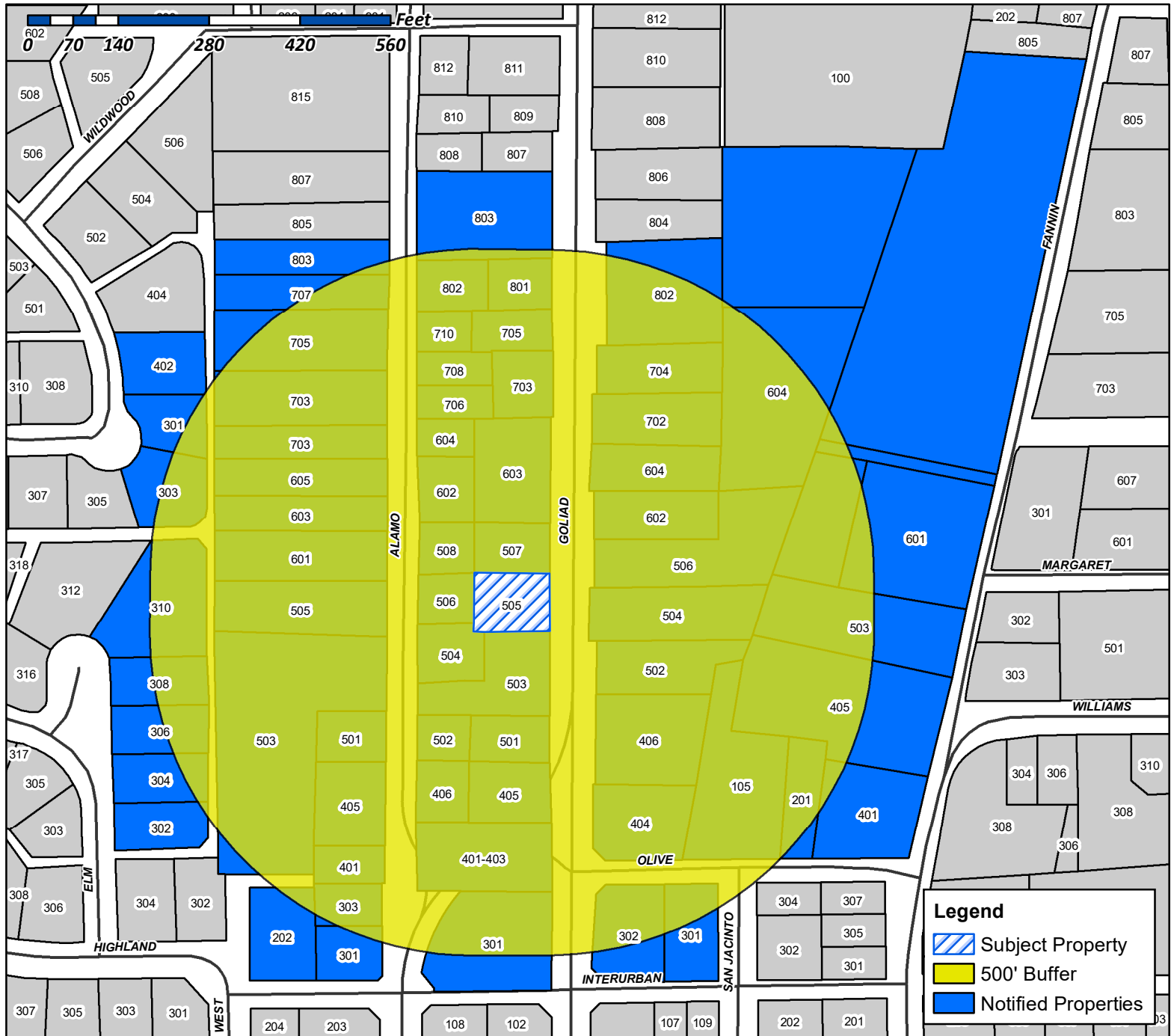
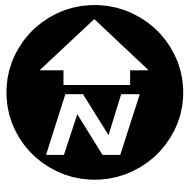
Date Created: 4/17/2019
For Questions on this Case Call (972) 771-7745



City of Rockwall

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

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



Case Number: Z2019-009
Case Name: SUP for a Restaurant in PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)
Case Address: 505 N. Goliad Street

Date Created: 4/17/2019
For Questions on this Case Call (972) 771-7745



BARKER PERRY H & ELIZABETH D
104 SCENIC DR
HEATH, TX 75032

CURRENT RESIDENT
105 OLIVE ST
ROCKWALL, TX 75087

TEEL BRITTON & BARBARA
10925 ROCKSTONE DR
BALCH SPRINGS, TX 75180

WAGNER GERALD P
112 LOS PECES
GUN BARRELL, TX 75156

R & S OPERATING CO LP
11508 ROYALSHIRE DR
DALLAS, TX 75230

WRIGHT JOHN M & SUSAN L
1605 SEASCAPE CT
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S
1614 S LAKESHORE DR
ROCKWALL, TX 75087

CRAWFORD STEVE
1709 GASLIGHT CT
SEABROOK, TX 77586

ROCKWALL RUSTIC RANCH LLC
1827 MYSTIC STREET
ROCKWALL, TX 75032

BLACK SHIRLEY M
1924 PALMETTO ISLE DR
MT. PLEASANT, SC 29466

CURRENT RESIDENT
201 OLIVE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
202 INTERURBAN ST
ROCKWALL, TX 75087

PEOPLES DOSVILLE
208 W HEATH ST
ROCKWALL, TX 75087

BEDFORD AUSTIN J & TERRI W
301 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N SAN JACINTO
ROCKWALL, TX 75087

FERRIS BETH
301 WILDWOOD LN
ROCKWALL, TX 75087

REILLY KELSEY AND DAVID
302 ELM DRIVE
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

LEAL CAROL RHEA & ROLAND
303 N ALAMO RD
ROCKWALL, TX 75087

ANGLE GLENDA ANNE
303 WILDWOOD LN
ROCKWALL, TX 75087

GLASS KATHLEEN J
304 ELM DR
ROCKWALL, TX 75087

BELL MARY NELL
306 ELM DR
ROCKWALL, TX 75087

WATCHMEN REAL ESTATE LLC
3077 N GOLIAD
ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN
308 ELM DR
ROCKWALL, TX 75087

GATES CHARLES H & BRENDA F
310 ELM DR
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L
3922 MEDITERRANEAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
401-403 N GOLIAD
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T
402 WILDWOOD LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
404 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N ALAMO
ROCKWALL, TX 75087

ODOM JAY & ALISON
405 N FANNIN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N GOLIAD
ROCKWALL, TX 75087

MORGAN NANCY D
429 PARK PLACE BLVD
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS
4917 SAINT JAMES CT
MESQUITE, TX 75150

CURRENT RESIDENT
501 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
501 N GOLIAD
ROCKWALL, TX 75087

TAMEZ SILVINO & ARACELIA
502 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
502 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N GOLIAD ST
ROCKWALL, TX 75087

BYRUM RICKY CONN AND JO ANN
504 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
504 N GOLIAD
ROCKWALL, TX 75087

ALSOBROOK DAVID
505 CARRIAGE TRL
ROCKWALL, TX 75087

TUCKER PAMELA
505 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
505 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N GOLIAD
ROCKWALL, TX 75087

FLEMING HALLIE B
507 N GOLIAD
ROCKWALL, TX 75087

MORGAN RHONA L &
508 N ALAMO RD
ROCKWALL, TX 75087

CAWTHON RICK
508 NASH ST
ROCKWALL, TX 75087

RNDI COMPANIES INC
519 E INTERSTATE 30 # 157
ROCKWALL, TX 75087

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

ROMO SEAN R AND STACEY M
544 LAUREL LN
FATE, TX 75087

CURRENT RESIDENT
601 N ALAMO
ROCKWALL, TX 75087

HALL DOUGLAS A & MARCI
601 N FANNIN ST
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN
602 N ALAMO ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
602 N GOLIAD
ROCKWALL, TX 75087

HAMILTON JOANN
603 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
603 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 GOLIAD
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA
604 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
605 N ALAMO
ROCKWALL, TX 75087

SMITH G DAVID
702 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 N ALAMO RD
ROCKWALL, TX 75087

IRBY DENNIS
703 N GOLIAD ST
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
706 N ALAMO
ROCKWALL, TX 75087

CALABRESE CORINNA RAE
707 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
708 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
710 N ALAMO
ROCKWALL, TX 75087

CRISWELL BARBARA
7110 HUNT LANE
ROCKWALL, TX 75087

CHRISTENSEN VALERIE
801 N GOLIAD
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A
802 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
802 N GOLIAD
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K
803 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
803 N GOLIAD ST
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE
830 SHORES BLVD
ROCKWALL, TX 75087

KILLION OLIN R
8709 DALROCK RD
ROWLETT, TX 75089

KILLION OLIN R & AGATHA
8709 DALROCK RD
ROWLETT, TX 75089

POINTER PRICE AND
906 N GOLIAD STREET
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

LAND HEADQUARTERS COMPANY INC
PO BOX 69
KEY BISCAYNE, FL 33149

LAYTON ERIC A
PO BOX 998
ROCKWALL, TX 75087

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Chris Lam, P.E. of Lam Consulting for the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* on a 0.23-acre parcel of land, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and being identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, addressed as 505 N. Goliad Street, 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 Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

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

SECTION 1. That Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant Less than 2,000 SF without a Drive-Through or Drive-In* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Planned Development District 50 (PD-50)*, and *Section 1.1, Land Use Schedule*, of *Article IV, Permissible Uses*, and *Subsection 4.02, Residential Office (RO) District*, of *Section 4, Commercial (C) Districts*, of *Article V, District Development Standards*, and *Subsection 6.04, North Goliad Corridor Overlay (NGC OV) District*, of *Section 6, Overlay Districts*, of *Article V*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-in (restaurant)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *restaurant* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The operation of the *restaurant* land use shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of this ordinance;
- 3) The use of the second floor area shall be limited to storage only. Any other use will require additional parking spaces.

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment 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 Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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 offense 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 3RD DAY OF MAY, 2019.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 20, 2019

2nd Reading: June 3, 2019

Exhibit 'A':

*Legal Description: Block 20B, Amick Addition
Address: 505 N. Goliad Street*



Exhibit 'B':
Concept Plan

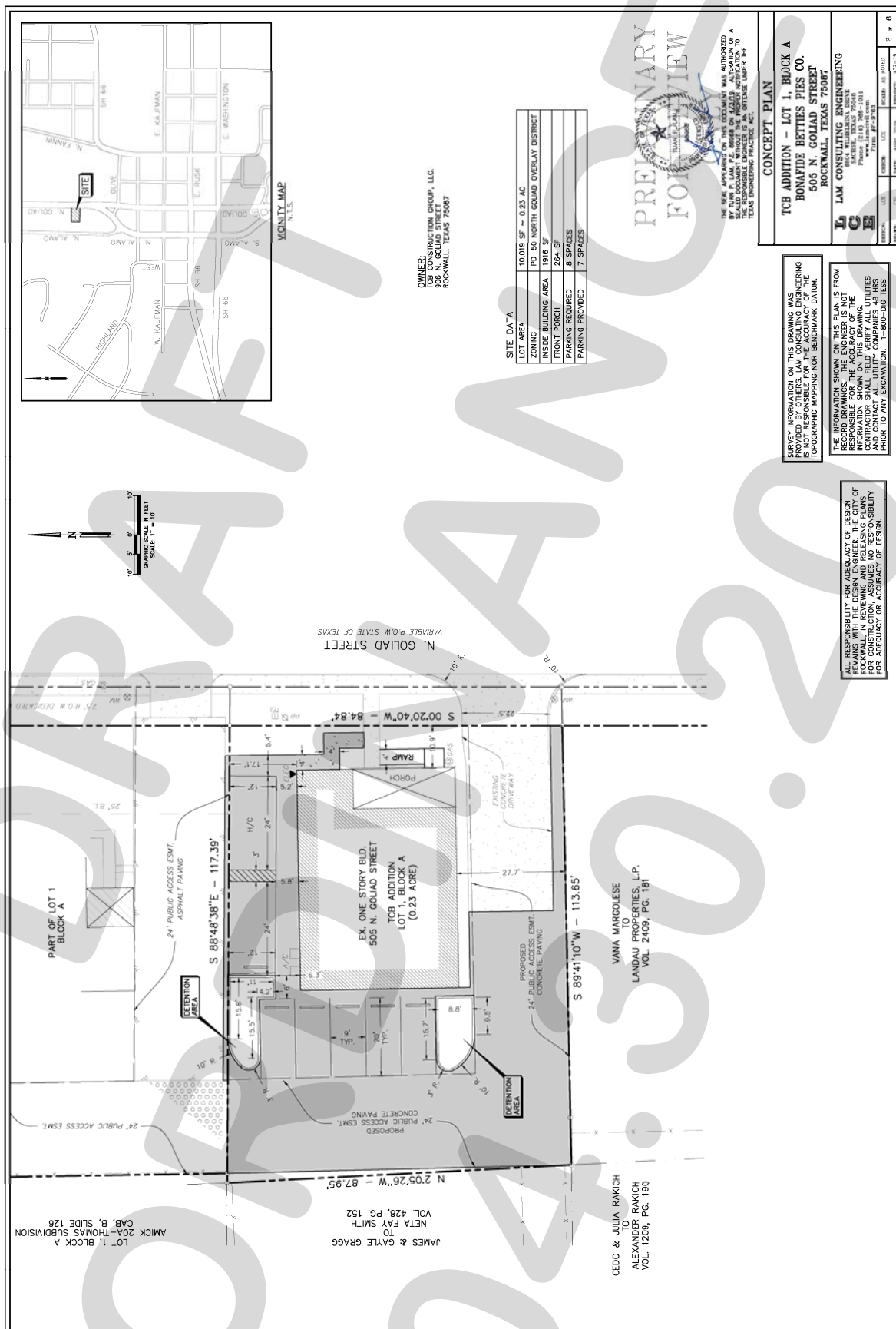
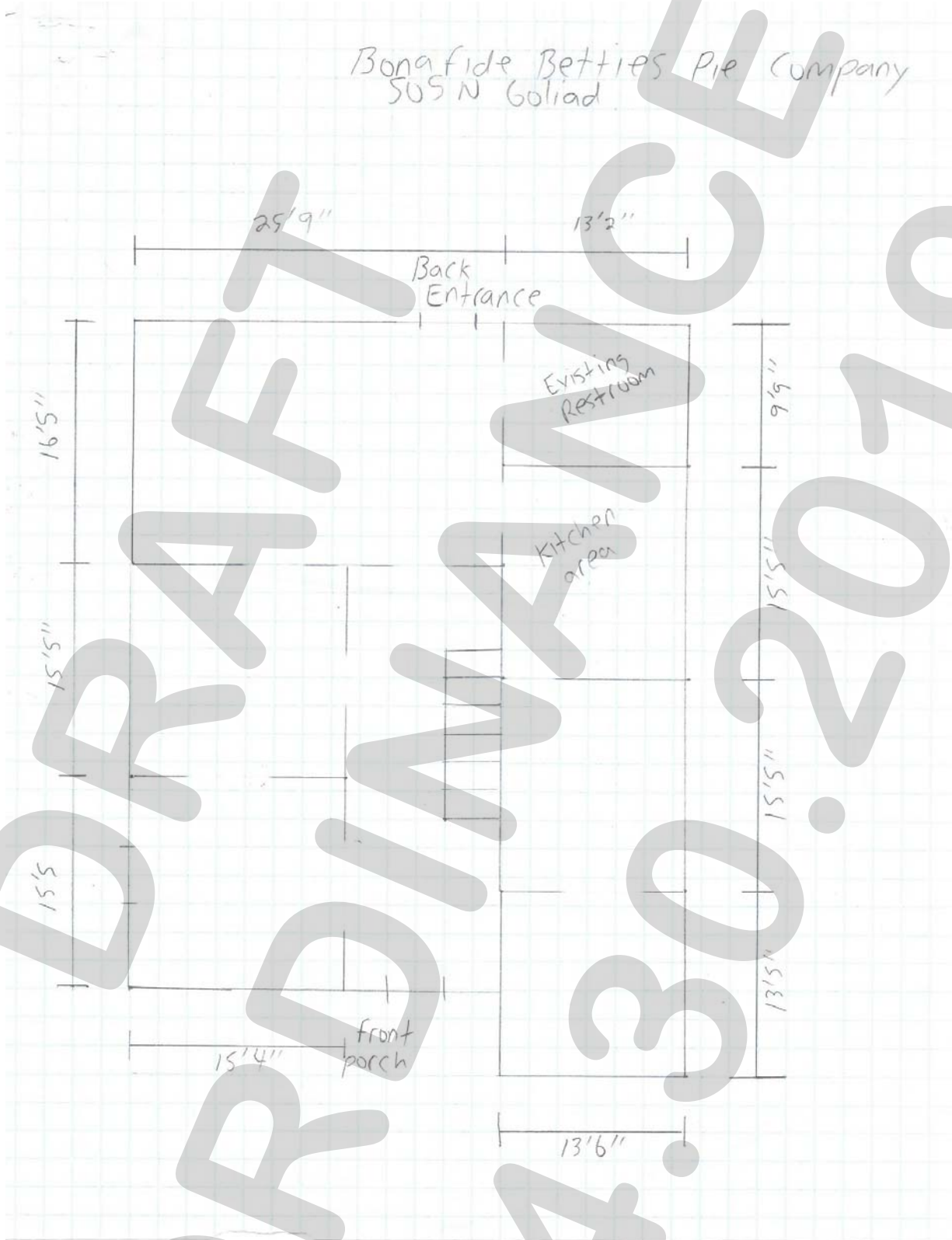


Exhibit 'C':
Floor Plan





CITY OF ROCKWALL

PLANNING AND ZONING 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: May 14, 2019
APPLICANT: Chris Lam, PE of Lam Consulting
CASE NUMBER: Z2019-009; *SUP for Restaurant, Less than 2,000 SF, w/out a Drive-Through*

SUMMARY

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a *restaurant less than 2,000 SF without a drive-through or drive-in* on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

BACKGROUND

The subject property is a 0.23-acre parcel of land identified as Block 20B of the Amick Addition. It is situated within the North Goliad Corridor Overlay (NGC OV) District, and is addressed as 505 N. Goliad Street. Currently situated on the subject property is a 1,916 SF single family home, which according to the Historic Resource Survey -- *performed by the City of Rockwall in 2017* -- was constructed circa 1915, and is identified as a *Medium Contributing Property (i.e. a property that displays an architectural style, use unusual to construction methods, or for some other reason has a potentially significant historic significance)*. According to the City's historic zoning maps, the subject property has been zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses since August 5, 2002.

PURPOSE

The applicant, Chris Lam, P.E. of Lam Consulting Engineering, has submitted a request for a Specific Use Permit (SUP) to allow a restaurant, without a drive-through or drive-in, that is less than 2,000 SF within Planned Development District 50 (PD-50). More specifically, the applicant is proposing to convert the existing single-family home to a commercial property to accommodate the proposed restaurant land use (*i.e. Bonafide Betties Pie Company*).

ADJACENT LAND USES AND ACCESS

The subject property is located at 505 N. Goliad Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a local boutique (*i.e. Hallie B's*), situated on a 0.2296-acre parcel of land. This property is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. Beyond this property is a continuation of Planned Development District 50 (PD-50).

South: Directly south of the subject property is a vacant 0.420-acre parcel of land. This property is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. Beyond this property is a continuation of Planned Development District 50 (PD-50).

East: Directly east of the subject property are local businesses and residential properties along N. Goliad Street that are zoned Planned Development District 50 (PD-50) for Residential Office District (RO) land uses. Beyond these properties are single-family residential homes zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property are single-family homes zoned Single-Family 7 (SF-7) District.

CHARACTERISTICS OF THE REQUEST

Bonafide Betties Pie Company is currently located at 103 S. San Jacinto Street, and is planning to relocate to a larger facility at 505 N. Goliad Street. This location is located with Planned Development District 50 (PD-50). The Residential Office (RO) District, which is the underlying zoning designation for Planned Development District 50 (PD-50), requires a Specific Use Permit (SUP) for a restaurant with additional restrictions that stipulate the restaurant be less than 2,000 SF and not have a drive-through or a drive-in. The proposed restaurant is a limited service restaurant, and parking for the facility will be calculated at one (1) parking space per 250 SF of area. This means the restaurant would require eight (8) parking spaces [*i.e. 1916 SF/250 SF = 8 Parking Spaces*]. Based on size of the site and the area taken up by the existing single-family home, the applicant is only able to incorporate a total of seven (7) parking spaces on-site. Staff has included an operational condition allowing the reduced number of parking spaces. Staff has also included operational conditions requiring the installation of a minimum six (6) foot tall, *board-on-board*, wood fence to be constructed along the western property boundary, and that the second floor be used only for storage purposes. These have been included as conditions of approval in the SUP ordinance.

CONFORMANCE WITH THE CITY'S CODES

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant, Less Than 2000 SF, without a Drive-Through or Drive-in* land use requires approval of a Specific Use Permit (SUP) in the Residential Office (RO) District. In addition, according to Section 5.6.A, *Screening from Residential Uses*, of Article VIII, *Landscape Standards*, of the Unified Development Code (UDC), "(a)ny...parking lot that has a side or rear [yard] contiguous to any residential district...shall be screened with a masonry fence...six [6] feet in height. As an alternative, berms in conjunction with a minimum of a six [6] foot wrought fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the Planning and Zoning Commission determines that the proposed alternative will provide sufficient screening." In this case, the subject property is located within Planned Development District 50 (PD-50), which has had other non-residential properties be permitted to construct a minimum of a six (6) foot tall wooden fence adjacent to a residentially zoned property. In Planned Development District 50 (PD-50) it has been determined that this provides for a better transition of land uses while providing sufficient screening and maintaining a residential aesthetic. The provision of the wood screening fence has been added as a condition of approval for this case.

INFRASTRUCTURE

Planned Development District 50 (PD-50) requires a cross access easement on all adjoining properties when the use has changed from a residential land use to a non-residential land use. An access plan for PD-50 is also included in the OURHometown Vision 2040 Comprehensive Plan under Appendix 'A', *Small Area Plans*. The subject property will be incorporating a 20-foot wide drive aisle and connecting to the cross access easement on the adjacent property to the north (*i.e. 507 N. Goliad Street*). This will

provide ingress/egress for both properties, while meeting the intent of the access plan contained in the Comprehensive Plan.

STAFF ANALYSIS

The intent of the Residential-Office (RO) District is to allow for the conversion of older residential homes into low-intensity professional office and/or retail businesses. This creates a transition from the adjacent residential neighborhoods to more intense land uses or higher intensity thoroughfares. In addition, conversion of this home would extend the economic life of the structure. The use as a limited service restaurant is consistent with other properties in the district. A limited service restaurant tends to operate in a similar way to a low-intensity retail establishment in that it usually involves customers that are picking up food or baked goods, and does not typically involve a dine-in experience. Included in the attached packet is a concept plan, floor plan, and a draft ordinance containing regulations for the proposed land use. Based on staff's review, the applicant's request does appear to be consistent with the intent of the district; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council.

NOTIFICATIONS

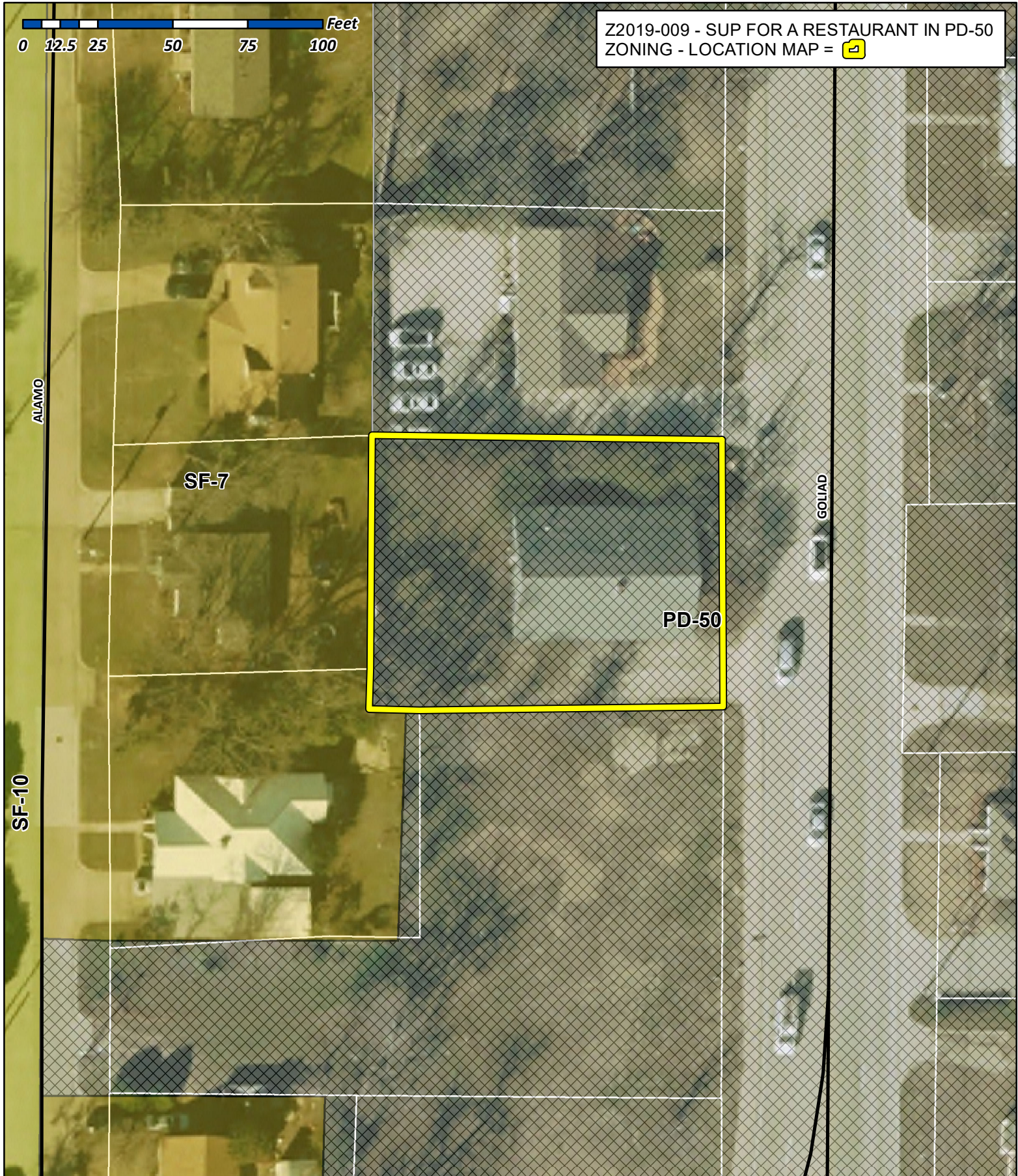
On May 2, 2019, staff mailed 34 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there are no Home Owners Associations (HOA's), or neighborhood groups participating in the Neighborhood Notification Program within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received one (1) notice and two (2) emails in favor of the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) allowing a *Restaurant, without a Drive-Through or Drive-In, that is Less than 2,000 SF* then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:
 - a) The development and operation of a *restaurant* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the proposed ordinance;
 - b) The operation of the *restaurant* shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of the proposed ordinance;
 - c) The use of the second floor area shall be limited to storage only. Any other use will require additional parking spaces.
 - d) A minimum of a six (6)-foot tall, board-on-board, wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).
- (2) The applicant shall submit an application requesting approval of a Certificate of Appropriateness (COA) to the Historic Preservation Advisory Board (HPAB) seeking approval for all work that has been done to the existing structure.
- (3) The applicant shall be required to submit a site plan for review and approval by the Historic Preservation Advisory Board (HPAB) and the Planning and Zoning Commission.

- (4) 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.

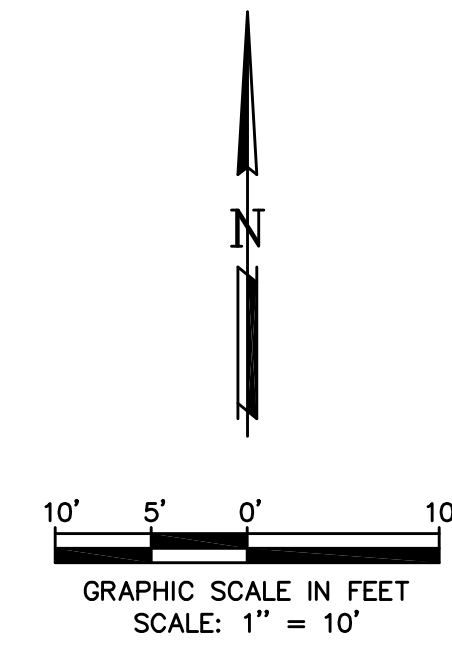
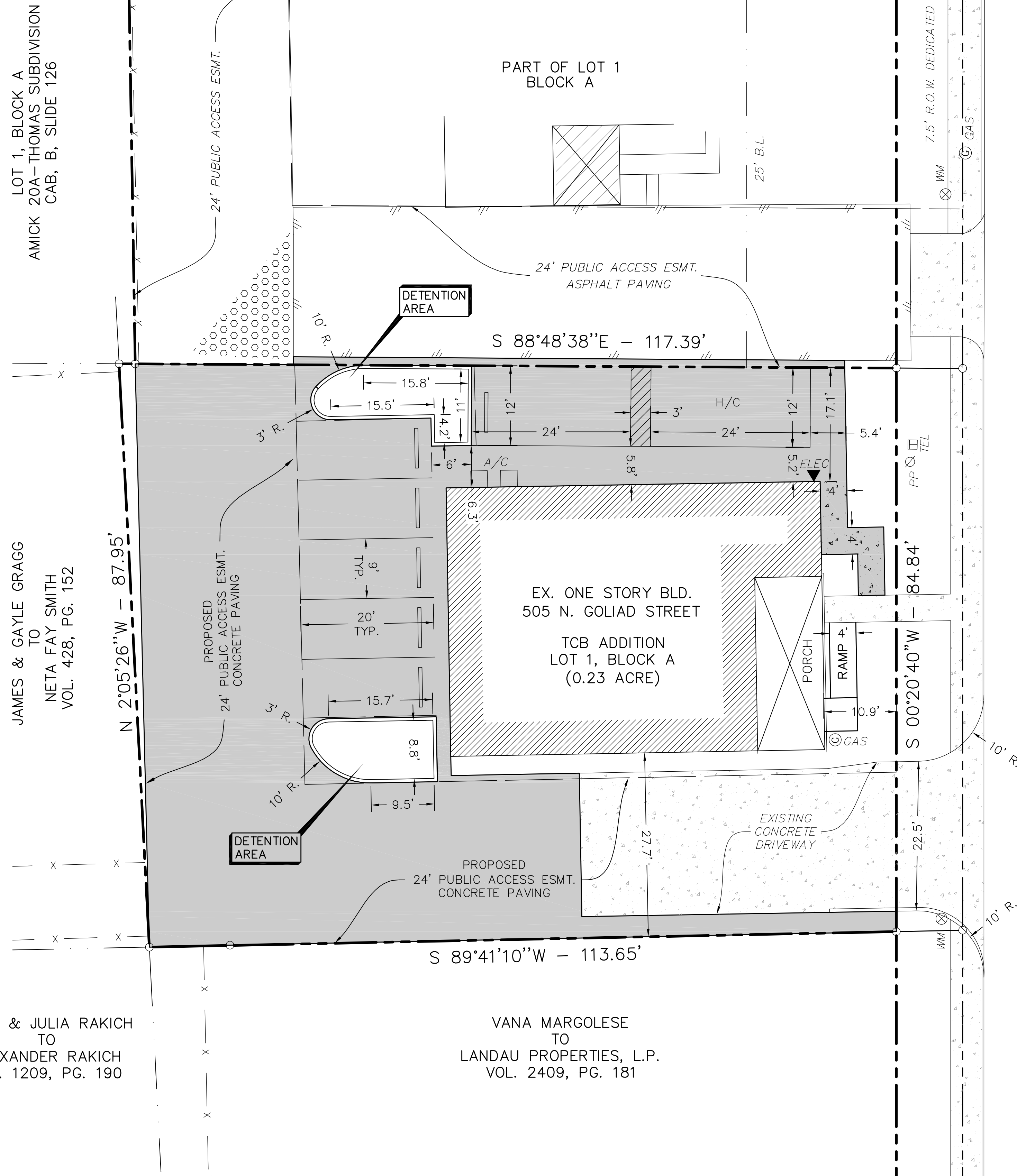


City of Rockwall

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.





VICINITY MAP
N.T.S.

OWNER:
TCB CONSTRUCTION GROUP, LLC.
906 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

SITE DATA

| | |
|----------------------|-------------------------------------|
| LOT AREA | 10,019 SF ~ 0.23 AC |
| ZONING | PD-50 NORTH GOLIAD OVERLAY DISTRICT |
| INSIDE BUILDING AREA | 1916 SF |
| FRONT PORCH | 264 SF |
| PARKING REQUIRED | 8 SPACES |
| PARKING PROVIDED | 7 SPACES |

PRELIMINARY
FOR REVIEW
ONLY

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY TUAN P. LAM, P.E. 86968 ON 4/3/19. ALTERATION OF A SEALED DOCUMENT WITHOUT THE PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.

CONCEPT PLAN

TCB ADDITION - LOT 1, BLOCK A
BONAFIDE BETTIES PIES CO.
505 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE
SACHSE, TEXAS 75048
Phone (214) 766-1011
www.lamcivil.com
Firm #F-9763

| | | | | | |
|---------|-----|--------|------------|----------|----------|
| DESIGN: | LCE | CHECK: | LCE | SCALE: | AS NOTED |
| DRAWN: | CTL | DATE: | APRIL 2019 | PROJECT: | 632-19 |

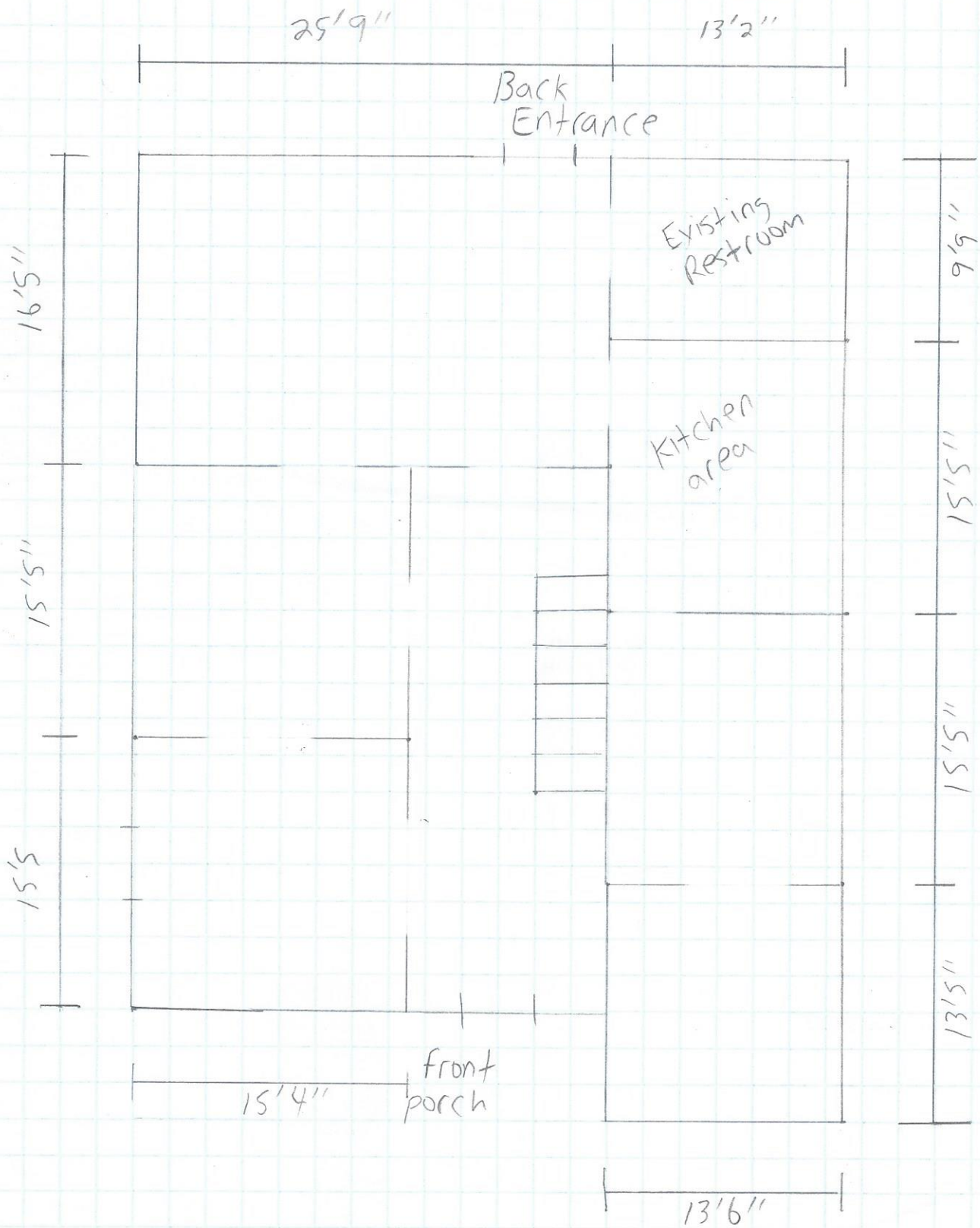
2 of 6

SURVEY INFORMATION ON THIS DRAWING WAS PROVIDED BY OTHERS. LAM CONSULTING ENGINEERING IS NOT RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHIC MAPPING NOR BENCHMARK DATUM.

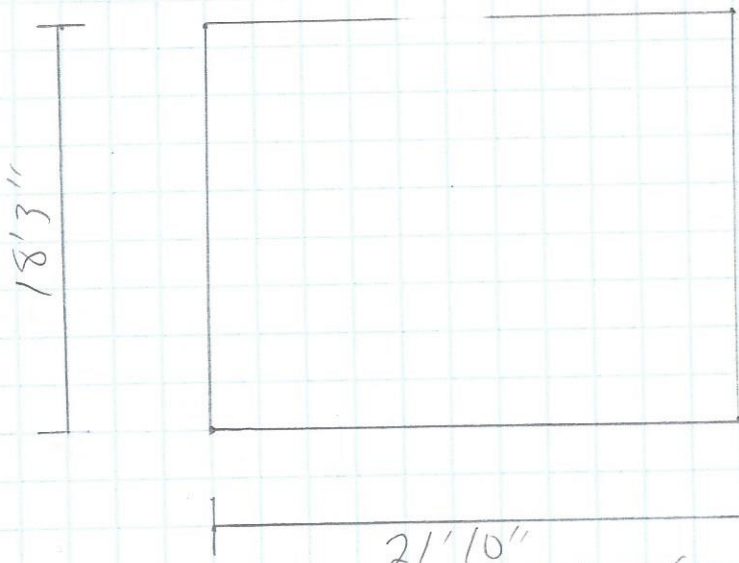
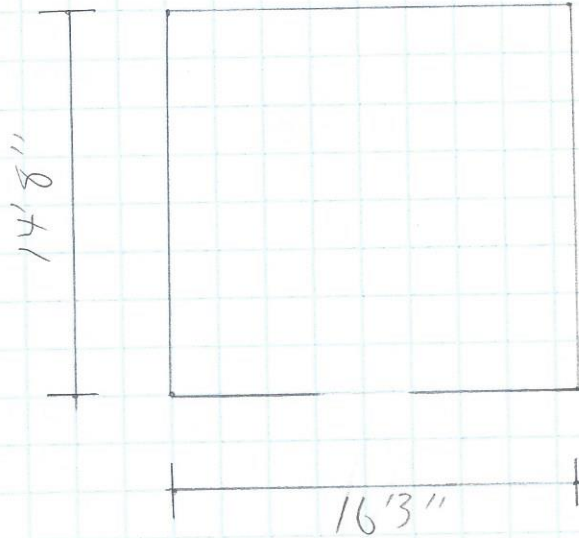
THE INFORMATION SHOWN ON THIS PLAN IS FROM RECORD DRAWINGS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS DRAWING. CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES AND CONTACT ALL UTILITY COMPANIES 48 HRS PRIOR TO ANY EXCAVATION. 1-800-DIG TESS

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN REMAINS WITH THE DESIGN ENGINEER. THE CITY OF ROCKWALL, IN REVIEWING AND RELEASING PLANS FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY FOR ADEQUACY OR ACCURACY OF DESIGN.

Bona fide Betties Pie Company
505 N Goliad

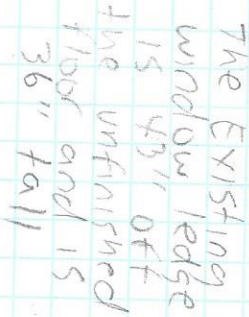


upstairs area



front of the building

187 furnished inside wall
to inside wall

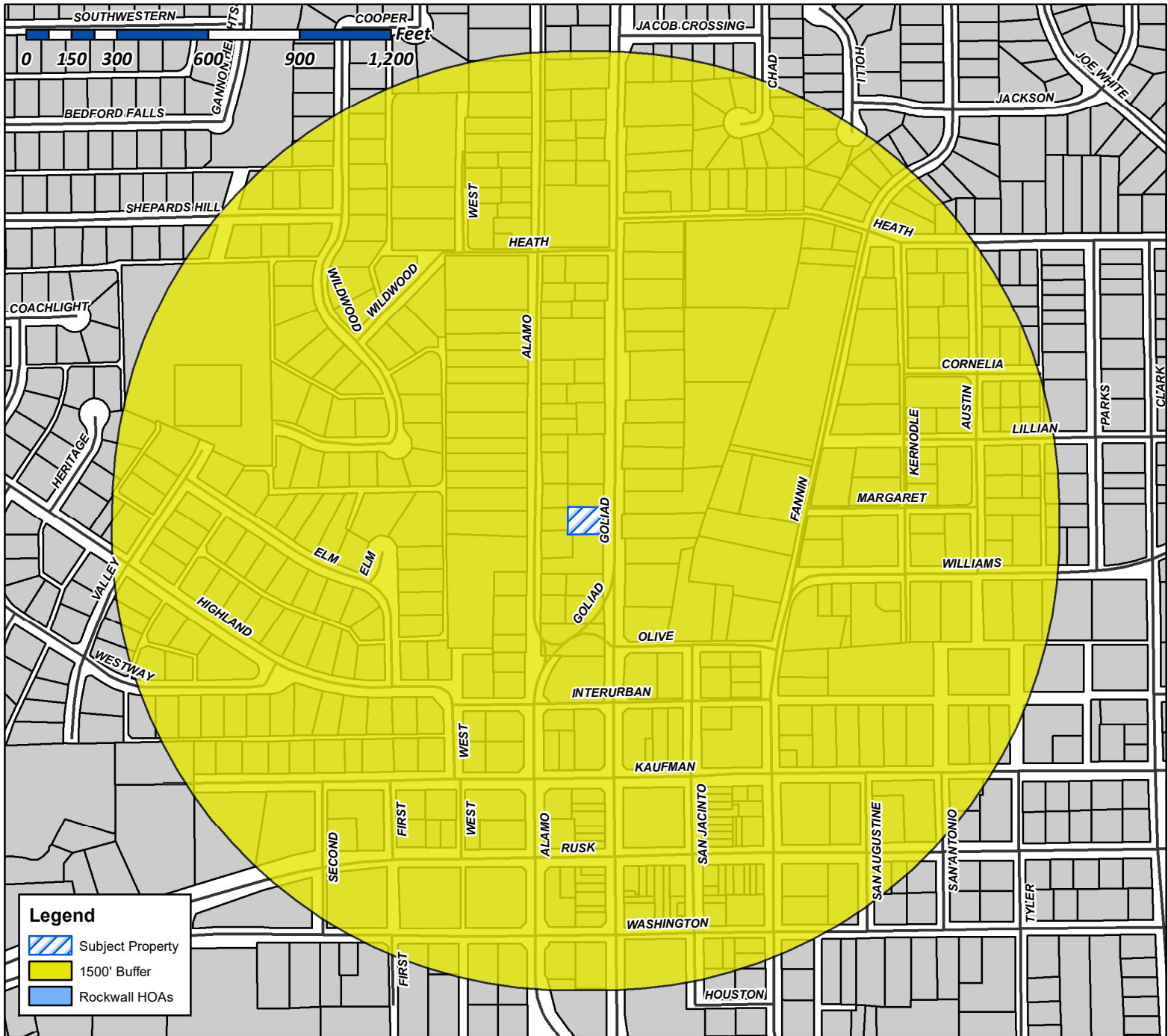




City of Rockwall

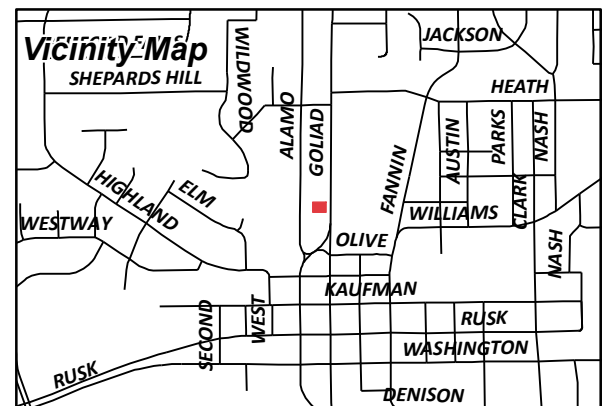
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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: Z2019-009
Case Name: SUP for a Restaurant in PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)
Case Address: 505 N. Goliad Street

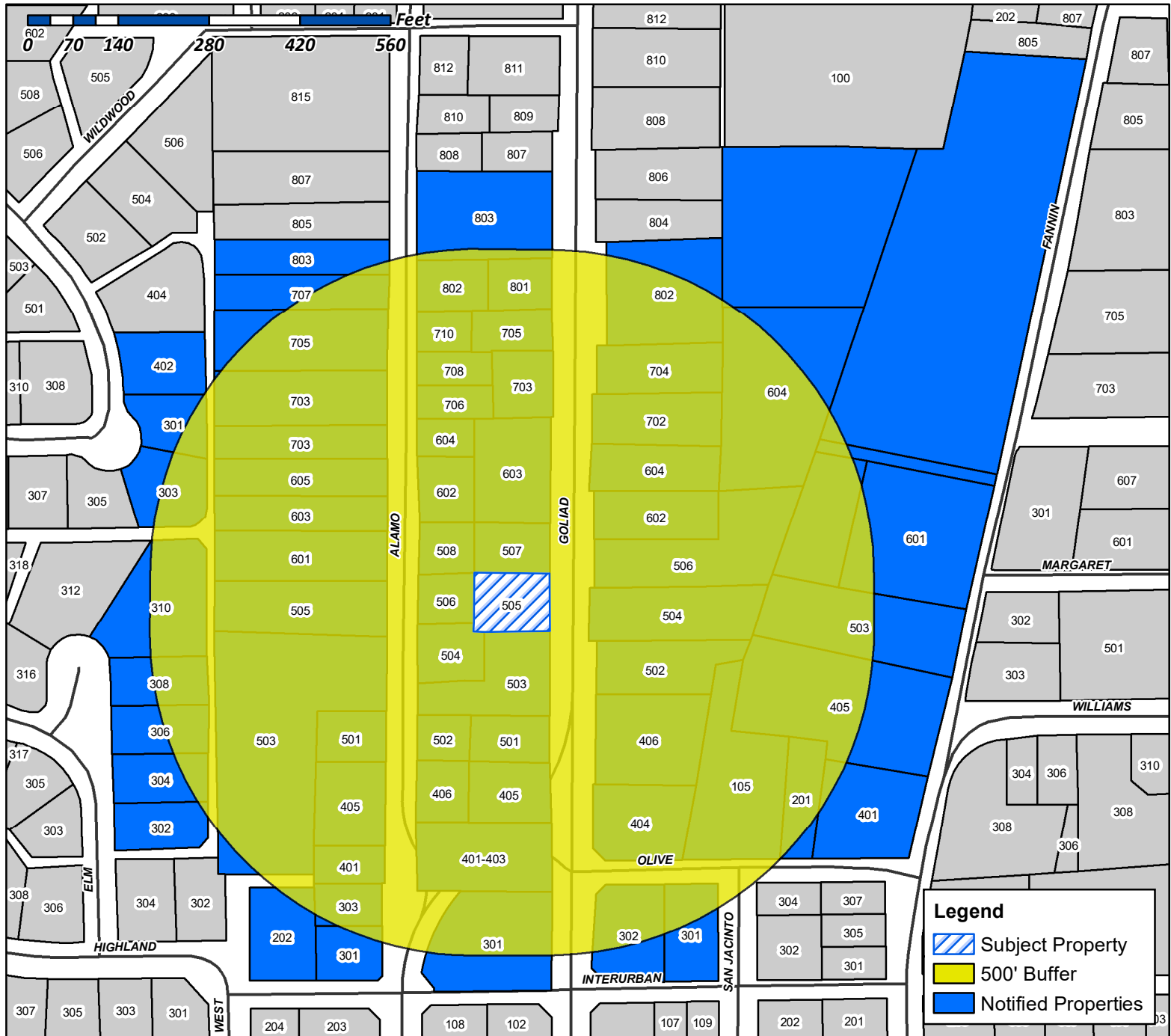
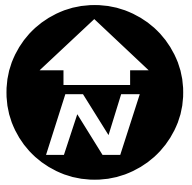
Date Created: 4/17/2019
For Questions on this Case Call (972) 771-7745



City of Rockwall

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

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



Case Number: Z2019-009
Case Name: SUP for a Restaurant in PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)
Case Address: 505 N. Goliad Street

Date Created: 4/17/2019
For Questions on this Case Call (972) 771-7745





NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2019-009: SUP for a Restaurant in PD-50

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/14/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 5/20/2019 at 6:00 p.m.** 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:

David Gonzales
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 **5/20/2019** 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 ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING//DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

— . . . PLEASE RETURN THE BELOW FORM —

Case No. Z2019-009: SUP for a Restaurant in PD-50

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

BARKER PERRY H & ELIZABETH D
104 SCENIC DR
HEATH, TX 75032

CURRENT RESIDENT
105 OLIVE ST
ROCKWALL, TX 75087

TEEL BRITTON & BARBARA
10925 ROCKSTONE DR
BALCH SPRINGS, TX 75180

WAGNER GERALD P
112 LOS PECES
GUN BARRELL, TX 75156

R & S OPERATING CO LP
11508 ROYALSHIRE DR
DALLAS, TX 75230

WRIGHT JOHN M & SUSAN L
1605 SEASCAPE CT
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S
1614 S LAKESHORE DR
ROCKWALL, TX 75087

CRAWFORD STEVE
1709 GASLIGHT CT
SEABROOK, TX 77586

ROCKWALL RUSTIC RANCH LLC
1827 MYSTIC STREET
ROCKWALL, TX 75032

BLACK SHIRLEY M
1924 PALMETTO ISLE DR
MT. PLEASANT, SC 29466

CURRENT RESIDENT
201 OLIVE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
202 INTERURBAN ST
ROCKWALL, TX 75087

PEOPLES DOSVILLE
208 W HEATH ST
ROCKWALL, TX 75087

BEDFORD AUSTIN J & TERRI W
301 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N SAN JACINTO
ROCKWALL, TX 75087

FERRIS BETH
301 WILDWOOD LN
ROCKWALL, TX 75087

REILLY KELSEY AND DAVID
302 ELM DRIVE
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

LEAL CAROL RHEA & ROLAND
303 N ALAMO RD
ROCKWALL, TX 75087

ANGLE GLENDA ANNE
303 WILDWOOD LN
ROCKWALL, TX 75087

GLASS KATHLEEN J
304 ELM DR
ROCKWALL, TX 75087

BELL MARY NELL
306 ELM DR
ROCKWALL, TX 75087

WATCHMEN REAL ESTATE LLC
3077 N GOLIAD
ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN
308 ELM DR
ROCKWALL, TX 75087

GATES CHARLES H & BRENDA F
310 ELM DR
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L
3922 MEDITERRANEAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N FANNIN ST
ROCKWALL, TX 75087



CITY OF ROCKWALL

PLANNING AND ZONING 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: May 14, 2019
APPLICANT: Chris Lam, PE of Lam Consulting
CASE NUMBER: Z2019-009; *SUP for Restaurant, Less than 2,000 SF, w/out a Drive-Through*

SUMMARY

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a *restaurant less than 2,000 SF without a drive-through or drive-in* on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

BACKGROUND

The subject property is a 0.23-acre parcel of land identified as Block 20B of the Amick Addition. It is situated within the North Goliad Corridor Overlay (NGC OV) District, and is addressed as 505 N. Goliad Street. Currently situated on the subject property is a 1,916 SF single family home, which according to the Historic Resource Survey -- *performed by the City of Rockwall in 2017* -- was constructed circa 1915, and is identified as a *Medium Contributing Property (i.e. a property that displays an architectural style, use unusual to construction methods, or for some other reason has a potentially significant historic significance)*. According to the City's historic zoning maps, the subject property has been zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses since August 5, 2002.

PURPOSE

The applicant, Chris Lam, P.E. of Lam Consulting Engineering, has submitted a request for a Specific Use Permit (SUP) to allow a restaurant, without a drive-through or drive-in, that is less than 2,000 SF within Planned Development District 50 (PD-50). More specifically, the applicant is proposing to convert the existing single-family home to a commercial property to accommodate the proposed restaurant land use (*i.e. Bonafide Betties Pie Company*).

ADJACENT LAND USES AND ACCESS

The subject property is located at 505 N. Goliad Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a local boutique (*i.e. Hallie B's*), situated on a 0.2296-acre parcel of land. This property is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. Beyond this property is a continuation of Planned Development District 50 (PD-50).

CURRENT RESIDENT
401-403 N GOLIAD
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T
402 WILDWOOD LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
404 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N ALAMO
ROCKWALL, TX 75087

ODOM JAY & ALISON
405 N FANNIN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N GOLIAD
ROCKWALL, TX 75087

MORGAN NANCY D
429 PARK PLACE BLVD
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS
4917 SAINT JAMES CT
MESQUITE, TX 75150

CURRENT RESIDENT
501 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
501 N GOLIAD
ROCKWALL, TX 75087

TAMEZ SILVINO & ARACELIA
502 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
502 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N GOLIAD ST
ROCKWALL, TX 75087

BYRUM RICKY CONN AND JO ANN
504 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
504 N GOLIAD
ROCKWALL, TX 75087

ALSOBROOK DAVID
505 CARRIAGE TRL
ROCKWALL, TX 75087

TUCKER PAMELA
505 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
505 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N GOLIAD
ROCKWALL, TX 75087

FLEMING HALLIE B
507 N GOLIAD
ROCKWALL, TX 75087

MORGAN RHONA L &
508 N ALAMO RD
ROCKWALL, TX 75087

CAWTHON RICK
508 NASH ST
ROCKWALL, TX 75087

RNDI COMPANIES INC
519 E INTERSTATE 30 # 157
ROCKWALL, TX 75087

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

ROMO SEAN R AND STACEY M
544 LAUREL LN
FATE, TX 75087

CURRENT RESIDENT
601 N ALAMO
ROCKWALL, TX 75087

HALL DOUGLAS A & MARCI
601 N FANNIN ST
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN
602 N ALAMO ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
602 N GOLIAD
ROCKWALL, TX 75087

HAMILTON JOANN
603 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
603 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 GOLIAD
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA
604 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
605 N ALAMO
ROCKWALL, TX 75087

SMITH G DAVID
702 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 N ALAMO RD
ROCKWALL, TX 75087

IRBY DENNIS
703 N GOLIAD ST
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
706 N ALAMO
ROCKWALL, TX 75087

CALABRESE CORINNA RAE
707 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
708 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
710 N ALAMO
ROCKWALL, TX 75087

CRISWELL BARBARA
7110 HUNT LANE
ROCKWALL, TX 75087

CHRISTENSEN VALERIE
801 N GOLIAD
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A
802 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
802 N GOLIAD
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K
803 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
803 N GOLIAD ST
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE
830 SHORES BLVD
ROCKWALL, TX 75087

KILLION OLIN R
8709 DALROCK RD
ROWLETT, TX 75089

KILLION OLIN R & AGATHA
8709 DALROCK RD
ROWLETT, TX 75089

POINTER PRICE AND
906 N GOLIAD STREET
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

LAND HEADQUARTERS COMPANY INC
PO BOX 69
KEY BISCAYNE, FL 33149

LAYTON ERIC A
PO BOX 998
ROCKWALL, TX 75087

Gonzales, David

From: Planning
Sent: Tuesday, May 7, 2019 9:29 AM
To: Gonzales, David
Subject: FW: Case # Z2019-009 SUP restaurant in PD-50

From: Caprice Michelle [REDACTED]
Sent: Tuesday, May 7, 2019 9:24 AM
To: Planning <planning@rockwall.com>
Subject: Case # Z2019-009 SUP restaurant in PD-50

In favor 👍



Caprice Michelle, Broker
Brokered by, Caprice Michelle, LLC.
Broker Lic # 9004701
[214-789-7364](tel:214-789-7364)
Residential and Commercial Real Estate

[Click to Search Properties at CapriceMichelle.com](#)
[Click here for Commercial Listings](#)

Texas Law requires all real estate licensees to provide the following;
Texas Real Estate Commission Consumer Protection Notice
Texas Real Est ----- Message truncated -----



Caprice Michelle, Broker #0602530
Brokered by, Caprice Michelle, LLC. #9004701
[214-789-7364](tel:214-789-7364)
Residential and Commercial Real Estate

[Click to Search Properties at CapriceMichelle.com](#)

Texas Law requires all real estate licensees to provide the following;
[Texas Real Estate Commission Consumer Protection Notice](#)
[Texas Real Estate Commission Information About Brokerage Services](#)

Buy, Sell, Lease, Call Caprice!
Now serving the DFW Metroplex & Houston

<https://www.crexi.com/properties/Caprice Michelle>

<http://www.loopnet.com/profile/4277472420/Caprice-Michelle/listings>

Gonzales, David

From: Planning
Sent: Tuesday, May 7, 2019 8:06 AM
To: Gonzales, David
Subject: FW: Z2019-009

From: G. David Smith [REDACTED]
Sent: Monday, May 6, 2019 5:37 PM
To: Planning <planning@rockwall.com>
Subject: Z2019-009

I am in favor of the request for the reason that it will be a positive add to the neighborhood. We need some variety. Now get some sidewalks on our side so I can walk to the crosswalk and get to their side of the road.

G. David Smith
702 N. Goliad
Rockwall, Texas 75087
p. 972.771.2579
f. 972.771.0513

SMITH & LEE, LAWYERS

Board Certified in Personal Injury Trial Law
Texas Board of Legal Specialization

The information contained in this communication is a transmission from Smith & Lee, Lawyers, P.C., and may be information protected by the attorney/client and/or attorney/work product privilege. It and any attachments hereto are also covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2512, and are intended only for the personal and confidential use of the recipient(s) named in the communication, and the privileges are not waived by virtue of this having been sent by electronic mail. If the person actually receiving this communication or any other reader of the communication is not the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and delete the original message from your system. Thank you.



NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT
 PHONE: (972) 771-7745
 EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

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

Case No. Z2019-009: SUP for a Restaurant in PD-50

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, 5/14/2019 at 6:00 p.m., and the City Council will hold a public hearing on Monday, 5/20/2019 at 6:00 p.m. 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:

David Gonzales
 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 5/20/2019 to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
 Director of Planning & Zoning

USE THIS QR CODE
 TO GO DIRECTLY
 TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

PLEASE RETURN THE BELOW FORM

Case No. Z2019-009: SUP for a Restaurant in PD-50

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.

The further development of the Goliad Corridor to the downtown is good for local residents as well as increasing traffic to all the other businesses in the area & expanding the tax revenue. This is a good thing for Rockwall.

Name:

Dr. St. Meyer

Address:

505 N. Goliad Rockwall, TX 75087

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

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

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748

CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Chris Lam, P.E. of Lam Consulting for the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* on a 0.23-acre parcel of land, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and being identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, addressed as 505 N. Goliad Street, 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 Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

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

SECTION 1. That Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant Less than 2,000 SF without a Drive-Through or Drive-In* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Planned Development District 50 (PD-50)*, and *Section 1.1, Land Use Schedule*, of *Article IV, Permissible Uses*, and *Subsection 4.02, Residential Office (RO) District*, of *Section 4, Commercial (C) Districts*, of *Article V, District Development Standards*, and *Subsection 6.04, North Goliad Corridor Overlay (NGC OV) District*, of *Section 6, Overlay Districts*, of *Article V*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-in (restaurant)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *restaurant* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The operation of the *restaurant* land use shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of this ordinance;
- 3) The use of the second floor area shall be limited to storage only. Any other use will require additional parking spaces.
- 4) A minimum of six (6)-foot tall board on board wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).

2.2 COMPLIANCE

Approval of this ordinance in accordance with Section 8.3, *Council Approval or Denial*, of Article II, *Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment 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 Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 4.4.(3) of Article IV, *Permissible Uses*, of the Unified Development Code (UDC).

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 offense 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 3RD DAY OF MAY, 2019.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 20, 2019

2nd Reading: June 3, 2019

Exhibit 'A':

*Legal Description: Block 20B, Amick Addition
Address: 505 N. Goliad Street*



Exhibit 'B':
Concept Plan

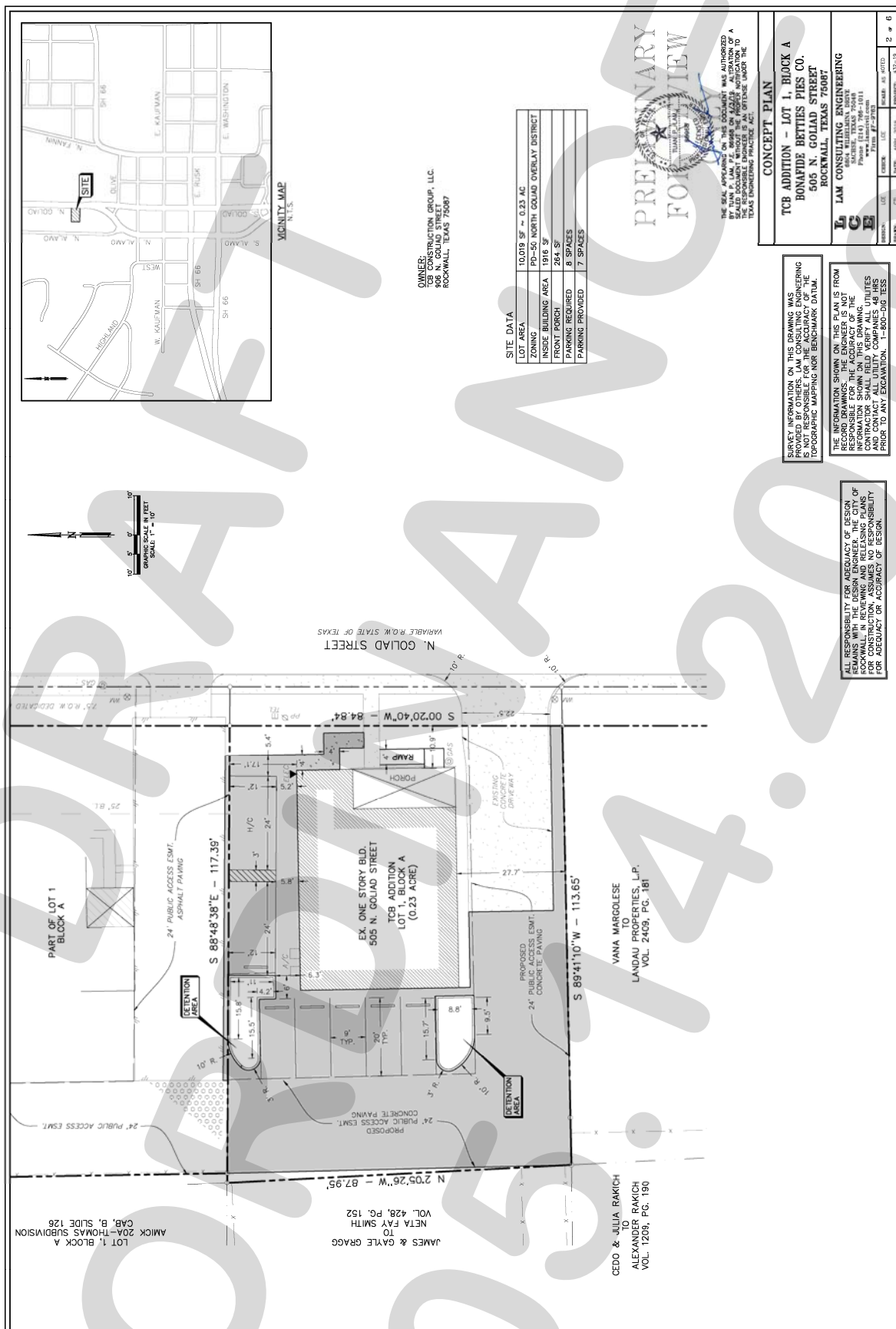
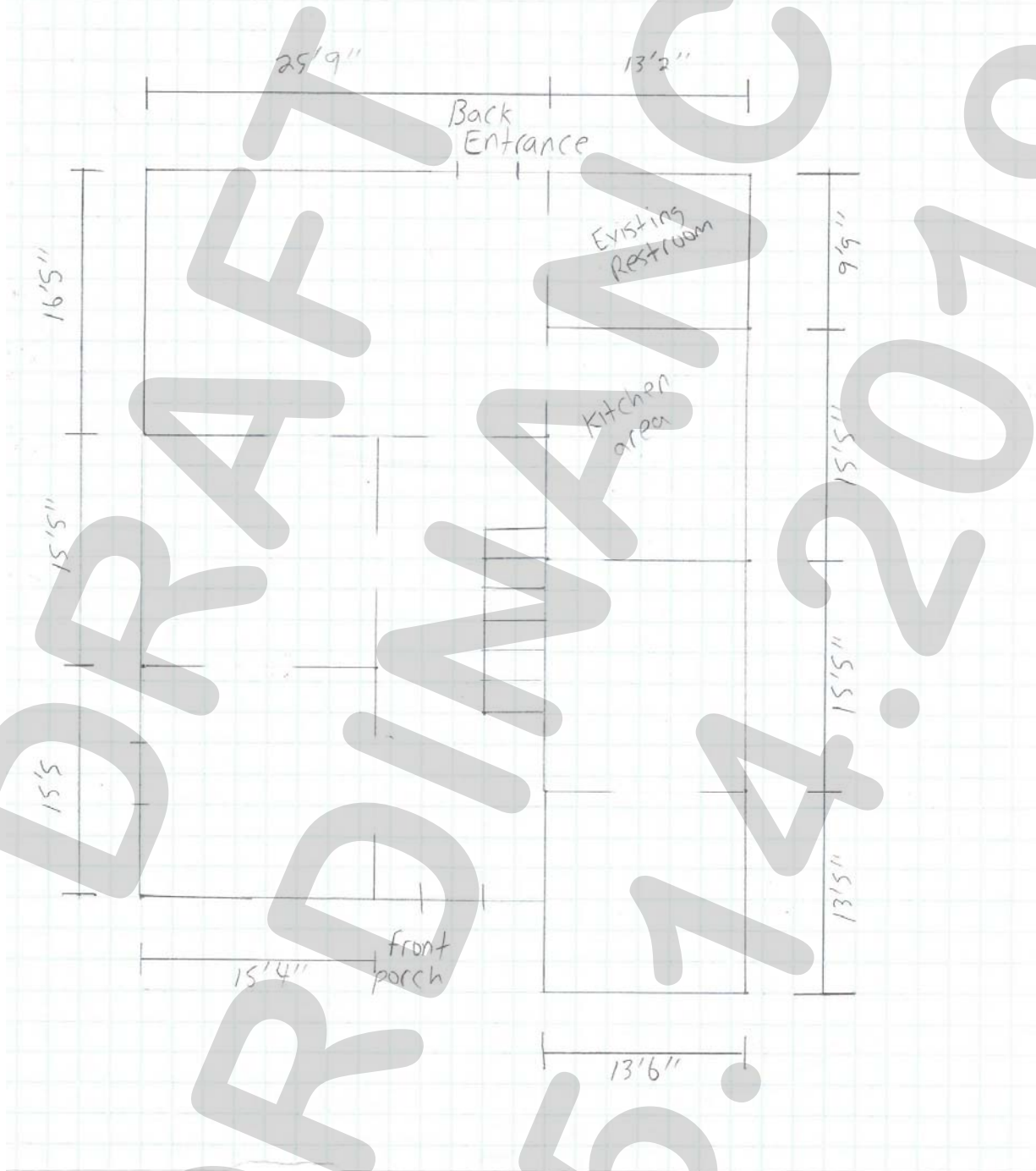


Exhibit 'C':
Floor Plan

Bona fide Betties Pie Company
505 N Goliad





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: May 20, 2019

APPLICANT: Chris Lam, PE of Lam Consulting

CASE NUMBER: Z2019-009; *SUP for Restaurant, Less than 2,000 SF, w/out a Drive-Through*

SUMMARY

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a *restaurant less than 2,000 SF without a drive-through or drive-in* on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

BACKGROUND

The subject property is a 0.23-acre parcel of land identified as Block 20B of the Amick Addition. It is situated within the North Goliad Corridor Overlay (NGC OV) District, and is addressed as 505 N. Goliad Street. Currently situated on the subject property is a 1,916 SF single family home, which according to the Historic Resource Survey -- *performed by the City of Rockwall in 2017* -- was constructed circa 1915, and is identified as a *Medium Contributing Property (i.e. a property that displays an architectural style, use unusual to construction methods, or for some other reason has a potentially significant historic significance)*. According to the City's historic zoning maps, the subject property has been zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses since August 5, 2002.

PURPOSE

The applicant, Chris Lam, P.E. of Lam Consulting Engineering, has submitted a request for a Specific Use Permit (SUP) to allow a restaurant, without a drive-through or drive-in, that is less than 2,000 SF within Planned Development District 50 (PD-50). More specifically, the applicant is proposing to convert the existing single-family home to a commercial property to accommodate the proposed restaurant land use (*i.e. Bonafide Betties Pie Company*).

ADJACENT LAND USES AND ACCESS

The subject property is located at 505 N. Goliad Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is a local boutique (*i.e. Hallie B's*), situated on a 0.2296-acre parcel of land. This property is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. Beyond this property is a continuation of Planned Development District 50 (PD-50).

South: Directly south of the subject property is a vacant 0.420-acre parcel of land. This property is zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses. Beyond this property is a continuation of Planned Development District 50 (PD-50).

East: Directly east of the subject property are local businesses and residential properties along N. Goliad Street that are zoned Planned Development District 50 (PD-50) for Residential Office District (RO) land uses. Beyond these properties are single-family residential homes zoned Single-Family 7 (SF-7) District.

West: Directly west of the subject property are single-family homes zoned Single-Family 7 (SF-7) District.

CHARACTERISTICS OF THE REQUEST

Bonafide Betties Pie Company is currently located at 103 S. San Jacinto Street, and is planning to relocate to a larger facility at 505 N. Goliad Street. This location is located with Planned Development District 50 (PD-50). The Residential Office (RO) District, which is the underlying zoning designation for Planned Development District 50 (PD-50), requires a Specific Use Permit (SUP) for a restaurant with additional restrictions that stipulate the restaurant be less than 2,000 SF and not have a drive-through or a drive-in. The proposed restaurant is a limited service restaurant, and parking for the facility will be calculated at one (1) parking space per 250 SF of area. This means the restaurant would require eight (8) parking spaces [*i.e. 1916 SF/250 SF = 8 Parking Spaces*]. Based on size of the site and the area taken up by the existing single-family home, the applicant is only able to incorporate a total of seven (7) parking spaces on-site. Staff has included an operational condition allowing the reduced number of parking spaces. Staff has also included operational conditions requiring the installation of a minimum six (6) foot tall, *board-on-board*, wood fence to be constructed along the western property boundary, and that the second floor be used only for storage purposes. These have been included as conditions of approval in the SUP ordinance.

CONFORMANCE WITH THE CITY'S CODES

According to Section 1.1, *Land Use Schedule*, of Article IV, *Permissible Uses*, of the Unified Development Code (UDC), the *Restaurant, Less Than 2000 SF, without a Drive-Through or Drive-in* land use requires approval of a Specific Use Permit (SUP) in the Residential Office (RO) District. In addition, according to Section 5.6.A, *Screening from Residential Uses*, of Article VIII, *Landscape Standards*, of the Unified Development Code (UDC), "(a)ny...parking lot that has a side or rear [yard] contiguous to any residential district...shall be screened with a masonry fence...six [6] feet in height. As an alternative, berms in conjunction with a minimum of a six [6] foot wrought fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the Planning and Zoning Commission determines that the proposed alternative will provide sufficient screening." In this case, the subject property is located within Planned Development District 50 (PD-50), which has had other non-residential properties be permitted to construct a minimum of a six (6) foot tall wooden fence adjacent to a residentially zoned property. In Planned Development District 50 (PD-50) it has been determined that this provides for a better transition of land uses while providing sufficient screening and maintaining a residential aesthetic. The provision of the wood screening fence has been added as a condition of approval for this case.

INFRASTRUCTURE

Planned Development District 50 (PD-50) requires a cross access easement on all adjoining properties when the use has changed from a residential land use to a non-residential land use. An access plan for PD-50 is also included in the OURHometown Vision 2040 Comprehensive Plan under Appendix 'A', *Small Area Plans*. The subject property will be incorporating a 24-foot wide drive aisle and connecting to the cross access easement on the adjacent property to the north (*i.e. 507 N. Goliad Street*). This will

provide ingress/egress for both properties, while meeting the intent of the access plan contained in the Comprehensive Plan.

STAFF ANALYSIS

The intent of the Residential-Office (RO) District is to allow for the conversion of older residential homes into low-intensity professional office and/or retail businesses. This creates a transition from the adjacent residential neighborhoods to more intense land uses or higher intensity thoroughfares. In addition, conversion of this home would extend the economic life of the structure. The use as a limited service restaurant is consistent with other properties in the district. A limited service restaurant tends to operate in a similar way to a low-intensity retail establishment in that it usually involves customers that are picking up food or baked goods, and does not typically involve a dine-in experience. Included in the attached packet is a concept plan, floor plan, and a draft ordinance containing regulations for the proposed land use. Based on staff's review, the applicant's request does appear to be consistent with the intent of the district; however, the approval of a Specific Use Permit (SUP) is a discretionary decision for the City Council.

NOTIFICATIONS

On May 2, 2019, staff mailed 34 notices to property owners and residents within 500-feet of the subject property. Staff did not send a neighborhood notification as there are no Home Owners Associations (HOA's), or neighborhood groups participating in the Neighborhood Notification Program within 1,500-feet of the subject property. Additionally, staff posted a sign on the subject property as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received three (3) notices and two (2) emails in favor of the applicant's request.

CONDITIONS OF APPROVAL

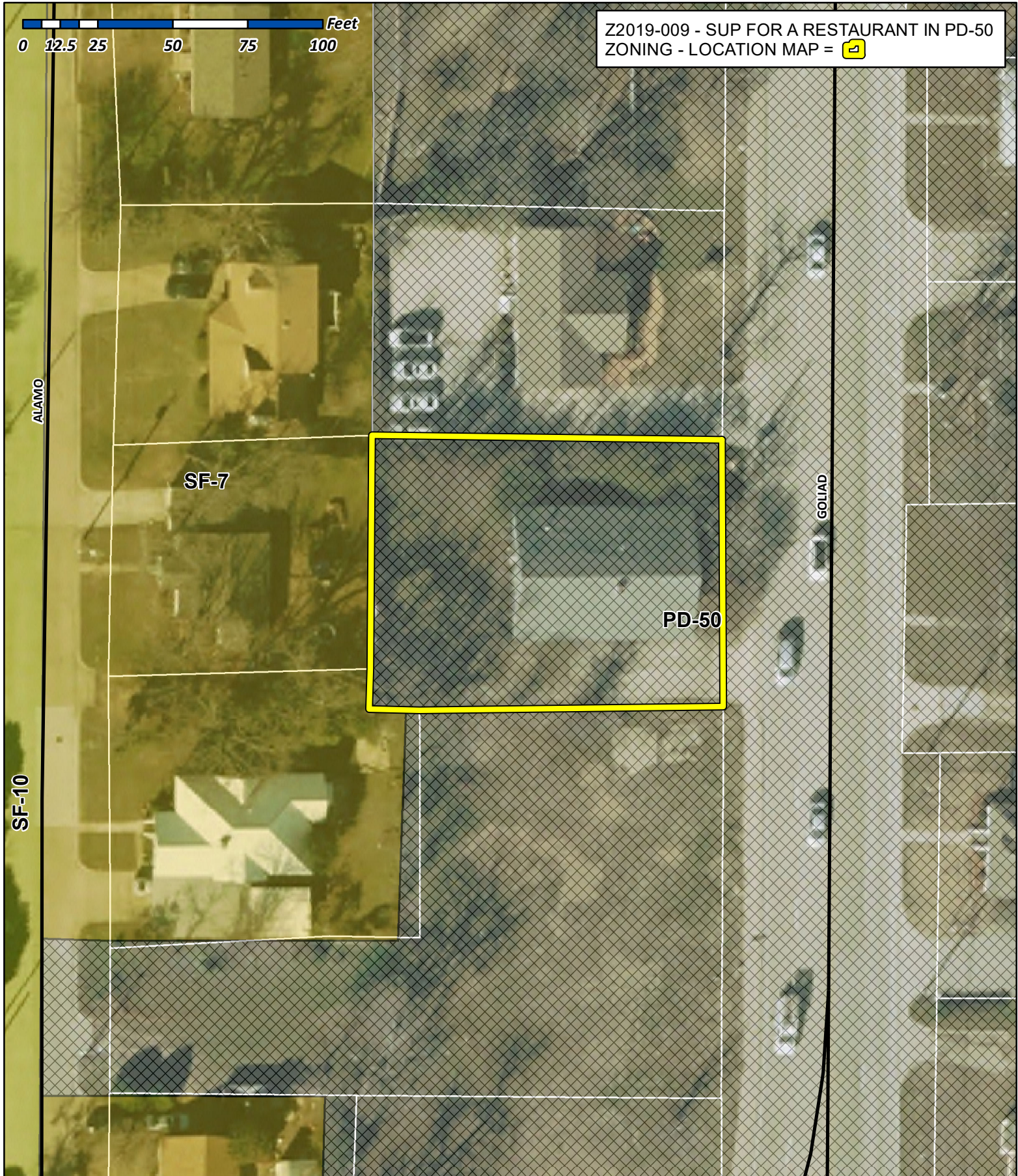
If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) allowing a *Restaurant, without a Drive-Through or Drive-In, that is Less than 2,000 SF* then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:
 - a) The development and operation of a *restaurant* shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of the proposed ordinance;
 - b) The operation of the *restaurant* shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of the proposed ordinance;
 - c) The use of the second floor area shall be limited to storage only. Any other use will require additional parking spaces.
 - d) A minimum of a six (6)-foot tall, board-on-board, wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).
- (2) The applicant shall submit an application requesting approval of a Certificate of Appropriateness (COA) to the Historic Preservation Advisory Board (HPAB) seeking approval for all work that has been done to the existing structure.
- (3) The applicant shall be required to submit a site plan for review and approval by the Historic Preservation Advisory Board (HPAB) and the Planning and Zoning Commission.

- (4) 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 RECOMMENDATION

On May 14, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) to allow for a *Restaurant, Less than 2,000 SF, Without a Drive-Through or Drive-In* with staff conditions passed by a vote of 5 to 0 with Commissioners Logan and Moeller absent.



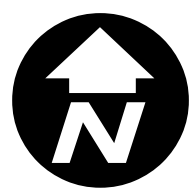
Z2019-009 - SUP FOR A RESTAURANT IN PD-50
ZONING - LOCATION MAP = [icon]

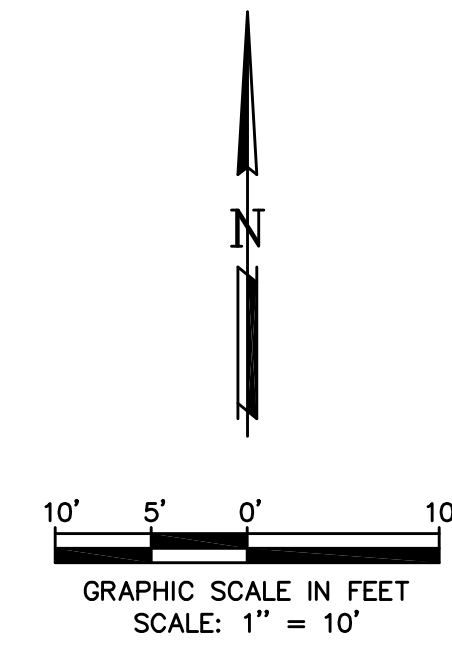
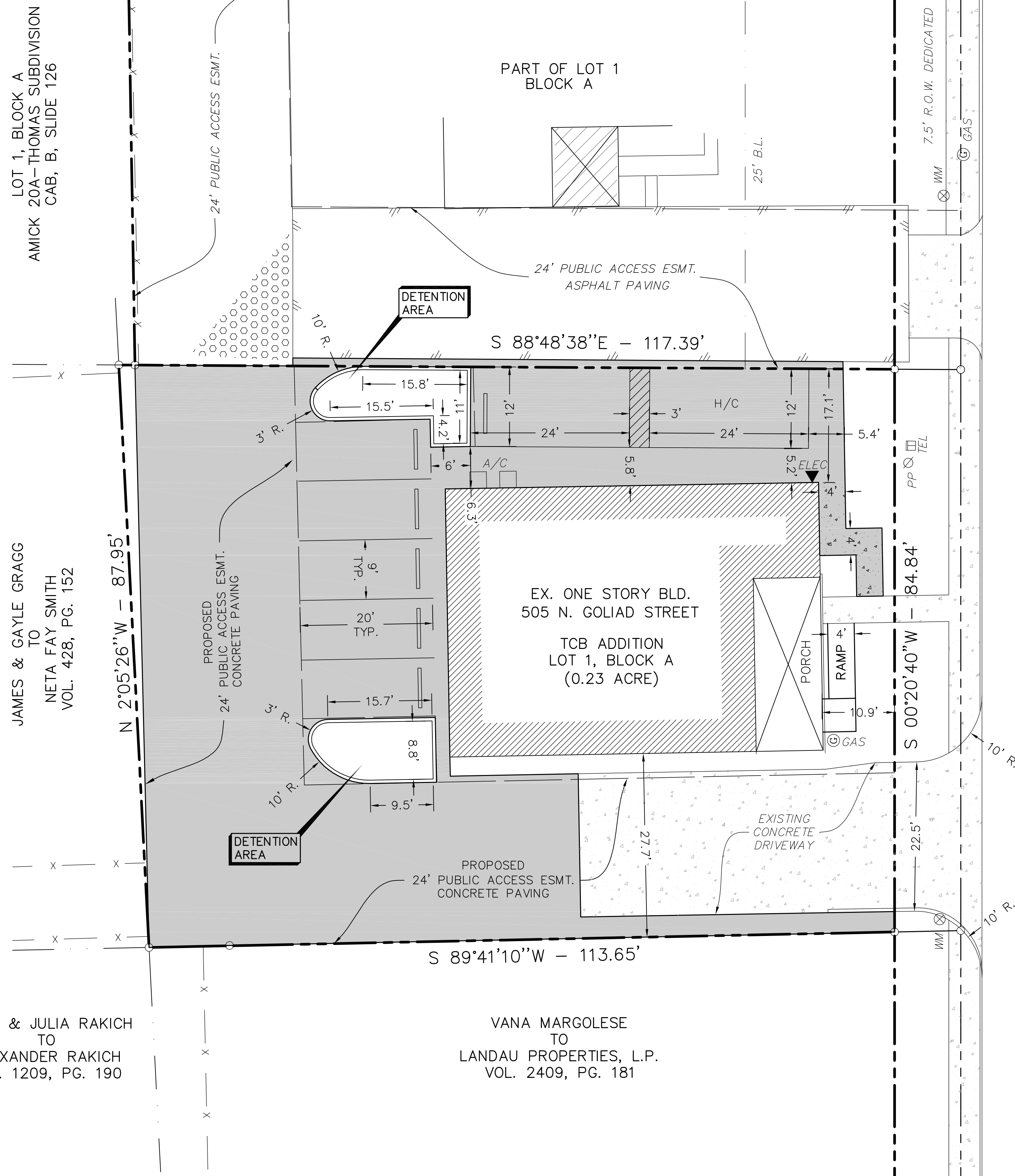


City of Rockwall

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.





VICINITY MAP
N.T.S.

OWNER:
TCB CONSTRUCTION GROUP, LLC.
906 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

SITE DATA

| | |
|----------------------|-------------------------------------|
| LOT AREA | 10,019 SF ~ 0.23 AC |
| ZONING | PD-50 NORTH GOLIAD OVERLAY DISTRICT |
| INSIDE BUILDING AREA | 1916 SF |
| FRONT PORCH | 264 SF |
| PARKING REQUIRED | 8 SPACES |
| PARKING PROVIDED | 7 SPACES |

CEDO & JULIA RAKICH
TO
ALEXANDER RAKICH
VOL. 1209, PG. 190

VANA MARGOLESE
TO
LANDAU PROPERTIES, L.P.
VOL. 2409, PG. 181

ALL RESPONSIBILITY FOR ADEQUACY OF DESIGN
REMAINS WITH THE DESIGN ENGINEER. THE CITY OF
ROCKWALL, IN REVIEWING AND RELEASING PLANS
FOR CONSTRUCTION, ASSUMES NO RESPONSIBILITY
FOR ADEQUACY OR ACCURACY OF DESIGN.

SURVEY INFORMATION ON THIS DRAWING WAS
PROVIDED BY OTHERS. LAM CONSULTING ENGINEERING
IS NOT RESPONSIBLE FOR THE ACCURACY OF THE
TOPOGRAPHIC MAPPING NOR BENCHMARK DATUM.

THE INFORMATION SHOWN ON THIS PLAN IS FROM
RECORD DRAWINGS. THE ENGINEER IS NOT
RESPONSIBLE FOR THE ACCURACY OF THE
INFORMATION SHOWN ON THIS DRAWING.
CONTRACTOR SHALL FIELD VERIFY ALL UTILITIES
AND CONTACT ALL UTILITY COMPANIES 48 HRS
PRIOR TO ANY EXCAVATION. 1-800-DIG TESS

PRELIMINARY
FOR REVIEW
ONLY

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED
BY TUAN P. LAM, P.E. 86968 ON 4/3/19. ALTERATION OF A
SEALED DOCUMENT WITHOUT THE PROPER NOTIFICATION TO
THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE
TEXAS ENGINEERING PRACTICE ACT.

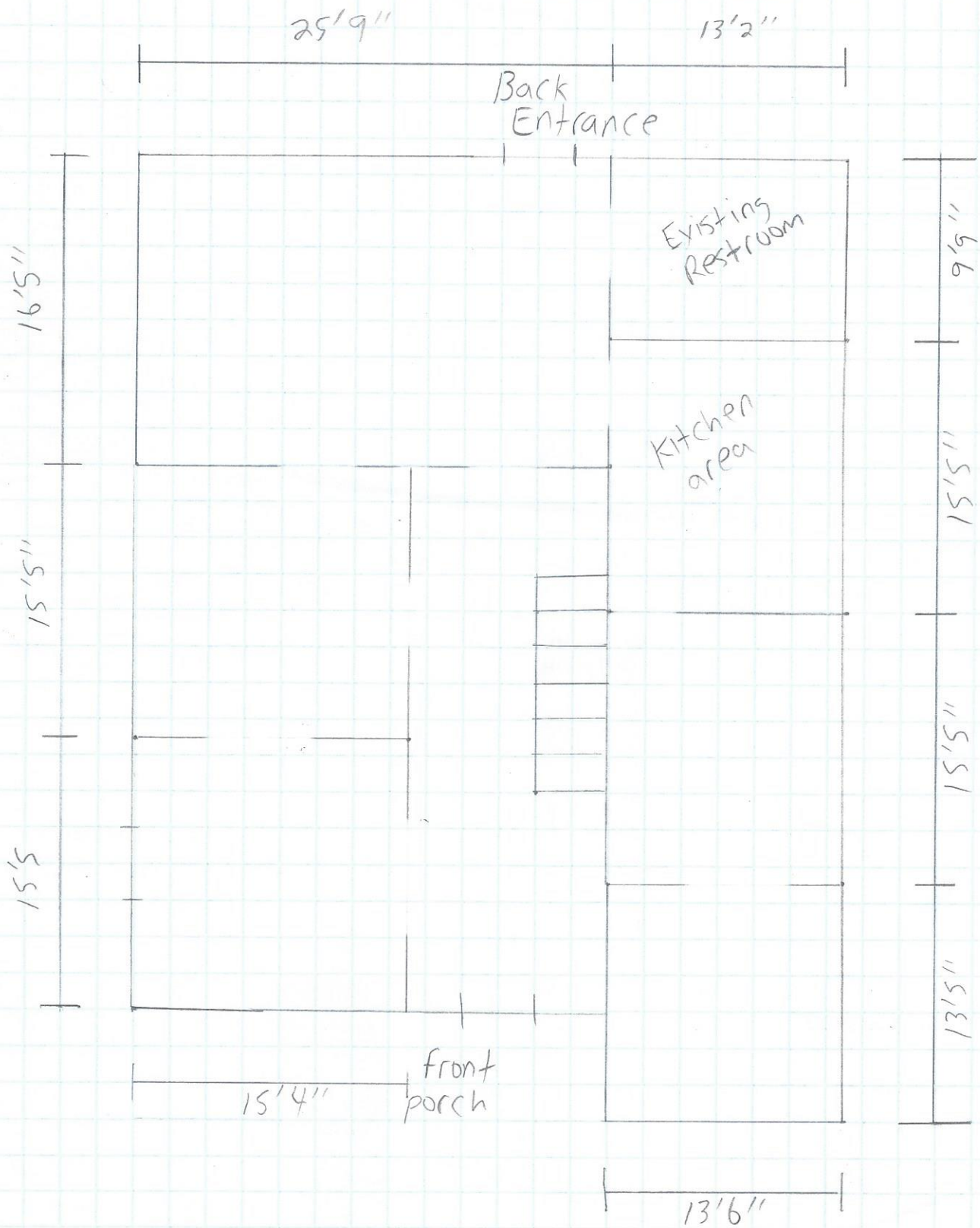
CONCEPT PLAN

TCB ADDITION - LOT 1, BLOCK A
BONAFIDE BETTIES PIES CO.
505 N. GOLIAD STREET
ROCKWALL, TEXAS 75087

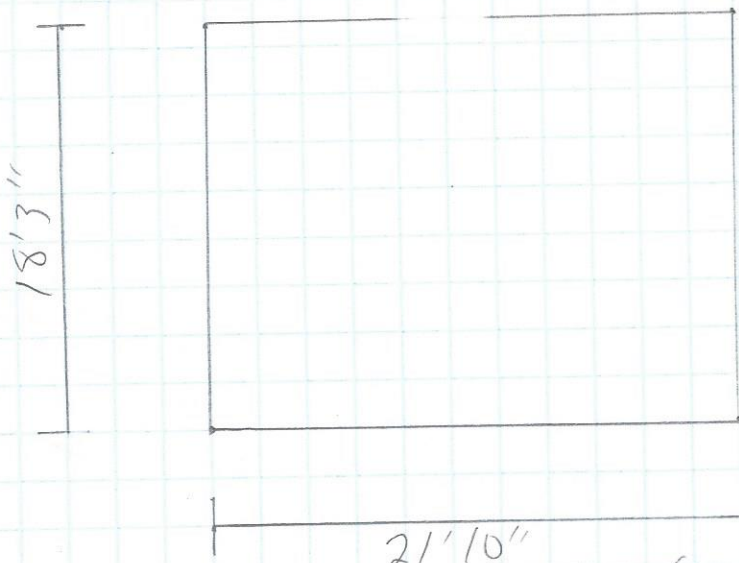
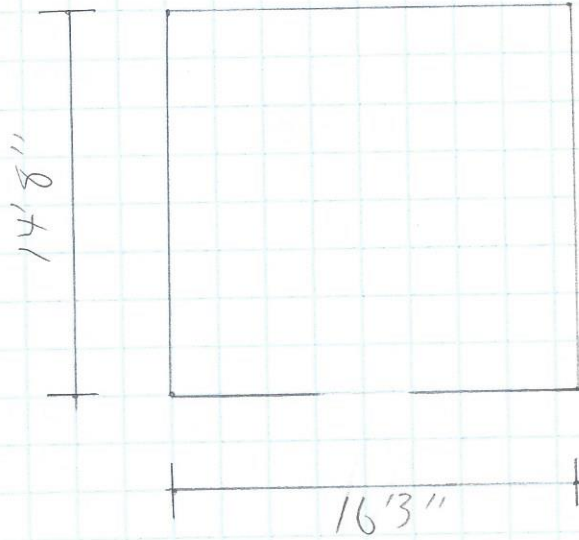
LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE
SACHSE, TEXAS 75048
Phone (214) 766-1011
www.lamcivil.com
Firm #F-9763

| | | | | | |
|---------|-----|--------|------------|----------|----------|
| DESIGN: | LCE | CHECK: | LCE | SCALE: | AS NOTED |
| DRAWN: | CTL | DATE: | APRIL 2019 | PROJECT: | 632-19 |

Bona fide Betties Pie Company
505 N Goliad



upstairs area

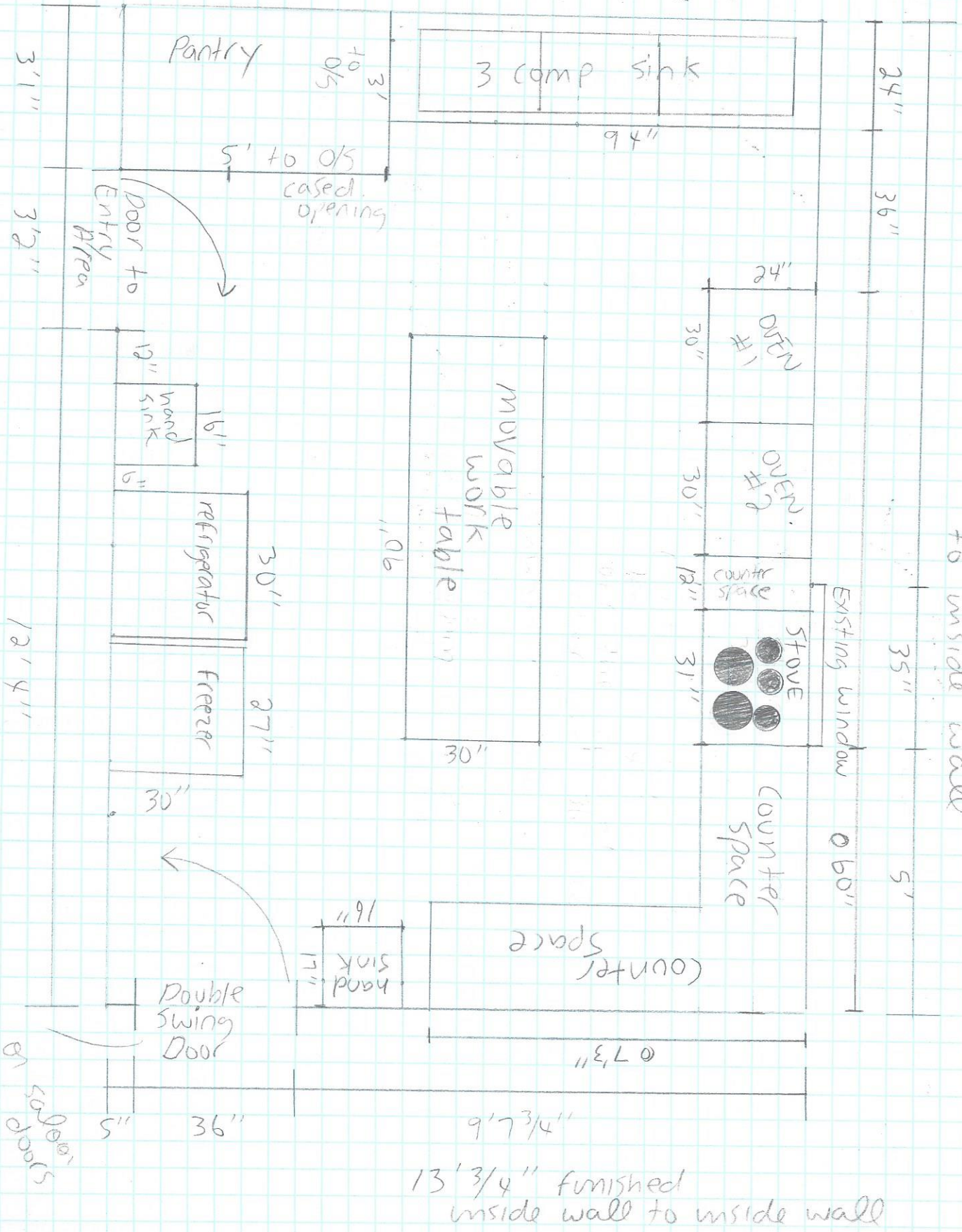


front of the building

Kitchen layout

18" furnished inside wall
to inside wall

The Existing
window ledge
is 43" off
the unfinished
floor and is
36" tall

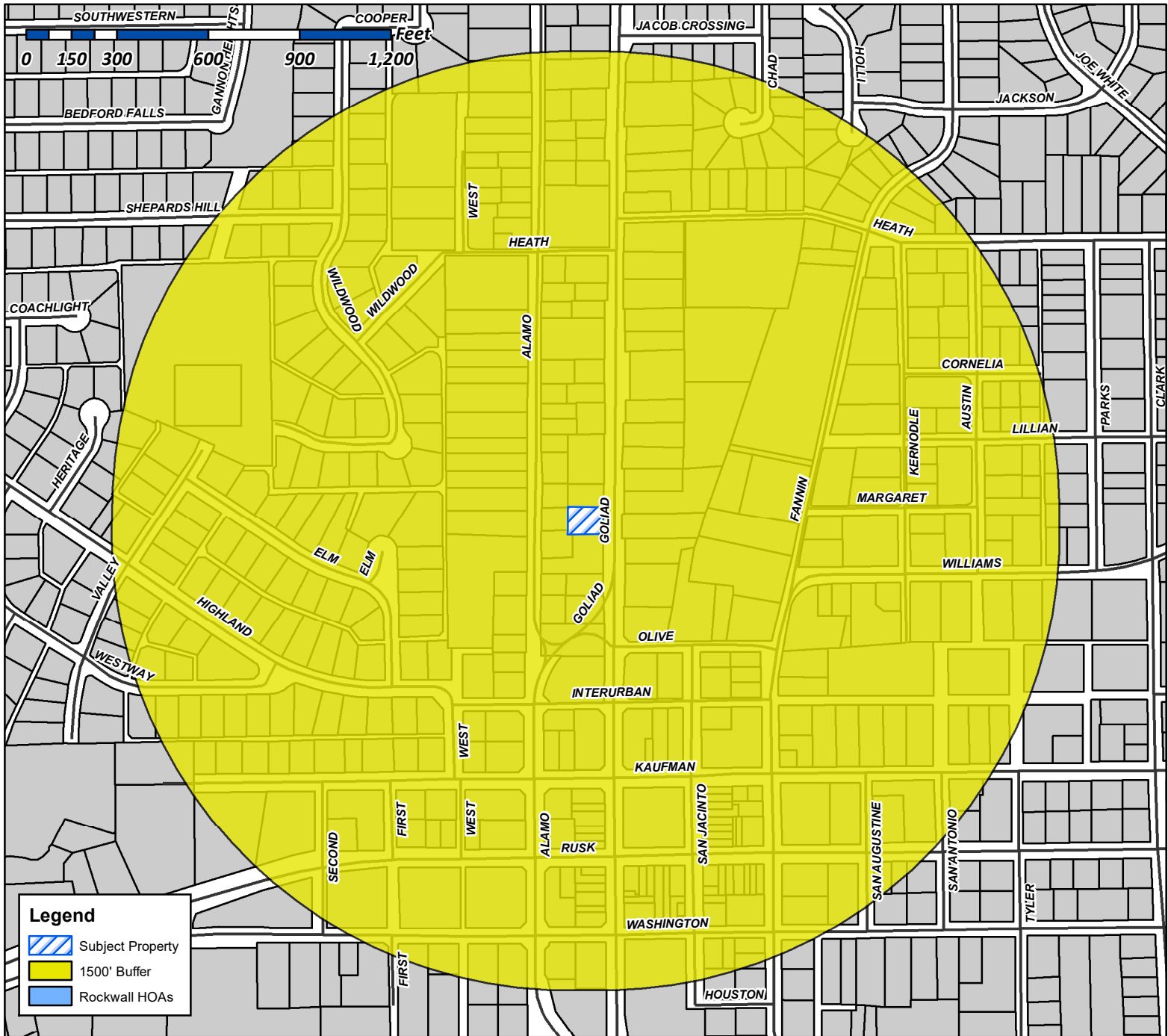




City of Rockwall

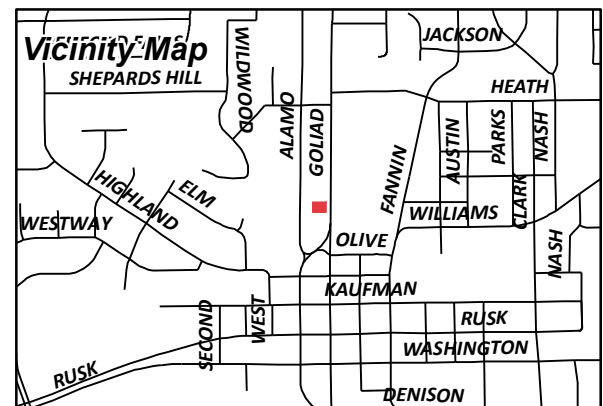
Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
(W): www.rockwall.com

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: Z2019-009
Case Name: SUP for a Restaurant in PD-50
Case Type: Zoning
Zoning: Planned Development District 50 (PD-50)
Case Address: 505 N. Goliad Street

Date Created: 4/17/2019
For Questions on this Case Call (972) 771-7745







NOTICE OF PUBLIC HEARING

CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2019-009: SUP for a Restaurant in PD-50

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/14/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 5/20/2019 at 6:00 p.m.** 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:

David Gonzales
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 **5/20/2019** 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 ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING//DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

— . . . PLEASE RETURN THE BELOW FORM —

Case No. Z2019-009: SUP for a Restaurant in PD-50

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

BARKER PERRY H & ELIZABETH D
104 SCENIC DR
HEATH, TX 75032

CURRENT RESIDENT
105 OLIVE ST
ROCKWALL, TX 75087

TEEL BRITTON & BARBARA
10925 ROCKSTONE DR
BALCH SPRINGS, TX 75180

WAGNER GERALD P
112 LOS PECES
GUN BARRELL, TX 75156

R & S OPERATING CO LP
11508 ROYALSHIRE DR
DALLAS, TX 75230

WRIGHT JOHN M & SUSAN L
1605 SEASCAPE CT
ROCKWALL, TX 75087

MEYERS STUART A & BRENDA S
1614 S LAKESHORE DR
ROCKWALL, TX 75087

CRAWFORD STEVE
1709 GASLIGHT CT
SEABROOK, TX 77586

ROCKWALL RUSTIC RANCH LLC
1827 MYSTIC STREET
ROCKWALL, TX 75032

BLACK SHIRLEY M
1924 PALMETTO ISLE DR
MT. PLEASANT, SC 29466

CURRENT RESIDENT
201 OLIVE ST
ROCKWALL, TX 75087

CURRENT RESIDENT
202 INTERURBAN ST
ROCKWALL, TX 75087

PEOPLES DOSVILLE
208 W HEATH ST
ROCKWALL, TX 75087

BEDFORD AUSTIN J & TERRI W
301 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
301 N SAN JACINTO
ROCKWALL, TX 75087

FERRIS BETH
301 WILDWOOD LN
ROCKWALL, TX 75087

REILLY KELSEY AND DAVID
302 ELM DRIVE
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

JOY LUTHERAN CHURCH
302 N GOLIAD ST
ROCKWALL, TX 75087

LEAL CAROL RHEA & ROLAND
303 N ALAMO RD
ROCKWALL, TX 75087

ANGLE GLENDA ANNE
303 WILDWOOD LN
ROCKWALL, TX 75087

GLASS KATHLEEN J
304 ELM DR
ROCKWALL, TX 75087

BELL MARY NELL
306 ELM DR
ROCKWALL, TX 75087

WATCHMEN REAL ESTATE LLC
3077 N GOLIAD
ROCKWALL, TX 75087

SCHWEIKERT FERN ELLEN
308 ELM DR
ROCKWALL, TX 75087

GATES CHARLES H & BRENDA F
310 ELM DR
ROCKWALL, TX 75087

SWIERCINSKY JOSHUA L
3922 MEDITERRANEAN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
401 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
401-403 N GOLIAD
ROCKWALL, TX 75087

MORENO ANTONIO AND SUZANNE T
402 WILDWOOD LANE
ROCKWALL, TX 75087

CURRENT RESIDENT
404 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N ALAMO
ROCKWALL, TX 75087

ODOM JAY & ALISON
405 N FANNIN STREET
ROCKWALL, TX 75087

CURRENT RESIDENT
405 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
406 N GOLIAD
ROCKWALL, TX 75087

MORGAN NANCY D
429 PARK PLACE BLVD
ROCKWALL, TX 75087

TREVINO BERTHA & LOUIS
4917 SAINT JAMES CT
MESQUITE, TX 75150

CURRENT RESIDENT
501 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
501 N GOLIAD
ROCKWALL, TX 75087

TAMEZ SILVINO & ARACELIA
502 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
502 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N FANNIN ST
ROCKWALL, TX 75087

CURRENT RESIDENT
503 N GOLIAD ST
ROCKWALL, TX 75087

BYRUM RICKY CONN AND JO ANN
504 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
504 N GOLIAD
ROCKWALL, TX 75087

ALSOBROOK DAVID
505 CARRIAGE TRL
ROCKWALL, TX 75087

TUCKER PAMELA
505 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
505 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
506 N GOLIAD
ROCKWALL, TX 75087

FLEMING HALLIE B
507 N GOLIAD
ROCKWALL, TX 75087

MORGAN RHONA L &
508 N ALAMO RD
ROCKWALL, TX 75087

CAWTHON RICK
508 NASH ST
ROCKWALL, TX 75087

RNDI COMPANIES INC
519 E INTERSTATE 30 # 157
ROCKWALL, TX 75087

FANG PROPERTIES LLC
536 LOMA VISTA
HEATH, TX 75032

ROMO SEAN R AND STACEY M
544 LAUREL LN
FATE, TX 75087

CURRENT RESIDENT
601 N ALAMO
ROCKWALL, TX 75087

HALL DOUGLAS A & MARCI
601 N FANNIN ST
ROCKWALL, TX 75087

CARDENAS CECILIO & CARMEN
602 N ALAMO ROAD
ROCKWALL, TX 75087

CURRENT RESIDENT
602 N GOLIAD
ROCKWALL, TX 75087

HAMILTON JOANN
603 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
603 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 GOLIAD
ROCKWALL, TX 75087

DOMINGUEZ, JOSE AND JOHANNA
604 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
604 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
605 N ALAMO
ROCKWALL, TX 75087

SMITH G DAVID
702 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
703 N ALAMO RD
ROCKWALL, TX 75087

IRBY DENNIS
703 N GOLIAD ST
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

J-PEG PROPERTIES LLC
704 N GOLIAD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
705 N GOLIAD ST
ROCKWALL, TX 75087

CURRENT RESIDENT
706 N ALAMO
ROCKWALL, TX 75087

CALABRESE CORINNA RAE
707 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
708 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
710 N ALAMO
ROCKWALL, TX 75087

CRISWELL BARBARA
7110 HUNT LANE
ROCKWALL, TX 75087

CHRISTENSEN VALERIE
801 N GOLIAD
ROCKWALL, TX 75087

GUEVARA CARLOS & MONICA A
802 N ALAMO RD
ROCKWALL, TX 75087

CURRENT RESIDENT
802 N GOLIAD
ROCKWALL, TX 75087

SEAMANS RANDY KALIN AND RACHEL K
803 N ALAMO
ROCKWALL, TX 75087

CURRENT RESIDENT
803 N GOLIAD ST
ROCKWALL, TX 75087

MILDER SCOTT & LESLIE
830 SHORES BLVD
ROCKWALL, TX 75087

KILLION OLIN R
8709 DALROCK RD
ROWLETT, TX 75089

KILLION OLIN R & AGATHA
8709 DALROCK RD
ROWLETT, TX 75089

POINTER PRICE AND
906 N GOLIAD STREET
ROCKWALL, TX 75087

CONSELMAN EQUITIES LLC
PO BOX 2284
ROCKWALL, TX 75087

LAND HEADQUARTERS COMPANY INC
PO BOX 69
KEY BISCAYNE, FL 33149

LAYTON ERIC A
PO BOX 998
ROCKWALL, TX 75087

Gonzales, David

From: Planning
Sent: Tuesday, May 7, 2019 9:29 AM
To: Gonzales, David
Subject: FW: Case # Z2019-009 SUP restaurant in PD-50

From: Caprice Michelle [REDACTED]
Sent: Tuesday, May 7, 2019 9:24 AM
To: Planning <planning@rockwall.com>
Subject: Case # Z2019-009 SUP restaurant in PD-50

In favor 👍



Caprice Michelle, Broker
Brokered by, Caprice Michelle, LLC.
Broker Lic # 9004701
[214-789-7364](tel:214-789-7364)
Residential and Commercial Real Estate

[Click to Search Properties at CapriceMichelle.com](#)
[Click here for Commercial Listings](#)

Texas Law requires all real estate licensees to provide the following;
Texas Real Estate Commission Consumer Protection Notice
Texas Real Est ----- Message truncated -----



Caprice Michelle, Broker #0602530
Brokered by, Caprice Michelle, LLC. #9004701
[214-789-7364](tel:214-789-7364)
Residential and Commercial Real Estate

[Click to Search Properties at CapriceMichelle.com](#)

Gonzales, David

From: Planning
Sent: Tuesday, May 7, 2019 8:06 AM
To: Gonzales, David
Subject: FW: Z2019-009

From: G. David Smith [REDACTED]
Sent: Monday, May 6, 2019 5:37 PM
To: Planning <planning@rockwall.com>
Subject: Z2019-009

I am in favor of the request for the reason that it will be a positive add to the neighborhood. We need some variety. Now get some sidewalks on our side so I can walk to the crosswalk and get to their side of the road.

G. David Smith
702 N. Goliad
Rockwall, Texas 75087
p. 972.771.2579
f. 972.771.0513

SMITH & LEE, LAWYERS

Board Certified in Personal Injury Trial Law
Texas Board of Legal Specialization

The information contained in this communication is a transmission from Smith & Lee, Lawyers, P.C., and may be information protected by the attorney/client and/or attorney/work product privilege. It and any attachments hereto are also covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2512, and are intended only for the personal and confidential use of the recipient(s) named in the communication, and the privileges are not waived by virtue of this having been sent by electronic mail. If the person actually receiving this communication or any other reader of the communication is not the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and delete the original message from your system. Thank you.



NOTICE OF PUBLIC HEARING
CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT
 PHONE: (972) 771-7745
 EMAIL: PLANNING@ROCKWALL.COM

To Whom It May Concern:

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

Case No. Z2019-009: SUP for a Restaurant in PD-50

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, 5/14/2019 at 6:00 p.m., and the City Council will hold a public hearing on Monday, 5/20/2019 at 6:00 p.m. 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:

David Gonzales
 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 5/20/2019 to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
 Director of Planning & Zoning

USE THIS QR CODE
 TO GO DIRECTLY
 TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

PLEASE RETURN THE BELOW FORM

Case No. Z2019-009: SUP for a Restaurant in PD-50

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.

The further development of the Goliad Corridor to the downtown is good for local residents as well as increasing traffic to all the other businesses in the area & expanding the tax revenue. This is a good thing for Rockwall.

Name:

Dr. St. Meyer

Address:

505 N. Goliad Rockwall, TX 75087

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

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

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748



NOTICE OF PUBLIC HEARING CITY OF ROCKWALL, PLANNING & ZONING DEPARTMENT

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

To Whom It May Concern:

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

Case No. Z2019-009: SUP for a Restaurant in PD-50

Hold a public hearing to discuss and consider a request by Chris Lam, PE of Lam Consulting Engineering on behalf of Price Pointer of TCB Construction Group, LLC for the approval of a Specific Use Permit (SUP) for a restaurant less than 2,000 SF without a drive-through or drive-in on a 0.23-acre parcel of land identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, addressed as 505 N. Goliad Street, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on **Tuesday, 5/14/2019 at 6:00 p.m.**, and the City Council will hold a public hearing on **Monday, 5/20/2019 at 6:00 p.m.** 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:

David Gonzales
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 **5/20/2019** to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND ON THE CITY'S WEBSITE:
[HTTPS://SITES.GOOGLE.COM/SITE/ROCKWALLPLANNING/DEVELOPMENT-CASES](https://sites.google.com/site/rockwallplanning/development-cases)

PLEASE RETURN THE BELOW FORM

Case No. Z2019-009: SUP for a Restaurant in PD-50

Please place a check mark on the appropriate line below:

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

I am in favor to keep improving this area!

Name:

7510 Crawford

Address:

504 N Goliad, Rockwall Texas

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

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

Case No. Z2019-009: SUP for a Restaurant in PD-50

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.

Development in the neighborhood is good. Vacant unused property is never available to property owners

Name:

Dennis + Peggy Riley

Address:

703 N. Galveston

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

Notice of Public Hearing • City of Rockwall • 385 South Goliad Street • Rockwall, TX 75087 • [P] (972) 771-7745 • [F] (972) 771-7748



CITY OF ROCKWALL

ORDINANCE NO. 19-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN* FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Chris Lam, P.E. of Lam Consulting for the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* on a 0.23-acre parcel of land, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and being identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, addressed as 505 N. Goliad Street, 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 Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

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

SECTION 1. That Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant Less than 2,000 SF without a Drive-Through or Drive-In* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Planned Development District 50 (PD-50)*, and *Section 1.1, Land Use Schedule*, of *Article IV, Permissible Uses*, and *Subsection 4.02, Residential Office (RO) District*, of *Section 4, Commercial (C) Districts*, of *Article V, District Development Standards*, and *Subsection 6.04, North Goliad Corridor Overlay (NGC OV) District*, of *Section 6, Overlay Districts*, of *Article V*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-in (restaurant)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *restaurant* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The operation of the *restaurant* land use shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of this ordinance;
- 3) The use of the second-floor area shall be limited to storage only. Any other use will require additional parking spaces.
- 4) A minimum of six (6)-foot tall board on board wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).
- 5) Should the land use change from a *Limited Service Restaurant (i.e. to a full-service restaurant or any other land use)*, the subject property shall comply with the parking requirements contained in *Article VI, Parking and Loading*, of the Unified Development Code. If the parking provided on the subject property does not meet the parking requirements for the proposed land use, this Specific Use Permit will need to be amended in accordance with the procedures contained in *Section 4, Specific Use Permits*, of *Article IV, Permissible Uses*, of the Unified Development Code (UDC)

2.2 COMPLIANCE

Approval of this ordinance in accordance with *Section 8.3, Council Approval or Denial*, of *Article II, Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment 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 Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with *Section 4.4.(3) of Article IV, Permissible Uses*, of the Unified Development Code (UDC).

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 3RD DAY OF MAY, 2019.**

Jim Pruitt, *Mayor*

ATTEST:

Kristy Cole, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: May 20, 2019

2nd Reading: June 3, 2019

Exhibit 'A':

*Legal Description: Block 20B, Amick Addition
Address: 505 N. Goliad Street*



Exhibit 'B':
Concept Plan

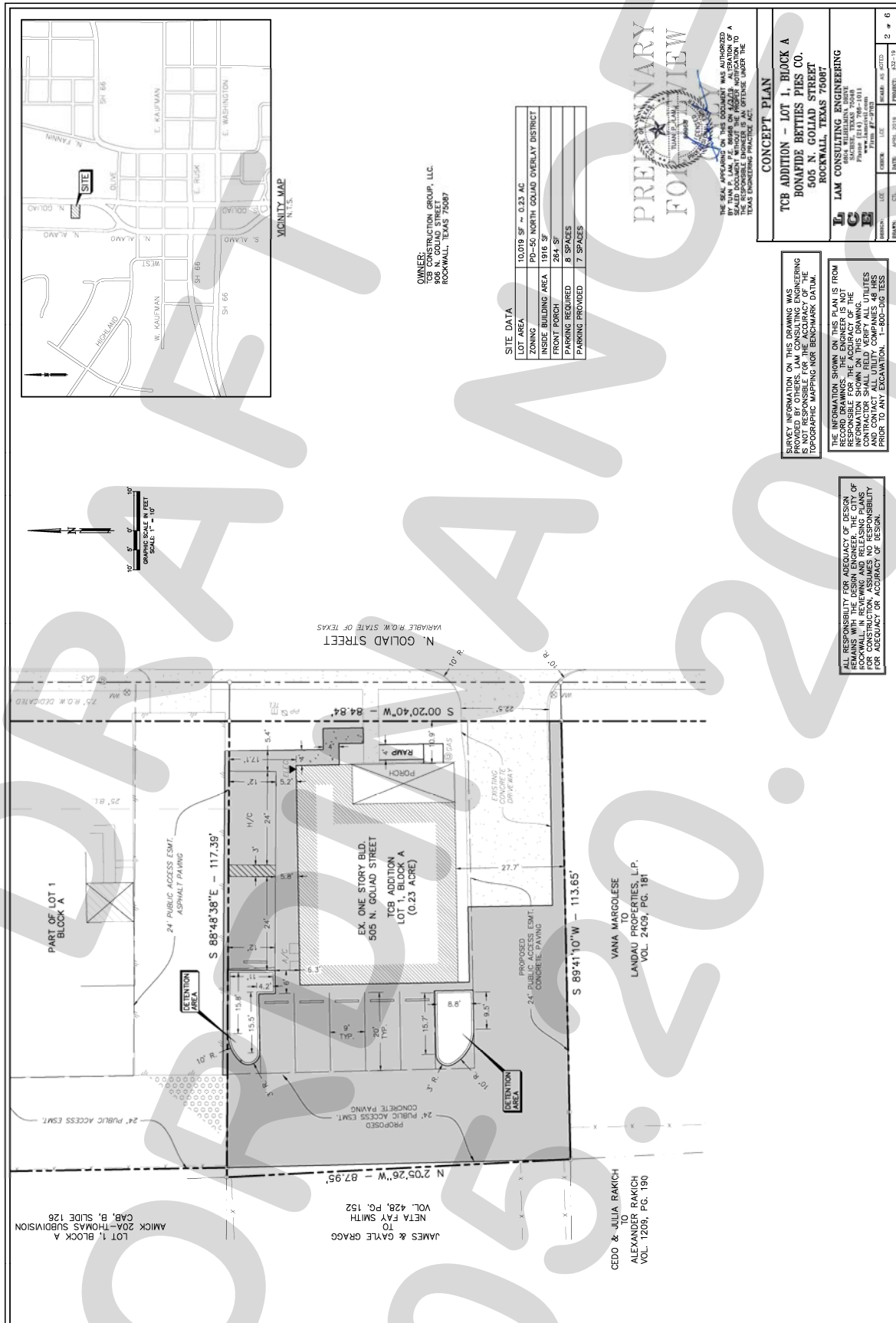
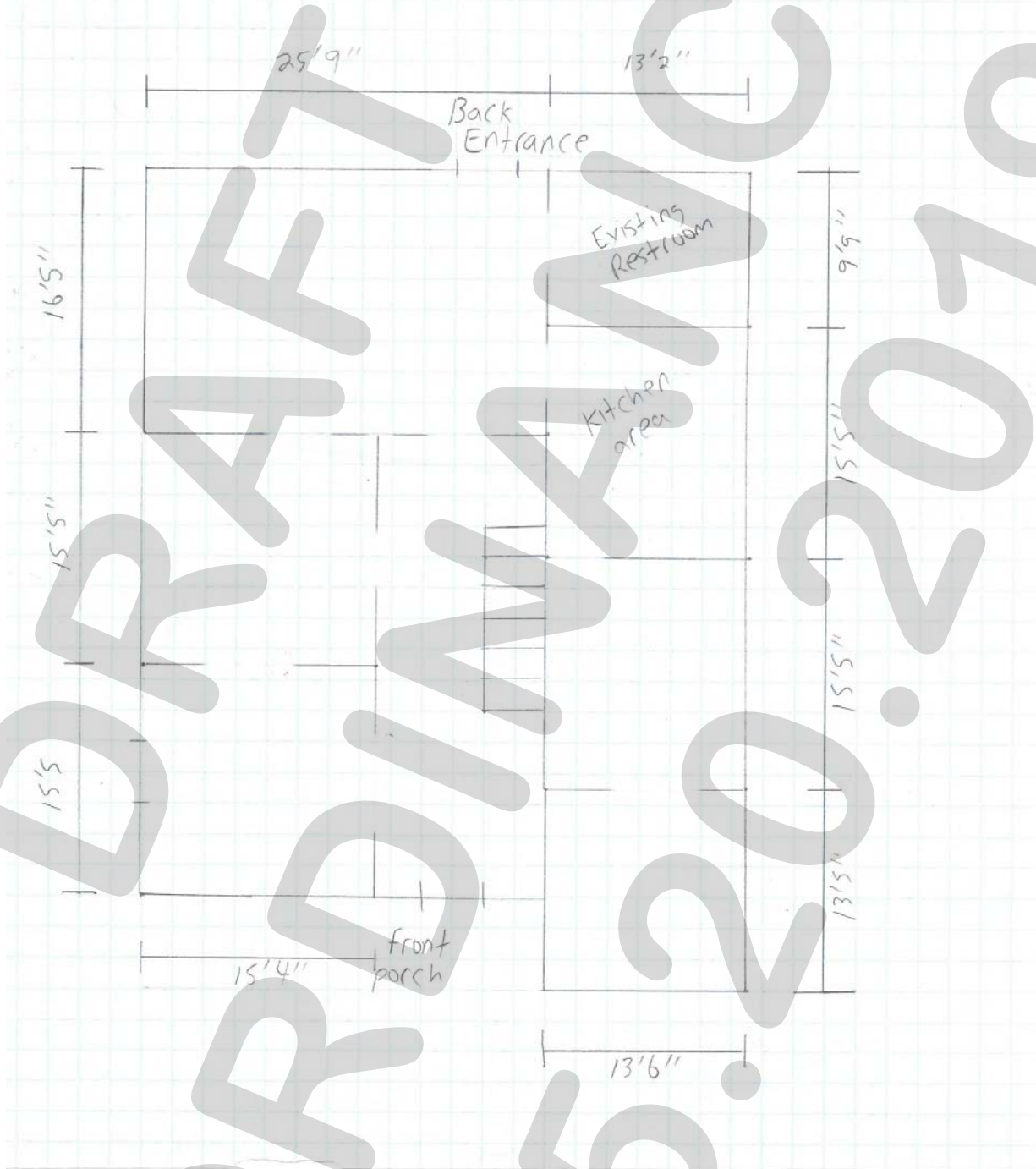


Exhibit 'C':
Floor Plan

Bona fide Betties Pie Company
505 N Goliad



CITY OF ROCKWALL

ORDINANCE NO. 19-22

SPECIFIC USE PERMIT NO. S-208

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 50 (PD-50) [ORDINANCE NO. 17-19] AND THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 04-38] OF THE CITY OF ROCKWALL, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A *RESTAURANT LESS THAN 2,000 SF WITHOUT A DRIVE-THROUGH OR DRIVE-IN* FACILITY ON A 0.23-ACRE PARCEL OF LAND, ZONED PLANNED DEVELOPMENT DISTRICT 50 (PD-50) FOR RESIDENTIAL OFFICE (RO) DISTRICT LAND USES, AND BEING IDENTIFIED AS BLOCK 20B OF THE AMICK ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OR 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, a request has been made by Chris Lam, P.E. of Lam Consulting for the approval of a Specific Use Permit (SUP) for a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-In* on a 0.23-acre parcel of land, zoned Planned Development District 50 (PD-50) for Residential Office (RO) District land uses, situated within the North Goliad Corridor Overlay (NGC OV) District, and being identified as Block 20B of the Amick Addition, City of Rockwall, Rockwall County, Texas, addressed as 505 N. Goliad Street, 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 Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall should be amended as follows:

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

SECTION 1. That Planned Development District 50 (PD-50) [Ordinance No. 17-19] and the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing for the establishment of a *Restaurant Less than 2,000 SF without a Drive-Through or Drive-In* as stipulated by Article IV, *Permissible Uses*, of the Unified Development Code [Ordinance No. 04-38] on the *Subject Property*; and

SECTION 2. That the *Subject Property* shall be used and developed only in the manner and for

the purposes described in this Specific Use Permit (SUP) ordinance and as specifically set forth in *Planned Development District 50 (PD-50)*, and *Section 1.1, Land Use Schedule*, of *Article IV, Permissible Uses*, and *Subsection 4.02, Residential Office (RO) District*, of *Section 4, Commercial (C) Districts*, of *Article V, District Development Standards*, and *Subsection 6.04, North Goliad Corridor Overlay (NGC OV) District*, of *Section 6, Overlay Districts*, of *Article V*, of the Unified Development Code [Ordinance No. 04-38] of the City of Rockwall as heretofore amended, as amended herein by the granting of this zoning change, and as may be amended in the future, and shall be subject to the following additional conditions:

2.1 OPERATIONAL CONDITIONS

The following conditions pertain to the operation of a *Restaurant Less Than 2,000 SF without a Drive-Through or Drive-in (restaurant)* land use on the *Subject Property* and conformance to these requirements is necessary for continued operations:

- 1) The development and operation of a *restaurant* land use shall generally conform to the *Concept Plan* depicted in *Exhibit 'B'* of this ordinance;
- 2) The operation of the *restaurant* land use shall be limited to the area on the first floor as depicted in the *Floor Plan* attached in *Exhibit 'C'* of this ordinance;
- 3) The use of the second-floor area shall be limited to storage only. Any other use will require additional parking spaces.
- 4) A minimum of six (6)-foot tall board on board wood fence shall be constructed along the west property boundary -- *adjacent to the residentially zoned property* -- prior to the issuance of a Certificate of Occupancy (CO).
- 5) Should the land use change from a *Limited Service Restaurant (i.e. to a full-service restaurant or any other land use)*, the subject property shall comply with the parking requirements contained in *Article VI, Parking and Loading*, of the Unified Development Code. If the parking provided on the subject property does not meet the parking requirements for the proposed land use, this Specific Use Permit will need to be amended in accordance with the procedures contained in *Section 4, Specific Use Permits*, of *Article IV, Permissible Uses*, of the Unified Development Code (UDC).

2.2 COMPLIANCE

Approval of this ordinance in accordance with *Section 8.3, Council Approval or Denial*, of *Article II, Authority and Administrative Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- 1) Upon obtaining a Certificate of Occupancy (CO), should any business or establishment 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 Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with *Section 4.4.(3)* of *Article IV, Permissible Uses*, of the Unified Development Code (UDC).

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 3rd DAY OF June 2019.**

ATTEST:

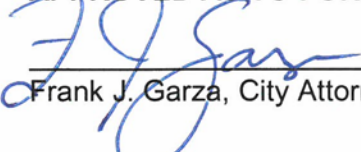


Kristy Cole, City Secretary



Jim Pruitt, Mayor

APPROVED AS TO FORM:



Frank J. Garza, City Attorney



1st Reading: May 20, 2019

2nd Reading: June 3, 2019

Exhibit 'A':

*Legal Description: Block 20B, Amick Addition
Address: 505 N. Goliad Street*



Exhibit 'B': Concept Plan

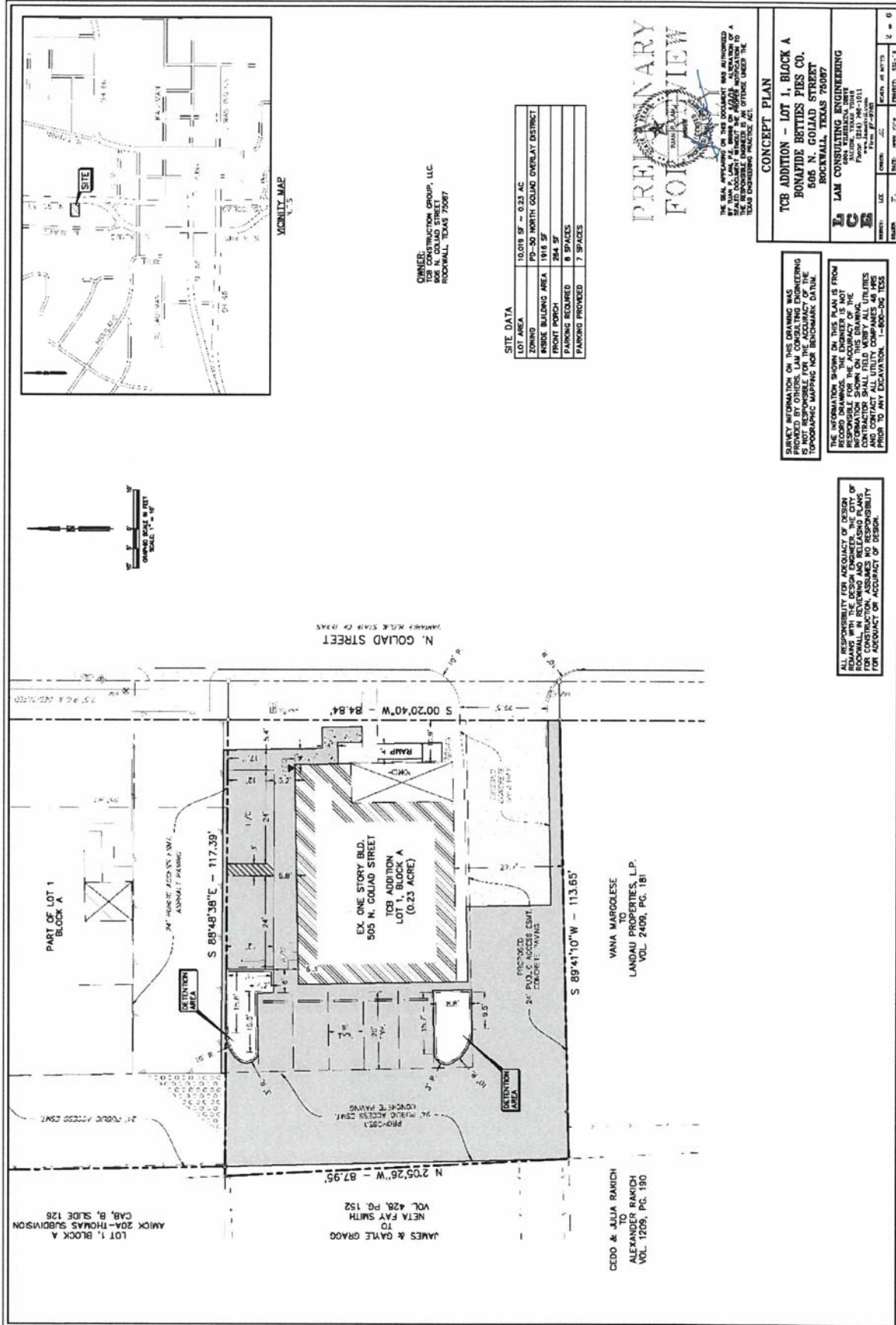
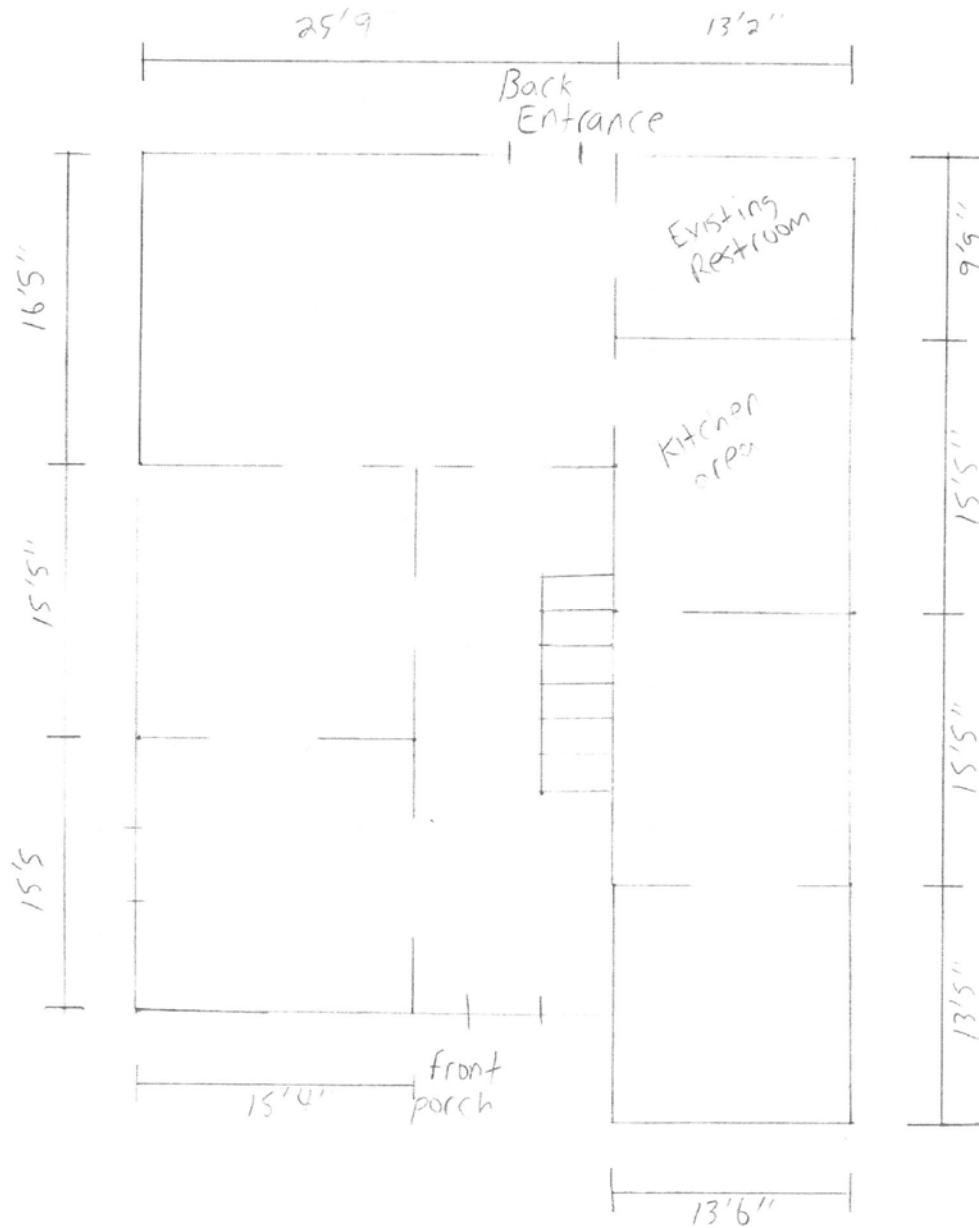


Exhibit 'C':
Floor Plan

Bonafide Betties Pie Company
505 N Goliad





June 11, 2019

ATTN: CHRIS LAM
LAM CONSULTING ENGINEERING
6804 WILHELMINA DRIVE,
Sachse, TX 75048

RE: SUP ZONING (Z2019-009), SUP for a Restaurant in PD-50

Dear Applicant:

This letter serves to notify you that the above referenced case that you submitted before the City of Rockwall was approved by City Council on 06/03/2019 via Ordinance No. 19-22. The following is a record of all recommendations, voting records and conditions of approval:

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) allowing a Restaurant, without a Drive-Through or Drive-In, that is Less than 2,000 SF then staff would propose the following conditions of approval:

(1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and summarized as follows:

a) The development and operation of a restaurant shall generally conform to the Concept Plan depicted in Exhibit 'B' of the proposed ordinance;

b) The operation of the restaurant shall be limited to the area on the first floor as depicted in the Floor Plan attached in Exhibit 'C' of the proposed ordinance;

c) The use of the second floor area shall be limited to storage only. Any other use will require additional parking spaces.

d) A minimum of a six (6)-foot tall, board-on-board, wood fence shall be constructed along the west property boundary -- adjacent to the residentially zoned property -- prior to the issuance of a Certificate of Occupancy (CO).

(2) The applicant shall submit an application requesting approval of a Certificate of Appropriateness (COA) to the Historic Preservation Advisory Board (HPAB) seeking approval for all work that has been done to the existing structure.

(3) The applicant shall be required to submit a site plan for review and approval by the Historic Preservation Advisory Board (HPAB) and the Planning and Zoning Commission.

(4) 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 RECOMMENDATION

On May 14, 2019, the Planning and Zoning Commission's motion to recommend approval of the Specific Use Permit (SUP) to allow for a Restaurant, Less than 2,000 SF, Without a Drive-Through or Drive-In with staff conditions passed by a vote of 5 to 0 with Commissioners Logan and Moeller absent.

CITY COUNCIL:

On May 20, 2019, the City Council made a motion to approve the Specific Use Permit (SUP) to allow for a Restaurant less than 2,000 SF without a Drive-Through or Drive-In with staff conditions. The motion was approved by a vote of 7 to 0 [1st Reading].

On June 3, 2019, the City Council made a motion to approve the Specific Use Permit (SUP) to allow for a Restaurant less than 2,000 SF without a Drive-Through or Drive-In with staff conditions. The motion was approved by a vote of 7 to 0 [2nd Reading].

Please contact the City of Rockwall Planning staff at (972) 771-7745 with any questions or concerns regarding this matter.

Sincerely,

David Gonzales, AICP
Planning Manager
Planning & Zoning Department
City of Rockwall, TX