



CASE COVER SHEET

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

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

MASTER PLAT
PRELIMINARY PLAT
FINAL PLAT
REPLAT
AMENDING OR MINOR PLAT
PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

SITE PLAN
AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

ZONING CHANGE
SPECIFIC USE PERMIT
PD DEVELOPMENT PLAN

OTHER APPLICATION

TREE REMOVAL
VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

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OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 906 S Goliad St, Rockwall TX
SUBDIVISION Jack Canup Addition LOT 1 BLOCK B
GENERAL LOCATION Goliad St & Brown St

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR/PP-62 CURRENT USE Vacant
PROPOSED ZONING GR w/SUP PROPOSED USE Drive thru coffee
ACREAGE 1.13 LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

OWNER	<u>ADLOR ENTERPRISES LLC</u>	<input checked="" type="checkbox"/> APPLICANT	<u>Jack Kurz - RSDAP, LLC</u>
CONTACT PERSON	<u>ALLEN ANDERSON</u>	CONTACT PERSON	<u>Jack Kurz</u>
ADDRESS	<u>1208 S. LAKE S. HIRE DR</u>	ADDRESS	<u>1510 N. Dallas Pkwy</u> <u>Ste. 440</u>
CITY, STATE & ZIP	<u>ROCKWALL, TX 75087</u>	CITY, STATE & ZIP	<u>Dallas TX 75248</u>
PHONE	<u>214-538-2209</u>	PHONE	<u>(314) 578-8484</u>
E-MAIL	<u>AAINTX@MSN.COM</u>	E-MAIL	<u>jkurz@redskyholdings.com</u>

NOTARY VERIFICATION [REQUIRED]

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

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS 18th DAY OF February, 2022. 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 15 DAY OF February, 2022

OWNER'S SIGNATURE

Allen Anderson

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Christine N. Brandy

MY COMMISSION EXPIRES

12/03/2023





PRE-APPLICATION MEETING REQUEST

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

STAFF USE ONLY

MEETING DATE: _____

MEETING TIME: _____

PRE-APPLICATION MEETING INFORMATION

A Pre-Application Meeting is strongly recommended prior to submittal of a development application. These meetings are held on Thursday morning's beginning at 9:00 AM, by appointment. Representatives from Engineering, Planning, Fire, Parks (if necessary) and Building Departments attend the meeting in an effort to assist you with your project by answering any questions you may have and explaining the development process and timelines.

Due to the number of requests for Pre-Application meetings that are received, staff cannot guarantee an appointment at the next scheduled meeting. We recommend requesting an appointment a minimum of one (1) week in advance. To best facilitate discussion during the meeting, include all conceptual drawings, site plans or other schematics with your completed request. For assistance with this form or other questions, please contact the Planning Department at (972) 771-7745 or at planning@rockwall.com.

JK

Initial Above

I acknowledge that a conceptual drawing or site plan must be submitted as part of this request. Appointments may not be scheduled for requests without conceptual plans.

JK

Initial Above

I acknowledge that neither submission of this request, nor the Pre-Application meeting, constitutes a permit or confers any permit rights under Chapter 245 of the Texas Local Government Code.

PROPERTY AND PROJECT INFORMATION [PLEASE PRINT]

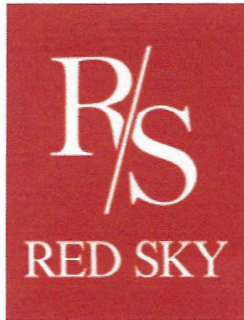
Address	906 S. Goliad St.		
General Location	Goliad & Boerum		
Proposed Use	Drive thru coffee concept	Proposed Square Footage	
Are you proposing any alcohol sales?		[] Yes	[X] No
Do you intend to subdivide or combine the property with other parcels?		[] Yes	[X] No
Is the project expected to exceed \$50,000 in cost?		[X] Yes	[] No

APPLICANT INFORMATION [PLEASE PRINT]

Applicant	Jack Kurz - RSDP, LLC		
Address	1510 N. Dallas Pkwy, Ste 440		
City	Dallas	State	TX
Phone	(314) 578-8484	Email	jkurz@redskyholdings.com
		Zip	75248

RESOURCES FOR YOU

- For applications, checklists, departmental contacts, demographics and more, visit our website: <http://www.rockwall.com/planning>
- For GIS information for due diligence research, including downloadable and interactive maps (for zoning, parcel information, etc.), visit our GIS website: <http://www.rockwall.com/gis>



RSDGP, LLC
15110 N Dallas Pkwy
Ste. 440
Dallas, TX 75248

Dear City of Rockwall,

RSDGP is applying for a specific use permit to develop a drive-through concept located at the address of 906 S Goliad St. The development plan is designed to develop the site for 7Brew Coffee. 7Brew Coffee is a new coffee concept in the Dallas area.

RSDGP is applying for a specific use permit because the site is currently in the PD-62 district which is a subsection of the GR, General Retail, district. The 7Brew concept is a 510 SF building with a drive-through. This conceptual development plan would be considered a "restaurant with less than 2,000 SF with Drive-Through or Drive-In". This use requires a specific use permit in the GR zoning district.

In order for the development plan to take place, the first item that needs to be addressed is applying and acquiring a SUP. RSDGP believes that a drive-through coffee concept located at 906 S Goliad St would benefit the local neighborhoods and the city of Rockwall. The site is located at the Ridge Rd and Goliad St split which is why a drive-through coffee concept makes sense in this part of Rockwall. People leaving their homes, heading towards the retail corridor and businesses along I-30 will have an ideal morning coffee stop. RSDGP believes 7Brew will bring positive business and added aesthetic development to the nearby neighborhoods.

Sincerely,

Jack Kurz
Development Manager
E: jkurz@redskyholdings.com
C: (314) 578-8484

Legal Description

JACK CANUP ADDITION, BLOCK B, LOT 1, ACRES 1.1308

PLAT OF SURVEY

BOURN STREET

50' R.O.W. PER PLAT

S 89° 35' 59" E 192.07'

CURB

GAS LINE
MARKER

1/2" IRF

15' B.L.

1/2" CHISEL
IN CONCRETE

LOT 1

CONCRETE ALLEY

237.47'

N 0° 13' 53" E

20' ALLEY R.O.W. PER PLAT

13' ALLEY R.O.W. PER PLAT

5' ALLEY R.O.W. PER PLAT

10' ALLEY R.O.W. PER PLAT

LOT 2

BLOCK A

LOT 3

1.13 ACRES
49258 S.F.

LOT 1
BLOCK B

15' B.L.

OVERHEAD ELEC LINES

CONC WALK S 0° 23' 37" W 210.73'

CURB

S. GOLIAD STREET

LAWHORN & WILLIAMS ADDITION
VOL. 46. PG. 209

SURVEY ACCEPTED BY

DATE

DATE

LOT 6

LOT 5

LOT 4

LOT 3

SH 205
VARIABLE WIDTH R.O.W.

DESCRIPTION

Being Lot 1, in Block B of the JACK CANUP ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 133, of the Plat Records of Rockwall County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and JORGLY, LLC at 906 S. GOLIAD STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 17th day of July, 2015.

Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND				
TELEVISION CABLE RISER	GAS METER	TEL PHONE RISER	FIRE HYDRANT	POWER POLE
ELEC ELECTRIC METER	ELEC BUS SUBSURFACE JUNCTION BOX	WATER METER	CP LIGHT POLE	1/2" IR IRON AND COPPER CORNER
-X- FENCE	STATEMENT LINE	PROPERTY LINES	A/C AIR COND UNIT	PROPANE TANK

H.D. Fetty Land Surveyor, LLC

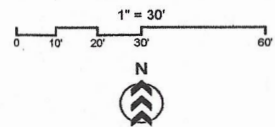
Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JULY 17, 2015
SCALE 1" = 40' FILE # 20061374-18
CLIENT JORGLY, LLC OF # 15-223229-RL

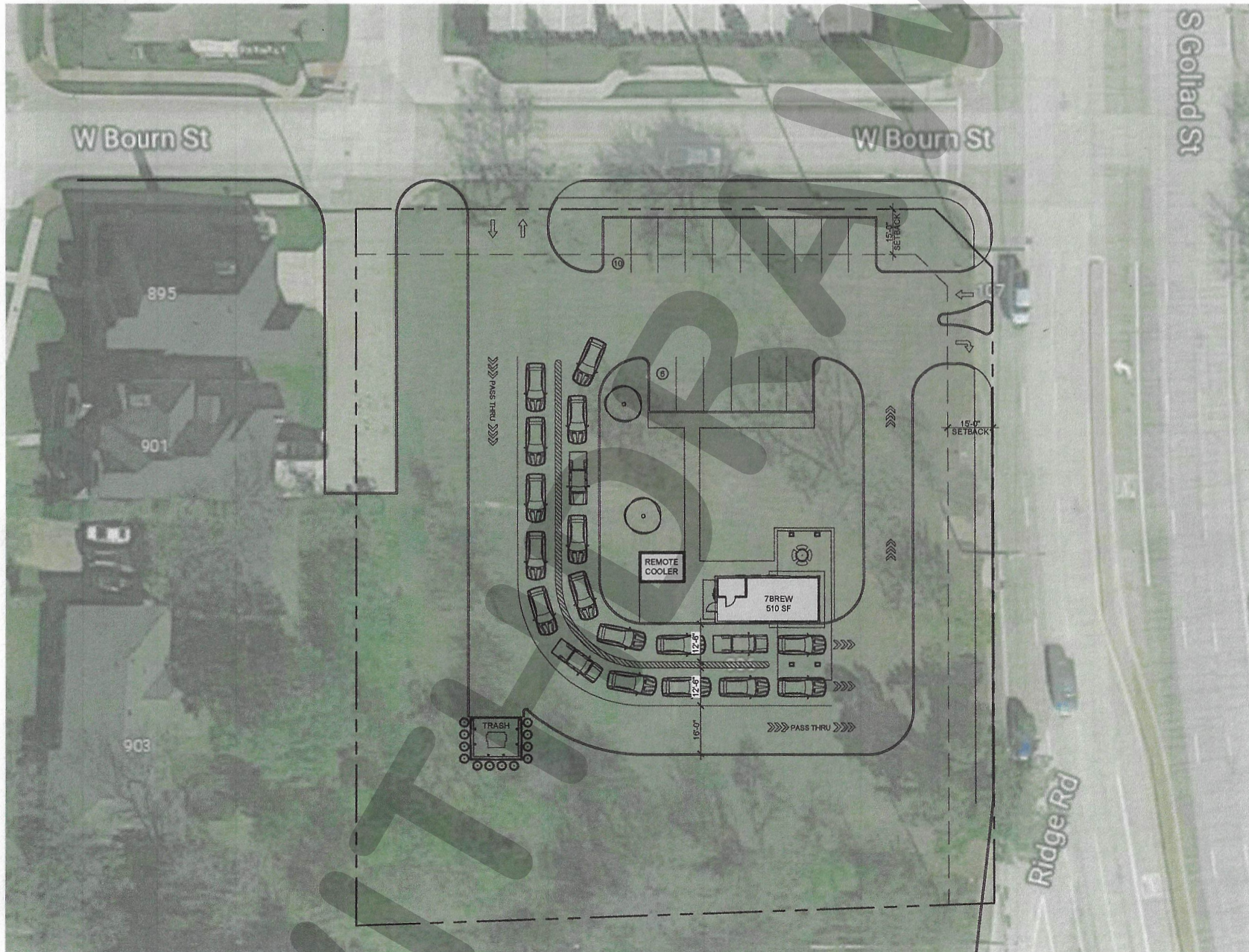


906 SOUTH GOLIAD
STREET
ROCKWALL, TEXAS

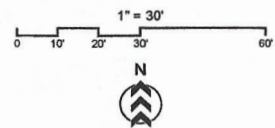


CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022

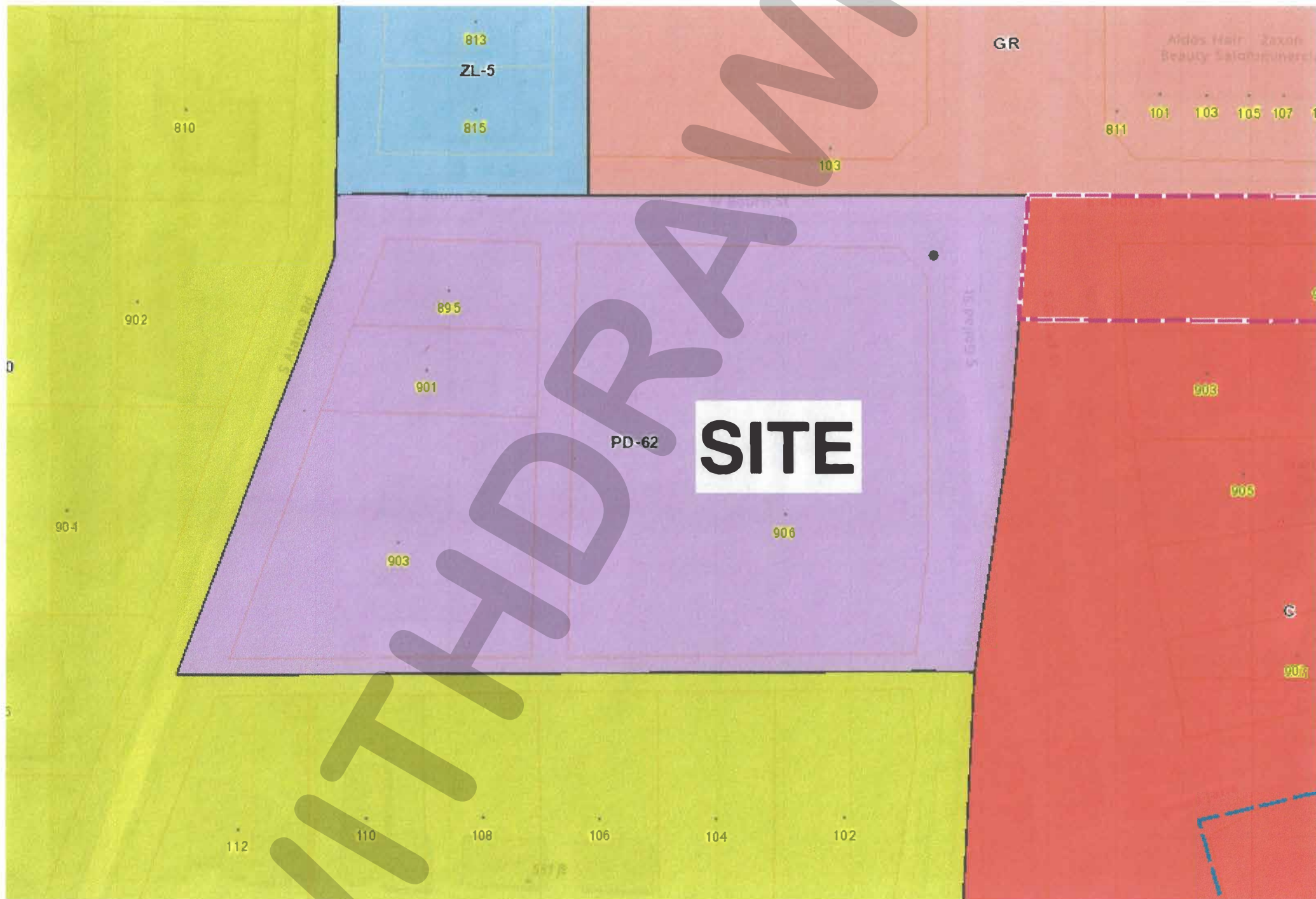


906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022





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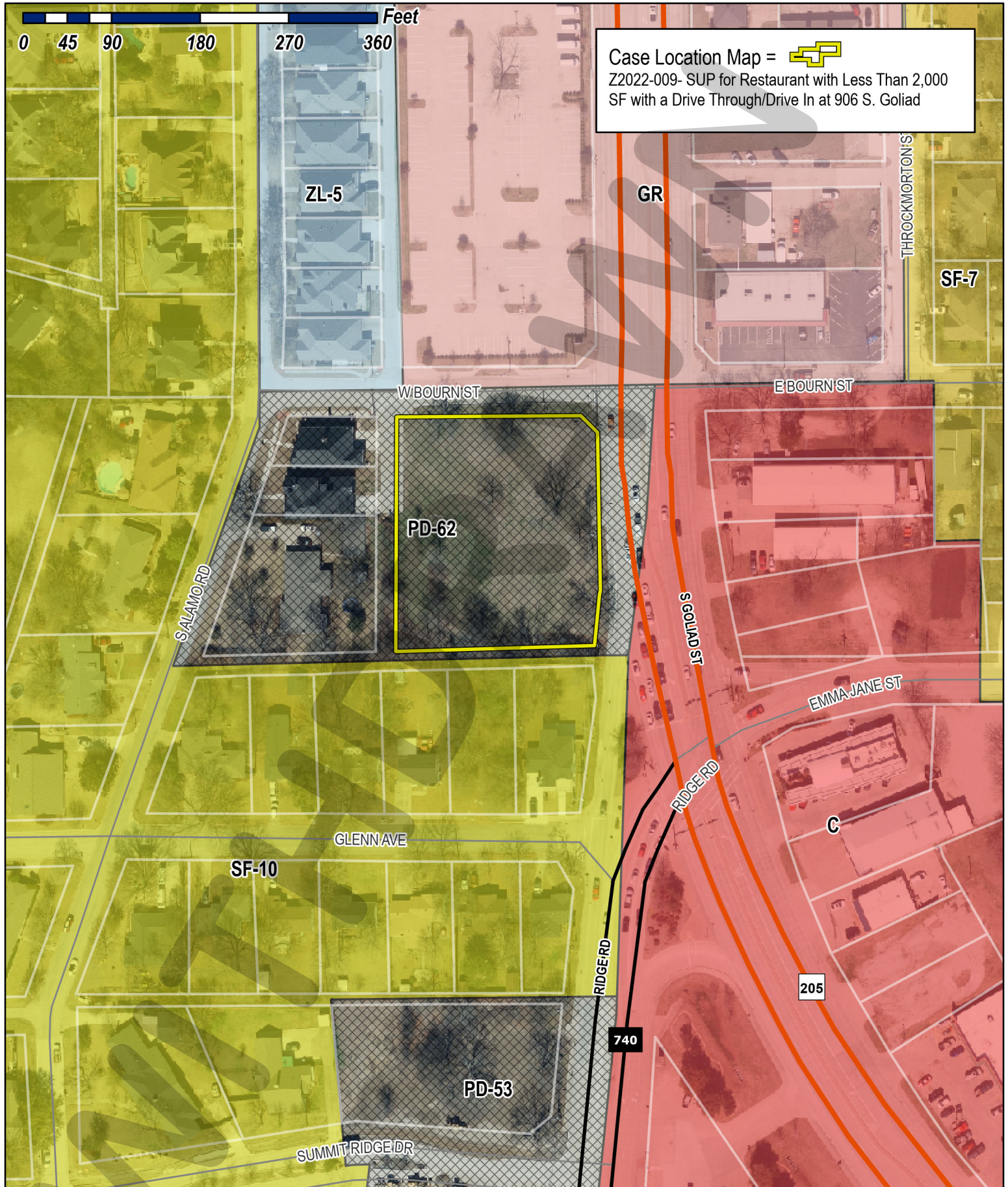
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Christine N. Brandy

MY COMMISSION EXPIRES

12/03/2023





Case Location Map = 
Z2022-009- SUP for Restaurant with Less Than 2,000
SF with a Drive Through/Drive In at 906 S. Goliad



City of Rockwall

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

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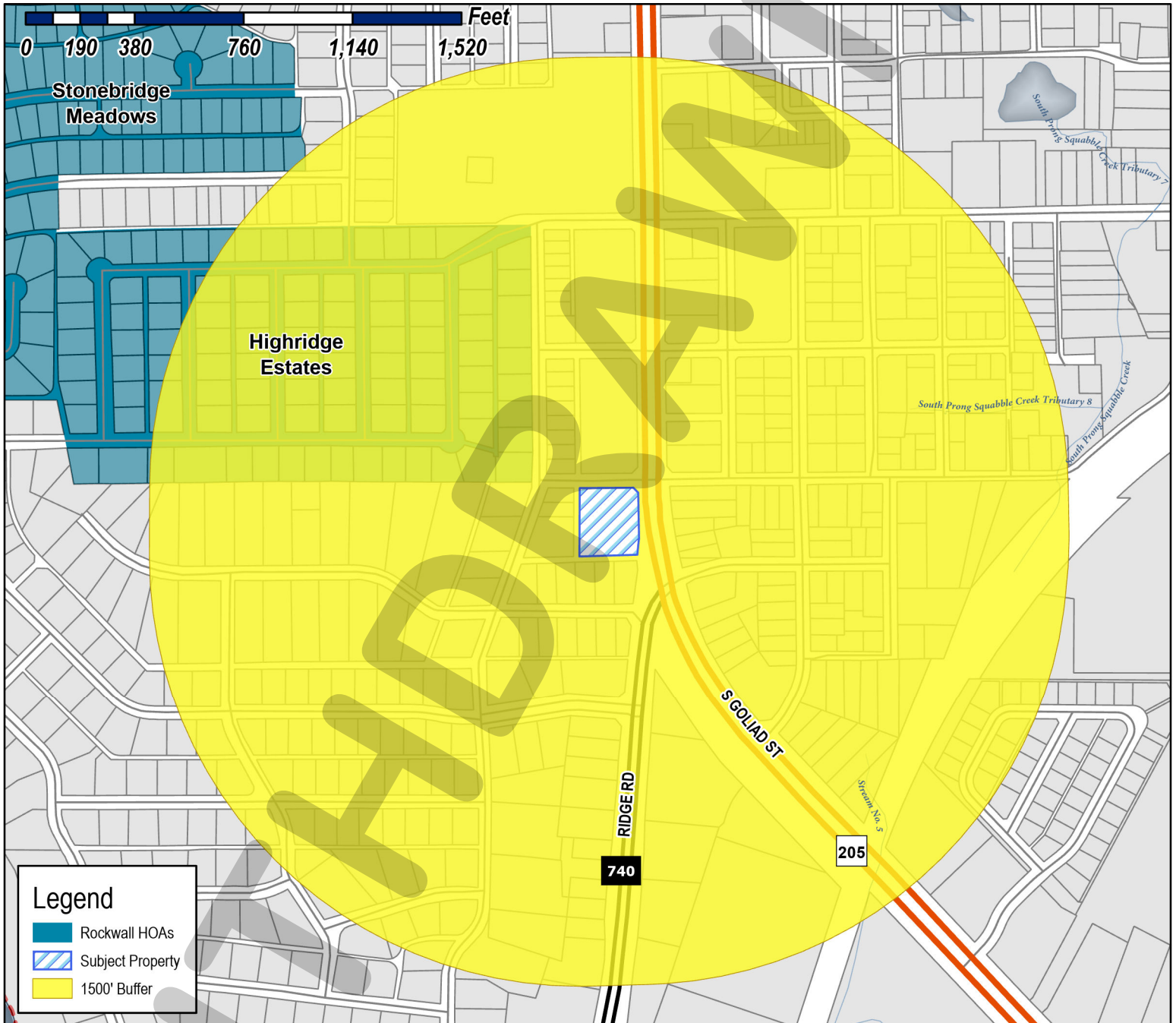




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Case Number: Z2022-009
Case Name: SUP for Restaurant with less than 2,000 SF w/ a Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745

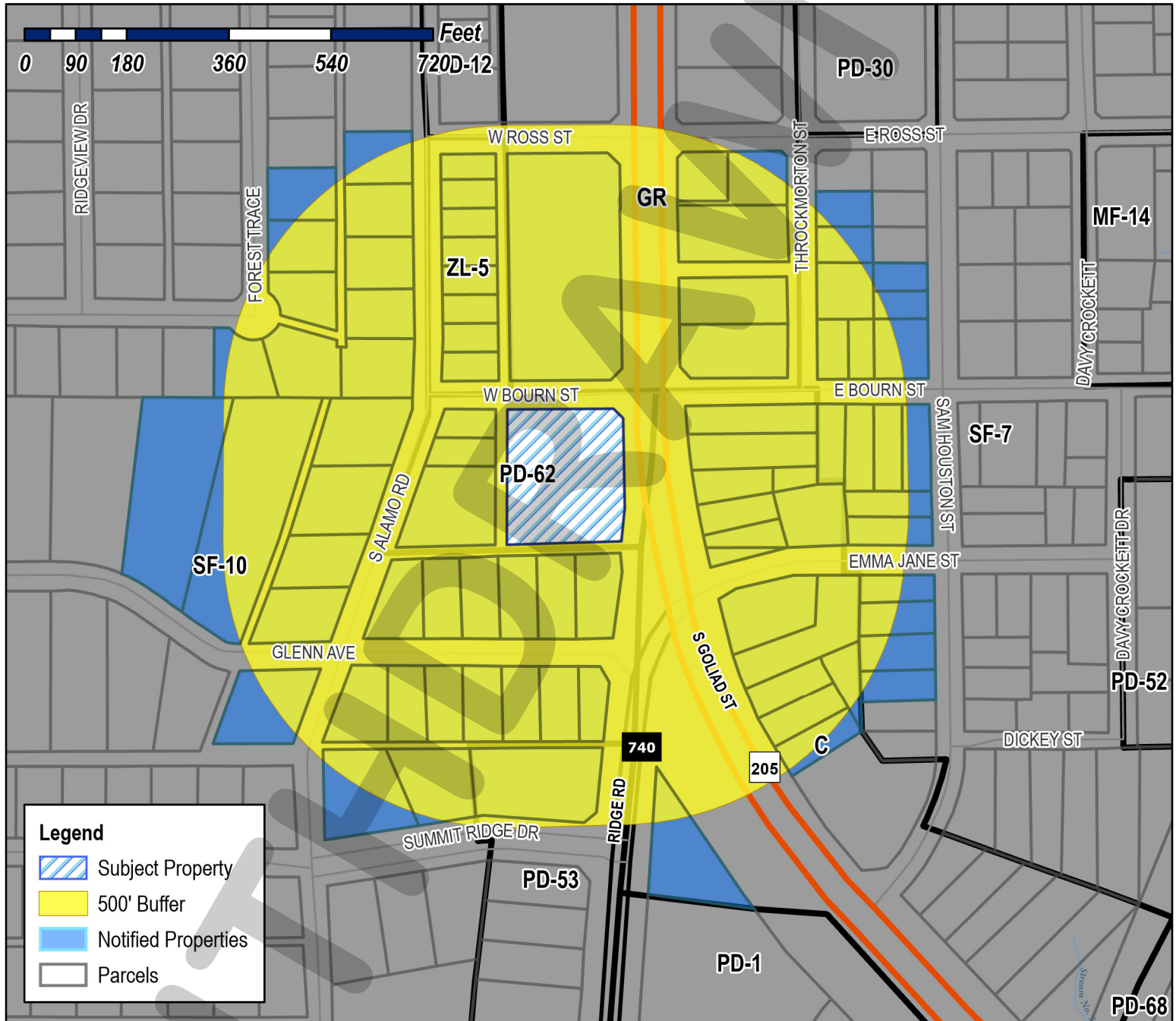




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Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



EDWARDS JASON
10 DANCING WATERS
ROCKWALL, TX 75032

RB CAPITAL LTD
1002 RIDGE RD
ROCKWALL, TX 75087

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

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

MALAVE BRENDA L
1006 SAM HOUSTON ST
ROCKWALL, TX 75087

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

EMMANUEL TABERNACLE CHURCH
1008 SAM HOUSTON
ROCKWALL, TX 75087

LIVAY LLC
1009 HOT SPRINGS DR
ALLEN, TX 75013

EFENEY WILLIAM M
1009 S GOLIAD
ROCKWALL, TX 75087

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1011 S GOLIAD ST
ROCKWALL, TX 75087

GEHRING CAROLYN S
101 GLENNAVE
ROCKWALL, TX 75087

CANGIANO COSIMO JEFFREY
102 GLENN AVE
ROCKWALL, TX 75089

ROHLF DAVID E
102 E ROSS AVE
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
104 GLENN AVE
ROCKWALL, TX 75087

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

SCOTT BILLIE JEAN
106 GLENN AVE
ROCKWALL, TX 75087

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

RICKERSON CHARLES AND VIRGINIA
108 GLENN AVE
ROCKWALL, TX 75087

CG HOLDINGS LLC
109 GLENN AVE
ROCKWALL, TX 75087

HOOVER JERRY H
110 GLENN AVE
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
1101 S ALAMO
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1101 S GOLIAD
ROCKWALL, TX 75087

NEWMAN JOANNA N
111 GLENN AVE
ROCKWALL, TX 75087

WILLIAMS KATHY S
112 GLENN AVE
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET SUITE 101
GRAPEVINE, TX 76051

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

ADLOR ENTERPRISES LLC
1208 S LAKESHORE DR
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
14 KESWICK CT
HEATH, TX 75032

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1404 RIDGE ROAD
ROCKWALL, TX 75087

EFENEY WILLIAM M
1406 S LAKESHORE DR
ROCKWALL, TX 75087

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
1508 BROOKHOLLOW DRIVE
SANTA ANA, CA 92735

RICKERSON CHARLES AND VIRGINIA
1728 RIDGE RD
ROCKWALL, TX 75087

GEHRING CAROLYN S
1745 LAKE BREEZE DR
ROCKWALL, TX 75087

SCROGGS CHARLES E AND MARLA D
1748 BISON MEADOW LANE
HEATH, TX 75032

2011 TEMUNOVIC FAMILY TRUST
TINA TEMUNOVIC COX AND CVIJETA
TEMUNOVIC TRUSTEES
200S UMMIT RIDGE DR
ROCKWALL, TX 75087

GIBSON CHARLES D AND LINDSAY K
201 FOREST TRACE
ROCKWALL, TX 75087

BATRES MARIA DELL REFUGIO
202 BOURN STREET
ROCKWALL, TX 75087

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

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

MOTON R T
203 E BOURN ST
ROCKWALL, TX 75087

STOVALL RAYMOND P
203 FOREST TRACE
ROCKWALL, TX 75087

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

CHANHMISAY KESONE & SYAMPHAY
204 GLENN AVE
ROCKWALL, TX 75087

MIMS KATHY
206 E BOURN ST
ROCKWALL, TX 75087

U S GOVERNMENT HOUSING
206-207EMMA JANE ST
ROCKWALL, TX 75087

HECKARD ALLEN
207 BOURN AVE
ROCKWALL, TX 75087

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

LIU HOWARD HEYUN
208 EMMA JANE ST
ROCKWALL, TX 75087

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

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

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

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

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

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

CG HOLDINGS LLC
4 SUNSET TR
HEATH, TX 75032

SCOTT BILLIE JEAN
4 SUNSET TRAIL
HEATH, TX 75032

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

LIU HOWARD HEYUN
4577 JAGUAR DR
PLANO, TX 75024

HECKARD ALLEN
4906 FREEMAN DR
ROWLETT, TX 75088

FIRST BAPTIST CHURCH OF ROCKWALL
610 S GOLIAD ST
ROCKWALL, TX 75087

DELGADILLO VICTORIA E
6104 LYNDON B JOHNSON FREEWAY APT#2502
DALLAS, TX 75240

BRYANT KRISTI & BRENT
710 S ALAMO ROAD
ROCKWALL, TX 75087

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

HILLMAN DORIANN E
713 FOREST TRACE
ROCKWALL, TX 75087

DELBOSQUE ROLOLFO & LORENA P
715 FOREST TRCE
ROCKWALL, TX 75087

EMMANUEL TABERNACLE CHURCH
7903 FERGUSON RD
DALLAS, TX 75228

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

DELGADILLO VICTORIA E
801 S GOLIAD
ROCKWALL, TX 75087

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

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

DANIELS ANNIE L
803 THROCKMORTON ST
ROCKWALL, TX 75087

BRYANT KRISTI & BRENT
804 S ALAMO DR
ROCKWALL, TX 75087

LOTT JOHN DOUGLAS AND CYNTHIA
805 S ALAMO RD
ROCKWALL, TX 75087

ESTATE OF FRANKIE MAE ALLEN
805 THROCKMORTON
ROCKWALL, TX 75087

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

PROGRESS RESIDENTIAL BORROWER 16 LLC
806 SAM HOUSTON ST
ROCKWALL, TX 75087

MCCAMPBELL CHARLES C & PATRICIA S
807 S ALAMO RD
ROCKWALL, TX 75087

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

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
808 SAM HOUSTON ST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
809 ALAMO RD
ROCKWALL, TX 75087

LIVAY LLC
809 S GOLIAD
ROCKWALL, TX 75087

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

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

EDWARDS JASON
811 S GOLIAD
ROCKWALL, TX 75087

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

RAMSEY JUDY LYNN
815 S ALAMO RD
ROCKWALL, TX 75087

HERNANDEZ ALMA VELIA
815 THROCKMORTON ST
ROCKWALL, TX 75087

BRUNNER WILLIAM E & MARGIE L
895 S ALAMO ROAD
ROCKWALL, TX 75087

THOMPSON JAMES LARRY AND SUSAN PRICE
901 S ALAMO RD
ROCKWALL, TX 75087

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

WALKER TOM H & SUE ANN
902 LAKE MEADOWS DR
ROCKWALL, TX 75087

ANDREWS VIRGINIA
902 S ALAMO
ROCKWALL, TX 75087

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

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

GATES TED AND SARAH
904 S ALAMO ROAD
ROCKWALL, TX 75087

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

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

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

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

STATE OF TEXAS
907 S GOLIAD
ROCKWALL, TX 75087

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

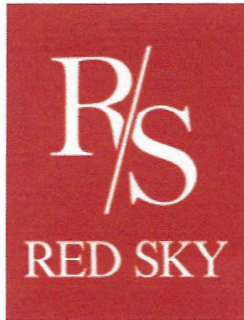
RUPPERT WILLIAM ET UX
9531 RIVERTON ROAD
DALLAS, TX 75218

ROHLF DAVID E
PO BOX 1137
ROCKWALL, TX 75087

ANDREWS VIRGINIA
PO BOX 254
REPUBLIC, MO 65738

PROGRESS RESIDENTIAL BORROWER 16 LLC
PO BOX 4090
SCOTTSDALE, AZ 85261

D&A REAL ESTATE PARTNERS LTD
PO BOX 850
ROCKWALL, TX 75087



RSDGP, LLC
15110 N Dallas Pkwy
Ste. 440
Dallas, TX 75248

Dear City of Rockwall,

RSDGP is applying for a specific use permit to develop a drive-through concept located at the address of 906 S Goliad St. The development plan is designed to develop the site for 7Brew Coffee. 7Brew Coffee is a new coffee concept in the Dallas area.

RSDGP is applying for a specific use permit because the site is currently in the PD-62 district which is a subsection of the GR, General Retail, district. The 7Brew concept is a 510 SF building with a drive-through. This conceptual development plan would be considered a "restaurant with less than 2,000 SF with Drive-Through or Drive-In". This use requires a specific use permit in the GR zoning district.

In order for the development plan to take place, the first item that needs to be addressed is applying and acquiring a SUP. RSDGP believes that a drive-through coffee concept located at 906 S Goliad St would benefit the local neighborhoods and the city of Rockwall. The site is located at the Ridge Rd and Goliad St split which is why a drive-through coffee concept makes sense in this part of Rockwall. People leaving their homes, heading towards the retail corridor and businesses along I-30 will have an ideal morning coffee stop. RSDGP believes 7Brew will bring positive business and added aesthetic development to the nearby neighborhoods.

Sincerely,

Jack Kurz
Development Manager
E: jkurz@redskyholdings.com
C: (314) 578-8484

Legal Description

JACK CANUP ADDITION, BLOCK B, LOT 1, ACRES 1.1308

PLAT OF SURVEY

BOURN STREET

50' R.O.W. PER PLAT

S 89° 35' 59" E 192.07'

CURB

GAS LINE
MARKER

1/2" IRF

15' B.L.

1/2" CHISEL
IN CONCRETE

LOT 1

CONCRETE ALLEY

237.47'

N 0° 13' 53" E

20' ALLEY R.O.W. PER PLAT

LOT 2

BLOCK A

LOT 3

1.13 ACRES
49258 S.F.

LOT 1
BLOCK B

15' B.L.

OVERHEAD ELEC LINES

CONC WALK S 0° 23' 37" W 210.73'

CURB

S. GOLIAD STREET

5' ALLEY R.O.W. PER PLAT S 88° 32' 58" W 211.05'
10' ALLEY R.O.W. PER PLAT

1/2" IRF

LOT 3

LOT 4

LOT 5

LOT 6

LAWHORN & WILLIAMS ADDITION
VOL. 46. PG. 209

SURVEY ACCEPTED BY

DATE

DATE

SH 205
VARIABLE WIDTH R.O.W.

DESCRIPTION

Being Lot 1, in Block B of the JACK CANUP ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 133, of the Plat Records of Rockwall County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and JORGLY, LLC at 906 S. GOLIAD STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 17th day of July, 2015.

Harold D. Fetty III, R.P.L.S. No. 5034



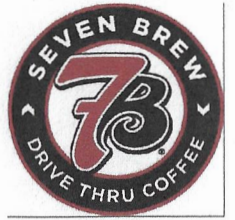
SYMBOL LEGEND				
TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FIRE FIRE HYDRANT	POWER POWER POLE
ELEC ELECTRIC METER	ELEC ELECTRIC SUBSURFACE JUNCTION BOX	WATER WATER METER	CP CITY POLE	1/2" HP IRON ROD FOUND (CHANGER)
-X- FENCE	STATEMENT LINE	PROPERTY LINES	A/C AIR COND UNIT	PROPANE PROPANE TANK

H.D. Fetty Land Surveyor, LLC

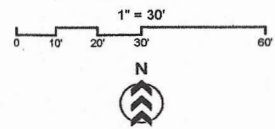
Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JULY 17, 2015
SCALE 1" = 40' FILE # 20061374-18
CLIENT JORGLY, LLC OF # 15-223229-RL

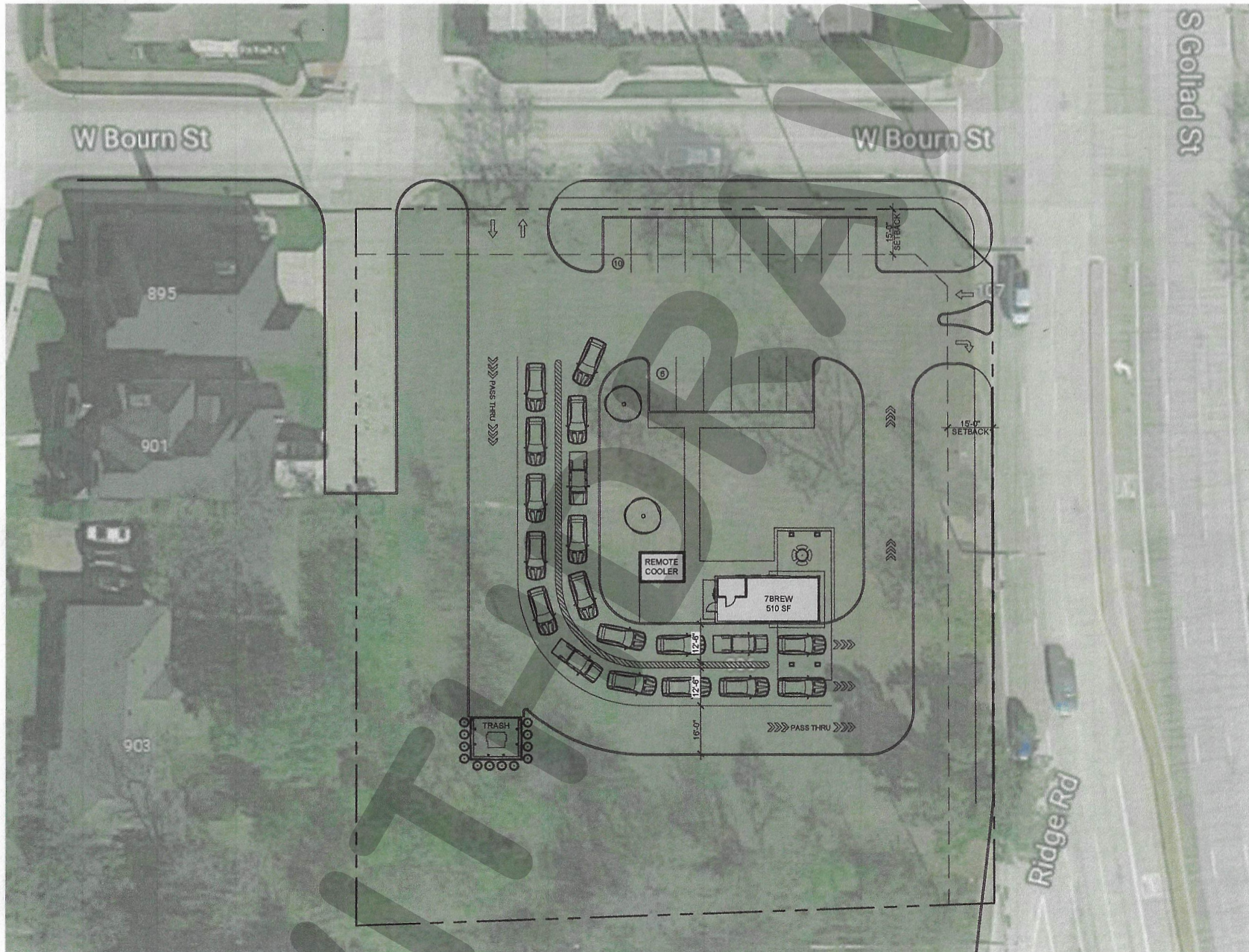


906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS

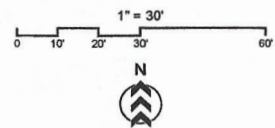


CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022



906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022

PROJECT COMMENTS



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

DATE: 2/25/2022

PROJECT NUMBER: Z2022-009
PROJECT NAME: SUP for Restaurant with less than 2,000 SF with a Drive Through/Drive In
SITE ADDRESS/LOCATIONS: 906 N GOLIAD ST, ROCKWALL, 75087

CASE MANAGER: Angelica Gamez
CASE MANAGER PHONE: 972-772-6438
CASE MANAGER EMAIL: agamez@rockwall.com

CASE CAPTION:

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	Ryan Miller	02/25/2022	Approved w/ Comments

02/25/2022: Z2022-009; Specific Use Permit (SUP) for Restaurant with Drive-Through or Drive-In
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

- I.1 This request is for the approval of a Specific Use Permit (SUP) for a Restaurant with Less Than 2,000 SF with Drive-Through or Drive-In for the purpose of constructing a restaurant with drive-through on a 1.1308-acre parcel of land identified as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) for General Retail (GR) District, addressed as 902 & 906 S. Goliad Street [SH-205].
- I.2 For questions or comments concerning this case please contact Henry Lee in the Planning Department at (972) 772-6434 or email hlee@rockwall.com.
- M.3 For reference, include the case number (Z2022-009) in the lower right-hand corner of all pages on future submittals.
- M.4 Please indicate the point of order and if there are any individual speakers. According to Subsection 01.06, Residential Adjacency Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC), "(a)ny use containing individual speakers shall not be permitted within 150 feet of any residential district unless the speaker is appropriately screened and shall meet the standards established in Article IV, Noise, of Chapter 16, Environment, of the Municipal Code of Ordinances."
- I.5 According to Planned Development District 62 (PD-62) [Ordinance No. 05-42] the Subject Property shall be subject to the requirements and land uses permitted in the General Retail (GR) District. The Permissible Use Charts contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) states that the Restaurant with Less Than 2,000 SF with Drive Through or Drive-In land use requires a Specific Use Permit (SUP) in a General Retail (GR) District. In addition, the Conditional Land Use Standards contained in Article 04, Permissible Uses, of the Unified Development Code (UDC) stipulate the following conditions for this land use:

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

- I.6 According to the conditional use standards for a Restaurant, 2,000 SF of More, with Drive-Through or Drive-In contained in Article 04, Permissible Uses, of the Unified Development Code (UDC), "(d)rive-through lanes shall not have access to a local residential street."
- M.7 Currently, the concept plan shows the proposed business taking access off of either W. Bourn Street or S. Goliad Street. W. Bourn Street is considered a local residential street. It should also be noted that any access off of the residential alleyway or W. Bourn Street will not meet the requirements of the Unified Development Code (UDC) and will

require the City Council's discretionary approval.

M.8 Please indicate all screening on the concept plan. This should include the screening of the adjacent residential properties and headlight screening on to SH-205 and W. Bourn Street.

I.9 According to Subsection 01.06, Residential Adjacency Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC), "(w)here adjacent to residential districts, off-street loading areas shall be fully screened from view of the residential district..."

M.10 Please indicate on the concept plan the proposed loading zone for all deliveries for the proposed restaurant.

I.11 The driveway depicted off of S. Goliad Street does not meet the City's or the Texas Department of Transportation's standards for driveways spacing; however, it is an existing driveway approach. When considering the proposed land use, this driveway is a safety issue, and will be pointed out as such in staff's case memo. In addition, staff will be requiring a Traffic Impact Analysis (TIA) for this project as part of the site plan process if the Specific Use Permit (SUP) is approved.

M.12 According to Subsection 05.02 (B), Screening from Residential, of Article 08, Landscape and Fence Standards, of the UDC states that:

"Screening from Residential. Any non-residential or multi-family land use or parking area that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers..."

This screening shall be included in a 20-foot landscape buffer that is required along the West and South property lines, which is required per Subsection 05.01 (B)(2), of Article 08, of the UDC.

M.13 Staff has included a requirement in the draft ordinance that a 20-foot landscape buffer be provided along SH-205 to ensure that all headlights are screened from this roadway. In addition, a ten (10) foot landscape buffer shall be required W. Bourn Street. The buffers shall include a berm with shrubs, and one (1) canopy and one (1) accent tree per 50-linear feet of frontage. (Subsection 05.01 (B)(1), Article 08, UDC)

M.14 The remote cooler will be required to be fully screened on all sides at the time of site plan, and should look like a commercial building.

M.15 The dumpster enclosure shall not face public Right-of-Way (Applies to concept plan 2)

M.16 The subject property has two (2) frontages (i.e. along W. Bourn Street and S. Goliad Street) that are considered front yards (i.e. require a front yard building setback). According to Subsection 07.03, Non-Residential District Development Standards, of Article 05, District Development Standards, of the Unified Development Code (UDC), properties in a General Retail (GR) District are not permitted to have parking between the front façade of the building and property line. (Applies to concept plan 2)

M.17 Please provide staff with a letter outlining the operations of the proposed business and hours of operation.

M.18 Please make the following changes to the Concept Plan:

- (1) Choose one (1) concept plan by March 7, 2022.
- (2) Indicate the point of order and the location of any individual speakers.
- (3) Show conformance to comment I.5.2.
- (4) Indicate the loading zone.
- (5) Indicate all landscape buffers, with their subsequent landscape screening and masonry walls.
- (6) Indicate the use of shrubs and accents trees to screen the dumpster enclosure on W. Bourn Street. (Applies to concept plan 1)

I.19 Keep in mind at the time of site plan that for each variance requested you are required to provide 2 offsetting compensatory measures. (Subsection 09.01, Article 11, UDC)

M.20 Please review the attached Draft Ordinance prior to the February 28, 2022 Planning and Zoning Commission Work Session meeting, and provide staff with your markups by no later than March 7, 2022. In reviewing the Draft Ordinance, please pay close attention to staff's suggestions.

I.21 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on March 7, 2022; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the March 15, 2022 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on February 28, 2022.

I.22 The projected City Council meeting dates for this case will be March 21, 2022 (1st Reading) and April 4, 2022 (2nd Reading).

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	02/24/2022	Needs Review
02/24/2022: Site option 1 - Dumpster area to drain to an oil/water separator and then to the storm lines.			

- Must install a 5' wide sidewalk along Bourn.
- Parking to be 20x9' minimum.

Site option 2

- Move the driveway on SH 205 to the south, existing drive location. Driveway does not meet spacing requirements.
- The driveway on Bourn will need to be moved. It is too close to the existing alleyway.
- Dumpster area to drain to an oil/water separator and then to the storm lines.
- Must install a 5' wide sidewalk along Bourn.
- Parking to be 20x9' minimum.

The following comments are informational for the engineering design process.

General Items:

- 4% Engineering Inspection Fees.
- Impact Fees.
- Engineering plan review fees.
- No dead end parking allowed.
- TXDOT permits required.
- Minimum utility easement width is 20'.
- Retaining walls 3' and taller must be designed by a structural engineer.
- All walls must be rock or stone face. No smooth concrete walls.
- No trees within 10' of non-steel encased public utilities.
- Must meet City of Rockwall Standards of Design.
- 10' U.E. along all ROW frontage.

Drainage Items:

- Dumpster area to drain to oil/water separator or grease trap prior to storm line.
- Detention is required.
- Add note that the property owner will be responsible for maintaining, repair, and replacement of the detention/drainage systems.

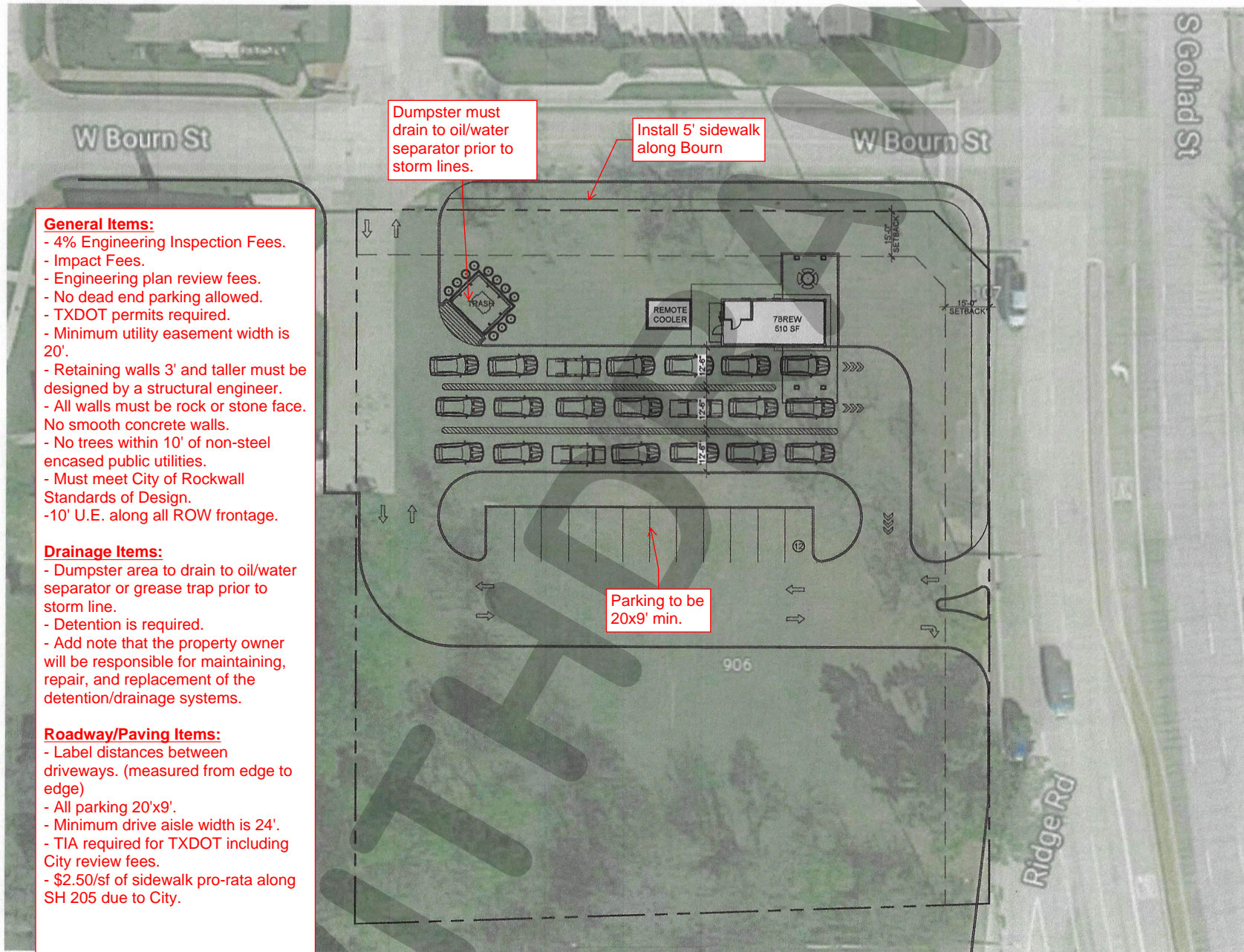
Roadway/Paving Items:

- Label distances between driveways. (measured from edge to edge)
- All parking 20'x9'.
- Minimum drive aisle width is 24'.
- TIA required for TXDOT including City review fees.
- \$2.50/sf of sidewalk pro-rata along SH 205 due to City.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	02/22/2022	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	02/23/2022	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	02/22/2022	Approved w/ Comments

02/22/2022: Please use *902 S GOLIAD ST, ROCKWALL, TX 75087* for the address.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Ryan Miller	02/25/2022	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	02/22/2022	Approved w/ Comments
02/22/2022: No comments			



General Items:

- 4% Engineering Inspection Fees.
- Impact Fees.
- Engineering plan review fees.
- No dead end parking allowed.
- TXDOT permits required.
- Minimum utility easement width is 20'.
- Retaining walls 3' and taller must be designed by a structural engineer.
- All walls must be rock or stone face. No smooth concrete walls.
- No trees within 10' of non-steel encased public utilities.
- Must meet City of Rockwall Standards of Design.
- 10' U.E. along all ROW frontage.

Drainage Items:

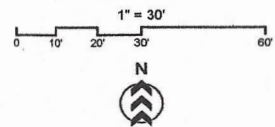
- Dumpster area to drain to oil/water separator or grease trap prior to storm line.
- Detention is required.
- Add note that the property owner will be responsible for maintaining, repair, and replacement of the detention/drainage systems.

Roadway/Paving Items:

- Label distances between driveways. (measured from edge to edge)
- All parking 20'x9'.
- Minimum drive aisle width is 24'.
- TIA required for TXDOT including City review fees.
- \$2.50/sf of sidewalk pro-rata along SH 205 due to City.



906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022

General Items:

- 4% Engineering Inspection Fees.
- Impact Fees.
- Engineering plan review fees.
- No dead end parking allowed.
- TXDOT permits required.
- Minimum utility easement width is 20'.
- Retaining walls 3' and taller must be designed by a structural engineer.
- All walls must be rock or stone face.
- No smooth concrete walls.
- No trees within 10' of non-steel encased public utilities.
- Must meet City of Rockwall Standards of Design.
- 10' U.E. along all ROW frontage.

Drainage Items:

- Dumpster area to drain to oil/water separator or grease trap prior to storm line.
- Detention is required.
- Add note that the property owner will be responsible for maintaining, repair, and replacement of the detention/drainage systems.

Roadway/Paving Items:

- Label distances between driveways. (measured from edge to edge)
- All parking 20'x9'.
- Minimum drive aisle width is 24'.
- TIA required for TXDOT including City review fees.
- \$2.50/sf of sidewalk pro-rata along SH 205 due to City.

Remove driveway...too close to existing driveway

Install 5' sidewalk along Bourn

305' Min spacing

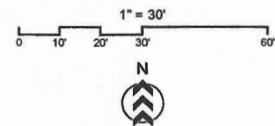
Parking to be 20x9' min.

Move driveway south to location of existing driveway. Will not be allowed this close to Bourn St.

Dumpster must drain to oil/water separator prior to storm lines.



906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 906 S Goliad St, Rockwall TX
SUBDIVISION Jack Canup Addition LOT 1 BLOCK B
GENERAL LOCATION Goliad St & Brown St

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR/PP-62 CURRENT USE Vacant
PROPOSED ZONING GR w/SUP PROPOSED USE Drive thru coffee
ACREAGE 1.13 LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

OWNER <u>ADLOR ENTERPRISES LLC</u>	<input checked="" type="checkbox"/> APPLICANT <u>Jack Kurz - RSDAP, LLC</u>
CONTACT PERSON <u>ALLEN ANDERSON</u>	CONTACT PERSON <u>Jack Kurz</u>
ADDRESS <u>1208 S. LAKE S. HIRE DR</u>	ADDRESS <u>1510 N. Dallas Pkwy</u>
CITY, STATE & ZIP <u>ROCKWALL, TX 75087</u>	CITY, STATE & ZIP <u>Dallas TX 75248</u>
PHONE <u>214-538-2209</u>	PHONE <u>(314) 578-8484</u>
E-MAIL <u>AAINTX@MSN.COM</u>	E-MAIL <u>jkurz@redskyholdings.com</u>

NOTARY VERIFICATION [REQUIRED]

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

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 18th DAY OF February, 2022. 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."

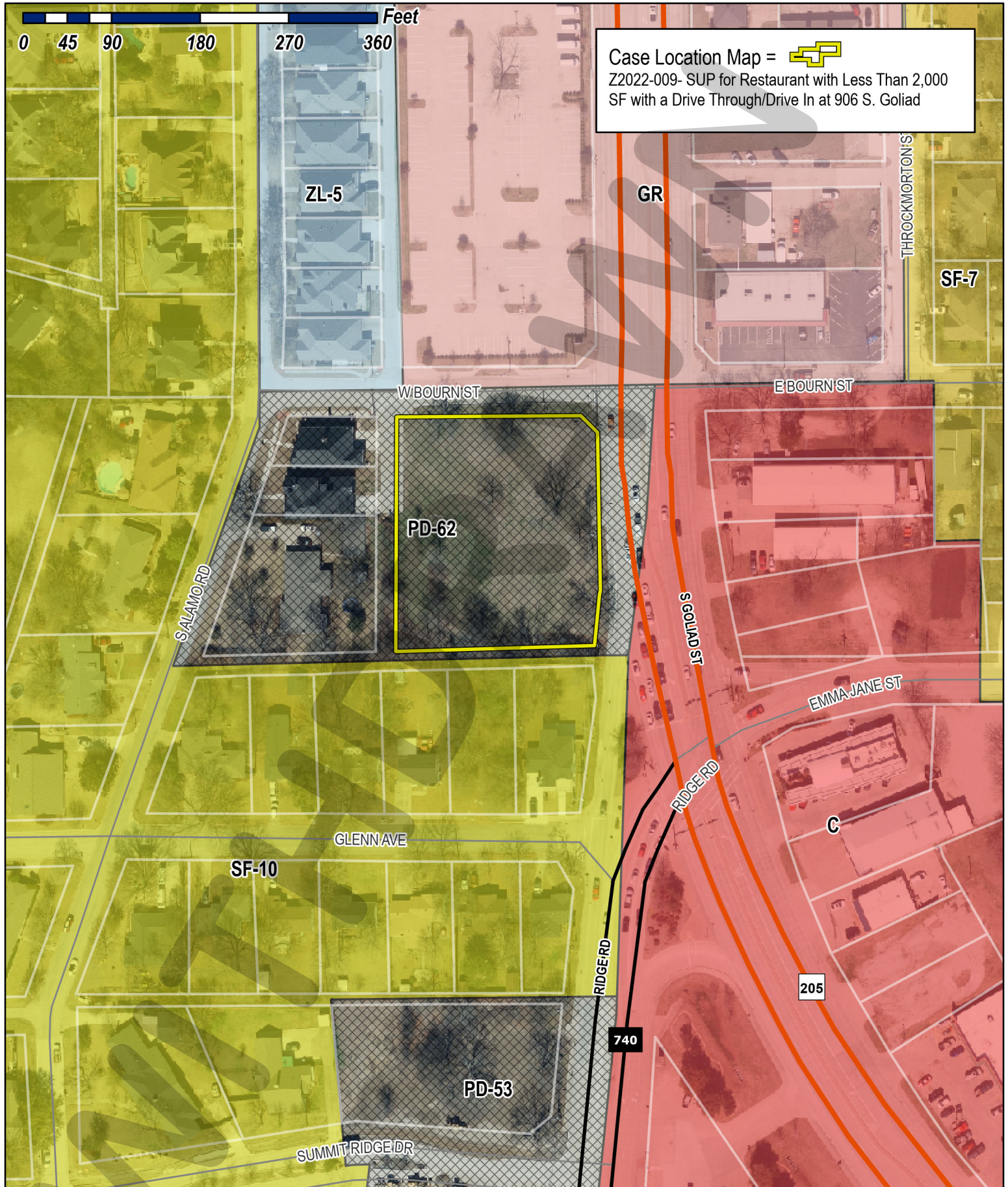
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15 DAY OF February, 2022

OWNER'S SIGNATURE Allen Anderson

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Christine N. Brandy

MY COMMISSION EXPIRES 12/03/2023





Case Location Map = 
Z2022-009- SUP for Restaurant with Less Than 2,000
SF with a Drive Through/Drive In at 906 S. Goliad



City of Rockwall

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

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

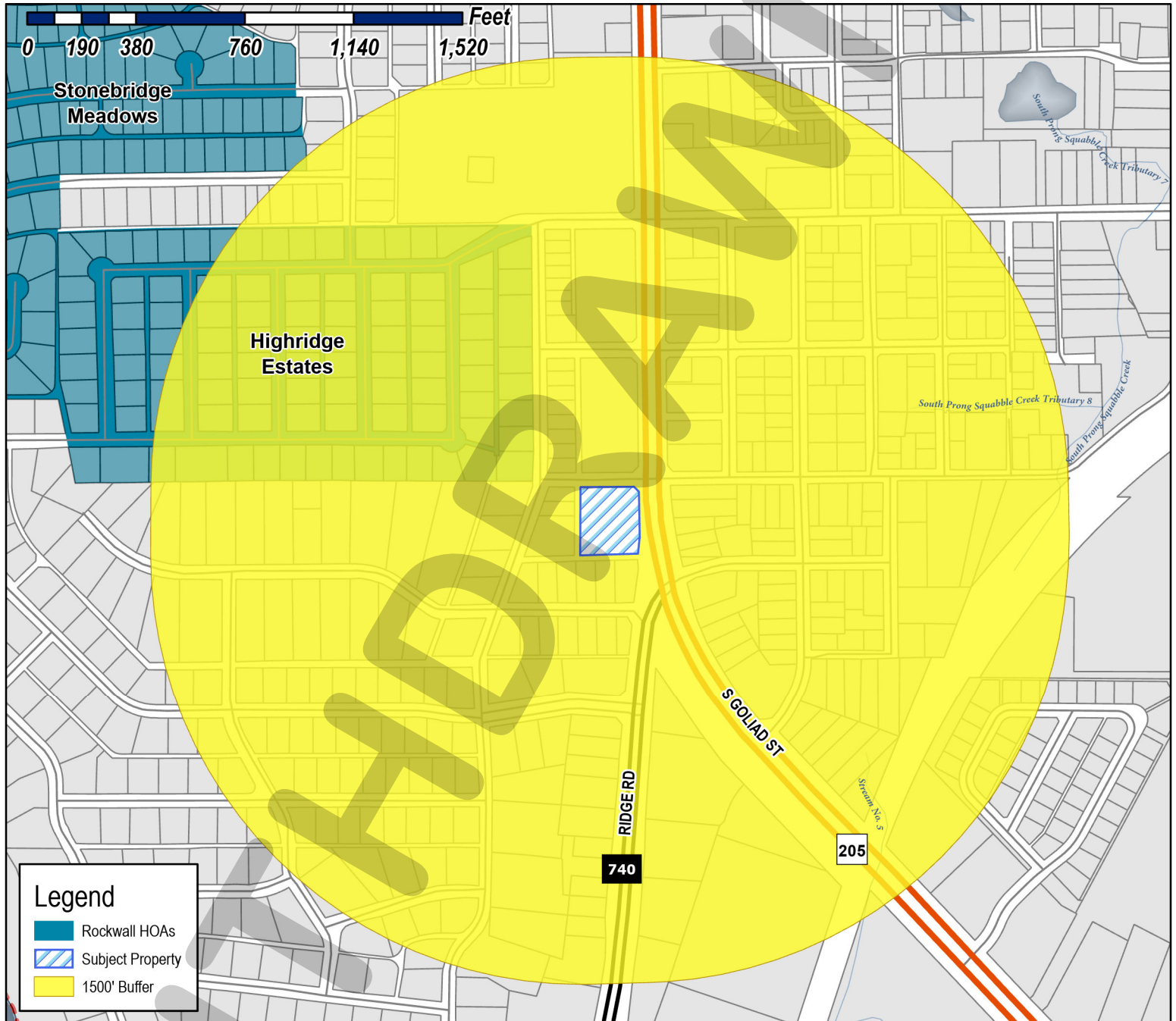




City of Rockwall

Planning & Zoning Department
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Rockwall, Texas 75087
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Case Number: Z2022-009
Case Name: SUP for Restaurant with less than 2,000 SF w/ a Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Wednesday, February 23, 2022 2:24 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-009]
Attachments: Public Notice (02.23.2022).pdf; HOA Map (02.18.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on February 25, 2022. The Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2022-009: SUP for Restaurant with Less than 2,000 SF with a Drive Through or Drive In

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

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

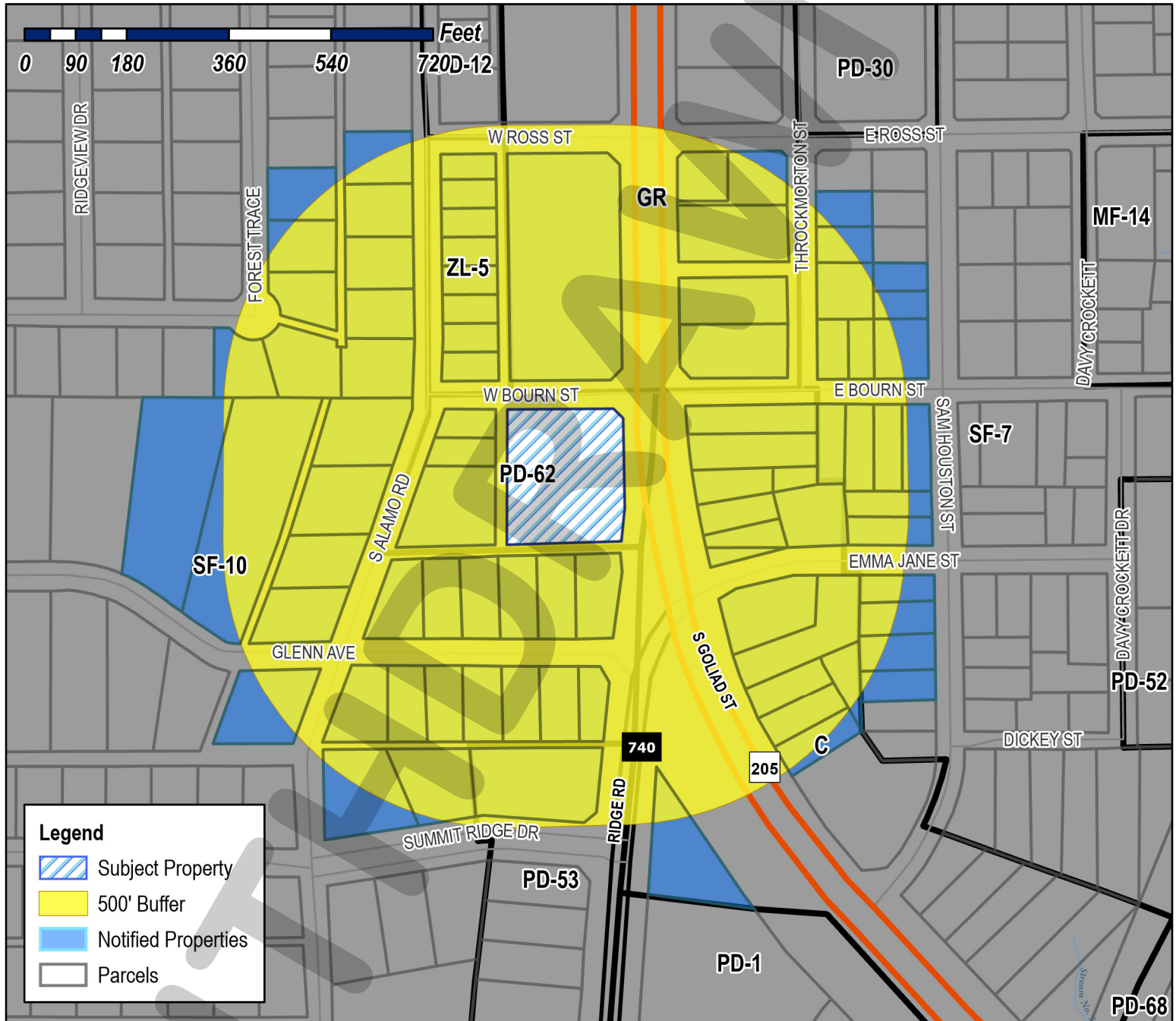
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City of Rockwall

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

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Case Number: Z2022-009
Case Name: SUP for Restaurant less than 2,000 SF w/Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



EDWARDS JASON
10 DANCING WATERS
ROCKWALL, TX 75032

RB CAPITAL LTD
1002 RIDGE RD
ROCKWALL, TX 75087

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

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

MALAVE BRENDA L
1006 SAM HOUSTON ST
ROCKWALL, TX 75087

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

EMMANUEL TABERNACLE CHURCH
1008 SAM HOUSTON
ROCKWALL, TX 75087

LIVAY LLC
1009 HOT SPRINGS DR
ALLEN, TX 75013

EFENEY WILLIAM M
1009 S GOLIAD
ROCKWALL, TX 75087

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1011 S GOLIAD ST
ROCKWALL, TX 75087

GEHRING CAROLYN S
101 GLENNAVE
ROCKWALL, TX 75087

CANGIANO COSIMO JEFFREY
102 GLENN AVE
ROCKWALL, TX 75089

ROHLF DAVID E
102 E ROSS AVE
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
104 GLENN AVE
ROCKWALL, TX 75087

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

SCOTT BILLIE JEAN
106 GLENN AVE
ROCKWALL, TX 75087

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

RICKERSON CHARLES AND VIRGINIA
108 GLENN AVE
ROCKWALL, TX 75087

CG HOLDINGS LLC
109 GLENN AVE
ROCKWALL, TX 75087

HOOVER JERRY H
110 GLENN AVE
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
1101 S ALAMO
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1101 S GOLIAD
ROCKWALL, TX 75087

NEWMAN JOANNA N
111 GLENN AVE
ROCKWALL, TX 75087

WILLIAMS KATHY S
112 GLENN AVE
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET SUITE 101
GRAPEVINE, TX 76051

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

ADLOR ENTERPRISES LLC
1208 S LAKESHORE DR
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
14 KESWICK CT
HEATH, TX 75032

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1404 RIDGE ROAD
ROCKWALL, TX 75087

EFENEY WILLIAM M
1406 S LAKESHORE DR
ROCKWALL, TX 75087

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
1508 BROOKHOLLOW DRIVE
SANTA ANA, CA 92735

RICKERSON CHARLES AND VIRGINIA
1728 RIDGE RD
ROCKWALL, TX 75087

GEHRING CAROLYN S
1745 LAKE BREEZE DR
ROCKWALL, TX 75087

SCROGGS CHARLES E AND MARLA D
1748 BISON MEADOW LANE
HEATH, TX 75032

2011 TEMUNOVIC FAMILY TRUST
TINA TEMUNOVIC COX AND CVIJETA
TEMUNOVIC TRUSTEES
200S UMMIT RIDGE DR
ROCKWALL, TX 75087

GIBSON CHARLES D AND LINDSAY K
201 FOREST TRACE
ROCKWALL, TX 75087

BATRES MARIA DELL REFUGIO
202 BOURN STREET
ROCKWALL, TX 75087

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

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

MOTON R T
203 E BOURN ST
ROCKWALL, TX 75087

STOVALL RAYMOND P
203 FOREST TRACE
ROCKWALL, TX 75087

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

CHANHMISAY KESONE & SYAMPHAY
204 GLENN AVE
ROCKWALL, TX 75087

MIMS KATHY
206 E BOURN ST
ROCKWALL, TX 75087

U S GOVERNMENT HOUSING
206-207EMMA JANE ST
ROCKWALL, TX 75087

HECKARD ALLEN
207 BOURN AVE
ROCKWALL, TX 75087

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

LIU HOWARD HEYUN
208 EMMA JANE ST
ROCKWALL, TX 75087

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

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

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

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

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

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

CG HOLDINGS LLC
4 SUNSET TR
HEATH, TX 75032

SCOTT BILLIE JEAN
4 SUNSET TRAIL
HEATH, TX 75032

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

LIU HOWARD HEYUN
4577 JAGUAR DR
PLANO, TX 75024

HECKARD ALLEN
4906 FREEMAN DR
ROWLETT, TX 75088

FIRST BAPTIST CHURCH OF ROCKWALL
610 S GOLIAD ST
ROCKWALL, TX 75087

DELGADILLO VICTORIA E
6104 LYNDON B JOHNSON FREEWAY APT#2502
DALLAS, TX 75240

BRYANT KRISTI & BRENT
710 S ALAMO ROAD
ROCKWALL, TX 75087

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

HILLMAN DORIANN E
713 FOREST TRACE
ROCKWALL, TX 75087

DELBOSQUE ROLOLFO & LORENA P
715 FOREST TRCE
ROCKWALL, TX 75087

EMMANUEL TABERNACLE CHURCH
7903 FERGUSON RD
DALLAS, TX 75228

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

DELGADILLO VICTORIA E
801 S GOLIAD
ROCKWALL, TX 75087

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

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

DANIELS ANNIE L
803 THROCKMORTON ST
ROCKWALL, TX 75087

BRYANT KRISTI & BRENT
804 S ALAMO DR
ROCKWALL, TX 75087

LOTT JOHN DOUGLAS AND CYNTHIA
805 S ALAMO RD
ROCKWALL, TX 75087

ESTATE OF FRANKIE MAE ALLEN
805 THROCKMORTON
ROCKWALL, TX 75087

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

PROGRESS RESIDENTIAL BORROWER 16 LLC
806 SAM HOUSTON ST
ROCKWALL, TX 75087

MCCAMPBELL CHARLES C & PATRICIA S
807 S ALAMO RD
ROCKWALL, TX 75087

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

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
808 SAM HOUSTON ST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
809 ALAMO RD
ROCKWALL, TX 75087

LIVAY LLC
809 S GOLIAD
ROCKWALL, TX 75087

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

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

EDWARDS JASON
811 S GOLIAD
ROCKWALL, TX 75087

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

RAMSEY JUDY LYNN
815 S ALAMO RD
ROCKWALL, TX 75087

HERNANDEZ ALMA VELIA
815 THROCKMORTON ST
ROCKWALL, TX 75087

BRUNNER WILLIAM E & MARGIE L
895 S ALAMO ROAD
ROCKWALL, TX 75087

THOMPSON JAMES LARRY AND SUSAN PRICE
901 S ALAMO RD
ROCKWALL, TX 75087

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

WALKER TOM H & SUE ANN
902 LAKE MEADOWS DR
ROCKWALL, TX 75087

ANDREWS VIRGINIA
902 S ALAMO
ROCKWALL, TX 75087

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

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

GATES TED AND SARAH
904 S ALAMO ROAD
ROCKWALL, TX 75087

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

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

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

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

STATE OF TEXAS
907 S GOLIAD
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
9531 RIVERTON ROAD
DALLAS, TX 75218

ROHLF DAVID E
PO BOX 1137
ROCKWALL, TX 75087

ANDREWS VIRGINIA
PO BOX 254
REPUBLIC, MO 65738

PROGRESS RESIDENTIAL BORROWER 16 LLC
PO BOX 4090
SCOTTSDALE, AZ 85261

D&A REAL ESTATE PARTNERS LTD
PO BOX 850
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

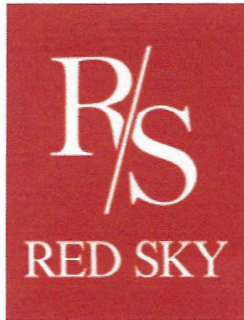
Reasons for support or opposition:

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



RSDGP, LLC
15110 N Dallas Pkwy
Ste. 440
Dallas, TX 75248

Dear City of Rockwall,

RSDGP is applying for a specific use permit to develop a drive-through concept located at the address of 906 S Goliad St. The development plan is designed to develop the site for 7Brew Coffee. 7Brew Coffee is a new coffee concept in the Dallas area.

RSDGP is applying for a specific use permit because the site is currently in the PD-62 district which is a subsection of the GR, General Retail, district. The 7Brew concept is a 510 SF building with a drive-through. This conceptual development plan would be considered a "restaurant with less than 2,000 SF with Drive-Through or Drive-In". This use requires a specific use permit in the GR zoning district.

In order for the development plan to take place, the first item that needs to be addressed is applying and acquiring a SUP. RSDGP believes that a drive-through coffee concept located at 906 S Goliad St would benefit the local neighborhoods and the city of Rockwall. The site is located at the Ridge Rd and Goliad St split which is why a drive-through coffee concept makes sense in this part of Rockwall. People leaving their homes, heading towards the retail corridor and businesses along I-30 will have an ideal morning coffee stop. RSDGP believes 7Brew will bring positive business and added aesthetic development to the nearby neighborhoods.

Sincerely,

Jack Kurz
Development Manager
E: jkurz@redskyholdings.com
C: (314) 578-8484

Legal Description

JACK CANUP ADDITION, BLOCK B, LOT 1, ACRES 1.1308

PLAT OF SURVEY

BOURN STREET

50' R.O.W. PER PLAT

S 89° 35' 59" E 192.07'

CURB

GAS LINE
MARKER

1/2" IRF

15' B.L.

LOT 1

CONCRETE ALLEY

237.47'

N 0° 13' 53" E

20' ALLEY R.O.W. PER PLAT

LOT 2

BLOCK A

LOT 3

1.13 ACRES
49258 S.F.

LOT 1
BLOCK B

15' B.L.

OVERHEAD ELEC LINES

CONC WALK S 0° 23' 37" W 210.73'

CURB

S. GOLIAD STREET

5' ALLEY R.O.W. PER PLAT S 88° 32' 58" W 211.05'
10' ALLEY R.O.W. PER PLAT

LOT 3

LOT 4

LOT 5

LOT 6

LAWHORN & WILLIAMS ADDITION
VOL. 46. PG. 209

SURVEY ACCEPTED BY

DATE

DATE

SH 205
VARIABLE WIDTH R.O.W.

DESCRIPTION

Being Lot 1, in Block B of the JACK CANUP ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 133, of the Plat Records of Rockwall County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and JORGLY, LLC at 906 S. GOLIAD STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 17th day of July, 2015.

Harold D. Fetty III, R.P.L.S. No. 5034



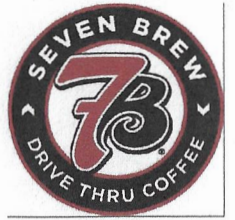
SYMBOL LEGEND				
TELEVISION CABLE RISER	GAS METER	TEL PHONE RISER	FIRE HYDRANT	POWER POLE
ELEC ELECTRIC METER	ELEC BUS SUBSURFACE JUNCTION BOX	WATER METER	CP LIGHT POLE	1/2" IR IRON AND COPPER CORNER
-X- FENCE	STATEMENT LINE	PROPERTY LINES	A/C AIR COND UNIT	PROPANE TANK

H.D. Fetty Land Surveyor, LLC

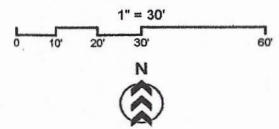
Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JULY 17, 2015
SCALE 1" = 40' FILE # 20061374-18
CLIENT JORGLY, LLC OF # 15-223229-RL

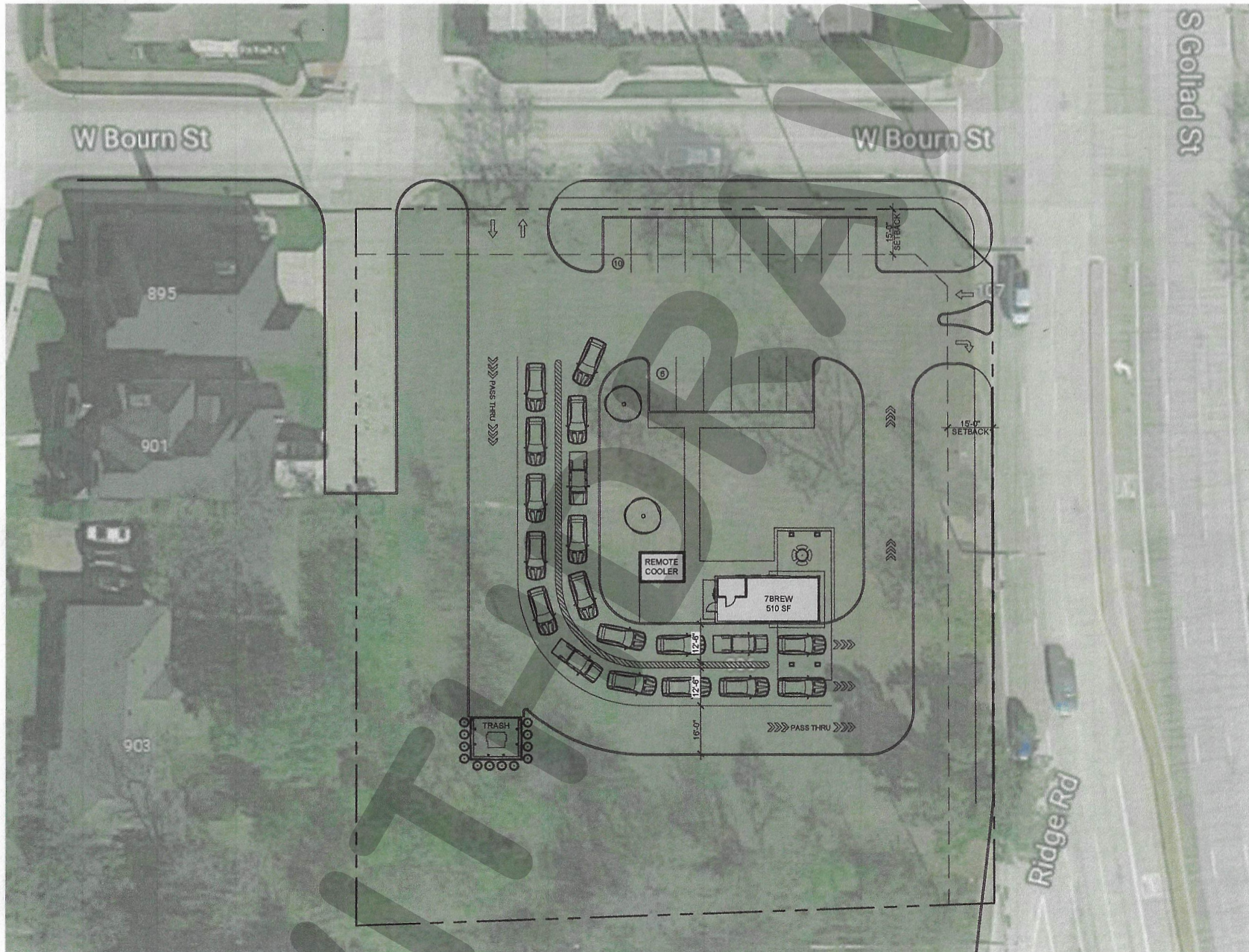


906 SOUTH GOLIAD
STREET
ROCKWALL, TEXAS

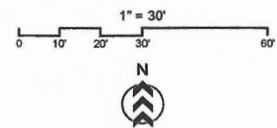


CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022



906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

FEBRUARY 17, 2022

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 62 (PD-62) [*ORDINANCE NO. 05-24*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN ON A 1.1308-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK B, JACK CANUP ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.*

WHEREAS, the City has received a request from Jack Kurz of RSDGP, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 1.1308-acre parcel of land described as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] for General Retail (GR) District land uses, addressed as 902 & 906 S. Goliad Street [*SH-205*], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That Planned Development District 62 (PD-62) [*Ordinance No. 05-24*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Planned Development District 62 (PD-62) [Ordinance No. 05-42], and Subsection 04.01, *General Commercial Districts Standards*; and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

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

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) A minimum of a six (6) foot masonry wall (*i.e. constructed with materials matching the primary structure*) be constructed adjacent to the southern and western property lines. Mature canopy trees shall be planted on 20-foot centers along the entire length of the wall.
- 3) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive-through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street. Additional landscaping may also be required at the time of site plan at the corner of W. Bourne Street and S. Goliad Street to impair the visibility of headlights from the drive-through lane.

2.2 COMPLIANCE

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

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

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid,

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 4TH DAY OF APRIL, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 21, 2022

2nd Reading: April 4, 2022

Exhibit 'A'
Location Map

Address: 902 & 906 S. Goliad Street

Legal Description: Lot 1, Block B, Jack Canup Addition

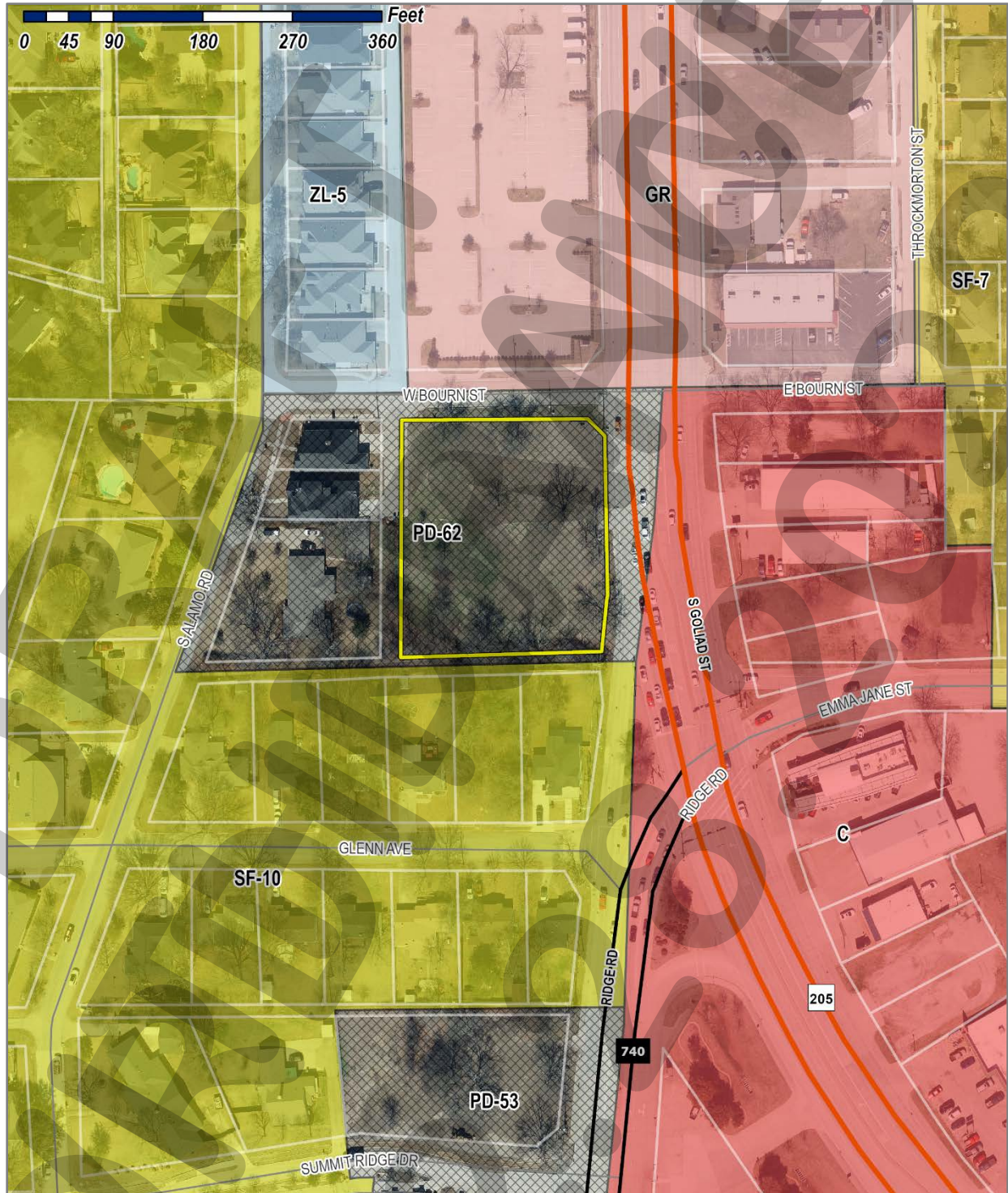
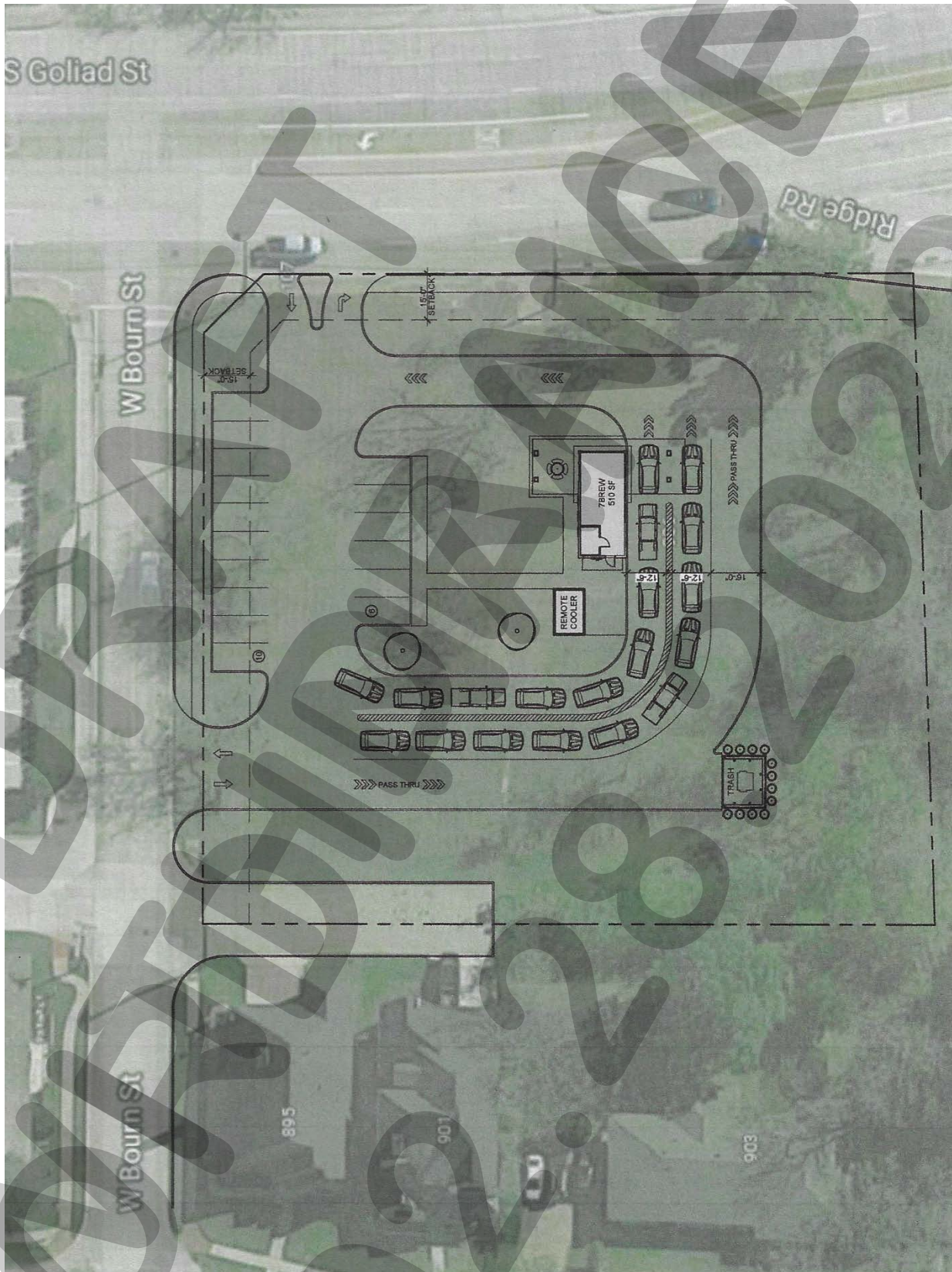


Exhibit 'B':
Concept Plan



Exhibit 'B':
Concept Plan





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

DATE: March 15, 2022

APPLICANT: Jack Kurz, RSDGP, LLC

CASE NUMBER: Z2022-009; *Specific Use Permit for a Restaurant, 2,000 SF or Less, with a Drive-Through at 902 & 906 S. Goliad Street*

SUMMARY

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

BACKGROUND

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

Staff is obligated to note that on September 21, 2020 the City Council granted a request to withdraw a Specific Use Permit (SUP) [*Case No. Z2020-035*] requesting to establish a *Restaurant, 2,000 SF or More, with Drive-Through or Drive-In* on the subject property. This request came after the Planning and Zoning Commission unanimously denied the case by a vote of 6-0, with Commissioner Conway absent.

PURPOSE

The applicant -- Jack Kurz of RSDGP, LLC -- is requesting the approval of a Specific Use Permit (SUP) for a *Restaurant with 2,000 SF or Less with a Drive-Through/Drive-In* to allow the development of a drive-through restaurant (*i.e. 7 Brew*) on the subject property.

ADJACENT LAND USES AND ACCESS

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

- North: Directly north of the subject property is W, Bourn Avenue, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of this roadway is a 1.8046-acre parcel of land (*i.e. Lot 14, Block M, Sanger Addition*) that serves as an overflow parking lot for the First Baptist Church of Rockwall. The parking lot is zoned General Retail (GR) District. West of this land use, and northwest of the subject property, are eight (8) single-family homes (*i.e. Lots 6-13, Block M, Sanger Addition*) that are zoned Zero Lot Line (ZL-5) District.
- South: Directly south of the subject property is a 15-foot undeveloped alleyway. Beyond this are 13 single-family residential lots (*i.e. Lots 1-6, Block 1 and Lots 1-7, Block 2, L&W Addition*) with 12 single-family homes situated on them. All of these properties are zoned Single-Family 10 (SF-10) District.
- East: Directly east of the subject property is the beginning of the S. Goliad Street [SH-205]/Ridge Road [FM-740] split, where a portion of S. Goliad Street proceeds south and a portion of the street splits and turns into Ridge Road. Ridge Road is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) and S. Goliad Street is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are five (5) parcels of land (*i.e. Lots 1-5, Block A, Canup Addition*) that have two (2) buildings situated on them (*i.e. Mattress Depot and Rockwall Floor Covering*). These five (5) parcels of land are zoned Commercial (C) District.
- West: Directly west of the subject property is a 20-foot alleyway that is partially developed. Beyond this are three (3) single-family, residential lots (*i.e. Lots 1-3, Block A, Jack Canup Addition*) with three (3) single-family homes situated on them. These properties are zoned Planned Development District 62 (PD-62) for Zero Lot Line (ZL-5) District land uses. Beyond these parcels of land is S. Alamo Street, which is designated as a R2 (*residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are six (6) single-family residential lots (*i.e. Lots 1-4, Block A and Lots 1-2, Block B, John Spong Subdivision #1*) with five (5) single-family homes situated on them. These lots are followed by the Lake Meadows Subdivision, which consists of 26 residential lots that were established in 1968. All of these properties are zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and concept plan depicting the layout of a 510 SF restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented so that the three (3) drive-through lanes will face onto S. Goliad Street. The applicant has stated that there will be no point of order, rather employees will take the orders from the drive-through lines (*i.e. similar to Chick-fil-A*). The *food delivery/payment window* will be oriented toward the residential properties adjacent to the southern property line. To provide landscape screening for the residential adjacencies the applicant has indicates a masonry screening wall with canopy trees adjacent to the residential alleyway located on the west property line. Landscape screening is also being depicted around the dumpster enclosure to screen it from S. Goliad Street [SH-205] and the adjacent residential properties.

Ingress and egress for the property will be provided via a driveway off of S. Goliad Street [SH-205] and a driveway off of W. Bourn Street. Staff should note that the subject property currently has a driveway off of S. Goliad Street that is located in approximately the center of the subject property. The parking requirement for a *Limited-Service Restaurant* (*i.e. a restaurant that does not provide indoor ordering, seating, and dining*) is one (1) parking space per 250 SF of floor area. In this case, the parking requirement for the proposed restaurant would be three (3) parking spaces. The concept plan shows the provision of 21 parking spaces and is over parked by 19 spaces per the parking requirements.

CONFORMANCE WITH THE CITY'S CODES

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

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

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

In this case, the submitted site plan does show conformance to the minimum stacking requirements; however, the proposed concept plan does not provide landscape screening adjacent to drive-through lanes and the business is making use of W. Bourn Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan. These non-conformities should be considered as part of this request due to the close proximity of the adjacent residential homes. According to the *Screening from Residential* standards contained in Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), “(a)ny non-residential...land use...that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers.” In this case, the subject property is directly adjacent to residentially zoned and used property on the southern and western boundaries and would be required to meet the *Screening from Residential* standards along the entire length of the southern and western property lines.

According to the City's *Engineering Standards of Design Manual*, the proposed driveway along W. Bourn Street does not meet the minimum driveway spacing requirements. The applicant's plan shows this driveway being located just east of the existing residential alley way. The *Engineering Standards of Design Manual* requires that first driveway on W. Bourn Street be 200-feet off of S. Goliad Street [SH-205] and the spacing between driveways on W. Bourn Street be 100-feet. In this case the proposed driveway does not meet either of these driveway spacing requirements. This is an important consideration due to the intensity of the proposed land use and the number of trips per day generated by a drive-through restaurant with three (3) drive-through lanes.

STAFF ANALYSIS

When this request was originally reviewed, staff recommended to the applicant that they provide a letter outlining the proposed business operations and the proposed hours of operation. The applicant indicated that they would provide this information; however, at the time this report was drafted staff had not received a letter outlining this information. Staff also informed the applicant about the residential screening and landscaping requirements and that: [1] a six (6) foot masonry wall with canopy trees planted on 20-foot centers will be required along the southern and western property line, [2] a landscape buffer with a berm, canopy trees, accent trees, and a shrub row will be required along S. Goliad Street [SH-205] and W. Bourn Street, and [3] landscape screening must be provided around the dumpster enclosure and the remote cooler. Based on these comments from staff the applicant provided landscaping around the dumpster enclosure and the masonry wall and canopy trees along the adjacent residential alleyway to the west of the subject property; however, failed to extend the wall along the entire residential adjacency and did not show the required headlight screening.

Should the Planning and Zoning Commission choose to recommend approval of the applicant's request staff has included conditions of approval requiring a Traffic Impact Analysis (TIA), requiring additional landscaping at the intersection of and along S. Goliad Street and W. Bourn Street, and requiring a six (6) foot masonry wall with canopy trees on 20-foot centers along the entire south and west property lines. With all this being said, a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On February 25, 2022, staff mailed 109 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Stonebridge Meadows Homeowners Association (HOA), which is the only HOA's or

Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program (*the Highridge Estates Homeowners Association [HOA] is listed on the notification map, but has not provided contact information*). Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received ten (10) returned notices from nine (9) property owners in opposition to 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) for a *Restaurant, 2,000 SF or Less, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. 7 Brew*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The development of the Subject Property shall generally conform to the Concept Plan as depicted in Exhibit 'B' of this ordinance.
 - (b) A minimum of a six (6) foot masonry wall (constructed with materials matching the primary structure) be constructed adjacent to the southern and western property lines. Mature canopy trees should be planted on 20-foot centers along the entire length of the wall.
 - (c) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive-through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street. Additional landscaping may also be required at the time of site plan at the corner of W. Bourne Street and S. Goliad Street to impair the visibility of headlights from the drive-through lane.
- (2) A Traffic Impact Analysis (TIA) shall be submitted and reviewed by the City of Rockwall prior to accepting a site plan application for the subject property.
- (3) Additional trees, bushes, and shrubs will be required at: [1] the corner of and along S. Goliad Street and W. Bourn Street; [2] adjacent to the masonry wall along the southern and western property boundaries (*i.e. adjacent to the residential adjacency*), and [3] south of the *restaurant ordering board*. These will be required to be shown on the landscape plan submitted with the site plan.
- (4) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (5) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 906 S Goliad St, Rockwall TX
SUBDIVISION Jack Canup Addition LOT 1 BLOCK B
GENERAL LOCATION Goliad St & Brown St

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR/PP-62 CURRENT USE Vacant
PROPOSED ZONING GR w/SUP PROPOSED USE Drive thru coffee
ACREAGE 1.13 LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

OWNER <u>ADLOR ENTERPRISES LLC</u>	<input checked="" type="checkbox"/> APPLICANT <u>Jack Kurz - RSDAP, LLC</u>
CONTACT PERSON <u>ALLEN ANDERSON</u>	CONTACT PERSON <u>Jack Kurz</u>
ADDRESS <u>1208 S. LAKE S. HIRE DR</u>	ADDRESS <u>1510 N. Dallas Pkwy</u>
	<u>Ste. 440</u>
CITY, STATE & ZIP <u>ROCKWALL, TX 75087</u>	CITY, STATE & ZIP <u>Dallas TX 75248</u>
PHONE <u>214-538-2209</u>	PHONE <u>(314) 578-8484</u>
E-MAIL <u>AAINTX@MSN.COM</u>	E-MAIL <u>jkurz@redskyholdings.com</u>

NOTARY VERIFICATION [REQUIRED]

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

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS 18th DAY OF February, 2022. 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."

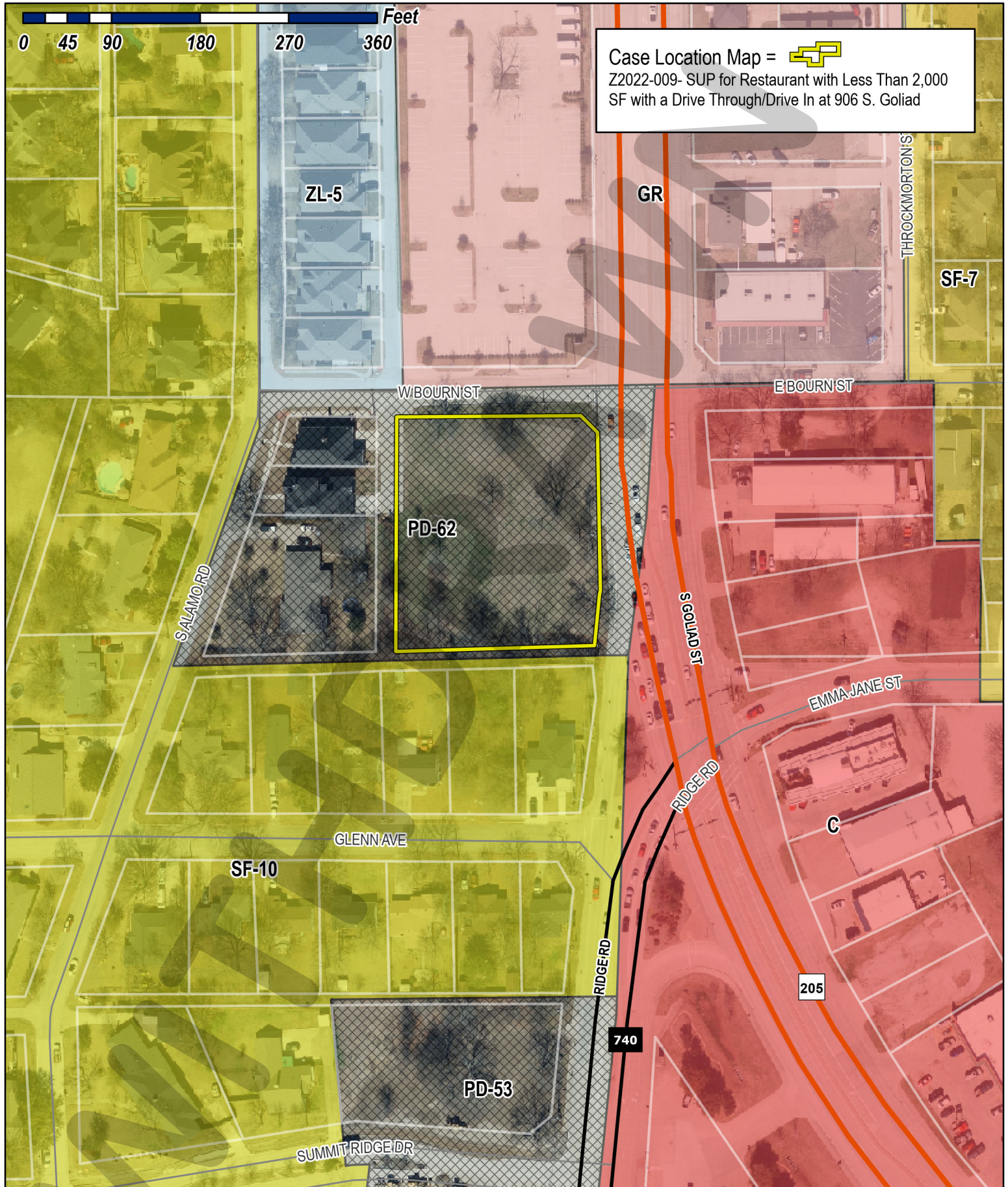
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15 DAY OF February, 2022

OWNER'S SIGNATURE Allen Anderson

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Christine N. Brandy

MY COMMISSION EXPIRES 12/03/2023





City of Rockwall

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

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

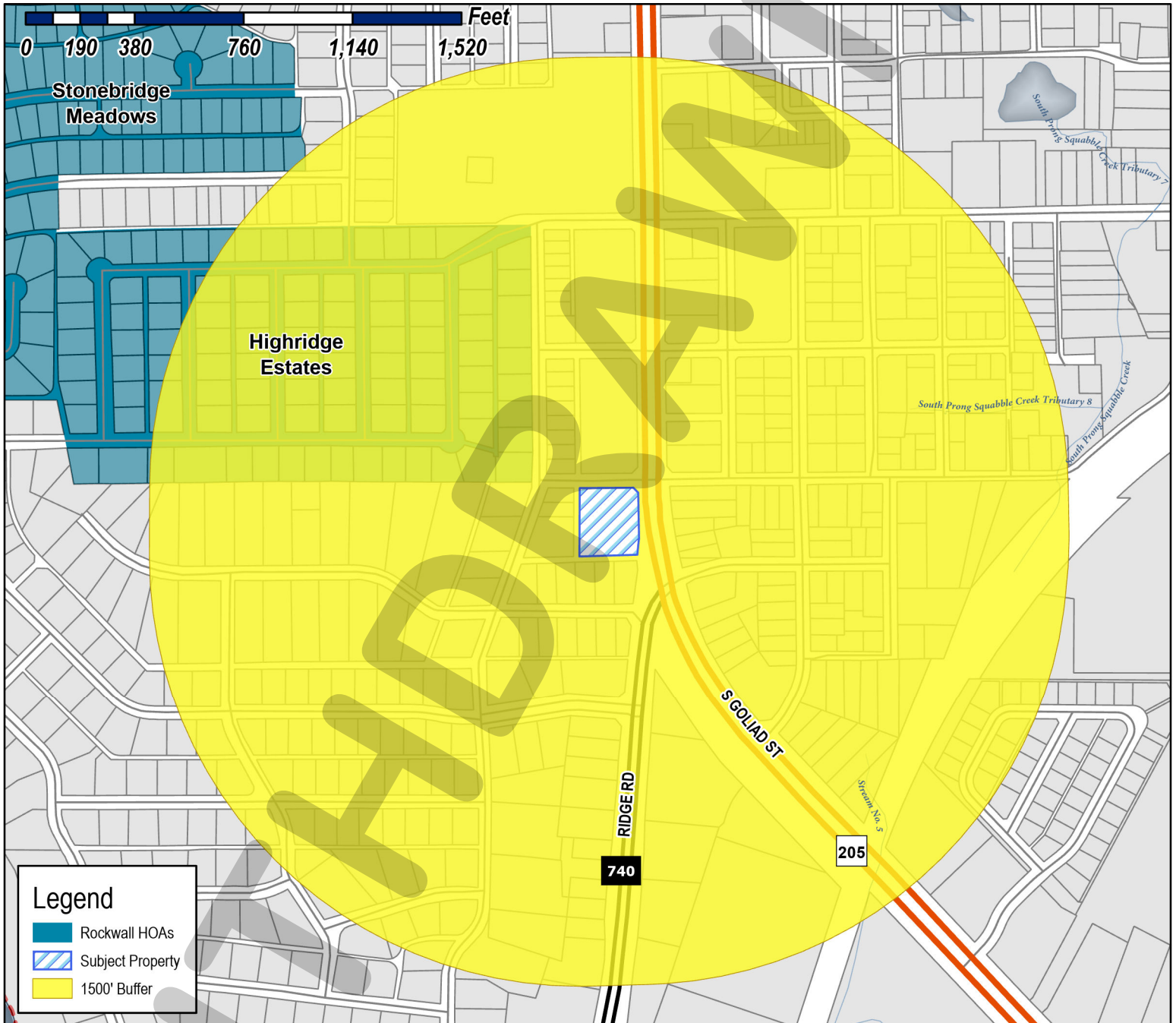




City of Rockwall

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

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Case Number: Z2022-009
Case Name: SUP for Restaurant with less than 2,000 SF w/ a Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Wednesday, February 23, 2022 2:24 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-009]
Attachments: Public Notice (02.23.2022).pdf; HOA Map (02.18.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on February 25, 2022. The Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2022-009: SUP for Restaurant with Less than 2,000 SF with a Drive Through or Drive In

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

Thank you,

Angelica Gamez

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

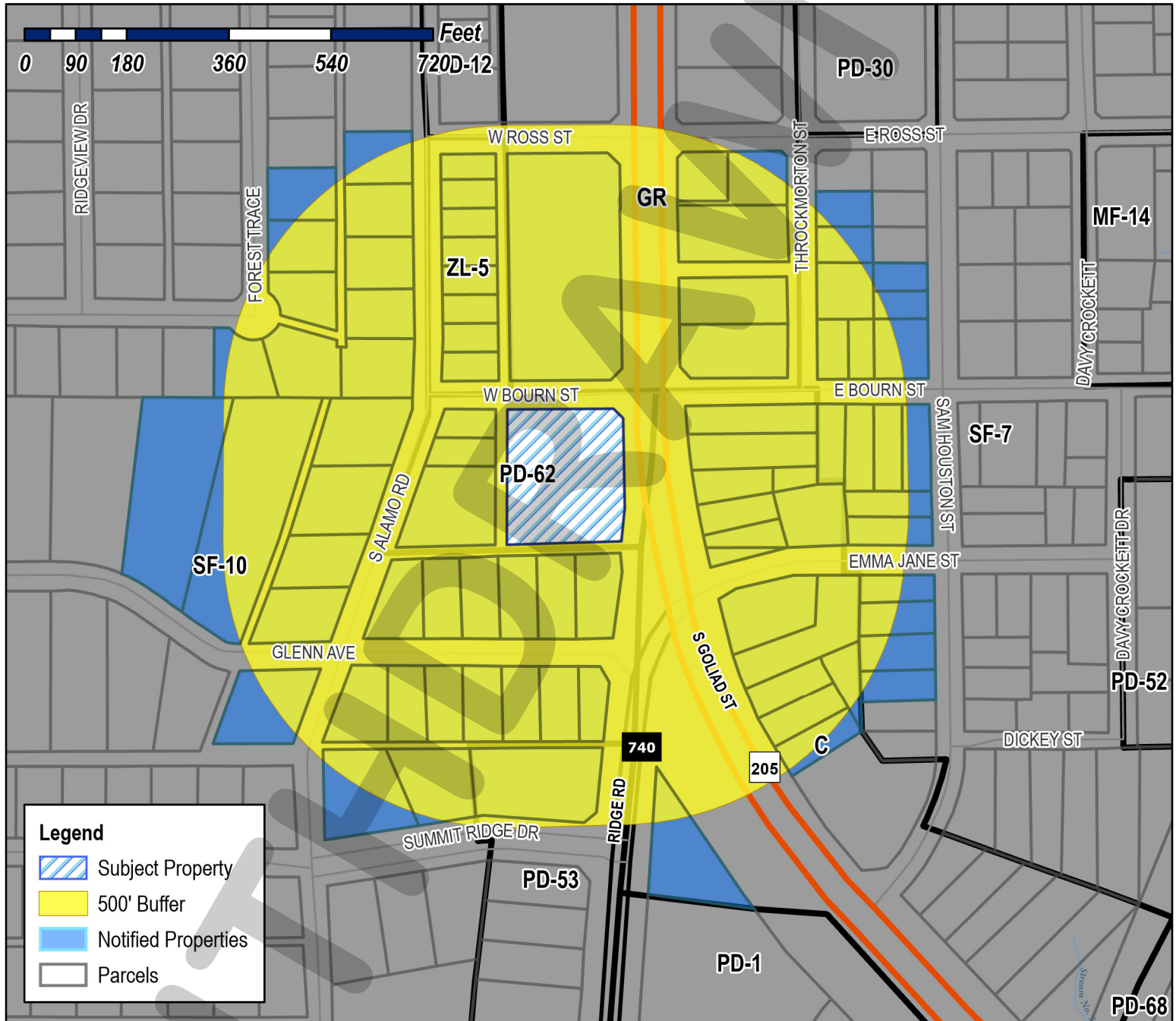
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City of Rockwall

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

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Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



EDWARDS JASON
10 DANCING WATERS
ROCKWALL, TX 75032

RB CAPITAL LTD
1002 RIDGE RD
ROCKWALL, TX 75087

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

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

MALAVE BRENDA L
1006 SAM HOUSTON ST
ROCKWALL, TX 75087

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

EMMANUEL TABERNACLE CHURCH
1008 SAM HOUSTON
ROCKWALL, TX 75087

LIVAY LLC
1009 HOT SPRINGS DR
ALLEN, TX 75013

EFENEY WILLIAM M
1009 S GOLIAD
ROCKWALL, TX 75087

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1011 S GOLIAD ST
ROCKWALL, TX 75087

GEHRING CAROLYN S
101 GLENNAVE
ROCKWALL, TX 75087

CANGIANO COSIMO JEFFREY
102 GLENN AVE
ROCKWALL, TX 75089

ROHLF DAVID E
102 E ROSS AVE
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
104 GLENN AVE
ROCKWALL, TX 75087

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

SCOTT BILLIE JEAN
106 GLENN AVE
ROCKWALL, TX 75087

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

RICKERSON CHARLES AND VIRGINIA
108 GLENN AVE
ROCKWALL, TX 75087

CG HOLDINGS LLC
109 GLENN AVE
ROCKWALL, TX 75087

HOOVER JERRY H
110 GLENN AVE
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
1101 S ALAMO
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1101 S GOLIAD
ROCKWALL, TX 75087

NEWMAN JOANNA N
111 GLENN AVE
ROCKWALL, TX 75087

WILLIAMS KATHY S
112 GLENN AVE
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET SUITE 101
GRAPEVINE, TX 76051

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

ADLOR ENTERPRISES LLC
1208 S LAKESHORE DR
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
14 KESWICK CT
HEATH, TX 75032

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1404 RIDGE ROAD
ROCKWALL, TX 75087

EFENEY WILLIAM M
1406 S LAKESHORE DR
ROCKWALL, TX 75087

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
1508 BROOKHOLLOW DRIVE
SANTA ANA, CA 92735

RICKERSON CHARLES AND VIRGINIA
1728 RIDGE RD
ROCKWALL, TX 75087

GEHRING CAROLYN S
1745 LAKE BREEZE DR
ROCKWALL, TX 75087

SCROGGS CHARLES E AND MARLA D
1748 BISON MEADOW LANE
HEATH, TX 75032

2011 TEMUNOVIC FAMILY TRUST
TINA TEMUNOVIC COX AND CVIJETA
TEMUNOVIC TRUSTEES
200S UMMIT RIDGE DR
ROCKWALL, TX 75087

GIBSON CHARLES D AND LINDSAY K
201 FOREST TRACE
ROCKWALL, TX 75087

BATRES MARIA DELL REFUGIO
202 BOURN STREET
ROCKWALL, TX 75087

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

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

MOTON R T
203 E BOURN ST
ROCKWALL, TX 75087

STOVALL RAYMOND P
203 FOREST TRACE
ROCKWALL, TX 75087

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

CHANHMISAY KESONE & SYAMPHAY
204 GLENN AVE
ROCKWALL, TX 75087

MIMS KATHY
206 E BOURN ST
ROCKWALL, TX 75087

U S GOVERNMENT HOUSING
206-207EMMA JANE ST
ROCKWALL, TX 75087

HECKARD ALLEN
207 BOURN AVE
ROCKWALL, TX 75087

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

LIU HOWARD HEYUN
208 EMMA JANE ST
ROCKWALL, TX 75087

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

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

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

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

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

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

CG HOLDINGS LLC
4 SUNSET TR
HEATH, TX 75032

SCOTT BILLIE JEAN
4 SUNSET TRAIL
HEATH, TX 75032

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

LIU HOWARD HEYUN
4577 JAGUAR DR
PLANO, TX 75024

HECKARD ALLEN
4906 FREEMAN DR
ROWLETT, TX 75088

FIRST BAPTIST CHURCH OF ROCKWALL
610 S GOLIAD ST
ROCKWALL, TX 75087

DELGADILLO VICTORIA E
6104 LYNDON B JOHNSON FREEWAY APT#2502
DALLAS, TX 75240

BRYANT KRISTI & BRENT
710 S ALAMO ROAD
ROCKWALL, TX 75087

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

HILLMAN DORIANN E
713 FOREST TRACE
ROCKWALL, TX 75087

DELBOSQUE ROLOLFO & LORENA P
715 FOREST TRCE
ROCKWALL, TX 75087

EMMANUEL TABERNACLE CHURCH
7903 FERGUSON RD
DALLAS, TX 75228

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

DELGADILLO VICTORIA E
801 S GOLIAD
ROCKWALL, TX 75087

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

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

DANIELS ANNIE L
803 THROCKMORTON ST
ROCKWALL, TX 75087

BRYANT KRISTI & BRENT
804 S ALAMO DR
ROCKWALL, TX 75087

LOTT JOHN DOUGLAS AND CYNTHIA
805 S ALAMO RD
ROCKWALL, TX 75087

ESTATE OF FRANKIE MAE ALLEN
805 THROCKMORTON
ROCKWALL, TX 75087

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

PROGRESS RESIDENTIAL BORROWER 16 LLC
806 SAM HOUSTON ST
ROCKWALL, TX 75087

MCCAMPBELL CHARLES C & PATRICIA S
807 S ALAMO RD
ROCKWALL, TX 75087

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

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
808 SAM HOUSTON ST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
809 ALAMO RD
ROCKWALL, TX 75087

LIVAY LLC
809 S GOLIAD
ROCKWALL, TX 75087

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

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

EDWARDS JASON
811 S GOLIAD
ROCKWALL, TX 75087

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

RAMSEY JUDY LYNN
815 S ALAMO RD
ROCKWALL, TX 75087

HERNANDEZ ALMA VELIA
815 THROCKMORTON ST
ROCKWALL, TX 75087

BRUNNER WILLIAM E & MARGIE L
895 S ALAMO ROAD
ROCKWALL, TX 75087

THOMPSON JAMES LARRY AND SUSAN PRICE
901 S ALAMO RD
ROCKWALL, TX 75087

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

WALKER TOM H & SUE ANN
902 LAKE MEADOWS DR
ROCKWALL, TX 75087

ANDREWS VIRGINIA
902 S ALAMO
ROCKWALL, TX 75087

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

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

GATES TED AND SARAH
904 S ALAMO ROAD
ROCKWALL, TX 75087

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

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

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

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

STATE OF TEXAS
907 S GOLIAD
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
9531 RIVERTON ROAD
DALLAS, TX 75218

ROHLF DAVID E
PO BOX 1137
ROCKWALL, TX 75087

ANDREWS VIRGINIA
PO BOX 254
REPUBLIC, MO 65738

PROGRESS RESIDENTIAL BORROWER 16 LLC
PO BOX 4090
SCOTTSDALE, AZ 85261

D&A REAL ESTATE PARTNERS LTD
PO BOX 850
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



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

--- PLEASE RETURN THE BELOW FORM ---

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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

PUBLIC NOTICE



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PLEASE RETURN THE BELOW FORM

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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: WILLIAM RUPPERT - DALLAS 75218
Address: 104 GLENN - ROCKWALL 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.

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PLEASE RETURN THE BELOW FORM

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through Drive In

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 protesting the construction of the restaurant
case # Z2022-009 due to the fact it is a residential area.
It would highly increase the already high volume of traffic
and accidents in the section.

Name:

BARBARA McFarlin

Address:

105 Glen Hill Rockwall 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.

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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:

Chris Knox / CG Holdings LLC

Address:

106 Glenn Ave Rockwall

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

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

PLEASE RETURN THE BELOW FORM

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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:

Chris Knox / CG Holdings LLC

Address:

109 Glenn Ave. Rockwall

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

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

Increased
Traffic on Holiad is so heavy! Also lots of traffic coming from South Ridge near there has also increased in last 5-7 years.
Name: Barbara J. Fleming
Address: 107 Glenn Ave., Rockwall, TX (property not for mail)

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.

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PUBLIC NOTICE



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

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

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



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

PLEASE RETURN THE BELOW FORM

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

Use is too intense in close proximity to residential.
One concept plan shows entrance too close to homes
Intense use so close to major intersection

Name: Mary Smith
Address: 711 Forest Trace 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.

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Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

We are opposed to the restaurant for three reasons: traffic is already a problem on Brown, and especially because due to the restaurant on Brown. Although a coffee shop isn't as bad as a restaurant on Brown, it's still a restaurant with food, traffic, and people.

Name:

Address: 801 S. ALAMO

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.

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

PUBLIC NOTICE



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Ryan Miller, AICP
Director of Planning & Zoning

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PLEASE RETURN THE BELOW FORM

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

This location is too close to split of 205 & 740 = nightmare
1. Property values would plummet & selling would be very difficult. 2. Most residents are retired. 3. The drive thru would move traffic to access the alley, so our privacy and safety would be negatively impacted. 4. Traffic would increase exponentially in our residential neighborhood. 5. Traffic noise would disturb our peace. 6. Lighting may affect the homeowners living next to it. 7. Litter would be prevalent. 8. The dumpster would be a risk with putrid food, attracting rats & stray animals.
Name: Mike & Debbie Shields
Address: 811 S. Alamo Rd.

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

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Please place a check mark on the appropriate line below:

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

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

- We do not want a Restaurant in our back yard.
- There are homes on 2 sides of this property.
- The city would have to put in a traffic light @ Bourn & Colial.

Name: Chucle Scaeggs

Address: 813 S. Alamo

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.

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Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through / Drive In

Please place a check mark on the appropriate line below:

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

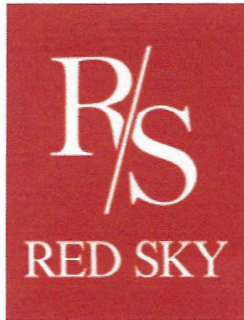
☒ I am opposed to the request for the reasons listed below.

THE CONCEPTUAL SITE PLANS SHOW ENTRANCE / EXIT TO BUSINESS ON W. BOURN ST. PEOPLE VISITING THIS BUSINESS WILL USE THESE TO ACCESS BUSINESS BY GOING THROUGH OUR RESIDENTIAL AREA ON ALAMO RD. - DANGEROUS TO CHILDREN ON BIKES, WALKERS, DOG WALKERS. ABOUT ALAMO HAS VERY FEW SIDEWALKS; STREET USED BY PEDESTRIANS, PLEASE NO. TRAFFIC ON SOUTH GOULD WILL ENCOURAGE USING SOUTH ALAMO RD.

Name: DUDY L. RAMSEY

Address: 815 SOUTH ALAMO RD. 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.



RSDGP, LLC
15110 N Dallas Pkwy
Ste. 440
Dallas, TX 75248

Dear City of Rockwall,

RSDGP is applying for a specific use permit to develop a drive-through concept located at the address of 906 S Goliad St. The development plan is designed to develop the site for 7Brew Coffee. 7Brew Coffee is a new coffee concept in the Dallas area.

RSDGP is applying for a specific use permit because the site is currently in the PD-62 district which is a subsection of the GR, General Retail, district. The 7Brew concept is a 510 SF building with a drive-through. This conceptual development plan would be considered a "restaurant with less than 2,000 SF with Drive-Through or Drive-In". This use requires a specific use permit in the GR zoning district.

In order for the development plan to take place, the first item that needs to be addressed is applying and acquiring a SUP. RSDGP believes that a drive-through coffee concept located at 906 S Goliad St would benefit the local neighborhoods and the city of Rockwall. The site is located at the Ridge Rd and Goliad St split which is why a drive-through coffee concept makes sense in this part of Rockwall. People leaving their homes, heading towards the retail corridor and businesses along I-30 will have an ideal morning coffee stop. RSDGP believes 7Brew will bring positive business and added aesthetic development to the nearby neighborhoods.

Sincerely,

Jack Kurz
Development Manager
E: jkurz@redskyholdings.com
C: (314) 578-8484

Legal Description

JACK CANUP ADDITION, BLOCK B, LOT 1, ACRES 1.1308

PLAT OF SURVEY

BOURN STREET

50' R.O.W. PER PLAT

S 89° 35' 59" E 192.07'

CURB

GAS LINE
MARKER

1/2" IRF

15' B.L.

LOT 1

CONCRETE ALLEY

237.47'

N 0° 13' 53" E

20' ALLEY R.O.W. PER PLAT

13' ALLEY R.O.W. PER PLAT

5' ALLEY R.O.W. PER PLAT

10' ALLEY R.O.W. PER PLAT

1.13 ACRES
49258 S.F.

LOT 1
BLOCK B

BLOCK A

LOT 3

15' B.L.

OVERHEAD ELEC LINES

CONC WALK S 0° 23' 37" W 210.73'

CURB

S. GOLIAD STREET

LAWHORN & WILLIAMS ADDITION
VOL. 46. PG. 209

SURVEY ACCEPTED BY

DATE

DATE

SH 205
VARIABLE WIDTH R.O.W.

DESCRIPTION

Being Lot 1, in Block B of the JACK CANUP ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 133, of the Plat Records of Rockwall County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and JORGLY, LLC at 906 S. GOLIAD STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 17th day of July, 2015.

Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND				
TELEVISION CABLE RISER	GAS METER	TEL PHONE RISER	FIRE HYDRANT	POWER POLE
ELEC ELECTRIC METER	ELEC BUS SUBSURFACE JUNCTION BOX	WATER METER	CP LIGHT POLE	1/2" R.P. IRON ROD FOUND (CHANGER)
-X- FENCE	STATEMENT LINE	PROPERTY LINES	A/C AIR COND UNIT	PROPANE TANK

H.D. Fetty Land Surveyor, LLC

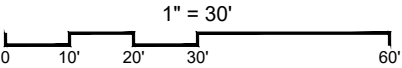
Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JULY 17, 2015
SCALE 1" = 40' FILE # 20061374-18
CLIENT JORGLY, LLC OF # 15-223229-RL



906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

MARCH 10, 2022

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 62 (PD-62) [*ORDINANCE NO. 05-24*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN ON A 1.1308-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK B, JACK CANUP ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.*

WHEREAS, the City has received a request from Jack Kurz of RSDGP, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 1.1308-acre parcel of land described as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] for General Retail (GR) District land uses, addressed as 902 & 906 S. Goliad Street [*SH-205*], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That Planned Development District 62 (PD-62) [*Ordinance No. 05-24*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Planned Development District 62 (PD-62) [Ordinance No. 05-42], and Subsection 04.01, *General Commercial Districts Standards*; and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

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

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) A minimum of a six (6) foot masonry wall (*i.e. constructed with materials matching the primary structure*) be constructed adjacent to the southern and western property lines. Mature canopy trees shall be planted on 20-foot centers along the entire length of the wall.
- 3) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive-through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street. Additional landscaping may also be required at the time of site plan at the corner of W. Bourne Street and S. Goliad Street to impair the visibility of headlights from the drive-through lane.

2.2 COMPLIANCE

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

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

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid,

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 4TH DAY OF APRIL, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 21, 2022

2nd Reading: April 4, 2022

Exhibit 'A'
Location Map

Address: 902 & 906 S. Goliad Street

Legal Description: Lot 1, Block B, Jack Canup Addition

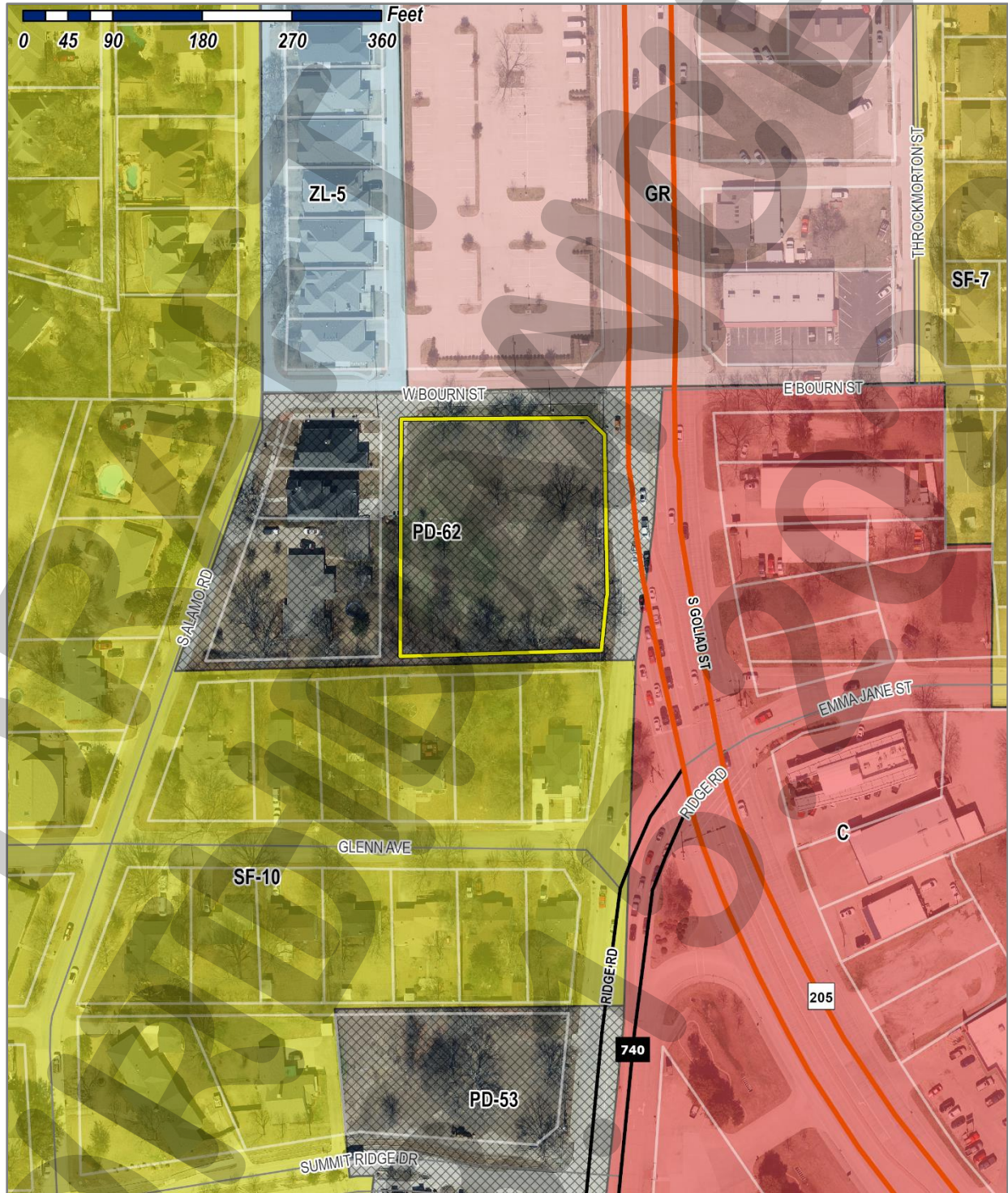


Exhibit 'B':
Concept Plan





CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

FROM: Henry Lee, *Planner*

DATE: March 29, 2022

SUBJECT: Z2022-009; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In at 902 & 906 S. Goliad Street*

On March 15, 2022, the Planning and Zoning Commission approved a motion to table *Case No. Z2022-009* to the March 29, 2022 Planning and Zoning Commission meeting by a vote of 3-1, with Commissioner Moeller dissenting and Commissioners Chodun, Thomas, and Conway absent. The purpose of the motion was to allow the applicant additional time to address staff's comments and address issues raised by staff and the Planning and Zoning Commission during the March 15, 2022 meeting. On March 24, 2022, the applicant informed staff that they had failed to address staff's comments on the concept plan and would like to request the case be postponed a second time to the April 12, 2022 meeting. According to Subsection 02.03(C)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a) public hearing may be continued by the Planning and Zoning Commission or City Council ... (t)he continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing ... [and] (t)he announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required." In this case, if the extension is approved the applicant will remain within 30-days of their advertised public hearing, however another extension beyond the April 12th meeting will not be permitted.

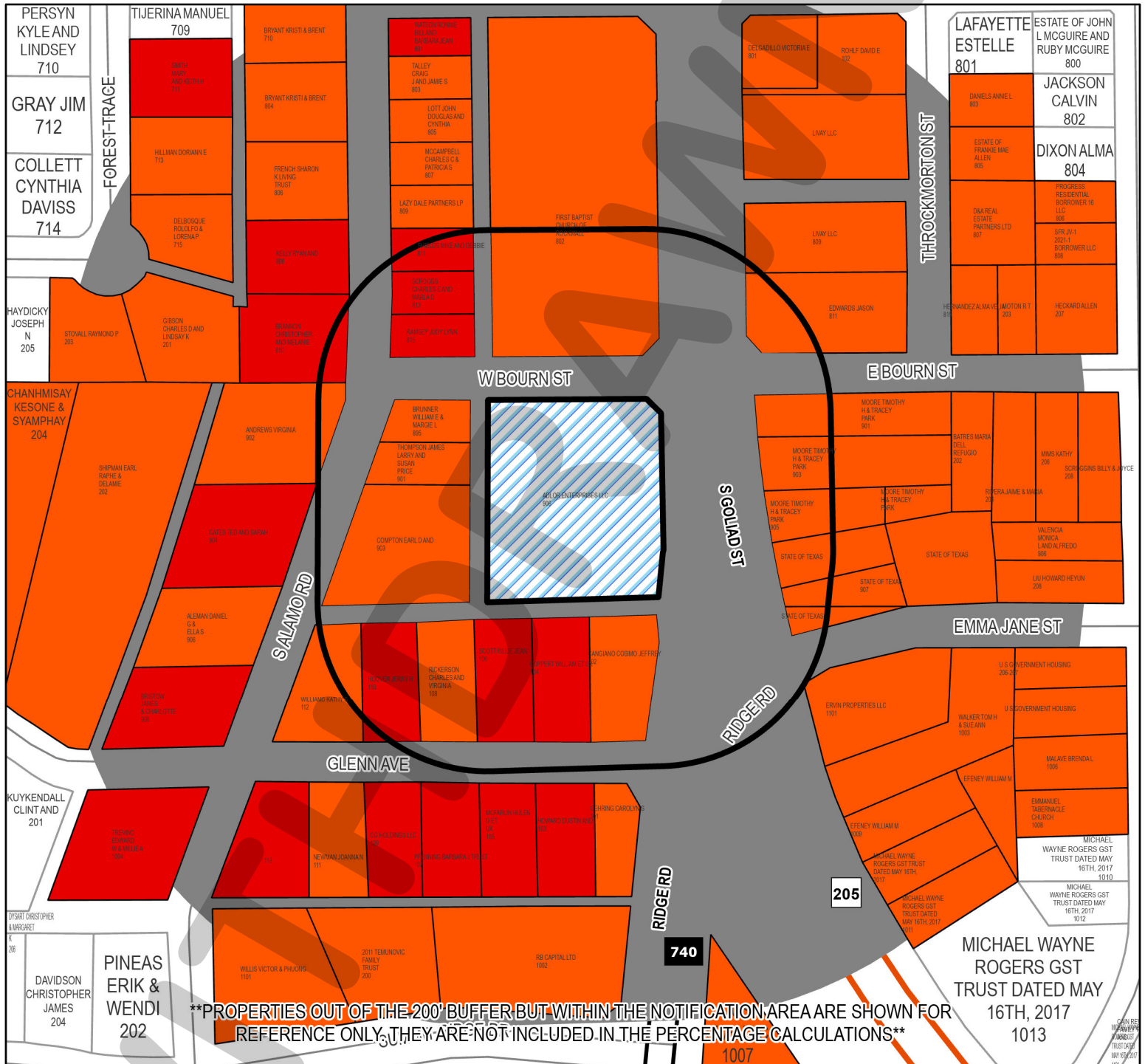
Staff should note that since the March 15, 2022 Planning and Zoning Commission meeting staff has received an additional eleven (11) notices within the 500-foot notification buffer in opposition to the applicant's request. This brings the total of responses received to 24 notices in opposition to the applicant's request. Staff has updated the original case memo to reflect the additional notices and provided a *For and Against Map* showing the properties indicating their opposition. With regard to this request the Planning and Zoning Commission has the following options: [1] deny the request to table the public hearing and move forward with the case, or [2] approve the request to table the public hearing. Should the Planning and Zoning Commission have questions about the applicant's request staff will be present at the March 29, 2022 meeting.



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.



From: [Dusty Howard](#)
To: [Planning](#)
Subject: Case No. Z2022-009
Date: Friday, March 18, 2022 4:20:20 PM

Dear Planning Dept of Rockwall,
In response to the Rezoning request of 906 S. Goliad...

I am strongly opposed to the request for the reasons listed below:

Please do NOT allow for the Rezoning of 906 S. Goliad. This property is too close to the 205-Ridge intersection and would cause even more problems. We live at 103 Glenn Ave and witness MVCs on a regular basis at that intersection. Also by placing a restaurant in that location it would increase commercial traffic in a residential area where children play in the streets on a daily basis. Traffic would increase down the previously quiet residential streets of Summit Ridge, Bourn St, Glenn Ave, and Alamo Rd. Due to the location of the property on Ridge Rd and 205, the traffic in that exact area is frequently congested and alternate routes would be used through the residential streets to get to that location. This would not be beneficial to our quiet neighborhood streets. The traffic at that intersection is already an issue. Having a restaurant with a drive-through would also add unwanted noise and light pollution in the surrounding residential area. Please leave this property Zoned as residential.

Thanks,
Dusty Howard
103 Glenn Ave, Rockwall, TX 75087

This email was scanned by Bitdefender

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

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

Ph: 972.771.7745
Email: planning@rockwall.com

Re: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

I am **OPPOSED** to the Fast food/drink restaurant being proposed at the above address and I ask that this be denied **with prejudice** for the following reasons:

1. THIS HAS ALREADY BEEN DECIDED. Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street. P & Z recommended denying this exact SUP and City Council unanimously rejected it for the obvious reasons that it is not a good place for a drive-through food/drink restaurant. Nothing has changed since about the property or the neighborhood since this was decided that now makes it conducive for one of these locations.

2. DENSITY. There is already a high density of drive thru dining and coffee facilities in the Rockwall area that are appropriately located around shopping centers, highway corridors and commercial areas. There is no need for one in the established residential part of town.

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

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

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

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

5. EARLY/LATE OPERATING HOURS. Seven Brew Drive Thru Coffee is a food/drink restaurant is known for its long operating hours. These locations are typically open from 5:30 a.m. to 10:00 p.m. The bright lights, noises, and traffic will violate the residents right to quiet enjoyment of their homes.

6. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: **"How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals"** published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late

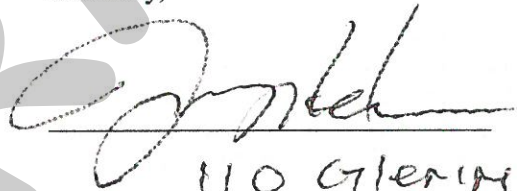
night restaurants such as Fast food/drink restaurant. This restaurant will only invite these kinds of people into our neighborhood.

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

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

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

Sincerely,



110 Glenview Ave
Rockwall, TX
75087

From: Scott and Michelle McNary <themcnarys@yahoo.com>
Sent: Wednesday, March 23, 2022 9:47 AM
To: Planning; Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Macalik, Dana; Campbell, Anna; Jorif, Clarence; Johannesen, Trace
Subject: Case No: Z2022-000

Good morning!

I'm writing to you in regards to the SUP for Restaurant at 906 S. Goliad Street.

I live at 113 Glenn Ave. We moved here in 2006. We love the neighborhood, the mature trees, our neighbors. Our house is small and when my husband and I purchased it, it was just the 2 of us. We now have twin boys and have honestly outgrown our house, but because of our love for our house, it's location, and our neighbors, we have decided to stay put.

Please, please, please take a moment to consider the reasons that follow as to why putting a drive through restaurant in this location would be detrimental to our neighborhood.

1 - CRIME: Fast food restaurants increase crime. In the article <https://www.newsweek.com/fast-food-drive-thru-bank-arrest-felony-lane-sting-fbi-restaurants-security-1376132> published 2 years ago it details how crime increases around such operations.

2 - PROPERTY VALUE: No one will want to live near this restaurant. The noise, traffic, light and sound pollutions and increased crime will make it difficult to rent properties or to sell homes.

3 - INCREASE IN TRASH - Fast food restaurants produce trash and bring in rodents and bugs. There is cups, bags, paper, lids, straws. Because this establishment will back RIGHT UP to property lines and fences, it doesn't take a scientist to figure out where that wind blown trash will end up.

4 - TRAFFIC - The proposed drive-thru locations is right where 205 and Ridge Road splits. The area is already congested on its best days. There are many cars in the southbound right lane preparing to split off from 205 to Ridge. It will be extremely difficult to pull out into the lanes of traffic and will be virtually impossible to make a left hand turn. Living here as long as we have, we have heard countless accidents as they happen and have seen the traffic build up in our neighborhood to avoid the accidents. Adding yet another business in this already congested area is only going to increase this likelihood.

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

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

6 - HOURS OF OPERATION: The Seven Brews Drive Thru Coffee has operating hours from 5:30 am to 10:00 pm. The lights, noises, traffic, will violate the rights of the residents to enjoy the quiet of their homes.

7 - DENSITY - Rockwall has a lot of drive thru coffee and dining facilities. They are all appropriately located near shopping centers, off the highways, and in commercially zoned areas. We don't need one in a neighborhood.

8 - THIS HAS ALREADY BEEN DECLINED - A few years ago, this same situation came up at the same location. Our street showed up at your city council meeting to protest this and you heard our pleas. Nothing has changed about this property or the neighborhood around it since then.

We love our neighborhood. Please don't change it for something that won't add value to its charm. Adding this drive thru will only take away.

Thank you for taking the time to hear what we think are valid points as to reject the proposal for this restaurant.

Sincerely,

Scott, Michelle, Wes and Sam McNary

Lee, Henry

From: Ryan Kelly <rkelly120881@gmail.com>
Sent: Tuesday, March 15, 2022 11:50 AM
To: Planning
Subject: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

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

I am **OPPOSED** to the Fast food/drink restaurant being proposed at the above address and I ask that this be denied with prejudice for the following reasons:

1. **THIS HAS ALREADY BEEN DECIDED.** Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street. P & Z recommended denying this exact SUP and City Council unanimously rejected it for the obvious reasons that it is not a good place for a drive-through food/drink restaurant. Nothing has changed since about the property or the neighborhood since this was decided that now makes it conducive for one of these locations.

2. **DENSITY.** There is already a high density of drive thru dining and coffee facilities in the Rockwall area that are appropriately located around shopping centers, highway corridors and commercial areas. There is no need for one in the established residential part of town.

3. **TRAFFIC.** The proposed drive-thru location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to virtually impossible turn left into this traffic to go northbound. Putting a busy fast food/drink restaurant at this location will result in: a. an increase in car accidents, injuries and fatalities; b. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; c. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave the fast food/drink restaurant. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydston and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the fast food/drink restaurant facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

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Texas law recognizes the right of quiet enjoyment for residential land owners and tenants. It includes the right to privacy, peace and quiet, safety and security, and other rights. This fast food restaurant will be a nuisance to our neighborhood. It will violate the right of quiet enjoyment of many homeowners in our neighborhood. Putting a fast food restaurant at this location will increase the risk of placing the city and fast food/drink restaurant owner in an adverse position

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7. **INCREASE IN TRASH.** Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Fast food/drink restaurant property and into people's yards. The smell will also carry into the neighborhood making for an unpleasant bbq, walk, or any outdoor activity.

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

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

Sincerely,
Ryan & Lacey Kelly
808 S Alamo Rd Rockwall TX 75087

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Lee, Henry

From: Chris <ccbran@gmail.com>
Sent: Monday, March 21, 2022 1:37 PM
To: Planning
Cc: Melanie
Subject: Case No. Z2022-009 SUP

To Whom It May Concern,

We are opposed to Case No. Z2022-009 SUP for a Restaurant with a Drive-Through/Drive-In.

My wife and I are opposed to this permit. A 'drive-through/drive-in' restaurant will invariably create more unnecessary traffic through an already developed and established neighborhood. Trying to get on Goliad/Ridge Rd from West Bourn Street (or vice versa) is already unbearable, especially since there is no traffic light there. There is no way that area could support a parade of cars throughout the day without making South Alamo Road a main thoroughfare for the business. As a homeowner with a family, I'm opposed to the zoning change for anything that will greatly increase traffic throughout our neighborhood and create more traffic congestion at the Ridge Rd and Goliad intersection. In addition, it is my understanding, that if the zoning change is approved for that lot, there will be no future safeguard for our neighborhood in the event a future restaurant is erected, with even more adverse effects (later hours, noise, pollution, traffic, lines of cars), similar to our arguments opposing Taco Bell's permit.

Sincerely,

Chris & Melanie Brannon
810 S. Alamo Rd
Rockwall, TX 75087

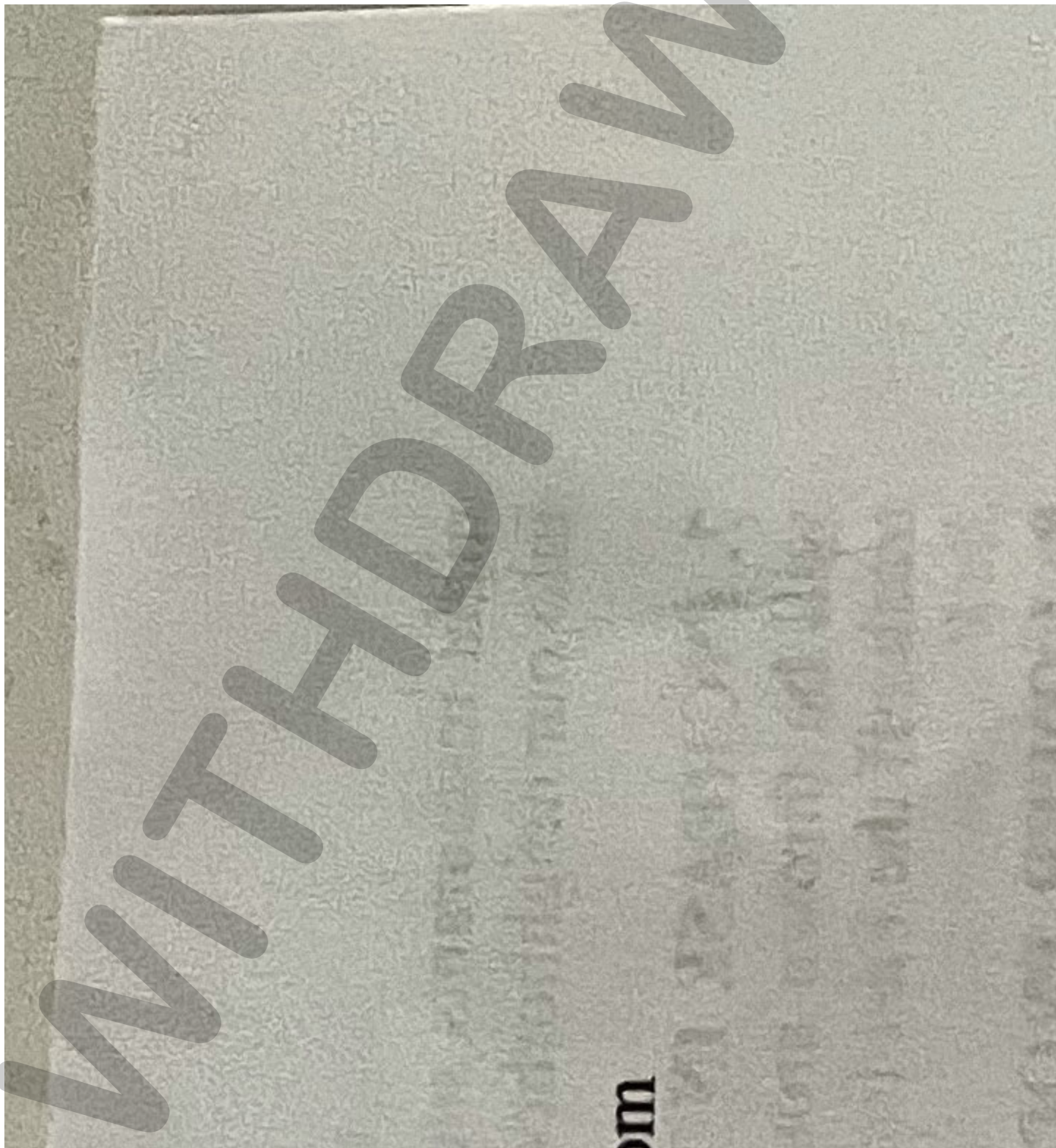
(469) 951-9233

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Lee, Henry

From: sarah bigham <sarah.bigham@outlook.com>
Sent: Wednesday, March 23, 2022 7:55 PM
To: Planning
Subject: Case z2022-009



Write these kinds of people

er, plastic lids and straws
Wind will also blow this

Sent from my iPhone

This email was scanned by Bitdefender

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

*would cause too much traffic
on a residential street.*

Name:

Charlotte Bristow

Address:

908 S. Alamo Rd, Rockwall, TX 75087

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

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

From: Dawn Scroggs <dawn@canddcommercial.com>
Sent: Wednesday, March 23, 2022 2:05 PM
To: Daniels, Bennie; johnhohenshelt@rjockwall.com; Fowler, Kevin; clarence.jorif@rockwall.com; Johannesen, Trace
Cc: Planning
Subject: CASE NO Z2022-000: SUP FOR RESTAURANT at 906 S. GOLIAD

TO PLANNING AND ZONING COMMITTEE:

WE STRONGLY OBJECT ONCE AGAIN TO ANY DRIVE THROUGH IN THIS LOCATION.

As a homeowner at 913 S Alamo, I am sending my opposition once again to allow any drive through at this location. We as homeowners are objecting for the same reasons as 2 years ago for the following:

Traffic, crime, light pollution, noise, late night operations, disruption of a peaceful neighborhood that was well established.

WE ALL BOUGHT ON THIS STREET BECAUSE IT IS A QUIET AND PEACEFUL NEIGHBORHOOD.

Why do we have to be constantly fighting the planning and zoning on this location when we have voiced these same concerns before and it was voted down by the majority. The zoning needs to remain the same and the P and Z should know and do what is in our best interest of the citizens (not the interest of one man who desperately wants to sell his property at our cost!)

Please vote this down once and for all.

Sincerely,



Dawn Scroggs

Vice President

C & D Commercial Services

p: 972.475.2271

a: 5030 Dexham Rd., Ste. 102, Rowlett, TX 75088

w: canddservicesinc.com e: Dawn@canddcommercial.com

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Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

This is definitely not a site for a restaurant and/or coffee shop. It is one of the most congested traffic areas in Rockwall. The intersection where the 205+ Ridge Road merge down heading North. Additionally homes behind are zero lot lines and traffic would be diverted to Alamo Rd - a narrow residential street. NO!!

Name: Millic Trevino

Address: 1004 S. Alamo Rd, Rockwall Tx 75087

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* Additionally there are already numerous coffee shops in Rockwall - w/ Starbucks, Peets, Panera, etc. etc. NO!

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

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

Ph: 972.771.7745
Email: planning@rockwall.com

Re: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

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Sincerely,

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



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

DATE: March 15, 2022

APPLICANT: Jack Kurz, RSDGP, LLC

CASE NUMBER: Z2022-009; *Specific Use Permit for a Restaurant, 2,000 SF or Less, with a Drive-Through at 902 & 906 S. Goliad Street*

SUMMARY

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

BACKGROUND

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

Staff is obligated to note that on September 21, 2020 the City Council granted a request to withdraw a Specific Use Permit (SUP) [*Case No. Z2020-035*] requesting to establish a *Restaurant, 2,000 SF or More, with Drive-Through or Drive-In* on the subject property. This request came after the Planning and Zoning Commission unanimously denied the case by a vote of 6-0, with Commissioner Conway absent.

PURPOSE

The applicant -- Jack Kurz of RSDGP, LLC -- is requesting the approval of a Specific Use Permit (SUP) for a *Restaurant with 2,000 SF or Less with a Drive-Through/Drive-In* to allow the development of a drive-through restaurant (*i.e. 7 Brew*) on the subject property.

ADJACENT LAND USES AND ACCESS

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

- North: Directly north of the subject property is W, Bourn Avenue, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of this roadway is a 1.8046-acre parcel of land (*i.e. Lot 14, Block M, Sanger Addition*) that serves as an overflow parking lot for the First Baptist Church of Rockwall. The parking lot is zoned General Retail (GR) District. West of this land use, and northwest of the subject property, are eight (8) single-family homes (*i.e. Lots 6-13, Block M, Sanger Addition*) that are zoned Zero Lot Line (ZL-5) District.
- South: Directly south of the subject property is a 15-foot undeveloped alleyway. Beyond this are 13 single-family residential lots (*i.e. Lots 1-6, Block 1 and Lots 1-7, Block 2, L&W Addition*) with 12 single-family homes situated on them. All of these properties are zoned Single-Family 10 (SF-10) District.
- East: Directly east of the subject property is the beginning of the S. Goliad Street [SH-205]/Ridge Road [FM-740] split, where a portion of S. Goliad Street proceeds south and a portion of the street splits and turns into Ridge Road. Ridge Road is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) and S. Goliad Street is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are five (5) parcels of land (*i.e. Lots 1-5, Block A, Canup Addition*) that have two (2) buildings situated on them (*i.e. Mattress Depot and Rockwall Floor Covering*). These five (5) parcels of land are zoned Commercial (C) District.
- West: Directly west of the subject property is a 20-foot alleyway that is partially developed. Beyond this are three (3) single-family, residential lots (*i.e. Lots 1-3, Block A, Jack Canup Addition*) with three (3) single-family homes situated on them. These properties are zoned Planned Development District 62 (PD-62) for Zero Lot Line (ZL-5) District land uses. Beyond these parcels of land is S. Alamo Street, which is designated as a R2 (*residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are six (6) single-family residential lots (*i.e. Lots 1-4, Block A and Lots 1-2, Block B, John Spong Subdivision #1*) with five (5) single-family homes situated on them. These lots are followed by the Lake Meadows Subdivision, which consists of 26 residential lots that were established in 1968. All of these properties are zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and concept plan depicting the layout of a 510 SF restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented so that the three (3) drive-through lanes will face onto S. Goliad Street. The applicant has stated that there will be no point of order, rather employees will take the orders from the drive-through lines (*i.e. similar to Chick-fil-A*). The *food delivery/payment window* will be oriented toward the residential properties adjacent to the southern property line. To provide landscape screening for the residential adjacencies the applicant has indicates a masonry screening wall with canopy trees adjacent to the residential alleyway located on the west property line. Landscape screening is also being depicted around the dumpster enclosure to screen it from S. Goliad Street [SH-205] and the adjacent residential properties.

Ingress and egress for the property will be provided via a driveway off of S. Goliad Street [SH-205] and a driveway off of W. Bourn Street. Staff should note that the subject property currently has a driveway off of S. Goliad Street that is located in approximately the center of the subject property. The parking requirement for a *Limited-Service Restaurant* (*i.e. a restaurant that does not provide indoor ordering, seating, and dining*) is one (1) parking space per 250 SF of floor area. In this case, the parking requirement for the proposed restaurant would be three (3) parking spaces. The concept plan shows the provision of 21 parking spaces and is over parked by 19 spaces per the parking requirements.

CONFORMANCE WITH THE CITY'S CODES

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

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

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

In this case, the submitted site plan does show conformance to the minimum stacking requirements; however, the proposed concept plan does not provide landscape screening adjacent to drive-through lanes and the business is making use of W. Bourn Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan. These non-conformities should be considered as part of this request due to the close proximity of the adjacent residential homes. According to the *Screening from Residential* standards contained in Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), “(a)ny non-residential...land use...that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers.” In this case, the subject property is directly adjacent to residentially zoned and used property on the southern and western boundaries and would be required to meet the *Screening from Residential* standards along the entire length of the southern and western property lines.

According to the City's *Engineering Standards of Design Manual*, the proposed driveway along W. Bourn Street does not meet the minimum driveway spacing requirements. The applicant's plan shows this driveway being located just east of the existing residential alley way. The *Engineering Standards of Design Manual* requires that first driveway on W. Bourn Street be 200-feet off of S. Goliad Street [SH-205] and the spacing between driveways on W. Bourn Street be 100-feet. In this case the proposed driveway does not meet either of these driveway spacing requirements. This is an important consideration due to the intensity of the proposed land use and the number of trips per day generated by a drive-through restaurant with three (3) drive-through lanes.

STAFF ANALYSIS

When this request was originally reviewed, staff recommended to the applicant that they provide a letter outlining the proposed business operations and the proposed hours of operation. The applicant indicated that they would provide this information; however, at the time this report was drafted staff had not received a letter outlining this information. Staff also informed the applicant about the residential screening and landscaping requirements and that: [1] a six (6) foot masonry wall with canopy trees planted on 20-foot centers will be required along the southern and western property line, [2] a landscape buffer with a berm, canopy trees, accent trees, and a shrub row will be required along S. Goliad Street [SH-205] and W. Bourn Street, and [3] landscape screening must be provided around the dumpster enclosure and the remote cooler. Based on these comments from staff the applicant provided landscaping around the dumpster enclosure and the masonry wall and canopy trees along the adjacent residential alleyway to the west of the subject property; however, failed to extend the wall along the entire residential adjacency and did not show the required headlight screening.

Should the Planning and Zoning Commission choose to recommend approval of the applicant's request staff has included conditions of approval requiring a Traffic Impact Analysis (TIA), requiring additional landscaping at the intersection of and along S. Goliad Street and W. Bourn Street, and requiring a six (6) foot masonry wall with canopy trees on 20-foot centers along the entire south and west property lines. With all this being said, a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On February 25, 2022, staff mailed 109 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Stonebridge Meadows Homeowners Association (HOA), which is the only HOA's or

Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program (*the Highridge Estates Homeowners Association [HOA] is listed on the notification map, but has not provided contact information*). Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received ten (10) returned notices from nine (9) property owners in opposition to 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) for a *Restaurant, 2,000 SF or Less, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. 7 Brew*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The development of the Subject Property shall generally conform to the Concept Plan as depicted in Exhibit 'B' of this ordinance.
 - (b) A minimum of a six (6) foot masonry wall (constructed with materials matching the primary structure) be constructed adjacent to the southern and western property lines. Mature canopy trees should be planted on 20-foot centers along the entire length of the wall.
 - (c) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive-through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street. Additional landscaping may also be required at the time of site plan at the corner of W. Bourne Street and S. Goliad Street to impair the visibility of headlights from the drive-through lane.
- (2) A Traffic Impact Analysis (TIA) shall be submitted and reviewed by the City of Rockwall prior to accepting a site plan application for the subject property.
- (3) Additional trees, bushes, and shrubs will be required at: [1] the corner of and along S. Goliad Street and W. Bourn Street; [2] adjacent to the masonry wall along the southern and western property boundaries (*i.e. adjacent to the residential adjacency*), and [3] south of the *restaurant ordering board*. These will be required to be shown on the landscape plan submitted with the site plan.
- (4) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (5) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 906 S Goliad St, Rockwall TX
SUBDIVISION Jack Canup Addition LOT 1 BLOCK B
GENERAL LOCATION Goliad St & Brown St

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING GR/PP-62 CURRENT USE Vacant
PROPOSED ZONING GR w/SUP PROPOSED USE Drive thru coffee
ACREAGE 1.13 LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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

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

OWNER	<u>ADLOR ENTERPRISES LLC</u>	<input checked="" type="checkbox"/> APPLICANT	<u>Jack Kurz - RSDAP, LLC</u>
CONTACT PERSON	<u>ALLEN ANDERSON</u>	CONTACT PERSON	<u>Jack Kurz</u>
ADDRESS	<u>1208 S. LAKE S. HIRE DR</u>	ADDRESS	<u>1510 N. Dallas Pkwy</u> <u>Ste. 440</u>
CITY, STATE & ZIP	<u>ROCKWALL, TX 75087</u>	CITY, STATE & ZIP	<u>Dallas TX 75248</u>
PHONE	<u>214-538-2209</u>	PHONE	<u>(314) 578-8484</u>
E-MAIL	<u>AAINTX@MSN.COM</u>	E-MAIL	<u>jkurz@redskyholdings.com</u>

NOTARY VERIFICATION [REQUIRED]

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

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS 18th DAY OF February, 2022. 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."

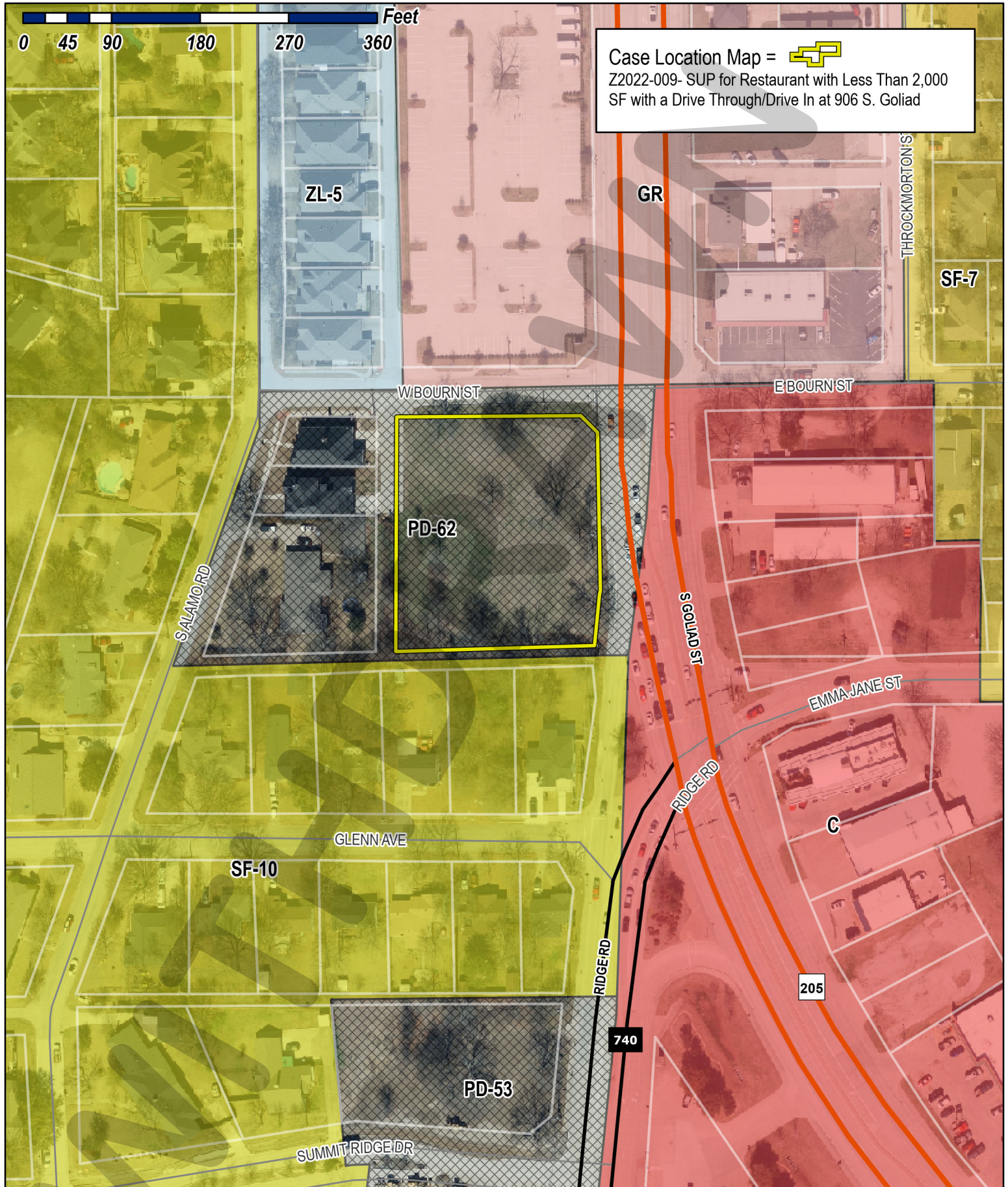
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 15 DAY OF February, 2022

OWNER'S SIGNATURE Allen Anderson

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Christine N. Brandy

MY COMMISSION EXPIRES 12/03/2023





City of Rockwall

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

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

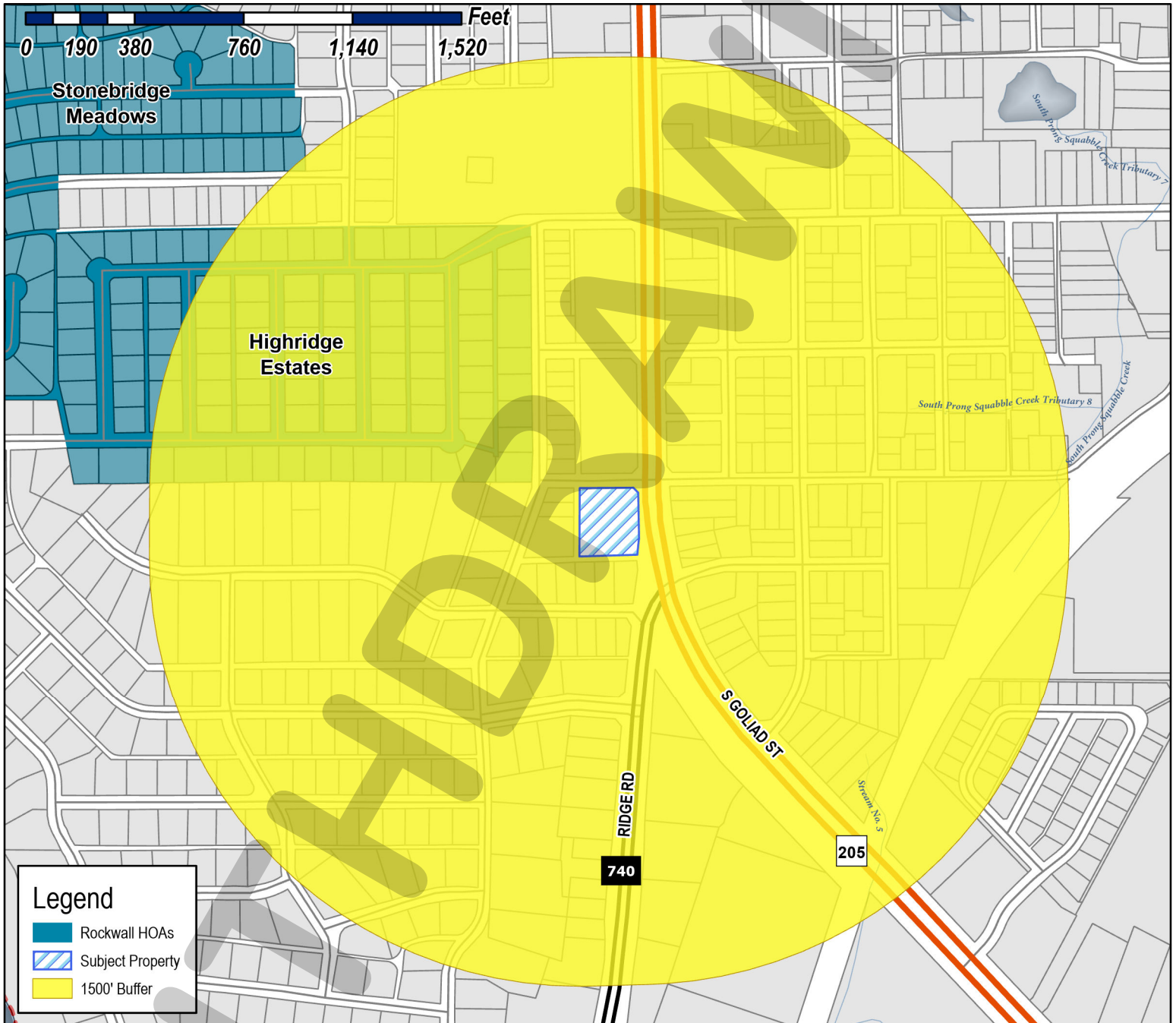




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Case Number: Z2022-009
Case Name: SUP for Restaurant with less than 2,000 SF w/ a Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Wednesday, February 23, 2022 2:24 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-009]
Attachments: Public Notice (02.23.2022).pdf; HOA Map (02.18.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on February 25, 2022. The Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2022-009: SUP for Restaurant with Less than 2,000 SF with a Drive Through or Drive In

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

Thank you,

Angelica Gamez

Planning & Zoning Coordinator
City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

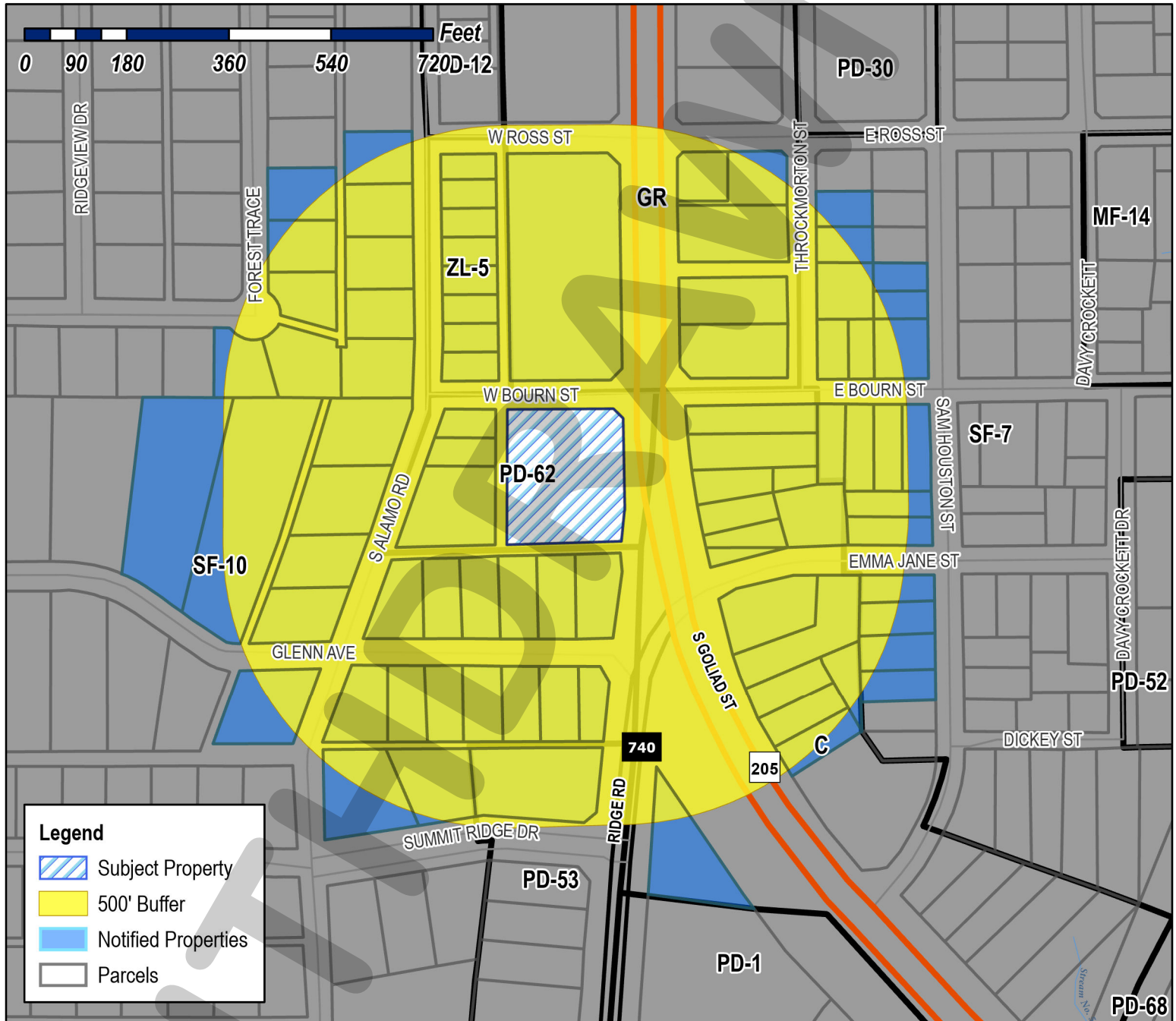
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City of Rockwall

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Case Number: Z2022-009
Case Name: SUP for Restaurant less than 2,000 SF w/Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



EDWARDS JASON
10 DANCING WATERS
ROCKWALL, TX 75032

RB CAPITAL LTD
1002 RIDGE RD
ROCKWALL, TX 75087

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

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

MALAVE BRENDA L
1006 SAM HOUSTON ST
ROCKWALL, TX 75087

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

EMMANUEL TABERNACLE CHURCH
1008 SAM HOUSTON
ROCKWALL, TX 75087

LIVAY LLC
1009 HOT SPRINGS DR
ALLEN, TX 75013

EFENEY WILLIAM M
1009 S GOLIAD
ROCKWALL, TX 75087

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1011 S GOLIAD ST
ROCKWALL, TX 75087

GEHRING CAROLYN S
101 GLENNAVE
ROCKWALL, TX 75087

CANGIANO COSIMO JEFFREY
102 GLENN AVE
ROCKWALL, TX 75089

ROHLF DAVID E
102 E ROSS AVE
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
104 GLENN AVE
ROCKWALL, TX 75087

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

SCOTT BILLIE JEAN
106 GLENN AVE
ROCKWALL, TX 75087

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

RICKERSON CHARLES AND VIRGINIA
108 GLENN AVE
ROCKWALL, TX 75087

CG HOLDINGS LLC
109 GLENN AVE
ROCKWALL, TX 75087

HOOVER JERRY H
110 GLENN AVE
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
1101 S ALAMO
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1101 S GOLIAD
ROCKWALL, TX 75087

NEWMAN JOANNA N
111 GLENN AVE
ROCKWALL, TX 75087

WILLIAMS KATHY S
112 GLENN AVE
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET SUITE 101
GRAPEVINE, TX 76051

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

ADLOR ENTERPRISES LLC
1208 S LAKESHORE DR
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
14 KESWICK CT
HEATH, TX 75032

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1404 RIDGE ROAD
ROCKWALL, TX 75087

EFENEY WILLIAM M
1406 S LAKESHORE DR
ROCKWALL, TX 75087

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
1508 BROOKHOLLOW DRIVE
SANTA ANA, CA 92735

RICKERSON CHARLES AND VIRGINIA
1728 RIDGE RD
ROCKWALL, TX 75087

GEHRING CAROLYN S
1745 LAKE BREEZE DR
ROCKWALL, TX 75087

SCROGGS CHARLES E AND MARLA D
1748 BISON MEADOW LANE
HEATH, TX 75032

2011 TEMUNOVIC FAMILY TRUST
TINA TEMUNOVIC COX AND CVIJETA
TEMUNOVIC TRUSTEES
200S UMMIT RIDGE DR
ROCKWALL, TX 75087

GIBSON CHARLES D AND LINDSAY K
201 FOREST TRACE
ROCKWALL, TX 75087

BATRES MARIA DELL REFUGIO
202 BOURN STREET
ROCKWALL, TX 75087

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

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

MOTON R T
203 E BOURN ST
ROCKWALL, TX 75087

STOVALL RAYMOND P
203 FOREST TRACE
ROCKWALL, TX 75087

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

CHANHMISAY KESONE & SYAMPHAY
204 GLENN AVE
ROCKWALL, TX 75087

MIMS KATHY
206 E BOURN ST
ROCKWALL, TX 75087

U S GOVERNMENT HOUSING
206-207EMMA JANE ST
ROCKWALL, TX 75087

HECKARD ALLEN
207 BOURN AVE
ROCKWALL, TX 75087

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

LIU HOWARD HEYUN
208 EMMA JANE ST
ROCKWALL, TX 75087

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

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

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

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

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

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

CG HOLDINGS LLC
4 SUNSET TR
HEATH, TX 75032

SCOTT BILLIE JEAN
4 SUNSET TRAIL
HEATH, TX 75032

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

LIU HOWARD HEYUN
4577 JAGUAR DR
PLANO, TX 75024

HECKARD ALLEN
4906 FREEMAN DR
ROWLETT, TX 75088

FIRST BAPTIST CHURCH OF ROCKWALL
610 S GOLIAD ST
ROCKWALL, TX 75087

DELGADILLO VICTORIA E
6104 LYNDON B JOHNSON FREEWAY APT#2502
DALLAS, TX 75240

BRYANT KRISTI & BRENT
710 S ALAMO ROAD
ROCKWALL, TX 75087

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

HILLMAN DORIANN E
713 FOREST TRACE
ROCKWALL, TX 75087

DELBOSQUE ROLOLFO & LORENA P
715 FOREST TRCE
ROCKWALL, TX 75087

EMMANUEL TABERNACLE CHURCH
7903 FERGUSON RD
DALLAS, TX 75228

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

DELGADILLO VICTORIA E
801 S GOLIAD
ROCKWALL, TX 75087

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

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

DANIELS ANNIE L
803 THROCKMORTON ST
ROCKWALL, TX 75087

BRYANT KRISTI & BRENT
804 S ALAMO DR
ROCKWALL, TX 75087

LOTT JOHN DOUGLAS AND CYNTHIA
805 S ALAMO RD
ROCKWALL, TX 75087

ESTATE OF FRANKIE MAE ALLEN
805 THROCKMORTON
ROCKWALL, TX 75087

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

PROGRESS RESIDENTIAL BORROWER 16 LLC
806 SAM HOUSTON ST
ROCKWALL, TX 75087

MCCAMPBELL CHARLES C & PATRICIA S
807 S ALAMO RD
ROCKWALL, TX 75087

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

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
808 SAM HOUSTON ST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
809 ALAMO RD
ROCKWALL, TX 75087

LIVAY LLC
809 S GOLIAD
ROCKWALL, TX 75087

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

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

EDWARDS JASON
811 S GOLIAD
ROCKWALL, TX 75087

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

RAMSEY JUDY LYNN
815 S ALAMO RD
ROCKWALL, TX 75087

HERNANDEZ ALMA VELIA
815 THROCKMORTON ST
ROCKWALL, TX 75087

BRUNNER WILLIAM E & MARGIE L
895 S ALAMO ROAD
ROCKWALL, TX 75087

THOMPSON JAMES LARRY AND SUSAN PRICE
901 S ALAMO RD
ROCKWALL, TX 75087

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

WALKER TOM H & SUE ANN
902 LAKE MEADOWS DR
ROCKWALL, TX 75087

ANDREWS VIRGINIA
902 S ALAMO
ROCKWALL, TX 75087

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

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

GATES TED AND SARAH
904 S ALAMO ROAD
ROCKWALL, TX 75087

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

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

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

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

STATE OF TEXAS
907 S GOLIAD
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
9531 RIVERTON ROAD
DALLAS, TX 75218

ROHLF DAVID E
PO BOX 1137
ROCKWALL, TX 75087

ANDREWS VIRGINIA
PO BOX 254
REPUBLIC, MO 65738

PROGRESS RESIDENTIAL BORROWER 16 LLC
PO BOX 4090
SCOTTSDALE, AZ 85261

D&A REAL ESTATE PARTNERS LTD
PO BOX 850
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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TO THE WEBSITE



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Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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- ☐ 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:

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Please place a check mark on the appropriate line below:

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

Name: WILLIAM RUPPERT - DALLAS 75218
Address: 104 GLENN - ROCKWALL ADDRESS

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Please place a check mark on the appropriate line below:

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

I am protesting the construction of the restaurant case # Z2022-009 due to the fact it is a residential area. It would highly increase the already high volume of traffic and accidents in the section.

Name:

BARBARA McFarlin

Address:

105 Glenn Ave Rockwall 75087

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Please place a check mark on the appropriate line below:

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

Name:

Chris Knox / CG Holdings LLC

Address:

106 Glenn Ave Rockwall

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

Traffic on Goliad is so heavy! Also lots of traffic coming from South Ridge near there has also increased in last 5-7 years. *increased!*

Name: Barbara J. Pfennig

Address: 107 Glenn Ave., Rockwall, TX (property address, not for mail.)

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.

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

Use is too intense in close proximity to residential.
One concept plan shows entrance too close to homes
Intense use so close to major intersection

Name: Mary Smith
Address: 711 Forest Trace 75087

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

We are opposed to the restaurant for three reasons: Traffic is already a problem on Goliad, and especially Alamo due to the increase on Inliad. Although a coffee shop isn't as bad as a taco place, it's still a restaurant with trash, noise, and people.

Name:

RONNIE AND BARBARA WATSON

Address:

801 S. ALAMO

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.

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

This location is too close to split of 205 & 740 = nightmare
1. Property values would plummet & selling would be very difficult. 2. Most residents are retired. 3. The drive thru would move traffic to access the alley, so our privacy and safety would be negatively impacted. 4. Traffic would increase exponentially in our residential neighborhood. 5. Traffic noise would disturb our peace. 6. Lighting may affect the homeowners living next to it. 7. Litter would be prevalent. 8. The dumpster would be a risk with putrid food, attracting rats & stray animals.
Name: Mike & Debbie Shields
Address: 811 S. Alamo Rd.

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

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

- We do not want a Restaurant in our back Yard.
- There ARE homes on 2 sides of this Property.
- The city would have to put in a traffic Light @ Bourn & Goliad.

Name: Chuck Scroggs

Address: 813 S. Alamo

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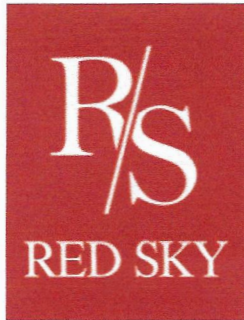
☒ I am opposed to the request for the reasons listed below.

THE CONCEPTUAL SITE PLANS SHOW ENTRANCE /EXIT TO BUSINESS ON W. BOURN ST.
PEOPLE VISITING THIS BUSINESS WILL USE THESE TO ACCESS BUSINESS BY COMING THROUGH OUR
RESIDENTIAL AREA ON ALAMO RD. - DANGEROUS TO CHILDREN ON BIKES, WALKERS, DOG WALKERS.
SOUTH ALAMO HAS VERY FEW SIDEWALKS; STREET USED BY PEDESTRIANS, PLEASE NO!
TRAFFIC ON SOUTH ALAMO WILL ENCOURGE USING SOUTH ALAMO RD.

Name: JUDY L. RAMSEY

Address: 815 SOUTH ALAMO RD. ROCKWALL, TX 75087

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RSDGP, LLC
15110 N Dallas Pkwy
Ste. 440
Dallas, TX 75248

Dear City of Rockwall,

RSDGP is applying for a specific use permit to develop a drive-through concept located at the address of 906 S Goliad St. The development plan is designed to develop the site for 7Brew Coffee. 7Brew Coffee is a new coffee concept in the Dallas area.

RSDGP is applying for a specific use permit because the site is currently in the PD-62 district which is a subsection of the GR, General Retail, district. The 7Brew concept is a 510 SF building with a drive-through. This conceptual development plan would be considered a "restaurant with less than 2,000 SF with Drive-Through or Drive-In". This use requires a specific use permit in the GR zoning district.

In order for the development plan to take place, the first item that needs to be addressed is applying and acquiring a SUP. RSDGP believes that a drive-through coffee concept located at 906 S Goliad St would benefit the local neighborhoods and the city of Rockwall. The site is located at the Ridge Rd and Goliad St split which is why a drive-through coffee concept makes sense in this part of Rockwall. People leaving their homes, heading towards the retail corridor and businesses along I-30 will have an ideal morning coffee stop. RSDGP believes 7Brew will bring positive business and added aesthetic development to the nearby neighborhoods.

Sincerely,

Jack Kurz
Development Manager
E: jkurz@redskyholdings.com
C: (314) 578-8484

Legal Description

JACK CANUP ADDITION, BLOCK B, LOT 1, ACRES 1.1308

PLAT OF SURVEY

BOURN STREET

50' R.O.W. PER PLAT

S 89° 35' 59" E 192.07'

CURB

GAS LINE
MARKER

1/2" IRF

15' B.L.

LOT 1

CONCRETE ALLEY

237.47'

N 0° 13' 53" E

20' ALLEY R.O.W. PER PLAT

LOT 2

BLOCK A

LOT 3

1.13 ACRES
49258 S.F.

LOT 1
BLOCK B

15' B.L.

OVERHEAD ELEC LINES

CONC WALK S 0° 23' 37" W 210.73'

CURB

S. GOLIAD STREET

5' ALLEY R.O.W. PER PLAT S 88° 32' 58" W 211.05'
10' ALLEY R.O.W. PER PLAT

LOT 3

LOT 4

LOT 5

LOT 6

LAWHORN & WILLIAMS ADDITION
VOL. 46. PG. 209

SURVEY ACCEPTED BY

DATE

DATE

SH 205
VARIABLE WIDTH R.O.W.

DESCRIPTION

Being Lot 1, in Block B of the JACK CANUP ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 133, of the Plat Records of Rockwall County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and JORGLY, LLC at 906 S. GOLIAD STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 17th day of July, 2015.

Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND				
TV TELEVISION CABLE RISER	GAS GAS METER	TEL PHONE RISER	FIRE FIRE HYDRANT	POWER POWER POLE
ELEC ELECTRIC METER	ELEC ELECTRIC SUBSURFACE JUNCTION BOX	WATER WATER METER	CP CITY POLE	1/2" RF IRON ROD FOUND (CHANGER)
-X- FENCE	STATEMENT LINE	PROPERTY LINES	A/C AIR COND UNIT	PROPANE PROPANE TANK

H.D. Fetty Land Surveyor, LLC

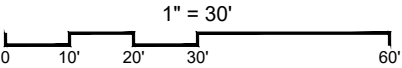
Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JULY 17, 2015
SCALE 1" = 40' FILE # 20061374-18
CLIENT JORGLY, LLC OF # 15-223229-RL



906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

MARCH 10, 2022

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 62 (PD-62) [*ORDINANCE NO. 05-24*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN ON A 1.1308-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK B, JACK CANUP ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.*

WHEREAS, the City has received a request from Jack Kurz of RSDGP, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 1.1308-acre parcel of land described as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] for General Retail (GR) District land uses, addressed as 902 & 906 S. Goliad Street [*SH-205*], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That Planned Development District 62 (PD-62) [*Ordinance No. 05-24*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Planned Development District 62 (PD-62) [Ordinance No. 05-42], and Subsection 04.01, *General Commercial Districts Standards*; and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

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

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) A minimum of a six (6) foot masonry wall (*i.e. constructed with materials matching the primary structure*) be constructed adjacent to the southern and western property lines. Mature canopy trees shall be planted on 20-foot centers along the entire length of the wall.
- 3) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive-through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street. Additional landscaping may also be required at the time of site plan at the corner of W. Bourne Street and S. Goliad Street to impair the visibility of headlights from the drive-through lane.

2.2 COMPLIANCE

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

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

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid,

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

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,
THIS THE 4TH DAY OF APRIL, 2022.**

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: March 21, 2022

2nd Reading: April 4, 2022

Exhibit 'A'
Location Map

Address: 902 & 906 S. Goliad Street

Legal Description: Lot 1, Block B, Jack Canup Addition

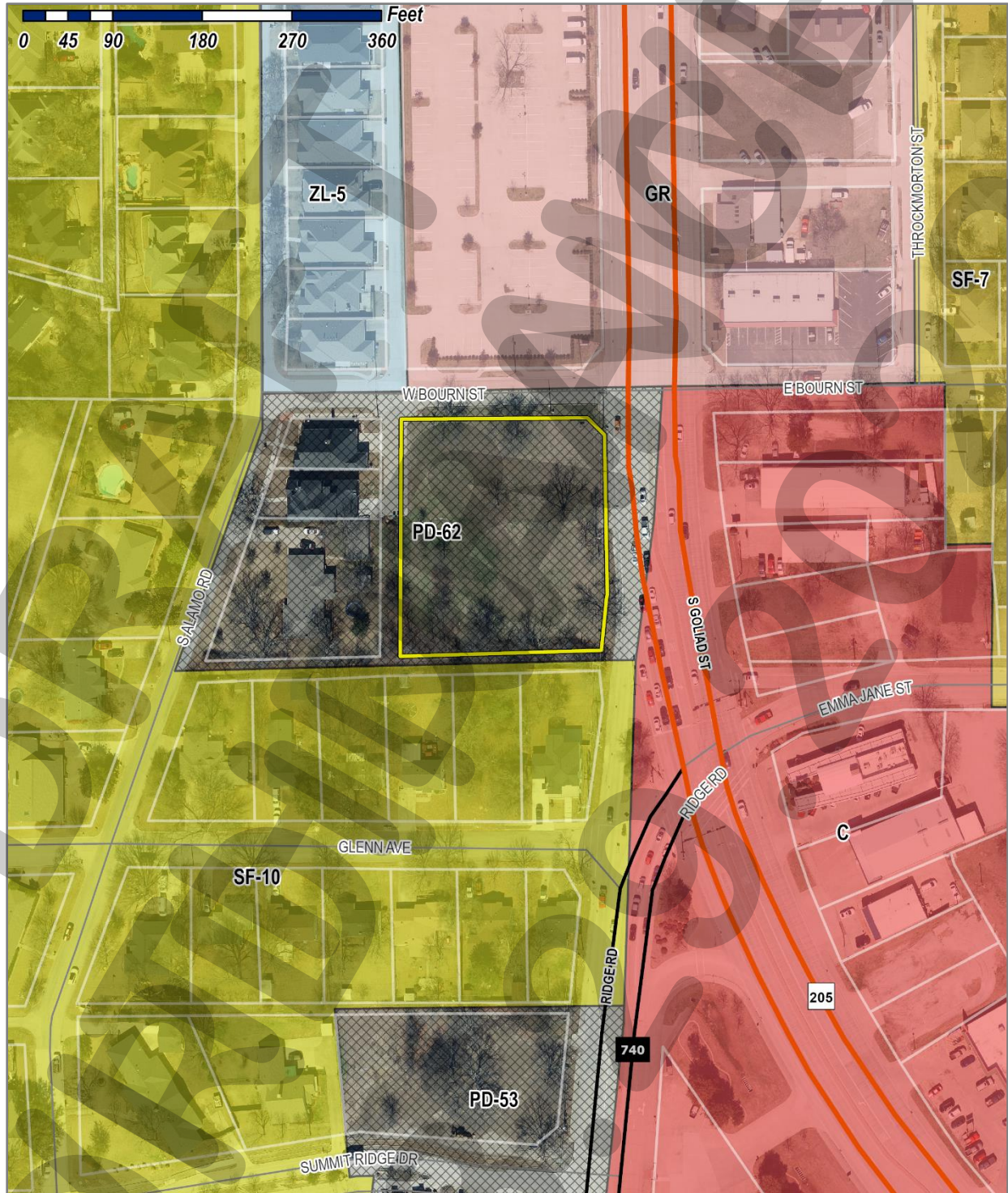
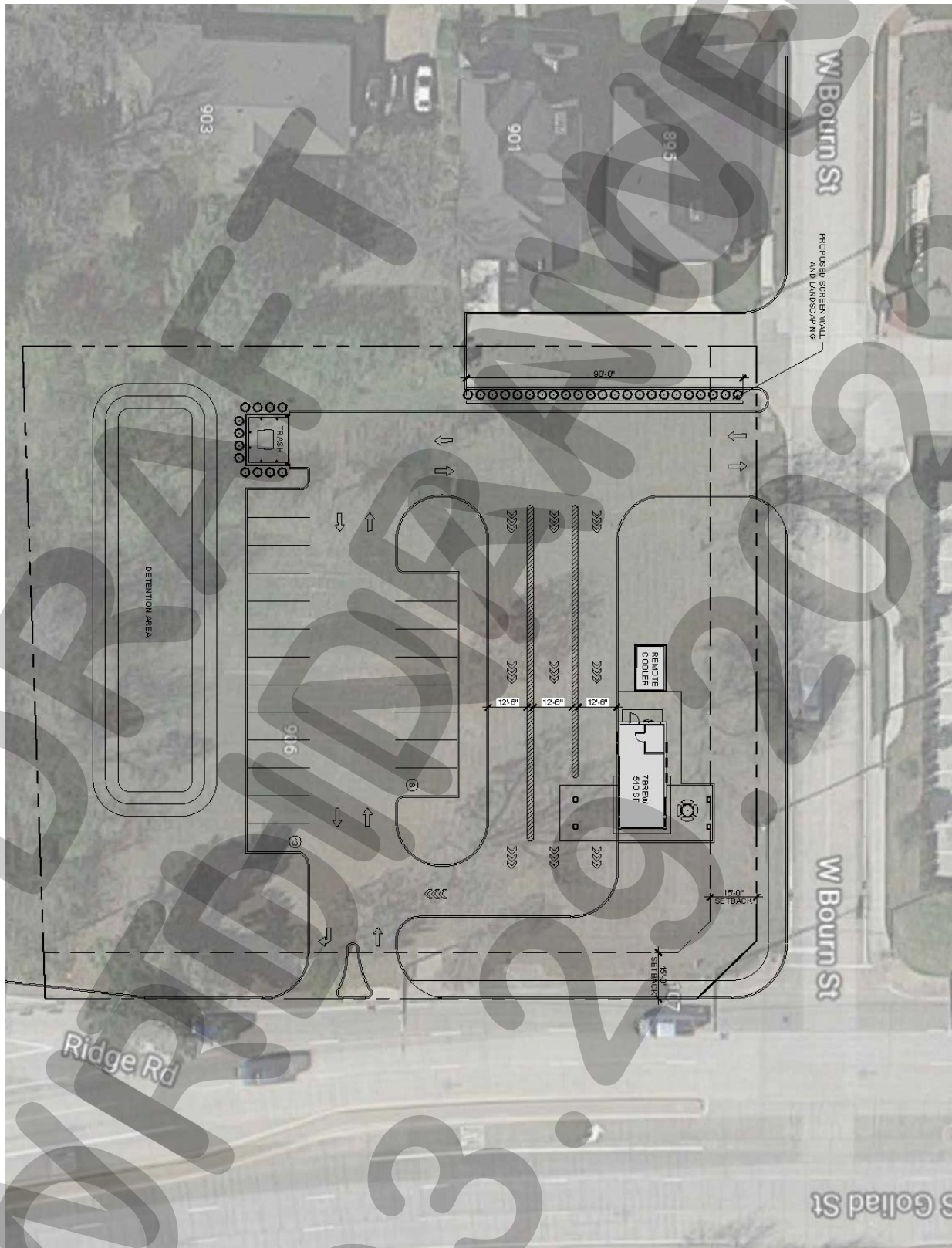


Exhibit 'B':
Concept Plan





CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

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

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

DATE: March 21, 2022

SUBJECT: Z2022-009; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In at 902 & 906 S. Goliad Street*

On March 15, 2022, the Planning and Zoning Commission approved a motion to table Case No. Z2022-009 to the March 29, 2022 Planning and Zoning Commission meeting by a vote of 3-1, with Commissioner Moeller dissenting and Commissioners Chodun, Thomas, and Conway absent. The purpose of the motion was to allow the applicant additional time to make changes to the proposed concept plan. According to Subsection 02.03(C)(3) of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), “(a) public hearing may be continued by the Planning and Zoning Commission or City Council ... (t)he continuation of a public hearing shall be to a specific time and date no later than 30-days from the first or most recent public hearing ... [and] (t)he announcement of a continuation at a public hearing shall be sufficient notice and no additional notice is required.” Since this case was advertised for a public hearing at the March 21, 2022 City Council meeting, the City Council will need to announce the updated public hearing date of April 4, 2022; however, no further action will be required. Should the City Council have any questions staff will be available at the March 21, 2022 City Council meeting



CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

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

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

DATE: April 4, 2022

SUBJECT: Z2022-009; *Specific Use Permit for a Restaurant with less than 2,000 SF with Drive-Through or Drive-In at 902 & 906 S. Goliad Street*

On March 29, 2022, the Planning and Zoning Commission approved a motion to deny a request to table Case No. Z2022-009. This motion came after the applicant failed to make any changes after the applicant requested and was granted a tabling at the March 30, 2022 Planning and Zoning Commission meeting. Following this denial, the Planning and Zoning Commission held a public hearing and approved a motion to recommend denial of the Specific Use Permit (SUP) by a vote of 7-0. Based on this, the applicant has submitted a request to withdraw the case (*see applicant's email*). According to Subsection 01.03, *Application Withdrawal*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(i)f an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body." Based on this the City Council has the discretion to: [1] approve the withdrawal request and allow the case to be withdrawn, or [2] deny the withdrawal request, hold a public hearing, and act on the case. Should the City Council choose to move forward, the applicant has submitted a new concept plan; however, this concept plan still does not address the Planning and Zoning Commission's or staff's comments, and has issues with regard to how traffic circulates on the site.

Staff should note that after the Planning and Zoning Commission meeting on March 29, 2022 staff received a written notice from an adjacent property owner (*this notice has been included in the attached packet*). This notice would increase the opposition land area within 200-feet of the subject property to above 20%. According to Subsection 02.03, *Procedures for Zoning Applications*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code, "(w)henever such written protest is signed by the owners of 20% or more of the area of the lots or land included in the request, or of the lots or land immediately adjoining the same and within the above mentioned 200-foot radius, or if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval." Staff has provided a *For/Against Map* for the City Council's review showing all opposition to the case. Based on this -- *and the recommendation for denial by the Planning and Zoning Commission* --, should this case move forward it would require a supermajority vote of the City Council. If the City Council has any questions concerning this case, staff will be available at the April 4, 2022 City Council meeting.

Lee, Henry

From: Kevin Mattson <kmattson@redskyholdings.com>
Sent: Wednesday, March 30, 2022 1:32 PM
To: Lee, Henry
Cc: jkurz@redskyholdings.com
Subject: SUP - 906 South Goliad, Rockwall, TX

Henry,

Thank you for your time this AM.

We understand the concerns of the P&Z and the surrounding neighbors. Per our conversation, we are looking to withdraw our Case at City Council next week. I truly hope the City Council gives us the opportunity to speak on “why” we are withdrawing. Our intention is to meet with the neighborhood and revise the Site Plan to further satisfy any outstanding issues. If we decide to resubmit, we hope we can do so without waiting a year if we successfully meet with the necessary parties.

I am not sure if you can forward this request, but we hope they understand our request and grant us the withdraw.

Thank you and enjoy a wonderful weekend!

Sincerely,



Kevin Mattson

M/ 972.369.4123

E/ KMattson@RedSkyHoldings.com

This email was scanned by Bitdefender

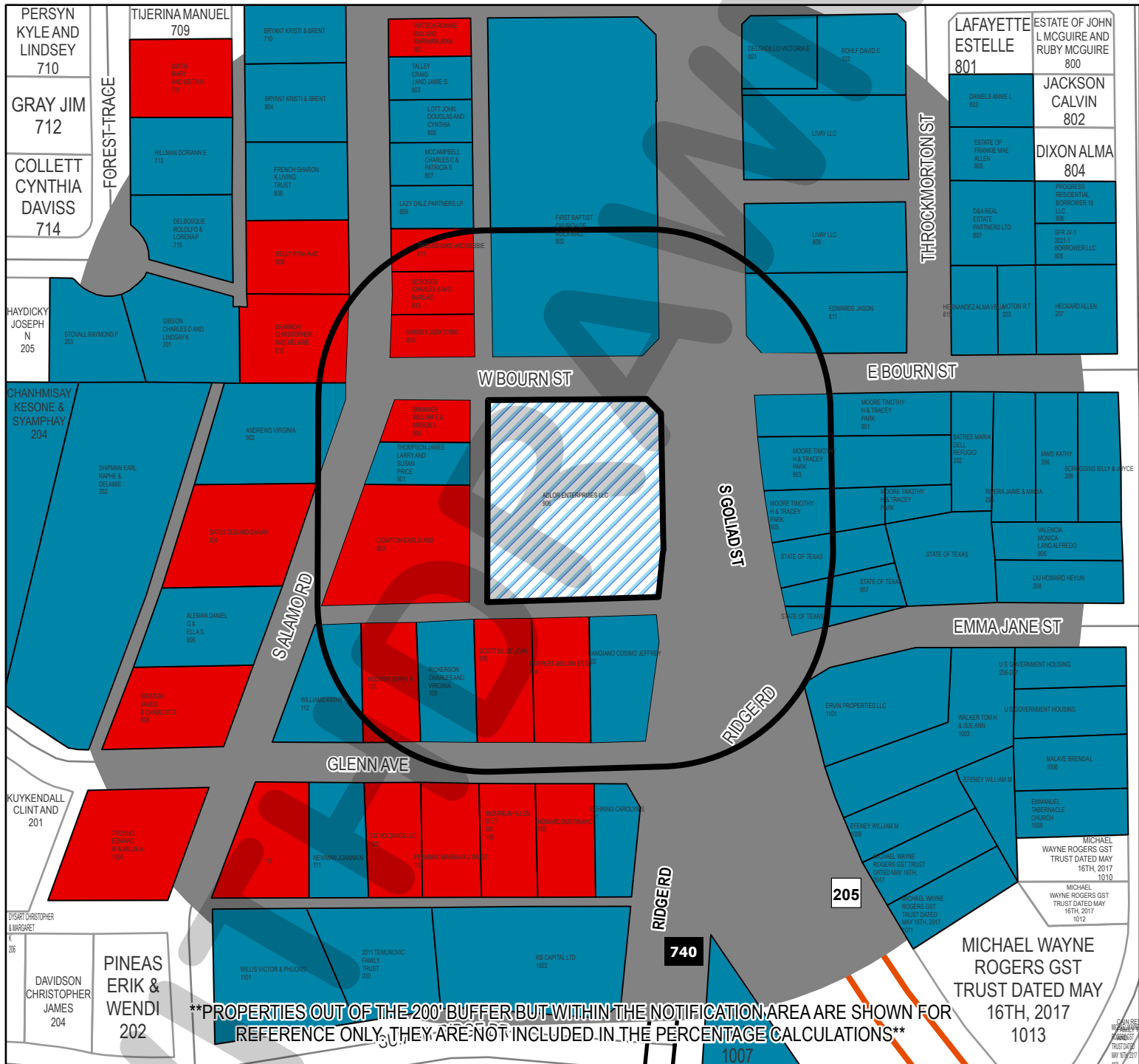
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



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.



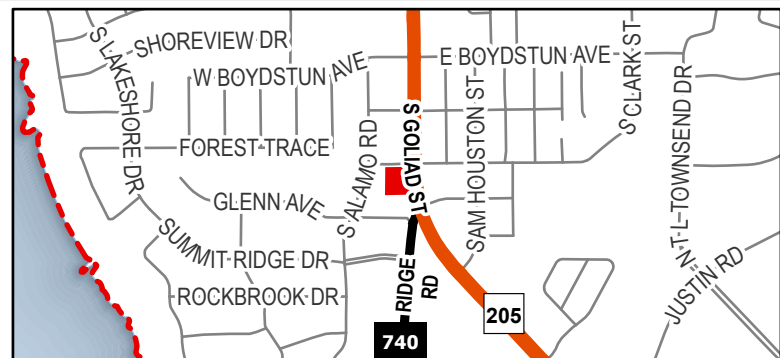
Z2022-009 SUP for 906 S. Goliad Street

- Subject Property
- AGAINST (1.614 Acres) 23.5 %
- NO REPLY (2.016 Acres) 29.34 %
- ROW (3.24 Acres) 47.16 %
- FOR (0 Acres) 0 %

Legend

Date Created: 3/30/2022

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





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: April 4, 2022

APPLICANT: Jack Kurz, RSDGP, LLC

CASE NUMBER: Z2022-009; *Specific Use Permit for a Restaurant, 2,000 SF or Less, with a Drive-Through at 902 & 906 S. Goliad Street*

SUMMARY

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

BACKGROUND

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

Staff is obligated to note that on September 21, 2020 the City Council granted a request to withdraw a Specific Use Permit (SUP) [*Case No. Z2020-035*] requesting to establish a *Restaurant, 2,000 SF or More, with Drive-Through or Drive-In* on the subject property. This request came after the Planning and Zoning Commission unanimously denied the case by a vote of 6-0, with Commissioner Conway absent.

PURPOSE

The applicant -- Jack Kurz of RSDGP, LLC -- is requesting the approval of a Specific Use Permit (SUP) for a *Restaurant with 2,000 SF or Less with a Drive-Through/Drive-In* to allow the development of a drive-through restaurant (*i.e. 7 Brew*) on the subject property.

ADJACENT LAND USES AND ACCESS

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

- North: Directly north of the subject property is W, Bourn Avenue, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. North of this roadway is a 1.8046-acre parcel of land (*i.e. Lot 14, Block M, Sanger Addition*) that serves as an overflow parking lot for the First Baptist Church of Rockwall. The parking lot is zoned General Retail (GR) District. West of this land use, and northwest of the subject property, are eight (8) single-family homes (*i.e. Lots 6-13, Block M, Sanger Addition*) that are zoned Zero Lot Line (ZL-5) District.
- South: Directly south of the subject property is a 15-foot undeveloped alleyway. Beyond this are 13 single-family residential lots (*i.e. Lots 1-6, Block 1 and Lots 1-7, Block 2, L&W Addition*) with 12 single-family homes situated on them. All of these properties are zoned Single-Family 10 (SF-10) District.
- East: Directly east of the subject property is the beginning of the S. Goliad Street [SH-205]/Ridge Road [FM-740] split, where a portion of S. Goliad Street proceeds south and a portion of the street splits and turns into Ridge Road. Ridge Road is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) and S. Goliad Street is identified as a P6D (*i.e. principal arterial, six [6] lane, divided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are five (5) parcels of land (*i.e. Lots 1-5, Block A, Canup Addition*) that have two (2) buildings situated on them (*i.e. Mattress Depot and Rockwall Floor Covering*). These five (5) parcels of land are zoned Commercial (C) District.
- West: Directly west of the subject property is a 20-foot alleyway that is partially developed. Beyond this are three (3) single-family, residential lots (*i.e. Lots 1-3, Block A, Jack Canup Addition*) with three (3) single-family homes situated on them. These properties are zoned Planned Development District 62 (PD-62) for Zero Lot Line (ZL-5) District land uses. Beyond these parcels of land is S. Alamo Street, which is designated as a R2 (*residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this are six (6) single-family residential lots (*i.e. Lots 1-4, Block A and Lots 1-2, Block B, John Spong Subdivision #1*) with five (5) single-family homes situated on them. These lots are followed by the Lake Meadows Subdivision, which consists of 26 residential lots that were established in 1968. All of these properties are zoned Single-Family 10 (SF-10) District.

CHARACTERISTICS OF THE REQUEST

The applicant has submitted an application and concept plan depicting the layout of a 510 SF restaurant with a drive-through on the subject property. Based on the concept plan the building will be oriented so that the three (3) drive-through lanes will face onto S. Goliad Street. The applicant has stated that there will be no point of order, rather employees will take the orders from the drive-through lines (*i.e. similar to Chick-fil-A*). The *food delivery/payment window* will be oriented toward the residential properties adjacent to the southern property line. To provide landscape screening for the residential adjacencies the applicant has indicated a masonry screening wall with canopy trees adjacent to the residential alleyway located on the west property line. Landscape screening is also being depicted around the dumpster enclosure to screen it from S. Goliad Street [SH-205] and the adjacent residential properties.

Ingress and egress for the property will be provided via a driveway off of S. Goliad Street [SH-205] and a driveway off of W. Bourn Street. Staff should note that the subject property currently has a driveway off of S. Goliad Street that is located in approximately the center of the subject property. The parking requirement for a *Limited-Service Restaurant* (*i.e. a restaurant that does not provide indoor ordering, seating, and dining*) is one (1) parking space per 250 SF of floor area. In this case, the parking requirement for the proposed restaurant would be three (3) parking spaces. The concept plan shows the provision of 21 parking spaces and is over parked by 19 spaces per the parking requirements.

CONFORMANCE WITH THE CITY'S CODES

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

district and should try to avoid intensive commercial land uses that carry large volumes of retail traffic.” Based on the potential ability of the *Restaurant with 2,000 SF or Less with a Drive-Through or Drive-In* land use to generate higher traffic volumes, this land use was identified as needing discretionary oversight from the Planning and Zoning Commission and City Council. More simply stated, this land use may not be appropriate on all properties zoned General Retail (GR) District. In addition, Article 04, *Permissible Use Charts*, of the Unified Development Code (UDC) also requires the following land use conditions as part of the establishment of this land use:

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

In this case, the submitted site plan does show conformance to the minimum stacking requirements; however, the proposed concept plan does not provide landscape screening adjacent to drive-through lanes and the business is making use of W. Bourn Street, which is identified as a R2 (*i.e. residential, two [2] lane, undivided roadway*) on the Master Thoroughfare Plan. These non-conformities should be considered as part of this request due to the close proximity of the adjacent residential homes. According to the *Screening from Residential* standards contained in Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), “(a)ny non-residential...land use...that has a side or rear contiguous to any residentially zoned or used property shall be screened with a masonry fence a minimum of six (6) feet in height with canopy trees planted on 20-foot centers.” In this case, the subject property is directly adjacent to residentially zoned and used property on the southern and western boundaries and would be required to meet the *Screening from Residential* standards along the entire length of the southern and western property lines.

According to the City's *Engineering Standards of Design Manual*, the proposed driveway along W. Bourn Street does not meet the minimum driveway spacing requirements. The applicant's plan shows this driveway being located just east of the existing residential alley way. The *Engineering Standards of Design Manual* requires that first driveway on W. Bourn Street be 200-feet off of S. Goliad Street [SH-205] and the spacing between driveways on W. Bourn Street be 100-feet. In this case the proposed driveway does not meet either of these driveway spacing requirements. This is an important consideration due to the intensity of the proposed land use and the number of trips per day generated by a drive-through restaurant with three (3) drive-through lanes.

STAFF ANALYSIS

When this request was originally reviewed, staff recommended to the applicant that they provide a letter outlining the proposed business operations and the proposed hours of operation. The applicant indicated that they would provide this information; however, at the time this report was drafted staff had not received a letter outlining this information. Staff also informed the applicant about the residential screening and landscaping requirements and that: [1] a six (6) foot masonry wall with canopy trees planted on 20-foot centers will be required along the southern and western property line, [2] a landscape buffer with a berm, canopy trees, accent trees, and a shrub row will be required along S. Goliad Street [SH-205] and W. Bourn Street, and [3] landscape screening must be provided around the dumpster enclosure and the remote cooler. Based on these comments from staff the applicant provided landscaping around the dumpster enclosure and the masonry wall and canopy trees along the adjacent residential alleyway to the west of the subject property; however, failed to extend the wall along the entire residential adjacency and did not show the required headlight screening.

Should the Planning and Zoning Commission choose to recommend approval of the applicant's request staff has included conditions of approval requiring a Traffic Impact Analysis (TIA), requiring additional landscaping at the intersection of and along S. Goliad Street and W. Bourn Street, and requiring a six (6) foot masonry wall with canopy trees on 20-foot centers along the entire south and west property lines. With all this being said, a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.

NOTIFICATIONS

On February 25, 2022, staff mailed 109 notices to property owners and occupants within 500-feet of the subject property. Staff also sent a notice to the Stonebridge Meadows Homeowners Association (HOA), which is the only HOA's or Neighborhood

Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program (*the Highridge Estates Homeowners Association [HOA] is listed on the notification map, but has not provided contact information*). Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received 25 returned notices from 24 property owners in opposition to the applicant's requests.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Specific Use Permit (SUP) for a *Restaurant, 2,000 SF or Less, with a Drive-Through/Drive-In* for the purpose of constructing a restaurant (*i.e. 7 Brew*), then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
 - (a) The development of the Subject Property shall generally conform to the Concept Plan as depicted in Exhibit 'B' of this ordinance.
 - (b) A minimum of a six (6) foot masonry wall (constructed with materials matching the primary structure) be constructed adjacent to the southern and western property lines. Mature canopy trees should be planted on 20-foot centers along the entire length of the wall.
 - (c) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive-through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street. Additional landscaping may also be required at the time of site plan at the corner of W. Bourne Street and S. Goliad Street to impair the visibility of headlights from the drive-through lane.
- (2) A Traffic Impact Analysis (TIA) shall be submitted and reviewed by the City of Rockwall prior to accepting a site plan application for the subject property.
- (3) Additional trees, bushes, and shrubs will be required at: [1] the corner of and along S. Goliad Street and W. Bourn Street; [2] adjacent to the masonry wall along the southern and western property boundaries (*i.e. adjacent to the residential adjacency*), and [3] south of the *restaurant ordering board*. These will be required to be shown on the landscape plan submitted with the site plan.
- (4) The approval of this Specific Use Permit (SUP) will waive the conditional land use standard stipulated by Subsection 02.02(F)(10)(a) of Article 04, *Permissible Uses*, of the Unified Development Code (UDC), stating that "(d)rive-through lanes shall not have access to a local residential street."
- (5) Any construction resulting from the approval of this zoning change shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.

PLANNING AND ZONING COMMISSION

On March 29, 2022, the Planning and Zoning Commission approved a motion to deny the request to table by a vote of 7-0. On March 29, 2022, the Planning and Zoning Commission approved a motion to recommend denial of the SUP by a vote of 7-0.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. _____

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

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

OTHER APPLICATION FEES:

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

NOTES:

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

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS

906 S Goliad St, Rockwall, TX

SUBDIVISION

Jack Canup Addition

LOT

1

BLOCK

B

GENERAL LOCATION

Goliad St & Brown St

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING

GR/PP-62

CURRENT USE

Vacant

PROPOSED ZONING

GR w/SUP

PROPOSED USE

Drive thru coffee

ACREAGE

1.13

LOTS [CURRENT]

1

LOTS [PROPOSED]

1

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

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

OWNER

ADLOR ENTERPRISES LLC

☒ APPLICANT

Jack Kurz - RSDAP, LLC

CONTACT PERSON

ALLEN ANDERSON

CONTACT PERSON

Jack Kurz

ADDRESS

1208 S. LAKE S. HIRE DR

ADDRESS

1510 N. Dallas Pkwy

CITY, STATE & ZIP

ROCKWALL, TX 75087

CITY, STATE & ZIP

Dallas, TX 75248

PHONE

214-538-2209

PHONE

(314) 578-8484

E-MAIL

AAINTX@MSN.COM

E-MAIL

jkurz@redskyholdings.com

NOTARY VERIFICATION [REQUIRED]

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

I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 215.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS 18th DAY OF February, 2022. 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 15 DAY OF February, 2022

OWNER'S SIGNATURE

Allen Anderson

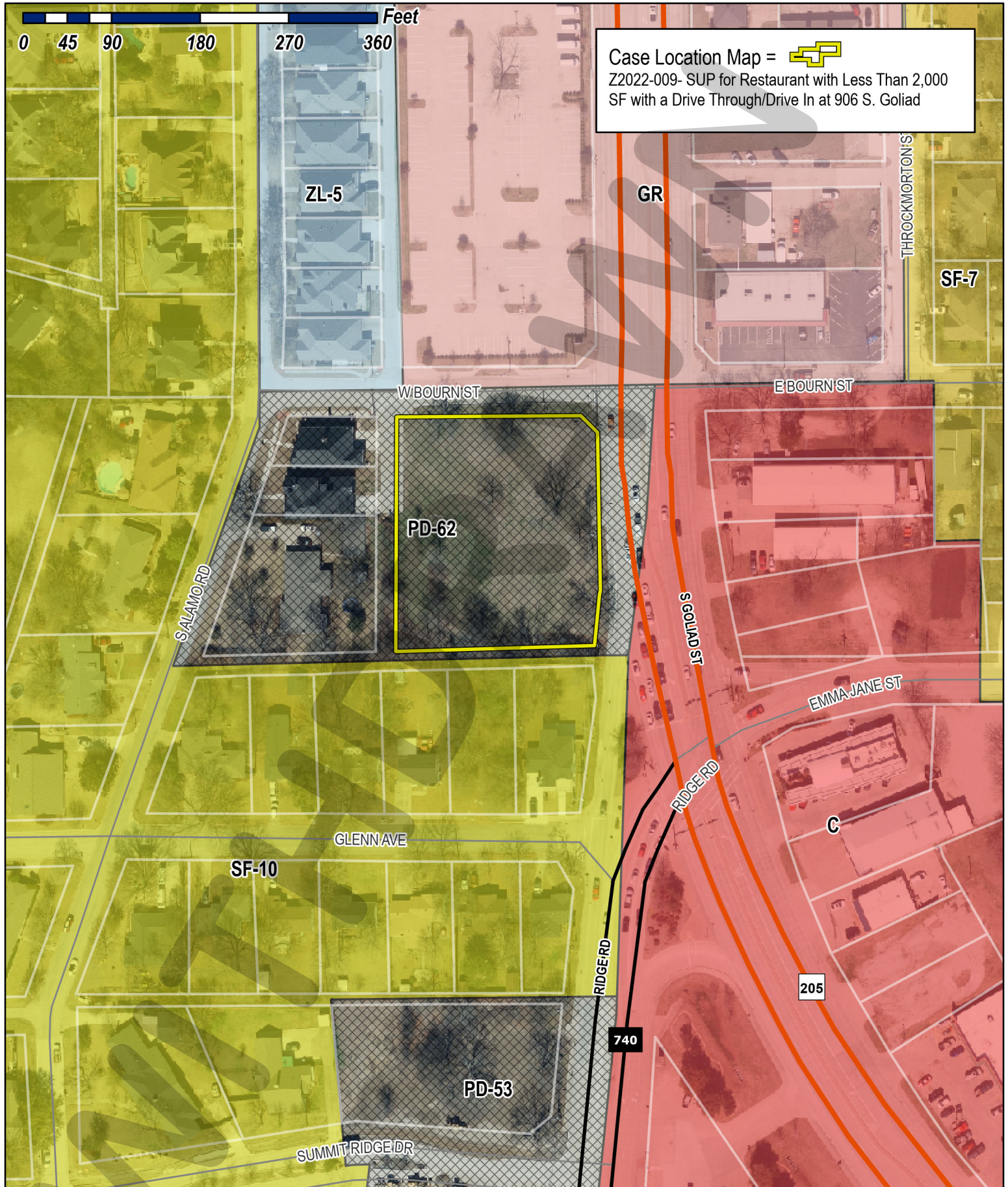
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS


Christine N. Brandy

MY COMMISSION EXPIRES

12/03/2023





Case Location Map = 
Z2022-009- SUP for Restaurant with Less Than 2,000
SF with a Drive Through/Drive In at 906 S. Goliad



City of Rockwall

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

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

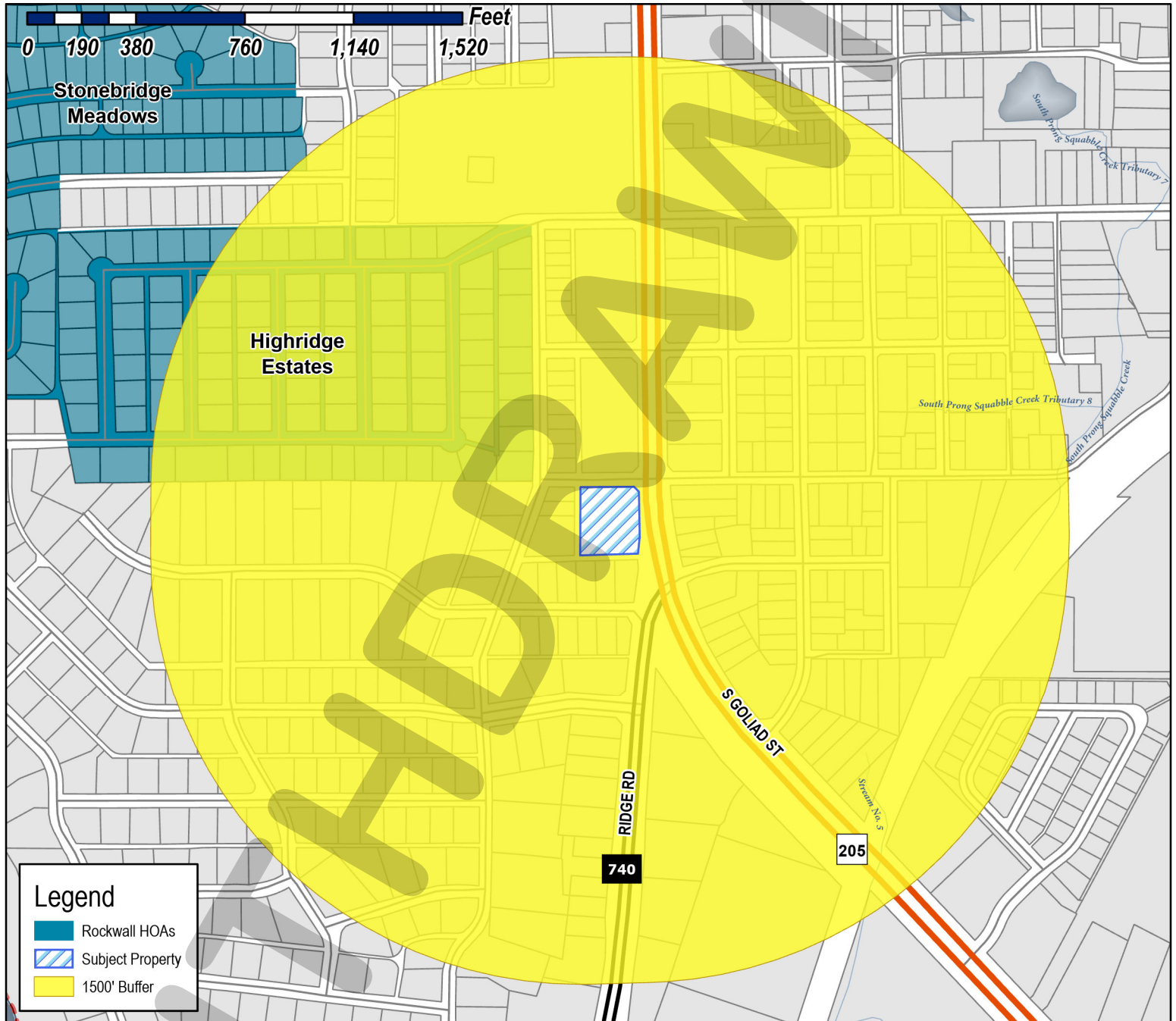




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Case Number: Z2022-009
Case Name: SUP for Restaurant with less than 2,000 SF w/ a Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



Lee, Henry

From: Gamez, Angelica
Sent: Wednesday, February 23, 2022 2:24 PM
Cc: Miller, Ryan; Ross, Bethany; Lee, Henry
Subject: Neighborhood Notification Program [Z2022-009]
Attachments: Public Notice (02.23.2022).pdf; HOA Map (02.18.2022).pdf

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on February 25, 2022. The Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

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

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

Z2022-009: SUP for Restaurant with Less than 2,000 SF with a Drive Through or Drive In

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

Thank you,

Angelica Gamez

Planning & Zoning Coordinator
City of Rockwall

972.771.7745 Office

972.772.6438 Direct

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

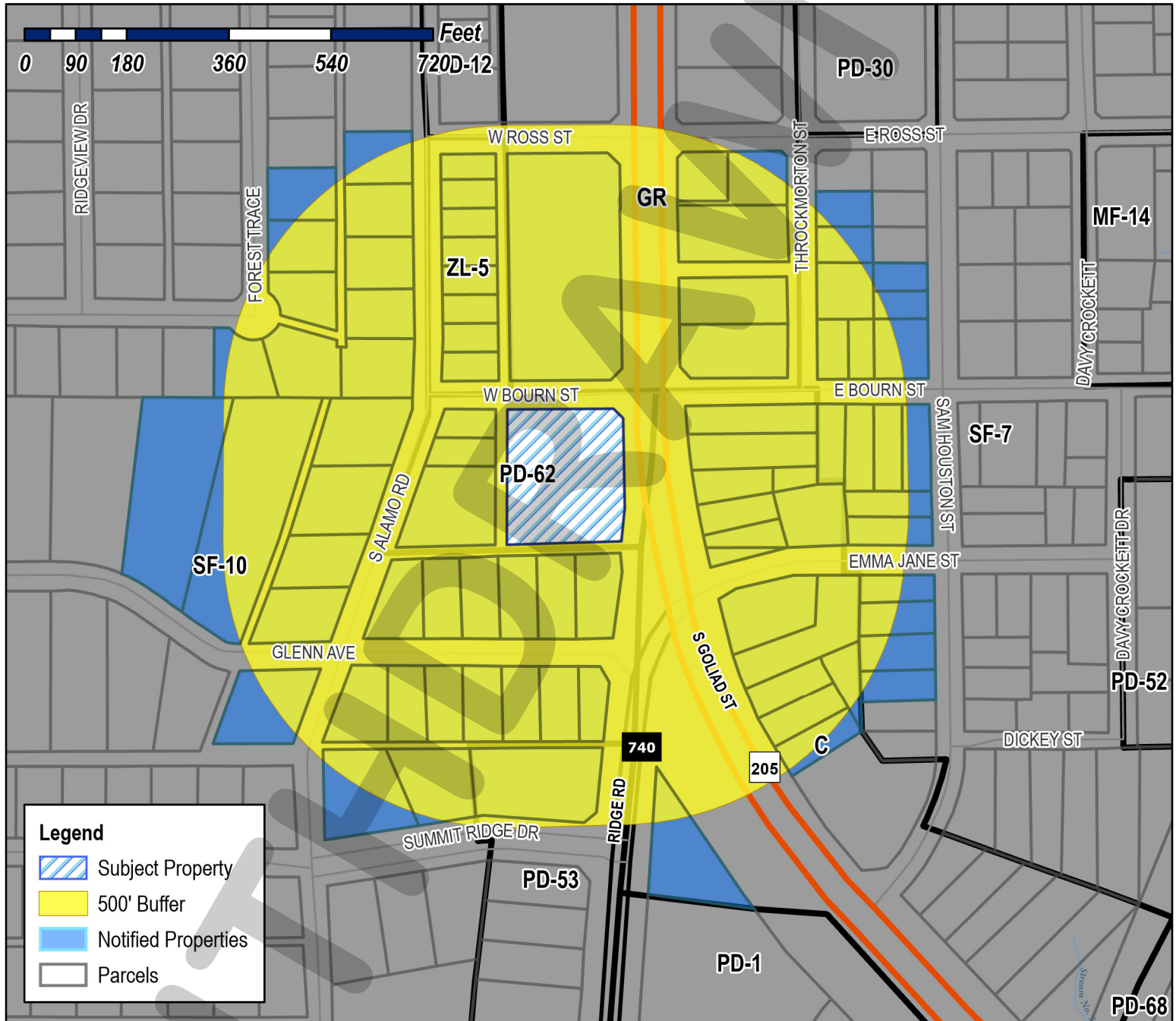
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Case Number: Z2022-009
Case Name: SUP for Restaurant less than 2,000 SF w/Drive Through/Drive In
Case Type: Zoning
Zoning: Planned Development District 62 (PD-62)
Case Address: 906 S. Goliad
Date Saved: 2/18/2022
For Questions on this Case Call (972) 771-7745



EDWARDS JASON
10 DANCING WATERS
ROCKWALL, TX 75032

RB CAPITAL LTD
1002 RIDGE RD
ROCKWALL, TX 75087

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

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

MALAVE BRENDA L
1006 SAM HOUSTON ST
ROCKWALL, TX 75087

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

EMMANUEL TABERNACLE CHURCH
1008 SAM HOUSTON
ROCKWALL, TX 75087

LIVAY LLC
1009 HOT SPRINGS DR
ALLEN, TX 75013

EFENEY WILLIAM M
1009 S GOLIAD
ROCKWALL, TX 75087

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1011 S GOLIAD ST
ROCKWALL, TX 75087

GEHRING CAROLYN S
101 GLENNAVE
ROCKWALL, TX 75087

CANGIANO COSIMO JEFFREY
102 GLENN AVE
ROCKWALL, TX 75089

ROHLF DAVID E
102 E ROSS AVE
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
104 GLENN AVE
ROCKWALL, TX 75087

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

SCOTT BILLIE JEAN
106 GLENN AVE
ROCKWALL, TX 75087

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

RICKERSON CHARLES AND VIRGINIA
108 GLENN AVE
ROCKWALL, TX 75087

CG HOLDINGS LLC
109 GLENN AVE
ROCKWALL, TX 75087

HOOVER JERRY H
110 GLENN AVE
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
1101 S ALAMO
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1101 S GOLIAD
ROCKWALL, TX 75087

NEWMAN JOANNA N
111 GLENN AVE
ROCKWALL, TX 75087

WILLIAMS KATHY S
112 GLENN AVE
ROCKWALL, TX 75087

ERVIN PROPERTIES LLC
1155 W WALL STREET SUITE 101
GRAPEVINE, TX 76051

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

ADLOR ENTERPRISES LLC
1208 S LAKESHORE DR
ROCKWALL, TX 75087

WILLIS VICTOR & PHUONG
14 KESWICK CT
HEATH, TX 75032

MICHAEL WAYNE ROGERS GST TRUST DATED
MAY 16TH, 2017
MICHAEL WAYNE ROGERS- TRUSTEE
1404 RIDGE ROAD
ROCKWALL, TX 75087

EFENEY WILLIAM M
1406 S LAKESHORE DR
ROCKWALL, TX 75087

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
1508 BROOKHOLLOW DRIVE
SANTA ANA, CA 92735

RICKERSON CHARLES AND VIRGINIA
1728 RIDGE RD
ROCKWALL, TX 75087

GEHRING CAROLYN S
1745 LAKE BREEZE DR
ROCKWALL, TX 75087

SCROGGS CHARLES E AND MARLA D
1748 BISON MEADOW LANE
HEATH, TX 75032

2011 TEMUNOVIC FAMILY TRUST
TINA TEMUNOVIC COX AND CVIJETA
TEMUNOVIC TRUSTEES
200S UMMIT RIDGE DR
ROCKWALL, TX 75087

GIBSON CHARLES D AND LINDSAY K
201 FOREST TRACE
ROCKWALL, TX 75087

BATRES MARIA DELL REFUGIO
202 BOURN STREET
ROCKWALL, TX 75087

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

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

MOTON R T
203 E BOURN ST
ROCKWALL, TX 75087

STOVALL RAYMOND P
203 FOREST TRACE
ROCKWALL, TX 75087

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

CHANHMISAY KESONE & SYAMPHAY
204 GLENN AVE
ROCKWALL, TX 75087

MIMS KATHY
206 E BOURN ST
ROCKWALL, TX 75087

U S GOVERNMENT HOUSING
206-207EMMA JANE ST
ROCKWALL, TX 75087

HECKARD ALLEN
207 BOURN AVE
ROCKWALL, TX 75087

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

LIU HOWARD HEYUN
208 EMMA JANE ST
ROCKWALL, TX 75087

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

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

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

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

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

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

CG HOLDINGS LLC
4 SUNSET TR
HEATH, TX 75032

SCOTT BILLIE JEAN
4 SUNSET TRAIL
HEATH, TX 75032

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

LIU HOWARD HEYUN
4577 JAGUAR DR
PLANO, TX 75024

HECKARD ALLEN
4906 FREEMAN DR
ROWLETT, TX 75088

FIRST BAPTIST CHURCH OF ROCKWALL
610 S GOLIAD ST
ROCKWALL, TX 75087

DELGADILLO VICTORIA E
6104 LYNDON B JOHNSON FREEWAY APT#2502
DALLAS, TX 75240

BRYANT KRISTI & BRENT
710 S ALAMO ROAD
ROCKWALL, TX 75087

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

HILLMAN DORIANN E
713 FOREST TRACE
ROCKWALL, TX 75087

DELBOSQUE ROLOLFO & LORENA P
715 FOREST TRCE
ROCKWALL, TX 75087

EMMANUEL TABERNACLE CHURCH
7903 FERGUSON RD
DALLAS, TX 75228

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

DELGADILLO VICTORIA E
801 S GOLIAD
ROCKWALL, TX 75087

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

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

DANIELS ANNIE L
803 THROCKMORTON ST
ROCKWALL, TX 75087

BRYANT KRISTI & BRENT
804 S ALAMO DR
ROCKWALL, TX 75087

LOTT JOHN DOUGLAS AND CYNTHIA
805 S ALAMO RD
ROCKWALL, TX 75087

ESTATE OF FRANKIE MAE ALLEN
805 THROCKMORTON
ROCKWALL, TX 75087

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

PROGRESS RESIDENTIAL BORROWER 16 LLC
806 SAM HOUSTON ST
ROCKWALL, TX 75087

MCCAMPBELL CHARLES C & PATRICIA S
807 S ALAMO RD
ROCKWALL, TX 75087

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

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

SFR JV-1 2021-1 BORROWER LLC
C/O. TRICON AMERICAN HOMES LLC
808 SAM HOUSTON ST
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP
809 ALAMO RD
ROCKWALL, TX 75087

LIVAY LLC
809 S GOLIAD
ROCKWALL, TX 75087

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

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

EDWARDS JASON
811 S GOLIAD
ROCKWALL, TX 75087

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

RAMSEY JUDY LYNN
815 S ALAMO RD
ROCKWALL, TX 75087

HERNANDEZ ALMA VELIA
815 THROCKMORTON ST
ROCKWALL, TX 75087

BRUNNER WILLIAM E & MARGIE L
895 S ALAMO ROAD
ROCKWALL, TX 75087

THOMPSON JAMES LARRY AND SUSAN PRICE
901 S ALAMO RD
ROCKWALL, TX 75087

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

WALKER TOM H & SUE ANN
902 LAKE MEADOWS DR
ROCKWALL, TX 75087

ANDREWS VIRGINIA
902 S ALAMO
ROCKWALL, TX 75087

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

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

GATES TED AND SARAH
904 S ALAMO ROAD
ROCKWALL, TX 75087

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

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

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

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

STATE OF TEXAS
907 S GOLIAD
ROCKWALL, TX 75087

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

RUPPERT WILLIAM ET UX
9531 RIVERTON ROAD
DALLAS, TX 75218

ROHLF DAVID E
PO BOX 1137
ROCKWALL, TX 75087

ANDREWS VIRGINIA
PO BOX 254
REPUBLIC, MO 65738

PROGRESS RESIDENTIAL BORROWER 16 LLC
PO BOX 4090
SCOTTSDALE, AZ 85261

D&A REAL ESTATE PARTNERS LTD
PO BOX 850
ROCKWALL, TX 75087

PUBLIC NOTICE



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

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

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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

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

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Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

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Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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- ☐ 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

From: [Dusty Howard](#)
To: [Planning](#)
Subject: Case No. Z2022-009
Date: Friday, March 18, 2022 4:20:20 PM

Dear Planning Dept of Rockwall,
In response to the Rezoning request of 906 S. Goliad...

I am strongly opposed to the request for the reasons listed below:

Please do NOT allow for the Rezoning of 906 S. Goliad. This property is too close to the 205-Ridge intersection and would cause even more problems. We live at 103 Glenn Ave and witness MVCs on a regular basis at that intersection. Also by placing a restaurant in that location it would increase commercial traffic in a residential area where children play in the streets on a daily basis. Traffic would increase down the previously quiet residential streets of Summit Ridge, Bourn St, Glenn Ave, and Alamo Rd. Due to the location of the property on Ridge Rd and 205, the traffic in that exact area is frequently congested and alternate routes would be used through the residential streets to get to that location. This would not be beneficial to our quiet neighborhood streets. The traffic at that intersection is already an issue. Having a restaurant with a drive-through would also add unwanted noise and light pollution in the surrounding residential area. Please leave this property Zoned as residential.

Thanks,
Dusty Howard
103 Glenn Ave, Rockwall, TX 75087

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PUBLIC NOTICE



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

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

Name: WILLIAM RUPPERT - DALLAS 75218
Address: 104 GLENN - ROCKWALL ADDRESS

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I am protesting the construction of the restaurant case # Z2022-009 due to the fact it is a residential area. It would highly increase the already high volume of traffic and accidents in the section.

Name: BARBARA McFarlin

Address: 105 Glenn Ave Rockwall 75087

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

Ph: 972.771.7745
Email: planning@rockwall.com

Re: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

I am **OPPOSED** to the Fast food/drink restaurant being proposed at the above address and I ask that this be denied with prejudice for the following reasons:

1. **THIS HAS ALREADY BEEN DECIDED.** Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street. P & Z recommended denying this exact SUP and City Council unanimously rejected it for the obvious reasons that it is not a good place for a drive-through food/drink restaurant. Nothing has changed since about the property or the neighborhood since this was decided that now makes it conducive for one of these locations.

2. **DENSITY.** There is already a high density of drive thru dining and coffee facilities in the Rockwall area that are appropriately located around shopping centers, highway corridors and commercial areas. There is no need for one in the established residential part of town.

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

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

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5. **EARLY/LATE OPERATING HOURS.** Seven Brew Drive Thru Coffee is a food/drink restaurant is known for its long operating hours. These locations are typically open from 5:30 a.m. to 10:00 p.m. The bright lights, noises, and traffic will violate the residents right to quiet enjoyment of their homes.

6. **INCREASE IN CRIME.** Fast food restaurants increase crime. Just see this article in Newsweek: "How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals" published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late

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

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Sincerely,

Barbara McFarlin
105 Glen Ave
Rockwall TX 75087

PUBLIC NOTICE



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

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Please place a check mark on the appropriate line below:

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

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

Name:

Chris Knox / CG Holdings LLC

Address:

106 Glenn Ave Rockwall

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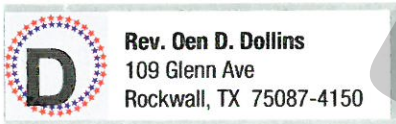
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Sincerely,

I agree!



Den D Dollins

469-750-4774

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

Please place a check mark on the appropriate line below:

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

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

Traffic on Goliad is so heavy! Also lots of traffic coming from South Ridge near there has also increased in last 5-7 years. *increased!*

Name: Barbara J. Pfennig

Address: 107 Glenn Ave., Rockwall, TX (property address, not for mail.)

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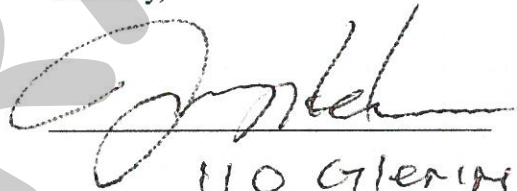
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Sincerely,



110 Glenview Ave
Rockwall, TX
75087

From: Scott and Michelle McNary <themcnarys@yahoo.com>
Sent: Wednesday, March 23, 2022 9:47 AM
To: Planning; Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Macalik, Dana; Campbell, Anna; Jorif, Clarence; Johannesen, Trace
Subject: Case No: Z2022-000

Good morning!

I'm writing to you in regards to the SUP for Restaurant at 906 S. Goliad Street.

I live at 113 Glenn Ave. We moved here in 2006. We love the neighborhood, the mature trees, our neighbors. Our house is small and when my husband and I purchased it, it was just the 2 of us. We now have twin boys and have honestly outgrown our house, but because of our love for our house, it's location, and our neighbors, we have decided to stay put.

Please, please, please take a moment to consider the reasons that follow as to why putting a drive through restaurant in this location would be detrimental to our neighborhood.

1 - CRIME: Fast food restaurants increase crime. In the article <https://www.newsweek.com/fast-food-drive-thru-bank-arrest-felony-lane-sting-fbi-restaurants-security-1376132> published 2 years ago it details how crime increases around such operations.

2 - PROPERTY VALUE: No one will want to live near this restaurant. The noise, traffic, light and sound pollutions and increased crime will make it difficult to rent properties or to sell homes.

3 - INCREASE IN TRASH - Fast food restaurants produce trash and bring in rodents and bugs. There is cups, bags, paper, lids, straws. Because this establishment will back RIGHT UP to property lines and fences, it doesn't take a scientist to figure out where that wind blown trash will end up.

4 - TRAFFIC - The proposed drive-thru locations is right where 205 and Ridge Road splits. The area is already congested on its best days. There are many cars in the southbound right lane preparing to split off from 205 to Ridge. It will be extremely difficult to pull out into the lanes of traffic and will be virtually impossible to make a left hand turn. Living here as long as we have, we have heard countless accidents as they happen and have seen the traffic build up in our neighborhood to avoid the accidents. Adding yet another business in this already congested area is only going to increase this likelihood.

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

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

6 - HOURS OF OPERATION: The Seven Brews Drive Thru Coffee has operating hours from 5:30 am to 10:00 pm. The lights, noises, traffic, will violate the rights of the residents to enjoy the quiet of their homes.

7 - DENSITY - Rockwall has a lot of drive thru coffee and dining facilities. They are all appropriately located near shopping centers, off the highways, and in commercially zoned areas. We don't need one in a neighborhood.

8 - THIS HAS ALREADY BEEN DECLINED - A few years ago, this same situation came up at the same location. Our street showed up at your city council meeting to protest this and you heard our pleas. Nothing has changed about this property or the neighborhood around it since then.

We love our neighborhood. Please don't change it for something that won't add value to its charm. Adding this drive thru will only take away.

Thank you for taking the time to hear what we think are valid points as to reject the proposal for this restaurant.

Sincerely,

Scott, Michelle, Wes and Sam McNary

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

Ph: 972.771.7745
Email: planning@rockwall.com

Re: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

I am **OPPOSED** to the Fast food/drink restaurant being proposed at the above address and I ask that this be denied **with prejudice** for the following reasons:

1. THIS HAS ALREADY BEEN DECIDED. Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street. P & Z recommended denying this exact SUP and City Council unanimously rejected it for the obvious reasons that it is not a good place for a drive-through food/drink restaurant. Nothing has changed since about the property or the neighborhood since this was decided that now makes it conducive for one of these locations.

2. DENSITY. There is already a high density of drive thru dining and coffee facilities in the Rockwall area that are appropriately located around shopping centers, highway corridors and commercial areas. There is no need for one in the established residential part of town.

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

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

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

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

5. EARLY/LATE OPERATING HOURS. Seven Brew Drive Thru Coffee is a food/drink restaurant is known for its long operating hours. These locations are typically open from 5:30 a.m. to 10:00 p.m. The bright lights, noises, and traffic will violate the residents right to quiet enjoyment of their homes.

6. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: "How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals" published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late

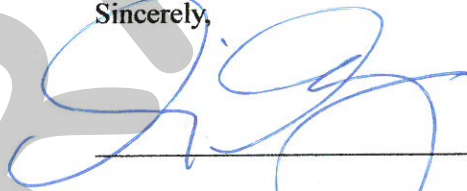
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7. INCREASE IN TRASH. Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Fast food/drink restaurant property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

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

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

Sincerely,



113 Glenn Ave

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

Ph: 972.771.7745
Email: planning@rockwall.com

Re: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

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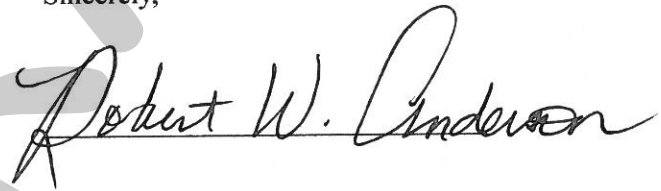
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Sincerely,

A handwritten signature in black ink that reads "Robert W. Anderson". The signature is written in a cursive style with a horizontal line underneath the name.

PUBLIC NOTICE



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

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

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

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, March 15, 2022 at 6:00 PM, and the City Council will hold a public hearing on Monday, March 21, 2022 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Monday, March 21, 2022 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning

USE THIS QR CODE
TO GO DIRECTLY
TO THE WEBSITE



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

PLEASE RETURN THE BELOW FORM

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

Use is too intense in close proximity to residential.
One concept plan shows entrance too close to homes
Intense use so close to major intersection

Name: Mary Smith
Address: 711 Forest Trace 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

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

We are opposed to the restaurant for these reasons: Traffic is already a problem on Gourn, and especially Alamo due to the increase on Ioliad. Although a coffee shop isn't as bad as a fast place, it's still a restaurant with trash, noise, and people.

Name:

RONNIE AND BARBARA WATSON

Address:

801 S. ALAMO

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

Lee, Henry

From: Ryan Kelly <rkelly120881@gmail.com>
Sent: Tuesday, March 15, 2022 11:50 AM
To: Planning
Subject: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

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

I am **OPPOSED** to the Fast food/drink restaurant being proposed at the above address and I ask that this be denied with prejudice for the following reasons:

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3. **TRAFFIC.** The proposed drive-thru location is right where 205 and Ridge Road splits. This area is already congested. There are many cars in the southbound right-hand lane preparing to split off from 205 to Ridge Road and many more merging into this lane from the center lane at this spot. It will be extremely difficult (and sometimes impossible) to pull out into this traffic southbound and to virtually impossible turn left into this traffic to go northbound. Putting a busy fast food/drink restaurant at this location will result in: a. an increase in car accidents, injuries and fatalities; b. an increase in traffic on 205, S. Alamo and other surrounding neighborhood roads, and; c. a diversion of restaurant traffic onto S. Alamo (a residential street) as a cut through street to access and leave the fast food/drink restaurant. To get back onto 205 or Ridge Road, restaurant customers will either have to take S. Alamo to Boydston and use the red light to pull back out onto 205 or drive down S. Alamo to Summit Ridge to pull out on Ridge Road. The restaurant knows this too - which is why they are planning to build the fast food/drink restaurant facing the church drive and have the drive-through exit onto W Bourn Street (a residential street) - backing right up to residents' back yards.

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7. **INCREASE IN TRASH.** Fast food restaurants produce trash. Cups, bags paper, plastic lids and straws will be thrown around the restaurant and into the surrounding neighborhood. Wind will also blow this trash off the Fast food/drink restaurant property and into people's yards. The smell will also carry into the neighborhood making for an unpleasant bbq, walk, or any outdoor activity.

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

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

Sincerely,
Ryan & Lacey Kelly
808 S Alamo Rd Rockwall TX 75087

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Lee, Henry

From: Chris <ccbran@gmail.com>
Sent: Monday, March 21, 2022 1:37 PM
To: Planning
Cc: Melanie
Subject: Case No. Z2022-009 SUP

To Whom It May Concern,

We are opposed to Case No. Z2022-009 SUP for a Restaurant with a Drive-Through/Drive-In.

My wife and I are opposed to this permit. A 'drive-through/drive-in' restaurant will invariably create more unnecessary traffic through an already developed and established neighborhood. Trying to get on Goliad/Ridge Rd from West Bourn Street (or vice versa) is already unbearable, especially since there is no traffic light there. There is no way that area could support a parade of cars throughout the day without making South Alamo Road a main thoroughfare for the business. As a homeowner with a family, I'm opposed to the zoning change for anything that will greatly increase traffic throughout our neighborhood and create more traffic congestion at the Ridge Rd and Goliad intersection. In addition, it is my understanding, that if the zoning change is approved for that lot, there will be no future safeguard for our neighborhood in the event a future restaurant is erected, with even more adverse effects (later hours, noise, pollution, traffic, lines of cars), similar to our arguments opposing Taco Bell's permit.

Sincerely,

Chris & Melanie Brannon
810 S. Alamo Rd
Rockwall, TX 75087

(469) 951-9233

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

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Director of Planning & Zoning

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Please place a check mark on the appropriate line below:

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

This location is too close to split of 205 & 740 = nightmare
1. Property values would plummet & selling would be very difficult. 2. Most residents are retired. 3. The drive thru would move traffic to access the alley, so our privacy and safety would be negatively impacted. 4. Traffic would increase exponentially in our residential neighborhood. 5. Traffic noise would disturb our peace. 6. Lighting may affect the homeowners living next to it. 7. Litter would be prevalent. 8. The dumpster would be a risk with putrid food, attracting rats & stray animals.
Name: Mike & Debbie Shields
Address: 811 S. Alamo Rd.

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

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

- We do not want a Restaurant in our back Yard.
- There ARE homes on 2 sides of this Property.
- The city would have to put in A traffic Light @ Bourn & Goliad.

Name: Chuck Scroggs

Address: 813 S. Alamo

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THE CONCEPTUAL SITE PLANS SHOW ENTRANCE / EXIT TO BUSINESS ON W. BOURN ST.
PEOPLE VISITING THIS BUSINESS WILL USE THESE TO ACCESS BUSINESS BY COMING THROUGH OUR
RESIDENTIAL AREA ON ALAMO RD. - DANGEROUS TO CHILDREN ON BIKES, WALKERS, DOG WALKERS.
SOUTH ALAMO HAS VERY FEW SIDEWALKS; STREET USED BY PEDESTRIANS, PLEASE NO!
TRAFFIC ON SOUTH ALAMO WILL ENCOURAGE USING SOUTH ALAMO RD.

Name: JUDY L. RAMSEY

Address: 815 SOUTH ALAMO RD. 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.

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

Ph: 972.771.7745
Email: planning@rockwall.com

Re: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

I am **OPPOSED** to the Fast food/drink restaurant being proposed at the above address and I ask that this be denied **with prejudice** for the following reasons:

1. THIS HAS ALREADY BEEN DECIDED. Case No. Z2020-035: SUP for Restaurant at 906 S. Goliad Street. P & Z recommended denying this exact SUP and City Council unanimously rejected it for the obvious reasons that it is not a good place for a drive-through food/drink restaurant. Nothing has changed since about the property or the neighborhood since this was decided that now makes it conducive for one of these locations.

2. DENSITY. There is already a high density of drive thru dining and coffee facilities in the Rockwall area that are appropriately located around shopping centers, highway corridors and commercial areas. There is no need for one in the established residential part of town.

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

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

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

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

5. EARLY/LATE OPERATING HOURS. Seven Brew Drive Thru Coffee is a food/drink restaurant is known for its long operating hours. These locations are typically open from 5:30 a.m. to 10:00 p.m. The bright lights, noises, and traffic will violate the residents right to quiet enjoyment of their homes.

6. INCREASE IN CRIME. Fast food restaurants increase crime. Just see this article in Newsweek: "How America's Drive-Thrus Serve Robbers, Drug Dealers and Other Criminals" published on April 27, 2019. There are countless other sources confirming the increase in crime - especially for the late

night restaurants such as Fast food/drink restaurant. This restaurant will only invite these kinds of people into our neighborhood.

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

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

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

Sincerely,

Judy Lynn Ramsey

815 South Alamo Rd
Rockwall, Tx
75087

Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

Please place a check mark on the appropriate line below:

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

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

TRAFFIC is ALREADY A problem off BOURN
to 205/ GOLIAD. IT WILL ALSO HAVE MORE TRAFFIC
ON OUR Neighborhood STREETS. MAYBE A TRAFFIC study
IS NEEDED!

Name: William & MARGIE BRUNNER

Address: 895 S. ALAMO

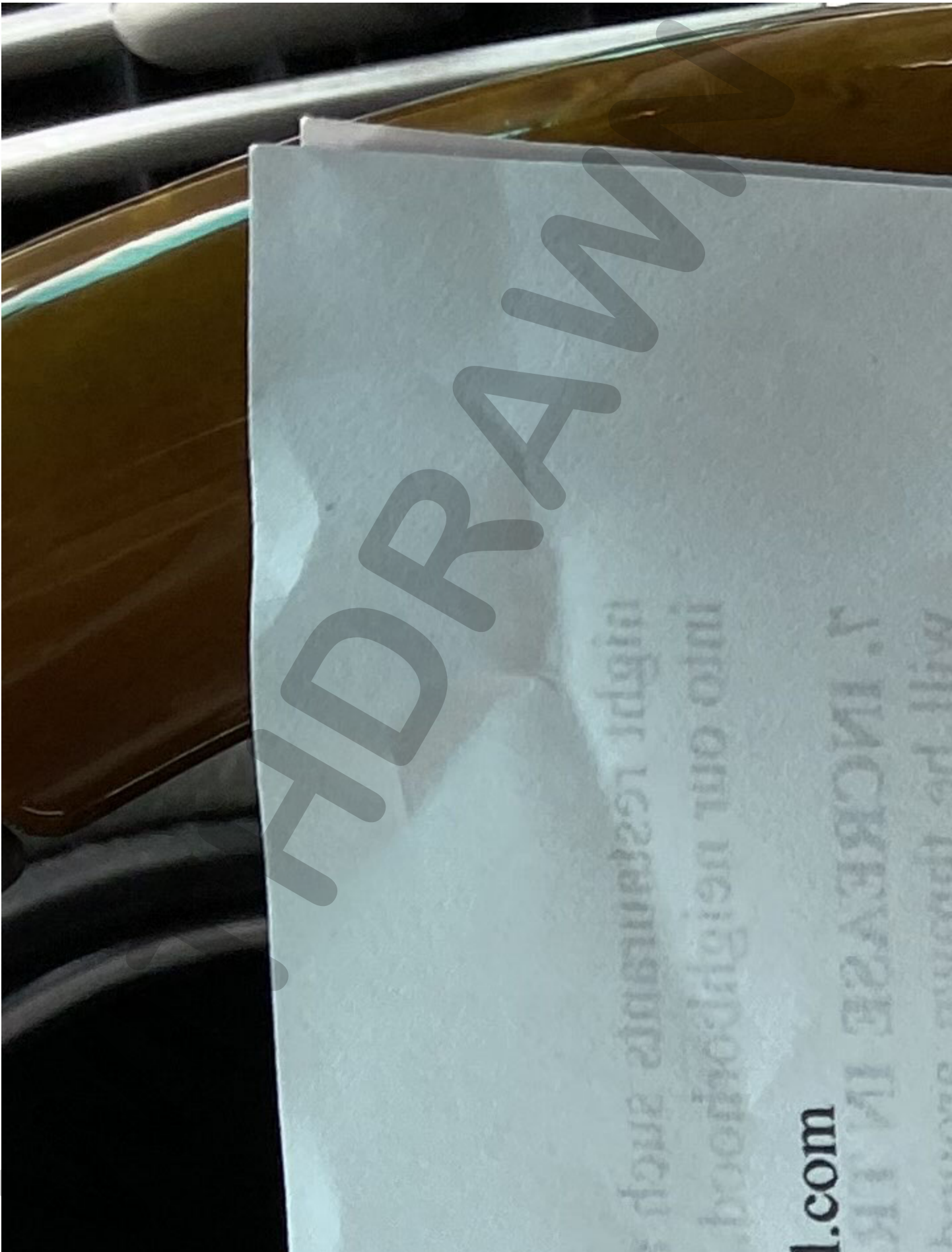
Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written 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

Lee, Henry

From: Beth Roether <bethielu4@gmail.com>
Sent: Tuesday, March 29, 2022 4:04 PM
To: Planning
Cc: Campbell, Anna; Daniels, Bennie; Jorif, Clarence; Macalik, Dana; Hohenshelt, John; Fowler, Kevin; Johannesen, Trace
Subject: Opposition to drive-thru restaurant in my backyard
Attachments: image_67159297.JPG; image_67191809.JPG



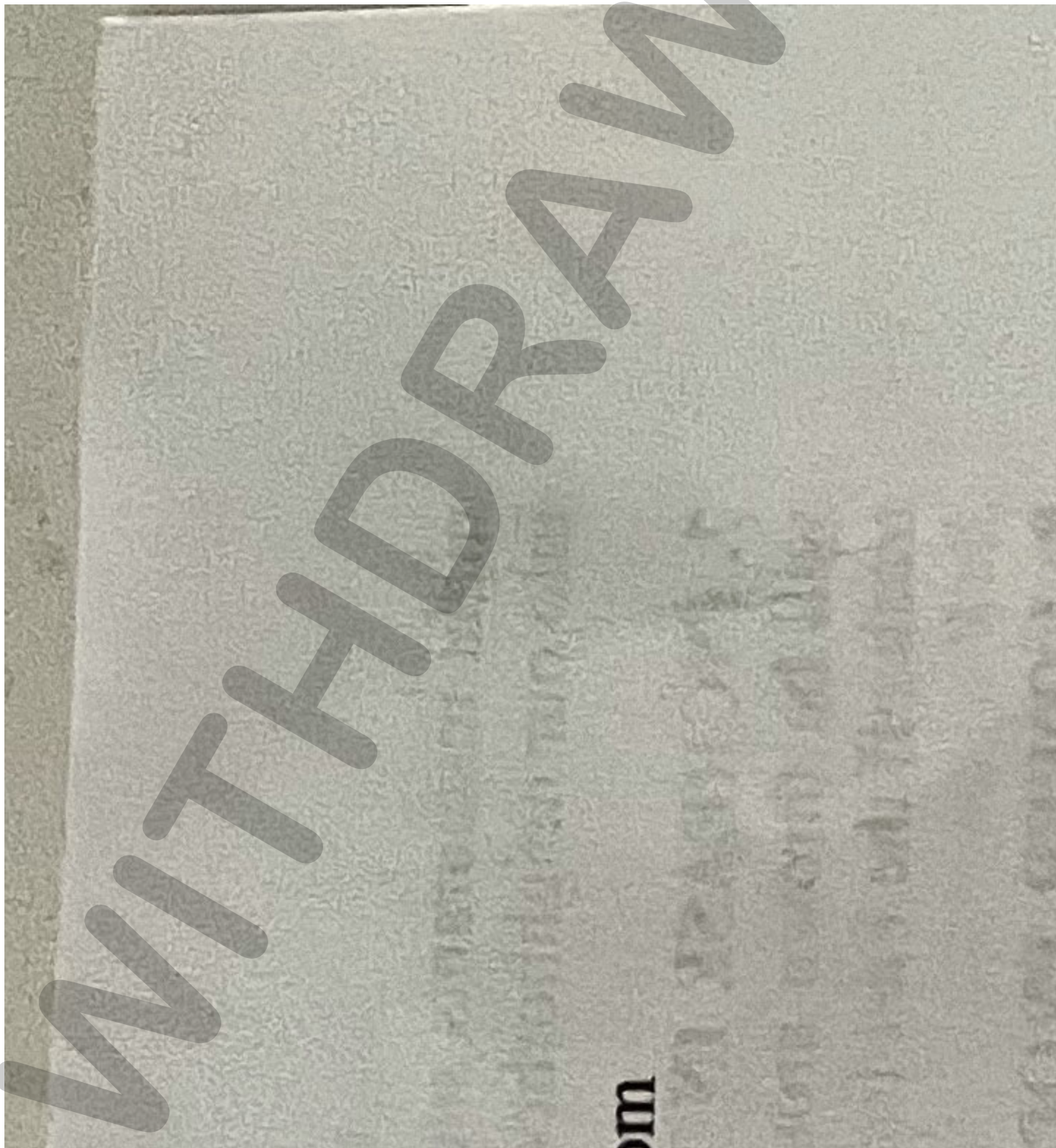


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Lee, Henry

From: sarah bigham <sarah.bigham@outlook.com>
Sent: Wednesday, March 23, 2022 7:55 PM
To: Planning
Subject: Case z2022-009



Write these kinds of people

er, plastic lids and straws
Wind will also blow this

Sent from my iPhone

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Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

*would cause too much traffic
on a residential street.*

Name:

Charlotte Bristow

Address:

908 S. Alamo Rd, Rockwall, TX 75087

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

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

From: Dawn Scroggs <dawn@canddcommercial.com>
Sent: Wednesday, March 23, 2022 2:05 PM
To: Daniels, Bennie; johnhohenshelt@rjockwall.com; Fowler, Kevin; clarence.jorif@rockwall.com; Johannesen, Trace
Cc: Planning
Subject: CASE NO Z2022-000: SUP FOR RESTAURANT at 906 S. GOLIAD

TO PLANNING AND ZONING COMMITTEE:

WE STRONGLY OBJECT ONCE AGAIN TO ANY DRIVE THROUGH IN THIS LOCATION.

As a homeowner at 913 S Alamo, I am sending my opposition once again to allow any drive through at this location. We as homeowners are objecting for the same reasons as 2 years ago for the following:

Traffic, crime, light pollution, noise, late night operations, disruption of a peaceful neighborhood that was well established.

WE ALL BOUGHT ON THIS STREET BECAUSE IT IS A QUIET AND PEACEFUL NEIGHBORHOOD.

Why do we have to be constantly fighting the planning and zoning on this location when we have voiced these same concerns before and it was voted down by the majority. The zoning needs to remain the same and the P and Z should know and do what is in our best interest of the citizens (not the interest of one man who desperately wants to sell his property at our cost!)

Please vote this down once and for all.

Sincerely,

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

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Case No. Z2022-009: SUP for a Restaurant Less Than 2,000 SF with a Drive Through /Drive In

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.

This is definitely not a site for a restaurant and/or coffee shop. It is one of the most congested traffic areas in Rockwall. The intersection where the 205+ Ridge Road merge down heading North. Additionally homes behind are zero lot lines and traffic would be diverted to Alamo Rd - a narrow residential street. NO!!

Name: Millic Trevino

Address: 1004 S. Alamo Rd, 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.

* Additionally there are already numerous coffee shops in Rockwall - w/ Starbucks, Peets, Panera, etc. etc. NO!

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

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

Ph: 972.771.7745
Email: planning@rockwall.com

Re: Case No. Z2022-009: SUP for Restaurant at 906 S. Goliad Street.

I am **OPPOSED** to the Fast food/drink restaurant being proposed at the above address and I ask that this be denied **with prejudice** for the following reasons:

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

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

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

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Sincerely,

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

Drive-Thru Restaurant Proposed in Our Neighborhood

Case No. Z2022-000: SUP for Restaurant at 906 s. Goliad Street.

Dear Neighborhood Resident,

As you may be aware, there is another drive thru being proposed in our neighborhood. This is the same owner who unsuccessfully tried to get a Taco Bell put in next to our houses. Last time, we were able to send in our opposition letters and voice our opposition at the P & Z and City Council meetings and it was voted down unanimously. Well, this owner is at it again with another drive thru. This time it is a fast food style coffee and smoothie restaurant. From their website, it looks like most locations have 2-4 drive thru lanes to handle a large volume of traffic. This location can become any kind of fast food if the SUP is approved. It will be located at 906 S Goliad. It will be turned sideways on the property so that the entrance and exit are on Bourn street between the First Baptist Church on the north and residential houses on the west and south sides of the property. The drive through lane and dumpster will be literally tens of feet from some of our back yards.

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

Because current zoning does not allow for a fast food restaurant so close to homes, the owner is applying for a special use permit - basically allowing an exception for a drive-thru to be built in our neighborhood.

Here is how we must oppose:

1. Write the Planning and Zoning Committee opposing the special use permit.
2. Attend the Planning and Zoning hearing on this matter on **Tuesday, March 29** at 6:00 pm at City Hall and voice your opposition.
3. Write the Rockwall City Council members opposing the special use permit.
4. Attend the Rockwall City Council hearing on this matter on **Monday, April 4**, at 6:00 pm and voice your opposition.

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

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

Please help us fight this and keep our neighborhood livable.

Sincerely,

Justin Scroggs

Lee, Henry

From: Kandice Reed <kandice@kandicereed.com>
Sent: Tuesday, March 29, 2022 10:16 PM
To: Planning
Subject: Case Number - Z2022-000 SUP for restaurant at 906 S. Goliad Street

To whom it may concern/Ryan Miller,

Attached is the letter with my arguments against the drive-through.

Please consider this letter me opposing the fast food/drink restaurant.

Kandice Reed
214-524-3261

45

wall.com

invite these kinds of people

paper, plastic lids and straws

1. Wind will also blow this

restaurant. The noise, trash,
lower the property values of
the houses

--

[Texas Law requires all real estate licensees to give the following Information About Brokerage Services:](#)

[Texas Real Estate Commission Information About Brokerage Services](#)

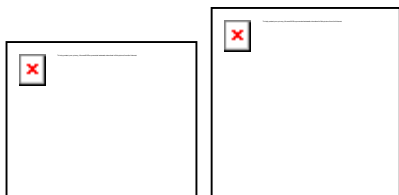
Texas Real Estate Commission Consumer Protection Notice

Kandice Reed, Broker

REALTOR®, TRLS

Reed Real Estate

214-524-3261 (call or text)



www.ReadytoBuyaTexasHome.com

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Lee, Henry

From: Stefany M. Clark <sclark@homebanktx.com>
Sent: Friday, March 25, 2022 9:04 AM
To: Planning; Daniels, Bennie; Hohenshelt, John; Fowler, Kevin; Macalik, Dana; Campbell, Anna; Jorif, Clarence; Johannesen, Trace
Subject: Case # Z2022-000: SUP for Restaurant at 906 s Goliad Street
Attachments: DOC032522-03252022084735.pdf

Thank you

Stefany Clark
Teller/ New Accounts
Homebank TX
3637 N Buckner Blvd
Dallas TX 75228
214-328-2736
sclark@homebanktx.com

-----Original Message-----

From: Buckner Scanner <scanner@homebanktx.com>
Sent: Friday, March 25, 2022 8:48 AM
To: Stefany M. Clark <sclark@homebanktx.com>
Subject: Send data from MFP12015059 03/25/2022 08:47

Caution: This is a an external email. Please make sure you have confirmed the sender before opening the attachment or clicking on the link. Always confirm you sender request when in doubt or contact your Homebank IT Department.

Scanned from MFP12015059
Date:03/25/2022 08:47
Pages:2
Resolution:200x200 DPI

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provide personal or financial information via unsecured e-mail. Please report to us any suspicious e-mails you receive claiming to be HomeBank Texas and requesting personal or financial information.

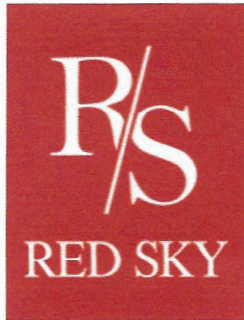
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ExchangeDefender Message Security: Click below to verify authenticity

<https://verify.exchangedefender.com/verify.php?id=22PE3iFH029941&from=sclark@homebanktx.com>

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RSDGP, LLC
15110 N Dallas Pkwy
Ste. 440
Dallas, TX 75248

Dear City of Rockwall,

RSDGP is applying for a specific use permit to develop a drive-through concept located at the address of 906 S Goliad St. The development plan is designed to develop the site for 7Brew Coffee. 7Brew Coffee is a new coffee concept in the Dallas area.

RSDGP is applying for a specific use permit because the site is currently in the PD-62 district which is a subsection of the GR, General Retail, district. The 7Brew concept is a 510 SF building with a drive-through. This conceptual development plan would be considered a "restaurant with less than 2,000 SF with Drive-Through or Drive-In". This use requires a specific use permit in the GR zoning district.

In order for the development plan to take place, the first item that needs to be addressed is applying and acquiring a SUP. RSDGP believes that a drive-through coffee concept located at 906 S Goliad St would benefit the local neighborhoods and the city of Rockwall. The site is located at the Ridge Rd and Goliad St split which is why a drive-through coffee concept makes sense in this part of Rockwall. People leaving their homes, heading towards the retail corridor and businesses along I-30 will have an ideal morning coffee stop. RSDGP believes 7Brew will bring positive business and added aesthetic development to the nearby neighborhoods.

Sincerely,

Jack Kurz
Development Manager
E: jkurz@redskyholdings.com
C: (314) 578-8484

Legal Description

JACK CANUP ADDITION, BLOCK B, LOT 1, ACRES 1.1308

PLAT OF SURVEY

BOURN STREET

50' R.O.W. PER PLAT

S 89° 35' 59" E 192.07'

CURB

GAS LINE
MARKER

1/2" IRF

15' B.L.

1/2" CHISEL
IN CONCRETE

LOT 1

CONCRETE ALLEY

237.47'

N 0° 13' 53" E

20' ALLEY R.O.W. PER PLAT

LOT 2

BLOCK A

LOT 3

1.13 ACRES
49258 S.F.

LOT 1
BLOCK B

15' B.L.

OVERHEAD ELEC LINES

CONC WALK S 0° 23' 37" W 210.73'

CURB

S. GOLIAD STREET

5' ALLEY R.O.W. PER PLAT S 88° 32' 58" W 211.05'
10' ALLEY R.O.W. PER PLAT

1/2" IRF

1/2" IRF

LOT 3

LOT 4

LOT 5

LOT 6

LAWHORN & WILLIAMS ADDITION
VOL. 46. PG. 209

SURVEY ACCEPTED BY

DATE

DATE

SH 205
VARIABLE WIDTH R.O.W.

DESCRIPTION

Being Lot 1, in Block B of the JACK CANUP ADDITION, an Addition to the City of Rockwall, Rockwall County, Texas, according to the Plat thereof recorded in Cabinet G, Slide 133, of the Plat Records of Rockwall County, Texas.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 48397C0030 L dated Sept. 26, 2008, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CAPITAL TITLE COMPANY and JORGLY, LLC at 906 S. GOLIAD STREET, ROCKWALL, ROCKWALL County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 17th day of July, 2015.

Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND				
TELEVISION CABLE RISER	GAS METER	TEL PHONE RISER	FIRE HYDRANT	POWER POLE
ELEC ELECTRIC METER	ELEC BUS SUBSURFACE JUNCTION BOX	WATER METER	CP LIGHT POLE	1/2" R.P. IRON ROD FOUND (CHANGER)
-X- FENCE	STATEMENT LINE	PROPERTY LINES	A/C AIR COND UNIT	PROPANE TANK

H.D. Fetty Land Surveyor, LLC

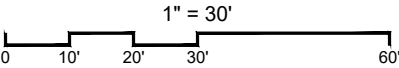
Firm Registration no. 101509-00

6770 FM 1565 ROYSE CITY, TX 75189 972-635-2255 PHONE tracy@hdfetty.com

SURVEY DATE JULY 17, 2015
SCALE 1" = 40' FILE # 20061374-18
CLIENT JORGLY, LLC OF # 15-223229-RL



906 SOUTH GOLIAD STREET
ROCKWALL, TEXAS



CONCEPTUAL SITE PLAN

MARCH 10, 2022

CITY OF ROCKWALL

ORDINANCE NO. 22-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 62 (PD-62) [*ORDINANCE NO. 05-24*] AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) FOR A *RESTAURANT, LESS THAN 2,000 SF, WITH A DRIVE-THROUGH OR DRIVE-IN ON A 1.1308-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 1, BLOCK B, JACK CANUP ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.*

WHEREAS, the City has received a request from Jack Kurz of RSDGP, LLC for the approval of a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* for the purpose of constructing a restaurant on a 1.1308-acre parcel of land described as Lot 1, Block B, Jack Canup Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] for General Retail (GR) District land uses, addressed as 902 & 906 S. Goliad Street [*SH-205*], and being more specifically described and depicted in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 62 (PD-62) [*Ordinance No. 05-42*] of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas;

SECTION 1. That Planned Development District 62 (PD-62) [*Ordinance No. 05-24*] and the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) for a *Restaurant, Less Than 2,000 SF, with a Drive-Through or Drive-In* in accordance with Article 04, *Permissible Uses*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

SECTION 2. That the Specific Use Permit (SUP) shall be subject to the requirements set forth in

Planned Development District 62 (PD-62) [Ordinance No. 05-42], and Subsection 04.01, *General Commercial Districts Standards*; and Subsection 04.04, *General Retail (GR) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] -- as heretofore amended and may be amended in the future -- and the following conditions:

2.1 OPERATIONAL CONDITIONS

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

- 1) The development of the *Subject Property* shall generally conform to the Concept Plan as depicted in *Exhibit 'B'* of this ordinance.
- 2) A minimum of a six (6) foot masonry wall (*i.e. constructed with materials matching the primary structure*) be constructed adjacent to the southern and western property lines. Mature canopy trees shall be planted on 20-foot centers along the entire length of the wall.
- 3) A minimum of a 20-foot landscape buffer with a berm and shrubbery shall be established along S. Goliad Street fully impairing any visibility issues caused by headlights from motor vehicles in the drive-through lane. In addition, mature canopy trees on 50-foot centers should be planted along the entire length of S. Goliad Street. Additional landscaping may also be required at the time of site plan at the corner of W. Bourne Street and S. Goliad Street to impair the visibility of headlights from the drive-through lane.

2.2 COMPLIANCE

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

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

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

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

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

SECTION 6. If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid,

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

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 18TH DAY OF APRIL, 2022.

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: April 4, 2022

2nd Reading: April 18, 2022

Exhibit 'A'
Location Map

Address: 902 & 906 S. Goliad Street

Legal Description: Lot 1, Block B, Jack Canup Addition

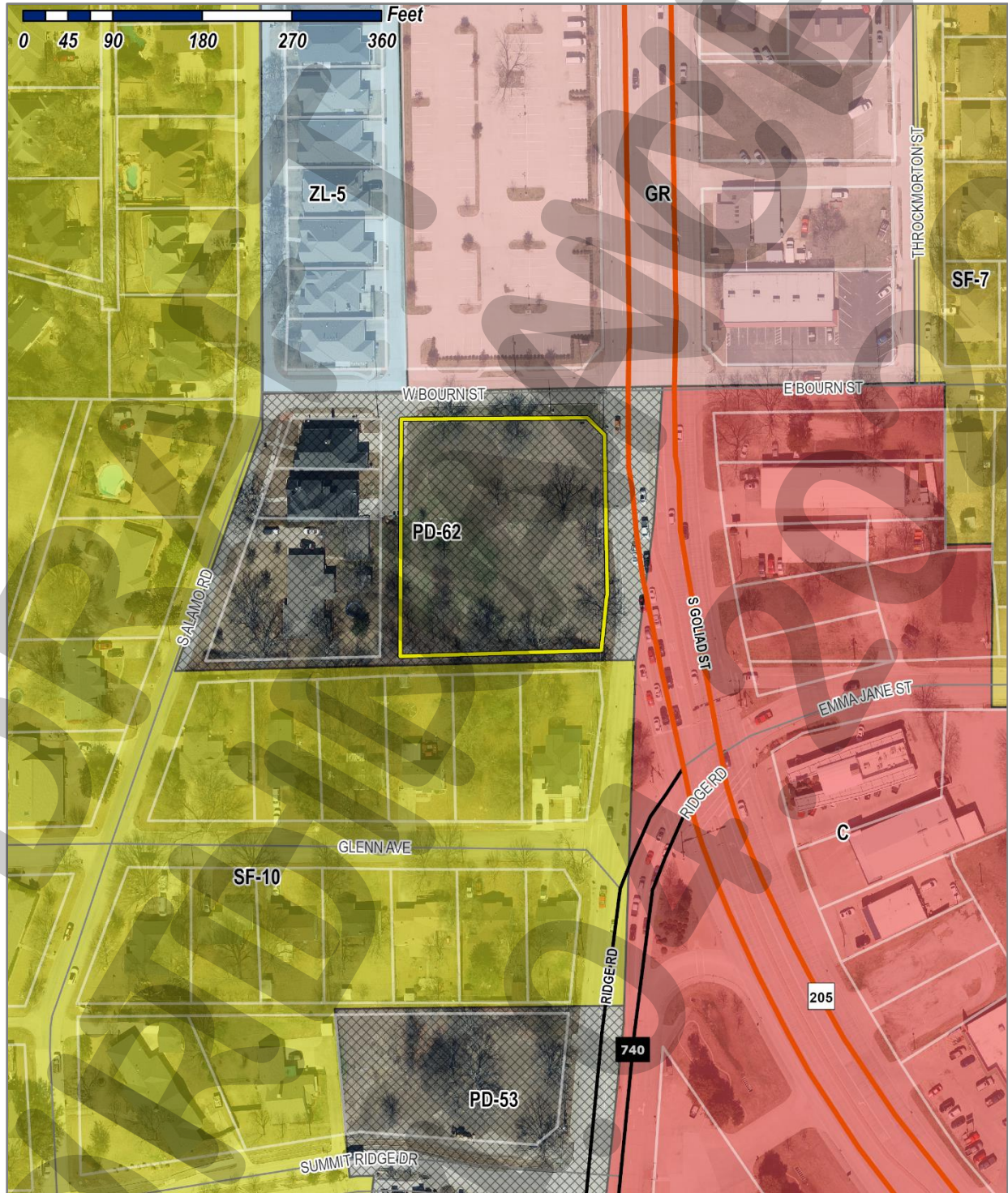


Exhibit 'B':
Concept Plan

